



Town of Hopkinton

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HOPKINTON PLANNING BOARD MINUTES JANUARY 15, 2019

The regular monthly meeting of the Hopkinton Planning Board was held on Tuesday, January 15, 2019, in Hopkinton Town Hall, 330 Main Street, Hopkinton, NH. Members present: Chairman Bruce Ellsworth, Vice Chairman Michael Wilkey, Celeste Hemingson, and Ex-Officio Sabrina Dunlap. Absent: Richard Steele, Jane Bradstreet, James Fredyma, and alternates Timothy Britain and Clarke Kidder. Staff present: Planning Director Karen Robertson.

I. Call to Order. Chairman Ellsworth called the meeting to order at 6:30 PM in the Hopkinton Town Hall.

II. Approval of Meeting Minutes and Notice of Decision of December 11, 2018.

Review of the Minutes and Notice of Decision was deferred to the February 12, 2019 meeting.

III. Conceptual Consultations. There were no conceptual consultations.

IV. Applications. There were no applications.

V. Master Plan Transportation Chapter. At the request of Chairman Ellsworth, Michael Tardiff of the Central New Hampshire Regional Planning Commission provided a brief overview of the two (2) locations that were raised by Town officials as areas of potential safety concerns. The intersection of Route 202/9 and 103 in Hopkinton Village and the intersection of I-89, where the Exit 4 off ramp meets Route 202/9. While it is recommended that the Exit 4 and Route 202/9 intersection be included in the NH DOT's 10-year plan, it is understood that there is no known time line for improvements. Furthermore, recognizing in the Master Plan the concerns with that intersection of Route 202/9 and 103 in Hopkinton Village is important. The cost for improvements, if any, at the intersection will most likely be the responsibility of the Town. Addressing these concerns in the Master Plan does not commit the Town or State to expend funds or make improvements.

VI. Public Hearing – Chairman Ellsworth opened the public hearing portion of the meeting on proposed amendments to the Hopkinton Zoning Ordinance. A complete text of the proposed amendments was available at Town Hall and on the Town's website www.hopkinton-nh.gov.

Subject to review and approval.

- a) Amend Section III Establishment of Districts and Uses, **3.12 Accessory Dwelling Units (ADU)** to allow a detached ADU provided the property owner agrees to and demonstrates compliance with conditions.
- b) Amend Section III Establishment of Districts and Uses, inserting **3.13 Solar Energy Systems Ordinance** that will accommodate solar energy systems, while considering the impacts and benefits of siting solar in Hopkinton.
- c) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.D.7 Primary Agriculture Solar Energy System** as a use requiring a Conditional Use Permit in all zoning districts.
- d) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.F.21 Commercial Solar** as a use requiring a Conditional Use Permit in all zoning districts.
- e) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.H.20 Accessory Residential Solar Energy System** as a use permitted in all zoning districts.
- f) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.H.21 Accessory Agricultural Solar Energy System** as a use permitted in all zoning districts.
- g) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.H.22 Accessory Commercial Solar Energy System** as a use requiring a Conditional Use Permit in all zoning districts.
- h) Amend Section III Establishment of Districts and Uses, Table of Uses 3.6, inserting **3.6.H.23 Shared Solar Energy System** as a use requiring a Conditional Use Permit in all zoning districts.
- i) Amend Section III Establishment of Districts and Uses, 3.6 Use Regulations, inserting **3.6.1(e) Uses authorized by Conditional Use Permit**. Uses denoted by the letter “C” in the Table of Uses shall obtain a Conditional Use Permit from the Planning Board. A Conditional Use Permit may not establish a use specifically prohibited by this Ordinance.
- j) Amend Section II Definitions, inserting **2.1.C.4.a Conditional Use Permit**: A conditional method to permit uses that are consistent with the intent of the underlying zoning district, as indicated by the Table of Uses in Section III or as otherwise indicated in this Ordinance. A Conditional Use Permit shall be administered by the Planning Board, pursuant to RSA 674:21, to ensure that conditional use opportunities do not adversely impact neighboring properties, and are consistent with the health, safety and welfare of the public.

There was brief discussion concerning a conditional use permit being similar to a special exception by accomplishing the same results. While a special exception can only be issued by the Zoning Board of Adjustment, the Planning Board can issue a conditional use permit.

Subject to review and approval.

The conditional use permit requirements and process outlined in the Ordinance, which includes factors that must be met for the conditional use permit to be issued.

Ken Hayden of Jewett Road addressed the Board explaining that he is considering utilizing between 5 – 10 acres of pasture for solar. In reviewing the draft Solar Ordinance, he did not find any provisions that would prevent him from using his property. Mr. Hayden noted that there were issues addressed in the draft ordinance, such as the dismantling of the system, that he had not considered. Members thanked Mr. Hayden for his time in reviewing the draft Ordinance.

When reviewing the draft Solar Ordinance, Board members agreed to make non-substantive changes to the language in 3.13.5(f) and 3.13.6(f)(9).

Mrs. Robertson explained that in 2017, Hopkinton passed an amendment to the Zoning Ordinance allowing, with certain conditions, attached accessory dwelling units. In an effort to further the availability of housing in Hopkinton, the proposal before the Board is to permit detached accessory dwelling units. Mrs. Robertson suggested that there are many opportunities for these units, such as housing for aging residents, single parents, college graduates, young professional, and care-givers. As a condition of approval, one of the dwelling units must be owner-occupied.

Mrs. Robertson provided a brief overview of the spreadsheet that she had completed for the R-1 district that had shown the gross floor area of the buildings on each parcel as a comparison in trying to determine the number of potential detached accessory dwelling units within the district. Mrs. Robertson then noted that in an effort to address possible concerns with aesthetics and impact on lots, the Board may decide to only allow detached accessory dwelling units on lots that meet the minimum lot size for the district. After further review of the number of lots that would be excluded by the restriction, the Board agreed to not make such a change.

When reviewing the proposed draft amendment to the Accessory Dwelling Unit ordinance, Board members agreed to make non-substantive changes to the language in paragraph 3.12.4(b). In addition, members agreed to add a paragraph requiring detached accessory dwelling units to be located to the side or rear of an existing principal dwelling, except when the Planning Board finds, during Site Plan Review, that the placement will not adversely affect the neighborhood, traffic, and the safety of pedestrians.

As a result of the above revisions, the Planning Board schedule a final public hearing for 6:30 PM on Tuesday, January 29, 2019, at the Town Hall.

VII. Adjournment. Chairman Ellsworth declared the meeting ADJOURNED at 7:30 PM. The next regular scheduled meeting of the Hopkinton Planning Board is 6:30 PM on Tuesday, January 8, 2019, at the Hopkinton Town Hall.

Karen Robertson
Planning Director