

**TOWN OF HOPKINTON
PLANNING BOARD**

Wednesday, December 13, 2023

7:00 P.M.

**Hopkinton Town Hall
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.

CALL TO ORDER:

In Hopkinton on the thirteenth day of December 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.

ROLL CALL:

Mr. Prellwitz, Mr. Wayles, Ms. Bolek, Mr. Spencer, Mr. Terranova, Mr. Kohlman and Mr. James were all in attendance, as well as Interim Planner Ashley Sweet and Town Manager Brian Rosso. Solicitor Scott Levesque attended via Zoom.

PRE-ROLL FOR JANUARY 3, 2024, PLANNING BOARD MEETING: All members indicated that they planned to attend the January 3, 2024, meeting.

MINUTE APPROVAL EXTENSION REQUEST PURSUANT TO RI GENERAL LAW 42-46-7(b)(1): November 13, 2023, Meeting Minutes.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO APPROVE THE EXTENSION REQUEST FOR THE MEETING MINUTES OF NOVEMBER 13, 2023.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer
OPPOSED: None

SO VOTED

APPROVAL OF MINUTES:

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO APPROVE THE MEETING MINUTES OF AUGUST 16, 2023, AUGUST 24, 2023, SEPTEMBER 20, 2023, AND OCTOBER 18, 2023.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer
OPPOSED: None

SO VOTED

OLD BUSINESS:

Comolli Solar

Preliminary Plan – Continued Public Hearing – Major Land Development Project – **Comolli Solar** - Plat 2, Lot 73, Unit 2, 0 Chase Hill Road. Comolli Solar, LLC and Comolli Granite Co., Inc., applicant.

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

Ms. Sweet noted that Attorney Joelle Rocha was present via Zoom should there be any questions. She had submitted a written request for an extension because they are working through the comments from the engineer.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO CONTINUE THE PRELIMINARY PLAN PUBLIC HEARING FOR COMOLLI SOLAR TO THE JANUARY 3, 2024, MEETING IN THE COUNCIL CHAMBERS AT 7:00 P.M. AND THE DECISION TO JANUARY 31, 2024.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Hopkinton Industrial Park

Continuance Request – Development Plan Review – **Hopkinton Industrial Park General Warehousing** - Plat 4, Lot 13B, 0 Wellstown Road. Hopkinton Industrial Park, LLC., applicant.

The applicant has requested a continuance to the Planning Board's March 6, 2024 meeting.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO CONTINUE THE HOPKINTON INDUSTRIAL PARK GENERAL WAREHOUSING DEVELOPMENT PLAN REVIEW TO THE MARCH 6, 2024, MEETING IN THE COUNCIL CHAMBERS AT 7:00 P.M. AND THE DECISION TO MARCH 13, 2024.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Revity Energy, LLC

Extension Request – Development Plan Review – Photovoltaic Solar Energy System – **Revity Energy, LLC** – Main Street/46 Gray Lane – AP 7 Lots 64 & 65

The Planning Board may discuss, consider, and possibly vote on this Extension Request at this meeting.

Ms. Sweet explained that this was an application that was pending before them and they were agreeing to an extension to May 31, 2024, for the Board to make a decision. They are still working through some DEM issues, and they are stuck in a Rhode Island energy study which they anticipate will end soon. Ms. Bolek noted that if the decision was to occur on May 31, 2024, they should continue this to a date in April. Ms. Sweet explained that they did not have to continue the application to a date certain because it is an application that is before them that has been reviewed and certified complete. The applicant then got stuck in a Rhode Island energy study and is also dealing with DEM. The Planning Board's time clock to decide kept ticking so the time clock needs to be extended to May 31, 2024. When they are released from the study and they have everything they need, they will come back, and we will put them on the next agenda.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO EXTEND THE DEVELOPMENT PLAN REVIEW FOR REVITY ENERGY, LLC'S PHOTOVOLTAIC SOLAR ENERGY SYSTEM TO MAY 31, 2024.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

NEW BUSINESS:

Planning Board Election of Officer: Vice Chair

The Planning Board will discuss and vote to elect vice chair.

Mr. Wayles nominated Christina Bolek as Vice Chair and she accepted the nomination.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Moorehead Administrative Subdivision

Administrative Request – Waiver – **Moorehead Administrative Subdivision** – Plat 16, Lots 30A, 31A & 31 Camp Yawgoog Road. Kenneth Schobel and Esmeralda Schobel and Venessa Krause, applicants.

The applicants are requesting a waiver from the Class I Survey requirements for a proposed merger.

The Planning Board will discuss, consider, and possibly vote on this waiver request at this meeting.

Julie Raimondi of Scituate Surveys, 410 Tiogue Avenue in Coventry, was present. She noted that they were present on behalf of their clients to request a formal waiver of the Class I survey requirement for a portion of the land that is involved. An assessor's map was shown on the screen which showed that Lot 31A was substandard. She explained that they wished to make that lot a standard lot which would meet all of the dimensional

regulations by taking some of the land from Lot 31 and a little portion of Lot 30A. They had performed a Class I survey of the area which is involved in the moving of the lot lines; however, the rest of Lot 30A is about 43 acres and due to the cost, they were requesting a waiver of the Class I survey of the rest of that very large lot and to only be required to perform a Class IV survey of that.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK TO WAIVE THE CLASS I SURVEY REQUIREMENTS FOR THE REMAINDER OF LOT 30A, ASSESSOR'S PLAT 16.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Town of Hopkinton Administrative Subdivision

Administrative Request – Waiver – **Town of Hopkinton Administrative Subdivision** – Plat 26, Lots 47 & 48 One Town House Road. Town of Hopkinton, applicant.

The applicant is requesting a waiver from the Class I Survey requirements for a proposed lot merge meeting.

The Planning Board will discuss, consider, and possibly vote on this waiver request at this meeting.

Greg Smolley from DRA Architects was present on behalf of the applicant. An Assessor's map of Plat 26 was shown and Lots 47 and 48 were highlighted. Both of those lots are owned by the town. Lot 48 was a nonconforming lot and simply merging the two lots would eliminate Lot 48. The septic system and well for Lot 48 are actually on Lot 47. The merging of these two lots would right all of the crossings of property lines that occurred over the years.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK THAT THE CLASS I SURVEY OF LOTS 47 AND 48 WILL NOT BE REQUIRED FOR THE LOT MERGER.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Town Hall Expansion Project – Pre-Application

Pre-Application – Development Plan Review – **Town Hall Expansion Project** – AP 26, Lots 47 & 48, One Town House Road. Town of Hopkinton, applicant.

The Planning Board will discuss, consider, and vote to either waive Development Plan Review, continue Development Plan Review under the Development Plan Review ordinance, or review the proposal as a Major Land Development Project.

Greg Smolley of DRA Architects presented a site layout plan explaining that they will update the septic system and rationalize the parking a bit to reduce the southern parking lot by about 4,000 square feet and increase a parking lot to the north. This is to obtain handicapped accessibility into the building which as of now is not ADA compliant. The addition will be compliant with all setbacks. There was discussion on the proposed floor and roof plan. He noted that the wetlands have been flagged and surveyed and RI DEM has approved the construction.

Mr. Prellwitz asked about the siding and if they were going to maintain the aesthetics of the old building. Mr. Smolley indicated that was correct, they had the new addition siding as cement siding which read exactly as wood except that it was much more durable on the paint. He believed they would benefit from getting away from wood siding but wished to maintain the same look.

Mr. Wayles had questions regarding drainage. Mr. Smolley noted that this was discussed on slide 6. There are two drainage basins or swales proposed between the building and the parking lot and one on the north side of the parking lot. This lot is designed to drain to the north and then recharge to the back. Mr. Wayles advised that he wished to see a full set of drainage plans and Mr. Smolley suggested that they could be viewed on the town's website or through the Manager's office. Mr. Terranova questioned the traffic flow and wondered how that would work with additional people coming into the town hall. Mr. Smolley believed there would be improvement on the north side but the capacity for parking would not be much more. They were going up 4,000 square feet in pavement, but they were taking away quite a bit of parking from the south and moving it to the north. Ms. Bolek asked about the entrance and exit of the first parking lot and how it related to the triangle out front. She assumed people would be pulling out onto Route 3 and not Town House Road. Mr. Smolley stated that they still would come out on Town House Road, but he would have to look more closely at that.

Mr. Wayles asked for the comments from the fire department and DPW. Mr. Smolley advised that they have had all departments involved in programming and design meetings. Police, fire, DPW, Building & Zoning, Planning and IT have all sat in on meetings and the plans were adjusted to address anything that they brought up. Mr. Terranova thought it would be nice if the parking lot went around the whole building but due to the wetlands this was not possible.

Mr. Prellwitz asked Ms. Sweet about this project being nos. 4 and 5 on the agenda, one for Pre-Application and the other for Development Plan Review. Ms. Sweet explained that the applicant was present for the Pre-Application; however, the Board could make a determination based on what was presented to them, whether or not the applicant needed to come back and do a formal development plan review application. She noted that she had recommended to them that she believed they could waive the full development plan review based on the information that has been provided and presented this evening and she had provided the Board with a draft decision to do that. However, if they did not feel comfortable doing that then they would hear the full application under development plan review, and she had also provided them with a draft decision for that.

A MOTION WAS MADE BY MR. WAYLES AND SECONDED BY MS. BOLEK THAT THE PLANNING BOARD FINDS THE IMPACT OF THE PROPOSAL USE ARE TOO MINIMAL TO WARRANT FURTHER REVIEW. THIS FINDING IS BASED ON REVIEW AND DISCUSSION OF THE FOLLOWING SUBMISSION ITEMS: THE MEMO FROM THE INTERIM TOWN PLANNER DATED DECEMBER 5, 2023, SELECT PAGES FROM THE HOPKINTON TOWN HALL ADDITION AND RENOVATIONS BID SET DRAWINGS DATED DECEMBER 1, 2023, BY DRUMMEY ROSANE ANDERSON, DRA DESIGN ASSOCIATES, ALFRED W. DIORIO RLS, INC. AND ON-SITE ENGINEERING, INC. THE PLANNING BOARD FINDS THAT THE PROPOSED EXPANSION OF THE TOWN HALL DOES NOT POSE A NEGATIVE IMPACT ON EXISTING AND/OR PROPOSED DEVELOPMENT PROJECTS ON ANY OF THE NEIGHBORING PROPERTIES AND/OR PUBLIC OR PRIVATE STREETS.

IN FAVOR: Prellwitz, Wayles, Bolek, Terranova, Spencer

OPPOSED: None

SO VOTED

Town Hall Expansion Project – Development Plan Review

Combined with above.

Hopkinton Plaza

Pre-Application – **Hopkinton Plaza** – Proposed Parking Lot Expansion – KSL Realty Cranston, LLC – 229 Main Street – AP 25 Lot 155A.

The Planning Board may discuss and informally exchange ideas with the applicant, but no vote will be taken.

Sergio Cherenzia of Cherenzia & Associates, 99 Mechanic Street, Pawcatuck, CT was present on behalf of the applicant, KSL Realty Cranston, LLC. The store manager, Kristin Cash, was also present. Mr. Cherenzia noted that they were looking for a parking lot expansion of the Hopkinton Liquor Store Plaza. He noted that Dunkin Donuts was an adjacent parcel that shares the parking area and there was a mutual benefit easement between the two properties for access, utilities and septic system. Main Street Pizza was also located in this plaza. Some time ago KSL Realty had come before the Board with a much larger plan and scheme where they wished to build a new building in the back of the property and they put in a very extensive septic system. He had wished to make this a much more elaborate development at one point but eventually decided that this was not going to be an investment that they wished to pursue. The last thing that was permitted on this site was an expansion of the liquor store and a reconfiguration of the parking area. They have now realized that larger vehicles are coming into the plaza and taking up several parking spaces for passenger vehicles. As such, they wish to have a dedicated area for large tractor trailer trucks and large RVs. They propose to take advantage of some of the land in the back and make a gravel/crushed stone parking lot where that truck traffic and larger vehicle traffic can come one way in and park, still have a passing lane

so people can get by, and then they can drive out around the back of the building, one way and come out onto Cemetery Lane. They acknowledge that they will have to do stormwater management to the impervious surface, and they have identified an area for a small stormwater management area where water can run off the surface and go into an infiltration basin.

Mr. Prellwitz believed that 40 or 50 feet back from the end of the parking lot the land sloped down toward the river. He felt the stormwater runoff would be less complex than it normally would be.

Mr. Cherenzia noted that this will only accommodate the existing patrons to the site. They do not expect an increase in traffic. The septic system was upgraded within the last five years and there should be no changes to the intensity of the use of the septic system as designed. There also should be no impact to the mutual agreement between Dunkin Donuts and KSL Realty. Ms. Cash noted that they have deliveries five days a week from box trucks to 18-wheelers and a lot of campers and RVs in their parking lot from April to October, during the campground season. It would be great for them to have a safe place to park.

Mr. Prellwitz noted that it was very hazardous for vehicles exiting onto Route 3. Ms. Cash agreed that it was very hazardous because there were a lot of things going on in every direction. Mr. Prellwitz felt that what they were proposing would be far superior. Mr. Spencer noted that at the back of the building, behind Main Street Pizza, it seemed very narrow. He asked if they had any plans to widen that area. Ms. Cash noted that the dumpsters could be adjusted; however, the one thing that will have to change will be employee parking. It is tight and they will need to let people who live in the community know that they will not be able to come into the parking lot from the back of the building. The delivery trucks do not block the back of the building because the delivery areas are angled in such a way that traffic can get around them. Ms. Bolek wished to reiterate that they were now going to make the trucks come in through the main parking lot from Route 3. They would drive straight to the back of the current parking lot where there is currently a dirt road. This dirt road will circle around and come out to the back of the building and out onto Cemetery Road. Ms. Bolek wished to recommend they post "Loading Only" signs to help direct people where to go. The other thing that concerned her was the gravel drive. She noted that mostly campers would use this drive when there was no snow, but how would they address the plowing of this drive and also any leaks of fluids, such as oil or sewage. She questioned if they had thought about a control to stop any fluids from seeping into the groundwater. Mr. Cherenzia noted that typically this was going to be compacted to the point where you would not see a lot of infiltration, however, if the Board was more comfortable, they could put in some kind of under drain system or if they were adamant about this drive being paved, he would have to confer with the applicant. They were trying to keep this a little bit more informal and less impactful. Ms. Bolek asked if the parking on that drive would somehow be marked. Mr. Cherenzia advised that a gravel surface was tough to mark, but they could put in some signage. Ms. Bolek felt that if there was no directional signs, people would just park willy-nilly and it would become a free-for-all and they would lose some of the effectiveness of that space and eventually people would not use it. Mr. Cherenzia advised that there would be signs and employees would be policing the area. He stated

that he did not know how many vehicles would be able to park there but estimated at least three 18-wheelers. Ms. Bolek stated that her belief was that without paving and markings, this would not work. She also asked if the existing well was being used and Mr. Cherenzia indicated it was and stated that if they were to pave that area it would ensure that any runoff would go directly away from the well into a stormwater area. He felt this was good practice and they could do this. Mr. Cherenzia noted that he had spoken with Jim Lamphere who suggested that they get approval from the Department of Health on this as well. This would not have to go before the RI Department of Environmental Management because it is such a small project. Mr. Wayles asked how wide the road was at the narrowest point behind the building and Mr. Cherenzia believed it to be 25 to 30 feet and noted that they could prepare a plan that showed that there is enough clearance, and that the direction of travel would only be one way. It was asked how wide Cemetery Lane was and Mr. Cherenzia believed it was at least twenty-two to twenty-four feet wide. Mr. Prellwitz asked Mr. Cherenzia to approach the neighboring property owner regarding pavement, the stormwater and paint markings. Mr. Cherenzia asked Ms. Sweet how this application would be filed and if it would be under development plan review. Ms. Sweet noted that she had seen some back and forth about this being a modification and she did not believe that she was onboard with that. He noted that they would be happy to file a new application if that was what she was advising. Ms. Sweet noted that they could work this out.

Twin Pines, LLC

Pre-Application Meeting – Proposed 5-Lot Residential Compound – **Twin Pines, LLC** – Alton Bradford Road – AP 6 Lot 34 – Twin Pines, LLC, applicant.

The Planning Board may discuss and informally exchange ideas with the applicant, but no vote will be taken.

Sergio Cherenzia of Cherenzia & Associates, 99 Mechanic Street, Pawcatuck, CT noted that he had just spoken with the applicant. This plan was filed by Mr. DiOrio. Mr. Cherenzia indicated that he would be working with the applicant, who has decided to withdraw the application without prejudice for now and they would be coming back at a later time. They believed that Mr. DiOrio could not come before the Planning Board for another year so it did not make sense if he could not present, so the applicant had asked Mr. Cherenzia to take a look at it and it will likely be filed through their office at some point in the near future.

Mr. Prellwitz noted that they would postpone this project until the applicant was ready.

Terranova/Gregory

Pre-Application Meeting – Proposed Administrative Subdivision – Terranova/Gregory - AP 14 Lots 62A, 62B (34C & 34D Smith Lane) and AP 14 Lot 68 (115 Fenner Hill Road) – Stanton Terranova and Anita R. & Joseph Gregory, applicants.

The Planning Board may discuss and informally exchange ideas with the applicant, but no vote will be taken.

Mr. Terranova noted that he would have to recuse himself and left the room.

Mr. Wayles questioned which alternate member would be allowed to vote on this matter and it was determined that they would look into this.

Sergio Cherenzia of Cherenzia & Associates, 99 Mechanic Street, Pawcatuck, CT was present on behalf of the applicant. The applicants were working on this together to do a lot line adjustment which they believe may qualify for administrative, but in an abundance of caution wanted to bring it in front of this Board to get any feedback and determine whether they wished to defer this matter to the Planner as an administrative matter. The pre-application plan has a good exhibit in the bottom left that shows the before and after. Mr. Cherenzia explained that there were two lots on Smith Lane, which is a cul-de-sac and an oddly configured subdivision. Lot 62A wraps around the cul-de-sac and most of its frontage is along Smith Lane. Then there is a rear lot which has its frontage on Smith Lane. This was an approved subdivision and an approved residential compound, so Lots 62A and 62B are part of a previous subdivision. Lot 68 is the lot owned by the Gregory's with frontage on Fenner Hill. This is their residence and is closest to Fenner Hill. The goal is to take Lot 68 and make it a very small lot with frontage on Fenner Hill. He noted that they did have to make an adjustment to the frontage after speaking with Sherri Desjardins, Deputy Zoning Official, who noted that they were creating a nonconforming lot. They are going to rectify that and provide that lot with enough frontage. They also are extinguishing the lot lines between Lots 62A and 62B and the remaining portion of Lot 68, all to be merged into one lot, 62B, which is the main residence of Mr. Terranova. Mr. Terranova wishes to increase the size of that lot for his use, possibly a farm. By virtue of that they would reduce the size of Lot 62A. So there would be smaller lots on the ends while making his lot, the one in the middle, bigger. Still three lots to three lots, just shifting the lot lines. He noted that Smith Lane was a residential compound with a homeowner's association and other documentation that was associated with it, including some easements across the property. The formal survey has not been completed yet. Mr. Cherenzia believed that since Mr. Terranova had control of all of these properties, with the exception of the Gregory's lot, they should be able to revise those documents and make sure that everything is preserved from that subdivision with the exception of changing the lot configurations. He also noted that Lot 34A which was also a part of the Smith Lane subdivision consisted of three lots and that would be the third. Jim Lamphere had pointed out to him that this was subject to a zoning variance; however, they were not touching that lot at all. The access to Lot 62B will be relocated from Fenner Hill through that strip of land that they are creating next to Lot 68. There is already a gravel driveway there which will be used as his client's formal access, and he will abandon the access from Smith Lane. Therefore, the easements will not be needed anymore. He noted that the 911 address will need to be changed to Fenner Hill. Mr. Cherenzia also advised that there was an easement off of Smith Lane, across Lot 34C, Lot 62A to get to Lot 62B which can be eliminated.

Mr. Prellwitz felt this was pretty straight forward. Mr. Wayles stated that without his explanation, when you look at the plans it looked like Lot 62B was a back entrance to Smith Lane and as long as this was not what was happening, he was okay with it. Mr. Cherenzia suggested that this was just technical frontage. Ms. Sweet noted that initially when she looked at this application, her first thought was that the desired result at the end

would be to make Lot 62B bigger and to obtain access from Fenner Hill, put in a road, subdivide; however, there is an understanding that because this is a compound there is a restriction for no further subdivision. The intent behind that is for the creation of lots and she was comfortable allowing an administrative subdivision. She did not believe they were banned from moving lot lines once they developed a compound, the restriction should be on the further subdivision. It was decided that this would be handled administratively.

SOLICITOR'S REPORT:

None.

PLANNER'S REPORT:

Ms. Sweet noted that they were catching up and were starting on applications that were outstanding. Things are improving. She also noted that since the Board had new members, she offered to do some training which would be basically going through the fundamentals of how the process works, how they should structure their conversation and decisions. She also noted that she would be happy to work with the Solicitor to bring in the legal component of that.

Mr. Prellwitz believed that any education was good, and he would be in favor of that. The Board all agreed that it would be helpful to have some training. It was decided that they would discuss dates at tomorrow's meeting.

CORRESPONDENCE AND UPDATES:

None.

PUBLIC COMMENT

No one spoke during public forum.

DATE OF NEXT MEETING:

December 14, 2023 was a special meeting and their next regular meeting was scheduled for January 3, 2024, at 7:00 p.m. in the Council chambers.

ADJOURNMENT:

A MOTION WAS MADE BY CHRISTINA BOLEK AND SECONDED BY CECIL WAYLES TO ADJOURN.

SO VOTED

Marita D. Murray, CMC
Town Clerk