



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting, May 4, 2023

At 7:00 PM

This meeting is Zoom and in person.

MEMBERS PRESENT

Peter Gabrielle – Chairman

Rayan Shamas – Vice Chairman via Zoom

Brian Wright - Member

Brian T. Salisbury - Member

Liz Berthelette– Member

James Dixon– 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

7:00 PM

BOARD RE-ORGANIZATION

On a motion made by Brian Wright and seconded by Brian T. Salisbury the board voted unanimously to nominate Peter Gabrielle to serve as chairman. Peter Gabrielle accepted the nomination.

Roll Call

Brian Wright aye

Brian T. Salisbury aye

Rayan Shamas aye

Liz Berthelette aye

On a motion made by Peter Gabrielle and seconded by Brian Wright the board voted unanimously to nominate Rayan Shamas to serve as vice chairman. Rayan Shamas accepted the nomination.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Liz Berthelette	aye

The Chairman Peter Gabrielle announced there were 2 alternate member positions available. This will be posted on the website.

NEW PUBLIC HEARING 62 RAY AVENUE

The Chairman Peter Gabrielle asked for a motion to open the Public Hearing for 62 Ray Avenue.

On a motion made by Brian Wright and seconded by Chairman Peter Gabrielle the Board voted unanimously to open the hearing.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

On a motion made by Brian Wright and seconded by Chairman Peter Gabrielle the Board voted unanimously to waive the reading of the Public Hearing notice.

Brian T. Salisbury recused himself.

Chairman Peter Gabrielle made note that the new alternate member was not sworn in yet. He made the applicant aware that there must be a vote in favor of all 4 members. If 5 members were present it would be 4 out of 5. The applicants stated they understood.

The applicants and owners Walter and Jean Couture were in attendance. They are seeking a Special Permit Family Apartment (Section 240-74). They are requesting this to construct an addition to the back left side of the home. This will be a one-story open floor plan with one bedroom. They have some medical issues, and they will eventually need assistance. Their daughter, Kaitlyn O'Rourke, her husband, and children will occupy the main home. This will be connected to the garage with access to both units. There is room for a maximum of 3 vehicles. They are connected to the town sewer. They meet setbacks and plan on constructing the new addition to be in keeping with the aesthetics of the main home.

Public Comments

Carol Poe, advisor for the family asked how the process will work with the Special Permit as the applicants are on the title but the daughter and son-in-law will eventually be the owners of the main home. James Kupfer confirmed that the decision can reflect what is needed. A new permit

can be issued when the sale of the home is completed. Chairman Peter Gabrielle explained to the applicants the addition must be occupied by them. It cannot be rented out. The applicants understood this.

On a motion made by Brian Wright and seconded by Chairman Peter Gabrielle the Board voted unanimously to close the hearing.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

On a motion made by Vice Chairman Rayan Shamas and seconded by Liz Berthelette the board voted unanimously to grant the request for a Family Apartment as submitted in the application.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

Amy Sutherland will draft the decision. There is a 20-day appeal period. The permit must be renewed in 5 years.

GENERAL BUSINESS

Renewal of Special Permit – 109 Patricia Drive

The applicant returned as requested in his decision from 5/21/2021. He was given a permit to allow him to have 6 dogs on the property. It is a small neighborhood. Currently there have not been any complaints from neighbors, Animal Control, or any other Town Offices. They have the same number of dogs. There have not been any changes.

On a motion made by Chairman Peter Gabrielle and seconded by Brian Wright the Board voted unanimously to grant a renewal of the Special Permit for one year. Amy Sutherland will write a letter for one year request with the same conditions.

Release of Bond for Gravel – 206 Mechanic Street

There was a bond put in place in 1997 for gravel removal. Mr. Ed Moore, the owner, would like it back. The bond was put in place to make sure the work was done correctly. No Board discussion.

On a motion made by Brian T. Salisbury and seconded by Rayan Shamas the board voted unanimously to grant the request to return the bond.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

Amy will send a letter to the treasurer.

Lakeview Estates – Operation and Maintenance Plan Amendment

Brian Wright recused himself.

Amy Sutherland explained that Angela Conforti Attorney for Lakeview Estates was in attendance to seek an amendment to the Operation and Maintenance Plan. Angela Conforti stated they were closing on the last unit on May 18th. She was seeking an amendment to the Operation and Maintenance Plan. The way it is stated is that the homeowners would provide perpetual maintenance of the drainage and not the roadways. They should not bear the cost of the full drainage system. Chairman Peter Gabrielle stated that once the town accepts the road, they accept responsibility of the drainage. Angela Conforti confirmed that was in their Comprehensive Permit. They are still waiting for their Certificate of Completion from Conservation. Anne Matthews must inspect the rain gardens, grass, etc. They will be ready for the Fall Town Meeting to accept all streets including phase 2. The Board felt that there were still issues to discuss. A 40B is a like a standard subdivision. When all is completed, it will go through the Town Meeting Process for acceptance. The Operation and Maintenance Plan may need to be amended at that time.

Public Comments

Brian Wright of 99 Silver Lake commented that the developer has been working well with the Board recently but in the past the town only got action when they were held accountable. It was a struggle to get them to do certain things. He would suggest the Board wait to amend anything until completely done.

Amy Sutherland stated there are still items that need to be addressed. It is a work in progress. The Board stated that the Conservation Commission has done an outstanding job.

On a motion made by Brian T. Salisbury and seconded by Liz Berthelette the board voted unanimously to take no action at this time.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

Minutes:

March 2, 2023

On a motion made by Brian Wright and seconded by Rayan Shamas the board voted unanimously to approve the minutes as presented.

Roll Call

Peter Gabrielle	aye
Brian Wright	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Liz Berthelette	aye

Adjourn:

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

The meeting was adjourned at 8:30 PM.

Respectfully Submitted,

Laura Renaud
Minutes Clerk

Approved __/__/__