

**Town Of Hopedale
Decision of the Hopedale Zoning Board of Appeals
May 1, 2023**

Case: 06-2023

Applicant(s): Steven and Susan Gallagher
7 Grove Street Bellingham, MA 02019
Property Owner: Steven and Susan Gallagher
Property: 5 Villa Drive, Hopedale, MA 01747
Application Filed: January 26, 2023
Original Hearing Held: March 15, 2023
Hearing to Correct Decision: May 1, 2023 (see hearing details for scope of the correction)

Relief Sought: Applicant is seeking a variance from Section 13 and a special permit from Section 4.7 to build a 2-bedroom single family home.

Decision: Following the closing of the public hearing on May 1, 2023, the Zoning Board of Appeals unanimously approved the granting of the variance from Section 13 and the special permit (section 4.7) with the relief as follows:

The minimum lot requirement is 40,000 sq ft. This lot has 5845 sq ft, and the relief granted is 34,155 sq ft. The street frontage requirement is 150 ft. This lot has 87.49 ft, and the relief granted is 72.51 ft. The front setback requirement is 65 ft. This lot as 22 ft, and the relief granted is 43 ft. The rear setback requirement is 35 ft. This lot has 15 ft, and the relief granted is 20 ft.

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 _____, 2023.

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.

Scott Savage, Chairman

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

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Revised Decision Hearing Proceedings

Hearing Date: May 1, 2023

On May 1, 2023, 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 7:05 PM.

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

Chair (Chair):	Scott Savage
Voting Member:	Lou Costanza
Voting Member:	Sandra Biagetti
Voting Member:	Nicole G. Small
Voting Member:	Nick Alexander

Discussion details:

Due to a miscalculation by the Zoning Board of Appeals on March 15, 2023, the previous decision needed to be corrected as follows with a motion by Lou Costanza and seconded by Sandra Biagetti which was unanimously approved:

The minimum lot requirement is 40,000 sq ft. This lot has 5845 sq ft, and the relief granted is 34,155 sq ft. The street frontage requirement is 150 ft. This lot has 87.49 ft, and the relief granted is 72.51 ft. The front setback requirement is 65 ft. This lot as 22 ft, and the relief granted is **43 ft**. The rear setback requirement is 35 ft. This lot has 15 ft, and the relief granted is 20 ft.

The motion made on March 15, 2023 incorrectly gave only 41 feet of relief for the front setback as shown here in the motion: *Lou Costanza then made a motion to approve the variance request based on the hardship and the special permit to allow the relief detailed by the Chairman as follows: "The minimum lot requirement is 40,000 sq feet and the relief need is 34,155 sq feet, frontage requirement is 150 feet, and the relief needed is 72.51 feet. The setback requirement is 65 feet in the bylaw and the relief needed is 41 feet, and the rear setback requirement is 35 feet and the relief needed is 20 feet". Motion seconded by Nicole G. Small and the motion passes unanimously in favor.*