



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

TOWN HALL
P. O. BOX 367
BELLINGHAM, MASSACHUSETTS 02019

TOWN CLERK
BERTRAND Z. REMILLARD

JULY 27, 1976

TELEPHONE
966-0040

PUBLICATION OF TOWN BY-LAWS

THE ATTACHED AMENDMENTS TO THE TOWN ZONING BY-LAWS ADOPTED UNDER ARTICLES 15, 16 AND 17 OF THE WARRANT FOR THE ANNUAL TOWN MEETING HELD ON MARCH 19, 1976, INCLUDING THE ADJOURNED SESSIONS OF MARCH 26, AND 31, 1976, HAVING BEEN APPROVED BY THE ATTORNEY GENERAL ON JULY 6, 1976, ARE HEREBY PUBLISHED.

ATTEST:

Bertrand Z. Remillard
BERTRAND Z. REMILLARD
BELLINGHAM TOWN CLERK

POSTED AT THE FOLLOWING PLACES:

- PRECINCT #1: TOWN CLERK'S OFFICE (TOWN HALL) AND HOWE PHARMACY
- PRECINCT #2: NORTH BELLINGHAM COMMUNITY BUILDING AND CUMBERLAND FARMS STORE
- PRECINCT #3: MURRAY MEMORIAL BUILDING AND GAGNE'S DRUG STORE

I HEREBY CERTIFY THAT I HAVE POSTED ATTESTED COPIES OF THE ABOVE NOTICE AT THE PLACES INDICATED.

DATE

July 28-1976

Joseph Arcand
CONSTABLE OF BELLINGHAM



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

JOHN W. MC CORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON 02108

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

July 6, 1976

Received and filed
Bellingham
7/13/76
Bellingham Town Clerk

Town Clerk
Town Hall
Bellingham,
Massachusetts 02109

Dear Mr. Remillard:

I enclose the amendments to the zoning by-laws adopted under Articles 15, 16 and 17 of the warrant for the Annual Town Meeting held on March 19 and 26, 1976 together with the zoning map as amended by Article 17, with the approval of the Attorney General endorsed thereon.

Very truly yours,

A handwritten signature in blue ink, reading "Steven A. Rusconi".

Steven A. Rusconi
Assistant Attorney General

SAR:mg

Enclosure



TOWN OF BELLINGHAM

OFFICE OF TOWN CLERK

TOWN HALL
P. O. BOX 367
BELLINGHAM, MASSACHUSETTS 02019

TOWN CLERK
BERTRAND Z. REMILLARD

April 16, 1976

TELEPHONE
966-0040

The Honorable Francis X. Bellotti
Attorney General of Massachusetts
State House
Boston, Massachusetts 02133

Re: Annual Town Meeting VOTES,
Zoning By-Law Changes

Dear Attorney General:

I hereby certify that the following motions were adopted under Articles 15, 16, and 17 by voters of the Town of Bellingham at the Annual Town Meeting of March 19, 1976, including the Adjourned Sessions of March 26, 1976, and March 31, 1976:

ARTICLE 15

VOTED: That the Town amend the Bellingham Zoning By-law as follows:

1. Add to ARTICLE V the following definition at its appropriate alphabetical location;

"Motor Vehicle Service Station - Premises devoted primarily to retail sale of fuels and lubricants and/or washing of motor vehicles, with any repair services or other sales or services of secondary importance."

2. Amend Section 2400, Use Regulations Schedule, by referencing the row "Retail sales or service" (under COMMERCIAL USES) to a new footnote "3", and further, by adding such footnote to read as follows:

"3Premises involving retail sales of gasoline shall only be allowed on Special Permit, in accordance with Section 4800."

3. Add a new Section 4800 under ARTICLE IV SPECIAL REGULATIONS to read as follows:

"4800 Motor Vehicle Services

Motor vehicle service stations shall be granted a Special

April 16, 1976

Permit only in conformity with the following:

4810. Entrances, Exits. No location shall be approved if a vehicular entrance or exit will be so located as to create an unusual hazard. Lanes of entry shall be separated from lanes of egress by not less than 40 feet, shall be clearly distinguished by directional signs or markers, and shall be clearly channeled through use of curbed planting areas or similar devices. Entrances and exits together shall occupy not more than 40% of the lot frontage.

4820. Relation to Pedestrian Flow. No location shall be approved if a vehicular entrance or exit will be so located as to cross a major pedestrian flow, such as on sidewalks servicing churches, schools, recreation areas, or compact retail districts.

4830. Visibility. No entrance or exit shall be located within 20 feet of a side lot line, or within 50 feet of the intersection of sidelines of intersecting streets. Egressing vehicles shall have at least 400 feet visibility in each travel direction.

4840. Off-Street Spaces. There shall be at least two additional waiting spaces per filling position.

4850. Service Building. No service building shall be located within 40 feet of a street line, and no pump or other dispensing device, moveable sign or display, nor temporary or permanent storage of merchandise, shall be located within 20 feet of a street line.

4860. Fuel Storage Tank. No fuel storage tank shall be located within 20 feet of any lot line.

4870. Service Safety. No self-service gasoline service station shall be allowed."

VOTE: Yes 70; No 10; Total 80
2/3 of 80 being 54, the motion carried

A voter questioned the presence of a quorum. The Moderator ordered the Town Meeting Tellers to take a physical count of those present. The result of the Tellers' count indicated that (122) registered voters were present. Town By-Laws require (100) for a quorum.

(Recommended by Planning Board)
(Recommended by Finance Committee)

April 16, 1976

ARTICLE 16

VOTED: Unanimously voted that the Town amend the Bellingham Zoning By-Law as follows:

1. Delete Section 3200 in its entirety, substituting the following:

"3200. Environmental Controls

3210. Permitted Activity. No activity shall be permitted in any district unless the following are met:

3220. Disturbances. No sound, noise, vibration, odor, or flashing (except for warning devices, temporary construction or maintenance work, parades, agricultural activities or other special circumstances) shall be perceptible without instruments more than four hundred feet from the originating premises if in an industrial district or more than two hundred feet from the boundaries of the originating premises if in a business district or more than forty feet from the boundaries of the originating premises if in any other district. Interferences originating in business or industrial districts shall not be normally perceptible more than one hundred feet within a residential district.

3230. Evidence of Conformity. Evidence shall be provided that any use of radioactive materials will be in conformance with applicable regulations of the Nuclear Regulatory Commission; any use of flammable or explosive materials will be in conformance with applicable regulations of the Massachusetts Board of Fire Prevention Regulations; discharges into the air will be in conformance with applicable regulations of the Metropolitan Air Pollution Control District; sewage disposal will be in conformance with applicable requirements of the Massachusetts State Sanitary Code; any electromagnetic radiation will be in conformance with the regulations of the Federal Communications Commission.

3240. Performance Compliance. For a facility whose future compliance with performance standards in this by-law is questionable, the Zoning Agent may require that the applicant furnish evidence of probable compliance, whether by example or similar facilities or by engineering analysis. Issuance of a permit on the basis of that evidence shall certify the town's acceptance of the conformity of the basic structure and equipment, but future equipment changes and operating procedures must be such as to also comply with these standards."

The Honorable Francis X. Bellotti
Attorney General of Massachusetts

Page 4

April 16, 1976

2. Delete from ARTICLE V the definition of "Light Manufacturing" in its entirety, substituting the following definition of "Manufacturing" at its appropriate alphabetical location:

"Manufacturing - Fabrication, processing, assembly, finishing, or packaging."

3. Amend Section 2400, Industrial Uses, by amending the first two rows, to read as follows:

	DISTRICT				
	A	R	M	B-1	I
				B-2	
<u>INDUSTRIAL USES</u>					
"Manufacturing for on-site sales"	No	No	No	Yes	Yes
Other manufacturing, research	No	No	No	No	Yes"

(Recommended by Planning Board)
(Recommended by Finance Committee)

ARTICLE 17.

Motion per Article 111, Section 2-45 of the Town By-Laws to divide the article into sub-paragraphs 1, 2 through 7, and 8, carried by majority vote.

VOTED: That the Town amend the Bellingham Zoning By-Law by amending the Zoning Map, removing from the Agricultural District and placing into the Residential District the areas of land as specified on a map entitled "Proposed Zoning Revisions, October 15, 1975"; said areas being located generally as follows:

2. West of Farm Street, south of Valley View;
3. In the vicinity of Rose Avenue, north of Mendon Street;
4. In the vicinity of David Road and Charlotte Road, north of the Mechanic Street Business District;
5. In the vicinity of Maple Ridge including Saddle Back Hill Road, Steven Road, Roberta Lane, and the south side of Blackstone Street to North Street;

The Honorable Francis X. Bellotti
Attorney General of Massachusetts

Page 5

April 16, 1976

6. In the vicinity of Gail Drive off Center Street
7. In the vicinity of Littletree Lane, Laurel Lane, and
Overlook Drive, (Hillsdale Estates), off South Main Street;

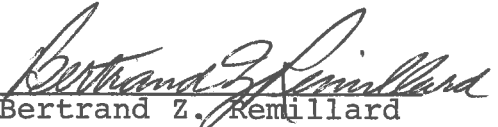
VOTE: Yes 88; No 1; Total 89
2/3 of 89 being 60, the motion carried.

(Recommended by Planning Board)
(Not Recommended by Finance Committee)

VOTED: Motion on sub-paragraphs 1 and 8 did not carry.

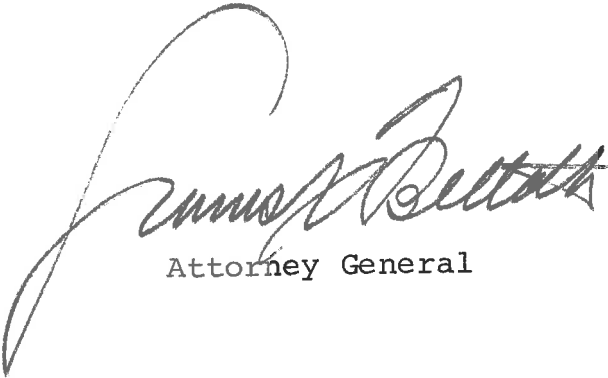
A true copy.

ATTEST:


Bertrand Z. Remillard
Bellingham Town Clerk

Boston, Massachusetts

The foregoing amendments to the zoning by-laws adopted under Articles 15, 16 and 17 of the warrant are hereby approved.



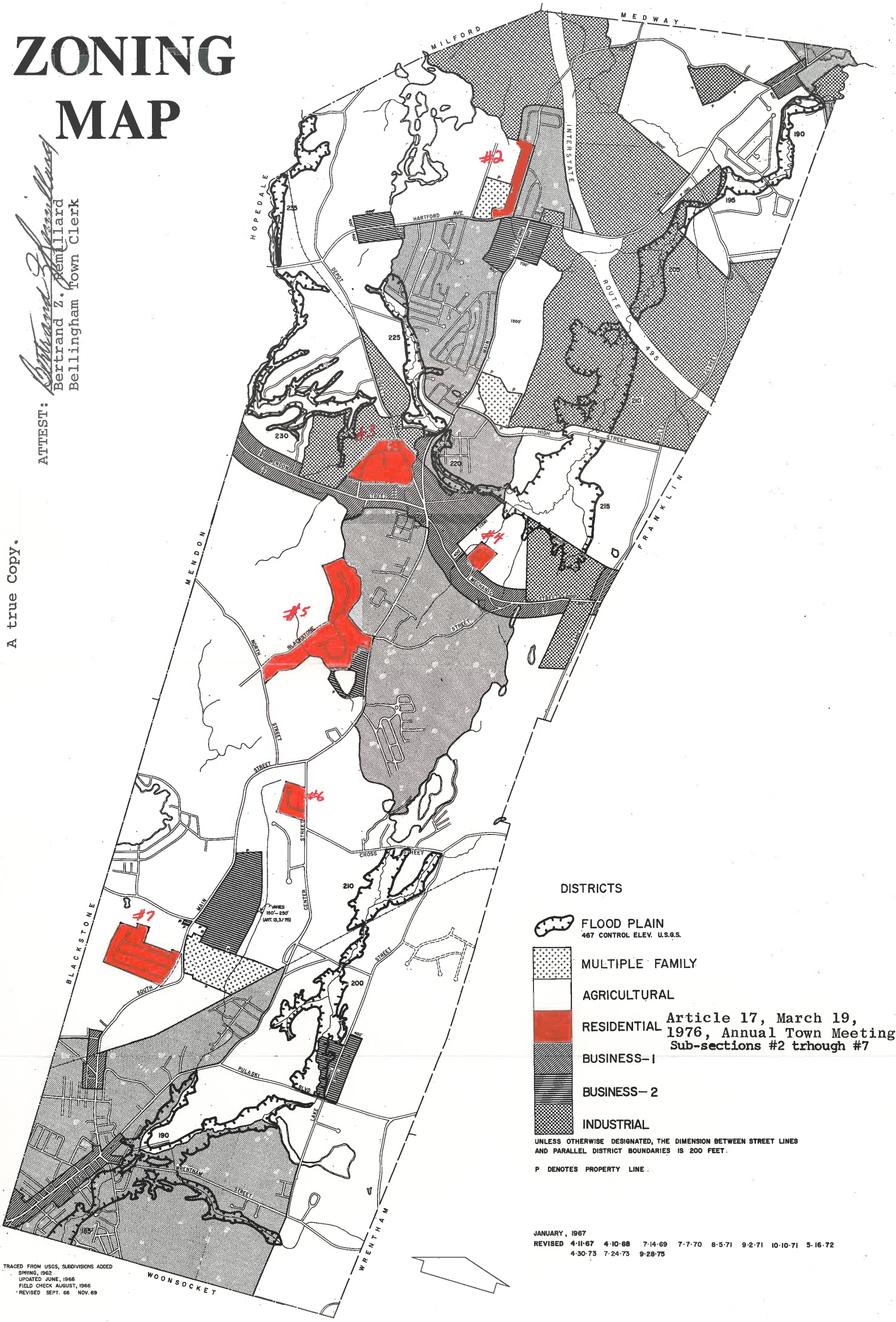
James A. Belknap

Attorney General








ZONING MAP

ATTEST:
Bertrand Z. Hemillard
Bertrand Z. Hemillard
Bellingham Town Clerk

A true Copy.



DISTRICTS

-  FLOOD PLAIN
467 CONTROL ELEV. U.S.G.S.
-  MULTIPLE FAMILY
-  AGRICULTURAL
-  RESIDENTIAL
-  BUSINESS-1
-  BUSINESS-2
-  INDUSTRIAL

Article 17, March 19,
1976, Annual Town Meeting
Sub-sections #2 through #7

UNLESS OTHERWISE DESIGNATED, THE DIMENSION BETWEEN STREET LINES
AND PARALLEL DISTRICT BOUNDARIES IS 200 FEET.

P DENOTES PROPERTY LINE.

JANUARY, 1967
REVISED 4-11-67 4-10-68 7-14-69 7-7-70 8-5-71 9-2-71 10-10-71 5-16-72
4-30-73 7-24-73 9-28-75

TRACED FROM USGS, SUBDIVISIONS ADDED
SPRING, 1962
UPDATED JUNE, 1966
FIELD CHECK AUGUST, 1966
REVISED SEPT. 66 NOV. 69

PHILIP B. HERR & ASSOCIATES, PLANNING CONSULTANTS

800 0 1000 2000 3000 4000FT

PLANNING BOARD · BELLINGHAM · MASSACHUSETTS