

Talia Jalette

Town Planner

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482 Main St.

2nd Floor

Hopkinton, RI 02833

Talia,

Please accept this correspondence as our request to the Hopkinton Planning Board to combine the master plan and preliminary plan for both phase one and phase two for our seven lot residential compound project.

As you are aware, the Planning Board may vote to combine review stages for a major subdivision and waive requirements for review stages pursuant to Rhode Island General Laws §45-23-35 and Article VIII, Section 8.1 of the Hopkinton Land Development and Subdivision Regulations (“Subdivision Regulations”). Here, we are seeking only a waiver of the traffic study, which will be discussed below. Otherwise, this project has mature engineering completed at this time and all applicable materials are ready for submission for both master and preliminary plan review.

We have received approval for our minor wetlands deviation and have received our RIPDES permit. We meet the density requirements of  $\geq 5$  acres, all setbacks, and are only making an extension of an existing private road which the Town cannot become responsible for ownership or maintenance, since Article IX, Section 9.1.15 of the Subdivision Regulations specifically requires the private road to be private in perpetuity by deed restriction and that the Town “shall not be requested to assume the private right of way/roadways or improvements.”

Hopkinton created a residential compound as a method of subdividing land specifically to “more readily permit the subdivision of large family homesteads for distribution among family members.” See Article IX, Section 9.1.1 of the Subdivision regulations. This statement is a plain acknowledgement that residential compounds are uniquely qualified for combining review phases. It was designed to limit development in the more remote areas of Town and to preserve Hopkinton’s rural character. Id. Our project meets these objectives.

As for the waiver of the traffic study, Article XI, Section 11.2.1 allows the Planning Board to waive such a requirement since it is reasonable and consistent with the general purposes and

intent of the Subdivision Regulations, and the literal enforcement of that requirement here is both impracticable and would exact an undue hardship on us, or alternatively that the waiver of a traffic study is consistent with good planning practice. The general intent of the Subdivision Regulations is to provide for both orderly and expeditious reviews and approvals of projects pursuant to Article I, Section 1.2 of the Subdivision Regulations, particularly when the project is a residential compound as stated above. Since the amount of traffic being added to the area of this project is de minimis and since the frontage to a public road is both existing and consistent with the Town's requirements for a private road, requiring a traffic study would be both impracticable and an undue hardship that would merely add expense and time to the review process without adding any valuable data. Moreover, the private road is being proposed to be built consistent with the Town's requirements for private roads, and therefore, the waiver of a traffic study does not reduce the standard to less than what is required under the Town's Zoning Ordinance.

For these reasons, we respectfully request that the master plan, and preliminary plan phases be combined.

Thank you in advance for your consideration of this matter.

Respectfully,

Phil and Laura Scalise

  
