



Town of Hopkinton

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HOPKINTON PLANNING BOARD

MINUTES

JULY 11, 2017

Members present: Chairman Bruce Ellsworth, Vice Chairman Michael Wilkey, Celeste Hemingson, Rich Steele, and Alternate Jim Fredyma. Absent: Ex-Officio Jim O'Brien, Jane Bradstreet, Cettie Connolly and Alternates Clarke Kidder and Timothy Britain.

I. Call to Order. Chairman Ellsworth called the meeting to order at 6:30 PM in the Hopkinton Town Hall. Due to the absence of regular members, Mr. Fredyma was designated as voting members.

II. Review of the Minutes and Notice of Decision of June 13, 2017.

Review of the Minutes and Notice of Decision was deferred to the August 8, 2017 meeting.

III. Conceptual Consultations.

Michael Martin presented a conceptual plan of annexations and lot line adjustments involving his property off Maple Street (Route 127) and Emerson Hill Road.

Currently, there are three (3) separate tracts of land that were each purchased separately in the 1950's. The proposal is to annex property to the tract that contains the existing residence and to annex and adjust the remaining lot lines so that the middle tract, that currently has no road frontage, will have road frontage off of Maple Street. It was noted that the two (2) of the three (3) tracts will be less non-conforming and one (1) tract will remain conforming.

Chairman Ellsworth referred members to Section 5.2.2 of the Zoning Ordinance, which references the "reduction/increase in non-conforming dimensions". Again, it was noted that Mr. Martin's proposal will not cause the lots to be in greater non-conformity.

Mr. Martin will move forward with his proposal by submitting an application to the Planning Board.

IV. Applications.

Jonathan Duquette (#2017-06), Site Plan and Architectural Design Review to set-up one (1) mobile food cart with associated signage on property owned by the Contoocook Riverway Association, located at 896 Main Street, Tax Map 101, Lot 76, VB-1 district.

Mr. Duquette explained that his proposal is very similar to the 2015 approval of the operation of a mobile food cart by Sean Bohanan. The cart will consist of the sale of steamed hot dogs and will be located in the same location.

The Board compared the type and size of carts and determined that Mr. Duquette's and Mr. Bohanan's carts are very similar.

Mrs. Hemingson noted that the proposed hours of operation will differ from what Mr. Bohanan had requested. Mr. Duquette is proposing 8 AM – 8 PM, Monday through Friday from May through October. He anticipates actual hours of 11 AM – 2 PM on most days.

Mr. Wilkey, seconded by Mrs. Hemingson, moved to **ACCEPT** as complete and for consideration Application #2017-06. With five members voting, five voted in favor (Wilkey, Hemingson, Steele, Fredyma and Ellsworth). Vote: 5-0-0

A. David Dufault, resident of Stonybrook Lane, questioned whether the Board had considered the fact that other entrepreneurs in Town pay property taxes, while Mr. Duquette will operate his business without having to do the same. In response, Chairman Ellsworth noted that the only reason Mr. Duquette's proposal would be denied is if there a provision in the Zoning Ordinance or Site Plan Regulations that gives the Board a reason for denial.

Mr. Duquette responded to Mr. Dufault's comments by explaining that he will be the only business that sells steamed hot dogs. He did not believe that he would, in any way, directly impact the operations of other businesses in the area.

Mr. Robertson noted that Mr. Duquette was required to go through the same permitting process as the other businesses in the downtown. Furthermore, Mr. Duquette was required to obtain a Hawker and Peddler's permit, which included a background check. Additionally, he is paying rent to the Contoocook Depot Association in order to utilize their property.

Mrs. Hemingson, seconded by Mr. Steele, moved to **APPROVE** Application #2017-06 as presented with the following conditions.

1. The mobile food cart operation shall not take place in any drive aisles, parking spaces or within the public right-of-way; nor shall it impede on the circulation of motor vehicles.
2. Hours of operation are limited to: Weekdays from 8 AM – 8 PM.
3. Applicant shall obtain the necessary Transient Sales (Hawker & Peddler) license, which includes providing insurance coverage holding the Town harmless from any liability caused by the operation.
4. Applicant shall obtain the necessary Food Service License from NH Department of Health and Human Services.
5. No outdoor seating is allowed.
6. A-Frame advertising sign shall only be displayed during the hours of operation and placed within the vicinity of the food cart.
7. Use of propane or other heating method is subject to approval of the Fire Department. All waste and trash must be removed at the end of each day in order to maintain the health and safety of the public.

With five members voting, five voted in favor (Wilkey, Hemingson, Steele, Fredyma and Ellsworth). Vote: 5-0-0

V. Other Business.

Master Plan tasks through end of 2017:

- a) Transportation Chapter: CNHRPC staff will provide assistance to the Planning Board during the development of the Transportation Chapter that will include updating information on the Town's transportation system, including state highways, local roads, trails, road and bridge inventory, sufficiency ratings, and other transportation services, such as the regional volunteer driver program. The US202/NH9/NH127 intersection will be discussed, along with a summary of the state/regional/local transportation planning process. Mapping will be updated as necessary.

The Transportation Chapter will be funded through the CNHRPC's agreement with the NH Department of Transportation to undertake local transportation planning.

- b) Community Facilities Chapter: CNHRPC staff will provide assistance to the Planning Board during the development of the Community Facilities Chapter, including the Public Utilities and Technology Chapters. Information related to equipment, staffing, and facility needs, including the compiling of supporting data as necessary, will be updated. Mapping will be updated as necessary.

A portion of the work on the Community Facilities Chapter will be funded through the CNHRPC's agreement with the NH Office of Energy and Planning's Targeted Block Grant to undertake local planning. All remaining costs will be funded through the Planning budget.

- c) GIS Mapping: CNHRPC staff, with the assistance of the Planning Board, will update the following maps.

- Farmland, Forestland, Open Space and Trails
- Steep Slopes and Scenic Vistas
- Surface Waters, Aquifers, Wetlands and Drinking Water
- Water Resources and Sand and Gravel Excavation Sites
- Existing Land Use (parcel-based)

The GIS Mapping will be funded through the Planning budget.

VI. Adjournment.

Chairman Bruce Ellsworth declared the meeting **ADJOURNED** at 7:05 PM. The next regular scheduled meeting of the Hopkinton Planning Board is at 6:30 PM on Tuesday, August 8, 2017, at the Hopkinton Town Hall.

Karen Robertson
Planning Director