



BELLINGHAM ZONING BOARD OF APPEALS

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting January 7, 2021

Members Present:

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

Also Present:

James S. Kupfer, Town Planner and Zoning Compliance Officer

Also Present via Zoom:

Laura Renaud, Recording Secretary
Timothy Aicardi – Building Commissioner
Denis Fraine – Town Administrator

Chairman Wright opened the hearing.

Continuation Public Hearing:

Comprehensive Permit – Extension Follow – Lakeview Estates

Members Present:

Peter Gabrielle, Arturo Paturzo, Brian T. Salisbury, and Rayan Shamas

Applicant Representatives via Zoom:

South Center Realty Attorney Angela Conforti
Sean Malone – Oak Consulting Group

Chairman Wright recused himself.

Vice Chairman Gabrielle continued with the hearing.

Town Planner/Officer Kupfer communicated there has been substantial progress since the last meeting. There were ongoing drainage concerns. Mr. Malone has been procured for the engineering on the project. He will provide updates on the enhanced designs for the drainage. The peer reviewer will provide a response to the Zoning Board. The applicant can then provide a detailed schedule. The Board can consider lifting the cease and desist.

Mr. Sean Malone of Oak Consulting Group has been retained by the Fafard Company for the Lakeview Estates Project. Consultant Malone reviewed what G & H Engineering had provided to his client along with what was supplied to the Conservation Commission. From the previous work, the Consultant will be proposing improvements on the site. The applicant would like this resolved so work can start in the Spring. A schedule of work activities will be provided. This will be discussed more in depth at the next meeting.

Consultant Malone informed the Board that there is a large watershed area from the roadway and other properties that comes down to one point at Basin C in the roadway. G & H Engineering installed a drainage structure in this location. The outlet was undersized which caused a rush of stormwater which caused a surcharge. The Consultant proposes improving the basin by installing larger piping to go across the street to allow the water to flow out to the pond as not to well up in the street. Some of the temporary stone will be removed and the area will be regraded and loamed. A question was asked if more drains would be added at the bottom of the street. Consultant Malone explained they would be adding a catch basin at the corner of Candlelight Lane and Silver Lake Road that would be tied into Basin C. A suggestion was made to add a catch basin halfway up to Candlelight to capture some of the water. Consultant Malone responded that there is a catch basin about 50 feet from Silver Lake Road on each side. These are double grade basins. This was done 6 months ago. There are good catchment areas coming down from Candlelight Lane. Town Planner/Officer Kupfer asked about the length of separation between the catch basins and if there needs to be one added in between. Consultant Malone responded that analysis was done per BSC comments and the area is not significant. The applicant will be making changes in the existing detention basin. It is now an infiltration basin. It doesn't have the proper separation to ground water to be a legitimate infiltration basin. This will be modified to provide an outlet at its lowest level. The berm will be lowered between the sediment forebay. The outlet pipes will be increased from that outlet structure, to not create a high-water situation in the basin.

Public Comments/ Questions:

Resident, Brian Wright, 99 Silver Lake Road asked if there will be any impact on Basin C for the amount of water that gushes out of it during heavy rainfall. Consultant Malone explained that more water will go into Basin C than would go into the town's inlet on Silver Lake Road. Another concern is the massive amount of water and sediment that flows into the lake. It sounds like the water is being diverted straight back to the lake. Another question is any existing trees are being taken down and what will be added for a buffer. The original permit had the basin right up on the road and some trees had been taken down. If there is an opportunity to re-plant that would be a reasonable request. The Board agreed and would like hard copies of the proposal before hand to review. The Consultant will provide those. There were no other questions or comment. The peer review will be ready next week.

On a motion made by Vice Chairman Gabrielle and seconded by Member Shamas, the Board voted by roll call to continue to January 14, 2021 at 6:00 PM.

Roll Call Vote:

Peter Gabrielle aye

Arturo Paturzo	aye
Brian T. Salisbury	aye
Rayan Shamas	aye
Brian Wright	(Recused himself and did not vote)

Update- Special Permit, 65 Hixon Street:

Special Permit – Animal Kennel – 65 Hixon Street Map 17 Lot 20
Adriana Crow – Nathan Crow

Chairman Wright explained that the applicant was issued a Special Permit 3 months ago for his 8 dogs. Mr. Crow was in attendance to give an update. Officer/Agent Kupfer informed the Board that the Board of Health and the Animal Control Officer did not have any concerns. The Board's stipulation was the fencing. The applicant Nathan Crow explained that he has installed an 8-foot 20 x 20 square foot, premade fence. The fence quote he received for a permanent fence was \$5,000.00. Mr. Crow did not want to install this until speaking with the Board. Officer/Planner Kupfer communicated that the Board did not require Mr. Crow to fence in the entire perimeter, as long as there is a closed in area. The Chairman Wright asked if the Animal Control's Officer has reviewed this. The Animal Control officer will do an annual review when the time comes. Mr. Crow shared a screenshot of the kennel area. This is a waiting and play area when it is warm out. Vice Chairman Gabrielle did a site visit in the neighborhood and did not see any nuisance pugs or hear any pugs barking. He understands why Mr. Crow did the fence the way he did. Member Shams understands the hardship relating to the cost of the fence for the full back yard. The current set up seems fine. He inquired if this will be permanent. Mr. Crow responded that he was waiting on the Board. His intent would be to install a larger black fence which would look nicer for the neighborhood. It will cover the full back yard. There were no further comments or questions. Officer / Planner Kupfer explained there is no vote needed as it was a status update. If there had been any major concerns, the Board could revoke the permit. The Board informed the applicant that the fence is adequate. If he chooses to make it more aesthetically pleasing, then that is even better. The dogs seem comfortable and have enough space to roam around.

General Business:

Annual Report:

The Town Planner/Officer Kupfer presented the Annual Report to the Zoning Board of Appeals. There were no Board questions or comments from the Board.

Approval of Minutes:

November 5, 2020

December 3, 2020

On a motion made by Member Paturzo and seconded by Member Salisbury the Board voted by roll call to approve the minutes of November 5, 2020 as presented and December 3, 2020 with a minor change.

Roll Call Vote:

Brian Wright	aye
Peter Gabrielle	aye
Arturo Paturzo	aye
Brian T. Salisbury	aye
Rayan Shamas	aye

ADJOURN:

On a motion made by Vice Chairman Gabrielle and seconded by Member Paturzo the Board voted by roll call to adjourn the meeting at 7:45 PM.

Roll Call Vote:

Brian Wright	aye
Peter Gabrielle	aye
Arturo Paturzo	aye
Brian T. Salisbury	aye
Rayan Shamas	aye

Minutes Accepted on Jan 14, 2021 Ryan Shamas
(Date) (Prepared by)