

# Town of Hopkinton

## 2017 Proposed Zoning Amendments

### Explanation of Proposed Changes

**Article 2:** To see what action the Town will take with respect to the following proposed amendments to the Hopkinton Zoning Ordinance by ballot vote upon the following question:

*(Proposed language shown in **BOLD** text, deleted text shown with strikethrough.)*

#### **AMENDMENT 1.**

**Re-adopt Section XIII Growth Management and Innovative Land Use Control Ordinance for an additional five (5) years. The re-adoption includes updated statistical data as reported in subsection 13.3, utilizing the 2010 decennial Census, and other local, regional and state resources.** Amendment is to allow the Planning Board to continue to monitor, evaluate and establish a temporary mechanism, when municipal services are strained, to reduce the rate residential growth.

13.3 FINDINGS The Town hereby finds that:

- (a) Between 1970 and 2010, the Town's population increased between ~~3.5~~ **4.68** and 28.4 percent a decade, a rate significantly higher than Merrimack County.
- (b) Hopkinton's share of Merrimack County's population increased 3.72 percent in 1970 to 3.82 percent in 2010.
- (c) From 2000 to 2010, Hopkinton's population increased by 4.7 percent. In the same period, ~~Hopkinton and its seven abutting towns~~ increased their population by 7.1 percent, Merrimack County grew by 7.5 percent and the State grew by 6.5 percent.
- (d) ~~From 2000 to 2010, the seven abutting towns grew by 26.9 percent and Hopkinton grew by 24.5 percent.~~
- (e) The 2010 US Census reported 2,381 year-round housing units **in Hopkinton**, an increase of 7.74 percent from 2000.
- (f) From 2000 to 2010, Hopkinton and its seven abutting towns added 14.1 percent more housing units. Merrimack County and the State experienced a slightly lower percentage increase in housing units **with Merrimack County adding 12.97 percent and the State 12.48 percent.**
- (g) In 2000, Hopkinton's **median** population per housing unit was ~~2.7~~ **2.31** percent. In 2010, it was ~~2.0~~ **2.32** percent. In Merrimack County, in 2000 the population per housing unit was ~~2.7~~ **2.39** percent; it was ~~2.9~~ **2.35** percent in 2010.
- (h) Based on building permits, the total housing units in Hopkinton in ~~2000~~ **2010** was ~~2,210~~ **2,381** an increase of 7.7 percent since ~~2010~~ **2000**. During the same time, Merrimack County experienced a ~~11.2~~ **12.97** percent growth.

- (i) ~~From 1978 through the writing of the 1987 Master Plan, the Town had a series of growth management ordinances which limited the amount of residential permits in order to plan and provide for the increased municipal services to accommodate the growth which occurred. In 1988, Hopkinton adopted a Growth Management and Innovative Land Use Control Ordinance.~~
- (ji) Hopkinton's population for 2010 was 5,589. The NH Office of Energy and Planning projects Hopkinton's population for 2020 to be ~~6,460~~ **5,528**. For the year 2030, it is projected to be ~~6,970~~ **5,779**.
- (k) ~~The projected population increase between 2010 and 2020 is 9.5 percent and between 2020 and 2030 an increase of 7.9 percent.~~
- (hj) The NH Office of Energy and Planning estimates Hopkinton's population in 2020 as ~~6,460~~ **5,528** a ~~9.5~~ **1.09** percent ~~increase~~ **decrease** from 2010. From 2010 to 2020, Hopkinton and the seven abutting towns is **are** estimated to grow by 9.8 percent, the County by 9.7 percent and the State by 6.0 percent.
- (q) ~~The Maple Street School had needs for better library space, a music classroom, cafeteria, two additional classrooms, a computer lab, an art classroom and administrative space, as many of the student services for guidance, health and special education had consumed all available space. The entire facility also needed its heating and venting upgraded as well as a sprinkler system installed.~~
- (r) ~~The Hopkinton Middle/High School also needed a complete upgrade of its heating and ventilation system and a sprinkler system installed. There was also need for a new gymnasium, as the current space was no longer adequate, a new kitchen and cafeteria, a better entrance to the site and the facility, the library/media center needed to be expanded to accommodate emerging technologies, better administrative areas, additional classrooms and an upgrade of public access to meeting space.~~
- (j) Hopkinton's school enrollment for the 2003/2004 school year was 1,042. For the 2010/2011 school year, it was 975. The enrollment has fluctuated decreasing 6.4 percent or 67 students over eight years.
- (k) In 2003/2004, the Harold Martin Elementary School had an enrollment of 271 students in grades K-3. In 2010/2011 the enrollment was 289. The total increase of 18 students represents a 4.1 percent increase in student population. In 1988 the Harold Martin School had an addition to accommodate any previous class size or space concerns for the primary grade students.
- (l) In 2003/2004, the Maple Street Elementary School had an enrollment of 238 students in grades 4-6. In 2010/2011 the enrollment was 202. The enrollment has fluctuated decreasing 15.1 percent or 36 students over eight years.
- (m) In 2003/2004, the Hopkinton Middle/High School had an enrollment of 533 in grades 7-12. In 2010/2011 the enrollment was 484. The enrollment increased to 538 in 2006/2007. Each of the other eight years of enrollment decreased. The total decrease of 49 students represents a 9.4 percent decrease in population.
- (sn) In 1997/**1998**, the Town approved a \$6.9 million school construction bond for renovations and additions to the Maple Street Elementary and Hopkinton Middle/High schools. As a result, the

7-8 grades have been separated from the 9-12 grades through redesign of the facility. **Payment of the bond began in 1998 with the final payment anticipated in 2018.**

- (to) Between 2000 and 2010, the school share of the property tax ranged between 68.9 and 75.5 percent.
- (p) Between 2000 and 2010, Hopkinton's full value tax rate ranged between \$20.84 and \$25.95 according to the Department of Revenue Administration.
- (q) The full value tax rate of Hopkinton was 16 percent higher than the County and 30 percent higher than the State in 2010.
- (xr) In 1990, the Town authorized an \$800,000 bond for the construction of the transfer station. The last payment occurred in 2009.
- (ys) In 1996, the Town authorized a \$1,980,000 bond for the closure of the landfill. Payment of the bond began in 1998 with the final payment in 2018.
- (zt) In 1997, the Town authorized a bond of \$388,000 for the construction of an access road and site preparation for playing fields on Town-owned land (former Houston property). Payment of the bond began in 1998 with the final payment in 2003.
- (aa) In 1997, the Town authorized a bond of \$1.6 million for the construction of the library, and authorized a \$850,000 bond to be paid beginning in 1998. The final payment occurred in 2007.
- (wv) In 2003, the Contoocook Village Precinct made its last annual payment on a \$1.1 million bond for the construction of a water filtration plant/pipeline replacement.
- ~~(ab) In 2012, the Town will be asked to appropriate funds for a study to evaluate the need for an addition to or replacement of the Contoocook Fire Station and the Town may incur future expenses with respect thereto.~~
- (aew) In June 2012, the Highway Garage was totally destroyed by fire. In 2013, the Town authorized a bond of \$1.3 million for the planning, design, construction and equipping of a new Highway Garage and authorized the expenditure of \$769,434 of insurance settlement proceeds. The Town authorized not more than \$530,566 of bonds to be paid beginning in 2014. The final payment is anticipated in 2023. The new building is more efficient and should serve the needs of the Town for 20 or 30 years.**
- (abx) In 2014, the Town authorized a bond of \$2,995,041 for planning, design, construction, and equipment of a renovation to the Contoocook Fire Station. Payment of the bond began in 2015 with the final payment anticipated in 2029. The Fire Station was originally constructed in 1974. The number of personnel, size of equipment, rules and regulations and onsite medical care for residents warranted the need for renovations and additions. The population, number of fire calls, number of EMS calls have greatly increased since 1974. It is estimated that the Contoocook Fire Station will serve the needs of the Town for 40 years.**
- (aey) In 2016, the Town authorized a bond of \$2.2 million for the planning, design, rehabilitation, and construction of existing town roads, bridges and culverts. Payment of the bond will begin in 2017 with the final payment anticipated in 2026. The plan called for**

**engineering and rehabilitation of six (6) culverts, two (2) bridges and reconstruction of several roads.**

**13.9 SUNSET** This Ordinance shall expires at the Annual Town Meeting in ~~2017~~ **2022** unless re-adopted at that meeting. The Planning Board shall make recommendations as to the necessity and desirability of re-adopting this Ordinance prior to said Annual Town Meeting.

## **AMENDMENT 2.**

- 1) **Amend Section III Establishment of Districts and Uses** by inserting **3.6.H.19 Accessory Dwelling Unit** and **3.12 Accessory Dwelling Unit**. **Permitting one attached accessory dwelling unit in all zoning districts that allow single-family detached units, subject to compliance with standards outlined in new 3.12, which also outlines the authority, purpose, and definition.** Amendment is to bring the Town's ordinance into compliance with recently adopted statute RSA 674: 71-73.

3.6 TABLE OF USES	R-4	R-3	R-2	R-1	B-1	M-1	VR-1	VB-1	VM-1	W-1
H. Accessory Uses										Section XII Wetlands Conservation District (Overlay)
4. Home Occupation in accordance with Section III, paragraph 3.7.5.	P	P	P	P	P	P	P	P	P	
5. Telecommuting in accordance with Section III, paragraph 3.7.5.	P	P	P	P	P	P	P	P	P	
6. <b>Accessory Dwelling Unit in accordance with Section III, paragraph 3.12.</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	

## **3.12 ACCESSORY DWELLING UNIT**

**3.12.1 Authority:** This Ordinance is adopted by the Town of Hopkinton on June 1, 2017, in accordance with the authority granted in New Hampshire Revised Statutes Annotated 674:21 and 674:71 – 73.

**3.12.2 Purpose:** These regulations have been enacted in order to establish guidelines for Accessory Dwelling Units, in an effort to maintain neighborhood aesthetics while fulfilling the following goals:

- (a) **Increase the supply of affordable housing and workforce housing without the need for more infrastructure or further land development.**
- (b) **Provide flexible housing options for residents and their families.**
- (c) **Integrate affordable housing and workforce housing into the community with minimal negative impact.**
- (d) **Provide aging residents with the opportunity to retain their homes and age in place.**

## **3.12.3 Definitions:**

- (a) **Accessory Dwelling Unit:** A residential living unit that is subordinate and within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the

same parcel of land as the principal dwelling unit it accompanies. Every accessory dwelling residence shall be deemed a residence of workforce housing for purposes of satisfying the obligations under NH RSA 674:59.

**3.12.4 Standards:** Applicant proposing an Accessory Dwelling Unit, as defined in Section III, 3.12.3 (a), must agree to and demonstrate compliance with the following conditions in order to receive a building/use permit:

- (a) A maximum of one (1) Accessory Dwelling Unit shall be permitted.
- (b) The Accessory Dwelling Unit shall be located within or attached to the principal single-family dwelling.
- (c) New construction for an accessory dwelling unit shall comply with all standards for a single-family detached dwelling including, but not limited to, setbacks, height limits and lot coverage, and shall not increase any non-conforming aspect of any existing structure. The architecture of the Accessory Dwelling Unit shall be the same as the principal dwelling unit so to match provide aesthetic continuity as a single-family dwelling. This includes appearance, design, colors, and materials.
- (d) The accessory dwelling and principal dwelling units shall comply with all applicable State Building Codes and Fire Codes for construction.
- (e) The Accessory Dwelling Unit shall consist of not more than 750 square feet of living area with the total area not to exceed 850 square feet and include no more than two (2) bedrooms.
- (f) The Accessory Dwelling Unit shall contain fully self-sufficient living quarters, consisting of adequate sleeping, bathing, and eating accommodations.
- (g) An Accessory Dwelling Unit shall not be considered an additional dwelling unit for purposes of determining minimum lot size or development density of the property.
- (h) An interior door shall be provided between the principal dwelling unit and the Accessory Dwelling Unit. There is no requirement that the interior door remain unlocked.
- (i) An independent exterior means of ingress and egress shall be provided. The ingress and egress shall not be on the same side of the building as the principal dwelling unit.
- (j) Either the principal dwelling unit or the accessory dwelling unit must be owner-occupied. The owner must demonstrate that one of the units is their principal place of residence and legal domicile. Both the principal and accessory dwelling units must remain in common ownership.
- (k) There shall be a minimum of two (2) parking spaces for each dwelling unit with no additional curb cut from that which is for the principal dwelling unit.
- (l) The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units.

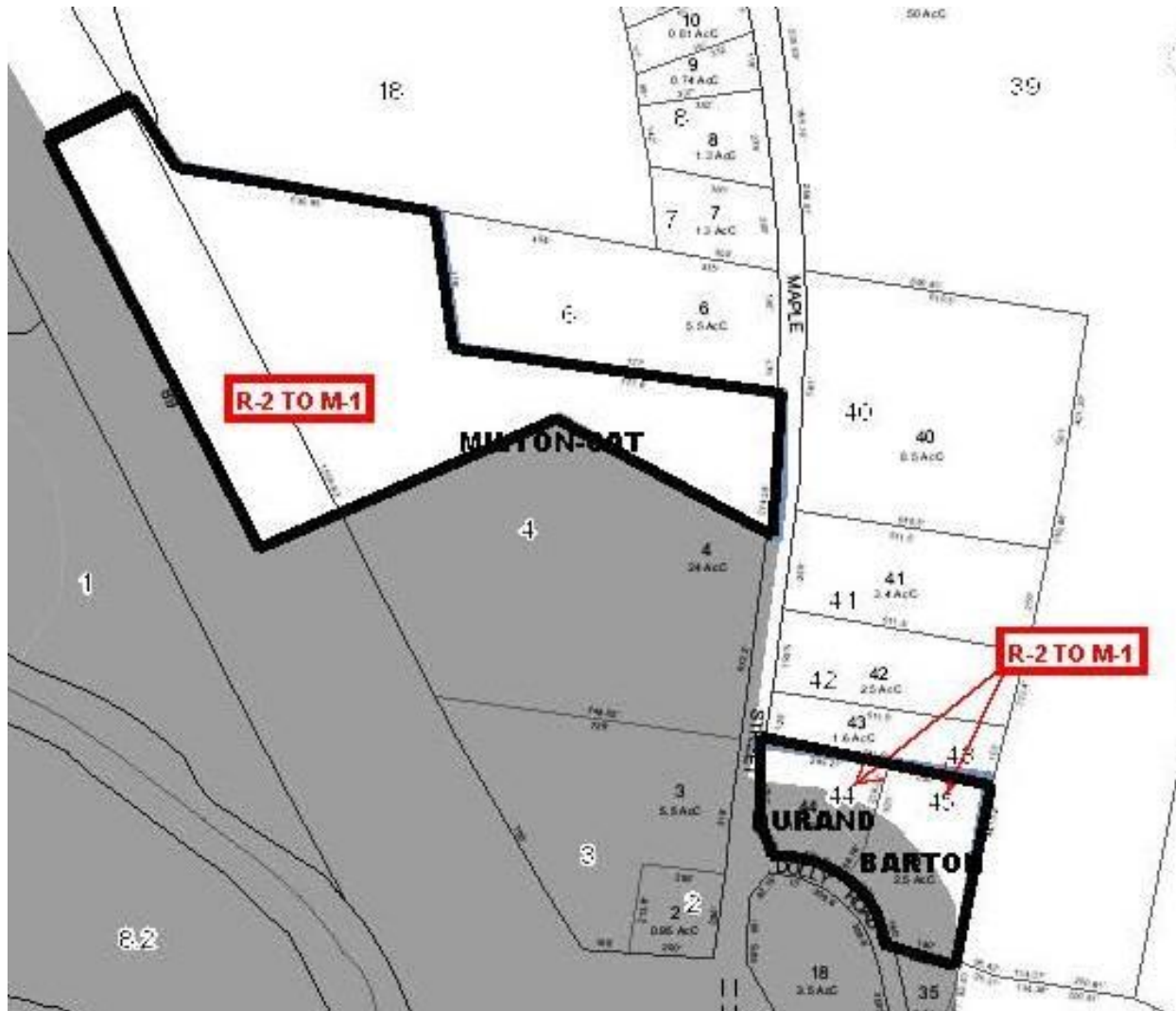
**AMENDMENT 3.**

**Amend Section III, 3.6.D.2 Farming, including dairying, livestock, animal and poultry raising, and crop production, including customary accessory structures and uses by permitting the use in the R-2 (Medium Density Residential) district, rather than requiring a Special Exception.** Amendment is to provide continuity in the Ordinance when establishing agricultural and farming uses. Both uses will be permitted in the R-2 district.

3.6 TABLE OF USES	R-4	R-3	R-2	R-1	B-1	M-1	VR-1	VB-1	VM-1	W-1
D. Accessory Uses										Section XII Wetlands Conservation District (Overlay)
1. Agriculture, horticulture and floriculture, except a greenhouse or stand for retail sale, including customary accessory structures and uses.	P	P	P	S	S	P	S	S	P	
2. Farming, including dairying, livestock, animal and poultry raising, and crop production, including customary accessory structures and uses.	P	P	<del>S</del> P	S	S	P	S	S	P	
3. Year-round greenhouse or farm stand.	S	S	S	S	S	P	S	P	P	

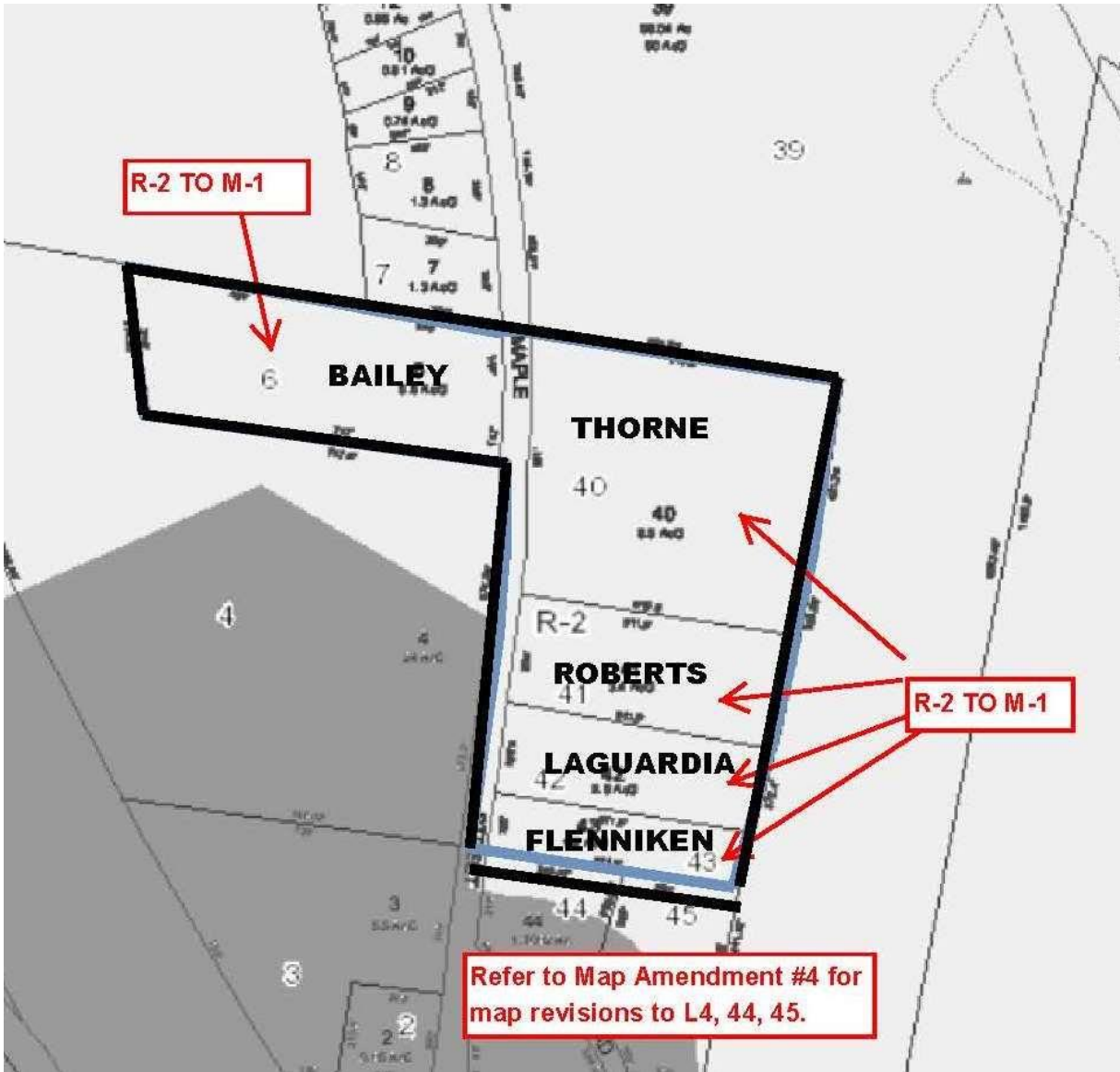
#### **AMENDMENT 4.**

Amend the Zoning Map of the Town of Hopkinton, New Hampshire by rezoning from R-2 (Medium Density Residential) 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. The three (3) parcels, with buildings, that are being used for commercial or industrial purposes are presently partially zoned R-2 (Medium Density Residential). Amendment is to correctly zone the parcels according to their uses, M-1 (Industrial).



#### **AMENDMENT 5.**

4. 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**. The five (5) parcels, with buildings, abut or are across the street from property used for commercial or industrial purposes that is presently zoned M-1 (Industrial). Amendment will expand the uses allowed on these parcels to include industrial and limited commercial. Allowing commercial or industrial use of these parcels will contribute to Hopkinton's commercial/industrial tax base.





## **AMENDMENT 6.**

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) parcels of land comprising of approximately 67.9 acres, and rezoning from R-4 (Residential/Agricultural) to M-1 (Industrial) three (3) parcels of land compromising of approximately 18.6 acres. All parcels are located near the Henniker/Hopkinton Town Line, along Maple Street (Route 127) or Route 202/9, shown on Tax Map 210 as Lot 3 and Tax Map 211 as Lots 7, 8, 9 and 9.01. Amendment will expand the uses allowed on these parcels to include industrial and limited commercial. Allowing commercial or industrial use of these parcels will contribute to Hopkinton's commercial/industrial tax base.

