



# TOWN OF BELLINGHAM

OFFICE OF  
TOWN CLERK

Bellingham Municipal Center  
10 Mechanic Street  
Bellingham, MA 02019

Town Clerk  
Lawrence J. Sposato, Jr.

Tel: 508-657-2830  
Fax: 508-657-2832

DATE: October 3, 2022

Julie and Tiffany Griffin  
TO: 34 Phillip Drive

RE: Special Permit (Kennel)

34 Phillip Drive

This is to inform you that 20 days have elapsed since October 3, 2022

The date the above was filed with the Town Clerk, and that no notice of appeal has been filed with this office during that period.

A certified copy attesting this is available on file at this office.

Sincerely,

*Lawrence J. Sposato Jr.*  
Lawrence J. Sposato, Jr.  
Bellingham Town Clerk



## BELLINGHAM ZONING BOARD

### TOWN OF BELLINGHAM BOARD OF APPEALS NOTICE OF DECISION

Location of Property:  
34 Phillip Drive  
Bellingham, MA 02019

Assessor's Reference:  
Assessor's Map: 12  
Lot: 38

Name and Address of Applicant:  
Julie and Tiffany Griffin  
34 Phillip Drive  
Bellingham, MA 02019

Name and Address of Owner:  
Julie and Tiffany Griffin  
34 Phillip Drive  
Bellingham, MA 02019

**DECISION** of the Zoning Board of Appeals (the "Board") acting under the Bellingham Zoning Bylaws and the Massachusetts General Law c. 40A, on the application of Julie and Tiffany Griffin (the "Applicant") for a Special Permit under Section 240-72, Section 240-25 & 23 of the Zoning Bylaw to allow for a commercial animal kennel at 34 Phillip Drive in Bellingham, Massachusetts, identified as Assessor's Map 12-38, zoned Residential (the "Property").

This Decision is in response to an Application filed on August 12, 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 August 18, 2022 and August 25, 2022, posted and mailed to abutters and other parties of interest as required by law, the public hearing was conducted on September 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, Brian Salisbury, Peter Gabrielle, 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 240-72, Section 240-25 & 23 of the Zoning Bylaw to allow for a commercial animal kennel for no more than 7 dogs. The proposed

activity which is the subject of this application is described in the Application and plans provided.

2. The Applicant stated that the activity is an accessory use to the resident. The Applicant stated that the current commercial kennel occupies 25 percent of the property. The Board reviewed the property and confirmed that it may occupy 25 percent of the property or less and this application is an accessory use. The Board determined that it is not a Home Occupation and the application is not applicable under 240-72.
3. The Assistant Animal Control Officer stated to the Board that the Town has responded to complaints at this property and a Cease and Desist was issued in July of 2022 for the proposed use.
4. The Board is in receipt of letters of concern regarding noise from the active kennel use at the subject property.
5. The Board has determined that while accessory, the commercial use is not in harmony with the general purpose and intent of the zoning bylaw.
6. The Board has determined that the proposed application shall create impacts to the social, economic, or community need as this animal kennel shall be a commercial operation and all animals shall be contained on the property of a residential neighborhood. It was determined by the Board that the commercial use as proposed shall overburden the residential property.
7. The Board determined that there will be impacts to the traffic flow or safety greater than that of a customary residential neighborhood use.
8. The Board determined that the neighborhood character and qualities of the natural environment were considered during the hearing process, and it was determined that both noise and traffic impacts from the animal kennel shall impact and overburden the neighborhood character and the natural environment.
9. There shall be no fiscal impacts due to the commercial animal kennel proposed.

Therefore, the Board, after reviewing the available materials and based upon the above findings with respect to application of the special permit criteria, voted 0 to 5 to grant the relief requested. Accordingly, the **SPECIAL PERMIT FAILED TO PASS**.

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.

TOWN OF BELLINGHAM BOARD OF APPEALS

Brian Wright, Chair