



## BELLINGHAM ZONING BOARD

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10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

Meeting Minutes, July 6, 2023

At 7:00 PM

This meeting is Zoom and in person.

### **MEMBERS PRESENT**

Peter Gabrielle – Chairman

Brian Wright - Member

Brian T. Salisbury - Member

Liz Berthelette– Member

### **ABSENT**

Rayan Shamas – Vice Chairman

James Dixon– Alternate Member

### **ADDITIONAL OFFICIALS PRESENT**

Amy Sutherland, Assistant Town Planner

James S. Kupfer, Town Planner and Zoning Compliance Officer – via Zoom

### **NEW PUBLIC HEARING 10 PAINE STREET**

The Chairman Peter Gabrielle asked for a motion to open the Public Hearing for 10 Paine Street.

**On a motion made by Brian Wright and seconded by Liz Berthelette the Board voted unanimously to open the hearing.**

**On a motion made by Brian Wright and seconded by Liz Berthelette the Board voted unanimously to waive the reading of the Public Hearing notice.**

Tom Neeland is representing the applicant and owner, Derrick Scott. Vin Paz of 20 Paine Street was also in attendance. Derrick Scott is seeking a lot area variance to reduce the existing parcel by 1,649.74 square feet from the current parcel of 10,555.44. He would like to sell a portion of the parcel to his neighbor at 20 Paine Street. Tom Neeland explained these residents have been neighbors for 4 years. Vin Paz approached Derrick Scott to see if he would sell a portion of his property as his lot is so small. A plan was drawn up and submitted to the Planning Board. They had a hearing before the Planning Board. The Planning Board suggested they seek a variance to reduce the size of Derrick Scott's lot. It is a pre-existing non-conforming lot. Both lots are odd shaped. The Planning Board must grant an ANR. The applicant can subdivide as they have enough frontage. They are creating a more non-conforming lot. It is beneficial for the future

owners and the town to reduce the number of non-conforming lots in Bellingham. Granting this variance would do that. The Board reviewed the plan. Derrick Scott would be selling Lot B to Vin Paz. Vin Pas would be transferring Lot A to Derrick Scott.

James S. Kupfer explained the undersized lots do not meet zoning. If they did this without a variance it would be creating more non-conforming lots. There are no adjustments to the frontage or access to the site. If this is not granted it could be an issue in the future for new owners or the town. If the Board does grant the variance, they would have to go back to the Planning Board for an ANR with the decision and file it with the Registry of Deeds.

The applicant presented a decision allowing for an 8-foot fence on the property. The Board reviewed the decision for the fence which abuts 30 Paine Street. The applicant asked if this could be combined with the new decision if granted. The Board explained the current code allows for 7 feet. If he chose to do that he wouldn't have to come for relief from the Board. Otherwise, it is an alteration. Amy Sutherland will attach the fence decision with the new decision.

### **Public Comments**

There were no comments from the public.

**On a motion made by Brian Wright and seconded by Liz Berthelette the Board voted unanimously to close the hearing.**

**On a motion made by Brian Salisbury and seconded by Liz Berthelette the board voted unanimously to grant the request for a variance as shown on the provided plan for the reduction of lot area from 10, 555 square feet to 8, 905.65 square feet.**

Amy Sutherland will draft the decision. There is a 20-day appeal period. They must go to the Planning Board for the ANR. Amy Sutherland will put them on the next Planning Board meeting.

### **Minutes:**

June 1, 2023 (on hold)

### **Adjourn:**

**On a motion made by Brian Wright and seconded by Brian Salisbury the board voted unanimously to adjourn the meeting.**

The meeting was adjourned at 8:30 PM.

Respectfully Submitted,

Laura Renaud  
Minutes Clerk

Approved