



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

Minutes

Feb 18, 2014

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

General Discussion

1. Planning Director Position – The Board will continue the discussion from the previous meeting about the job description. A recommendation to the town manager and Board of Selectmen is anticipated.

J. Melick provided the Board with a new version of the Planning Director position. He sifted through some ideas and consolidated tasks where he could. At this point he felt that he was over inclusive of all tasks so that items could be cut out by Board members. P. Clark noted that the support functions to the Planning Board are minimal compared to what is listed on the Manager's job description which reads like an Assistant Town Manager. R. McKean agreed that the overall tasks to support the Board are less than are what are proposed. However, he wants the Board to have the knowledge and support of a (qualified) town planner. He also noted that the town may well be served by two people: a full time planner for town and a coordinator for the Board.

J. Hubbard asked how this related to the budget and the work of the Hamilton Development Corporation (HDC).

This Planning Director position seems to be intended to improve the coordination and function of the town departments. One member asked why the manager doesn't do this. RM. Asked that the Board communicate to the town manager and Bd. of Selectmen that the position has too many responsibilities in it. The Board did not specify which

elements they would choose to delete. The Board members agreed to work online one more time to submit thoughts to J. Melick.

Janet Lawbridge a resident urged the Board to review the charter of government that created the town manager position.

ACTION: J. Melick made a motion to redraft two positions and forward a letter to the town manager. R. McKean seconded the motion. All voted in favor.

2. Groundwater Protection Overlay District – The Board will review a presentation on the GPOD from staff and host an open discussion of the bylaw.

Chairman E. Howard opened the discussion of the GPOD in a general fashion. He entertained comments from the audience. After which the Board members asked what the purpose of the discussion was for the evening. E. Howard responded that many people still did not understand what a property owner could do with land in the GPOD. Also, which other town laws are in conflict with the GPOD. C. Woods added that the May 2012 letter from Town Counsel provided advice on how to determine base yield in a property within the GPOD. Jack Lawrence, a resident, suggested that the GPOD was put in place in 1985 as an environmental law to protect against development.

K. Cheetham reminded the Board and audience that the GPOD is an overlay bylaw which means that all underlying uses still pertain. Those permitted uses are referenced in the bylaw. Some uses are specifically prohibited. She also noted that the language in the bylaw does not refer to septic systems in any way or limit developments by septic codes. The permitting of septic systems is a function of state public health laws and administered locally by the Board of Health.

R. Mitchell stated that he did not feel there was a conflict with the GPOD and other special permits.

Another member asked how could an increase in density on a lot harmonize with the intent of the GPOD?

Tim Majowski, of Sharon Road, feels that the word lot is equivalent to one building unit or dwelling unit. .

K. Cheetham noted for the Board and audience that many have intertwined several terms; lots, dwellings, units, and bedroom counts. There are several terms in the bylaws and unfortunately it can be confusing.

3. Hamilton Development Corporation Update – B. Stein, the current president of the Hamilton Development Corporation provided an overview of the 2013-2014 Action Plan. He noted that this was the first full year the HDC was up and running. The group has had to set up numerous organizational documents. They have also – through the Planning Board – worked on the Hamilton Wenham Village Plan. This Plan had input from several meetings with Hamilton and Wenham residents, business owners, merchants, and local decision makers. The Plan includes recommendations for transportation and streetscape improvements and potential zoning amendments for the downtown which include a mixed use development option and design guidelines. He went on to describe the goals for the upcoming year that include a wastewater treatment system public information and outreach effort. The HDC has retained the firm Wright Pierce to conduct a preliminary presentation, hopefully for late Spring.

R. McKean asked why the HDC recently made a report and presentation to the Board of Selectmen and not the Planning Board. K. Cheetham responded that the HDC Act voted on by town meeting requires the HDC to provide an annual report to the Board of Selectmen. Also the HDC was before the Board of Selectmen requesting an appropriation.

Other Board members would like to have a full discussion of the Hamilton Wenham Plan during a Planning Board meeting.

Selectmen Jeff Hubbard asked why the presentation did not disclose the potential purchase of the McRae properties on Willow Street. R. Mitchell a Planning Board and HDC member noted that the final details were not set yet for the purchase of the property so it had not been publicly announced. However he did state that the HDC was prepared to offer \$600 K for the property with a life tenancy for Mr. McRae. He did note that this has been on the HDC agendas since September and that a few residents from the downtown participate in the open meetings. P. Clark stated that this property has been noted in several plans over the years as a unique parcel due to its size and location.

Bill Derry, a resident, noted that he was happy to see work happening with the downtown. He hoped that communication and planning would continue to evolve in a

positive fashion. He asked the Boards if any language needed to be revised in the warrant relative to this work. The answer was no.

4. Zoning Bylaw – Planning Coordinator, K. Cheetham, discussed a plan to revisit several bylaws for a 2014 fall town meeting. She mentioned work on the Accessory Unit Bylaw and the Village District Overlay as two that the Board might anticipate working on over the summer months. E. Howard would like to see the Demo Delay added to the list as well.

Planning Board Administrative Decisions

Discussion of Budget & Capital Overlay – The Board continued their discussion of the recommendation to the Board of Selectmen relative to the left over capital overlay from the 2004 Master Plan.

ACTION: R. Mitchell made a motion to recommend that the remaining capital overlay of \$ 12, 172 be repurposed for a study or project related to the Zoning Bylaws. P. Clark seconded. All voted in favor.

New/Old Business

Public Notices – E. Howard raised the question about whether or not the public meeting notices for Planning Board meetings met the requirements of the Open Meeting Law. K. Cheetham informed him that she posts the agenda through the Town Clerk with more than the 48 hours notice. These postings are displayed in the meeting case in Town Hall as well as on the Public Meetings Calendar on the front page of the Hamilton website. All public meetings are posted on the calendar and all staff follow the same procedure. She also explained that some committees post on their individual web pages in addition to the town public meeting calendar, but not all committees have staff with access to Virtual Town Hall for this type of posting.

Adjourn – At 10:30 PM R. McKean made a motion to adjourn. P. Clark seconded. All voted in favor.