

MARSHFIELD PLANNING BOARD
Meeting Minutes
February 5, 2024 – 7:00 PM
Remote Meeting

PRESENT: Mike Biviano, Chair
Katie O'Donnell, Vice Chair (arrived at 7:07pm)
Kevin Cantwell
Fred Monaco
Nik Pappastratis

ALSO PRESENT: Greg Guimond, Town Planner
Karen Horne, Asst. Town Planner

ABSENT: Scott DeCastro, Associate Member

At 7:01 PM, Mr. Biviano made a motion to open the meeting. Mr. Monaco seconded. The vote was Mr. Monaco, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; and Mr. Biviano, Aye.

Public Hearing Proposed Modification – John Sherman Estates OSRD Special Permit

Mr. Biviano made a motion to open the public hearing. Mr. Monaco seconded. The vote was Mr. Monaco, Aye; Mr. Pappastratis, Aye; Mr. Cantwell, Aye; and Mr. Biviano, Aye.

Mr. Guimond explained that the original Open Space Residential Development (OSRD) Special Permit was issued in 2013. At that time, the Conservation Commission was allowed to hold conservation restrictions (CR). After 2015, towns could no longer hold conservation restrictions. John Sherman Estates has not filed their conservation restriction yet. It is challenging to find a non-profit to hold the CR for the open space. Non-profits can charge \$15,000 - \$20,000 to hold a CR. As a result, the applicant, Paul Driscoll, is looking to donate the open space to the Town to be under the care and control of the Conservation Commission. Donating the open space to the Town would require a modification to the special permit decision.

Mr. Driscoll stated conservation groups look for larger parcels than the John Sherman Estates open space.

Ms. O'Donnell stated her main concern was stewardship that the Conservation Commission will have to figure out. There will be a cost of stewardship and that will need to be worked out.

Mr. Guimond stated that the open space donation needs to be approved by the Conservation Commission. The Board could vote on a conditional approval pending the vote of the Conservation Commission. Mr. Biviano suggested that the Planning Board wait for the Conservation Commissions decision.

Ms. O'Donnell stated the CR holders are concerned with open space parcels with many abutters. This open space is for conservation purposes and no other uses.

Mike Tufts, 116 Wrights Way, had several questions. Can the restriction be changed? How does this effect Chapter 40B? He feels the residents need more time to evaluate how they feel. Mr. Guimond explained that the land has not been turned over to the Homeowners Association yet because all the

conditions of the special permit have not been met yet. The open space would be protected under Article 97 once turned over to the Town. If the land is turned over to the town, it would could towards the Chapter 40B, General Land Area Minimum (GLAM) which could help to stop future Chapter 40B projects.

Brandon Hicks, 96 Wrights Way, doesn't understand why the Town cannot hold the CR.

Ms. O'Donnell reminded the abutters that the intent is for the land to be protected in perpetuity.

Mr. Monaco had to leave the meeting.

Mr. Biviano made a motion to continue the public hearing to February 26, 2024 at 7:05pm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Board/Staff Reports

Mr. Guimond stated have been spending time on the beach nourishment project. There have been two change orders to ensure that the Town uses all of the state grant money. The project should be done by February 26, 2024.

Minutes 1/8/2023 and 1/22/2024

Mr. Biviano made a motion to approved the minutes of January 8, 2024 and January 22, 2024. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Adjournment to (Roll Call Vote)

Mr. Biviano made a motion to adjourn at 7:46pm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.