

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

6 **Wednesday, May 4, 2016**

7 **7:00 P.M.**

8 **Hopkinton Town Hall**

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

10 **CALL TO ORDER:**

11 The May 4, 2016 meeting of the Hopkinton Planning Board was called to order at 7:00
12 P.M. by Vice Chair Amy Williams.

14 **MEMBERS PRESENT:**

15 Amy Williams, Hazel Douthitt, and Frank Sardone were present. Mr. DiOrio was
16 absent.

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

20

21 **APPROVAL OF MINUTES:**

22 MR. SARDONE MOVED TO APPROVE THE MINUTES OF THE APRIL 6TH 2016 MEETING.

23 MS. DOUTHITT SECONDED THE MOTION.

24 ALL MEMBERS APPROVE. MOTION PASSES.

26 **NEW BUSINESS:**

27 **Development Plan Review Pre-application Meeting** – Proposed Town Hall Emergency
28 Generator – Town of Hopkinton - AP 26 Lots 47 & 48 – One Town House Road. Site
29 Plan review for proposed Emergency Generator and Propane Tank.

30

31 Mr. Lamphere provided the Planning Board with brief synopsis of the project
32 and the Development Plan Review process. The Town received CDBG funds for
33 multiple projects, including the Town Hall generator. The project went out to bid, and
34 K. Electric was the lowest received bid at \$144,679.

35 The pre-application meeting was called for in order to provide the neighboring property
36 owners with notice of the proposed project and solicit input early in the review process.
37 A notice of the meeting was sent to all property owners within 200 feet of lots 47 & 48,
38 the proposed project location, as well as posted at Town Hall and on the Town's
39 website. Mr. Gordon Priess, the project engineer, was on hand to present the plan and
40 answer the Planning Board's questions.

41 In his presentation, Mr. Priess highlighted that sound attenuation was a major
42 consideration in the planning for this project. The generator and propane tank are to be
43 surrounded by a Level II sound enclosure with 7' tall deer-resistant arborvitae plantings
44 screening the components visually. The plan was also created in conjunction with the

2 Town Hall Expansion project. The generator was selected based on the size of the
4 building after the expansion, and the propane tank has been chosen in order to service
both the generator and the expanded Town Hall’s heating system.

6 Mr. Daniel Secone, the owner of 9 Town House Road, (the property immediately
8 neighboring the Town Hall lot) was in attendance at the meeting. He made it clear that
he appreciated the lengths that were gone to in order to minimize the levels of sound
10 with the enclosure and screening, but asked about moving the generator further back on
the property away from the road. He was concerned about the sound generated by the
12 system. Mr. Priess confirmed that the transfer switch for the building will automatically
switch back to the grid once it determines that power has been restored (approx. 10
14 minutes). This is preferable to a switch that needs to be turned off manually. Mr. Priess
also clarified that the generator will run at different speeds based on the load from the
16 building. He used calculations for a “worst-case” load on the generator, though
indicated that the generator will never realistically run at 100% power. So the generator
will operate at a very low level before the expansion, and then somewhat higher when
the load increases with the construction of the new addition.

18 Mr. Secone asked about moving the generator further back on the lot. He, Mr.
Priess, and Mr. Lamphere looked at other possible configurations, but none of them
20 were more preferable to the current plan. The wetlands and the existing septic system
preclude most other locations from being viable.

22 Because the generator needed to be tested periodically, the Planning Board
thought it was appropriate to schedule the tests at Mr. Secone’s convenience. The
24 generator is completely programmable and Mr. Priess said it would be very easy to
schedule or change the times the tests will run. At the meeting, Mr. Secone indicated
26 that during the day would be his preference, but a schedule was left to be decided at a
later date.

28

30 MR. SARDONE MOVED TO WAIVE FURTHER REVIEW OF THE TOWN HALL GENERATOR AND
PROPANE TANK, PROVIDED THAT THREE ARBORVITAE PLANTINGS ARE ADDED TO THE PLAN,
32 AND THAT GENERATOR TESTS WOULD BE PERFORMED AT TIMES CONVENIENT TO THE
PROPERTY OWNER OF AP 26, LOT 50 (MR. DANIEL SECONE).

34 MS. DOUTHITT SECONDED THE MOTION
ALL MEMBERS APPROVE. MOTION PASSES.

36

38

40 **Advisory Opinion – Proposal for Zoning Ordinance Text Amendment – Home Loan &**
Investment Bank – AP 27 Lot 150 – 1100 Main Street. Proposal to allow for general
42 automobile repair at this site under current zoning ordinance Use Code 633 Automobile
Repair Shops and a proposal to amend Use Code 633 allowing Automobile Repair
Shops, where otherwise allowed in the District Use Table, to be located in the Primary
44 Aquifer Protection Zone with an Aquifer Protection Permit.

2 Mr. Lamphere provided the Planning Board with a summary of the request
4 before the Board. The applicant, Home Loan & Investment Bank, is asking for a zoning
6 text amendment to add “general automotive repair” to Use Code 633 on the district use
8 table. Additionally, the applicant is asking that the use be allowed town-wide within an
Aquifer Protection Zone, provided the applicant secures an aquifer protection permit.
The Planning Board discussed the property and its location in town, and what the
current regulations allow.

10 Mr. Pennypacker: What is an applicant required to do currently in a Primary Zone?
Mr. Lamphere: That use is currently not allowed in an Aquifer Protection Zone, but if it
12 were allowed an applicant would be required to obtain an Aquifer Protection Permit
from the Zoning Board.

14 Mr. Sardone: Could the use be allowed at this site without being permitted town-wide?
Ms. Williams: The applicant would still be required to appear before the Zoning Board
16 for an Aquifer Protection Permit in order to use the property.

Mr. McAllister: The applicant would likely not be interested in getting only one of the
18 requests and not both. He stated that not changing the use table would be vulnerable to
an argument being made for spot zoning. It made sense that the bank would seek the
20 second part of the request, and that they probably wouldn’t pursue further if they only
obtained the first half of the request.

22 Ms. Capalbo: I’m concerned about allowing a repair shop over an aquifer protection
zone. There are many cars on the small lot, and that the aquifer could be damaged by
24 spills and pollutants.

Ms. Williams: Is the property located in a flood zone?

26 Ms. Douthitt: No, the property has elevation. Are there any other possible uses for the
property?

28 Ms. Capalbo: The property could support many other uses, being in a neighborhood
business zone.

30 Mr. McAllister: I think the Planning Board would have a difficult time making most of
the findings required for the request, most notably the environmental findings.

32 MR. SARDONE MOVED THAT THE PLANNING BOARD ADVISE THE TOWN COUNCIL AGAINST
34 APPROVING THE APPLICANT’S REQUEST FOR A ZONING TEXT AMENDMENT.

36 MS. DOUTHITT SECONDED THE MOTION
ALL MEMBERS APPROVE. MOTION PASSES.

38

40 **OLD BUSINESS:**

None

42

SOLICITOR’S REPORT:

44 State Housing Appeals Board *Brushy Brook* decision.

2 PLANNER’S REPORT:

Comprehensive Plan Amendment approval

4 Swanick Administrative Subdivision

6 CORRESPONDENCE AND UPDATES:

None

8

PUBLIC COMMENT:

10 None

12 DATE OF NEXT REGULAR MEETING: June 1, 2016

14 ADJOURNMENT:

MR. SARDONE MOVED TO ADJOURN THE MEETING

16 MS. DOUTHITT SECONDED THE MOTION

ALL MEMBERS APPROVE. MOTION PASSES.

18

The meeting adjourned at 8:45.

20

22 Attest: _____

Sean Henry, Planning Board Clerk

24

Approved: