

State of Rhode Island

County of Washington

In Hopkinton on the seventh day of November 2016 A.D. the said meeting was called to order by Town Council President Frank Landolfi at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02832.

PRESENT: Frank Landolfi, Barbara Capalbo, Sylvia Thompson, David Husband, Thomas Buck; Town Solicitor Kevin McAllister; Town Manager William McGarry; Deputy Town Clerk Lorraine Tarket-Arruda.

**HEARINGS**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO SIT AS A LICENSING BOARD.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**LIQUOR LICENSE RENEWALS**

The Council opened a hearing on renewal of the following Liquor Licenses:

**Class A:**

Hopkinton Liquor Depot, Lynn Marie Finn, President of PLW Hopkinton. Inc. – 229 Main Street, Ashaway, RI 02804. A representative was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CLASS A LIQUOR LICENSE FOR HOPKINTON LIQUOR DEPOT SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

D&M Liquors d/b/a Village Place, LLC – Dennis Plante, President, 999 Main Street, Hope Valley, RI 02832. \*Transfer request pending, see below.

Mr. Plante was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR CAPALBO TO APPROVE THE CLASS A LIQUOR LICENSE FOR D & M LIQUORS d/b/a VILLAGE PLACE SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**Class BV:**

Brick Oven Restaurant – Keith Knott, President, Brick Oven Restaurant of Ashaway, Inc., 209 Main Street, Ashaway, RI 02804. Eva Platt, co-owner was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CLASS BV LIQUOR LICENSE FOR BRICK OVEN RESTAURANT SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Chariho Grill – Daniel Konuch, President, 14 Spring Street, Hope Valley, RI 02832. No applicant was present. This license renewal will be on the November 21, 2016 Town Council Agenda.

Fenner Hill Country Club, LLC – Ronald Levesque , President, 33 Wheeler Lane, Hope Valley, RI 02832, w/courtesy cart. A representative was present.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE CLASS BV LIQUOR LICENSE FOR FENNER HILL COUNTRY CLUB LLC SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Lucky House Restaurant, Inc. - Danny Zeng, President – 32 Main Street, Ashaway, RI 02804. No representative was present.

Pavilion Steakhouse – Raymond J. Quinlan, President, Frontier Road Properties, LLC, 15 Frontier Road, Ashaway, RI 02804. A representative was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CLASS BV LIQUOR LICENSE FOR THE PAVILION STEAKHOUSE SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Wood River Golf, LLC - Kathleen Thompson, President, 78A Woodville Alton Road, Hope Valley, RI 02832, w/courtesy cart. A representative was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CLASS BV LIQUOR LICENSE FOR WOOD RIVER GOLF LLC SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**Class B-V LIMITED:**

Main Street Pizza, Christopher Hoinsky, President, CHS, LLC, 229 Main Street, Ashaway, RI 02804. A representative was present.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO APPROVE THE CLASS BV LIMITED LIQUOR LICENSE FOR MAIN STREET PIZZA SUBJECT TO STATE AND

TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Lucky House Restaurant, Inc. - Danny Zeng, President – 32 Main Street, Ashaway, RI 02804. Mr. Zeng arrived 7:15 PM

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO APPROVE THE CLASS BV LIQUOR LICENSE FOR THE LUCKY HOUSE RESTAURANT SUBJECT TO STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**CLASS A LIQUOR LICENSE TRANSFER – DENNIS PLANTE**

The Council continued the hearing on an application for the Transfer of a Class A Liquor License to change the location of Village Place Liquors from 999 Main Street, Hope Valley, RI 02832 to 26 Alton Bradford Road, Bradford, RI 02808 filed by Dennis Plante, President - D&M Liquors, Inc. d/b/a Village Place Liquors, 29 Wincheck Pond Road – P.O. Box 89, Rockville, RI 02873 continued from April 18, 2016. Mr. Dennis Plante and Attorney George Comolli were present.

Attorney Comolli explained the transfer process had taken longer than expected, because in April the property had not been created and noted an Administrative Subdivision had to be created for a 55,000 square lot which was approved on June 28, 2016 and was part of the record. He stated the zoning for a package store and retail sales had to be approved. Attorney Comolli presented the zoning certificate as Exhibit A. He stated they went before the Planning Board for a development site plan review to incorporate the house on the property, a Dutch Colonial, into the plan for the package store. He stated the Planning Board approved the plan on October 5, 2016, and stated a notice was sent to every abutter within 200 feet by

certified mail and a post card notice to every abutter within 500 feet. Attorney Comolli stated three neighbors attended and their concerns were addressed.

Attorney Comolli stated he had one witness, Mr. Dennis Plante. He asked Mr. Plante if he was the applicant before the board, Mr. Plante replied yes. He asked what Mr. Plante's position was with D & M Liquors. Mr. Plante replied he had been the President of the company for 22 years. Attorney Comolli asked if Mr. Plante had a Liquor License pending for renewal. Mr. Plante replied he did.

Attorney Comolli asked if the location on Liquor License application was the same as he presented to the board. Mr. Plante replied yes. Attorney Comolli asked Mr. Plante if he had prior experience operating this type of business. Mr. Plante replied the store would be his fifth, he had 2 in Cranston, 1 in Providence and 1 in Exeter and those stores were similar, all of which were small neighborhood businesses.

Attorney Comolli asked Mr. Plante if he was familiar with the rules and regulations of running a Class A Liquor License. Mr. Plante replied he was and added the store hours would be 9:00 AM to 10:00 PM six days a week with Sunday hours 10:00 AM to 6:00 PM. Mr. Comolli asked why this particular location was chosen. Mr. Plante felt it would be a beautiful addition to Hopkinton and added he was a resident of town and had the same vision of what people wanted for the Town. Councilor Thompson asked what the name would be. Mr. Plante replied Village Wine & Spirits. Councilor Capalbo felt this would be a good business for the town, was looking forward to the store opening and wished him well. Councilor Husband felt it would be a beautiful structure and asked when the store would open. Mr. Plante replied in late spring or early summer of 2017. Councilor Husband asked if the store would have a sign of LED nature. Mr. Plante stated the store would have a wooden sign with a spotlight on it to comply with the Dark Sky Ordinance. Councilor Husband asked why the package store at 999 Main Street was unoccupied. Mr. Plante stated there was no room for parking and the store was too small. Council President Landolfi asked if Mr. Plante still owned 999 Main Street. Attorney Comolli replied that he did.

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED

BY COUNCILOR CAPALBO TO APPROVE THE CLASS A LIQUOR  
LICENSE FOR THE VILLAGE PLACE, 999 MAIN STREET, HOPE VALLEY,  
RI 02832

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED  
BY COUNCILOR CAPALBO TO TRANSFER THE LICENSE FROM  
VILLAGE PLACE, 999 MAIN STREET, HOPE VALLEY, RI 02832 TO  
VILLAGE WINE AND SPIRITS, 26 ALTON BRADFORD ROAD,  
BRADFORD, RI 02808 FILED BY DENNIS PLANTE SUBJECT TO STATE  
AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES  
CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

Lucky House Restaurant, Inc. - Danny Zeng, President – 32 Main Street,  
Ashaway, RI 02804. Mr. Zeng arrived at 7:15 PM.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY  
COUNCILOR THOMPSON TO APPROVE THE CLASS BV LIQUOR  
LICENSE FOR THE LUCKY HOUSE RESTAURANT SUBJECT TO STATE  
AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES  
CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

No one present spoke in opposition to the Liquor License renewals or the transfer.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY  
COUNCILOR HUSBAND TO SET A LIMIT ON LIQUOR LICENSES:

Class A – 2; Class B-V Limited – 1; Class BV - 5.

IN FAVOR: Landolfi, Capalbo, Husband, Thompson

ABSTAIN: Buck

OPPOSED: None

SO VOTED

**VICTUALLING LICENSE RENEWALS**

The Council opened a hearing on renewal of the following Victualling Licenses:  
Brick Oven Restaurant, 209 Main St., Ashaway; Chariho Grill, 14 Spring Street, Hope Valley; Dunkin' Donuts, 231 Main Street, Ashaway; Fenner Hill Country Club, 33 Wheeler Ln., Hope Valley; Lucky House Restaurant, 32 Main St., Ashaway; Ma & Pa's Country Cookin, 865 Main St., Hope Valley; Ma & Pa's Country Store, 1044 Main St., Hope Valley; Main Street Pizza, 229 Main St., Ashaway; Pavilion Steakhouse, 15 Frontier Rd., Ashaway; Pete's Grocery, 244B Ashaway Rd., Bradford; Spring Street Market, 1 Spring St., Hope Valley; West's Bakery, 995 Main St., Hope Valley; Whispering Pines Corp., 41 Saw Mill Rd., Hope Valley; Wood River Golf, 78A Woodville Alton Rd., Hope Valley.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR BUCK TO GRANT RENEWAL TO THE LICENSES SUBJECT TO ALL STATE AND TOWN REGULATIONS BEING MET AND ALL TOWN TAXES CURRENT PRIOR TO ISSUE.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

A MOTION WAS MADE BY COUNCILOR THOMPSON AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN AS A LICENSING BOARD AND RECONVENE AS COUNCIL.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**CONSENT AGENDA**

The Town Council Meeting Minutes of October 17, 2016 were removed from the Consent Agenda.

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO APPROVE CONSENT AGENDA AS

FOLLOWS: Set January 3, 2017 as the first Town Council Meeting in January due to New Year's Day Holiday; Set January 3, 2017 as hearing date for renewal of Campground Licenses.

IN FAVOR: Landolfi, Capalbo, Buck, Husband, Thompson

OPPOSED: None

SO VOTED

**PUBLIC FORUM**

No one spoke during the first public forum.

**COUNCIL PRESIDENT REPORT**

Council President Landolfi stated he met with town representatives on November 2, 2016 at 26 Hopkinton Hill Road to try to resolve drainage issues on Lorrie Harris' property.

**TOWN MANAGER REPORT**

Town Manager William McGarry reported on October 21, 2016 he met with Planner James Lamphere, Planning Clerk Sean Henry, Finance Director Brian Rosso, EMA Director Ron MacDonald and IT Director Ed Vazquez met in the Planning Office and discussed three RIDEM grants. He explained the first grant was for \$25,000.00 to update the Hazardous Mitigation Plan, the second grant was for \$25,000.00 to develop emergency action plans for the eight high and significant risk dams located in Town and the last was for \$5,400.00 to offset the stipend received by our local EMA director.

Mr. McGarry reported during October, he met with Administrative Assistant Courtney Hyland and James Lamphere to develop and issue a Request For Proposals (RFP) for the rebid of the Hope Valley Income Survey. He explained no bids had been submitted pursuant to the first RFP. He stated another advertisement had been placed in the Providence Journal last Sunday soliciting bids for the project. He explained the initiative was being funded through the Community Development Block Grant.

Mr. McGarry reported he had met with Courtney Hyland, EMA Director Ron McDonald and James Lamphere to develop and issue Requests for Proposals for the update of the Town's Hazardous Mitigation Plan and Consulting/Engineering Services for Emergency Action Plans (EAPs) for the Town's High and Significant

Risk Dams. He stated the two initiatives were both funded through \$25,000.00 grants from RIDEM and was advertised on November 13th with an early December bid opening.

Mr. McGarry reported during October, he worked with Assistant Courtney Hyland and others to ensure the water meter replacement project was proceeding smoothly. He stated scheduling reminder letters were sent out on October 31st to all the waterline users who had not responded to date. He noted 23 of the 50 water meters had been installed or scheduled to be installed.

Councilor Thompson stated the last Hope Valley Income Survey, which was in the 1990's, the Town hired South County Community Action and it happened to be Geoffrey Marchant who conducted the survey. She questioned whether Rural New England or South County Community Action would be interested. Mr. McGarry replied there was a few interested parties who didn't respond to the first bid and was cautiously optimistic they would this time.

## **NEW BUSINESS**

### **BOARDS & COMMISSIONS:**

#### **Conservation Commission**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO REAPPOINT DEBORAH O'LEARY TO THE CONSERVATION COMMISSION.

IN FAVOR: Landolfi, Capalbo, Thompson, Husband, Buck

OPPOSED: None

SO VOTED

#### **Police Commission**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO REAPPOINT STILES GILMORE TO THE POLICE COMMISSION.

IN FAVOR: Landolfi, Capalbo, Thompson, Husband, Buck

OPPOSED: None

SO VOTED

#### **Planning Board**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR THOMPSON TO REAPPOINT FRANCIS SARDONE TO THE PLANNING BOARD.

IN FAVOR: Landolfi, Capalbo, Thompson, Husband, Buck

OPPOSED: None

SO VOTED

#### **PUBLIC FORUM**

Amber Preston, 131 North Road, Hopkinton stated on February 9, 2012 the Hopkinton Zoning Board created an exception to the Sposato family at 129 North Road, for Alpacas in an R1 Residential Zone. She stated the board established restrictions stating the alpacas had to be at least 50 ft. from any boundary and 100 ft. from any well. She explained the lots on North Road from number 123 to 145 are all one hundred feet wide, so it would be impossible to keep the alpacas 50 ft. from any boundary. She stated she called Brad Ward, the Building and Zoning Official on February 10, 2012 and asked him to measure the area and he stated he could not come out to measure as Town Manager William McGarry had instructed him not to. Mr. Ward gave her Mr. McGarry's phone number which she called three times and left messages which were not returned. Ms. Preston felt Mr. McGarry interfered with his own officials responsibilities and asked how it occurred and why. She stated Mr. Sposato felt so entitled to have the four alpacas, he decided two cows would be permissible. She stated on April 7, 2013, Zack Sposato walked two cows up North Road which were chained together. She stated she came home on April 13, 2013 and there were two cows in her yard. She stated she called the Police and when the Police arrived the cows were on Mr. Sposato's property. She stated she had the Police Report from that night which stated Mr. Sposato told the Police the stray cows were not his. Council President Landolfi stated at the present time there are no more Alpacas and no more stray cows at the present time. Ms. Preston stated in the five years since Mr. Sposato had been allowed to have his animals, the family had shot at her house, egged her house three times, destroyed birdfeeders, wind chimes, watering globes and thrown dog feces at her house. Mr. Sposato went to the Police and confessed it was his son who had damaged her property. She

stated nothing was done for her. Council President Landolfi stated there were no more cows and no more alpacas, so the situation was in the past. Ms. Preston stated she wanted to know why no one came to measure the property five years ago. Council President Landolfi stated the situation would be looked into and she would be contacted at a later date.

**ADJOURNMENT**

A MOTION WAS MADE BY COUNCILOR CAPALBO AND SECONDED BY COUNCILOR HUSBAND TO ADJOURN IN MEMORY OF LOREN GENGARELLA.

SO VOTED

Lorraine Tarket Arruda

Deputy Town Clerk