



# BELLINGHAM ZONING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019

File #

Date:

*December 17, 2022*

## TOWN OF BELLINGHAM BOARD OF APPEALS NOTICE OF DECISION

Location of Property:  
17 North Main Street  
Bellingham, MA 02019

Assessor's Reference:  
Assessor's Map: 48  
Lot: 48A

RCV DEC 12 '22 AM8:48:01  
BELLINGHAM TOWN CLERK

Name and Address of Applicant:  
Isabella Quintiliani  
17 North Main Street  
Bellingham, MA 02019

Name and Address of Owner:  
Kostas Tsantakis  
17 North Main Street  
Bellingham, MA 02019

**DECISION** of the Zoning Board of Appeals (the "Board") on the application of Isabella Quintiliani (the "Applicant") for a Special Permit under Section 240-31 of the Zoning Bylaw, to allow for a commercial animal kennel at 17 North Main Street, Bellingham, Massachusetts and identified as Assessor Map 48 Lot 48A, Zoning District Business-1 (the "Property").

This Decision is in response to an application filed on October 25, 2022. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in the Milford Daily News on November 17, 2022, and November 24, 2022, posted and mailed to abutters and other parties of interest as required by law, the public hearing was conducted on December 1, 2022. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Board office.

Members present and voting at the hearing were Brian Wright, Chairman, Peter Gabrielle, Brian Salisbury, Arturo Paturzo and Rayan Shamas.

The Board, after considering the materials submitted with the application, together with the information developed at the hearing, finds that:

1. The Applicant seeks a **SPECIAL PERMIT** under Section 240-31 of the Zoning Bylaw to allow for a commercial animal kennel, dog daycare business at 17 North Main Street.
2. The proposed activity which is the subject of this application is described in the application and supporting documentation.
3. The use is in harmony with the general purpose and intent of the bylaw and is an allowed use in the Business-1 zoning district by special permit from the Zoning Board of Appeals.
4. There shall be limited impacts to the social, economic, or community need as this animal kennel shall be a commercial managed operation and all animals shall be contained on the property.



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5. There will be minimal impacts to the traffic flow or safety as the property is within a downtown business district surrounded by retail uses and adequate access. The subject use is further conditioned below to a limit of 35 dogs at one time, limiting the number of vehicles accessing the site. The site has adequate parking.
6. The neighborhood character and qualities of the natural environment were considered during the hearing process and careful conditions shall be met to mitigate any impacts this animal kennel may have caused.
7. There shall be a positive fiscal impact due to the commercial animal kennel locating in a current vacant retail structure.

Therefore, the Board, after reviewing the available materials and based upon the above findings, voted 5-0 to **GRANT** the **SPECIAL PERMIT** subject, to the following **conditions**:

1. The proposed activity shall be conducted substantially in accordance with the Application submitted and materials contained in the file.
2. The permit is granted for use by the Applicant Isabella Quintiliani only. Any transfer of animal kennel ownership and management shall be reviewed and approved by the Zoning Board of Appeals at a regularly scheduled meeting of the Board.
3. The permit is granted for use at 17 North Main Street only and is not transferable.
4. The permit is granted as a commercial animal kennel, dog day care, for no more than 35 dogs only.
5. The Applicant shall allow for outdoor rear access for dog day care play space. Within that space no more than 10 dogs shall be allowed out at a time. The Building Commissioner or their designee shall review this condition and may reduce the number of dogs allowed outside at any one time if ongoing nuisance complaints occur. The applicant also needs to meet with the Animal Control to meet their requirements for the inside and outside space prior to occupancy.
6. The Applicant shall secure and install a fence within the rear of the site of 17 North Main Street to properly screen the dogs from the neighboring retail uses. The fence shall not be able to be seen through and rise no shorter than 6 feet in height. The rear fence shall be installed prior to Certificate of Occupancy for this use. The fence shall continually be maintained and in good working order.
7. All pet waste disposal shall be properly removed. Any rinsing of dog waste or urine shall be conducted and collected on site. No runoff from this rinsing shall leave the site. If additional drainage structures are necessary to contain the runoff from cleaning of the site, the Applicant shall install drainage immediately for review and approval by the Building Commissioner, Chair of Board of Health, Director of DPW or their designee. There needs to be a detailed plan to address this. A violation of this condition may nullify the permit.
8. The applicant needs to comply with the Town of Bellingham Domestic Animal Regulations pursuant to G.L. chapter 111, Section 131 and a meeting should be set up with the Board of Health prior to occupancy of site.
9. The dumpster located on the site shall be properly screened with fencing so not to be visible from a public way.
10. No Special Permit, or modification or extension thereof, shall take effect until a copy of this Decision has been recorded in Norfolk Registry of Deeds. Such Decision shall bear the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the Office of the Town Clerk and no appeal has been filed, or that if such appeals has been filed, it has been dismissed



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or denied.

11. Any person aggrieved by the Decision may appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 17 within twenty (20) days after this Decision is filed with the Bellingham Town Clerk.
12. The Decision rendered herein is concerned only with the Zoning Bylaw and not with the Building Code or any other Town Bylaw. The Applicant is responsible for determining and complying with Town, State, and Federal regulations in using the authorization granted.

TOWN OF BELLINGHAM BOARD OF APPEALS

*B. J. Scholary*, Chair