

**Hopedale  
Zoning Board of Appeals  
Meeting  
November 16, 2016**

Chairman Steve Gallagher called the meeting to order on November 16, 2016 at 7:00 pm.

Members that were present: Steve Gallagher  
Nick Alexander  
David Pagnini  
Lou Costanza  
Sandra Biagetti

Secretary: Mary Arcudi

**Case 07-2016** 7:00 PM

The applicant Ann C. Burnham of 192 Dutcher St., Hopedale, Ma, is seeking a special permit to change from a single family home with an existing in-law apartment, to a 2 family home. The location is zoned RA and is owned by the applicant.

Ms. Burnham informed the Board of the circumstances regarding the single family home she has been living in since 1996. At that time her parents added the existing in-law apartment with approved permits in place. Since her parents are no longer living, she moved into the main home and rented the in-law apartment without realizing she needed zoning approval. Once she was informed, she immediately met with Mr. Speroni, Hopedale Building Inspector.

Mr. Speroni's issue was to confirm the 2 means of egress and the life safety issues, including separate entrances and smoke detectors, which Ms. Burnham stated that the home does comply with all safety standards of a two family home. Mr. Gallagher inquired about parking and there is ample parking for at least 2 cars for each family. Mr. Pagnini was concerned with the frontage, which is all driveway and Mr. Speroni stated that this frontage and driveway is not a concern since the size of the lot does expand a few feet from the driveway and all fire and police vehicles have necessary access.

After a thorough discussion, Mr. Nick Alexander made a motion to approve the special permit to change the home at 192 Dutcher Street Hopedale MA from a single family home with an existing in-law apartment to a two family home. Mrs. Sandra Biagetti seconded the motion and the motion was unanimously approved.

**Case 08-2016** 7:20 PM

The applicant West Walnut St. Realty, LLC of 31 Mill Pond Circle, Milford, MA, is seeking variances for lot frontage, lot width, building line, and lot shape factor in order to construct a single family dwelling on the property located at 49 Mellen St., Hopedale, MA. The front of the lot is zoned Residential B and the rear is Commercial and is owned by the applicant.

Mr. David Bertonazzi, Attorney for the applicant, Mr. Mark Wassarman, owner of West Walnut Street Realty, LLC presented to the Board the plans for building a home on the property located at 49 Mellen Street, Hopedale MA.

The applicant recently acquired this property and he is seeking to build a 3 bedroom home. Previous owners formerly held the property as common ownership with 47 and 49 Mellen Street and as separate ownership. Currently Mr. Wassarman owns both separate properties. The hardship in this zoning case is that this parcel would be deemed undevelopable if the zoning was not approved.

There was a lengthy discussion regarding the non-conforming lot at 49 Mellen Street and if the zoning allowances were approved how it would impact the property lot at 47 Mellen Street, thus creating 2 separate non-conforming lots and maintaining separate ownership.

After much consideration, Mr. Lou Costanza made a motion to deny the variances needed to build a home at 49 Mellen Street Hopedale MA for lot frontage, lot width, building line, and lot shape. Mrs. Sandra Biagetti seconded the motion and the vote was as follows:

Nick Alexander	Yes to deny
Lou Costanza	Yes to deny
David Pagnini	Yes to deny
Sandra Biagetti	No to approve
Steve Gallagher	Yes to deny

The motion carried to deny the request for the variances needed for 47 Mellen Street.

Motion to adjourn was made by Nick Alexander at 7:53 pm.

Respectfully submitted,

Mary Arcudi  
ZBA Secretary and Alternate