

ZONING BOARD OF REVIEW MEETING MINUTES – February 20, 2020

State of Rhode Island

County of Washington

In Hopkinton on the twentieth (20th) day of February 2020 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, Daniel Harrington, Michael Geary, Ronnie Sposato, Joe York, Alternate Daniel Baruti

Zoning Board Clerk: Elizabeth Monty

Deputy Zoning Official: Sherry Desjardins

Zoning Board Solicitor: Veronica Assalone, Esq., Solicitor, of Assalone & Associates, LLC

Town Council Member: Barbara Capalbo

Absent: none

Board Member: Joseph York recused himself from Petition I

Chairman Ure states that he will switch things to bring Petition II to go first because it will go a lot quicker than Petition I. This is kind of a normal process that we do here. Whoever is here for Petition II, we are going to determine the completeness of the application and consider waivers for the Petition for a Special Use Permit filed by Olaf Herrmann on behalf of himself with mailing address of 3235 Sylewood Avenue, Villages, Florida 32163, for property owned by himself and Kelli Talbot and located at 21 Fairview Avenue, Hope Valley, RI 02832, and identified as AP 28 Lot 16B a Residential Zone and (RFR-80) filed in accordance with Section 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Chairman Ure: “So – Is Olaf here tonight?”

Olaf Herrmann: “Yes, right here.”

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Chairman Ure: “Hello.”

Chairman Ure goes on to say that the Board will go through their checklist, and if they have any questions, they will chime in. You will hear us do a lot of speaking. We are just making sure that everything is in order.

Mr. York stated that he would be doing much reading.

Chairman Ure stated that Joe would read off the checklist.

Mr. York reads. Item A. Three copies of the site plan prepared by and signed and stamped by a professional engineer or a professional land surveyor at a scale of no less than one inch equal to forty feet clearly showing.

Mr. Harrington stated that it looks like they have the site plan.

Mr. York stated the name and address of the property owners.

Mr. Ure asked if they had a full set on file.

Board discussed this and Ms. Dejardins stated that the Applicant would like to use the septic plan as the site plan. She further directed the Board to the large plans on their desk.

Board discussed among themselves.

Chairman Ure asked Mr. Harrington to look at the plan, as he is much quicker since he looks at them all the time.

Mr. York asked – first one – name and address of the property owners.

Mr. Harrington discussed. He stated it was the previous owner.

Chairman Ure asked to entertain a motion that for checklist item A to use the septic plan be used as a site plan.

A MOTION WAS MADE BY MR. HARRINGTON TO USE THE SEPTIC PLAN AS THE SITE PLAN. THIS WAS SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

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Mr. York moved on to number two: date, North arrow, graphic scale, lot dimensions and area.

Board discussed and examined the maps. They noted that all maps were the same.

Mr. Harrington stated that for purposes of the application – which is no changes to be made then this meets the requirement. They aren't going to change any of the structures.

Mr. Ure and the Board goes through what is sufficient and lists the items.

Mr. Harrington said he thinks there is another plan. They saw one a few years ago.

Board continues to discuss...

Mr. Sposato showed the Board that he found the other plan that Mr. Harrington was referring to.

Mr. Harrington said this was for the abutter. This piece of property was owned by Cormier.

Ms. Desjardin interjected a question regarding bedrooms.

Mr. Harrington stated that collectively they have everything they need.

Mr. Ure stated they could now move on.

Mr. York reads number 4: existing and proposed structures and their relationship and distances from lot boundary lines.

Board discusses and notes that all are there.

Mr. York reads number 5: existing and proposed parking areas and walkways. All seems fine.

Mr. York reads number 6: existing and proposed landscaping, as it relates to the request. Board agrees this is fine.

Mr. York reads number 7: existing streets, 9-1-1 address, wells, septic system. It is there.

Mr. York reads number 8: List of names and addresses of all property owners

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within 200 feet of subject property. Mr. Sposato stated they have got it.

Mr. York reads number 9: Any peculiar site conditions or features. They agree it is there.

MR. YORK MADE A MOTION THAT CHECKLIST ITEM A IS COMPLETE.

MR. SPOSATO SECONDED. ALL WERE IN FAVOR.

SO VOTED.

Mr. York stated that Item B is three copies of a separate map indicating all property owners within 200 feet of the subject property and/or all those property owners and entities which require notice under Section 45-24-53 RIGL.

The Board reads the list of abutters one by one. Lot 0, Lot 18 (Soderburg), Lot 16A (Jordan/Dias), Lot 16B (applicant), Lot 16C (Chrissos), Lot owned by Chrissos + Spitell), 25 Fairview Ave and 7 Kreyssig Dr., Lot 19 is way down....Board discusses and states that they are all set.

MR. SPOSATO MADE A MOTION THAT CHECKLIST ITEM B IS COMPLETE, SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

Checklist Item C is a soil erosion and stormwater control plan with supporting calculations based on standards approved by the USDA Soil Conservation Service and in conformity with the RI Erosion and Sediment Control Handbook. There is a request to waiver this Item.

MR. SPOSATO MADE A MOTION TO WAIVE CHECKLIST ITEM C, SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

Checklist Item D is a letter from a Biologist indicating that there are no freshwater wetlands on or in proximity to the site such that the application is

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regulated by the RI Freshwater Wetlands Act. In those instances where the application is regulated by the RI Freshwater Wetlands Act, a physical alteration permit issued by the RI Department of Environmental Management, and where applicable, the US Army of Engineers, shall be required. There is also a request for waiver on this item.

MR. SPOSATO MADE A MOTION TO WAIVE CHECKLIST ITEM D, SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

Checklist Item E is location of existing septic system. Where construction requires approval by RI DEM – Division of Land Resources for an ISDS or change of use permit for the proposed activity, attach a copy to the application.

We have an existing plan right here with the COC, stated Mr. Harrington.

MR. SPOSATO MADE A MOTION THAT CHECKLIST ITEM E IS COMPLETE, SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

Checklist Item F is a traffic study addressing the potential impacts of the proposed activity. There's a request to waive this Item as well.

MR. SPOSATO MADE A MOTION TO WAIVE THE TRAFFIC STUDY, SECONDED BY MR. GEARY. ALL WERE IN FAVOR.

SO VOTED.

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Checklist Item G: On a separate site plan, indicate existing and proposed topography at two-foot intervals. Mr. Sposato noted this was complete.

MR. SPOSATO MADE A MOTION THAT CHECKLIST ITEM G IS COMPLETE AND MR. GEARY SECONDED THIS MOTION. ALL WERE IN FAVOR.

SO VOTED.

Mr. York read that the last Item H is to provide evidence that the proposed water supply has sufficient supply to support the proposed activity and is of drinking water quality. The Board noted that there is already an existing well on the property.

MR. SPOSATO MADE A MOTION THAT CHECKLIST ITEM H IS COMPLETE. MR. GEARY SECONDED THE MOTION. ALL WERE IN FAVOR.

SO VOTED.

Mr. Ure spoke to the applicant stating that he should be all set and the neighbors need to be notified by certified mail and he would need to get the green cards back to the clerk before the hearing on March 19th (later it was noted that the hearing would instead be held on March 26th, 2020). Mr. Herrmann asked if he needed to take any action and was instructed by Ms. Desjardins that she has a sample letter that he can send to the abutters. He could see her afterward for this. Mr. Herrmann thanked the Board and exited.

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Sitting as Board for Petition I: Ure, Harrington, Geary, Baruti, Sposato

Petition I – Determine completeness of application/consider waivers.
A Petition for a Dimensional Variance filed by Attorney George A Comolli on behalf of Hopkinton Industrial Park, LLC, with mailing address of 401 Main Street, Ashaway, RI 02804, for property owned by Hopkinton Industrial Park, LLC and located at 15 Gray Lane, Ashaway, RI 02804, and identified as AP 4 Lot 12 a Manufacturing Zone and filed in accordance with Section 9 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

All fees have been paid.

All notices have been posted.

*****A separate Transcript by the Alternate Clerk will be provided to accompany these minutes.*****

MEMBER SPOSATO MADE A MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 19, 2019 AND JANUARY 16, 2020 ZONING BOARD MEETING AND IT WAS SECONDED BY MEMBER GEARY. ALL APPROVED. NO DISCUSSION

SO VOTED.

MEMBER SPOSATO MADE A MOTION TO ADJOURN THE MEETING AT 7:50 P.M. AND IT WAS SECONDED BY MEMBER GEARY. ALL WERE IN FAVOR. NO DISCUSSION.

SO VOTED.

Respectfully Submitted,

Elizabeth Monty

Zoning Board Clerk

Next Meeting: March 19 (26, upon discussion), 2020; 7:00 P.M.