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October 1, 2020

Elizabeth Cook-Martin
Hopkinton Town Clerk
Hopkinton Town Hall
One Town House Road
Hopkinton, RI 02833
townclerk@hopkintonri.org

Re: Application for an amendment to the Hopkinton Zoning Ordinance

Dear Ms. Cook-Martin,

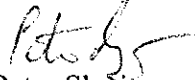
Enclosed please find an application for amendment to the Hopkinton Zoning Ordinance, filed on behalf of my clients, Tom and Cynthia Sculco, who own property located at 192 Woodville Road in Hopkinton. The purpose of the proposed amendment is to amend the table of permitted uses as to solar energy systems and to update the review and approval procedures for solar energy systems throughout the Town. My clients are not submitting this proposed amendment in relation to any particular project, property, or development proposal and they have no plans to install a solar energy system in the future. Instead, they have kept abreast with interest in the heated issue of solar development in the Town and have asked our firm to draft this proposed amendment in an attempt to address this issue on a Town-wide basis.

Because this proposed amendment is not tied to any specific proposal or development and does not request a Zoning Map change, the ordinary checklist for a zoning amendment, which asks for site specific plans and development materials, is largely inapplicable. Instead, this application includes a draft text amendment to the Zoning Ordinance, amending the way solar is reviewed and approved throughout the Town. Further, Section 16(D) of the Zoning Ordinance only requires notice in accordance with RIGL 45-24-53. Since RIGL 45-24-53(d) only requires mail notice to abutters for “a specific change in a zoning district map,” this amendment does not require notice to abutters, as it does “not single out a specific property for revision.” See Generation Realty, LLC v. Catanzaro, 21 A.3d 253, 262 (R.I. 2011). Accordingly, the only notice required for this proposed amendment is “publication of notice in a newspaper of general circulation within the city or town at least once each week for three (3) successive weeks prior to the date of the hearing,” as required by RIGL 45-24-53(a). At your convenience, please let me know the cost for publication of notice and my clients would be happy to cover it.

A hardcopy of this application will be delivered to Town Hall tomorrow, October 2, 2020, in triplicate and with the \$100 application fee. Pursuant to RIGL 45-24-51 and Section 16(B) of the Hopkinton Zoning Ordinance, I would respectfully request that this matter be referred to the Planning Board, so that the Board may provide a recommendation to the Council within forty-five (45) days of the date the proposal is received, *i.e.*, on or before Monday November 16, 2020. I would also ask that it be referred to the Town Council so that a public hearing may be held within sixty (60) days of the date of this proposal, *i.e.*, on or before Tuesday December 1, 2020.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Peter Skwirz

Ursillo, Teitz, & Ritch, LTD

cc: Jim Lamphere, Hopkinton Town Planner
planner@hopkintonri.org

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