

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,
MARSHFIELD TOWN HALL APRIL 11, 2023 6:30 P.M.
MEETING MINUTES**

Present: Brian Murphy, Chairman, Larry Keane, Clerk, Stephen Feeney, Grover Hensley Jr., and Brian Sullivan.

Absent: Heidi Conway, Vice Chair and Mark Corwin

Also Present: Building Commissioner, Andrew Stewart and Town Counsel, Attorney Robert Galvin.

Call to Order:

6:30pm – Chairman Brian Murphy opens meeting

New Hearings:

A. #23-23 (111 Edward Road)

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Owner Kristine Mosca addresses the board with her proposed scope of work in hopes of increasing the second floor living space.
- Andrew Stewart comments on the nature of work and how it will not impact the Inland Wetland district and that this aspect of the Special Permit does not need further consideration.
- Mr. Murphy motions to close hearing/ Mr. Sullivan seconds.
- Unanimous vote by all to approve the Special Permit. Mr. Murphy motions to deny the Inland Wetlands portion of application as “moot.”

B. #23-24 (21 Hartford Road)

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- The owner Mr. John Griffin presents the scope of work to the board.
- Andrew Stewart informs the applicant that a Special Permit was not necessary for the nature and scope of work. The open deck will conform to all required setbacks for that zoning district. He apologized for the delay this may have caused him and instructed him to apply for both a Floodplain and Building permit.
- Mr. Griffin thanks him and the board for their time, and comments on Nanci’s professionalism and her being a wonderful asset to the Town of Marshfield.
- Mr. Murphy moves to dismiss the case (Attorney Galvin at the end of the meeting instructs the board to deny this as “moot.”)

C. #23-25 (1849 Ocean Street)

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Owner of Liv Creative Cuisine, (lessee of this space on property) Tom Coleman explains his expansion proposal to the board. Indicates that based on ABC regulations he was instructed to fence in the area of outdoor seating, after doing so he realized he had encroached into Town property.

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- Andrew Stewart comments on having spoken with Mr. Coleman in the past and instructing him to go before the Selectboard prior to Site Plan approval.
- Mr. Sullivan agrees with the procedural steps and that they cannot endorse the expansion on to property he does not have rights to.
- Mr. Murphy seeks the advice of Town Counsel who substantiates the necessity of Selectboard relief prior to the ZBA's approval.
- Mr. Murphy moves to close hearing and continue to next meeting (5/9) Mr. Sullivan seconds. All in favor to close and continue.

D. #23-26 (1840 Ocean Street)

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Owner John Kesaris of the Marsh, presents the idea of relocating the originally approved outdoor seating area to the current location that is being used.
- Andrew Stewart comments in favor of the change because of the little impact it would have on the property. He also addresses the lighting and barrier requirements.
- Mr. Keane agrees with the safety aspects of relocating and supports the area based on his own dining experience there.
- Mr. Kesaris explains that the existing bistro and flood lights are currently on timers.
- Andrew Stewart advises the Board to make the lighting a condition of the Site Plan approval.
- Mr. Murphy moves to close the hearing. Mr. Sullivan seconds.
- Mr. Murphy moves to grant the Site Plan Approval with the condition that the lighting be turned off 30 min after the hours allowed by the liquor license; in this case 1:30am.
- Unanimous vote to grant Site Plan Approval.

E. #23-27 (109 Salt Meadow Waye)

- Mr. Murphy reads case into the record and turns hearing over to the owner's representative.
- Stephen Bjorklund presents the scope of work for the additions to the board. Lot is simply undersized.
- Andrew Stewart requests an updated plot plan for floodplain delineation and clarification.
- Mr. Bjorklund asks if an Elevation Certificate will be required. Andrew Stewart strongly suggests that homeowners obtain one, if the structure is found to be in the flood zone.
- Mr. Murphy moves to close hearing. Mr. Sullivan seconds.
- Mr. Murphy moves to approve Special Permit with the condition that an updated plot plan be provided to the Building Department for building permit.
- Additional conditions include Certificate of Occupancy and Final As-Built.
- Unanimous vote to grant the Special Permit.

F. #23-28 (20 Jackson Street)

- No one to present case.
- Mr. Murphy moves to continue case to next meeting.
- Unanimous vote to continue.

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Continued Hearings:

- A. #22-66 (1184 Ferry Street) Petitioner requested continuance on hearing to the May 9th meeting.
-Unanimously voted to continue to 5/9

Other Business:

Mr. Murphy motions to approve all minutes listed in the agenda.
Unanimously all in favor.

Meeting adjourned at 7:15 PM by unanimous roll call vote.


Next Meeting: Tuesday, May 9, 2023.

Respectfully submitted,



Casey Dam
Administrative Assistant

These minutes were approved by the Board on May 23, 2023 by a
5-0 vote.

Signed:  Date: 5/23/23