

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
September 22, 2020 at 6:30 P.M.
Meeting Minutes

Members Present:

Lynne Fidler, Chair
Brian Murphy
Heidi Conway
Richard Murphy
Mark Stiles
Stephen Feeney
Larry Keane

Also Present:

Andrew Stewart, Building Commissioner
Robert Galvin, Town Counsel

MARSHFIELD TOWN OFFICE
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In response to Governor Baker's declaration of a public health emergency and the related Emergency Executive Order dated March 12, 2020 as well as the Marshfield Board of Selectmen's Declaration of Emergency on March 17, 2020, the Zoning Board of Appeals shall be meeting remotely until further notice.

Ms. Fidler called the meeting to order at 6:40 P.M. and took a roll call for attendance. She advised that it was a Zoom meeting recorded by MCTV and voices and images will be part of the record.

Ms. Fidler said that there would be some changes to the Agenda. **Case #20-61** is a new hearing and would be heard after the closed hearing. **Case #20-49**, Frozen 4, is the closed hearing that will be deliberated first. **Case #19-55**, Health Circle is a continued hearing and will be heard second. **Case #20-61**, 26 Littles Lane, will be next.

The Board needs to continue the following hearings. **Case #19-81**, 612 Plain Street, requested to continue to October 27, 2020. Ms. Fidler made the motion to continue, which was seconded, and conducted a roll call vote. Fidler, B. Murphy, Conway, R. Murphy, Feeney and Keane voted in favor of continuing the hearing. **Case #20-28**, 1213 Ferry Street, requested to continue as they are still waiting for Conservation approval. Ms. Fidler made the motion to continue, which was seconded, and conducted a roll call vote. Fidler, B. Murphy, Conway, R. Murphy, Feeney and Keane voted in favor of continuing the hearing. **Case #20-59**, 1121 South River Street, requested to continue to October 13th; Ms. Fidler made the motion to continue, which was seconded, and conducted a roll call vote. Fidler, B. Murphy, Conway, R. Murphy, Feeney and Keane voted in favor of continuing the hearing.

#20-49: Frozen 4, L.L.C.: The Petitioner is seeking a Special Permit and Site Plan Approval in accordance with M.G.L. c. 40A §9, Marshfield Municipal Code Section §305-12.06 RECREATIONAL MARIJUANA, Section §305-10.10 SPECIAL PERMIT and Section §305-12.02 SITE PLAN APPROVAL for a recreational marijuana retail establishment to be located at **985 Plain Street** and further identified on the Marshfield Assessors' Map as parcel C10-02-05 lying within the I-1 Industrial Zoning District and such other further relief pursuant to the Marshfield Municipal Code as necessary.

Ms. Fidler asked if the applicants for Frozen 4 were in attendance and Attorney Steven Guard

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said that he was there with Ben Virga. Ms. Fidler reminded the Board and the public that this hearing was closed. She said that at the previous meeting a draft of Conditions for this site was displayed. Mr. Stewart displayed the Conditions again and advised that he would make the edits as the Board went along. The Board then went through each condition and began to deliberate after discussing the Conditions. They discussed hours of operation and Mr. Guard said the applicant would be okay with 9:00 PM Monday to Saturday and 12:00 PM to 8:00 PM on Sundays. Ms. Fidler reminded Mr. Guard that the hearing was closed; Mr. Galvin said that he cannot participate further. The Board agreed that the Cannabis Control Commission was involved with building security.

Ms. Fidler said that there was opposition from Attorneys Gibson and Driscoll; they were the only opposition and there was no opposition to the other site. She stated that Mr. Gibson had submitted suggested conditions and asked if the Board would be in favor of adding any of them. Ms. Conway asked about appointment only and Ms. Fidler said they would get back to that. Ms. Fidler said the grand opening plans should be discussed with the Police Department and she mentioned that the property has an abundance of parking. Mr. R. Murphy said that he thought #13 would have a broader reach (coordinating grand opening plans, arranging and paying for police details). He thought the applicant was going to stay in touch with the Police Department for about six (6) months. Ms. Fidler said she thought that was addressed in #14 and said he was correct. Mr. Keane thought there was supposed to be two (2) police details until the light was put in but it was up to the Chief. Mr. R. Murphy said they should look at #13, #14 and #15 as one item and said he didn't see the operation of this facility until there was a light; he doesn't want to see it open until the light is operational. Ms. Conway said she also felt that was important and maybe the Board should put something in about reviewing it in some months or a year. Mr. Keane said that #13 was not spelled out that there would be two (2) officers. Mr. B. Murphy said he wanted to make sure they were clear that the detail would be there until the light is active or the Police Chief said it isn't necessary. Ms. Conway said they should leave it to the Chief's discretion. Ms. Fidler said they could dictate two (2) officers but they may not be necessary. Mr. Keane said that one concern of the abutters is that without two (2) officers there may not be an incentive to get the light done; there is more incentive if they have to pay for two (2) officers. Ms. Fidler said she is hearing two (2) members who don't want to open without the light. Mr. Keane said he is not for them not being open until the light. Ms. Conway aside what would happen if the light wasn't installed. Ms. Fidler asked if she was hearing that this application won't be accepted until the light is in; she understands they did the legwork. Mr. B. Murphy said that he has no problem with them opening without the light as long as the Chief addresses traffic; Mr. Keane agreed with that.

The Board discussed Condition #15 re: the \$350,000 that would be put into an escrow account. Mr. Keane said that he believed the applicant said they would bear the full costs and Ms. Fidler agreed; Mr. Keane said that two (2) officers would give more incentive. Ms. Conway said that there are certain steps that needed to be taken to get the light. Ms. Fidler said she was trying to clarify if they had a more secure understanding about the light and said that Attorney Guard had sent information. Mr. B. Murphy said that a lot had to do with the state approving the process.

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Ms. Fidler stated that the state has already installed things below the surface and asked Mr. Galvin for a solution to the light dilemma. Mr. Keane said that with the applicant getting the light in there and the expense, it won't be the only business to benefit from the light. Mr. B. Murphy said he would love to have the light there but should leave it up to the Chief. Mr. Galvin said the arrangement with the Town as that the applicant would contribute \$350,000 toward the cost of the light. Mr. B. Murphy said he could be wrong but he thought at the site visit \$650,000 was used; Mr. Keane said that was correct, the applicant went from \$350,000 to \$650,000 and didn't appear to have an issue. Ms. Fidler asked where they stood if this conflicted with the Host Agreement; Mr. Galvin said it doesn't conflict. He said the decision should read that the applicant, as offered, should pay for the cost of the design and approval. He said the state may say no or they might not be able to connect. Ms. Fidler asked if it didn't get approved and Mr. Galvin said they would still give the money to the Town. Ms. Fidler asked if the town or the state would pick up the rest of the cost and Mr. Galvin said the applicant would pay \$350,000 toward the cost and that nothing here would affect the Host Agreement. Mr. Galvin asked rhetorically what would happen if they didn't get it and said they can ask them to deposit before occupancy.

Mr. Galvin said that Condition #14 should be fixed based on the conversation that evening. He said they should leave it up to the Chief to decide how many for the detail and if they are there until there is a signal or until the Chief determines there is no need. Mr. Galvin said the Board had to determine by a 4-1 vote if they were to approve this without a signal. Ms. Fidler said this was the lynchpin condition; they had to decide as a Board to allow the use to exist before there is a signal. She called for a roll call vote on accepting #14 as a Condition for both the Special Permit and Site plan, making it clear that the Board is being asked whether or not the site will be granted occupancy without the signalized intersection. Mr. Galvin said it means they can open before the signalized intersection is approved. Mr. R. Murphy said he was struggling with this because he thinks Route 139 is a mess now. He said he was at Town Meeting when we allowed it and he is for it. He said he sees the need and want for recreational marijuana but he is struggling because they don't have a date for the light. Mr. B. Murphy said he wasn't sure that Mr. R. Murphy was understanding and said the Chief is going to determine when the details stop. He said there could be details in perpetuity until there is a light or a determination that this facility doesn't put a burden on 139.

Ms. Fidler said that the Ben Virga submitted a letter from Howard Stein Hudson dated August 11, 2020 in a response to Mr. Gibson. On page 2 under "Signal is a Necessity" it states "Howard Stein Hudson and Frozen 4 continue to recommend the installation of a traffic signal control at the School Street/Plain Street intersection to improve overall traffic in the area, School Street as well as for the site. However as a standalone Project the site as designed is large enough to handle vehicle queueing internally without having an impact on Route 139". Mr. Keane said that the Chief and safety officer were satisfied with the plan submitted and he puts a lot of weight to that. Ms. Fidler said she did too and that the applicant put a lot of effort into this. Mr. Keane said they should remember that these licenses will be added throughout the years so it won't be having as much of an impact. He also said he doesn't see many businesses in town contributing

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3% of their gross. Mr. Stewart said that from a building standpoint there will be a certain amount of occupancy which will be limited because of Covid. There is a limit to the occupancy and only a certain number of people will be leaving at a given time; traffic coming in will be a question mark. He said it was good that they could direct traffic in and out before the light.

Ms. Fidler referred to §305-12.02.H under Site Plan Review which states “The Board shall have the power to modify or amend its approval of a site plan on application of the owner, lessee or mortgagee of the premises, or upon its own motion if such power is reserved by the Board in its original approval...”; she said this may help with moving forward on the use of the site without the light installed. Mr. Galvin said it was important to remember that it is a state highway and you can’t make them do it. The applicant offered to do this and a condition will have to say “as offered”. The Board of Selectmen had a remedy – they forfeit the \$350,000. Mr. Galvin said his suggestion was to approve it with no left turn, take the money and if it isn’t done then they forfeit it. Ms. Conway said that per the Chief the road was in the works before this came up.

Ms. Fidler made a motion to accept the conditions as drafted/outlined and accept them for both the Site Plan and Special Permit. The Board unanimously voted 5-0 with Ms. Fidler, Mr. B. Murphy, Ms. Conway, Mr. R. Murphy and Mr. Keane voting in favor of the conditions. Ms. Fidler stated they would move on to the Site Plan and Special Permit and asked if the Board should go through §305-12.06, Recreational marijuana, and Mr. Galvin said he prepared a sample findings. He said the Board should start with the Special Permit and then do Site Plan.

Ms. Fidler made a motion that the Board grant the Special Permit based on the findings submitted by Town Counsel: that the establishment is designed to minimize any adverse impacts on abutters, etc.; that it has demonstrated it will be able to meet all permitting requirements of all applicable agencies, etc.; and that the applicant has satisfied all of the conditions, findings and requirements set forth in Section 12.06(C). The motion was seconded and Ms. Fidler, Mr. B. Murphy, Ms. Conway, Mr. R. Murphy and Mr. Keane voted in favor. Ms. Fidler then made a motion to grant Site Plan approval with the previous conditions. The motion was seconded and Ms. Fidler, Mr. B. Murphy, Ms. Conway, Mr. R. Murphy and Mr. Keane voted in favor.

The Board took a short break and Ms. Fidler called the meeting back to order at 8:29 PM.

#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 recreational marijuana facility 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. This is a Continued hearing that was re-advertised.

Ms. Fidler said the Board would move to the continued hearing. She said that they have heard from the applicant and conducted a site visit. She said that she had a short meeting with Greg Guimond and there is a letter from him with his concerns about access back to Route 139. Mr.

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Stewart displayed the memorandum to Mr. Guimond addressing his concerns and the Board went through the comments. Ms. Fidler mentioned that on street parking is mentioned several times but it is prohibited. Ms. Fidler would like the applicant to comment on #16; she said that #18 is a sticking point and asked that they comment on that. She said that the applicant spoke to Mr. Guimond and believes that a plan would work. She also said that she would like the application to be up to date before closing the hearing.

Attorney Valerio Romano, Michael Westort, Paul Jacobsen, Shawn Kelly and Rick Grady were in attendance for Health Circle. Mr. Romano said that they have twenty-seven (27) spaces and the building owner confirmed off-site parking for employees. He said that they meet the requirements not using off-site parking to meet the Bylaw. He discussed the lanes onto Route 139 and submitted additional information based on the Board's comments. Mr. Romano said that since they last spoke, their Rockland site opened. He also said that the concern with #16 and #18 and said the ancillary use was supporting them; the whole building won't be retail; they only used the building as retail for parking calculations. There won't be other tenants or other principal uses. They only mentioned street parking because people do park there but it is not their plan.

Shawn Kelly from Vanesse said that Mr. Romano had touched on the issue of other uses; there will just be their own storage and offices. He said at the last meeting data was used for medical and adult; the data is not broken down; their projections are higher than most of the actual traffic of a similar sized facility. There will be less than twenty (20) cars parked for the majority of the day, usually fifteen (15) but sometimes twenty-one (21) or twenty-two (22). Mr. Kelly said they looked at the parking on Enterprise Drive and they are not looking to rely on that. If someone does park on the street for the brewery or games, it's not impacting safety.

Mr. Kelly said that people won't be waiting through multiple lights; the twenty (20) seconds of green time is really fifteen (15) seconds with the yellow. They timed it and it's actually thirty (30) seconds. They also did a pedestrian phase but that only comes up when the button is pressed. They do not think it is an F level of movement but a level D. People may wait three (3) more seconds at the light due to dispensary traffic. Mr. Kelly said they will do a post-opening study and as the Department of Transportation (DOT) to re-time the signal. He said there is typically a rush period when opening and they always suggest working with the Police Department because they have the best idea about traffic issues.

Ms. Fidler asked Mr. Stewart to display the site plan because she wanted to make sure they were working with the most current plan; she said she has August 10th and Mr. Stewart has August 11th. Ms. Fidler said they are saying they require twenty-three (23) spaces and they have twenty-five (25). Mr. Romano said it's twenty-four (24) and twenty-seven (27) and that two (2) of those are inside. Ms. Fidler said she did not understand the inside parking and Mr. Romano said that there is oil and water separation. Ms. Fidler asked if the inside spots were for customers and they are not. Mr. Romano said they have more than required even without those two (2) spots. Ms. Fidler said they talked about the parallel spaces in the back and that the dumpster impacts one (1) of them. She said there should be a sign about no parking for Stellwagen. She also said

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there should be some sort of delineation between the two (2) properties; she wasn't sure how the Board felt but knows that Mr. B. Murphy doesn't think it is an issue. She asked if the Board had any comments on parking. Ms. Conway said she was not 100% sure that the parking is enough; she doesn't think it should be shared parking with Stellwagen and there should be delineation. Mr. R. Murphy said he has trouble with the parallel parking in back and he doesn't love the entrance with Stellwagen using it to enter and exit and the dispensary using it to enter. He said it was a difficult site for him and there is too little parking and Ms. Conway agreed. Ms. Fidler thinks the spaces in back might be okay for deliveries but not for parking. Mr. Keane said the inside parking is for the owner and maybe the manager; Mr. R. Murphy said they still have to figure out a way to get rid of fumes.

Mr. Romano said the Board could condition that the dumpster be rolled inside; it's not for marijuana waste. He said the business that is there now is currently parking vehicles inside. They still have enough spaces either twenty-four (24), twenty-five (25) or twenty-seven (27) and they are all for this use and not shared. They have proposed a line on at the Stellwagen driveway to indicate the left side entry is for Health Circle; they would be happy to make it a condition that they provide signage about not parking at Stellwagen; they could make it a condition that it is satisfied with an easement; he will leave the fence up to the Board. Mr. Romano said he doesn't see that it is justified to look askance at the application for parking when they have enough; it's not an insurmountable challenge. Mr. Keane said that as for parking, he looked at a very busy, similar business and they had twenty-five (25) spaces.

Ms. Fidler said that Mr. Feeney will vote on this and Mr. Keane will vote on the other one; his input is invaluable. Mr. Feeney said that he went to the Rockland dispensary and a couple of other places that had approximately nineteen (19) spaces and it seemed to be an in and out business; it's not like someone in a candy store picking out licorice. Mr. R. Murphy said that he visited Plymouth and said that it was super busy and they had a massive parking lot; it wasn't a quick in and out. He feels this is a tough spot and asked why they looked at this site. He asked why they didn't look at places a little closer than Millbury to do their analysis. Mr. Kelly said the Millbury data was done for something else which was a similar size, etc. and they felt it was appropriate to use the data. Mr. Romano asked Mr. Kelly when Millbury was done and he replied that it was July 2020. Mr. Romano said that as time moves on more of these will open; they probably won't open until the second quarter. He said that people typically order on line; they know what they want and they just pick it up. Mr. R. Murphy said that wasn't what he saw; it's more daunting than it sounds.

Mr. Romano said that he can see the concern and why it was warranted but he doesn't see it as a reason to vote against the project. He is willing to do almost anything. He said that the other place is medical and they have consultation rooms. Mr. R. Murphy said it was about 6-1 recreational going in the door; both days he went were Sundays and nothing else was open; there were more than one hundred (100) spaces. Mr. Romano said they would comply with whatever conditions the Board sees fit. Mr. R. Murphy asked if one condition was could they satisfy customers without using offsite parking, could they do it. Mr. Romano said they could because they want this to be a convenient process for customers. He said it was state that there would be

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3% off the top but it's actually 6% with the tax; he said the Board will see that before seeing the other group's. Mr. Romano said they want to keep the parking vacant for customers and they satisfy the Bylaw either way.

Mr. Feeney asked if Mr. Romano's clients ran the Rockland facility and he replied that they did. Mr. Feeney asked how many spaces they had and said that Plymouth was different with recreational and medicinal; he never saw forty (40) cars in queue. He felt there were more than enough spots but he didn't go in; he said one day was a Saturday and another was in the evening. It is Mr. Feeney's opinion that they have plenty of spaces. Mr. Romano said there were two (2) places in Rockland and theirs hasn't opened yet. Mr. Romano said they have fewer spaces than Marshfield; he said Rockland is serving a lot of area because of the bans that are around. He said that their lot is laid out fairly well and he agrees with the Chari that the last spot is tough. He said the Board could make it a condition that they have a parking lot attendant; they will pay to have someone out there as long as the police say as well as details. They are okay with the conditions of the previous group if they are applicable.

Ms. Fidler asked to speak to the engineer and said that maybe reducing the number of spaces in back would be a better scenario. Mr. Kevin Grady said they need a ten (10) foot setback for the rear property line; the parallel parking allows them twenty-three (23) feet. It's a two (2) way aisle and can do three (3) point turns; he said this would be last resort parking and it's wider than a lot of streets. Ms. Fidler asked if Mr. Kelly could support what was said. Mr. Kelly said yes, even if they had seventy (70) customers an hour broken down that would be about twenty-four (24) cars. Ms. Fidler said that Modera would be coming in and traffic flow on this is most overwhelming. Mr. Keane said that Rockland had five hundred (500) people the first day and you could divide that up. Mr. Kelly said they did a study in the last two (2) weeks and it didn't have any bearing; there wasn't anybody waiting ninety (90) seconds to turn from Enterprise Drive. They accounted for Modera and the other projects there. He said that when the signal was designed there was supposed to be a sports complex built there; what was projected then was no more than what is projected today. He is confident that the signal as is will be fine; it was built to handle more traffic.

Ms. Fidler said they have heard from Mr. R. Murphy and Ms. Conway and asked for Mr. Galvin's opinion. Mr. Galvin asked how the traffic movement would work for the parking in the back and asked if the fence would extend; he asked Mr. Kelly to address that. Mr. Kelly said that to park in the rear they would need to make a multi-point move, a parallel parking maneuver. Mr. Galvin said that they couldn't functionally use the last two (2) spaces. Mr. Grady said they discussed moving the dumpster and they can back into the vacant space; the maneuver can be done. Mr. Galvin said there should be a separation from the brewery and asked what would stop the brewery people from walking over to purchase marijuana and then smoke it on the way back to the brewery; the fence is only half way. Ms. Fidler said she would like a fence and said they discussed this before. She said at the site visit Mr. B. Murphy didn't think a fence was necessary but the Board hadn't weighed in; she is in favor of a fence.

Mr. Romano said at the beginning of their time tonight they said they would defer to the Board

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on the fence. Mr. Stewart said there had been questions about accessibility and said they are fine. Ms. Fidler mentioned lighting and said she knows they need to be in compliance with the Cannabis Control Commission. Ms. Fidler asked if there were other questions from the Board. She stated the landscaping needs to be spruced up but she didn't see a landscaping plan. She said she is sure they want it to look nice and they could condition that. She then read an email from Mr. Greg Guimond. Mr. Romano said they had a meeting scheduled about the roadway fund and Ms. Fidler said she was in favor of two (2) left turn lanes. Mr. Romano said they are offering to work with the Massachusetts Department of Transportation collecting and analyzing data on the light. He said that with Mr. Galvin's condition verbiage it could say as offered by Health Circle, they commit to paying for an analysis from MassDOT.

Ms. Fidler said that as for conditions, they heard the previous case: Monday to Saturday 10:00 to 9:00 and Sunday 12:00 to 8:00 and asked if that was agreeable. Mr. Romano said they were but believes liquor stores open at 10:00. Ms. Fidler said they talked about appointment only in the beginning but she didn't see an appointment requirement for the other group and asked if there was something specific that would require it. Mr. B. Murphy said that it was offered when they thought they only had eight (8) spots; Ms. Fidler and Ms. Conway said they didn't get that impression. Mr. Romano said they were willing to do appointment only for the first two (2) weeks. Mr. Keane suggested that they do the same that they did for Frozen 4 and have a police detail until it is no longer necessary.

Ms. Fidler asked if there were any questions from the Board or the public and there were none. She asked Mr. Romano if they had exhausted their application or were there any final words because they were in the process of closing the case. Mr. Romano said that they have been before the Board for at least a year and they feel that they fit the Bylaw in its entirety; they haven't asked for waivers. He asked the Board if they would be going through conditions that night or would they be sent to him so they could go back and forth. They would love a decision tonight if the Board felt favorable but would rather not have it closed while discussing conditions. Ms. Fidler said that before they closed they could put the conditions on the Board and make any changes the Board sees fit. Mr. Galvin could send them to Mr. Romano or the Board can close it; she asked if the Board was in favor of going through the conditions that night. Mr. B. Murphy said they had been through a lot and he would like to digest what they heard. Ms. Fidler said she does not want to deliberate tonight and they still have one (1) more hearing. They can go through the conditions, continue or close; the applicant does not need to reiterate their opinions. She made a motion to close the hearing for Site Plan approval and Special Permit which was seconded. In a roll call vote the Board voted 5-0 to close with Fidler, Conway, B. Murphy, R. Murphy and Feeney voting in favor. Mr. Romano asked if he could ask a procedural question – would Mr. Galvin or Ms. Porreca send him the conditions. Ms. Fidler said yes, they are public record. Mr. Romano asked if he could write back re: the conditions and Mr. Galvin said he would work with him. Ms. Fidler asked the Board if it wished to deliberate another day; Mr. Galvin said they would need 48 hours notice and a published Agenda if they were meeting on a different day. Ms. Fidler asked the Board if they would be willing to do a half an hour on a different Zoom. Mr. B. Murphy asked if they could meet at 6:00 on October 13th and pick this

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up first; he does not want an extra meeting. Ms. Fidler said Ms. Conway cannot make the 6:00 time. Mr. B. Murphy said they should put it on the next Agenda.

Mr. R. Murphy was leaving the meeting and Mr. Stiles was joining the meeting when Mr. B. Murphy asked for a point of order before Mr. R. Murphy left. He said he doesn't think they need to vote on Chair, Vice Chair and Clerk until they meet again in person. He asked if everyone was okay with that and Fidler, B. Murphy, Conway, Stiles, Feeney and Keane were. Mr. B. Murphy stated he also had to leave the meeting.

#20-61: Leonard Snyderman: The Petitioner is seeking a Special Permit in accordance with §305-13.02.C.01 and §305-10.12 and a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-6.07 to construct an 8' x15' float, a 15' ramp and a 56' pier on the property located at **26 Littles Lane** which is further identified on the Assessors' Maps as being on parcel D20-01-21 and is located in an R-1 zoning district.

Ms. Fidler read **Case #20-61** into the record; Mr. Jed Hannon represented the applicant. He said they had been before the North River Commission last fall and received approval; they went before the Conservation Commission and got an Order of Conditions late last year; the Harbormaster did not see a problem with the project. Mr. Hannon said the rear of the property slopes down to the North River; there is a twenty (20) foot wide easement on the right side; access to the easement does not conflict with the pier which is 55 feet away. He said the ZBA Special Permit is part of the Chapter 91 licensing and asked if there were any questions. Ms. Fidler said they have been there before and asked for the Union Street decision to be displayed; Ms. Porreca said it was 1327 Union Street from 2019. When it was displayed Ms. Fidler pointed out the conditions and asked if there were any questions. Ms. Fidler asked for the architectural and deed. She stated that no lighting was proposed and Mr. Hannon said that was correct. She asked if the applicant had gotten through the conditions and Mr. Hannon said about eight (8) of them. Ms. Fidler asked about electrical hookup and Mr. Hannon said there was no intention. Mr. Snyderman said that they look okay to him; they seem to be standard conditions.

Ms. Fidler asked if there were any questions from the Board or the public and there were none. She made a motion to close Case #20-61 for the Special Permit and the Variance and the motion was seconded. In a roll call vote the Board voted 5-0 to close the hearing with Fidler, Conway, Stiles, Keane and Feeney voting in favor. Ms. Fidler made a motion to grant the Special Permit which was seconded. In a roll call vote the Board voted 5-0 to grant the Special Permit with Fidler, Conway, Stiles, Keane and Feeney voting in favor. Ms. Fidler made a motion to grant the Variance which was seconded. In a roll call vote the Board voted 5-0 to grant the Variance with Fidler, Conway, Stiles, Keane and Feeney voting in favor.

Ms. Fidler made a motion to adjourn at 10:21 which was seconded. In a roll call vote the Board voted 5-0 to adjourn with Fidler, Conway, Stiles, Keane and Feeney voting in favor.

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The meeting adjourned at 10:21 P.M...


Respectfully submitted,



Nanci M. Porreca
Zoning Administrator

I attest the foregoing minutes were approved by the Zoning Board of Appeals at their

May 24, 2022 meeting by a 5-0 vote.

Signed:  Date: 5/24/22