



Town of Hopkinton

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HOPKINTON PLANNING BOARD

MINUTES

JULY 8, 2014

Chairman Bruce Ellsworth opened the Hopkinton Planning Board meeting of Tuesday, July 8, 2014, beginning at 7:00 PM in the Hopkinton Town Hall. Members present: Celeste Hemingson, Cettie Connolly, Michael Wilkey and Alternates Rich Steele and James Fredyma. Members absent: Vice Chairman Timothy Britain, Ex-Officio George Langwasser, Jane Bradstreet and Clarke Kidder.

Due to the absence of three regular members of the Board, Mr. Steele and Mr. Fredyma were designated as voting members.

I. Review and adopt the Minutes and Notice of Decision of June 10, 2014.

Mr. Wilkey, seconded by Mrs. Connolly, moved to **APPROVE** the Minutes with correction to the opening paragraph and final paragraph by replacing the name Vice Chairman Timothy Britain with Chairman Bruce Ellsworth. With six members voting, five voted in favor and one voted in abstention (Hemingson).

Mrs. Connolly, seconded by Mr. Wilkey, moved to **APPROVE** the Notice of Decision with correction to the final paragraph of the minutes by replacing the name Vice Chairman Britain with Chairman Ellsworth. With six members voting, five voted in favor and one voted in abstention (Hemingson).

II. Conceptual Consultations.

Gary Richardson of 1569 Briar Hill Road presented a conceptual plan of a lot line adjustment involving a vacant 4.73 acre parcel, shown as Lot 4 on Tax Map 242 and a 12.07 acre parcel that contains his existing residence, shown as Lot 7 on Tax Map 242. Mr. and Mrs. Richardson are in the process of selling their residence; however, the current property line dividing the two lots runs through the middle of a field that is fenced. In an effort to retain the buffer between the field and the vacant lot, Mr. Richardson proposes to adjust the property line.

Chairman Ellsworth advised of the need to show wetlands, if any, on Lot 4 so that the Board can be sure that the lot conforms to the minimum acreage requirement minus wetlands. Mr. Richardson understood, stating that he intends to file the necessary application and plans for review at the Planning Board's August meeting.

Adopted: 8/12/2014

Matt Burke representing American Tower addressed the Planning Board to present a conceptual of the relocation of AT & T's antennae from the silo located at 47 Emerson Hill Road to a new tower that would be constructed on the same property. The existing silo cannot support the additional antennae that are anticipated to be needed. The property owner would prefer that the tower be positioned in an area which would be less visible, but would not conform to the setback requirements. The alternative would be to erect the tower in a location that would be more visible and that would conform to the setback requirements.

Mrs. Hemingson questioned the difference in setbacks based on the two scenarios. Mr. Burke indicated that if the tower were constructed in the location preferred by the property owner it would be located approximately 15 to 20 feet closer to Emerson Hill Road, requiring a Variance. In either scenario, AT & T would be requesting the height of the tower to be no less than that of the existing silo. That being said, Mr. Burke explained how the grade of the land slopes downward and therefore the base of the tower will be at a lower elevation than that of the silo which will dictate the height of the tower in order to be same height as the silo.

Following brief discussion, members of the Board discussed the fact that the Planning Board does not typically grant Variances when the tower can be constructed in compliance. The difference in visibility and whether the tower would be seen from Route 127 or just Emerson Hill Road was then discussed. Finally, the Planning Board suggested that Mr. Burke complete a balloon test at both locations so that the visibility at either location can be shown. Furthermore, the Board noted that radio frequency mapping involving the two locations will be important in determining whether a Variance should be granted. Mr. Burke thanked the Board for their time.

III. Public Hearing – Subdivision Regulations. Pursuant to NH RSA 675:6 & 7, the Planning Board held a public hearing on proposed amendments to the Hopkinton Subdivision Regulations. Amendments proposed as follows:

- a. **Amend Section III, 3.3.4** Other Required Exhibits by inserting as (h) language requiring a restoration plan to accompany an application for a subdivision that requires an Alteration and Terrain Permit, or a proposed new street.

The amendment will provide the Town with a mechanism to ensure that disturbed areas can be stabilized if construction, excavation, alteration, or development ceases for more than one (1) year; erosion and sedimentations controls are not maintained; areas outside of the area or phased approval have been disturbed, or the site has been abandoned. A full-text of the amendment is attached.

There was no one from the public present.

Mrs. Hemingson, seconded by Mrs. Connolly, moved to **ADOPT** the proposed amendment to Section III, 3.3.4 of the Hopkinton Subdivision Regulations. Motion carried unanimously (Hemingson, Connolly, Wilkey, Steele, Fredyma and Ellsworth).

- b. **Amend Section IV, 4.4.2** Streets by inserting language permitting the construction of a new street only for a subdivision creating a minimum of four (4) lots total. The total may include any lot containing an existing residence.

The amendment will limit an individual's ability to construct a Town road for anything less than four (4) lots; thereby, limiting the Town's responsibility to maintain a road that could possibly service only one (1) to three (3) homes. A full-text of the amendment is attached.

There was no one from the public present.

Mrs. Hemingson, seconded by Mr. Fredyma, moved to **ADOPT** the proposed amendment to Section IV, 4.4.2 of the Hopkinton Subdivision Regulations. Motion carried unanimously (Hemingson, Connolly, Wilkey, Steele, Fredyma and Ellsworth).

IV. Subdivision Regulations Work Session. The Planning Board reviewed the following proposed amendments:

- a. **Amend Section I, 1.3.1** Rules of Procedure by inserting language with respect to the duties and responsibilities of the Planning Board, including the procedures by which the Board receives and acts upon applications and communications.

In reviewing the recommended amendments, the Planning Board made grammatical changes, omitted proposed language and retained existing language. A full-text of the proposed amendments as proposed is attached.

Mrs. Hemingson, seconded by Mr. Wilkey, moved to **ACCEPT** the proposed amendments for public hearing. Motion carried unanimously (Hemingson, Connolly, Wilkey, Steele, Fredyma and Ellsworth).

V. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 8:45 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 7:00 PM on Tuesday, August 12, 2014, at the Hopkinton Town Hall.

Karen L. Robertson
Planning Director

In accordance with RSA 677:15, any person(s) aggrieved by any decision of the Planning 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.