



Town of Hopkinton

Planning Department

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

HOPKINTON ZONING BOARD OF ADJUSTMENT PUBLIC NOTICE – AGENDA OCTOBER 4, 2022

The **Hopkinton Zoning Board of Adjustment** will meet on Tuesday, October 4, 2022, at 5:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, to review and take action on the following:

I. Call to Order/Roll Call.

II. Application(s).

#2022-09 Pauline Meridien/James Maloney Special Exception from Zoning Ordinance 3.6.B.1 Bed and Breakfast Inn, 334 College Hill Road, Tax Map 212, Lot 2, R-4 district.

#2022-10 Granite Roots Construction, LLC Variance from Zoning Ordinance 4.2 Table of Dimensional Requirements to construct office buildings and storage units with less than the required front setback, Bound Tree Road, Tax Map 221, Lot 75.1, B-1 district.

III. Review of Minutes and Notices of Decision of August 2, 2022.

IV. Other Business.

- (a) Revised Rules of Procedure (Draft)
- (b) Zoning Amendments 2023
- (c) Any other business to legally come before the meeting

V. Adjournment (Next Scheduled Meeting November 1, 2022).

Sept 6
Oct 4
Nov 1

Town of Hopkinton, New Hampshire
Zoning Board of Adjustment
330 Main Street, Hopkinton, NH 03229
Tel: (603) 746-4487 • Fax (603) 746-2952
e-mail: planzone@hopkinton-nh.gov

**HOPKINTON ZONING BOARD OF ADJUSTMENT
APPLICATION FOR APPEAL**

Name of Applicant: Pauline Meridien / James Maloney
Mailing Address: 2902 Danby Pawlet Rd., Pawlet, VT 05761 334 College Hill Rd., Hopkinton, NH 03229
Telephone (days): (603) 491-2889 (603) 724-9450
Name of Property Owner: Pauline Meridien
Mailing Address: 2902 Danby Pawlet Rd., Pawlet, VT 05761
Telephone (days): (603) 491-2889
Tax Map: 600212 Lot: 000002 Location of Property: 334 College Hill Rd

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: III Paragraph/Table: 3.7.2, 3.7.5

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 in order to permit the following:

To allow the running of a "Bed + Breakfast"
at 336 + 334 College Hill Rd.

NOTE: This application is not acceptable unless all required statements have been completed.
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.

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.

Zoning Board of Adjustment

- n/c 4. **Attach site plan of property showing:** Boundaries and area of parcel; north point, scale and legend; location, size and type of all existing and proposed buildings, uses, parking, signs, roadways, screening, etc.
- n/c 5. **List provisions to be made for septic disposal, fire protection, water supply, parking, noise, smoke, surface drainage, etc.** Supply information on separate sheet.
- n/c 6. **Letter of Authorization to allow an Agent or Attorney to represent Applicant, if applicable.**
- n/c 7. **Copy of property deed of the subject property.**
- n/c 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 take action 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 participating 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.**

Applicant's Signature: <u>Pauline Meridien</u>	Date: <u>Aug 29, 2022</u>
Applicant's Printed Name: <u>Pauline Meridien</u>	Date: <u>Aug 29, 2022</u>
Owner's Signature: <u>Pauline Meridien</u>	Date: <u>Aug 29, 2022</u>
Owner's Printed Name: <u>Pauline Meridien</u>	Date: <u>Aug 29, 2022</u>

Bed & Breakfast Inn

334 College Hill Road, Hopkinton

Narrative

The applicant proposes to utilize the residence at 334 College Hill Road, Hopkinton, as a Bed and Breakfast Inn with up to three units (2-bedrooms, one bathroom each). The residence consists of seven bedrooms with two septic systems. The residence is approximately 500 feet from College Hill Road and has more than ample parking for at least six vehicles adjacent to the residence, including four garage bays available. In addition, if needed, plenty of other space is available for parking throughout the property.

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 Paragraph 3.7.2 and 3.7.5
"Bed And Breakfast"

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

No toxic materials utilized in this use.

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.

Unchanged or enhanced exterior landscape
Main residence not visible from street.

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

No on-street parking.

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

Private utilities on property. No permanent residents ongoing.

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

- none -

7. An appropriate location for the proposed use.

Quiet, location for guests.

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.

Located central to 23 acre parcel.

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

Encourages tourists to come to Hopkinton and
utilize local businesses for meals and shopping.

**SECTION III
ESTABLISHMENT OF DISTRICTS AND USES**

3.6 TABLE OF USES	R-4	R-3	R-2	R-1	B-1	M-1	VR-1	VB-1	VM-1
A. Residential Uses – Principal Uses									
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. Temporary Residential Uses – Principal Uses									
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
C. Outdoor/Recreational Uses – Principal Uses									
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
D. Agricultural Uses – Principal Uses									
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
E. Institutional Uses/Community Facilities – Principal Uses									
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 II DEFINITIONS

include any event held upon any premises owned, leased, or otherwise controlled by an individual vendor selling therein.

- (VI) The term "agritourism" means attracting visitors to a working farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education on the farm operations, or active involvement in the activity of the farm which is ancillary to the farm operations.

Airport: That area of land, whether constructed or not, which has been approved by the New Hampshire Commissioner of Transportation as a site for the landing and taking off of aircraft or utilized or to be utilized by the public as a point of arrival or departure by air, and including all necessary passenger and cargo facilities, fueling, emergency service facilities, and other aviation dependent uses.

Alteration: Any construction, reconstruction, or other action resulting in a change in the structural parts of height, number of stories or exits, size, number of units, use, or location of a building or other structure.

Ancillary Use: A use providing necessary support to the primary activity or operation of an organization, institution, or industry; of secondary important; a use that is supplementary or subordinate.

Antique Shop: A store, whether a principal use or accessory use, which sells exclusively antique furniture and home furnishing over seventy-five (75) years old.

Architectural Design Review: See Section IV-A, Architectural Design Review Ordinance.

Assembly: Activities that combine two or more finished products into a single product.

Assisted Living Facility: A professionally managed, healthcare residential setting that combines housing, personal care services, 24-hour supervision and assistance, activities, and health-related services (such as medication management and assistance); primarily for seniors and/or people with long-term disabilities and may include support of residents with memory disorders including Alzheimer's; designed to minimize the need for residents to relocate as their personal care and health care needs change over time.

Basement: A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is six (6) feet or more above the finished grade.

Bed and Breakfast Inn: Any Dwelling Unit, together with any accessory buildings thereto, located on one (1) Lot of Record, containing not more than seven (7) Lodging Units offered to the public for compensation for transient or semi-transient accommodations, provided that such Dwelling Unit and accessory building are owned and operated by an individual person or persons, and that all such owner(s) shall occupy the Dwelling Unit. A Bed and Breakfast Inn shall be subject to the provisions of Section III, Paragraph 3.7.2 and 3.7.5 of this Ordinance.

Bedroom: A room primarily used for sleeping.

SECTION III

ESTABLISHMENT OF DISTRICTS AND USES

3.7.2 Special Exception: All special exceptions are subject to the provisions of Section 15.8.2 of this Ordinance.

3.7.3 Home Business: In addition to meeting the requirements of Section XV, paragraph 15.8.2, Special Exception, of this Ordinance, the applicant must agree to and demonstrate compliance with the following conditions in order to receive a special exception for a Home Business:

- (a) The use shall be carried out entirely within the dwelling or an accessory building located on the same premises as the dwelling, subject to the area limitations set forth in Section II, definition of Home Business.
- (b) There shall be no display of goods or wares visible from the street.
- (c) The dwelling or accessory building in which the Home Business is conducted shall not be rendered objectionable to the neighborhood because of exterior appearance, emission of odors, gas, smoke, dust, noise, electrical disturbance, hours of operation or in any other way.
- (d) In a multi-family dwelling, the Home Business use shall in no way become objectionable or detrimental to any residential use within the multi-family dwelling. It shall include no features of design not customary in buildings for residential use.
- (e) The use shall not create a traffic safety hazard, nor shall it result in a substantial increase in the level of traffic congestion in the vicinity of the dwelling.
- (f) No outside storage of equipment will be allowed in connection with the Home Business.
- (g) Any special exception for a Home Business (i) shall be nontransferable, (ii) shall be issued to the individual applicant(s) only, and (iii) shall automatically expire when such applicant(s) is no longer the resident owner(s) of the dwelling.
- (h) Not more than one commercial vehicle in connection with the Home Business shall be stored on the premises. Parking areas associated with or needed for the Home Business, if any, shall be effectively screened from abutting and facing residential properties by appropriate fencing, four (4) feet in height, or by an evergreen planting at least three (3) feet in height, at the time of planting.
- (i) Site plan review by the Planning Board shall be required.

3.7.4 Telecommuting and Home Occupation: In order for Telecommuting or a Home Occupation, as defined in Section II to be conducted as a permitted use, the following conditions must be met:

- (a) The use shall be carried out entirely within the dwelling.
- (b) There shall be no display of goods or wares or signs.
- (c) No outside structures not typically associated with telecommunication services shall be allowed unless such structures are otherwise permitted under this Ordinance.

SECTION III
ESTABLISHMENT OF DISTRICTS AND USES

- (d) The use shall not create a traffic safety hazard, nor shall it result in a substantial increase in the level of traffic congestion in the vicinity.
- (e) The use shall not constitute a Home Business, as defined in Section II.
- (f) All Home Occupations shall be registered with the Board of Selectmen.

3.7.5 Bed and Breakfast Inn: In addition to meeting the requirements of Section XV, Paragraph 15.8.2, Special Exception, of this Ordinance, if applicable, the applicant must agree to and demonstrate compliance with the following conditions to the Zoning Board of Adjustment or Board of Selectmen, as applicable, in order to operate a Bed and Breakfast Inn:

- (a) The minimum lot size shall be that applicable to the zoning district for which the use is sought, with the exception that an existing Dwelling Unit which is non-conforming by reason of lot size restrictions may be converted to a Bed and Breakfast Inn, provided that there shall be no substantial modifications to the exterior of the buildings then existing on the lot.
- (b) Existing single Family Dwelling Units, Duplexes, and Multi-Family Dwelling Units may be converted to a Bed and breakfast Inn provided that such a Dwelling Unit, or such a Dwelling Unit combined with any existing accessory buildings thereto, have a minimum heated floor area of 3,500 square feet and a maximum heated floor area of 5,000 square feet. Bed and Breakfast Inns built as new construction must likewise have a minimum heated floor area of 3,500 square feet and a maximum heated floor area of 5,000 square feet.
- (c) The number of Lodging Units proposed for a Bed and Breakfast Inn (i) shall be compatible with the surrounding area, and (ii) shall be reasonable, taking into consideration the floor size and configuration of the Dwelling Unit (and any existing accessory structures) and the size of the Lot on which such Dwelling Unit (and any accessory structure) are located; provided, however, that in no event shall a Bed and Breakfast Inn contain more than seven (7) Lodging Units.
- (d) The Dwelling Units for the owner(s) of the Bed and Breakfast Inn shall be adequate for the number of owner(s) and his, her or their family(ies).
- (e) There shall be adequate off-street parking for the owner(s) and guests of the Bed and Breakfast Inn in accordance with Section VI, Parking, of this Ordinance. The physical and aesthetic impact of off-street parking shall not be detrimental to the existing character of the Lot and the surrounding neighborhood.
- (f) Breakfast shall be the only meal served to guests of a Bed and Breakfast Inn, and such meal may only be served to overnight guests of the Bed and Breakfast Inn.
- (g) The applicant shall provide evidence that there are adequate sanitary facilities to accommodate the proposed number of Lodging Units and that the septic system complies with all applicable State statutes and regulations for the total number of proposed Lodging Units and the Dwelling Unit for the owner(s).
- (h) The applicant shall comply with all applicable State statutes and regulations.

SECTION III ESTABLISHMENT OF DISTRICTS AND USES

- (i) The maximum length of stay for guests of the Bed and Breakfast Inn shall not exceed fourteen (14) days in any thirty (30) day period.
- (j) Adequate guest's records shall be maintained in accordance with the requirements of State regulations.
- (k) Site plan review by the Planning Board shall be required.

3.7.6 Child Care: Applicant proposing to provide any child care services as defined in Section II of this Ordinance shall:

- (a) Provide a minimum of 35 sq. ft. of indoor floor space per child (excluding hallways, lockers, wash and toilet rooms, unheated rooms, cooking areas of the kitchen, closets, or offices as childcare space).
- (b) Provide a minimum of 50 sq. ft. of outdoor play space per child (with adequate fencing if located near roads, streams, ponds, rivers, or other dangerous areas).
- (c) Meet the requirements of Section XV, Paragraph 15.8.2 of this Ordinance if a special exception is required.
- (d) Obtain site plan review from the Planning Board; and
- (e) Obtain a license from the State of New Hampshire in accordance with the Administrative Rule He-C 4000 and RSA 170-E, as necessary or as amended.

3.7.7 Unoccupied Utility Structure: Unoccupied structures up to two hundred (200) square feet, erected by a public utility or government agencies, and which are necessary for the furnishing of utility service for the public health, safety, or general welfare, are permitted in all zones. The Planning Board may exempt such structures from any requirements of the Zoning Ordinance or other municipal regulations if the applicant demonstrates that the siting option is limited by virtue of said structure being a physically integrated component of the utility's transmission or distribution apparatus. Prior to the issuance of a building permit, the applicant must demonstrate to the Planning Board that such structures and their sites do not adversely affect the character of the area or create a hazard to the public or interfere with the surrounding area. Any exemption shall terminate without further action of the Planning Board if said structure ceases to be used for the provision of utility services. In addition, such structures must be removed and the sites restored to their original condition at the expense of the utility within 90 days of the discontinuance of use for such purpose.

3.7.8 Place of Entertainment: In order to operate a Place of Entertainment, the applicant must (a) meet all requirements of Section XV, 15.8.2, Special Exception, of this Ordinance and (b) agree to and demonstrate to the Zoning Board of Adjustment compliance with the following additional conditions:

- (a) The type of entertainment activity shall comply with the definition in Section II of this Ordinance.
- (b) The applicant shall provide evidence that there is adequate sound insulation to minimize any noise impacts from all entertainment activities to adjacent properties.

SECTION VI PARKING REQUIREMENTS

6.1 OFF-STREET PARKING On and after the effective date of this Ordinance, all new structures and developments as well as additions to or changes in use or intensification of use in existing structures shall be provided with off-street parking spaces in accordance with the following specifications in Section 6.3. The Planning Board may alter the specifications of Section 6.3, **Required Spaces**, when, after testimony of the Applicant, it determines it is in the best interest of the Town and all other parties involved, and subject to any condition(s) the Planning Board may impose as it deems appropriate.

6.2 LOCATION OF PARKING SPACES Required off-street parking spaces shall be provided on the same lot as the principal use they are required to serve; or, when practical differences as determined by the Planning Board prevent their establishment upon the same lot, they shall be established no further than 500 feet from the premises to which they are appurtenant.

6.3 REQUIRED SPACES Parking spaces shall be provided in accordance with the following criteria:

	Type of Use	Minimum Number of Required Spaces
(a)	One and two-family dwelling	Two (2) for each dwelling unit.
(b)	Multi-family dwelling	One and one-half (1-1/2) for each dwelling unit.
(c)	Bed and Breakfast Home and Bed and Breakfast Inn	Two (2) spaces for the owner plus one space for each Lodging Unit.
(d)	Theater, restaurant, auditorium, church or similar place of public assembly.	One (1) for each four (4) seats of total seating capacity. In VR-1, VB-1, and VM-1 one (1) space for each five (5) seats of total seating capacity.
(e)	Automotive retail and service establishment and other retail and service establishments utilizing extensive display areas, either indoor or outdoor which are usually extensive in relation to customer traffic.	One (1) per 1,000 sq. ft. of gross floor space. In the case of outdoor display areas, one (1) for each 1,000 sq. ft. of lot area in such use.
(f)	Other retail, service, finance, insurance, real estate establishment, antique shop or business/professional offices.	One (1) per each 300 sq. ft. of gross floor space. In VR-1, VB-1 and VM-1, one (1) per each 400 sq. ft. of gross floor space.
(g)	Hotel	Two (2) spaces for the owner (if owner-occupied) plus one (1) space for each Lodging Unit plus one (1) space for each 200 sq. ft. of public meeting room and restaurant space.
(h)	Wholesale establishment, warehouse or storage establishment.	One (1) per each 1,000 sq. ft. of gross floor space.
(d)	Manufacturing or industrial establishment.	One (1) per each 600 sq. ft. of gross floor space OR 0.75 per each employee of the combined employment of the two largest successive shifts, whichever is larger.
(e)	Hospital	Two (2) per bed at design capacity.
(f)	Nursing Home	One (1) per bed at design capacity.
(g)	Business, trade or industrial school or college.	One (1) for each 200 sq. ft. of gross floor area in classrooms.
(h)	Nursery schools or daycare centers.	One (1) for each five (5) children at maximum capacity with a minimum of two (2) spaces required.

When Constructed Addition
* Second Septic System *

212/002

APPROVAL FOR OPERATION

N.H. DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER SUPPLY & POLLUTION CONTROL DIVISION
P.O. BOX 95, 6 HAZEN DRIVE, CONCORD, NH 03302-0095

ch. # 2227

AMENDED DUE TO:

OWNER: Book 1662 Page 845 Merrimack

APPROVAL NO. 187599

WALTER/G. ENGLAND
ROUTE 3, BOX 479
HOPKINTON, NH 03229

Lot Numbers:
Subd. Appvl. No.: 2
Subd. Name: N/A

COPY SENT TO:

Type of System: 0000005BR
000750GPD

HOPKINTON SELECTMEN'S OFF
ROUTE 3, BOX 258
HOPKINTON, NH 03301

Town/City Location:

Street Location: HOPKINTON
COLLEGE HILL ROAD

Installer L. Arcen

Permit No. 2300

☒ Owner Installed For His Domicile

Was Inspected On (Date) 10/28/91
Before Covering And Is Hereby Approved For Use

Date Approved: 10/28/91

By: [Signature]
Authorized Agent Of N.H. Water Supply And
Pollution Control Division

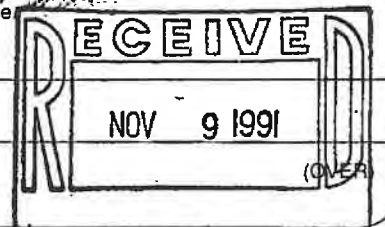
Subsurface waste disposal systems must be operated
and maintained in a manner so as to prevent nuisance
or health hazard due to system failure.
(RSA 485-A:37)

It is unlawful to discharge any hazardous chemicals
or substances into subsurface waste disposal systems.
Included are paints, thinners, gasoline and chlorinated
hydrocarbon solvents such as TCE, sometimes used
to clean failed septic systems and auto parts.
(Env-Ws 410.05)

REVISED 1/91

W0069685

TOWN'S



See two leachfields
on site plan.

Doc# 535681
Book: 2586
Pages: 587 - 588
Filed & Recorded
10/20/2003 03:23:23 PM
KATHI L. BURY, CPD, REGISTER

MERRIMACK COUNTY REGISTRY OF DEEDS
RECORDING \$ 14.00
SURCHARGE \$ 2.00
TRANSFER TAX \$ 48.00
POSTAGE \$ 0.37

Book 2586 Page 587

Please return to:

Tarbell Professional Association
45 Centre Street
Concord, New Hampshire 03301

QUITCLAIM DEED

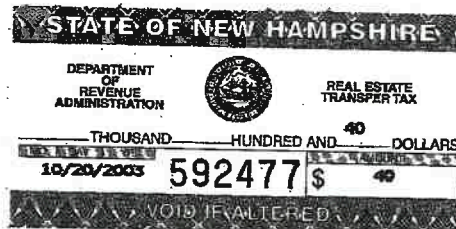
40.-

KNOW ALL MEN BY THESE PRESENTS, that **WALTER G. ENGLAND**, married, of 334 College Hill Road, Hopkinton, New Hampshire 03229, for consideration paid, grants to **WALTER G. ENGLAND** and **PAULINE M. MERIDIEN** Husband & Wife of 334 College Hill Road, Hopkinton, New Hampshire 03229, as joint tenants with rights of survivorship, with QUITCLAIM covenants, all my right, title and interest in the following:

Conveying a certain tract of land with all buildings and improvements thereon, situate in Hopkinton, County of Merrimack, State of New Hampshire, being shown as Lot # 1 on a Plan entitled "Subdivision Land of William E. Buckley Trust of Concord National Bank, Trustee, in Hopkinton, New Hampshire, July 27, 1984, Scale 1" = 100", recorded in Merrimack County Registry of Deeds, Plan 7936 and more particularly bounded and described as follows:

Beginning at a drill hole found on the southerly side of College Hill Road at the northeast corner of the premises herein conveyed; thence turning and running S 7° 18' 30" E along a stone wall and land now or formerly of Craig Billingham, a distance of 1203.06', to a drill (sic) hole set; thence running still along said stone wall S 7° 39' 30" E, a distance of 294.13' to a drill hole found; thence turning and running S 86° 12' 15" W along a stone wall and Lot # 2 as shown on said plan, a distance of 777.92' to an old stone bound found; thence turning and running N 7° 16' 30" W along a stone wall and Lot # 2, a distance of 1395.30' to drill hole found; thence turning and running N 60° 43' 15" E along a stone wall and the southerly side of College Hill Road, a distance of 303.60', to a drill hole found; thence turning and running N 89° 34' 15" E along said College Hill Road and said stone wall a distance of 495.90' to the point of beginning.

Subject to easement to Public Service Company of New Hampshire and Hopkinton Telephone Company dated September 7, 1956, recorded at the Merrimack County Registry of Deeds, Book 819, Page 189.



Subject to easement to Public Service Company of New Hampshire dated July 30, 1958 and recorded in the Merrimack County Registry of Deeds, Book 828, Page 437.

Subject to Current Use Tax of Land of Walter G. England (Map 2, Lot 10), recorded at the Merrimack County Registry of Deeds on July 22, 1987, Book 1662, Page 845.

Subject to Septic Approval dated June 16, 1995 and recorded at the Merrimack County Registry of Deeds, Book 1990, Page 862.

MEANING and INTENDING to describe and convey all and the same premises as conveyed to the within Grantor by deed of Gina V. England, dated April 18, 1996, and recorded at the Merrimack Registry of Deeds, Book 2394, Page 1868. Also see Book 1871, Page 1121.


Executed this 14th day of October, 2003.


Witness


Walter G. England

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, ss.

The foregoing instrument was acknowledged before me this October 14, 2003 by Walter G. England.


Notary Public/Justice of the Peace
My Commission Expires: 07/05/06



MERRIMACK COUNTY RECORDS

 Kelli L. Gray, CPO, Register



100 feet Abutters List Report

Hopkinton, NH
September 22, 2022

Subject Property:

Parcel Number: 212-002-000
CAMA Number: 212-002-000
Property Address: 334 COLLEGE HILL RD

Mailing Address: ENGLAND WALTER G MERIDIEN
PAULINE M
334 COLLEGE HILL RD
HOPKINTON, NH 03229

Abutters:

Parcel Number: 212-001-000
CAMA Number: 212-001-000
Property Address: 468 COLLEGE HILL RD

Mailing Address: BILLINGHAM LAURENE & CRAIG W
468 COLLEGE HILL RD
HOPKINTON, NH 03229

Parcel Number: 212-002-001
CAMA Number: 212-002-001
Property Address: COLLEGE HILL RD

Mailing Address: HALL-HAINES JARYN HALL-HAINES
NICHOLAS
27 THOMPSON ST
CONCORD, NH 03301

Parcel Number: 212-003-001
CAMA Number: 212-003-001
Property Address: 212 COLLEGE HILL RD

Mailing Address: FENSKE REVOCABLE TRUST OF 2001
FENSKE (TRUSTEE) MARK
9 MAIN ST
BROOKLINE, NH 03033

Parcel Number: 212-003-002
CAMA Number: 212-003-002
Property Address: 314 COLLEGE HILL RD

Mailing Address: KOCH (REV TR) ROBERT GRAVES
KOCH (TRUSTEE) ROBERT G
232 CANDLEWOOD HILL DR
FRANCESTOWN, NH 03043

Parcel Number: 212-005-000
CAMA Number: 212-005-000
Property Address: 317 COLLEGE HILL RD

Mailing Address: WOLFE ETHAN C
317 COLLEGE HILL ROAD
HOPKINTON, NH 03229

Parcel Number: 212-006-000
CAMA Number: 212-006-000
Property Address: 369 COLLEGE HILL RD

Mailing Address: CLOUGH JOSEPH S GRUBMAN JOANNA
R
369 COLLEGE HILL RD
HOPKINTON, NH 03229

Parcel Number: 216-003-002
CAMA Number: 216-003-002
Property Address: 1419 HATFIELD RD

Mailing Address: OHL PETER C OHL LAURA C HARMON
1419 HATFIELD RD
HOPKINTON, NH 03229

Parcel Number: 216-004-000
CAMA Number: 216-004-000
Property Address: 1445 HATFIELD RD

Mailing Address: RAINIER LISA C
1445 HATFIELD RD
HOPKINTON, NH 03229

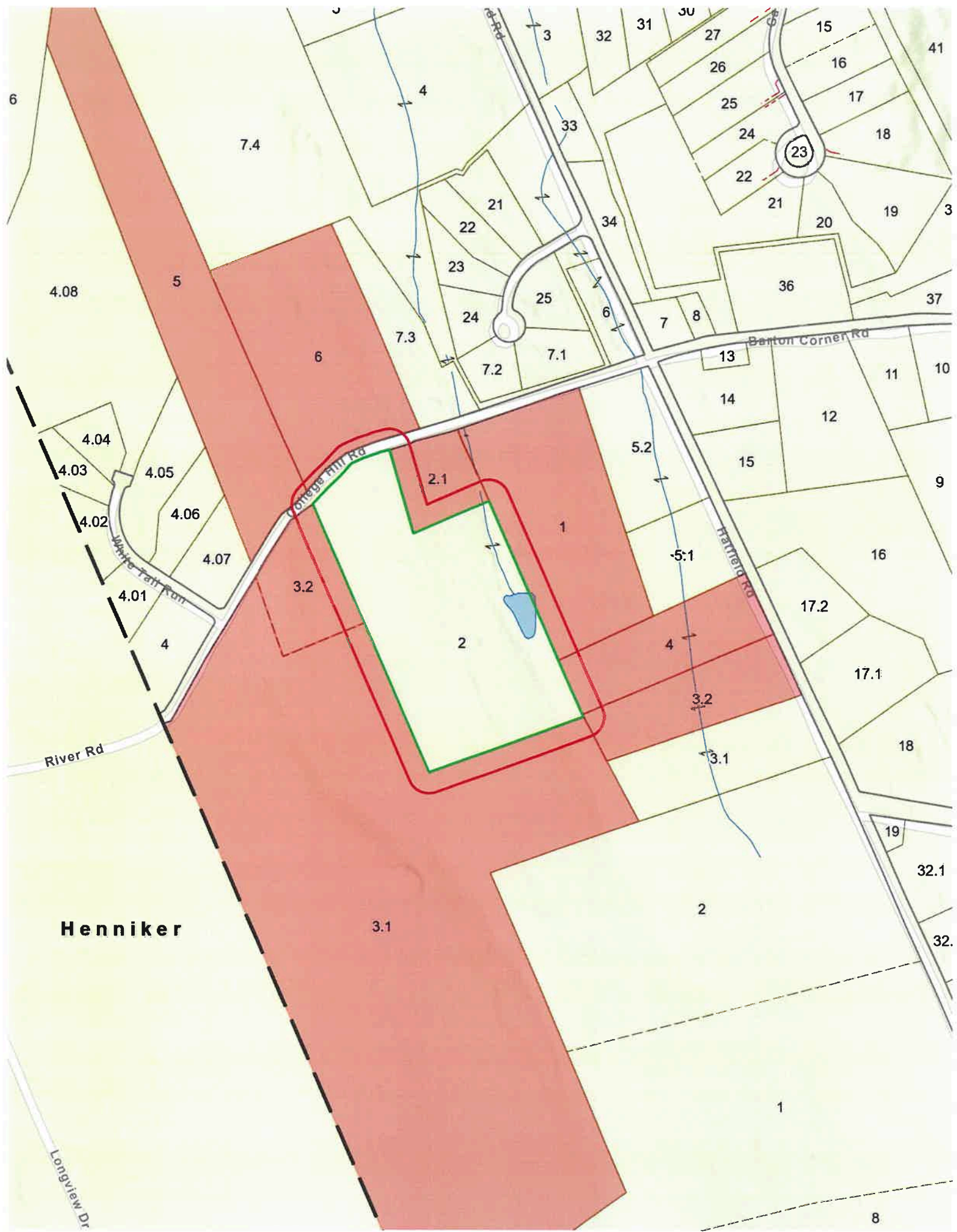


www.cai-tech.com

9/22/2022

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 1 of 1

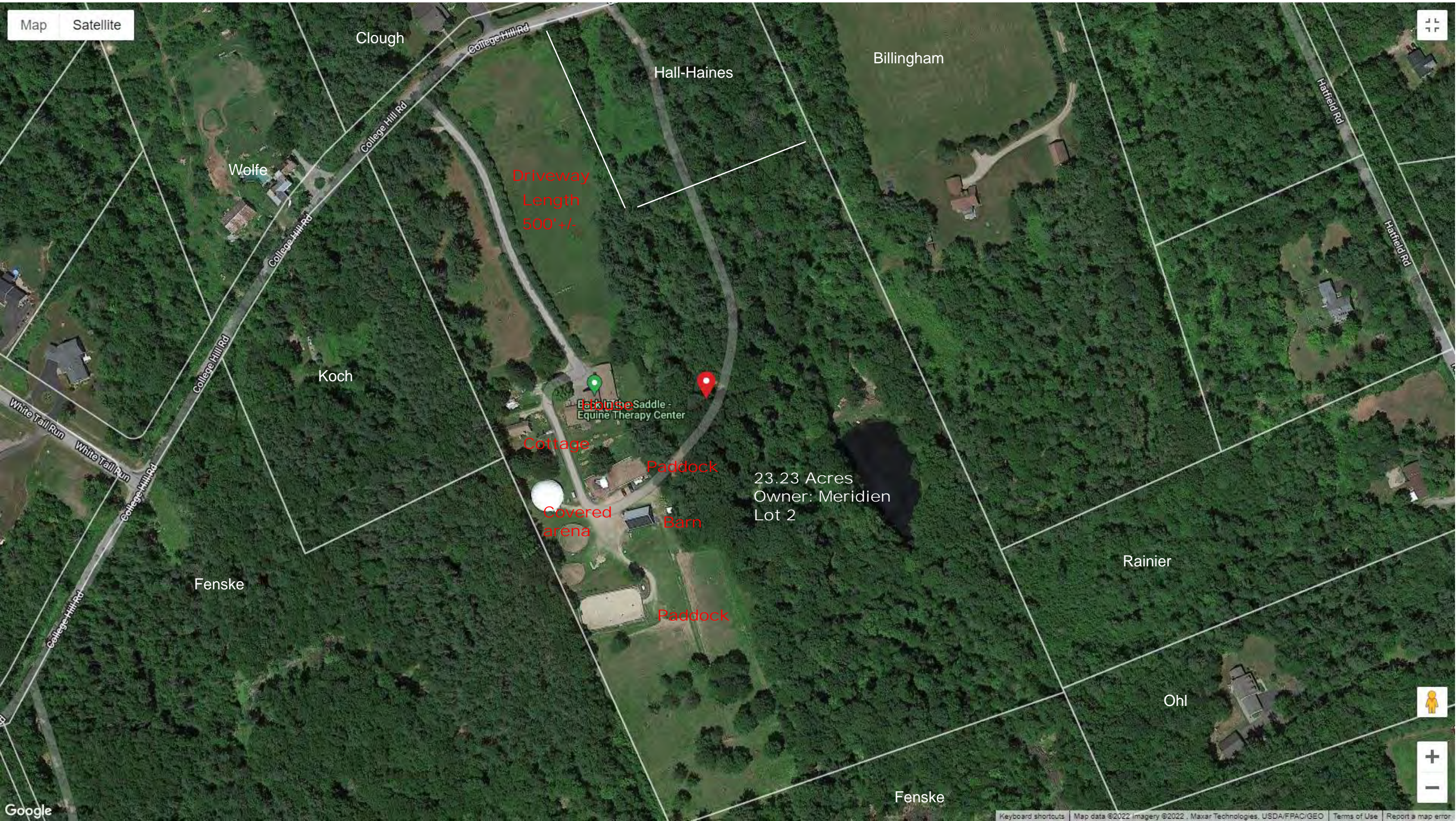


Henniker



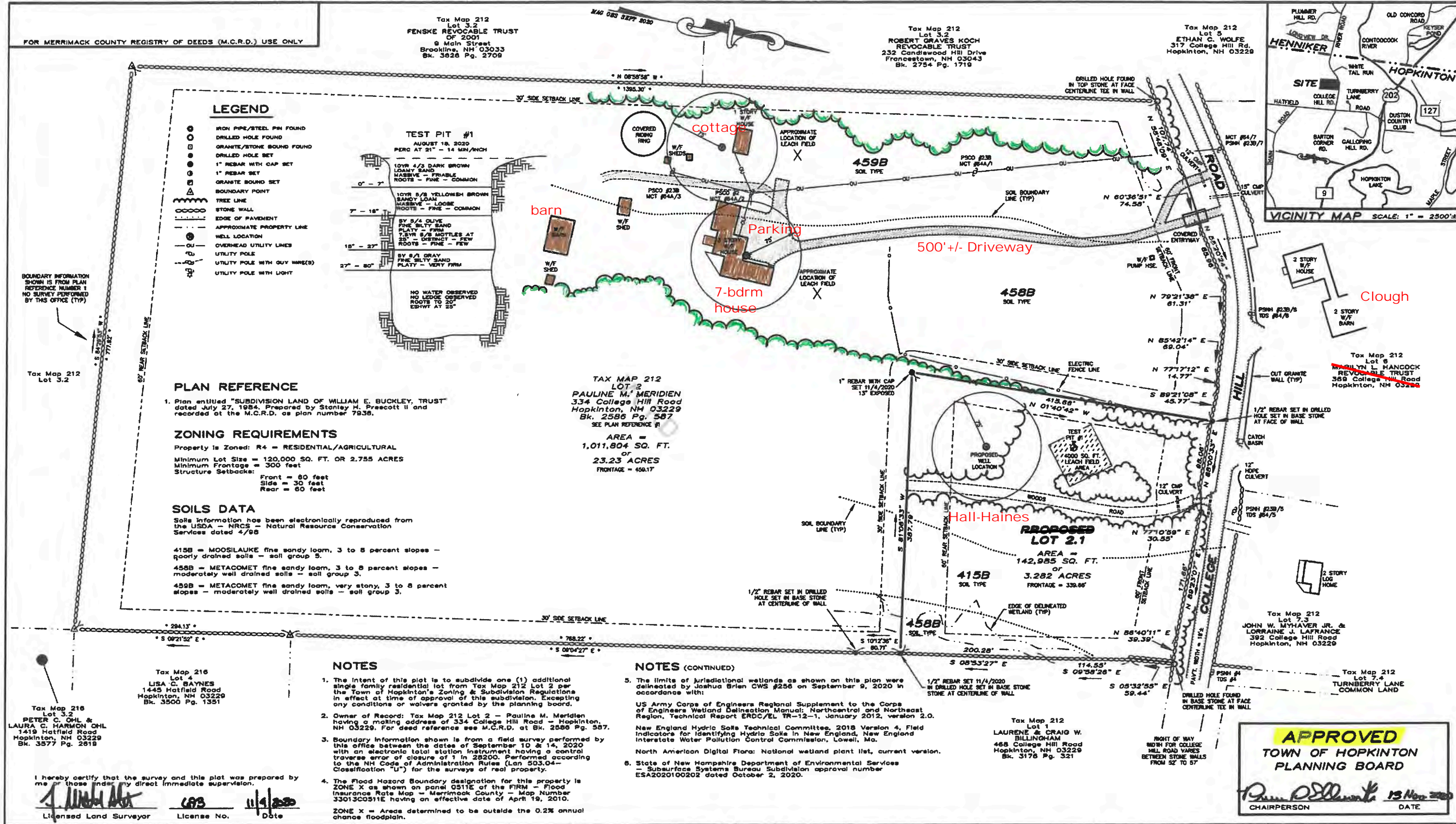
?

Close

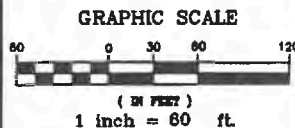


Bed and Breakfast Inn (proposed)
September 2022

Pauline Meridien/James Maloney
334 College Hill Road
Hopkinton, NH 03229
Tax Map 212 Lot 2, R4 District



FWS LAND SURVEYING P.L.L.C.
56 BOYCE ROAD CANTERBURY, NH 03224
(603) 783 - 9924



			DATE: SEPT. 14, 2020
			PROJECT NO. 20-15
			RECORDING NO:
			DATE:
2	11/4/2020	ADD MONUMENTATION SET FOR PROPOSED LOT 2.1	
1	10/2/2020	ADD STATE OF NH SUBDIVISION APPROVAL NUMBER (NOTE #6)	
NO.	DATE	REVISION	SHEET 1 OF 1

MINOR SUBDIVISION PLAT
LAND OF
PAULINE M. MERIDIEN
LOCATION
334 COLLEGE HILL ROAD - HOPKINTON, NH - MERRIMACK COUNTY
TAX MAP 212 LOT 2





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

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

Name of Applicant: Granite Roots Construction LLC

Mailing Address: PO Box 311, Newbury, NH 03255

Telephone (days): 603-581-5375

Name of Property Owner: Same as Applicant

Mailing Address: _____

Telephone (days): _____

Tax Map: 221 Lot: 75-1 Location of Property: Bound Tree Lane

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: 4.2 Paragraph/Table: 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:

to establish permitted business office buildings and storage units with a front setback of 75 feet where 100 feet is required.

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 the property across the street or stream from the land under consideration.

SEP 15 2022

CK3170 \$215

HOPKINTON
PLANNING DEPT.

KP

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 and legend; 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 take action 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 participating 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.**

Applicant's Signature:  Date: 9/13/22
 Applicant's Printed Name: Peter Swislosky, Member Date: _____
 Owner's Signature: _____ Date: _____
 Owner's Printed Name: _____ Date: _____

September 12, 2022

Zoning Board of Adjustment
Town of Hopkinton

RE: Tax Map 221, Lot 75-1; Bound Tree Road

Dear Members of the Zoning Board of Adjustment:

I am writing as the owner of the property known as Tax Map 221, Lot 75-1 located on Bound Tree Road to provide my consent to permit Maria T. Dolder, Esquire, of the law firm of Hebert & Dolder, PLLC, to make and execute any and all zoning applications on my behalf involving this property in connection with my proposal to establish business offices on the property.

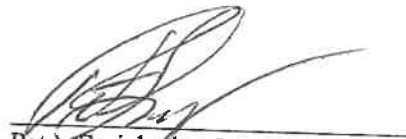
This authorization also includes the ability to present the application before the Town of Hopkinton Zoning Board of Adjustment.

Should you have any questions or need further information, please do not hesitate to contact me.

Very Truly Yours,

Granite Roots Construction LLC

By:


Peter Swislosky, Member

VARIANCE
(Section XV)

In order to secure a variance, the Zoning Board of Adjustment must determine by law that your variance 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 variance to be granted. Should the space provided be inadequate, please attach additional pages to this application.

1. **The proposed use would not diminish surrounding property values because:**

Please see attached narrative.

2. **Granting the variance would not be contrary to the public interest because:**

Please see attached narrative.

3. **By granting the variance substantial justice would be done because:**

Please see attached narrative.

4. **The spirit and intent of the Ordinance will not be broken by granting the variance because:**

Please see attached narrative.

5. **Literal enforcement of the ordinance results in unnecessary hardship.**

- (a) **For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:**

- (i) **No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property.**

Please see attached narrative.

- (ii) **The proposed use is a reasonable one.**

Please see attached narrative.

- (b) **If the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

Please see attached narrative.

**Narrative in Support of Variance Application
Granite Roots Construction LLC
Bound Tree Road**

The Proposal

The property is located within the B-1 Zoning District, which permits limited commercial purposes along with residential uses. The Applicant is proposing to establish business offices and storage units on the property, a permitted use within the B-1 District. In fact, the purpose of the B-1 District is to provide limited commercial, institutional, professional and personal service uses along with residential uses. The Applicant would be able to meet the setback requirements in the B-1 District, however, the property abuts a residential zoning district in the front and therefore requires an increased front setback. Instead of the standard setback requirement of 30 feet in this District, the property is subject to a 100 foot front setback requirement. Although the property is 3.304 acres in size, more or less and greatly exceeds the lot size requirements in the Zoning District, once you impose the 40 foot setback in the rear of the property and the increased front setback of 100 feet, there is a very minimal building envelope remaining on the site. In addition to the setbacks imposed, which already greatly impede the remaining buildable area on the property, the Applicant also needs to account for the existing wetlands on the site in order to reasonably develop the lot.

The property will be served with well water and a septic system and therefore will not impact such services.

Relief Requested

A Variance to Section 4.2, Table of Dimensional Requirements to establish permitted business office buildings and storage units with a front setback of 75 feet where 100 feet is required.

The arguments that favor granting the requested variance are largely identical, but where noted, additional arguments are advanced. This narrative is being submitted with the application in order

to provide the reasoning and support for the variance request.

Facts Supporting The Variance Request

1. The proposed use would not diminish surrounding property values because: The use itself is permitted by right within the B-1 Zoning District and it is the type of use which is expressly anticipated within the District. Although the Applicant is requesting a reduction in the front setback of 100 feet, it will still be able to maintain a 75 foot front setback. Even with the relief requested, the setback provided greatly exceeds the normal front yard setback of 30 feet. Most of the residential lots located within the direct area are not currently developed. On the other hand, one of the nearby lots which is located in the residential district houses the American Legion. As a result, these properties shall not be impacted by the reduced front setback. In fact, in designing the development, the Applicant has made a concerted effort to reduce any impact to the surrounding property values by providing for the parking and loading areas to be located on the side and rear of the property. Not only does this create a more aesthetic development for the neighborhood, but it also complies with the intent of the parking and loading requirements within the Site Plan Regulations. Accordingly, the proposal shall not have any adverse impact to the neighborhood, but given that such a use is extremely limited in the Town, it shall be a benefit to the area. The use will be a low impact commercial use which will be contained entirely on site.
2. Granting the variance would not be contrary to the public interest because: To be contrary to the public interest, the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives. To ascertain whether granting the variance would violate basic zoning objectives you must examine whether it would alter the essential characteristics of the neighborhood or would threaten the public health, safety or welfare of the public. The Applicant's requested variance does neither. As stated above, the use itself is permitted by right in the Zoning Ordinance. Although the use is commercial in nature, it will be a low impact commercial use which will not create any adverse impact to the neighborhood. Although the Applicant is

requesting a reduction in the front setback of 100 feet, it will still be able to maintain a 75 foot front setback. Accordingly, the granting of the relief requested herein shall have no impact on public safety, health or general welfare of the public and will not be contrary to public interest. Instead, granting the variance will allow the property to be utilized in a reasonable manner, consistent with the intent of the Zoning Ordinance.

3. By granting the variance substantial justice would be done because: One of the guiding rules in evaluating substantial justice is that any loss to the individual that is not outweighed by a gain to the general public is an injustice. Under this standard, the Applicant clearly satisfies this requirement. As stated above, the use itself is permitted by right in the Zoning Ordinance and given that it is a low impact commercial use, it will not have any adverse impact on the neighborhood. Since the residential lot that is located directly across the street from the Applicant's property is not developed, there is no justified gain to the public by requiring a 100 foot front setback on this property. Even with the relief requested, the Applicant is still able to maintain a 75 foot front setback. In fact, in the event that the variance is not granted, the Applicant will be forced to place both the parking areas and the loading areas at the front of the property. Such a result is not in the public interest nor does it provide any benefit to the abutting residential lot. Instead, the Applicant has made a concerted effort to provide a larger front setback for the abutting lot, while retaining the ability to place the parking and loading areas on the side and behind the buildings as encouraged under the Site Plan Regulations. By granting the variance, substantial justice will be done since a denial would be a tremendous loss to the Applicant without any justified gain to the public.

Substantial justice is also achieved by granting variances which do not adversely impact on nearby property owners and which allow a property to be used reasonably. As stated above, even with the requested relief, the difference between that required under the Zoning Ordinance and that being proposed is so minimal that it shall not create any adverse affect on the adjoining neighborhood. The use being proposed is for business offices and storage, a low impact commercial use. Given this and the fact that the Applicant will still maintain a 75 foot front setback, the proposed use will not adversely impact on nearby property

owners, but alternatively, will allow the property to be used reasonably, therefore resulting in substantial justice.

4. The spirit and intent of the Ordinance will not be broken by granting the variance because: Once again, the use itself is permitted by right under the Zoning Ordinance. The stated purpose of the B-1 District is to provide limited commercial, institutional, professional and personal services along with residential uses. Accordingly, the Zoning Ordinance anticipated that certain commercial uses, such as the one being proposed by the Applicant, could co-exist with residential uses. The increased setback requirements are to allow for a greater buffer between such commercial uses and abutting residential uses. With that said, in this case, the lot directly across the street from the Applicant's property is not yet developed and remains primarily wooded. As a result, there are no residential uses abutting this property that would need the benefit of a 100 foot setback. With that said, the Applicant is still able to maintain a 75 foot setback, which is greater than the standard 30 foot requirement and does provide additional buffering. As stated above, the Applicant also made an effort to balance the stated interest within the Site Plan regulations that parking and loading areas be located on the side and rear of the property. Similarly, one of the general purposes of the Zoning Ordinance is to encourage the most appropriate use of land throughout the Town. In this particular case, granting the variance would be consistent with such a purpose.

5. Literal enforcement of the Ordinance results in unnecessary hardship.

(a) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general purposes of the Ordinance provision and the specific application of that provision to the property.

This property is certainly unique in several ways. First of all, as already stated a number of times, the property is located within the B-1 District where the proposed use is permitted by right. The lot itself is 3.304 acres, more or less, in size, which is significantly larger than the .344 acres required in the Zoning Ordinance. Even with that fact, once the increased front setback of 100 feet and the rear setback of 40 feet is placed upon the property, along

with the wetlands on the lot, the remaining building envelope is minimal. It is also important to point out that the increased front setback is to provide for a greater buffer from the abutting residential uses or districts. Although this property does abut a residential district, it is unique in the fact that the lot directly across the street from the Applicant's property is currently undeveloped and wooded in nature. As a result, there are no residential uses abutting this property that would need the benefit of a 100 foot setback. On the other hand, the proposed use will allow the Applicant to balance an increased setback while utilizing the property in a reasonable manner. Furthermore, in the event that the variance is not granted, the Applicant would be forced to put the parking and loading areas in the front of the buildings. This clearly is not advantageous to the abutting residential lot. The relief being requested by the Applicant is the minimum relief required in order to allow the Applicant to reasonably use the property. It is also important to once again note that even with the proposal, the proposed use will not alter the essential characteristics of the neighborhood or the property. In fact, even with the requested relief, the Applicant is still able to maintain a significant front yard setback. Accordingly, there is no fair and substantial relationship between the general purposes of the Zoning Ordinance and the specific restrictions on the property.

(ii) The proposed use is a reasonable one. As stated above, the use of the Property is permitted by right under the Zoning Ordinance and the relief requested will allow it to be utilized for low impact, light commercial purposes. The Applicant will still able to maintain a 75 foot setback, which is greater than the standard 30 foot requirement and does provide additional buffering.

(b) If the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. As stated above, this property is certainly unique in several ways. First of all, as already stated a number of times, the property is located within the B-1 District where the proposed use is permitted by right. The lot itself is 3.304 acres, more or less, in

size, which is significantly larger than the .344 acres required in the Zoning Ordinance. Even with that fact, once the increased front setback of 100 feet and the rear setback of 40 feet is placed upon the property, along with the wetlands on the lot, the remaining building envelope is minimal. It is also important to point out that the increased front setback is to provide for a greater buffer from the abutting residential uses or districts. Although this property does abut a residential district, it is unique in the fact that the lot directly across the street from the Applicant's property is currently undeveloped and wooded in nature. As a result, there are no residential uses abutting this property that would need the benefit of a 100 foot setback. On the other hand, the proposed use will allow the Applicant to balance an increased setback while utilizing the property in a reasonable manner. Furthermore, in the event that the variance is not granted, the Applicant would be forced to put the parking and loading areas in the front of the buildings. This clearly is not advantageous to the abutting residential lot. The relief being requested by the Applicant is the minimum relief required in order to allow the Applicant to reasonably use the property. It is also important to once again note that even with the proposal, the proposed use will not alter the essential characteristics of the neighborhood or the property. In fact, even with the requested relief, the Applicant is still able to maintain a significant front yard setback. Accordingly, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

SECTION IV DIMENSIONAL AND DENSITY REQUIREMENTS

4.1 GENERAL REQUIREMENTS No building or structure shall be erected, enlarged or moved nor shall any use be authorized or extended nor shall any existing lot be changed as to size except in accordance with the Table of Dimensional Requirements, Section 4.2, or in accordance with Section VIII for subdivisions of land for residential uses, as applicable, unless modified elsewhere in this Ordinance.

* **4.2 TABLE OF DIMENSIONAL REQUIREMENTS** The TABLE OF DIMENSIONAL REQUIREMENTS shall apply for all lots, uses of land, and developments within the various districts, except for subdivisions of land for residential uses subject to the provisions specified in Section VIII, unless modified by other Sections of this Ordinance.

TABLE OF DIMENSIONAL REQUIREMENTS									
Districts	Minimum Lot Dimensions ^a			Minimum Setback Dimensions ^a (ft)			Max. Height of Structure	Max. % Bldg. Cvge/Lot	Min. % Open Space/Lot
	Area (SF)	Continuous Frontage ^g	Depth	Front	Side	Rear			
R-4 ^b	120,000	300	200	60	30	60	35	20	70
R-3 ^b	120,000	300	200	60	30	60	35	20	70
R-2 ^b	80,000 ^d	250	140	40	20	40	35	30	30
R-1 ^b	60,000 ^e	160	120	30	15	40	35	30	30
R-1 (other than residential)	15,000	100	100	25	15	40	35	30	50
* B-1 ^{c k}	15,000 ^f	80	80	30	15	40	35	40	30
M-1 ^{c k}	110,000	250	300	50	40 ^h	50	45	40	30
VR-1 ⁱ	15,000 ⁱ	80	80	30	15	40	35	40	30
VB-1 ⁱ	7,500 ⁱ	50	100	0	10	10	35	60	20
VM-1 ^{j l}	55,000	150	200	25	25	25	35	50	30

See Explanatory Notes in Section 4.3 for footnoted items.

4.3 EXPLANATORY NOTES The following explanatory notes shall provide further definitions for the footnoted items in Table 4.2.

- (a) All measurements are in feet unless otherwise noted.
- (b) These dimensions shall not apply to Conservation Subdivisions. See Section VIII, Conservation Subdivisions, for applicable dimensional requirements.
- * (c) When the footnoted commercial or industrial uses abut residential uses or a residential district, the minimum front and rear setbacks shall be 100 feet from, and the side setback shall be 50 feet from a property line abutting a residential use or district.
- (d) 80,000 sq. ft. + 16,000 sq. ft. for each dwelling unit more than one on a lot.
- (e) 60,000 sq. ft. + 8,000 sq. ft. for each dwelling unit more than one on a lot.

Abutters List
Bound Tree Road
Tax Map 221, Lot 75-1

Applicant & Owner:
Parcel #: 221-075-001

Granite Roots Construction LLC
PO Box 311
Newbury, NH 03255

Parcel #: 221-075-000

Michael Jay Martin & Lucas Harold Martin
2241 Hopkinton Road
Hopkinton, NH 03229

Parcel #: 221-050-000

Pine One LLC
910 Main Street, Suite 3
Contoocook, NH 03229

Parcel #: 221-083-000

Town of Hopkinton (Library, Senior Center, Fields)
330 Main Street
Hopkinton, NH 03229

Parcel #: 221-075-002

2 Bound Tree Road LLC
938 Clement Hill Road
Hopkinton, NH 03229

Parcel #: 221-077-000

Rose View Properties LLC
100 Chase Farm Road
Hopkinton, NH 03229

Attorney:

Maria T. Dolder, Esquire
Hebert & Dolder, PLLC
95 North State Street
Concord, NH 03301

Engineer:

Anthony Costello, P.E.
A.C. Engineering & Consulting
43 Bear Hill Road
Washington, N.H. 03280

Return to:
Granite Roots Construction, LLC
132 New Hampshire Drive
Webster, NH 03303

T.S. \$750.00

FIDUCIARY DEED

KNOW ALL PERSONS BY THESE PRESENTS that **Jerry N. Walls, Executor of the Estate of Barbara F. Walls**, (the "Grantor") with an address of 16 Brookside Drive, Concord, County of Merrimack and State of New Hampshire, 03301 (See 6th Circuit- Probate Division- Concord # 317-2019-ET-00934) (the "Estate"), by the powers granted under RSA 559:18 and every other power, for consideration paid, grants to **Granite Roots Construction, LLC**, (the "Grantee"), a New Hampshire limited liability company with an address of 132 New Hampshire Drive, Webster, County of Merrimack and State of New Hampshire 03303, all right, title and interest of the Estate in and to the following tract or parcel of land located in the Town of Hopkinton, Merrimack County, New Hampshire, (hereinafter sometimes referred to as the "Premises"):

A certain tract or parcel of land, situate on the northerly side of Bound Tree Road, in Hopkinton, County of Merrimack and State of New Hampshire, shown as "New Map 221 Lot 75-1" on a plan entitled "Subdivision Plan Land of The Estate of Barbara F. Walls, Assessor's Map 221 Lots 50 & 75, Bound Tree Road/Pine Street, Contoocook Village, Hopkinton, NH" which plan is dated January 2021 and revised February 19, 2021 and recorded with the Merrimack County Registry of Deeds as Plan # 202100007687. Said "New Map 221 Lot 75-1" contains 3.304 acres, more or less.

THIS IS NOT HOMESTEAD PREMISES.

Subject to all rights of way, flowage rights or other right of easement of record.

MEANING and INTENDING to describe and convey a portion of the same lands and premises conveyed to Harry N. Walls Jr. and Barbara S. Walls by Warranty Deed of Ethelyn S. Fuller dated August 8, 1952 and recorded with the Merrimack County Registry of Deeds at Book 717, Page 487. Barbara S. Walls a/k/a Barbara F. Walls was surviving spouse of Harry N. Walls Jr. who died December 18, 1981. See Death Certificate of Harry N. Walls Jr. recorded with said Registry at Book 3602, Page 1357. Barbara S. Walls a/k/a Barbara F. Walls died testate July 7,

2019. Her New Hampshire Estate is being duly probated with the 6th Circuit- Probate Division- Concord as file # 317-2019-ET-00934. See the Consents of Jerry N. Walls, David J. Walls and Donna J. Carroll recorded herewith.

Dated this 26th day of April, 2021.

Estate of Barbara F. Walls

By: [Signature]
Jerry N. Walls, Executor

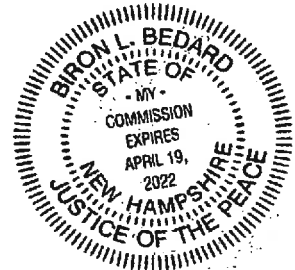
STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

On this 26th day of April, 2021, before me the undersigned officer, personally appeared **Jerry N. Walls, Executor of the Estate of Barbara F. Walls**, who executed the foregoing instrument voluntarily as his free act and deed in the capacity aforesaid. The identity of the subscribing party was determined by (check box that applies and complete blank line, if any):

- ☒ My personal knowledge of the identity of said person **OR**
☐ The oath or affirmation of a credible witness, _____ (name of witness), the witness being personally known to me **OR**
☐ The following identification documents:
(driver's license, passport, other _____).

[Signature]
Notary Public/Justice of the Peace
My Commission Expires: _____

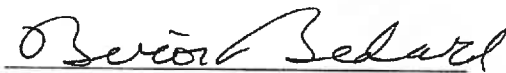
Note: This deed was prepared by Ransmeier & Spellman P.C. at the request of the Grantor and for its benefit. It was based solely on information provided by the Grantor. In the course of preparing the deed, no examination of title was requested and none was performed. Consequently, the said Ransmeier & Spellman P.C. makes no representations as to any matters concerning title.



CONSENT

Jerry N. Walls, heir of the Estate of Barbara F. Walls (See Case No. 317-2019-ET-00934 filed with the 6th Circuit – Probate Division – Concord), hereby consents to the sale and conveyance of said real estate by the within Fiduciary Deed to Northeast Investments, LLC.

Dated this 26th day of April, 2021.



Witness


Jerry N. Walls

CONSENT

David J. Walls, heir of the Estate of Barbara F. Walls (See Case No. 317-2019-ET-00934 filed with the 6th Circuit – Probate Division – Concord), hereby consents to the sale and conveyance of said real estate by the within Fiduciary Deed to Northeast Investments, LLC.

Dated this 22 day of April, 2021.



Witness



David J. Walls

CONSENT

Donna J. Carroll, heir of the Estate of Barbara F. Walls (See Case No. 317-2019-ET-00934 filed with the 6th Circuit – Probate Division – Concord), hereby consents to the sale and conveyance of said real estate by the within Fiduciary Deed to Northeast Investments, LLC.

Dated this 22 day of April, 2021.

S. J. Contactor
Witness

Donna J. Carroll
Donna J. Carroll



Zoning Map

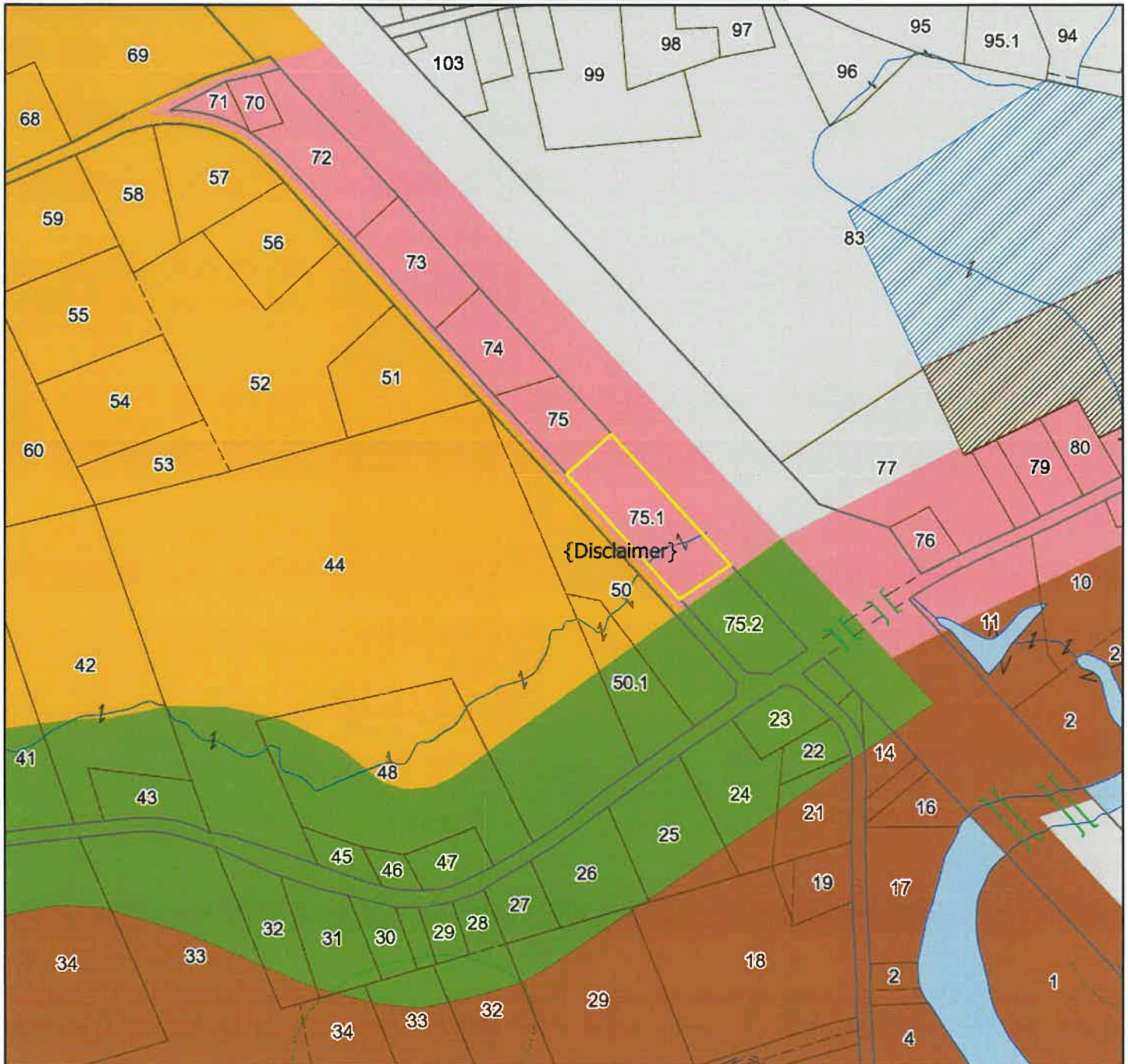
Town of Hopkinton, NH

1 inch = 2000 Feet



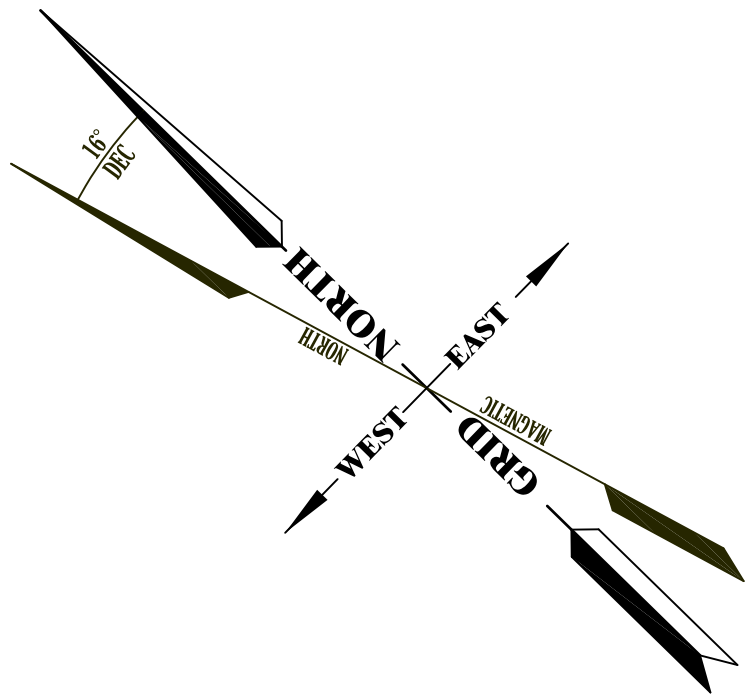
www.cai-tech.com

September 13, 2022



Parcel - Poly	HOOKS	INDUSTRIAL
COMMON	RW	HIGH DENSITY RESIDENTIAL
PROPERTYLINE	WATER	MEDIUM DENSITY RESIDENTIAL
PWATER	WETLAND	LOW DENSITY RESIDENTIAL
ROAD	Water-poly	VILLAGE HIGH DENSITY RESIDENTIAL
BRIDGE	COMMERCIAL	VILLAGE COMMERCIAL

Data shown on this site is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this site.



LEGEND	
	BOUNDARY LINE
	ZONING BOUNDARY
	EDGE OF PAVEMENT
	GUARDRAIL
	WETLAND BOUNDARY
	LIMITS OF FLOODPLAIN
	EDGE OF BROOK
	WETLAND BOUNDARY
	CURRENT BUILDING SETBACK
	PROPOSED BUILDING SETBACK
	DRAINAGE PIPE
	EXISTING WATER LINE
	EXISTING OVERHEAD UTILITIES

ZONING TABLE

MEDIUM DENSITY RESIDENTIAL (R-2) DISTRICT	
• MINIMUM LOT SIZE	80,000 SF
• + EACH ADDITIONAL UNIT	+16,000 SF/UNIT
• MINIMUM FRONTAGE	250'
• FRONT BUILDING SETBACK	40'
• SIDE BUILDING SETBACK	20'
• REAR BUILDING SETBACK	40'
• MAXIMUM BUILDING HEIGHT	35'
• MAXIMUM LOT COVERAGE	30%

LOW DENSITY RESIDENTIAL (R-3) DISTRICT	
• MINIMUM LOT SIZE	120,000 SF
• MINIMUM FRONTAGE	300'
• FRONT BUILDING SETBACK	60'
• SIDE BUILDING SETBACK	30'
• REAR BUILDING SETBACK	60'
• MAXIMUM BUILDING HEIGHT	35'
• MAXIMUM LOT COVERAGE	20%

COMMERCIAL (B-1) DISTRICT	
• MINIMUM LOT SIZE	15,000 SF
• + EACH ADDITIONAL UNIT	+2,000 SF/UNIT
• MINIMUM FRONTAGE	80'
• FRONT BUILDING SETBACK	30' (100')*
• SIDE BUILDING SETBACK	15' (50')*
• REAR BUILDING SETBACK	40' (100')*
• MAXIMUM BUILDING HEIGHT	35'
• MAXIMUM LOT COVERAGE	40%

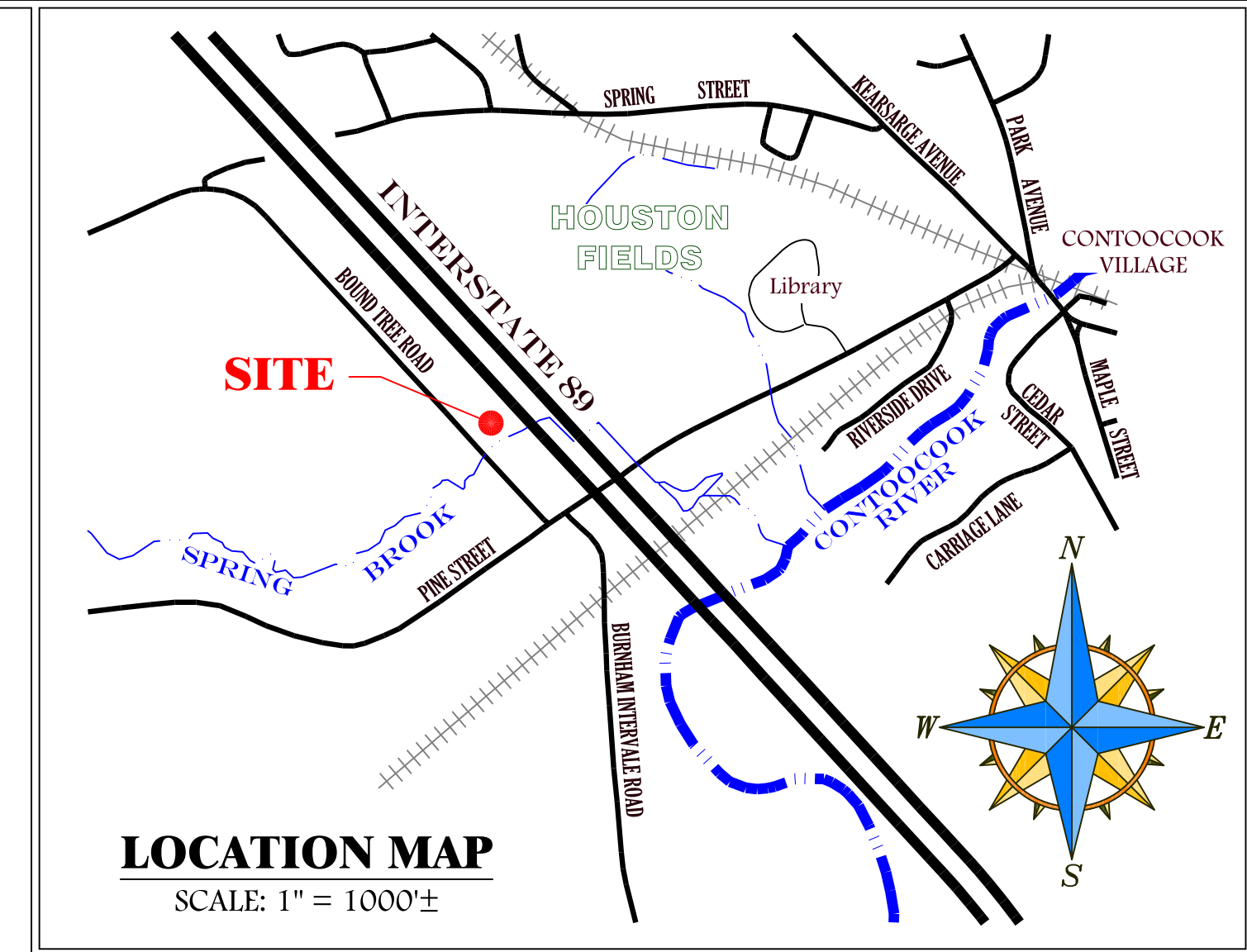
* IF COMMERCIAL USE ABUTS RESIDENTIAL USE OR DISTRICT

PLAN REFERENCES

1. REFERENCE PLAN ENTITLED "SUBDIVISION PLAN LAND OF THE ESTATE OF BARBARA F. WALLS", DATED JANUARY 2021, SCALE: 1" = 60', PREPARED BY T.F. BERNIER, INC. AND RECORDED AT THE MERRIMACK COUNTY REGISTRY OF DEEDS ON MARCH 24, 2021 AS PLAN #20210007687.

NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW PROPOSED BUILDING AND PARKING LOCATIONS RELATIVE TO EXISTING AND PROPOSED SETBACKS.
2. OWNER OF RECORD: GRANITE ROOTS CONSTRUCTION, LLC, P.O. BOX 311, NEWBURY, N.H. 03255.
3. PROPERTY IS LOCATED IN THE COMMERCIAL DISTRICT (B-1).
4. A PORTION OF THE PROPERTY IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN.
5. BOUNDARY & TOPOGRAPHIC FEATURES APPROXIMATED PER PLAN REFERENCE 1.



INTERSTATE 89
N.H. Department of Transportation
7 Hazen Drive
Concord, N.H. 03301

INTERSTATE 89

TAX MAP 221 / LOT 75-1
143,906 S.F. ~ 3.30 ACRES

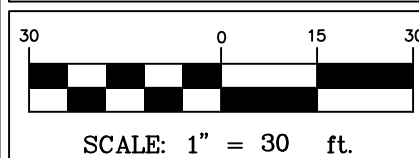
TAX MAP 221 / LOT 75
Michael Jay Martin &
Lucas Harold Martin
2241 Hopkinton Road
Hopkinton, N.H. 03229

TAX MAP 221 / LOT 75-2
2 Bound Tree Road LLC
938 Clement Hill Road
Hopkinton, N.H. 03229

OWNER:

Granite Roots
Construction, LLC
P.O. Box 311
Newbury, N.H. 03255
Book x / Page x

CONCEPTUAL SITE PLAN
Granite Roots
Tax Map 221 / Lot 75-1
Bound Tree Road ~ Hopkinton N.H.



DATE: 9/14/22	DWG: 2127~ Base
------------------	--------------------