



Town of Hopkinton

330 Main Street • Hopkinton, New Hampshire 03229 • www.hopkinton-nh.gov

Tel: 603 746-3170

Fax: 603 746-2952

HOPKINTON ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION November 17, 2011

Notice is hereby given that the Hopkinton Zoning Board of Adjustment held a public hearing and meeting on Thursday, November 17, 2011, at 7:00 PM in the Hopkinton Town Hall. During the hearing the Board made the following decision:

ZBA#2011-10 Jamie & Kathleen Schoch and Richard and Jayne Schoch Administrative Appeal of the Selectmen's decision of September 12, 2011, granting Stuart Nelson a one-year extension of a previously granted building permit to construct a residence at 46 Bass Lane. The appeal is associated with Zoning Ordinance subsections 15.8.3 Variances and 15.10 Representations.

With five members voting, two voted in favor (Gray and Krzyzaniak) and three voted in opposition (Brock, Koontz and Rinden). The appeal was denied. The Zoning Board of Adjustment did not find, even on a limited basis, that the distance between the two residences was material to the application for Variance approved on June 5, 2007 and on October 2, 2007. There was no clear distinction made as to the relativity of the location of the Nelson residence to that of the Schoch residence. *Note: Variance was associated with the provisions of subsection 5.2.1(c) Use of a Non-Conforming Lot (frontage of less than 50 feet).*

History:

1. April 4, 2006, ZBA denied Variance (Nelson).
2. June 1, 2006, ZBA denied Motion for Rehearing (Nelson).
3. March 15, 2007, Merrimack County Superior Court remands to ZBA Substantial Justice Criterion.
4. June 5, 2007, ZBA approved Variance (Nelson).
5. August 15, 2007, ZBA approved Motion for Rehearing (Schoch).
6. October 2, 2007, ZBA approved Variance (Nelson).
7. September 14, 2009, BOS approved Building Permit (Nelson).
8. September 12, 2011, BOS approve a one-year extension of Building Permit (Nelson).

Karen L. Robertson
Planning/Zoning Director