



Town of Hopkinton

Planning Department

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HOPKINTON PLANNING BOARD

MINUTES

JULY 14, 2020

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

- I. **Call to Order.** Chairman Ellsworth called the meeting to order at 6:00 PM. He explained that due to the COVID-19/Coronavirus crisis and per Governor Sununu's Emergency Order #12, under Executive Order 2020-04, the Planning Board is authorized to meet electronically.

A roll call was taken with all members announcing that there was no one else in the room with them at the time.

Members Michael Wilkey and Jane Bradstreet joined the meeting.

- II. **Master Plan Update** – Central NH Regional Planning Commission's director, Michael Tardiff, briefly reviewed the Community Survey results and comments. As a result of the survey, the Commission is in the process of preparing specific responses to include in the Master Plan. Furthermore, Senior Planner Matt Moynihan is in the process of finalizing the Land Use and Housing chapter. Once completed, Mr. Tardiff or Mr. Moynihan will present a draft of the goals and recommendations.

III. **Review of Meeting Minutes and Notice of Decision of June 9, 2020.**

James Fredyma, seconded by Michael Wilkey, moved to **ACCEPT** the Minutes of June 9, 2020, as presented. Motion carried unanimously by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Sagris – yes, Kidder – yes, Bradstreet – yes, and Ellsworth – yes.

Jane Bradstreet, seconded by James Fredyma, moved to **ACCEPT** the Notice of Decision of June 9, 2020, as presented. Motion carried unanimously by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Sagris – yes, Kidder – yes, Bradstreet – yes, and Ellsworth – yes.

- IV. **Conceptual Consultations.** There were no conceptual consultations.

V. **Applications.**

Mr. Sagris raised a question concerning a potential conflict of interest as he uses Merrimack County Savings bank for his personal and business banking. Chairman

Approved: 09/15/2020

Ellsworth noted that he, too, uses the bank. Chairman Ellsworth declared for the record that neither he nor Mr. Sagris has a conflict of interest in reviewing the applications.

#2020-10, Architect Sheldon Pennoyer addressed the Board on behalf of Charles and Kristen Cummings for a two (2) lot subdivision of property located at 584 Currier Road, R-4 district, Tax Map 258, Lot 19.

Mr. Pennoyer introduced Spencer Tate of Meridian Land Service, and Sallie Mungle, mother of Mrs. Cummings, who will be constructing a residence on the new lot.

Mr. Tate presented plans of the proposed subdivision showing the parent lot consisting of approximately 86 acres with approximately 2,100 feet of frontage along Currier Road. The proposal is to subdivide out an 8.43-acre parcel with over 300 feet of frontage. The remaining acreage will be approximately 78 acres and will contain the existing residence and accessory buildings. There are two (2) driveways that serve the parent lot. One drive provides access to the existing residence and the second drive provides access to the fields. The second drive is included in the proposed new lot and is intended to be used as an access drive to the proposed new residence. In addition, an easement will be given to the owners of the parent lot that will allow continued access to the fields in the rear of their property. Furthermore, the existing drive received a permit from the State in 2015 for the wetland crossing. Lastly, the proposed new lot consists of over three (3) acres of upland with soils that are suitable for an onsite disposal system.

James Fredyma, seconded by Clarke Kidder, moved to **ACCEPT** application #2020-10 as complete and for consideration. Motion carried unanimously by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Sagris – yes, Kidder – yes, Bradstreet – yes, and Ellsworth – yes.

Chairman Ellsworth opened and closed the public portion of the meeting as there was no one from the public present wishing to give testimony.

Mr. Kidder inquired about the shape of the proposed lot. Mr. Tate noted that the owners of the parent lot wished to minimize the size of the new lot.

A brief discussion ensued concerning the logistics of granting the easement to Mr. and Mrs. Cummings, with the Board agreeing that it is a civil arrangement between the two parties.

James Fredyma, seconded by Clarke Kidder, moved to **APPROVE** Application #2020-10, as presented. Motion carried unanimously in the affirmative by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Bradstreet – yes, Ellsworth – yes, Kidder – yes, and Bradstreet.

#2020-07, Merrimack County Telephone Company for Lot Line Adjustment and merger of properties located off Kearsarge Avenue, VB-1 district, Tax Map 101, Lots 34, 35, 36, and 37. The adjustment and merger would result in a total of three (3) lots.

#2020-08, Merrimack County Telephone Company for Site Plan Review of the TDS Telecom site proposing reconfiguration of onsite parking, relocation of access to Pine Street, and the installation of new lighting, landscaping, and stormwater management. The property is located off Kearsarge Avenue, VB-1 district, Tax Map 101, new Lot 37.

#2020-09, Merrimack County Telephone Company for Site Plan Review of the Merrimack County Savings Bank site proposing reconfiguration of onsite parking, and the installation of new lighting, landscaping, and stormwater management. The property is located off Kearsarge Avenue, VB-1 district, Tax Map 101, new Lot 35.

At this point, Mr. Kidder raised a question concerning a potential conflict of interest as he is a retiree of Merrimack County Telephone Company and TDS Telecom. Representatives of the Applicant had no objection to Mr. Kidder reviewing the application. Chairman Ellsworth then declared for the record that there is no conflict of interest.

Brenton Cole of Granite Engineering presented the applications on behalf of Merrimack County Telephone Company. Merrimack County Telephone owns four (4) parcels. The main lot on the corner of Pine Street and Kearsarge Avenue includes the existing two (2) buildings and driveways utilized by TDS and Merrimack County Savings Bank. The proposal is to consolidate and adjust the lot lines so that there is a total of three (3) parcels. One parcel will consist of the TDS building, driveway, and adjusted parking. The second parcel will consist of the Merrimack County Savings Bank building, driveway, and adjusted parking, and the third parcel will be a vacant lot that fronts off of Pine Street. All pavement will be removed from the TDS site, and a new employee/customer parking area will be constructed behind the existing building. There will be a total of 32 parking spaces. Access to the facility will be moved to Pine Street in approximately the same curb cut location as the driveway of the residence that had been razed in 2015-2016. The project will not change the floor area or the use of the TDS building. There will be new exterior lighting, landscaping, and stormwater management installed. The location of the proposed stormwater management will require an easement over a portion of what is known as Lot 35, where Merrimack County Savings Bank is located. Finally, a portion of the existing sidewalk along Pine Street is located on what will be the new Lot 37, where TDS is located. As a result, a sidewalk easement will be granted to the Town.

Mr. Cole reviewed the site plan for Merrimack County Savings Bank, explaining that minor reconfigurations of the parking. A total of 22 parking spaces will serve the bank. Access to the bank will remain the same. Lastly, new lighting, landscaping, and stormwater management is proposed.

Mr. Cole noted that he had spoken with the Department of Public Works, who had not expressed concerns with the grading plan and treatment swale that will be located behind Merrimack County Savings Bank.

Finally, the project requires an Alteration of Terrain Permit from the NH Department of Environmental Services (NHDES), as well as a Shoreland Permit as some of the work is within the shoreland protection zone for Stony Brook.

Mrs. Bradstreet inquired about the rail trail, located behind the bank, and whether the project would have any impact. Jason Hogan, Real Estate & Facilities Manager for Merrimack County Telephone Company, replied no, advising that they intend to convey to the Town by quitclaim deed that portion of the trail that exists on property owned by Merrimack County Telephone Company.

Michael Wilkey, seconded by Jane Bradstreet, moved to **ACCEPT** applications #2020-07, #2020-08, and #2020-09 as complete and for consideration. Motion carried unanimously by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Sagris – yes, Kidder – yes, Bradstreet – yes, and Ellsworth – yes.

Chairman Ellsworth opened the public portion of the meeting,

Tim Blagden questioned whether drainage from the bank would impact the rail trail. Mr. Cole replied no, explaining that the rail trail currently drains onto the property that contains the bank.

With no additional public comments, Chairman Ellsworth declared the public portion of the meeting closed.

Mr. Sagris inquired about the responsibility for maintenance of the stormwater management area that supports all three (3) lots. Mr. Cole responded that there would be a shared easement between the three (3) lots that will define the party that is responsible for maintenance.

Mr. Kidder inquired about the type of proposed lighting. Mr. Cole responded that all lighting would meet the requirements for downcast and in compliance with Dark Sky.

Briefly, the Board reviewed the proposed landscaping changes and waiver request from Section VII, Landscaping Standards.

Mrs. Wells inquired about the reduction in impervious surface area. Mr. Cole noted that the impervious surface is to be reduced by 16,000 square feet.

Lastly, Mr. Cole responded to a question concerning stormwater runoff. He noted that all runoff will be treated using a treatment swale and will then enter the Town's existing drainage system. It was further stated that the treatment swale was designed so that there should be no standing water.

Michael Wilkey, seconded by James Fredyma, moved to **APPROVE** application #2020-07, as presented. Motion carried unanimously in the affirmative by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Bradstreet – yes, Ellsworth – yes, Kidder – yes, and Bradstreet.

Jane Bradstreet, seconded by Clarke Kidder, moved to **APPROVE** application #2020-08, with a waiver from Section VII, Landscaping Standards, and with the following conditions:

- (a) Receipt of a NHDES AOT Permit, as well as a NHDES Shoreland Permit, and

- (b) Recorded sidewalk easement to the Town of Hopkinton for that part of the sidewalk on Pine Street that is located on Lot 37.

Motion carried unanimously in the affirmative by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Bradstreet – yes, Ellsworth – yes, Kidder – yes, and Bradstreet.

Jane Bradstreet, seconded by Greg Sagris, moved to **APPROVE** application #2020-09, with a waiver from Section VII, Landscaping Standards, and with the following condition:

- (a) Receipt of a NHDES AOT Permit, as well as a NHDES Shoreland Permit.

Motion carried unanimously in the affirmative by Roll Call: Wilkey - yes, Wells - yes, Fredyma – yes, Bradstreet – yes, Ellsworth – yes, Kidder – yes, and Bradstreet.

VI. Other Business.

- (a) Planning Director Karen Robertson will reach out to former members of the Municipal Technical Assistance Grant (MTAG) group for assistance in reviewing and recommending revisions to the Zoning Ordinance Table of Uses, Definitions, Conservation Subdivision formula, and Affordable Housing provisions of the Zoning Ordinance.

Also, the Board agreed to reorganize the Zoning Ordinance so that the sections and subsections are logically organized and easy to understand.

VII. Adjournment. The meeting adjourned at 7:48 PM. The next regular scheduled meeting of the Planning Board is scheduled for 6:00 PM on Tuesday, August 11, 2020.

Karen Robertson
Planning Director

Note: Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12, pursuant to Executive Order 2020-04, the Board was authorized to meet electronically. There was no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. In accordance with the Emergency Order, public access to the meeting by video and telephone was provided. All members of the Board had the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public had access to contemporaneously listen and, if interested, participate in the meeting through the website: <https://us02web.zoom.us/j/85382599960> or by dialing the following phone # 1-646-558-8656 and using Meeting ID: 853 8259 9960. A mechanism for the public to alert the Board during the meeting if there were problems with access was provided.