



Town of Hopkinton

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HOPKINTON PLANNING BOARD PUBLIC NOTICE DECEMBER 9, 2014

Notice is hereby given that the Hopkinton Planning Board will hold a Public Hearing on proposed amendment to the Hopkinton Zoning Ordinance. The hearing will be held on **Tuesday, December 9, 2014**, at 7:30 PM in the Hopkinton Town Hall, 330 Main Street Hopkinton. This is a continuation of the November 18, 2014 hearing. A full-text of proposed amendments is available at Town Hall, Town Clerk's Office and Town's website.

- a) Amend Section II Definitions deleting definition 2.1.T.2 Travel Trailer and inserting new definition 2.1.R.2 Residential Tenting/Recreational Camping Vehicles. Amendment will require changing the numerical sequence of remaining definitions.
- b) Amend Table of Uses 3.6.H.4 deleting all references to "travel trailer" and inserting in its place the words, "Residential Tenting and Recreational Camping Vehicles of a Visitor".
- c) Amend 10.4 Residential Tenting/Recreational Camping Vehicles, 10.4.1 Limitations deleting reference to "four weeks per year" and inserting in its place "sixty (60) days per year" so that the language is consistent with the time frame already established in Table of Uses 3.6.H.4.
- d) Amend Section II Definitions inserting new definitions 2.1.E.1 Entertainment, 2.1.L.14 Lounge, 2.1.P.2 Place of Entertainment, and 2.1.R.4 Restaurant. Amendment will require changing the numerical sequence of remaining definitions.
- e) Amend Section III Establishment of Districts and Uses inserting 3.7.9 Place of Entertainment outlining conditions that must be met, agreed to and demonstrated in compliance.
- f) Amend Table of Uses 3.6.F.5 Restaurant inserting the words, "Full-Service" so that it will read as follows, 3.6.F.5 Restaurant, Full-Service.
- g) Amend Table of Uses 3.6 inserting 3.6.F.7 Restaurant, Fast Food as a use prohibited in all zoning districts. Amendment will require changing the numerical sequence of the remaining uses.
- h) Amend Table of Uses 3.6 inserting 3.6.F.8 Restaurant, Take-Out as a use prohibited in all residential districts and permitted by Special Exception in all commercial and industrial districts.
- i) Amend Table of Uses 3.6 inserting 3.6.F.11 Place of Entertainment as a use prohibited in all residential districts and permitted by Special Exception in all commercial and industrial districts.
- j) Amend Table of Uses 3.6 inserting 3.6.F.12 Lounge as a use prohibited in all residential districts and permitted by Special Exception in all commercial and industrial districts.
- k) Amend Table of Uses 3.6 inserting cross-references for uses in which there are other relevant provisions of the Ordinance. Cross-reference Section IX Manufactured Housing with 3.6.A.6 Manufactured Housing Subdivision, Section XVI Affording Housing Innovative Land Use Control with 3.6.A.9 Affordable Housing Option, Section X Recreational Camping Parks/Residential Tenting and Recreational Camping Vehicles with 3.6.H.4 Residential Tenting and Recreational Camping Vehicles of a Visitor, and Section XII Wetlands Conservation District (Overlay) with 3.6.H.9 Filling of Water or Wet Area.
- l) Amend 3.9 Use, Adult inserting other uses and locations in which an adult use shall be a minimum of 1,000 feet from property lines.

Bruce Ellsworth
Chairman

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
DECEMBER 9, 2014 – PUBLIC HEARING (CONTINUATION)

a) ~~**2.1.T.2 Travel Trailer:** A mobile home designed to be used for temporary occupancy for travel, recreational or vacation use; with the manufacturer’s permanent identification “Travel Trailer” thereon; and when factory equipped for the road, being of any length provided its gross weight does not exceed forty five hundred (4,500) pounds, or being of any weight provided its overall length does not exceed twenty-eight (28) feet.~~

2.1.R.2 Recreational Camping Vehicles (also Travel Trailers): A mobile home designed to be used for temporary occupancy for travel, recreational or vacation use; with the manufacturer’s permanent identification “Travel Trailer” thereon; and when factory equipped for the road, being of any length provided its gross weight does not exceed forty-five hundred (4,500) pounds, or being of any weight provided its overall length does not exceed twenty-eight (28) feet. **Means any of the following vehicles:**

- (a) Motor home or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- (b) Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- (c) Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.
- (d) Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.

b)

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
H. Accessory Uses											
4.	Travel trailer Residential Tenting and Recreational Camping Vehicles of a visitor in accordance with Section X, provided that the trailer is located to comply with setbacks of the district and provided no travel trailers residential tenting and recreational camping vehicles are located on the property for greater than 60 days per year.	P	P	P	P	P	S	P	P	S	Section XII Wetlands Conservation District (Overlay)

c) **10.4 RESIDENTIAL TENTING/RECREATIONAL CAMPING VEHICLES:** Residential tenting and recreational vehicles will be allowed provided that the following requirements are met.

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
DECEMBER 9, 2014 – PUBLIC HEARING (CONTINUATION)

10.4.1 Limitations: Such occupancy of either tents or recreational vehicles at any residence shall not exceed a total of ~~four weeks~~ **sixty (60) days** per year. No more than one such unit may be occupied in connection with any residence.

10.4.2 Location: Any tent or recreational vehicle temporarily placed upon a lot in conjunction with a residence shall be located as inconspicuously as possible so as to minimize to the greatest degree possible the unit's visibility from public roads or neighboring lands. Children's tents, used by the minor children of the occupants of the residence, are exempt from this paragraph.

d) 2.1.E.1 Entertainment: Any single event, a series of events, or an ongoing activity or business, occurring alone or as part of another business, to which the public is invited or allowed to watch, listen, or participate or that is conducted for the purpose of holding the attention of, gaining the attention of or diverting or amusing guests or patrons, regardless of whether a charge or fee is levied, limited however to the following types of activities: Instrumental music, individual singer, singing group or band, dance, comedy, theatrical reading, speech, performance art, sporting event, or exhibition. Nothing in this definition shall be construed to permit the exposure of specific anatomical areas or the conduct of adult entertainment of any kind as referenced in Section 3.9 of this Ordinance.

2.1.R.4 Restaurant: An eating establishment in which food is prepared on the premises and served to customers.

(1) Restaurant, Drive-In: A restaurant used for the sale, dispensing or servicing of food, refreshments or beverages in automobiles, including establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages on the premises.

(2) Restaurant, Fast-Food: A restaurant where food or beverage is sold for consumption on-site or off-premises within a short period of time, orders are made at either a walk-up window or counter, payment is made prior to consumption, and packaging of food is done in disposable containers, or is otherwise not a "full service restaurant." A fast food restaurant may provide, as secondary activities, delivery service or related retail sales items.

(3) Restaurant, Full-Service: A restaurant where prepared food is sold for consumption on the premises, customers are provided an individual menu, and a restaurant employee serves customers at the same table, booth or counter where the items are consumed. The term includes diners, cafes, and cafeterias, and specifically excludes drive-in restaurants and fast-food restaurants. A full-service restaurant may also provide, as secondary activities, delivery service, take out service (except drive-up customer service) or related retail sales items.

(4) Restaurant, Take-Out: A restaurant that offers prepared food for consumption entirely off the premises, with no drive-through facility.

2.1.L.14 Lounge: A business, or segregated area of a restaurant, whose primary purpose is the serving of alcoholic beverages but which may also offer a limited food menu.

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
DECEMBER 9, 2014 – PUBLIC HEARING (CONTINUATION)

2.1.P.2 Place of Entertainment: Any hall, theater, lounge or restaurant which provides on-premises entertainment, except a Fair Use permitted in the Fair District.

- e) 3.7.9. Place of Entertainment. In order to operate a Place of Entertainment the applicant must (a) meet all requirements of Section XV, 15.8.2 of this Ordinance and (b) agree to and demonstrate to the Zoning Board of Adjustment compliance with the following additional conditions:
- a) The type of entertainment activity shall comply with Section II, 2.1.E.1 of this Ordinance.
 - b) The applicant shall provide evidence that there is adequate sound insulation to minimize any noise impacts from all entertainment activities to adjacent properties.
 - c) No noise source shall produce noise at a level equal to or in excess of ninety-five (95) db and the place of entertainment shall otherwise comply with the standards and requirements of Section 5.5 of this Ordinance.
 - d) All entertainment activity shall take place inside the structure on the premises and no noise from any entertainment activity shall be transmitted to any outdoor areas.
 - e) All windows and doors at the place of entertainment shall remain closed during an entertainment activity and during all activities related thereto before and after same.
 - f) An entertainment activity shall begin no earlier than 12:00 PM and conclude no later than 10:00 PM.
 - g) Site Plan Review shall by the Planning Board shall be required.

f – j)

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
F. Commercial Uses										
5. Restaurants, Full-Service.	X	X	X	X	P	S	X	P	S	Section XII Wetlands Conservation District (Overlay)
6. Restaurant, Drive-in eating establishments.	X	X	X	X	S	S	X	X	X	
7. Restaurant, Fast Food.	X	X	X	X	X	X	X	X	X	
8. Restaurant, Take-Out	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. Place of Entertainment.	X	X	X	X	S	S	X	S	S	
12. Lounge	X	X	X	X	S	S	X	S	S	

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
DECEMBER 9, 2014 – PUBLIC HEARING (CONTINUATION)

k)

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
A. Residential Uses										
6. Manufactured Housing subdivision in accordance with Section IX.	P	P	P	P	X	X	S	X	X	Section XII Wetlands Conservation District (Overlay)
9. Affordable Housing Option in accordance with Section XVI.	X	P	P	P	X	X	P	X	X	
H. Accessory Uses										
4. Travel trailer Residential Tenting and Recreational Camping Vehicles of a visitor in accordance with Section X , provided that the trailer is located to comply with setbacks of the district and provided no travel trailers residential tenting and recreational camping vehicles are located on the property for greater than 60 days per year.	P	P	P	P	P	S	P	P	S	
9. Filling of Water or Wet Area in accordance with Section XII (see Section XII).										

l) **3.9 USE, ADULT:** In addition to meeting the requirements of Section XV, Paragraph 15.8.2 of this Ordinance, the applicant must agree to and demonstrate compliance with the following conditions in order to receive a special exception for an Adult Use:

- (a) No adult use shall be located within 1,000 feet of the property line of a **place of religious worship, church, cemetery, school, day care center, youth center, public park, public sports or recreation field or similar publicly-owned facility**, or within 500 feet of a property line of **any residence**.