

Town of Bellingham MA

10 Mechanic Street, Bellingham MA 02019

Zoning Board Meeting Minutes 02/04/2016

Meeting of Minutes
February 4, 2016

Present at Meeting

Jeffrey Scornavacca, Chairman
Brian Salisbury, Vice Chairman
Arturo Paturzo, Member
James Dunlea, Member
Brian Wright, 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 PM

JS opened the meeting.

295 Pulaski Boulevard – Continued to March 3, 2016

Continuation for Special Permit to allow additional retail space

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

The applicant emailed a request to continue to the March meeting. JS read the request. The board asked they come in to the March meeting regardless of their progress. LR will contact their attorney. (Email stated March 10th, LR will confirm correct date)

AP motion to continue the hearing to March 3, 2016 at 7:00 PM.

JD second.

All in favor.

426 Center Street- Tanios & Monika Ghazali

New request for Special Permit to construct a 24 x 24 garage

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

The applicants Tanios and Monika Ghazali are seeking a Special Permit to construct a 24 x 24 shed on their property.

The applicants stated they needed this shed for storage only. He currently has 6 registered vehicles in his garage which leaves him no room for storage. It would be placed as to meet the required setbacks of 10 feet on side and 20 feet in the rear and also be 40 feet behind the existing garage. There will be no heat, no bathroom or a kitchen. The applicant provided a photo of the proposed garage. There will be an 8 foot door and a wood floor. The applicant provided photos of other garages and sheds in their neighborhood. There will be a gravel path in order to move their lawn mower, snow blower, etc. The owner will keep all existing trees unless any become a safety issue. The board asked JK to explain why they were in attendance for a Special Permit. JK stated if the proposal is not listed in section 240-31 of our bylaw then it is prohibited, except that such a use may be allowed on Special Permit if the Board of Appeals determines that it closely resemble its neighborhood impacts as an allowed use. There were many abutters in attendance. Their main concerns were if the owners could use this area as a business and what impact it would have on the neighborhood. Their direct abutter was concerned they were cutting down too many trees and they would lose their privacy. The applicant stated they would like to keep as many trees as possible for their own privacy. The board assured them they could not use this

as a business as it is in a residential zone and it would have to be listed in the use schedule of our bylaws. They could return at a later date and request it, but this hearing is not for that. The board considered the facts presented to them and the concerns of the abutters.

AP motion to close the hearing.

BS second.

AP motion to approve the Special Permit for a 24 x 24 shed as requested with the required setbacks, no business operation, no auto storage, no repairs on autos, no heat or living quarters of any kinds.

BS second.

All in favor to grant the requested Special Permit.

54 Steven Road – Rachell Quintal & Michael Ellis

New request for Special Permit to allow an Animal Kennel in Residential District

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

The applicants, Rachelle Quintal and Michael Ellis were in attendance seeking a Special Permit to allow an Animal Kennel in a residential area. They explained they would be dog sitting, walking and having playgroups during the day time and overnight care as needed. They are seeking a maximum of 20 dogs during the day and maximum of 5 for overnights. There would be a 6 foot fence around the yard with no view in or out from the street. The yard area is 24 x 36, which, they say is double the size of local dog parks. The waste would be shoveled daily and put in their personal trash. There would be a small platform for the dogs to use during inclement weather. There would also be a piece of plastic for a wind and rain guard. They (applicants) stated could also use their basement if the weather was really bad. The board was concerned about the number of dogs they were asking for, the odor from the waste and the noise from this number of dogs in a residential area. There were many abutters in attendance. They had concerns of a commercial operation in a quiet residential neighborhood. The abutters felt that the number of dogs requested could bring a lot of negative impacts (noise, odor, traffic) to the neighborhood. The board stated the applicant would also have to go to the Conservation Commission due to the proximity of wetlands. That could be a lengthy process. The applicants asked to withdraw his application due to the concerns of the board, abutters and Conservation concerns. The board explained if they withdrew their application without prejudice they could revise their application and come back at another time.

AP motion to close the hearing and allow applicant to withdraw without prejudice.

JD second.

All in favor.

Discussion

21 Governor Avenue

JK received an affidavit from Mr. Knight stating he was the sole trustee and former owner of 21 Governor Avenue and stated the property was used commercially up until November 2014 when Mr. DaPrato purchased it. The board discussed the history and the present state of this property. It has been re-paved. The large sign was removed. There are now a lot of cars at the rear and an open sign. There are residents all around this property. The board reviewed the affidavit that was provided. . The board recommended JK work with the owner to provide some type of evidence (tax filings, invoices, statements) if it was operated as a commercial business and on the market for 3 years. JK stated he would reach out to the owner that more evidence is required; otherwise they will have to come before the board for a variance as explained to them at the meeting.

Election of Officers

AP nominated Brian Salisbury as Chairman and Brian Wright as Vice Chairman

JD second the nomination.

All in favor of the new officers.

Jeffrey Scornavacca, Chairman would not be seeking another term, which was ending on March 1, 2016. The board thanked him for his 20 plus years of service.

JK was working on the Annual Report and would send it out the following week for the board to look over.

JK stated that Post Office Place, the friendly 40B has withdrawn their application.

Meeting Adjourned 9:15 P.M.

Approved 3/3/2016