



Town of Hopkinton

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HOPKINTON PLANNING BOARD PUBLIC NOTICE JANUARY 13, 2015

Notice is hereby given that the Hopkinton Planning Board will hold a Public Hearing on the following proposed amendment to the Hopkinton Zoning Ordinance. The hearing will be held on **Tuesday, January 13, 2015, at 7:30 PM** in the Hopkinton Town Hall, 330 Main Street Hopkinton. This is a continuation of the December 9, 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 inserting new definitions 2.1.E.1 Entertainment and 2.1.P.2 Place of Entertainment. Amendment will require changing the numerical sequence of remaining definitions.
- b) 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.
- c) Amend Table of Uses 3.6 inserting 3.6.F.8 Place of Entertainment as a use prohibited in all residential districts and permitted by Special Exception in all commercial and industrial districts.
- d) 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)
JANUARY 13, 2015 – PUBLIC HEARING (CONTINUATION)

- a) **Amend Section II Definitions inserting new definitions 2.1.E.1 Entertainment and 2.1.P.2 Place of Entertainment. Amendment will require changing the numerical sequence of remaining definitions.**

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. The following types of activities are included: Instrumental music, individual singer, singing group or band, dance, comedy, theatrical reading, speech, performance art, sporting event, or exhibition. The use of televisions, radio or recorded music is exempt from this definition. Nothing in this definition shall be construed to permit adult entertainment of any kind as referenced in Section 3.9 of this Ordinance.

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.

- b) **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.**

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.

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
JANUARY 13, 2015 – PUBLIC HEARING (CONTINUATION)

- c) Amend Table of Uses 3.6 inserting 3.6.F.8 Place of Entertainment as a use prohibited in all residential districts and permitted by Special Exception in all commercial and industrial districts.

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
E. Commercial Uses										
1. Retail establishment selling convenience goods (including but not limited to foods, drugs and proprietary goods) and general merchandise (including but not limited to dry goods, apparel and accessories, furniture and home furnishings, home equipment, small wares and hardware) including discount and limited price variety store.	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	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. Use, Adult in accordance with Section III, paragraph 3.9.	X	X	X	X	S	X	X	S	X	

Section XII Wetlands Conservation District (Overlay)

- d) 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.

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:

HOPKINTON PLANNING BOARD
2015 ZONING AMENDMENTS (PROPOSED FULL TEXT)
JANUARY 13, 2015 – PUBLIC HEARING (CONTINUATION)

- (a) No adult use shall be located within 1,000 feet of the property line of a **public place of 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.