Hopkinton Planning Board
Minutes
July 10, 2007

Chairman Bruce Ellsworth opened the Hopkinton Planning Board meeting of Tuesday, July 10, 2007, at 6:00 PM in the Hopkinton Town Hall. Members present: Jane Bradstreet, Celeste Hemingson, Bethann McCarthy, Michael Wilkey, and Cettie Connolly.

I. Work Session – Revisions to the Subdivision Regulations in an effort to update the procedure for submitting applications and plans.

Planning Consultant Carolyn Russell reviewed a draft of proposed revisions to Section IV: General Principles and Design and Construction Standards for Subdivisions. The proposed revisions are intended to replace the existing Section 4.4.1 of the Subdivision Regulations. See attached copy entitled first draft – July 8, 2007.

Discussed ensued as to whether the design (development) plans should be certified by a Landscape Architect or other qualified individuals. Mr. Taylor believed that the wording should be changed to allow other qualified individuals, such as a civil engineer, to be able to certify the plans. Following discussion, the Board unanimously agreed that the language should be revised.

At this point, Mrs. McCarthy joined the Board for the remainder of the meeting.

The Board reviewed the requirements to minimize visual impact of a development on the views of existing roadways, adjacent properties and off-site vantage points. There was discussion concerning the requirement of a landscaping plan and/or tree preservation plan with the Board requesting revisions involving the identification of trees to be shown on the tree preservation plan.

Further review of the draft, dated July 8, 2007, and was tabled to the Board's August 14, 2007 meeting, beginning at 5:30 PM, Town Hall.

II. Pursuant to RSA 675:6 & 7, the Planning Board will hold a public hearing on proposed amendments to the Hopkinton Subdivision Regulations. The effect of the proposed amendment will be to replace the existing Section 2.2 Preliminary Consultation with a new Section 2.2. Pre-Application Conference. The purpose of the pre-application conference is to discuss the characteristics of the site and proposed plan for development in conceptual terms. The pre-application conference is further designed to acquaint the potential applicants with the formal application process and particular information that the Planning Board may request, to suggest methods for resolving possible problems in the development, design and layout, and to make the potential applicant aware of any pertinent recommendations in the Master Plan, Zoning, or Regulations to the property in question.

Chairman Ellsworth advised those present that the Planning Board held a Public Hearing on Tuesday, June 12, 2007, concerning amendments to Section 2.2 of the Subdivision Regulations. At the hearing, Board members had requested further revisions that required this second Public Hearing.

There was no one present wishing to give public testimony.

Motion made by Mr. Wilkey, seconded by Mrs. McCarthy, to adopt the amendments that will replace the existing Section 2.2 Preliminary Consultation with a new Section 2.2. Optional Consultation and a Section 2.3 Required Preliminary Review. Motion carried unanimously.

III. Review of the Minutes and Notices of Decision of April 10, May 21, and June 12, 2007.

Motion made by Mrs. Hemingson, seconded by Mrs. Bradstreet, to accept the Minutes of April 10, 2007 as presented. Motion carried unanimously.

Motion made by Mrs. Hemingson, seconded by Mrs. Bradstreet, to accept the Notice of Decision of April 10, 2007 as presented. Motion carried unanimously.

Motion made by Mrs. McCarthy, seconded by Mrs. Connolly, to accept the Minutes of May 21, 2007 as presented. Motion carried unanimously.

Motion made by Mrs. McCarthy, seconded by Mrs. Connolly, to accept the Notice of Decision of May 21, 2007 as presented. Motion carried unanimously.

Motion made by Mrs. Connolly, seconded by Mr. Wilkey, to accept the Minutes of June 12, 2007 with the following revisions: 1) Addition of Cettie Connolly's name as a member present. 2) Revision to Page 6, Application #2005-28 of Shadrack Wilson, Jr., second sentence to read, "Since filing the request Mr. Wilson had begun construction of the roadway and met all requirements for bonding of the project*; therefore, he does not need an extension*." Motion accepting the Minutes as amended carried unanimously.

Motion made by Mr. Wilkey, seconded by Mrs. Bradstreet, to accept the Notice of Decision of June 12, 2007 with a revision to Page 3, Application #2005-28 of Shadrack Wilson, Jr., second sentence to read, "Since filing the request Mr. Wilson had begun construction of the roadway and met all requirements for bonding of the project*; therefore, he does not need an extension*." Motion accepting the Notice of Decision as amended carried unanimously.

IV. Conceptual Consultations.

Surveyor Gerrit Crabbendam addressed the Planning Board representing Francis Chase, owner of property off Irish Hill Road in the R-4 (residential/agricultural) district, shown on Tax Map 237 as Lot 36. As suggested at the meeting of the Board on June 12, 2007, Mr. Crabbendam presented plans of a conservation subdivision design of Mr. Chase's property, rather than the conventional design as was originally proposed. The conservation design allowed for a shorter road to be constructed. Mr. Crabbendam explained how he had calculated the credits in order to include a seventh lot in the subdivision. He then stated that Mr. Chase would not prefer the conservation design as the lots are narrow and the higher elevation lots may require a pump septic design.

Mrs. McCarthy suggested shifting the building envelope for the house and septic system proposed on Lot 6. Mr. Crabbendam agreed that it may be possible.

In discussing the proposed design, it was suggested that Lot 7 be eliminated and the excess open space be eliminated in order to increase the size of the proposed six lots.

The Board then discussed Mr. Crabbendam's calculations of credits and determined that the design did not meet the required credits to allow for the seventh lot.

Mrs. McCarthy referred to Section 8.6.2 (a) of the Zoning Ordinance, requesting Mr. Crabbendam to explain how the property is ill-suited for a conservation subdivision design. Mr. Crabbendam responded that he could not state that the lot was ill-suited for a conservation subdivision; however, the owner of the property would prefer a conventional design. He believes that the conventional design would provide greater flexibility.

It was a consensus of those members present that Mr. Chase's property would not satisfy the requirements of Section 8.6.2 of the Zoning Ordinance and therefore should not receive a waiver to allow for a conventional subdivision design. The Board then discussed the application process with Mr. Crabbendam, providing him with the revisions to the Subdivision Regulations that were adopted this evening. It was further agreed that there would be no need for engineering review by the Town's consultant engineer of the proposed roadway. The roadway as proposed is of the same design and in the same location as was reviewed and approved in March 2006. The Board further suggested that Mr. Crabbendam apply for a waiver of the pre-application (preliminary) process, since the Board is very familiar with the property. Mr. Crabbendam will follow-up with Mr. Chase and apply to the Planning Board for review at the August 14, 2007 hearing.

V. Applications/Public Hearing:

#2007-10 Public Service of New Hampshire—David Crane, Arborist and Preventive Maintenance Coordinator for Public Service of New Hampshire, addressed the Planning Board as a continuation of the June 12, 2007 public hearing for permission to trim and remove trees along Beech Hill Road, Brockway Road, Clement Hill Road and Patch Road which are designated as scenic roads. The request was submitted in accordance with the provisions of RSA 231:158.

As previously requested, Mr. Crane had submitted, in advance of the hearing, a map indicating the approximate location of the proposed four (4) trees to be removed. The trees are as follows: Brockway Road – Rotten Oak, Beech Hill Road – Dying Maple, Patch Road – Dead Pine, and Clement Hill Road – Dead Oak.

Mr. Crane, again, gave a brief explanation as to how regular maintenance is done on a five year cycle; however, in this particular case it has been six years since maintenance has been done. He noted that there is a great deal of brush that needs

trimming, advising of the distances in all directions from the power lines that trimming would occur.

Lastly, Mr. Crane discussed the process by which PSNH makes every effort to notify the property owners of the work to be done. If there are concerns, the property owners may contact Mr. Crane or one of his assistants.

Motion made by Mrs. Bradstreet, seconded by Mrs. Hemingson, to approve Application #2007-10 as presented. Motion carried unanimously.

VI. Adjournment.

There being no further business, Chairman Ellsworth declared the meeting adjourned at 8:15 PM. The next scheduled meeting of the Planning Board is Tuesday, August 14, 2007 at 5:30 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 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.