



# Town of Hopkinton

## Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 – [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov)

### HOPKINTON ZONING BOARD OF ADJUSTMENT PUBLIC NOTICE – AGENDA AUGUST 3, 2021

The Hopkinton Zoning Board of Adjustment will meet on Tuesday, August 3, 2021, at 5:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and via Zoom through the website: <https://us06web.zoom.us/j/93307971597> or by dialing the following phone # 1-929-205-6099 and using Meeting ID: 933 0797 1597.

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#### I. Call to Order.

#### II. Applications.

**#2021-8 T. F. Bernier, Inc.** Special Exception to permit a driveway through the Wetland Conservation Overlay District. The property is owned by John H. Lynch Trust, located off Gould Hill Road and Briar Hill Road, Tax Map 240, Lot 51, R-2 district, per Zoning Ordinance 12.7.2.

**#2021-9 Baystone Properties, LLC** Special Exception to permit one building with twelve (12) dwelling units at 71 Cedar Street, Tax Map 102 as Lot 35, VR-1 district, per Zoning Ordinance 3.6.A.3 and 4.4.7.

#### III. Review of the Minutes and Notice of Decisions of June 1, and July 7, 2021.

#### IV. Other Business.

#### V. Adjournment.

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**Application #2021-8**

**T. F. BERNIER, INC.**

**Special Exception – Driveway Wetland Crossing.**



**T.F. BERNIER, INC.**  
*Land Surveyors~Designers~Consultants*

50 Pleasant Street, P.O. Box 3464  
Concord, NH 03302-3464

#2021-8

Environmental Permitting  
State and Local Permitting  
Land Surveying  
Aerial Mapping  
Aerial Photography

Tel. (603) 224-4148  
Fax (603) 224-0507

July 14, 2021

Dan Rinden, Chair  
Hopkinton Zoning Board of Adjustment  
330 Main Street  
Hopkinton, NH 03229

RE: Application for Special Exception  
Map 240 Lot 51  
Gould Hill Road & Briar Hill Road  
John H. Lynch Irrevocable Trust of 2012

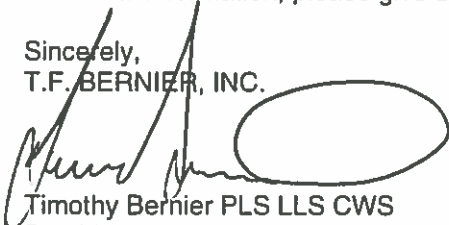
Dear Chair Rinden and Members of the Board:

Please find enclosed an application for a Special Exception to allow a driveway to be constructed through the Wetland Conservation Overlay District. This request is being submitted in accordance with Article 12 Section 7.2 of the Hopkinton Zoning Ordinance. The proposed driveway is being constructed over a portion of the existing access drive and will impact 510 square feet of the Wetland Conservation Overlay District.

Attached is a plan set prepared by this office showing the proposed project and the construction of the driveway.

Thank you for your time and consideration of this request. If you have any questions or need additional information, please give us a call.

Sincerely,  
T.F. BERNIER, INC.



Timothy Bernier PLS LLS CWS  
President

enclosures

cc: file 663-01



# Town of Hopkinton

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

Tel: 603-746-3170

Fax: 603-746-3049

## HOPKINTON ZONING BOARD OF ADJUSTMENT APPLICATION FOR APPEAL

*Brayshaw*  
*\$265 CK 13097*

Ten completed copies of the application with all supporting documentation must be submitted.

Name of Applicant: T. F. Bernier, Inc. - Timothy Bernier

Mailing Address: PO Box 3464 Concord NH 03302

Telephone (days): 603-224-4148

Name of Property Owner: John H. Lynch Trust, Susan Lynch & William Steele Trustees

Mailing Address: 2 Watchtower Road Hopkinton NH 03229

Telephone (days): 603-219-1347

Tax Map: 240 Lot: 51

Location of Property: Gould Hill & Briar Hill Roads

Zoning of property in question (circle one): R-1 **(R-2)** R-3 R-4 B-1 M-1 VR-1 VB-1 VM-1

Section of Hopkinton Zoning Ordinance under which your application was denied or you believe your proposal relates to: Section: IV Paragraph/Table: 4.2 Table of Dimensional Requirements

**A copy of your denied Building/Use Application or administrative decision must be attached.**

This application is for: ☐ Variance ☒ Special Exception ☐ Equitable Waiver ☐ Administrative Appeal

The undersigned hereby requests a Variance, Special Exception, Equitable Waiver, and Administrative Appeal to permit the following:

The construction of a driveway impacting 510 square feet of the Wetland Conservation  
overlay district. The driveway will provide access to the upland building area.

**NOTE:** Additional information may be supplied on a separate sheet if the space provided is inadequate.

### 1. Hearing, Abutter, Notification Fees:

- Variance – \$100.00
  - Special Exception – \$100.00
  - Equitable Waiver – \$100.00
  - Administrative Appeal – \$100.00
  - Rehearing – \$100.00
  - Notification of each Owner, Applicant, Agent, Abutter – \$5.00
  - Published Notice – \$75.00
- 1=\$100.00  
18=\$ 90.00  
1=\$ 75.00  
Total = \$265.00

### 2. List of names and mailing addresses of all abutters to the property as defined by NH RSA 672:3. Supply information on separate sheet. Abutter is any person whose property adjoins or is directly across the street or stream from the land under consideration.

3. **Attach location map showing exact location of property in relation to at least one prominent landmark (road junction, business, town building, etc.).** Include north arrow and label road names. Indicate with an X the location of the property in question.
4. **Attach site plan of property showing:** Boundaries and area of parcel; north point, scale, legend, and location, size and type of all existing and proposed buildings, uses, parking, signs, roadways, screening, etc. Map submitted to included one full-size and ten 11" x 17" or less.
5. **List provisions to be made for septic disposal, fire protection, water supply, parking, noise, smoke, surface drainage, etc.** Supply information on separate sheet.
6. **Letter of Authorization to allow an Agent or Attorney to represent Applicant, if applicable.**
7. **Copy of property deed of the subject property.**
8. **Any other pertinent information that you feel the Board may need to assist in their decision-making process.**

You must appear at the public hearing or be presented by an authorized agent or attorney for the Board to act on your application. The application will be terminated or tabled for failure to appear at a scheduled public hearing, without first providing written notification to the Planning Department.

You are fully responsible for researching and knowing any and all laws, which may be applicable and affect the outcome of the Board's decision on your application request. The Town of Hopkinton assumes no responsibility or liability relating to your failure to research and know all applicable laws including, but not limited to, state, federal and local laws, codes, land development regulations and comprehensive plan. The Town of Hopkinton strongly encourages all applicants to consider consulting an attorney regarding their application.

You are encouraged to review the attached Rules of Procedures used by the Board of Adjustment at the public hearing.

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I/we being duly sworn, depose and say that I am/We are the owner(s)/lessee(s) of land included in the application and that the foregoing statements herein contained and attached, and information or attached exhibits thoroughly to the best of my/our ability represent the arguments on behalf of the application herewith submitted and that the statements and attached exhibits referred to are in all respect true and correct to the best of my/or knowledge and belief.

In addition, I/We understand this application must be filed with all pertinent information as it pertains to the requirements of the Town of Hopkinton Zoning Ordinance and all other information requested or required by the Zoning Board of Adjustment in order to be considered complete. I/We understand that this application will not be filed until all required information has been received, and do further understand that the Town of Hopkinton reserves the right to postpone this request until such time as the requirements are met.

Furthermore, I/We understand that I/We, our representative as stated on the application, should appear at the public hearing. If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, said evidence will become property of the Town of Hopkinton and will remain on file for future reference.

Also, I/We recognize and understand that the public hearing before the Board of Adjustment regarding land development is considered quasi-judicial in nature. ***State and local law strictly prohibits applicants and/or interested parties from taking part in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is discussed at a public hearing.***



# Town of Hopkinton Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 -planzone@hopkinton-nh.gov

## BUILDING/USE APPLICATION

Completed application **must be returned to the Planning Office by 12 Noon on Friday**. The application must be accompanied by a check payable to the Town of Hopkinton. No refund will be made if the application is denied. More than one permit may be applied for using the same form; however, the permits being sought must apply to the same piece of property. For questions, please contact the Planning Department at (603) 746-8243 or email [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov).

|  |  |
|--|--|
| Permit No. _____                       | Phasing Applicability: Permit _____ of _____ Subdivision: _____  |
| Application Received _____/_____/_____ | <input type="checkbox"/> Driveway Permit <input type="checkbox"/> PUC Approval <input type="checkbox"/> Shoreland Protection |
| By: _____ Fee: _____                   | <input type="checkbox"/> Septic Approval <input type="checkbox"/> Floodplain <input type="checkbox"/> Code Enforcement       |
|  | <input type="checkbox"/> Fire/Life Safety <input type="checkbox"/> ZBA/PB <input type="checkbox"/> CVP Water Commission      |

|  |                 |         |     |         |    |                 |    |
|--|-----------------|---------|-----|---------|----|-----------------|----|
| Street Address   | Gould Hill Road | Tax Map | 240 | Tax Lot | 51 | Zoning District | R2 |
| <input type="checkbox"/> Demolition <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Accessory <input type="checkbox"/> Other _____ |                 |         |     |         |    |                 |    |
| Is Lot located in 100-year Flood Plain Area (Special Flood Hazard)? <input type="checkbox"/> Yes <input type="checkbox"/> No   |                 |         |     |         |    |                 |    |
| What is the Flood Insurance Rate Map (FIRM) Community Panel #:   |                 |         |     |         |    |                 |    |
| Is the <u>portion</u> of the property to be developed under a Current Land Use (CLU) Assessment? <input type="checkbox"/> Yes <input type="checkbox"/> No  |                 |         |     |         |    |                 |    |
| If yes, a new CLU map must be submitted to the Assessing Department (603-746-8258).  |                 |         |     |         |    |                 |    |

|  |                     |                  |                                       |
|--|---------------------|------------------|---------------------------------------|
| Applicant's Name:  | T. F. Bernier, Inc. | Owner's Name:    | John H. Lynch Tr.,                    |
| Mailing Address:   | PO Box 3464         | Mailing Address: | Susan Lynch & Wm. Steele, Trustees    |
| City/State/Zip:  | Concord, NH 03302   | City/State/Zip:  | 2 Watchtower Rd., Hopkinton, NH 03229 |
| Phone (days):  | 603-224-4148        | Phone (days):    | 603-219-1347                          |
| Email:   |                     | Email:           |                                       |
| Note: Please indicate whether you would prefer your PERMIT emailed or mailed (circle one). |                     |                  |                                       |

|                    | Name of Contractor/License # | Address/City/State/Zip | Telephone |
|--------------------|------------------------------|------------------------|-----------|
| Architect          |                              |                        |           |
| General Contractor |                              |                        |           |
| Electrical         |                              |                        |           |
| Plumbing           |                              |                        |           |
| Sewer/Septic       |                              |                        |           |
| Mechanical         |                              |                        |           |
| Sprinkler          |                              |                        |           |
| Fire Alarm         |                              |                        |           |

### DESCRIPTION

Construction of a driveway impacting 510 SF of the Wetland Conservation Overlay District. Driveway will provide access to the upland building area.

Value of Work: \$ \_\_\_\_\_



# Town of Hopkinton Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 - [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov)

## BUILDING/USE PERMIT DENIAL

Permit: 2021- Name of Applicant/Owner: T. F. Bernier, Inc.  
Tax Map/Lot: 240/51 Street Address: Gould Hill Rd District: R2

Denied: Special Exception required – 12.7.2 Wetland Conservation Overlay District.

Karen Robertson  
Karen Robertson  
Planning Director

Date: 7/16/21

## SECTION XII

### WETLANDS CONSERVATION DISTRICT (OVERLAY)

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**12.6.5 Poorly Drained Soils:** Soil series and land types commonly associated with wetlands, as described by the Soil Survey of Merrimack County, New Hampshire, include the following “poorly drained” soils:

|  |                                |  |
|--|--------------------------------|--|
|  | Au Gres (AgA, AgB, AuB)        |  |
|  | Limerick variant (Lm)          |  |
|  | Ridgebury (RdA, RdB, RbA, RdB) |  |
|  | Rumney (Ru)                    |  |

## **12.7 PERMITTED USES**

**12.7.1 General:** Permitted uses are those uses which will not require the erection or construction of any structures or buildings, will not alter the natural surface configuration by the addition of fill or by dredging, and uses that otherwise are permitted by the Zoning Ordinance. Such uses may include the following:

- (a) Forestry and tree farming, using best management practices in order to protect streams from damage and to prevent sedimentation.
- (b) Cultivation and harvesting of crops according to recognized soil conservation practices, including the protection of wetlands from pollution caused by fertilizers, pesticides and herbicides used in such cultivation.
- (c) Wildlife refuges.
- (d) Parks and recreation uses consistent with the purpose and intent of this Ordinance.
- (e) Conservation areas and nature trails.
- (f) Open spaces as permitted or required by the Subdivision Regulations or the Zoning Ordinance.

**12.7.2 Special Exceptions:** Special exceptions may be granted by the Board of Adjustment, after proper public notice and public hearing, for undertaking the following uses in the Wetlands Conservation District when the application has been referred to the Planning Board and the Conservation Commission, for review and comment at least thirty (30) days prior to the hearing:

- (a) Streets, roads and other access ways and utility right-of-way easements, including power lines and pipe lines, if essential to the productive use of land not so zoned and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands.
- (b) Water impoundments.
- (c) The undertaking of a use not otherwise permitted in the Wetlands Conservation District, if it can be shown that such proposed use is not in conflict with the purposes and intentions listed in Paragraph 12.1 of this Section.

### **12.7.3 Special Provisions:**



## **SPECIAL EXCEPTION**

(Section XV)

In order to secure a variance, the Zoning Board of Adjustment must determine by law that your Special Exception request satisfies the following criteria of the Zoning Ordinance. **Please provide a written response along with any other supporting documentation for each of the following criteria.** Please note that all criteria must be satisfied and supported by the Zoning Board of Adjustment in order for a Special Exception to be granted. Should the space provided be inadequate, please attach additional pages to this application.

**1. Standards provided by this Ordinance for the particular use permitted by special exception.**

The request is being made in accordance with 12.7.2 Special Exceptions: to allow an "other access ways" pursuant to the Hopkinton Zoning Ordinance.

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**2. No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.**

The proposed driveway will not produce or cause to be released any toxic materials, and presents no risk of fire or explosion.

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**3. No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood on account of the location or scale of buildings and other structures, parking areas, access ways, odor(s), smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials.**

The proposal is to construct a new driveway over the historically used access. The crossing of the WCOD will occur at the location of the current crossing.

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**4. No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity.**

The driveway location was selected to provide safe sight distance. The construction of the driveway in the WCOD will not result in any traffic congestion.

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**5. No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection, and schools.**

The driveway is on private property and will be maintained by the land owner.

The driveway impact to the WCOD will not result in any requirement for municipal services of any kind

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**6. No significant increase of storm water runoff onto adjacent property or streets.**

The crossings will be made with properly engineered culverts, designed to pass stormwater at its naturally occurring rate and will not either increase or decrease runoff from the property.

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**7. An appropriate location for the proposed use.**

The driveway location was selected for safety first and then to minimize impact to the WCOD. This is consistent with state law and best environmental practice.

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8. **Not affect adversely the health and safety of the residents and others in the area and not be detrimental to the use or development of adjacent or neighboring properties.**  
The crossing will have no affect on residents or others in the area.

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9. **In the public interest and in the spirit of the ordinance.**  
The crossing provides safe and appropriate access to the upland, non-conservation areas of their property. all uses of this non conservation area will be consistent with all local and state ordinances and or regulations.

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**T.F. BERNIER, INC.**  
*Land Surveyors~Designers~Consultants*

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Concord, NH 03302-3464

Environmental Permitting  
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Fax (603) 224-0507

**Abutters List**  
**John H. Lynch Irrevocable Trust of 2012**  
**Zoning Special Exception**  
**Assessors Map 240 Lot 51**  
**Gould Hill Road & Briar Hill Road**  
**Hopkinton, NH**

| <u>MAP</u> | <u>LOT</u> | <u>OWNER</u>  |
|------------|------------|---|
| 240        | 51         | John H. Lynch Irrevocable Trust of 2012<br>2 Watchtower Road<br>Hopkinton, NH 03229             |
| 239        | 21         | Virginia L. Pastuszczak<br>Timothy D. Sweatt<br>373 Old Stagecoach Road<br>Contoocook, NH 03229 |
| 239        | 22         | Five Rivers Conservation Trust<br>10 Ferry Street Suite 311A<br>Concord, NH 03301               |
| 240        | 29         | Alison Josefiak<br>Christopher Navarro<br>257 Gould Hill Road<br>Contoocook, NH 03229           |
| 240        | 30         | Thomas R. & Hilary A. Chapman<br>283 Gould Hill Road<br>Contoocook, NH 03229                    |
| 240        | 31         | Bradford W. & Ann McClane Kuster<br>331 Gould Hill Road<br>Contoocook, NH 03229                 |
| 240        | 32         | Jane D. W. & Frederic Bradstreet<br>P.O. Box 149<br>333 Gould Hill Road<br>Contoocook, NH 03229 |
| 240        | 36         | Irvin D. Gordon<br>63 Roberts Road<br>Hopkinton, NH 03229                                       |

|     |      |  |
|-----|------|--|
| 240 | 49   | April Dunn<br>59 Blaze Hill Road<br>Hopkinton, NH 03229                      |
| 240 | 52   | Rix Family Trust of 2016<br>248 Gould Hill Road<br>Hopkinton, NH 03229       |
| 240 | 54   | Richard Jones Irrevocable Trust<br>18 Green Street<br>Newport, NH 03773      |
| 241 | 38-1 | Kirk Hemphill<br>831 Briar Hill Road<br>Contoocook, NH 03229                 |
| 241 | 38-2 | R and J Case Trust<br>1030 Briar Hill Road<br>Hopkinton, NH 03229            |
| 241 | 43   | Jeanne C. Dwyer GST Exempt Trust<br>P.O. Box 600<br>Concord, NH 03302        |
| 249 | 4    | Kurt K. & Betsey F. Rhynhart<br>675 Briar Hill Road<br>Hopkinton, NH 03229   |
| 249 | 5    | The Viking Trust<br>745 Briar Hill Road<br>Contoocook, NH 03229              |
| 249 | 8    | S. Wayne & Elizabeth A. Clarke<br>812 Briar Hill Road<br>Hopkinton, NH 03229 |

**Professional Consultant**

Timothy F. Bernier, LLS, CWS  
T. F. Bernier, Inc.  
PO Box 3464  
Concord, NH 03302-3464

Return to:  
McLane Middleton, Professional Association  
RAW/ ccm 59370  
P.O. Box 326  
Manchester, NH 03105

### **WARRANTY DEED**

I, **JOHN H. LYNCH**, a married individual with a mailing address of 2 Watchtower Road, Hopkinton, New Hampshire 03229, grant to **SUSAN E. UPTON LYNCH and WILLIAM G. STEELE, JR., CPA, Trustees of THE JOHN H. LYNCH IRREVOCABLE TRUST OF 2012**, a New Hampshire trust u/d/t dated December 15, 2012, with a mailing address of 2 Watchtower Road, Hopkinton, New Hampshire 03229, with **WARRANTY COVENANTS**:

A certain parcel, with the improvements thereon, located in The Town of Hopkinton, County of Merrimack, State of New Hampshire, described as follows:

**Tract I:**

That portion of a certain property, located in The Town of Hopkinton, County of Merrimack, State of New Hampshire, and known as the Gage Place, which is situated westerly of the highway leading from Hopkinton Village to Tyler Station, but

EXCEPTING from the said Premises conveyed a parcel of land situated on said highway surrounding the buildings which are situated thereon, being ten (10) acres, more or less, which ten acre parcel is bounded and described as follows:

Beginning on the southerly side of the lane leading to the woodland on the westerly side of the road from Hopkinton Village to Tyler Station at the corner of the wall on the south side of said lane; westerly along this wall about five hundred and fifty (550) feet to the easterly side of an opening in that wall; thence southerly in a straight line to a point in the south line of said property at a point approximately five hundred four (504) feet west of the above-mentioned highway; easterly along said wall about five hundred four (504) feet to the highway; northerly along said highway to the point of beginning.

Said premises are shown on a plan entitled, "TYPE MAP OF THE BRIER HILL FARM WOODLOT, JULY, 1916," filed in the Registry of Deeds as Map #750, the said granted premises being bounded and hatched in red on said plan.

The above parcel is believed but not warranted to be further described as follows:

A certain tract or parcel of land with all improvements and appurtenances situate on the east side of Gould Hill Road and westerly of Briar Hill Road in the Town of Hopkinton, County of Merrimack, and State of New Hampshire, as shown on a plan entitled, "THE GOULD HILL TRUST, WILLIAM G. STEELE, JR., TRUSTEE", prepared by Bristol, Sweet & Associates, Inc., dated September 22, 1999, recorded as Plan #14886 in the Merrimack County Registry of Deeds (the "Plan"), which tract or parcel is more particularly bounded and described as follows:

Beginning at an intersection of two stone walls at an iron rod on the easterly sideline of Gould Hill Road at the westernmost corner of the within premises and the northwesterly corner of land now or formerly of Philip C. and Gloria F. Martin;

running in a northerly directly along a stone wall and the easterly sideline of Gould Hill Road a distance of 986.5 feet, more or less, to an iron pipe at an intersection of stone walls at land now or formerly of Arnold C. & Alice R. Coda, (shown as Tax Lot #240-50 on the Plan), which iron pipe is North 11° 33' 55" East a distance of 983.17 feet from the previously mentioned iron rod;

turning and running in an easterly direction along a stone wall and said Coda land a distance of 431.0 feet, more or less, to an iron pipe at an intersection of stone walls and a barbed wire fence, which iron pipe is North 87° 44' 23" East a distance of 430.88 feet from the previously mentioned iron pipe;

turning and running along land now or formerly of Erik Leadbeater, (shown as Tax Lot #240-49 on the Plan), North 88° 00' 35" East a distance of 1071.76 feet to a 1" iron rod at the beginning of a barbed wire fence;

turning and running still along said Leadbeater land North 07° 11' 20" West a distance of 713.15 feet to an iron rod set in a drill hole at the end of a stone wall at the end of the barbed wire fence;

continuing along the stone wall and land of Leadbeater North 09° 22' 17" West a distance of 153.76 feet to an iron rod set in a drill hole in the stone wall at land now or formerly of Walter W. Dwyer Jr. 1998 Trust, (shown as Tax Lot #241-43 on the Plan);

turning and running along said Dwyer Trust land North 49° 02' 30" East a distance of 448.94 feet to an iron rod at a bend in a barbed wire fence;

turning and running still along said Dwyer Trust land, North 80° 55' 36" East a distance of 757.50 feet to a drill hole at the end of a stone wall near a corner of barbed wire fences, at land now or formerly of Mary H. Small, (shown as Tax Lot #241-38.2 on the Plan);

turning and running along said Small land South 16° 39' 06" East a distance of 898.18 feet to a drill hole at the end of a stone wall;

continuing along the stone wall and said Small land a distance of 469.60 feet to a drill hole in the stone wall, which drill hole is South 16° 40' 35" East, and a distance of 469.60 feet from the next previously mentioned drill hole;

continuing along the stone wall and land now or formerly of David L. & Judith Poole, (shown as Tax Lot #241-38.1 on the Plan) a distance of 541.50 feet to a drill hole at the end of the stone wall, which drill hole is South 16° 24' 19" East, and a distance of 541.46 feet from the next previously mentioned drill hole;

continuing in a southeasterly direction along said Poole land South 16° 36' 36" East, a distance of 82.47 feet to a drill hole at the end of a stone wall;

continuing in a southeasterly direction along the stone wall and said Poole land a distance of 257.10 feet, more or less, to a drill hole in the stone wall, which drill hole is South 16° 20' 41" East, a distance of 256.98 feet from the next previously mentioned drill hole;

continuing in a southeasterly direction along the stone wall and said Poole land a distance of 288.90 feet, more or less, to a drill hole at an intersection of stone walls, which drill hole is South 16° 40' 26" East, a distance of 287.63 feet from the next previously mentioned drill hole;

turning and running in an easterly direction along a stone wall and said Poole land a distance of 392.30 feet, more or less, to a drill hole 3.85 feet easterly of a corner of stone walls at the westerly sideline of Briar Hill Road, which drill hole is North 83° 41' 42" East, a distance of 392.31 feet from the next previously mentioned drill hole;

turning and running South 01° 05' 05" West, a distance of 45.39 feet along the westerly sideline of Briar Hill Road to a disk set in a drill hole at an intersection of stone walls at land now or formerly of Sandra Schneider, (shown as Tax Lot #249-5 on the Plan);

turning and running in a westerly direction along a stone wall and said Schneider land a distance of 558.50 feet, more or less, to an iron pipe in a gap in the stone wall 1.86 feet westerly of the end of the stone wall, which iron pipe is

South 83° 26' 17" West, a distance of 557.61 feet from the disk referred to in the previous course;

turning and running still along said Schneider land South 06° 37' 11" East, a distance of 1123.91 feet to an iron rod in a stone pile on a stone wall at land now or formerly of Donald & Sandra P. Saxon, (shown as Tax Lot #249-4 on the Plan);

turning and running along a stone wall and said Saxon land North 63° 16' 34" West, a distance of 225.14 feet to a point at an intersection of stone walls at land now or formerly of Robert A. & Nancy N. Sweatt, (shown as Tax Lot #239-22 on the Plan);

turning and running in a westerly direction along the stone wall and said Robert Sweatt land a distance of 559.60 feet, more or less, to a drill hole at an intersection of stone walls at land now or formerly of Dana L. & Alice Sweatt, (shown as Tax Lot #239-21 on the Plan), which drill hole is North 86° 26' 54" West, a distance of 559.33 feet from the next previously mentioned point of intersection of stone walls;

turning and running along said Dana Sweatt land North 65° 05' 14" West, a distance of 690.41 feet to an iron rod in a drill hole at the end of a stone wall at land now or formerly of Martha Houston Jones Revocable Trust of 1997, (shown as Tax Lot #240-54 on the Plan);

continuing in a northwesterly direction along the stone wall and said Jones Trust land a distance of 323.80 feet, more or less, to a drill hole at an intersection of the stone wall and a row of stones, which drill hole is North 66° 21' 18" West, a distance of 319.37 feet from the last mentioned iron rod;

continuing in a northwesterly direction along the stone wall and said Jones Trust land a distance of 909.90 feet, more or less, to a drill hole at the end of the stone wall, which drill hole is North 64° 01' 06" West, a distance of 901.84 feet from the next previously mentioned drill hole;

continuing in a northwesterly direction along said Jones Trust land a distance of 300.40 feet, more or less, to an iron pipe at the end of a stone wall at land now or formerly of Philip C. & Gloria F. Martin, (shown as Tax Lot #240-52 on the Plan), which iron pipe is North 63° 47' 13" West, a distance of 300.30 feet from the last mentioned drill hole;

continuing in a northwesterly direction along the stone wall and said Martin land a distance of 648.20 feet, more or less, to the point of beginning, which point is North 68° 12' 49" West, a distance of 647.78 feet from the last mentioned iron pipe.



**Tract II:**

A certain tract of land with the improvements situated thereon located on the northeasterly side of Gould Hill Road, in the Town of Hopkinton, County of Merrimack, State of New Hampshire, and more particularly bounded and described as follows:

Commencing at a point marking the intersection of stone walls, which said point is 323 feet, more or less, northeasterly from the northeasterly line of the Gould Hill Road, so-called;

running northeasterly along a stone wall and the southeasterly line of land now or formerly of Concord Kitchen Corporation (said land being formerly owned by one Shreve and by one Sweatt) and by land formerly of one Loverin, to a stake and stones marking the line of land now or formerly of one Hopkins, of one Sanborn and of one Loverin;

running southeasterly along line of land now or formerly of Hopkins, Sanborn and Loverin and land now or formerly of the Gage heirs (said latter land being formerly owned by the Stephen Sibley heirs) to a stake and stones at corner of land of said Gage heirs (formerly Sibley heirs);

running southwesterly along line of said land of said Gage heirs to an intersection of stone walls which said intersection is 439 feet, more or less, northeasterly from the northeasterly line of said Gould Hill Road;

running northwesterly along land now or formerly of George L. Butterfield, Jr. and Ann S. Butterfield, 475 feet, 4 inches, more or less, to an iron pipe driven in the ground, said iron pipe lying within the right of way hereinafter described;

continuing in the same direction 40 feet, more or less, to another iron pin driven in the ground, said iron pin marking the northeasterly corner of said right of way hereinafter described;

continuing in the same direction along other land of said Butterfields 580 feet, 8 inches, more or less to the point of beginning.

TOGETHER WITH a RIGHT OF WAY 50 feet in width leading from Gould Hill Road to the above described land, said right of way being bounded and described as follows:

Commencing at an iron pipe driven into the ground on the northeasterly line of Gould Hill Road, which said iron pin is 540 feet, 8 inches southeasterly from the northwesterly corner of land of said Butterfields and the southwesterly corner of land of Concord Kitchen Corporation, said corners joining on the northeasterly line of said Gould Hill Road;

running northeasterly through said Butterfields land to an iron pipe driven in the ground and referred to as the northeasterly corner of said right of way in the above described land;

running southeasterly 40 feet to an iron pipe driven in the ground; and referred to as lying within said right of way in the above described land;

continuing southeasterly an additional ten feet (10') to a point which is the southeasterly corner of said right of way;

running southwesterly 50 feet from and parallel to the first line described in this right of way, to the northeasterly line of Gould Hill Road;

running northwesterly along said Gould Hill Road 10 feet to an iron pipe;

continuing northwesterly along said Gould Hill Road 40 feet to the point of beginning.

The Premises are conveyed together with all appurtenant rights and easements.

These premises are conveyed subject to the restriction that only a single-family residence may be constructed on the premises conveyed herein. This restriction shall run with the land and bind future grantees or successors in interest.

SUBJECT TO and TOGETHER WITH all reservations, restrictions and/or covenants, easements, liens, encumbrances and mortgages of record, if any, insofar as the same may now be in force and applicable.

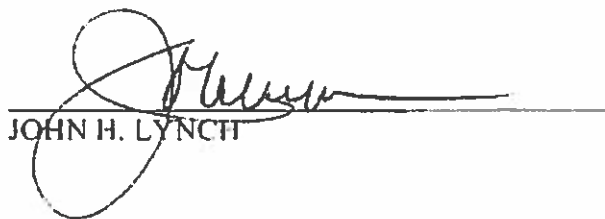
MEANING AND INTENDING to describe and convey the same property conveyed to John H. Lynch by deed of John H. Lynch and Susan E. Upton Lynch as Trustees of The John H. Lynch Trust, of near or even date and recorded herewith.

This instrument was prepared from information supplied by the Grantor herein and no independent title search has been conducted.

**This transfer is exempt from transfer tax pursuant to RSA 78-B:2, IX.**

*remainder of page intentionally blank*


Signed this 31<sup>st</sup> day of August, 2020.

  
JOHN H. LYNCH

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

This instrument was acknowledged before me on the 31<sup>st</sup> day of August, 2020, by  
John H. Lynch.

(seal)

  
Notary Public/Justice of the Peace  
Printed Name:  
My Commission Expires:

ROBERT A. WELLS, Notary Public  
My Commission Expires January 08, 2021



MAP 240 LOT 36  
IRVIN D. GORDON  
33 ROBERTS ROAD  
HOPKINTON, NH 03229  
BOOK 3201 PAGE 1048

MAP 240 LOT 32  
JANE D.W. BRADSTREET &  
FREDERIC E. BRADSTREET, III  
333 GOULD HILL ROAD  
CONTOODUCK, NH 03229  
BOOK 3453 PAGE 1501

MAP 240 LOT 31  
BRADFORD W. &  
ANN McLANE KUSTER  
331 GOULD HILL ROAD  
CONTOODUCK, NH 03229  
BOOK 2081 PAGE 731

MAP 240 LOT 30  
THOMAS R. CHAPMAN  
HILARY A. CHAPMAN  
283 GOULD HILL ROAD  
CONCORD, NH 03301  
BOOK 3095 PAGE 1529

MAP 240 LOT 29  
ALISON JOSEPH &  
CHRISTOPHER NAVARRO  
257 GOULD HILL ROAD  
CONTOODUCK, NH 03229  
BOOK 3686 PAGE 1591

MAP 240 LOT 49  
APRIL DUNN  
593 BLAZE HILL RD  
HOPKINTON, NH 03229  
BOOK 3734 PAGE 1711

NEW LOT 51  
±147.6 Ac

MAP 240 LOT 52  
RIX FAMILY TRUST OF 2018  
248 GOULD HILL ROAD  
HOPKINTON, NH 03229  
BOOK 3636 PAGE 72

#### ADDITIONAL ABUTTERS

MAP 241 LOT 43  
JEANNE C. DWYER  
CST EXEMPT TRUST  
P.O. BOX 800  
CONCORD, NH 03302  
BOOK 2435 PAGE 983

MAP 241 LOT 38-1  
KRIS HEMPHILL  
831 BRIAR HILL ROAD  
CONTOODUCK, NH 03229  
BOOK 2931 PAGE 696

MAP 249 LOT 5  
THE VIKING TRUST  
745 BRIAR HILL ROAD  
CONTOODUCK, NH 03229  
BOOK 2831 PAGE 1648

MAP 239 LOT 22  
FIVE RIVERS CONSERVATION TRUST  
10 FERRY STREET SUITE 311A  
CONCORD, NH 03301  
BOOK 2594 PAGE 1528

MAP 240 LOT 54  
RICHARD JONES IRREVOCABLE TRUST  
9 HILLTOP DRIVE  
SUNABEE, NH 03782  
BOOK 3584 PAGE 2938

MAP 249 LOT 8  
S. WAYNE CLARKE  
ELIZABETH A. CLARK  
812 BRIAR HILL ROAD  
HOPKINTON, NH 03229  
BOOK 2130 PAGE 343

MAP 249 LOT 4  
KURT M. RYHIMART  
BETSEY F. RYHIMART  
675 BRIAR HILL ROAD  
HOPKINTON, NH 03229  
BOOK 2787 PAGE 1179

MAP 239 LOT 21  
VIRGINIA L. PASTUSZCZAK  
TIMOTHY D. SWEATT  
373 OLD STACCOACH ROAD  
CONTOODUCK, NH 03229  
BOOK 752 PAGE 208

#### LEGEND

- ANGLE POINT
- ⊙ IRON ROD TO BE SET
- ⊙ DRILL HOLE SET
- ⊙ IRON ROD FOUND
- ⊙ IRON PIPE FOUND
- ⊙ UTILITY POLE
- ⊙ MAILBOX
- ⊙ DECIDUOUS TREE WITH BARBED WIRE
- ⊙ CONIFEROUS TREE WITH BARBED WIRE
- ⊙ STONE PILE
- ⊙ STONE WALL
- ⊙ EDGE OF PAVEMENT
- ⊙ OVERHEAD UTILITIES
- ⊙ DELINEATED WETLAND
- ⊙ IRON ROD FOUND
- ⊙ IRON PIPE FOUND
- ⊙ DRILL HOLE FOUND
- ⊙ DRILL HOLE SET

#### SHEET INDEX

SHEET 1 SUBDIVISION PLAN  
SHEET 2 PHOTOGRAPHIC PLAN  
SHEET 3 DRIVEWAY PLAN  
SHEET 1 IS TO BE RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS. SHEET 2 WILL BE ON FILE WITH THE TOWN OF HOPKINTON.

#### PLANNING BOARD APPROVAL BLOCK

APPROVED TOWN OF HOPKINTON, PLANNING BOARD

CHAIRPERSON DATE

MAP 240 LOT 49

REMAINDER LOT 51  
HELD FROM PLAN  
REFERENCE #1

LOT 51-1

LOT 51-2

#### DRIVEWAY EASEMENT DETAIL

SCALE: 1"=40'

#### NOTES:

- THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE MAP 240 LOT 51 INTO 3 NEW RESIDENTIAL LOTS. THE NEW LOTS WILL HAVE 250' OR MORE FRONTAGE ON GOULD HILL ROAD AND WILL BE SERVED BY ON SITE WELL AND SEPTIC SYSTEM.
- THE PARCELS SHOWN HEREON ARE LOCATED IN THE "R-4" RESIDENTIAL/AGRICULTURAL ZONING DISTRICT AND THE "R-2" MEDIUM DENSITY RESIDENTIAL DISTRICT, AND ARE SUBJECT TO THE FOLLOWING DIMENSIONAL RESTRICTIONS:

| DISTRICT                | R-2                  | R-4                   |
|-------------------------|----------------------|-----------------------|
| MINIMUM LOT SIZE        | 80,000 S.F. (UPLAND) | 120,000 S.F. (UPLAND) |
| MINIMUM FRONTAGE        | 250'                 | 300'                  |
| MINIMUM DEPTH           | 140'                 | 200'                  |
| BUILDING SETBACKS       |                      |                       |
| FRONT                   | 40'                  | 80'                   |
| SIDE                    | 20'                  | 30'                   |
| REAR                    | 40'                  | 60'                   |
| MAXIMUM BUILDING HEIGHT | 35'                  | 35'                   |
- THE EXISTING BOUNDARY LINES SHOWN HEREON ARE FROM PLAN REFERENCE #1, A FIELD SURVEY PERFORMED BY THIS OFFICE IN JUNE 2021, AND RECORD DEEDS. THE FIELD SURVEY WAS PERFORMED USING A TOTAL STATION AND THE TRVERSE HAS AN ERROR OF CLOSURE OF ONE PART IN 15,000 OR BETTER. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF A STANDARD PROPERTY SURVEY AS DERIVED IN THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES LAM 500.
- THE BEARINGS SHOWN HEREON ARE REFERENCED TO NAD 83/11 NH STATE PLANE, BASED ON GPS OBSERVATIONS PERFORMED BY THIS OFFICE IN JUNE 2021.
- THE LOTS DO NOT FALL IN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF HOPKINTON, MAP NO. 3301SCS10E, WITH EFFECTIVE DATE 4/19/2010.

#### PLAN REFERENCE

- SURVEY, GOULD HILL TRUST, WILLIAM G. STEELE, JR. TRUSTEE, GOULD HILL ROAD & BRIAR HILL ROAD IN HOPKINTON, NH. TAX MAP 240-51, SCALE: 1"=200', DATE: 9/22/1999, PREPARED BY BRISTOL, SWEET & ASSOCIATES, INC. OF NORTH SUTTON, NEW HAMPSHIRE AND RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS AS PLAN #14888.
- EXISTING RIGHT-OF-WAY PLAN OVER TAX MAP PARCEL 240-48, LAND OF JOHANN G. LINDEN, PREPARED FOR ROBERT SCOTT HOMES, HOPKINTON, NEW HAMPSHIRE, SCALE: 1"=50', DATED SEPTEMBER 22, 2003, PREPARED BY MERRIMACK LAND SERVICES INC. IN AMHERST NEW HAMPSHIRE AND RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS AS PLAN #18951.
- LOT LINE ADJUSTMENT BETWEEN LOTS 51 & 52 ON TAX MAP 240 GOULD HILL ROAD HOPKINTON, NEW HAMPSHIRE, SCALE: 1"=20', DATE: JULY 2021, PREPARED BY THIS OFFICE.

#### SUBDIVISION PLAN LAND OF

#### JOHN H. LYNCH IRREVOCABLE TRUST OF 2012

ASSESSORS MAP 240 LOT 51  
GOULD HILL ROAD &  
BRIAR HILL ROAD

HOPKINTON, NEW HAMPSHIRE  
SCALE: 1"=100' DATE: JULY 2021  
SHEET 1 OF 3

#### OWNERS OF RECORD

MAP 240 LOT 51  
JOHN H. LYNCH IRREVOCABLE TRUST OF 2012  
SUSAN E. UPTON LYNCH &  
WILLIAM G. STEELE, JR. CPA-TRUSTEES  
2 WATCHTOWER ROAD  
HOPKINTON, NH 03229  
BOOK 3686 PAGE 1739  
PLAN REFERENCE #1

GRAPHIC SCALE  
100 50 0 50 100 200

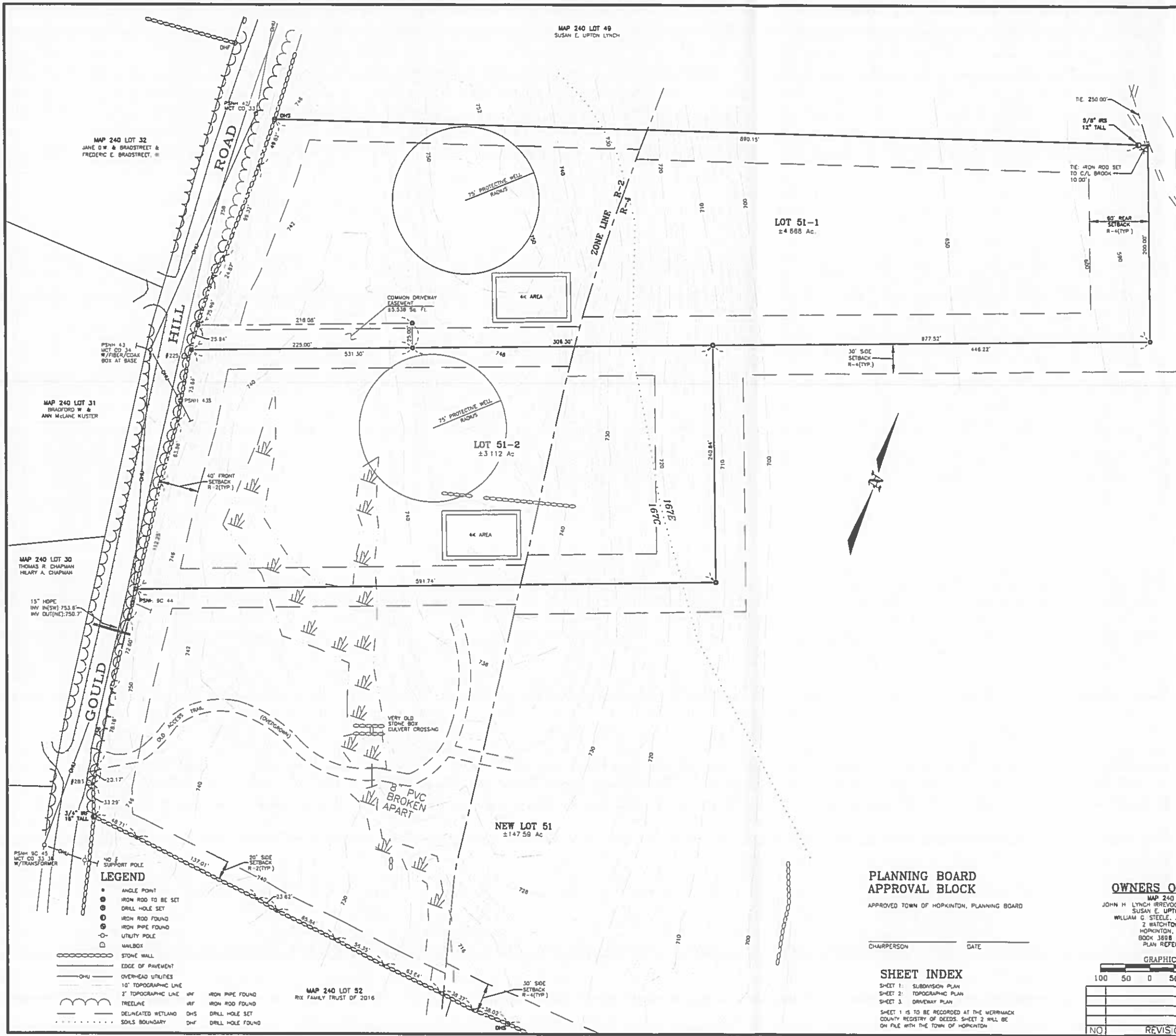
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**T. F. BERNIER, INC.**  
Land Surveyors - Designers - Consultants

50 PLEASANT STREET - P.O. BOX 3484  
CONCORD, NEW HAMPSHIRE 03302-3484  
Tel: (603) 224-4148 - Fax: (603) 224-0507

|             |               |            |      |      |        |
|-------------|---------------|------------|------|------|--------|
| DESIGNED BY | DRAWN BY      | CHECKED BY | F.B. | P.G. | JOB #  |
| 179         | 179, JMC, JMC | 179        | 224  | 54   | 663-01 |



ADDITIONAL ABUTTERS

|   |   |
|---|---|
| MAP 241 LOT 43<br>JEANNE C. DWYER<br>CST EXEMPT TRUST     | MAP 241 LOT 38-2<br>R AND J CASE TRUST                        |
| MAP 241 LOT 38-1<br>KRIS HENPHILL                         | MAP 249 LOT 8<br>S. WAYNE CLARKE<br>ELIZABETH A. CLARK        |
| MAP 249 LOT 5<br>THE VIKING TRUST                         | MAP 249 LOT 4<br>KURT K. RYHMAHRT<br>BETSEY F. RYHMAHRT       |
| MAP 239 LOT 22<br>FIVE RIVERS CONSERVATION TRUST          | MAP 239 LOT 21<br>VIRGINIA L. PASTUSZCZAK<br>TIMOTHY D. SWEAT |
| MAP 240 LOT 54<br>RICHARD JONES IRREVOCABLE TRUST         | MAP 240 LOT 38<br>IRVIN D. GORDON                             |
| MAP 240 LOT 29<br>ALISON JOSEFIK &<br>CHRISTOPHER NAVARRO |   |

NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE TOPOGRAPHIC AND PHYSICAL FEATURES ON A PORTION OF LOT 51 AS SHOWN ON ASSESSORS MAP 240.
2. TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM A FIELD SURVEY PERFORMED BY THIS OFFICE IN JUNE 2021.
3. THE EXISTING BOUNDARY LINES SHOWN HEREON ARE FROM PLAN REFERENCE #1, A FIELD SURVEY PERFORMED BY THIS OFFICE IN JUNE 2021, AND RECORD DEEDS. THE FIELD SURVEY WAS PERFORMED USING A TOTAL STATION AND THE TRAVERSE HAS AN ERROR OF CLOSURE OF ONE PART IN 15,000 OR BETTER. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF A STANDARD PROPERTY SURVEY AS DEFINED IN THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES LON 900.

SOIL DATA

FROM NRCS WB SOIL SURVEY  
187C: CANTERBURY FINE SANDY LOAM, 8 TO 10 PERCENT SLOPES, VERY STONY  
167E: CANTERBURY FINE SANDY LOAM, 25 TO 35 PERCENT SLOPES, VERY STONY

TOPOGRAPHIC PLAN  
LAND OF  
JOHN H. LYNCH IRREVACABLE  
TRUST OF 2012

ASSESSORS MAP 240 LOT 51  
GOULD HILL ROAD &  
BRIAR HILL ROAD  
HOPKINTON, NEW HAMPSHIRE  
SCALE: 1"=50' DATE: JULY 2021  
SHEET 2 OF 3

OWNERS OF RECORD

MAP 240 LOT 51  
JOHN H. LYNCH IRREVOCABLE TRUST OF 2012  
SUSAN E. UPTON LYNCH &  
WILLIAM G. STEELE, JR. CPA-TRUSTEES  
2 WATCHTOWER ROAD  
HOPKINTON, NH 03229  
BOOK 3898 PAGE 1739  
PLAN REFERENCE #1

PLANNING BOARD  
APPROVAL BLOCK

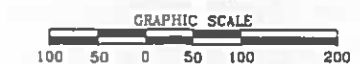
APPROVED TOWN OF HOPKINTON, PLANNING BOARD

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

SHEET INDEX

- SHEET 1: SUBDIVISION PLAN
- SHEET 2: TOPOGRAPHIC PLAN
- SHEET 3: DRIVEWAY PLAN

SHEET 1 IS TO BE RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS. SHEET 2 WILL BE ON FILE WITH THE TOWN OF HOPKINTON.

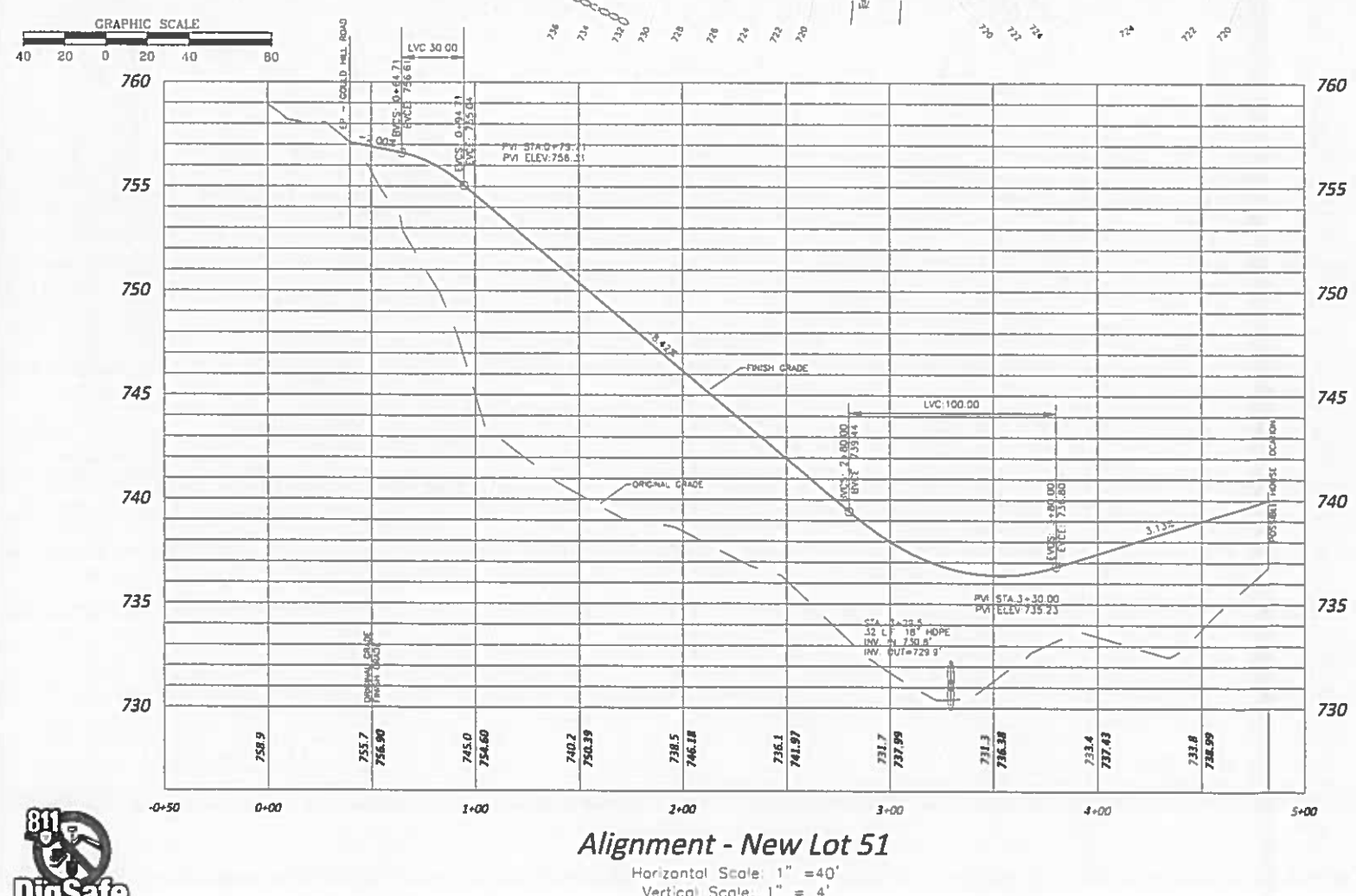
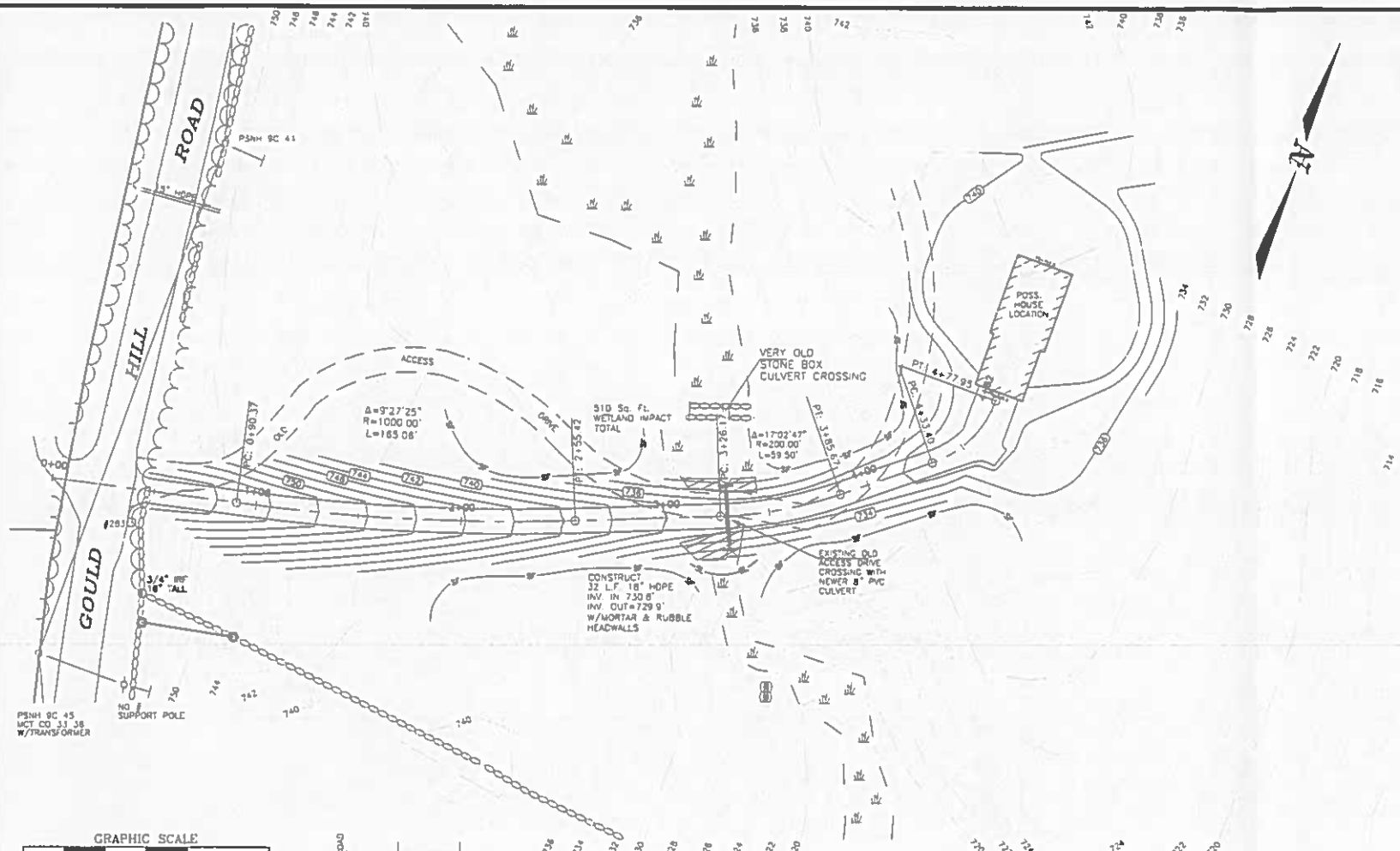


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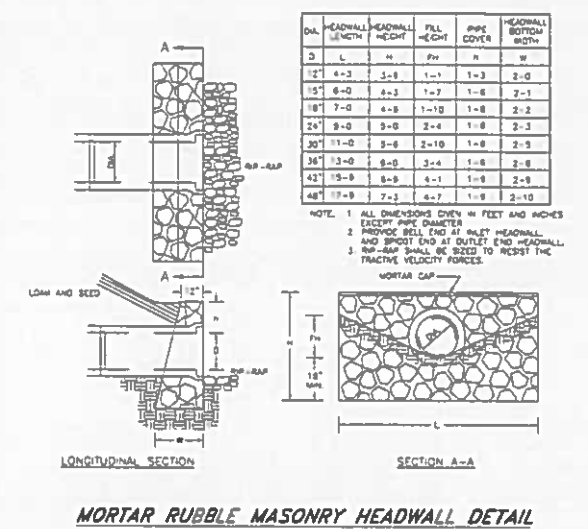


**T. F. BERNIER, INC.**  
Land Surveyors - Designers - Consultants  
50 PLEASANT STREET - P.O. BOX 3484  
CONCORD, NEW HAMPSHIRE 03302-3484  
Tel: (603) 224-4148 - Fax: (603) 224-0507

| DESIGNED BY  | DRAWN BY | CHECKED BY | FB  | PC | JOB #  |
|--------------|----------|------------|-----|----|--------|
| TFB          | BRW_JRC  | TFB        | 324 | 54 | 663-01 |
| DRAWING NAME |          |            |     |    |        |



- LEGEND**
- ANGLE POINT
  - DRILL HOLE FOUND/SET
  - UTILITY POLE
  - PHOTO LABEL & DIRECTION
  - PROPOSED DRIVEWAY
  - PROPOSED GRADING
  - PROPOSED SALT LOC
  - PROPOSED SALT FENCE
  - EDGE OF WETLAND
  - SETBACK LINES
  - STONE WALL
  - EDGE OF PAVEMENT
  - 2' TOPOGRAPHIC LINE
  - 10' TOPOGRAPHIC LINE
  - TREELINE
  - WETLAND IMPACT



- NOTES:**
- THE VIEW OF THIS PLAN IS TO SHOW THE PROPOSED WETLAND CROSSING FOR A NEW DRIVEWAY ON NEW LOT 51.
  - THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE BY THIS OFFICE IN MAY 2021.
  - THE BASIS OF THE MEASUREMENTS SHOWN HEREON ARE HAD 62/71 BASED ON GPS OBSERVATIONS MADE BY THIS OFFICE IN APRIL 2018.
  - WETLANDS SHOWN HEREON WERE DETERMINED BY THE FIELD BY PHOTOGRAPHY & MEASUREMENTS IN MAY AND JULY 2021 IN ACCORDANCE WITH 600-MS 1011.02.
  - THE CONTRACTOR IS RESPONSIBLE FOR CONTROLLING SOIL EROSION IN ALL AREAS OF THE DEVELOPMENT SITE. TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF WORK AND SHALL REMAIN IN PLACE UNTIL VEGETATION IS WELL ESTABLISHED AND THE SITE IS STABILIZED.
  - ALL DISTURBED AREAS NOT INTENDED FOR TRAVEL SHALL BE GRADED, LEASED AND RESEED. SEE DETAIL SHEET 8 NOTED.
  - THE TOTAL AREA OF WETLAND TO BE FILLED IS 510 SQ. FT. THE LOCATION SHOWN FOR THE DRIVEWAY WAS SELECTED TO COMPLY WITH THE TOWN OF HOPKINTON REGULATIONS WHILE MINIMIZING WETLAND IMPACTS. IN ADDITION THE NORTH AND SOUTH OF THE DRIVEWAY HAS BEEN IMPROVED TO REDUCE IMPACTS TO THE WETLAND. CULVERTS HAVE BEEN DESIGNED TO MAINTAIN PROPER HYDROLOGICAL CONNECTIONS AND MAINTAINING THE RISK OF SEDIMENT TRANSPORT.
  - IF ANY SPOTTED TURTLES, WOOD TURTLES OR GLAUCOUS TURTLES ARE FOUND LIVING EGGS IN THE WORK AREA PLEASE CONTACT WILDLIFE DEPARTMENT AT (603) 271-1730 OR 800H HOPKINTON AT (603) 271-1133 FOR FURTHER INSTRUCTIONS. SEE DETAIL SHEET 8 AND POLYPROPYLENE PHOTOGRAPHICALLY GRADATION CONTAINING ACTING 10 TO BE USED.

**PLANNING BOARD APPROVAL BLOCK**  
APPROVED TOWN OF HOPKINTON, PLANNING BOARD

CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

**DRIVEWAY CROSSING PLAN**  
LAND OF  
**JOHN H. LYNCH IRREVOCABLE TRUST OF 2012**  
ASSESSORS MAP 240 LOT 51  
GOULD HILL ROAD  
HOPKINTON, NEW HAMPSHIRE  
SCALE: 1"=40' DATE: JULY 2021  
SHEET 3 OF 3

**OWNERS OF RECORD**  
MAP 240 LOT 51  
JOHN H. LYNCH IRREVOCABLE TRUST OF 2012  
SUSAN E. LUTON LYNCH &  
WILLIAM D. STEELE, JR. CPA-TRUSTEES  
2 WATCHTOWER ROAD  
HOPKINTON, NH 03229  
BOOK 3896 PAGE 1739  
PLAN REFERENCE #1



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50 PLEASANT STREET - P.O. BOX 3484  
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Tel: (603) 224-4148 - Fax: (603) 224-0507

| NO. | REVISION | DATE | DESIGNED BY | DRAWN BY | CHECKED BY | F.B. | P.C. | JOB #  |
|-----|----------|------|-------------|----------|------------|------|------|--------|
|     |          |      | TFB         | TFB      | TFB        | 224  | 34   | 663-01 |
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|     |          |      |             |          |            |      |      |        |
|     |          |      |             |          |            |      |      |        |



**Application #2021-9**

**BAYSTONE PROPERTIES, LLC**

**Special Exception – Twelve (12) dwelling units.**



# Town of Hopkinton

330 Main Street • Hopkinton, New Hampshire 03229 • www.hopkinton-nh.gov  
Tel: 603-746-3170 Fax: 603-746-3049

## HOPKINTON ZONING BOARD OF ADJUSTMENT APPLICATION FOR APPEAL

7/16/21  
\$ 255 ✓ 5557

Ten completed copies of the application with all supporting documentation must be submitted.

Name of Applicant: Baystone Properties, LLC  
Mailing Address: 44 North Shore Road, Derry, NH 03038  
Telephone (days): 774-327-8331  
Name of Property Owner: Baystone Properties, LLC (Shaun Geary)  
Mailing Address: 44 North Shore Road, Derry, NH 03038  
Telephone (days): 774-327-8331  
Tax Map: 102 Lot: 35 Location of Property: 71 Cedar Street

Zoning of property in question (circle one): R-1 R-2 R-3 R-4 B-1 M-1 VR-1 VB-1 VM-1

Section of Hopkinton Zoning Ordinance under which your application was denied or you believe your proposal relates to: Section: IV Paragraph/Table: 4.4.7 (3.6.A.3) KR

*A copy of your denied Building/Use Application or administrative decision must be attached.*

This application is for: ☐ Variance ☒ Special Exception ☐ Equitable Waiver ☐ Administrative Appeal

The undersigned hereby requests a Variance, Special Exception, Equitable Waiver, and Administrative Appeal to permit the following:

To allow one building with 12 dwelling units as permitted by special in zone VR-1.

**NOTE:** Additional information may be supplied on a separate sheet if the space provided is inadequate.

### 1. Hearing, Abutter, Notification Fees:

- Variance – \$100.00
- Special Exception – \$100.00
- Equitable Waiver – \$100.00
- Administrative Appeal – \$100.00
- Rehearing – \$100.00
- Notification of each Owner, Applicant, Agent, Abutter – \$5.00
- Published Notice – \$75.00

### 2. List of names and mailing addresses of all abutters to the property as defined by NH RSA 672:3. Supply information on separate sheet. Abutter is any person whose property adjoins or is directly across the street or stream from the land under consideration.

*[Signature]* 7/15/21



3. **Attach location map showing exact location of property in relation to at least one prominent landmark (road junction, business, town building, etc.).** Include north arrow and label road names. Indicate with an X the location of the property in question.
4. **Attach site plan of property showing:** Boundaries and area of parcel; north point, scale, legend, and location, size and type of all existing and proposed buildings, uses, parking, signs, roadways, screening, etc. Map submitted to included one full-size and ten 11" x 17" or less.
5. **List provisions to be made for septic disposal, fire protection, water supply, parking, noise, smoke, surface drainage, etc.** Supply information on separate sheet.
6. **Letter of Authorization to allow an Agent or Attorney to represent Applicant, if applicable.**
7. **Copy of property deed of the subject property.**
8. **Any other pertinent information that you feel the Board may need to assist in their decision-making process.**

You must appear at the public hearing or be presented by an authorized agent or attorney for the Board to act on your application. The application will be terminated or tabled for failure to appear at a scheduled public hearing, without first providing written notification to the Planning Department.

You are fully responsible for researching and knowing any and all laws, which may be applicable and affect the outcome of the Board's decision on your application request. The Town of Hopkinton assumes no responsibility or liability relating to your failure to research and know all applicable laws including, but not limited to, state, federal and local laws, codes, land development regulations and comprehensive plan. The Town of Hopkinton strongly encourages all applicants to consider consulting an attorney regarding their application.

You are encouraged to review the attached Rules of Procedures used by the Board of Adjustment at the public hearing.

I/we being duly sworn, depose and say that I am/We are the owner(s)/lessee(s) of land included in the application and that the foregoing statements herein contained and attached, and information or attached exhibits thoroughly to the best of my/our ability represent the arguments on behalf of the application herewith submitted and that the statements and attached exhibits referred to are in all respect true and correct to the best of my/or knowledge and belief.

In addition, I/We understand this application must be filed with all pertinent information as it pertains to the requirements of the Town of Hopkinton Zoning Ordinance and all other information requested or required by the Zoning Board of Adjustment in order to be considered complete. I/We understand that this application will not be filed until all required information has been received, and do further understand that the Town of Hopkinton reserves the right to postpone this request until such time as the requirements are met.

Furthermore, I/We understand that I/We, our representative as stated on the application, should appear at the public hearing. If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, said evidence will become property of the Town of Hopkinton and will remain on file for future reference.

Also, I/We recognize and understand that the public hearing before the Board of Adjustment regarding land development is considered quasi-judicial in nature. **State and local law strictly prohibits applicants and/or interested parties from taking part in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is discussed at a public hearing.**

 7/15/21

**SPECIAL EXCEPTION**  
(Section XV)

In order to secure a variance, the Zoning Board of Adjustment must determine by law that your Special Exception request satisfies the following criteria of the Zoning Ordinance. **Please provide a written response along with any other supporting documentation for each of the following criteria.** Please note that all criteria must be satisfied and supported by the Zoning Board of Adjustment in order for a Special Exception to be granted. Should the space provided be inadequate, please attach additional pages to this application.

1. **Standards provided by this Ordinance for the particular use permitted by special exception.**  
Section III Table 3.6 Section 3, Dwelling, Multi-Family with a maximum of 12 dwelling units per building by Special Exception.  
\_\_\_\_\_  
\_\_\_\_\_
2. **No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.**  
The proposed dwellings will be residential dwelling with no increase for the potential for fire, explosion or release of toxic materials than any other residential dwelling with the town.  
\_\_\_\_\_  
\_\_\_\_\_
3. **No detriment to property values in the vicinity or change in the essential characteristics of a residential neighborhood on account of the location or scale of buildings and other structures, parking areas, access ways, odor(s), smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment, vehicles or other materials.**  
The development will not be detrimental to the property values within the vicinity as the development is located within a village area that includes many commercial, multi-family and residential uses. The proposed use of 12 residential dwellings will add new housing stock within the village area.  
\_\_\_\_\_  
\_\_\_\_\_
4. **No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity.**  
The proposed 12 residential units are not expected to produce any traffic safety hazards. The proposed site will have one access point to Cedar Street, controlling all traffic coming and going from the site. A 1 car garage is proposed with each unit, as well as, 1 space per unit provided on site at the rear of the building, giving each unit 2 parking spaces.  
\_\_\_\_\_  
\_\_\_\_\_
5. **No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection, and schools.**  
The Department of Public Works has confirm the availability of water and sewer capacity. In reference to waste disposal there will be a dumpster available on the adjacent site for the use by all unit owners. The building will be built to current building codes and requirements by the town. There is a fire hydrant located on River Street within 400' of the site which provide sufficient fire protection. The schools will see very little impact from this development with average of children per household is less than 1 child per household in the latest Census.  
\_\_\_\_\_
6. **No significant increase of storm water runoff onto adjacent property or streets.**  
There will be no increase of storm water runoff onto adjacent property or streets. We are proposing a drainage system that includes a ADS infiltration system under the proposed parking along with a series of catch basins to collect all stormwater run off to include roof and impervious areas.  
\_\_\_\_\_  
\_\_\_\_\_
7. **An appropriate location for the proposed use.**  
The location of the proposed 12 dwelling units is in an area of commercial, multi-family and residential uses. We have confirmed with the Department of Public works that there is sufficient sewer and water capacity to service these units.  
\_\_\_\_\_  
\_\_\_\_\_

 7/15/21

8. **Not affect adversely the health and safety of the residents and others in the area and not be detrimental to the use or development of adjacent or neighboring properties.**

The proposed 12 dwelling units will have no health or safety adverse effects on the residents and others in the area as the number of proposed units, 12, meet the density requirements, stormwater control requirements and municipal sewer and water capacity has been confirmed.


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9. **In the public interest and in the spirit of the ordinance.**

The 12 dwelling units are below the allowed density on the property. 13 are allowed and conforms with the requirement of having one principal building on the property.

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1  7/15/21

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| Town of Hopkinton, NH<br>List of Abutters |             |                                    |   |                 |  |
|---|-------------|------------------------------------|---|-----------------|--|
| Map                                       | Lot(s)      | Property Owner(s) Name             | Mailing Address                             | Office Use Only |  |
| 101                                       | 15          | Ernest and Matthew Thibodeau       | 35 Cedar Street, Contoocook, NH 03229       |                 |  |
| 101                                       | 14.1 & 14.2 | Cedar Street Properties, LLC       | P.O. Box 1253, Grantham, NH 03753           |                 |  |
| 101                                       | 13          | Scott & Brett Crantherm            | 163 Gould Hill Road, Contoocook, NH 03229   |                 |  |
| 102                                       | 46          | United Methodist Church            | P.O. Box 356, Contoocook, NH 03229          |                 |  |
| 104                                       | 45          | Joshua Smith                       | 115 North Main Street, Boscawen, NH 03303   |                 |  |
| 102                                       | 36          | Glenn Melissa Smart                | 81 Cedar Street, Contoocook, NH 03229       |                 |  |
| 102                                       | 29          | David Fisk                         | 88 Cedar Street, Contoocook, NH 03229       |                 |  |
| 102                                       | 30          | Daniel & Janice Aranki             | 70 Cedar Street, Contoocook, NH 03229       |                 |  |
| 102                                       | 31          | Andris & Florence Serzans          | 60 Cedar Street, Contoocook, NH 03229       |                 |  |
| 102                                       | 32          | Charles & Anne Rotondi             | 54 Cedar Street, Contoocook, NH 03229       |                 |  |
| 102                                       | 33          | Robert MacNeil                     | 50 Cedar Street, Contoocook, NH 03229       |                 |  |
| 101                                       | 16          | O'Rourke & Greenblott Holding, LLC | P.O. Box 465, Hopkinton, NH 03229           |                 |  |
| 101                                       | 17          | Town of Hopkinton                  | 330 Main Street, Hopkinton, NH 03229        |                 |  |
|   |             |                                    |   |                 |  |
| Survey                                    |             | New Hampshire Land Consultants     | 683C First NH Turnpike, Northwood, NH 03261 |                 |  |
| Engineer                                  |             | Bernie Temple                      | P.O. Box 7, Gilmanton, NH 03837             |                 |  |

1. List names and mailing addresses of applicant(s), property owner(s), and abutters.
2. List names and mailing addresses of all professionals whose seal appears on any plan.
3. For condominium associations and property owner association, the officers of the association are the abutters to be notified.
4. List names and mailing addresses of any holder of conservation, preservation or agricultural preservation easements or restrictions on any parcels included in the proposed project or subdivision.

 7/15/21

Return to:  
Baystone Properties, LLC  
162 Barton Corner Road  
Hopkinton, NH 03229

**\$40**

**WARRANTY DEED**

Anne R. Rotondi and Charles S. Rotondi, wife and husband, of 6 Franklin Place, Stoneham, MA 02180, for consideration paid grant to Baystone Properties, LLC, a New Hampshire Limited Liability Company, of 162 Barton Corner Road, Hopkinton, NH 03229, with warranty covenants;

A certain parcel of land with the improvements situated thereon located on Cedar Street, Contoocook, Town of Hopkinton, County of Merrimack, State of New Hampshire more particularly bounded and described as follows:

Beginning at a stone bound on the southerly side of River Street in the Village of Contoocook at land formerly of Jonathon Morrill now owned by the H.J. Davis heirs;

1. Southerly by said Davis heirs land 98 feet;
2. Easterly by the said Davis heirs land 60 feet to bound and land of John C. Burnham;
3. Southerly by said Burnham land to a bound at land formerly of H. Pauline Courser now Murray R. George;
4. Westerly by the said George land to a fence on the line of Cedar Street;
5. Northerly by said Cedar Street to River Street;
6. Continuing on the line of said River Street to a stone bound and land of the said Davis heirs, same being the point of beginning.

Subject to any and all matters as shown on Plan No. 15959 and 14322.

Subject to an easement to Charles S. Rotondi dated July 27, 2012 and recorded in Book 3328, Page 844.

LLO

For Title Reference, see conveyance to Anne R. Rotondi and Charles S. Rotondi by Warranty Deed from Anne R. Rotondi, dated October 14, 2005 and recorded in Book 2832, Page 1530 of the Merrimack County Registry of Deeds.


The property is not the residence of the grantors and is not subject to homestead rights.

49 Cedar Street, Hopkinton, NH 03229

Executed this 14th day of August, 2020.



Anne R. Rotondi



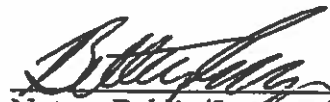
Charles S. Rotondi

STATE OF NEW HAMPSHIRE

Merrimack, SS

Then personally appeared before me on this 14th day of August, 2020, the said Anne R. Rotondi and Charles S. Rotondi and acknowledged the foregoing to be their voluntary act and deed.





Notary Public/Justice of the Peace  
My commission expires: 8/28/2024



# Town of Hopkinton Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 - [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov)

## BUILDING/USE APPLICATION

Completed application **must be returned to the Planning Office by 12 Noon on Friday**. The application must be accompanied by a check payable to the Town of Hopkinton. No refund will be made if the application is denied. More than one permit may be applied for using the same form; however, the permits being sought must apply to the same piece of property. For questions, please contact the Planning Department at (603) 746-8243 or email [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov).

|                                     |  |
|-------------------------------------|--|
| Permit No. _____                    | Phasing Applicability: Permit _____ of _____ Subdivision: _____  |
| Application Received <u>7/16/21</u> | <input type="checkbox"/> Driveway Permit <input type="checkbox"/> PUC Approval <input type="checkbox"/> Shoreland Protection |
| By: <u>KR</u> Fee: <u>USC only</u>  | <input type="checkbox"/> Septic Approval <input type="checkbox"/> Floodplain <input type="checkbox"/> Code Enforcement       |
|                                     | <input type="checkbox"/> Fire/Life Safety <input type="checkbox"/> ZBA/PB <input type="checkbox"/> CVP Water Commission      |

|   |                    |                   |                            |
|---|--------------------|-------------------|----------------------------|
| Street Address <u>71 Cedar Street</u>   | Tax Map <u>102</u> | Tax Lot <u>35</u> | Zoning District <u>VR1</u> |
| <input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Accessory <input type="checkbox"/> Other _____ |                    |                   |                            |
| Is Lot located in 100-year Flood Plain Area (Special Flood Hazard)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                    |                   |                            |
| What is the Flood Insurance Rate Map (FIRM) Community Panel #: _____  |                    |                   |                            |
| Is the <u>portion</u> of the property to be developed under a Current Land Use (CLU) Assessment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |                    |                   |                            |
| If yes, a new CLU map must be submitted to the Assessing Department (603-746-8258).   |                    |                   |                            |

|  |  |
|--|--|
| Applicant's Name: <u>Baystone Properties, LLC</u>  | Owner's Name: <u>Same as Applicant</u> |
| Mailing Address: <u>44 North Shore Rd</u>  | Mailing Address: _____                 |
| City/State/Zip: <u>Derry, NH 03038</u>   | City/State/Zip: _____                  |
| Phone (days): <u>774-327-8331</u>  | Phone (days): _____                    |
| Email: _____   | Email: _____                           |
| Note: Please indicate whether you would prefer your PERMIT emailed or mailed (circle one). |  |

|                    | Name of Contractor/License # | Address/City/State/Zip | Telephone |
|--------------------|------------------------------|------------------------|-----------|
| Architect          |                              |                        |           |
| General Contractor |                              |                        |           |
| Electrical         |                              |                        |           |
| Plumbing           |                              |                        |           |
| Sewer/Septic       |                              |                        |           |
| Mechanical         |                              |                        |           |
| Sprinkler          |                              |                        |           |
| Fire Alarm         |                              |                        |           |

### DESCRIPTION

To allow one building with 12 dwelling units as permitted by special exception in the VR1 district.

Value of Work: \$ \_\_\_\_\_



# Town of Hopkinton Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 - [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov)

## BUILDING/USE PERMIT DENIAL

Permit: 2021- \_\_\_\_\_ Name of Applicant/Owner: Baystone Properties, LLC  
Tax Map/Lot: 102/35 Street Address: 71 Cedar Street District: VR1

Denied: Special Exception required – Table of Uses 3.6.A.3 Multi-Family Dwelling with a maximum of twelve (12) dwelling units per building.

Karen Robertson  
Karen Robertson  
Planning Director

Date: 7/16/21



**SECTION III  
ESTABLISHMENT OF DISTRICTS AND USES**

| <b>3.6 TABLE OF USES</b>  | <b>R-4</b> | <b>R-3</b> | <b>R-2</b> | <b>R-1</b> | <b>B-1</b> | <b>M-1</b> | <b>VR-1</b> | <b>VB-1</b> | <b>VM-1</b> |
|---|------------|------------|------------|------------|------------|------------|-------------|-------------|-------------|
| <b>A. Residential Uses – Principal Uses</b>   |            |            |            |            |            |            |             |             |             |
| 1. Affordable Housing Option, Section XVI   | X          | P          | P          | P          | P          | X          | P           | X           | X           |
| 2. Congregate Care Housing  | X          | X          | S          | S          | P          | X          | S           | S           | X           |
| 3. Dwelling, Multi-Family with a maximum of 12 dwelling units per building  | X          | X          | S          | S          | P          | X          | S           | S           | X           |
| 4. Dwelling, Multi-Family with a maximum of 24 dwelling units per building  | X          | X          | X          | X          | P          | X          | X           | X           | X           |
| 5. Dwelling, Single-Family Detached   | P          | P          | P          | P          | X          | S          | P           | S           | S           |
| 6. Dwelling, Two-Family   | S          | S          | P          | P          | X          | S          | P           | S           | S           |
| 7. Manufactured Housing on individual lots  | X          | X          | X          | X          | X          | X          | X           | X           | X           |
| 8. Manufactured Housing Park, Section IX  | X          | S          | S          | S          | X          | X          | S           | X           | X           |
| 9. Manufactured Housing Subdivision, Section IX   | P          | P          | P          | P          | X          | X          | S           | X           | X           |
| <b>B. Temporary Residential Uses – Principal Uses</b>   |            |            |            |            |            |            |             |             |             |
| 1. Bed and Breakfast Inn, Section III   | S          | S          | S          | S          | P          | X          | S           | P           | X           |
| 2. Camps, Non-Profit (overnight and/or day)   | S          | S          | S          | S          | S          | S          | S           | S           | S           |
| 3. Commercial Lodging   | X          | X          | X          | X          | P          | S          | X           | P           | S           |
| <b>C. Outdoor/Recreational Uses – Principal Uses</b>  |            |            |            |            |            |            |             |             |             |
| 1. Commercial Riding Stables and Riding Trails  | S          | S          | S          | X          | P          | X          | X           | X           | X           |
| 2. Public Parks and Playgrounds, Forestry, Wildlife, Timber Preserves, reservoirs, and Nature Study Areas, Conservation Areas and Preserved or Protected Open Space | P          | P          | P          | P          | P          | P          | P           | P           | P           |
| 3. Recreational Camping/Tenting Parks and Recreational Camping Vehicles, Section X  | S          | S          | S          | X          | S          | X          | X           | X           | X           |
| <b>D. Agricultural Uses – Principal Uses</b>  |            |            |            |            |            |            |             |             |             |
| 1. Agriculture, Horticulture, and Floriculture except a greenhouse or stand for retail sale, including customary accessory structures and uses.                     | P          | P          | P          | S          | S          | P          | S           | S           | P           |
| 2. Farming including dairying, livestock, animal, and poultry raising, and crop production, including customary accessory structures and uses.                      | P          | P          | P          | S          | S          | P          | S           | S           | P           |
| 3. Greenhouse or Farm Stand   | S          | S          | S          | S          | S          | P          | S           | P           | P           |
| 4. Primary Agriculture Solar Energy System, Section III   | C          | C          | C          | C          | C          | C          | C           | C           | C           |
| <b>E. Institutional Uses/Community Facilities – Principal Uses</b>  |            |            |            |            |            |            |             |             |             |
| 1. Buildings necessary for the furnishing of Non-Essential Services by such public utility for the public health, safety, and general welfare.                      | X          | X          | X          | S          | P          | P          | S           | P           | P           |

## **SECTION IV DIMENSIONAL AND DENSITY REQUIREMENTS**

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construed to preclude compliance with the requirements set forth in Section 15.8.2, Special Exceptions, of this Ordinance.

**4.4.4 Corner Lot:** A corner lot shall have minimum street yards and depths, which shall be the same as the required front yard depths for the adjoining lots.

**4.4.5 Through Lot:** At each end of a through lot, there shall be a setback depth required, which is equal to the front yard depth required for the district in which each street frontage is located.

**4.4.6 Projections:** Projections are not permitted into required yards or other required open spaces except steps or stoops, eaves, or bay windows.

**4.4.7 Maximum Number of Dwelling Units:** The maximum number of dwelling units permitted in any multi-family dwelling shall be eight (8).

**4.4.8 Additions:** Additions which fail to meet the dimensional and density regulations contained in Table 4.2 to an existing, non-conforming structure may be permitted by special exception provided that the setback of the addition is no less than the setback of the existing structure.

**4.5 MAXIMUM UNITS PER DEVELOPMENT** The total number of dwelling units created by any one development shall not exceed fifty (50).

**4.6 WAIVER OF DIMENSIONAL REQUIREMENTS BY THE PLANNING BOARD** The Planning Board, during subdivision review process, is hereby given the authority to approve new non-conforming lots, provided that the applicant submits evidence that such non-conforming lots will be donated to, and accepted by the Town or Conservation Commission as open space, conservation land, or recreational land.

**4.7 INCREASED SHORELAND PROTECTION STANDARD FOR CERTAIN FACILITIES** The State Shoreland Protection laws (NH RSA 483-B:8) permit a Town to adopt land-use control ordinances relative to all protected shorelands, which are more stringent than the minimum State standards. As indicated in the Master Plan, the Town's lakes, rivers, ponds and streams are a primary resource and asset for the Town. The Contoocook River also serves as a drinking water sources and, as such, requires special consideration. Non-Conforming solid waste facilities and any proposed or existing solid waste facilities as well as non-conforming facilities and any existing facilities which store, or incinerate (or propose to store or incinerate) solid waste, or construction and demolition debris in close proximity to lakes rivers, ponds or streams, or artificial impoundment areas which connect to lakes, rivers, ponds or streams represent an unacceptable risk to these resources and the public health, safety and welfare of the citizens of the Town. The Town hereby adopts a more stringent shoreland protection standard for such uses. No existing, non-conforming, solid waste facility, or facility which stores, or incinerates solid waste, or construction or demolition debris nor any such facility allowed by variance, (except for a facility which has, and maintains in good standing a permit which predates this ordinance, permitting the placement of solid waste in accord with RSA 483-B:9 (IV-d)) shall be allowed to place solid waste or construction and demolition debris within 300 feet of the reference line of public waters or within 300 feet of the ordinary high water mark of a river, pond, stream or artificial impoundment area, nor shall the edge of any impervious surface on which such solid waste is located be within 300 feet of the reference line of public waters or within 300 feet of the ordinary high water mark of a pond, river, stream or artificial impoundment area. In the event a pre-existing facility has its permit revoked by the State,

Planning Dept.  
Copied Portion  
of document.  
K Robertson  
7/19/21

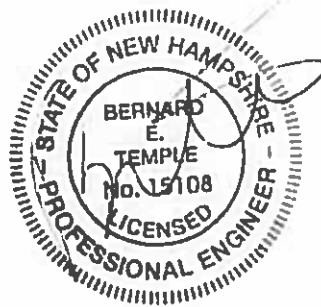
## DRAINAGE REPORT

### A CONDOMINIUM SUBDIVISION PLAN

Tax Map 102 Lots 34 & 35  
Hopkinton, NH

June 16, 2021

For complete  
report contact  
Planning Dept.



Prepared For:

**Baystone Properties LLC.**  
126 Barton Corner Road  
Hopkinton NH 03229

Prepared By:

Bernie Temple, P.E.  
Po Box 7,  
Gilmanton I W, NH 03837  
Phone: 603-630-1008

**A Condominium Site Plan  
Tax Map 102 Lots 34 & 35  
Hopkinton, NH**

**TABLE OF CONTENTS**

**Project Narrative**

- Introduction
- Pre-development Conditions
- Post development Conditions
- Methodology
- Drainage Summary
- Storm-water Treatment
- Conclusion

**USGS map**

**Aerial Photo**

**Web soil survey map**

**Extreme Precipitation Tables**

**Aerial Photograph**

**BMP Worksheets**

**Rip-rap apron calculations**

**Pre-Drainage analysis output**

- Pre-development 2, 10, 25, 50-year

**Post-Drainage analysis output**

- Post development 2, 10, 25, 50-year

**Operation and Maintenance**



**A Condominium Site Plan**  
**Tax Map 102 Lots 34 & 35**  
**Hopkinton, NH**

**Introduction**

This proposed project is located on Map 102, Lots 34 & 35 of the Hopkinton NH tax maps. The two parcels will be combined to provide a .91-acre lot with frontage along Cedar Street. It is located in the VR-1 Village Residential district of Hopkinton. The project consists of the construction of a 2- 5500sf-6-unit condominium buildings with associated utilities and site improvements. Drainage from the developed area will be routed through one underground infiltration system, with roof drains directed to infiltration trenches on each side of the building. The site will be provided with municipal sewer and water.

**Existing Conditions**

The property is .91 acres as noted above and currently has a garage building on the lot as well as out buildings attached to the existing home. The lot has been subdivided to provide the .91 acres, the garage and out buildings will be razed providing buildable area. The site is moderately sloped with drainage flowing from South to North and ending up in the Cedar Street drainage closed drainage system. There site is primarily grass with small isolated areas of woods. The NRCS web soils maps indicate that the one soil is present and is classified as a 613A Croghan Loamy Fine Sand This soil complex is a well-drained class "A" soil.

**Proposed development**

As noted above the project consists of the construction of a 2- 5500sf-6-unit condominium buildings with associated utilities and site improvements. The site has been designed with open drainage sheeting the site to a closed drainage system within the parking lot. The drainage will be directed to three deep sump catch basins for sediment removal and to one oil water separator catch basin number 3 before entering an underground infiltration system. The exterior roof systems will be directed to two infiltration trenches on each side of the building. There is no change proposed to the existing drainage patterns. Most of the site is designed to drain to the one underground system which will outlet toward the Cedar Street closed drainage system. Because of the favorable soil conditions, the infiltration trenches and underground system is designed to retain peak stormwater flows and to infiltrate the water quality volume into the underlying soils. The onsite soils are provided from the most recent NRCS Webb Soil Survey 613A Croghan Loamy Fine Sand This soil complex is a well-drained class "A" soil. The infiltration rate for the soil as shown SSSNNE special publication No. 5 Ksat values for NH soils is 20 inches per hour this rate is then used at 50% or 10 inches per hour for design purposes. The drainage system is designed to mitigate any increase in stormwater runoff as a result from the site development per local regulations.

A Condominium Site Plan  
Tax Map 102 Lots 34 & 35  
Hopkinton, NH

**Design methodology**

The drainage analysis in this study was completed using HydroCad Version 10.1, a stormwater modeling program utilizing TR-20 and TR-55 methodology. This program performs both the hydrologic computations for determination of runoff flows, and the hydraulic calculations for pipe, ditch, and pond design. Calculations were performed for 10,25 and checked for flooding for the 50-year return frequency storms in accordance with Town regulations. Rainfall information is provided from the most recent Extreme Precipitation Tables provided from the Northeast Regional Climate Center. The following design parameters were used:

Rainfall distribution: Type III

AMC: 2

Extreme Precipitation Estimates

2-year storm rainfall: 2.80 inches

10-year storm rainfall: 4.08 inches

25-year storm rainfall: 5.06 inches

50-year storm rainfall: 5.96 inches

**Design analysis**

The drainage improvements designed for the proposed project have been designed to conform to Municipal requirements. The proposed underground drainage system is designed to mitigate peak runoff rates such that post-development flows are equal to or less than pre-development flows. The design analysis therefore includes outputs for the 10,25 and checked for the 50-year event.

The drainage calculations are included in the appendix of this report. Peak runoff rates of the pre-development and post-development runoff rates are summarized in the following table:

| <b>Storm event /<br/>Sub-basin</b> | <b>Pre-development<br/>(cfs)</b> | <b>Phase 1 Post-<br/>development<br/>(cfs)</b> |
|------------------------------------|----------------------------------|--|
| <b><u>10-year</u></b>              |                                  |  |
| 1S/1L                              | .19                              | .15  |
| <b><u>25-year</u></b>              |                                  |  |
| 1S/1L                              | .65                              | .19  |

A Condominium Site Plan  
Tax Map 102 Lots 34 & 35  
Hopkinton, NH

|         |      |     |
|---------|------|-----|
| 50-year |      |     |
| 1S/1L   | 1.40 | .66 |

The calculations show that there is a decrease in peak runoff rates for the storm events analyzed. Therefore, there will be no effect on downstream drainage patterns.

## **1.0 Intent of this Plan:**

The intent of this plan is to insure that all drainage systems designed, constructed, and approved by the NH Department of Environmental Services Alteration of Terrain Bureau be properly maintained such that there is no detrimental effects, including obstructions, erosion, redirected flow patterns, or any other adverse condition caused by stormwater runoff.

## **2.0 Plan Coordinator and Responsibilities:**

Plan Coordinator contact:  
Baystone Properties LLC  
126 Barton Corner Road  
Hopkinton NH 03229

The Plan coordinator's duties include the following:

- Implement the Plan with the aid of support personnel;
- Oversee maintenance practices on the site;
- Conduct or provide for inspection and monitoring activities;
- Maintain records of maintenance activities; and
- Identify any deficiencies on the site and make sure they are corrected; and

To aid in the implementation of the plan, all personnel will ensure that all housekeeping and monitoring procedures are implemented and will ensure the integrity of the site drainage facilities.

## **3.0 Stormwater Management Controls**

The following provides a list of recommendations and guidelines for managing the stormwater controls:

### **Landscaped Areas – Fertilizer Management**

*Function* – Fertilizer management involves controlling the rate, timing and method of fertilizer application so that the nutrients are taken up by the plants thereby reducing the chance of polluting the surface and ground waters. Fertilizer management can be effective in reducing the amounts of phosphorus and nitrogen in runoff from landscaped areas, particularly lawns. Soil tests shall be conducted to determine fertilizer application rates.

#### *Maintenance*

- Have the soil tested by your landscaper or local Soil Conservation Service for nutrient requirements and follow the recommendations.
- Do not apply fertilizer to frozen ground.
- Clean up any fertilizer spills.
- Do not allow fertilizer to be broadcast into water bodies.



- When fertilizing a lawn, water thoroughly, but do not create a situation where water runs off the surface of the lawn.

### **Landscaped Areas – Litter Control**

*Function* – Landscaped areas tend to filter debris and contaminants that may block drainage systems and pollute the surface and ground waters.

*Maintenance*

- Litter Control and lawn maintenance involves removing litter such as trash, leaves, lawn clippings, pet wastes, oil and chemicals from streets, parking lots, and lawns before materials are transported into surface waters.
- Litter control shall be implemented as part of the grounds maintenance program.

### **Deep Sump Catch basins & Drainage Pipes**

*Function* – Culverts deep sump catch basin is to convey stormwater away from buildings, walkways, and parking areas and trap sediment within the deep sumps prior to entering the infiltration system.

*Maintenance*

Culverts and Deep Sump Catch basins shall be inspected semi-annually, or more often as needed, for accumulation of debris and structural integrity. Leaves and other debris shall be removed from the inlet and outlet and sumps to insure the functionality of drainage structures. Debris shall be disposed of on site where it will not concentrate back at the drainage structures or at a solid waste disposal facility.

- **Underground detention pond system.**

Step 1 Inspect inlet for sediment build up in manhole sump

- Check for standing water in system
- If sediment is at or above 3" clean out inlet manholes

### **De-icing Chemical Use and Storage**

*Function* – Salt and sand is used for de-icing of walkways, parking lots and drives. Care shall be taken to prevent the over-application of salt for melting ice. Care shall be used with sanding in order to minimize sediment build up in manholes.

*Maintenance*

- Proper storage of salt is critical. Salt is highly water-soluble. Contamination of wetlands and other sensitive areas can occur when salt is stored in open areas. Salt piles shall be covered at all times if not stored in a shed. Runoff from stockpiles shall be contained to keep the runoff from entering the drainage system.

**Inspection & Maintenance Plan**  
**Baystone Properties LLC**  
**Hopkinton, NH**

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- When parking lots and walkways are free of snow and ice, they shall be swept clean. Disposal shall be in a solid waste disposal facility.

**Grass Lined Conveyance Swales / Infiltration Ditches**

*Function* – These swales promote sedimentation, filtration and infiltration of stormwater runoff.

*Maintenance*

- Periodically mow embankments (one to three times annually). Do not cut shorter than 4 inches.
- Inspect annually for erosion, sediment accumulation, vegetation loss and invasive species. Remove any accumulated sediment or debris.
- Repair any eroded areas, remove invasive species and dead vegetation, reseed as needed
- Ensure stone ditch if free of debris and sediment

**4.0 Safety**

Keep safety considerations at the forefront of inspection procedures at all times. Likely hazards should be anticipated and avoided. Never enter a confined space (outlet structure, manhole, etc) without proper training or equipment. A confined space should never be entered without at least one additional person present.

**5.0 Inspection and Maintenance Procedures**

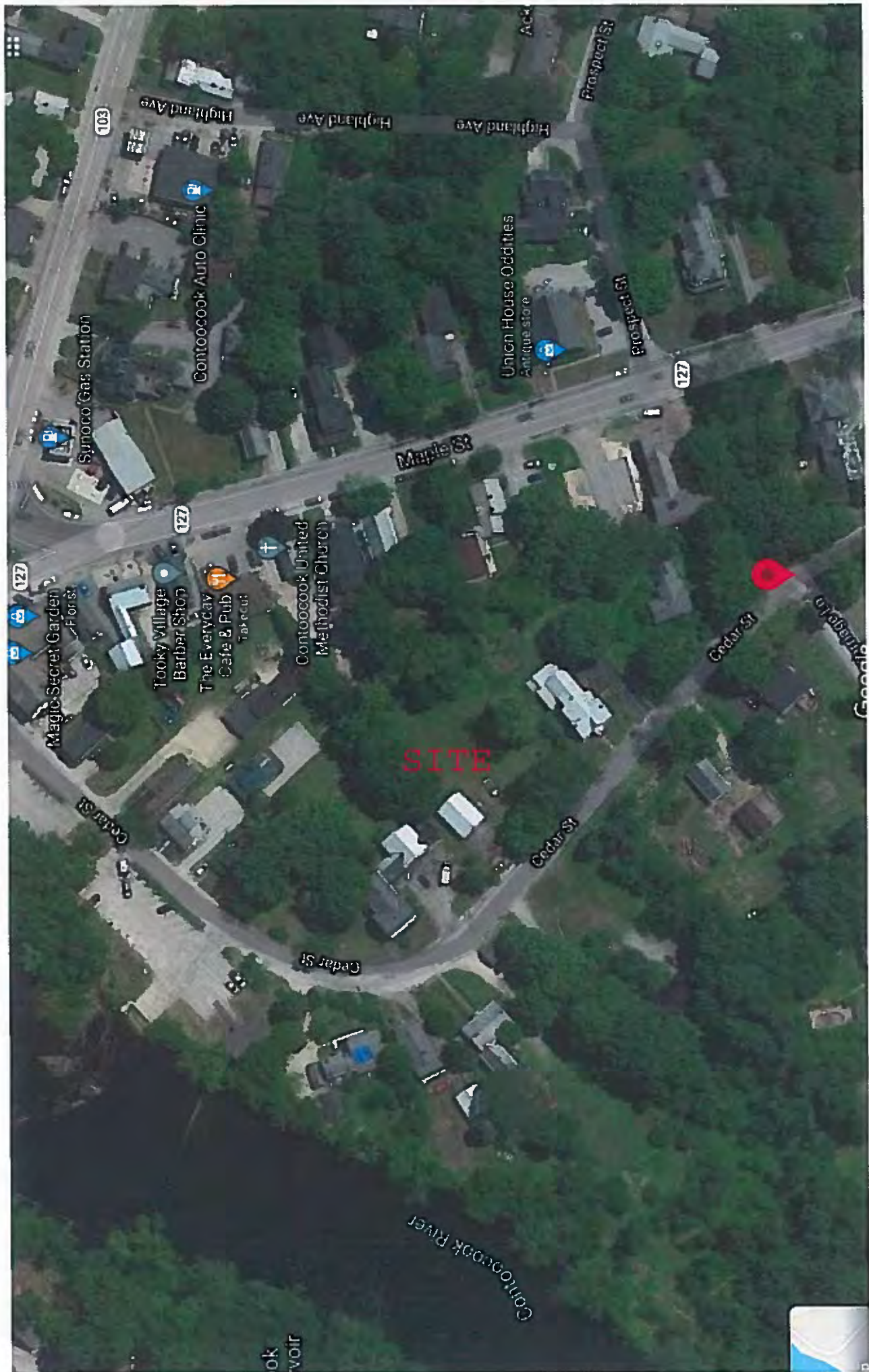
Visual inspections of all areas of the site will be performed as needed throughout the year, but no less than once in the spring after snow melt-off, once in the fall, and after the end of a storm with rainfall amounts greater than one (1.0) inches. The inspection will be conducted by the Plan coordinator or designated personnel. The inspection will verify that the site drainage as shown on the plan is in good condition, and that there are no erosion problems developing on the slopes or the drainage systems. Any required repairs will be initiated as soon as possible.

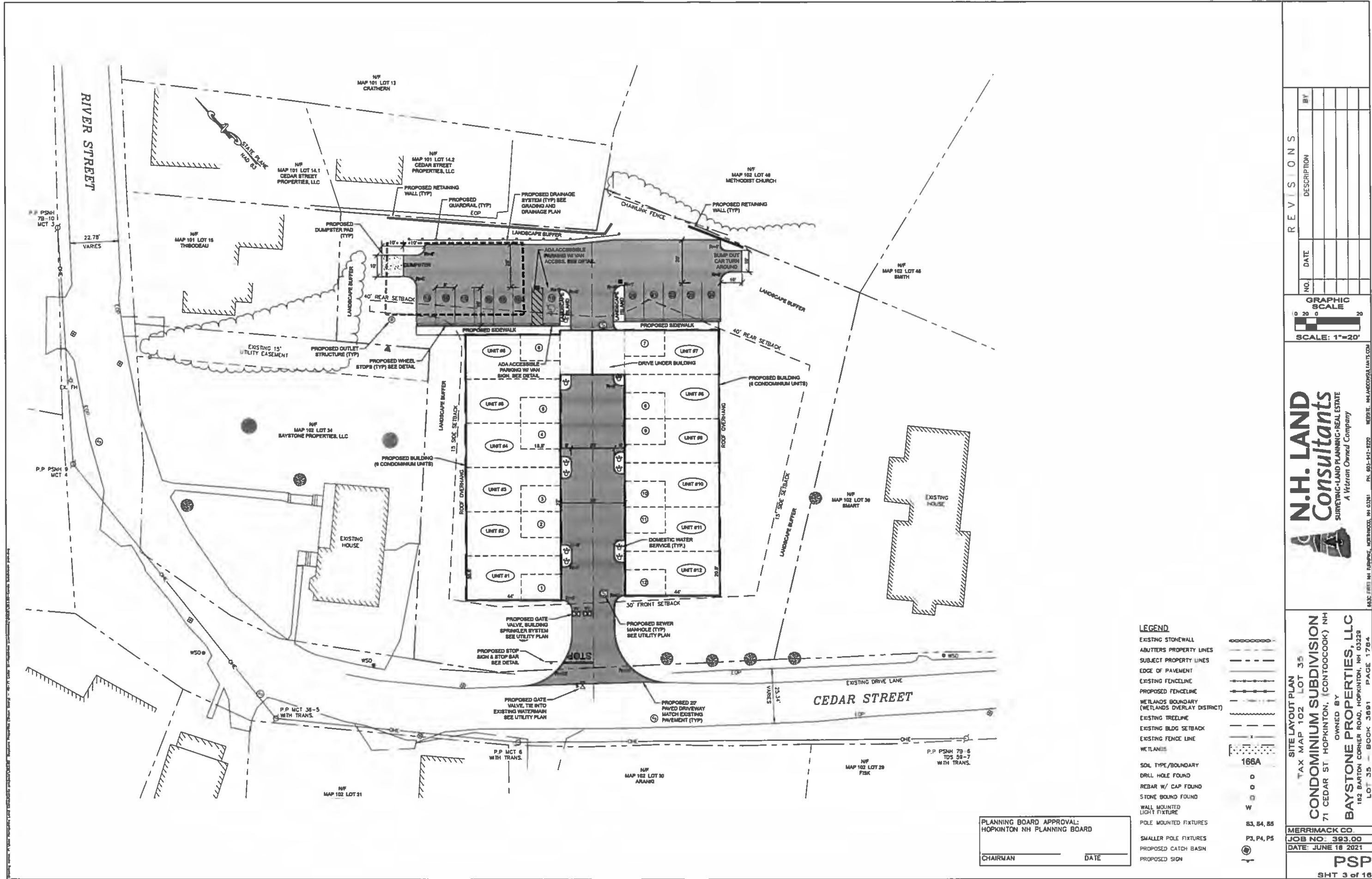
**6.0 Record Keeping**

An Inspection and Maintenance Report will be prepared for each inspection performed throughout the year, but no less than once in the spring after snow melt-off, once in the fall. A copy of the report form to be completed is provided herein. Completed forms will be maintained at the facility, or with the Plan Coordinator.

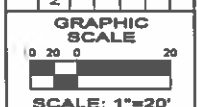
All record keeping required by this I&M Plan shall be maintained by the responsible parties and made available upon request.

Should ownership of the property be transferred, the new owner(s) shall assume responsibility for this Plan.





| REVISIONS |      |             |    |
|-----------|------|-------------|----|
| NO.       | DATE | DESCRIPTION | BY |
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**N.H. LAND Consultants**  
SURVEYING-LAND PLANNING-REAL ESTATE  
A Veteran Owned Company

166A

102 BARTON CORNER ROAD, HOPKINTON, NH 03229  
LOT 35 - BOOK 3691 PAGE 1784

**SITE LAYOUT PLAN**  
TAX MAP 102 LOT 35  
**CONDOMINIUM SUBDIVISION**  
71 CEDAR ST. HOPKINTON, (CONTOOCOOK) NH  
OWNED BY  
**BAYSTONE PROPERTIES, LLC**  
102 BARTON CORNER ROAD, HOPKINTON, NH 03229  
LOT 35 - BOOK 3691 PAGE 1784

**MERRIMACK CO.**  
JOB NO. 393.00  
DATE: JUNE 18 2021

**PSP**  
SHT 3 of 16

- LEGEND**
- EXISTING STONEWALL
  - ADJUTERS PROPERTY LINES
  - SUBJECT PROPERTY LINES
  - EDGE OF PAVEMENT
  - EXISTING FENCELINE
  - PROPOSED FENCELINE
  - WETLANDS BOUNDARY (WETLANDS OVERLAY DISTRICT)
  - EXISTING TREELINE
  - EXISTING BLDG SETBACK
  - EXISTING FENCE LINE
  - WETLANDS
  - 166A
  - SOIL TYPE/BOUNDARY
  - DRILL HOLE FOUND
  - REBAR W/ CAP FOUND
  - STONE BOUND FOUND
  - WALL MOUNTED LIGHT FIXTURE
  - POLE MOUNTED FIXTURES
  - SMALLER POLE FIXTURES
  - PROPOSED CATCH BASIN
  - PROPOSED SIGN
- 53, 54, 85  
P3, P4, P5

PLANNING BOARD APPROVAL:  
HOPKINTON NH PLANNING BOARD

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_





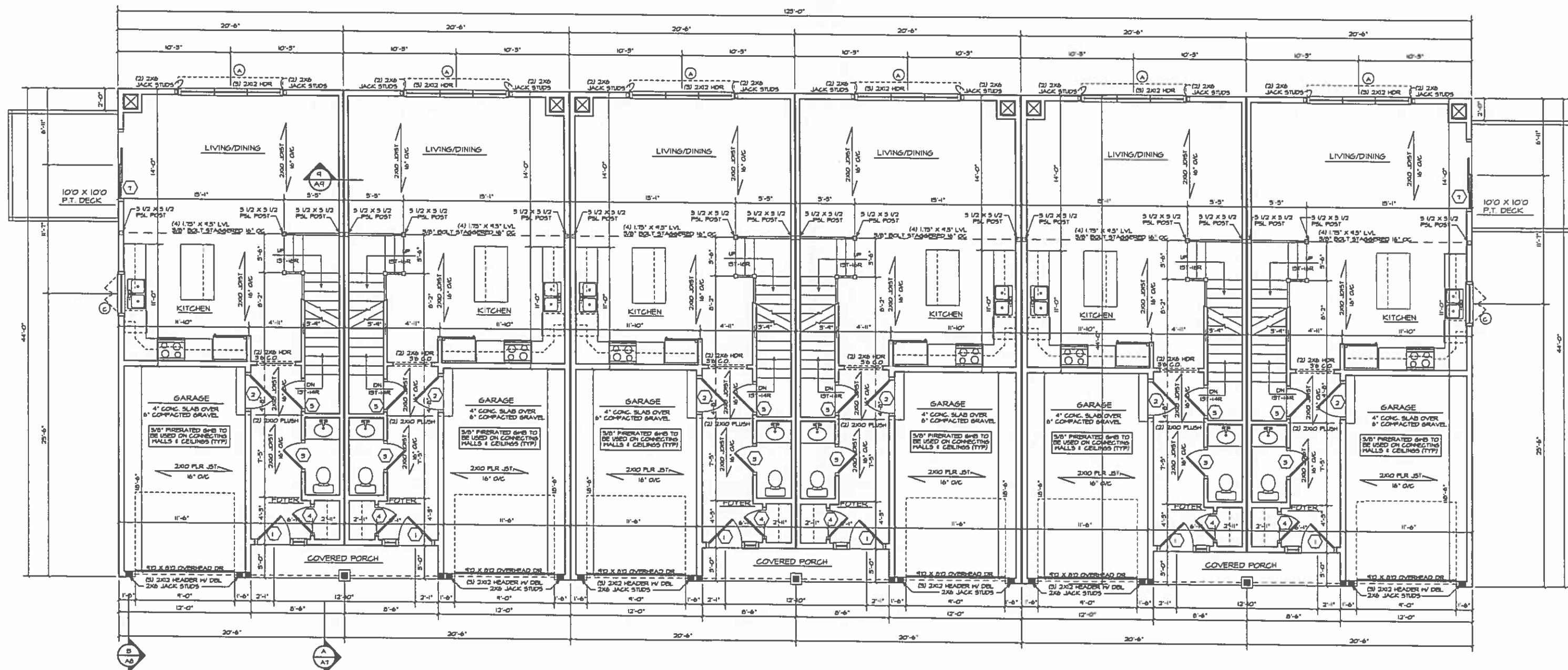
Alternative  
Designs Inc.

21-256

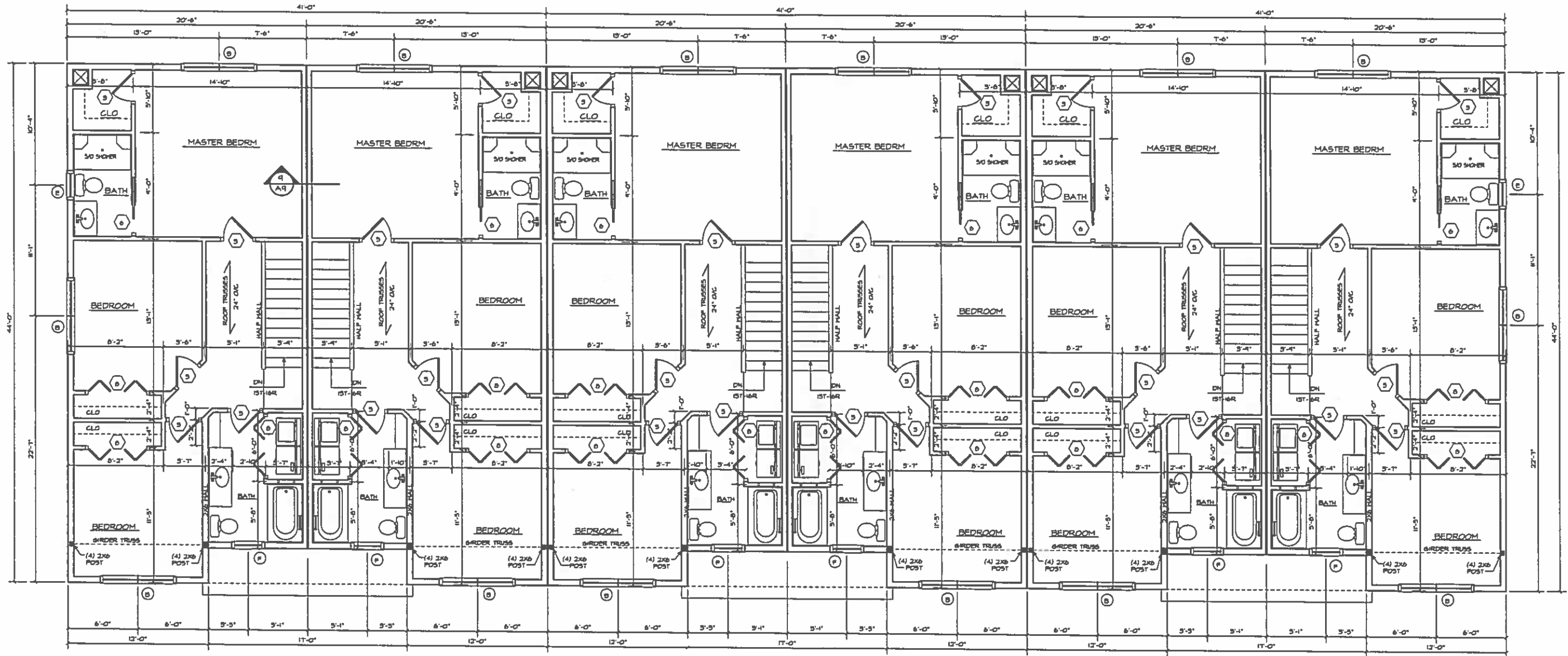
| RIGHT UNIT   |           |
|--------------|-----------|
| FIRST FLOOR  | 656 S.F.  |
| SECOND FLOOR | 876 S.F.  |
| TOTAL        | 1532 S.F. |

| LEFT UNIT    |           |
|--------------|-----------|
| FIRST FLOOR  | 656 S.F.  |
| SECOND FLOOR | 876 S.F.  |
| TOTAL        | 1532 S.F. |

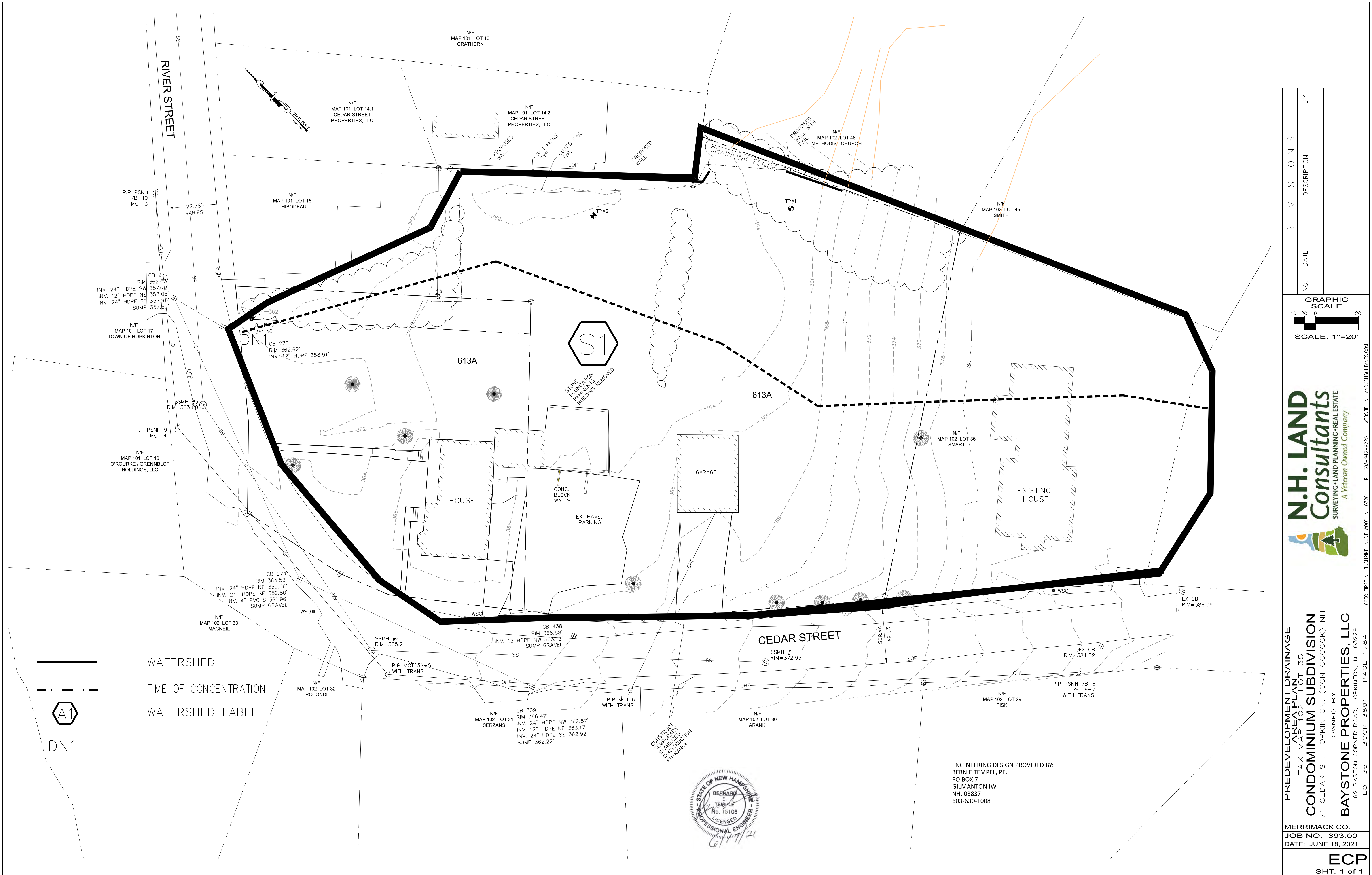




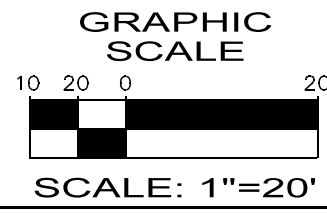
1 FIRST FLOOR PLAN  
 A4 SCALE: 1/4" = 1'-0"



1 SECOND FLOOR PLAN  
A3 SCALE: 1/4" = 1'-0"



| REVISIONS |      |             |    |
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| NO.       | DATE | DESCRIPTION | BY |
|           |      |             |    |
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SURVEYING • LAND PLANNING • REAL ESTATE  
*A Veteran Owned Company*

PREDEVELOPMENT DRAINAGE  
AREA PLAN  
TAX MAP 102 LOT 35  
**CONDOMINIUM SUBDIVISION**  
71 CEDAR ST. HOPKINTON, (CONTOOCOOK) NH  
OWNED BY  
**BAYSTONE PROPERTIES, LLC**  
162 BARTON CORNER ROAD, HOPKINTON, NH 03229  
LOT 35 — BOOK 3691 PAGE 1784

MERRIMACK CO.  
JOB NO: 393.00  
DATE: JUNE 18, 2021

**ECP**  
SHT. 1 of 1

ENGINEERING DESIGN PROVIDED BY:  
BERNIE TEMPEL, PE.  
PO BOX 7  
GILMANTON IW  
NH, 03837  
603-630-1008





