



# BELLINGHAM PLANNING BOARD

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

RCV JUN 15 '21 AM 9:19:49  
BELLINGHAM TOWN CLERK

June 10, 2021

## RAILROAD STREET BACK LOT SPECIAL PERMIT DECISION

### A. BACKGROUND

**Applicant:** Thomas Burr and Robin Decasse  
75 Railroad Street  
Bellingham, MA 02019

**Owner:** Thomas Burr and Robin Decasse  
75 Railroad Street  
Bellingham, MA 02019

**Public Hearing:** The Public Hearing opened and closed on May 27, 2021 at 7:00 PM. Notice for the public meeting was published in *The Milford Daily News* on May 13, 2021 and May 20, 2021.

**Date of Vote:** June 10, 2021

**The Premises:** The project location, also referred to herein as the "Site" or the "Premises", is located on the southern side of Railroad Street, Assessors Map 80-12A, approximately 19 acres, in a Agriculture Zoning District.

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

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

The Proposal was documented with the following materials:

1. Application for a Special Permit, received May 5, 2021.
2. Certificate of Ownership Authorization, received May 5, 2021.
3. Certificate of Municipal Liens, dated April 30, 2021.
4. Certified Abutter's List, Town of Bellingham, dated April 26, 2021.

5. Plan of Land, by Land Planning, Inc., dated April 5, 2021 (also known as the Approved Plan).
6. 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 has 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. The lot having reduced frontage has at least 50 feet of frontage.
3. The lot having reduced frontage contains at least twice the lot area otherwise required.
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. Adequate access was discussed during the hearing and the Applicant has demonstrated safe, adequate access that also limits disturbance to the Bellingham wetland resources.
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. Natural environment was discussed during the hearing and further conditioned below so to limit disturbance to the natural environment.
8. The proposal was determined by the Planning Board to not circumvent the intent of the Subdivision Control Law

9. That the use proposed 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 \_ to \_ in favor, accordingly, grants the Applicant and its successors and assigns as owner and/or operator 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 shall 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. Prior to an Occupancy Permit for the lot having reduced frontage, the Applicant shall provide the Planning Board with a copy of the conveyance of "Parcel A" to an abutting property.
3. Prior to an Occupancy Permit for the lot having reduced frontage, the Applicant shall provide the Planning Board with a copy of the "Driveway and Utility Easement" that shall provide adequate access to Lot 3.
4. As required by the Bellingham Department of Public Works, any and all access and utility easements that may be necessary shall be in a form approved by Town Counsel prior to the issuance of the Certificate of Occupancy for the lot having reduced frontage, such approval shall not be unreasonably withheld.
5. This Decision is binding on the Applicant and its successors, assigns, agents, and employees. The Planning Board shall be notified in writing of any changes in affiliates and successors in title and additional users of the Premises.

6. 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 **RAILROAD STREET BACK LOT DIVISION SPECIAL PERMIT**.

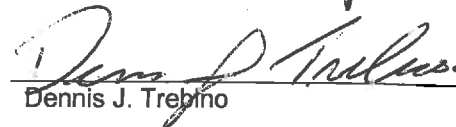
**Bellingham Planning Board**

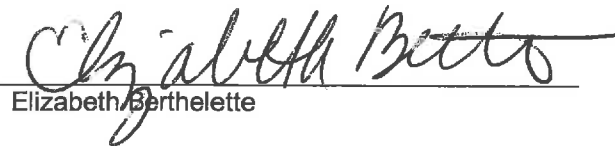
**June 10, 2021**

  
William F. O'Connell, Jr., Chairman

  
Brian T. Salisbury, Vice Chairman

  
Phillip Devine

  
Dennis J. Trebino

  
Elizabeth Berthelette

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 June 10, 2021.

\_\_\_\_\_  
Lawrence J. Sposato, Jr.  
Bellingham Town Clerk