

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

6 **July 2, 2014**

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

8 **Hopkinton Town Hall**

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

10 **CALL TO ORDER**

11 The July 2, 2014 meeting of the Hopkinton Planning Board was called to order at 7:01 p.m. by  
12 Chairman Alfred DiOrio.

14 **MEMBERS PRESENT**

15 Alfred DiOrio, Donald Simmons and Carolyn J. Doyle were present.

16 Howard Walker and Hazel Douthitt were absent.

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

20 **APPROVAL OF MINUTES**

22 MS. DOYLE MOVED TO APPROVE THE MINUTES OF THE JUNE 4, 2014 MEETING.

23 MR. SIMMONS SECONDED THE MOTION.

24 MESSRS. DIORIO AND SIMMONS AND MS. DOYLE APPROVE. MOTION CARRIES.

26 **NEW BUSINESS**

27 Master Plan Public Informational Meeting – Major Land Development Project – ANCHOR SELF  
28 STORAGE – SASSY PROPERTIES UNLIMITED, LLC – 1115 Main Street – AP 28, Lot 136. Anchor Self  
29 Storage, applicant.

30 Attorney Naccarato had not yet arrived. Board proceeds to old business.

32 **OLD BUSINESS**

34 SELECTION OF DATE FOR PUBLIC HEARING FOR SUBDIVISION REGULATIONS

35 Mr. Lamphere suggested we have the public hearing on the Subdivision Regulations at the  
36 August 6 meeting. The Council will have a public hearing on the four ordinances at their July 7,  
37 meeting and will adopt the ordinances at their July 21 meeting. We will then advertise in the  
38 Westerly Sun for three consecutive weeks. Notices will be sent to abutting towns for the  
39 Planning Board's public hearing on the Subdivision Regulations. The Board can then adopt the  
40 Subdivision Regulations in September.

42 **NEW BUSINESS, Con't.**

43 The Board returns to the application for ANCHOR SELF STORAGE – SASSY PROPERTIES UNLIMITED,  
44 LLC.

45 Attorney Vincent Naccarato represented the applicant and the owner. The Board approved a  
46 Master Plan submitted by Sassy Properties Unlimited last year for the expansion of the mini  
47 storage facility with four, 5,000 square foot, climate-controlled buildings. They are now in  
48 contract to sell the property to Anchor Storage, who would be better served with two, 10,000

2 square foot buildings. This proposal requires a dimensional variance from setbacks on Bank  
4 Street. They have applied to the Zoning Board for that variance and a hearing is set for the 17<sup>th</sup> of  
6 this month. It has been brought to Mr. Naccarato's attention that since the land is a split lot, to  
8 the east is zoned R1 and RFR-80 to the west, that Section 32 of the Zoning Ordinance may allow  
them to expand 30 feet in either direction and locate the building on the site without a variance.  
They are looking for a Master plan favorable recommendation to the Zoning Board for the  
variance.

10 Mr. DiOrio asked when this will be settled and have a definitive direction.

12 Mr. Naccarato response was on the 17<sup>th</sup>. Anchor Storages believes this plan will have a better  
14 traffic flow than with four buildings. He will check the applicability of the provisional zoning  
ordinance, and if it is not discretionary, they will decide whether to utilize it or not.

16 Chris Shea of Cherenzia and Associates, Engineer Manager for this site, said Anchor Storage is  
18 proposing two 9,900 square foot buildings that will be parallel to the easterly property line and  
off 65 1/2 feet. The buildings were sited to retain a 33 foot minimum access between the existing  
20 buildings and the proposed buildings, and to respect the 50 foot residential setbacks on the south  
side. Anchor Storage also requires a 24 foot drive aisle between the two buildings. They expect  
22 the buildings will be set roughly at the same elevation as the existing buildings. The site grades  
to the south to the gravel pit area. They will be grading roof runoff to the southern portion of the  
site.

24 Mr. Naccarato said there is some screening arborvitae along the southern boundary line, along  
26 the residentially zoned property. He asked if that will be maintained as previously proposed.

28 Ms. Shea said correct.

30 Mr. Naccarato asked about drainage.

32 Ms. Shea said the low point on the site is at elevation 82 and the buildings will be sited at  
elevation 90. The stormwater will infiltrate on site and be contained on site.

34 Mr. Naccarato asked as previously approved, the buildings require no septic, no utilities.

36 Ms. Shea correct. The only utility is for the climate control.

38 Mr. Naccarato gave the Board pictures of the site for the record. The intention of the variance  
40 was to allow a setback in the RFR-80 zone. Mr. Naccarato said the split lot provision is  
advantageous to them, and perhaps they will not need a variance.

42 Ms. Shea said if she can slide the zone line 30 feet and then measure where the building sits most  
44 forward on that line, there would be about a 50 foot offset to the property line with a 50 foot  
required setback. It would be sufficiently beyond the 50 feet needed to meet the requirement.

46 Mr. DiOrio asked if there is a chain link fence surrounding the existing facility now and if there  
48 will be a chain link fence surrounding the expansion area.

50 Mr. Naccarato said the chain link fencing will be around the whole site.

2 Mr. DiOrio said the arborvitae screening at the southerly portion of the site has the height  
omitted and asked if there will be something substantial?

4

Mr. Naccarato responded, whatever you would like.

6

Mr. DiOrio asked if lighting was to be similar to what is there already.

8

Mr. Naccarato said there is lighting there and this will be similar, dark sky.

10

Ms. Doyle said the existing facility show gravel drives. Will it be the same on the expansion?

12

Ms. Shea responded yes with the exception of a small bituminous drip line around the buildings,  
partially a drip line, partially sloping from the floor elevation to the exterior grade. There will be  
a six or eight foot bituminous perimeter around each of the buildings.

14

16

Mr. Buford asked if all the drainage goes to the low spot.

18

Ms. Shea said that is how it flows today. There will probably be some regrading to accommodate  
it. It is already compacted gravel. There is no increase in the runoff as a result of this project.  
They will do what they can to let it infiltrate in the back corner.

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22

Mr. Lamphere said the setbacks for the rear yard and the front yard are reversed. Another issue  
is, as these plans are now drawn, the distance from the row of arborvitae is 50 feet and should be  
60 feet, as that is the front yard. There are 60 feet on the north. That is the rear yard and that  
should be 50 feet. They will probably have to move both buildings ten feet to the north.

24

26

Ms. Shea disagreed with Mr. Lamphere regarding the front and rear property lines.

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Mr. DiOrio said he would be inclined to agree with the applicant.

30

Ms. Shea said there is a 50 foot setback to residential and not 50 foot front yard because the front  
yard is where the existing buildings are and with access on Main Street. She said it has no impact  
on the layout of the buildings.

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Mr. Lamphere said we have a regulation that says no commercial buildings should be less than  
100 feet from a residential district, which you meet.

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38

Mr. Naccarato said they went before the Zoning Board at Pre-application on the variance. For  
zoning purposes, the front is Main Street; residential is a side.

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Mr. Lamphere advised the applicant to work it out with the Zoning Official. He said if they don't  
need the variance, fine, but you certainly don't need what you asked for.

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44

Ms. Shea asked if the 100 foot is from a residential use or a zone. Those properties are in an R-1  
zone.

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Mr. Lamphere read, "no commercial or manufacturing structure shall be located closer than 100  
feet to a residential zone district boundary line."

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2 Ms. Capalbo asked if they were still planning on storing outside boats and trailers.

4 Mr. Naccarato believes that is still in their plans.

6 Ms. Shea does not know their plans but that there is access on the east side with entrances into the building and also grading.

8

10 Mr. DiOrio said he was not prepared to deal with outside storage of boats. Is he going to store them? Is he going to work on them? Was this all covered in the previous application?

12 Mr. Simmons said he was previously going to store them and he believes it was between the buildings.

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16 Mr. Naccarato said there were conditions in the previous special use permit. A couple of conditions were modified and they would carry through with the new owner. They are not asking for any change of those conditions. He does not know about the outside storage with the new owners.

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20 MR. SIMMONS MOVED TO APPROVE THE MASTER PLAN AS PROPOSED BASED UPON THE FOLLOWING FINDINGS OF FACT:

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24 1. THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE COMPREHENSIVE COMMUNITY PLAN AND HAS SATISFACTORILY ADDRESSED ANY ISSUES WHERE THERE WERE INCONSISTENCIES;

26 2. THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE STANDARDS AND PROVISIONS OF THE TOWN'S ZONING ORDINANCE OR IT WILL BE BROUGHT THEREFORE;

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30 3. THERE WILL BE NO SIGNIFICANT NEGATIVE ENVIRONMENTAL IMPACTS FROM THE DEVELOPMENT AS SHOWN WHEN ALL CONDITIONS FOR APPROVAL ARE MET;

32 4. THIS PROJECT, AS PROPOSED, WILL NOT RESULT IN ANY CREATION OF INDIVIDUAL LOTS WITH ANY PHYSICAL CONSTRAINTS TO DEVELOPMENT THAT BUILDING ON THOSE LOTS ACCORDING TO PERTINENT REGULATIONS AND BUILDING STANDARDS WOULD BE IMPRACTICABLE;

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36 5. ALL PROPOSED DEVELOPMENT HAS ADEQUATE AND PERMANENT PHYSICAL ACCESS TO A PUBLIC STREET;

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40 6. THE PROPOSED DEVELOPMENT PROVIDES FOR SAFE CIRCULATION OF PEDESTRIAN AND VEHICULAR TRAFFIC, FOR SURFACE WATER RUN-OFF, FOR SUITABLE BUILDING SITES, AND FOR PRESERVATION OF NATURAL, HISTORICAL, OR CULTURAL FEATURES THAT CONTRIBUTE TO THE ATTRACTIVENESS OF THE COMMUNITY; AND,

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44 7. THE DESIGN, AS IT STANDS, UTILIZES DRAINAGE IMPROVEMENTS THAT SHALL MINIMIZE FLOODING AND SOIL EROSION.

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Ms. DOYLE SECONDED THE MOTION.

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Ms. DOYLE AND MESSRS. DIORIO AND SIMMONS APPROVE. MOTION PASSES.

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Ms. DOYLE MOVED TO SEND A POSITIVE ADVISORY OPINION TO THE ZONING BOARD WITH REGARD TO THIS PROJECT:

- 2 1. THAT THE HARDSHIP FROM WHICH THE APPLICANT SEEKS RELIEF IS DUE TO THE UNIQUE  
4 CHARACTERISTICS OF THE SUBJECT LAND OR STRUCTURE AND NOT TO THE GENERAL  
6 CHARACTERISTICS OF THE SURROUNDING AREA AND IS NOT DUE TO A PHYSICAL OR ECONOMIC  
8 DISABILITY OF THE APPLICANT;
- 10 2. THAT THE HARDSHIP IS NOT THE RESULT OF ANY PRIOR ACTION OF THE APPLICANT AND DOES NOT  
12 RESULT PRIMARILY FROM THE DESIRE OF THE APPLICANT TO REALIZE GREATER FINANCIAL GAIN;
- 14 3. THAT THE GRANTING OF THE REQUESTED VARIANCE WILL NOT ALTER THE GENERAL CHARACTER OF  
16 THE SURROUNDING AREA OR IMPAIR THE INTENT OR PURPOSE OF THE ZONING ORDINANCE OR THE  
18 COMPREHENSIVE PLAN UNDER WHICH THIS ORDINANCE IS BASED; AND,
- 20 4. THAT THE RELIEF TO BE GRANTED IS THE LEAST RELIEF NECESSARY.

22 MR. SIMMONS SECONDS THE MOTION.

24 MS. DOYLE AND MESSRS. DIORIO AND SIMMONS APPROVE. MOTION PASSES.

26 **SOLICITORS'S REPORT:** None

28 **PLANNER'S REPORT:** None

30 **CORRESPONDENCE AND UPDATES**

- 32 ■ Mr. Lamphere said the policy for Submissions to the Board is in their packets.
- 34 ■ There is a comprehensive permit offered in the Town of Exeter on Route 2.
- 36 ■ Mr. Lamphere has received correspondence from Statewide Planning regarding the updating  
38 of our comprehensive plan with the offer of a grant. The State wants us to designate a growth  
40 center in town. Mr. Lamphere does not intend to pursue this particular grant and recalls the  
42 Board saying they were not eager to dive into it again. Our comprehensive plan state approval  
44 expires 7/1/16, but will still be valid locally.

46 Mr. Levesque said we are going through a zoning rewrite which will greatly impact the  
48 complexion of Hopkinton. The most prudent thing is to get that done, see what we look like,  
50 and then think about our future.

Mr. Lamphere said we have too many things in the mix. By Labor Day, we should be in  
excellent shape with a comprehensive plan that's updated, new subdivision regulations, and  
zoning soon after that. The Stormwater Management Plan was recently approved by the  
State. The Hazard Mitigation plan is up to date. Mr. Ward would like to see Exit one rezoned  
as a technology park, structured such that an aquifer protection permit would be a blanket for  
the whole district. That should be considered this fall when the consultants return with the  
zoning rewrite.

Mr. Lamphere said we have received a \$5000 grant through the CDBG Hurricane Sandy  
program to come up with a new element for our comprehensive plan, required by the state, to  
address energy production and consumption and emergency preparedness in town. He would  
like to get Fuss and O'Neill on that as a separate stand-alone element, get that adopted, and  
incorporate it into our comprehensive plan. We have until July 31 to apply for the \$12,000.

2 Mr. DiOrio does not want to lose getting the money, and asked Mr. Lamphere to look into this  
to see if it is in the best interest of the town, and to not miss any deadlines.

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**PUBLIC COMMENT:** None

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**DATE OF NEXT REGULAR MEETING:** August 6, 2014

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Special meeting for Public Hearing for Subdivision Regulations, August 13, 2014.

10 **ADJOURNMENT**

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

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The meeting was adjourned at 7:40 p.m.

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

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Lynda St. Amour, Planning Board Clerk

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Approved: 8-8-2014