

The Hopkinton Planning Board

Held a Hybrid Open Meeting on

WEDNESDAY APRIL 6TH, 2022 AT 7:00 PM

Town Hall 1 Town House Road Hopkinton, RI 02833

CALL TO ORDER: Chairman Mr. Alfred DiOrio called the meeting to order at approximately 7:02 PM.

ROLL CALL: Present Chairman Diorio, Mr. Prellwitz, Ms. Light, Mr. Lindelow, Ms. Shumchenia, Alternates present, Mr. Pennypacker, and Mr. Wayles

Also Present: Town Council Vice President Sharon Davis (via Zoom), Town Planner Jalette, Town Solicitor, Ms. Hogan

Pre ROLL CALL FOR MAY 4TH, 2022 MEETING: Mr. DiOrio will not be in attendance at this meeting. Mr. Prellwitz, Ms. Light, Mr. Lidelow, Ms. Shumchenia and Alternates, Mr. Wayles and Mr. Pennypacker will all be in attendance.

APPROVAL OF THE MINUTES: The December 1, 2022 Regular Meeting Minutes were motioned for approval, with a minute approval extension request having been granted at the January 5th, 2022 Planning Board Meeting. Chairman DiOrio made the motion to approve the December Minutes, seconded by Mr. Lindelow. There was no discussion on the minutes. Mr. Prellwitz, Ms. Light, Ms. Shumchenia all voted to approve the minutes, and Chairman DiOrio abstained.

MINUTE APPROVAL EXTENSION REQUEST, PURSUANT TO RHODE ISLAND

GENERAL LAW 42-46-7(b) (1): Mr. Prellwitz made a motion to grant the extension for the minutes to this meeting. Chairman DiOrio, Mr. Prellwitz, Ms. Light, Ms. Shumchenia, and Ms. Lindelow all voted in favor of the extension, with none opposed.

OLD BUSINESS:

Planning Board election of Officers- Chairman, Vice Chairman, and Secretary: Chairman Di Orio sought nominations for a slate to fill these posts from the Board. Ms. Light nominated the following slate, Mr. Prellwitz as the Chairman, Ms. Shumchenia as the Vice Chairwoman, and Ms. Light as the Secretary. There were no other nominations from the Board. Chairman DiOrio accepted the nomination and the slate were approved unanimously with Chairman DiOrio, Mr. Prellwitz, Ms. Light, Ms. Shumchenia and Mr. Lindelow all voting in favor of the slate with none opposed.

Chairman DiOrio turned over the gavel to new Chairman Prellwitz, Mr. DiOrio congratulating him on the new position and responsibility. New Chairman Prellwitz led the Board in praise and gratitude to previous Chairman DiOrio for his service and professionalism in the post for the Town of Hopkinton.

Ms. Light discussed her hope that a division of the review of the projects coming before the Planning Board could be divided and directed at Board Members for more individual review utilizing the skill sets of Board Members and their collective professional expertise.

Planning Board- Set time, date and location of Planning Board Meetings: Discussion among all Board members was to keep consistent the meeting schedule and keep meetings on the first Monday of each month. The location that was collectively chosen continuing to be at the Hopkinton Town Council Chambers. A motion was made by Chairman Prellwitz, seconded by Mr. DiOrio to keep all meetings on the first Monday of the month at 7PM at the Hopkinton Town Hall Council Chambers. Chairman Prellwitz, Mr. DiOrio, Ms. Light, Ms. Shumchenia, and Mr. Lindelow all voted to approve with no one opposing or abstentions.

Continuance Request –Preliminary Plan- Public Hearing - Brushy Brook Road 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. LR-6A Owner, LLC and Realty Financial Partners, applicants:

Mr. Lindelow made a motion to extend notice to a Public Hearing on the Brushy Brook Road proposal for June 1st, 2022, with a decision date of June 10th, 2022. Mr. Lindelow’s motion was seconded by Ms. Shumchenia. Chairman Prellwitz, Mr. Lindelow, Ms. Light, Mr. DiOrio, and Ms. Shumchenia all voted in favor of this motion and there were none opposing or any abstentions.

After this vote Mr. DiOrio indicated he would recuse himself from any New Business on the meeting agenda and left the meeting at approximately 7:18 PM. Alternate John Pennypacker took his place on the Planning Board.

NEW BUSINESS:

Pre application- Development Plan Review- HOPKINTON INDUSTRIAL PARK GENERAL WAREHOUSING- Plat 4, Lot 13B 0 Wellstown Road. Hopkinton Industrial Park LLC, applicants.

Mr. Raymond Quinlan appeared before the Planning Board to discuss his proposal for the 5.2 acre piece of property on Wellstown Road. Mr. Quinlan indicated the proposal had been on the Drawing Board of his business for “a period of time”, and he had spoken to his Engineering group for recommendations, and what they perceived as necessary courses of action. As a business owner of The Hopkinton Business Park, his business sought to “seek a pre application approval tonight”. Mr. Quinlan sought to “get cracking” on the project and sought a pre application approval at this meeting to get ahead of future wetland regulatory concerns that he stated he was unaware of, and mitigate what could be, or become, potential future impediments to this proposed project. Mr. Quinlan discussed the footprint of the

Proposal as an 8,400 square foot building that contours to the property in question. Mr. Quinlan did indicate his business has completed pre engineering on this project. Mr. Quinlan indicated he would submit all the Engineering work as it is completed to the Town of Hopkinton for all necessary review. Mr. Quinlan indicated the proposed plan is within the Hopkinton Industrial Park and near an owned solar field by his business. He indicated that it would have limited visibility to the road. Mr. Quinlan indicated that he seeks use for general warehousing to meet on site needs, and his concern bringing it forth at this point was to ensure it was reviewed with the town, and to continue to seek guidance on new Wetlands regulations that are going into effect. He indicated that his company seeks expansion to lend space to high tech companies to drive local Hi tech business development. He indicated he has been in Hopkinton for 13 years and he has worked well with the town of Hopkinton and its interests. Mr. Quinlan referenced the tremendous success of his businesses after starting in a garage locally 37 years ago. He described it as “quite a trip” to what exists today. He hoped this initiative would be an incubator for other hi tech interests looking to grow, and develop, and to do so locally. On advice of his Engineering consultant, Mr. Quinlan appeared before the Planning Board for approval now.

Chairman Prellwitz indicated he was comfortable with development proposed by Mr. Quinlan and referenced Mr. Quinlan’s reputation in the community for quality construction and conforming to the wishes of the Town of Hopkinton.

Mr. Quinlan praised the professionalism of Alfred DiOrio, RLS, Inc. and for that firm’s work, if they did not recommend that this project could be done, “he wouldn’t be standing here”.

Ms. Light commented that Mr. Quinlan has a “great reputation” in this community. She described his properties as beautiful, and “were well kept and maintained” and that she was excited to see this proposal. Ms. Light saw this proposal as an incubator for local businesses and a “perfect” proposal for Hopkinton overall.

Mr. Quinlan discussed proposals his businesses have had for incubators for local businesses that were proposed for the Town of Stonington through its Planning and Zoning Commission previously, and it was preferable to locate to the newer facilities in Hopkinton. He sought to avoid older properties such as the Harris property in Pawcatuck. He indicated he liked working in Hopkinton. He liked the perception as “something nice” to present to future potential tenants when working with firms seeking to locate to work in hi tech plastics and medical properties. He stated he was very proud of the Hopkinton facility.

Mr. Lindelow indicated that he too was excited to see this Hi tech project and an “appropriate use of space” and good to see this type of proposal come before the Planning Board.

Chairman Prellwitz affirmed and agreed, and stated that once these Hi Tech corporate entities come to Hopkinton that it is his hope they choose to stay here.

Mr. Quinlan stated that in his long corporate experience that “once you provide these locations, and you

give the presence, you are going to get these global companies who are top shelf". He indicated he is very choosy about who locates in Hopkinton and has no issue turning away tenants he sees as a poor business for the town.

Ms. Light asked how fast you are looking to move to Mr. Quinlan, and acquire some timeline for his desire to move the project he has proposed forward.

Mr. Quinlan stated he had personnel monitoring the meeting presently and has scheduled a Zoom meeting for the next day to discuss options moving forward.

Town Planner Talia Jalette indicated to the Town Planning Board three courses are within the Development Plan Review process, the Board can waive DPR, place the project under DPR, or choose to review the entire project as a Major Land Development Project. The different reasons for undertaking the project as such were provided to Board members in a pre-meeting packet.

Mr. Pennypacker asked what the aquifer protection plan was and what it contained.

Mr. Quinlan indicated he was in agreement with Mr. Pennypacker's concerns, and that his Engineering group would ensure its review, and reassured all he was committed to protecting the aquifer. He works on niche products as opposed to commodity projects. Mr. Quinlan discussed having a limited profile to the building in question due to the contour of the property, and taking steps not to interfere with existing drainage or infrastructures. The development is described as being very conservative with parking or paving.

Ms. Shumchenia asked if the plan will modify an existing wetlands crossing.

Mr. Quinlan indicated that it will not. He described it as having limited truck traffic and primarily storage and additional space for maintenance and the possibility his business interests move in to the building themselves. His concern is if Wetland changes do not allow any use on the property that would be a negative consequence.

Mr. Pennypacker expressed concern that he respected Mr. Quinlan but was a little uncomfortable waiving review. Planner Jalette referred to a memorandum she had placed in the Board Members Packets for meeting preparation which delineated procedure and review for this and all projects moving forward.

Ms. Shumchenia referred to this memo as "super helpful" and thanked Planner Jalette. Ms. Shumchenia then asked Mr. Quinlan if the plan modified any existing wetlands crossings.

Mr. Quinlan stated no. He then discussed that he did not see any need for additional truck traffic. This proposal has been discussed to make more efficient use of existing business space.

Solicitor Hogan enquired and sought to clarify if the enlarged setbacks brought forth in the proposed new DEM regulations referencing Wetlands would have an impact, and encroach on existing business space. Ms. Shumchenia followed up with asking if the buildable space setbacks existing are already away from the wetlands proximal to his property. She asked Mr. Quinlan if he was aware of the distances.

Mr. Quinlan referred to the plan with the distances discussed by DiOrio RLS Inc. Mr. Quinlan reiterated that he was not seeking extensive truck traffic near the existing culvert. He was looking for storage and viable business space and was utilizing his engineering professionals to have a minimal impact and “quaint” look to the facility.

Ms. Shumchenia stated she saw this proposal as a “great” use and consistent with the Town of Hopkinton Plan of Conservation and Development. That the Hopkinton POCD calls for Industrial Development near Exit 1 proximal to I-95 and this was consistent with that use. She saw the existing setbacks for the property in place, as they might even being consistent with future impacting wetland regulations.

After review of Board members concerns Chairman Prellwitz asked Mr. Quinlan if he was safe in his assumption that in whatever decision that the Planning Board came to, that he was good with the direction taken and would make all efforts to comply.

Mr. Quinlan stated he had a “good run” in Hopkinton and stated that he was prepared to follow the will of the Town of Hopkinton and that his engineering and review costs were going to be incurred in whatever manner the project took.

Town Solicitor Hogan in effort to explain the need of the applicant to seek pre approval to be grandfathered under existing DEM regulations, briefed members of the Board as to their collective options. That Mr. Quinlan was following town process, and should the Board collectively take action tonight to grant pre approval, Mr. Quinlan would be seeking planning and zoning approvals nearly contemporaneously in Hopkinton as he was in a significant time constraint to meet the grandfathered status his project sought. She indicated he had to approach Town Boards for feedback before approaching state DEM further.

Mr. Prellwitz asked as to the status of Mr. Quinlan’s interactions with DEM. Mr. Quinlan indicated he would have to defer to DiOrio Engineering to brief as to where they were. Mr. Quinlan further indicated that he was unsure exactly what the changes to the environmental regulations specifically were.

Planner Jalette indicated that the next step to the development plan approval process was to hear public comment. Chairman Prellwitz opened the floor to public comment. Mr. Joseph Moreau of Old Depot Road spoke in favor of the Quinlan project and to the integrity of Mr. Quinlan. Mr. Moreau described Mr. Quinlan as highly reputable and always completing what he said he would do. Mr. Moreau encouraged the Board and the Town to move forward with Mr. Quinlan’s request.

Councilor Sharon Davis following the meeting on Zoom enquired on the process and specifically why this project did not receive major land development review. Planner Jalette deferred to the Planning Board as it was their decision. Ms. Shumchenia while seeking input from Planner Jalette described the notice components and timelines of each alternative. Ms. Shumchevia felt that based on what she had presented to her, further process was unnecessary and would recommend the Planning Board not pursue it. Ms. Light commented that the abutters were all local businesses contained within the Industrial Park owned or leased by the applicant, and further process unnecessary. Mr. Pennypacker felt the project was contained within a zone appropriate for it, and it was consistent with the Town POCD. Ms. Davis thanked them for their explanation. Councilor Davis had no further questions.

Chairman Prellwitz indicated that there was an agreement and consensus on the Board and he sought a motion and date to continue project review. Ms. Shumchenia made a motion to continue this project to the May 4th, 2022 meeting for further review. Her motion was seconded by Mr. Lindelow. Ms. Shumchenia, Mr. Lidelow, Chairman Prellwitz, Ms. Light, and Mr. Pennypacker all voted to approve this motion with none opposing and no abstentions.

Town Solicitor Hogan advised the Planning Board that The Planning Board was not granting approval at this meeting. That the Planning Board was “bifurcating” the process to ensure appropriate town planning and zoning reviews. That this Board is not indicating that they are in approval of the project at this point, but referring it to the Zoning Board for necessary further review and permitting.

Planner Jalette affirmed this and advised the Board is only receiving this proposal early in the process at the applicant’s request due to their (Quinlan) needing to address potential regulatory issues due to changes in DEM law. That a “time crunch” on the part of the applicant, led Mr. Quinlan to approach the Board in an earlier time than normal. That all action taken was on the General warehouse portion of this proposal, and aquifer action on that portion of the project presented by Mr. Quinlan this evening only.

Ms. Shumchenia made a motion (reference the Warehouse)that [“Although we have not granted conditional approval for this proposal or project at this point, we are essentially recommending to the Zoning Board that granting a special use permit for the general warehousing use code at this site, which is in a commercial zone, is appropriate, because (1) we believe, based on the evidence we have seen that, it is compatible with neighboring uses, (2) will not adversely affect neighbors use, and enjoyment of their property, is (3) environmentally compatible with neighboring properties and protection of property values, (4) compatible with the orderly growth and development of the town, and not be environmentally detrimental therewith, all best practices and procedures have implemented to minimize any adverse effects on the neighboring property, the town and environment, have been considered and employed including but not limited to the considerations of soil erosion, water supply protection, septic disposal, wetlands, traffic limitation, safety, and circulation, and finally the purpose of this ordinance as set forth in the comprehensive plan will be served by said special use permit.” Motion was seconded by Mr. Lindelow. Chairman Prellwitz, Mr. Lindelow, Ms. Light, Ms. Shumchenia, and Mr. Pennypacker all approved the motion, with no one in opposition or abstaining.

Ms. Shumchenia made a motion reference to the aquifer protection permit, that “ So again recognizing that we as a Planning Board are not granting conditional approval for this approval first stage of this proposed project, we are recommending that the Zoning Board, could issue and aquifer protection permit, that would be appropriate as we have been presented with legally competent evidence that proposed use will not result in concentrations of pollutants in the ground water that will adversely affect the groundwater as a source of potable water or its classification as GAA (suitable for public or private without treatment) or GA (which may be suitable public or private use without treatment)as promulgated with Rhode Island General regulations reference 46.13.1 1956 as amended.” Motion was seconded by Mr. Lindelow. Chairman Prellwitz, Ms. Light, Mr. Lindelow, Ms. Shumchenia and Mr. Pennypacker all voted in approval of the motion, no one was in opposition and there were no abstentions.

Five Minute Discussion rule and setting times dates and locations of future meetings.

Chairman Prellwitz commenced discussion on the topic indicating he had concerns on limiting public discussion. He stated that Congress may limit commentary to five minutes, but they are professional orators and that a local citizen is not. He felt that imposing limits on discussion was a “slippery slope”.

Ms. Light was concerned that time utilized at meetings for all parties involved be as productive as possible. People should stay on topic at hand and not go on tangents so as to monopolize time. She was concerned that abutters should be a priority part of the discussion on a proposal. She was concerned that off topic discussion could waste the time of the Board and those in attendance.

Mr. Wayles did not want to cut off relevant data or input from the public in this forum.

Chairman Prellwitz advised although not taking a vote, he wanted to take the consensus of the Board for its practices moving forward. Priority will be to abutters to the proposal, those who wrote letters and then the general public. The Chair will use discretion to keep those speaking on topic to make the meetings run efficiently.

Mr. Pennypacker stated it would be a request of the Board to citizens to keep their comments to five minutes.

This was an advisory discussion only and no formal vote was taken on the matter.

SOLICITOR’S REPORT: Town Solicitor Hogan reported to the Board that The Stone Ridge at Hopkinton Appeal appeared before the Zoning Board of Appeals on March 30, 2022. She indicated that the matter had been continued to their meeting in May.

PLANNER’S REPORT: None

CORRESPONDANCE AND UPDATES:

A letter was provided from Al DiOrio reference- Housing Bills that you should monitor – 3/12/22

PUBLIC FORUM: Mr. Joseph Moreau of Old Depot Road thanked Planner Jalette for putting the five minute discussion of the agenda. Mr. Moreau agreed with the opinion of the Chair that abutters should speak first and their time should not be limited. He then believed that those who write letters should go next, and then the general public. Mr. Moreau praised the Planning Board for keeping matters under discussion focused and to keeping the discussion on topic. This practice he believed have kept matters focused as the proposal moves through the various Boards, and made the process more effective.

DATE OF NEXT REGULAR MEETING: May 4th, 2022 at 7 PM

ADJOURNMENT: On April 6th, 2022 at approximately 8:21 PM a motion was made by Mr. Lindelow to adjourn the meeting, and it was seconded by Ms. Shumchenia to adjourn the meeting. Voting in favor were Chairman Prellwitz, Ms. Light, Mr. Lindelow, Ms. Shumchenia, and Mr. Pennypacker. There were none in opposition and no abstentions.

Meeting adjourned at 8:21 PM on 4/6/22

Respectfully Submitted,

Michael Spellman, Senior Planning Clerk