

Town of Bellingham MA

10 Mechanic Street, Bellingham MA 02019

Zoning Board Meeting Minutes 04/07/2016

Minutes of Meeting

April 7, 2016

In attendance:

Present at Meeting

Brian Salisbury, Chairman
Brian Wright, Vice Chairman
Arturo Paturzo, Member
James Dunlea, Member
Peter Gabrielle, Member
James Jeschke, 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.

23-25 Park Street – Mr. & Mrs. Hughes

Renewal – Family Apartment
Sitting In: BS, BW, AP, JD, PG

Brian Hughes, owner stated he was in attendance to renew his Special Permit that was issued in 2009. He and his wife, Iris, live in the addition and his daughter, son-in-law and grandchildren (Corrine and Brian Mitrano) live in the original home. They have continually lived in this situation to help each other financially, nothing has changed, same number of occupants. He stated he understood he must take the decision to the Registry of Deeds and return in 5 years for a renewal. There were no questions from the public.

AP motion to close.

BW second.

All in favor to close.

AP motion to grant the Special Permit for a Family Apartment.

BW second.

All in favor to grant the renewal for a Special Permit as requested.

17 Littletree Lane – Don Bellunduno

Special Permit for a Family Apartment
Sitting In: BS, BW, AP, JD, PG

JK explained the applicant presented and assessor's map, different views of the area and a photo of the existing garage that will be used for the apartment.

The applicant, Don, explained this space is currently empty. He will be fixing it up for his mother (Helen Bellunduno) as she is elderly and needs help. Don explained it is a single family home. He will continue to live in the main home. The garage has a bathroom and separate heating. The applicant stated he will confirm with the Board of Health prior to occupancy that the existing septic system has the capacity needed for the additional bedroom. He will be adding windows to lighten up the area and understands he will have to apply for a building permit. Parking is adequate; there is no change and no negative impact on the neighborhood. The applicant understood he needed to bring the decision to the Registry of Deeds and also he would have to renew the permit in 5 years. The board felt he met all requirements of section 240-74. There were no comments from the public.

AP motion to close the hearing.

PG second.

All in favor to close the hearing.

AP motion to grant the Family Apartment as requested.

PG second.

All in favor to grant the Special Permit for a Family Apartment as requested pending BOH approval for the septic system.

295 Pulaski Blvd. –Kevin Bradley

Continuation – Special Permit to allow additional retail space

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

JK explained that the applicant recently came before the Planning Board and was issued a Flexible Parking Permit. Attorney Antonellis, representing the applicant, stated they were in attendance to finalize the use permit and allow the subdivision internally without changing the footprint. The parking is adequate, not adding spaces, same configuration. This is a pre-existing non-conforming area with a residential space. They needed to make sure the parking within the residential area was adequate. The application plans and photos were satisfactory to the board. The board and applicant agree that further administrative review is necessary when the owner has a definite tenant. All landscaping shall be completed prior to occupancy other than the frontage area which will be reviewed by the board. The board felt this project was in harmony with the bylaw and it would not have an adverse impact to the neighborhood but a positive one. There were no public comments or questions. BS stated that JJ will replace JS as a voting member as JS is no longer on the board.

AP motion to close the hearing.

BW second.

All in favor to close the hearing.

AP motion to grant as requested. The applicant will return when a tenant is identified and the landscaping plan will be accepted prior to occupancy.

BW second.

All in favor to grant the Special Permit with the above stipulations attached.

All in favor to grant.

New – Pole #108-2 Adjacent 207 Hartford Avenue – Verizon wireless

Special Permit for Wireless Communication

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

JK explained that this is a unique case as our bylaw focuses on wireless type antenna but this is a new technology. The applicant has provided site and elevation plans in your packages. Elizabeth Mason (EM) is representing Verizon Wireless. She explained this is one small unit that resembles a transformer box. The common ones are the large antenna type arrays. The goal is to provide coverage where there are gaps of coverage. These are small (2' high and 15" wide) boxes, the antennas (fiber optic cables) are inside, a grey colored shell goes over the antennas and then they are attached to the top of the pole as close as possible to look like an electrical box. This specific antenna will service the Home Depot Plaza. This box will relieve data from the larger area. The maintenance is possibly one time a month, one worker but most of it is done online. It's a simple installation. There may be a minimal hum for noise, but the location with highway 495 right there the noise will not be audible. The only way it would be heard, even in the middle of the night, is if you stood right next to it.

They are put high enough away for safety issues and vandals. This particular one is for Verizon Wireless only and targets this one specific area. There are no environmental issues and it won't interfere with resident's cable, etc. as they must meet FCC regulations. After reviewing the materials and hearing the presentation the board felt that this project would not adversely affect the neighborhood or town. There were no questions/comments from the audience.

AP motion to close the hearing.

BW second.

All in favor to close the hearing.

AP motion to grant the Special Permit for one unit as requested for one unit.

JD second.

Discussion: JD/AP felt one unit was fine but not sure how a whole bunch around town would be and since it is new, the board should do some research and look at the bylaw. PG agreed and stated that these are not advantageous in a residential area so they wouldn't be putting them in neighborhoods.

JD second and suggested the board do some research on these types of boxes for future reference.

All in favor to grant the Special Permit as requested.

New – 890 South Main Street – Daigle

Variance Request to create a new lot

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

JK explained that tonight we have a request for a variance to create a lot that cannot comply with our lot shape factor bylaw. The application and large scale plan is before us for review. Paul Desimone (PD), representative and engineer with Colonial Engineering explained that this 19 acre property has been in the family a long time. There are houses all built along the street which are all family owned. If there is a full blown subdivision right now, 4 lots, conforms to all zoning requirements. This would be an approved subdivision. Until they can come up with the finances to do this subdivision, one grandson would like to build a home. He cannot afford to do a subdivision on his own. The hardship is that these lots were cut before the lot shape factor rule. They are now left with 19 acres of land that is not buildable. They would like to build on lot 3, which meets the back lot subdivision rules and regulations but not the shape factor. You are allowed to go down to 50 feet of frontage in Bellingham. The way it is now, it is unbuildable for one house due to the way it was cut out in the 80's. (See lot 3 in the handout). The lot shape factor was put in place to square up lots and create longer roads. This applicant is seeking this variance to create a new lot that would create an irregular shape unable to meet the lot shape factor for a back lot subdivision.

We are asking for relief for the one lot until the rest of the grandkids can come together to do the subdivision. The board asked PD to explain why Lot 3 doesn't conform. Lot 3 doesn't conform to the shape factor but has the frontage. Lot 2 has the frontage and the remaining

lots do have the shape factor. The shape factor is related to the full parcel. If you wanted to build one house on the full parcel it wouldn't meet the shape factor. You need to break this lot off from the rest and request relief for that one, as we are doing. PD stated the longer the perimeter lines the bigger the shape factor number. We are not looking for a dimensional variance. This is just a number that will make the lot more square. They do have access now to the property and there will be a gravel road put in and they would still have to go to the Planning Board for the back lot subdivision. The hardship is the existing lot shape factor rule, the applicant didn't create, and the town did and made this whole piece of land unbuildable, which then brings in the shape and topography of the land. The engineering cost and linear foot for road is very costly right now. Right now this one grandson cannot afford it. It can be granted without detriment to the public good and it does not derogate from the intent of the bylaw. There are no abutters and it is a large lot, visually if almost looks like a conforming lot. There were no further comments or questions from the board and there were no audience member in attendance.

AP motion to close.

PG second.

All in favor to close the hearing.

AP motion to grant the variance as requested.

JD second.

All in favor to grant the variance as requested.

Minutes – March 3, 2016

AP motion to accept the minutes as presented.

JD second

All in favor to accept the minutes as presented.

Update

JK stated Town Counsel may come in at next meeting for a Zoning 101 discussion.

There is an appeal in front of us for 21 Governor Avenue.

Please forward any ideas for zoning changes for October Town Meeting.

We have a new Building Commissioner and he will be in attendance for the next meeting.

And welcome to our new Board Member, Peter Gabrielle.

Meeting adjourned 8:30 PM

Approved 5/5/2016