

Hopkinton Planning Board
Notice of Decision
November 13, 2008

Notice is hereby given that the Hopkinton Planning Board held a public hearing on Thursday, November 13, 2008, and made the following decision(s):

I. Review of the Minutes and Notice of Decision of August 12, September 10, and October 14, 2008.

Celeste Hemingson, seconded by Jane Bradstreet, moved to approve the Minutes of August 12, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Bradstreet and O'Brien).

Celeste Hemingson, seconded by Michael Wilkey, moved to approve the Notice of Decision of August 12, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Bradstreet and O'Brien).

Cettie Connolly, seconded by Jane Bradstreet, moved to approve the Minutes of September 10, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Hemingson and O'Brien).

Michael Wilkey, seconded by Jane Bradstreet, moved to approve the Notice of Decision of September 10, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Hemingson and O'Brien).

Cettie Connolly, seconded by Jane Bradstreet, moved to approve the Minutes of the October 14, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Hemingson and O'Brien).

Jane Bradstreet, seconded by Michael Wilkey, moved to approve the Notice of Decision of October 14, 2008 as presented. With seven members voting, five voted in favor and two voted in abstention (Hemingson and O'Brien).

II. Application(s).

#2008-13A Francis Chase – Requested a one-year extension of subdivision approval should the Board determine that "active and substantial" development has not occurred. The property is owned by Francis and Ellen Chase, located off Irish Hill Road in the R-4 (residential/agricultural) district, shown on Tax Map 237 as Lot 36. The seven lot residential subdivision, including construction of new roadway, was approved by the Planning Board with conditions on August 14, 2007.

Cettie Connolly, seconded by Michael Wilkey, moved to recognize that no action of the Planning Board is necessary based on an opinion received from the Board's legal counsel. Motion carried unanimously.

#2008-13B Francis Chase – Requested a one-year extension of a condition imposed by the Planning Board requiring that the house on Lot 7 be removed within one-year from the date of subdivision approval. The condition was imposed on August 14, 2007, as part of the Planning Board's approval of a seven lot residential subdivision, including construction of new roadway.

The property is owned by Francis and Ellen Chase, located off Irish Hill Road in the R-4 (residential/agricultural) district, shown on Tax Map 237 as Lot 36.

Michael Wilkey, seconded by Cettie Connolly, moved to approve a 12-month extension for the removal of the house on Lot 7. Motion carried unanimously.

#2008-14 Jane D.W. Bradstreet — Requested lot line adjustment between properties owned by the Frederick and Jane Bradstreet and Jane D.W. Bradstreet. The properties are located at 333 Gould Hill Road and 2398 Hopkinton Road in the R-2 (medium density) and R-3 (low density) districts, shown on Tax Map 240 as Lots 12 and 32.

Cettie Connolly, seconded by Jim O'Brien, moved to accept application #2008-14 as complete and for consideration. With five members voting, all five voted in favor of the motion (Connolly, O'Brien, Wilkey, Taylor and Ellsworth).

Michael Wilkey, seconded by Cettie Connolly, moved to approve application #2008-14 as presented. With five members voting, all five voted in favor of the motion (Connolly, O'Brien, Wilkey, Taylor and Ellsworth).

#2008-15 Omnipoint Communications Inc.—Requested Site Plan Review and a Conditional Use Permit pursuant to Section 3.10 of the Hopkinton Zoning Ordinance. The proposal is to co-locate six (6) panel antennas on a previously approved wireless telecommunications facility. The proposal includes the installation of all associated cabling and base equipment. The property is owned by Thomas Komisarek, located at 67 Farrington Corner Road in the R-3 (low density) district, shown on Tax Map 257 as Lot 12.

Celeste Hemingson, seconded by Jane Bradstreet, moved to accept application #2008-15 as complete and for consideration. With seven members voting, all seven voted in favor of the motion (Connolly, O'Brien, Bradstreet, Hemingson, Wilkey, Taylor and Ellsworth).

Celeste Hemingson, seconded by James O'Brien, moved to approve application #2008-14 with the following conditions:

1. Receipt of proof of appropriate liability insurance (section 3.10.9);
2. Receipt of a non-lapsing bond for the removal of all equipment, including antennas (section 3.10.9);
3. The Personal Wireless Service Facility's existing level of camouflage is to be maintained.

With seven members voting, all seven voted in favor of the motion (Connolly, O'Brien, Bradstreet, Hemingson, Wilkey, Taylor and Ellsworth).

III. Other business to legally come before the meeting.

Zoning Amendments – The following amendments to the Zoning Ordinance will be proposed by the Planning Board for March 2009 Annual Town Meeting.

1. Amend section II, 2.1.J.2 Junk Yard correcting referenced NH RSA.
2. Omit section IV, 4.4.8 Additions.
3. Amend section III, Table of Uses 3.6.G.7 Earth Products Removal correcting referenced section of Zoning Ordinance.

4. Add section IV, 3.11 Small Wind Energy Systems. See NH RSA 672:1, III (a) and 674:62-66.

Planning Board, at their next scheduled meeting, will review a draft Small Wind Energy Systems Ordinance.

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.