



# Town of Hopkinton

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## HOPKINTON ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION NOVEMBER 7, 2012

Notice is hereby given that the Hopkinton Zoning Board of Adjustment met on Wednesday, **November 7, 2012, at 6:30 PM** in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decisions:

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### I. Application(s).

**#2012-5 Pollock Land Planning LLC** Variance to replace an existing 360 square foot residential structure with a new 540 square foot residential structure. The property is an existing non-conforming lot of record, located at 444 North Shore Drive in the R-2 district, Tax Map 203, Lot 15. The application was submitted in accordance with Zoning Ordinance subsections 2.1.F.3, 2.1.S.9 and 5.2.1, and section IX.

*Motion made by Charles Koontz, seconded by Harold Perkins, to approve the application as presented. Motion carried unanimously (Gray, Koontz, Perkins, Rinden and Krzyzaniak). The Applicant successfully addressed the standards to be granted a Variance as set forth in subsection 15.8.3 of the Hopkinton Zoning Ordinance. By granting the Variance, it will allow continued use of the property in the same manner that it has been since before the establishment of zoning. The construction of the new structure will allow accommodations to be made for a handicapped member of the owner's family. Furthermore, the new structure will be less non-conforming in setback as it will be constructed further away from the pond and will meet building and life safety codes; whereas, the existing structure does not.*

**#2012-6 Santina LaCava** Special Exception to operate a bakery as a home business at 951 Penacook Road in the R-4 district, shown on Tax Map 242, Lot 16, was approved with conditions on December 6, 2011. At this meeting, the Applicant requested permission to expand hours of operation and the types of goods sold.

*Motion made by Harry Perkins, seconded by Charles Koontz, to approve the Applicant's request to expand hours of operation and the types of goods sold with the following conditions:*

- 1. Hours of operation are not to exceed 8 AM – 8 PM, seven days a week,*
- 2. Sale of goods to include bottled and canned beverages (see minutes of 12/6/2011 which includes baked goods, cut flowers and local art), and*
- 3. Receipt of confirmation from Owner that the sale of beverages will not require approval from the State of NH.*

*Motion carried unanimously (Gray, Koontz, Perkins, Rinden and Krzyzaniak). The Applicant's use of the property (home business) continues to meet the standards of a Special Exception as reviewed and approved by the Board on December 6, 2011.*

**II. Review of the Minutes and Notice of Decision of June 5, 2012.**

Review of the Minutes and Notice of Decision was deferred to the December 4, 2012 meeting.

**III. Adjournment.**

*Motion made by Toni Gray, seconded by Daniel Rinden, to adjourn the meeting at 7:15 PM. Motion carried unanimously (Gray, Koontz, Perkins, Rinden and Krzyzaniak). The next regular scheduled meeting of the Board is Tuesday, December 4, 2012, at 6:30 PM in the Town Hall.*

Karen L. Robertson  
Planning Director

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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.