



# Town of Hopkinton

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

Tel: 603 746-3170

Fax: 603 746-2952

## HOPKINTON PLANNING BOARD PUBLIC NOTICE - AGENDA MARCH 20, 2018

Notice is hereby given that the Hopkinton Planning Board will meet on Tuesday, March 20, 2018, at 6:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, NH, to review and take action on the following:

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- I. **Call to Order** (Determine quorum, review attendance of Regular Members and seating of Alternate Members, if necessary).
- II. **Review of Minutes and Notice of Decision of February 13, 2018.**
- III. **Conceptual Consultations, if any.**
- IV. **Application(s).**

**Site Plan Review (#2018-3)**, Application of John Wuellenweber for Site Plan Review of property to be utilized for multi-family and business/professional offices. The property is owned by Citizen's Bank NA, located at 56 Maple Street, Tax Map 102, Lot 44, VR-1 District. Public hearing will immediately follow if application is accepted as complete.

- a. Determination Completeness
- b. Public Hearing
- c. Deliberation and Action on Application

- V. **Other Business.**
- VI. **Adjournment (Next regular meeting on Tuesday, April 10, 2018).**



# Town of Hopkinton

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Tel: 603-746-3170

Fax: 603-746-3049

## HOPKINTON PLANNING BOARD

### MINUTES

FEBRUARY 13, 2018

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

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I. **Call to Order.** Vice Chairman Wilkey called the meeting to order at 6:35 PM in the Hopkinton Town Hall. Due to the absence of regular members, Mr. Fredyma was designated as a voting member.

II. **Review of the Minutes of January 9, 2018.**

Jim Fredyma, seconded by Jim O'Brien, moved to **APPROVE** the Minutes of January 9, 2018 as presented. With five members voting, three voted in favor (O'Brien, Fredyma and Wilkey) and two voted in abstention (Bradstreet and Hemingson). Vote: 3-0-2

Jim Fredyma, seconded by Jim O'Brien, moved to **APPROVE** the Notice of Decision of January 9, 2018 as presented. With five members voting, three voted in favor (O'Brien, Fredyma and Wilkey) and two voted in abstention (Bradstreet and Hemingson). Vote: 3-0-2

III. **Conceptual Consultations.** There were no conceptual consultations.

IV. **Applications.** A public hearing will immediately follow if the application is accepted as complete.

**Site Plan Review (#2018-2)** Walter Fredette addressed the Board on behalf of his wife, who was unable to attend, for Site Plan Review to operate a hair salon as a home business. The property is located at 498 Stickney Hill Road, Tax Map 266, Lot 11.1, R-3 District.

Vice Chairman Wilkey inquired about changes to outdoor features, and whether the Applicant was familiar with the Sign Ordinance. Mr. Fredette responded that there will be no exterior changes to the property, and that he is aware of the maximum size of 4-square feet allowed for the sign. The sign is expected to be located at the end of the driveway.

Mr. Fredette explained the location and size of the parking, estimating that two vehicles could easily park in front of the salon. He further noted that the entrance to the walk-out basement already has an existing flood light that is directed downward and lights the entrance and parking area.

Following brief discussion, Mrs. Robertson noted that that the Ordinance requires two parking spaces for the residence and one space for the home business.

Vice Chairman Wilkey noted that Zoning Board of Adjustment, at their February 6th meeting, granted a Special Exception for the operation of the home business.

Celeste Hemingson, seconded by Jane Bradstreet, moved to **ACCEPT** Application #2018-2 as complete and for consideration. Motion carried unanimously in the affirmative (O'Brien, Fredyma, Wilkey, Bradstreet and Hemingson). Vote: 5-0-0

Vice Chairman Wilkey opened and closed the public hearing portion of the meeting as there was no one present to comment.

Mrs. Hemingson inquired about the design of the proposed sign. In response, Mr. Fredette presented a sketch showing the size and design of the sign, explaining that it will be designed with a dark background with antique letter or vice versa. The sign will not be lit.

Mrs. Bradstreet inquired about the time frame for opening the business. Mr. Fredette estimated four weeks and noted that the salon will need to be inspected by the State, prior to opening.

Celeste Hemingson, seconded by Jane Bradstreet, moved to **WAIVE** the requirement of a landscape plan, and **APPROVE** Application #2018-2 as presented. Motion carried unanimously in the affirmative (O'Brien, Fredyma, Wilkey, Bradstreet and Hemingson). Vote: 5-0-0

**V. Other Business.** There was no other business to come before the Board.

**VI. Adjournment.**

Jane Bradstreet, seconded by Jim Fredyma, moved to adjourn the meeting at 6:55 PM. Motion carried unanimously in the affirmative. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, March 20, 2018, at the Hopkinton Town Hall.

Karen Robertson  
Planning Director



# Town of Hopkinton

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Tel: 603 746-3170

Fax: 603 746-2952

## HOPKINTON PLANNING BOARD NOTICE OF DECISION FEBRUARY 13, 2018

Notice is hereby given that the Hopkinton Planning Board met on Tuesday, February 13, 2018, at 6:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decision(s):

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### I. Review of the Minutes and Notice of Decision of January 9, 2018.

Jim Fredyma, seconded by Jim O'Brien, moved to **APPROVE** the Minutes of January 9, 2018 as presented. With five members voting, three voted in favor (O'Brien, Fredyma and Wilkey) and two voted in abstention (Bradstreet and Hemingson). Vote: 3-0-2

Jim Fredyma, seconded by Jim O'Brien, moved to **APPROVE** the Notice of Decision of January 9, 2018 as presented. With five members voting, three voted in favor (O'Brien, Fredyma and Wilkey) and two voted in abstention (Bradstreet and Hemingson). Vote: 3-0-2

### II. Applications.

**Site Plan Review (#2018-2)** Application of Tammy Fredette for Site Plan Review to operate a hair salon as a home business. The property is located at 498 Stickney Hill Road, Tax Map 266, Lot 11.1, R-3 District.

Celeste Hemingson, seconded by Jane Bradstreet, moved to **ACCEPT** Application #2018-2 as complete and for consideration. Motion carried unanimously in the affirmative (O'Brien, Fredyma, Wilkey, Bradstreet and Hemingson). Vote: 5-0-0

Celeste Hemingson, seconded by Jane Bradstreet, moved to **WAIVE** the requirement of a landscape plan, and **APPROVE** Application #2018-2 as presented. Motion carried unanimously in the affirmative (O'Brien, Fredyma, Wilkey, Bradstreet and Hemingson). Vote: 5-0-0

### III. Adjournment.

Jane Bradstreet, seconded by Jim Fredyma, moved to adjourn the meeting at 6:55 PM. Motion carried unanimously in the affirmative. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, March 20, 2018, at the Hopkinton Town Hall.

Karen Robertson  
Planning Director

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*Subject to review and approval.*



# Town of Hopkinton

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Tel: 603-746-3170

Fax: 603-746-3049

To: Hopkinton Planning Board  
From: Karen Robertson, Planning Director  
Date: February 27, 2018  
Re: **Summary Review Application #2018-03 – March 20, 2018 PB Meeting**

**DESCRIPTION:** Site Plan Review to convert a single-family residence into multi-family units (6-8 Units) and business/professional offices (up to 3). The property will need interior and exterior modifications. Exterior changes include the construction of a new driveway/parking area that will require a NHDOT driveway permit and landscape buffer.

**Applicant:** John Wuellenweber  
**Owner:** Citizens Bank (Grantor), John Wuellenweber (Grantee)

**Location:** 56 Maple Street  
**Tax Map/Lot/Zone:** 102/44 VR-1 (High Density Residential)

**Use:** Residence/Barn 4,900 SF (Existing)  
1<sup>st</sup> FLR: 3 Offices & 3 Apts. (Proposed - Subject to ZBA Approval)  
2<sup>nd</sup> FLR: 5 Apts. (Proposed - Subject to ZBA Approval)

**Lot Size:** .46 Acres or 20,037 SF (Existing)  
.665 Acres or 29,000 SF (Required – Subject to ZBA Approval)

**Parking Req.:** Apts. 1.5 spaces x 8 = 12 spaces  
Offices 1 space per ea. 400 SF gross FLR space = 4 Spaces  
(1,483.32 SF/400 SF = 3.7 rounded to 4 spaces)

**Adjacent Uses:** Multi-Family, Residential & Mixed Retail/Residential

## COMMENTS:

- 1) Building constructed in approximately 1870 and is located across Maple Street from what was formerly Provan & Lorber and is now mixed use (retail/residential).
- 2) On March 6<sup>th</sup>, ZBA will take action on four (4) zoning issues:
  - a. Special Exception for multi-family dwelling units in the VR-1 district (3.6.A.3)
  - b. Variance for multi-family units having less than the required land area (4.3.i)
  - c. Variance for more than one principal use on a lot (4.4.3)
  - d. Special Exception for business and professional offices (3.6.F.2 and 3.6.F.3)
- 3) Applicant has been advised that the following information needs to be addressed, unless waived by Planning Board:
  - a. Existing natural features (4.1.f.9)
  - b. Type/Location of solid waste disposal facility (4.1.f.13)
  - c. Location, size and design of proposed signage (4.1.f.14)
  - d. Location and type of lighting and area of illumination (4.1.f.15)

- e. Location of municipal water and sewage connections (4.1.f.17)
  - f. Elevation view or photographs of all buildings (4.1.g)
  - g. Landscaping plan (4.1.h) Note: Consider the proximity of the proposed parking, adjacent to abutting property line/multi-family structure, and whether there may be a need for a landscape buffer.
- 4) Maximum square feet of sign allowed is 15 square feet (7.8 (c)).
- 5) Any approval should be subject to receipt of Driveway Permit from NHDOT and structure/use compliance with NH Building/Life Safety Codes.



**Town of Hopkinton  
Planning Department**  
330 Main Street  
Hopkinton, NH 03229

Phone: (603) 746-4487  
Fax: (603) 746-2952  
E-mail: planzone@tds.net  
Web: www.hopkinton-nh.gov

#2018-3  
**FEB 16 2018**

**TOWN OF HOPKINTON, NH  
APPLICATION TO PLANNING BOARD**

**HOPKINTON  
PLANNING BOARD**

This application is for:  Subdivision  Lot Line Adjustment/Annexation/Merger  Site Plan Review  
 Conditional Use Permit (ZO Section III)  Architectural Design Review (ZO Section IV-A)  
 Special Use Permit (ZO Section VIII)  Preliminary Review (SD Section II)

Name, mailing address and telephone number of Applicant: John Wuellenweber  
102 Fieldstone Road, Hopkinton, NH 03229 603-568-1115

Name, mailing address and telephone number of property owner: Citizen's Bank NA  
10561 Telegraph Road, Glen Allen, VA 23059

Name, mailing address and telephone number of engineer, architect, soil scientist, wetland scientist and land surveyor: Higginson Land Services, 76 Patterson Hill Road, Henniker, NH 03242

Name and mailing addresses of holders of conservation preservation, or agricultural preservation restrictions or easements: None

Location of Site: 56 Maple Street Zone: VR-1 Tax Map(s): 102 Lot(s): 44

Number of lots and/or units proposed: 8 Residential Units/3 Business/Professional Offices

Type of use of Unit(s) and/or Lot(s):

Residential  Temporary Residential  Recreational  Agricultural  Institutional  
 Commercial  Industrial  Accessory

Type of Sewage (check one):  Town  Septic System  Other

Type of Water Supply (check one):  Town  Dug Well  Artesian

**Please submit the following with the completed application:**

- Narrative description of proposal.
- Copies of any Planning Board meeting minutes from Conceptual Consultation or Preliminary Review.
- Copy of property deed, easements and covenants and restrictions, if any, for subject property.
- Copy of the property tax map showing subject parcel and abutting properties.
- Copies of any ZBA Notices of Decision for project.

**TOWN OF HOPKINTON, NH**  
**APPLICATION TO PLANNING BOARD**

- Site Plan Regulations/Subdivision Regulations/Zoning Ordinance — Read carefully to insure that all applicable requirements in the Site Review Regulations and/or Subdivision Regulations have been addressed. **If requesting waiver(s) from any of the provisions, please submit request in writing at the time of submittal of application/plans.** Plans must be complete at the time of submittal.
- Abutters List as defined by RSA 672:3—Include Tax Map, Lot Number, Name and Mailing Address of all abutters, including those across a street, brook or stream. Names should be those of current owners.
- One (1) set of addressed mailing labels of abutters, applicant, engineer, architect, soil scientist, wetland scientist, land surveyor, and of holders of conservation preservation, or agricultural preservation restrictions or easements.
- Four (4) paper prints of the final plan(s) at full scale.
- Eleven (11) copies of the application, along with all supporting document(s), including reductions of the final plan(s) reduced to no more than 11 x 17 inches.
- Appropriate filing fee: *(Non-refundable) Made payable to Town of Hopkinton*

Major Subdivision .....	\$500.00 Application Fee, \$100.00 per Lot/Unit
Minor Subdivision .....	\$250.00 Application Fee, \$100.00 per Lot/Unit
Lot Line Adjustment/Annexation/Merger ....	\$100.00 Application Fee
Voluntary Merger .....	\$50.00 Application Fee
Site Plan Review .....	\$300.00 Application Fee, \$100.00 per Unit (Res./Non-Res.)
	\$150.00 Change of Use
Condition Use Permit .....	\$500.00 Application Fee (Wireless Telecommunications)
	\$150.00 Application Fee (Co-Location)
Owner/Applicant/Agent Notice .....	\$10.00 Fee per Address
Abutter Notice .....	\$10.00 Fee per Address
Newspaper Notice .....	Actual Cost

- Recording Fees: *Separate Checks Payable to Merrimack County Registry of Deeds*

Recording Fee .....	\$26.00 per Page (22" x 34")
LCHIP Fee .....	\$25.00 per Document

- Conditional Use Permit: If application is for Conditional Use Permit, please attach a detail explanation of compliance with Section 3.10 of the Hopkinton Zoning Ordinance along with explanation of compliance with the Site Plan Review Regulations of the Town of Hopkinton.

The undersigned Applicant is familiar with the Subdivision Regulations, Site Plan Review Regulations, and the Hopkinton Zoning Ordinance and agrees that the proposed actions will be performed in accordance with this application, the attached plans and specifications, the Ordinance, By-Laws and Regulations of the Town. The Applicant also certifies that any plot plan submitted is accurate.

Incomplete and/or vague answers constitute an incomplete application, as does omission of the application fees, and therefore, the application will not be scheduled for a Public Hearing.

Date: 2/16/18

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Owner: see purchase and sale w/ Citizens Bank

For Planning Board Use:	
Completed Application Filed:	<u>2/16/18</u> Approved or Denied: _____
Amount of Fees Paid:	<u>\$230.00 CK 1276</u> Plan Filed At MCRD: _____
Notice Advertised & Posted:	_____ Plan Number: _____
Certified Notices Mailed:	_____
Accepted for Consideration:	_____



## NARRATIVE DESCRIPTION

Property Owner proposes to convert the single-family residence at 56 Maple Street into 6-8 Multi-Family units and 3 Business/Professional Offices. The building will be renovated, and additional parking will be installed. A sign not to exceed 15 square feet will be installed at the entrance to the property.

The building owner plans to bring back the luster of the old home while providing much needed rental units for people looking to downsize and continue to live in Town. The office space and tasteful signage will represent the quality and class of Contoocook.

PURCHASE AND SALES AGREEMENT  
(Standard Form)

This Purchase and Sales Agreement (this "Agreement") is made and entered into by and between Buyer and Seller named below upon the following terms and conditions:

ARTICLE I. REFERENCE DATA AND EXHIBITS

Execution Date: February 12, 2018  
Seller: Citizens Bank, N.A.

Sellers Address: 10 Tripps Lane  
Riverside, RI 02915

Buyer(s) Name(s) and Address: Beaux Woods Contractors LLC  
P.O. Box 31  
Hopkinton, NH 03229

Address of Property: 56 Maple St, Hopkinton Merrimack County, New Hampshire  
03229

Seller's Deed Reference: Book 3555, Page 0085, Merrimack County Registry of Deeds  
State of New Hampshire (the "Locus State")

[REDACTED]  
[REDACTED] Date Paid:  
Additional Deposit: \$N/A Date Due: N/A

[REDACTED]  
Closing Date: on or before 3/7/2018  
Listing Agent/Escrow Agent: Jim Knowlton/Keller Williams Realty-Hopkinton  
Co-broker: Jim Knowlton/Keller Williams Realty-Hopkinton

[REDACTED]  
Home Inspection Deadline Date: 10 Days from contract execution date  
Mortgage Contingency Amount: \$N/A  
Mortgage Contingency Deadline Date: N/A

Notices: Unless otherwise specified herein, any notice to be given hereunder shall be written and signed by the party or the party's attorney and shall be deemed to have been given (a) when delivered by hand, or (b) when mailed by registered or certified mail, return receipt requested, all charges prepaid, at the addresses first set forth hereinabove. Either party or such party's attorney may notify the other of a new address designated by written notice given in accordance with these provisions, in which case such new address shall be employed for all subsequent deliveries and mailings.

5W

24. Choice of Law. This instrument, executed in multiple counterparts, is to be construed in accordance with the laws of the State of New Hampshire.

IN WITNESS WHEREOF, the parties have placed their hands and seals as of the date first above written.

WITNESS:

Michelle R. Laethem

SELLER:

Citizens Bank, N.A.

Ron J. Sullivan

By:

Title: VP

WITNESS:

[Signature] 2/9/18

BUYER:

[Signature] 2/9/18

WITNESS:

\_\_\_\_\_

BUYER:

\_\_\_\_\_

WITNESS:

[Signature] 2/9/18

BROKER/ESCROW AGENT:

[Signature] 2/9/18  
By: Jim Knowlton  
Title: Salesperson

WITNESS:

[Signature] 2/9/18

CO-BROKER:

[Signature] 2/9/18  
By: Jim Knowlton  
Title: Salesperson

MERRIMACK COUNTY RECORDS *Kathi L. Guay, CPO, Register*

*EVV  
Steckman Halperin Savage, LLP*

**FORECLOSURE DEED**

*71  
26  
25*

*1285.00*

Citizens Bank, N. A. f/k/a RBS Citizens, N.A.

holder of a mortgage given by Rimas Kalvaitis, Trustee of the Rimas Kalvaitis Revocable Trust U/D/T dated August 23, 1995, to RBS Citizens, N.A., dated 09/15/2011 and recorded with the Merrimack County Registry of Deeds in Book 3275 at Page 161, as affected by the Confirmatory Mortgage granted by Zinaida Kalvaitis to Citizens Bank, N.A. f/k/a RBS Citizens, N.A. and recorded with the Merrimack County Registry of Deeds in Book 3540 at Page 3637, by power conferred by said Mortgage and the laws of the State of New Hampshire and in consideration of the sum of Eighty-Five Thousand Six Hundred Fifty And 00/100 Dollars (\$85,650.00), grants to

Citizens Bank, N. A. f/k/a RBS Citizens, N.A.

10561 Telegraph Rd., Glen Allen, VA 23059, Mailstop: VAM370, that portion of the Premises conveyed by said Mortgage and described more particularly in Exhibit "A" attached hereto.

Executed this 10<sup>th</sup> day of April, 2017.

Property address: 56 Maple Street, Contoocook, New Hampshire 03229

Citizens Bank, N. A. f/k/a RBS Citizens, N.A.

By: [Signature]

Name: Pierre Young

Title: Foreclosure Specialist

State of VIRGINIA

County of Henrico

Signed and sworn to before me on this 10<sup>th</sup> day of April, 2017

by [Signature]  
Valerie L Geragi

Notary Public

Printed Name: Valerie L Geragi

My Commission Expires: September 30, 2019

VALERIE L GERAGI  
NOTARY PUBLIC  
REG. #7183480  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES SEPT. 30, 2019

**AFFIDAVIT REQUIRED BY N.H. R.S.A 479:26**

I, Doris Wang authorized agent of Citizens Bank, N. A. f/k/a RBS Citizens, N.A., make oath and say as follows:

1. That the principal and interest secured by the mortgage referred to in the foregoing deed were not paid or tendered or performed when due or prior to the: April 7, 2017 foreclosure sale.
2. That the mortgagee caused to be published on January 10, 2017, January 17, 2017 and January 24, 2017 in the Union Leader, a newspaper published in Manchester, New Hampshire and having a general circulation in Contoocook, a notice of which a true copy is attached hereto as "Exhibit A". The auction referenced in said notice was postponed at said date and time by public proclamation to April 7, 2017 at 10:00 AM.
3. That this office further on oath say that the mortgagee caused to be sent, at their last known addresses, a copy of said notice on January 6, 2017 by first class mail and certified mail, return receipt requested, to:

Rimas Kalvaitis  
295 Cobb Meadow Road  
Dublin, NH 03444

Rimas Kalvaitis  
56 Maple Street  
Contoocook, NH 03229

Rimas Kalvaitis Trustee of the  
Rimas Kalvaitis Revocable Trust  
u/t/d dated August 23, 1995  
56 Maple Street  
Contoocook, NH 03229

Rimas Kalvaitis Trustee of the  
Rimas Kalvaitis Revocable Trust  
u/t/d dated August 23, 1995  
295 Cobb Meadow Road  
Dublin, NH 03444

Zinaida Z. Kalvaitis  
295 Cobb Meadow Road  
Dublin, NH 03444

Zinaida Z. Kalvaitis  
56 Maple Street  
Contoocook, NH 03229

Town of Hopkinton  
Office of Tax Collector  
846 Main Street  
Contoocook, NH 03229

4. That to the extent the IRS appears in the above notice list because of a recorded federal tax lien, notice to the IRS complied with the requirements of IRC Title 26 Section 7425 (c) and (d), and regulations thereunder.
5. That I further on oath say that to the best of my knowledge and belief, the Mortgagor was not in the military or other service of the United States at the time of the foreclosure or within one (1) year prior to the foreclosure, or were members of the military service when the mortgage was executed, pursuant to the provisions of the Servicemembers Civil Relief Act, and no petition to enjoin the sale was filed in the Merrimack County Superior Court.
6. That I further on oath say that at the auction sale, pursuant to said notice, at the time and place therein appointed, Citizens Bank, N. A. f/k/a RBS Citizens, N.A. sold the mortgaged premises at public auction to the highest bidder, being Citizens Bank, N. A. f/k/a RBS Citizens, N.A., for Eighty-Five Thousand Six Hundred Fifty And 00/100 Dollars (\$85,650.00).

7. That said auction was conducted by a licensed auctioneer, being Matthew J. Katz.

Subscribed and sworn to this 12th day of April, 2017.

Citizens Bank, N. A. f/k/a RBS Citizens, N.A.

By: [Signature]

Name: Peter Young

Title: Foreclosure Specialist

STATE OF Virginia  
COUNTY OF Henrico

Signed and sworn to before me on this 12th day of April, 2017

by Peter Young

[Signature]  
Notary Public

Printed Name: Valerie L Geragi

My Commission Expires: September 30, 2019

VALERIE L GERAGI  
NOTARY PUBLIC  
REG. #7183480  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES SEPT. 30, 2019

MCRD

**SCHEDULE A - LEGAL DESCRIPTION**

The land with the buildings thereon located at 58 Maple Street, <sup>Hopkinton</sup> Contoocook, Merrimack County, New Hampshire and further bounded and described in deed referenced below and as follows:

Beginning on the westerly side of the highway leading from Contoocook to Weare, now known as Maple Street, at the northeasterly corner of land now or formerly of A.C. Call; thence westerly by land of said Call to an iron pin; thence northerly by land of said Call, one rod to an iron pin at land formerly of Julia M. Johnson later of Jennie Cummings; thence continuing northerly by land of said Cummings nine (9) rods four (4) links to an iron pin at land now or formerly of Will H. Milton; thence easterly by said Milton land to Maple Street; thence southerly by Maple Street to the point of beginning.

Meaning and intending to convey the same premises subject to and together with rights of way, easements, restrictions, declarations described in deed from Rimas Kalvaitis, to Rimas Kalvaitis, Trustee of the Rimas Kalvaitis Revocable Trust & Zinaida Z. Kalvaitis, and recorded on August 25, 1995 in the Merrimack Registry of Deeds in Book 1998, Page 1698 and corrective deed recorded on January 9, 2002, in the Merrimack Registry of Deeds in Book 2330, Page 132.

MICRD

# EXHIBIT A

Page C6 • NEW HAMPSHIRE UNION LEADER, Tuesday, January 17, 2017

## Legal Notice

### MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Rimas Kalvaitis, Trustee of the Rimas Kalvaitis Revocable Trust w/d/t dated August 23, 1995** (the "Mortgagor") to RBS Citizens, N.A. and now held by Citizens Bank, N. A. f/k/a RBS Citizens, N.A. (the "Mortgagee"), said mortgage dated September 15, 2011, and recorded with the Merrimack County Registry of Deeds in Book 3275 at Page 181 (the "Mortgage"), as affected by the Confirmatory Mortgage granted by Zinaida Kalvaitis to Citizens Bank, N. A. f/k/a RBS Citizens, N.A. and recorded with the Merrimack County Registry of Deeds in Book 3540 at Page 2637, pursuant to and for breach of the conditions in said Mortgage and for the purpose of foreclosing the same will be sold at:

Public Auction on  
March 1, 2017 at 10:00 AM  
Said sale to be held on the mortgaged premises hereinafter described and

having a present address of 56 Maple Street, Village of Contoocook, Town of Hopkinton, Merrimack County, New Hampshire.

### NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The name and address of the mortgagee's agent for service of process is Citizens Bank, N.A., Rhonda Wells, SVP, 10561 Telegraph, Glen Allen, VA 23059, Mallstop: VAM352. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 800-437-5991. The hotline is a service of the New Hampshire banking department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances, which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

### TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale.

Dated at Pawtucket, Rhode Island, on January 8, 2017.

Citizens Bank, N. A. f/k/a  
RBS Citizens, N.A.  
By Its Attorney,  
Lindsay J. Britton, Esquire  
Shechtman Halperin Savage, LLP  
1090 Main Street, Pawtucket, RI 02860  
(401) 272-1400

(UL - Jan. 10, 17, 24)





# 0 Abutters List Report

Hopkinton, NH  
February 16, 2018

## Subject Property:

Parcel Number: 102-044-000  
CAMA Number: 102-044-000  
Property Address: 56 MAPLE ST

Mailing Address: CITIZEN BANK NA  
10561 TELEGRAPH RD  
GLEN ALLEN, VA 23059

---

## Abutters:

Parcel Number: 102-037-000  
CAMA Number: 102-037-000  
Property Address: 91 CEDAR ST

Mailing Address: WRIGHT THOMAS G  
PO BOX 658  
CONTOOCOOK, NH 03229

Parcel Number: 102-043-000  
CAMA Number: 102-043-000  
Property Address: 76 MAPLE ST

Mailing Address: MCCLUSKEY SHAWN L  
76 MAPLE ST  
CONTOOCOOK, NH 03229

Parcel Number: 102-045-000  
CAMA Number: 102-045-000  
Property Address: 40 MAPLE ST

Mailing Address: SMITH JOSHUA  
115 N MAIN ST  
BOSCAWEN, NH 03303

Parcel Number: 102-049-000  
CAMA Number: 102-049-000  
Property Address: 43 MAPLE ST

Mailing Address: SIMMS ANN H & SIMMS RICHARD T  
SIMMS ROBERT T  
PO BOX 539  
CONTOOCOOK, NH 03229

Parcel Number: 102-050-000  
CAMA Number: 102-050-000  
Property Address: 53 MAPLE ST

Mailing Address: WINZELER (REV TR) MARK L WINZELER  
(TRE) MARK L  
53 MAPLE ST  
HOPKINTON, NH 03229

Parcel Number: 102-079-000  
CAMA Number: 102-079-000  
Property Address: 73 MAPLE ST

Mailing Address: EKSTROM HAROLD V & MARY P  
73 MAPLE ST  
CONTOOCOOK, NH 03229

Applicant: John Wuellenweber  
102 Fieldstone Rd  
Hopkinton NH 03229



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2/16/2018

Page 1 of 1

**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	W-1
<b>A. Residential Uses</b>										
1. Single family detached dwelling.	P	P	P	P	X	S	P	S	S	
2. Two family dwelling.	S	S	P	P	S	S	P	S	S	
* 3. Multi-family dwelling with a maximum of eight (8) dwelling units per building.	X	X	S	P	S	X	S	S	X	
4. Manufactured Housing on individual lots.	X	X	X	X	X	X	X	X	X	
5. Manufactured Housing Park in accordance with Section IX.	X	S	S	S	X	X	S	X	X	
6. Manufactured Housing subdivision in accordance with Section XI.	P	P	P	P	X	X	S	X	X	
7. Congregate Care Housing	X	X	S	S	S	X	S	S	X	
8. Affordable Housing Option in accordance with Section XVI.	X	P	P	P	X	X	P	X	X	
<b>B. Temporary Residential Uses</b>										
1. Non-profit overnight and day camps and cottage colonies.	S	S	S	X	X	X	X	X	X	
2. Bed and Breakfast Home in accordance with Section III, paragraph 3.7.2 and 3.7.4.	S	S	S	S	P	X	S	P	X	
3. Bed and Breakfast Inn in accordance with Section III, paragraph 3.7.2 and 3.7.6.	S	S	S	S	P	X	S	P	X	
4. Hotels, Motels, Inns.	X	X	X	X	P	S	X	P	S	
<b>C. Outdoor/Recreational Uses</b>										
1. 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	
2. Public parks and playgrounds.	P	P	P	P	P	P	P	P	P	
3. Commercial riding stables and riding trails.	S	S	S	X	X	X	X	X	X	
4. Historic building or site open to public.	P	P	P	P	P	P	P	P	P	
5. Recreational camping/tenting parks and recreational camping vehicles.	S	S	S	X	X	X	X	X	X	
<b>D. Agricultural/Forestry 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. Year-round greenhouse or farm stand.	S	S	S	S	S	P	S	P	P	

Section XII Wetlands Conservation District (Overlay)

**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	W-1
<b>E. Institutional Uses/Community Facilities</b>										
16. Town equipment garage, subject to Site Plan Review approval by the Planning Board.	S	S	S	X	X	P	X	X	X	
17. Essential Services as defined in paragraph 2.1.E.2.	P	P	P	P	P	P	P	P	P	
<b>F. Commercial Uses</b>										
1. Retail Establishment.	X	X	X	X	P	S	X	P	S	
2. Business Offices.	X	X	X	X	P	P	S	P	P	
3. Professional Offices.	X	X	X	S	P	P	S	P	P	
4. Banks and Lending Institutions.	X	X	X	X	P	X	X	P	X	
5. Restaurants.	X	X	X	X	P	S	X	P	S	
6. Drive-in Eating Establishments.	X	X	X	X	S	S	X	X	X	
7. Lounge	X	X	X	X	S	S	X	S	S	
8. Place of Entertainment in accordance with Section III, paragraph 3.7.9.	X	X	X	X	S	S	X	S	S	
9. Filling station, Service Station (with or without convenience store).	X	X	X	X	S	S	X	S	S	
10. Motor vehicle dealership, repair garage, body shop, paint shop.	X	X	X	X	S	S	X	X	S	
11. Veterinary hospital/kennel.	S	S	S	X	X	S	X	X	S	
12. Pet Grooming.	X	X	X	X	P	S	X	P	S	
13. Convenience store (without gas pumps).	X	X	X	S	P	S	X	P	S	
14. Airports, heliports, runways, control towers, administration buildings, hangers.	X	X	X	X	X	S	X	X	X	
15. Indoor motion picture establishment.	X	X	X	X	P	X	X	P	X	
16. Indoor and outdoor for profit recreation establishment or clubs.	X	X	X	X	S	S	X	S	S	
17. Funeral home or parlor.	X	X	S	S	S	X	S	S	X	
18. Beauty parlor, barber shop.	X	X	X	X	P	S	S	P	S	
19. Uses, Adult in accordance with Section III, paragraph 3.9.	X	X	X	X	S	X	X	S	X	
20. Self-Service Storage Facility.	X	X	X	X	S	S	X	X	S	
<b>G. Industrial Uses</b>										
1. Manufacturing, assembly, fabricating operations.	X	X	X	X	X	S	X	X	S	
2. Research and development corporate and business offices.	X	X	X	X	P	P	S	P	P	
3. Warehousing and wholesaling.	X	X	X	X	X	P	X	X	S	
4. Freight and trucking terminals.	X	X	X	X	X	S	X	X	X	
5. Bulk storage and distribution of goods, except fuels.	X	X	X	X	X	P	X	X	P	
6. Bulk storage of fossil fuels.	X	X	X	X	X	S	X	S	S	
7. Earth products removal subject to the provisions of Section XI.	S	S	X	X	X	S	X	X	X	

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Section XII Wetlands Conservation District (Overlay)

**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 <sup>a</sup>			Minimum Setback Dimensions <sup>a</sup> (ft)			Max. Height of Structure	Max. % Bldg. Cvg/Lot	Min. % Open Space/Lot
	Area (sf)	Continuous Frontage <sup>g</sup>	Depth	Front	Side	Rear			
R-4 <sup>b</sup>	120,000	300	200	60	30	60	35	20	70
R-3 <sup>b</sup>	120,000	300	200	60	30	60	35	20	70
R-2 <sup>b</sup>	80,000 <sup>d</sup>	250	140	40	20	40	35	30	30
R-1 <sup>b</sup>	60,000 <sup>e</sup>	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 <sup>c k</sup>	15,000 <sup>f</sup>	80	80	30	15	40	35	40	30
M-1 <sup>c k</sup>	110,000	250	300	50	40 <sup>h</sup>	50	45	40	30
* VR-1 <sup>j</sup>	* 15,000 <sup>i</sup>	80	80	30	15	40	35	40	30
VB-1 <sup>l</sup>	7,500 <sup>i</sup>	50	100	0	10	10	35	60	20
VM-1 <sup>l l</sup>	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.

**SECTION IV  
DIMENSIONAL AND DENSITY REQUIREMENTS**

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- (f) 15,000 sq. ft. + 2,000 sq. ft. for each dwelling unit more than one on a lot.
- (g) The minimum lot width at the front yard setback line shall not be less than 85 percent of the minimum lot frontage required for the District. The frontage on a road at a cul-de-sac may be less than specified if the lot width at the depth of the front yard setback line meets the minimum lot frontage requirements, but in no event less than 30 feet.
- (h) For residential use only in the M-1 zone the sideline setback shall be 30 feet.
- \* (i) The required square footage of land area for the first dwelling unit shall be equal to the minimum lot area as defined in the Table of Dimensional Requirements. For each additional dwelling unit an additional 2,000 square feet of land area shall be required.
- (j) When the footnoted commercial or industrial uses abut residential uses or a residential district or are situated in a residential area, the minimum front setback shall be 25 feet and the minimum side setback shall be 25 feet from a property line abutting a residential use or district.
- (k) In the B-1 and M-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 40,000 square feet.
- (l) In the VB-1 and VM-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 20,000 square feet.

**4.4 SPECIAL DIMENSIONAL AND DENSITY CONDITIONS** The following special conditions shall apply as appropriate to this Section of this Ordinance.

**4.4.1 Detached Accessory Building:** In all districts, a detached accessory building shall conform to the following provisions:

- (a) It shall not be less than the front setback for the district or less than 10 feet from any other lot line or from any principal or accessory building.
- (b) It shall not exceed 20 feet in height unless the accessory is placed to comply with principal building setback in which case it will conform to the height restriction of the district.

**4.4.2 Attached Accessory Building:** In all districts, an accessory building attached to the principal building shall be considered as an integral part therefore and shall be subject to front, side, and rear yard requirements applicable to the principal building.

- \* **4.4.3 Principal Structure:** Except for municipal facilities and public utilities, only one principal structure/principal use shall be permitted on a lot, except as noted in 8.6.5. In the B-1 and M-1 zones, there may be multiple principal nonresidential structures and uses within structures so long as each use is listed as a permitted (P) use or use permitted by special exception (S) in 3.6 TABLE OF USES. In the B-1 and M-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 40,000 square feet. In the VB-1 and VM-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 20,000 square feet. In the VB-1 and VM-1 zones, there may be multiple principle structures and uses within structures so long as each use is listed as a permitted (P) use or use permitted by special exception (S) in 3.6 TABLE OF USES. Nothing herein shall be construed

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

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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. Nonconforming solid waste facilities and any proposed or existing solid waste facilities as well as nonconforming 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, nonconforming, 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,



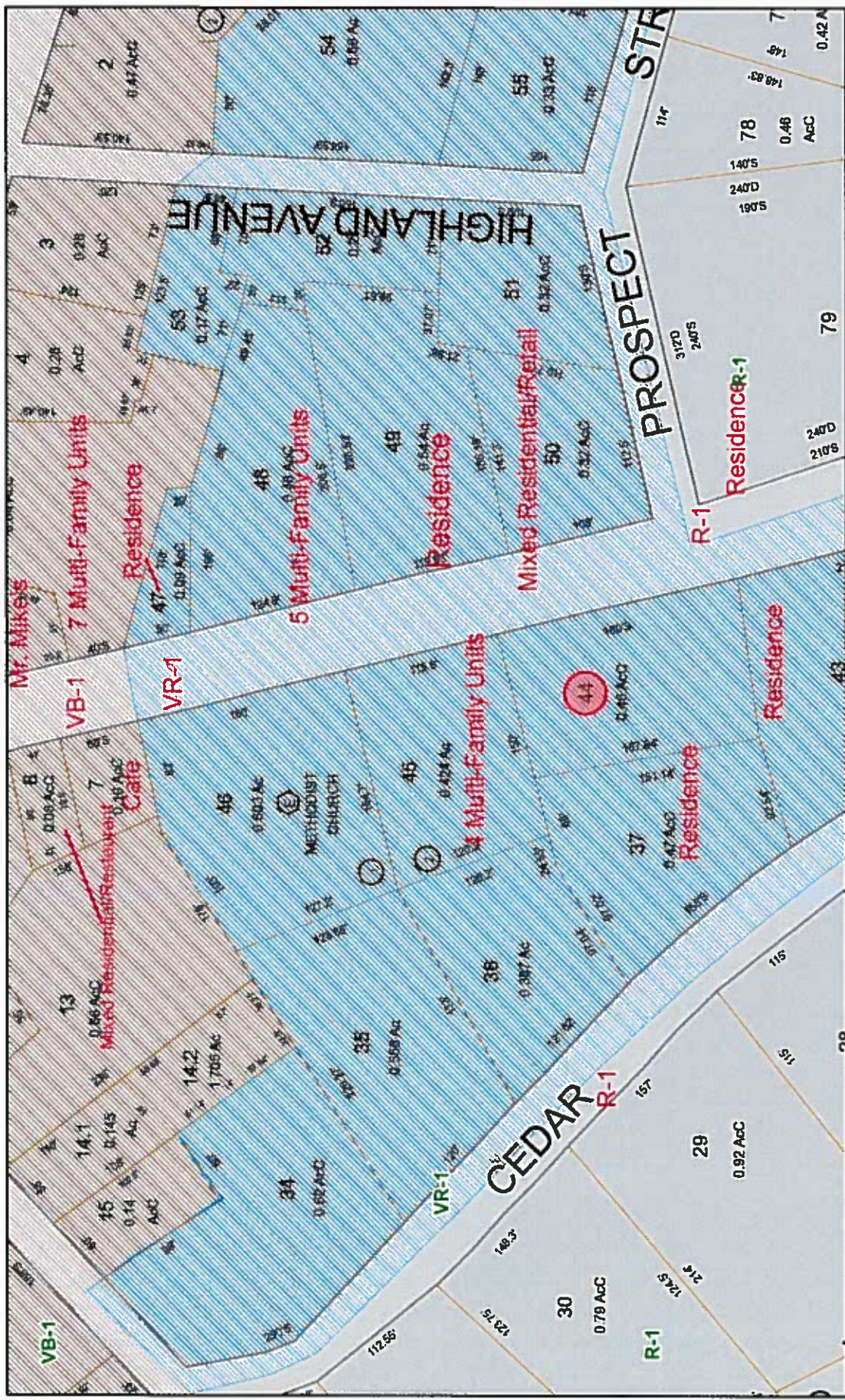
Hopkinton, NH

February 20, 2018

1 inch = 100 Feet

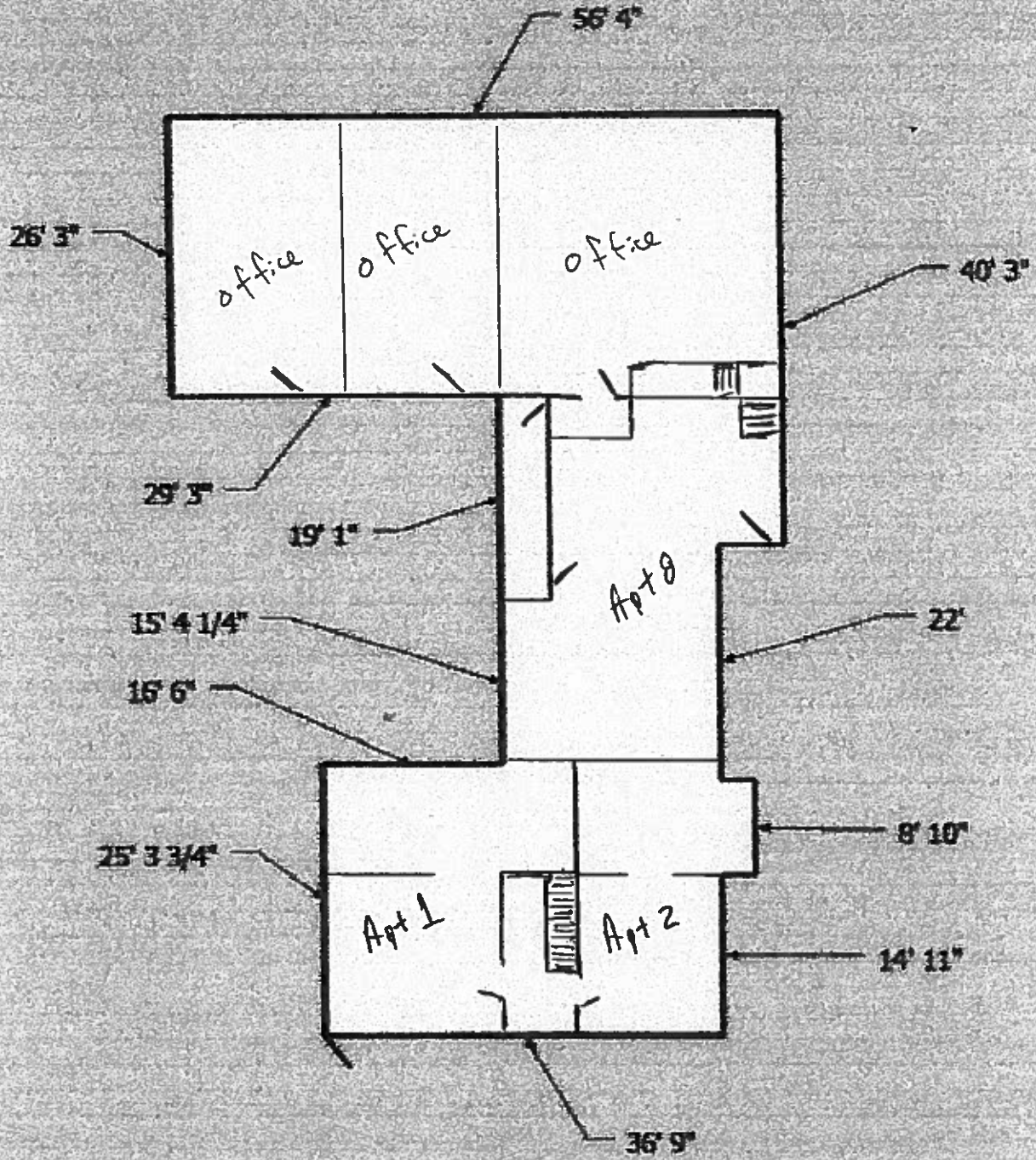


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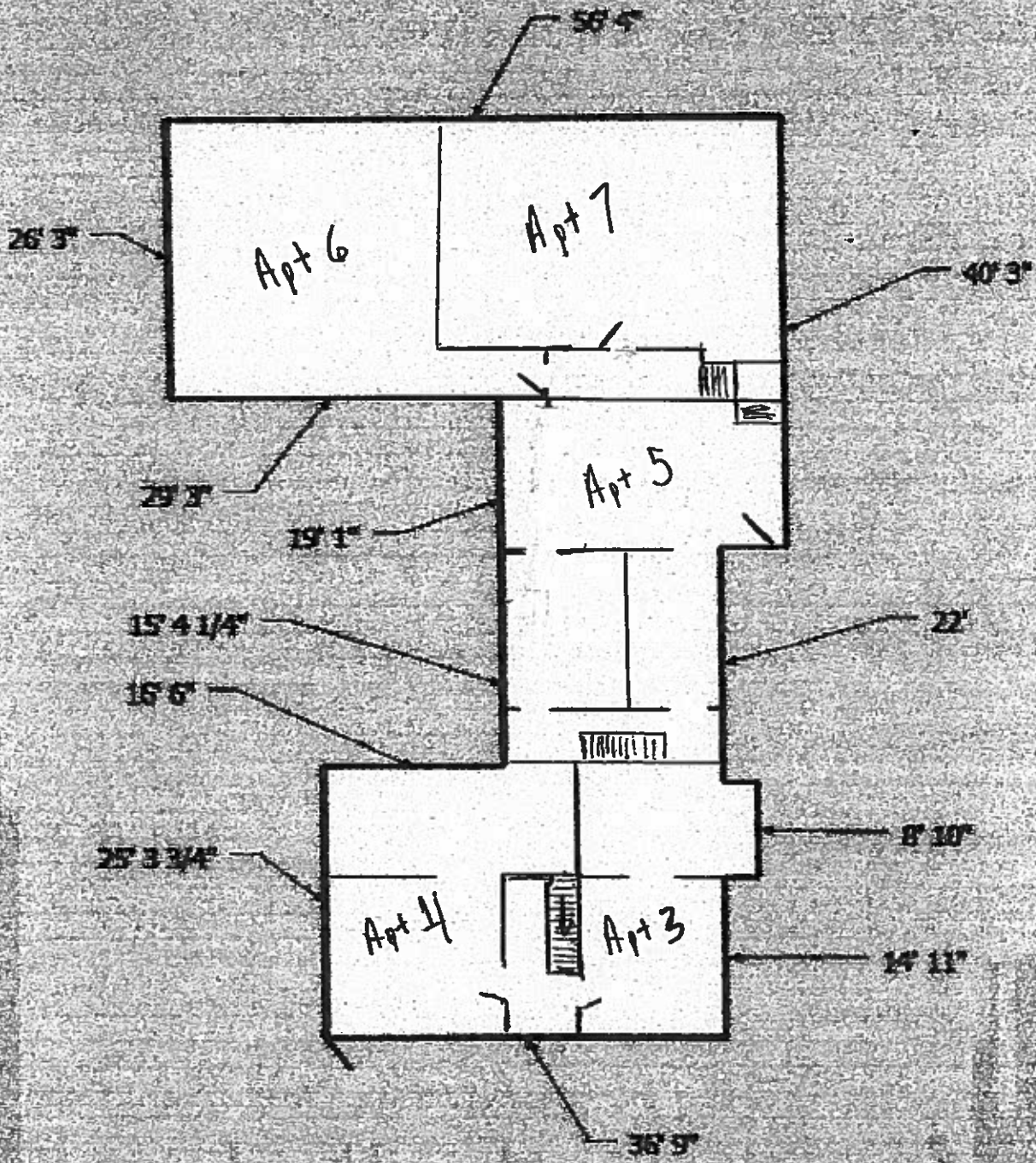
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# 1st Floor Proposal

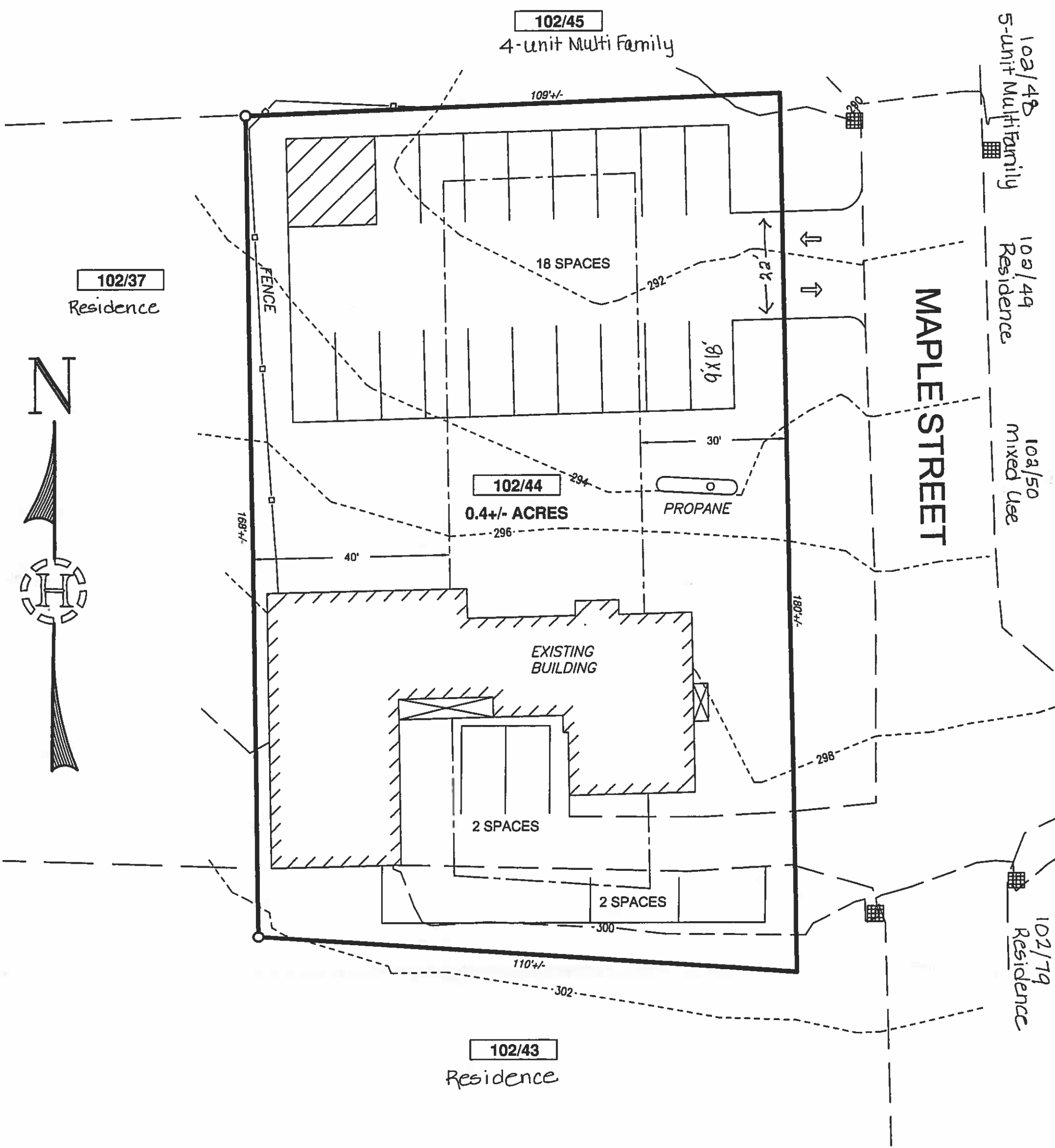


56 Maple Street





56 Maple Street

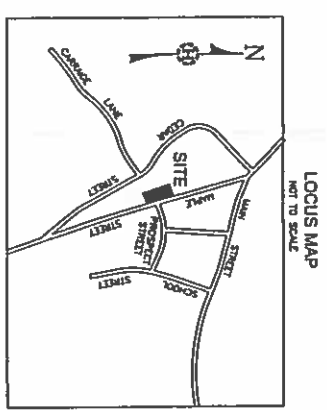
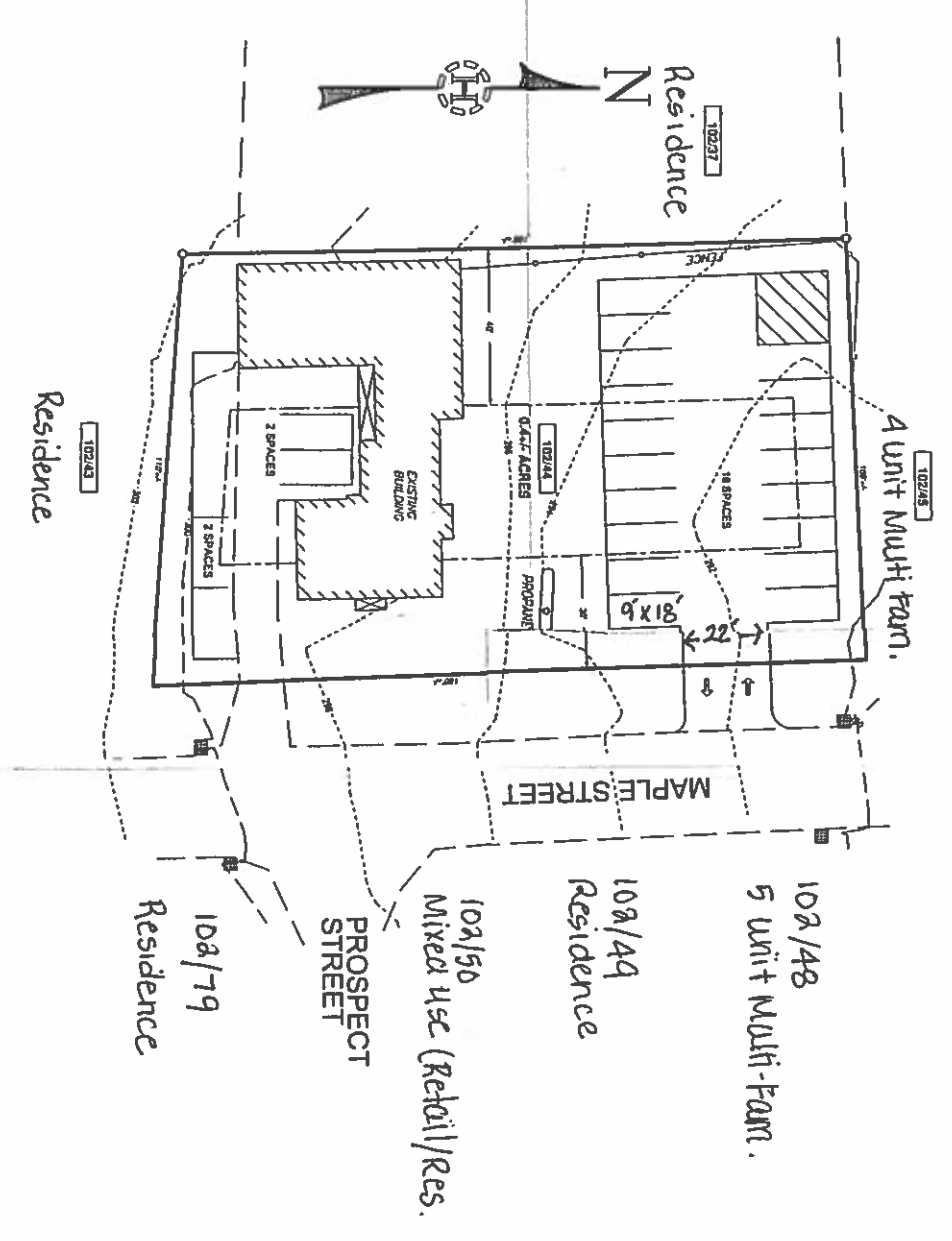
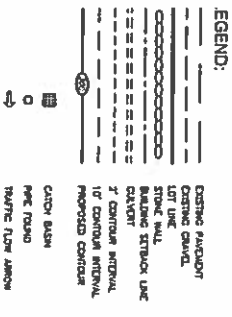


Parking Required :

- Residential = 1.5 Spaces per unit
- Offices = 1 per each 400SF gross floor space

56 Maple St.  
 Tax Map 102 Lot 44  
 VR-1 District

FENCE PLAN:  
 200X UNITED METHODIST CHURCH - JUNIOR SUBDIVISION PLAN - CONTOOCCOOK, NH  
 COX COUNTY - SCALE: 1"=20' DATED APRIL 1978 BY ALLEN LEWIS R.L.C. PLAN #A172



- NOTES:
1. THE PURPOSE OF THIS PLAN IS TO DEPICT A PROPOSED PARKING LOT ON TAX MAP 102 LOT 44 TO SERVICE THE EXISTING BUILDING.
  2. THE OWNER OF RECORD OF TAX MAP 102 LOT 44 IS CITIZENS BANK, N.A. 10501 TELEGRAPH ROAD GLEN ALLEN, VA 22080 (SEE M.C.R.D. BK2355 PG 85 DATED 4/21/17).
  3. TAX MAP 102 LOT 44 LIES WITHIN THE 10-1 SETBACKS ARE 30' FRONT 15' SIDE AND 40' REAR.
  4. BOUNDARY INFORMATION DEPICTED HEREON IS ENTIRELY PER THE REFERENCE PLAN.
  5. NOTED: THIS PLAN IS NOT TO BE CONSIDERED A BOUNDARY SURVEY.
  6. PROPOSED ARE 22 PARKING SPACES.

Parking Req.:

- Residential = 1.5 spaces per unit
- Offices = 1 per ea. 400SF gross floor space

SITE PLAN  
 PREPARED FOR:  
**BEAUX WOODS CONTRACTORS LLC**  
**JOHN WUELLENWEBER**  
 56 MAPLE STREET  
 TAX MAP 102 LOT 44  
 HOPKINTON, NEW HAMPSHIRE

SCALE: 1"=20'

REV.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

HIGGINSON LAND SERVICES  
 LAND SURVEYING - SURVEY - SITE PLAN DESIGN - PRINTING  
 78 PATTERSON HILL ROAD HOPKINTON, NH 02542  
 TEL: 603-960-4413 | WHITE BOOK #4 | 208 7311  
 FEBRUARY 12, 2018