



Town of Hopkinton Planning Department

330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 – planzone@hopkinton-nh.gov

HOPKINTON PLANNING BOARD

MINUTES

JANUARY 24, 2023

Members present: Chair Michael Wilkey, Vice Chair Celeste Hemingson, Ex-Officio Thomas Lipoma, Clarke Kidder, James Fredyma, and Emily Bouchard. Members absent: Greg Sagris, Jane Bradstreet, Rob Dapice, and Rich Steele. Staff present: Planning Director Karen Robertson.

I. Call to Order. Chair Wilkey called the meeting to order at 5:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton. Due to the absence of regular members, Mrs. Bouchard was designated as a voting member.

II. Roll Call. Hemingson – present, Lipoma – present, Kidder – present, Fredyma – present, Bouchard – present, and Wilkey – present.

III. Public Hearing – Zoning Amendments Yr. 2023.

Chair Wilkey opened the third and final public hearing concerning proposed zoning amendments. Planning Director Karen Robertson then provided a brief overview of each amendment as requested.

- 1) Amend the Table of Contents by inserting references to proposed new subsections 4.7, Buffer Standards for Nonresidential Uses, and 20.2, Modifications.
- 2) Amend Section II, the definition of Entertainment and Entertainment, Place of to provide a clearer understanding of what entertainment is, including the fact that a place of entertainment can be a principal use or accessory use.
- 3) Amend Section III, Table of Uses 3.6 as follows:
 - (a) Table of Uses 3.6.E.3 (Hospitals, Clinics and...), by changing the principal uses from prohibited to permitted in the Industrial (M1) and Village Industrial (VM1) districts. The purpose of the amendment is to make the uses consistent with what is currently permitted in the Commercial (B1) district.
 - (b) Table of Uses 3.6.F.9 (Drive-in Food Establishments), by changing the principal use from prohibited to permitted in the Village Commercial (VB1) district. The purpose of the amendment is to permit what is currently taking place in Contoocook Village downtown, which is ordering and picking up food and beverages from restaurants. The amendment will also make the use consistent with what is currently permitted in the Commercial (B1) district.
 - (c) Table of Uses 3.6.F.12 (Entertainment, Place of, Section II), by changing the principal use from permitted by special exception to prohibited in the High-Density Residential (R1), Medium-Density Residential (R2), Low-Density

Minutes subject to review and approval.

- Residential (R3), and Residential/Agricultural (R4) districts. Currently, a Place of Entertainment can be constructed and operated in all residential zoning districts, which was not the intention.
- (d) Table of Uses 3.6.G.7 (... , or Refuse Facility), by changing the word "Facility" to "Facilities." The amendment is a housekeeping amendment changing a word from singular to plural, consistent with how other uses listed in 3.6.G.7 are written.
 - (e) Table of Uses 3.6.H.5 (Accessory Dwelling Unit), by changing the accessory use from prohibited to permitted in the Commercial (B1) district. The amendment will make the use consistent with what is currently permitted in all other districts.
 - (f) Table of Uses 3.6.H.11 (Commercial Entertainment), by omitting the word "Commercial." The use will remain as an accessory use permitted in all districts.
 - (g) Table of Uses 3.6.H.15 (Home Business), by changing the accessory use from permitted by special exception to permitted in the Commercial (B1) and Industrial (M1) districts. The amendment will make the use consistent with what is currently permitted in the Village Commercial (VB1) and Village Industrial (VM1) districts.
 - (h) Table of Uses 3.6.H.24 (Temporary Housing) eliminating unnecessary wording. The intent will remain the same, and the use will continue to be permitted in all districts.
 - (i) Add an index of the zoning districts at the end of 3.6 Table of Uses. The index will explain the abbreviations of the various districts.
- 4) Amend Section III, Table of Uses 3.6.E.3 (Places of Worship...), by changing the principal use from permitted by special exception to permitted in the Industrial (M1), Village Industrial (VM1), and Village High-Density Residential (VR1) districts. Once amended, the use will be permitted in all districts. The amendment results from a new law, RSA 674:76, relative to local governments regulating properties primarily for religious purposes. The use will continue to require site plan approval by the Planning Board.
- 5) Amend Section IV, 4.2 Table of Dimensional Requirements as follows:
- (a) Move sentence referencing Explanatory Notes in 4.3 from after to before 4.2 Table of Dimensional Requirements. This is a formatting change.
 - (b) Change the alphabetical sequence of the footnotes to reflect the proposed amendments in 4.3 Explanatory Notes. Again, this is a formatting change.
 - (c) Insert an index of the zoning districts at the end of 4.2 Table of Dimensional Requirements. The index will explain the abbreviations of the various districts.
- 6) Amend Section IV, 4.3 Explanatory Notes as follows:
- (a) In 4.3(c), omit reference to the greater setback required when a commercial or industrial use abuts residential uses or a residential district. Instead, add language that requires the applicant to comply with a new section 4.7 entitled Buffer Standards for Nonresidential Uses.

- (b) Omit 4.3(i), and instead create a new 4.3(g) that specifies the minimum square footage required for the district plus the additional square footage required for each additional dwelling unit. As a result, the alphabetical sequence of 4.3 will change. The amendment is intended to make the footnote format consistent with what is shown in 4.3(d) through (f). Mrs. Robertson noted that there are no proposed changes to the square footage required for dwelling units.
- 7) Amend Section IV, 4.4.3 Principal Structure as follows:
- (a) Correct the cross-reference to Section VIII Conservation Subdivision.
 - (b) Insert a cross-reference to Section XIX Commerce and Community Overlay District.
 - (c) Omit sentences referencing maximum gross floor area for commercial retail stores and restaurants in the Commercial (B1) and Industrial (M1) districts as the same language exists in new 4.3(j).
- 8) Amend Section IV by inserting a new subsection 4.7 entitled Buffer Standards for Nonresidential Uses. The buffer will replace the greater setback required when a commercial or industrial use or building abuts a residential use or district.
- 9) Amend Section XIX Commerce and Community Overlay District (CCOD), 19.1 District Created and Authority, 19.4 District Boundary, 19.5 Permitted Uses, and 19.6 Dimensional and Density. The amendment will include the date the Ordinance is amended, identify the properties in the CCOD, and clarify that the uses permitted by right and by special exception in the underlying district shall be permitted singularly or in combination. It will reduce the Minimum Development Parcel Size for residential use to one acre and increase the Base Figure used to determine the number of dwelling units from three units per acre to eight units per acre. Additionally, it will eliminate the Overall Size of development required and allow the reformatting of paragraphs where needed.
- 10) Amend Section XX Amendments by retitling the section "Amendments and Modifications." Also, add a provision that allows the Planning Board to assign and modify the numbering and lettering of sections, provided the change has no substantive effect on the provisions.

Chair Wilkey opened and then closed the public portion of the hearing as there was no one present that wished to provide testimony.

MOTION by Celeste Hemingson, seconded by Clarke Kidder, to move the amendments forward to voters. **MOTION** passed unanimously (Hemingson, Lipoma, Kidder, Fredyma, Bouchard, and Wilkey).

To assist the voters when voting on March 14, the Planning Board will display the zoning map and handouts of the proposed zoning amendments.

IV. Adjournment. Chair Wilkey declared the meeting adjourned at 6:00 PM. The next scheduled meeting is at 5:30 PM on Tuesday, February 14, 2023.

Karen Robertson
Planning Director