



Town of Hopkinton

330 Main Street • Hopkinton, New Hampshire 03229 • www.hopkinton-nh.gov
Tel: 603-746-3170 Fax: 603-746-3049

HOPKINTON PLANNING BOARD PUBLIC NOTICE - AGENDA DECEMBER 11, 2018

Notice is hereby given that the **Hopkinton Planning Board** will meet on Tuesday, December 11, 2018, at **6:30** PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, NH, to review and take action on the following:

- I. **Call to Order** (Determine quorum, review attendance of regular members and seating of alternate members).
- II. **Approval of Meeting Minutes and Notice of Decision of November 13, 2018.**
- III. **Conceptual Consultations.**
- IV. **Applications.**

#2018-13 56 Maple Street, LLC requesting a Lot Line Adjustment 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.

- a) Determine Completeness
- b) Public Hearing
- c) Deliberation and Action on Application

#2018-14 56 Maple Street, LLC requesting Site Plan Review 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.

- a) Determine Completeness
- b) Public Hearing
- c) Deliberation and Action on Application

- V. **Public Hearing** – Planning Board to hold a public hearing on proposed amendments to the Hopkinton Zoning Ordinance. A complete text of the proposed amendments is 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.

The Planning Board reserves the right to adjourn the meeting/public hearing at 9:30 PM. All remaining agenda items will be rescheduled for review at the Planning Board's next scheduled meeting/public hearing.

- 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.

VI. Other Business.

VII. Adjournment.

The Planning Board reserves the right to adjourn the meeting/public hearing at 9:30 PM. All remaining agenda items will be rescheduled for review at the Planning Board's next scheduled meeting/public hearing.



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HOPKINTON PLANNING BOARD

MINUTES

NOVEMBER 13, 2018

Members present: Chairman Bruce Ellsworth, Celeste Hemingson, James Fredyma, and Alternate Clarke Kidder. Absent: Vice Chairman Michael Wilkey, Ex-Officio Sabrina Dunlap, Jane Bradstreet, Richard Steele, Alternate Timothy Britain, and 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. Review of the Minutes and Notice of Decision of October 9, 2018.

Mr. Fredyma, seconded by Mrs. Hemingson, motioned to APPROVE the Minutes of the October 9, 2018, as presented. Motion carried unanimously in the affirmative (Fredyma, Hemingson, Kidder, and Ellsworth).

Mr. Fredyma, seconded by Mrs. Hemingson, motioned to APPROVE the Notice of Decision of the October 9, 2018, as presented. Motion carried unanimously in the affirmative (Fredyma, Hemingson, Kidder, and Ellsworth).

III. Master Plan Transportation Chapter. Michael Tardiff, Central New Hampshire Regional Planning Commission, updated the Planning Board on the status of the Master Plan. Mr. Tardiff provided copies of the Transportation Chapter to members and asked for volunteers to provide review and comment to Planning Director Karen Robertson in the next two weeks so that the comments can be consolidated and the chapter revised if needed. Mrs. Hemingson, Mr. Kidder and Mr. Fredyma offered to review the chapter. Mr. Tardiff stated that he is working on the Land Use and Housing Chapters.

Bonnie Christie, Smithfield Road, asked from the audience about the Master Plan status, with a particular interest in the Conservation and Preservation Chapters. She further asked about how the Master Plan is implemented and utilized. Chairman Ellsworth responded to her questions.

IV. Conceptual Consultations. There were none.

V. Applications.

#2018-12 Alden Beauchemin/Keyland Enterprises, requesting a two (2) lot subdivision of property owned by Timothy & Stephanie Lesko, located at 1030 Briar Hill Road in the R-3 district, shown on Tax Map 248 as Lot 2.1.

Mr. Beauchemin presented the application on behalf of the property owners, who were present. The request is to divide an approximate 82-acre parcel in to one 45-acre parcel and one 37-acre parcel. One lot has an existing house. The owners plan to construct a new home on the other parcel. Both proposed lots have adequate frontage on Briar Hill Road.

Mr. Fredyma, seconded by Mr. Kidder, motioned to **ACCEPT** Application #2018-12 as complete and for consideration. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

A woman who identified herself as an abutter asked a question. She appeared satisfied with the response. A man who identified himself as an abutter across the road. He asked no question nor made any comment.

Planning board members asked questions about the location of the proposed house, the well and whether the existing driveway on the new undeveloped lot would remain or be relocated.

Chairman Ellsworth closed the public hearing portion of the meeting on this application. Mr. Kidder, seconded by Mrs. Hemingson, motioned to **APPROVE** Application #2018-12. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

VI. Other Business.

Zoning Amendments. The Planning Board received draft zoning amendments for Accessory Dwelling Unit and Solar Energy Systems. A brief discussion ensued as to whether to discuss the proposed amendments or to defer discussion to the next Planning Board meeting.

Mrs. Hemingson, seconded by Mr. Kidder, motioned to TABLE discussion of the two proposed zoning amendments to the next Planning Board meeting. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

VII. Other Business.

Mr. Fredyma provided a brief update on the Economic Development Committee's recent work, including the Committee's support for resubmission of a **Municipal Technical Assistance Grant (MTAG)** by the Select Board. The resubmission is a revised scope of work that narrows the focus on the Rte. 202/9 and Maple Street Tax Increment Finance (TIF) district. The grant work is expected to produce options for the town to consider as it contemplates development of the district. The Planning Board took no action on the matter.

VIII. Adjournment. Chairman Ellsworth declared the meeting ADJOURNED at 7:05 PM. The next regular scheduled meeting of the Hopkinton Planning Board is 6:30 PM on Tuesday, December 11, 2018 at the Hopkinton Town Hall.

James P. Fredyma, Acting Secretary



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HOPKINTON PLANNING BOARD NOTICE OF DECISION NOVEMBER 13, 2018

Notice is hereby given that the Hopkinton Planning Board met on Tuesday, November 13, 2018, at 6:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decision(s):

I. Review of the Minutes and Notice of Decision of October 9, 2018.

Jim Fredyma, seconded by Celeste Hemingson, motioned to **APPROVE** the Minutes of the October 9, 2018, as presented. Motion carried unanimously in the affirmative (Fredyma, Hemingson, Kidder, and Ellsworth).

Jim Fredyma, seconded by Celeste Hemingson, motioned to **APPROVE** the Notice of Decision of the October 9, 2018, as presented. Motion carried unanimously in the affirmative (Fredyma, Hemingson, Kidder, and Ellsworth).

II. Master Plan Transportation Chapter. Michael Tardiff, Central New Hampshire Regional Planning Commission, updated the Planning Board on the status of the Master Plan.

III. Applications.

#2018-12 Alden Beauchemin/Keyland Enterprises, requesting a two (2) lot subdivision of property owned by Timothy & Stephanie Lesko, located at 1030 Briar Hill Road in the R-3 district, shown on Tax Map 248 as Lot 2.1.

Jim Fredyma, seconded by Clarke Kidder, motioned to **ACCEPT** Application #2018-12 as complete and for consideration. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

Clarke Kidder, seconded by Celeste Hemingson, motioned to **APPROVE** Application #2018-12. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

IV. Other Business.

- a) Zoning Amendments. Celeste Hemingson, seconded by Clarke Kidder, motioned to **TABLE** discussion of the two proposed zoning amendments (Accessory Dwelling

Subject to review and approval.

Unit and Solar Energy Systems) to the next Planning Board meeting. Motion carried unanimously in the affirmative (Hemingson, Kidder, Fredyma, and Ellsworth).

- b) Jim Fredyma provided a brief update on the Economic Development Committee's recent work, including the Committee's support for resubmission of a Municipal Technical Assistance Grant (MTAG) by the Select Board.

V. Adjournment. Chairman Ellsworth declared the meeting ADJOURNED at 7:05 PM. The next regular scheduled meeting of the Hopkinton Planning Board is 6:30 PM on Tuesday, December 11, 2018 at the Hopkinton Town Hall.

Karen Robertson
Planning Director



Town of Hopkinton

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PLANNING BOARD APPLICATION

- Site Plan Review Architectural Design Review (Commercial/Industrial - ZO Section IV-A)
- Preliminary Review (SD Section II) Subdivision Lot Line Adjustment/Annexation
- Conditional Use Permit (ZO Section III) Special Use Permit (ZO Section VIII)

PROJECT LOCATION: 56 Maple Street & 76 Maple Street **MAP/LOT:** 102 / 44 , 102 / 43 **ZONE:** VR-1

APPLICANT: 56 Maple Street, LLC

Address: PO Box 31 **City:** Hopkinton **State:** NH **Zip:** 03229

Phone: 603-568-1115 **Email:** john@beauxwoods.com

OWNER(s)

Name: Same as Applicant

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Phone: _____ **Email:** _____

Name: Shawn L. McClusky

Address: 76 Maple Street **City:** Hopkinton **State:** NH **Zip:** 03229

Phone: _____ **Email:** _____

PROFESSIONALS (engineer, architect, surveyor, attorney, wetland/soil scientist, etc.):

Name: Jennifer McCourt, PE McCourt Engineering Associates, PLLC

Address: 42 Ezekiel Smith Road **City:** Henniker **State:** NH **Zip:** 03242

Phone: 603-428-6682 **Email:** mccourtengineering@tds.net

Name: Daniel Higginson, LLS Higginson Land Services

Address: 76 Patterson Hill Road **City:** Henniker **State:** NH **Zip:** 03242

Phone: 603-660-6412 **Email:** dbhigginson@yahoo.com

- Residential Recreational Agricultural Institutional Commercial/Industrial Accessory

- Public Water Public Sewer Well Septic 56 Maple - 3270

Lots/units proposed: 2 **Existing Building Area:** 76 Maple - 2922 **Proposed Building Area:** _____

% Open Space: 56 Maple - E-74% P-73% (Note: Building Area refers to gross area)

76 Maple - E-86% P-83%

Application Submission Requirements:

Original and ten (10) copies of the application, along with all supporting document(s), including reductions of the final plan(s) to no more than 11" x 17".

- Narrative description of proposal (include existing conditions and all related improvements).
- Application checklist.
- Planning Board/Zoning Board of Adjustment Minutes of Conceptual, Preliminary Review, or approval.
- Property deed and existing/proposed easements, covenants, and restrictions.
- Tax Map of subject parcel and abutting properties.
- Waiver(s) request from provisions of the Subdivision and/or Site Plan Regulations.

PLANNING BOARD APPLICATION

- Test Pit Data, Storm Water Management Plan, Traffic, School, Environmental and Fiscal Impact Analyses, and Phasing Plan (when applicable).
- Abutters List as defined by RSA 672:3 – Include Tax Map, Lot Number, Name and Mailing Addresses. If abutting property is under a condominium or other collective form of ownership, the term “abutter” means the officers of the collective or association. If abutting property is under a manufactured housing park form of ownership, the term “abutter” includes the manufactured housing park owner and the tenants who own the manufactured housing.
- Mailing labels – Include Applicant, Owner, Architect, Soil/Wetland Scientists, Abutters, and holders of Conservation/Preservation restrictions or easements.
- Four (4) paper prints of the plan(s) at full scale.
- Appropriate Filing Fee: (Non-refundable) Made payable to Town of Hopkinton

Major Subdivision.....	\$500.00 Application Fee, \$100.00 per Lot/Unit
Minor Subdivision.....	\$250.00 Application Fee, \$100.00 per Lot/Unit
Lot Line Adjustment/Annexation	\$100.00 Application Fee
Site Plan Review	\$300.00 Application Fee, \$100.00 per Unit (Res./Non-Res.)
Site Plan Review Change of Use.....	\$150.00 Application Fee
Conditional Use Permit.....	\$500.00 Application Fee (Wireless Telecommunications)
Public Notice Mailing.....	\$ 10.00 per Address (Owner, Applicant, Agent, Abutter)
Newspaper Notice.....	\$ 75.00
- Conditional Use Permit (Wireless Telecommunications): If application is for Conditional Use Permit, please attach a detailed explanation of compliance with Section 3.10 of the Hopkinton Zoning Ordinance, along with an explanation of compliance with the Site Plan Review Regulations of the Town of Hopkinton.

Final Submission Requirements (after Planning Board action):

- Four (4) paper prints of the final plan set at full scale.
- Mylar(s) – The Merrimack County Registry of Deeds requires that the UPPER LEFT-HAND CORNER, INSIDE THE BORDER, of the plat to be RESERVED for recording information entered by the Registry - No smaller than 7" long X 1" wide.
- PDF of the final plan set, including architectural and site photographs - emailed or thumb drive.
- Recording Fees: (Separate Checks) Made payable to Merrimack County Registry of Deeds

Recording Fee.....	\$ 26.00 per Page (22" x 34")
LCHIP Fee.....	\$ 25.00 per Document

I represent to the best of my knowledge and belief that this application is being submitted in accordance with applicable regulations and ordinances of the Town of Hopkinton. I also understand that submittal of this application shall be deemed as granting permission for the Planning Board members and their designees to enter onto the property for purposes of inspections and review. Permission to visit the property extends from the date an application is submitted until approved work or construction is complete and any or all of the financial guarantees, if any, have been returned to the applicant, or until the application is formally denied. Furthermore, I agree that the proposed project will be performed in accordance with this application, the attached plans and specifications, and the regulations and ordinances of the Town of Hopkinton.

Applicant's Signature: _____ Date: 10/18/18
 Owner's Signature(s): [Signature] Date: 10/18/18

Office Use:	
Application Filed: _____	Fees: _____ Application #: _____
Notice(s) Posted/Mailed: _____	Complete/Consideration: _____
Meeting(s)/Hearing(s): _____	_____
Approved/Denied: _____	<input type="checkbox"/> Conditions MCRD Filing: _____
MCRD Document #: _____	_____



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PROJECT LOCATION: 56 Maple Street MAP/LOT: 102 / 44 / ZONE: VR-1

APPLICANT: 56 Maple Street, LLC

Address: PO Box 31 City: Hopkinton State: NH Zip: 03229

Phone: 603-568-1115 Email: john@beauxwoods.com

OWNER(s)

Name: Same as Applicant

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Name: Shawn L. McClusky

Address: 76 Maple Street City: Hopkinton State: NH Zip: 03229

Phone: _____ Email: _____

PROFESSIONALS (engineer, architect, surveyor, attorney, wetland/soil scientist, etc.):

Name: Jennifer McCourt, PE McCourt Engineering Associates, PLLC

Address: 42 Ezekiel Smith Road City: Henniker State: NH Zip: 03242

Phone: 603-428-6682 Email: mccourtengineering@tds.net

Name: Daniel Higginson, LLS Higginson Land Services

Address: 76 Patterson Hill Road City: Henniker State: NH Zip: 03242

Phone: 603-660-6412 Email: dbhigginson@yahoo.com

- Residential
- Recreational
- Agricultural
- Institutional
- Commercial/Industrial
- Accessory

- Public Water
- Public Sewer
- Well
- Septic

Lots/units proposed: 2 Existing Building Area: 76 Maple - 2922 Proposed Building Area: _____

% Open Space: 56 Maple - E-74% P-73% (Note: Building Area refers to gross area)
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- Property deed and existing/proposed easements, covenants, and restrictions.
- Tax Map of subject parcel and abutting properties.
- Waiver(s) request from provisions of the Subdivision and/or Site Plan Regulations.

PLANNING BOARD APPLICATION

- Test Pit Data, Storm Water Management Plan, Traffic, School, Environmental and Fiscal Impact Analyses, and Phasing Plan (when applicable).
- Abutters List as defined by RSA 672:3 – Include Tax Map, Lot Number, Name and Mailing Addresses. If abutting property is under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association. If abutting property is under a manufactured housing park form of ownership, the term "abutter" includes the manufactured housing park owner and the tenants who own the manufactured housing.
- Mailing labels – Include Applicant, Owner, Architect, Soil/Wetland Scientists, Abutters, and holders of Conservation/Preservation restrictions or easements.
- Four (4) paper prints of the plan(s) at full scale.
- Appropriate Filing Fee: (Non-refundable) Made payable to Town of Hopkinton

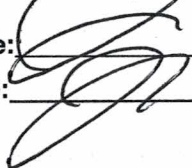
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- Conditional Use Permit (Wireless Telecommunications): If application is for Conditional Use Permit, please attach a detailed explanation of compliance with Section 3.10 of the Hopkinton Zoning Ordinance, along with an explanation of compliance with the Site Plan Review Regulations of the Town of Hopkinton.

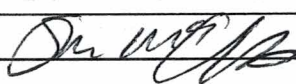
Final Submission Requirements (after Planning Board action):

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I represent to the best of my knowledge and belief that this application is being submitted in accordance with applicable regulations and ordinances of the Town of Hopkinton. I also understand that submittal of this application shall be deemed as granting permission for the Planning Board members and their designees to enter onto the property for purposes of inspections and review. Permission to visit the property extends from the date an application is submitted until approved work or construction is complete and any or all of the financial guarantees, if any, have been returned to the applicant, or until the application is formally denied. Furthermore, I agree that the proposed project will be performed in accordance with this application, the attached plans and specifications, and the regulations and ordinances of the Town of Hopkinton.

Applicant's Signature:  Date: 10/18/18

Owner's Signature(s):  Date: 10/18/18

Office Use:	
Application Filed: _____	Fees: _____ Application #: _____
Notice(s) Posted/Mailed: _____	Complete/Consideration: _____
Meeting(s)/Hearing(s): _____	_____
Approved/Denied: _____	<input type="checkbox"/> Conditions MCRD Filing: _____
MCRD Document #: _____	

October 18, 2018

Zoning Board of Adjustment
Town of Hopkinton

Town of Hopkinton Planning Board

RE: Tax Map 102, Lot 44

Dear Members of the Zoning Board of Adjustment and the Planning Board:

I am writing as the owner of the property known as Tax Map 102, Lot 44 located at 56 Maple Street to provide my consent to permit Maria T. Dolder, Esquire, of the law firm of Hebert & Dolder, PLLC, Jennifer McCourt, of McCourt Engineering Associates, PLLC and Dan Higginson of Higginson Land Services, to make and execute any and all zoning applications and planning board applications on my behalf involving my property in connection with my proposed multi-family dwelling unit on 56 Maple Street.

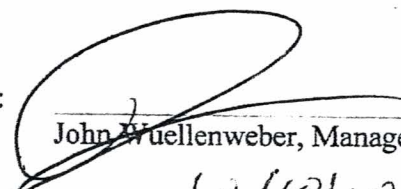
This authorization also includes the ability to present the applications before the Town of Hopkinton Zoning Board of Adjustment and Planning Board.

Should you have any questions or need further information, please do not hesitate to contact me.

Very Truly Yours,

56 Maple Street, LLC

By:


John Wuellenweber, Manager

10/18/18

October 18, 2018

Zoning Board of Adjustment
Town of Hopkinton

Town of Hopkinton Planning Board

RE: Tax Map 102, Lot 43

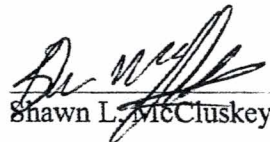
Dear Members of the Zoning Board of Adjustment and the Planning Board:

I am writing as the owner of the property known as Tax Map 102, Lot 43 located at 76 Maple Street to provide my consent to permit 56 Maple Street, LLC, Maria T. Dolder, Esquire, of the law firm of Hebert & Dolder, PLLC, Jennifer McCourt, of McCourt Engineering Associates, PLLC and Dan Higginson of Higginson Land Services to make and execute any and all zoning applications and planning board applications on my behalf involving my property in connection with the proposed multi-family dwelling unit on 56 Maple Street.

This authorization also includes the ability to present the applications before the Town of Hopkinton Zoning Board of Adjustment and Planning Board.

Should you have any questions or need further information, please do not hesitate to contact me.

Very Truly Yours,


Shawn L. McCluskey

Narrative in Support of Site Plan and Lot Line Adjustment Applications
56 Maple Street, LLC

The Applicant is proposing to rehabilitate the existing building located at 56 Maple Street and convert it into a five (5) unit residential building. It is located within the VR-1 District and is permitted under the Zoning Ordinance by Special Exception. The property abuts other 4 to 5 multi-family residential buildings, as well as a mixed residential/commercial use and is consistent with the neighborhood. The project was submitted to the Zoning Board of Adjustment for the November 7th hearing and is being submitted for the Planning Board Hearing on November 13th.

As part of the proposal, the Applicant has entered into a Purchase & Sale Agreement with an abutting property owner in order to purchase an additional 4,462 square feet of land as part of a Lot Line Adjustment. In doing this, the Applicant is able to meet the density and all other requirements in the Zoning Ordinance for the five (5) residential units being requested without any further relief.

The Applicant is able to provide the required parking for this proposal on site and in a location that abuts a similar parking area, but utilizing car ports. The Applicant is also working with the NH DOT to re-locate the existing driveway to a location that will provide better access to and from the property and eliminate any potential traffic conflicts with Prospect Street. The existing driveway on the property will be removed. The stormwater will be controlled by minimizing impervious area to the south of the existing building and the addition of a shallow detention pond located to the north of the parking area. Landscaping is utilizing many existing maple trees on site and then enhancing with proposed shrubs, evergreens and perennial planting beds. The lighting will be just between the car ports and required lights at the entrance doors. All lighting will meet Site Plan regulations.

I. Introduction:

A. Project Description:

The subject application involves the redevelopment of Auburn's Tax Assessors Map 102; Lot 44, which lies on the west side of Maple Street. The existing single family house and barn are to be converted into 5 residential units. The existing driveway shall be removed and a new drive with carports shall be placed on the north side of the existing house. The total contiguous area of land to be disturbed by the site construction and related infrastructure is approximately 13,000 square feet, such that a NHDES Alteration of Terrain Permit is not required.

B. Existing Site Conditions:

The existing site is developed for a single residential house, barn, lawn and landscaped trees and bushes. Current online U.S.D.A.-N.R.C.S. soil mapping of Merrimack County suggests that the majority of the watershed consists of Metacomet fine sandy loam and Croghan Fine sandy loam. The soil varies in Hydrologic groups B and C.

II. Storm Drainage Analysis & Design:

A. Methodology:

In accordance with Hopkinton Site Plan Regulations, and generally accepted engineering practice, a two, (2), ten (10), and fifty (50) year return frequency storms utilizing the Extreme Rainfall Data are used in the various aspects of analysis and design of stormwater management considerations for the subject site plan and in the comparison of pre versus post-development impacts.

In appreciation of the benefits and limitations related to each of the various methods available to design professionals for estimating peak stormwater discharge volumes for use in analysis of larger watersheds, Applied Microcomputer Systems implemented the TR-20 methodology using HydroCAD ver.10. Values for Time of Concentration used in analysis were estimated using the methodology contained within U.S.D.A.-S.C.S. publication Urban Hydrology for Small Watersheds Technical Release No. 55 (TR-55).

Individual segments of culverts were sized utilizing Manning's Equation. All stormwater inlet structures were designed to remain under inlet control throughout a design storm. Outlet protection aprons for each discharging detention pond where designed in accordance with the methodology for the "best management practice", in accordance with a publication entitled Stormwater Management and Erosion & Sedimentation Control Handbook for Urban and Developing Areas in New Hampshire, as jointly published by several governmental agencies and institutions. In addition, this publication, as well as Best Management Practices for Urban Stormwater Runoff, served as the primary references for the numerous temporary and permanent erosion control methods incorporated into the design of this project. All design and analysis calculations performed using the referenced methodologies are attached to this report. These calculations document each catchment area, breakdown of surface type, time of concentration, rainfall intensity, peak discharge volume, Manning's 'n' value, peak velocity, and other descriptive design data for each watershed and pipe segment evaluated. In addition, the attached "Drainarea Plans" graphically define and illustrate the extent of each watershed or catchment area investigated.

B. Pre-Development Drainage Conditions:

The Existing hydrology of the area of the property to be redeveloped flows from the south to the north across the property and discharges at on the eastern point of the property. The area south of the existing house discharges into Maple Street to the northern catch basin and the area south of the house discharges to the northern abutter prior to discharging to Maple Street. The peak flows are depicted in the pre and post analysis chart below.

C. Post-Development Drainage Conditions:

The proposal is to remove the existing driveway on the north side of the house and add some patios, but the watershed will have a decrease in impervious area. The proposal on the south side of the house is to collect the stormwater at the north east corner of the site in a detention pond to control the increase in impervious from the car ports, driveway and patios. The current design provides the pre and post flows to be equal or less than existing.

LOCATION	PRE			POST		
	2 YR	10 YR	50 YR	2 YR	10 YR	50 YR
(1S/10S)	0.7 cfs	1.3 cfs	2.3 cfs	0.6 cfs	1.2 cfs	2.1 cfs
(2S/20P)	0.3 cfs	0.7 cfs	1.2 cfs	0.3 cfs	0.6 cfs	1.0 cfs

III. Erosion & Sedimentation Control Provisions:

A. Temporary Erosion Control Measures:

As an integral part of the engineering design for this site, an erosion and sedimentation control plan has been developed with the intent of limiting the potential for soil loss and associated receiving water quality degradation, both during and after the construction period. As the project plans indicate, traditional temporary erosion and sedimentation control devices and practices, such as siltation fencing, hay baling and seeding, have been specified for use during the construction period. In preparation of these provisions, reference was made to the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire. Construction details for each temporary erosion control measure and practice specified have been added to the project plans. These plans also contain a number of erosion control notes, which are offered to the selected site contractor in order to supplement the specified measures and practices.

B. Construction Sequence:

A site specific construction sequence, sensitive to limiting soil loss due to erosion and associated water quality degradation, was prepared specifically for this project and is shown on the project plans. As pointed out in the erosion control notes, it is important for the contractor to recognize that proper judgement in the implementation of work will be essential if erosion is to be limited and protection of completed work is to be realized. Moreover, any specific changes in sequence and/or field conditions affecting the ability of specified erosion control measures to adequately serve their intended purpose should be reported to this office by the contractor. Further, the contractor is encouraged to supplement specified erosion control a measure during the construction period where and when in his best judgement additional protection is warranted.

C. Permanent Erosion Control Measures:

In the design of this project, consideration was given to limiting the potential for long-term erosion of completed improvements. As a result, several permanent erosion control measures were incorporated into the design of roadways and other infrastructure. These provisions include:

- 1) Minimization of stormwater flow lengths and accumulated volumes within unprotected ditch lines;
- 2) Specification of a turf establishment schedule and seed mixture, utilizing materials and workmanship recognized as appropriate for the site conditions at hand;
- 3) Placement of outlet protection, and
- 4) Placement of level areas to control a minimize contaminants from the site.



Town of Hopkinton

330 Main Street • Hopkinton, New Hampshire 03229 • www.hopkinton-nh.gov

Tel: 603-746-3170

Fax: 603-746-3049

HOPKINTON ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION NOVEMBER 27, 2018

Notice is hereby given that the Hopkinton Zoning Board of Adjustment met on **Tuesday, November 27, 2018, at 5:30 PM** in the Hopkinton Town Hall, 330 Main Street, Hopkinton, and made the following decision(s):

I. Applications.

#2018-9 Joseph Grogan Special Exception to operate an electrical business as a Home Business, located at 351 Park Avenue, owned by 351 Park Ave, LLC, in the R-1 district, shown on Tax Map 222 as Lot 70. The application was submitted in accordance with Zoning Ordinance Table of Uses 3.6.H.16.

Toni Gray, seconded by Charles Koontz, moved to **APPROVE** Application #2018-9 as presented. Motion carried unanimously in the affirmative (Eck, Gray, Koontz and Rinden). The Applicant successfully addressed all criteria to be granted a Special Exception as outlined in Section XV of the Zoning Ordinance.

#2018-10 56 Maple Street, LLC Special Exception 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 application was submitted in accordance with Zoning Ordinance Table of Uses 3.6.A.3.

Jonathan Eck, seconded by Toni Gray, moved to **APPROVE** Application #2018-10 as presented. Motion carried unanimously in the affirmative (Eck, Gray, Koontz and Rinden). The Applicant successfully addressed all criteria to be granted a Special Exception as outlined in Section XV of the Zoning Ordinance.

II. Review of Minutes and Notices of Decisions.

Toni Gray, seconded by Charles Koontz, moved to **APPROVE** the Minutes of August 7, 2018 as presented. With four members voting, three voted in favor (Gray, Koontz and Rinden) and one voted in abstention (Eck).

Toni Gray, seconded by Daniel Rinden, moved to **APPROVE** the Notice of Decision of August 7, 2018 as presented. With four members voting, three voted in favor (Gray, Koontz and Rinden) and one voted in abstention (Eck).

Jonathan Eck, seconded by Toni Gray, moved to **APPROVE** the Minutes of September 5,

Subject to review and approval.

2018 as presented. Motion carried unanimously in the affirmative (Eck, Gray, Koontz and Rinden).

Toni Gray, seconded by Jonathan Eck, moved to **APPROVE** the Notice of Decision of September 5, 2018 as presented. Motion carried unanimously in the affirmative (Eck, Gray, Koontz and Rinden).

III. Adjournment.

Charles Koontz, seconded by Jonathan Eck, moved to **ADJOURN** the meeting at 6:25 PM. Motion carried unanimously in the affirmative. The next regular scheduled meeting of the Hopkinton Zoning Board of Adjustment is at 5:30 PM on Thursday, January 3, 2018, at the Hopkinton Town Hall.

Karen Robertson
Planning Director

Ordinance §15.10. "Representations made at the public hearing or material submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking, or uses which are subject to regulations pursuant to subsection 15.8.2 or 15.8.3 shall be deemed conditions upon such special exception or variance."

DRIVEWAY PERMIT

To: John Wuellenweber
56 Maple St LLC
PO Box 31
Hopkinton, NH 03229

City/Town: Hopkinton
Route/Road: NH 127 (S0000127)
Patrol Section: 504
Tax Map: 102
Lot: 44
Development: 5-Unit Multifamily

Permit #: 05-227-0043
District: 05
Permit Date: 11/5/2018

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 127 (S0000127), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

Drive 1

Location: Approximately 0.0143 miles north of Prospect St. on the west side of NH 127 (S0000127).
SLD Station: 25256 (left) GPS: 43.22083 N 71.71305 W.

Specifications: This permit authorizes a paved access to be used as a Multi-Family Residential drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located (see plan).

The entrance shall be graded so that the surface of the drive drops (see plan) at a point (see plan) from NH 127 (S0000127) edge of pavement to create a drainage swale.

The driveway shall not exceed (see plan) in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

The driveway shall match to the existing asphalt sidewalk.

Other Conditions:

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

No additional surface drainage will enter upon the highway.

This permit to act relates solely to the use of the State right-of-way, and is not determinative of any rights of flowage between private land owners.

A copy of this permit shall be present at the site during construction of the drive(s).

All work is to be done by the applicant at no cost to the State of New Hampshire.

This permit does not include or approve the location or installation of underground utilities.


Drive(s) shall approach the highway at or about 90 degrees.

All materials and structures shall conform to the current version of the NHDOT Standard Specifications for Road and Bridge Construction, as amended.

During construction within the highway right-of-way, traffic shall be maintained in accordance with MUTCD standards and as directed by the District Engineer.

Driveway modifications are to be constructed as shown on plans prepared by McCourt Engineering Associates, PLLC dated Oct, 18 and last revised 11/5/18 for 56 Maple Street, LLC, on file in the District Five Office.

Copies: District, Town, Patrolman
Mccourt Engineering Associates
Jennifer McCourt
42 Ezekiel Smith Rd
Henniker, NH 03242

Approved 
Assistant District Engineer
For Director of Administration

TOWN OF HOPKINTON, NH
SUBDIVISION CHECKLIST

Applicants shall use the General Principal and Design and Construction Standards (Section IV, Subdivision Regulations) when designing and laying out a subdivision. These principles and requirements shall be construed as the minimum requirements. The Planning Board may require higher standards in individual cases or may waive certain requirements for good cause.

Submittal Material

- An application, either signed by all the current owner(s) of the property, or signed by an individual authorized by the owner(s) to act as their agent. NOTE: A letter must be submitted with the application authorizing the individual to act as agent on the owner(s) behalf when the agent signs the application.
- The appropriate application fee.
- A deed showing property description and ownership.
- List of the current abutters to the property including those property owners located across street, brook or stream from the property being subdivided. Please include the name, address and profession of the professionals responsible for the preparation of the subdivision plans.
- One (1) set of addressed mailing labels of abutters, applicant, engineer, architect, soil or wetland scientist, land surveyor, and holder of conservation preservation, or agricultural preservation restrictions or easements.
- N/A Copies of any approvals or permits required from state and federal agencies.
- Written request for any waivers from the Subdivision Regulations, if any.
- Pending A copy of any variances or special exceptions which have been granted by the Zoning Board of Adjustment.
- Four (4) copies of the subdivision plat which contains all the information outlined in the Subdivision Regulations.
- Eleven (11) copies of the application, along with all supporting document(s), including reductions of the plan(s) reduced to no more than 11" x 17".

General Information

- A subdivision shall be shown at a scale of not less than one inch equals one hundred feet (1"=100') or at a greater detail as directed by the Planning Board.
- Plans shall be presented on sheets sized at 22" x 34". Recordable drawings must conform to the requirements of the Merrimack County Registry of Deeds.
- Title of plat and Name and address of the owner and that of agent, if any.
- Date the plan was prepared and the date of all revisions.
- North arrow, bar scale and Tax Map/Lot references.
- Name, address, seal, and signature of the licensed surveyor, engineer, and certified soils or wetland scientist.

Design and Sketch Plan

- A vicinity sketch showing location of property in relation to surrounding streets systems and other pertinent features.

TOWN OF HOPKINTON, NH
SUBDIVISION CHECKLIST

- A sketch of the site showing existing natural features, including watercourses, waterbodies, tree lines, and other significant vegetation cover, topographic features and any other features that are significant to the site design.
- N/A Contours at intervals not exceed five feet (5') with spot elevations provided when the grade is less than five percent (5%).
- Surveyed exterior property lines showing their bearings and distances and showing monumentation locations.
- N/A Location and dimensions of uplands and wetlands as certified by a certified soils or wetland scientist.
- Lines and right-of-way of existing abutting streets.
- Location, elevation, and layout of existing and proposed catch basins and other surface drainage features.
- N/A Location and size of all utilities serving the site.
- N/A Soils location and types.
- Any other features that would fully explain the concept of the proposal, existing conditions, and future development.

Subdivision Plan

- Location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot.
- Location and width of existing and proposed streets and easements, alleys, and other public ways, easements and proposed street rights-of-ways.
- Building setbacks lines, including location and setback dimensions of existing structures within 50-feet of the parcel to be subdivided.
- Location, dimensions, and areas of all proposed or existing lots (calculated in acreage and square feet).
- N/A Location and dimensions of all property proposed to be set aside for a park or playground use, public or private reservation, with designation of the purpose and conditions, if any, of dedication or reservation.
- N/A Location of all parcels of land proposed to be dedicated to public or common use and the covenants, conditions of such dedications, and a copy of such private deed declarations, covenants or restrictions.
- Location, bearing and lengths of all lines; and sufficient data to be able to reproduce such lines upon the ground; and location of all proposed monuments.
- Statement as to the proposed use of all lots, sites, or other realty (whether single-family, two-family, etc.) and all other uses proposed.
- N/A Lots consecutively numbered or lettered in alphabetical order.
- N/A Location and explanation of proposed drainage easements and any other site easements, if any.
- Form of approval by the Planning Board.

Town of Hopkinton, NH
Site Plan Review Checklist

In cases where not all items are applicable, draw a line through the items that are not applicable. **All requests for waivers must be in writing with the application.**

ALL APPLICATIONS

- 1. Ten (10) copies of completed application, all associated documentation and checklist;
- 2. List of names and addresses of abutters and use of abutting properties, identified with location of the structures and access roads;
- 3. One (1) set of address mailing labels of abutters, applicant, engineer, architect, soil scientist, wetland scientist, land surveyor, and any holders of conservation preservation, or agricultural preservation restrictions or easements;
- 4. The appropriate fee;
- 5. Site plan: 24" by 36" sheet size maximum, scale not less than 1" = 100', match lines where needed, date, title, graphic scale, north arrow, location map, legend, name & address of developer/applicant, designer/engineer, and owner of record;
- 6. Four (4) prints of each plan sheet at full scale and one (1) reduction of each plan reduced to no more than 11" x 17";
- N/A 7. All existing and proposed easements;
- 8. Site plan showing boundaries, existing natural features including watercourses & water bodies, trees & other vegetation, topographical features, and other pertinent features that should be considered in the site design process;
- 9. Plan of all buildings depicting their type, size, and location (setbacks);
- 10. Location of off-street parking and loading spaces with a layout or the parking indicated;
- 11. The location, width, curbing and type of access ways and egress ways (driveways), plus streets and sidewalks within and around site;
- N/A 12. Location, size, and design of proposed signs and advertising or instructional devices;
- 13. Location and type of lighting for all outdoor facilities, including direction and area of illumination;
- 14. Right-of-way lines of all existing adjoining streets;
- 15. Location and type of Water supply & sewage disposal facilities;
- 16. Zoning districts and boundaries for site and within 1000 feet of site;
- N/A 17. 100 year flood elevation line, where applicable;
- 18. An elevation view or photograph of all buildings indicating their height, width and surface treatment;
- 19. Landscaping plan showing required details described within the Site Plan Review Regulations, and
- 20. Other required exhibits or data in order to adequately evaluate the proposal.

Town of Hopkinton, NH
Site Plan Review Checklist

PROJECTS REQUIRING NEW OR ADDITIONAL BUILDINGS OR CHANGES TO THE EXTERIOR DIMENSIONS OF EXISTING OR CHANGES TO EXISTING CONTOURS AND FINISHED GRADE ELEVATIONS, INCLUDING TYPE, EXTENT, AND LOCATION OF LANDSCAPING, PARKING AND OPEN SPACE AREAS SHALL SUBMIT THE FOLLOWING IN ADDITION TO ABOVE:

- Pending 1. Reproducible mylar, to be retained by the Planning Board at its option;
2. Plan of all buildings with their type, size, location (setbacks) and elevation of first floor indicated: (assume permanent onsite elevation);
3. The size and proposed location of water supply and sewage facilities and provision for future expansion of sewage and water facilities, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet;
4. The location, elevation and layout of catch basins and other surface drainage features;
5. Existing and proposed contours and finished grade elevations – all contours shall be a minimum of 2-foot intervals;
6. The type, extent and location of existing and proposed landscaping and open space areas indicating what existing landscaping and open space areas will be retained;
7. The size and location of all public service connections – gas, power, telephone, fire alarm, (overhead or underground);
8. Surveyed property lines showing their angles, distances, radius, lengths of arcs, control angles, along property lines and monument locations and names of all abutters;
9. If a subdivision, the lines and names of all proposed streets, lanes, ways, or easements intended to be dedicated for public use shall be indicated and all Subdivision Regulations shall apply, and
10. Erosion and sedimentation control plan.

TOWN OF HOPKINTON, NH
ARCHITECTURAL DESIGN REVIEW CHECKLIST

Planning Board approval of an Application for Architectural Design Review shall be required prior to the issuance of a building permit for the following activities (check as applicable):

- New building construction to be used for non-residential or multi-family purposes; or
- Additions or alterations to buildings used for non-residential or multi-family purposes which increase or decrease the square footage of the building; or
- Renovation, rehabilitation or reconfiguration of building exteriors where such buildings are used for non-residential or multi-family purposes.

The **Performance Criteria** is intended to encourage building architecture that is complementary to the community. It is intended that the criteria be administered with flexibility and consistency in order to allow for responsive, creative and innovative architectural designs. The criteria is not intended to dictate specific building styles, or to mandate historical preservation, restoration or replication.

In order to approve an Application for Architectural Design Review, the Planning Board shall find that the application demonstrates substantial conformity with the following Performance Criteria:

- (a) The proposed building design is consistent with the purposes of the Architectural Design Review Ordinance.
- (b) The proposed building design demonstrates sensitivity towards and is complementary to, the architectural heritage of Hopkinton.

Building Orientation: How a building is positioned or located on a site can complement or detract from the site and/or the architectural character of the surrounding area. The orientation of proposed buildings should take into consideration building setbacks, spacing between buildings, alignment of building(s), open spaces, access and circulation areas, as may be evidenced in the development pattern of the surrounding area or as determined to be appropriate by the Planning Board; and

Building Scale and Proportion: Building elevations, scale, massing and the proportional relationship between structures can complement or detract from the architectural character of the surrounding area. Building designs should be compatible with or provide a harmonious transition from adjacent sites. The scale and proportion of proposed buildings should take into consideration the scale and proportion of surrounding buildings, as evidenced in the development pattern of the surrounding area, and should also take into consideration natural features, historically significant buildings or features and surrounding land uses. Visual conflicts between properties should be minimized; and

Roofline: Rooflines can provide visual interest and help to reduce the mass of a building. Traditional roofline types such as gabled, hipped, and gambrel that are evidenced in Hopkinton's architectural heritage are strongly encouraged. Type, shape, pitch and direction of roofs should be considered in the design. Flat roofs are strongly discouraged; and

Massing: The physical bulk or mass of buildings, particularly larger or elongated ones, can either enhance or detract from the architectural character of the community. Structures should be carefully designed to break up their mass into smaller visual components providing human scale, variation and depth; and

Architectural Features and Details: Architectural features and details such as cornices, columns, corner trim, doorways, entrances, windows/trim, awnings, dormers, porches, etc., can provide or enhance visual interest, provide a pedestrian scale and help mitigate negative effects of building mass. Architectural features and details should be considered in every building design. Traditional features should be considered in every building design. Traditional features and details associated with Hopkinton's architectural heritage are strongly encouraged; and

Materials, Texture and Color: Exterior building materials, texture and colors should be treated as significant design elements that help define the appearance of a structure and create visual interest. The use of

TOWN OF HOPKINTON, NH
ARCHITECTURAL DESIGN REVIEW CHECKLIST

traditional materials that are consistent with Hopkinton's vernacular or indigenous architecture, or materials having the same visual effect, are strongly encouraged. Consideration should be given to the materials, textures and colors used in the neighborhood; and

- Building Facade:** Facades for new or renovated structures should provide visual interest from all visually accessible sides. Windows, doorways and architectural detailing and patterns should complement the building form and historical context. Facades should be designed to establish a complementary relationship with other site considerations such as pedestrian scale and orientation, signage, landscaping and lighting; and
- Building Renovation or Addition:** Where an existing building has features that are consistent with the Performance Criteria, proposed renovations or additions should be designed to respect the proportions, patterns, detailing, materials, etc., of the original building. Where the existing building does not have features that are consistent with the Performance Criteria, the owner/applicant is encouraged to upgrade the structure to meet the Performance Criteria; and
- Signs:** Signs should be designed to meet the needs of individual uses while complementing the building, the site and its surroundings. The design of building-mounted signs should complement, not detract from the architectural features of the building. Signs should be scaled to the architectural elements that surround it. Consideration should be given to sign form, color, lighting and materials that are compatible with the building and its surroundings; and
- Gateways and Scenic Resources:** Some places in Hopkinton contribute to the landscape character of the community because of their location and scenic qualities. Many such properties and approaches acts as gateways, providing first impressions and reinforcing Hopkinton's sense of place. Consideration should be given towards complementing these resources through the careful citing of new buildings, and the application of the Performance Criteria; and
- Design Continuity:** Each building design, from the simple to the complex, requires the coordination of multiple design elements such as architectural style, form, massing, materials, detailing, etc. The proposed building design shall demonstrate coordination of design elements and an overall design continuity.

WAIVER PROVISION

The Planning Board may grant waivers to the requirements of this Architectural Design Review Ordinance provided that a majority of the Planning Board finds that the criteria set forth in Section 15.8.3 of the Hopkinton Zoning Ordinance regarding "variances" have been satisfied.

In approving waivers, the Planning Board may impose such conditions, as it deems appropriate to substantially secure the objectives of the standards or requirements of the Architectural Design Review Ordinance.

A letter for any such waiver shall be submitted in writing by the applicant for Planning Board review. The letter shall state fully the grounds for the waiver and all of the facts relied upon by the applicant in support thereof.



Abutters List Report

Hopkinton, NH
October 19, 2018

Subject Property:

Parcel Number: 102-044-000
CAMA Number: 102-044-000
Property Address: 56 MAPLE ST

Mailing Address: 56 MAPLE ST LLC
PO BOX 31
HOPKINTON, NH 03229

Abutters:

Parcel Number: 102-037-000
CAMA Number: 102-037-000
Property Address: 91 CEDAR ST

Mailing Address: WRIGHT THOMAS G
PO BOX 658
CONTOOCOOK, NH 03229

~~Parcel Number: 102-043-000
CAMA Number: 102-043-000
Property Address: 76 MAPLE ST~~

~~Mailing Address: MCCLUSKEY SHAWN L
76 MAPLE ST
CONTOOCOOK, NH 03229~~

Parcel Number: 102-045-000
CAMA Number: 102-045-000
Property Address: 40 MAPLE ST

Mailing Address: SMITH JOSHUA
115 N MAIN ST
BOSCAWEN, NH 03303

Parcel Number: 102-049-000
CAMA Number: 102-049-000
Property Address: 43 MAPLE ST

Mailing Address: SIMMS ANN H & SIMMS RICHARD T
SIMMS ROBERT T
PO BOX 539
CONTOOCOOK, NH 03229

Parcel Number: 102-050-000
CAMA Number: 102-050-000
Property Address: 53 MAPLE ST

Mailing Address: WINZELER (REV TR) MARK L WINZELER
(TRE) MARK L
53 MAPLE ST
HOPKINTON, NH 03229

Parcel Number: 102-079-000
CAMA Number: 102-079-000
Property Address: 73 MAPLE ST

Mailing Address: EKSTROM HAROLD V & MARY P
73 MAPLE ST
CONTOOCOOK, NH 03229



www.cai-tech.com

10/19/2018

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Abutters List Report

Hopkinton, NH
October 19, 2018

Subject Property:

Parcel Number: 102-043-000
CAMA Number: 102-043-000
Property Address: 76 MAPLE ST

Mailing Address: MCCLUSKEY SHAWN L
76 MAPLE ST
CONTOOCOOK, NH 03229

Abutters:

Parcel Number: 102-012-000
CAMA Number: 102-012-000
Property Address: 134 CEDAR ST

Mailing Address: HECK THOMAS J & KARLA D
134 CEDAR ST
CONTOOCOOK, NH 03229

Parcel Number: 102-013-000
CAMA Number: 102-013-000
Property Address: 116 CEDAR ST

Mailing Address: BLANK ROBERT T
116 CEDAR STREET
CONTOOCOOK, NH 03229

Parcel Number: 102-028-000
CAMA Number: 102-028-000
Property Address: 98 CEDAR ST

Mailing Address: DENONCOUR BRIAN J & WANDA M
98 CEDAR ST
CONTOOCOOK, NH 03229

~~Parcel Number: 102-037-000
CAMA Number: 102-037-000
Property Address: 91 CEDAR ST~~

~~Mailing Address: WRIGHT THOMAS C
PO BOX 658
CONTOOCOOK, NH 03229~~

Parcel Number: 102-042-000
CAMA Number: 102-042-000
Property Address: 86 MAPLE ST

Mailing Address: CLEMENT LOREN D & HOLLY E
86 MAPLE STREET
CONTOOCOOK, NH 03229

~~Parcel Number: 102-044-000
CAMA Number: 102-044-000
Property Address: 56 MAPLE ST~~

~~Mailing Address: 56 MAPLE ST LLC
PO BOX 31
HOPKINTON, NH 03229~~

~~Parcel Number: 102-050-000
CAMA Number: 102-050-000
Property Address: 53 MAPLE ST~~

~~Mailing Address: WINZELER (REV TR) MARK L WINZELER
(TRE) MARK L
53 MAPLE ST
HOPKINTON, NH 03229~~

~~Parcel Number: 102-079-000
CAMA Number: 102-079-000
Property Address: 73 MAPLE ST~~

~~Mailing Address: EKSTROM HAROLD V & MARY P
73 MAPLE ST
CONTOOCOOK, NH 03229~~

Parcel Number: 102-080-000
CAMA Number: 102-080-000
Property Address: 91 MAPLE ST

Mailing Address: BARWELL MICHAEL R & MARY R
91 MAPLE ST
HOPKINTON, NH 03229



www.cai-tech.com

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Professionals list for notification
56 Maple Street, LLC
Hopkinton, New Hampshire
MEA Project No. 218-0924-1

Professionals to be Notified

Engineer:

Jennifer B. McCourt, P.E.
McCourt Engineering Associates, PLLC
42 Ezekiel Smith Road
Henniker, NH 03242

Surveyor:

Daniel B. Higginson, LLS
Higginson Land Services
76 Paterson Hill Road
Henniker, NH 03242

Legal Council:

Maria T. Dolder, Esquire
Hebert & Dolder, PLLC
95 North State Street, Suite 1
Concord, NH 03301

Return to: 102 Fieldstone Rd
Hopkinton, NH
03229

1450
2-
25-

MERRIMACK COUNTY RECORDS *Kathi L. Guay* CPO, Register

1244.00 **QUITCLAIM DEED**

Citizens Bank N.A., of 10 Tripps Lane, Riverside, RI 02915, for the amount **Eighty Two Thousand Nine Hundred and 00/100 Dollars (\$82,900.00)**, grant **56 Maple St, LLC, A New Hampshire limited liability company**, of P.O. Box 31, Hopkinton, NH 03229 with **QUITCLAIM COVENANTS:**

The land with the buildings thereon located at 56 Maple Street, Hopkinton, Merrimack County, New Hampshire and further bounded and described in deed referenced below and as follows:

Beginning on the westerly side of the highway leading from Contoocook to Weare, now known as Maple Street, at the northeasterly corner of land now or formerly of A.C. Call; thence westerly by land of said Call to an iron pin; thence northerly by land of said Call, one rod to an iron pin at land formerly of Julia M. Johnson later of Jennie Cummings; thence continuing northerly by land of said Cummings nine (9) rods four (4) links to an iron pin at land now or formerly of Will H. Milton; thence easterly by said Milton land to Maple Street; thence southerly by Maple Street to the point of beginning.

Meaning and intending to convey the same premises subject to and together with rights of way, easements, restrictions, declarations described in Foreclosure Deed granting to Citizens Bank, N.A. f/k/a RBS Citizens, N.A. dated April 12, 2017 and recorded on May 8, 2017 in Book 3555 at Page 85.

Property address: 56 Maple Street, Hopkinton, NH 03229

102/44

Witness my hand this 5 day of March, 2018

Citizens Bank, N.A. f/k/a RBS Citizens N.A.

Michelle R. McKinnon Robin A. Bellows

Witness
Michelle R. McKinnon
State of Rhode Island
County of Providence

By:
Robin A. Bellows, VP

I hereby certify that on this 5th day of March, 2018, before me, the subscriber, Notary Public of the State aforesaid, personally appeared Robin A. Bellows, VP its representative of Citizens Bank, N.A. f/k/a RBS Citizens N.A., whose name is subscribed to the within instrument, and acknowledged the foregoing deed to be his/her act under authority of the Grantor and the free act and deed of the Grantor, and also certify, under penalties of perjury, that the consideration recited herein is true and correct.

GRETCHEN GALVIN
Notary Public-State of Rhode Island
My Commission Expires
April 25, 2021

Gretchen Galvin
Notary Public: Gretchen Galvin
My Commission Expires: April 25, 2021

Property Address: 56 Maple Street, Hopkinton, NH 03229



MERRIMACK COUNTY RECORDS *Kathi L. Guay* CPO, Register

③

Return To:

Shawn L. McCluskey
76 Maple Street
Hopkinton, NH 03229

14⁴⁹
2⁰⁰
25

3599.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That, **Edwin C. Taylor and Deborah S. Taylor, husband and wife**, with a mailing address of 1044 Lincoln Lane, Park City, UT 84098, for consideration paid grant to **Shawn L. McCluskey, unmarried**, with a mailing address of 1612 Old Concord Road, Henniker, NH 03242, with WARRANTY COVENANTS:

A certain tract of land, with the buildings thereon, located in the Town of Hopkinton, County of Merrimack and State of New Hampshire, bounded and described as follows:

Certain premises located in the Village of Contoocook, so-called, in the Town of Hopkinton, bounded on the North by land now or formerly of Henry Davis; on the East by Maple Street; on the South by land now or formerly of Edwin Bartlett; and on the West by Cedar Street.

Meaning and intending to describe and convey the same premises as conveyed to Edwin C. Taylor and Deborah S. Taylor by Warranty Deed dated October 23, 1998 recorded in the Merrimack County Registry of Deeds in Book 2124, Page 0560.

This is not homestead property.

EC
D/S

Warranty Deed
Edwin C. Taylor and Deborah S. Taylor
to
Shawn L. McCluskey
Page 1 of 2

102/43

Executed this 21st day of July, 2015.

Witness to both

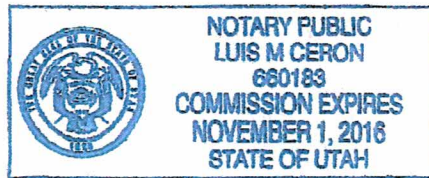
Edwin C. Taylor 7/21/15
Edwin C. Taylor

Deborah S. Taylor
Deborah S. Taylor

State of Utah
County of Summit

Personally appeared the above named Edwin C. Taylor and Deborah S. Taylor, before me this 21st day of July, 2015 known to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

[Signature]
Notary Public Justice of the Peace
My Commission Expires: November 1, 2016



Photographs of Existing Site located at 56 Maple Street
56 Maple Street, LLC



Front view of existing Building
Picture taken 10/2018

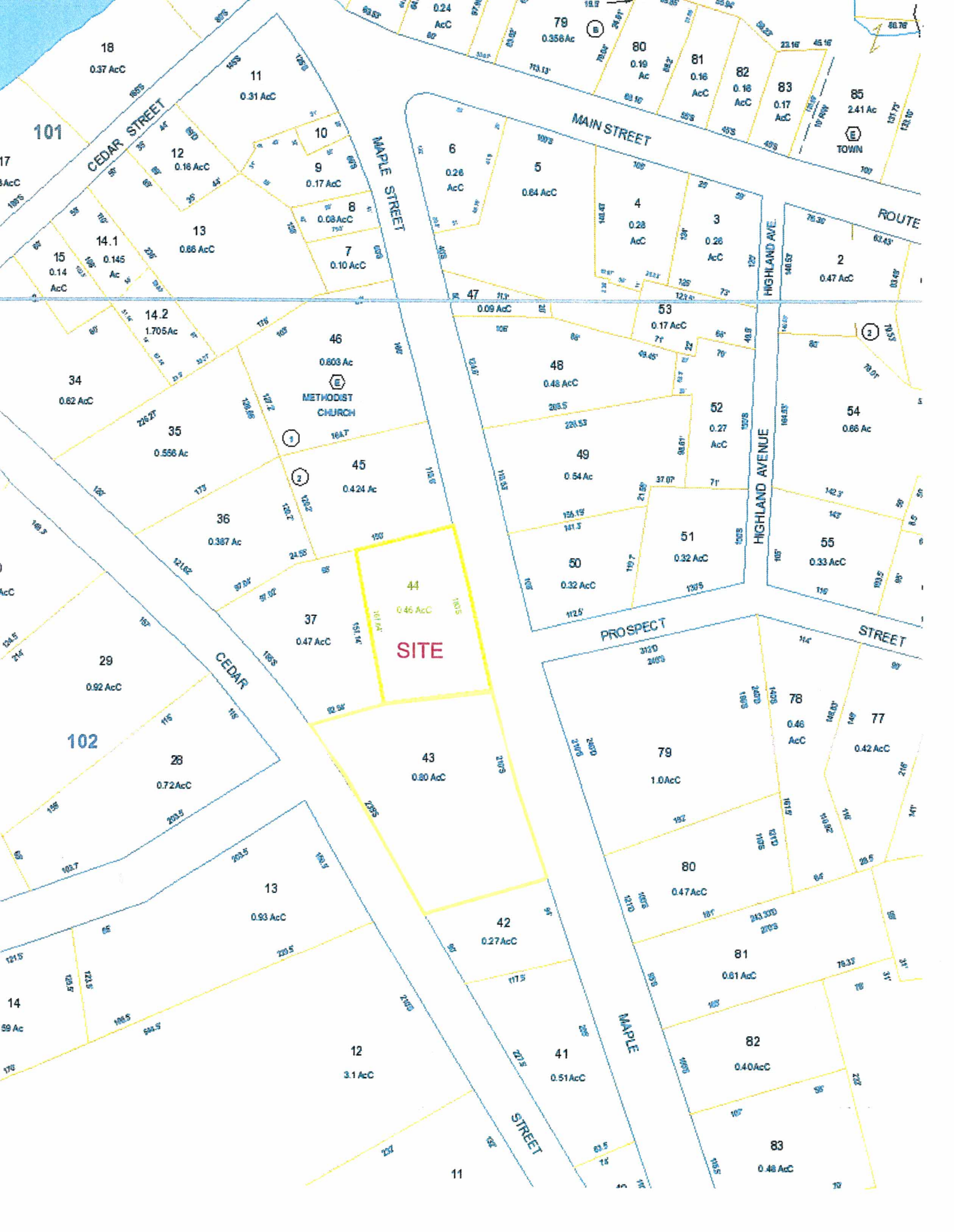


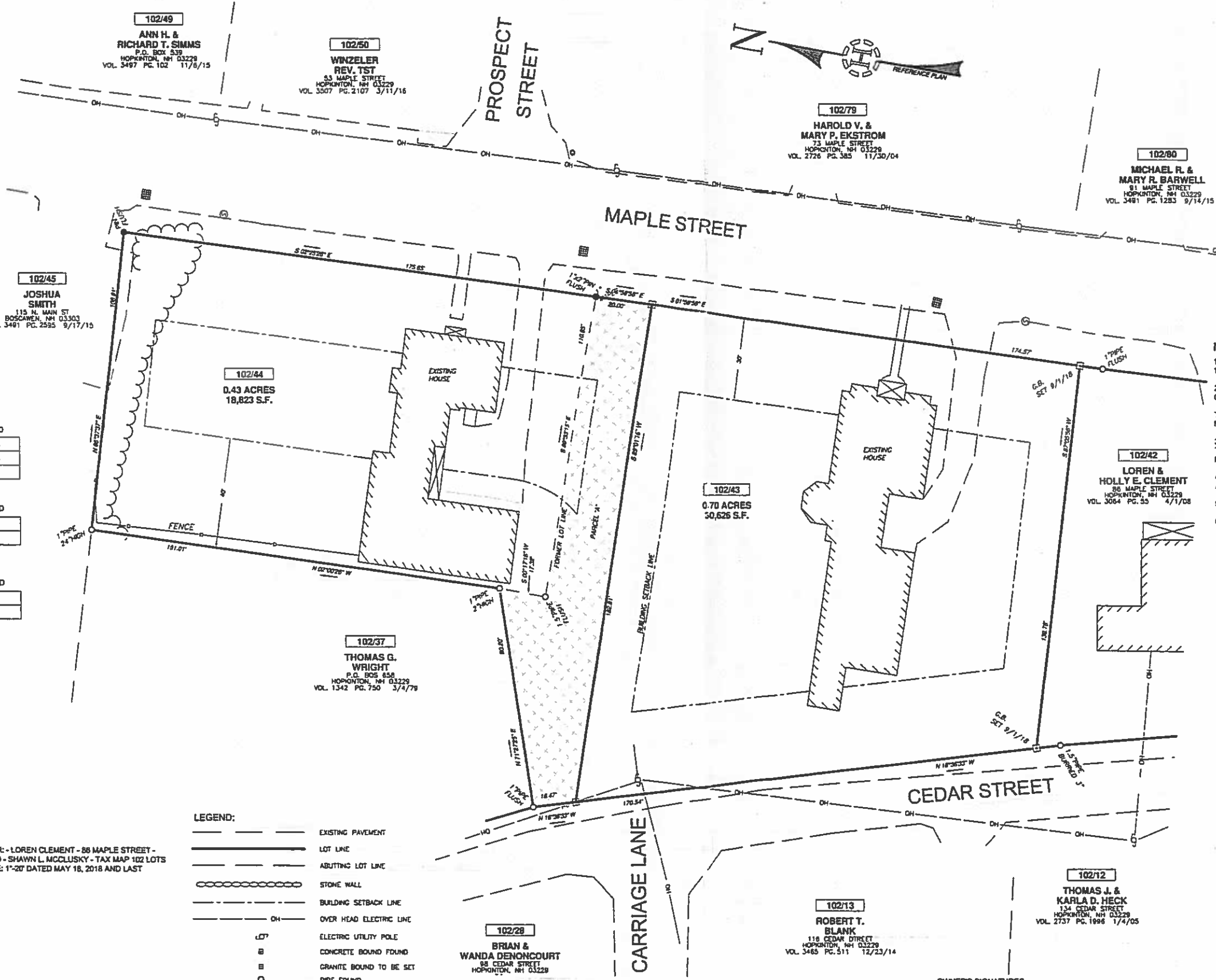
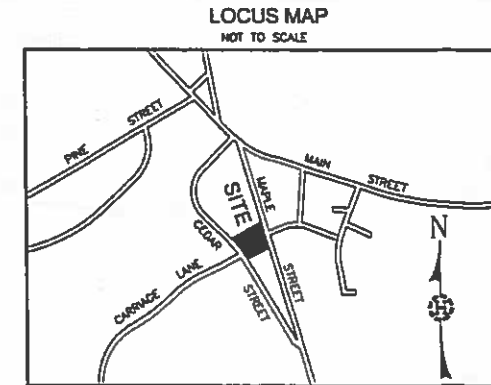
South side of site
Picture taken 10/2018

**Photographs of Existing Site located at 56 Maple Street
56 Maple Street, LLC**



North side of the site
Picture taken 10/2018





LOT AREAS

LOT	EXISTING	PROPOSED
102/43	30,626 S.F.	26,164 S.F.
102/44	18,823 S.F.	23,285 S.F.
PARCEL 'A'		4462 S.F.

LOT FRONTAGE

LOT	EXISTING	PROPOSED
102/43	366.57'	330.10'
102/44	175.65'	212.12'

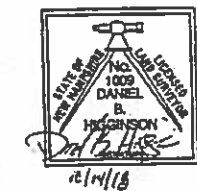
LOT COVERAGE

LOT	EXISTING	PROPOSED
102/43	15.0%	16.1%
102/44	25.6%	21.1%

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO DEPICT A LOT LINE ADJUSTMENT BETWEEN TAX MAP 102 LOTS 44 & 43. PARCEL A IS NOT TO BE CONSIDERED A SEPERATE LOT OF RECORD.
 - THE OWNER OF TAX MAP 102 LOT 44 IS 56 MAPLE ST. LLC P.O. BOX 31 HOPKINTON, NH 03229 (M.C.R.D. BK.3587 PG.2647 DATED 3/5/16).
 - THE OWNER OF TAX MAP 102 LOT 43 IS SHAWN L. MCCLUSKY 76 MAPLE STREET HOPKINTON, NH 03229 (M.C.R.D. BK.3485 PG.2725 DATED 7/21/15).
 - BOUNDARY INFORMATION DEPICTED HEREON IS PER FIELD SURVEYS PERFORMED BY THIS OFFICE ON MAY 3, 2018 AND OCTOBER 9, 2018. HORIZONTAL ORIENTATION IS PER A MAGNETIC OBSERVATION TAKEN ON MAY 3, 2018.
 - THE SITE LIES WITHIN THE VR-1 ZONE. MINIMUM LOT SIZE IS 15,000 S.F WITH 80' FRONTAGE AND 80' OF DEPTH. SETBACKS ARE 30' FRONT 15' SIDE AND 40' REAR.
 - LOTS 102/43 & 102/42 ARE USED FOR RESIDENTIAL PURPOSES.
 - SOIL TYPE FOR THE ENTIRE SITE IS 459C - METACOMET FINE SANDY LOAM

CERTIFICATION:

"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY".



REFERENCE PLAN:

"LOT LINE ADJUSTMENT PLAN - PREPARED FOR: - LOREN CLEMENT - 86 MAPLE STREET - LAND OF - LOREN D. & HOLLY E. CLEMENT AND - SHAWN L. MCCLUSKY - TAX MAP 102 LOTS 43 & 42 - HOPKINTON, NEW HAMPSHIRE" SCALE: 1"=20' DATED MAY 16, 2018 AND LAST REVISED 8/21/18 (ON FILE AT THIS OFFICE)

- LEGEND:**
- EXISTING PAVEMENT
 - LOT LINE
 - ABUTTING LOT LINE
 - STONE WALL
 - BUILDING SETBACK LINE
 - OH OVER HEAD ELECTRIC LINE
 - ELECTRIC UTILITY POLE
 - CONCRETE BOUND FOUND
 - GRANITE BOUND TO BE SET
 - PIPE FOUND
 - SEWER MAN HOLE
 - CATCH BASIN

SCALE: 1"=20'

REV.	DATE	DESCRIPTION	BY

THIS MAP IS HEREBY APPROVED BY THE HOPKINTON PLANNING BOARD AT AN OFFICIAL MEETING HELD ON NOVEMBER 22, 2018 AND SHALL BE FILED WITH THE MERRIMACK COUNTY REGISTRY OF DEEDS.

OWNER'S SIGNATURES

DATE _____ JOHN WUELLENWEBER (56 MAPLE ST. LLC.)

DATE _____ SHAWN L. MCCLUSKY

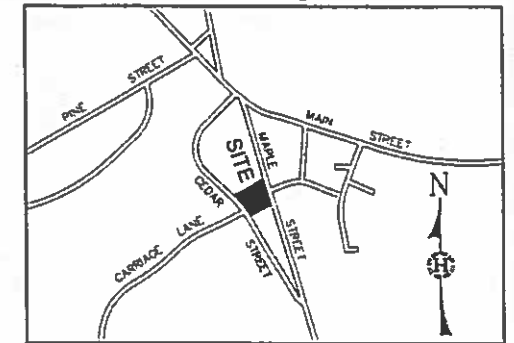
DATE _____ CHAIR OF HOPKINTON PLANNING BOARD

LOT LINE ADJUSTMENT PLAN
 PREPARED FOR:
56 MAPLE ST. LLC.
 56 MAPLE STREET
 LAND OF:
 56 MAPLE ST. LLC AND
 SHAWN L. MCCLUSKY
 TAX MAP 102 LOTS 44 & 43
HOPKINTON, NEW HAMPSHIRE

OCTOBER 14, 2018

HIGGINSON LAND SERVICES
 LAND SURVEYING - SEPTIC SYSTEM DESIGNS - PERMITTING
 76 PATTERSON HILL ROAD DENNIS, NH 03242
 TEL: 803-860-6412 | NOTE BOOK #7 | JOB #283

LOCUS MAP
NOT TO SCALE



102/45
JOSHUA SMITH
115 N. MAIN ST
BOSCAWEN, NH 03303
VOL. 3491 PG. 2585 9/17/15

102/46
ANN H. & RICHARD T. SIMMS
P.O. BOX 539
HOPKINTON, NH 03229
VOL. 3487 PG. 102 11/8/15

102/50
WINZELER REV. TST
53 MAPLE STREET
HOPKINTON, NH 03229
VOL. 3507 PG. 2107 3/11/16

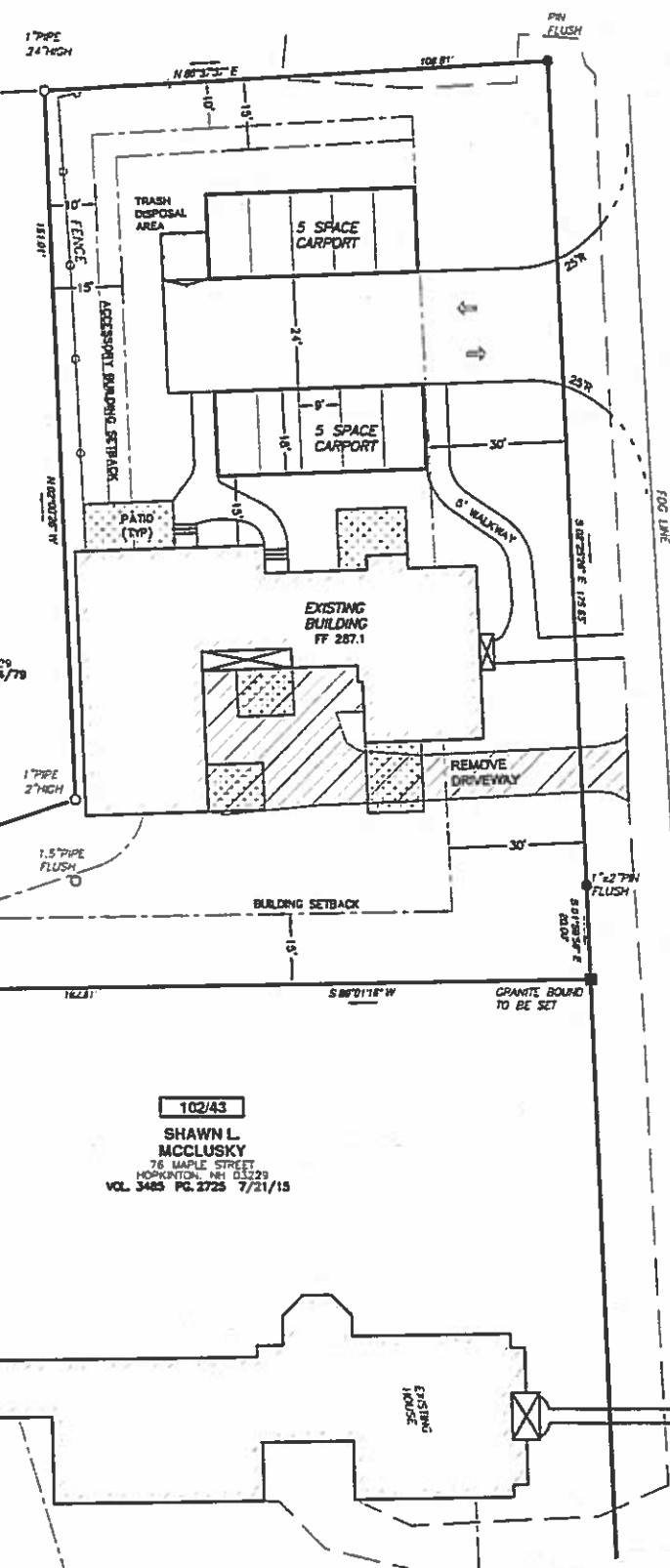
102/79
HAROLD V. & MARY P. EKSTROM
73 MAPLE STREET
HOPKINTON, NH 03229
VOL. 2728 PG. 385 11/30/04

102/37
THOMAS G. WRIGHT
P.O. BOX 858
HOPKINTON, NH 03229
VOL. 1342 PG. 750 3/4/78

102/28
BRIAN & WANDA DENONCOURT
98 CEDAR STREET
HOPKINTON, NH 03229
VOL. PG.

102/43
SHAWN L. MCCLUSKY
76 MAPLE STREET
HOPKINTON, NH 03229
VOL. 3485 PG. 2725 7/21/15

102/13
ROBERT T. BLANK
118 CEDAR STREET
HOPKINTON, NH 03229
VOL. 3483 PG. 511 12/23/14



NOTES:

1. THE INTENT OF THIS PROJECT IS TO REDEVELOP THE PARCEL INTO FIVE RESIDENTIAL UNITS.
2. THE SUBJECT PARCEL IS LOT 44 ON THE TOWN OF HOPKINTON TAX MAP 102. THE OWNER OF THE PROPERTY IS 56 MAPLE STREET, LLC PO BOX 31, HOPKINTON, NH 03229. THE TOTAL AREA OF THE PARCEL AFTER PROPOSED LOT LINE ADJUSTMENT IS 23,285 S.F.
3. THE SUBJECT PARCEL IS WITHIN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE "FLOOD INSURANCE RATE MAP, MERRIMACK COUNTY, NEW HAMPSHIRE," COMMUNITY PANEL NUMBER 33013C0504E, EFFECTIVE DATE APRIL 19, 2010.
5. THE PRESENT ZONING FOR THIS PARCEL ACCORDING TO THE TOWN OF HOPKINTON IS VR-1.
6. THE ZONING REQUIREMENTS FOR THIS PARCEL ARE:

	REQUIRED	ACCESSORY
FRONT YARD	30 FEET	30 FEET
SIDE YARD	15 FEET	10 FEET
REAR YARD	15 FEET	10 FEET
FRONTAGE	80 FEET	
MIN. LOT AREA	15,000 SQUARE FEET	
7. DENSITY CALCULATIONS:
REQUIRED LOT AREA = 15,000 SF FOR FIRST UNIT AND 2,000 SF FOR EACH ADDITIONAL UNIT
5 UNITS = 23,000 SF
PROVIDED LOT AREA = 23,285 SF
8. PARKING CALCULATIONS:
PROPOSED REQUIRED PARKING: 2 SPACES PER UNIT = 10 SPACES
PROVIDED PARKING: 10 SPACES PROVIDED
9. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE. CONTRACTOR TO NOTIFY DIOSAFE 72 HOURS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES DISCOVERED SHALL BE IMMEDIATELY REPORTED TO MEA FOR RESOLVE.
10. THE LOT IS SERVED BY EXISTING MUNICIPAL SEWER AND EXISTING MUNICIPAL WATER.
11. FOR COMPLETE BOUNDARY SURVEY SEE EXISTING CONDITIONS PLAN.
12. HOPKINTON ZONING BOARD OF ADJUSTMENT SPECIAL EXCEPTION REGARDING SECTION 3.6 A.3 REGARDING THE MULTIFAMILY USE SHALL BE HEARD ON NOVEMBER 7, 2016.

PROSPECT STREET

MAPLE STREET



OWNER'S SIGNATURES
DATE _____ JOHN WUELLENWEBER (56 MAPLE ST LLC.)

THIS MAP IS HEREBY APPROVED BY THE HOPKINTON PLANNING BOARD AT AN OFFICIAL MEETING HELD ON _____ 2016.
DATE _____ CHAIR OF HOPKINTON PLANNING BOARD



IN ASSOCIATION WITH:
HIGGINSON LAND SERVICES
LAND SURVEYING - SEPTIC SYSTEM DESIGNS - PERMITTING
76 PATTERSON HILL ROAD HENNIKER, NH 03242
TEL: 603-660-8412

SITE PLAN PREPARED FOR:
56 MAPLE STREET, LLC
MAP 102, LOT 44, 56 MAPLE STREET, HOPKINTON, NEW HAMPSHIRE

REVISIONS DATE	DESCRIPTION

ENGINEER:
McCOURT ENGINEERING ASSOCIATES, PLLC
Civil Engineering & Land Planning
47 Lovell Smith Road, Hopkinton, NH 03242
mccourt@engrassoc.com
(603) 439-8882

OWNER:
56 MAPLE STREET, LLC
PO BOX 31
HOPKINTON, NH 03229

**SECTION II
DEFINITIONS**

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.

**SECTION III
ESTABLISHMENT OF DISTRICTS AND USES**

3.6 USE REGULATIONS

3.6.1 The Table of Uses, Section 3.6, is divided into two parts, one for **principal uses** and the other for **accessory uses**, specifying the uses that are permitted by right, are permitted by special exception, **are permitted by Conditional Use Permit**, or are not permitted.

- (a) **Uses Permitted by Right** Uses denoted by the letter “P” in the Table of Uses are permitted by right in the Districts so indicated, subject to all other applicable sections of this Ordinance and other local, state and federal laws, rules and regulations.
- (b) **Uses Permitted by Special Exception** Uses which require the granting of a Special Exception by the Zoning Board of Adjustment are denoted by the letter “S” in the Table of Uses in the District so indicated. The Zoning Board of Adjustment may grant Special Exceptions in accordance with the procedures and conditions as specified in Section XV, Board of Adjustment, of this Ordinance, subject to all other applicable sections of this Ordinance and other local, state and federal laws, rules and regulations.
- (c) **Uses Permitted 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, subject to applicable sections of this Ordinance and other local, state and federal laws, rules and regulations. A Conditional Use Permit may not establish a use specifically prohibited by this Ordinance.
- (e)(d) **Uses Not Permitted and Uses Not Specified** Uses denoted by the letter “X” in the Table of Uses are not permitted in the District so indicated.

Any use not specifically listed in the **Table of Uses** as a permitted use shall not be allowed unless the Board of Adjustment determines it is substantially similar to a use listed as a permitted use in the applicable zone by virtue of an Administrative Appeal to the Board. A use shall not be deemed substantially similar to a permitted use unless it is substantially similar in all aspects to a permitted use; otherwise the use shall be deemed to be not permitted. For purposes of this section, a substantially similar use shall include a use by reason of its normal operation, would not cause observable difference in patronage, service, sight, noise, traffic, employment or similar characteristics, including its impacts to abutting properties. Any use deemed by the Board to be a prohibited use, and any use

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explicitly prohibited by this Ordinance, shall only be allowed in the event that the Board of Adjustment grants a Variance allowing the use.

~~(d)~~**(e) All Uses subject to Wetlands Conservation District** All uses are subject to the provisions of Section XII, Wetlands Conservation District (Overlay).

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. Agricultural/Forestry Uses										
7. Primary Agriculture Solar Energy System, Section III.	C	C	C	C	C	C	C	C	C	C
F. Commercial Uses										
21. Commercial Solar Energy System, Section III.	C	C	C	C	C	C	C	C	C	C
H. Accessory Uses										
20. Accessory Residential Solar Energy System, Section III.	P	P	P	P	P	P	P	P	P	P
21. Accessory Agriculture Solar Energy System, Section III.	P	P	P	P	P	P	P	P	P	P
22. Accessory Commercial Solar Energy System, Section III.	C	C	C	C	C	C	C	C	C	C
23. Shared Solar Energy System, Section III.	C	C	C	C	C	C	C	C	C	C

Section XII Wetlands Conservation District
(Overlay)

3.12 ACCESSORY DWELLING UNIT (ADU)

3.12.1 Authority: This Ordinance is adopted by the Town of Hopkinton on **June 1, 2017**, and amended on **March 12, 2018**, 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 (ADU):** A residential living unit that is subordinate and within or attached to a single-family dwelling, **or is located in a detached structure**, and that provides independent living facilities for one or more persons, including provisions for sleeping,

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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~~ **ADU**, 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~~ **ADU** shall be permitted.
- (b) The ~~Accessory Dwelling Unit~~ **ADU** shall be located within or attached to the principal single-family dwelling **with common walls, unless the lot meets or exceeds the minimum required lot size for the respective zoning district. If the lot meets or exceed the minimum required lot size, the ADU may be located in a separate detached structure, such as a garage or barn, provided the existing structure conforms with required setbacks for the zoning district. An ADU may also be in a new structure.**
- (c) New construction for an **attached or detached accessory dwelling unit ADU** 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~~ **ADU** 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~~ **ADU** 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~~ **ADU** shall contain fully self-sufficient living quarters, consisting of adequate sleeping, bathing, and eating accommodations.
- (g) An ~~Accessory Dwelling Unit~~ **ADU** 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 **attached** ~~Accessory Dwelling Unit~~ **ADU**. There is no requirement that the interior door remain unlocked.
- (i) An independent exterior means of ingress and egress shall be. The ingress and egress shall not be on the same side of the building as the principal dwelling unit.
- (j) **All new or altered structures, intended to be used as an ADU must be located behind the building line of the existing principal residence, except when the Zoning Board of Adjustment finds that the criteria in Section 15.8.2 has been satisfied.**
- (k) Either the principal dwelling unit or the ~~accessory dwelling unit~~ **ADU** must be owner-occupied. **A temporary leave of absence by the property owner is allowed, provided the**

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owner-occupied unit is not rented during the temporary leave of absence. 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~~ ADU must remain in common ownership. Transfer of either dwelling unit to condominium ownership is not permitted.

Prior to the issuance of a zoning/building permit, the owner shall record in the Merrimack County Registry of Deeds acknowledgement of the ADU and the owner/occupancy requirement. Acknowledgement is to be in a form that is satisfactory to the Town, in order to put prospective buyers on notice of the prohibition against renting out both units.

- (l) 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.
- (m) The applicant for a permit to construct an ~~accessory dwelling unit~~ ADU shall make adequate provisions for water supply and sewage disposal for the ~~accessory dwelling unit~~ ADU in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units.
- (n) No home business will be permitted in the ADU.
- (o) As an alternative, if allowed within the zoning district, a property owner can seek permission to convert the attached ADU to either a standard two-family or a multi-family dwelling.

3.13 SOLAR ENERGY SYSTEMS

3.13.1 Authority This Ordinance is adopted by the Town of Hopkinton on March 12, 2019, in accordance with the authority granted in New Hampshire Revised Statutes Annotated 674:16, 674:21, 674:17(l)(j), and 672:1-III-a, as amended.

3.13.2 Purpose The purpose of this Solar Energy Systems Ordinance is to:

- (a) Accommodate solar energy systems and distributed generation resources in appropriate locations, while protecting the public's health, safety and welfare;
- (b) Regulate the implementation of solar energy systems in accordance with the recommendations stated in the Energy Chapter of the Hopkinton Master Plan;
- (c) Promote environmental sustainability while respecting the characteristics and landscape of Hopkinton; and
- (d) Support the State of New Hampshire's goal of developing clean safe, renewable energy resources as provided for in the statutes referenced above.

3.13.3 Definitions

- (a) **Agriculture Solar, Primary.** A mixed use of property for a solar energy system and agricultural use. The solar energy system is designed to *primarily* serve off-site uses and consisting of one or more ground-mounted solar arrays or modules, or solar

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related equipment, regardless of the rated nameplate capacity and solar land coverage, provided the existing agricultural use is preserved at the time of installation.

- (b) **Agriculture Solar, Accessory.** A solar energy system for on-site agricultural use and consisting of one or more ground-mounted or roof/building-mounted solar arrays or modules, or solar related equipment, intended to reduce on-site consumption of utility power and without a limit to the rated nameplate capacity or solar land coverage, provided the existing agricultural use is preserved.
- (c) **Commercial Solar.** A use of land that consists of one or more free-standing, ground-mounted, solar energy systems regardless of rated nameplate capacity and solar land coverage that is designed primarily to serve off-site uses. A Commercial solar energy system may be authorized by Conditional Use Permit (CU) as a principal use.
- (d) **Commercial Solar, Accessory.** A solar energy system for on-site commercial use, and consisting of one or more free-standing, ground or roof/building-mounted, solar arrays or modules, or solar related equipment, intended to reduce on-site consumption of utility power.
- (e) **Ground Mount, Free-Standing.** A solar energy system and associated mounting hardware that is affixed to or placed upon (such as ballasted systems) the ground including, but not limited to, fixed, passive, or active tracking racking systems.
- (f) **Rated Nameplate Capacity.** Maximum rated wattage output of a solar energy system based on the design output of the solar system.
- (g) **Residential Solar, Accessory.** A solar energy system for on-site residential use, and consisting of one or more free-standing, ground or roof mounted, solar arrays or modules, or solar related equipment, intended to reduce on-site consumption of utility power.
- (h) **Roof/Building Mount.** A solar energy system that is structurally mounted to a roof or attached to a building. The system shall be no taller than 5 feet above the ridge line of the roof and not extend beyond the building footprint more than 5 feet. The system may include limited accessory equipment that is ground-mounted. For purposes of calculating array sizes or solar land coverage under the solar definitions in this section, roof or building mounted portions shall not be included if the system is made up of both roof or building and ground mounted systems. The building inspector may require information demonstrating that the roof or building can support the solar energy system, with additional supports if necessary.
- (i) **Screening.** A device or materials used to conceal one (1) or more elements of a site from other elements or from adjacent or contiguous sites. Screening may include one (1) or a combination of the following materials of sufficient mass to be opaque or which shall become opaque after twelve (12) months and which shall be maintained year-round in an opaque condition: walls, fences, berms or plantings.
- (j) **Shared Solar.** A solar energy system that serves residences and/or commercial/industrial structures situated on two or more contiguous lots. The system is considered accessory to the uses on each of the lots that it serves.

- (k) **Solar Energy System.** Includes all equipment required to harvest solar energy to generate electricity. The solar energy system includes storage devices, power conditioning equipment, transfer equipment, and parts related to the functioning of those items. Solar energy systems include only equipment up to the stage that connection is made to the utility grid or site service point. A solar energy system may be allowed by right or authorized by a Conditional Use Permit.
- (l) **Solar Land Coverage.** Defined exclusively for the purposes of calculating the footprint of the land area occupied by the components of a solar array. The solar land coverage is the land area that encompasses all components of the solar energy system that touches the ground, i.e., footings and ancillary components of the system. It does not include mounting equipment, panels, access roads or fencing and is not to be interpreted as a measurement of impervious surface as it may be defined in this ordinance.

3.13.4 Applicability

- (a) **General** Any person seeking to construct or to carry out a commercial, commercial (accessory), agricultural (primary), or shared solar energy system shall apply to the Planning Board for Site Plan Review in accordance with the requirements set forth in the Town's Site Plan Review Regulations. In addition, such applicant shall submit the information required in 3.13.6 of this Ordinance.
- (b) **Exceptions**
 - (1) Municipal Systems: All solar energy systems for municipal use are exempt from land use regulations pursuant to NH RSA 674:54.
 - (2) The Town recognizes the benefit of participating in solar development. Therefore, privately owned and operated solar energy systems, under a lease agreement, on town property is exempt from this Ordinance.
- (c) **Building Permit** No solar energy system shall be erected, constructed, or installed without first receiving a building permit from the building inspector. Furthermore, a building permit shall be required for any physical modifications to an existing solar energy system.

3.13.5 Solar Energy System Requirements:

- (a) **Setbacks.** All solar energy systems, including the panels, shall be considered structures and shall comply with building setback requirements in accordance with the Dimensional and Density Requirements, Section IV, as applicable, unless modified elsewhere in this Ordinance. For tracking systems, the setback shall be measured from the point and time where the array is closest to the lot line. No portion of a system may cross into the setback.
- (b) **Height.** For roof or building-mounted systems located in any residential zoning districts, the maximum height for any part of the system is five (5) feet above the ridge of the roof or five (5) feet above the highest part of the roof where there is no ridge. The maximum height for a ground-mounted system shall comply with the height

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restrictions in accordance with the Dimensional and Density Requirements, Section IV, as applicable, unless modified elsewhere in this Ordinance.

- (c) **Glare.** Solar energy systems shall be sited in a manner that will minimize impact due to glare on neighboring or adjacent uses.
- (d) **Signs.** All signs are prohibited, except for manufacturer identification, contact information for the owner/operator, or proper warning signs.
- (e) **Code Compliance.** The solar energy system shall comply with all applicable sections of the New Hampshire State Building Code.
- (f) **Visual Impacts.** It is inherent that solar energy systems may pose some visual impacts due to the size and/or number of arrays needed to ensure adequate access to direct sunlight for solar energy use. It is the responsibility of the applicant to minimize, where possible, the visual impacts for surrounding neighbors and the community
- (g) **Lot Coverage:** Ground-mounted solar energy systems shall not be considered as part of the maximum required lot coverage limitations and shall not be considered impervious surface. Impervious surface limitations as related to stormwater management for solar energy systems shall be addressed in accordance with applicable provisions of the Site Plan Review Regulations.
- (h) **Landscaping.** The following landscaping requirements shall apply to commercial and agricultural (primary) solar energy systems constructed under this ordinance.
 - (1) Solar energy systems shall be landscaped with a buffer of plant materials that effectively screens the view of the solar system compound from adjacent streets and residential property. The standard buffer shall consist of a landscaped strip at least ten (10) feet wide outside the perimeter of the compound. Natural vegetation is preferred.
 - (2) In locations where the visual impact of the system would be minimal, the landscaping requirement may be reduced or waived entirely.
 - (3) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.
- (i) **Noise.** Noise levels at the property line shall be in accordance with the Noise Control requirements, Section 5.5, unless modified elsewhere in this Ordinance.
- (j) **Stormwater** Ground mounted systems that are required to secure a New Hampshire Department of Environmental Services Alteration of Terrain (AoT) Permit in accordance with NH RSA 485:17 shall secure such permit accordingly.

A permit issued by NH DES shall be incorporated by reference into the final approval and shall be enforceable by the Town in accordance with the Zoning Ordinance.

No further local review of stormwater and erosion control shall be required where a project is required to secure the NH DES AoT Permit

All ground mounted systems shall be constructed in accordance with Best Management Practices for erosion and sedimentation control during the pre-construction, construction and post- construction restoration period.

Post construction: For purposes of enhancing natural stormwater management, site conditions and plantings post-construction shall include restoration of those areas of soil compaction to natural conditions. Plantings shall be native species and are recommended to beneficial habitat to song birds, pollinators and/or foraging species in order to maintain a healthy surface and subsurface habitat that can attenuate stormwater on the site.

- (k) **Lighting**. On-site lighting shall be minimal and limited to access and safety requirements only. All lighting shall be downcast and shielded from abutting properties in accordance with Hopkinton’s Outdoor Lighting Ordinance, Section XVIII.
- (l) **Screening**. All applications shall include a plan demonstrating how the proposed ground-mounted solar installation will be incorporated into the local landscape so that effective screening is provided along public ways and from abutting views. The use of evergreens is recommended. The use of existing or created topography is encouraged to reduce visual impacts.

3.13.6 Conditional Use Permits. In granting a Conditional Use Permit, the Planning Board may impose such conditions as the Board determines are necessary to minimize any adverse effect of the proposed solar energy system on adjoining properties, and to preserve the intent of this Ordinance.

- (a) **Procedure on Applications**. The Planning Board shall act upon an application in accordance with the procedural requirements of the Site Plan Review Regulations and RSA 676:4.
- (b) **Decisions**. Possible decisions that may be rendered by the Planning Board include approval, approval with conditions, disapproval without prejudice, or disapproval. All decisions shall be rendered in writing, in accordance with RSA 676:3. Pursuant to RSA 676:5, any decision made under this ordinance cannot be appealed to the Board of Adjustment but may be appealed under State law.
- (c) **Application Requirements**. All applications shall meet the standards set forth in 3.13.5 of this Ordinance.
- (d) **Plan Requirements**: Each applicant requesting a Conditional Use Permit under this Ordinance shall submit a scaled plan in accordance with the Site Plan Review Regulations and further information including:
 - (1) A detailed plan showing the installation area of the site, including property lines with dimensions, topography, setbacks, right-of-way of the public road, and the location of accessways.

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- (2) A detailed plan showing the location, dimensions, and type of the proposed system to be installed on the site, including foundations, anchors, associated equipment, and utility connection point(s).
 - (3) A scaled elevation view;
 - (4) Fencing;
 - (5) Lighting;
 - (6) Location, dimensions, and types of existing major structures on the property;
 - (7) A plan detailing erosion control measures that will be adhered to during construction. Best Management Practices for erosion control shall be followed.
 - (8) A detailed landscape plan showing all systems visually screened via preservation of existing vegetation or use of landscaped screening as outlined in the Site Plan Review Regulations. The landscape plan shall indicate the location, height and spacing of existing vegetation to be preserved and areas where new plantings will be required. Following construction, cleared land areas must be restored with native species that are consistent with the use of the site as a solar energy system (such as slow growth or low ground cover).
 - (9) A plan demonstrating effective stormwater infiltration along with erosion control measures and soil stabilization.
- (e) **Other Information:** In order to assess compliance with this Ordinance, the Planning Board shall require the applicant to submit the following information, prior to any decision by the Board.
- (1) Solar energy system specifications, including manufacturer, model, height, type, nameplate generation capacity.
 - (2) Copy of the application for interconnection with the electric utility provider.
 - (3) An emergency response plan, including details on emergency responder access to site, detailed response guidance and disconnection locations, including industry guidance documents on safety procedures for specific equipment, and contact information for the owner/operator shall be posted on-site and updated as necessary.
 - (4) Evidence of site control, which may be in the form of an option to lease or purchase.
 - (5) A glare analysis, prepared by the manufacturer or qualified engineer, detailing potential glare onto abutting structures and roadways estimating the interaction of sun to panel angle, time of year and visibility locations. Based on the information, the Planning Board may require reasonable mitigation. Mitigation may include angle of panels, details on the anti-reflective nature of the panel coating or any additional specific screening to minimize resulting impacts.

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- (6) An estimate of the equipment (e.g., inverters) noise based on equipment specifications shall be provided. Noise levels at the property line shall be in accordance with the Town's Noise Ordinance.
- (7) Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NH State Building Code.
- (f) **Other Factors.** Other factors to be considered by the Board in reviewing applications shall include:
 - (1) Nature of uses on adjacent and nearby properties;
 - (2) To the maximum extent possible, all wiring associated with the utility connection shall be underground.
 - (3) All equipment locations, except for utility connections shall comply with required setbacks.
 - (4) Systems within viewsheds may be subject to additional screening.
 - (5) Security fencing may be required if the location of the systems presents a safety concern.
 - (6) Systems located on agricultural lands should minimize impacts to farmland activities and prime farmland soils.
 - (7) Dual use of the site (solar and non-solar) should be explored and encouraged, where appropriate and practical.
 - (8) Land clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the solar energy system;
 - (9) All season access to the solar system shall be provided;
 - (10) In locations where the visual impact would be minimal, the landscaping requirement may be reduced or waived;
 - (11) For commercial systems, the applicant may be required to include a natural resource inventory that details site conditions, habitat and mitigation efforts.
 - (12) For grid-connected systems, a copy of the final approved interconnection shall be filed with the Town.
 - (13) Mitigation through anti-reflective coating shall have an index of refraction equal to or less than 1.30.
 - (14) The applicant shall demonstrate through site planning and proposed mitigation that the solar energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but is not limited to, design,

appearance, buffering, and screening. Required screening shall be maintained during the operative lifetime of the solar energy system's Conditional Use Permit. All electrical conduits shall be underground, except when the financial costs are prohibitive.

- (15) The Planning Board, at the time of review, may require the applicant to file a decommissioning plan and post a decommissioning security. The decommissioning security is to be based on the estimated cost of removal and restoration.

3.13.7 Waivers

- (a) **General.** The Planning Board may grant waivers to these regulations provided that a majority of the Board finds that the criteria set forth in Section 15.8.3 of the Zoning Ordinance regarding “**variances**” have been satisfied.
- (b) **Conditions.** In approving waivers, the Board may impose such conditions, as it deems appropriate to substantially secure the objectives of the standards or requirements of these regulations.
- (c) **Procedures.** A petition for any such waiver shall be submitted in writing by the applicant for Board review. The petition shall state fully the grounds for the waiver and all of the facts relied upon by the applicant.

3.13.8 Abandonment At such time that a commercial or agriculture (primary) solar energy system is scheduled to be abandoned or discontinued, the applicant will notify the building inspector by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.

Upon abandonment or discontinuation of use, the owner shall physically remove the solar energy system within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the building inspector. “**Physically remove**” shall include, but not be limited to:

- (a) Removal of all above-grade components of the solar energy system including, but not limited to, mounting equipment, panels, and ancillary components of the system.
- (b) Restoration of the location of the solar energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in its same condition at initiation of abandonment.

In the event that an applicant fails to give such notice, the system shall be considered abandoned or discontinued if the system is out-of-service for a continuous 12-month period. After the 12 months of inoperability, the building inspector may issue a Notice of Abandonment to the owner of the solar energy system. The owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. After review of the information provided by the owner, the building inspector shall determine if the solar energy system has been abandoned. If it is determined that the solar energy system has not been abandoned, the building inspector shall withdraw the Notice of Abandonment and notify the owner of the withdrawal.

If the owner fails to respond to the Notice of Abandonment or if, after review by the building inspector, it is determined that the solar energy system has been abandoned or discontinued, the owner of the solar energy system shall remove the system at the owner's sole expense within 90 days of receipt of the Notice of Abandonment. If the owner fails to physically remove the solar energy system after the Notice of Abandonment procedure, the building inspector may pursue legal action to have the system removed at the owner's expense.

3.13.9 Bonding and Security Insurance: In recognition of the hazards presented by abandoned and unmonitored commercial or agriculture (primary) solar energy systems, the Planning Board shall set the form and amount of security that represents the cost for removal and disposal of such abandoned facilities in the event that such facility is abandoned and the owner thereof is incapable and unwilling to remove the facility in accordance with Subsection 3.13.8. The Planning Board shall also require the applicant to submit proof of appropriate liability insurance with respect to the proposed solar energy system, prior to the construction of system.