



Town of Hopkinton

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

Tel: 603-746-3170

Fax: 603-746-3049

HOPKINTON PLANNING BOARD

MINUTES

JANUARY 9, 2018

Members present: Chairman Bruce Ellsworth, Vice Chairman Michael Wilkey, Ex-Officio Jim O'Brien, Rich Steele, and Alternates Jim Fredyma and Clarke Kidder. Absent: Cettie Connolly, Jane Bradstreet, Celeste Hemingson and Alternate Timothy Britain. Staff present: Planning Director Karen Robertson.

I. Call to Order. Chairman Ellsworth called the meeting to order at 6:30 PM in the Hopkinton Town Hall. Due to the absence of regular members, Mr. Fredyma and Mr. Kidder were designated as voting members.

II. Review of the Minutes of December 12, 2017.

Clarke Kidder, seconded by Jim Fredyma, moved to **APPROVE** the Minutes of December 12, 2017 as presented. Motion carried unanimously in favor (Kidder, Steele, O'Brien, Fredyma, Wilkey, and Ellsworth). Vote: 6-0-0

Jim O'Brien, seconded by Michael Wilkey, moved to **APPROVE** the Notice of Decision of December 12, 2017 as presented. Motion carried unanimously in favor (Kidder, Steele, O'Brien, Fredyma, Wilkey, and Ellsworth). Vote: 6-0-0

III. Conceptual Consultations. There were no conceptual consultations.

IV. Applications.

Subdivision (#2018-1), Application of Dave Barkie for a 2-lot subdivision of property owned by Lisa Thorne, located at 519 Maple Street, Tax Map 227, Lot 40, M-1 District.

Engineer Anthony Costello addressed the Board presenting a plan of the 2-lot subdivision. The property consists of 7.7 acres of which 1.5 acres is wetland. The proposal is to create one new lot that will be used for commercial/industrial purposes. The new lot is shown as Lot 40.1 and consists of 3.70 acres with 266.3 feet of frontage. The remaining lot will include the existing residence and consist of 4.04 acres with 256.81 feet of frontage.

Currently, it is their intentions to construct a 5-bay metal framed building with offices in the front portion. One bay will be used for Mr. Barkie's landscaping business. It is anticipated that the remaining space will be available for rent. The proposal will require a Special Exception from the Zoning Board of Adjustment and Site Plan Review by the Planning Board.

The Board briefly discussed Mrs. Robertson's review comments, agreeing that any approval may be conditional.

Jim O'Brien, seconded by Jim Fredyma, moved to **ACCEPT** Application #2018-1 as complete and for consideration. Motion carried unanimously in favor (Kidder, Steele, O'Brien, Fredyma, Wilkey, and Ellsworth). Vote: 6-0-0

Chairman Ellsworth opened the public hearing portion of the meeting.

Abutter Woody Roberts addressed the Board explaining that his family owns the abutting property. While he currently has no objections to the proposal, he is interested in the future use of the property. He further noted that there is a well-established buffer of trees along the property line.

There being no further public testimony, the public hearing portion of the meeting was closed.

Michael Wilkey, seconded by Clarke Kidder, moved to **APPROVE** Application #2018-1 with the following conditions:

- 1) Final plans shall include the right-of-way width of Maple Street, the location of the existing well and utilities, and shall be signed and sealed by the appropriate professionals.
- 2) Submittal of NH DES State Subdivision Approval.

Motion carried unanimously in favor (Kidder, Steele, O'Brien, Fredyma, Wilkey, and Ellsworth). Vote: 6-0-0

Mr. Kidder noted for the record that the only action taken by the Planning Board was to approve the proposed subdivision.

V. Other Business.

During a recent Select Board meeting, Tom Komisarek expressed interest in constructing a residence on his property that is located along Buzzwell Corner Road, which is a Class VI road. RSA 674:41 requires review and comments by the Planning Board, prior to the Select Board taking action on such a request.

Mr. O'Brien stated that the Select Board is interested in moving forward and have had discussions concerning the matter of long-term maintenance of the Class VI road. As a result, Mr. Komarisarek will be working with the Town Administrator on a draft formal agreement that will require Mr. Komisarek to maintain the road to his residence.

At this time, Mr. Komisarek addressed the Planning Board to explain his proposal to construct a residence. He noted that there are three other residences along the Class VI road that were constructed prior to the change in classification.

Chairman Ellsworth questioned whether the owners of the three residences currently have agreements with respect to maintenance of the road. In response, Mr. O'Brien stated that he was not aware of an agreement. Mr. Komisarek noted that the owners of the residences maintain the road and he plows the road.

Mrs. Robertson noted that the formal maintenance agreement is most likely similar to agreements that the Town has signed by property owners that construct residences along private roads.

Mr. Wilkey questioned what would prevent future subdivisions along Buzzwell Corner Road. In response, Mr. Komisarek noted that subdivisions are not permitted on Class VI roads. Mrs. Robertson suggested that the only way a subdivision could occur would be if the road classification changed, the Select Board agreed to layout a new road over the existing Class VI road, or if a neighboring property owner that has frontage along a Class VI road were to construct a new Town road that would provide access to properties that currently only have access from the Class VI road.

Mr. Kidder suggested that the proposal is a slightly different situation than what the Planning Board has seen in the past. The fact that there are already three residences along the Class VI road is unique. Mr. O'Brien concurred.

Mr. Steele questioned whether the formal maintenance agreement is a covenant on the property. Mrs. Robertson replied no, but explained that it is a document that is recorded at the Registry of Deeds, so that future property owners are aware of the maintenance requirement.

There was brief discussion concerning the physical condition of Buzzwell Corner Road with Mr. Komisarek explaining that the road is sufficient for the fire truck and ambulance to travel on it. In fact, the fire truck and ambulance have had to use the road to get to a snowmobile accident, a forest fire, and a barn fire.

Mr. Komisarek was asked the distance from the last residence to his proposed residence. He responded that it will be approximately 400 feet.

At this time, Mr. Komisarek was advised that Town Administrator will follow-up with him on what will be necessary to move forward with his proposal.

VI. Adjournment.

Chairman Ellsworth declared the meeting adjourned at 7:00 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, February 13, 2018, at the Hopkinton Town Hall.

Karen Robertson
Planning Director