

2 **TOWN OF HOPKINTON**
4 **PLANNING BOARD**

6 **Wednesday, March 1, 2017**
7 **7:00 P.M.**

8 **Hopkinton Town Hall**
9 **One Town House Road, Hopkinton, Rhode Island 02833**

10 **CALL TO ORDER:**

11 The March 1, 2017 meeting of the Hopkinton Planning Board was called to order at 7:02
12 P.M. by Al DiOrio.

14 **MEMBERS PRESENT:**

15 Al DiOrio, Amy Williams, and Frank Sardone, were present. Hazel Douthitt and Josh
16 Bedoya were absent. Tom Holberton was present as an applicant, and did not sit with
17 the Planning Board.

18 Also present were: John Pennypacker, Conservation Commission, James Lamphere,
19 Town Planner; Kevin McAllister, Town Solicitor; and Sean Henry, Planning Board Clerk.

22 **APPROVAL OF MINUTES:**

23 THE MINUTES FROM JULY 6, 2016 WERE APPROVED UNANIMOUSLY. THE MINUTES FROM
24 OCTOBER 5, 2016 WERE APPROVED, WITH MR. DIORIO ABSTAINING.

26 **OLD BUSINESS:**

27 None

28 **NEW BUSINESS:**

30 Minor Subdivision - **Pre-Application Meeting** – Holberton Farms Residential Compound –
31 AP 5 Lot 94 – Alton-Bradford Road – Thomas F. Holberton, applicant.

32 Mr. Holberton brought an application for a Minor Subdivision before the Planning
33 Board. Mr. McAllister provided a summary of the Rhode Island Ethics Commission
34 requirements for a member of a Board or Committee presenting to that Board, and that
35 Mr. Holberton had obtained the necessary waiver from the state's Ethics Commission in
36 order to be able to submit his application to the Planning Board.

37 Mr. Holberton explained that his goal with the project was to subdivide his property for
38 his children to build homes upon. The land in question is a large parcel, and has been in
39 his family since the 1950s. The existing lot has a woodworking business on the front
40 corner, an existing non-conforming use that has been there since 1963, and that Mr.
41 Holberton has run since 1980. The lot also has some fields that he has been able to
42 reclaim for farming uses, and a considerable amount of wetlands and wooded areas. His
43 intention is to create a Residential Compound using his existing driveway as the private
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2 right of way. Mr. Holberton explained that he had anticipated this decision when the
4 driveway was paved, and that at the time he had it built to meet the compound road
6 standards. Mr. Holberton has been working for about a year on preparing the
8 application, doing the necessary wetlands flagging and surveying the property lines. His
10 plan is to create three buildable lots along the existing driveway that terminates at his
12 home (about 1/3 from Cayer Trail). As part of this project, Mr. Holberton also intends to
14 move the woodworking shop onto its own lot, lessening the impact of the non-
16 conformity.

18 Questions from the Planning Board:

20 Mr. DiOrio: What is the total number of lots being created by this application, including
22 the current lot?

24 Mr. Holberton: There will be three new lots for homes, one for the wood shop business,
26 in addition to the one existing lot.

28 Mr. DiOrio: The application is not just for a compound. It is a Minor Subdivision with a
30 street creation. Are there any plans for the remaining larger parcel, Lot #14?

32 Mr. Holberton: The plan for the remainder of the lot is possibly a phased addition to the
34 subdivision. I would prefer it to remain in the Farm, Forest, and Open Space program.

36 Mr. DiOrio: Regarding the remaining 84 acre lot: what are your plans for future
38 development?

40 Mr. Holberton: I've spoken with Jim Lamphere about this. The family compound
42 ordinance says that there could be up to seven homes on the road, and we talked about
44 doing that as a possible second phase. But I don't have much interest in doing that, and
I'd like to see it be open space for these proposed lots.

Mr. DiOrio: The regulations include disclosure of any plans of future development. I've
had clients that have been instructed to disclose plans of future development for large
parcels such as this, so I would like to make sure the Planning Board is being consistent.

Mr. Holberton: I don't have any firm plans, but I understand.

Mr. DiOrio: Are the water table calculations OK?

Mr. Holberton: Yes. Despite there being about a 100' difference in elevation across the
property, the water tables don't reflect the change in elevation. The well history shows
that water is readily available.

Ms. Williams: I have a question about the specifications for private roads; Cayer Trail is
a private, non-maintained road. Eventually the compound will change hands and the
infrastructure will have to adhere to regulations. Do you need to develop the road
between Alton Bradford Road and your driveway?

Mr. Holberton: Jim Lamphere and Sean Henry came down and did a site visit to discuss
this issue. My neighbors that live on Cayer Trail are third generation family friends.
They'll be at one of these meetings because they're invited to come, and they're in
complete support of what I'm trying to do. My driveway has existed prior to Route 91
being a state road. Before that, it was a town road that used to occupy what is now
Cayer Trail before it was diverted away when the state took over and paved the road.
Once that happened, they abandoned the small part of the road that became the

2 beginning of Cayer Trail. My neighbors and I have not maintained it because it is
4 actually state property. I had someone from DOT come down to the site and their
opinion was that I did not need a curb cut because my driveway had existing legal rights
of access to the road. They didn't have a problem with it.

6 Mr. DiOrio: So it is your representation that Cayer Trail is still owned by the state?

Mr. Holberton: Yes.

8 Mr. DiOrio: It's very similar to the situation on Woodville Road. There are wide bends
on Woodville Road, but we don't use them anymore and the state still owns them. So if
10 that is the case, we'd need some evidence of it. Are there maps that show that the state
owns up to your property?

12 Mr. Holberton: I don't know how to bring this to the Board. The state basically said, "We
don't care."

14 Ms. Williams: We might want to see the road from Alton Bradford Road to your
property improved.

16 Mr. Holberton: I planned on doing that anyway. I'd be happy to have the Board come
down for a site visit and see what's there. The state said that I am more than welcome to
18 pave it. So if the Board said that I need to pave the 18' leading up to my driveway, I'd be
more than happy to do that.

20 Mr. DiOrio: We want to make sure that you don't risk exposure with the state of Rhode
Island.

22 Mr. Holberton: The driveway is built to compound standards, and there is a cul-de-sac
there now but we're going to put a hammerhead in, which the Town also approves of.

24 Ms. Williams: There are going to be steep driveways. In terms of the drainage, are they
going to drain into the bogs?

26 Mr. Holberton: When Robbie Russo built the road, the road was pitched down and the
runoff is going to be collected where the test hole is (on the plans). Those calculations are
28 being done now and DEM needs to approve it.

30 Questions from the public:

32 Ms. Capalbo: The property with the barn: what is your plan for that property?

Mr. Holberton: That's where my woodworking shop is. It's going to be its own separate
34 lot. In order to do that, I need to prove that a home could be built there. There's also a
three acre hayfield there. As of right now, I don't have any intentions for that property.

36 Mr. DiOrio stated that he doesn't see any problems with the plan. I see no problems with the
38 continued use of the non-conforming lot. Ms. Williams said that she would like to see an
explanation of any further use of the remaining property in the future. Mr. Sardone also had
40 no issues with the project

42 BECAUSE IT WAS A PRE-APPLICATION MEETING, NO VOTE WAS TAKEN.

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2 SOLICITOR’S REPORT:

None

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PLANNER’S REPORT:

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Mr. Lamphere informed the Planning Board of three administrative reviews since the last meeting:

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Boy Scouts of America-Moorehead Administrative Subdivision – AP 16, Lots 28, 30, & 30A

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White Administrative Subdivision – AP 28, Lots 3 & 4

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Minor Amendment to an Approved Plan – AP 7, Lot 7

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16 CORRESPONDENCE AND UPDATES:

Sean Henry updated the Planning Board on the progress of the Comprehensive Plan Update since the last meeting. Since receiving the comments on the draft plan back from the Statewide Planning Program, the Planning Department and consultant have prepared a second draft incorporating those comments. They agreed that the best way for the Board to provide their feedback on the plan update would be to schedule a Public Workshop in addition to the Planning Board’s regular meetings. A workshop was scheduled for April 12, 2017.

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PUBLIC COMMENT:

None

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28 DATE OF NEXT REGULAR MEETING: April 5, 2017

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30 ADJOURNMENT:

MR. SARDONE MOVED TO ADJOURN THE MEETING
MS. WILLIAMS SECONDED THE MOTION
ALL MEMBERS APPROVE. MOTION PASSES.

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The meeting adjourned at 8:00.

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Attest: _____
Sean Henry, Planning Board Clerk

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Approved:

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