



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

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**Hopedale Zoning Board of Appeals  
Meeting Minutes  
October 19, 2022**

Chairman Christopher Hodgens called the continued public hearings to order on October 19, 2022 at 7:00 pm. Meeting was held in the Town Hall Draper Room, streamed live via Zoom and on Hopedale Cable Access.

Participation was made available through the following Zoom link:

**Join Zoom Meeting**

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

Recorded meeting can be found on the Town of Hopedale website under meeting videos.

**Members that were present:**

Christopher Hodgens, Chair  
Nick Alexander  
Sandra Biagetti  
Scott Savage  
Lou Costanza

**Applicants:**

Brad Noonan, Attorney Nicholas Obolensky,  
Attorney Joe Antonelli

**Guest:**

Lewis Family, Tony Pinto, Dave Dennis, Walter  
Swift, Brian Keyes, Mike Hyland, Bryan Stone

Mr. Hodgens started the meeting by reminding all residents to view the ZBA webpage as much as been updated included but not limited to a streamlined application, Rules of Procedures and Checklists, and fiscal year 2022 report.

As of today, October 19, 2022 Charles Baker nominated Mr. Hodgens as a Justice of the Massachusetts Appeals Court. Several points in the Judicial Code of Conduct prevent Mr. Hodgens from further service to the ZBA. He read his letter of resignation submitted to the Select Board and thanked the board members, residents and family for their support.

A brief recess was held.

Lou Costanza made a motion to nominate Scott Savage as the new Chairman, seconded by Sandra Biagetti. The motion passes unanimously in favor.

**Pubic Hearing Ogeez Brands MA LLC - Case # 10 -2022**

The applicant is seeking a special permit to operate as a marijuana product manufacturer at 6 Charlesview Road, 1<sup>st</sup> floor.

Brad, CO of Ogeez Brand, a cannabis edible manufacturing company provided a presentation to the ZBA. They have identified a location at 6 Charlesview Road and signed a lease. Plans have been presented to the Select Board and a Host Agreement has been signed. They have submitted an application for a Cannabis Manufacturing License to the Cannabis Control Commission. The next step in the process is the special permit. The applicant believes they meet the criteria for issuance of a special permit the following facts:

The use will not have a detrimental effect which outweighs the benefits of the neighborhood.

The use is consistent with the proposed Master Plan.

The use will not materially endanger or be hazardous to the public health and safety.

Sufficient off-street parking exists or will be provided to serve the use.

The use can be adequately served by municipal water and sewer systems.

The use will not result in a substantial increase in volume or rate of surface water runoff to neighboring properties.

The use will not result in contamination of water supply or environment.

The company began with medical cannabis in 2017 in Arizona and became a recreational brand in 2021. They are now looking to expand in Massachusetts, the first state out of Arizona.

The Hopedale facility will provide jobs, economic and consumer benefits. They expect to employ 15-20 diverse individuals from Hopedale and nearby communities. The location is well situated and is in commercially zoned area for similar uses. The building footprint is identical to the dispensary/manufacturer next door and there is no need for exterior signage. It is not located near any K-12 school and there will be no external or significant structural changes to the facility.

The applicant will use a low impact manufacturing process. The company produces gummies and does not grow cannabis or extract distillate (oil). This results in no significant material odors emanating from the facility. The production process has a relatively small environmental footprint as there are no natural gas appliances and modest water consumption. Distilled water is used in the production and will be brought to the facility. The byproduct production and waste and is very limited.

The building will be secure with no public access as they are a wholesale manufacturer, not selling directly to the public. Only authorized employees and vendors are permitted access. A comprehensive security plan will be in place to prevent theft and unauthorized release of their products. Premises and parking area will be well lit and 24/7 video surveillance will be installed inside and outside of the property. Alarm system will be connected to Hopedale public safety. There will be very limited impact on local traffic. They are projecting 15-25 long term employees with 25 plus marking spaces available surrounding the building. Normal operating hours are weekday 8:00 am to 6 pm with night shifts to 10:00 pm and weekend shifts for additional capacity if needed. There will be up to two delivery vans and do their best to avoid heavy traffic hours.

#### Board Comments

All board members stated the presentation was very thorough and answered all questions and concerns. Scott Savage discussed the status of the licensing and the timeline of operation with the applicant. The applicant has been in discussions with the Pole and Fire Chiefs. Lou Costanza did ask about the staffing and they will consider staggering the shifts but confirmed that they is adequate parking for all employees.

#### Public Comments

There were no public comments.

Nick Alexander made a motion to close the public hearing, seconded by Lou Costanza. All were in favor.

The board discussed the hours of operation that would need to be included in any favorable decision. Attorney Nick Obolensky suggested the hours of operation be 8 am to 8 pm to have some flexibility as the business grows.

Lou Costanza brought the issue to the board and the applicant's attention, that due to the resignation of one member at the beginning of this meeting, the board only has 4 voting

members. For a favorable result, the applicant needs all 4 affirmative votes. Scott Savage recommended to continue the meeting until next month with hopes of filling the vacant seat. Because of this reminder, Nick Alexander motion to reopen the hearing, seconded by Sandra Biagetti and all were in favor. The hearing was reopened at the board's request. Nick Alexander made a motion to continue this hearing, with the applicant's approval to November 16, 2022, seconded by Lou Costanza. All were in favor.

#### Continuation Hearing for Edward, Olimpia and Michael McGrath– Case # 08-2022

The applicants are seeking unspecified relief to consolidate non-conforming parcels in order to construct a second single-family residence on the properties. (25-27 Freedom Street) The public hearing commenced on August 17, 2022, was continued by agreement so that the applicant could consult with a surveyor.

The applicant was not present to report any findings. Nick Alexander made a motion to continue this hearing to November 16, 2022. Motion seconded by Sandra Biagetti and all were in favor

#### Continuation Hearing - Case # 4 -2021

The applicant, GFI Partners, 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 hearing was continued by agreement with the applicant for them to respond to questions raised by the ZBA.

Mr. Antonellis reported that a letter has been sent to the ZBA requesting that this special permit application be withdrawn without prejudices. The application for this special permit will be resubmit at a later date when that portion of the construction requires it.

Resident Heather Lewis stated that in her opinion, the ZBA has an option to postpone the vote to when there is a full board.

Lou Costanza made a motion to accept the withdrawal without prejudices, seconded by Sandra Biagetti. A discussion was held in regards to the fact that a fifth member would not legally be able to vote under the ruling that only one meeting can be missed to participate in a vote. A roll call vote was taken and all were in favor of the motion.

#### Correspondences

The board received a petition on September 11 and 26<sup>th</sup>, from 45 residents regarding the Planning Board action on 75 Plain Street. This matter was continued without objection from the September 21, 2022 ZBA meeting. Scott Savage suggested to continue this discussion to a future meeting. The board reviewed the appeal process which would require a public notice and hearing which the petitioners have not requested at this time.

Motion to adjourn was made by Lou Costanza, seconded by Nick Alexander. All were in favor.

Respectfully submitted,

Mary Arcudi  
ZBA Interim Secretary