



# Town of Hopkinton

330 Main Street • Hopkinton, New Hampshire 03229 • [www.hopkinton-nh.gov](http://www.hopkinton-nh.gov)

Tel: 603 746-3170

Fax: 603 746-2952

## HOPKINTON PLANNING BOARD NOTICE OF DECISION JUNE 3, 2014

Notice is hereby given that the Hopkinton Planning Board met on **Tuesday, June 3, 2014, at 5:30 PM** in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decision(s):

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### I. Application(s).

#2014-4 Peter L. Lincoln Variance to construct a 3'-4" x 9'-6" addition on the south side of a seasonal cottage located at 46 Salmon Lane in the R-2 district, shown on Tax Map 208 as Lot 5. The application was submitted in accordance with Zoning Ordinance 4.2 Table of Dimensional Requirements.

Charles Koontz, seconded by Daniel Rinden, moved to **APPROVE** the Variance (#2014-4) as presented. With five members voting, all five voted in favor (Koontz, Gray, Rinden, McLeod and Krzyzaniak).

Reasons for approval as follows:

1. There was no evidence that the surrounding property values would diminish as a result of the proposed 32 SF addition. While the addition will reduce the existing sideline setback, the distance between the cottages at 46 and 52 Salmon Lane will remain at over 40 feet.
2. There was no evidence that the public's interest will be impacted as a result of the proposed addition. The cottage is located at the end of a dead-end, private road and therefore, it is anticipated that the proposed addition will be unseen by the public.
3. Substantial Justice: The lot consists of 7,500 SF of area fronting along Rolfe Pond. The lot size is similar to other lots in the area. The waterfront cottages/homes are particularly close together due to the fact that the lots were created prior to the adoption of zoning. Again, the addition is to a seasonal cottage that is located at the end of a dead-end, private road that will have little to no impact on the public. In other words, the public would realize no appreciable gain from denying the Variance.
4. The spirit and intent of the Ordinance will not be broken by granting the Variance as the 3'-4" x 9'-6" addition will not change the character of the surrounding area. The current R-2 side line setback requirement (20 feet) will not be met. The cottages will be at least 40 feet from one another.
5. The restriction on the building setback is not necessary in order to give full effect to the purpose of the Zoning Ordinance (health, safety, convenience, general welfare, property values, promotes efficiency and economy). The Applicant's lot (7,500 SF) and cottage

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(720 SF) were created prior to zoning being adopted, similar to others in the development. It is assumed that the current setback requirement was likely intended for lots meeting the minimum lot size requirement (80,000 SF). Furthermore, the proposed addition is considered reasonable as it represents a minimal expansion when considering the overall size of the cottage. Lastly, the proposed 32 SF addition will improve life safety (accessibility) within the cottage.

**II. Review of the Minutes and Notice of Decision of the April 14, 2014 joint Planning Board and Zoning Board of Adjustment meeting.**

Toni Gray, seconded by Charles Koontz, moved to **APPROVE** the Minutes and Notice of Decision of April 1, 2014. Motion carried unanimously.

**III. Other Business.**

- a. **Appoint Officer** – Toni Gray, seconded by Charles Koontz, moved to **REAPPOINT** Janet Krzyzaniak as Chairman. Motion carried unanimously.

**IV. Adjournment.**

With no further business to come before the Board, the meeting was **ADJOURNED** at 5:45 PM. The next scheduled meeting of the Zoning Board of Adjustment is Tuesday, July 1, 2014, at 5:30 PM in the Town Hall.

Karen L. Robertson  
Planning Director