



Town of Hopkinton

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

Tel: 603 746-3170

Fax: 603 746-2952

HOPKINTON PLANNING BOARD PUBLIC NOTICE - AGENDA MAY 9, 2017

Notice is hereby given that the Hopkinton Planning Board will meet on Tuesday, May 9, 2017, at 6:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, NH, to review and take action on the following:

- I. **Call to Order** (Determine quorum, review attendance of Regular Members and seating of Alternate Members, if necessary).
- II. **Conceptual Consultations, if any.**
- III. **Review of Minutes and Decision of April 11, 2017.**
- IV. **Applications.**
- V. **Other Business.**

Notice of Voluntary Merger (NH RSA 674:39-a), Jennifer Balkus to voluntarily merge two (2) pre-existing lots, known as Lots 15 and 16, shown on Tax Map 251, located off Hopkins Green Road, R-4 district.

- VI. **Adjournment (Next regular meeting on Tuesday, June 6, 2017).**

The Planning Board reserves the right to adjourn the meeting/public hearing at 9:30 PM. All remaining agenda items will be rescheduled for review at the Planning Board's next scheduled meeting/public hearing.



Town of Hopkinton

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

Tel: 603 746-3170

Fax: 603 746-2952

HOPKINTON PLANNING BOARD

MINUTES

APRIL 11, 2017

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

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 and Notice of Decision of March 21, 2017.**

Mrs. Hemingson, seconded by Mrs. Bradstreet, moved to **APPROVE** the Minutes of March 21, 2017, as presented. With six members voting, five voted in favor (Bradstreet, Hemingson, Wilkey, Fredyma and Ellsworth) and one voted in abstention (Kidder). Vote: 5-0-1

Mrs. Hemingson, seconded by Mrs. Bradstreet, moved to **APPROVE** the Notice of Decision of March 21, 2017, as presented. With six members voting, five voted in favor (Bradstreet, Hemingson, Wilkey, Fredyma and Ellsworth) and one voted in abstention (Kidder). Vote: 5-0-1

III. **Conceptual Consultations.**

Michael Martin, owner of property at 103 Emerson Hill Road, addressed the Board presenting a draft survey of his property. The property consists of 5.2 acres (3-tracts) with approximately 850 feet of road frontage off Route 127 (Maple Street) and 300 feet of road frontage off Emerson Hill Road. Additionally, there is an existing residence that fronts on Emerson Hill Road.

Mr. Martin questioned which formula would be applicable in determining the potential number of affordable housing units that could be constructed on his property. In particular, Mr. Martin referenced subsection 16.4 indicating that, "the Planning Board is authorized to review and approve plans for affordable housing in the same manner specified in Section 8.4.1 of this Ordinance or Sections 9.4 or 9.5, as applicable, unless modified by this section." Given that the dwelling unit density formula in Section XVI differs from the formula in Section VIII, Mr. Martin questioned which formula would be applicable.

Mr. Martin noted that in addressing Conservation Subdivisions in the Zoning Ordinance, the objective is to "encourage flexibility and creativity in design of developments". He suggested that the objective is important when considering the fact that he is proposing affordable housing that will front on a State road that is not required to be maintained by the Town. Mr. Martin indicated that the creation of affordable housing on a road that is not required to be maintained by the Town should be considered a valuable asset to the Community.

In response to Mrs. Hemingson's question as to which formula Mr. Martin believed to be most beneficial to his proposal, Mr. Martin explained how he calculated a density of a maximum of three (3) lots for the construction of single-family residences. He suggested that there would be two (2) driveways off Route 127, which he believed would be the maximum number allowed by the State; therefore, it is anticipated that it would be necessary for one (1) lot to have a common drive.

Following brief discussion, the Planning Board asked that Mr. Martin develop a specific proposal and provide a legal opinion from his counsel as to which formula would be applicable.

IV. Applications

Lot Line Adjustment #2017-02, Anthony N. Quinn and Shirley D. Quinn Revocable Trusts, to annex 15,073 sq. ft. of Lot 63 to Lot 60, shown on Tax Map 239, located off Putney Hill Road and Old Putney Hill Road, R-3 district.

Timothy Bernier of T.F. Bernier, Inc., presented plans of the proposed lot line adjustment, noting that the Quinn's residence is located on Lot 63, which fronts on Putney Hill Road. The lot line adjustment is intended to square off Lot 60, which fronts on Old Putney Hill Road. Following the lot line adjustment, Lot 60 will consist of 2.187 acres and Lot 63 will consist of 4.216 acres.

Mr. Kidder, seconded by Mr. Wilkey, moved to **ACCEPT** Application #2017-02 as complete and for consideration. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

In response to an inquiry from an abutter concerning Mr. and Mrs. Quinn's intentions for Lot 60, Mr. Bernier suggested that the lot may be offered for sale as a building lot.

Mr. Wilkey, seconded by Mrs. Hemingson, moved to **APPROVE** Application #2017-02 as presented. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

Site Plan Review #2017-03, Michael Dutton, revisions to previously approved site plan for the veterinary clinic, 1325 Hopkinton Road, Tax Map 258 Lot 73. The site plan was originally approved on November 15, 2016.

Dr. Dutton addressed the Planning Board explaining that after further review of the existing building it has been determined that the building is in such a condition that it needs to be razed. The revised site plan is a proposed new building with relocated parking.

Jason Lacombe of SMP Architecture presented revised site plans of a newly constructed single-story structure that is to be constructed closer to the front and side lot lines; however, still meeting the setback requirements for the district. Phase I is considered the initial construction phase that includes the building of approximately 2,000 SF and the construction of thirteen (13) parking spaces. Phase II is a proposed addition of approximately 2,200 SF with six (6) additional parking spaces. All parking is to be relocated from the front of the property to the east side of the property. It is anticipated that run-off from the parking area will sheet drain to a filter strip, so as to not impact the existing

wetland. All exterior lighting is anticipated to be from building-mounted fixtures, rather than from a light pole as was proposed in the original November 2016 approved design.

Furthermore, the site design includes the installation of a new septic system and drilled well. The septic system has already been approved by NH Department of Environmental Services.

Mrs. Hemingson, seconded by Mr. Kidder, moved to **ACCEPT** Application #2017-03 as complete and for consideration. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

While paving of the parking area is permissible, the Board encouraged Dr. Dutton to consider alternatives such as hard-pack or other similar material, so to minimize the impervious surface.

On Dr. Dutton's behalf, Attorney Maria Dolder stated that while the revised floor plan does not show the two (2) apartments that had previously been anticipated, the opportunity to include the apartments still remains as the Special Exception for the residential use was approved by the Zoning Board of Adjustment and is valid for two (2) years. Following brief discussion, the Planning Board unanimously agreed that any residential use that may be included in the building design will not have to come back before the Board, unless the design includes a second-story addition.

Chairman Ellsworth opened and closed the public hearing portion of the meeting as there was no public comment.

Mrs. Hemingson, seconded by Mr. Fredyma, moved to **APPROVE** Application #2017-03, phase I and II, as presented. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

V. Master Plan.

- a. Planning Board **DEFERRED** review of a draft of the Conservation, Preservation and Open Space Chapter.
- b. Planning Board **DEFERRED** review of a draft outline of elements to be included in Transportation Chapter.

VI. Other business, if any.

Chairman Ellsworth and Mr. Fredyma provided a brief summary of the meeting that occurred between the towns of Hopkinton and Henniker with the NH Department of Transportation Engineer concerning the intersection of Route 202/9, at the Hopkinton/Henniker Town line.

VII. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 7:47 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, May 9, 2017, at the Hopkinton Town Hall.

Karen Robertson
Planning Director

In accordance with RSA 677:15, any person(s) aggrieved by any decision of the Planning Board concerning application(s) may present to the Superior Court a petition, duly verified, setting forth that such a decision is illegal or unreasonable in whole or part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within thirty (30) days after the Board's final decision regarding the application in question has been filed and becomes available for public inspection in the Planning Office.



Town of Hopkinton

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

Tel: 603 746-3170

Fax: 603 746-2952

HOPKINTON PLANNING BOARD NOTICE OF DECISION APRIL 11, 2017

Notice is hereby given that the Hopkinton Planning Board met on **Tuesday, April 11, 2017, at 6:30 PM** in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decision(s):

I. **Review of the Minutes and Notice of Decision of March 21, 2017.**

Celeste Hemingson, seconded by Jane Bradstreet, moved to **APPROVE** the Minutes of March 21, 2017, as presented. With six members voting, five voted in favor (Bradstreet, Hemingson, Wilkey, Fredyma and Ellsworth) and one voted in abstention (Kidder). Vote: 5-0-1

Celeste Hemingson, seconded by Jane Bradstreet, moved to **APPROVE** the Notice of Decision of March 21, 2017, as presented. With six members voting, five voted in favor (Bradstreet, Hemingson, Wilkey, Fredyma and Ellsworth) and one voted in abstention (Kidder). Vote: 5-0-1

II. **Applications.**

Lot Line Adjustment #2017-02, Anthony N. Quinn and Shirley D. Quinn Revocable Trusts, to annex 15,073 sq. ft. of Lot 63 to Lot 60, shown on Tax Map 239, located off Putney Hill Road and Old Putney Hill Road, R-3 district.

Clarke Kidder, seconded by Michael Wilkey, moved to **ACCEPT** Application #2017-02 as complete and for consideration. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

Michael Wilkey, seconded by Celeste Hemingson, moved to **APPROVE** Application #2017-02 as presented. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

Site Plan Review #2017-03, Michael Dutton, revisions to previously approved site plan for veterinary clinic, 1325 Hopkinton Road, Tax Map 258 Lot 73. Site plan was originally approved on November 15, 2016.

Celeste Hemingson, seconded by Clarke Kidder, moved to **ACCEPT** Application #2017-03 as complete and for consideration. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

Subject to review and approval.

Celeste Hemingson, seconded by Jim Fredyma, moved to **APPROVE** Application #2017-03, phase I and II, as presented. Motion carried unanimously (Bradstreet, Hemingson, Wilkey, Fredyma, Kidder and Ellsworth). Vote: 6-0-0

III. Master Plan.

- a) Planning Board **DEFERRED** review of a draft of the Conservation, Preservation and Open Space Chapter.
- b) Planning Board **DEFERRED** review of a draft outline of elements to be included in Transportation Chapter.

IV. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 7:47 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, May 9, 2017, at the Hopkinton Town Hall.

Karen Robertson
Planning Director

In accordance with RSA 677:15, any person(s) aggrieved by any decision of the Planning Board concerning application(s) may present to the Superior Court a petition, duly verified, setting forth that such a decision is illegal or unreasonable in whole or part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within thirty (30) days after the Board's final decision regarding the application in question has been filed and becomes available for public inspection in the Planning Office.



Town of Hopkinton
 Planning • Building Department
 330 Main Street
 Hopkinton, NH 03229
 Tel. 603-746-4487, Fax: 603-746-2952

TOWN OF HOPKINTON, NH
NOTICE OF VOLUNTARY MERGER OF PRE-EXISTING LOTS
Pursuant to RSA 674:39-a

(This Form Must Be Typed)

Property Owner Name(s): Jennifer Moore Balkus

Address: 13 Hopkins Green Road, Hopkinton, NH 03229

Street Location of Parcels Affected by this Merger: 13 Hopkins Green Road

The Parcels Being Merged Are:

Parcel Identification #: TM251 L016 Registry of Deeds Book/Page# 1882/1814

Parcel Identification #: TM251 L015 Registry of Deeds Book/Page# 1882/1814

I (we) understand that none of the parcels which are being merged by this document shall hereafter be separately transferred without subdivision approval from the Hopkinton Planning Board.

Signature(s) of Property Owner(s):

Signature: Name: Jennifer M. Balkus Date: 4/13/2017

Signature: _____ Name: _____ Date: _____

For Office Use Only

Date Received: 4/13/17 Date Reviewed: 5/9/17

Endorsed by: _____ Date: _____
 Hopkinton Planning Board

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that I, Peter M. Orsi, single of 96 Main Street, Suncook, County of Merrimack, State of New Hampshire, for consideration paid, grant to Jennifer M. Orsi, single, of RR4, Box 525, Hopkins Green, Hopkinton, County of Merrimack, State of New Hampshire, with QUITCLAIM COVENANTS, all of my right, title and interest in the following described premises:

Certain tracts of land, with the buildings thereon, situated in said Hopkinton, bounded and described as follows:

1. Beginning at a point in the end of a stone wall at the southeasterly corner of the premises herein conveyed; thence S 86° 41' 42" W 93.16 feet more or less to an iron pin in the ground; thence continuing on the same course 46.59 feet to a point; thence turning and running N 23° 06' 05" W 128.75 feet to a point; thence turning and running N 64° 14' E 42.44 feet to an iron pin; thence on the same course 114.78 feet to an iron pin in a stone wall; thence turning and running along said stone wall S 16° 02' E 148.56 feet to a point; thence turning and running S 11° 39' 20" E 36.70 feet to the point of beginning; all of the aforesaid courses being by land now or formerly of French.

Tm 251
L15

See plan entitled "Survey for Jack French by Rayco Engineering," dated June 12, 1973, recorded March 25, 1975, in Merrimack County Records as Plan 3949.

2. Starting on the south bound of land now or formerly of Walker where said bound crosses existing driveway, being the center of driveway; thence following the driveway towards Route 4 in exact center of driveway until it meets land now or formerly of W.L. Roberts, Inc., and a pin; thence N 30° E 134 feet more or less to a pin; thence N 15° W 300 feet more or less to land now or formerly of said Roberts and a stone wall; thence westerly along said Roberts land to a stone with a drill hole, being land now or formerly of French; thence southerly along said French land 38.98 feet more or less to pin and said Walker land and following same stone wall along Walker land 148.47 feet more or less to a pin; thence 38.70 feet more or less to a pin; thence westerly along Walker land to point of beginning.

Tm 251
L16

See plan drawn by Rayco Engineering of Loudon, New Hampshire, dated June 12, 1972, and plan drawn by Gilbert C. Castle, Sur-

veyor, dated December 9, 1973, entitled "Portions of Land Belonging to Roberts and French in Hopkinton, New Hampshire."

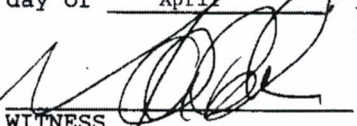
This conveyance is subject to the rights of John F. French and Mary S. French, their heirs and assigns, to use the driveway that is now situate on the subject property for the purpose of ingress and egress to the rear of their property.

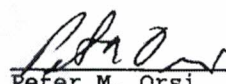
Meaning and intending to describe and convey the same premises conveyed to Peter M. Orsi and Jennifer M. Orsi by Warranty Deed of Edward Perriello, Jr., dated April 17, 1981 and recorded in the Merrimack County Registry of Deeds at Book 1391, Page 559.

Grantor hereby release to grantee all rights of homestead and other interests therein.

This conveyance is made pursuant to a Decree of Divorce granted by the Merrimack County Superior Court in the matter of Jennifer M. Orsi v. Peter M. Orsi, (Docket #90-M-776).

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of April, 1992.

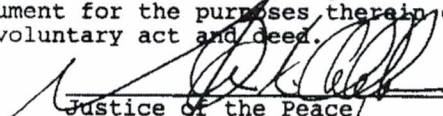

WITNESS


Peter M. Orsi

STATE OF NEW HAMPSHIRE
COUNTY OF Hillsborough

On this 2nd day of April, 1992, personally appeared before me, Peter M. Orsi, and acknowledged that he executed the within instrument for the purposes therein contained, and that the same is his voluntary act and deed.

Date: 2 April 1992

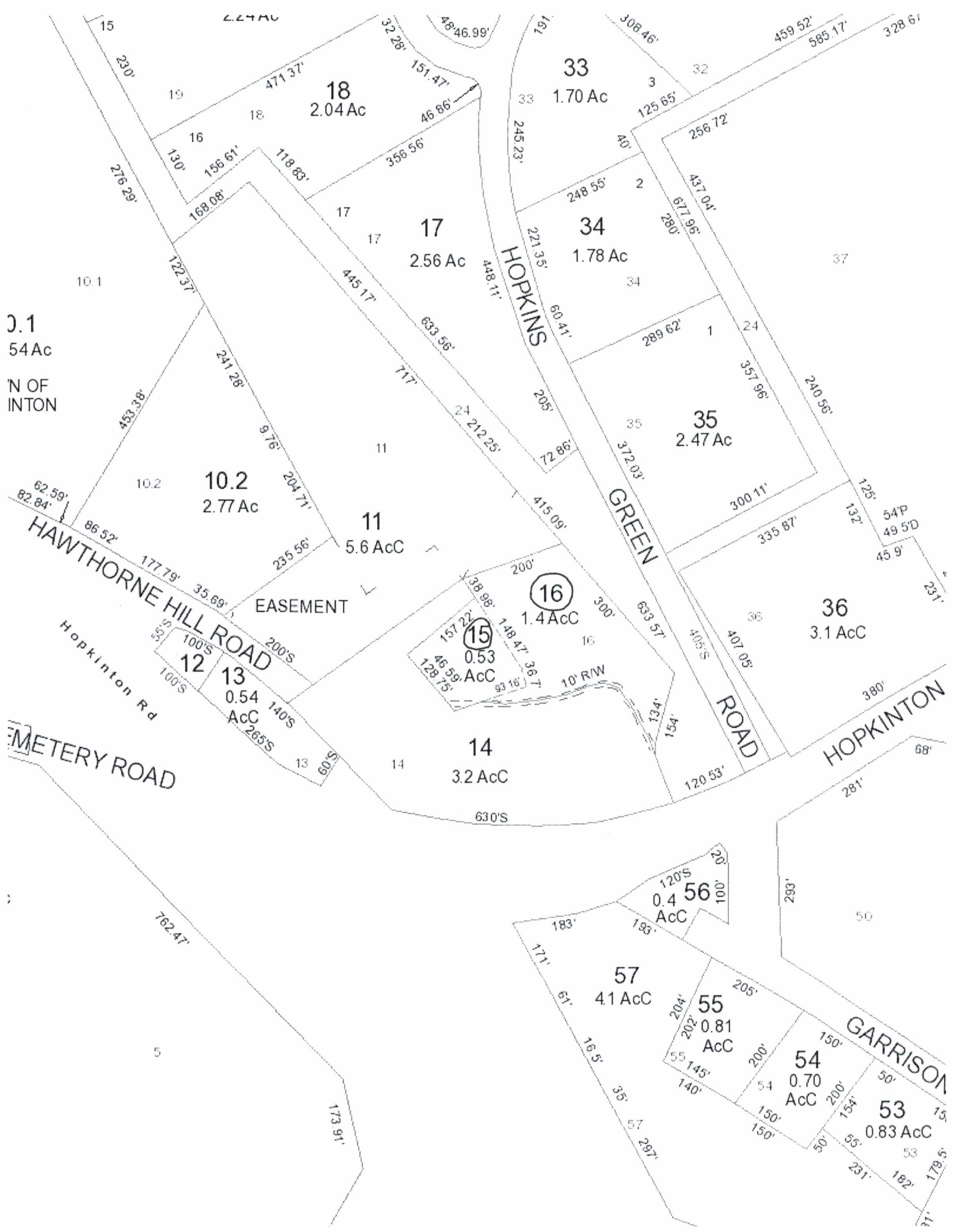

Justice of the Peace/
Notary Public

My commission expires: 7/11/94

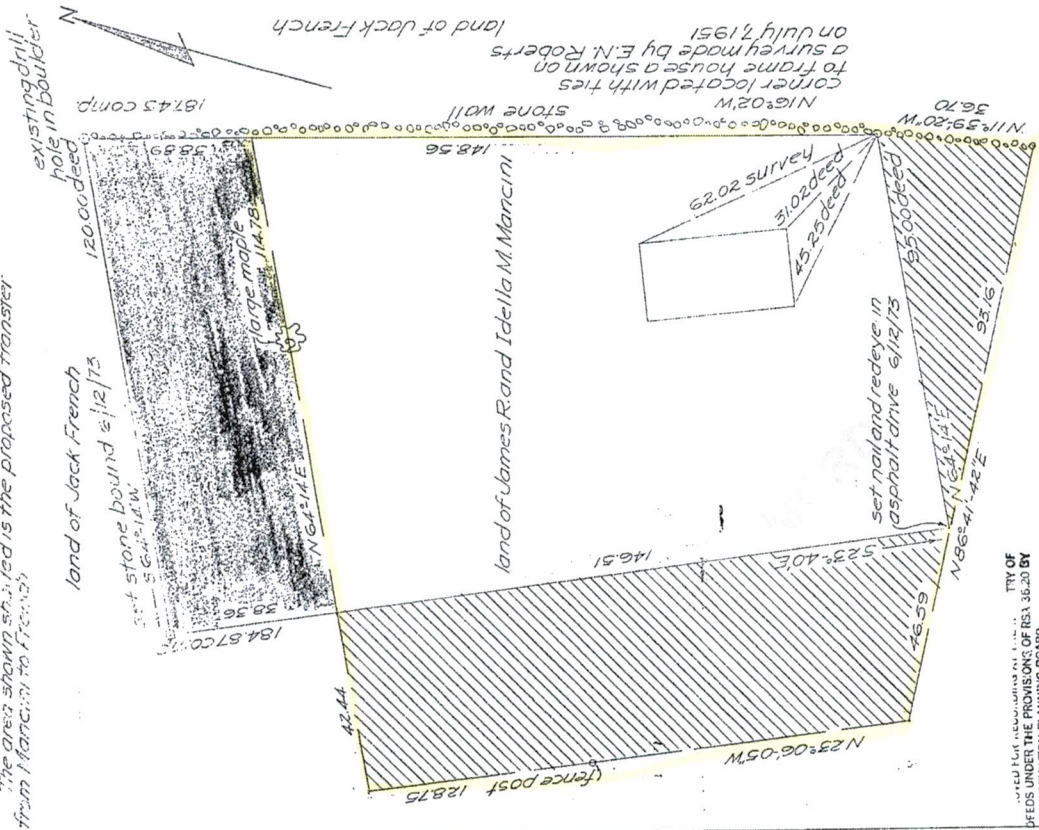
MERRIMACK COUNTY RECORDS


Kathi L. Huay, Register

0.1
54Ac
N OF
INTON



NOTE: *Wm. N. Xuey, Reguler*
 The area shown cross hatched is the proposed transfer from French to Mancini.
 The area shown shaded is the proposed transfer from Mancini to French.



Survey for Jack French
 by Royco Engineering
 163 Manchester St
 Concord N.H.

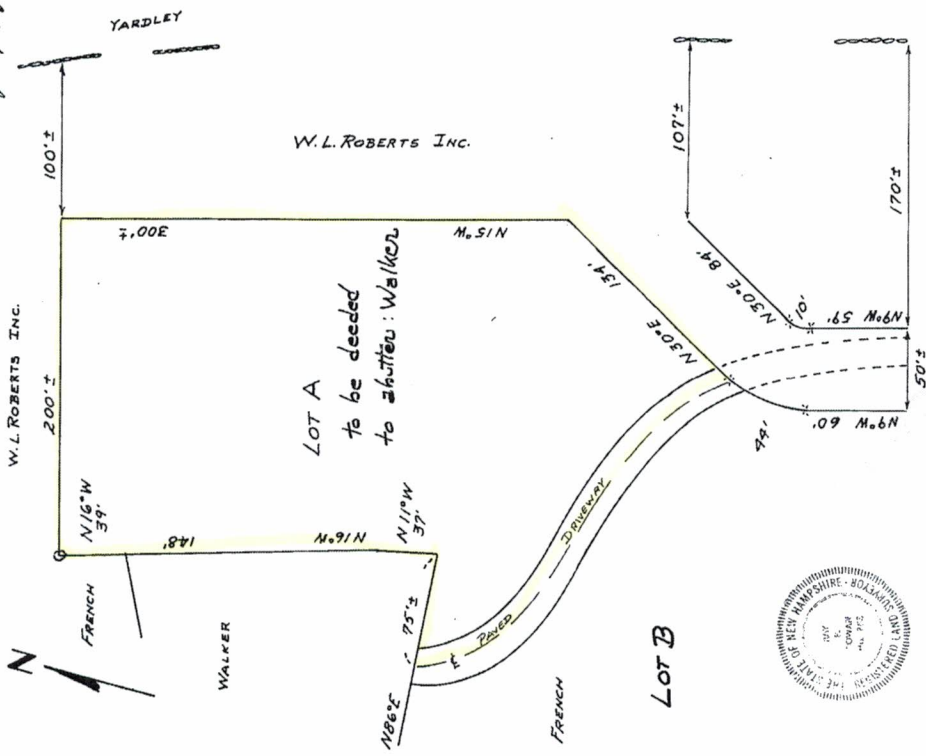


Field work: D.U.f.R.D.
 Comps. DU:
 drawn by: DU
 Scale: 1"=20'
 Date: 9/12/73
 Checked by:

Town of Hopkinton
 DEEDS UNDER THE PROVISIONS OF RSA 36:20 BY
 THE HOPKINTON PLANNING BOARD.
 Approved: *M.D. [Signature]* Date: 10/13/73

6768
 3949

TM 251 L15
 MCRD 3949



LOT A
to be decided
to Walker

LOT B



Town of Hopkinton
John French
Subdivision

N.H. ROUTE 202

PLAN OF LOT A

THIS PLAN WAS DRAWN BY:
RAYCO ENGINEERING
225-5454
DATE: 9/2/1977
SCALE: 1/4" = 50'

APPROVED FOR RECORDATION BY THE REGISTRAR OF DEEDS UNDER THE PROVISIONS OF RSA 362:0 BY THE HOPKINTON PLANNING BOARD.
Thomas M. O'Donnell DATE: Nov 15, 1977

NOTE:
THIS PLAN WAS COMPILED FROM A PLAN DRAWN BY GIBERT C. CASTLE, SURVEYOR, DATED 12/19/1973, A PLAN DRAWN BY RAYCO ENGINEERING, SURVEYOR, DATED 6/12/1973, AND INFORMATION SUPPLIED BY MR. JOHN FRENCH.

APPROVED FOR RECORDATION AT THE REGISTRY OF DEEDS UNDER THE PROVISIONS OF RSA 362:0 BY THE REGISTRAR OF DEEDS UNDER THE PROVISIONS OF RSA 362:0 BY THE HOPKINTON PLANNING BOARD.

APPROVED FOR RECORDATION AT THE REGISTRY OF DEEDS UNDER THE PROVISIONS OF RSA 362:0 BY THE REGISTRAR OF DEEDS UNDER THE PROVISIONS OF RSA 362:0 BY THE HOPKINTON PLANNING BOARD.

Tm 251 L14
MCRD 505a

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:39-a

674:39-a Voluntary Merger. – Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the planning board or its designee. Except where such merger would create a violation of then-current ordinances or regulations, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the planning board or its designee, shall be filed for recording in the registry of deeds, and a copy mailed to the municipality's assessing officials. No such merged parcel shall thereafter be separately transferred without subdivision approval. No city, town, county, or village district may merge preexisting subdivided lots or parcels except upon the consent of the owner.

Source. 1995, 291:9, eff. Aug. 20, 1995. 2010, 345:1, eff. Sept. 18, 2010.