



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
TEL 508.223.2222 FAX 508.222.3046

2023 MAY -8 AM 11:16

CITY RECEIVED 05/08/23

BLH

AGENDA

MAY 11, 2023

6:30 p.m.

1. **NEW PUBLIC HEARINGS: [LINK*](#)** DEADLINE
 - a. Nova Farms, LLC – 1000 Washington Street (Special Permit, Case #5666)
 - b. Keith A. Greim – 54 Payson Street (Special Permit & Variance, Case #5667) 7/22/23

2. **PUBLIC HEARINGS HELD OPEN: [LINK*](#)**
 - a. Abram Agayby – 289 County Street (Special Permit, Case #5639)
 - b. Canna-Farm, LLC – 1 Turner Street (Special Permit, Case #5650)
 - c. 42 County Street, LLC – 42 County Street (Special Permit & Variance, Case #5651) 6/30/23
 - d. Michael Gelinas – 45 Frank Mossberg Drive (Special Permit, Case #5660)
 - e. Joao B. Monteiro – 967 Washington Street (Special Permit, Case #5661)
 - f. SOWA, LLC – 1 Highland Avenue and 5 Route 1A (Special Permit, Case #5663)
 - g. Dream Home Realty, Inc. – 7-9 Forest Street (Special Permit, Case #5664)

3. **PENDING APPLICATIONS: NONE SCHEDULED**

4. **APPOINTMENTS TO SPEAK:**
 - a. Timothy Caponigro – 0 Pond Street, Case #5533
 - b. John Ferreira – 220 O'Neil Boulevard, Case #5556
 - c. Michael Kochejian – 70 Frank Mossberg Drive, Case #5482
 - d. Blair Fish – 34 Extension Street
 - e. Attorney Jack Jacobi – Richardson Avenue, Case #5591

5. **STAFF REPORT: TO BE E-MAILED**

6. **CORRESPONDENCE: [LINK*](#)**
 - a. Letter from Water Superintendent Kourtney Allen, dated April 14, 2023, to the Zoning Board, providing comment on the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #1a)
 - b. Memorandum from Wastewater Superintendent Thomas Hayes, dated April 26, 2023, to Zoning Board Clerk Lauren Stamatis, providing comment on the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #1a)
 - c. Cover letter and revised plans submitted by Daniel S. Glissman of Prince Lobel, dated April 26, 2023 (received April 28, 2023) to Senior Land Use Planner Stephanie Davies, relative to the special permit application of Canna-Farm, LLC for 1 Turner Street, Case #5650. (See Agenda #2b) (site plan copies for distribution)
 - d. Peer review report submitted by Senior Ecologist Amy Ball of Horsley Witten Group, Inc., dated April 27, 2023, to the Attleboro Conservation Commission, relative to Notice of Intent application of 42 County Street, LLC for 42 County Street. (See Agenda #2c)
 - e. Letter and site plan from Timothy Caponigro of Woodlark Development Corp, received April 18, 2023, to the Zoning Board, requesting an amendment to the decision rendered to Stephen Yellin for 0 Pond Street, Case #5533. (See Agenda #4a) (site plan copies for distribution)

- f. Email from John Ferreira, received May 3, 2023, to Zoning Board Chairwoman Catherine Merkle, requesting an amendment to the approved fencing for the special permit and variance decision issued to 220 ONEIL, LLC for 220 O'Neil Boulevard, Case #5556. (See Agenda #4b)
- g. Letter via email from Michael Kochejian of Zahara Cannabis, received May 5, 2023, with supplemental email from Police Chief Heagney, in support of his request to change the operational hours for the marijuana dispensary at 70 Frank Mossberg Drive, Case #5482. (See Agenda #4c)
- h. Letter from Chief Executive Officer Derek A. Ross of Nova Farms, dated April 25, 2023, to Zoning Board Chairwoman Catherine Merkle, requesting to modify the hours of operation for the retail marijuana business at 34 Extension Street. (See Agenda #4d)
- i. Email from Security Team Leader Blaze Barboza of Nova Farms, dated April 25, 2023, to City Clerk Kate Jackson, expressing opposition to extending the hours of operation for the for the retail marijuana business at 34 Extension Street. (See Agenda #4d)
- j. Letter from Safety and Loss Prevention Manager Matt Yaffe of Nova Farms, dated May 3, 2023, to City Clerk Kate Jackson, rebutting the letter of Blaze Barboza in opposition to extending the hours of operation for the for the retail marijuana business at 34 Extension Street. (See Agenda #4d)
- k. Letter from attorney Jack Jacobi, dated May 5, 2023, to Zoning Board of Appeals Chairwoman Catherine Merkle, requesting amendments to the approved site plan regarding the decision issued to Pacifico Energy North America, LLC for 0 Richardson Avenue, Case #5591. (See Agenda #4e)
- l. Letter from Gary Demers of Dodge Mill Realty, LLC, received May 3, 2023, to Zoning Board Chairwoman Catherine Merkle, requesting a one year extension of time for the special permit issued for 200 North Main Street, Case #5601.
- m. Email from Zoning Board Chairwoman Catherine Merkle, care of Zoning Board Clerk Lauren Stamatis, dated May 5, 2023, to Building Commissioner Bill McDonough, regarding enforcement of the decision issued to Jerald Mollman for 156 Berwick Road, Case #5633.
- n. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated April 20, 2023, to City Clerk Kathleen Jackson, denying the requested change in operational hours for Zahara Cannabis for 70 Frank Mossberg Drive, Case #5482.

7. MISCELLANEOUS PENDING CORRESPONDENCE: NONE

8. PENDING MINUTES:

- a. March 9, 2023 (pending)
- b. April 13, 2023 (pending)

9. PENDING APPEALS:

- a. Mark Rioux – 4 Stead Avenue, Case #5462 (Mark Rioux, v. City of Attleboro, et al.)
- b. Green River Cannabis Co., Inc. – 1815 County Street, Case #5502 (Green River Cannabis Company, Inc. v. City of Attleboro Zoning Board of Appeals and its Members)
- c. Maged Youseff, Trustee – 72 & 80 Pleasant Street, Case #5588 (Maged Youssef, Trustee of the Maged Realty Trust v. Attleboro Ice & Oil Co., Inc., Kenneth Errington, William A McDonough, Building Inspector, and Attleboro Zoning Board of Appeals and its members)

10. UPCOMING PUBLIC HEARING AND BUSINESS MEETING SCHEDULE/MISCELLANEOUS/OTHER

- a. Regular Meeting: June 8, 2023
- b. Regular Meeting: July 13, 2023

*Digital access links are taken down the day after the meeting. For access after that time, please make a request by emailing planning@cityofattleboro.us or stopping by the Office of Planning and Development during normal business hours.