



ZONING BOARD OF APPEALS MEETING
PLACE: SELECTMEN'S HEARING ROOM, MARSHFIELD TOWN HALL
OCTOBER 22, 2019 7:00 P.M. - AGENDA

I. CALL TO ORDER / ROLL CALL

II. ANNOUNCEMENTS: Meeting is being recorded by MCTV (if applicable)

III. NEW HEARINGS:

A. #19-53A: Edward and Molly Fogarty: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a one (1) story addition 10' off the existing rear and approximately 32' wide, continuing 5' out beyond the north side of the existing structure and 5' x 14' along the north side of the structure on the property located at **19 Bayview Street** which is further identified on the Assessors' Maps as being on parcel K12-03-15 and is located in an R-3 zoning district.

B. #19-63: Nancy and Thomas Brandon: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing non-conforming structure and rebuild a new 40' x 24' two and one half (2½)) story dwelling with a 24'6" x 11' rear deck with a 4' landing and stairs to grade, a 24'6" x 7' two (2) tier covered porch with a 4' landing and stairs to grade on the front of the structure and a 7' x 8' balcony on the front of the dwelling off the half story on the property located at **4 Bay Street** which is further identified on the Assessors' Maps as being on parcel M04-14-03 and is located in an R-3 zoning district.

C. #19-64: Kathleen Fox and Terrance Power: The Petitioners are seeking a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-6.01 "Applicability of Dimensional and Density Regulations" and §305-6.02 "Table of Dimensional and Density Regulations" that require a twenty foot (20') side setback in an R-1 zoning district on the property located at **2193 Main Street** which is further identified on the Assessors' Maps as being on parcel E20-01-02 and is located in an R-1 zoning district.

D. #19-65: William Pappastratis: The Petitioner is seeking a Variance in accordance with §305-10.11 of the Marshfield Municipal Code to for relief from §305-6.01 "Applicability of Dimensional and Density Regulations" and §305-6.02 "Table of Dimensional and Density Regulations" that require a lot width of 80' in an R-3 zoning district on the property located at **275 Elm Forest Street** which is further identified on the Assessors' Maps as being on parcel H16-03-12 and is located in an R-3 zoning district.

E. #19-66: VRT Corporation: The Petitioner is seeking a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-11.05.B "Planned Mixed Use Development - Process" which requires a minimum of seven (7) acres of land in consolidated ownership to qualify for a Special Permit within the Planned Mixed Use District on the

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property located at **751 Plain Street** which is further identified on the Assessors' Maps as being on parcel D10-03-10 and is located in the I-1 zoning district. This parcel has been isolated from a larger parcel as a result of land taking connected with the widening of Route 139.

F. #19-67: Patrick Brennan: The Petitioner is seeking a Special Permit in accordance with §305-9.01 and §305-10.12 of the Marshfield Municipal Code to construct a 24' x 16' addition, a 24' x 10' deck and a 23.25' x 6' covered porch on the property located at **49 Tupelo Road** which is further identified on the Assessors' Maps as being on parcel I14-03-18 and is located in an R-1 zoning district.

G. #19-68: Kathleen Kennedy: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 22'8" x 16' deck on the rear of the existing dwelling on the property located at **737 Ocean Street** which is further identified on the Assessors' Maps as being on parcel L09-10-14 and is located in an R-3 zoning district.

H. #19-69: Josimar Fernandes: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 30' x 13' dormer on the existing dwelling on the property located at **1685 Main Street** which is further identified on the Assessors' Maps as being on parcel E17-07-03 and is located in an R-1 zoning district.

I. #19-70: Stephen and Elizabeth Howley: The Marshfield Board of Appeals will hold a Public Hearing on October 22, 2019 at 7:00 P.M. pursuant to the Marshfield Municipal Code in accordance with a Remand Order by the Land Court in the case of Donald Almeida, Jeremiah Eck, Kevin Sullivan, and Kenneth Meuser v. Zoning Board of Appeals of Marshfield, Lynne E. Fiddler, Francis X. Hubbard, Mark Styles, Richard Murphy, and Brian P. Murphy as they are members of the Zoning Board of Appeals of Marshfield, Stephen Howley and Elizabeth Howley (Land Court No. 17 MISC 000652 (HPS)). This matter arose out of an appeal filed by Donald Almeida, et al., regarding the Zoning Board of Appeals grant of zoning relief to Stephen and Elizabeth Howley. This hearing is to consider the modified plans for a Special Permit/Finding/Variance and/or any other relief deemed necessary to raze and reconstruct the dwelling on the property located at **225 Bay Avenue**, parcel M05-10-37, which is located in an R-3 zoning district. Public Hearings were previously held for Cases #17-33, #17-43 and #17-51.

J. #19-71: Benzine Development, L.L.C. and VRT Corporation: The Petitioners are seeking a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-6.02 "Table of Dimensional and Density Regulations" that require a minimum lot area of 40,000 square feet and a lot width of 150 feet on the property located at **751 Plain Street** which is further identified on the Assessors' Maps as being on parcel D10-03-10 and is

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K. #19-72: Michael and Beth Niarchos: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 24' x 12' second story addition to the existing dwelling on the property located at **105 Bay Avenue** which is further identified on the Assessors' Maps as being on parcel M05-05-30 and is located in an R-3 zoning district.

IV. CONTINUED HEARINGS TO DATE CERTAIN (11-12-2019):

A. #19-55: Health Circle, Inc.: The Petitioner is seeking Site Plan approval under §305-12.02 and a Special Permit under §305-10.10 of the Marshfield Municipal Code to locate a co-located retail medical marijuana facility and recreational marijuana retailer at the existing vacant 14,400 square foot industrial building on the property located at **120 Enterprise Drive** which is further identified on the Assessors' Maps as being on parcels D09-01-13B and is located in an I-1 zoning district.

V. CLOSED HEARINGS/UNDER ADVISEMENT:

VI. OTHER BUSINESS:

VII. APPROVAL OF ANY MINUTES

September 10, 2019 September 24, 2019 October 8, 2019

VIII. ADJOURNMENT

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