

ZONING BOARD OF REVIEW MEETING MINUTES – August 20, 2020

State of Rhode Island

County of Washington

In Hopkinton on the twentieth (20<sup>th</sup>) day of August 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

Building Official: Anthony Santilli

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

Absent: Phil Scalise (Alternate Zoning Board Member)

7:00 P.M. Call to Order – Introduction - Moment of silent meditation and salute to the Flag.

Members sitting as Board: Ure, Sposato, Harrington, York, Geary

Petition I – Determine completeness of application/consider waivers.

A Petition for a Special Use Permit filed by Michael Lachapelle, with mailing address of PO Box 1403, Westerly, RI 02891, for property owned by Kenneth Adams located at 13 Oak St, Ashaway, RI 02804 identified as AP 24, Lot 37 an R-1 Zone and filed in accordance with Sections 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Applicant or representative present.  
Filing fees paid and notice posted.

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Chairman Ure reads the Petition. He states the Board will go through a checklist to see if the Applicant/s have everything they need or if there is anything they need to add. If all goes well this petition will be on the agenda for a hearing at the next meeting. He said the Board would be doing a lot of talking. Joe would be reading off the checklist.

Member York reads through the checklist:

Checklist item A: Three (3) copies of a site plan prepared by, and signed and stamped by a professional engineer or professional land surveyor at a scale of no less than one (1) inch = forty (40) feet clearly showing; On that plan we are looking for:

1. Name and address of property owners
2. Date , north arrow, graphic scale, lot dimensions and area
3. Plat & lot, zoning districts and setbacks
4. Existing and proposed structures and their relationship and distances from lot boundaries
5. Existing and proposed parking areas and walkways
6. Existing and proposed landscaping, as it relates to the request
7. Existing street, 9-1-1 address, wells and septic system
8. List of names and addresses of all property owners within 200 feet of subject property
9. Any peculiar site conditions or features

The Board goes through each item as follows & it was noted the site map was presented.

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1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes; the Board reads through all names and lot numbers (Map 24: lots: 36, 38, 39, 65, 65B, 65A, touch of 64, 35, 178A, 28)
9. Yes; Member Harrington stated that there is a small pond at the rear of the site. Member York noted the site was relatively flat.

MEMBER YORK MADE A MOTION THAT CHECKLIST ITEM A IS COMPLETE, SECONDED BY MEMBER HARRINGTON. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Member York goes on to Checklist Item B:

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 also depicting any zoning district boundary and uses of all neighboring properties.

The Board stated that they just did this.

MEMBER YORK MADE A MOTION THAT CHECKLIST ITEM B IS COMPLETE; SECONDED BY MEMBER GEARY. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

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Member York went on to Checklist Item C:

A soil erosion and stormwater control plan.

Member Harrington stated that the Applicant was seeking a waiver for this item.

MEMBER HARRINGTON MADE A MOTION THAT THE BOARD WAIVE CHECKLIST ITEM C; SECONDED BY MEMBER GEARY.

DISCUSSION: There would be a new foundation in the same footprint (Member Sposato), but since it is a garage only, without plumbing – that was ok. They are putting the same exact thing back.

ALL WERE IN FAVOR.

SO VOTED

Member York went on to Checklist Item D:

A letter from a biologist indicating that there are no freshwater wetlands on or in close proximity to the site. Waiver is requested.

MEMBER SPOSATO MADE A MOTION THAT THE BOARD WAIVE CHECKLIST ITEM D. (The septic is in between the house and the garage and it is already approved.) THIS WAS SECONDED BY MEMBER HARRINGTON. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Member York continued to Checklist Item E:

Location of existing septic system. (York noted: “We have that.”) 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.

MR. SPOSATO MADE A MOTION TO WAIVE CHECKLIST ITEM E; SECONDED BY MR. YORK. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

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Member York moved on to Checklist Item F:

Traffic study addressing the potential impacts of the proposed activity. Member Harrington noted the Applicant has asked for a waiver.

MEMBER HARRINGTON MADE A MOTION TO WAIVE CHECKLIST ITEM F; SECONDED BY MEMBER SPOSATO. THERE WAS NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Member York moved on to Checklist Item G:

On a separate site plan, indicate existing and proposed topography at two (2) foot intervals.

Member Harrington stated that they asked for a waiver, but it is actually on the septic plan.

Member Sposato stated that the Board should just accept the information given already to the Board.

MEMBER SPOSATO MADE A MOTION TO ACCEPT THE INFORMATION WE ALREADY HAVE (GIVEN FOR CHECKLIST ITEM G) AS COMPLETE; SECONDED BY MEMBER YORK. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Member York moved on to Checklist Item H:

Provide evidence that the proposed water supply has sufficient supply to support the proposed activity and it is of drinking water quality.

Member Harrington and Member Sposato noted that there is no plumbing – so the Applicant should ask for a waiver. The Board asked the Applicant to change the main application with the Clerk to ask for a waiver. Member Sposato noted that this change can be hand written on the application. Chairman Ure asked the

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Applicant to see the Clerk and update the application asking for the waiver of this item (H).

Clerk Monty directed the Applicant where to write on the application and the waiver was requested by Mr. Lachapelle, the Applicant.

MEMBER SPOSATO MADE A MOTION TO GRANT A WAIVER FOR CHECKLIST ITEM H; SECONDED BY MEMBER YORK. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

MEMBER YORK MADE A MOTION TO ACCEPT THE CHECKLIST AS APPROVED; SECONDED BY MEMBER SPOSATO. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Chairman Ure explained to the Applicant/s that they would now need to notify the neighbors/abutters in the 200-foot radius via certified letter, using the USPS green cards before the hearing. The notice or letter would need to be returned. The hearing is slated to be at the next Zoning Board meeting on Thursday September 17, 2020 at 7:00 p.m. in Town Hall. If they have any questions, they can reach out to the Building department. Chairman Ure explained that next month the Board would go through everything and see where it goes.

All cordially said good bye and thanked one another.

MEMBER SPOSATO MADE A MOTION TO APPROVE THE JUNE 18, 2020 ZONING BOARD MINUTES; AMENDING THAT TONY SANTILLI WAS PRESENT; SECONDED BY MEMBER YORK. NO DISCUSSION. ALL IN FAVOR.

SO VOTED

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CHAIRMAN URE PUT ON RECORD THAT THE DECISION FROM THE JUNE 18, 2020 ZONING BOARD MEETING FOR OLAF HERMANN AND KELLI TALBOT FOR A SPECIAL USE PERMIT WAS RATIFIED.

MEMBER SPOSATO MADE A MOTION TO ADJOURN THE MEETING AT 7:15 P.M.; SECONDED BY MEMBER YORK. NO DISCUSSION. ALL WERE IN FAVOR.

SO VOTED

Respectfully Submitted,

Elizabeth Monty

Zoning Board Clerk

Next scheduled meeting: September 17, 2020