



BELLINGHAM ZONING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019
(508) 657-2852 ZoningBoard@bellinghamma.org

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting. This meeting will be accessible to the public via the Zoom online option. Instructions can be found at www.bellinghamma.org.

October 19, 2020

Public Hearing

The Bellingham Zoning Board of Appeals will hold a Public Hearing on November 5, 2020 at 7:00 PM remotely via the zoom online option for the request of a variance to Section 240-40, Intensity of Use Schedule, for Lot Area and a variance to Section 240-30A, Alteration of a Nonconforming Structure, to subdivide the property of 305 Blackstone Street, Bellingham, MA, Assessor's Map 62 Lot 3. This property is zoned Agricultural.

Applicant and owners are James P. and Ann M. Fuhrman, 305 Blackstone Street, Bellingham, MA. The application may be viewed at the Town Clerk's Office, 10 Mechanic Street, during regular Town Hall business hours or at online at [www. Bellinghamma.org](http://www.Bellinghamma.org) on the Zoning Board page. Anyone wishing to be heard shall attend at the time and place above.


Brian Wright
Chairman

#1 request

SPECIFY TYPE OF APPLICATION

*Appeal**Special Permit**Variance*1. ☐ **APPEAL of a decision**☐ Please attach a copy of the Building Inspector's letter/decision.2. ☐ **SPECIAL PERMIT – check all that apply**

- ☐ Principal Use ☐ Non-Conforming Situation ☐ Flood Plain
☐ Accessory Use ☐ Home Occupation ☐ Comprehensive Permit
☐ Multi-Family Housing ☐ Earth Removal ☐ Family Apartment ☐ Other

3. ☐ **VARIANCE – check all that apply**

- ☐ Rear Yard Setback ☒ Area ☐ Lot Width
☐ Side Yard Setback ☐ Lot Frontage ☐ Percent Area Building
☐ Front Yard Setback

1. Petitioner

(type/print) James P. Fuhrman and Ann M. FuhrmanSignature *James P. Fuhrman*Email *jp6574*2. Address 305 Blackstone Street, Bellingham, MA 02019 Phone 508-954-1633

3. Property

Owner James P. Fuhrman and Ann M. FuhrmanSignature *James P. Fuhrman*Email *jp6574*4. Address 305 Blackstone Street, Bellingham, MA 02019 Phone 508-954-1633

5. Address of Subject

Premises 305 Blackstone Street, Bellingham, MA 02019If no address, description of
property _____

6. Dimensions of Lot:

Frontage 410.61 ft. Depth 163.65 ft. and 131.91 ft.Area 52,148 sq. ft. Lot Width 410.61 sq. ft.RCV OCT 13 '20 PM3:34:49
BELLINGHAM TOWN CLERK

7. What zoning district(s) is the subject premises located? Agricultural
8. Assessor's Map 62 Lot 3
9. Describe proposed activity:
See Attached
10. Cite (sub) section(s) of the Zoning Ordinance under which application is made:
§ 240-40
11. Are there any buildings on the premises (if so, please describe them including their dimension)?
See Attached
12. Describe the subject premises (terrain, septic system, description of area, etc.) See Attached
13. How long have you owned the subject premises?
See Attached
14. What is the present use of the subject premises? See Attached
15. State grounds for the special permit/variance or appeal – please be specific (use separate sheet if necessary).
See Attached

I attest that I, to the best of my knowledge have paid any and all real estate taxes, excise taxes, license and/or permit fees.

Owner: JAMES P FUHRMAN + ANN M FUHRMAN
Signature: [Signature] Date: 10/2/20

Applicant: JAMES P FUHRMAN + ANN M FUHRMAN
Signature: [Signature] Date: 10/2/20

Effective 8/2017

Please note: This application cannot be processed unless initialed by the Town Collector.
Town Collector: [Signature] Date: 10/3/2020

9. The Petitioner is seeking to divide the property located at 305 Blackstone Street, Bellingham, Massachusetts from 1 lot into 2 lots with Lot A on which the Petitioners existing dwelling sits containing 28,037 sq. ft. with 210.61 ft. of frontage and a lot shape factor of 19.6. All other requirements of the Zoning By-Law would continue to be met on the existing dwelling at 305 Blackstone Street, Bellingham, Massachusetts which would now sit on Lot A as shown on the attached plan. Lot B on the attached plan would contain 23,811 sq. ft., would have frontage of 200 feet, would have a lot shaped factor of 17.0 and the proposed dwelling which would sit on Lot B would be in conformity with all other requirements of the Zoning By-Law. The Variance that is being requested would be for area in that the required area in the agricultural district is 80,000 sq. ft. and Lot A would have 28,337 sq. ft. and Lot B would have 23,811 sq. ft. As stated, all other requirements of the zoning by-law would be met in their entirety.
10. 240-40
11. Yes, there is an existing dwelling located at 305 Blackstone Street, Bellingham, Massachusetts, and there is also a pool which sits on the property located adjacent to the existing dwelling at 305 Blackstone Street, Bellingham, Massachusetts.
12. The subject premises are a large rectangular lot with more than adequate frontage of 410.61 feet. The lot is a preexisting non-conforming lot in that the required area for this zoning district of agriculture is 80,000 sq. ft. and the subject lot has 52,148 sq. ft. The subject lot is a long rectangular lot with, as stated, more than adequate frontage but with limited depth of 131.91 feet on one side and 163.65 feet on the other. All can be seen on the attached plan. The surrounding area has many lots that are smaller than the subject lot and are believed to be preexisting non-conforming lots as well.
13. The subject premises were purchased on June 8, 1987 and are thus have been owned for 33 years.
14. The present use of the subject premises is a single-family residence located at 305 Blackstone Street, Bellingham, Massachusetts.
15. The grounds for the variance are as follows. With regards to circumstances relating to the soil conditions, shape, or topography of such land or structures, as can be seen on the attached plan and as mentioned prior, the subject parcel is a long rectangular parcel which runs 410.61 ft. along Blackstone Street with limited depth of 131.91 ft. on one side and 163.65 ft. on the other side. The lot is a preexisting non-conforming lot with regards to area in that the required area in the zoning district of agricultural is 80,000 sq. ft. and the subject lot has 52,148 sq. ft. As a result, the lot has more than adequate frontage to divide the lot into 2 lots with adequate frontage pursuant to the zoning by-law. It is the shape of the lot that the Petitioner relies upon with regards to this factor and that the circumstances relating the shape of the land is unique in the zoning district. The shape of, the parcel affects this land but does not affect other land generally in the zoning district in which it is located. The Petitioner submits that a literal enforcement of the provisions of the by-law would involve substantial hardship, financial or otherwise, in that the shape of the parcel is such that it has more than adequate frontage for 2 legally existing parcels but because of the limited depth the shape does not have the required area for two legally existing parcels. The Petitioners wish to divide the property into two parcels, as shown on the subject plan, Lots A and B and to convey Lot B to their son for the purpose of constructing a single-family dwelling on said Lot B. The Petitioners also submit that desirable relief maybe granted without substantial determinant to the public good and

without nullifying or substantially derogating from in the intent or purpose of the by-law as the zone is an agricultural/residential zone with single-family residences and multi-family residences surrounding the subject parcel. The intent of the by-law is to not over build or to over intrude on any of the abutting neighbors and the proposed grant of variance allowing a single-family structure to be built upon Lot B would not overly burden the land, nor would it overly burden any of the neighbors to any degree.

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Drill Hole in Large Rock

Test Hole

137.50

14.05

410.67°
5.51239° W.

MAY, 1965

Approval Under "Subdivision Control Law" Not Required.
Bellingham Planning Board.

Approval under Subdivision
Bellingham Planning Board.

Theresa J. Davis
 Joseph A. Deibel
 J. Layton Cassman
 J. Caldwell Chase

Norfolk Registry of Deeds.
Dorham, Mass.
Received June 2, 1965 with Deed
Oscar J. Chamberland & Lto
Ronald B. Reamy & L
Filed as No. 573, 1965 with Reg. # 679
Attest Chas. J. [Signature] Registrar

Woonsocket, R.I.

Date: May 27, 1965



NOT MASSACHUSETTS QUITCLAIM DEED (SHORT FORM) (INDIVIDUAL) 861
 OFFICIAL OFFICIAL
 WE, RONALD R. REMY and LUCILLE C. REMY, husband and wife, both
 of Bellingham, Norfolk County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of \$147,500.00

grant to JAMES P. FUHRMAN and ANN M. FUHRMAN, husband and wife, *
 as tenants by the entirety, both
 of 305 Blackstone Street, Bellingham, Norfolk County, Massachusetts with quitclaim covenants
 the land in

[Description and encumbrances, if any]

That certain piece, parcel or lot of land, together with all improve-
 ments thereon, situated on the Northwesterly side of Blackstone Street,
 in said Bellingham, that is shown on plan entitled, "Subdivision
 for Oscar J. and Ruth A. Chamberland, Bellingham, Mass.," made by
 G. Bertrand Bibeault, C.E., dated May 1965, recorded as Plan No.
 529 of 1965 in Book 4259, Page 679, containing 52,457 square feet,
 more or less, according to said plan, and bounded according to said
 plan as follows:

Beginning at a point on the Northwesterly side of said Blackstone
 Street, which point is the most Southerly corner of land of Victor
 P. and Barbara V. Brodeur and being the most Easterly corner of the
 lot hereby described, thence S. 51° 30' W., with said Blackstone
 Street, four hundred ten and sixty-one one hundredths (410.61) feet;
 thence N. 38° 30' W., with other land of these grantors one hundred
 sixty-three and sixty-five one hundredths (163.65) feet to a drill
 hole in the stone wall at land now or formerly of Varney Bros., Sand
 and Gravel Inc.; thence S. 72° 02' E., fortyfive and seventy-eight
 one hundredths (45.78) feet to a drill hole in a large rock; thence
 N. 50° 38' E., three hundred seventy and forty-eight one hundredths
 (370.48) feet to the aforesaid Brodeur land, the last two (2) lines
 following the stone walls and the aforesaid land now or late of Varney
 Bros., Sand and Gravel Inc.; thence S. 44° 58' E., with said Brodeur
 land one hundred thirty-one and ninety-one one hundredths (131.91)
 feet to the point of beginning

For Title Sur

N.A.A. 44 Sur

Book 4259 Page 679

COMMONWEALTH OF MASSACHUSETTS
 DEEDS & EXCISE

RECEIVED
 JUN - 8 11 11
 937.44

Witness our hands and seals this 8th day of June 19 87

Ronald R. Remy
 Ronald R. Remy

Lucille C. Remy
 Lucille C. Remy

The Commonwealth of Massachusetts

Norfolk ss.

June 8, 19 87

Then personally appeared the above named RONALD R. REMY and LUCILLE C. REMY
 and acknowledged the foregoing instrument to be their free act and deed before me

Robert W. Simmler, Notary Public

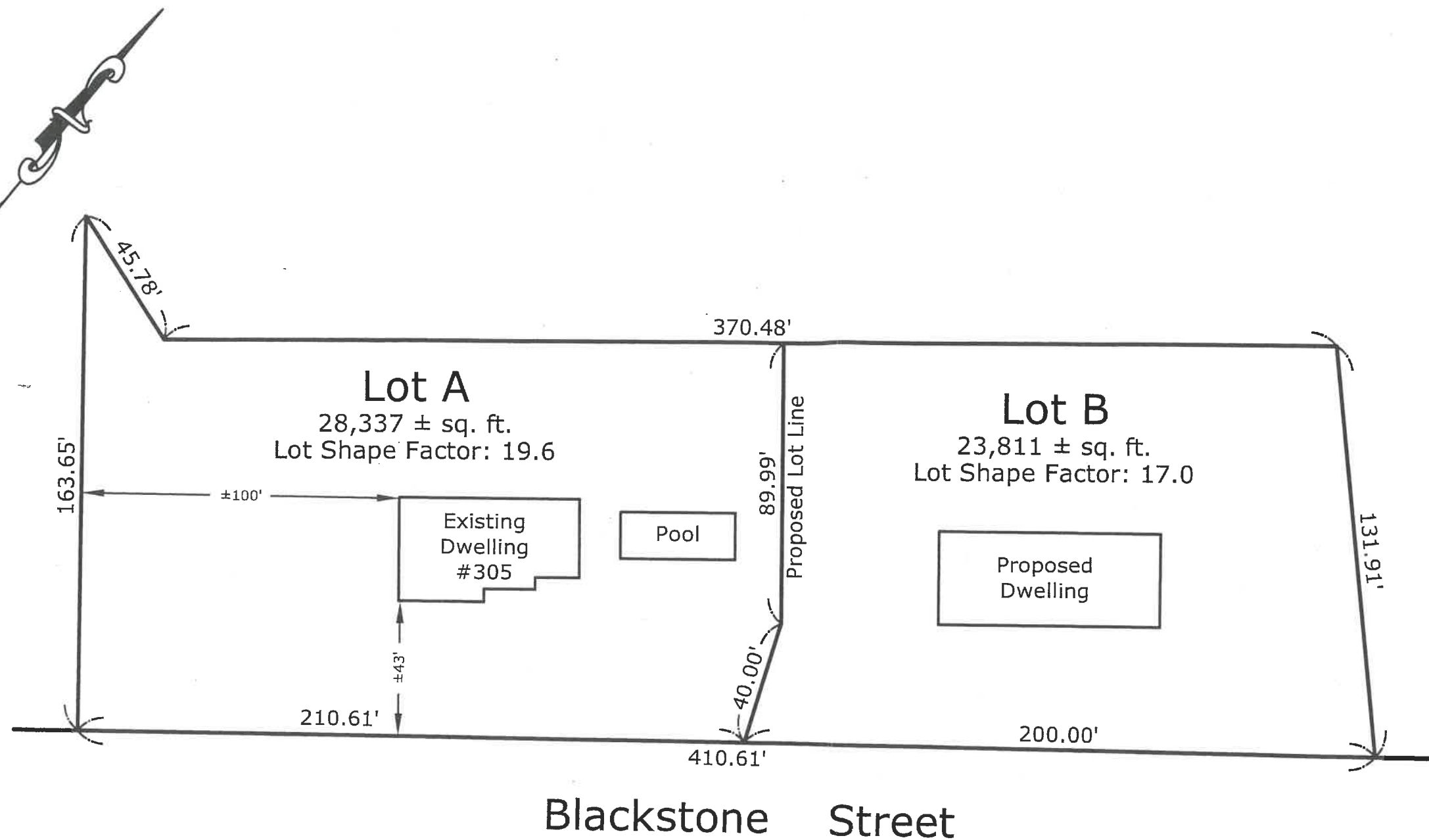
My commission expires

Feb. 24, 19 89

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Property Address: 305 Blackstone Street, Bellingham, MA 02019

ZONING DATA
ZONE: AGRICULTURE
 MINIMUM REQUIREMENTS
 AREA: 80,000 S.F.
 FRONTAGE: 200'
 FRONT YARD: 30'
 SIDE YARD: 15'
 REAR YARD: 20'

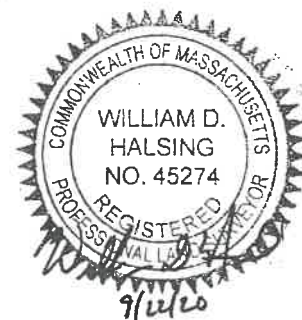


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Variance Plan

Located at
305 Blackstone Street
Bellingham, MA
 Owned by
James P. & Ann M. Fuhrman
305 Blackstone Street
Bellingham, MA

This plan was compiled from other maps, record research or other sources of information. It is not to be construed as having been obtained as the result of a field survey, and is subject to such change as an accurate field survey may disclose.



Land Planning, Inc.
 167 Hartford Avenue
 Bellingham, MA 02019
 508-966-4130
 bellingham@landplanninginc.com

Date 9/22/20 Scale 1"=40' Job B2637