



BELLINGHAM ZONING BOARD

10 MECHANIC STREET

BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting, October 6, 2022

At 7:00 PM

This meeting is Zoom and in person.

MEMBERS PRESENT

Brian Wright – Chairman
Peter Gabrielle – Vice Chairman
Brian T. Salisbury – Member
Arturo Paturzo – Member
Jason Berthelette – Alternate Member

ABSENT

Ryan Shamas – Member

ALSO, PRESENT

Amy Sutherland, Assistant Town Planner

ALSO, PRESENT VIA ZOOM

James S. Kupfer, Town Planner and Zoning Compliance Officer

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

CONTINUATION PUBLIC HEARING 86 PINE GROVE AVENUE

The Chairman Brian Wright asked for a motion to open the continued public hearing for 86 Pine Grove Avenue.

On a motion made by Art Paturzo and seconded by Peter Gabrielle the board voted unanimously to open the continued hearing for 86 Pine Grove Avenue.

Amy Sutherland received an email that afternoon that the applicant was seeking to withdraw the application without prejudice.

Brian Wright read the email request dated October 6th into the record.

There was no discussion.

On a motion made by Art Paturzo and seconded by Peter Gabrielle the board voted unanimously to approve the request to withdraw without prejudice.

PUBLIC HEARING:

48 Plymouth Road

The Chairman Brian Wright asked for a motion to open the public hearing for 48 Plymouth Road.

On a motion made by Art Paturzo and seconded by Peter Gabrielle the board voted unanimously to open the hearing for 48 Plymouth Road.

On a motion made by Peter Gabrielle and seconded by Art Paturzo the board voted unanimously to waive the reading of the public hearing for 48 Plymouth Road.

The Board is in receipt of a Special Permit application submitted by the applicant Philip Landino, 48 Plymouth Road, Bellingham, MA 02019.

The request is for a Special Permit (Section 240-74) for a family apartment on the premises of 48 Plymouth Road, Bellingham, Assessor's Map 14 Lot 14. The property is zoned Suburban.

Amy Sutherland explained she had concerns from abutters that there were many people living in this home. She asked Mr. Landino to come before the Board to explain his situation and apply for a family apartment.

The applicant Mr. Landino was present. He received the letter to come in to apply for a family apartment due to the amount of people living in his home. He explained there is an existing finished basement with a full kitchen, bedrooms, and a bathroom. He has a driveway on each side of his home. He can park 5 cars in each. His nephew Christopher Phillip and his brother-in-law Christopher Philip will be residing in the apartment. His brother-in-law needs medical care and a first floor living space. The friend that is currently living downstairs will be moving upstairs with him in the family home. He is the medical proxy for this friend.

The Board went through the requirements for a Special Permit for a family apartment. It is a pre-existing situation. There will be no changes made. The property has town sewer. There is ample parking in the 2 driveways. The owner will be helping them out financially and medically.

An abutter, Mr. Greene of 56 Plymouth Road stated he has lived there for 22 years and has not had any problems with the owner or his family members.

There were no other public comment or questions.

The Board had concerns about the safe egress out of the apartment and would like the Building Commissioner to confirm this. The Board was concerned about the number of cars that were allowed on a property. James Kupfer confirmed that only one unregistered car was allowed on a property, and all others must be registered. There was no limit under this bylaw.

On a motion made by Art Paturzo and seconded by Peter Gabrielle the Zoning Board voted unanimously to close the hearing.

On a motion made by Brian Wright and seconded by Art Paturzo the Board voted unanimously to grant the family apartment as requested subject to the condition that the Building Commissioner confirms safe exit out of the apartment.

Amy Sutherland explained there is a 20-day appeal period. If any family members in the apartment change, then Mr. Landino is required to report that to the Board.

GENERAL BUSINESS:
Special Permit Renewal:

Lucia and Joan Joseph - 61 Linwood Avenue

Amy Sutherland stated there was a family apartment permit at this property. They need their 5-year renewal. There have been no changes. The applicants are not present. There are no violations, and their taxes are current.

On a motion made by Peter Gabrielle and seconded by Brian Wright the Board voted unanimously to grant the extension for the family apartment as requested.

Lakeview Estates – South Main Street as Center Street Traffic Mitigation

Chairman Brian Wright recused himself.

Angela Conforti was in attendance to give an update on the traffic mitigation on South Main Street at Center Street. All the materials have been ordered. The utility poles have been moved and they are waiting on 2 utility companies to move the wires. They will not be completed in this construction season due to the utility company schedule. They have bonded all the work for \$500,000.00. They are seeking their last 2 occupancy permits for phase 2 but the work is off site on South Main Street. They are both the affordable units, completed but no buyers for them. James Kupfer stated Don Dimartino and Timothy Aircardi have been reviewing the project. Conservation also has a bond. This has been continued to the November meeting. Angela Conforti is here to give an update for the Board. There is no vote to be taken.

Angela Conforti stated they will ask for another extension of the permit in November. They do have a punch list and are preparing for street acceptance for phase 1.

Art Paturzo inquired about the status of the screening of the light that was bothersome to a resident. Angela Conforti stated it was ordered and she will have an update on that in November.

James Kupfer stated there were no complaints with the original basin down at Silver Lake Street.

DPW has confirmed that the original basin is working properly.

Brian Wright of 99 Silver Lake Road confirmed this but asked for maintenance schedule as it is getting overgrown with weeds. Angela Conforti will relay this to the supervisor on the job.

Special Renewal Process Discussion

Amy Sutherland brought forward her idea for streamlining the process of the renewals of family apartments. The applicants should be returning every 5 years. This has not been done consistently. She would like to have a process in place. Her suggestion is to group all expired renewals from 2018 and go back as far as she can; research violations, taxes and occupants residing there and put out a letter. When the applicants get back to her, she would like to group them together, give the Board a list and renew them all at once at a set time of year. If the

applicants did not get back to her then she would research those family apartments further. They would also pay a fee of \$ 150.00 for another 5 years. The Board discussed how it was done in the past and how this would streamline the process. They would prefer all applicants to come before the Board to request their renewal after receiving the notification they were due. Amy Sutherland will send out the letters in November and give the applicants 30 days to respond back with the fee of \$150.00. These applicants will be asked to attend a Board meeting in person or by Zoom in January or February of the upcoming year. If it seems unmanageable the date can be July 1, 2023.

The Board was all in agreement to try this process.

Minutes:

September 1, 2022

On a motion made by Peter Gabrielle and seconded by Brian T. Salisbury, the Zoning Board voted unanimously to approve the minutes of September 1, 2022, as presented.

Adjourn:

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

The meeting adjourned at 8:30 PM

Respectfully Submitted,

Laura Renaud
Minutes Clerk
Approved November 3, 2022