

REQUEST FOR REVIEW

Case No: 2024-09
Petitioner: Marshfield Country Club
C/O: Fernando Guitart
Address: 0 Acorn Street
Parcel #: 050-033-001

<input type="checkbox"/>	PLANNING BOARD
<input type="checkbox"/>	BOARD OF HEALTH
<input type="checkbox"/>	CONSERVATION COMMISSION
<input type="checkbox"/>	DESIGN REVIEW BOARD
<input type="checkbox"/>	WATER DEPARTMENT
<input type="checkbox"/>	DUXBURY BAY MANAGEMENT COMMISSION
<input type="checkbox"/>	HIGHWAY DEPARTMENT

Date form was delivered: 03/06/2024

DATE REVIEW REPORT DUE TO BOARD OF APPEALS (906.4-WITHIN 35 DAYS) - Written comments and recommendations should be received within 35 days or there shall be deemed no opposition or desire to comment. **DUE DATE TO ZBA: 04/10/2024 or ASAP**

PUBLIC HEARING SCHEDULED FOR: April 11, 2024

<input type="checkbox"/>	RESIDENTIAL CLUSTER DEVELOPMENT
<input type="checkbox"/>	PLANNED DEVELOPMENT
<input checked="" type="checkbox"/>	SPECIAL PERMIT
<input type="checkbox"/>	VARIANCE
<input type="checkbox"/>	APPEAL

BOARD OF APPEALS REQUESTS:

<input type="checkbox"/>	PRELIMINARY QUALIFICATION/SITE ANALYSIS REVIEW	803.5
<input checked="" type="checkbox"/>	SPECIAL PERMIT COMMENTS & RECS.	906.2
<input type="checkbox"/>	DEVELOPMENT APPLICATION REVIEW	806.2
<input type="checkbox"/>	SITE PLAN APPROVAL	602
<input type="checkbox"/>	VARIANCE – COMMENTS AND RECOMMENDATIONS	
<input type="checkbox"/>	APPEAL OF BUILDING INSPECTOR'S DETERMINATION- COMMENTS AND RECOMMENDATIONS	



TOWN CLERK

2024 MAR -4 PM 5:21

DUXBURY, MASS.

TOWN OF DUXBURY



BOARD OF APPEALS NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a public hearing in the Mural Room, 878 Tremont Street and via zoom on Thursday, April 11, 2024 at 7:30 p.m. to consider the application of the Marshfield Country Club c/o Fernando Guitart for a Special Permit under Article(s) 400 and 900, Sections 410.3, 430.1 and 906.2 of the Duxbury Protective Bylaw. The property is located at 0 Acorn Street, Parcel No. 050-033-001 of the Duxbury Assessors Map, consisting of 12.19 acres in the Residential Compatibility District (RC) and the Planned Development District 1 (PD-1) and owned by Marshfield Country Club Inc. The Applicants propose to construct a non-residential restroom facility on the property that is currently being used as a driving range with existing access and parking facilities. The proposed restroom facility will consist of a men's restroom, a women's restroom and a small mechanical room. A special permit is required. The application may be viewed on the Town's website www.town.Duxbury.MA.US under the Zoning Board of Appeals page or in the Municipal Services Department. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the application and any accompanying materials in an accessible format. Such requests should be made at least three business days in advance by contacting the Municipal Services Department.

Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Additionally, the meeting will be broadcast live, in real time, via the Duxbury Government Access Channels – **Verizon 39 or Comcast 9**. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

REMOTE MEETING ACCESS INSTRUCTIONS

<https://pactv.zoom.us/j/93616327348?pwd=RHZYNIVLTndTdVZqaWIPb25hZlVLU09>

Zoom Meeting ID: 936 1632 7348 **Zoom Password:** 943482

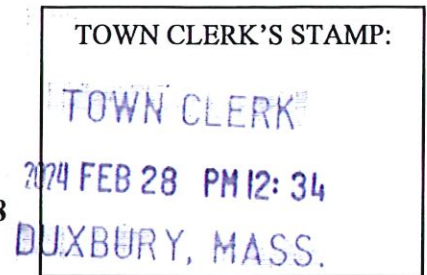
Zoom call in access: 1 929 205 6099 US

Adv.: 3/27 & 4/3/2024
Case #2024-09

Wayne Dennison
Chair, Board of Appeals



The Town of Duxbury
878 Tremont Street
Duxbury, MA 02332
Phone: (781) 934-1100 • Fax: (781) 934-1118



APPLICATION - DUXBURY ZONING BOARD OF APPEALS

APPLICATION INFORMATION

This Application is for:

☒ Special Permit ☐ Appeal ☐ Variance ☐ Comprehensive Permit

Project Name: Marshfield Country Club - Driving Range Bathroom

Project Type: New Bathroom Structure for Existing Driving Range

Location (Street Address): 0 Acorn Street

Assessor's Map/Block/Lot Number (s): 50-33-1

Applicant: Fernando Guitart (Marshfield Country Club, Inc.)

Address: P.O. Box 635

Telephone: (781) 217-5027

Fax:

Email: fernando.guitart@outlook.com

Property Owner: Marshfield Country Club, Inc.

Address: P.O. Box 635

Telephone: (781) 834-7891

Fax:

Email: jantonelli@marshfieldcc.com

Briefly describe and justify your special permit or variance request, or the basis for your appeal:

The applicant proposes the construction of a bathroom structure for an existing golf course in a PD-1 district, a use allowed with a Special Permit under Sections 430.1, 410.3, and 906.2.

SITE INFORMATION

Total Area (Sq. Ft.): 530,886+/- s.f.

Lot Frontage: 0 ft.

Total Upland Area (Sq. Ft.): 488,721 +/- s.f.

Zoning District(s):

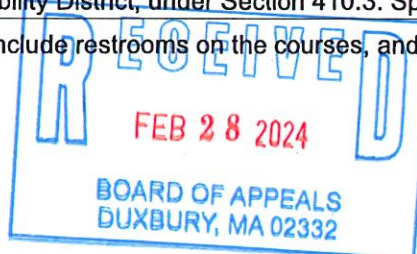
- | | | |
|---|--|--|
| <input type="checkbox"/> RC: Residential Compatibility | <input type="checkbox"/> PD3: Planned Development District 3 | <input type="checkbox"/> POLOD: Publicly Owned Land Overlay District |
| <input type="checkbox"/> NB1: Neighborhood Business District 1 | <input type="checkbox"/> FHAOD: Flood Hazard Area Overlay District | <input type="checkbox"/> DPD: Dunes Protection District |
| <input type="checkbox"/> NB2: Neighborhood Business District 2 | <input type="checkbox"/> WPD: Wetlands Protection District | <input type="checkbox"/> WSOD: Waterfront Scenic Overlay District |
| <input checked="" type="checkbox"/> PD1: Planned Development District 1 | <input type="checkbox"/> APOD: Aquifer Protection Overlay District | |
| <input type="checkbox"/> PD2: Planned Development District 2 | | |

Identify *all* sections of the Duxbury Protective Bylaw that apply to this Application:

Section 430.1 states that within the Planned Development 1 District, permitted uses include those allowed via

Special Permit in a Residential Compatibility District, under Section 410.3. Special permit uses allowed in Section 410.3

include golf courses, which commonly include restrooms on the courses, and are being applied for under Section 906.2.



Existing Use(s) of the Property:

The property is currently used as a driving range associated with an existing golf course.

APPLICANT AND OWNER CERTIFICATIONS

The undersigned hereby certifies that he/she has read and examined this Application, including all attachments hereto, and that the proposed project is accurately represented in the statements made in this Application. The undersigned also certifies that applications have been filed with the Planning Board, Conservation Commission, and Board of Health, as appropriate, and hereby requests a hearing before the Zoning Board of Appeals with reference to this Application.

Property Owner

I/we hereby acknowledge that the Applicant is authorized to act on my/our behalf and that any and all representations made by the Applicant will be binding on me/us as Owners of the property.

Signature:

Date:

Print:

Signature:

Date:

Print:

Applicant/Appellant

Signature:

Date:

Print:

Signature:

Date:

Print:

Applicant is:

☐ Owner

☒ Tenant

☐ Agent/Attorney

☐ Purchaser

☐ Appellant

Building Inspector Review

This completed Application has been reviewed by the Building Inspector prior to filing with the Town Clerk.

Signature of Building Inspector

Date of Review

Supplemental Application Requirements

The Application must include one or more of the following supplemental pages, as applicable:

- A. Section 906.2 Findings (Required for All Special Permit Applications)
- B. Application to Extend or Alter a Non-Conforming Single-Family or Two-Family Dwelling
- C. Application to Extend or Alter Other Use or Structure
- D. Application for a Special Permit in the NB-1 or NB-2 District
- E. Application for a Residential Pier
- F. Application for a Special Permit in the WPOD
- G. Application for Variance
- H. Appeal of Building Inspector/Zoning Enforcement Officer Decision
- I. Application for a Comprehensive Permit under G.L. c. 40B

SUPPLEMENTAL APPLICATION REQUIREMENTS

A. Section 906.2 Findings; Required for All Special Permit Applications.

For each of the following special permit granting criteria, summarize the proposed project's benefits to the Town and explain how they will outweigh any adverse impacts on the Town or the vicinity of the site. If a given criterion does not apply to the Application or if there will be no adverse impact, briefly explain why. Attach additional sheets if necessary.

- 1) Suitability of the proposed location for this proposal, taking the following into consideration:
 - a) Nearby land uses, and whether they would be supported by or damaged by having the proposed use nearby.
 - b) Uses of the site which would be displaced by or preempted by this use.
 - c) Adequacy of roads, water, drainage and other public facilities serving the location.
 - d) Whether the site is more sensitive than are most similarly zoned sites to environmental damage from the proposal such as: erosion, siltation, potential groundwater or surface water contamination, especially if affecting public or private water supplies, habitat disturbance or loss of valuable natural vegetation.
 - e) Contribution to cumulative impact upon municipal water supplies, including consideration of nitrate-nitrogen loading, if within a defined Aquifer Protection Overlay District.

Applicant's Response: The property is a previously developed driving range associated with the Marshfield Country Club golf courses, with existing access and parking facilities. The existing driving range is currently served only by a "porta-potty", with no permanent sanitary waste facilities. The construction of a bathroom, with an associated Title 5 compliant septic system, will greatly enhance the public and environmental health and safety of the site, pose no threat to nearby wetland resource areas or endangered species habitats, and does not result in the loss of natural vegetation.

- 2) Activity type, mix and intensity, taking the following into consideration:
 - a) Whether the proposal contributes to the diversity of services available locally;
 - b) Seasonal consequences, including addition to peak period congestion;
 - c) Service to local, in preference to regional, markets;
 - d) For business developments, likelihood of employment opportunities being created for residents, and the quality of those opportunities; and
 - e) For residential developments, how substantially, if at all, the proposal contributes to housing diversity.

Applicant's Response:

The proposed bathroom structure does not propose any changes in the use or character of the site, nor does it propose any changes to the driving range that would impact the congestion of the site. The construction of the bathroom structure serves solely to enhance the public and environmental safety of the existing use of the site as a driving range, and its construction would not impact issues such as peak period congestion, housing diversity, or employment opportunities.

- 3) Building and site design, including consideration of the following:
- a) Whether scenic views from public ways and developed properties have been considerately treated;
 - b) Whether compatibility with neighborhood character has been considerately treated;
 - c) Whether reasonable efforts have been made to minimize visibility of parking and service areas from public streets;
 - d) Whether any traditional public access to or along shoreline has been maintained; and
 - e) Compliance with the criteria of Section 424.4 and/or Section 615 under Site Plan Approval.
 - f) Compliance with Section 404.20, "Determination of Suitability of Piers" and Section 404.50, "Waterfront Scenic Area Overlay District," if applicable.

Applicant's Response:

The bathroom structure that would serve the existing driving range is not visible from any public way, nor would it pose a negative impact to any scenic view along a public roadway. The site is also not located where it might impact the character of any existing neighborhoods, and the proposed bathroom has been designed to be aesthetically pleasing, with cedar lap siding and a covered patio area.

By Applicant/Appellant

Signature:



Date:

25 January 2024

Print:

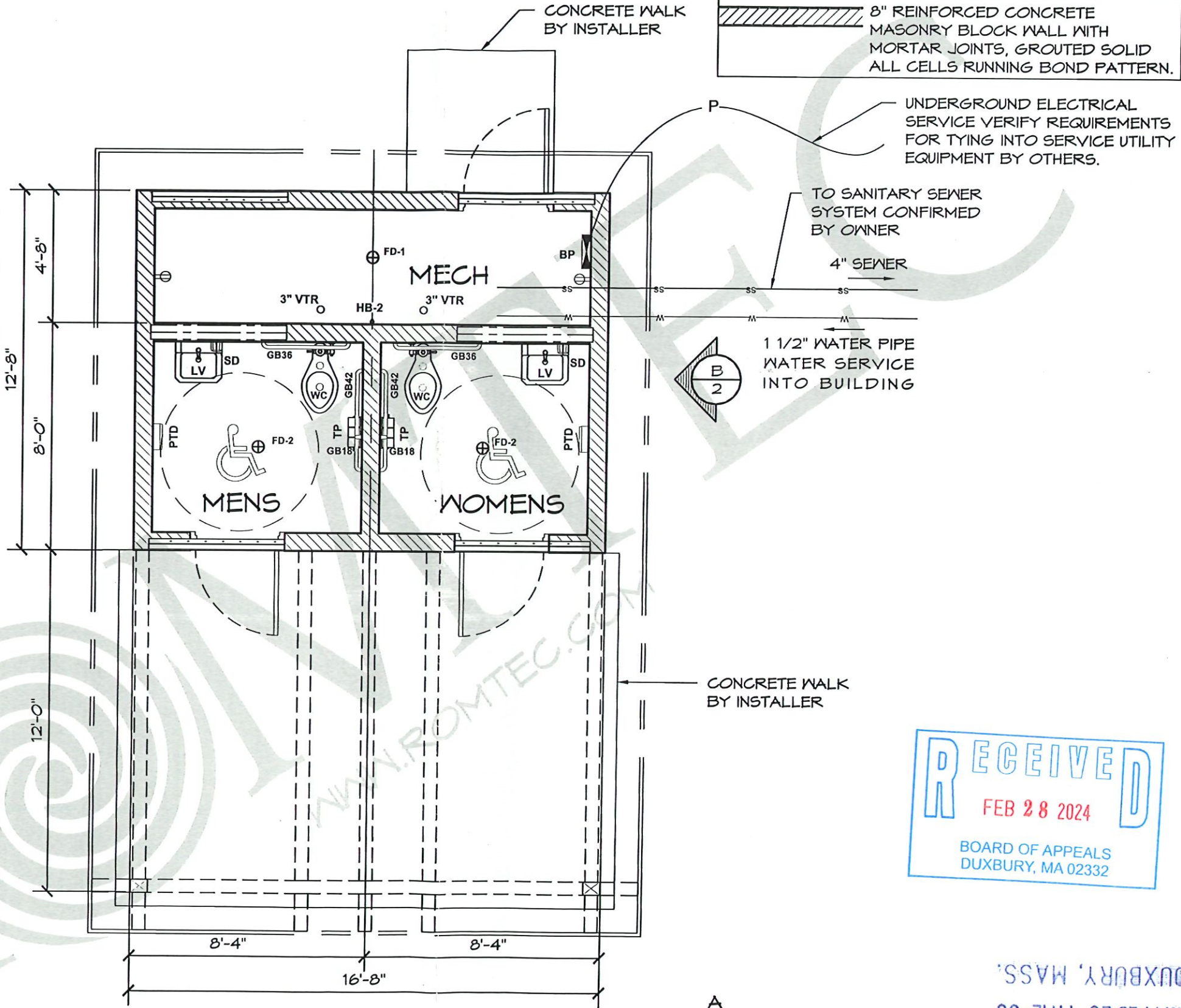
TERNANDO A GUITART



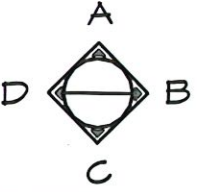
LEGEND		
SYMBOL	DESCRIPTION	AREA/ QUANTITY
	GABLE VENT	4
	2x8 WOOD FILLER WALL	2
	EXTERIOR WALL LIGHTS	3
	INTERIOR CEILING LIGHTS	3
	FLOOR DRAIN	3
	ELECTRICAL OUTLET	2

THESE PLAN VIEW AND ELEVATION DRAWINGS ARE A PRELIMINARY ARCHITECTURAL REPRESENTATION OF THE BUILDING. ALL DIMENSIONS, FEATURES AND COMPONENTS SHOWN ON THESE PRELIMINARY DRAWINGS MAY OR MAY NOT BE PART OF THE QUOTE. PLEASE REFER TO THE "SCOPE OF SUPPLY AND SERVICES" LETTER PROVIDED WITH YOUR QUOTE FOR ROMTEC'S PROPOSED SCOPE OF SUPPLY.

WALL TYPE SCHEDULE	
	8" REINFORCED CONCRETE MASONRY BLOCK WALL WITH MORTAR JOINTS, GROUTED SOLID ALL CELLS RUNNING BOND PATTERN.



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"



RECEIVED
FEB 28 2024
BOARD OF APPEALS
DUXBURY, MA 02332

TOWN CLERK
2024 FEB 28 PM 12:36
DUXBURY, MASS.

ROMTEC

18240 NORTH BANK ROAD - ROSEBURG, OR 97470
(541) 486-3541 FAX (541) 496-0803

PRELIMINARY

MARSHFIELD COUNTRY CLUB
MARSHFIELD DRIVING RANGE
MARSHFIELD, MASSACHUSETTS

PROJECT: 2263

DATE: 12/18/2023

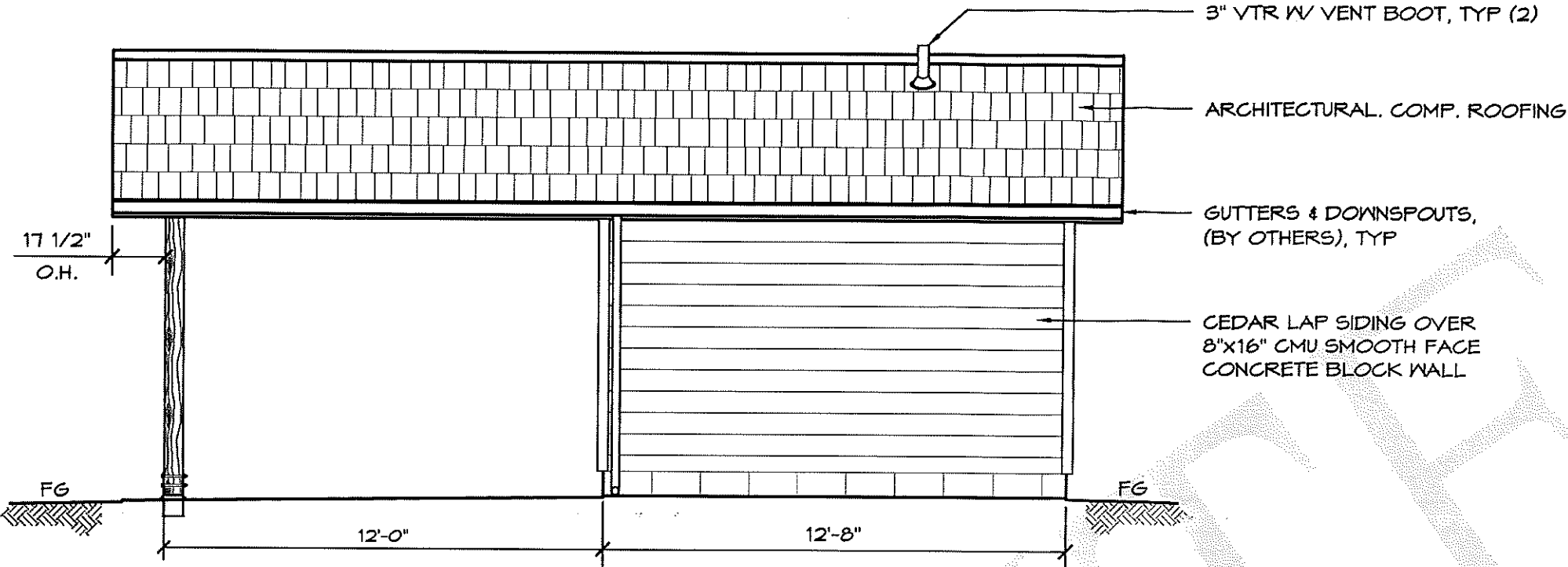
REVISIONS

REV. DATE BY

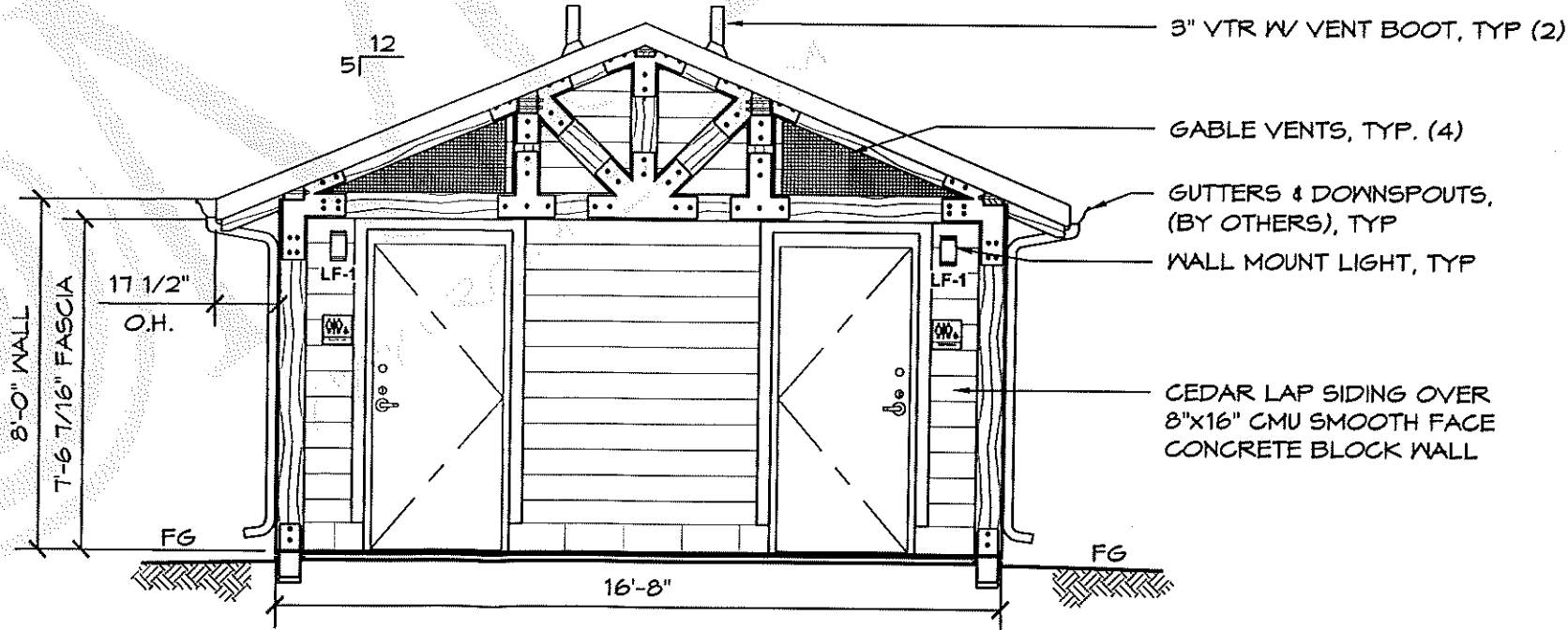
DRAWN BY: JS

SHEET NO. 01

SHEET TITLE: FLOOR PLAN



B ELEVATION VIEW
SCALE: 1/4" = 1'-0"



C ELEVATION VIEW
SCALE: 1/4" = 1'-0"

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(541) 486-3541 FAX (541) 486-0803

PRELIMINARY

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PROJECT:
MARSHFIELD COUNTRY CLUB
MARSHFIELD DRIVING RANGE
MARSHFIELD, MASSACHUSETTS

SHEET TITLE: ELEVATION VIEW

PROJECT#:
2263

DATE:
12/18/2023

REVISIONS

REV. DATE BY

DRAWN BY:
JS

SHEET NO.