



**Town of Hamilton Planning Board
PO Box 429, 577 Bay Road
Hamilton, MA 01936
978-468-5584**

Minutes

December 3, 2013

Welcome – At 7:30 PM Chairman Ed Howard opened the meeting. Planning Board members, Brian Stein, Peter Clark, Rob McKean, Rick Mitchell and Claudia Woods were present. Jeffrey Melick was absent. Planning Coordinator Kristine Cheetham was also present.

Approval of Minutes

R. Mitchell made a motion to approve the Planning Board minutes of 11/5/13 and 11/19/13. P. Clark seconded. All voted in favor.

Discussion Items

1. Role and Responsibilities of Planning Board – Continued discussion relative to the official role and responsibilities of the Planning Board.

K. Cheetham provided the Board with a copy of the memo that was submitted to the town manager relative to the roles and responsibilities of the Board. She also informed the Board that she met recently with the town manager and anticipated a response from him and the town counsel on the matter.

The members of the Board agree that it is important to have a concise answer as to the legal authorities of the Planning Board. The Board also agreed that if their role needs clarification, they would sponsor an amendment to the town bylaws.

The Board then discussed the definition of planning. They agreed that all matters relating to land use should apply to the planning board. They did not collectively agree that municipal planning for infrastructure such as capital investments was necessarily a role for the planning board. The members would like to have a more direct dialogue with the town manager and Board of

Selectmen on this issue. In particular, they would also like to learn more about the official role of the many special committees.

R. Mitchell provided the Board with a memo he drafted on Site Plan Review. The Board members agreed to read the memo and continue the discussion at the next meeting.

2. Review of Senior Housing Special Permit Procedures.

The members of the Board reviewed the special permit procedures for senior housing in anticipation of a submittal for the redevelopment of the Canterbrook Farm. The Board specifically discussed the requirements that involve additional preparations and review of plans for subdivision and open spaces. The Board provided some guidance to the planning coordinator for her work with the applicant.

3. Patton Estate Plans – P. Clark will provide an update on the plans for the Patton Estate.

P. Clark and Selectmen, Jennifer Scuteri, provided the Planning Board with an update on the current plans for the Patton Estate. Both are members of the Patton Advisory Committee (PAC).

Access

P. Clark began his presentation with a memo that addressed recent discussions of the PAC for access to and uses of the property. He provided all of the members with an existing conditions site plan with topographic features. In the overview, he noted the wetlands, the delineation of the town property and the adjacent property owned by the Essex County Greenbelt. The purpose of mentioning the abutters relates to the access road. In order to make use of the existing right of way, a portion of the town land near Asbury Street may be needed. The right of way traverses the property line from the Patton land to the town land due to the presence of wetlands. Securing access is important for the potential housing development but also for the potential development of a recreation field at the site.

Uses

P. Clark provided a general update on the discussions relative to uses at the site. There is considerable interest and momentum for a river walk and access point. He also stated that the potential re-use for the main estate house might be a Bed & Breakfast, an archives center, an event center, a Veterans housing facility, and there is talk of use of the stables for rent. The recreation field is intended to be a “bubble” field or reserve field. This means that if it is developed, it would be booked last in the reservation system for fields. He said the PAC anticipates releasing an RFP to developers to secure ideas for the reuse of the site. This might happen next year, after the release for development of a parcel for housing. A member of the

Board asked how the decision would be made relative to different uses. He wondered if the highest and best use was defined by overall cost effectiveness or by something else. P. Clark suggested that this was still open-ended. R. McKean asked questions about the status of the Gift Agreement. P. Clark noted that the efforts of the committee were within the direction and authority of the gift agreement.

RFP

J. Scuteri addressed the Board and shared the plans to issue an RFP for the development of a housing project on roughly 4-5 acres of the site. She suggested that this effort was driven by the need to raise some funds. The maximum number of houses allowed under the Gift Agreement is 12. She then noted that there are many questions to resolve with the RFP:

- Bylaws – The application of the current bylaws are not clear cut. The OSFPD, Senior Housing and Estate Overlay are appropriate. Each one presents difficulties in developing the entire site. The yield analysis for housing units and open space is yet to be resolved.
- Joint Application – The PAC and town counsel are exploring the option of a joint application to develop and permit the site. The intent of this process is to address the open space requirements for both the developer and town. The actual process and language for a joint application are yet to be determined.
- Timing with Town Meeting – A goal for the RFP is to be able to secure any needed approvals at the spring town meeting. The deadline for warrants is coming up.
- Planning & Process – The Draft RFP is due to be completed this Dec. The role for the Planning Board is not certain at this point. K. Cheetham noted that the staff worked with town manager on a previous RFP for the landfill. She was hopeful that a similar approach would be taken with the Patton Estate project.

After the presentation, the Planning Board agreed to conduct a site walk at the property. Sunday, Dec. 8, 2013 at 9 AM was selected.

New/Old Business

1. **Demo Delay** – C. Woods conducted some research into demolition delay bylaws. She advised the Board that most of the surrounding communities on the North Shore have some type of law on the books. There are two central elements that the Board should discuss: first, the length of time for the delay and second, the time when the structure is considered historic or of importance. Based upon her research, C. Woods suggested that a delay of more than 6 months was too long and burdensome for many developers and homeowners. She did not have a conclusive recommendation for when the demolition delay should start: such as a particular year. She did note that many communities don't just go with the "historic" nature of the building. They define structures worth saving if they

have historic, architectural, social/cultural significance. This is subjective and needs clarification if it will be included in the bylaws. C. Woods agreed to submit a summary of her research to the planning coordinator for further review of the topic.

2. **Chair Issues** – Chairman E. Howard informed the Board that he planned to meet with Fred Mills a member of the Hamilton Affordable Housing Trust. His goal was to share information about the Mass Saves program that enabled him to secure financing for energy efficiency upgrades to his home.

Adjournment – At 9:45 PM R. Mitchell made a motion to adjourn. R. McKean seconded. All voted in favor.