

Hopkinton Zoning Board of Adjustment
Minutes
February 5, 2008

Chairman Janet Krzyzaniak opened the Hopkinton Zoning Board of Adjustment meeting of Tuesday, February 5, 2008, at 7:00 PM in the Town Hall. Members present: Harold Perkins, Toni Gray, Charles Koontz and John Boatwright.

I. Applications.

Case #: ZO2008-00001: HOPKINTON STATE FAIR ASSOC requested a SPECIAL USE PERMIT for use of the Hopkinton Fair Grounds on May 10th and 11th to hold the 32nd Annual Sheep & Wool Festival. The property is located off Kearsarge Avenue, shown on Tax Map Lot: 000222-000060-000000.

Representatives Jeff Jordan, Director of the Hopkinton Fair and Wayne Welch, President of the New Hampshire Sheep and Wool Association informed the Board of various activities that take place at the Annual Sheep and Wool Festivals. Children are given the opportunity to show their sheep and the event provides education and demonstrations in an effort to promote the sheep and wool industry.

1. Standards provided by this Ordinance for the particular use permitted by special exception.

"This request is being submitted on behalf of the New Hampshire Sheep and Wool Growers Organization herein after referred to as the NHSW, under subsection 3.8.6 Non-Fair Uses permitted by Special Use Permit."

2. No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.

"No known hazards."

3. No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood on account of the location or scale of buildings and other structures, parking areas, access ways, odor(s), smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials.

"None known or expected."

4. No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity.

"The public traffic will enter the fair grounds through Blue Gate parking off Route 103 and park their cars. The traffic is not anticipated to increase to a level of a safety hazard. Average attendance for the weekend is 3,500 to 4,000 people."

5. No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection, and schools.

"No increase known or expected."

Mr. Jordan advised of his conversation with Police Chief Wheeler in which he had indicated that no police services would be necessary. At this time, Mr. Jordan is waiting for a return call from the Fire Chief.

6. No significant increase of storm water runoff onto adjacent property or streets.

"No increase known or expected."

7. An appropriate location for the proposed use.

"This is an appropriate location for this event as permitted by subsection 3.8.6."

8. Not affect adversely the health and safety of the residents and others in the area and not be detrimental to the use or development of adjacent or neighboring properties.

"The event is not expected to adversely affect the health and safety of the residents or others and is not expected to be detrimental to the adjacent properties."

9. In the public interest and in the spirit of the ordinance.

"The events are organized by the volunteer members of the NHSW for the purpose of benefiting several non-profit organizations and charities."

There was no one present wishing to provide public testimony.

Mr. Koontz inquired about veterinarian services available during the event. Mr. Jordan advised that the NHSW contract the services of Blackwater Veterinarian Services. The Veterinarian checks-in the animals and is onsite throughout the event.

Chairman Krzyzaniak noted that the event has been at the fair grounds for the past five year and there have been no known complaints received as a result of the event.

Mr. Boatwright, seconded by Mr. Koontz, moved to vote on the application as presented. Motion carried unanimously. With five members voting, all five voted in favor (Gray, Koontz, Perkins, Boatwright and Krzyzaniak). The Applicant adequately addressed the standards set forth in paragraph 3.8.6 which

included addressing the criteria for a Special Exception set forth in paragraph 15.8.2 of the Zoning Ordinance.

II. Review of the Minutes and Notice of Decision of January 2, 2008.

Mr. Perkins, seconded by Mr. Boatwright, moved approval of the January 2, 2008, Minutes and Notice of Decision as presented. Motion carried unanimously.

III. Any other business to legally come before the meeting.

- Letter from the Town of Warner ZBA re Variance application of Christian Hartshorn - Mr. Hartshorn proposes to subdivide his property creating a lot that has acreage in Warner and frontage in Hopkinton. Refer to RSA 674:53 concerning lots that straddle town boundary lines. On behalf of the Hopkinton Zoning Board of Adjustment, Chairman Krzyzaniak requested that Town Counsel provide guidance as to Hopkinton's role in this matter.
- Terms of Zoning Board of Adjustment Members – Terms of appointments of Mrs. Gray, Mr. Koontz, Mr. Hesse and Mr. Rinden will expire March 2008. When asked, Mrs. Gray and Mr. Koontz agreed to be reappointed understanding that the decision of reappointment is that of the Board of Selectmen. Chairman Krzyzaniak or Mrs. Robertson will follow-up with Mr. Hesse. It was assumed that Mr. Rinden is willing to be reappointed since he was only recently appointed to the Board, completing the term of William Horsfall who had resigned.

IV. Adjournment.

Motion made by Mrs. Gray, seconded by Mr. Koontz, to adjourn at 7:23 PM. Motion carried unanimously. The next regular scheduled meeting of the Board is Tuesday, March 4, 2008, at 7:00 PM in the Town Hall.

Karen L. Robertson
Planning/Zoning Director

Pursuant to New Hampshire RSA 677:2, any party to the action or proceedings, or any person directly affected thereby, may apply for a rehearing. Application, in writing, must be submitted to the Zoning Board of Adjustment within thirty (30) calendar days beginning the date upon which the Board voted to approve or disapprove the application. Such a request must set forth the grounds on which it is claimed the decision is unlawful or unreasonable. The Board must decide to grant or deny the rehearing within thirty (30) days.