

75 Plain Street Special Permit Application

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To: Hopedale Zoning Board <Zoning@hopedale-ma.gov>

I am writing in regards to the ZBA special permit being requested for 75 Plain St., Hopedale. During the ZBA meeting on January 11, 2023, Mr. Douglas Hartnett was reviewing the Phase 2 layout of the proposed site plan and spoke of "two hundred and five thousand square foot building addition with the associated construction of the impervious areas associated with Trailer storage, Trailer storage expansion, surface parking and the like." The Hopedale Zoning Bylaw 6.4 - 6.4(e) Prohibits more than 1 storage trailer per lot. The definition of a Trailer can be found at Zoning Bylaws Section:2 DEFINITIONS, 2.54(a) TRAILER. I would like clarification on these Trailer storage issues.

It is against the Bylaw to have more than one. The purpose of this Bylaw is for the Building Commissioner, through a permit, 6.4(b), to require conditions as are necessary to Protect Public Health and Safety by knowing the contents, placement and manner of installment of said Trailers to enable, among other protections, the protection of groundwater, and therefore to protect Public Health and Safety. This request for a special permit is about the overlay district and water protection, therefore Trailer storage is able to be discussed.

Is the Applicant stating that All the Trailers will be stored empty? If they are stored empty are they allowed more than one? As a Condition of approval there should be a sworn statement from the Applicant and from any future tenant that these Trailers will be empty in compliance with the Bylaw. If this condition can not be met it is an admittance that more than one(1) Trailer will contain storage and will not be in compliance with our town bylaw. The warehouse is for storage. That is what a warehouse is, it's storage. The groundwater overlay district is not for storage in Trailers. Our groundwater protection in this area cannot be monitored correctly if we are not following Bylaw 6.4-6.4(e).

Under 17.7 Procedures for Issuance of Special Permit: 17.7(e) (1) A complete list of CHEMICALS, pesticides, herbicides, fertilizers, FUELS, AND OTHER POTENTIALLY HAZARDOUS MATERIALS TO BE USED OR STORED ON PREMISES IN QUANTITIES GREATER THAN THOSE ASSOCIATED WITH NORMAL HOUSEHOLD USE. All of these things WILL be on site in QUANTITIES GREATER THAN THOSE ASSOCIATED WITH NORMAL HOUSEHOLD USE. The wording of these Procedures matter. Tractor Trailers hold more fuel, have more exhaust, more Hazardous chemicals in working parts, (brake pads etc.). Any truck load of average household products containing chemicals or hazardous ingredients will be, in total, a quantity greater than normal household use. We have not seen a Complete List of these things, as far as I can tell.

The GFI Partners Memorandum submitted to the ZBA on 2/10/2023, page 2, paragraph 3 states "there will not be a requirement for monitoring wells at the site and the new project will be Prohibited from Storing Hazardous materials, in accordance with the Groundwater Protection Bylaw. The EPA has on their site Lists of Hazardous materials, chemicals, etc. that include some that will be IN QUANTITIES GREATER THAN ASSOCIATED WITH NORMAL HOUSEHOLD USE on this Groundwater District Site, including PFAS chemicals from vehicles.

I am hoping that the wording and technicalities of these procedures will be strictly followed. This is a Protected Area for a reason and these specific words were used for a reason. Is the Applicant following the rules as written? The words Quantities Greater than Associated with Normal HOUSEHOLD Use are Important. I do not know of any households with Diesel Fuel Tanks as large as 1 Tractor Trailer and there will be many, many on site. It seems that more detailed discussion of the details of this issue is needed.

Thank you for your continuing and very important attention to the protection of the Town of Hopedale water supply and resident safety,

Kevin Evers

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