

# Town of Bellingham MA

10 Mechanic Street, Bellingham MA 02019

## Zoning Board Meeting Minutes 09/01/2016

Minutes of Meeting  
September 1, 2016

### Present at Meeting

Brian Salisbury, Chairman  
Brian Wright, Vice Chairman  
Arturo Paturzo, Member  
James Dunlea, Member  
Peter Gabrielle, Member  
James Jeskche, Alternate Member  
Joseph Flanagan, Alternate Member

### Other Attendees:

James S. Kupfer (JK) – Town Planner & Zoning Compliance Officer  
Laura Renaud (LR) – Zoning Clerk

7:00 BS opened the meeting.

### Renewal – 21 Monique Drive – Thayer

Special Permit for Family Apartment

Sitting In: BS, BW, AP, JD and PG

The owner and applicant were in attendance to renew the Special Permit for a Family Apartment. Donna Thayer stated she is the occupant of the Family Apartment which was put above the garage in 2010. She is the mother to Graham Trudeau. The Owners Graham and Heather Trudeau live in the original single family home. There have been no changes since the original Special Permit was issued. The Board reminded the Applicant to record the decision at the Registry of Deeds after the 20 day appeal period. The applicant agreed and they would return in five years.

AP motion to close.

PG second.

AP motion to grant the Special Permit for the renewal of the Family Apartment.

PG second.

AP motion to grant the Special Permit for the renewal for 5 more years.

BW second.

All in favor to grant the renewal for 5 more years.

### Continuation – 83 Plymouth Road – Feerick

Variance for Side Yard Setback

Sitting In: BS, BW, AP, PG and JJ

JK explained that the applicant is continued from the last meeting. She is in attendance for a variance for a newly existing shed of 12 x 20 as it was discovered that the structure did not meet setbacks by the Building Inspector. She is required to have a 15 foot setback but she only has 4 feet right now. The applicant stated her contractor assured her the shed was fine where it was. She stated that if she were to move it, it would be costly and difficult due to the high flood plain. The Board wanted to see the flood plain map (distributed to board) as she stated this was the only place it could go as most of her yard was in the flood plain. The Board discussed the surrounding properties, which are very similar to the applicants. They also discussed if the shed was knocked down for any reason the applicant would have to follow all setback requirements for a new one. After reviewing all the materials presented the board closed the hearing.

AP motion to close.

PG second.

All in favor to close the hearing.

BS motion to grant the variance as requested with the condition that at such time that the accessory structure is at the end of its useful life, the structure shall not be rebuilt in place. To substantially replace the structure the property owner must adhere to all setback requirements or seek proper relief. This statement does not prohibit the ability for the property owner to conduct general maintenance on the accessory structure.

PG second.

All in favor to grant as requested.

### **New – 192 Paine Street – Santo Tulumello**

Request for variance for frontage

Sitting in: BS, BW, AP, JD and PG

JK explained the applicant was in attendance as he wants to sell this property but when he came to the Building Department he was told it was not a buildable lot. In the 1970's this parcel was subdivided by an ANR with insufficient frontage. It has only 100' where 150' is required. The granting of the subdivision allows these to exist: Parcel A has a home on it. Parcel B has a shed on it and no buildings, which makes it unique. The applicant explained that he and his wife purchased it in the 1970's. Their plan was to build a home on it. They put in a water service permit, roadway dug up and electrical service established. The years passed and his wife became ill and they never could build the house. BS stated the Planning Board allowed it to be sub-divided but didn't certify it as a buildable lot. It does have the lot area but not the frontage. AP stated the other lots have approximately the same frontage and are comparable in size. BS felt the board should consider the error with the ANR, the hardship to the applicant as it would be unbuildable lot; it would not be out of character. There are no abutters in attendance.

AP motion to close.

PG second.

JD stated this is a unique case. That is an important factor.

AP motion to grant the variance of 50 feet as requested to be able to construct a single family home.

BW second.

All in favor to grant the variance as requested.

### **Minutes – August 4, 2016**

AP motion to accept the minutes as amended.

PG second.

All in favor to accept the minutes.

### **General Business**

JK stated they would be waiting to bring zoning bylaw changes until the spring town meeting. If any board members have comments/changes they can be emailed. There will possibly be a formal Public Hearing in October or November.

Meeting Adjourned 7:45 PM

Approved 10/6/2016