



Section 210-126 of the Hopkinton Zoning Code permits accessory dwelling units in single family residential districts subject to the standards and procedures set forth in Section 210-126. The applicant requests a Special Permit under this Section.

Accessory Family Dwelling Unit. Section 210-126. The intent and the purpose of this section is to permit accessory dwelling units in single family residential districts subject to the standards and procedures set forth. It is also the intent to assure that the single family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal living quarters, upon the granting of a Special Permit by the Board of Appeals.

### **Special Permit Review Standard**

Special Permits, where granted, must be in harmony with the general purpose and intent of the zoning by-laws. Special Permits are granted for those specific uses which are deemed necessary or desirable but which are not allowed as of right because of their potential for incompatibility with the characteristics of the zoning district. Special Permits are granted only after weighing the benefits and detriments of a proposal. No one possesses a “right” to a Special Permit and the Board may deny an application for such relief in its discretion. In all matters on which it has jurisdiction to act, the Board of Appeals shall give due consideration to promoting the public health, safety, convenience and welfare, shall encourage the most appropriate use of land, and shall permit no building or use injurious, noxious, offensive, or detrimental to the neighborhood. To this end, it may prescribe appropriate conditions and safeguards in each case.

### **Discussion**

The Applicant appeared at the Public Hearing and presented its proposal for the construction of an addition to be used as “an Accessory Family Dwelling Unit” for her parents. The addition is proposed to be a Modular Unit 14’ Wide X 48’ Long totaling 672 SF which is

within the limitations of the Section. It was also presented that the enlargement is in the same use and is within the volume or area limitation outlined in Section 210-128B. All of the data and evidence presented confirmed the proposal would not increase any existing nonconformity.

### **Decision**

Based on the application, presentation of the applicant, documents and evidence presented at the Public Hearing, Special Permits were granted as follows:

1. A Special Permit was granted under section 210-128B as the data and evidence presented meets all of the requirements of the forgoing Section.

On a motion to grant, the Special Permit was granted as aforesaid by the following vote:

Wayne R. Davies, Chairman	Yes
Robert W. Foster, Vice Chairman	Yes
Thomas J. Garabedian, Clerk	Yes
Vascen J. Bogigian	Yes
Patricia Rackauskis	Yes

The application for Special Permit is hereby ***Granted***.

2. A Special Permit was granted under section 210-126 to construct an accessory family dwelling unit in accordance with the plans submitted with the application, a copy of which is attached hereto and incorporated herein by reference as "Exhibit A".

On a motion to grant, the Special Permit was granted as aforesaid by the following vote:

Wayne R. Davies, Chairman	Yes
Robert W. Foster, Vice Chairman	Yes

Thomas J. Garabedian, Clerk	Yes
Vascen J. Bogigian	Yes
Patricia Rackauskis	Yes

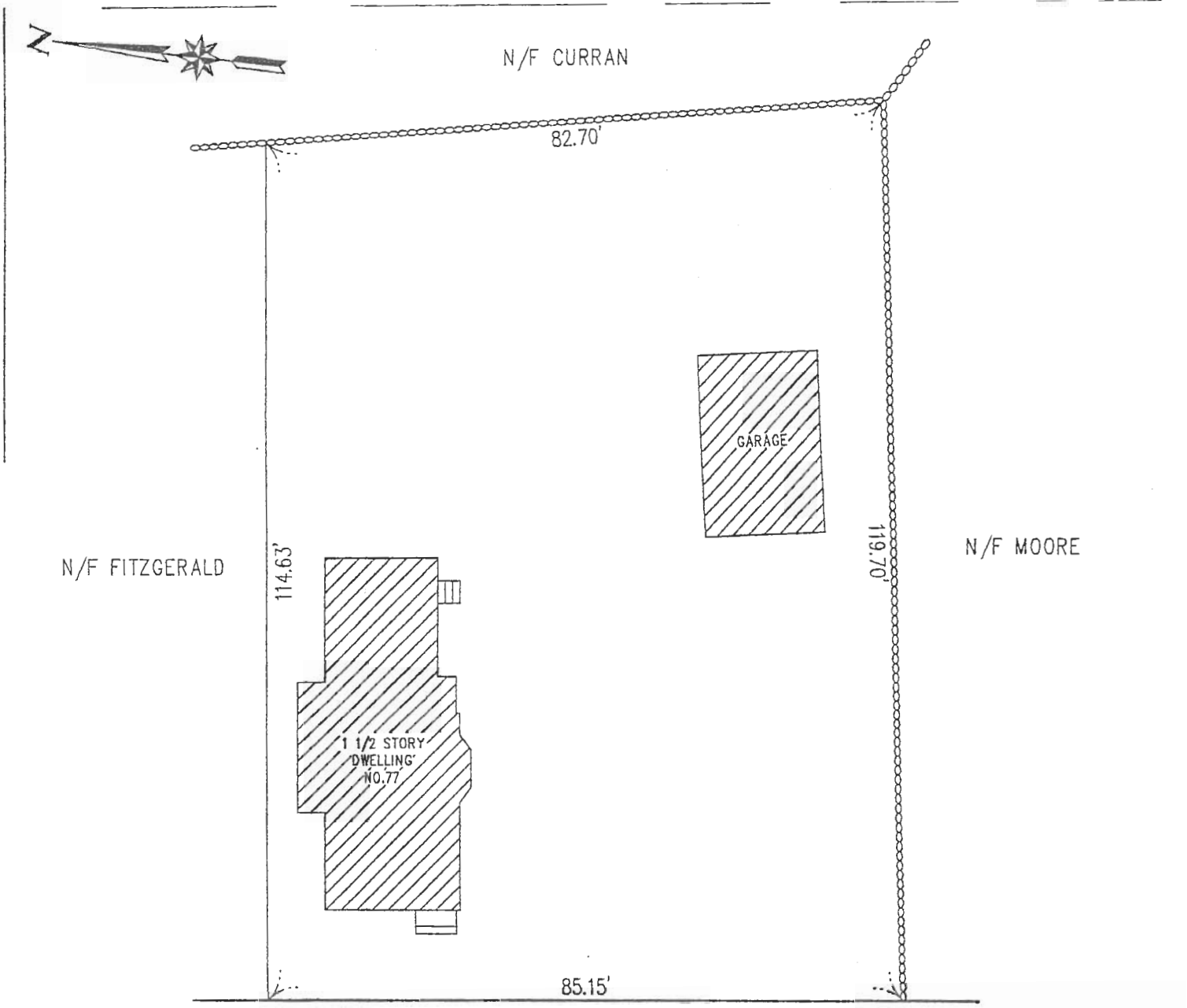
The application for Special Permit is hereby *Granted*.

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Thomas J. Garabedian, Clerk

**Any and all plans or specifications submitted to the Board of Appeals that detail construction or improvements to be undertaken or performed in conjunction with the relief granted hereunder, are hereby made express conditions of the issuance of this Decision and are incorporated herein by reference. Unless this Decision expressly provides otherwise, the rights and privileges granted under a Variance run with the land; and the rights and privileges granted under a Special Permit and Appeal are personal to the Applicant or Appellant and do not run with the land; except for a Special Permit issued pursuant to Zoning By-law 210-119 for relief from side and rear set back requirements, which shall run with the land.**

**No Variance or Special Permit, or any extension, modification, or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty days have elapsed after the decision has been filed in the office of the town clerk and no appeal has been filed, shall be recorded at the Middlesex District Registry of Deeds in Cambridge, Massachusetts in accordance with MGL c. 40A s. 11. Appeal of this Decision, if any, shall be made pursuant to MGL c. 40A s. 17 and shall be filed within twenty (20) days after the date of filing of this Decision with the office of the Town Clerk.**



**MORTGAGE LENDER  
USE ONLY**

THIS IS THE RESULT OF TAPE MEASUREMENT, NOT THE RESULT OF AN INSTRUMENT SURVEY AND IS CERTIFIED TO THE TITLE



— Exhibit A —

