



BELLINGHAM ZONING BOARD

10 MECHANIC STREET
BELLINGHAM, MASSACHUSETTS 02019

Minutes of Meeting
Thursday, October 1, 2020

Members Present:

Brian Wright- Chairman
Arturo Paturzo – Member
Brian T. Salisbury – Member
Rayan Shamas – Member

Also Present:

James S. Kupfer, Town Planner and Zoning Compliance Officer

Also, Present via Zoom:

Laura Renaud, Recording Secretary

Absent:

Peter Gabrielle – Member

New Public Hearing, 3 Edgewood Road:

Special Permit for Family Apartment, 3 Edgewood Road Map 8 Lot 106
Applicant: Joseph and Teresa Lyons

Members Present:

Brian Wright, Arturo Paturzo, Brian T. Salisbury and Rayan Shamas

Chairman Wright opened the meeting.

Town Planner/Zoning Officer Kupfer read the public hearing notice.

On a motion made by Chairman Wright and seconded by Member Paturzo the Board voted by roll call vote to open the hearing.

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

Town Planner/Zoning Officer Kupfer. The applicant provided a narrative, plot plan and proposed plan of the addition provided by RJ O'Connell & Associates.

The applicant Mr. and Mrs. Lyons were in attendance via Zoom. Mr. Dundon, their engineer and brother was also in attendance via Zoom.

Mrs. Lyons explained the apartment would be for their mother, Ann Marie Dundon. They request this special permit so the family can care for her while she continues to keep her independence. The project will include the demolishing of the existing seasonal porch and the constructing of a single-story addition for the apartment. The driveway will be expanded to accommodate an additional vehicle.

Member Shamas questioned if the driveway meets setback requirements. Town Planner/Zoning Officer Kupfer responded that the driveway is not a structure, so it does not have to meet those requirements. The proposed addition does meet the required setbacks for a residential zone.

Mr. and Mrs. Lyons confirmed that they would continue to live in the main home and their mother would live in the apartment.

Chairman Wright confirmed that the addition is within the same style and character of the existing homes in the area. The home is 22 years old.

There were no further comments or questions from the Board or public.

On a motion made by Member Paturzo and seconded by Member Salisbury, the members voted by roll call vote to close the public hearing for 3 Edgewood Road.

Roll Call Vote:

Brian Wright	aye
Art Paturzo	aye
Brian Salisbury	aye
Ryan Shamas	aye

On a motion made by Member Paturzo and seconded by Member Salisbury, the members voted by roll call vote to grant the Special Permit for a Family Apartment as requested with a 5-year renewal.

Roll Call Vote:

Brian Wright	aye
Art Paturzo	aye
Brian Salisbury	aye
Ryan Shamas	aye

Lakeview Estates Lot Line Modification Request

Chairman Wright recused himself as he is a direct abutter.

Member Salisbury opened the new request for a minor/major lot line modification.

South Center Attorney Angela Conforti is in attendance by Zoom.

Town Planner/Zoning Officer Kupfer explained that this is a request for a minor/major modification. There was a similar request at the last meeting which was withdrawn as the Board asked for more information and a resubmittal. Attorney Conforti provided an updated plan set and a memo narrative with the lot line adjustments. The changes are all in Phase 2. There are 19 parcels effected. There have been no building permits issued for this area since those are in Phase 1.

Attorney Conforti responded that the biggest changes to the plan are to the end of the cul-de-sac. Lot 84 has the biggest change to the square footage from 11,500 square feet to 10,761 square feet.

Member Salisbury asked if the reason for this request was to accommodate larger homes on the lots.

Attorney Conforti explained that one home offered, the Duchess Plus has the widest footprint of any of the homes offered. With so many of this style on the street the lot lines had to be adjusted to accommodate the proper setback.

Town Planner/Zoning Officer explained that the applicant would have to meet all setbacks in compliance with the Comprehensive Permit. The applicant has submitted a Notice of Intent with the Conservation Commission using the updated lot lines.

Attorney Conforti communicated that she did ask the Conservation Agent if she would provide a statement of opinion to the Board as to whether the changes would affect any of the conservation issues. Agent Matthews responded that she cannot provide a statement until the lots technically exist.

Town Planner/Zoning Officer Kupfer communicated that if the ZBA approves this request, then the applicant can work with the Conservation Commission. If there are any impacts with conservation, then the applicant would work it out with them.

Ms. Conforti agreed to that.

Member Paturzo is concerned about the cost to the town with all the changes. At the last meeting, Building Commissioner Aicardi communicated that since it had already been mapped, it would cost approximately \$2,000.00 to revise. The Board asked Ms. Conforti if the applicant would be willing to assist with that cost if the minor modification was granted.

Attorney Conforti will need to follow-up with her client.

Member Shamas asked if there would be any adverse affects to the easements for the bio retention area. It appears everything being added has been taken from another lot so there no expansion. This plan is on par with the lots on Lovers Lane and Celestial Circle. The largest lot will be half the size of what it was before. Lots 83 and 84 swapped lot sizes.

Attorney Conforti responded that the new easement location is on the plan and is part of the updates. The overall perimeter of Phase 2 doesn't change.

Abutter Brian Wright questioned how a lot wold be affected if a fence was to be put up with the easement in the middle of a lot.

Town Planner/Officer Kupfer communicated that there will be a deed restriction.

Member Paturzo communicated that this appears to be a substantial change.

There are no further comments or questions from the Board or the public.

Member Salisbury confirmed the applicant will provide four full new plan sets and a PDF.

Attorney Conforti agreed and has requested a continuance in order to speak with the CFO about the funds for the mapping changes.

On a motion made by Member Paturzo and seconded by Member Shamas the members voted by roll call vote to grant a continuance for the modification request to October 8, 2020 at 5:15 PM.

Roll Call Vote:

Art Paturzo	aye
Brian Salisbury	aye
Rayan Shamas	aye
Brian Wright	(recused himself and did not vote)

Approval of Minutes:

- August 6, 2020
- August 20, 2020
- September 3, 2020

On a motion made by Member Paturzo and seconded by Member Shamas, the members voted by roll call vote to accept the minutes as presented.

Brian Wright	aye
Art Paturzo	aye
Brian T. Salisbury	aye
Rayan Shamas	aye

General Business:

Curtis Apartments:

Town Planner/Zoning Officer updated the Board that there have been no appeals for the Curtis Apartments.

LMP Properties:

The Planning Board is in receipt of an application from LMP Properties. The hearing is scheduled for October 22, 2020.

Adjourn:

On a motion made by Chairman Wright and seconded by Member Paturzo, the Board voted by roll call to adjourn the meeting.

Roll Call Vote:

Brian Wright	aye
Art Paturzo	aye
Brian Salisbury	aye
Rayan Shamas	aye

Minutes Accepted on November 5, 2020 and prepared by Laura Renaud