



Town of Hopkinton

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HOPKINTON PLANNING BOARD MINUTES DECEMBER 11, 2018

The regular monthly meeting of the Hopkinton Planning Board was held on December 11, 2018, in Hopkinton Town Hall, 330 Main Street. Members present: Chairman Bruce Ellsworth, Vice Chairman Michael Wilkey, Jane Bradstreet, Celeste Hemingson, James Fredyma, and Ex-Officio Sabrina Dunlap. Absent: Richard Steele, 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 November 13, 2018.**

Mrs. Hemingson, seconded by Mr. Fredyma, motioned to **APPROVE** the Minutes of November 13, 2018, as presented. With six members voting, four voted in favor (Wilkey, Hemingson, Fredyma and Ellsworth) and two voted in abstention (Bradstreet and Dunlap). Motion carried in the affirmative.

Mrs. Hemingson, seconded by Mr. Fredyma, motioned to **APPROVE** the Notice of Decision of November 13, 2018, as presented. With six members voting, four voted in favor (Wilkey, Hemingson, Fredyma and Ellsworth) and two voted in abstention (Bradstreet and Dunlap). Motion carried in the affirmative.

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

#2018-13 56 Maple Street, LLC Jen McCourt of McCourt Engineering Associates, on behalf of the Applicant, presented plans of a Lot Line Adjustment prepared by Surveyor Dan Higginson. The adjustment is of the lot line between properties located at 56 and 76 Maple Street, owned by 56 Maple Street, LLC and Shawn L. McClusky, in the VR-1 district, shown on Tax Map 102 as Lots 43 and 44. An area of 4,462 SF will be transferred from Lot 43 to Lot 44. As a result, Lot 43 will have 26,164 SF of area with 330.10' of frontage and Lot 44 will have 23,285 SF of area with 212.12' of frontage. Lot coverage on Lot 43 will be 16.1% and 21.1% on Lot 44. The adjustment is necessary for the building on Lot 44 to be converted into a five (5) unit residential building.

Mr. Wilkey, seconded by Mrs. Hemingson, motioned to **ACCEPT** Application #2018-13 as complete and for consideration. Motion carried unanimously in the affirmative (Wilkey, Hemingson, Fredyma, Ellsworth, Bradstreet and Dunlap).

Chairman Ellsworth opened and closed the public hearing portion of the meeting as there was no public comment.

Mr. Wilkey, seconded by Mrs. Hemingson, motioned to **APPROVE** Application #2018-13 as presented. Motion carried unanimously in the affirmative (Wilkey, Hemingson, Fredyma, Ellsworth, Bradstreet and Dunlap).

#2018-14 56 Maple Street, LLC Jen McCourt of McCourt Engineering Associates, on behalf of the Applicant, presented a site plan and architectural renderings of a proposal to convert the building at 56 Maple Street into a five (5) unit residential building. The property is owned by 56 Maple Street, LLC, in the VR-1 district, shown on Tax Map 102 as Lot 44.

The Zoning Board of Adjustment had granted a Special Exception for the five (5) multi-units. The approval was without conditions.

Ms. McCourt explained the Applicant's proposal to convert the large residence and attached barn into one and two-bedroom residential units. In reviewing the site plan, she noted that the existing driveway will be eliminated. A new, NH Department of Transportation, approved driveway will be constructed that will accommodate ten (10) parking spaces. The parking area will be covered with a carport. In addition to the change in the driveway/parking area, the plans include the construction of ground level patios for each unit. The entrances will have gardens, shrubs and trees. The trash disposal area will be fenced and located in the rear of the property. It will accommodate individual trash cans, rather than a dumpster, that will be picked up by a service. Municipal water and sewer will serve the building. A new line will be installed to accommodate the sprinkler system; while, the existing water line will serve as potable water.

Ms. McCourt reviewed drainage, explaining how it currently flows towards the street and across another neighbors' drive. As a result of the changes in impervious area for the project, Ms. McCourt has designed a detention area to detain the small amount of additional runoff that may be created. In calculating runoff, Ms. McCourt included the patios as impervious area.

Lastly, Ms. McCourt reviewed lighting, explaining that it will be minimal and in compliance with the Town's Lighting Ordinance. Details of the lighting was shown on the plans. Lighting will be at the entrances and on the carport.

The maximum building coverage, including the carports, will be 24.5%. The maximum coverage allowed is 40%.

Mr. Fredyma noted that the "project description" referenced the Town of Auburn, rather than Hopkinton. Ms. McCourt apologized. The Board will receive a revised description.

Mr. Fredyma, seconded by Mrs. Hemingson, motioned to **ACCEPT** Application #2018-14 as complete and for consideration. Motion carried unanimously in the affirmative (Wilkey, Hemingson, Fredyma, Ellsworth, Bradstreet and Dunlap).

Chairman Ellsworth opened and closed the public hearing portion of the meeting as there was no public comment.

Mr. Wilkey asked whether the units will be condominiums or rentals. Ms. McCourt responded condominiums. The property owner plans to begin renovations and come back before the Board to condominiumize the building.

Mrs. Hemingson, seconded by Mrs. Bradstreet, motioned to **APPROVE** Application #2018-14 as presented. Motion carried unanimously in the affirmative (Wilkey, Hemingson, Fredyma, Ellsworth, Bradstreet and Dunlap).

V. 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.

- 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.

Resident Donald Houston was the only member of the public present. Mr. Houston discussed options that he is considering that includes the possibility of constructing a detached accessory dwelling unit. He believed that accessory dwelling units will provide choices for aging residents that wish to stay at their property. Mr. Houston considered the size limitation that is imposed in trying to design a two-bedroom detached dwelling unit. He suggested that the Board consider the fact that a two-bedroom, one and one-half bath residence may need to be larger than the 750 SF of living space limitation. The smallest design he was able to find was 997 SF.

Mr. Houston then inquired about the limitation of 850 SF of total area. He questioned whether that was inclusive of porches and garages. Again, he suggested that the Board consider the need for an attached garage for an aging person that may be living in the accessory dwelling unit.

There was brief discussion as to the possible controversial nature of permitting detached accessory dwelling units. Mrs. Robertson noted that the material that she had read referenced concerns with the aesthetics in appearance. The proposed restrictions concerning the design and placement of the unit were an effort to address these issues.

The Planning Board discussed options in limiting the size of the accessory dwelling unit based on a percentage of the size of the main dwelling.

At this time, Mrs. Dunlap left the meeting.

Following discussions, the Board agreed to revise the draft language so that the total area of an accessory dwelling unit cannot exceed the lesser of (a) 1,400 SF (combined heated/non-heated space); or (b) 50% of the total floor area of the principal dwelling (excluding basement). Where 50% of the total floor area of the principal dwelling (excluding basement) is less than 750 SF, the maximum size allowed shall be 750 SF.

With there being no further discussion, Chairman Ellsworth closed the public hearing. The next scheduled hearing concerning proposed amendments will be on Tuesday, January 15, 2019, at the Town Hall.

VI. Adjournment. Chairman Ellsworth declared the meeting ADJOURNED at 8:10 PM. The next regular scheduled meeting of the Hopkinton Planning Board is 6:30 PM on Tuesday, January 15, 2019, at the Hopkinton Town Hall.

Karen Robertson
Planning Director