

April 13, 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: 206 Mechanic Street  
Variance Application

Dear Zoning Board Members:

On behalf of the Applicant, Howland Development, Bohler is submitting the enclosed Variance Application package for a proposed project located at 206 Mechanic Street. The subject property is further identified as Map #52, Lot #3 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
- Two (2) copies of Zoning Exhibit
- Nine (9) copies (24"x36") of the Conceptual Layout Plan prepared by Bohler Engineering dated 04/12/2021
- Nine (9) copies (24"x36") of the Conceptual Landscape Plan prepared by Bohler Engineering dated 04/12/2021
- Nine (9) copies (24"x36") of the Boundary Survey prepared by Control Point Associates dated 04/03/2021
- One (1) copy of the certified abutters list
- Application fee in the amount of \$450
- Electronic copy of all submitted documents

The property is bisected by a zoning district line and lies within both the Industrial District and Business-1 Districts, refer to attached Zoning Exhibit. Portions of the site have previously been developed and contain an existing one-story building for Bellingham Auto Sales with associated accessory buildings, paved parking areas, landscaping and utilities. The remaining undeveloped portion of the property contains woodland areas.

The Applicant proposes to construct a new 124,200 SF +/- building for a proposed wholesale distribution use. The proposed development will also consist of approximately 25 parking spaces, 47 loading bays, and 25 truck parking spaces along with associated access, landscaping and utilities. A full two-way access is proposed from Mechanic Street with an additional two-way access driveway on Maple Street which will be restricted to a right-out turning movement to direct traffic toward Mechanic Street.

Pursuant to Section 240-12 (B) of the Bellingham Bylaws the Applicant requests three (3) variances in conjunction with the proposed development. The requested variances are as follows:

1. Section 240-31 – Use Regulations Schedule. The proposed wholesale distribution use is not allowed in the Business zone but is allowed as of right in the Industrial District. A variance is requested from this section to allow for the proposed wholesale distribution use to be consistent with what is allowed in the Industrial Zone.
2. Section 240-40 – Intensity of Use Schedule. The site is split zoned with a portion of the property in the Business 1 District which allows a maximum building height of thirty-five (35) feet and the remaining portion in the Industrial District which allows a maximum building height of forty-five (45) feet. A variance is requested from this section to allow for a proposed building height of forty-five (45) feet within the area zoned as Business 1 to be consistent with what is allowed in the Industrial zone.
3. 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 125 feet from the centerline of the proposed entrance/exit to any other parking area entrance or exist on the same side of the street, whether or the same parcel or not, for the proposed access from Mechanic Street. The access from Maple Street is within the Business 1 District and is exempted from this requirement as noted in the bylaw.

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 subject lot is of a unique irregular concave pentagon shape which limits its development potential. Moreover, the lot is bisected by the zoning district line with a portion of the lot in the Industrial District and a portion in the Business 1 District. As shown on the enclosed Zoning Exhibit, the zoning district on the north side of Mechanic Street is Industrial except for a portion of the subject lot which is zoned Business 1. Lots immediately south of Mechanic Street are also zoned Industrial except for lots on the opposite side of Maple Street. Due to the lot shape, development of the property will necessarily involve the building to be located in both the Industrial and Business zoning districts, meaning that only uses common to both districts would be permissible. The requested variance will allow the Applicant to make an economically feasible development of the property for a use that is allowed in the Industrial district and that use will be consistent with the neighborhood zoning, characteristics of uses on abutting land 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.***

All of the requested variances relate to the unique circumstances surrounding the shape of the lot. As described above, the use variance request is further related to the conditions caused by the bifurcation of the lot into two zoning districts. Due to the lot shape any reasonable development of the remaining portion of the property would require the proposed building to be located within both zoning districts.

As shown on the enclosed Zoning Exhibit the abutting properties to north and west are in the Industrial District and contain industrial uses. The properties located directly across both Maple Street and Mechanic Street are also within the Industrial District. The portion of the subject lot zoned Business -1 is the only portion along the northern side of Mechanic Street for quite some distance and is peculiar to this lot. In addition, the property directly to the west at 190 Mechanic Street contains an approximate 208,000 SF

building used for warehouse and distribution by three separate users, Massachusetts Beverage Alliance, Lindenmyer Munroe, and Homegrown Distribution. Given the existing zoning and neighborhood characteristics an industrial use, such as wholesale distribution, would be the appropriate use for this property.

Although the ultimate end user of the proposed wholesale distribution building is unknown at this time, the typical maximum building heights for this type of use are between thirty-five and forty-five feet. The requested maximum building height of forty-five (45) feet is consistent with what is currently allowed in the Zoning Bylaws for the Industrial District.

The shape of the lot also affects the site layout and access into the property. The developable portion of the lot is trapezoid in shape with the shorter property dimension along Mechanic Street. In order to provide proper access and circulation to the site, a full two way access is proposed from Mechanic Street with an additional two way access proposed from Maple Street (this access will be restricted to a right out turning movement to direct traffic toward Mechanic Street). Good site design would place the access drives as far away from the Mechanic Street/Maple Street intersection as possible, and that would result in the driveway access to be within 250 feet to the nearest existing driveway access for abutting properties. The requested relief:

- Allows employee traffic to utilize Maple Street while truck traffic to access from Mechanic Street. All truck traffic is anticipated to be directed to and from I495 and the Town of Franklin to the east.
- Eliminates the proposed Mechanic Street driveway from being directly between the two curb cuts for the gas station use on the opposite side of Mechanic Street. The proposed access can be located almost opposite of one of the gas station curb cuts which is more beneficial from a traffic perspective.
- Maximizes the queuing length between the proposed access and the intersection while also allowing for better reaction times of drivers along both streets.

The current site configuration also allows for an attractive landscaped / signage feature at intersection of Mechanic Street and Maple which we understand is desirable.

***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, the usable portion of the site is bifurcated in half by the zoning district line, about half in industrial and half in business 1. As shown on the enclosed Zoning Exhibit, the abutting properties to north and west are in the Industrial District and contain industrial uses. The properties on the opposite side of both Maple Street and Mechanic Street are also within the Industrial District. The portion of the site zoned Business -1 is the only portion along the northern side of Mechanic Street for quite some distance. In addition, the property directly to the west at 190 Mechanic Street contains an approximate 208,000 SF building utilized for warehouse and distribution by three separate users, Massachusetts Beverage Alliance, Lindenmyer Munroe, and Homegrown Distribution. Given the existing zoning and neighborhood characteristics an industrial use, such as wholesale distribution, would be the appropriate use for this property.

As noted above, the requested maximum building height of forty-five (45) feet is consistent with what is currently allowed in the Zoning Bylaws for the Industrial District and is not more detrimental than surrounding zoning and abutting uses.

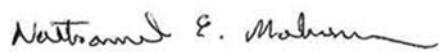
Also noted above, the proposed driveway configuration will provide vehicular safety and traffic benefits with the current configuration and will provide for safer and more efficient access to the site than if the 250-foot driveway spacing were provided.

# BOHLER //

As detailed herein, the requested variances 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**



Nathaniel E. Mahonen, P.E.



John A. Kucich, P.E.

Cc. Wayne Finnegan – Howland Development