



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting, December 1, 2022

At 7:00 PM

This meeting is Zoom and in person.

MEMBERS PRESENT

Brian Wright – Chairman

Brian T. Salisbury – Member

Rayan Shamas – Member

Arturo Paturzo – Member

Peter Gabrielle – Vice Chairman (via Zoom)

Jason Berthelette – Alternate Member

ALSO, PRESENT

Amy Sutherland, Assistant Town Planner

ALSO, PRESENT VIA ZOOM

James S. Kupfer, Town Planner and Zoning Compliance Officer

Timothy Aicardi, Building Commissioner and Zoning Enforcement Officer

The Chairman Brian Wright opened the meeting at 7:00 PM.

CONTINUATION PUBLIC HEARING 110 FLORIDA AVENUE

The Chairman Brian Wright asked for a motion to open the continued public hearing for 110 Florida Avenue.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the board voted unanimously to open the continued hearing for 110 Florida Avenue.

The applicant was not in attendance.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the board voted unanimously to hold this hearing at the end of the meeting to allow time for this applicant as he is not in attendance in person or via Zoom.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the board voted unanimously to allow a continuation of this hearing to January 5, 2023, to contact the applicant to see if he is still interested in pursuing his variance request.

Amy Sutherland will contact this applicant.

CONTINUATION PUBLIC HEARING 180 PATRICIA DRIVE



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

The Chairman Brian Wright asked for a motion to open the continued public hearing for 180 Patricia Drive

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the board voted unanimously to open the continued hearing for 180 Patricia Drive.

The applicant Tara Damiano was in attendance.

Amy Sutherland stated that the meeting was continued for the members to do a site visit. Brian Wright and Brian T. Salisbury went to the property.

The Board discussed the criteria needed for this variance. Brian T. Salisbury found that there is a topography issue on this property. It does not affect the neighbor negatively as he has a 7-foot wall that goes up to the property line and a fence that allows for a privacy screen.

The Board agreed there is no other reasonable place to put the shed.

There are no comments from the public.

On a motion made by Brian T. Salisbury and seconded by Art Paturzo the Zoning Board voted unanimously to close the hearing.

The Board agreed the hardship flows from the topography of the soil, there is no other location this can be erected. It is not out of character in the neighborhood. If the fence is removed, it shall be replaced as is. The current shed shall be removed. They agreed that it satisfies the criteria of a hardship.

On a motion made by Rayan Shamas and seconded by Art Paturzo the Zoning Board voted unanimously to grant the variance as requested with the stipulation if the existing 7-foot privacy fence is removed it will be replaced exactly as is. The existing shed will be removed.

Amy Sutherland stated the decision will be submitted to the Town Clerk and there is a 20-day appeal period.

NEW PUBLIC HEARING 236 MAPLE STREET

On a motion made by Rayan Shamas and seconded by Art Paturzo the Zoning Board voted unanimously to open the Public Hearing.

On a motion made by Rayan Shamas and seconded by Art Paturzo the Zoning Board voted unanimously to waive the reading of the Public Hearing notice.

The applicant, Adam Walter was present as an authorized representative for ATT.



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

He explained that there is an existing cell tower on this site. They want to install 9 antennas, 9 radio head units, 2 squids, 4 DC cables and one fiber trunk. There is a 20 x 10 concrete pad that is existing on the site. They are requesting the Special Permit to increase the height by 20 feet. This is the maximum allowed within the 64-9 regulation. He further explained ATT needs full height as there is a gap in the coverage. This will allow them to fill the gap in the coverage.

James S. Kupfer stated there is already a Special Permit for the existing 122-foot cell tower. The request is further to extend it from 122 feet to 142 feet. It is the 20-foot extension that would exceed what was already granted. The bylaw states 100 feet is the maximum.

The applicant stated there are no other places to construct a new tower. They have researched all the cell sites in the area. The tower at 236 Maple Street allows them to do this.

Brian T. Salisbury stated this is a secluded area. He requested a floating balloon be put at the requested height so they can visualize if it would be any more detrimental to the area.

The applicant stated they need this full 20-foot height to function properly. Otherwise, it gets in the way of radio frequencies. He supplied photos of the existing tower and what is proposed.

The Board discussed putting antennas on telephone poles.

The applicant stated that the range would not work.

Brian T. Salisbury requested what the degradation may be that shows the effectiveness at different heights.

The Board would also like to see what other surrounding towns may have with this proposed height. And have the floating balloon with a flashing added to the existing tower so they can get a sense of what it may look like.

The applicant requested a continuation to the next meeting to compile this information.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to grant the continuation to January 5, 2023, at 7:00 PM.

NEW PUBLIC HEARING 38 VICTOR STREET

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to open the Public Hearing.

On a motion made by Art Patruzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to waive the reading of the Public Hearing notice.

The applicants, Jon and Marjorie Turner Hollman were in attendance. They are requesting a variance to erect a 24 x 30-foot garage on their property. They have a non-conforming lot under



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

2 acres. They both have disabilities, and the house is unsafe as it is now with a loft. They need to move or construct the garage for safe storage. They need the storage for their physical therapy equipment. They need an ADA ramp. This is a small neighborhood. It is a dead end that is maintained by the town. The garage would be pushed away from the house. They would encroach on the 20-foot setback in the rear as much as possible and encroach on the side setback. They would stay as close to Bertine Street as possible. They would side the garage to keep within the character of the neighborhood. There is a carport there now.

The Board discussed the request for the variance within 3 feet of the side and rear lot lines. They found that the garage would be larger than the home.

Brian T. Salisbury explained they must meet the criteria of the bylaw. There must be a hardship flowing from the topography of the soil. Having a small lot is not a hardship.

The applicant stated it is small and they cannot construct the ADA ramp as needed. They did explore other options.

Peter Gabrielle is familiar with this area and the lot, and it is very tiny. There is barely enough access between the 2 buildings of the applicant and the neighbor.

The Board asked if they could do an attached garage.

The applicant stated that the house is being jacked up. There are elevation issues and the way it is framed and structure. They would also not be able to view the back yard if they were to attach it.

The Board stated the applicant needs to show the hardship as it relates to the topography of the land. The applicants may want to reconfigure what they are asking for.

Keeping the site line is not a hardship. The Board suggested they review the Town Bylaw.

James S. Kupfer explained that the relief being sought would be 12 feet on the side and a 27-foot front setback relief. This is an agricultural zone.

There were no public comments.

The applicant requested a continuance to the next meeting to review the Town Bylaw.

The Board Members would like to view the property.

On a motion made by Art Paturzo and seconded by Peter Gabrielle the Zoning Board voted unanimously to continue the hearing to January 5, 2023, at 7:00 PM.

NEW PUBLIC HEARING 78 MENDON STREET



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

The Chairman Brian Wright asked for a motion to open the Public Hearing for 78 Mendon Street.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to open the Public Hearing.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to waive the reading of the Public Hearing notice.

The applicant and owner, Chakchai Reosakunochai was in attendance. His sister Anna would be running the restaurant with him. She is the owner of the property next door.

The property is zoned commercial.

They are in attendance as they are seeking a Special Permit to convert their garage into a commercial kitchen. It would be an online and phone pickup and delivery service. There would not be any inside seating. The applicant explained there would be 2 to 3 employees in the kitchen as it would be small. They would be open 10 hours a day, approximately 11:00 am to 10 PM every day except Mondays. The busiest time would be lunch and dinner. The front would be paved so the drivers would not have to turn around. It would be safer with the traffic. They would put enter and exit signs for the drivers. They would have a ventilation system for odor control. They provided a drawing showing the paved area. They would agree to put up a fence.

Timothy Aicardi, Building Commissioner was in attendance. He stated they are in the Business District. This would be an accessory use to the primary use which is residential. It would be a full commercial kitchen with an Ansel system. They would need to demonstrate a safe area to pull in and turn around. There are several businesses in the area. They do own the bead store next door and are willing to put in a walking path to use that parking area if needed.

The Board was concerned about the safety with the traffic on that road. The aesthetics of paving most of the front yard and the amount and the number of parking spaces required.

Public Comments

Abutter, Marie Selima of 82 Mendon Street expressed her concerns with safety conditions in a high traffic area, accidents with the customers pulling in and out, the continual noise, parking on the street, the possibility of blocking her driveway and view from her home and food odors.

The applicant stated that they would remove the garage door and fully convert the garage. They would leave a grassier area if required. They explained at the bead store next door has a large parking area. They are willing to use that area at 74 Mendon Street to park and walk over to the restaurant area if the Board would prefer that.



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

The Board would like to maintain a residential feel to the area. Brian T. Salisbury felt that paving the full front yard may look too commercial.

After hearing from the applicants, the Board asked them to provide the following: a diagram of the site view, show the parking and a buffer; to provide a floor plan of the kitchen showing the exhaust going away from the neighbor; to estimate the number of orders on a daily basis, how they would control the light from the vehicles headlights at night and an estimate of cars that might be waiting in line at a time to pick up their orders and also how they would handle no street or sidewalk parking.

Peter Gabrielle stated if they allow to park at the bead store they may not do so if not convenient. They need to show that there are no impacts to the neighborhood. Rayan Shamas stated if either owner was to sell then that would not work with the parking lot next door. It could be an issue in later years.

The applicant requested a continuance to the next meeting to provide a more detailed site and operational plan.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to continue the hearing to January 5, 2023, at 7:00 PM.

NEW PUBLIC HEARING 17 NORTH MAIN STREET

The Chairman Brian Wright asked for a motion to open the Public Hearing for 17 North Main Street.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to open the Public Hearing.

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to waive the reading of the Public Hearing notice.

Chairman Brian Wright recused himself from this hearing. Brian T. Salisbury will Chair.

The applicant Isabella Quintiliani was in attendance. She explained she is in attendance for a Special Permit to open a dog daycare at this plaza. There are none in the area so there is a need. This plaza has a large open space. She provided a detailed floor plan showing the flow of the area. The employees would use walkie talkies for safety of the passing of the dogs and staff in the hall area. They would have 2 bays at 750 square feet. There would be an outside area for the dogs of 843 square feet, only 10 dogs at a time and rotate the dogs so they would not get bored. They can run and play. Once done, they would rotate with the other 10. There would be a canopy over the fencing area due to the elements of the weather. The maximum numbers of dogs would be 35. The front bay area is 1,125 square feet and they would have 15 dogs at a time



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

there. For every 750 square feet only 10 dogs would be allowed. The outdoor area has 43 square feet and only 10 dogs allowed at a time in that area.

She explained the outside area would have fencing in the back and the large bay windows would have one way glass as not to disrupt the dogs. No changes to the outside area other than cosmetic.

Brian T. Salisbury was concerned about that number of dogs. Even in a commercial area the noise could be intrusive. He also inquired if the outdoor pen was critical.

The applicant explained they are outside only 30 minutes. They need the exercise and the change of scenery. They will keep the large garage doors as she prefers for the light to come in. In the plaza behind them there are 2 dog businesses, one for grooming and one bakery for dogs.

Peter Gabrielle stated the dogs do need to go outside and it is a large enough open area that is not too close to the other businesses.

The applicant will put a 6-foot composite fence and a canopy.

Timothy Aicardi stated a few businesses have outdoor seating. It will have screening. There are other similar businesses. No business owners came to object.

The applicant stated no one could see inside. They will be open 7 am to 6 pm with no boarding of dogs.

Brian T. Salisbury is concerned of the negative impact with the barking. The fence and over head cabana may help. His concern is if they approve and they the Board gets complaints, what can be done in the future?

Timothy Aicardi, Building Commissioner stated if the board is inclined to approve and if it is disrupting and he gets complaints then he would have to work with them. There is still some enforcement.

Peter Gabrielle stated it is a commercial business. Timothy Aicardi said they do have to sign a lease. He suggested if they grant, and they get complaints he is the enforcer and would work with them.

Peter Gabrielle questioned the waste management. The applicant explained they have a plan in place. Each staff has an apron with bag. It is up to them. They triple disinfectant and wet vacuum up. All waste baggies are put in the trash can and then at the end of day put in the dumpster on site. It will be in front area where there is no parking. It is fenced in. It is not visible from North Main Street.

No public comments.



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

On a motion made by Art Paturzo and seconded by Brian T. Salisbury the Zoning Board voted unanimously to close the Public Hearing.

Rayan Shamas stated it is good business for that area. There is ample parking and a good amount of space between other businesses in the back. There are similar dog businesses in that plaza. He agrees if there are complaints they will have to come back before the Board per the Building Commissioner. It will also improve the vacant building.

James S. Kupfer reviewed they can have 35 dogs maximum, 10 outside at one time, the Building Commissioner may review and reduce that number if ongoing complaints. There will be fencing and a canopy outside and fencing around dumpster.

Timothy Aicardi reminded the applicant a licensed contractor must pull permits if any changes are to be made.

On a motion made by Brian T. Salisbury and seconded by Art Paturzo the Zoning Board voted unanimously to grant the Special Permit as requested subject to the conditions stated.

Amy Sutherland will file the decision. There is a 20-day appeal period after that.

Minutes:

November 3, 2022

On a motion made by Rayan Shamas and seconded by Brian T. Salisbury, the Zoning Board voted unanimously to approve the minutes of November 3, 2022, as amended.

Adjourn:

On a motion made by Art Paturzo and seconded by Rayan Shamas, the Zoning Board voted unanimously to adjourn the meeting.

The meeting adjourned at 9:00 PM

Respectfully Submitted,

Laura Renaud
Minutes Clerk
Approved 1.5.22



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019