



Town of Hopkinton

Planning Department

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

HOPKINTON PLANNING BOARD MINUTES JANUARY 28, 2020

Members present: Chairman Bruce Ellsworth, Vice Chairman Michael Wilkey, Ex-Officio Anna Wells, Jane Bradstreet, Celeste Hemingson, and Alternates Clarke Kidder and Gregory Sagris. Members Absent: Rich Steele and Alternate Timothy Britain. Staff present: Planning Director Karen Robertson.

Chairman Bruce Ellsworth opened the public hearing at 6:00 PM on Tuesday, January 28, 2020, in the Hopkinton Town Hall, 330 Main Street, Hopkinton, to review and take action on the following proposed amendments to the Hopkinton Zoning Ordinance.

- a) Amend Section III, Table of Uses 3.6.A.2 changing Two-Family Dwelling from a use permitted by special exception to a non-permitted use in the B-1 (commercial) district.
- b) Amend Section III, Table of Uses 3.6.A.3 changing Multi-Family Dwelling from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
- c) Amend Section III, Table of Uses 3.6.A.7 changing Congregate Care Housing from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
- d) Amend Section III, Table of Uses 3.6.A.8 changing Affordable Housing from a non-permitted use to a permitted use in the B-1 (commercial) district.
- e) Amend Section III, Table of Uses 3.6.C.3 changing Commercial Riding Stables and Riding Trails from a non-permitted use to a permitted use in the B-1 (commercial) district.
- f) Amend Section III, Table of Uses 3.6.C.5 changing Recreational Camping/Tenting Parks and Recreational Camping Vehicles from a non-permitted use to a use permitted by special exception in the B-1 (commercial) district.
- g) Amend Section III, Table of Uses 3.6.D.3 changing Year-Round Greenhouse or Farm Stand from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
- h) Amend Section III, Table of Uses 3.6.E.3 changing Childcare Daycare Nursery, Childcare Group Daycare Center, Childcare Preschool Program, and Childcare School-age Program from a use permitted by special exception to a permitted use in the B-1 (commercial) district.

Minutes are subject to review and approval.

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- i) Amend Section III, Table of Uses 3.6.E.5 changing Non-profit Lodges, Fraternal and Membership Organizations from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
 - j) Amend Section III, Table of Uses 3.6.E.10 changing Non-profit Country, Hunting, Fishing, Tennis, or Golf Club without Liquor License from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
 - k) Amend Section III, Table of Uses 3.6.F.16 changing Indoor and Outdoor for Profit Recreation Establishment or Clubs from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
 - l) Amend Section III, Table of Uses 3.6.F.20 changing Adult Uses from a use permitted by special exception to a non-permitted use in the B-1 (commercial) district.
 - m) Amend Section III, Table of Uses 3.6.F.21 changing Self-Service Storage Facility from a use permitted by special exception to a permitted use in the B-1 (commercial) district.
 - n) Amend Section III, Table of Uses 3.6.G.10 by replacing the words Laundry, Dry Cleaning Plant with Laundry Dry Cleaning Plant and changing the use from a use permitted by special exception to a non-permitted use in the B-1 (commercial) district.
 - o) Amend the Zoning Map of the Town of Hopkinton, New Hampshire by rezoning from M-1 (industrial) to B-1 (commercial) two (2) specific areas located near the Henniker/Hopkinton Town Line, along Maple Street (Route 127) and Routes 202/9, shown on Tax Map 210 as Lots 3, 18, 18.01, 19, 19.1, 20, 21, 24, 25.1, 25.2 and 26, and on Tax Map 211 as Lots 7, 8, 9 and 9.01.
 - p) Amend the Zoning Ordinance by Insert a new Section XIX entitled Commerce and Community Overlay District (CCOD). The overlay district is to include properties located near the Henniker/Hopkinton Town Line, along Maple Street (Route 127) and Routes 202/9, in one of the new B-1 (commercial) districts, shown on Tax Map 210 as Lot 3 and on Tax Map 211 as Lots 7, 8, 9 and 9.01. Amendment will require changing the numerical sequence of the remaining sections of the Zoning Ordinance.

Select Board member Steven Whitley provided a brief overview of what resulted in the proposed amendments, which included the formation of a Municipal Technical Assistance Grant group (MTAG) with the assistance of Plan NH. The Town received funding from Plan NH to review housing opportunities and to identify ways to diversify housing types. In particular, the group found that there are few opportunities for those that wish to buy a starter home or want to downsize to a smaller home. As part of the process, the MTAG group interviewed various people throughout the Town asking questions about housing in Hopkinton and what they envision for Hart's Corner (Route 127-Maple Street/Route 202/9, near Hopkinton/Henniker Town Line). The MTAG group then discussed the results of the interviews or findings to determine what changes would be necessary to the zoning and other land-use regulations to allow for a variety of housing opportunities. The group worked with Planning Director Karen Robertson and other consultants to develop proposed changes to the Zoning Ordinance to implement those findings.

MTAG participant Cindy Garland noted that the group also considered various types of businesses in the community, asking those interviewed what they would like the Town to look like in the future. Furthermore, when considering the land at Hart's Corner, the group found that based on the topography of the area, the construction of new businesses in the area will most likely be limited. So, the group considered the area as an appropriate location for a variety of housing with supported retail and service establishments.

Planning Board member and MTAG participant Anna Wells offered information concerning the Plan NH grant. She explained how the focus of the grant was to assist in expanding types of diversified housing in Hopkinton. When the MTAG group began its work, they found, in addition to housing, that there was interest in the development of a broader commercial tax base. The group agreed that Hart's Corner is an appropriate location as the Town had already designated the area as a Tax Increment Financing (TIF) district.

Planning Board member and MTAG participant Greg Sagris reiterated that the interviews were with over 40 people with various backgrounds, ages, some with children, and others without children. When discussing housing, whether downsizing or retirement, those interviewed suggested that these types of accommodations are not available in Hopkinton. In fact, based on the current zoning, Hopkinton does not provide opportunities for the diversified housing stock needed for those that want starter homes, homes to downsize into, or for retirement.

Mrs. Well then provided a brief overview of the proposed rezoning of an area near Rowell Bridge along Route 127. When reviewing the opportunities for Hart's Corner, the MTAG group also considered surrounding under-utilized open land that could serve as a gateway into the Village. The goal is to bring more vitality to the area by utilizing the existing natural resources that provide opportunities for recreational activities such as the river and Elm Brook. As an example, an illustration of an artisan's park in Windsor, Vermont, was shown in a hand-out provided. The property in Windsor has similar characteristics to the West Hopkinton area. The illustration shows various primary and accessory development areas for businesses (cheese company, brewery, glassworks, outfitters, sculpture park, and productive farmland).

Mr. Sagris suggested that the recreational opportunity, such as hiking, kayaking, and horseback riding, may draw people off of Route 202/9 and Interstate 89, which could eventually lead to more people using the businesses in Village.

Planning Board member Clarke Kidder agreed that expanding beyond Hart's Corner to West Hopkinton makes sense given the fact that the area was once a small village with a post office.

Sienna Larson expressed safety concerns with the intersection of Routes 202/9 and 127. Mr. Whitley concurred and advised that road improvements for the intersection are currently on the New Hampshire Department of Transportation's (NHDOT) 10-year plan. Mrs. Well further explained that engineering is scheduled to begin in the year 2022, and Hopkinton's development efforts in the area will heighten the importance of improving the intersection. For further information, Mrs. Wells welcomed everyone to a joint Hopkinton and Henniker Economic Development Committee meeting on February 20th at 6:00 PM. A representative from NHDOT will be present to discuss improvements to the intersection.

Resident Rob Dapice, formerly of Plan NH, believed that the MTAG group had accomplished the goals of the grant. He encouraged the Planning Board to move the proposed amendments to Town Meeting.

Brian Dell'Orfano, representing the Bedford Development Corporation, owner of properties located near Rowell Bridge, advised of his group's efforts in considering various options for the area but have had a difficult time finding a use that they believe would fit within the character of the Hopkinton. Mr. Dell'Orfano suggested that unless there is a concerted effort to bring infrastructure (public water/sewer) to the area, everything that has been considered is not feasible. Other uses considered include a brewery, solar, and destination retail.

Mr. Dell'Orfano also informed those present that the owners of the hydroelectric facility, across the street, have easements across the former Paper Mill site. Therefore, he suggested that any development of the site will have to align with the use of the property by the hydroelectric facility. Lastly, Mr. Dell'Orfano indicated that changing from the B-1 district and, therefore, no longer allowing industrial uses will further restrict his property.

MTAG participant Louise Carr inquired about the specific B-1 use changes that would restrict further development in the area. In response, Mr. Dell'Orfano stated that while the uses in the B-1 district allow more choices, it will prohibit manufacturing. Mr. Whitley agreed, explaining that when considering the rezoning of the area, the MTAG group recognized that the change would no longer permit manufacturing in the area. At the same time, the group believed that the shift to B-1 would expand opportunities.

Resident Denis Goddard recognized the need to expand the Town's tax base. However, he expressed concern with "simple planning" practices – "the inherent unavailability of all of the information required to make detailed projections about the future in an organic system."

Mr. Goddard questioned whether there was anyone present in which the uses for their property were changing from permitted to non-permitted. In response, Chairman Ellsworth noted that property owners had been provided notice of the proposed amendments. At this time, Mr. Dell'Orfano and Mr. Rose indicated that they had not received notification. Mr. Dell'Orfano stated that he was not previously made aware of the proposed changes. Mrs. Robertson responded that not everyone in the M-1 district was required to have been notified; however, those affected were sent a notice. Mr. Goddard expressed disappointment that everyone had not been noticed of the hearing.

Chairman Ellsworth clarified the quorum of voting members, stating that based on seniority alternate Clarke Kidder will be a voting member and that the most junior alternate Greg Sagris will be a non-voting member.

At this time, the Board briefly discussed whether the rezoning of Hart's Corner and the Rowell Bridge area should be independent questions on the ballot. However, some were concern that separating the amendment from that posted may invalidate the amendment. Following further discussion, the Board agreed to vote on the amendment as displayed on the public notice, recommending that the rezoning of Hart's Corner and the Rowell Bridge area be shown as separate amendments on the ballot. By doing so, it will give voters the option of approving one district and not the other.

The Planning Board then voted unanimously in favor (Kidder, Wells, Bradstreet, Hemingson, Fredyma, Wilkey, and Ellsworth) of moving all amendments forward; again, with the understanding, if permitted, the rezoning of Hart's Corner and the Rowell Bridge area will be listed as separate amendments on the ballot.

Mrs. Bradstreet, seconded by Mrs. Hemingson, moved to recommend the adoption of all amendments as presented. Mrs. Bradstreet followed up with a change to the motion to request that the Planning Board's attorney review separating the rezoning of the Hart's Corner and Rowell Bridge areas, so the public will have an opportunity to vote on both areas of the rezoning. Mrs. Hemingson seconded the change to the motion. The Board voted unanimously in favor (Kidder, Wells, Bradstreet, Hemingson, Fredyma, Wilkey, and Ellsworth) of the motion as amended.

Chairman Ellsworth declared the public hearing adjourned at 7:45 PM.

Karen Robertson
Planning Director