



TOWN OF HOPEDALE
Planning Board
TOWN HALL
78 HOPEDALE STREET
HOPEDALE, MA 01747

Stephen Chaplin Chairman
Kaplan Hasanoglu, Member
Jimmy Kohkar, Member
Michael Costanza, Member

**Hopedale Planning Board
Meeting Minutes
Via Zoom Video Conference
August 24, 2022**

Recorded meeting can be found on the Town of Hopedale website under meeting videos.
The meeting was opened at 7:00 pm.

Members that were present:	Stephen Chaplin, Chair Michael Costanza Christopher Chase Kaplan Hasanoglu Jimmy Kohkar
Planning Board Secretary:	Mary Arcudi
Select Board Members:	Brian Keyes, Bernie Stock (Absent Glenda Hazard)
Town Administrator:	Diana Schindler
CMRPC	Jane Wyrick
Guests:	Frank Pierce, Sue Pierce, Janice Doyle, Walter Swift, Brian Noonan, Ann De Mattia, Nicole Small, Pat DePietrolpolo, Constant Poholek, Caroline Frankel, Gene Deree, Rick Lima, Tim Watson, Mary Bentley, Carole Mullen, Scott Savage, Lewis Family, Jeannie Russell

The Select Board were still in session from their meeting opened at 6 pm, so there was no need to call the meeting to order to join the Planning Board to continue the review of marijuana establishment Zoning Bylaw additions or amendments.

The Zoning Board was also invited but the Chair did not post nor responded if they were going to join. Chair of the Development and Industrial Commission had a conflict and could not attend. Two members of this committee were present and since this does not constitute a quorum, they were given permission to speak.

The proposed draft was sent to the board by legal counsel and shared at this meeting. The Planning Board and Select Board members reviewed the section titled Purpose and all members felt the language was appropriate. The language is as follows:

The purpose of the Marijuana Overlay District Bylaw is to provide for the placement of Medical Marijuana Treatment Centers (“MMTCs”) and Adult Use Marijuana Establishments (“MEs”) in locations suitable for such uses in accordance with G.L. c. 94G and all applicable regulations, including 935 CMR 500.000 and 935 CMR 501.000, in order to support the public’s right to access marijuana and marijuana products while mitigating community impacts and protecting public health, safety and welfare.

The next section is labeled Establishment and would layout the boundaries of the overlay district on the zoning map. Since the map has not been updated in several years, the goal is to get a rough draft in place. The public will have a chance to comment on this entire draft at the public hearing, once a hearing is scheduled. The Development and Industrial Commission did not map out the boundaries but discussed RT 140 and RT 16 spaces and the small area around Cumberland Farms.

Stephen Chaplin reviewed the section labeled Definitions and the language is as follows:

Where not expressly defined in the Zoning Bylaws, terms used in the MOD Bylaw shall be interpreted as defined in G.L. c.94G, § 1 and the regulations governing Adult Use of Marijuana (935 CMR 500.000), Medical Marijuana (935 CMR 501.000) and otherwise by their plain language.

A discussion was held if this should be a narrower subset, once a map is established.

Stephen Chaplin asked Diana Schindler how an updated map is completed which she indicated that Central Massachusetts Regional Planning Commission would normally assist with this. Stephen Chaplin remarked that designating where certain facilities would be able to locate would be a long and tedious process. He explored the concept of whether creating the criteria instead might be less tedious as opposed to creating an overlay district. Kaplan Hasanoglu said the board could detail criteria by right and those that would need a special permit. Chris Chase felt the overlay bylaw would streamline the process.

The board reviewed where Hopedale has commercial or industrial zoning as the town is mainly residential. The discussion revolved around whether the small area around Cumberland Farms and the small parcel across the street should be within the overlay boundaries. Jimmy Kohkar felt it was too close to the schools. Brian Keyes reminded the members that there was a request for a marijuana retail establishment near the medical building and there was a ton of resistance from public and town officials. Brian Keyes reviewed the overlay district would be over any zoning of the property and the space has to be useable; if water and sewer are not available, the location is not viable for these businesses. Stephen Chaplin reminded the audience that an overlay district zoning change would need a 2/3 approval vote at a town meeting. Chairman Chaplin then tabled this particular discussion.

The board then reviewed the Limitations and Prohibitions section and it reads as follows:

No more than 4 marijuana retailers shall be permitted in the Town of Hopedale.

A lengthy discussion was held regarding the number of retailers to allow and Kaplan Hasanoglu felt this also was a function of needing the map updated to decide if this limit is appropriate. Locations discussed along with the Cumberland Farms area were the area near Hazel Street, West Street parcels and the former Draper land.

The Social Consumption Establishments section reads as follows:

No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises of any MMTC or ME. The prohibition on on-site consumption shall also include private social clubs or any other establishment which allows for social consumption of marijuana or marijuana products on the premises, regardless of whether the product is sold to consumers on site.

A discussion was held if this section is even needed as it is not allowed by the state at this time. Stephen Chaplin, Kaplan Hasanoglu and Jimmy Kohkar felt the language should be in the bylaw, while Chris Chase and Mike Costanza felt it should be removed. Rick Lima reminded the board that since testing for marijuana levels is not available, the police department is not in favor of allowing social consumption establishments in Hopedale.

Location and Dimensional Controls were reviewed. The draft includes language that marijuana establishments may not locate within 500 feet of the pre-existing public or private K-12 schools which was agreed to by the members after a lengthy discussion. This section included a 100-foot buffer zone and the board members asked to strike this paragraph from the draft. The remaining language was found to be acceptable regarding location and dimensional controls. The language regarding drive through establishments will be removed and drive through establishments would be bound by state regulations.

Special permitting was discussed and overall, it was agreed that since the Planning Board does the site plan review, the Planning Board would be the granting authority to roll in the special permitting to streamline the process. The special permit requirements all seemed reasonable to the Planning Board and Select Board members.

Stephen Chaplin will have counsel make the revisions as discussed. Then a public hearing will be held and the Planning Board will make a recommendation for the town meeting.

Jane Wyrick, from CMRPC will work on updating the map with her resources available to her.

The buffer zone discussion between two retail marijuana establishments is still on the table, depending on the zoning map. Only Brian Keyes is in favor of establishing a buffer zone. The Planning Board reviewed their past discussions and decided to not include a buffer zone in the bylaw.

Bernie Stock made a motion to adjourn the Select Board meeting, seconded by Brian Keyes at 9:39 pm. All were in favor.

75 Plain Street – GFI Partners - Review of amended construction sequencing plan

The applicant has request to continue this hearing to the next meeting. Stephen Chaplin made a motion to continue the hearing to September 7, 2022 at 7 pm. Kaplan seconded. Mike Costanza inquired what the delay was in regards to and our town counsel requested clarification in order to complete the favorable decision. All were in favor of continuing the hearing to September 7.

4 Mixed Use overlay District/Village Center Redevelopment

Jane Wyrick, from CMRPC, reviewed the items included in the draft of the overlay bylaws. A map of the downtown area was provided. Funding to complete this mixed-use overlay district ends on December 31. Her questions for the board include what should the boundaries be for this district. Stephen Chaplin stated the creation of this overlay district would encourage mixed use development in the downtown area and would bring parcels into compliance as well. Jane Wyrick discussed whether Fitzgerald Drive would be included. Preexisting uses should be stated. It would include industrial land to mixed use neighborhoods. Mike Costanza asked to include the small parcel on the corner of Freedom and Progress Street near the pond. Diana Schindler stated the town is interested in purchasing this land to preserve it. Jane Wyrick said it is still appropriate to include this in the overlay if interested. The land where the Little Red Shop is located has been historically preserved. After a lengthy discussion, the board agreed to add Cemetery Drive and Fitzgerald Drive to the overlay boundary down to Route 16. They also agreed to include the property across from Cumberland Farms along with the six lots on Hopedale Street across from number 90, 94 and 96 Hopedale Street, and the town owned school parking lot.

Jane Wyrick mentioned that some of the other towns that have mixed use allocate what percentage can be residential, retail, office, etc. She will prepare a comparable with other towns. This discussion will continue on the September 14, 2022 meeting at 8 pm.

Kaplan Hasanoglu made a motion to approve the minutes of August 3, 2022. Jimmy Kohkar seconded the motion and all were in favor.

Kaplan Hasanoglu made a motion to adjourn at 10:42 pm, seconded by Jimmy Kohkar. All in favor.

Respectfully submitted,

Mary Arcudi
Planning Board Secretary