



BELLINGHAM ZONING BOARD

Date Submitted: November 6, 2023

TOWN OF BELLINGHAM BOARD OF APPEALS NOTICE OF DECISION

Location of Property:
86 Pine Grove Avenue
Bellingham, MA 02019

Assessor's Reference:
Assessor's Map: 91
Lot: 31

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BELLINGHAM TOWN CLERK

Name and Address of Applicant:
John Genereux
20 Fisher Road
Wrentham, MA 01504

Name and Address of Owner:
Estate of Cynthia L. Masse
68 Robinwood Road
Dedham, MA 02026

DECISION of the Zoning Board of Appeals (the "Board") on the application of John Generux (the "Applicant") for a Special Permit under Section 240-30A, Nonconforming Uses and Structures, of the Zoning Bylaw, to alter and extend a preexisting nonconforming structure at 86 Pine Grove Avenue, Bellingham, Massachusetts and identified as Assessor Map 91 Lot 31, Zoning District Residential, (the "Property").

This Decision is in response to an Application filed on September 12, 2023. 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 September 21, 2023 and September 28, 2023, posted and mailed to abutters and other parties of interest as required by law, the public hearing was opened on October 5, 2023 and continued to November 2, 2023 when it was closed. 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 Peter Gabrielle, Chairman, Brian Salisbury, Elizabeth Berthelette, Brian Wright, and James Dixon.

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 240-30A, Nonconforming Uses and Structures, of the Zoning Bylaw, to alter and extend a preexisting nonconforming structure at 86 Pine Grove Avenue, Bellingham, Massachusetts.
2. The proposed activity and alteration of the existing site has been reviewed by the Building Commissioner and was confirmed to meet the current Bellingham zoning setbacks of the Residential zoning district.
3. The proposed activity and alteration of the existing site shall limit any alteration of the natural environment.
4. The proposed activity and alteration of the existing site will have minimal impact on the traffic flow



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and will improve safety by providing for the ability to occupy a once vacant structure and limit impacts through conditions below.

5. The use is in harmony with the general purpose and intent of the bylaw.

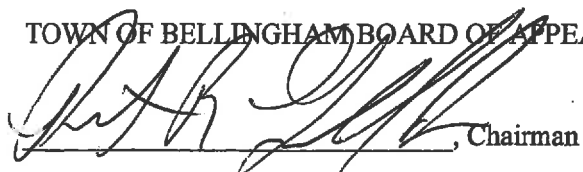
Therefore, the Board, after reviewing the available materials and based upon the above findings, voted unanimously to **GRANT** the **SPECIAL PERMIT** subject, to the following **conditions**:

1. The requested activity shall be conducted substantially in accordance with the Application submitted and materials contained in the file.
2. Review emergency response access in and around the building with the Fire Department. A Fire Access Plan shall be reviewed and approved by the Fire Chief, or his designee, prior to issuance of an Occupancy Permit.
3. Access of the facility shall be available to customers between 9am to 1pm seven days a week. No access to the public shall be allowed on site outside the hours listed above. All access by the public shall be by appointment only.
4. All parking of vehicles shall be on site. No parking allowed on the private way.
5. 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.
6. 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 or denied.
7. 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.



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 Chairman