



Town of Hopkinton Planning Board Meeting – January 20, 2010

2 **Mr. DiOrio** said he would offer an alternative: The applicant will entertain an extension for  
comparative bids with a revised scope or there is no alternative.

4  
6 **Mr. Walker** said that is a reasonable alternative. He does not believe we are gouging the  
applicant nor should the applicant gouge the town. We can go to comparative bid if the applicant  
is willing to extend the deadline.

8  
10 **Mr. Landry** said he now has more authority from his client and is able to offer an extension of a  
couple of months. He will work with Mr. Duhamel for a more reasonable scope.

12 **Mr. Lamphere** said the applicant's representative said \$163 per hour is reasonable and Jacobs is  
a legitimate engineering firm. His main concern is the scope of work and who decides the scope.  
14 He asked, "is the applicant driving the review process or is the Board?"

16 **Mr. DiOrio** said his primary concern is he doesn't like giving a firm a check with no  
competition.

18  
20 Mr. Walker agrees and sees nothing wrong with out engineer meeting with the applicant's  
engineer for a reasonable scope of work.

22 Mr. Lamphere said if we put out an RFP, we would need a minimum of a 30 day response time.  
He would recommend at least a three month extension.

24  
26 Mr. Landry said it will take at least three months if we meet one time a month, maybe more than  
three months. He problem is not with the hourly rate but with the scope. He said RFR is a  
national firm and they did the work for \$5000 while Jacobs is charging \$13,000 to review the  
28 work.

30 Mr. Lamphere said correct under the number of environment and wastewater review. LFR report  
is only one of eight tasks. The date for the decision is March 6; three months I June 6.

32  
34 Mr. Landry said they will agree to a three month extension if they meet regularly for status  
reports.

36 Mr. DiOrio said the extension to June 6 with the caveat that they stay on the agenda for status  
reports.

38  
40 Mr. Levesque asked Mr. Landry if he agrees to an extension to June 6.

42 Mr. Landry said yes, with regular meetings.

44 Mr. Lamphere told those present that in any normal project that conforms to zoning, we wouldn't  
be going through this.

46 Mr. Lamphere then presented the Planning Board exhibits:

48 Exhibit 1 – Memo dated 11/25/09 with several letters attached

Exhibit 2 – 12/14/09 memo

50 Exhibit 3 – Yield plan produced by DiPrete 8/7/09

Exhibit 4 – Letter from the Hopkinton Conservation Commission

52 Exhibit 5 – Fiscal Impact study

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- 2 Exhibit 6 – email from Linda LaPlume
- Exhibit 7 – Letter from DiPrete to DEM dated 11/30/09
- 4 Exhibit 8 – Letter from the Hopkinton Conservation Commission dated 12/9/09
- Exhibit 9 – Letter to the Planning Board from Robert and Mary Ann Coulter
- 6 Exhibit 10 – Wood-Pawcatuck on water
- Exhibit 11 – Letter from Wood Pawcatuck dated 1/6/10
- 8 Exhibit 12 – DEM to Eric Prive of DiPrete Comments from their 12/12/09 meeting
- Exhibit 13 – response from Scott Levesque
- 10 Exhibit 14 – Letter dated 1/17/10 from John Orlandi
- Exhibit 15 – Lorraine Joubert 1/18/10
- 12 Exhibit 16 – Lorraine Joubert 1/19/10
- Exhibit 17 – Letter from Hopkinton Conservation Commission and two maps
- 14 Exhibit 18 – Jacobs Engineering proposal
- Exhibit 19 – Article 11 of the Town of Hopkinton Land Development and Subdivision
- 16 Regulations.

18 Mr. Simmons asked if the costs on the roads needed maintenance or approval.

20 Mr. Bannon said they are not at that level yet.

22 Mr. Walker asked what months was the review of traffic conditions done.

24 Mr. Bannon said throughout the year, spring and summer.

26 Mr. DiOrio asked the test with regard to traffic impact on Spring Street and 138. He said it was a six to 10 year issue. Who will do the long term monitoring?

28 Mr. Bannon said they looked at a period to 2020. Base growth of traffic on 138 and Spring as development grown. Traffic increases that interpretation will be critical. There is not enough volume for a signal now.

32 Mr. DiOrio asked what responsibility the applicant might have in long term monitoring.

34 Mr. Bannon said that would be determined by the town. DEM stipulates a signal is the responsibility of the owner to pay.

38 Mr. DiOrio said on Saw Mill Road he used the term “choke” and asked him to elaborate.

40 Mr. Bannon said that is how a community maintains character. Traffic today has no need to widen the bridges, signage is used to manage traffic.

42 Mr. DiOrio said the town mandated off site improvements for the last approvals for this parcel and read from the approval.

46 Mr. Simmons asked about the water table on the back side of the property and the reserve of water up there.

48 Mr. Daley said the water table is determined before the septic system is put in. There are test holes for subdivision suitability.

52 Mr. Simons said then there is no way to know exactly.

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- 2 Mr. Daley said no way. It is based on the general character or the land, not a guess but an  
educated projection.
- 4 Mr. Escher said you are not able to predict. Some are twenty feet apart. Make a public well?
- 6 Mr. Daley said they use data that is real. A public well, not geologically speaking, not typical of  
8 a public well. Glacier till is soil above bedrock.
- 10 Mr. Escher said he is in favor or private wells since it is three times the allowed density. He  
assumes 30% of the water than from two acre lots.
- 12 Mr. Daley said that is not necessarily true. There is a large reservoir in the saturated bedrock in  
14 fractures. There is ten feet of soil, half acres, 20% void. 325,000 gallons in bedrock, 300 feet  
16 deep with storage of 977,000 gallons in every half acre. 62,000 gallons per year per house with  
85% returned through septic.
- 18 Mr. Escher asked if it is more dense in multi units?
- 20 Mr. Daley said the wells are spaced out.
- 22 Mr. said he has a problem with the logic of using numbers, finite numbers
- 24 Mr. Daley said they are general numbers. The yield of the well is function of saturated fractures.  
Geological formation has more than enough water.
- 26 Mr. Simmons asked if your numbers are in theory.
- 28 Mr. Daley said they are theory based on experience, not actual numbers.
- 30 Mr. DiOrio asked what if one doesn't get the needed water. It that possible? Likely?
- 32 Mr. Daley said possible, yes. If someone picks the wrong spot to drill. Any lots unbuildable,  
34 highly doubtful.
- 36 Mr. DiOrio said a two acre lot can try again. A small lot has virtually no latitude when well and  
septic are already decided.
- 38 Mr. Daley said he has not seen that happen.
- 40 Mr. Walker asked Mr. Duhamel if a plan for lots in a cluster was done.
- 42 Mr. Duhamel said no. they did the yield as 80,000 square foot lots which yielded 111 lots.
- 44 Mr. Walker said from review of the site would the need to fill to be in compliance with  
46 groundwater depth? Is the road in the same location as previous application. Not fill site. Lots  
in areas of suitable soils.
- 48 Mr. Duhamel said there are four foot to eight foot water tables on most sites. Theoretically water  
50 on site but no way to see yield before drill.
- 52 Mr. DiOrio asked what if it doesn't work and we're late in the game.

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- 2 Mr. Duhamel said then before sale.
- 4 Mr. Walker said as a condition before the applicant can sell any lot, he must prove there is water on the lot.
- 6 Mr. Escher said they talked about three different time frames: two to three years and five to ten
- 8 years.
- 10 Mr. Duhamel said they are planning on a two to three year buildout.
- 12 Mr. Walker asked, three hundred homes in the next three years?
- 14 Mr. Duhamel said there is a definite need for affordable housing in South County.
- 16 Mr. Levesque asked if they consider the valid zoning to be that of the PUD or RFR-80.
- 18 Mr. Duhamel said t is zoned RFR-80 but it is clear the PUD has been approved. The density of the PUD is greater than previously zoned.
- 20 Mr. Levesque said the density approved is that under the PUD?
- 22 Mr. Duhamel
- 24 Mr. Levesque said then the starting point is density under RFR-\*)?
- 26 Mr. Landry said the zoning today is for a PUD. That ordinance did not have a sunset date. Complicated as special project with a gold course. Approval is pertinent to these proceedings. There has been no action of the Council changing it to something else.
- 28
- 30 Mr. Levesque said they are asking for an increase in density. What is the starting point, 110 or 111 or the PUD with 134.
- 32
- 34 Mr. Landry responded, it is the PUD.
- 36 Mr. Levesque said then you will meet all the conditions of the PUD including off site improvements?
- 38 Mr. Landry said nothing is not open for discussion and no, that was a different project.
- 40 Mr. Levesque said the PUD allowed 134 units with conditions not done. If you are operating under the PUD as of right and you will agree to obligations.
- 42
- 44 Mr. Landry said he does not agree. This has affordable housing; the golf course was more adverse and more nitrogen. They will prove the site can sustain the density proposed.
- 46 Mr. DiOrio disagrees with applicant's counsel. He can't see how you get this many units. Why are we entertaining 300?
- 48
- 50 Mr. Duhamel said they will meet all RIDEM regulations. They will meet all requirements at the next level. There will be less impact and site disturbance that with the PUD and golf course.
- 52

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- 2 Mr. DiOrio said public wells have greater level of monitoring and quality control. What do you  
offer for private well.
- 4
- 6 Mr. Daley said the well is owned by property owners who should monitor for quality. A public  
well has stricter monitoring.
- 8 Mr. DiOrio said he can foresee water quality deteriorates but no one is aware of that.
- 10 Mr. Daley said it is the responsibility of individuals that own property.
- 12 Mr. Duhamel said they conform to DOH standards.
- 14 Mr. Escher asked if multifamily units will have one
- 16 Mr. Duhamel said the multi units are below the threshold for a public well. Three families, one  
well. The dues for the condos would cover maintenance of the wells.
- 18
- 20 Mr. Walker asked if the Town of Hopkinton requires.
- 22 Mr. Lamphere said a letter from DEM dated December 10, states the nutrient impact. What is the  
sustainability of this project long term? There is no evidence that this land can carry that type of  
development. What opportunity does the owner have? DOH can not require homeowners to test  
24 their wells.
- 26 Mr. Landry said DEM noted the analysis of nitrogen loads would be open to a provision in the  
homeowner's association document for testing over time.
- 28
- 30 Mr. DiOrio said the use of former proposed roadway. Did you look at other options, especially  
with the management area?
- 32 Mr. Duhamel said that area is one of the optimum area for development; existing soils, no  
wetlands, flat, deep water table, clear sands. They didn't want the road through wetlands.
- 34
- 36 Mr. DiOrio asked, who has standing, the state or the applicant?
- 38 Mr. Landry said the property is zoned residential use, one house for two acres. A house can be on  
the boundary of the management area. It is a residential zone.
- 40 Mr. Walker said 50 proposed houses abut Arcadia Management which will reduce the amount of  
Arcadia land used for hunting. The design could be changed to mitigate some of those impacts  
42 by eliminating lots along Arcadia.
- 44 Mr. Landry said he can't help you there. Distortion of priority. Until you reach 10%, normal  
plan preferences are not available. Wildlife versus affordable housing.
- 46
- 48 Mr. Duhamel said there are 200 acres of open space. They moved away from Dye Hill  
residences.
- 50 Mr. DiOrio would suggest reconfigure project for greater continuity of open space.

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2 Mr. Walker asked what is the applicant's position on effect of PUD ordinance. The PUD  
4 required outside improvements and bonding for three years. Don't mention waiver of  
requirements of the PUD. Is the PUD in force or not? If it is, are they asking for a waiver of  
offsite improvements.

6  
8 Mr. Landry said current land use development zoning is PUD. They are not emulating that plan.  
They will require a waiver of the PUD and RFR-80 zoning.

10 Mr. Walker said PUD is not a general zone. A PUD is an adopted by an ordinance that adopted  
12 it.

14 Mr. Landry said they are not requesting and not required to match existing zoning requirements.  
They are not going to match either. This is a lot different than the old project.

16 Mr. Walker said the PUD is a connection between offsite improvements and project that is much  
18 less dense. You have specifically listed waivers of density and fees not a waiver of offsite  
improvements.

20 Mr. Landry said he stated those conditions.

22 Mr. Walker said then it is a requirement.

24 Mr. Escher said Mr. Bannon said the traffic at spring Street and Main Street will be five to ten  
26 years. The proposed project is to be done in three years.

28 Mr. Simmons asked who retains ownership of the open space.

30 Mr. Landry said they planned to have it maintained by the homeowners' association.

32 Mr. Buford yield plan

34 Mr. Duhamel said the layout of a conventional RFR – 80

36 Mr. Buford said the \$160 engineering rate comes to \$20 per home showing it is not detailed.

38 George Dunvy, 114 Dye Hill Road, the house that was formerly Anderson said there will be a  
40 change in traffic. There are three bridges with a full masonry bridge on Saw Mill Road. At full  
occupancy, 300 cars will need other exits and another access road which could be done by  
eliminating lot 150 or lot 122. He believes they should move Phase 2 to Phase 5 and put public  
sewerage up near Phase 5.

42 Catherine Sparks, DEM, Chief of Forestry and fish and Wildlife, as an abutting landowner, DEM  
44 asked about the date of written comment. She spoke of the impact to public use of Arcadia and  
said there should be a 500 foot use offset, the minimum impacts of land available to hunting;  
46 archery is 200 feet. Enforcement, encroachment, access and ATV's will be a problem for them  
and will look to the town for enforcement. Other concerns are illegal dumping, drawdown and  
48 capacity and its effect on the ecosystem value.

50 Donald Brown, 86 Dye Hill Road, said his well is 460 feet deep and they have no water. The  
house opposite 41 Dye Hill Road had to put in a new well. There will be an impact on schools,  
52 police, fire, impact on roads. Effect on their wells if water runs out.

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2 Mr. Daley said analysis shows plenty of water to serve the subdivision without impact to  
surrounding area. You are responsible for your own well.

4  
6 John McCain, 43 Pleasant View Drive, said safety is a concern. The roads are used a lot in the  
summer which also add people from the campground including joggers, bikers and horses. This  
8 is too big for impact on side roads. He moved here for quiet and less development. The one land  
bridge on Saw Mill Road is not adequate. This project will cost taxpayers more money.

10 Mr. Landry said he doesn't know the precise impact on taxes. Affordable housing is a dire need  
in town.

12  
14 Mary Aulet, 143 Dye Hill Road, said Hopkinton met 6% of the 10% goal and has 15 years to  
reach that goal. Canonchet has two units up and they have not sold. Houses are not selling. The  
16 movement of earthen materials will fall and block well water.

18 Rich McCoy, 18 Pleasant View Drive, said this is too large and will have a negative impact on  
property values.

20 Anthony Capo, 213 skunk Hill Road, thanks the state. He said the 200 acres of open space is  
22 down the middle and is contiguous with private property and stated that it will be maintained by a  
homeowners' association down stream.

24 Barbara Capalbo said this project will overwhelm the infrastructure for the entire town, schools  
and will increase the population of Hopkinton by 10%.

26  
28 Brian Marinelli, 25 Stonebridge, asked how it will be attractive to the population.

30 Mr. Pimentel said homes bring individuals from outside the community. There is a lack of  
housing for families in Hopkinton.

32 Mr. Marinelli asked, where are they living now?

34 Mr. Pimentel said their children leave.

36 Mr. Capo said last time they were going to find out if there was a noise ordinance.

38 Mr. Lamphere said yes there is. He suggested a monthly meeting and they will meet at the  
regular meetings at the Hope Valley Elementary School.

40  
42 MR. WALKER MOVED TO CONTINUE TO PUBLIC MEETING, FEBRUARY THIRD AT  
THE HOPE VALLEY ELEMENTARY SCHOOL.  
44 SECONDED BY  
APPROVE

46 The meeting adjourned at 10:27 P.M.

48 Attest: \_\_\_\_\_  
Lynda St. Amour, Planning Board Clerk

50

52 Approved: