

State of Rhode Island

County of Washington

In Hopkinton on the fifteenth day of September 2016 A.D. the said meeting was called to order by Zoning Board of Review Chairman Philip Scalise at 7:15 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, Jonathan Ure; Alternates: Timothy Ward & William Kazounis; Zoning Solicitor Veronica Assalone; Alternate Zoning Board Clerk Elizabeth Monty. Also present Barbara Capalbo of Town Council.

Absent: Harry Bjorkland

Sitting as Board: Scalise, Sposato, Ure, Ward & Kazounis

NOTE: Harrington recused himself of Petitions II, III, and IV due to conflict of interest (statement filed with clerk)

Petition I.

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.

A MOTION WAS MADE TO TABLE THIS PETITION UNTIL NEXT MONTH (OCTOBER) BY WILLIAM KAZOUNIS AND SECONDED BY JONATHAN URE.

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

OPPOSED: None

SO MOVED

Petition II.

A Petition for a Special Use Permit to construct a new home with an attached accessory dwelling unit to replace original structure filed by Patricia Weber, Jason Proulx & Teri Segura, 17 Cayer Trl., Wood River Jct., RI for property located on 17 Cayer Trl. identified as AP 5 Lot 91A an RFR-80 Zone filed in accordance with Section 8C Non-conforming development (replacement) and Chapter 151 Section 5.2 Accessory Family Dwelling Unit of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Jason Proulx, Patricia Weber, and Teri Segura (Applicants) were present.

Fee was paid for Special Use Permit application.

Mr. Scalise stated it was fine to combine Petition II and Petition III due to their redundancy, the Special Use Permit and Dimensional Variance for Proulx.

Per Mr. Scalise it is a Pre-App, so the Board will move through the requirement.

Mr. Ure stated they would go through the requirements to be certain all were submitted. Regarding the Special Use permit the Zoning Board requires items A through H on the checklist, as submitted:

Checklist Item A (3 copies of Survey) – Complete subject to designation of AP 5 Lots 91F, 91B and 91A being notated on Assessor’s map.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO AS ITEM BEING COMPLETE EXCEPT FOR DESIGNATION OF LOT 91F, 91B, & 91A.

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

OPPOSED: None

SO MOVED

Checklist Item B (Abutters) – Complete except for Zoning Board’s request that on AP5, Lots 91A, 91B, & 91F be designated before the Applicants return.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY
RONNIE SPOSATO AS ITEM BEING COMPLETE EXCEPT FOR
DESIGNATION OF LOT 91F, 91B, & 91A.

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

OPPOSED: None

SO MOVED

Checklist Item C (Soils/Stormwater erosion) – Waiver requested.

A MOTION FOR WAIVER REQUEST WAS MADE BY RONNIE SPOSATO
AND SECONDED BY JONATHAN URE THAT ITEM C BE WAIVED AND
THEREFORE IS COMPLETE.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Checklist Item D (Wetlands) – Waiver requested.

A MOTION WAS MADE FOR WAIVER BY JONATHAN URE AND
SECONDED BY RONNIE SPOSATO.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Checklist Item E (Location of existing septic DEM Approval) – Waiver
requested, but per Mr. Scalise not required since NEW septic map is included and
approved by the State of RI, although not yet installed. Item E is complete.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY
RONNIE SPOSATO THAT CHECKLIST ITEM E IS COMPLETE.

There was no discussion

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Checklist Item F (Traffic Study) – Waiver requested because Cayer Trail is a private road and house has been there for over 30 years.

A MOTION WAS MADE FOR WAIVER BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO TO WAIVE THE TRAFFICE STUDY.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Item G (Topography) – Complete, as noted on the plan.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT ITEM G IS COMPLETE AS NOTED ON SEPTIC DESIGN MAP.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Item H – (Water supply) Complete, as noted on septic design plan. No waiver is required. The applicants stated that they would install a new well. It is already approved and located on the plan. The old well will be abandoned.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT ITEM H IS COMPLETE.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Petition III.

A Petition for a Dimensional Variance to construct a new home with an attached accessory dwelling unit to replace original structure filed by Patricia Weber, Jason Proulx & Teri Segura, 17 Cayer Trl., Wood River Jct., RI for property located on 17 Cayer Trl. identified as AP 5 Lot 91A an RFR-80 Zone. The applicants request a variance from the 12' shared wall between the in-law and main house to 8' of common wall and a variance from the main wall ingress/egress into the main living areas of both units. The application is filed in accordance with Chapter 151, Section 5.2-5C of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Applicants were present.

Fee for Dimensional Variance application was paid.

Application was considered complete except for Item B:

Assessor's Plat map to be updated with Lot numbers 91A, 91B, and 91F clearly designated.

Hearing date was set for OCTOBER 27, 2016 meeting for BOTH PETITION II AND PETITION III, combined for redundancy.

Petition IV.

A Petition on an Appeal of Building Official's decision re: payment of impact fees related to the construction of a new home with an attached accessory dwelling unit to replace original structure filed by Patricia Weber, Jason Proulx & Teri Segura, 17 Cayer Trl., Wood River Jct., RI for property located on 17 Cayer Trl. identified as AP 5 Lot 91A an RFR-80 Zone filed in accordance with Chapter 162 Impact Fees Ordinance of the Code of Ordinances of the Town of Hopkinton, as amended.

Applicants were present.

Fee for Appeal application was paid.

Jason Proulx spoke requesting relief from the full payment of the impact fee due to the fact that there is already an existing house on the parcel.

The original dwelling's dimensions were 62' X 26' (1,612 sq. ft.). The new dwelling will be 45' X 30' plus 16' X 28' plus 24' X 36' (2,662 sq.ft.). The Board discussed the fact that the new dwelling would be 40% larger than the existing dwelling per these dimensions. Therefore it was proposed that the Applicants pay 40% of the standard impact fee. Clerk noted the impact fee estimated at \$1,533. Forty percent is approximately \$614.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO THAT THE BOARD'S FORMULA OF 40% PAYMENT OF THE IMPACT FEE IS FAIR AND REASONABLE BASED ON WHAT THE APPLICANTS ARE TRYING TO DO IN EXPANDING THEIR ORIGINAL FOOTPRINT. THEREFORE THE APPLICANTS MUST PAY 40% OF THE STANDARD IMPACT FEE.

There was no further discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

The following APPEAL has been *Withdrawn*:

A Petition on an APPEAL of the Zoning Official's decision filed by Richard Grills Trust 2007, 139 Chase Hill Rd., Ashaway, RI 02804 for property owned by the Richard Grills Trust 2007 and located at 0, 26, 30 & 34 Alton Bradford Rd. identified as Assessors Plat 23 Lots 56, 56A, 57 & 58, a Neighborhood Business Zone and filed in accordance with Section 24 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Approval of July 14, 2016 decisions:

- Patrick Beck Appeal
- Home Loan & Investment Bank Aquifer Protection Permit
- Stano Trombino Use Variance
- KSL Realty Dimensional Variance

Mr. Scalise asked for a motion to ratify his signature on the decisions from July 14, 2016.

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

There was no discussion.

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

OPPOSED: None

SO MOVED

MINUTES:

Consider Minutes of May 19, 2016 Zoning Board of Review Meeting; Minutes of June 16, 2016 Zoning Board of Review Meeting, Minutes of July 14, 2016 Special Zoning Board of Review Meeting.

There was no discussion of the minutes. This item will be carried forward until a later date.

TRANSCRIPT:

Approve the Allied Court Reporters, Inc. transcript of July 14, 2016 as the record pertaining to the Patrick & Karen Beck Appeal.

A MOTION WAS MADE FOR APPROVAL BY JONATHAN URE AND SECONDED BY RONNIE SPOSATO.

There was no discussion.

IN FAVOR: Scalise, Sposato, Ure, Kazounis, Ward.

OPPOSED: None.

SO MOVED

Zoning Ordinance Re-write.

No discussion.

Mr. Scalise asked if there was any further discussion. Town Council representative Barbara Capalbo inquired if the Board was seeing more of these in-law apartment requests. The Board stated this was something they see more of lately and are pleased people are making formal applications so that people are safe and the Town benefits in Tax Dollars.

Seeing all discussion complete, Mr. Scalise asked for a motion to adjourn the meeting.

A MOTION WAS MADE BY JONATHAN URE AND SECONDED BY
RONNIE SPOSATO TO ADJOURN THE MEETING AT 8:00 PM

Elizabeth Monty

Alternate Zoning Board Clerk