

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

6 **May 1, 2013**

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 1, 2013 meeting of the Hopkinton Planning Board was called to order at 7:01 P.M. by  
12 Acting Chairman Howard Walker.

13 **MEMBERS PRESENT**

14 Howard Walker, Hazel Douthitt, Donald Simmons and Carolyn J. Doyle.  
15 Messrs. DiOrio and Escher were not present.

16 Also present were: James Lamphere, Town Planner; Scott Levesque, Town Solicitor; Barbara  
17 Capalbo, Council Liaison; and, Harvey Buford, Conservation Commission.

18 **APPROVAL OF MINUTES**

19 MR. SIMMONS MOVED TO APPROVE THE MINUTES OF THE APRIL 3, 2013 MEETING AS RECORDED.

20 MS. DOYLE SECONDED THE MOTION.

21 MESSRS. WALKER AND SIMMONS AND MSES. DOUTHITT AND DOYLE APPROVE.

22 MOTION PASSES.

23 **NEW BUSINESS:** None

24 **OLD BUSINESS**

25 **Master Plan – Major Land Development – Carriage Barn Mini Storage – Plat 28, Lot 136, Main  
26 Street. Sassy Properties Unlimited, LLC, applicant.**

27 Present were Attorney Vincent Naccarato representing the Applicant; Nathan Lauder of  
28 Cherenzia and Associates, Survey Manager and Licensed Land Surveyor in the State of  
29 Rhode Island; Michael Lenihan, Certified Real Estate Appraiser in the State of Rhode  
30 Island; and Edward Faubert, Jr., of Sassy Properties.

31 Mr. Naccarato said the application is to the Zoning Board for a Special Use Permit to  
32 add 20,000 square feet mini storage space in four proposed buildings. The Applicant  
33 purchased this land in 2008. The previous owner received a Special Use Permit in 1998  
34 for the original buildings. At that time, the Zoning Board imposed conditions from  
35 which they are requesting relief: conditions 1, 2, and 12.  
36

2 Mr. Lauder said changes were made to the Pre-application: a fence to enclose the entire  
4 property and landscaping that abuts the rear of the three lots off Main Street. The rest  
will remain the same as at Pre-application.

6 Mr. Naccarato questioned Mr. Lauder who responded. There will be a crushed stone  
8 surface. There are four existing storage buildings on site, a retail consignment shop, an  
office building for the ministorage, and a single family building. Sassy presently owns  
10 the land to be expanded on which has no buildings. No water or septic are needed for  
this use. RIDEM has to approve the stormwater plan with water to stay on site and  
perked where it falls. No detention basin or swales are seen as needed at this time.

12 Mr. Simmons asked Mr. Lauder to verify that there would be no, non-pervious surfaces.

14 Mr. Lauder responded, none.

16 Mr. Walker said the application is not only for the proposed uses and buildings but also  
18 for the removal of the three conditions placed on the original special use permit: no  
outdoor storage; no temperature control in the buildings; and, no overnight storage of  
20 business equipment or machinery. He asked what the conditions were for those reasons  
being established.

22 Mr. Naccarato questioned Mr. Faubert who responded. He purchased the property in  
24 2008 with the same conditions as are presently on the property. There is water behind  
the A building, directly behind the office. There are currently: four mini storage  
26 buildings with 200 units; a 1200 square foot building that is used for retail; an office  
building; and, a single family house which is rented. They propose to extend the chain  
28 link fence to the existing boundary lines on the site.

30 Mr. Naccarato presented photos as Applicant's Exhibits 1 through 7, for the record.

32 Mr. Faubert continued. There is an electronically controlled gate that allows customers  
to enter. Someone is in the office 9 to 5, Monday through Friday, and 9 to 12 on  
34 Saturday. Customers can enter from 7 am to 6:45 pm, seven days without personnel on  
site. The main gate will stay the same. There will be no change to the retail store, the  
36 residential property, or along the western boundary line. They will double the size of  
the facility to include climate controlled storage which regulates heat, air conditioning  
38 and humidity within the building, which will be a duct system run off propane. There is  
a very low noise level. Units are inside the building and have an exhaust. None of the  
40 units will need water or septic but the buildings will have electricity. Each unit has a  
sensor to the fire station which is zoned. There are two to five cars a day, mostly  
42 weekends, in and out of storage. There is more traffic for UPS and FedEx. The 40 foot  
laneway to access the units is actually 33 feet.

44 Mr. Naccarato presents a photo as Applicant's Exhibit 8.

2 Mr. Naccarato said there is an entrance to the facility on Bank Street.

4 Mr. Faubert said that was pre-existing, not for public use, and for emergency.

6 Mr. Naccarato presented photos as Applicant's Exhibits 9 and 10.

8 Mr. Naccarato said you are asking that three conditions, going back to 1998, be eliminated: (1) no outdoor storage is allowed.

10

Mr. Faubert the storage would be for registered vehicles, campers, boats, trailers, which would be stored along the fence lines with arborvitaes bordering the property line. There would be no indoor storage of vehicles.

12

14

Mr. Naccarato said item (2) imposed in 1998 was no temperature controlled buildings.

16

Mr. Faubert said he did not know why they placed that condition, other than at that time there was no climate controlled storage and now there is a need for it.

18

20 Mr. Naccarato said their request is that item (12), overnight storage of business equipment and machinery, be eliminated.

22

Mr. Faubert it would be for a pickup truck to take things to the dump, yard work to maintain the facility, and would be strictly for the owner's use.

24

26 Mr. Naccarato asked if he has had any complaints.

28 Mr. Faubert responded never. There have been no vehicle accidents on site or immediately outside the site. Bank Street will only be used in an emergency.

30

Ms. Douthitt asked if they had any problem with existing buildings when the area flooded.

32

34 Mr. Faubert said they had runoff. The only problem they had was the consignment shop which has a dirt basement.

36

Ms. Douthitt asked if it happened again, would it affect the new buildings.

38

Mr. Faubert said the elevation is three to five feet higher where the new buildings will go.

40

42 Ms. Douthitt asked if the new buildings would be more sealed because of climate control.

44

2 Mr. Faubert said the climate controlled units are completely sealed. The existing  
buildings will not be climate controlled.

4

Mr. Simmons said the maps do not indicate where the propane will be stored and how  
6 big the tanks will be.

8 Mr. Faubert said he believes it will be an outside cylinder with pipes underground into  
the units, but is not sure yet that they will be using propane.

10

Mr. Walker asked, no lot is being created, just the four proposed buildings?

12

Mr. Faubert answered, correct.

14

Mr. Walker said the overnight storage of business equipment and machinery is for yard  
16 vehicles. You want that lifted so you can do overnight storage of your company's own  
pick-up truck?

18

Mr. Faubert responded for the yard vehicle.

20

Mr. Walker said you don't intend to offer overnight rental storage for vehicles.

22

Mr. Faubert responded, no. Only long term storage of recreational vehicles. The boats  
24 that come in are winterized and shrink wrapped. The campers are brought in  
winterized and shut down.

26

Mr. Walker asked if it would be acceptable to have the outdoor storage restriction lifted  
28 to only the extent of registered recreational vehicles, specifically excluding storage of  
construction machinery.

30

Mr. Faubert said that would be fine. There may be boat trailers but not machinery.

32

Mr. Buford said perhaps Mr. Faubert would want to put it in his own words so they  
34 don't exclude something that would be perfectly acceptable. He would like to see, in  
writing, what you can do and everything else is excluded. Mr. Buford asked where  
36 would this fit on our Zoning Use Table.

38

Mr. Faubert said it is a storage facility. He believes Mr. Ward said it was self-storage.  
Their biggest units are 300 square feet.

40

Mr. Buford said he wants to make sure they don't need an aquifer protection permit for  
42 this facility, which is required for a warehouse. The Zoning Use Table doesn't have  
something you can call it. Category 464 is warehousing of household goods.

44

2 Mr. Lamphere said the supplement to his memo contains seven items the Board has to  
look at to approve the Master plan. For the advisory opinion, he added what the Zoning  
4 Board will consider for a Special Use Permit.

6 Mr. Levesque said it is important that the Board observe the findings that they make on  
the Master and incorporate all conditions heard tonight for approvals. The  
8 Board is making a recommendation to the Zoning Board concerning whether or not they  
should issue a Special Use Permit. Under that criteria, he recommends the Board follow  
10 the memo of the requirements the Zoning Board must make and incorporate those  
findings.

12  
14 Mr. Walker said we can make a recommendation to the Zoning Board concerning those  
conditions, as well as whether they should issue a Special Use Permit. Or, we can  
recommend that they be altered in some way.

16  
18 Ms. Capalbo said she is concerned about removing number 12, to make sure building  
equipment is not allowed and would like to see it at least narrowed.

20 Mr. Lenihan said he testified in 1998 when this was originally put in. The restrictions  
were made by an adjoining property owner who was concerned about noise from  
22 potential air conditioners. He lived in the woodshop next door. For the applicant to  
adequately compete with businesses of this nature, he needs to do the same thing they  
24 do. He should also consider boat trailers. There are places that have not restrictions on  
the overnight storage of business equipment and machinery.

26  
28 Mr. Walker asked why outdoor storage was prohibited by the Zoning Board.

30 Mr. Lenihan said in 1998 storage facilities were fairly new. The residential homes are in  
a business area. The property and proposed construction is shielded from the road on  
both sides. Mr. Lenihan agreed with Mr. Naccarato that it is a transitional area.

32  
34 Mr. Naccarato asked if this proposal is an expansion of an existing use from 1998. In his  
opinion would it be compatible with the neighborhood uses and not adversely affect  
surrounding neighbors' use and enjoyment of their property.

36  
38 Mr. Lenihan agreed. He is not aware of any environmental issues, it is compatible with  
the town, and he sees are no adverse effects. He believes it is a positive to residential  
values as it is a passive use, is one story, and will be properly shielded with the  
40 arborvitae.

42 Ms. Douthitt said the restriction of business machinery was because residents did not  
want to see the equipment from their back yards or roads. She finds the buildings  
44 unobtrusive.

2 Mr. Lamphere said now that we know the outdoor storage will be limited to recreational  
4 vehicle storage, one criteria that the Board has to look at is if there is a safe circulation  
6 pattern. Considering that this could be a significant part of the business going forward,  
where on this site plan to you propose to store these recreational vehicles?

8 Mr. Faubert said they will be on the outside borders on the fence lines so he has room  
10 for his customers to drive through the units and for the fire department to drive around  
the buildings.

12 Mr. Lamphere asked that it be identified on the plan.

14 Mr. Buford asked, if they need an aquifer protection permit, do they need a  
recommendation from the Planning Board for that as well?

16 Mr. Lamphere said that would be picked up by the Zoning Board.

18 Mr. Levesque said, if the Board is going to approve the project, it is his suggestion that  
20 they make the approval conditional on the Applicant's resolving the issue of whether or  
not an Aquifer Protection Permit is needed, and if so, that one will be pursued to  
complete the project.

22 Mr. Walker has reviewed the standards for the Master Plan approval and for the  
24 advisory opinion to the Zoning Board concerning the Special Use Permit. The Master  
Plan approval is:

- 26 1. Consistent with the Comprehensive Plan;
- 28 2. The extension of the existing Special Use Permit to be in compliance with Zoning  
Ordinance;
- 30 3. There is no significant negative environmental impact;
- 32 4. There is no lot creation and no physical restraint to development;
- 34 5. The existing public access to Bank Street and Main Street is adequate;
6. There is safe circulation on the property and on nearby streets;
7. It is concealed from view with no damage to the community; and
8. There is no issue with flooding or soil erosion.

36 Mr. Walker said the same issues go into the Special Use Permit. This property has been  
38 there for years, the use has been compatible with the neighborhood, and, he does not see  
it at changing. It is compatible with orderly growth and development of the Town and  
40 would add to the Town's tax revenues. He sees no issue with soil erosion or water  
supply protection. He does not see reason to keep the existing prohibition of not  
42 allowing climate control in the proposed buildings, especially since that will not be in  
the existing buildings. The Applicant has indicated that the outdoor storage is to be  
44 restricted to currently registered recreational vehicles and the owner's pick-up truck,  
and sees no reason not to allow that. He would include in the recommendation to the

2 Zoning Board that they grant the Special Use Permit, that the temperature control  
restriction be lifted as to the new construction, and that the outdoor storage and  
4 overnight storage restrictions be eliminated to the extent that we would allow the  
storage of the currently registered recreational vehicles, trailers, and the like, and the  
6 property owner’s pick-up truck. We could include a specific prohibition for things like  
construction equipment and commercial vehicles.

8  
10 MR. SIMMONS MOVES TO GRANT CONDITIONAL MASTER PLAN APPROVAL ON THE  
CONDITION THAT THE APPLICANT RECIEVE THEIR SPECIAL USE PERMIT FROM THE ZONING  
BOARD AND AQUIFER PROTECTION PERMIT IF APPLICABLE, AS WELL AS ALL APPLICABLE  
12 DEM APPROVALS. THE MOTION IS MADE BASED ON FINDINGS OF FACT PREVIOUSLY  
DISCUSSED.

14 MS. DOYLE SECONDS THE MOTION.  
MESSRS. WALKER AND SIMMONS AND MSES. DOUTHITT AND DOYLE APPROVE.  
16 MOTION PASSES.

18 Mr. Walker said we now need to consider an advisory to the Zoning Board for a Special  
Use Permit.

20  
22 MR. SIMMONS MOVES THAT WE ADVISE THE ZONING BOARD TO REMOVE RESTRICTION  
NUMBER 2, NO TEMPERATURE CONTROL IN THE BUILDINGS AND LIMIT THAT TO NEW  
CONSTRUCTION ALONE; LIFT RESTRICTION NUMBER 1, NO OUTDOOR STORAGE WILL BE  
24 ALLOWED, AND RECOMMEND WE ALLOW OUTDOOR STORAGE OF CURRENTLY REGISTERED  
RECREATIONAL VEHICLES AND TRAILERS; LIFT RESTRICTION NUMBER 12 AND ALLOW THE  
26 BUSINESS OWNER OVERNIGHT STORAGE OF BUSINESS EQUIPMENT AND MACHINERY  
PERTAINING TO THE OPERATION OF THIS BUSINESS. WE RECOMMEND TO THE ZONING  
28 BOARD THAT THEY GRANT A SPECIAL USE PERMIT. THERE WILL BE NO STORAGE OF  
CONSTRUCTION EQUIPMENT OR COMMERCIAL VEHICLES EXCEPT FOR COMMERCIAL VEHICLES  
30 PERTAINING TO THIS BUSINESS. THIS RECOMMENDATION WILL BE BASED OF THE FINDINGS OF  
FACT DISCUSSED EARLIER.

32 MS. DOYLE SECONDS THE MOTION.  
MESSRS. WALKER AND SIMMONS AND MSES. DOUTHITT AND DOYLE APPROVE.  
34 MOTION PASSES.

36 **Subdivision Regulations Review – Article XVII**  
Corrections, deletions and additions were discussed and made.

38  
**PLANNER’S REPORT**

- 40 ▪ **Crook Minor Subdivision** - This subdivision has been signed and is ready to be  
recorded.
- 42
- 44 ▪ **Stormwater Management Program Plan** – We have a \$25,000 grant from DEM.  
There was a kickoff meeting for this project which should be completed before

2 the end of the year. The project is to identify stormwater outfalls and how to  
4 handle them. Ordinances will be coming from the State for the Town to adopt.

4

6

▪ **2013 Community Development Block Grant Application** – The application was submitted on April 19.

8

▪ **Crandall House Improvements** – The 2011 grant for improvements to Crandall House are mostly completed. A chimney liner is still needed.

10

12

▪ **RFQ/P Engineering Services Bid Opening** – The three year period is up for renewal and has been advertised. Bid opening is May 10.

14

**CORRESPONDENCE AND UPDATES:**

▪ **Zoning Board Meeting April 25, 2013**

16

**PUBLIC COMMENT:** None

18

**DATE OF NEXT REGULAR MEETING:** June 5, 2013.

20

**ADJOURNMENT**

22

MS. DOUTHITT MOVED TO ADJOURN. MR. SIMMONS SECONDED THE MOTION.  
ALL APPROVE.

24

The meeting was adjourned at 9:45 P.M.

26

28

Attest: \_\_\_\_\_

30

Lynda St. Amour, Planning Board Clerk

32

Approved: June 5, 2013