

State of Rhode Island

County of Washington

In Hopkinton on the sixteenth day of November, 2017 A.D. the said meeting was called to order by Zoning Board of Review Chairman Jonathan Ure at 7:00 P.M. in the Town Hall Meeting Room with a moment of silent meditation and a salute to the Flag.

PRESENT: Jonathan Ure, Ronnie Sposato, Daniel Harrington,
Joseph York, Philip Scalise: Alternates: Michael Geary & Daniel Baruti;
Solicitor: Veronica Assalone; Zoning Board Clerk: Elizabeth Metcalf;
Deputy Zoning Official: Sherri Desjardins

Sitting as Board: Ure, Sposato, Harrington, York, Scalise

Former Chairman Phil Scalise signed the decisions for Cann Cure Cultivation, LLC, Industrial Tower & Wireless, LLC and Hopkinton Industrial Park, LLC from the October 19, 2017 Zoning Board of Review meeting.

Petition I – Decision

A Petition on an Appeal of the Zoning Official filed by George A Comolli, Attorney on behalf of Edward C and Julieta G Sherman of 163 Canal Street, Westerly, RI 02891 for property owned and located at 165 Ashaway Road, Ashaway, RI 02804 identified as AP 23, Lot 4 an RFR-80 Zone and filed in accordance with Section 24 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

A stenographer is present and a copy of the transcript will be attached to the minutes and be made part of the record.

Attorney Steven Surdut is present representing Edward C and Julieta G Sherman.

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY
RONNIE SPOSATO TO OPEN DISCUSSION ON FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY RONNIE SPOSATO THAT THE DECISION AND CONDITIONS THAT THE BOARD RENDERED IN 2014 ARE FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY JOSEPH YORK THAT THE LETTERS ISSUED FROM THE BUILDING OFFICIAL, THE PERMITS RECEIVED IN 2014 AND THE EXPIRATION OF PERMITS DUE TO NONCOMPLIANCE BE ACCEPTED AS FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY DAN HARRINGTON THAT THE MINUTES OF THE SITE VISIT OF NOVEMBER 1, 2017 BE ACCEPTED AS FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY JOSEPH YORK THAT THE TESTIMONY AND LETTER FROM MR. MUSZYNSKI AND THE LETTER FROM THE LIESES BE ACCEPTED AS FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY DAN HARRINGTON THAT MR. SHERMAN’S TESTIMONY BE ACCEPTED AS FINDINGS OF FACT.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY RONNIE SPOSATO THAT BASED ON THE FINDINGS OF FACT STATED, THE SITE VISIT, THE TRANSCRIPTS AND THE SITE PLANS AND THE ORIGINAL CEASE AND DESIST ORDER, THE BOARD DENIES THE APPEAL AND UPHOLDS THE DECISION OF THE ZONING OFFICIAL.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY PHILIP SCALISE AND SECONDED BY DAN HARRINGTON THAT THE BOARD STAYS THE ENFORCEMENT OF THE DECISION UNTIL THE JANUARY MEETING ALLOWING THE

APPLICANT TIME FOR FURTHER PREPARATION AS THEY GET CLOSER TO THE ORIGINAL INTENT OF THE ZONING OFFICIAL’S DECISION AND GUIDANCE.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

Petition II- Hearing

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 BY PHILIP SCALISE AND SECONDED BY RONNIE SPOSATO TO CONTINUE PETITION II TO THE FEBRUARY 15, 2017 ZONING BOARD OF REVIEW MEETING.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY JOSEPH YORK AND SECONDED BY PHILIP SCALISE TO APPROVE THE MINUTES OF THE OCTOBER 19, 2017 ZONING BOARD OF REVIEW MEETING.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY JOSEPH YORK AND SECONDED BY PHILIP SCALISE TO APPROVE THE ALLIED COURT REPORTERS’ TRANSCRIPT

OF THE OCTOBER 19, 2017 ZONING BOARD OF REVIEW MEETING
PERTAINING TO THE CANN CURE CULTIVATION, LLC APPEAL.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY JOSEPH YORK AND SECONDED BY PHILIP
SCALISE TO APPROVE THE ALLIED COURT REPORTERS' TRANSCRIPT
OF THE OCTOBER 19, 2017 ZONING BOARD OF REVIEW MEETING
PERTAINING TO THE SHERMAN APPEAL.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY JOSEPH YORK AND SECONDED BY PHILIP
SCALISE TO APPROVE THE SITE VISIT REPORT FROM NOVEMBER 1,
2017 PERTAINING TO THE SHERMAN APPEAL.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY RONNIE SPOSATO AND SECONDED BY
DAN HARRINGTON TO APPROVE THAT PHILIP SCALISE'S POSITION IS
CHANGED FROM CHAIRMAN TO AN ALTERNATE WITH MIKE GEARY
AS A REGULAR MEMBER OF THE BOARD AND DAN BARUTI AS FIRST
ALTERNATE.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

A MOTION WAS MADE BY JOSEPH YORK AND SECONDED BY RONNIE SPOSATO TO ADJOURN THE MEETING AT 7:45PM.

IN FAVOR: URE, SPOSATO, HARRINGTON, YORK, SCALISE

OPPOSED: NONE

SO VOTED

Respectfully Submitted,

Elizabeth Metcalf

Deputy Zoning Board Clerk