

**Hamilton Development Corporation**  
**December 4, 2014**

The Hamilton Development Corporation met at Hamilton Town Hall at 7:32 a.m. on Thursday, December 4, 2014 with Brian Stein, Bill Gisness, Anthony Nickas and Rick Mitchell and DPW Director Bill Redford present.

**Call to order**

Brian Stein called the meeting to order at 7:32 a.m. and noted that it would be recorded.

**Update on 59/63 Willow Street**

Stein reported on call from the HDC's attorney who had spoken with Town Counsel Donna Brewer regarding the trees that the Corporation is investigating the removal of at its Willow Street property. Brewer had suggested the HDC follow its attorney's advice about how these are not Town trees and there is no specific process to be followed if the HDC wants to remove them if they are impinging on someone's property and the Corporation's attorney advises they be removed.

Discussion ensued about how abutter David Cutter is interested in having the trees removed. The HDC's options are to remove the trees and share the cost with Cutter, or have an arborist review trees and determine what can be done with them which could result in HDC paying the entire cost for pruning or removal. Discussion addressed if an arborist suggested the trees could be trimmed then Cutter was prepared to do that on his side of the property at his cost. Also mentioned was how the HDC is not interested in incurring costs associated with a potential liability claim related to this matter. The Corporation members noted imposing danger from trees to neighboring properties especially if they are trimmed and how they would not look good aesthetically.

Abutter Barbara Lawrence expressed her opposition to the possibility of the trees being removed and negative outcome for the neighborhood if they were. She mentioned arborist who had said trees could be trimmed and be safe and suggested the HDC could meet with the arborist. Stein agreed to contact the arborist to understand what could be trimmed on the trees. He noted that the HDC is open to reasonable ways to meet the Corporation's needs as well as Cutter's and other abutters.

Discussion was on how Bob McCrae's son is still removing items from his father's house at the Willow Street property and is expected to complete this job by the spring.

The son is paying rent for the house, and rent is also being collected by the HDC from the two businesses located in the former shoe shop building.

The Corporation updated DPW Director Bill Redford about Brewer's emailed opinion regarding the trees relative to the HDC's attorney's advice. Redford stated that his view of the Town by-laws was the trees are owned by the Town and this issue is not covered by Mass. General Law. Redford recommended the HDC invite him as the deputy tree warden to review the situation on the property. Discussion ensued about the Town attorney's opinion and how Redford can debate with Brewer whether or not the trees are Town-owned.

### **Downtown planning session – December 6**

Discussion addressed how the HDC would illustrate the boundary line for business district that includes Asbury Street, Willow Street, Carriage Lane, goes through second property beside Cumberland Farms, and alley way behind Hamilton shopping center.

Also discussed was Town deadline of December 8 (relative to Annual Town Meeting warrant) for the HDC to propose adding "mixed use" and "multi-family" to the existing business district by-law as these uses for the downtown are one of the goals for the Corporation. This action would not include expanding the Willow Street overlay district at this time. The Corporation noted that there has been interest in mixed use by developers (i.e., Hansbury property) relative to workable financial scenarios. In addition, the downtown area will continue to be called the Hamilton-Wenham village.

The presentation will include the HDC's mission statement and goals. It will also address business district zoning recommendations such as height, uses, and introduction of design guideline discussion. Infrastructure improvements including parking, sidewalks, crosswalks will be mentioned as well pedestrian improvements and beautification such as benches, trees, flowers. Also illustrated will be existing permitted uses, and proposed uses for former shoe shop (i.e., furniture maker, trainer, day spa, etc.) In addition, proposed uses in the business district to be presented will be multi-family housing, mixed use residential and commercial, village area wastewater treatment, public parking lot.

Discussion ensued about how the HDC would not foster conversation with meeting attendees about whether or not citizens only want to see new residential development along Willow Street and Bay Road due to the size of the downtown and potential for a change in what Town wants downtown in the future.

Also discussed was how attendees at the previous visioning meeting had thought 35' height for buildings was too high and if this would be better suited along Bay Road. That design guidelines could reflect what is preferred closer to the street (i.e., 28') and further back from street could potentially be higher. Discussion addressed whether or not lowering allowed height would devalue a property, and if there would be a zoning by-law change in the future. In addition that examples of existing buildings (i.e., the yellow house commercial space next to Cumberland Farms is 22') could be shown to demonstrate the scale already in Town. Discussion at the upcoming meeting will recap height conversation and HDC recommendation not to change height in zoning by-law.

Discussion was on parking in the downtown and that people using businesses are parking in front of residents' houses, and if some of the parking spaces in front of the public safety building could be shared. Also, depending on how the McRae property is developed (commercial or residential) there would be additional parking created onsite. If the MBTA could be approached for employee parking using a sticker system on the land it owns, and if shared parking could be done with business owners that have spaces (i.e., T&M Landscaping). Discussion addressed possibility of expanding parking at Patton Park with sticker system for employees. Also mentioned was possibility of shared parking with uses at post office, and Verizon building at night. Residents in the downtown area are seeing people parking in the neighborhood to walk to the train versus parking in the fee-based MBTA lot. The HDC will brainstorm with the Hamilton police about the parking issue in the downtown.

Discussion ensued on publicity for the upcoming visioning meeting via Town's Twitter account and Facebook page, in H-W Chronicle and correspondence with list of attendees from previous meeting. Also addressed at the meeting will be sidewalks relative to size, materials and improvements and where residents believe they should be located (i.e., in front of the former Mike's garage). In addition, if there would be recommendations for additional crosswalks. Although not too much time will be focused on infrastructure.

Future conversations will focus on design guidelines with good examples from other towns and it is clear what people would like to see in Town based on MAPC village plan and Cecil Group's work (i.e., buildings and materials list). Also whether or not this topic will have to be discussed with Planning Board, and importance of getting "mixed use" added to the by-law at the April Annual Town Meeting was reiterated.

Next steps for the upcoming meeting are to review previous meeting outcomes, review infrastructure improvements, parking, sidewalks, as well as uses and heights. For the

January 10 visioning meeting the HDC will review outcomes from the previous meetings, and draft design guidelines. The HDC will get ULI involved after the January 10 meeting for a cost of \$5,000 to \$6,000.

Bill Gisness moved to adjourn at 8:40 a.m. Rick Mitchell seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: \_\_\_\_\_  
Brian Stein, President