

State of Rhode Island

County of Washington

In Hopkinton on the nineteenth day of May 2016 A.D. the said meeting was called to order by Zoning Board of Review Chairman Philip Scalise at 7:00 P.M. in the Town Hall Meeting Room with a moment of silent meditation and a salute to the Flag.

PRESENT: Philip Scalise, Daniel Harrington, Ronnie Sposato, Jonathon Ure; Alternate: Tim Ward; Town Solicitor Veronica Assalone; Zoning Board Clerk Mary Lynn Caswell. Also present: Building & Zoning Official Brad Ward.
Absent: Alternate William Kazounis.

Sitting as Board: Scalise, Harrington, Sposato, Ure, Ward

Petition I.

A Petition for a Use Variance to convert an existing garage to a second family dwelling unit filed by Kyle and Ashley Marsh, 35 West St., Ashaway, RI 02804 for property located at 35 West St. identified as AP 25 Lot 24 an RFR-80 Zone and filed in accordance with Chapter 11, Section 30 and Section 5.2 of Chapter 151, Subsection 5C & 5D of the Zoning Ordinances of the Town of Hopkinton, as amended.

The applicant Ashley Marsh is present. Also present is her mother Nicolette LaRoche. The filing fees had been paid and notice had been posted in the newspaper. The green cards were given to the clerk. The matter is before the Board for the hearing.

Petition II.

A Petition for a Special Use Permit to convert an existing detached garage into an accessory family dwelling unit for Mother, Father and Uncle filed by Kyle and Ashley Marsh, 35 West St., Ashaway, RI 02804 for property located at 35 West St. identified as AP 25 Lot 24 an RFR-80 Zone and filed in accordance with

Chapter 11, Section 5.2 of the Zoning Ordinances of the Town of Hopkinton, as amended.

The applicant Ashley Marsh is present. Also present is her mother Nicolette LaRoche. The filing fees had been paid and notice had been posted in the newspaper. The green cards were given to the clerk. The matter is before the Board for the hearing.

Phil Scalise – “Please state your names for the record?” Ashley Marsh and Nicollete LaRose.

Phil Scalise – “Could you please state for the record what your intent is and what you would like to accomplish for tonight for the hearing?”

Nicolette LaRose – “Our intent is to basically use an existing garage for 2 bedrooms; one for my husband and myself and the other one for my brother who has special needs. He is disabled and needs to be on the ground floor. Right now his bedroom is upstairs and this would get him on the ground floor. I am also disabled and I do not do a lot of stairs; so it is kind of hard for us to go upstairs. As well as there are 9 people living together for about 4 years in the same house. So, with 4 grandchildren getting a little bit older we need to spread out a little bit on the same property.”

Ashley Marsh – “When my grandmother passed away, she took my Uncle in. And then she got hurt so at the time it kind of made sense for me help them and it is nice because my husband does travel for work and I am able to work because she is home with the kids. So we all help each other and I watch my Uncle 4 days a week.”

Brad Ward – “For the record, your Uncle’s condition is to the degree where he needs assistance on a daily basis?”

Nicolette LaRose – “He has Down Syndrome and he is 54 years old and needs 24 hour care; he has a little bit of dementia; he does not have the life skills that would allow him live on his own or be alone for any length of time.”

Brad Ward – “I think his disability needed to be put on the record.”

Dan Harrington – “Right now you use the single family home for you and your extended family and the garage being renovated into an accessory dwelling unit is the only other use you could possibly have for it to achieve what you are trying to achieve?”

Nicolette LaRose – “Exactly.”

Jonathan Ure – “How many people are living in the home now?”

Ashley Marsh – “Nine.”

Dan Harrington – “There are 4 sets of criteria that we have to get through and Jonathan does a very good job preparing for every thing but part of is environmental; help the community and neighborhood; and I think part of it is in my opinion that this ordinance was put into play for to make it more affordable for families to be able to live together and to stay together and certainly this seems to fit that to a T. I do know it is unique with the separate building separate structure but like I said there is no other use that could be gained from it.”

Tim Ward – “And we talked about going in that direction with the rewrite.”

Jonathan Ure – “After the site visit, it was apparent that there is wetlands to the rear of the property and to utilize the single story garage seems to make sense. You are not disrupting any soils, there is no erosion, there is no run off to the pond and there is plenty of room to the side yard to improve the septic. There are a lot of site constraints that are not quite apparent until we went out there. The septic is obviously over burdened right now so it does need attention and this would actually approve that situation. Fire safety is also a concern having 9 people living in that small house. The well is very close to the existing septic.”

Ronnie Sposato – “That septic would be abandoned and a new one would be on the right side of the house.”

Jonathan Ure – “The disabilities of dealing with the situation, it is only reasonable to allow a second bedroom. I know our ordinance does not allow you to do it but I do not think the draft of the ordinance had not anticipated a situation like you have.”

Brad Ward – “One thing that maybe the Board should request of the applicants is if and when your brother and uncle gets to the degree where he needs other housing arrangements and leaves the property, then you would need to revert it to

a one bedroom or if you sell the property then you would need revert it back to storage or a garage.”

Dan Harrington – “How long has this property been in the family?”

Mrs. Marsh – “Oh god I think my grandparents bought it in 1950 something.”

Dan Harrington – “I would like to read something for the record something from the “Accessory Family Dwelling Unit - Provide affordable opportunities for town residents requiring additional living space (and this where three words to not fit) within or attached to their residences for the purpose of housing immediate blood relatives in an independent yet secure manner.” They have a relative that has special needs and he needs a secure residence on the property and the key element here is affordable. They would have to put on an addition on the house. At least there is a structure there and it will still cost money but it is more affordable.

There is no other use they would have for it other what is there.”

Jonathan Ure – “You are not changing the neighborhood aesthetics. By using the garage the neighbors are not going to see any thing different.”

Phil Scalise – “Is there any one in the audience that has any thoughts or questions.....Yes, Mrs. Capalbo.....

Barbara Capalbo – “I would like to thank you I feel the Zoning Board has been so thoughtful and compassionate with out being emotionally drained. You have actually given them advice; you have a very specific situation and I think you have done the very best work possible for the town and I want to thank you.”

Phil Scalise – “Thank you for saying that.”

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT AFTER DUE CONSIDERATION THE ZONING BOARD MAKES THE FINDINGS OF FACT IN REGARDS TO THIS USE VARIANCE AND SPECIAL USE PERMIT APPLICATION:

1. That the existing structures on the property are a small 1,152sqft single-family (4 bedroom) home and a 576sqft single story detached garage. The property is located in an RFR-80 zoning district and the lot is a pre-existing nonconforming area at 1.47 acres.

2. That the relief being sought is to provide on site living accommodations for the applicants' mother and father who are the caregivers for their uncle with special needs who requires nearly twenty-four hour per day supervision.
3. That Under Chapter 151 of the Towns "accessory family dwelling units" ordinance, a use variance is required from Section 30 "number of structures"- which prohibits more than one structure used for residential purposes on a lot, and Section 5C - which prohibits family units in a detached structure and Section 5D - which only allows a one bedroom family unit. Additionally, relief is needed under Section 7- which requires that the accessory family dwelling unit and the primary residential structures shall jointly share utilities.
4. That the Board conducted a site visit on March 31st, 2016 and the unique conditions of the property were observed. Most notably, on the abutting southern property line there is a pond/wetland and that the pre-existing septic is within close proximity to the pond/wetlands and very close to the existing well that serves the home.
5. That Ashley and Kyle Marsh testified that they wish to provide better handicap accessible living accommodations for their uncle who requires nearly twenty-four hour per day care and supervision by their mother and father who are his caregivers. They have all been living together for 3 1/2 years along with their daughter and her family in the home and due to the size of the family, their needs, and the small size of the existing home, they would like to utilize the existing garage for an accessory family dwelling unit to reduce the overcrowding. The garage shares the same electrical service as the main house and has an existing separate oil furnace which they'd like to continue using.
6. That the testimony of Mrs. Laroche who is the mother of the applicant and caregiver to her disabled brother was heard and accepted as credible by the Board. Mrs. Laroche testified to the fact that her brother has special needs and requires constant supervision and she herself has a physical disability requiring ground level access.
7. That utilizing the existing garage is compatible with the affordable criteria within the accessory dwelling ordinance.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON THAT AFTER DUE CONSIDERATION THE ZONING BOARD MAKES THE FOLLOWING CONDITIONS IN REGARDS TO THIS USE VARIANCE AND SPECIAL USE PERMIT APPLICATION:

1. We require a deed restriction on the property filed with the town clerks office requiring that the permitted family accessory dwelling unit revert back to a garage

upon the sale of the property or upon the mother, father and uncle no longer living in the unit. And upon the uncle leaving when needing other housing arrangements the unit will revert to a single bedroom.

2. This decision is subject to submission of the appropriate site plan to the building/zoning official before building permit issuance and an approved ISDS from DEM which will incorporate the proposed accessory family dwelling unit.

3. Guarantee of ownership under the Hopkinton Zoning Ordinance chapter 151 section 5.2 item #2 – The owner or owners of the one-family lot upon which the accessory apartment is located shall occupy one of the residences thereon, except bona fide temporary absences. Prior to the issuance of any special use permit for an accessory family dwelling unit, a certificate in the form of an affidavit (see attached affidavit form) to verify that the owner is in residence shall be presented to the Zoning Board of Review. Thereafter, the applicant shall submit such a notarized affidavit to the Zoning Enforcement Officer by January 31 of each year as a requirement for the continuance of the special use permit.

4. And the Zoning Official shall have the right to periodic inspections of the property.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

In granting a variance, the Zoning Board shall require that evidence satisfying the following standards be entered into the record of the proceedings:

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE HARDSHIP FROM WHICH THE APPLICANT SEEKS RELIEF IS DUE TO THE UNIQUE CHARACTERISTICS OF THE SUBJECT LAND OR STRUCTURES AND NOT TO THE GENERAL CHARACTERISTIC OF THE SURROUNDING AREA; AND IS NOT DUE TO A PHYSICAL OR ECONOMIC DISABILITY OF THE APPLICANT;

The Board members agreed that the hardship from which the applicants seek relief is due to the pre-existing nonconformity of the lot area being only 64,033 sqft (1.47 acres) whereas 80,000 sqft is required within this RFR 80 zone. The small size of the existing home along with its site location, as well as the septic and well locations and adjacent neighboring pond,

leaves little option for other remedies to alleviate the handicap accessibility and the fire and health safety issues due the number of family members living in the home.

By using the existing detached garage and upgrading the septic, it will reduce any environmental concerns of runoff or soil erosion while improving drinking water quality and limiting any disruptions to neighbors. The proposal shall not increase traffic as the number of people living on the property shall remain unchanged.

The unusual circumstances of the applicants uncle who requires special needs and the applicants' mother and father who are the primary caregivers for the uncle, make having a single bedroom unit more than inconvenient.

Using the existing furnace that already heats the garage is only logical and again helps to limit any environmental site concerns by limiting soil disruptions near the pond.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE HARDSHIP IS NOT THE RESULT OF ANY PRIOR ACTION OF THE APPLICANT AND DOES NOT RESULT PRIMARILY FROM THE DESIRE OF THE APPLICANT TO REALIZE GREATER FINANCIAL GAIN.

The Board found that as such as the applicants' proposal is merely to provide the families immediate blood relatives affordable, independent and secure housing while improving handicap accessibility along with comfort and some independence for their uncle who requires special needs and their mother and father who are his direct caregivers.

The use of the existing garage for an accessory family dwelling unit will not realize any financial gain as the accessory family dwelling unit shall revert back to a garage upon the aforementioned family members no longer living within the unit or upon the sale of the property to different owners in the future.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT IN GRANTING OF THE REQUESTED VARIANCE WILL NOT ALTER THE GENERAL CHARACTER OF THE SURROUNDING AREA OF IMPAIR THE INTENT OR PURPOSE OF THE ZONING OR THE COMPREHENSIVE PLAN UPON WHICH THIS

ORDINANCE IS BASED; AND THAT THE RELIEF TO BE GRANTED IS THE LEAST RELIEF NECESSARY.

The Board accepted that by utilizing the existing garage, it not only provides affordable housing for the families direct blood relatives, but it also will clearly be in harmony with the surrounding neighborhood as it is a common structure that would normally be found on many residential properties. By using the existing garage it will limit any environmental concerns of soil erosion or runoff to the adjacent pond by limiting the site work required. Also, by upgrading the old overburdened septic and moving it away from the pond it will benefit the environment and neighborhood as well.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

The Zoning Board shall, in addition to the above standards, require that evidence be entered into the record of the proceeding showing that:

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT IN GRANTING A USE VARIANCE THE SUBJECT LAND OR STRUCTURE CANNOT YIELD ANY BENEFICIAL USE IF IT IS REQUIRED TO CONFORM TO THE PROVISIONS OF THE ZONING ORDINANCE. NONCONFORMING USE OF A NEIGHBORING LAND OR STRUCTURES IN THE SAME DISTRICT AND PERMITTED USE OF LANDS OR STRUCTURES IN AN ADJACENT DISTRICT SHALL NOT BE CONSIDERED IN GRANTING A USE VARIANCE; AND ALSO IN GRANTING A VARIANCE THE HARDSHIP THAT WILL BE SUFFERED BY THE OWNER OF THE SUBJECT PROPERTY IF THE VARIANCE IS NOT GRANTED SHALL AMOUNT TO MORE THAN A MERE INCONVENIENCE. THE FACT THAT A USE MAY BE MORE PROFITABLE OR THAT A STRUCTURE MAY BE MORE VALUABLE AFTER THE RELIEF IS GRANTED SHALL NOT BE GROUNDS FOR RELIEF.

For the reasons outlined above, the use of the proposed family accessory dwelling unit is merely to keep the family together while providing independent, affordable, handicap accessible additional living space for their uncle who requires special needs and this use is clearly not being sought after for profit. Due to the location of improvements on the property and setbacks from the adjacent pond, the well and the septic make it difficult for the applicant to meet all the requirements of the towns zoning regulations. It would certainly be more than a mere inconvenience for the applicant to seek other avenues to meet their family's needs on this small pre-existing non-conforming lot.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE ZONING BOARD FINDS BASE ON THE PREVIOUS FINDINGS OF FACT (AND CONDITIONS) THAT THE BOARD APPROVE THIS USE VARIANCE FROM SECTION 30 "NUMBER OF STRUCTURES" AND CHAPTER 151 "ACCESSORY FAMILY DWELLING UNITS" SECTIONS 5C, 5D AND 7 TO ALLOW FOR THE MOTHER, FATHER AND DISABLED UNCLE TO UTILIZE THE EXISTING DETACHED GARAGE AS A 2 BEDROOM ACCESSORY FAMILY DWELLING UNIT WITH A INDEPENDENT HEATING SOURCE AT 35 WEST STREET ASHAWAY.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON THAT THE ZONING BOARD FINDS THE PROPOSED USE WILL BE COMPATIBLE WITH THE NEIGHBORING USES AND WILL NOT ADVERSELY AFFECT THE SURROUNDING NEIGHBORS' USE AND ENJOYMENT OF THEIR PROPERTY. AS THE PROPOSED ACCESSORY FAMILY DWELLING UNIT IS A RESIDENTIAL USE AND IS COMPATIBLE WITH THE OTHER NEIGHBORING USES WITHIN THIS RFR 80 ZONE. BY UTILIZING THE EXISTING GARAGE IT WILL BE MINIMIZING ANY SITE WORK ON THE PROPERTY; NOISE AND TRAFFIC SHALL NOT INCREASE AS THE ACCESSORY FAMILY

DWELLING UNIT IS FOR THE IMMEDIATE BLOOD RELATIVES WHO ALREADY LIVES AT THE EXISTING HOME.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON THAT THE ZONING BOARD FINDS THE PROPOSED USE WILL BE ENVIRONMENTALLY COMPATIBLE WITH NEIGHBORING PROPERTIES AND THE PROTECTION OF PROPERTY VALUES. BY USING THE EXISTING GARAGE THE PROPOSED SHALL MINIMIZE ANY ENVIRONMENTAL CONCERNS OF SOIL EROSION OR RUNOFF TO THE ADJACENT POND BY LIMITING THE SITE WORK REQUIRED. ALSO BY UPGRADING THE OLD OVERBURDENED SEPTIC AND MOVING IT AWAY FROM THE POND WILL BENEFIT DRINKING WATER QUALITY, THE ENVIRONMENT AND ALL NEIGHBORING PROPERTY AS WELL. THE PROPOSED SHALL HAVE NO NEGATIVE BEARING ON NEIGHBORING PROPERTY VALUES AS THE USE OF THE PROPOSED REMAINS RESIDENTIAL BY NATURE AND IS CONSISTENT WITH OTHER RESIDENTIAL USES WITHIN THE NEIGHBORHOOD.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY TIM WARD THAT THE ZONING BOARD FINDS THAT THE PROPOSED USE WILL BE COMPATIBLE WITH THE ORDERLY GROWTH AND DEVELOPMENT OF THE TOWN, AND WILL NOT BE ENVIRONMENTALLY DETRIMENTAL THEREWITH. FOR THE REASONS PREVIOUSLY STATED AND AS PROVIDED THE TESTIMONY HEARD TONIGHT AND WITHIN THE ACCOMPANYING DOCUMENTATION AND THE PREVIOUS DECISION RENDERED FROM THE BOARD THIS EVENING APPROVING THE USE VARIANCE FOR THIS PROPOSAL.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE ZONING BOARD FINDS THAT THE PROPOSED SPECIAL USE SERVES THE PURPOSES OF THIS ORDINANCE AND THE COMPREHENSIVE PLAN. AS STATED EARLIER THE PROPOSAL IS COMPATIBLE WITHIN THIS RFR80 ZONE AND THE PROPOSED USE MEETS THE INTENT OF THE ACCESSORY FAMILY DWELLING UNIT ORDINANCE BY PROVIDING FOR AFFORDABLE OPPORTUNITIES FOR TOWN RESIDENTS TO HOUSE IMMEDIATE BLOOD RELATIVES IN AN INDEPENDENT AND SECURE MANNER.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE ZONING BOARD FINDS THAT THE PROPOSED USE WILL BE COMPATIBLE WITH THE BEST PRACTICES AND PROCEDURES TO MINIMIZE THE POSSIBILITY OF ANY ADVERSE EFFECTS ON NEIGHBORING PROPERTY, THE TOWN, AND THE ENVIRONMENT ALL OF WHICH INCLUDES CONSIDERATION OF SOIL EROSION, WATER SUPPLY PROTECTION, SEPTIC DISPOSAL, WETLAND PROTECTION, TRAFFIC LIMITATION, SAFETY AND CIRCULATION. FOR THE REASONS PREVIOUSLY STATED AND AS PROVIDED THE TESTIMONY HEARD TONIGHT AND WITHIN THE ACCOMPANYING DOCUMENTATION AND PREVIOUS DECISION RENDERED FROM THIS BOARD THIS EVENING APPROVING THE USE VARIANCE FOR THIS PROPOSAL.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY

RONNIE SPOSATO THAT THE ZOING BOARD FINDS THAT THE APPLICANT HAS DEMONSTRATED TO THE SATISFACTION OF THE BOARD OF REVIEW BY LEGALLY COMPETANT EVIDENCE THAT THE PROPOSED USE MORE CLOSELY ADHERES TO THE INTENT AN PURPOSES OF THE ZONING ORDINANCE THAN THE PRESENT NON-CONFORMING DEVELOPMENT. THEREFORE THE ZONING BOARD FINDS THAT BASED ON THE PREVIOUS FINDINGS OF FACT (AND CONDITIONS) THAT THE BOARD APPROVES THIS SPECIAL USE PERMIT FOR THIS (DETACHED 2 BEDROOM) ACCESSORY FAMILY DWELLING UNIT (WITH INDEPENDENT HEATING) LOCATED AT 35 WEST STREET ASHAWAY.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON TO RECESS FOR 5 MINUTES.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON TO RECONVENE.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

Petition III.

A Petition on an APPEAL of the Zoning Official's decision filed by Margaret L. Hogan, Esq. 344 Main St.-Ste. 200, Wakefield, RI on behalf of JFC-KIM Investment Group, LLC/Joseph F. Colette, 345 Harmony Hill Rd., Harwinton, CT 06791 for property owned by JFC-KIM Investment Group, LLC located at 299 Woodville Alton Rd., Hope Valley, RI identified as AP 11 Lot 51 an RS Zone and filed in accordance with Section 20A(1), Section 5,24 (B) District Use Table of the Zoning Ordinances of the Town of Hopkinton, as amended.

Attorney Margaret Hogan is present and representing the applicant JFC-KIM Investment Group, LLC. Also present is Attorney Michelle Buck who is representing the Lindbrook Condo Association. This matter was before the Board to continue the hearing from March 17, 2016. A stenographer is present and a copy of the transcript will be attached and made part of the record.

Petition IV.

A Petition for a Use Variance filed by Stano Trombino, 26 Main Street, Ashaway, RI 02804 for property located at 64 High Street, Ashaway, RI 02804 identified as AP 25 Lot 14 an RFR-80 Zone and filed in accordance with Section R of the sign ordinance of the Zoning Ordinances of the Town of Hopkinton, as amended.

The applicant Stano Trombino is present. This matter was before the Board to determine the completeness of the application and to consider waivers.

A MOTION WAS MADE BY RONNIE SPOSATO AND SECONDED BY JONATHAN URE TO GRANT WAVERS OF CHECKLIST ITEMS C,D,E,F,G, AND H BASED UPON THE STAFF REVIEW AND TO CERTIFY THE APPLICATION COMPLETE FOR THE HEARING ON JUNE 16, 2016.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

SCHEDULE A HEARING DATE ON THE FOLLOWING MATTER:

A Petition on an Appeal of the Zoning Official filed by Frank Turrisi, Manager, Eminel Holdings, LLC, 12 North Rd., Pawcatuck, CT 06379 for property owned by Eminel Holdings, LLC located at 95 High St., Ashaway, RI 02804 identified as AP 4, Lot 2 an RFR-80 Zone and filed in accordance with Section 20 (A) (1); Section 24 (A) (1); Section 24 (B) of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Attorney Margaret Hogan is present and representing the applicant Frank Turisi.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON TO SCHEDULE THIS MATTER FOR THE HEARING ON THURSDAY JUNE 16, 2016.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

MINUTES

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO TO APPROVE THE MINUTES FROM MARCH 17, 2016 AS PRESENTED.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

TRANSCRIPTS

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON TO APPROVE THE TRANSCRIPT FROM MARCH 17, 2016 AS PRESENTED.

IN FAVOR: Scalise, Harrington, Sposato, Ure, Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY DAN HARRINGTON TO APPROVE THE TRANSCRIPT FROM APRIL 28, 2016 AS PRESENTED.

IN FAVOR: Scalise, Harrington, Sposato, Ure

ABSTAIN: Ward

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO TO ADJOURN.

SO VOTED

Mary Lynn Caswell

Deputy Zoning Board Clerk