

September 1, 2021

Town of Bellingham
Zoning Board of Appeals
Municipal Center
10 Mechanic Street
Bellingham, MA 02019

Attn: James Kupfer, Town Planner and Zoning Compliance Officer

**Re: Depot Street (South Site)
Variance Application**

Dear Zoning Board Members:

On behalf of the Applicant, 2020 Acquisitions, Bohler is submitting the enclosed Variance Application package for a proposed project located at Depot Street. The subject property is further identified as Map #38, Lot #23 on the Town of Bellingham Tax Assessor's Maps Enclosed with this application package are the following materials and supporting documentation

- Two (2) copies of the following narrative and Variance Application
- Nine (9) copies (11"x17") of the "Site Development Plans" prepared by Bohler and dated 9/1/2021
- One (1) copy of the certified abutters list
- Application fee in the amount of \$150
- Electronic copy of all submitted documents

The property lies within the Industrial (I) District. The site is currently undeveloped, and the property contains woodland areas.

The Applicant proposes to construct a two new buildings of size 50,250 SF +/- and 79,500 SF +/- for a proposed warehouse use. The proposed development will also consist of approximately 125 parking spaces along with associated access, landscaping and utilities. A full two-way access is proposed from Depot Street.

Pursuant to Section 240-12 (B) of the Bellingham Bylaws the Applicant requests one (1) variance in conjunction with the proposed development. The requested variances are outlined below.

Section 240-61 (E)(1) – Parking Area Design and Location - Egress Spacing. Entrance or exit center lines shall not fall within 100 feet of an intersection of street sidelines or within 250 feet of the center line of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving 20 or more parking spaces. A variance is requested from this section to allow for a spacing of 211 feet from the centerline of the proposed entrance/exit to the existing driveway on the adjacent property to the North.

As noted in Section 240-12 (B) the variances can be granted from the Board of Appeals pursuant to MGL c.40A outlined further below.

A literal enforcement of the provisions of this bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant.

The center line of the existing driveway on the adjacent lot is only 262 feet from the southeasterly property line on the subject parcel. Locating the driveway at the required 250' setback would only allow for 12' from the driveway center line to the property line, which is not sufficient to construct a proposed driveway for any use on the subject property. As this is the only access to the subject parcel, a literal enforcement of the provisions of this bylaw would render the lot undevelopable and pose a substantial hardship. The driveway has been located approximately 211 feet from the existing driveway to maximize the separation while still allowing for trees to be maintained on either side of the drive to provide screening to the adjacent properties. The requested variance will allow the Applicant to develop the property and will be done so with a use that is consistent with the neighborhood characteristics and the intent of the Zoning Bylaws.

The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

The requested variance relates to the unique circumstances surrounding the shape of the lot. Although the subject parcel is quite large (27.5 Acres) the frontage of the property is provided via a narrow 200 foot section connecting to Depot Street. This narrow frontage does not allow a driveway to be constructed in a compliant location relative to the adjacent property to the north. The size of the subject parcel is consistent with those in the surrounding area, but the narrow frontage is a unique quality to this lot.

Desirable relief may be granted without either substantial detriment to the public good or nullifying or substantially derogating from the intent or purpose of this bylaw.

As noted above, without the requested relief the proposed lot would be undevelopable and pose a substantial hardship. The Traffic study conducted for the project did not find there to be any safety, sight distance, or circulation issues with the proposed driveway location and its proximity to the existing adjacent driveway. The design maximizes the driveway separation to the maximum extent practicable and is consistent with the intent of the Bylaw. Therefore, it is the opinion of this office that the requested relief can be granted without substantial detriment to the public good or derogating from the intent or purpose of the bylaw.

As detailed herein, the requested variance will allow for a development that is consistent with surrounding uses and zoning district and would not cause substantial detriment to the public good nor substantially derogate from the intent or purpose of the bylaw. Should you have any questions or require additional information, please do not hesitate to contact either of us at (508) 480-9900.

Sincerely,

BOHLER ENGINEERING



Brandon P. Barry


John A. Kucich, P.E.

Cc. Efrem Gerzberg – 2020 Acquisitions