

ZONING BOARD OF REVIEW MEETING MINUTES – APRIL 20, 2023

State of Rhode Island

County of Washington

In Hopkinton on the twentieth of April 2023 A.D. the said meeting was called to order at 7:06 PM by Zoning Board of Review Chairman in the Town Hall Meeting Room with a moment of silent meditation and a salute to the Flag.

PRESENT: Johnathan Ure, Joseph York, Daniel Baruti, Ronnie Sposato, Daniel Harrington, Chip Heil, Solicitor Per Vaage of Gidley, Sarli, and Marusak LLP was in attendance remotely.

Zoning Board Clerk: Katrina Caputo,

Building Official Anthony Santilli

Absent: Alternate Member Phil Scalise

Chairman Ure states that the applicant for petition one hasn't arrived at the meeting yet, so the Board is moving to petition two.

Sitting as the Board for Petition II: Ure, York, Baruti, Sposato, & Heil
Member Harrington recused himself from this petition.

Petition II - Determine completeness of application/consider waivers (cont.)

A Petition for a Dimensional Variance to allow for rear set-back relief for a shed. Petition filed by Robin and Cynthia Dubay with mailing address of 12 Church St, Ashaway, RI 02804, for property located at 12 Church St, Ashaway, RI 02804, and identified as AP 24 Lot 124, an R-1 Zone and filed in accordance with Section 9 of Chapter 134 of the Zoning Ordinances of Hopkinton, as amended.

Applicant or representative present.

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Filing fees paid and notice posted.

Discussion.

Decision.

Chairman Ure states that the applicant is present. He explains that the Board needed an updated site map to complete the checklist and that items B, C, and D were already approved at a previous meeting.

CHECKLIST ITEM A: Three (3) copies of a site plan prepared by, and signed and stamped by, a professional engineer or professional land surveyor at a scale of no less than one (1) inch = forty (40) feet clearly showing:

- Name and address of property owner(s)
- Date, north arrow, graphic scale, lot dimensions and area
- Plat & lot, zoning district(s) and setbacks
- Existing and proposed structures, and their relationship & distances from lot boundary lines
- Existing and proposed parking areas and walkways – existing and proposed landscaping, as it relates to the request.
- Existing streets, 911 address, wells, septic system
- List of names and address of all property owners within 200 feet of subject property
- Best Management Practice work-plan where required
- Any peculiar site conditions or features

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER SPOSATO THAT CHECKLIST ITEM A IS COMPLETE. ALL IN FAVOR.

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SO MOVED

CHECKLIST ITEM E: On an existing site plan, indicate existing and proposed topography at two (2) foot intervals.

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER SPOSATO THAT CHECKLIST ITEM E IS COMPLETE. ALL IN FAVOR.

SO MOVED

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER SPOSATO THAT THE APPLICATION FOR THE DIMENSIONAL VARIANCE CHECKLIST IS COMPLETE. ALL IN FAVOR.

SO MOVED

The Board and Building Official Santilli discuss if they should have the hearing for this applicant at the May or June hearing. They decided on the June meeting as Member Heil will not be able to attend the May meeting and neither will Building Official Santilli. Chairman Ure tells the applicant that his hearing will be at the June 15th, 2023 meeting.

Member Baruti asks Building Official Santilli if there is any impediment from his department if the Board pushes out this hearing to the June meeting. Building Official Santilli says no. Member Baruti asks Mr. Dubay if there is anything he needs between now and June. Building Official Santilli explains that he has Mr.

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Dubay in court, and he has been compliant so he can keep postponing it until it's approved.

The Zoning Board Clerk explains to Mr. Dubay that he will need to send out the abutter's notices at least two weeks before the June meeting and bring the receipts to the hearing.

Sitting as the Board for Petition I: Ure, York, Baruti, Sposato, Harrington & Heil

Petition I- Determine completeness of application/consider waivers

A Special Use Permit to allow for the installation of ground mounted solar panels. Petition is filed by Scott LeDuc, with mailing address of 1451 Grafton St, Worcester, MA 01604, for property owned by Sergio and Rebecca Bueno located at 178 Skunk Hill Rd, Hopkinton, RI 02832, and identified as AP 21 Lot 3F, an RFR-80 Zone, and filed in accordance with Sections 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Filing fees paid and notice posted.

Discussion.

Decision.

Chairman Ure states that he doesn't know where the petition one applicant is. He asks the Zoning Board Clerk if the applicant was made aware that they had to be there. She states the applicant said they would be attending. Member Heil suggests the Board votes on last month's minutes while they wait.

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A MOTION WAS MADE BY MEMBER HEIL AND SECONDED BY MEMBER YORK TO APPROVE THE MARCH 16th, 2023, MINUTES. ALL IN FAVOR.

SO MOVED

Chairman Ure suggests a motion for a ten-minute recess. He explains if the applicant for petition one isn't here by 7:30 the Board will adjourn.

A MOTION WAS MADE BY MEMBER HEIL AND SECONDED BY MEMBER SPOSATO FOR A TEN-MINUTE RECESS. ALL IN FAVOR.

SO MOVED

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER SPOSATO TO RECONVENE. ALL IN FAVOR.

SO MOVED

Chairman Ure explains that it is 7:35 and the applicant for petition one has not shown up.

A MOTION WAS MADE BY MEMBER YORK AND SECONDED BY MEMBER SPOSATO TO GRANT PETITION ONE A CONTINUANCE TO THE MAY 18th, 2023 MEETING. ALL IN FAVOR.

SO MOVED

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The Board and the Solicitor discuss the Board’s requirements for continued education.

A MOTION WAS MADE BY MEMBER HEIL AND SECONDED BY MEMBER YORK TO ADJOURN THE MEETING AT 7:43 PM. ALL IN FAVOR.

SO MOVED

Respectfully Submitted,

Katrina Caputo

Zoning Board Clerk

Next scheduled Meeting: May 18, 2023