

Hopkinton Planning Board
Minutes
March 21, 2006

Acting Chairman Edwin Taylor opened the Hopkinton Planning Board public hearing of Thursday, March 21, 2006, at 7:00 PM in the Town Hall. Members present: Bethann McCarthy, Clarke Kidder, and Celeste Hemingson. Members absent: Bruce Ellsworth, Timothy Britain, Jane Bradstreet, Michael Wilkey and Cettie Connolly.

I. Conceptual Consultations—

Timothy Bernier and Mark Connolly addressed the Planning Board on behalf of River Grant Condominium Association. Mr. Bernier briefly reviewed a site plan of the four building condominium project that was approved in 1987 known as River Grant. Since the Planning Board's approval two (2) buildings with a total of sixteen (16) units have been constructed. The proposal now is to move forward and construct the remaining two (2) buildings in the same location and configuration as was approved in 1987.

Attorney Mark Connolly then advised that at some point in the future the Association will come back before the Planning Board to request site plan changes, e.g., additional parking for guests.

The Board thanked Mr. Bernier and Mr. Connolly for providing the Board with an update.

II. Applications—

#2005-27 Francis Chase—Surveyor Gerrit Crabbendam and Francis Chase addressed the Planning Board presenting revised plans of a proposed six (6) single-family residential subdivision that is to be accessed by a proposed new roadway. The property is owned by Francis & Ellen Chase, located off Irish Hill Road in the R-4 (residential/agricultural) district, shown on Tax Map 237 as Lot 36. This was a continuation of the February 14, 2006 public hearing.

Mr. Crabbendam noted that the revisions to the plans were based on review and comments by the Town's Consultant Engineer Vollmer Associates, outlined in a letter to the Planning Board dated December 29, 2005. Additionally, Mr. Crabbendam noted that a Traffic Evaluation had been completed by Stephen Pernaw as was also recommended by Vollmer Associates. The results of the evaluation were that during the PM Peak Hour period, which is from 3 PM to 6 PM, the traffic would increase by approximately five (5) vehicle-trips (total both directions) on Irish Hill Road and South Road (northerly). At this point in time, Mr. Crabbendam reviewed with the Planning Board each issue raised in Vollmer's letter of December 29, 2005, along with the changes made to the plan addressing those issues.

Mr. Crabbendam noted that he had received verbal State Subdivision approval from the NH Department of Environmental Services. Additionally, the Applicant is waiting approval from the NH Wetlands Bureau.

Mr. Taylor advised that building permits cannot be applied for until such time as all State permits have been received. Mr. Crabbendam and Mr. Chase agreed.

Mr. Taylor then questioned the proposed roadway width. In response, Mr. Crabbendam stated 18-feet of pavement with one-foot shoulders.

Mrs. McCarthy questioned whether the island in the cul-de-sac is intended to be owned by the Town or the lot owners. In response, Mr. Chase advised that the island would be deeded to the Town along with the roadway.

Mr. Kidder verified the centerline turning radius of 60-feet around the cul-de-sac. Mr. Crabbendam reviewed the construction plans confirming the correct turning radius.

The Planning Board briefly discussed the Fire Chief's request that residential sprinkler systems be installed in all homes within the development. Mr. Kidder confirmed recent discussions between the Selectmen and the Fire Chief concerning the matter with the Fire Chief rescinding his requirement that all new homes within the Town have a residential sprinkler system installed. Mr. Taylor noted that the 2003 NFPA code includes the requirement for residential sprinklers; however, the code has not been adopted by the State. The State is currently working from the 2001 NFPA code. Mrs. Hemingson believed the matter is a building code issue that would have to be addressed at the time of issuance of a building permit, rather than by the Planning Board during subdivision review. Mr. Kidder, along with other members of the Planning Board, concurred.

Motion made by Mrs. McCarthy, seconded by Mrs. Hemingson, to approve Application #2005-27 with the following conditions:

- The proposed roadway width not to exceed 18-feet with one-foot shoulders. Construction of the shoulders shall be of the same compact gravel as the base of the roadway.
- Confirmation from the Board of Selectmen concerning their willingness to accept on behalf of the Town .393 acres shown as Lot T on the subdivision plan and referenced in the Conservation Commission's letter of 11/29/05. If the Selectmen agree to the acceptance, transfer of the .393 acres to the Town of Hopkinton shall occur at the time of the recording of the subdivision plan.
- Receipt of subdivision approval from the NH Department of Environmental Services.
- Receipt of a Wetlands Permit from the NH Wetlands Bureau.

Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

#2005-28 Shadrack Wilson, Jr.—Applicant was to request approval of ten (10) single-family residential lots accessed by a proposed new roadway. The property is located off Clement Hill Road in the R-2 (medium density residential) district, shown

on Tax Map 209 as Lot 45.1. This was to be a continuation of the February 14, 2006 public hearing.

The Board was in receipt of a letter from the Applicant's engineer requesting that the application be continued to the April 11, 2006 hearing. The Planning Board unanimously agreed.

#2006-3 Elizabeth M. Dibble Trust—Charles Dibble, Trustee of the Elizabeth M. Dibble Trust, addressed the Planning Board requesting approval of a lot line adjustment involving properties located at 25 Brookwood Lane and 632 Clement Hill Road in the R-2 (medium density residential) district, shown on Tax Map 209 as Lots 30.1 and 30.2.

The proposal is to adjust the lot lines evenly exchanging acreage so to change the configuration of the Trust's property so that the leach field is located on the property, rather than extending over onto Mr. Dibble's property.

Motion made by Mrs. Hemingson, seconded by Mrs. McCarthy, to accept the application for consideration. Motion carried unanimously.

There was no one wishing to provide public testimony.

Motion made by Mrs. McCarthy, seconded by Mrs. Hemingson, to approve Application #2006-3 as presented. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

#2006-4 KaLea Anne Thoits—KaLea Anne Thoits addressed the Planning Board to request Site Plan Review approval to operate a metaphysical gift and supply shop as a home business. The property is located 67 Burnham Intervale Road in the M-1 (industrial) district, shown on Tax Map 221 as Lot 17.

Mrs. Thoits reviewed the site plan and floor plan of the barn that would be used for the gift and supply shop. The space to be utilized is 400 square feet of the downstairs of the barn with approximately 100 square feet of the second floor to be used for storage and office space. In order to insure that Mrs. Thoits meets the square footage requirements, the Board asked Mrs. Thoits to review the square footage of her residence. In response, Mrs. Thoits explained that the existing residence consists of 2,008 square feet with twenty-five percent of the gross floor space being 500 square feet.

The proposed space to be utilized had been inspected by the Deputy Fire Inspector and as a result Mrs. Thoits stated that she is not able to utilize the second floor as display area due to lack of an egress. However, again, the space can be used for storage or as office space by Mrs. Thoits with no public access.

At the point, the Planning Board reviewed the location and type of lighting that exists on the building with Mrs. McCarthy noting that the lighting appears to meet the requirements of the Ordinance. Mr. Taylor advised that all lighting shall be aimed downward so to avoid light pollution.

Lastly, Mrs. Thoits noted that she had received Zoning Board of Adjustment approval to operate the business with a condition that the hours of operation not exceed eight (8) hours within the time period of 9 AM to 9 PM with the exception of eight (8) holidays. A list of the specific holidays was provided to the Zoning Board of Adjustment.

Motion made by Mr. Kidder, seconded by Mrs. Hemingson, to accept the application for consideration. Motion carried unanimously.

Byron Carr of Burnham Intervale noted that the structure exists, so there should be no changes to the run-off from the property.

Mr. Kidder questioned whether the driveway is paved or gravel. In response, Mrs. KaLea stated that it is currently gravel; however, at some point in the future she may have it paved. Following brief discussion, Mrs. Hemingson noted the Planning Board's preference to limit the amount of impervious surfaces, so there paving is not necessary.

Motion made by Mrs. McCarthy, seconded by Mrs. Hemingson, to approve Application #2006-4 as presented. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

III. Review of the Minutes and Notice of Decision of December 13, 2005, January 10, January 26 and February 14, 2006.

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the December 13, 2005 Minutes as amended. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the December 13, 2005 Notice of Decision. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the January 10, 2006 Minutes as amended. With four members voting, three voted in favor (Kidder, Hemingson and Taylor) and one member abstained (McCarthy).

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the January 10, 2006 Notice of Decision. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the January 26, 2006 Minutes as presented. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mr. Kidder, moved approval of the January 26, 2006 Notice of Decision as presented. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mrs. McCarthy, moved approval of the February 14, 2006 Minutes as corrected. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

Mrs. Hemingson, seconded by Mrs. McCarthy, moved approval of the February 14, 2006 Notice of Decision. Motion carried unanimously (McCarthy, Kidder, Hemingson and Taylor).

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

- Administrative Appeal of the Planning Board’s decision (#2005-3) of January 26, 2006, in which the Planning Board granted Site Plan Review approval to Larry Ehlinger for the purpose of operating an agricultural use boarding, breeding and training equines. The property is located at 100 Chase Farm Road in the R-4 (residential/agricultural) district, shown on Tax Map 243 as Lot 20. The Zoning Board of Adjustment will hear the appeal at their meeting of April 4, 2006. A representative of the Planning Board will be present.

V. Adjournment.

Mrs. Hemingson, seconded by Mr. Kidder, moved to adjourn the meeting at 8:40 PM. Motion carried unanimously. The next regularly scheduled meeting of the Planning Board is Tuesday, April 11, 2006 at 7:00 PM in the Town Hall.

Karen L. Robertson
Planning Director

In accordance with RSA 677:15, any person(s) aggrieved by any decision of the Board concerning the application(s) may present to the Superior Court a petition, duly verified, setting forth that such a decision is illegal or unreasonable in whole or part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within thirty (30) days after the Board’s final decision regarding the application in question has been filed and becomes available for public inspection in the Planning Office.