

**HOPKINTON ZONING BOARD OF ADJUSTMENT
HOPKINTON PLANNING BOARD
NOTICE OF DECISIONS
AUGUST 3, 2010**

Notice is hereby given that the Hopkinton Zoning Board of Adjustment and Planning Board held a joint public hearing/meeting on Tuesday, August 3, 2010, at 7:00 PM in the Hopkinton Town Hall. During the meeting, the Boards made the following decision:

ZBA#2010-11/PB#2010-07 Justin Welles of White Mountain Wood Grinding, LLC – Applications for a Special Exception and Site Plan Review for the production of wood chips and mulch from virgin wood, storage of raw materials, such as stumps, logs and brush, and the storage of finished materials such as ground chips and mulch. The property is owned by Crathern Family Holdings, LLC (formerly known as the site of O.D. Hopkins), located at 59 Mill Road in the M-1 (industrial) district, shown on Tax Map 228 as Lot 22. The application was submitted in accordance with Table of Uses 3.6.G.8, and 3.6.G.11 of the Hopkinton Zoning Ordinance. *Correction: Table of Uses 3.6.G.6 (Bulk Storage of Fossil Fuels) was incorrectly cited in the Notice of Hearing.*

Zoning Board of Adjustment Decision:

Motion made by *Harold Perkins*, seconded by *Toni Gray*, to grant a conditional Special Exception (ZBA Application #2010-11) for the period of six months, and at the end of the period if the Board deems it necessary a hearing will be held to determine whether an acoustical study, at the Applicant's expense, is appropriate to determine whether the sound level is in compliance with section 5.5 of the Zoning Ordinance. Motion carried unanimously (Perkins, Gray, McLeod, Rinden and Koontz). The Applicant adequately addressed the criteria to be granted a Special Exception as set forth in paragraph 15.8.2 of the Hopkinton Zoning Ordinance.

Planning Board Decision:

Motion made by *Timothy Britain*, seconded by *Jane Bradstreet*, to accept Application #2010-07 as complete and for consideration. Motion carried unanimously (Britain, Lawless, Wilkey, Bradstreet, Taylor, Connolly and Ellsworth).

Motion made by *Timothy Britain*, seconded by *Christopher Lawless*, to approve Application #2010-07 subject to the condition set forth in the Special Exception granted by the Zoning Board of Adjustment, and furthermore, with the condition that the operations as represented by the Applicant be adhered to, including all erosion control measures and hours of operation. Motion carried unanimously (Britain, Lawless, Wilkey, Bradstreet, Taylor, Connolly and Ellsworth).

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 to the Zoning Board of Adjustment 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.

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

Notice of Decision subject to review and approval.

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.