



BELLINGHAM ZONING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019

TOWN OF BELLINGHAM BOARD OF APPEALS NOTICE OF DECISION

RCV MAR 7 '25 AM9:01:08
BELLINGHAM TOWN CLERK

Location of Property:
700 Pulaski Boulevard
Bellingham, MA 02019

Assessor's Reference:
Assessor's Map: 87
Lot: 23A

Name and Address of Applicant:
Paul Hannon
25 Rondeau Road
Bellingham, MA 02019

Name and Address of Owner:
Frank Towle
26 Dawes Street
Blackstone, MA 01504

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 Paul Hannon (the "Applicant") for a Use Variance, Section 240-12, to allow for an HVAC service and repair business, including office use and indoor HVAC equipment and parts storage at 700 Pulaski Boulevard Bellingham, Massachusetts and identified as Assessor's Map 87-23A, zoned Residential (the "Property").

This Decision is in response to an Application filed on January 30, 2025. 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 February 20, 2025 and February 27, 2025, posted and mailed to abutters and other parties of interest as required by law. The public hearing was conducted on March 6, 2025 and closed on the same evening. 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 Elizabeth Berthelette, Chair, Rayan Shamas, Vice Chair, Brian Salisbury, Brian Wright, and Peter Gabrielle.

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 **VARIANCE** to allow for an HVAC service and repair business, including office and indoor HVAC equipment and parts storage uses at 700 Pulaski Boulevard.
2. The proposed activity which is the subject of this application is to allow for office use with indoor HVAC equipment parts and storage, utilizing the existing vacant commercial building and associated parking.
3. A literal enforcement of the provisions of this bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant, as the parcel would contain a vacant structure.

4. 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. As the existing lot is small and irregular shaped with an existing commercial building. The reestablishment of this use would allow for minimal disturbance to the land and structures.
5. Desirable relief may be granted without either: (a) Substantial detriment to the public good; or (b) Nullifying or substantially derogating from the intent or purpose of this bylaw. The property as it is proposed will be consistent with the neighborhood character along Pulaski Boulevard and development standards otherwise applicable.

Therefore, the Board, after reviewing the available materials and based upon the above findings, voted unanimously to **GRANT** the **VARIANCE** 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 use variance shall be granted for an HVAC service and repair business which includes office use and the storage of HVAC equipment and parts indoors only. All work shall be conducted indoors with the garage bay doors closed. All other uses shall conform to the underlining zoning.
3. No retail sales or distribution of equipment or parts shall be conducted on site.
4. Hours of operation shall be 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 12:00 p.m. on Saturdays. No work on Sundays.
5. Two commercial vehicles may be parked outside of the building overnight. The vehicles shall be parked in a location which will not cause detriment to sight distances along the abutting public ways.
6. There shall not be the storage of any hazardous or bulk materials on site at any time. No equipment or parts shall be stored outside.
7. The existing stockade fence shall be replaced with a minimum 6' height vinyl stockade fence.
8. The proposed exterior dumpster shall be screened from public view with an opaque fence enclosure.
9. Prior to any selective pruning of vegetation near the building or existing fence, the applicant shall coordinate tree work with Inspectional Services and the Conservation Agent to review and approve the limit of work.
10. The applicant shall endeavor to complete exterior improvements as noted in these conditions by the end of August 2025.
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. No Variance, 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.
13. 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

Elizabeth M. M., Chair