



Town of Hopkinton

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HOPKINTON PLANNING BOARD MINUTES OCTOBER 11, 2016

Chairman Bruce Ellsworth opened the Hopkinton Planning Board meeting of **Tuesday, October 11, 2016, at 6:30 PM** in the Hopkinton Town Hall. Members present: Vice Chairman Michael Wilkey, Ex-Officio James O'Brien, Jane Bradstreet, Richard Steele, Celeste Hemingson, and Alternates Jim Fredyma and Clarke Kidder. Members absent: Cettie Connolly and Timothy Britain. Staff present: Planning Director Karen Robertson.

Due to the absence of a regular member, Mr. Fredyma was designated as a voting member. Chairman Ellsworth declared a quorum present.

I. Review of the Minutes and Notice of Decision of September 20, 2016.

Celeste Hemingson, seconded by Michael Wilkey, moved to **APPROVE** the Minutes of September 20, 2016 as presented. Motion carried unanimously (Wilkey, O'Brien, Bradstreet, Steele, Hemingson and Fredyma).

Celeste Hemingson, seconded by Jane Bradstreet, moved to **APPROVE** the Notice of Decision of September 20, 2016 as presented. Motion carried unanimously (Wilkey, O'Brien, Bradstreet, Steele, Hemingson and Fredyma).

II. Conceptual Consultations.

There were no conceptual consultations.

III. Applications.

While Celeste Hemingson and Jane Bradstreet both indicated that they would be unbiased in reviewing the application of YAYA Organics, but noted for the record that one of the principal owners of the business is married to their physician. Chairman Ellsworth agreed that Mrs. Hemingson and Mrs. Bradstreet will remain as voting members.

Site Plan/Architectural Design Review Application #2016-13, YAYA Organics LLC, 633 Maple Street, Tax Map 227, Lot 44, M-1 District. Applicant proposes light manufacturing and assembly of personal body care products, and installation of a business sign on property owned by Jane Sullivan Durand and Lynn Durand. A public hearing will immediately follow if application is accepted as complete.

Subject to review and approval.

Valeria Rezende DioDato of 5 Pond Place Lane, Concord, stated that she and her partners, Alex Lawrence and Rebecca O'Connor, produce various all natural products, such as tick and mosquito repellents, and deodorants. YAYA Organics has been in business since 2014, and the products are currently sold in over 150 stores in New Hampshire and Massachusetts, including on Amazon. The proposal is to relocate all aspects of the business, including manufacturing, marketing, and sales to the Maple Street facility.

Mr. Wilkey inquired about hazardous materials associated with the business. In response, Mrs. Rezende DioDato indicated that there are no hazardous materials or ingredients used. The manufacturing process includes the use of plastic bottles and ingredients such as, essential oils, baking soda, corn starch, rosemary, peppermint, and lavender. While the oils are purchased in bulk, they only purchase what is needed at the time because of the cost.

There are currently no employees as Mrs. Rezende DioDato and Mrs. Lawrence's families assist in the operations of the business. However, Mrs. Rezende DioDato noted that as the business grows there may be a need to hire employees.

All large shipments of materials are received at a warehouse in Concord, so there will be no need for large shipments to be delivered to the Maple Street property. The large shipments are stored at the warehouse and when supplies are needed they will typically use their own vehicle to pick-up a box from the warehouse. Deliveries or pick-ups at the Maple Street facility will be done by UPS and regular postal service on a daily basis.

Mr. Steele asked about retail sales from the facility. Mrs. Rezende DioDato replied no; stating that they would not want to compete with the local retailers that are or will be selling their products.

Chairman Ellsworth asked whether there are any licensing requirements. Mrs. Rezende DioDato advised that the business is too small to be regulated at the federal level; however, they do follow the rules of the Environmental Protection Agency concerning the production of repellents. Furthermore, the business is registered in New Hampshire and they are in the process of registering in Rhode Island.

Chairman Ellsworth then inquired about fire safety. Mrs. Rezende DioDato responded that there is no concerns of fire safety as the ingredients used are all natural. She did note that in the process of developing the deodorants they utilize a wax melter that is a standard size. The ingredients are melted at a controlled temperature that is constantly being monitored so not to overheat the mixture.

Finally, Mrs. Rezende DioDato explained how there will be no changes to the exterior of the building or property. There will be a sign with the name and logo of the business that will be placed in the free-standing directory and on the building. Both signs will be compliance with the Sign Ordinance and will not be lit.

Jane Bradstreet, seconded by James O'Brien, moved to **ACCEPT** for consideration and as complete application #2016-13. Motion carried unanimously in favor (Wilkey, O'Brien, Bradstreet, Steele, Hemingson and Fredyma).

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

Jane Bradstreet, seconded by Celeste Hemingson, moved to **APPROVE** application #2016-13 as presented. Motion carried unanimously in favor (Wilkey, O'Brien, Bradstreet, Steele, Hemingson and Fredyma).

IV. Any other business that may legally come before the Board.

A. Discussion of Zoning Amendments for 2017 Annual Town Meeting:

- 1) The Planning Board briefly discussed the three (3) zoning map amendments presented earlier this evening on behalf of the Economic Development Committee.
 - a) Amend the Zoning Map of the Town of Hopkinton, New Hampshire by rezoning from R-2 (Medium Density Residential) and M-1 (Industrial) to M-1 (Industrial) three (3) parcels of land comprising of approximately 28.21 acres, located as follows:
 - 554 Maple Street, shown on Tax Map 227 as Lot 4,
 - 633 Maple Street, shown on Tax Map 227 as Lot 44, and
 - 25 Dolly Road, shown on Tax Map 227 as Lot 45.

Explanation: The three (3) parcels, with buildings, are partially zoned residential and industrial; however, these parcels are being used for commercial or industrial purposes and not residential.

- b) Amend the Zoning Map of the Town of Hopkinton, New Hampshire by rezoning from R-2 (Medium Density Residential) to M-1 (Industrial) five (5) adjoining parcels of land comprising of approximately 16 acres, located on the west side of Maple Street, shown on Tax Map 227 as Lots 6, 40, 41, 42 and 43.

Explanation: The five (5) parcels, with buildings, abut or are across the street from property used for commercial or industrial purposes that is zoned M-1 (Industrial).

- c) Amend the Zoning Map of the Town of Hopkinton, New Hampshire by rezoning from R-3 (Low Density Residential) to M-1 (Industrial) two (2) adjoining parcels of land comprising of approximately 67.9 acres, located on the west side of Maple Street or at the intersection of Maple Street and Route 202/9, shown on Tax Map 210 as Lot 3 and on Tax Map 211 as Lot 8.

Explanation: The (2) parcels, currently land only, are located at the Henniker/Hopkinton Town Line, near the Henniker Dunkin Donuts, which is a commercial use.

Discussion included traffic safety and the need for improvements at the intersection of Route 202/9, Route 127/Maple Street and Old Concord Road.

- 2) Mrs. Robertson briefly discussed the need to amend the Sign Ordinance to be in compliance with the U.S. Supreme Court's decision in Reed vs. Town of Gilbert, Arizona. The decision clarified when municipalities may impose content-based restrictions on signage and the constitutional impact that content-based signage has on free speech. In response, Mr. Steele and Mr. Wilkey agreed to assist with the revisions.
- 3) The Planning Board then briefly discussed needed revisions to address new legislation concerning Accessory Dwelling Units. Again, Mr. Steele and Mr. Wilkey will assist with the revisions.

V. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 7:22 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, November 15, 2016 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.