

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

6 **Wednesday, May 2, 2018**  
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 2, 2018 meeting of the Hopkinton Planning Board was called to order at 7:00 P.M.  
12 by Vice Chair Amy Williams.

14 **MEMBERS PRESENT:**

15 Amy Williams, Tom Holberton, Ronald Prellwitz were present.

16 Also present were: John Pennypacker, Conservation Commission; James Lamphere, Town  
18 Planner; and Kevin McAllister, Town Solicitor.

20 **APPROVAL OF MINUTES:**

21 MR. HOLBERTON MOVED TO APPROVE THE MINUTES OF THE APRIL 4, 2018 PLANNING BOARD  
22 MEETING.

23 MR. PRELLWITZ SECONDED THE MOTION.

24 MS. WILLIAMS, MR. HOLBERTON AND MR. PRELLWITZ APPROVED. MOTION PASSED.

26 **OLD BUSINESS:**

28 Minor Subdivision - **Request for Extension** – AP 25 Lot 54 – Maple Court –  
29 Sarah Land Company, LLC, applicant.

30 Town Planner James Lamphere explained that the applicant had called and said he was  
32 unable to attend the meeting due to an injury, and that he would be willing to appear at a  
34 future meeting if the Board wished to discuss the application with him. Mr. Lamphere  
35 outlined the extension request of the project for the Planning Board. Due to the project  
36 approval expiring at the end of the month of May, having been approved 11 years ago and  
37 been extended several times since then. The applicant was seeking to extend the approval for  
38 another year. Mr. Lamphere said that if the Board was willing to approve the extension  
39 beyond 90 days, they would have to make certain findings of fact to do so. He also explained  
40 the differences between if the project approval were allowed to lapse and be reinstated versus  
41 extending a current approval. The Planning Board discussed the implications of an extension  
42 and how long a project could reasonably be approved.

2 HAVING FOUND THAT THE DEVELOPER HAS BEGUN SITE WORK ON THE PROJECT, MR. HOLBERTON  
4 MOVED TO EXTEND THE PRELIMINARY APPROVAL FOR ONE YEAR, WITH THE EXPECTATION THAT  
THE APPLICANT WILL APPEAR BEFORE THE PLANNING BOARD FOR FINAL APPROVAL AT A FUTURE  
MEETING.

6 MR. PRELLWITZ SECONDED THE MOTION.

8 MR. WILLIAMS, MR. HOLBERTON, AND MR. PRELLWITZ APPROVED. MOTION PASSED.

10 Advisory Opinion to Town Council – **Request for Zoning/Future Land Use Map Amendments** –  
AP 15 Lot 13B – 35 Mechanic Street – Town of Hopkinton, applicant.

12

14 Kevin McAllister, Town of Hopkinton solicitor, presented on behalf of the Town. The case  
came to the town as a result of a building certificate request. The property currently has a  
16 manufacturing building on it built in 1880, and has been used in that capacity, with various  
interruptions, since then. The property has been taxed as a manufacturing property. Lots 13B  
and the adjacent lot 13 both have manufacturing buildings, and it appears that the parcel was  
18 zoned residential in error at some point.

20 Mr. DiOrio arrived to the meeting at 7:13pm.

22 Mr. McAllister, after consulting with the Town Clerk and Town Manager, submitted the  
application to correct the error at no cost to the property owner because it was inappropriately  
24 re-zoned through no fault of their. Despite it being an error, Mr. McAllister thought it would  
be appropriate to go through the normal re-zoning process, which is why the application  
26 appears before the Planning Board for an advisory opinion to the Town Council.

28 Questions from the Board:

30 Ms. Williams: What was the facility originally named?

32 Mr. McAllister: The Town Clerk went back as far as she could go, and she thought that  
historically it had always been a manufacturing operation. Both lots 13 and 13B have held a  
mill structure since the 1880s. The lots were split in the 1970s. The name wasn't mentioned.

34 Mr. Prellwitz: The property on the other side of the dam was turned into a hatchery. Is that  
part of the same property?

36 Mr. McAllister: I don't think so, according to the map.

38 Mr. DiOrio: I would have thought that the property owner would be presenting this proposed  
change.

40 Mr. McAllister: I'm not advocating for this proposal. The owner brought this to the Town and  
asked if they could fix it. I thought it was unfair to charge the owner to fix this when, based  
on the consensus of the town staff, we thought it was a mistake. If we went through the owner,  
42 we'd have to charge them a fee, and I thought that was inappropriate. I can represent that the  
owner is aware of the proposal and is supportive of the change.

44

2 MR. DIORIO MADE A MOTION FOR A POSITIVE RECOMMENDATION FOR THE PROPOSED ZONING  
4 AMENDMENT, HAVING FOUND THAT THE PROPOSED AMENDMENT SUPPORTS THE HOPKINTON  
6 COMPREHENSIVE PLAN’S LAND USE GOAL #2, *TO PRESERVE THE HISTORIC CHARACTER OF THE  
8 VILLAGES AND SURROUNDING UNDEVELOPED AREAS*, THAT ALSO IT SUPPORTS LAND USE POLICY  
10 #20, *ENCOURAGE INDUSTRIAL DEVELOPMENT THAT IS COMPATIBLE WITH COMMUNITY CHARACTER  
12 AND SURROUNDING LAND USES*, AND THAT IT IMPLEMENTS THE COMPREHENSIVE PLAN BY  
14 BRINGING THE ZONING MAP INTO CONSISTENCY WITH THE COMPREHENSIVE PLAN’S FUTURE  
16 LAND USE MAP.

18 MR. PRELLWITZ SECONDED THE MOTION.

20 MR. DIORIO, MS. WILLIAMS, MR. HOLBERTON, AND MR. PRELLWITZ APPROVED THE MOTION.  
22 MOTION PASSED 4-0.

24 **NEW BUSINESS:**

26 **Community Development Block Grant Program (CDBG) PY 2017 - Review activities for consistency  
28 with Hopkinton’s Comprehensive Plan.**

30 Mr. Lamphere summarized the contents of the Town’s CDBG applications for the Planning  
32 Board. There were four activates applying for CDBG funds: \$146,138 to complete the  
34 Langworthy Field Master Plan improvements, the Johnnycake Center requested \$82,675 for  
36 renovations to the front of their building, the WARM Shelter requested \$70,000 for their  
38 employment readiness program, a group home on Fenner Hill Road requested \$8,409 to  
40 renovate their kitchen facilities. And finally \$15,000 in administration funds to the  
42 Washington County Community Development Corporation to manage the CDBG program  
44 for the Town. Projects will be brought to the Town Council for a public hearing, and the  
projects will be prioritized by the Council for application to the state. The Planning Board is  
tasked with certifying that the activities do not conflict with the Town’s Comprehensive Plan.

Questions from the Planning Board:

32 Ms. Williams: Westerly is not included in the Washington County CDC. I’m confused how  
34 Westerly could be included here on the application.

36 Mr. Lamphere: I’m not sure what the Town of Westerly is doing this year for CDBG. They’re  
38 either not applying for CDBG funds, or they’re doing it on their own. These non-profits are  
40 applying to the Town of Hopkinton, not Westerly.

42 MR. DIORIO MOVED TO CERTIFY THAT THE GRANT APPLICATIONS ARE NOT IN CONFLICT WITH THE  
44 GENERAL POLICIES SET FORTH IN THE COMPREHENSIVE PLAN.

MR. HOLBERTON SECONDED THE MOTION

MR. DIORIO, MS. WILLIAMS, MR. HOLBERTON, AND MR. PRELLWITZ APPROVED.

**2 SOLICITOR’S REPORT:**

Open Meetings Act Guidance

**4**

Mr. McAllister provided a brief description of the RI Open Meetings Act (“the Act”) for the  
**6** Planning Board. The Act provides the public with a reliable expectation of what will be  
discussed at public meetings. The Act applies whenever a public body has a quorum for a  
**8** meeting. Mr. McAllister emphasized that a “rolling quorum”, where members share matters  
amongst each other, is also in violation of the Act (with the exception of scheduling). This is  
**10** most applicable in email chains where multiple people are attached. Site visits are permitted  
“provided that the group does not engage in a collective discussion during the site visit, or  
**12** take any other action.” If the site visit were posted as a meeting, discussion would be  
permitted. The Board also asked several questions about compliance with the Act.

**14**

**PLANNER’S REPORT:**

Mr. DiOrio congratulated Mr. Lamphere on the work done on the Langworthy Field  
improvements project.

**18**

**CORRESPONDENCE AND UPDATES:**

None

**20**

**PUBLIC COMMENT:**

None

**24**

**DATE OF NEXT REGULAR MEETING:** June 6, 2018

**26**

**ADJOURNMENT:**

MR. DIORIO MOVED TO ADJOURN THE MEETING

MR. PRELLWITZ SECONDED THE MOTION

MR. DIORIO, MS. WILLIAMS, MR. HOLBERTON, AND MR. PRELLWITZ APPROVED.

MOTION PASSED.

**30**

**32**

The meeting was adjourned at 7:45 P.M.

**34**