



TOWN OF HOPEDALE
ZONING BOARD OF APPEALS
TOWN HALL
78 HOPEDALE STREET
HOPEDALE, MA 01747

Christopher P. Hodgens, Chairman
Nicholas A. Alexander, Member
Sandra E. Biagetti, Member
Louis J. Costanza, Member
Scott M. Savage, Member

**Hopedale Zoning Board of Appeals
Meeting Minutes
DECEMBER 7, 2022**

Chairman Scott Savage called the public hearing to order on December 7, 2022 at 7:02 pm. The meeting was held in the Town Hall Draper Room, streamed live via Zoom and on Hopedale Cable Access.

Members that were present:

Scott Savage, Chair
Sandra Biagetti
Nicole G. Small
Lou Costanza

Member that was absent:

Nick Alexander

Applicants:

Jane Mary Anastacio, Carlos Anastacio, Douglas Lock, Timothy Elmes

Guests:

Donald Hayes, David Guglielmi, Liz Reilly

Scott Savage opened the meeting reading a thank you note from McGrath family for the courtesy the ZBA extended to them at their recent hearing.

Approval of Minutes:

Sandra Biagetti made a motion to accept the minutes from the September 28, 2022, seconded by Lou Costanza. The chair moved to pass over this motion and approval since the board did not have a quorum for a vote as two of the members present were not in attendance for that hearing. Nicole G. Small made a motion to approve the minutes from November 16, 2022 hearing, seconded by Lou Costanza. The only edit requested was to add Nicole's middle initial G into the record. All were in favor of this edit and the motion passes favorably.

Public hearing on application of Timothy Elmes Case 13-2022.

The applicant is seeking a variance related to section 13 (table 13.1) of the town By-Laws in order to construct a farmer's porch to the front of the dwelling at 7 Hammond Rd.

Mr. Elmes, representing the property owner, is looking to build a farmer's porch at 7 Hammond Road. The property is located in the RB zoning district. The proposed porch will be 4 feet deep and would be the length of the front section of the home. The relief needed is approximately 25 to 30 feet.

Public Comment

David Guglielmi inquired about the footings for the construction of the porch and after a review of plans, he had no objection to the project.

Lou Costanza made a motion to close, the public hearing, seconded by Nicole G. Small. All were in favor.

Lou Costanza then made a motion to approve the variance request granting 30 feet of relief from section 13 of the Hopedale bylaws to construct a 4-foot farmer's porch at 7 Hammond Road with the length to be the front section of the home. Sandra Biagetti seconded the motion and all were in favor.

Public Hearing on application of Douglas Lock - Case # 14-2022

The applicant is seeking a variance related to section 13 (table 13.1) of the town By-Laws to construct a 10'x 20' pool/storage shed at 18 Highland St.

Mr. Lock started in presentation by apologizing to his neighbors and the board for starting the construction of this shed on the current cement basketball court without realizing he needed a building permit and a variance to continue the project. Mr. Lock stated he needed 3 feet of relief from the side setback regulations to build a 10 foot by 20 foot shed. The Zoning Board members reviewed the photos provided by Mr. Lock and reviewed the plans. The home is located in the RB zoning district.

Nicole G. Small asked to review the actual location of the proposed shed and noted that the relief needed would be from the rear set back as opposed to the side setback regulations. The actual relief needed would be 28 feet from the zoning bylaws. She also asked about where his vehicles park and remarked the home has a garage underneath the house.

Lou Costanza remarked that the current frame of the construction of the shed is still in place and had concerns about the shed being built on the asphalt as opposed to a foundation.

Public Comments

Donald Hayes, 38 Highland Street stated that Mr. Lock started this project without a building permit and the basketball hoop that was taken down was left on Mr. Hayes' property along with the building supplies which he asked several times to be removed. He felt the location and size was not appropriate.

After a short discussion and concerns regarding this project, the applicant and the board members discussed option to withdraw the application without prejudice so that Mr. Lock could reconsider his request. Lou Costanza made a motion to accept Mr. Lock's decision to withdraw his application to build a 10' x 20' shed at 18 Highland Street without prejudice. The motion was seconded by Sandra Biagetti and all were in favor.

Public Hearing on application of Jane Mary VR Anastacio - Case # 15 -2022

The applicant is seeking a special permit related to section 11.3 of the town By-Laws to operate a mechanic garage/ auto repair at 2B Airport Dr Ext.

Chairman Scott Savage began this hearing noting that he had received notice from the Hopedale Police Chief that he did not have any objections to this special permit as long as the applicants follow all state laws of operations.

Mrs. Anastacio presented the board with the plans to operate a mechanic's garage at 2B Airport Drive Ext. The applicants are currently running the business as a mobile truck and want to have a location to run the auto shop.

Scott Savage asked about the space for the vehicles and Mrs. Anastacio reported there is space for three vehicles in the building and space available outside for parking. All vehicles left outside must be registered. The applicant will be performing mechanic work and changing oil.

Scott Savage also asked about disposal of hazardous materials and the applicants will use a company to pick up the materials. There are no drains in the floor of this location.

Public Comment

David Guglielmi, as a member of conservation commission asked if there is a conservation commission restriction on this property. Scott Savage stated this location is not listed as having any restrictions on the list received from conservation commission. It is outside the groundwater protection district.

Lou Costanza made a motion to close the public hearing, seconded by Sandra Biagetti. All were in favor. It was realized by the Chair that they had not discussed the proposed hours of operations, therefore Lou Costanza made a motion to reopen the public hearing, seconded by Nicole G. Small and all were in favor.

After a brief discussion, the applicant proposed the hours of 6 am to 10 pm. It was also confirmed that there will be no more than 5 registered outside of the building and there will only be two employees.

Lou Costanza made a motion to close the public hearing, seconded Sandra Biagetti. All were in favor.

Lou Costanza made a motion to approve the request for a special permit to operate a mechanic garage/auto repair shop at 2B Airport Drive Ext with the conditions of only 4 registered vehicles outside of the location and the hours of operation to be restricted to 6 am to 10 pm. Sandra Biagetti second the motion and all were in favor.

Sandra Biagetti made a motion to adjourn the meeting at 7:58 pm, seconded by Lou Costanza. All were in favor.

Respectfully submitted,
Mary Arcudi
ZBA Secretary