

**TOWN OF HOPKINTON
PLANNING BOARD**

Monday, July 31, 2023

7:00 P.M.

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

CALL TO ORDER:

In Hopkinton on the thirty-first day of July 2023 A.D. the meeting was called to order by Chairman Ronald Prellwitz at 7:00 P.M. in the Town Hall Meeting Room, 1 Town House Road, Hopkinton, RI 02833.

MOMENT OF SILENT MEDITATION AND A SALUTE TO THE FLAG: Chairman Prellwitz led the meeting in a salute to the Flag.

ROLL CALL:

Mr. Prellwitz, Ms. Shumchenia, Ms. Light, Mr. DiOrio, Mr. Lindelow, Mr. Wayles and Ms. Bolek were all in attendance. Planner Jalette, Solicitor Hogan and Clerk Spellman were also in attendance.

PRE-ROLL FOR AUGUST 2, 2023, PLANNING BOARD MEETING: Mr. Prellwitz, Ms. Shumchenia, Mr. DiOrio, Ms. Light, Mr. Lindelow, Mr. Wayles and Ms. Bolek all indicated that they would be in attendance.

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.

The Planning Board will discuss, consider, and possibly vote on this Preliminary Plan application at this meeting.

Town Planner Talia Jalette announced that there were some technical difficulties associated with the Meeting ID which were corrected; however, that was the reason for the delay and the confusion. Chairman Prellwitz asked the Town Solicitor and Town Planner if they could proceed with the meeting. Solicitor Hogan suggested that remote public participation was not required; they had a legally assembled meeting and the agenda had been posted. She noted that if there was anyone in town unable to sign into the meeting via Zoom, they could come down to the town hall. She did not believe there was any legal impediment; however, she wished to confer with Attorney Landry to determine whether he had any objection to proceeding with the technological glitch. Attorney Landry advised that the notice of the meeting suggested that people could call

in, watch on YouTube, or show up at the town hall. Individuals were now unable to call in so the meeting was not being conducted as the notice provided and some people might be excluded; however, he felt that was just an extra level of notice that was provided as a courtesy, but not required by law. Attorney Landry stated that he would not challenge the meeting and felt it was acceptable to proceed, though Solicitor Hogan noted that a member of the public or an abutter could challenge any decision that the Board may reach tonight and file an appeal on that basis alone.

After discussion on the best way to proceed, the Planning Board continued this matter to Thursday, August 24, 2023, at 7:00 p.m.

A MOTION WAS MADE BY EMILY SHUMCHENIA AND SECONDED BY AL DIORIO TO CONTINUE THE BRUSHY BROOK PRELIMINARY PLAN HEARING TO AUGUST 24, 2023, AT 7:00 P.M. IN THE TOWN COUNCIL CHAMBERS.

IN FAVOR: Shumchenia, DiOrio, Light, Lindelow, Prellwitz

OPPOSED: None

SO VOTED

DISCUSSION:

There was a question on whether the Planning Board could have a workshop discussion and Solicitor Hogan suggested that whatever they discussed tonight should be reiterated at the next meeting. Solicitor Hogan noted that this matter has been pending before the Planning Board for two years this month; and because the Board had continued this matter to August 24th, having an informal discussion or putting thoughts on the record might not be violative of some aspects of open meetings according to the Attorney General's Office, particularly since they posted that the meeting could be accessed by Zoom. She felt that the Board should continue the entire matter to August 24, 2023.

Solicitor Hogan advised that in the interim, it would be acceptable for any Planning Board member to send comments through the Planning Office, where they are public comments and could go out to the applicants and members of the public. Attorney Landry advised that this was rational, though not their preference. He advised that they wished to have a discussion on the sidewalk issue and the overall absorption rate of the project. He wished to discuss the town's concerns that it could be blown out in a couple of years, which would be a bad thing, and hoped to reach an understanding about the absorption that will be allowed.

Attorney Landry wished to put on the record that they would extend the date of the decision to the end of August 2023.

NEW BUSINESS:

None.

SOLICITOR'S REPORT:

None

PLANNER’S REPORT:

None

CORRESPONDENCE AND UPDATES

None

PUBLIC COMMENT

There was no public comment at this time.

DATE OF NEXT MEETING: August 2, 2023

ADJOURNMENT:

A MOTION WAS MADE BY EMILY SHUMCHENIA AND SECONDED BY AL DIORIO TO ADJOURN.

SO VOTED UNANIMOUSLY

Marita D. Murray, CMC
Town Clerk

Michael J. Spellman Planner