



# Town of Hopkinton **Planning/Building Department**

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## HOPKINTON PLANNING BOARD

### MINUTES

**MARCH 19, 2024**

Members Present: Chair Michael Wilkey, Vice Chair James Fredyma, Clarke Kidder, Rob Dapice, and Alternates Emily Bouchard, Sam Durfee, and Molly Hardenbergh. Members absent: Ex-Officio Thomas Lipoma, Jane Bradstreet, and Rich Steele. Staff Present: Planning Director Karen Robertson.

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- I. **Call to Order/Roll Call/Seating of Alternates.** Chair Wilkey called the meeting to order at 5:30 PM in the Hopkinton Town Hall, 330 Main Street, Hopkinton, NH. With the introduction of the Planning Board, Chair Wilkey designated Alternates Emily Bouchard, Sam Durfee, and Molly Hardenbergh as voting members and declared a quorum present.
- II. **Approval of the Meeting Minutes and Decision of February 13, 2024.** Review of the Minutes and Decision was deferred to the April 9, 2024 meeting.
- III. **Conceptual Consultations.** There were no conceptual consultations.
- IV. **Applications/Public Hearings.** There were no applications/public hearings.
- V. **Other Business.**

Regarding the items listed as a) through d) below, Planning Director Karen Robertson provided a brief overview of three out of the four applications for voluntary merger. The fourth application was withdrawn at the request of the Town and Applicants Jesse Buss & Jennifer Sleeper.

A memo from Town Administrator Neal Cass to the Board explained that the Town acquired landlocked parcels through tax deeds. As part of the mergers, the Town will sell these parcels to neighboring property owners, with the condition that they merge the landlocked parcel to their abutting parcel upon sale.

Ms. Robertson asked that any motion to approve include a condition that the Town convey the tax-deeded parcel. The documentation of the voluntary merger will be recorded simultaneously with the property deed.

Chair Wilkey inquired if individuals in the audience wished to speak concerning the proposals. There were none.

- a) **Voluntary Merger of Pre-Existing Lots (NH RSA 674:39-a):** Jonathan and Karin Cohen to voluntarily merge Lots 74 and 85, shown on Tax Map 102, located off School Street and Maple Street, referenced in Merrimack County Registry of Deeds

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*Subject to review and approval.*

Book 3451 Page 1767 for Lot 74. The deed transferring ownership from the Town of Hopkinton for Lot 85 will be recorded before documentation of the Voluntary Merger.

**MOTION** Clarke Kidder, seconded by Sam Durfee, to approve the Voluntary Merger of Lots 74 and 85, shown on Tax Map 102, located off School Street and Maple Street, with the condition of conveyance of the tax-deeded Town-owned lot. Motion carried in the affirmative (Fredyma, Kidder, Dapice, Bouchard, Durfee, Hardenbergh, and Wilkey).

- b) Voluntary Merger of Pre-Existing Lots (NH RSA 674:39-a):** Ashley Wing Reade and Dakota Reade to voluntarily merge Lots 6 and 7, shown on Tax Map 207, located off Clement Hill Road, referenced in Merrimack County Registry of Deeds Book 3554 Page 1534 for Lot 6. The deed transferring ownership from the Town of Hopkinton for Lot 7 will be recorded before documentation of the Voluntary Merger.

**MOTION** Rob Dapice, seconded by Sam Durfee, to approve the Voluntary Merger of Lots 6 and 7, shown on Tax Map 207, located off Clement Hill Road, with the condition of conveyance of the tax-deeded Town-owned lot. Motion carried in the affirmative (Fredyma, Kidder, Dapice, Bouchard, Durfee, Hardenbergh, and Wilkey).

- c) Voluntary Merger of Pre-Existing Lots (NH RSA 674:39-a):** Patrick and Robert Mullaney to voluntarily merge Lots 83 and 84, shown on Tax Map 225, located off Bluebird Lane, referenced in Merrimack County Registry of Deeds Book 1971 Page 0061 for Lot 84. The deed transferring ownership from the Town of Hopkinton for Lot 83 will be recorded before the documentation of the Voluntary Merger.

**MOTION** Sam Durfee, seconded by Clarke Kidder, to approve the Voluntary Merger of Lots 83 and 85, shown on Tax Map 225, located off Bluebird Lane, with the condition of conveyance of the tax-deeded Town-owned lot. Motion carried in the affirmative (Fredyma, Kidder, Dapice, Bouchard, Durfee, Hardenbergh, and Wilkey).

- d) Voluntary Merger of Pre-Existing Lots (NH RSA 674:39-a):** Jesse Buss and Jennifer Sleeper to voluntarily merge Lot 20, shown on Tax Map 257, and Lot 27.1, shown on Tax Map 256, located off Farrington Corner Road, referenced in Merrimack County Registry of Deeds Book 2670 Page 1326 for Lot 20. The application was withdrawn at the request of the Town and the Applicants.

The Board's decisions were based on the following findings:

- The voluntary mergers were initiated at the request of property owners in compliance with NH RSA 674:39-A, which mandates approval of such requests without the necessity of a public hearing, notice, or survey plat.
- According to the information provided and representations, the voluntary mergers included landlocked parcels acquired by the Town through tax deeds.
- As part of the merger process, the Town will sell these parcels to adjacent property owners under the condition that they integrate the landlocked parcel into

their contiguous property upon purchase. The documentation of the voluntary merger will be concurrently recorded with the property deed.

- e) **Report on Zoning Ordinance Section XVI Innovative Land Use Controls for Affordable Housing:** Chair Wilkey restated from a previous meeting that it is the Board's responsibility to align the Affordable Housing ordinance with New Hampshire's laws. Ms. Robertson will review for compliance and present a revision of this section for the Board's consideration at future meetings. After the Board finalizes the language, copies of the draft will be circulated to town boards and committees for review.

During the discussion, Mr. Dapice raised questions about the process, inquiring if the Affordable Housing ordinance would be a recurring item on the meeting agenda and who initiated the matter before the Planning Board. Chair Wilkey confirmed that the Board would discuss the matter monthly to finalize a draft by the September deadline.

Ms. Robertson stated that she had initiated the review to ensure that Hopkinton provides a fair and reasonable opportunity for affordable housing. She noted that in 2022/2023, the Planning Board had initially chosen to delay preparing zoning amendments related to housing, awaiting recommendations from the Housing Committee facilitated by the Housing Opportunity Planning (HOP) Grants. However, due to financial constraints on the InvestNH Housing Opportunity Planning (HOP) Grants, the Housing Committee was unable to complete its review. However, Ms. Robertson had recently received information about available funds in the InvestNH program. She hoped these funds would be allocated to support the Housing Opportunity Planning (HOP) Grants.

Housing Committee Chair Tricia Morin addressed the Board, noting that funding is anticipated. She hoped the Housing Committee would secure the grant and initiate its review in May, aiming to conclude by September. Ms. Robertson inquired if the Housing Committee intends to review and present a written draft of a revised Affordable Housing ordinance or other recommended revisions. Ms. Morin replied no, stating that it is not within the charge of the Housing Committee to draft ordinances; they will solely provide recommendations.

The timing of recommended amendments was briefly discussed, with Chair Wilkey advising that the Planning Board will require recommended amendments to be submitted early (June/July) to allow sufficient time for drafting the necessary language associated with the amendments. There must be ample time for the Planning Board to hold work sessions in order to have the language of the amendments finalized by September. In response, Ms. Morin acknowledged this and suggested that instead of waiting for the Housing Committee to complete a full review of the Zoning Ordinance and then provide recommendations, she would present recommended revisions as they emerge. Chair Wilkey thanked Ms. Morin for her understanding.

Chair Wilkey concluded by summarizing a meeting he and Ms. Morin had recently, during which they discussed the Housing Committee's dedication to promoting housing. He mentioned that he had assured Ms. Morin that the Planning Board is receptive to discussions and will support the committee's efforts as they progress.

- f) Report on Master Plan Implementation Chapter:** Chair Wilkey and Ms. Robertson reported on a recent meeting with CNHRPC Executive Director Mike Tardiff regarding the development of an "Implementation" chapter in the Master Plan. Chair Wilkey discussed the possibility of naming the chapter differently, considering that it's more of a strategic plan than an implementation plan. Nevertheless, CNHRPC will assist in creating the plan using funds from the Hop Grant (Phase I). They anticipate having more information, including a draft, in the coming months.
- g) Report on Audit of Zoning Ordinance in Alignment with Master Plan Goals and Objectives:** Chair Wilkey mentioned that the Request for Proposals (RFP) is almost finalized and is available for members if they are interested. The RFP is for professional services to audit the Town's Zoning Ordinance to better align with Hopkinton's Master Plan's goals and objectives. The audit will include:
- 1) Reviewing the Master Plan's goals and objectives.
  - 2) Assessing the existing Zoning Ordinance for inconsistencies with the Master Plan.
  - 3) Evaluating the clarity and effectiveness of the Zoning Ordinance.
  - 4) Identifying potential areas for revisions and updates.
  - 5) Collaborating with the Planning Board to prioritize revisions or amendments.
  - 6) Ensuring compliance with New Hampshire State laws.
  - 7) Ensuring consistent formatting and references throughout the Zoning Ordinance.
  - 8) Creating an executive summary document summarizing existing conditions, needs analysis, and regulatory audit.
  - 9) Auditing compliance with State of NH and Federal RSA's and laws.
  - 10) Developing a prioritized list of recommended changes to the Zoning Ordinance based on the Master Plan's goals and objectives.
  - 11) Presenting draft analysis and recommended changes to the Planning Board and the public for review and discussion.

Ms. Robertson anticipated negotiating the scope of work would be necessary based on the available project funds. If needed, some aspects of the work might be deferred until 2025 if additional funding becomes available. She also mentioned her desire, in the near future, to include the Subdivision Regulations and Site Plan Review Regulations.

During discussions, Ms. Morin questioned whether this additional work could be included in the Town's Housing Opportunity Planning (HOP) Grant request. After considering input from Mr. Durfee, who shared insights and recommendations, the Planning Board agreed that the audit should be separate from the Hop Grant program. This decision was based on the audit's broader scope beyond housing issues.

Mr. Durfee then provided an example of Nashua's approach, where the Hop Grant funds the housing-related audit, while audits on other matters are funded internally by the city.

**h) Reports from Planning Board members who serve on other committees:**  
Members who serve on other committees did not have any updates to share.

Mr. Kidder had another meeting to attend; therefore, he excused himself from the remainder of the meeting.

**i) Other business to legally come before the meeting:** Chair Wilkey mentioned that he had been contacted by Ian Hart, Chair of the Economic Development Committee, regarding the Planning Board cosponsoring a documentary series “Housing Fact or Fiction” presented by NH Housing. Mr. Wilkey, on behalf of the Planning Board, declined the opportunity. This decision was not based on the content or intent of the presentations but rather on the Board's role as a regulatory authority. The Planning Board must maintain impartiality and avoid presenting any potential preconceived positions or biases on issues that may come before it. Lastly, Mr. Wilkey encouraged Board members to attend the presentation to enhance their understanding of the issue.

**VI. Adjournment.**

**MOTION** Sam Durfee, seconded by Rob Dapice, to adjourn the Planning Board meeting at 6:45 PM. Motion carried in the affirmative (Fredyma, Dapice, Bouchard, Durfee, Hardenbergh, and Wilkey). The next regular meeting is at 5:30 PM on Tuesday, April 9, 2024.

Karen Robertson  
Planning Director