



# BELLINGHAM PLANNING BOARD

10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
(508) 657-2892  
[PlanningBoard@bellinghamma.org](mailto:PlanningBoard@bellinghamma.org)

February 22, 2024

## 175 NORTH STREET BACK LOT SPECIAL PERMIT DECISION

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BELLINGHAM TOWN CLERK

### A. BACKGROUND

**Applicant:** James P. McGrath and Toni L. McGrath  
175 North Street  
Bellingham, MA 02019

**Owner:** James P. McGrath and Toni L. McGrath  
175 North Street  
Bellingham, MA 02019

**Public Hearing:** The Public Hearing opened February 8, 2024 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on January 25, 2024 and February 1, 2024. The Public Hearing was continued to February 22, 2024 when the Public Hearing was closed.

**Date of Vote:** February 22, 2024

**The Premises:** The property, also referred to herein as the "Site", is proposed to be accessed from North Street, a public way. The project is located at Assessors Map 58-07, approximately 20.67 acres +/-, in an Agriculture Zoning District.

**The By-law** §240-38 Back lot Division

**The Proposal:** To subdivide a parcel of land, into two lots, one of which having less than the required frontage.

The Proposal was documented with the following materials:

1. Application for Back Lot Division Special Permit, dated January 10, 2024, including a narrative and project description.
2. Certificate of Ownership, dated October 26, 2022.

3. Certified Abutter's List, Town of Bellingham, dated December 22, 2023.
4. Proposed Site Plan Documents for James and Toni McGrath, by Land Planning, last revised October 26, 2022. (also known as the Approved Plan)
5. Other miscellaneous documents on file at the Planning Board offices.

**B. DETERMINATIONS**

Following its public hearing on the Applicant's proposal and requested relief, the Planning Board has made the following determinations:

1. The Bellingham Zoning Bylaw does allow for a parcel with no other contiguous land in common ownership may be divided into two or three lots, one of which having less than the normally required frontage, and a single-family dwelling may be built on the reduced frontage lot, provided that such division is authorized on a special permit granted by the Planning Board.
2. That the lot having reduced frontage must have frontage of at least 50 feet.
3. That the lot having reduced frontage has at least twice the lot area otherwise required, without counting any portion of the lot between the street and the point where lot width equals 100 feet or more.
4. As demonstrated on the Approved Plan, the lot having reduced frontage is capable of containing a square with sides equal to the normally required lot frontage.
5. The Site has the ability to site a home that shall meet all other requirements specified in § 240-40, Intensity of Use Schedule.
6. Egress from the created lots must create no greater hazard owing to grade and visibility limitations than would be expected for standard land division at that location.
7. Reduction of privacy, damage to the natural environment, and difficulties of utility provision must be no greater than would be expected for standard land division at that location.
8. The proposal was determined by the Planning Board to not circumvent the intent of the Subdivision Control Law.

9. That the use is limited to a single-family structure on the lot having reduced frontage.
10. The Board finds that compliance with the below conditions are necessary to mitigate impacts related to the construction and use resulting from the project.

**C. DECISION**

Based on the above determinations, the Planning Board finds that the proposal meets the requirements of the Zoning By-Law, and by a vote of 5 to 0 in favor, accordingly, grants the Applicant and its successors and assigns as owner of the premises, a Back Lot Division Special Permit subject to the following conditions:

1. This Approval is limited to the improvements as noted on the Approved Plan and as may be conditioned herein. Any changes to such Plan must be reviewed and approved in accordance with the Bellingham Zoning By-laws. All such changes shall be reviewed by the Board for determination as to whether or not the changes are considered minor or major. If the Planning Board determines that any change to the plan is a major alteration to the Approved Plan, a public hearing shall be required for a modification to this permit. A minor change shall be reviewed and approved at a regularly scheduled meeting.
2. This Decision is binding on the Applicant's successors, assigns, agents, and employees. This approval shall insure to the benefit of and binding upon Howland Development provided there is no change in use for the Premises. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.
3. Any change of use shall require a public hearing to either modify the existing permit or to issue a new permit.
4. This Decision shall not be effective until it is recorded by the Applicant at the Registry of Deeds, with proof of such recording to be supplied to the Board and the Building Inspector.

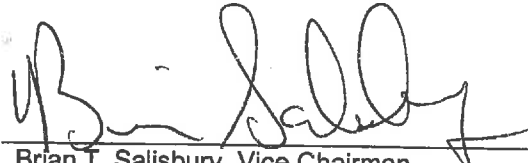
**D. RECORD OF VOTE**


I vote to **APPROVE** the **175 NORTH STREET BACK LOT DIVISION SPECIAL PERMIT**.

**Bellingham Planning Board**


**February 22, 2024**

  
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William F. O'Connell, Jr., Chairman

  
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Brian T. Salisbury, Vice Chairman

  
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Philip Devine

  
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Dennis J. Trebino

  
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Nick Mobilia

Appeals of this Decision may be made within twenty days, in accordance with the provisions of G.L. c 40A, §17

This Decision, together with all plans referred to in it, was filed with the Town Clerk on February 23, 2024.

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Lawrence J. Sposato, Jr.  
Bellingham Town Clerk