

**Town Of Hopedale
Decision of the Hopedale Zoning Board of Appeals**

Case: 03-2018

Applicant(s): Facility Management Corp (Blackstone Valley IcePlex)
Owner: Kyle Correira 100 Schoosett Street, Pembroke, MA 02359

Property: 121 Plain Street
Hopedale, MA 01747

Application Filed: February 22, 2018

Hearing Held: Mach 28, 2018 and continued to April 18, 2018

Relief Sought: The applicant is seeking a Special Permit for an increase in occupancy to 385 and requesting a reduction of parking spaced from the required 135 to 112.

Decision: Following a hearing, motion failed to approve the reduction in reducing the parking requirement from 135 to 112. The Building Inspector, with his authority granted occupancy to 347.

Certification

This is to certify that the above action was taken in compliance with the statutory requirements as set forth in Chapter 40A of General Laws, and that copies of this decision and plans referred to in this decision, if any, were filed with the Town Clerk on _____, 2018.

Special Permit or Variance is not in effect until the decision is recorded with the Worcester County Registry of Deeds and the building permit will not be issued until proof of recording is presented.

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PERSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

Steven J. Gallagher, Chairman

**Record of Proceedings
Hopedale Zoning Board of Appeals**

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Hearing Proceedings

Hearing Date: April 18, 2018

On April 18, 2018, the Hopedale Board of Appeals held a public hearing on the above application. The hearing, which was convened following publication, posting and notice to parties in interest, pursuant to the provisions of M.G.L. c. 40A, Section 11, was opened by the Acting Chair at 7:50 pm.

The following Board Members noted as present were in attendance throughout the hearing:

Chair (Chair):	Steve Gallagher
Voting Member:	Nick Alexander
Voting Member:	Lou Costanza
Voting Member:	Sandra Biagetti
Voting Member:	David Pagnini

Discussion details:

A public hearing on this request was held on March 28, 2018 at which time the hearing was continued to April 18, 2018, in order to hear from the Hopedale Police Chief regarding safety and traffic concerns before the Board made a decision on the request. Chairman Gallagher stated that the Board has not received any response from the Hopedale Police Chief to a letter sent to him by the Board Secretary.

The Board took note that under Zoning Bylaws that the present 112 spaces service an occupancy of 347 occupants. Building Inspector Robert Speroni stated that based on the 112 parking spaces that he will issue an occupancy permit for 347 occupants. The Planning Board approved an amended site plan to provide for the 112 parking spaces. A discussion was held again as to whether the Board would grant relief from the parking requirements of the Zoning Bylaws in order to allow the present 112 parking spaces be used to service an occupancy increase from 247 to 385. Board members Louis Costanza and David Pagnini voiced their opposition based upon safety concerns. The Board discussed whether the 112 parking spaces would be used to service the occupancy of more than 347 but less than 385.

Sandra Biagetti made a motion to allow the 112 parking spaces service the occupancy of 350. Nicholas Alexander seconded the motion and the vote was as follows:

Sandra Biagetti	yes
Nick Alexander	yes
David Pagnini	no
Louis Costanza	no
Steve Gallagher	yes

Three members being in favor and two members opposed, the motion failed and so the special permit was denied. Board members Louis Costanza and David Pagnini stated that their opposition was based upon safety concerns