



Town of Hopkinton

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HOPKINTON PLANNING BOARD

MINUTES

MAY 10, 2016

Chairman Bruce Ellsworth opened the Hopkinton Planning Board meeting of **Tuesday, May 10, 2016, at 6:30 PM** in the Hopkinton Town Hall. Members present: Cettie Connolly, Celeste Hemingson, Jane Bradstreet and Alternates Clarke Kidder and Jim Fredyma. Members absent: Michael Wilkey, Timothy Britain, Ex-Officio James O'Brien, and Alternate Richard Steele. Staff present: Planning Director Karen Robertson.

Chairman Ellsworth declared a quorum present.

I. Review of the Minutes and Notice of Decision of April 12, 2016.

Cettie Connolly, seconded by Jane Bradstreet, moved to **APPROVE** the Minutes of April 12, 2016 as presented. Motion passed 3-0-2.

Celeste Hemingson, seconded by Clarke Kidder, moved to **APPROVE** the Notice of Decision of April 12, 2016 as presented. Motion passed 3-0-2.

II. Conceptual Consultations.

There were no conceptual consultations.

III. Applications. (*Public hearing will immediately follow if the applications are accepted as complete.*)

Site Plan Review Application #2016-06, Alexander & Jeannette Klan, located at 2201 Hopkinton Road, Tax Map 240, Lot 3, R-3 District. Home Business producing and selling cast stone garden ornaments, figurines, planters and related products. The use is listed in Zoning Ordinance Table of Uses 3.6.

Mrs. Klan reviewed the site drawing indicating that there is more than sufficient parking available as the residence was once used as an inn. She believed that there is more than adequate site distance for vehicles entering and exiting the property when utilizing the circular driveway.

Note: An application for Special Exception was approved by the Zoning Board of Adjustment (ZBA) with conditions with respect to hours of operation, the number of personal items that are products of the home business that may be visible from the street, the ingredients of the products, and the fact that all manufacturing and retail items, including associated material and equipment must be located within the barn.

Mrs. Klan explained their intentions to only operate during daytime hours during the summer months. Hours of operation approved by ZBA were 10 AM – 7 PM, Mondays – Sundays; however, the Applicant does not anticipate being open for that length of time.

Adopted: 06/14/2016

Currently, the Klans deliver smaller products to small boutiques/shops that are on consignment. They anticipate selling wholesale and at artisan fairs most of the time.

At this time, Mrs. Klan explained the process by which they had operated their business in Europe, prior to moving to the States.

Member Kidder questioned whether he should recuse himself as he knows the klan's abutter George Schell. Following brief discussion, Chairman Ellsworth replied no.

Celeste Hemingson, seconded by Jane Bradstreet, moved to **ACCEPT** application #2016-06 as complete and for consideration. Motion passed unanimously (Connolly, Bradstreet, Hemingson and Fredyma).

Chairman Ellsworth opened the public hearing portion of the meeting with abutter Michael Martin questioning whether waste cement will be disposed of through the sewer system. Mr. Martin noted that based on a survey of his property, it appears that the remains of a septic system from the Klan property straddle the property line onto his property. Furthermore, Mr. Martin suggested that the current well and septic system on the Klan property does not meet the radius requirements imposed by the State. In response, Mrs. Bradstreet noted that the existing well and septic system is grandfathered. Chairman Ellsworth inquired with the Klans with respect to the residue from the washing of the cement mixer being disposed into the septic system. In response, Mrs. Klan explained that the washing of the mixer is done outside, and that there is very little residue remaining. Production of the concrete products involves the use of a small cement mixer, sand, water and other natural ingredients, such as buttermilk or moss. The majority of the products are small with the exception of urns, fountains and statues. Typically, the Klans use ten (10) or so molds at a time. Once poured, the curing can take up to three (3) weeks; again, depending upon the size of the product.

Mrs. Klan noted that some of the residue has been used as part of the construction of a concrete path that was made in the front of the shop.

Mrs. Hemingson suggested that all cleaning residue be disposed of in a drywell. Mrs. Klan agreed, noting that there is currently a dry well and French drain on the property. This will insure that there is no potential runoff onto neighboring properties.

There being no further comments from the public, the public portion of the meeting was closed.

Celeste Hemingson, seconded by Jane Bradstreet, moved to **APPROVE** application #2016-06 as presented with the following conditions:

- a) All reasonable measures must be taken to prevent runoff from use of cement onto abutting properties, and
- b) Applicant must comply with all conditions imposed by the Zoning Board of Adjustment.

Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

Lot Line Adjustment Application #2016-07, T.F. Bernier Inc. on behalf of Kenneth B. Miller and Edith L. Houston, located off Eagle Lane, Tax Map 101, Lot 90 and Tax Map 225, Lot 106, R-4 District.

Mr. Miller presented plans showing adjustments to property lines between his property and property owned Mrs. Houston.

Jim Fredyma, seconded by Clarke Kidder, moved to **ACCEPT** application #2016-07 as complete and for consideration. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

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

Jim Fredyma, seconded by Jane Bradstreet, moved to **APPROVE** application #2016-07 as presented with the condition that the plan and deed be recorded at the Registry of Deeds simultaneously. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

Site Plan/Architectural Design Review Application #2016-08, O'Rourke & Greenblott Holdings LLC, located at 44 Cedar Street, Tax Map 101, Lot 16, VB-1 District. Applicant proposes professional offices and a recreational use. The uses are listed in Zoning Ordinance Table of Uses 3.6.F.3, 3.6.F.16, and Subsection 4.4.3.

Seth Greenblott presented a site plan of property and building at 44 Cedar Street, known as the "Grange Hall", to the Planning Board. Mr. Greenblott and his law partner are purchasing the property and intend to operate their law practice on the first floor and possibly rent out another office space on the same floor. The second floor is intended to be used for recreational purposes, a yoga/dance studio. The yoga studio will relocate from space that it is currently occupying off Maple Street. Mr. Greenblott estimated between 5 – 15 people attending the yoga classes. According to the Fire Chief, the maximum number of people than can occupy the second floor is 20 people.

There was brief discussion concerning the structural integrity of the building and whether it could support the proposed uses, with Mr. Greenblott explaining that the current owner had remedied all structural issues. In addition, the owner had renovated the entire first floor of the building. The second floor remains as is, that is a large open room.

Fire Chief Murray had inspected the building for life and fire safety compliance. Based on a memo to the Planning Board from Chief Murray, dated May 18, 2016, the existing fire escape on the rear of the building is adequate to allow for egress of occupants on the second floor. The existing wheelchair ramp should be renovated to maintain a clear exit path from the building. The three (3) new smoke detectors and two (2) emergency lighting units should be installed, as proposed. On the second floor, all emergency lights and emergency exit signs must be in working condition. The rear exit door to the fire escape is to be replaced with a rated fire door with a push bar emergency exit. In addition, the attic space should be secured and storage kept to a minimum to reduce the potential for fire to spread. Lastly, the yoga instructor should advise of the location of exits when beginning a new yoga session.

Mr. Greenblott noted that he intends to have the siding of the building repaired, where possible, and painted immediately. The color of the building will be either blue or white.

While he had hoped to move and replace the handicapped ramp, due to the cost, he now plans to make repairs to the ramp in its current location.

With respect to signage, Mr. Greenblott intends to come back before the Planning Board, at a later date, for Architectural Design Review.

Cettie Connolly, seconded by Clarke Kidder, moved to **ACCEPT** application #2016-08 as complete and for consideration. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

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

At this time, the Board discussed the Applicant's request for waivers to the landscaping standards outlined in the Site Plan Review Regulations. The Applicant believes that the existing grass and trees satisfy the landscaping requirements. Mr. Greenblott suggested that installing additional landscaping, near the river frontage, may negatively impact the public's ability to access the river. Following discussion, majority of the Board agreed that there wasn't sufficient information to determine whether there is adequate landscaping of the property.

The Applicant also requested that the Planning Board waive the requirement of on-site parking and instead, allow off-site parking, use of the municipal parking lot, as it is located adjacent to the building. In fact, the parking spaces in the front of the building appear to be part of the property in question; when in fact, the spaces are part of the municipal parking lot. Following discussion, the majority of the Board agreed that the Applicant meets the requirements of the Ordinance to allow off-site parking within the municipal parking lot. However, it is understood that there are no dedicated spaces. Use of the parking lot is on a first come first serve basis.

Mr. Greenblott discussed the anticipated traffic as a result of the law office and yoga studio. It is anticipated that the law office may have up to four (4) people and the yoga studio may have a maximum of 20 people in attendance. It is anticipated that the busiest time for traffic in the area will be on Friday evenings when there are yoga classes. This will be the same time that the restaurant along the street has a large number of customers. There was brief discussion concerning the potential for vehicles to park alongside Cedar Street, with members of the Board suggesting that there may be a need for "no parking" signs.

Following brief discussion with regards to the need for a more detailed landscaping plan, the Board unanimously agreed that there wasn't sufficient information, such as the landscaping, to approve the application.

Jim Fredyma, seconded by Jane Bradstreet, moved to **CONTINUE** application #2016-08 to the June meeting, so that the Applicant will have an opportunity to provide the Planning Board with more detailed information with respect to landscaping of the property. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

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

- a) Appointment of Chair and Vice Chair:

Cettie Connelly, seconded by Celeste Hemingson, moved to **APPOINT** Bruce Ellsworth as Chairman of the Planning Board. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

Celeste Hemingson, seconded by Cettie Connolly, moved to **APPOINT** Michael Wilkey as Vice Chairman of the Planning Board. Motion passed unanimously (Connolly, Bradstreet, Hemingson, Kidder and Fredyma).

- b) Master Plan Population and Economics Chapter: Discussions deferred to the June 14, 2016 meeting.

V. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 8:10 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, June 14, 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.