

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

December 5, 2016

Members Present: Shawn Farrell, Allison Jenkins, Jeff Hubbard, Scott Maddern, and Bill Wilson
Town Manager: Michael Lombardo

This meeting was called to order at 7:00 pm

Announcements

Scott Maddern announced that leaf pick up would take place on December 10, 2016. The Annual toy drive "Stuff a Cruiser" would be held at the Public Safety Building on December 17, 2016 from 10 am to 2 pm. Mr. Maddern described the current Board openings: Planning Board Associate Member, Finance and Advisory Commission Member, School Committee Member, one CPC member at large member, and one Essex Agricultural and Technical High School member.

Public Comment

None

Chairman/Selectmen Reports

Allison Jenkins noted the new Christmas lights at Patton Park. Shawn Farrell said the Planning Board would meet regarding the cell tower at Highland St. and the parking lot at 650 Asbury St. Thursday's CPC meeting would review the eligibility applications. Bill Wilson said the school committee voted to approve the school choice program. Michelle Bailey was the new Vice-chair. The Affordable Housing Trust looked at the COA building and heard from the consultant. Jeff Hubbard said the FinCom had met with Carin Kale regarding the Patton Homestead and would be meeting with the Wenham FinCom to look for common goals and opportunities. The HDC partnered with the merchants association and installed the lights on the pear trees downtown. Scott Maddern said he attended the Malta presentation at the Patton Homestead.

Michael Lombardo was moving the budget schedule forward and requested a Town Meeting on April 8, 2017. The Finance Director had started and Tim Olson would start on December 12, 2016. Mr. Lombardo also described progress at the landfill. Chebacco Winthrop, and Cutler Roads were professionally compacted and rolled but did not hold up under rain so the Town may possibly pave in the future. Sagamore Hill reached an agreement on the conservation restriction, but may not have clear title, which could delay closing on the property. The Bridge St. culvert was nearing a completion date with fixed costs to cover the delay. The Patton Homestead RFP had been released. The cell towers were delayed but the Town wanted to go to the Planning Board as soon as possible. Water bills were a concern with plans in place to mediate the

problems and payments due. Mr. Lombardo said the Town was looking at a set of internal controls.

The Hamilton Foundation Report was presented by Heather Ford. Everyone applauded Ms Ford as she explained that the Foundation was entirely funded by donations with neighbors helping neighbors. Ms Ford said the Foundation had received \$7,000 but needed \$14,000 to function.

The Recreation Department update was presented by Sean Timmons. The Winter Brochure had recently been distributed with 40 programs. Mr. Timmons describe the timetable for the pool, future programs, and the turf field at the high school. Michael Lombardo said the school needed to champion the turf field discussion. Scott Maddern asked about the lack of fields which he believed was a problem that the Town needed to solve.

Consent Agenda

One Day Liquor License for Fresh Food Catering for a Community House event on December 9, 2016.

The North Shore Nordic Association requested permission to hang a banner at the tennis courts for cross country skiing.

The HW Garden Club requested permission to hang a banner promoting their annual Plant Sale from May 7 through the 21, 2017. The sale would be on May 20, 2017.

Minutes:

September 19, 2016, October 3, 2016, November 16, 2016 and November 21, 2016.

Motion made by Jeff Hubbard to approve the Consent Agenda

Seconded by Bill Wilson

Allison Jenkins said she was in support of the Nordic Association, but the tennis courts were used by the Town for water bans, etc. and the Town should be cognizant that they were making a decision to use the tennis court for other agencies. Michael Lombardo responded that the trail head was in Patton Park. Ms Jenkins wanted to treat everyone fairly. Scott Maddern said he had met with the COA about the signage situation and Brad Tilley had volunteered to donate a new sign with solar lighting in front of the COA building. Something similar could be constructed in Patton Park. The Board discussed temporary banners, which fell under the purview of the Selectmen while permanent signs were the responsibility of the ZBA.

Vote: Unanimous to approve the Consent Agenda

Liquor License Renewals

All Alcohol Licenses for 2017.

15 Walnut, Black Cow, Weathervane Tavern, Myopia Hunt Club and the American Legion.

Package Store All Alcohol License for 2017.

Harrigan’s of Hamilton and the Community Package Store

Package Store Malt and Wine Liquor Licenses for 2017

Hamilton Convenience Store and Crosby’s Marketplace

15 Walnut, American Legion, Black Cow, Daniella’s Pizza, Dunkin’ Donuts, Crosby’s Marketplace, Cumberland Farms, Inc., Hamilton Convenience Store, Hamilton House of Pizza, Myopia Hunt Club, Weathervane Tavern, Hamilton Wenham Community House, and Green Meadows Farm.

Class II License Renewals for 2017

Hamilton Enterprises, A&M Motors, and KJ Motors, LLC.

Motion to approve made by Jeff Hubbard.

Seconded by Shawn Farrell.

Allison Jenkins wanted to remove all liquor licenses until each had Health Inspector approval, to which Michael Lombardo responded that the licenses would not be issued without the approval. According to Ms Jenkins, all liquor and restaurants needed liquor, fire, and Building Inspector approval before approval by the Selectmen was granted.

Motion to modify the motion to only agree on the common victuals and Class II license renewals made by Allison Jenkins.

Seconded by Jeff Hubbard.

Bill Wilson wanted to go with all prior practices and contingencies. Michel Lombardo said liquor licenses could be brought forward at the next meeting.

Scott Maddern suggested voting no to Allison Jenkin’s modification based upon the contingencies that all inspections would be completed before the licenses were granted. Jeff Hubbard said there was no time issue so the Board could wait until the next meeting. Alison Jenkins noted the ABC stated that a valid certificate must be filed with permits in hand rather than approving with the contingency before licenses were approved.

Motion made by Allison Jenkins to approve licenses that did not include liquor in the approval. Bill Wilson seconded.

Vote: Unanimous to approve all but the liquor licenses which would be on the next agenda.

Agenda

Classification Hearing

Tina Zellano said the BOS must vote on the tax rate noting the tax exemption status of various discounted classifications.

Motion made by Jeff Hubbard to provide an open space discount.

Seconded by Bill Wilson.

Vote: Unanimous to approve.

Residential Exemption was not recommended by the Board of Assessors.

Motion made by Jeff Hubbard to not have a Residential E to xemption.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Small Commercial Exemption was not recommended by the Board of Assessors.

Motion made by Jeff Hubbard to not have a small Commercial Exemption.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Tina Zellano stated that valuations were up 4% from last year with single family homes values averaging \$538,228 and commercial values estimated at \$868,814 which were up 8.4%. \$16.98 was the estimated projected tax rate. The Board of Assessors recommended retaining a single tax rate.

Motion made by Jeff Hubbard to retain a single tax rate.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Scott Maddern announced that this was the conclusion of the tax classification hearing.

Assessors' presentation attached.

Discuss increase to price of small PAYT bag

Michael Lombardo said the large bags were \$2.50 but the small bags would be raised to \$1.50.

Motion to approve \$150.00 made by Shawn Farrell.

Bill Wilson Seconded.

Vote: Unanimous to approve.

Affordable Housing.

Discussion ensued on the notification process, ongoing process for vetting projects, additional site-specific agreements for individual projects, and status update and voting as may be appropriate on current active projects at Longmeadow Way, 13 Essex St, and Gordon Conwell.

Patrick Reffett said no formal project had been submitted to the Town but the Town had discussed properties, especially Town owned properties. According to Mr. Reffett, the Trust had asked him to notify abutters so abutters within 300' had been notified. For the 13 Essex St. property, a 1,000' abutter list was used for notification in Hamilton, but in Wenham a 300' notification list was used for mailings as it was the only one available. Mr. Reffett was growing an e-mail list. Shawn Farrell noted that abutters are typically notified only after a filing had been

completed for a project. Allison Jenkins suggested using the “It’s important to me” section of the Town website.

Lucinda Hines (15 Essex St.) said she had received a letter but her neighbor did not receive one. The neighbors had their first meeting to talk to neighbors but they didn’t know what to tell them and Wenham was unaware. Brad Haley, (85 Bridge St.), said it was common decency to notify abutters but when he looked at the website, there was not information, particular the AHT report..

Patrick Reffett announced that the housing lottery for units at Carriage House Junction had several interested Hamilton residents who held employment at the North Shore Christian School, Housing Opportunity Unlimited, The Building Center of Gloucester, Reading Cooperative Bank, Genesis Health, Health Pro Rehab and Gordon Conwell. Shawn Farrell said there were two applications for the Habitat for Humanity units with two informational meetings upcoming.

Andrew DeFranza said he would be involved with early due diligence for the three sites with a viable price and site control. Mr. DeFranza indicated that he needed site control before he communicated with neighbors, watershed association, or Essex County Greenbelt. After obtaining feedback, he would return to the AHT and decide if he would file a PEL. A copy of the PEL would return to the Board of Selectmen and the State would decide if the site was appropriate, to which the ZBA would have six months to approve or not with or without conditions. Financing, permitting and funding would need to be completed before the building was built.

Scott Maddern said the Town of Hamilton was the only community that was partnering with Harborlight and Habitat for Humanity to create affordable housing in an attempt to prohibit large developers from coming to the Town to develop the Town in a way that was too large, such as Longmeadow. Mr. Maddern added that the Town didn’t want a hostile PEL.

Clark Sandler (137 Essex St.) asked about the timeframe for development to which Andrew DeFranza responded that there were multiple action rounds with the State, so there was a waiting time of two to three years with a three to four year window of completion being normal. The State might deny a PEL for a large project due to the fact that a lot of work had been produced such as the Housing Production Plan and the Community Housing Trust.

Jeff Hubbard asked about the Longmeadow project. Andrew DeFranza said he had site control of three parcels comprising 20 acres with extension rights through December 31, 2016. Mr. DeFranza was on pause until the Board of Selectmen and the AHT said to go forward

Sandy McGrath described the Miles River Coalition who were direct and indirect abutters to 13 Essex St. Ian Cookson, (89 Essex St.) compared the site with others the AHT was considering

and thought the basket approach was divisive as it set neighbors against neighbors. Mr. Cookson suggested identifying sites in town for smart growth and approach people to sell property to the development. Mr. Cookson was concerned about the topography of 13 Essex St. with the watershed flowing into the adjacent areas of conservation land and wetlands. The land was unique in that it had uninterrupted habitat with vernal pools, endangered species, and historic Olmstead gardens. The \$3.M purchase price and infrastructure costs would be expensive for the Town. Mr. Cookson concluded that the biggest cost to the Town would be that the Town was not one that respected property values, zoning, and history.

Rudy Pizzano said that legally everything should go downtown where commercial property was for rent. Jonathan Poor (Woodbury St). wanted town resources to review the sites by having the Planning Board, Historic District Commission, and Conservation Commission create a simple template to go through a cross evaluation of many properties and indicate which were more or less advantageous.. Dave Thompson (103 Essex St.) indicated that the Miles River Watershed Coalition came from citizens in this part of town not just a NIMBY. The group understood that 13 Essex St. would be repurposed and would like to be a part of the process and asked that the Town continue to involve the group. Peter Britton said the AHT was trying to find sites to avoid an unfriendly 40B which had been arriving in other communities. Mr. Britton wanted affordable people to populate the meetings to make their needs known.

Scott Maddern asked the Selectmen to discuss moving forward with Gordon Conwell, 13 Essex St. and Longmeadow, using the partnership agreement. Mr. Maddern asked for a motion to proceed on all the items the AHT recommended for evaluation with the host community partner including 13 Essex St., Longmeadow Way and, Gordon Conwell. Bill Wilson wanted to clarify that no PEL would be filed until the considerations came back to the Selectmen. Jeff Hubbard had concerns over the process of the Town being the responsible party identifying properties outside of Town owned properties. Mr. Hubbard wanted to take a step back and work with the AHT and Andrew DeFranza and wondered why the Board would vote as if these properties were fit for affordable housing or not. Mr. Hubbard stated 85% of the towns in the Commonwealth hadn't met their goal, so people should not be scared but rather be realistic about what could happen. Mr. Hubbard said the process was upsetting residents who were spending time and money for projects that may be irrelevant.

Scott Maddern said there was a risk to the Town for not doing it with threats of property owners putting in 140 units on a lot ½ the size of the ones proposed. This was a choice to be proactive. Jeff Hubbard said the Town should be considering Town owned properties as those were the ones under the Board of Selectmen's purview and Andrew DeFranza should be approaching individual properties. Mr. Hubbard was concerned that Town tax dollars were being used to push these properties forward when they were not Town owned properties. Allison Jenkins suggested adding the COA site and look at four properties, based on e-mails from residents.

Motion made by Shawn Farrell to move forward under the condition that there wasn't a PEL filed until the assessment of the five steps and that Harborlight would come back to the Selectmen and the AHT about all the questions neighbors had raised.
Seconded by Bill Wilson.

Andrew DeFranza responded to his ability to deal with sites with challenges, explaining that he could manage historic features but Natural Heritage was a big deal and difficult to overcome. The Motion was restated to move forward with all the properties contingent upon Harborlight not moving forward by filing a PEL before returning back to the Selectmen and AHT following the steps outlined with the neighbors and technical resources, was made by Shawn Farrell.
Seconded by Bill Wilson who conditioned the motion upon leveraging another resource who knew the process to come back and answer these questions.
Vote: Majority with Jeff Hubbard voting nay

Conway Felton (BayRoad) noted his angst over the process and said there were no fewer major issues with Longmeadow Way than Essex St. and the neighbors of Longmeadow needed an opportunity to express those issues again.

New Business

Topics for Future Selectmen Meetings

Water billing, pay as you throw items, and a Selectmen's Retreat were suggested.

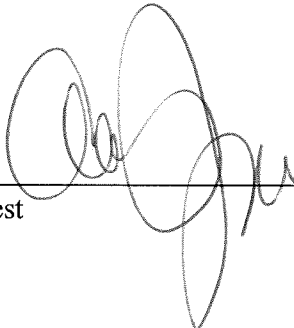
Signatures

Sign Cemetery Deeds 1144 and 1145.

Bill Wilson made motion to adjourn.
Seconded by Shawn Farrell.
Unanimous to adjourn at 10:31

Prepared by:

Marcie Ricker
Marcie Ricker

Attest  Date 1/9/17