



BELLINGHAM PLANNING BOARD

2 MECHANIC STREET
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August 13, 2009 Meeting Minutes

- **Present at the Meeting**

Patricia M. Buckley (PMB), Chairman
Glenn C. Wojcik (GCW), Vice Chairman
Brian Sutherland (BJS), Secretary (absent)
Stephen Bartha (SB)
Dave Brown (DB)
John Sexton (JS), Associate Member

Other Officials: Stacey J. Wetstein (SJW), Town Planner
Amy Sault (AS), Coordinator

PMB opens the meeting at 7:00pm.

New Business

Cowell Back Lot Special Permit, 485 Hartford Avenue, 1st Public Hearing

GCW: Motion to waive the reading of the public notice.

SB: Second.

Vote: 4-0 Approved. (PMB, GCW, SB and DB)

Sam, Kerry and Tom Cowell, owners/applicant and Bill Halsing from Land Planning, representing the applicants. Mr. Halsing advised that the property is located at 485 Hartford Ave and is almost at the Medway line. The property is currently an existing duplex; the proposal is for a back lot, it has 51 feet of frontage which can fit into the required square shape. Mr. Halsing advised that this property also has a variance in place (with Con Com) because the interpretation of the riverfront area put them under the minimum requirements. Two variances were requested and granted for lot 1 (the existing house would meet the area) and for the back lot, lot shape factor at 29 ft over the 22 required feet.

Mr. Halsing advised that the Cowell's are looking to build a house on the back lot. They have filed with the Con Com because they are working in the riverfront zone with the driveway, they will be meeting with them in two weeks.

SJW asked why they filed a notice of intent. Mr. Halsing advised it is because the driveway is within the 200 foot riverfront zone, he did talk to the Con Com and they did not see a problem with the project because you can disturb up to 10% of the riverfront area and they are coming in at well less than that. GCW questioned the displacement of wetlands, Mr. Halsing advised they are not but are in that zone as an existing household.

GCW questioned the Board, if they have seen past projects where the applicant needed to get a variance for a duplex. SJW advised that she is not totally comfortable with it because the intent of the back lot division was to allow for only one nonconforming lot, she does not believe that the intent of the Bylaw is met here. Although they have received the variances, the ZBA thought they clearly met the hardship requirements however, she believes that the back lot intention is not necessarily met here.

GCW questioned who would own the back lot property, Mr. Cowell (Tom) advised that his son and daughter-in-law plan to build a house on the back lot. SJW understands why they want to build the house; however, she reiterated that the back lot was created to allow one nonconforming lot on the condition that the existing lot is totally and completely conforming. GCW questioned if the lot could be split up to meet the Bylaws, Mr. Halsing advised once you take out the 200 foot of resource area for the riverfront.

Mr. Halsing mentioned to the Board about amending the Bylaw regarding lot definition area. Mr. Cowell added that he never intended to develop the back lot area when he purchased this property 34 years ago but he wants to do it for his son/family.

SB asked for clarification on the 200 foot river frontage on the map. DB questioned what the hardship to the sub conditions that the ZBA found were. SJW advised it probably has to do with the definition of the riverfront. PMB questioned why Jeff Scornavacca opposed the vote. Mr. Cowell (Sam) advised he wasn't necessarily in opposition of the project; he (Mr. Scornavacca) was in opposition of voting in favor of it that evening. He wanted to obtain information about the hardship of Con Com to determine as to whether or not it was considered a hardship.

GCW: Motion to draft a letter of approval for the Cowell Back Lot Special Permit, 485 Hartford Avenue, based on the approval of the notice of intent by Con Com.

DB: Second.

Vote: 5-0 Approved. (PMB, GCW, SB, DB and JS)

Old Business

DB: Motion to sign the July 9, 2009 meeting minutes as amended by the Secretary.

SB: Second.

Vote: 4-0 Approved. (PMB, GCW, SB and DB)

SB: Motion to sign the July 23, 2009 meeting minutes.

DB: Second.

Vote: 4-0 Approved. (PMB, GCW, SB and DB)

SB: Motion to sign the vouchers.

DB: Second.

Vote: 4-0 Approved. (PMB, GCW, SB and DB)

Planners Report

SJW advised the Board of a proposed project at Crook's Corner which will be affected by Article #4 on the August 27, 2009 PB agenda along with Article #5-7 also on the agenda.

SB may not be at the Shoppes meeting on September 10th. SJW advised that she and AS would look through past minutes to see if he has been absent for any other Shoppes meetings as it may effect the voting.

PMB questioned the Rocco's Garage item also on the agenda for September 10th meeting. SJW advised that it is another expired Development Plan permit and that nothing has changed with the project. PMB also questioned Highridge, SJW advised they are moving along slowly but are moving in the right direction.

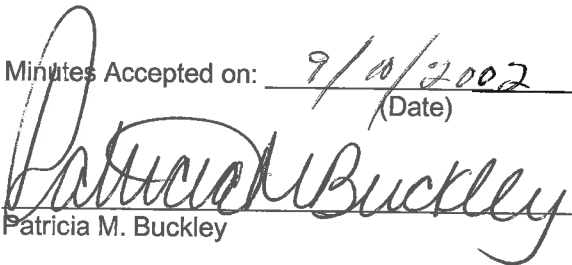
SJW mentioned to the Board that she would like to take this "slow summer time" to update the subdivision regulations. SJW updated the Board on the Master Plan subcommittee's progress, the senior helper who worked on the business survey and SJW is working on writing up a report regarding the Master Plan residential survey.

DB: Motion to adjourn.

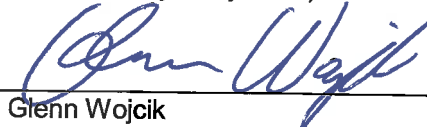
SB: Second.

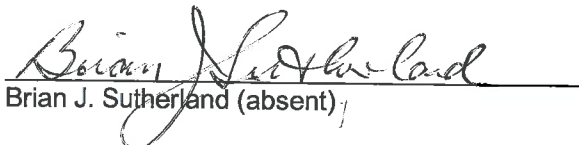
Vote: 4-0 Approved. (PMB, GCW, SB and DB)

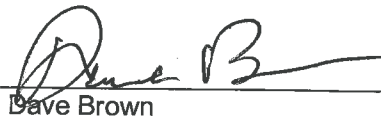
Minutes Accepted on: 9/10/2002
(Date)


Patricia M. Buckley

(Prepared by: Amy Sault)


Glenn Wojcik


Brian J. Sutherland (absent)


Dave Brown

Stephen Bartha