

**TOWN OF HOPKINTON**  
**OFFICE OF**  
**BOARD OF APPEALS**

18 MAIN STREET  
HOPKINTON, MASSACHUSETTS 01748

September 17, 2003

Re: **Application for Special Permit** filed by **David and Rhonda Levy** of 53 Ash Street, Hopkinton, MA 01748 regarding property located at **53 Ash Street**, (Parcel I.D. Nos. U20, Block 26, Lot 0; **Middlesex South Registry of Deeds Book 17507, Page 270**) **Hopkinton, MA 01748** (hereinafter the "Property").

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**Introduction**

The Massachusetts Zoning Act having been duly complied with regarding notice, a Public Hearing was held on August 27, 2003 at 8:30 PM in the Hopkinton Town Hall.

**Requested Relief**

The Applicants intend to raze two existing structures (a shed and garage) situated behind the primary residence as shown on a plan submitted with their request (the "Existing Structures") and seek to construct a garage approximately twenty-four (24) feet by twenty-eight (28) feet in size at the rear of the Property. The Property is in the Residential A zoning district which requires a minimum side yard width of ten (10) feet and a minimum rear yard depth of twenty (20) feet pursuant to §§ 210-5.F and 210-5.G of the Zoning Code, respectively. The Applicants request a special permit pursuant to § 210-119 of the Zoning Code to allow a rear yard depth of (8) eight feet and a side yard width of (3) feet.

**Decision**

Based on the application, presentation of the applicant, and evidence at the public hearing, a Special Permit is conditionally granted pursuant to § 210-119 of the Zoning

Code permitting, with respect to construction of the garage, a rear yard depth of eight (8) feet and a side yard width of (3) feet. The condition upon which this Special Permit is conditionally granted is the razing of the Existing Structures.

On motion to grant the Special Permit, the Special Permit was conditionally granted as aforesaid by the following vote.

Robert W. Foster, Chairman	Yes
Ross D. Ginsberg, Clerk	Yes
Wayne R. Davies	Yes
Henry R. Kunicki	Yes

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

**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. 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.**

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Ross D. Ginsberg, Clerk