

## **BELLINGHAM ZONING BOARD**



10 MECHANIC STREET  
BELLINGHAM, MASSACHUSETTS 02019  
508-657-2852 ZoningBoard@bellingham.org

Minutes of Meeting, September 7, 2023  
At 7:00 PM  
This meeting is Zoom and in person.

### **MEMBERS PRESENT**

Peter Gabrielle - Chairman  
Rayan Shamas – Vice Chairman  
Brian T. Salisbury – Member  
Brian Wright – Member  
Liz Berthelette– Member  
James Dixon – Associate Member

### **ABSENT**

Amy Sutherland, Assistant Town Planner

### **ALSO, PRESENT**

Timothy Aicardi, Building Commissioner and Zoning Enforcement Officer

The Chairman Peter Gabrielle opened the meeting at 7:00 PM.

### **NEW PUBLIC HEARING 42 SILVER LAKE ROAD**

The Chairman Peter Gabrielle asked for a motion to open the Public Hearing for 42 Silver Lake Road.

**On a motion made by Brian T. Salisbury and seconded by Brian Wright the board voted unanimously to open the hearing.**

**On a motion made by Brian T. Salisbury and seconded by Brian Wright the board voted unanimously to waive the reading of the Public Hearing notice.**

The applicant was not on Zoom at the start of the meeting and the board agreed to go to the next item on the agenda.

Brian Wright disclosed he knows the applicant as she is a neighbor.

### **NEW PUBLIC HEARING 5 BRITTANY ROAD**

The Chairman Peter Gabrielle asked for a motion to open the Public Hearing for 5 Brittany Road.

**On a motion made by Brian T. Salisbury and seconded by Brian Wright the board voted unanimously to open the hearing.**

**On a motion made by Brian T. Salisbury and seconded by Brian Wright the board voted unanimously to waive the reading of the Public Hearing notice.**

The applicant and owners, Keith and Sarrahy Connolly. Ms. Connolly stated they were in attendance for the request for a Special Permit for a Family Apartment (Section 240-74) for her parents. It will be a one bedroom 700 square foot in-law suite with a one car garage. There is currently a septic system. The applicants stated the septic has the capacity for the bedroom. Timothy Aicardi stated that would be approved when they apply for the building permit. The parents are living with them now and helping them out. The applicants explained her parents live with them and help them out, but they need their own space. The garage is a 13 x 22-foot single car garage. They do have a basement for any storage. The Board asked if it is connected to the main house. The applicants stated that the garage will be the connection between the living spaces. Rayan Shamas confirmed that this is for the parents and the need for their expansion is the need for their own space to live in.

There were no public comments.

**On a motion made by Brian T. Salisbury and seconded by Rayan Shamas the board voted unanimously to close the hearing.**

**On a motion made by Brian T. Salisbury and seconded by Rayan Shamas the board voted unanimously to grant the request for a Family Apartment as submitted in the application.**

Timothy Aicardi explained that the decision will be written up. This is a family use apartment which is not to be rented out. There is a 20-day appeal period. The permit must be renewed in 5 years. The applicants stated they understood.

### **NEW PUBLIC HEARING 42 SILVER LAKE ROAD**

The applicant Carol Ricker was in attendance. Her mother lives out of state and needs to be closer to her family as she is elderly. Her financial situation does not allow her to purchase any property here. She can also help her and her wife and grandchildren. They are seeking to build a detached living space over a 2-car garage. Peter Gabrielle asked about the in law above a garage if it would accommodate her as she ages. Ms. Ricker stated that she would have an indoor parking space where a staircase could accommodate a motorized chair if needed. The board discussed the bylaw and the detached dwelling. Brian T. Salisbury read from the bylaw "the unit must be a single- family dwelling to which the family apartment is being added". Timothy Aicardi stated that the town does have some detached family apartments. His view is that it is not required. He explained their lot is challenged due to the topography. Liz Berthelette

stated it is close to the lake. Timothy Aicardi stated they have been before the Conservation Committee.

Scott Rolfe, their engineer explained that they chose the location for the proposed garage due to the shape of the driveway as it comes up the street to a hammer head style to access the existing garage. The position to the left was chosen as the same driveway will be utilized by all vehicles to back out of the garages. The addition will come to grade so they can walk out. Brian Wright has seen the property and did agree that it is a difficult topography to build on.

The Board explained they do prefer it to be attached, if possible, this is to deter future owners from renting it out as that is not what a family apartment is meant for. Timothy Aicardi explained this is recorded on the deed as a family apartment. You must return to renew it.

The Board discussed the septic system capacity. Scott Rolfe explained they will continue to utilize the current septic system with a single trench and a reserved area. A new distribution box will be installed. This will take care of both dwellings. It has been approved by the Board of Health.

The applicant explained they cannot put an attached dwelling due to the “bowl” type shape of the yard. The dwelling could not be attached to the back of the home as they feel if they tried to do that there is just too much ledge. Ms. Ricker stated they would not disturb any neighbors or change the character of the neighborhood. She felt they had no other options.

The proposed dwelling will be 54 feet from the current home. Timothy Aicardi explained the yard goes high all way around. If a structure was added to the back, they would interfere with the water flow and the ledge. He felt this was the best choice even if it is detached.

Brian T. Salisbury considered the interpretation of the bylaw and in most cases the family apartments should be attached. Liz Berthelette agreed but stated there are always individual circumstances.

There are no public comments.

**On a motion made by Rayan Shamas and seconded by Brian Wright the board voted unanimously to close the hearing.**

Timothy Aicardi stated the Conservation Commission is doing an order of conditions with some extra conditions. He suggested they check with DPW about the water line. The electricity will have to come from the main home.

**On a motion made by Brian T. Salisbury and seconded by Rayan Shamas the board voted unanimously to grant the request for a family apartment as requested in the application.**

There is a 20-day appeal period. It must be registered with the Registry of Deeds and renewed in 5 years. The applicant confirmed she understood this.

**Minutes:**

June 1, 2023

**On a motion made by Rayan Shamas and seconded by Liz Berthelette the board voted unanimously to approve the minutes as amended.**

July 6, 2023

**On a motion made by Brian T. Salisbury and seconded by Rayan Shamas the board voted unanimously to approve the minutes as amended.**

**Adjourn:**

**On a motion made by Brian T. Salisbury the board voted unanimously to adjourn the meeting.**

The meeting adjourned at 8:00 PM.

Respectfully Submitted,

*Laura Renaud*

Laura Renaud  
Minutes Clerk

Approved 10/5/2023