

**TOWN OF HOPKINTON
PLANNING BOARD**

REGULAR MEETING

Wednesday, December 1, 2021

6:00 p.m.

**Hopkinton Town Hall
1 Town House Road, Hopkinton, RI 02833**

CALL TO ORDER:

Planning Board Vice Chair Ron Prellwitz called the meeting to order at 6:01 p.m.

MEMBERS PRESENT:

Planning Board Vice Chairs Ron Prellwitz and Emily Shumchenia, Planning Board members Carolyn Light and Keith Lindelow, Planning Board alternates John Pennypacker (arrived at 6:03 p.m.) and Cecil Wayles were in attendance. They were joined by Town Council Liaison Sharon Davis, Town Planner Jim Lamphere, Senior Planning Clerk Talia Jalette, and Planning Board Solicitor Maggie Hogan. Planning Board Chairman Al DiOrio and Conservation Commission Deb O’Leary were absent.

PRE-ROLL FOR JANUARY 5, 2022 PLANNING BOARD MEETING:

Mr. Prellwitz said that he was not sure if he was going to be able to attend. Mr. Lindelow said that he would be in attendance, as did Mr. Wayles, Ms. Light, Ms. Shumchenia. Mr. Pennypacker was asked if he would be in attendance at the Planning Board meeting in December after he arrived. He said that he would.

MINUTE APPROVAL EXTENSION REQUEST, PURSUANT TO RI GENERAL LAW 42-46-7(b)(1): November 3, 2021 Regular Meeting

Ms. Jalette explained that she needed more time to complete the minutes. The request was granted.

OLD BUSINESS:

Preliminary Plan – Public Hearing – Brushy Brook – 140-Unit Comprehensive Permit – Plat 32, Lots 1, 4, 6, 8, 10, 12, 14, 16, 17, 21, 23, 25, 27, 30, 32, 34, 36, 38, 40, 41, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 63, 65, 67, 68, 69, 70, and 71, located at 130 and 0 Dye Hill Road, 0 Brushy Brook Drive, 0 Wedge Road, 0 Green Lane. LR6-A Owner, LLC., and Realty Financial Partners, applicants.

Mr. Lamphere explained that there was a letter in the Board’s packet that detailed Mr. Landry’s request for a continuance for the project. He said that Mr. Landry was amenable to an extension on the decision as well.

Ms. Shumchenia made a motion to continue the application to the January 5th, 2022 meeting at 6:00 p.m., and to extend the decision date to February 16th, 2022. It was seconded by Mr. Lindelow. There was not any further discussion.

In Favor: Prellwitz, Lindelow, Wayles, Light, Shumchenia

Abstain: None.

Opposed: None.

5-0, the motion passed.

NEW BUSINESS:

Preliminary Plan – Public Hearing – Wood River Health Services Addition – AP 14, Lot 47A, 823 Main Street. Wood River Health Services, Inc., applicant.

Kelly Fracassa, the attorney for the applicant, appeared before the Board. He began by explaining that the applicant had been before the Planning Board in the past, and that they had recently been before the Zoning Board for a Special Use Permit, which they had obtained. He stated that the property was a non-conforming use in a residential special zone. He introduced Mike Wilkinson, the project engineer, as well as Alison Croke, from Wood River Health Services. He stated that Ms. Croke would explain what “the project basically is all about”, and why it was necessary. He then introduced John Luca and David Christie, who were responsible for the landscape design. He asked each of the team members to appear before the Board to give a brief explanation of the work that they had done on the project, “especially the technical aspects of it. The first person to speak was Ms. Croke.

Mr. Croke stated that she is the President and CEO of Wood River Health Services. She explained that the project was “a 9,000 square foot, two-story addition” to their existing Hope Valley facility. She said that the facility was “needed for a couple of reasons”. She continued.

Ms. Croke: “One, to expand the clinical services that we offer today, as well as to accommodate our growing administrative staff. The first floor will be new clinical space, and will include five behavioral health counseling rooms, space for physical therapy, space for radiology, and a community room that will seat about 30 people – and that room will be open to the public, or any nonprofit, to use, free of charge, for any kind of meeting or, uh, anything like that. Uh, it will also be used for our behavioral health staff, to conduct group counseling, or our clinical staff, in general, to conduct any kind of educational classes - smoking cessation, uh, maybe education for people with diabetes, uh, group counseling, et cetera. So, uh, the top floor of the building’s – that’s the first floor – and then the top floor of the building will be primarily administrative space. Uh, the need – the growth of the clinical facilities and the clinical services has required us to also grow on the administrative side, and we have literally run out of space. Uh, we do still have people working from home, and we’ll continue to do that, in hybrid fashion, uh, but that second floor will be primarily administrative space as well. So, that’s the project in an overview. What it will also do is, as we shift some of those administrative individuals into the new building, it frees up the existing building to offer additional clinical space. So, one example is the addition of a seventh dental operatory, which will be able to serve 1,200 additional patient visits

on an annual basis. So, again, knowing that dental in particular is a service that not a lot of people have access to in our area - in particular, Medicaid beneficiaries, uh, as well as everyone – I mean, a lot of dentists have retired because of COVID. We're, for many people, the only access point, uh, nearby for them. Uh, the expansion of the behavioral health service, uh, rooms is very much needed. It's no secret that, um, not only have we had an epidemic within a pandemic, uh, the opioid crisis continues, we've seen a[n] increase in the use of alcohol as well as opioid use – and just general mental health need for services – depression, anxiety, etcetera. Um, I'm sure none of that is news. It's we – we've all been talking about it, and we need the space to conduct and provide those services. So, in addition to some of the shifting around that we're doing in the existing building, um, we're also adding a pharmacy on site. We're in front of the Zoning Board for that as well, um, so that would probably go into the building in March, uh, and then the dental, um, the dental renovations could probably be happening before the building starts – but that's just sort of a corollary to the, to the new building project, is the ability to kind of move some folks around and free up some of that space that's used for administrative space today, that can be used for client space.”

Mr. Prellwitz thanked Ms. Croke. Mr. Fracassa returned to the podium, and explained that he was going to go over some of the “more mundane”, yet important, facts about property. He stated that the subject parcel “is about 39.9 acres”, with “over a thousand feet of frontage”. He stated that the structure that is on the property now “consists of three interconnected buildings, which have about, uh, a little over 17,000 square feet of area.” He reiterated Mr. Croke’s comment about the present size of the buildings, and clarified that the “9,000 square feet” was the “total area of both floors”, and that the footprint would be “a shade under 5,000 square feet.” Mr. Fracassa stated that there is a septic system on the site now, and that there would be a second septic system in the future, which would be “installed solely to accommodate this building”. He explained that while there were wetlands in the area of the subject parcel, “they’re on the other side of the access road – nowhere near where the construction is going to take place, uh, so there are no wetlands concerns at all, uh, about the construction.” He said that “another environmental issue” was the “storm water runoff”. He said that Mr. Wilkinson would discuss that element of the proposal. He said that the “traffic issues” associated with the expansion of the site would be “relatively minimal”, and said that item was discussed in the narrative that had been presented to the Board. He said that he believed that, “during peak hours”, the facility would, “at most”, “generate 20 additional trips”, which he categorized as “pretty miniscule.” He reiterated that the parcel has existing frontage on Main Street, and that it had been in the same location since 1982. He said that at one point, someone had mentioned to them that they should not provide too much landscape along the frontage because “you want people to be able to see this”. He then said that he couldn’t think of any other “environmental issues” associated with the proposal off the top of his head, but that the other members of the applicant’s team “would be able to discuss those”. He invited Mr. Wilkinson to appear before the Board, but continued to speak while Mr. Wilkinson set up his material. Mr. Fracassa stated that there were not any natural heritage areas near the subject property. He then explained that there is a historic cemetery “about a thousand feet away” from the site, which was “certainly not going to be affected by this at all.” Mr. Wilkinson then appeared before the Board.

Mr. Wilkinson explained that he is a civil engineer with Wood Engineering, and that he was going to echo many of the things that Mr. Fracassa had explained, but with “a little bit more

detail”. He repeated that the “addition is just under 5,000 square feet”, and then began to discuss the applicant’s parking and vehicular access proposals. He said that they were creating “an extension” to the existing parking lot, “which will be located to the south of the, uh, building addition.” He said that they were “widening the access to the northwest corner of the existing building, to allow safe passage of two-way traffic, um, fully around, to the, uh, new addition parking lot.” He said that they had “116 vehicle spaces, um, proposed as part of this project”, and that 99 of them were required to comply with the Zoning Ordinance. He said that they had “ADA [Americans with Disabilities Act] compliant sidewalks “between the parking lot and building addition”, as well as patios that would a “pedestrian access path to the east”. He said that they had submitted a request to the Department of Transportation to find out “if a physical alteration permit would be required”, and that with that submission, they provided “a preliminary traffic analysis.” He said that the Department of Transportation determine that a physical alteration permit was not required, “but in our traffic analysis, um, it was estimated, using, um, standard ITE [Institute of Traffic Engineers] generation tables, and, under existing conditions, it’s estimated that peak hour, um, rate was 101 vehicle trips”, and that, as Mr. Fracassa had mentioned, the addition is “estimated to have 20 additional trips during peak hour.” He said that they considered Main Street to be a “relatively low, uh, traffic road, for a State road, and the additional, uh, one vehicle every three minutes is a minimal impact to that capacity. He then touched on the topic of utilities, beginning with a storm water discussion.

Mr. Wilkinson: “Um, as required by the Town regulations, our storm water, um, is, has been designed in accordance with DEM [Department of Environmental Management], uh, regulations, and their storm water management standards, including, um, water quality and quantity, to make sure our water gets treated as well as, uh, that we’re not exceeding, um, proposed – we’re not exceeding existing runoff rates with our proposed conditions. Um, and our system is, uh, some of it’s overland flow, some of it’s pipe flow, and it’s diverted to a subsurface stormtech, uh, infiltration chamber system, which will be located underneath, underneath the, uh, the new parking area to the south of the addition, and then that ultimately discharges, uh, via pipe. It daylight to the south of the proposed retaining wall, um, and then, from there, the storm water, uh, enters a channel which is adjacent to Route 3, which runs offsite, southwest.”

Mr. Wilkinson then spoke about the septic system. He said that they had designed their septic system in accordance with Department of Environmental Management, and that they had obtained Department of Environmental Management approval for their system design. He said that it consisted of a “1,500-gallon septic tank”, as well as a sand filter leaching field, and that it would, as Mr. Fracassa had stated, serve “the building addition only.” He then explained that the site was serviced by an existing well, situated below the existing parking lot, and that it was a pump well that provided “eight gallons a minute to the building”. He said that there were also four 120-gallon water storage tanks within the existing structure. He said that their estimated water usage was about 725 gallons per day, and that this calculation was based on criteria promulgated by the Department of Environmental Management during their septic design process. He said that if they assumed that the “725 gallons per day is, is used during the active period, uh, let’s say 12 hours, so that would equate to an additional one gallon per minute.” Mr. Wilkinson then said that “this increase isn’t going to be fully, um, supported by the well”, so the applicant was “proposing two 120-gallon water storage tanks to go in the addition as well.” He said that for electric service and telecommunication, they were “proposing a new electric service

from an existing utility pole on the, uh, eastern side of the site access drive.” He stated that the connect would “run overhead, um, to a riser pole and transformer pad next to the, uh, proposed addition, where it will be routed underground, um, to the building’s electrical room.” For lighting, the applicant was proposing additional lighting in the proposed parking areas, as well as the “existing parking lot to the north of the existing building”. Mr. Wilkinson stated that the applicant’s “lighting design conforms with the Town requirement that, uh, we don’t exceed 0.1-foot candles, um, of light level, um, at distance 5 feet away from the property line.” He said that they were also “proposing a[n] aboveground propane storage tank, um, to be abutting the eastern end of the, uh, proposed parking area”, and that they were also proposing a generator as well. Mr. Wilkinson stated that concluded his comments, and invited John Luca to appear before the Board. Mr. Prellwitz thanked Mr. Wilkinson.

Mr. Luca explained that he works for Traverse Landscape Architects as a landscape architect. He explained that he focused on a few areas on the site, “specifically around the addition”. He stated that the “planting is pretty minimal”, as they were concentrating “on retraining most of the existing vegetation as much as we can”. He said that they were “applying a low maintenance pallet” which would provide “seasonal interest”. He then stated that that concluded his testimony. Mr. Prellwitz thanked Mr. Luca. Mr. Fracassa asked Mr. Christie if he had anything to add. Mr. Christie appeared before the Board.

Mr. Christie began by stating that he is an architect with Vision3 Architects. He reiterated that the building has two-stories, with a partial basement, and that the first floor was “about 5,000 square feet”. He stated that the first floor consisted of “primarily clinical space” and the “multi-purpose, or community, room”, while the second floor was “primarily administrative space”, which included “private offices, open office area, and some conference rooms”. He then spoke about the applicant’s “approach to the exterior design”. He said that the applicant wanted a design that would “respectful of the adjacent building, as well as had a more, um, vernacular kind of aesthetic” which they thought “was appropriate to the site and where it is”, considering that it is located in a residential area. He said that there would be “horizontal lap siding” on the building, as well as fiber cement board and batten siding. Unfortunately, much of Mr. Christie’s testimony was unintelligible because he stood too far away from the microphone.

Mr. Prellwitz asked Mr. Christie if he was the “engineer that’s responsible for the structure itself”, and Mr. Christie replied that he was the architect, and that they had a consultant who was responsible for that aspect. Mr. Prellwitz then asked if there were “provisions for nuclear medicine there”. Mr. Christie replied that there was an x-ray component only. He thanked Mr. Christie. Mr. Fracassa then appeared before the Board and asked if they had any additional questions for the applicant’s experts.

Mr. Lindelow replied that he did not have any questions. Mr. Pennypacker asked if they “could talk a little bit more about the, uh, view from the street.” He said that he knew that “some trees are being cleared”, and that he thought it was “wonderful that it’s going to expose the business”, as it was “an area that’s targeted for development”, so they would “kind of want that.” He said that he saw “pine trees”, as well as “talk about a generator and a propane tank to the east of the parking lot, which sounds like it’s right there in the corner.” He asked if the applicant had any details on what the site would look like if one was driving off of Exit 2, and he also asked about

the signage that would be used. He said that he didn't see anything on the building itself, and that he expected that he would see something like that. Mr. Fracassa asked Ms. Croke to correct him if he was wrong, but that he thought that there was not any new signage being proposed. Ms. Croke said that they would "replace the signage that's there", based on the feedback that they had received from the Zoning Board. She said that the Zoning Board had communicated to her that it was difficult to see the facility from the road, as well as sign. She said that there would "probably be some relocation of the signage", and "probably a new sign as well". She said that their engineers had cut the electricity to their existing sign, so they would need to replace it anyway. She joked that they owed the applicant some money for that. She then spoke to the landscaping questions that Mr. Pennypacker had. She said that they "obviously want it to be appealing", while still fitting in with the environment in that area. Mr. Luca returned to provide additional information.

Mr. Luca explained that "obviously, there's going to be clearing, uh, closer to Route 3", and reiterated that they were going to "try to retain as much of the existing vegetation" as they could. He said that the amount was "kind of unknown", but stated again that it would be "as much as we can, especially on the eastern sides." He said that "proposed planting is along the retaining walls", and it would be composed of pines and other plant species. Mr. Pennypacker asked about the height of the retaining wall. Mr. Luca replied that, at most, it was three to four feet. He then stated that "the idea was to, uh, not have it completely open", but also not "50-foot, you know, totally opaque screen at the same time." Mr. Pennypacker said that he was "not raising any objections", but that he was "asking for clarity". Mr. Prellwitz then had a question about the signage.

Mr. Prellwitz wanted to know if the signage was "mostly for clarity for people on the road, because when you drive down there, it's hard to see that there's actually a facility in there." He said that the sign is "not as prominent" as it could be. Ms. Croke replied that the sign was going to be "upgraded" and "updated". Mr. Wayles asked what the building that was on top of the parking spaces was. Ms. Croke explained that Wood River Health Services had a module that they were using for employees, but that it was not a permanent structure. She said that the modular unit would be removed, and replaced with an entry and parking. Mr. Prellwitz said that the module was what "gets everybody's attention" in that area, and Ms. Croke said that it was ugly, and that it didn't fit with the rest of the site. Mr. Prellwitz agreed. Ms. Croke said that it "served the purpose at the time", as they had about 15 people working there, but that it did not have a ventilation system. She said that they had invested into ventilation for the actual building, in response to COVID, and that they had an HVAC [Heating, Ventilation, and Air Conditioning] system. Mr. Wayles asked if the people who had worked in the trailers would be working in the building again. Ms. Croke replied that they would be moved to the second floor. Mr. Wayles then asked about another structure on the site, which Ms. Croke identified as "the eagle", which was "another temporary facility that we rent specifically for COVID", which they used as their respiratory clinic. Ms. Croke explained that they did COVID testing there, so that was going to stay in place "for a while". Mr. Wayles replied that he didn't know if the parking spaces underneath the structure counted towards their 116 parking spaces. Ms. Croke said that that trailer was not on the parking lot. Mr. Wayles showed Ms. Croke the image he was referring to. When she examined it, she stated that that was likely the tent. She said that if there was a date on the image, she would be able to tell if that was what it was. She stated that the tent was no longer

on the premises anyway, as they had used it before they had gotten the respiratory trailer, and when they were still doing drive-thru testing for COVID. She said that the image must have been from the early days of COVID. They confirmed that the tent was no longer on the premises. Mr. Wayles then said that there appeared to be parking spots that were not on the applicant's property. Mr. Pennypacker explained that at the applicant's previous appearance before the Board, they had presented an aerial that was not accurate, where they "roughed" in property lines. Mr. Croke said that the parking lot did belong to Wood River Health Services. Mr. Pennypacker said that he had asked the same questions that Mr. Wayles had at the last meeting where the applicant appeared before the Board.

Mr. Fracassa then approached the Board and said that he would sum up the project if the Board wanted him to. The Board said that they were all set. Ms. Light asked Ms. Croke when she thought they were going to break ground on the facility. She replied that they hoped to do so in Spring 2022. Ms. Shumchenia asked if they should make a motion. Mr. Prellwitz concurred. Mr. Lamphere suggested that the Board open it up for public comment. They did not hear from anyone in the audience. Mr. Prellwitz asked Mr. Lamphere if he had anything else that he wanted to say about the proposal. Mr. Lamphere replied that he had included a memo from the Building and Zoning Department, and that they had "reviewed this project", and that they were "very familiar with it". He said that they had communicated that they did not have any "issues with the site plan", and that in September, the applicant had received Zoning Board approval for the Special Use Permit. He reiterated that there were not any issues from a Building and Zoning or Planning perspective, and that there was a proposed motion in their packets. Sharon Davis, the Town Council Liaison to the Planning Board, had a question.

Ms. Davis had a question about the proposed pharmacy. She wanted to know if the Board could vote on the rest of the application without the pharmacy component. Ms. Croke explained that the pharmacy was in the existing building, not the proposed addition. Ms. Light said that, as it was related to the existing structure, the Special Use Permit for the pharmacy didn't "apply to what we're going to do." Mr. Prellwitz said that it was "kind of together, but separate." He then said that he did not see any other members of the public who wanted to comment on the application, and asked for a motion.

Ms. Shumchenia made a motion to grant Preliminary Plan approval for the proposed building addition to Wood River Health Services, with the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

1. Wood River Health Services (hereinafter WRHS) owns and occupies a building constructed in 1980, located at 823 Main Street, Hopkinton; also known as Assessor's Plat 14, Lot 47A. The 39.9-acre site is located within the RS (Residential Special) district and has 1,028 feet of frontage on Main Street.
2. WRHS proposes to construct a 5,008 square foot first floor addition to provide a conference room, break room, clinical spaces, a pharmacy and storage. A second story of

4,388 square feet is proposed for offices and conference spaces. A new basement is proposed at 1,122 square feet.

3. WRHS also proposes to expand parking, add landscaping and storm water management.
4. The proposed building addition will not be connected to the existing OWTS and will be serviced by a new OWTS.
5. A partial boundary and topographic survey, dated March 17, 2021, was prepared by Bradford J. Travers, P.L.S. of Waterman Engineering.
6. Wetland flagging was done by Natural Resource Services, Inc. and a report was issued on January 21, 2021. There will be no impact to wetlands.
7. Wood Environmental & Infrastructure Solutions, Inc. prepared and submitted a comprehensive report dated May 14, 2021 which addressed existing site conditions and zoning analysis, proposed site improvements and storm water management. The report's findings concerning storm water management, traffic, archeological and historic areas, wetlands and traffic are incorporated herein.
8. CN Beaulieu-Shea, Registered Professional Civil Engineer prepared the site plan dated May 14, 2021.
9. Architectural renderings and floor plans, dated April 16, 2021, were prepared by Vision 3 Architects.
10. On June 16, 2021, the Hopkinton Planning Board issued a Conditional Approval.
11. On September 23, 2021, the Hopkinton Zoning Board issued a Special Use Permit for the project.
12. On November 10, 2021, the Hopkinton Building and Zoning Department issued a memorandum indicating that the office had no objections to the application.

CONCLUSIONS OF LAW:

1. The proposed development is consistent with the Comprehensive Community Plan and/or has satisfactorily addressed the issues where there may be inconsistencies.
2. The proposed development complies with the Hopkinton Zoning Ordinance.
3. There will be no significant negative environmental impacts from the proposed development as shown on the Plan, with all required conditions for approval.
4. The proposed addition shall have adequate and permanent physical access to a public street.

5. The proposed development provides for safe circulation of pedestrian and vehicular traffic, for surface water run-off control, for suitable building sites, and for preservation of natural, historical and cultural features that contributes to the attractiveness of the community, with required conditions of approval.
6. The design and location of streets, building lots, utilities, drainage improvements and other improvements in the proposed development minimizes flooding and soil erosion, with required conditions of approval.

ORDER:

1. The Preliminary Plan is hereby approved.
2. Final plan review shall be delegated to the Hopkinton Town Planner.

Mr. Prellwitz thanked Ms. Shumchenia, and asked for a second. Mr. Lindelow mentioned that, referencing Ms. Davis' comment, they should remove "pharmacy", or add "pending approval" under Point 2 in the Findings of Fact.

Mr. Lindelow: "If the pharmacy's not gonna be in this building, then maybe it should come off of the Findings of Fact?"

Ms. Shumchenia said that when she was reading the motion, she noticed that. She amended the motion to say: "WRHS proposes to construct a 5,0008 square foot first floor addition to provide a conference room, break room, clinical spaces, and storage. A second story of 4,388 square feet is proposed for offices and conference spaces. A new basement is proposed at 1,122 square feet." Mr. Lindelow seconded the motion after Ms. Shumchenia amended it.

In Favor: Prellwitz, Lindelow, Wayles, Light, Shumchenia

Opposed: None.

Abstain: None.

5-0, the motion passed.

Ms. Light joked that the applicant should include a lounge for adults at the facility.

Preliminary Plan – 3-Lot Minor Subdivision – Moorehead Estates – AP 16, Lot 30, 0 Spring Street. William J. Moorehead, Trustee, Moorehead Revocable Trust, applicant.

Thomas Cronin, the attorney for the applicant, appeared before the Board. Before he began, he complimented Ms. Hogan on the motion that she had written, categorizing it as "excellent". The Board clapped for her, and Ms. Light exclaimed that Ms. Hogan had put that together at 4:00 a.m. Mr. Prellwitz joked that she could work for the Board for another week. Mr. Cronin then presented his client's application.

Mr. Cronin explained that the property was “just north of Camp Yawgoog Road”, and that they were proposing a “three-lot minor subdivision”. He said that the zoning for the parcel was RFR-80, and that it encompassed nearly 82 acres of land. Mr. Cronin stated that the proposal was to “cut two street-front, conforming house lots” from the existing parcel, with frontage on Spring Street. Proposed Lot 1 would be a little over 2 acres in area. He explained that the septic system and well for that proposed lot were designed to support a three-bedroom home. Mr. Cronin stated that the second proposed lot, which was “immediately to the south of that northwest corner lot” [proposed Lot 1], was 1.86 acres, and that it, too, had a septic and well design meant to support a three-bedroom home. He said that the parent lot would retain approximately 77 ½ acres, and that it would “not be developed”, and remain wooded. He stated that they had received Physical Alteration Permits from the Rhode Island Department of Transportation, as well as Rhode Island Department of Environmental Management approval for the proposed Onsite Wastewater Treatment Systems, in addition to an Insignificant Alteration Permit in relation to the wetlands on the property. He asked to have the Final Plan approval delegated to the Town Planner. He introduced Scott Moorehead, a registered professional engineer, who prepared the engineering plans.

Mr. Moorehead reiterated that there would be two lots cut off from the existing lot, with frontage on Spring Street. He also reiterated that the “remaining backland” would remain wooded, and stated that it would be merged with an adjacent parcel, AP 16, Lot 30A, which was held in common ownership. He said that there would not be any further development along Spring Street due to the presence of wetlands. Mr. Moorehead said that the proposed homes met all dimensional setbacks required. He said that they “provided drainage for the roofs and driveways” in conformance with Rhode Island Department of Environmental Management’s storm water regulations, and were approved by the same body. He explained that the drainage patterns that were present on the site would remain in place, and that they would not be “putting any drainage out onto Route 138”. Mr. Moorehead stated that the proposal was fairly simple, and that if the Board had any questions, he would be available.

Mr. Lindelow asked where the utility poles were located. Mr. Moorehead stated that there were “poles already on the street”, and they would not have to add any additional ones. He said that the wires for the proposed homes would connect to existing wires. Mr. Lindelow thanked him. Ms. Light asked if it was “the intention of the property owner to maintain that open space”, and Mr. Moorehead replied that it was in the Farm, Forest, and Open Space program. Ms. Light asked if it was up for renewal. William “Jeff” Moorehead, the applicant and property owner, appeared before the Board. He explained that he had participated in the Farm, Forest, and Open Space program “for over 20 years”, and that he had a forester. He explained that the property had been open space when his father was alive, and later became part of the forest management program. Mr. J. Moorehead stated that he had followed the instructions of the forester, and “just maintained what he wanted to do.” He said that he was still maintaining it in accordance with that guidance. Ms. Light thanked him, as did Mr. Prellwitz. Ms. Light said that it was fabulous, and that they loved “open space”. Mr. Cronin said that if there were not any other questions from the Board, they did not have anything further to present. Mr. Prellwitz asked if there were any members of the public who had questions or comments on the proposal. There were not any members of the public who had questions or comments on the proposal. The Board asked Mr. Lamphere if he had anything to add.

Mr. Lamphere explained that there was a memo in their packets from the Building and Zoning Department. They had reviewed the proposal and they did not have any objections or concerns. He then stated that Ms. Hogan had written another decision for the Board.

Mr. Lindelow made a motion to approve the application for Preliminary Plan for “Moorehead Estates”, a two-lot minor subdivision/administrative subdivision proposed for AP 16, Lot 30, based on the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

1. William J. Moorehead, Trustee of the Moorehead Revocable Trust is the Applicant and owner of the subject property.
2. The subject parcel is located on Spring Street, in the RFR-80 zoning district and contains approximately 82 acres.
3. The proposal is to create two new building lots: Lot #1 to have 95,407 square feet (2.190 acres) and Lot #2 to have 81,000 square feet (1.860 acres). The balance of the existing lot, 77.537 acres, will then be merged with adjacent lot 30A, with no development.
4. On April 19, 2021, the Rhode Island Department of Environmental Management issued an Insignificant Alteration Permit, No. 21-0079.
5. On May 27, 2021, the Rhode Island Department of Environmental Management issued septic permit 2014-1753 for proposed Lot #1.
6. On May 27, 2021, the Rhode Island Department of Environmental Management issued septic permit 2114-0728 for proposed Lot #2.
7. On October 14, 2021, the Rhode Island Department of Transportation issued Physical Alteration Permit, No. 21-89, permitting driveway access onto the state road for proposed Lot #2.
8. On October 14, 2021, the Rhode Island Department of Transportation issued Physical Alteration Permit, No. 21-90, permitting driveway access onto the state road for proposed Lot #1.
9. On November 17, 2021, the Hopkinton Building and Zoning Department issued a memo indicating that it had no concerns about the proposed subdivision.

CONCLUSIONS OF LAW:

1. The proposed development is consistent with the Comprehensive Community Plan.

2. Each lot of the proposed development conforms to the standards and provisions of the Hopkinton Zoning Ordinance.
3. There will be no significant negative environmental impacts from the proposed development as shown on the Final Plan, with all required conditions for approval.
4. The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots, according to pertinent regulations and building standards, would be impracticable.
5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street, namely Spring Street.
6. The proposed development provides for safe circulation of pedestrian and vehicular traffic, for surface water run-off control, for suitable building sites, and for preservation of natural, historical and cultural features that contributes to the attractiveness of the community, with required conditions of approval.
7. The design and location of streets, building lots, utilities, drainage improvements and other improvements in the proposed development minimizes flooding and soil erosion, with required conditions of approval.

ORDER:

1. The proposed Preliminary Plan for “Moorehead Estates” is approved, together with the following conditions of approval:
 - a) The requirements set forth in the RIDEM’s Insignificant Alteration Permit, No. 21-0079 are incorporated by reference herein.
2. Final plan review shall be delegated to the Hopkinton Town Planner.

Ms. Shumchenia seconded the motion.

In Favor: Prellwitz, Lindelow, Wayles, Light, Shumchenia

Abstain: None.

Opposed: None.

5-0, the motion passed.

Preliminary Plan – 5-Lot Minor Subdivision – Kenyon Southeast Farm – AP 11, Lot 30, 0 Main Street. David G. Kenyon, applicant.

Mr. Cronin appeared as Mr. Kenyon’s attorney as well. He explained that the applicant was proposing a 5-lot minor subdivision off of Main Street. He stated that it was also zoned RFR-80, and that the parcel was composed of about 15 acres. Mr. Cronin said that the parcel had “just

over 1,000 – 1,092 feet of frontage” on Main Street. He described the rear of the property as being comprised of “primarily wetlands”, and he joked that once the Board saw the map, he would not be able to convince them otherwise. He said that the five lots would be residential in nature, and that they would each support one single-family home. Mr. Cronin then said that there would be “direct driveway access to Main Street” from each proposed lots. He stated that each proposed lot would have individual septic systems and private wells, and that they would conform with all zoning setback and area requirements. He said that the utility access would be off of Main Street as well.

Mr. Cronin stated that the “design of this particular site” was driven by the wetlands, so “there weren’t a lot of options for” the applicant to choose from. He said that the engineer for the project, Patricia Walker, had “worked with what we had”. He said that the applicant had received a Physical Alteration Permit from the Rhode Island Department of Transportation, a Rhode Island Pollutant Discharge Elimination System permit, site suitability, approved onsite wastewater treatment system designs for each of the proposed lots, and National Grid approval for their proposed interconnections. Mr. Cronin asked to have the Final Plan delegated to the Town Planner. He then turned the presentation over to Ms. Walker, so she could explain the site layout.

Ms. Walker stated that she is a licensed professional engineer in Rhode Island, and that the project before the Board had been started by another firm, A.R.M. Engineering. She said that they had completed “the initial lot layouts”, and that she had become involved in relation to the “storm water and DOT [Department of Transportation] process.” She explained that, “unlike the last project”, there was one Physical Alteration Permit for the whole project, “and, as a condition, if any of the lots are sold, the owner has to install the apron, the driveway aprons within the right of way before those lots can be sold – it’s not a separate one for each lot.” She said that they had wetlands and RIPDES [Rhode Island Pollutant Discharge Elimination System] approval. She said that the limit of disturbance on each lot was “not interconnected with the other lots, so one lot could be developed without any disturbances” to the other lots. She acknowledged that “there definitely are wetlands on the site”. She said that proposed Lot 1 had “a two-bedroom house on it”, and that the other four lots “have three-bedroom houses”. Ms. Walker said that the “drainage, storm water, and water quality have been designed in accordance with” Department of Environmental Management requirements. Here, Ms. Hogan asked Ms. Walker to speak into the microphone. Ms. Walker said that the storm water design addressed run-off from the proposed homes and driveways. She said that National Grid would be coordinating the service to the proposed homes, and that they would not be using gas. She said that they had received subdivision suitability, and that A.R.M. Engineering would put together the septic designs.

Ms. Light asked the first question. She asked if the home on proposed Lot 1 was really going to be 580 square feet. Ms. Walker replied that it was a two-bedroom, and Ms. Light responded that it was “still small”. She compared it to the size of the Town Council chambers. Mr. Pennypacker replied that that was just the footprint, and that it was a two-story home. Ms. Light said that they could move on. Ms. Walker said that, for these types of projects, they would come up with a “generic house size”, and that two-bedroom homes tended to be “small”, and said that she would “give Mr. Rhodes [of A.R.M. Engineering] the credit for that.” Ms. Hogan asked Ms. Walker to

provide more information on “the nature of the curb cut and the driveway”. Ms. Walker said that the Department of Transportation “has two ways you can approach these projects – each lot, you can apply for just a Physical Alteration Permit for that drive in particular, and then each of those lots could be sold separately.” She continued.

Ms. Walker: “So, the cost to do it that way is, is different, whereas the entire project can be applied for, for the five separate driveways, and the only condition is before any of the lots can be sold, that the owner would have to install the apron area – the pavement area from the edge of the road pavement now to the right of way – and do any work within that area.”

Ms. Hogan: “The seller of the property?”

Ms. Walker: “Yeah, the current owner.”

Ms. Hogan thanked Ms. Walker. Mr. Prellwitz asked the Board if they had any other questions. Ms. Shumchenia had one.

Ms. Shumchenia: “Um, this has come up in other recent applications, where the subdivision has a common road or some more common space, um, which I understand this one does not, for obvious reasons. There’s a lot of storm water infrastructure on each of these lots, and the description in the plans is for kind of heavy maintenance of those storm water pieces of infrastructure, in order to keep them functional, right? Like, every year they need to be cleaned out or, you know, serviced in some way to ensure that they still function. So, those functions are obviously being – and that responsibility is being passed on to the homeowner of each individual lot – is that correct?”

Ms. Walker said that that was correct, and that a majority of the roof run-off was “directed to dry wells or to rain gardens”. She continued.

Ms. Walker: “So, the dry well, it goes down into the ground, into, obviously, a stomach channel. Um, the main way to tell when there might be an issue is when – they’re provided with an emergency, uh, splash pad, in the, in the downspout area, so when water’s coming out of that downspout, that’s usually, like, a sign, that there’s something clogged, and they, and it’s easy maintenance. The rain gardens – I’m sure you’re familiar with them – they’re just very shallow, um, like, a garden area. They’re just a little slight depression, and those are just, um, you know, there’s just the plant materials and the plants are maintained – no different than you would have the, the area, you know, in front of your house. Uh, the infiltration basins can operate the same way, or they can just be grassed, so it’s just a mowing, and, again, they’re shallow, um, and the only other one that has something different is Lot 1. It has an infiltration trench, which is just basically similar to a dry well, just elongated, and it’s against the driveway, and there are inspection ports, so if there is an issue – and usually the main way to know that they need to be maintained is if there’s standing water.”

Ms. Shumchenia: “Um, so there’s no intention or plan for this subdivision, for there to be like, um, a Homeowners’ Association to help cover fees for maintaining infrastructure like that?”

Ms. Walker said that there was not, and that they were all “standalone” systems. Ms. Shumchenia asked what would happen “if some of those structures, you know, need to be cleaned and someone isn’t cleaning them, and they overflow”. She asked if there was “a risk”

involved there, and noted that she was “not very familiar with the topography” in the project area. She was concerned that there would be “a risk that that could overflow into the street, for example.” Ms. Walker replied, “Typically, no”, and explained that the “topography generally drains from north to south”, in the direction of the wetland area, so, if it was to go anywhere, it would move in that direction. Ms. Shumchenia said that she didn’t know if the rest of the Board had any concerns about that. Mr. Pennypacker described the project area, and that Ms. Shumchenia was “right to suspect” that there could be excess run-off. Mr. Lindelow asked Ms. Walker to confirm that the run-off would not affect the abutters, and that she was “suggesting it’ll all go towards the back of the lot.” She said that that was correct. Mr. Prellwitz then asked if there were any other comments from Board members. When he did not hear from the Board, he turned to Mr. Lamphere. Mr. Lamphere said that the Board had received a memo from the Building and Zoning Department in relation to the proposal, and that they did not have any concerns about it. He then mentioned that Ms. Hogan had written a draft motion for the Board for the proposal as well. Ms. Light asked Ms. Davis if she had anything to add. She did not.

Ms. Light made a motion to approve the Preliminary Plan for “Kenyon Southeast Farm”, a five-lot minor subdivision proposed for AP 11, Lot 30, based on the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT:

1. David G. Kenyon is the Applicant and owner of the subject property.
2. The subject parcel is located on Route 3-Main Street, in the RFR-80 zoning district and contains approximately 15.29 acres.
3. The property is not within a historic district, an Aquifer Protection Overlay District, a Community Wellhead Protection area, or a Non-Community Wellhead Protection Area.
4. The proposal is to create five new building lots, all fronting on Main Street.
5. On July 25, 2018, the Rhode Island Department of Environmental Management issued its verification of wetlands.
6. In December 2020, a storm water analysis was prepared by Walker Engineering, Ltd. which concluded that storm water will be appropriately handled on each site.
7. On March 17, 2021, the Rhode Island Department of Environmental Management issued its preliminary wetlands determination, No. 20-0294.
8. On March 17, 2021, the Rhode Island Department of Environmental Management issued its Rhode Island Pollutant Discharge Elimination System (RIPDES) permit, No. RIR102144.
9. On April 27, 2021, the Rhode Island Department of Transportation issued Physical Alteration Permit, No. 201218 A.

10. On September 22, 2021, the Rhode Island Department of Environmental Management issued its Subdivision Site Suitability No 1814-0077.
11. On September 23, 2021, the Town of Hopkinton's Tax Assessor issued its verification that the subject parcel has completed its fifteen-year commitment on the Farm, Forest, and Open Space program.
12. In October, 2021, a traffic study was conducted by Walker Engineering, Ltd. which concluded that the five proposed lots will increase the daily traffic on Main Street by 2.8%, and that there exists adequate sight distance for each driveway as it enters Main Street.

CONCLUSIONS OF LAW:

1. The proposed development is consistent with the Comprehensive Community Plan.
2. Each lot of the proposed development conforms to the standards and provisions of the Hopkinton Zoning Ordinance.
3. There will be no significant negative environmental impacts from the proposed development as shown on the Final Plan, with all required conditions for approval.
4. The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots, according to pertinent regulations and building standards, would be impracticable.
5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street, namely Main Street.
6. The proposed development provides for safe circulation of pedestrian and vehicular traffic, for surface water run-off control, for suitable building sites, and for preservation of natural, historical and cultural features that contributes to the attractiveness of the community, with required conditions of approval.
7. The design and location of streets, building lots, utilities, drainage improvements and other improvements in the proposed development minimizes flooding and soil erosion, with required conditions of approval.

ORDER:

1. The proposed Preliminary Plan for "Kenyon Southeast Farms" is approved, together with the following conditions of approval:
2. Final plan review shall be delegated to the Hopkinton Town Planner.

It was seconded by Mr. Wayles. Ms. Hogan explained that there was a typo in the Findings of Fact, and Ms. Light amended her motion to replace “approximately” with “appropriately”. Mr. Wayles seconded the amendment.

In Favor: Prellwitz, Lindelow, Wayles, Light, Shumchenia

Abstain: None.

Opposed: None.

5-0, the motion passed.

SOLICITOR’S REPORT:

Ms. Hogan explained that Revity Energy had appealed the Zoning Board’s decision, which had upheld the Planning Board’s vote. It was appealed to Rhode Island Superior Court.

Ms. Hogan: “Service on the Town is being effectuated shortly, uh, and, uh, I believe that, um, the Solicitor for the Zoning Board will be taking it from there – but, we’re open to conversation about that.”

Mr. Prellwitz asked if the Board had any comments on Ms. Hogan’s statements. They did not.

PLANNER’S REPORT:

Mr. Lamphere stated that he did not have anything to report.

CORRESPONDENCE AND UPDATES:

Mr. Prellwitz explained that they had received a letter from Lorn Petruska on Nov. 19th, which included an article entitled “Warwick Freezes Ground-Mounted Solar”, published by ecoRI News.

PUBLIC FORUM:

Ms. Davis asked if there was a limit to the Brushy Brook extensions. Mr. Prellwitz thanked Ms. Davis. She said that she was “sure” that the abutters wanted a determination. Mr. Lamphere explained that “there is no limit, as long as the applicants and the Planning Board are in agreement in extending” any extensions. She asked how extensive the peer review was, and if they needed “a lot more time” to provide a response. Mr. Lamphere said that they did need more time. Ms. Davis then asked about the status of the Department of Environmental Management review. Mr. Lamphere said that permits from that body could be “carried through” to the Final, and that he would have to examine what they submitted. He said that as it wasn’t discussed that night, he would need to refresh his memory. He said that it “didn’t do anybody any good” to bring the project forth when there were still things that needed to be worked out between the applicant’s engineers and the Town’s engineers. Ms. Shumchenia asked if there was “some sort of like, Statute of Limitations on a Master Plan”. Mr. Lamphere began to respond, but Ms. Hogan interjected. She said that the Board was “deviating from” the Public Forum process, and

that she wanted to “caution” the Board against “a discussion about the merits of an application that’s not before you.” She said that Ms. Shumchenia’s question was a legitimate one, and that they could put that on the next agenda, to address the question in a general way, but that she did not think that the Board would “want to do it in the absence of an item on the agenda.” Ms. Light joked that it was a good thing that Ms. Hogan was there, or else they “would be in so much trouble.” Mr. Prellwitz concurred.

DATE OF NEXT REGULAR MEETING: January 5, 2022

The Board discussed when their start time would be, and decided they would meet at 6:00 p.m. again, due to the fact that there were outstanding advertisements for projects.

ADJOURNMENT:

Ms. Light made a motion to adjourn. It was seconded by Mr. Lindelow. There was not any further discussion.

In Favor: Prellwitz, Lindelow, Wayles, Light, Shumchenia

Abstain: None.

Opposed: None.

5-0, the motion passed. The meeting was adjourned at 7:20 p.m.

By: Talia Jalette, Senior Planning Clerk, 2-7-22 (Extension Request for filing minutes granted by the Planning Board at their January 5, 2022 Meeting).