



# Town of Hopkinton

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## HOPKINTON PLANNING BOARD NOTICE OF DECISION DECEMBER 10, 2013

Notice is hereby given that the Hopkinton Planning Board met on **Tuesday, December 10, 2013, at 6:30 PM** in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decisions:

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### I. Review and adopt the Minutes and Notice of Decision of November 12, 2013.

*Jane Bradstreet, seconded by Timothy Britain, moved to APPROVE the Minutes of November 12, 2013 with a correction on page twelve, paragraph four by inserting the word, "outweigh" in place of "out way". Motion carried unanimously (Britain, Bradstreet, Wilkey and Ellsworth).*

*Timothy Britain, seconded by Celeste Hemingson, moved to APPROVE the Notice of Decision of November 12, 2013 with corrections on page two, paragraph two by inserting the word, "outweigh" in place of "out way" and in paragraph four by inserting "90 feet" in place of "100 feet". Motion carried unanimously (Britain, Hemingson, Bradstreet, Wilkey and Ellsworth).*

### II. Public Hearing – Capital Improvements Plan Revisions (2014). Review and adopt revisions to the Capital Improvement Plan (CIP) for years 2014-2019. Note: The CIP is one component of the Town's Master Plan that is annually revised to reflect changing demands, new needs and assessment of priorities.

*Timothy Britain, seconded by Celeste Hemingson, moved to ADOPT the revisions to the Capital Improvements Plan (CIP) for years 2014-2019 without endorsement of any projects listed. Motion carried unanimously (Britain, Hemingson, Wilkey and Ellsworth).*

### III. Applications.

**#2013-13 Chalk Pond Investments, LLC.** Amended application for a two lot subdivision of property located off Pleasant Pond Road in the Towns of Hopkinton and Warner. The property consists of 97.4 acres with 1.0 acres and road frontage in Hopkinton and 96.4 acres in Warner. The amended proposal is to create a 2.82 acre parcel with .60 acres being located in Hopkinton and 2.22 acres in Warner, and to construct 60 feet of Town road to be located in Hopkinton and used as frontage for the remaining 94.51 acres in Warner. The property located in Hopkinton contains an existing residence and is in the R-3 district, shown on Tax Map 206 as Lot 21. The property located in Warner is land-only and is in the R-2 and OR-1 districts, shown on Tax Map 3 as Lot 22. This was a continuation of the November 12, 2013 hearing.

*Timothy Britain, seconded by Celeste Hemingson, moved to ACCEPT for consideration and as complete the amended application. Motion carried unanimously (Britain, Hemingson, Bradstreet, Wilkey and Ellsworth).*

*Timothy Britain, seconded by Celeste Hemingson, moved to DENY application #2013-13 as presented due to the fact that the proposed subdivision violates Hopkinton's Zoning Ordinance, Section IV, subsection 4.2, 300' frontage requirement for the R-3 district and subsection 4.3(g), minimum lot width at the front yard setback line. Motion carried unanimously (Britain, Hemingson, Bradstreet, Wilkey and Ellsworth).*

**#2013-14 New Cingular Wireless PCS, LLC ("AT&T").** Application for a Conditional Use Permit and Site plan Review to erect a one hundred foot (100') monopine and associated equipment on property owned by Frank & Lois Mrozek, located at 88 Little Frost Road in the R-4 district, shown on Tax Map 237 as Lot 45. This was a continuation of the November 12, 2013 hearing.

*At the request of the Applicant, application #2013-14 was withdrawn without prejudice.*

**IV. Public Hearing – Zoning Amendment (2014).** Amend Section III, 3.10 Personal Wireless Service Facilities so that it is consistent with the revisions to NH RSA 674:33, which exempt collocation on or modifications to an existing structure from review by the Planning Board, unless the collocation or modifications cause a "substantial change" to the structure. A determination of the extent of change is to be made through a process involving the issuance of a building permit.

*Timothy Britain, seconded by Celeste Hemingson, moved to RECOMMEND to the Voters adoption of the amendment as proposed. Motion carried unanimously (Britain, Hemingson, Wilkey and Ellsworth). Note: A full-text of the proposed amendment is available at the Town Hall, Town Clerk's Office and on the Town's website [www.hopkinton-nh.gov](http://www.hopkinton-nh.gov).*

**V. Adjournment.** With no other business to come before the Board, Chairman Bruce Ellsworth declared the meeting adjourned at 7:30 PM. The next regular scheduled meeting of the Planning Board is Tuesday, January 14, 2014, at 6:30 PM in the Town Hall.

Karen L. Robertson  
Planning Director

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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.