



**Town of Hamilton Planning Board
PO Box 429, 577 Bay Road
Hamilton, MA 01936
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Minutes

May 20, 2014

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

Agenda Items

Public Hearing (Continued) 354 Highland Street Canterbrook Estates Senior Housing Special Permit

Frank Tavares, the attorney, and Jerry Dawson, the owner, for the proposed senior housing project at 354 Highland Street made a presentation to the Planning Board. The applicant submitted homeowners documents and other legal paperwork to the Board. They explained that the phasing of the project would involve the infrastructure first and then the construction of homes.

C. Woods raised many questions based on the paperwork submitted. She wanted to see additional language for the maintenance of the septic system. There was no language for the designation of the open space & trails as is required in the bylaw. She noted the absence of language for the affordable homes and questioned the reporting component also required in the bylaw. R. McKean added that he wanted to learn more about the performance guarantees for the construction phase. He also inquired about the financing piece and a timeline for completion. E. Howard had a few minor, but specific, concerns with the restriction on outdoor amenities such as clothes lines and wanted clarification on the trash removal. The condo documents specify that each unit can have two barrels and a recycling container. E. Howard noted that this is a certified green community and reduction in energy consumption is a goal along with the one trash barrel

and strong recycling & composting programs. He felt that this type of development was not consistent with those policies.

R. Mitchell asked if the Board had any additional comments beyond those already mentioned and those raised by the Planning Coordinator's memo. The Board collectively discussed concerns with the need for a solid construction and financing timeline. The definition of phases is very important. Also, the time at which the homeowners association begins to establish authority is also important. The language in the bylaws state that the performance guarantee must meet one of the methods identified in MGL Chp. 41 sec. 81U.

The Board agreed that the homeowners association should be the agent to oversee the open space. They asked for the designation to be certified through the Conservation Commission.

Comments from the Public

Peter Britton expressed concern that this project gets completed once it has begun. The community does not have confidence in projects with affordable units because the Carriage House Junction was never completed.

The Board did not wish to discuss the legal documents any further because they were amended from the previous submittal but rife with typos and errors. The Board recommended that the applicant research the documents from Boulder's development in Wenham.

K. Cheetham discussed the procedure and topics for discussion at the next meeting: a final letter from the peer engineer would be provided, the Board would discuss the letter from town counsel, the Board will review and discuss revised legal documents and finally, the Board will review a draft of the special permit language.

ACTION: R. Mitchell made a motion to extend the Action Date for the special permit until July 16, 2014. R. McKean seconded. All voted in favor.

ACTION: R. Mitchell made a motion to continue the public hearing until Tuesday, June 3, 2104. B. Stein seconded. All voted in favor.

Pre-Application Conference 540, 560 & 568 Bay Road

Tom Ford, a local developer, introduced a team from Northland Residential who brought forward a development concept for a 31 acre parcel of land on Bay Road. The development concept was a blend of single family homes with townhouses and the existing estate building. The team from Northland explained that they are in the business of developing multi-family units for sale (condos) throughout New England. They attempt to blend the architecture of their homes within the styles appropriate for each community: for example homes in Vermont and Maine are quite different than those at Cape Cod. They tend to build smaller units for the active

adult or empty-nester. They do not use age restrictions but the market place and a few design restrictions such as no pools or play structures. Their company always begins with an assessment of the land and its' natural features to identify "character places" on the landscape. He explained that a character tree (or site feature) is something that you know it when you see it. The project at Bay Road has a unique set of trees along the front drive and also the lawn area at the Estate house.

The development concept included roughly 14 duplex buildings along a loop road system. There were 8 single family homes along one side of the project and a few more to remain along Bay Road to be consistent with the character of the historic district. The draft schematic also had a place holder for a shared waste water treatment system for the duplexes.

The Planning Board provided some initial reaction and comments to the plans. R. Mitchell noted that the current zoning bylaws may not be a perfect match with the project. He stated interest in the cluster design as a concept. C. Woods was also interested in the blending of senior style homes within a neighborhood of single families. She felt that inter-generational planning was forward thinking and something she might support. P. Clark concurred that the concept was creative and something that might be needed within the community. He also wondered how the Estate Overlay or the OSFPD could be adapted to work with this project. He agreed to re-read these two bylaws to see what might be feasible.

T. Ford stated that he was motivated by the Housing Production Plan and the recent evaluation by the School Committee. Both reports suggest that Hamilton is in need of housing for seniors and for young families. He also stated that if the permits were not feasible, he would likely submit a subdivision plan for all single family homes. He would like to work on the creative plan but will build homes either way. He introduced his attorney, Miranda Gooding, who was going to review the bylaws and provide a legal proposal at the next meeting. She explained that a creative approach would be needed and most likely variance(s) from the zoning bylaws. Mr. Ford also stated that he was willing to add a large parcel of open space near one of the town aquifers to the project under permanent protection.

The Board was interested in having the applicant back to the next meeting to learn more about the project. The applicant also agreed to provide their research on the site development plans (yield analysis) for several of the bylaws.

Summer Planning

1. K Cheetham provided the Board with a schedule of Planning Board meetings for the summer. She asked for the members to notify her of any vacation plans to determine if there were meeting dates that would not be feasible. She then asked the Board if they

were willing to work on one or more zoning topics over the course of the summer. Those topics were identified as:

- Accessory/Apartment Units
- Demolition Delay
- Downtown Zoning
- Senior Housing
- Cottage Zoning
- Site Plan Review

The Board agreed that they could not work on all of these. So priorities will be addressed at an upcoming meeting.

2. Subcommittee Updates

CPC – E. Howard attends this committee and provided an update. He informed the Board that Christine Berry, the CPC Coordinator, was resigning. He also noted that Bill Derry met before the committee to share his concerns about the Patton Pool project. K. Cheetham noted that she also attended the CPC meeting on behalf of the Affordable Housing Trust.

Trust – K. Cheetham mentioned that the Affordable Housing Trust would be meeting on Thursday, May 22 2014. She added that the Trust would soon be more involved with the Planning Board due to their role in the inclusionary zoning process.

HDC- B. Stein mentioned the wastewater treatment system public workshop on June 17, 2014 as a key initiative of the HDC for the summer. He also mentioned that the HDC might be sponsoring a few planning and vision workshops on the downtown to begin discussions about the Willow Street property as well as plans for zoning amendments. Finally he mentioned that the HDC was in the process of trying to purchase benches for the downtown in coordination with the Board of Selectmen. He stated that the benches were about \$1500 a piece and did need to be installed on concrete so that they are not removed. Matt Tobyne, a resident, added that the more durable benches are well worth the investment. He was involved in a similar project in another community and they had to replace many benches.

Patton Committee – P. Clark stated that the Patton Committee has not met recently. He understands that the town manager is working on a purchase and sale agreement for the developer to work with the town at the site.

3. Planning Board Annual Elections

The topic of annual election of Chair and Clerk were on the agenda. E. Howard stated that he enjoyed being the Chair for the past year and would be willing to take on another year if nominated. C. Woods offered her support as did R. McKean.

ACTION: C. Woods made a motion to nominate Ed Howard for Chairman for another year. R. McKean seconded. Discussion: R. Mitchell suggested that a rotation would be preferable. P. Clark asked for more time to consider the goals for the upcoming year. The Board agreed to take up the matter and a vote at the next meeting.

NO VOTE

4. Planning Board Alternates

E. Howard stated that the two candidates for Alternate, Matthew Tobyne and Rosemary Kennedy were both very dedicated to the Board. He noted that they have been regularly attending meetings since April. The Board agreed to make a formal recommendation to the Board of Selectmen at their next meeting. K. Cheetham will forward the resumes to the Planning Board. She stated that she had already forwarded the resumes and applications to the Board of Selectmen.

5. Planning Director Position

E. Howard shared his letter to the Town Manager with the Board. He continues to be frustrated with the communication with the town manager. He has not received a response yet to the letter. C. Woods felt that the letter raised a few good points. J. Melick wanted to better understand the legal statutes that were referenced. He agreed to review the topic and provide his response at the next meeting.

Adjourn

AT 10:30 PM R. McKean made a motion to adjourn. C. Woods seconded. All voted in favor.