



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

**NOTICE OF PUBLIC MEETING AND MEETING AGENDA**

Notice is hereby given that the Hopedale Zoning Board of Appeals will conduct a public meeting on Wednesday, October 19, 2022, at 7:00 p.m., in the Draper Room of the Hopedale Town Hall at 78 Hopedale Street, Hopedale, MA. Participation is also available through the following Zoom link:

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89428044314?pwd=SUFVVmo3V2UydVRoN014a3cyT2tHZz09>

Meeting ID: 894 2804 4314

Passcode: 439560

**RECEIVED**

**By Lisa M. Pedroli at 8:25 am, Oct 14, 2022**

The following matters will be discussed and votes may be taken:

1. Convene in open session.
2. Public hearing on application of Ogeez Brands MA, LLC, seeking a special permit to operate as a marijuana product manufacturer at 6 Charlesview Road, 1<sup>st</sup> Floor.
3. Continuation of public hearing / status update on application of Edward, Olimpia, and Michael McGrath. The applicants are seeking unspecified relief to consolidate non-conforming parcels (25-27 Freedom Street) in order to construct a second single-family residence on the properties. The public hearing commenced on August 17, 2022. This matter has been continued by agreement to enable the applicants to consult with a surveyor.
4. Continuation of public hearing / status update regarding GFI Partners. The applicant is seeking a special permit for new construction of a warehouse and distribution facility in a groundwater protection district at 75 Plain Street (Rosenfeld Concrete property). The public hearing commenced on September 22, 2021. This matter has been continued by agreement to enable the applicant to respond to questions raised by the Zoning Board of Appeals.
5. Correspondence and petition received on September 11, 2022, and September 26, 2022, from 45 residents regarding Planning Board action on 75 Plain Street. This matter has been continued, without objection, from September 21, 2022, in

order to follow the above continued hearing. (see attached correspondence and petition).

6. Correspondence received on October 13, 2022, from GFI Partners requesting withdrawal of special permit application without prejudice (see attached correspondence).

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Christopher P. Hodgens  
Zoning Board of Appeals  
Chairman

**Fwd: Formal resident request RE: 75 Plain St**

Preserve Hopedale <preservehopedale@gmail.com>

Mon 9/26/2022 10:26 AM

To: Lisa Pedroli <lpedroli@hopedale-ma.gov>; Hopedale Planning Board <PlanningBoard@hopedale-ma.gov>

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

Good morning,

As a matter of formality, we're resending this, as it seems we did not include the Planning Board in the original submission. We also wanted to confirm receipt by the Town Clerk, who was copied on the original email and this re-submission. Lisa, if you could kindly confirm receipt, that would be much appreciated.

With that, we believe all necessary parties have been included, but please let us know if there is anyone else who should receive this information and that was not included on either this email, or the original below from 9/11.

Regards,

The Preserve Hopedale Team

----- Forwarded message -----

From: **Preserve Hopedale** <preservehopedale@gmail.com>

Date: Sun, Sep 11, 2022 at 8:22 PM

Subject: Formal resident request RE: 75 Plain St

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

Cc: Hopedale BOH <HopedaleBOH@hopedale-ma.gov>, <taicardi@hopedale-ma.gov>, Diana Schindler <dschindler@hopedale-ma.gov>, Lisa Pedroli <lpedroli@hopedale-ma.gov>

Dear Zoning Board,

Regarding the proposed warehouse at 75 Plain Street:

Attached, please find a formal, signed request from neighboring residents requesting that the Zoning Board re-review the recently approved Planning Board decision on this project for the various non-exhaustive reasons noted in the attached. Apologies for the multiple PDF attachments (several pages each).

Please let us know if any further information is needed from us in order to proceed with the request. We appreciate your attention to this matter and kindly request confirmation of receipt, along with an indication of next steps -- at your earliest convenience.

Many thanks,

The Preserve Hopedale team

We, the undersigned abutters and aggrieved persons, respectfully request that the Hopedale Zoning Board of Appeals review the Hopedale Planning Board's decision of the Site Plan application by GFI Partners with respect to 75 Plain Street.

Whilst it is our understanding that the project may still need to received additional approvals/reviews before a building permit is issued (Board of Health review, pending open application with the ZBA for a special permit, etc) we would like to formally request that the ZBA review the decision based on, though not solely, some of the following items.

- This project does not meet the requirement of zoning bylaw 18.5(g) as it fails to adequately *protect* against any undue disturbance.
- Per the "Closing Memorandum" dated 4/25/22, the applicant's Project Mitigation Package will only be granted "provided the Planning Board, Zoning Board of Appeals and the Conservation Commission approve the project, and do so without restricting the hours of operation of the facility, and provided there are no subsequent appeals of the approvals". This quid pro quo effectively altered the boards' aptness to impose common sense restrictions as well as the residents' legal right to appeal.
- Failure to obtain Board of Health review prior to the decision rendered on May 11<sup>th</sup>, 2022. P.9, sec 6 states that "approval is subject to the rules, regulations, and approvals of the Board of Health, Building Department, and Department of Public Works.
- No assurance or protection to the abutting neighborhood's private wells and being in complete disharmony with the intent of the Groundwater Protection District.
- A subsequent approval was made for a phased construction plan which proposed that the project no longer requires a special permit from the ZBA even though a special permit is required due to "Enlargement or alteration of existing uses that do not conform to the Groundwater Protection District" per Zoning Bylaw 17.6(c)(1) – and the board voted to approve this phased constructions plan on 9/7/22 even though some board members stated they did not read the document they were approving.

It has been demonstrated that we, as abutters (both direct abutters and those aggrieved persons affected by the creeping of negative impacts into our residential neighborhoods) and distinguished from the general population of the town, will be adversely impacted by the construction and operations of this development. It is also clear that several required steps of the approval process were not taken. We ask that the ZBA review all matters that pertain to this site plan and enforce the bylaws created to protect against such impacts. Thank you.

| NAME | ADDRESS | SIGNATURE |
|------|---------|-----------|
|      |         |           |

# MAYER, ANTONELLIS, JACHOWICZ & HARANAS, LLP

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Christopher P. Hodgens  
Chairperson Hopedale Zoning Board of Appeals  
Hopedale Town Hall  
78 Hopedale Street  
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Hopedale, MA 01747

(via first class mail and email to [zoning@hopedale-ma.gov](mailto:zoning@hopedale-ma.gov))

October 13, 2022

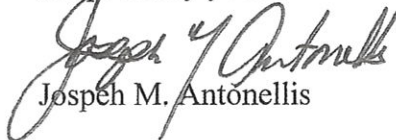
Re: GFI Partners' Request to Withdraw Special Permit Application (without prejudice) /75-131  
Plain Street

Dear Chairperson Hodgens and Members of the Hopedale Zoning Board of Appeals:

As you know I represent 75-131 Plain Street, LLC/GFI Partners, LLC ("GFI") regarding GFI's application for a Special Permit pursuant to Section 17 of the Hopedale Zoning By-Law. Presently, and while the public hearing remains open, GFI is submitting this correspondence as a formal request to withdraw its application without prejudice to its right to re-file the application at a later date.

If further information is needed for the Board to consider this request, I will be present at the meeting scheduled for October 19, 2022. In the interim, please feel free to contact me via email ([jma@majhllp.com](mailto:jma@majhllp.com)) or at 508-654-0503.

Respectfully yours,

  
Joseph M. Antonellis

Cc: Hopedale Town Clerk