



BELLINGHAM ZONING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting

Thursday, May 6, 2021

At

7:00 pm

MEMBERS PRESENT VIA ZOOM:

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

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place. **This meeting will be via the Zoom online option; see information and instructions at the end of the agenda.**

ALSO PRESENT VIA ZOOM:

James S. Kupfer, Town Planner and Zoning Compliance Officer
Amy Sutherland, Recording Secretary

Public Hearing

The Chairman opened the hearing for the Variance for 206 Mechanic Street. This is a variance from the Use Schedule, Section 240-13, Section 240-61E(1), Parking Area Design and Location, Intensity of Use Schedule Section 240-40 to allow for a warehouse and distribution use within a Business 1 Zone. – Map 52, Lot 3.

The public hearing notice was read.

The applicant Wayne Finnegan was present and provided a screen share.

The Board is in receipt of a letter dated April 13, 2021 from Bohler Engineering. The applicant provided a share screen. The Board was made aware that the property is bisected by a zoning district line and lies within both the Industrial District and Business-1 Districts. Portions of the site have previously been developed and contain an existing one-story building for Bellingham Auto Sales with associated accessory buildings, parking areas, landscaping, and utilities. The applicant proposes to construct a new 124,200 sf building for proposed wholesale distribution

use. The proposed development will have 25 parking spaces, 47 loading bays, and 25 trucks parking spaces. There will be a full two-way access as proposed from Mechanic Street with an additional two-way access driveway on Maple Street which will be restricted to a right-out turning movement to direct traffic toward Mechanic Street. If this permit is granted, the applicant is aware that they will need to go to the Planning Board and also the Conservation Commission.

There were comments/questions from the board:

Will there be traffic analysis with impacts shown?

This falls into the Planning Board jurisdiction. The Board would like to have a request comparison which shows the traffic patterns. This new use would have impact on Mechanic and Maple Street.

Will there be mitigation from the east with left hand turn lane?

This item was discussed at the staff meeting. The plan was to carry through the left-hand lane turning into site.

Have trucks enter from Maple Street with left hand turn into site?

A traffic study would determine the best option regarding the left-hand turn.

Who will be the owner of this site?

The town does not know the user of this site will be until the permit is provided. It is for a classic warehouse use. The location is desirable but there is no user at this point. This site could also be manufacturing but it is better for warehouse and distribution. This site could also have multiple tenants.

The property across the street is a popular gas station. This is a very busy area, and a goal of town is to connect these locations. This could be part of mitigation.

Attorney Paul Felman was present and does a land use permitting for his clients. He agrees that a use variance is very important and should be considered after due consideration. Attorney Felman will not be going to the Planning Board unless this variance is granted. This is the first step in the process.

The Board would like to see the initial concept and original design which was presented. The Board would like to get more information conceptually of what this might look like from Maple and Mechanic Street by scale. The applicant could do renderings for the representation of what will be at this location.

The Board would like the applicant to provide new design elevations along with the traffic generation of this facility. This information can be provided at the next meeting.

On a motion made by Art Paturzo, seconded by Peter Gabrielle, the Zoning Board of Appeals voted by Roll Call to continue the hearing until June 3, 2021.

Roll Call Vote:

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

109 Patricia Drive: Animal Kennel:

The continued hearing for 109 Patricia Drive was opened. The applicant was present. The applicant explained that he is making improvements on the fence around the property. There has been no luck in relocating two of the dogs. The last female dog was spayed. The draft decision was provided to the Board.

There were no complaints from neighbors.

There were no comments from the public.

On a motion made by Art Paturzo, seconded by Peter Gabrielle, the Zoning Board of Appeals voted by Roll Call to close the hearing.

Roll Call Vote:

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

The draft decision was read and reviewed by the board. The Board would like language added that this be a three-month review of the site and also that the applicant cannot add any more dogs and they cannot be replaced.

On a motion made by Art Paturzo, seconded by Peter Gabrielle, the Zoning Board of Appeals voted by Roll Call to approve the decision as amended for 109 Patricia Drive.

Roll Call Vote:

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

Special Permit – Earth Removal – Red Mill on the Charles:

The Chairman opened the continued hearing for the Earth Removal Special Permit.

The Board is in receipt of the draft decision. This decision was also reviewed by peer review.

There were no comments from the public.

The draft decision referenced the following language:

- The traffic and dust concerns shall be monitored and maintained at all times.
- The construction entrance shall be armored with a rip rap pad to remove debris from the tires of the trucks leaving the site.
- There should be funds in the amount of \$35,000 per construction phase (total of three phases) prior to the first occupancy of each construction phase, to be used by the Town for traffic safety and maintenance improvements, to mitigate the impacts to the public ways during earth removal operations.
- All of the “temporary” onsite stockpiles left undisturbed for greater than 14 days, the site shall be stabilized to limit dust and debris.
- The operations at this location shall be conducted between the hours of 9:00 am to 4:00 pm Monday through Saturday, with no work on Sunday and legal holidays.
- All trucks must leave site from existing exit driveway on Mill Street and turn right towards I-495.
- The applicant will need to provide a traffic control plan with narrative. The plan should or schedule should include schedule for earth removal, a description narrative of daily maintenance routine for any earth material spills which may require clean-up.

The Town Administrator Dennis Fraine was present during the zoom meeting. He wanted to address that there is a concern about not allowing the trucks to turn left. This will create a situation where alternate routes will be used. There could be a time allowance for trucks put within the decision.

There was also a recommendation to have a safety officer on site if there are issues with the traffic.

The Board would like the ability to have the applicant come in front of the Board if the decision and conditions need to be revisited.

There were no comments from public.

On a motion made by Arturo Paturzo, seconded by Peter Gabrielle, the Board voted by roll call vote to close the hearing.

Roll Call Vote:

Peter Gabrielle	aye
Arturo Paturzo	aye
Brian T. Salisbury	aye
Ryan Shamas	aye

Brian Wright aye

On a motion made by Arturo Paturzo, seconded by Rayan Shamas, the Board voted by roll call vote grant the permit with amendments for Snowflake LLC.

Roll Call Vote:

Peter Gabrielle aye

Arturo Paturzo aye

Brian T. Salisbury aye

Rayan Shamas aye

Brian Wright aye

Lake View Estates:

Member Wright recused self from discussion.

Member Gabrielle was sitting in as Chairman.

Sean Malone was resent during the zoom meeting. The Board was made aware that there has been good progress at the site. It has been inspected with the DPW, and Conservation Agent. the site is about 90% complete. The grading, erosion, drainage, pipes and catch basins are in. There will be monitoring of the grass and hydroseeding. The peer review consultant has been on site and has seen no indication of sediment going into the lakes. The two basins are working properly.

Comments from public:

Abutter, Mr. Wright was present and indicated that there has been good progress made on this site. He would like to see that the hydroseeding take on site.

The Board was informed that the contractor has committed to two crews finishing the unfinished items. There is a new manager who is doing a good job and operational improvements have been put in place.

The Town Planner provided a recommendation that the additional permits be issued. There are only 8 affordable units to be built.

Sean Malone communicated that all 18 foundations have been completed.

On a motion made by Brian Salisbury, seconded by Arturo Paturzo, the Board voted by roll call vote to release 10 units with 5 of those being affordable and to continue the hearing to June 3, 2021 at 7:00 pm.

Roll Call Vote:

Peter Gabrielle aye

Arturo Paturzo aye

Brian T. Salisbury aye
Rayan Shamas aye

Chairman Wright resumed being the Chairman.

Curtis Modification Request:

The Zoning Board of Appeals is in receipt of the Curtis Apartment modification request. The Board was informed that this is a general business item. The modification includes a modification to the regulatory agreement.

On a motion made by Brian Salisbury, seconded by Arturo Paturzo, the Board voted by roll call vote to approve the modification to condition #4 as discussed.

Roll Call Vote:

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

Minutes:

April 4, 2021

On a motion made by Brian Salisbury, seconded by Arturo Paturzo, the Board voted by roll call vote to approve the minutes from April 4, 2021 as amended.

Roll Call Vote:

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

Adjourn:

On a motion made by Arturo Paturzo, and seconded by Brian Salisbury, the Zoning Board of Appeals voted by Roll Call vote to adjourn the meeting at 9:20 pm.

Roll Call Vote:

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

Brian Wright aye

The meeting adjourned at 9:20 pm.

Respectfully Submitted,

Amy Sutherland
Recording Secretary