

Introduction

I. Planning in Hamilton

If Charles W. Eliot II had written a vision statement for the new millennium in Hamilton's first master plan (1965), he would have described a place similar to the town as it is today. Although planners did not use the term "visioning" in the 1960s, Eliot clearly had a vision for Hamilton: a vision antithetical to the fate that he predicted for most Boston-area suburbs. He was impressed by the abundance and timeless beauty of Hamilton's open land, the prevalence of horse farms, the enclave of historic buildings around Hamilton Center, and the delicate pattern of streams and wetlands that run parallel to so many of Hamilton's old roadways. Eliot's prosaic description of the town in *Planning for Hamilton* suggests that 40 years ago, the renowned landscape architect saw and appreciated many of the same features that residents currently value about living in Hamilton. Indeed, the endurance of Hamilton's unique qualities is at least as remarkable as the ways in which the town has changed since 1965.



When the Hamilton Planning Board hired Eliot, the town had about 6,140 residents, a number of downtown shops and small businesses scattered across South and East Hamilton, and three distinct forms of development: large family estates and farms, densely settled neighborhoods of small homes on narrow streets, and the emergence of new, more regimented subdivisions. During the 1950s, an enormous growth wave occurred throughout the Boston area. Many North Shore towns, including Hamilton, absorbed housing and population growth at levels unprecedented in modern times. Since it seemed inevitable that federal highway improvements would bring even more people, homes and businesses to Eastern Massachusetts, Eliot worried that growth might spoil Hamilton's "intimate," tree-lined country roads. He hoped that with the right zoning, Hamilton could preserve enough open space and bridle paths to retain its rural, equestrian identity. Significantly, Eliot assumed that Hamilton would have 10,000 residents by 1985 – a forecast that never materialized, in part because the town took steps to curb growth and in part because of profound demographic changes that have occurred since the 1960s.

Today, 8,315 people live in Hamilton. Smaller households, land purchases by non-profit conservation trusts, estates that were never developed, and larger minimum lot sizes have contributed to the town's low rate of population growth. Even though Hamilton has not grown the way Eliot thought it would, the town faces challenges that did not exist to the same degree when the first master plan was written. Changes in public finance, planning, environmental management, technology and federalism have made local government responsibilities everywhere more complicated and expensive. In addition, the expectations placed on public schools have multiplied since 1965. As a result, school budgets and debt payments for new schools far surpass the cost of municipal services in most towns, and Hamilton is no exception.

Despite the town's noble efforts to control growth, Hamilton has lost a considerable amount of open space to new development. It has more homes and people, more traffic, more demands for water and more school children, but these kinds of conditions were predictable in 1965. However, it would have been very difficult to foresee the number of mandates that were later placed on cities and towns, or the profound social changes that spawned a proliferation of small households and more demand for homes than communities were equipped to meet. While the seeds of suburban sprawl had been planted long before the mid-1960s, the consequences were barely understood by mainstream planners and policymakers.



Hamilton's approach to regulating growth has produced many benefits, but not without fiscal, social and environmental costs. In 2003, the town is at critical point in its suburban evolution. What happens to Hamilton's remaining developable land will have lasting, perhaps irreversible, impacts on the town's appearance, environmental quality, and fiscal condition.

In the early 1970s, new federal and state requirements converged with local zoning to make development more costly and time-consuming. Although growth-reducing regulations please some people, the obvious and inconspicuous costs to communities have mounted over time. Among them: auto-dependent growth patterns associated with large-lot, low-density zoning, more road miles to maintain, much higher rates of water consumption per capita, inefficient delivery of public services, and growth in demand for school services at a pace that exceeds tax base growth. As the supply of land declined, skyrocketing land values made new development much more expensive and contributed to the production of larger, more expensive homes. The same trend has contributed to the phenomenon of "mansionization," or teardown and replacement of small houses with very large ones. It is little wonder that residents of most small towns and suburbs complain bitterly about new development, yet their resistance to alternatives all but guarantees that high-cost, low-benefit growth will continue.

Nearly three years ago, the Hamilton Planning Board considered a zoning change for a proposed elderly housing development on Essex Street. The proposal angered neighborhood residents who objected to the project and what they viewed as a closed decision-making process at town hall. To the Planning Board, the Essex Street project met important objectives: it would generate surplus tax revenue, keep elders in Hamilton, and preserve valuable open space. In the eyes of abutters, however, the project meant density, traffic, less open space, and an unwanted departure from their neighborhood's tradition of single-family homes. The Essex Street episode left many people unhappy, but it inspired the town to update the master plan. Instead of pursuing a divisive zoning change, the Planning Board created the Citizens Action Planning Committee (CAPC) to direct the master plan effort in November 2001. The CAPC included members of several town boards and commissions, residents, business owners, and advocates for key community interests. Ultimately, about 40 volunteers helped to develop the new plan by serving on CAPC subcommittees. Their efforts, supported by two town meeting appropriations and a grant from the state, have culminated in the 2004 Hamilton Master Plan Update.

II. Key Priorities

Agriculture and Open Space

Hamilton residents worry about losing more open space to new growth. They want the town to become pro-active about saving open space, and they see zoning, land acquisition grants and cooperation with conservation groups as the most attractive ways to achieve that end. Many say they would support spending tax dollars to buy open space in order to protect wetlands, water resources and wildlife habitat.

Although it seems contradictory, development can be an agent of preserving open space. Many communities in Massachusetts have successfully protected open space by adopting open space-cluster zoning bylaws and working cooperatively with developers. The bylaws vary in design, complexity and general requirements, but they share at least one attribute: a minimum percentage of usable, contiguous open space in new developments. Owing to the natural resource significance and visual beauty of Hamilton's remaining large parcels, the town should consider a cluster bylaw that requires most developers to provide open space and to design projects that protect key resources.



To retain agricultural and equestrian land in the long run, Hamilton needs to adopt and institutionalize a “farm-friendly” culture. At times, local regulations and policies seem inconsistent with the goal of preserving farms. Hamilton will not be able to retain or expand its agricultural base without reducing regulatory barriers to thriving farm and equestrian businesses. In addition, by confining development privileges to single-family homes, the town may effectively force the owners of farms and old estates to subdivide their property. Large-lot, low-density zoning regulations do not save open space and agricultural land. Instead, they create an illusion of open space.

The Cost to Live in Hamilton

Most residents value all that Hamilton has to offer. They think highly of the services they receive from the town and the regional school district. They also think their tax bills have grown too quickly, yet most residents seem reluctant to cut local government spending.

Hamilton is a well-run town with competent staff and elected officials. It is also an expensive town to live in, for Hamilton offers high-quality municipal services and excellent schools, yet its small commercial tax base means that the cost of providing services falls almost entirely on homeowners. Since Hamilton limits development to single-family homes, the town has many children to educate and its public school expenditures are very high in relation to the rest of the town's operating budget. Spending growth overall, but particularly for schools, has accelerated at a pace that is not sustainable.

Hamilton needs to realign its land use and fiscal policies. The town should not sacrifice its predominantly residential character or its preference for single-family homes, but residents have to

think strategically about Hamilton's future – in environmental, social and economic terms. Accordingly, the Master Plan promotes more options for landowners, particularly owners of large parcels, in order to retain open space, generate sorely needed tax revenue for local services, and curtail growth in service costs. A concept that CAPC members have called “channeled development” – or development that provides open space, fiscal, housing and economic benefits to the town – could meet many local needs without fundamentally altering what Hamilton represents to a majority of its residents.

Downtown Hamilton and the Local Economy

Hamilton residents appreciate both the ambiance and the mix of businesses in their downtown, although they would like more shops and food service establishments. Economic development policies that encourage a vital downtown, preserve Hamilton's equestrian traditions and make room for “neighborhood-friendly” home-based businesses seem to have broad support from most people in town. Though residents think the town's tax base should be expanded, they are divided over the desirability of more business growth. Hamilton's long-standing disdain for industrial, office and research & development zoning endures today.

Downtown Hamilton has a recently refurbished shopping center, a commuter rail platform, and many small, well-maintained retail and office businesses. Its location at the Hamilton-Wenham line means that the downtown area serves as a key gateway into the community. While residents should remain open to other business zoning opportunities in the future, it seems undeniable that Downtown Hamilton will remain the town's only business district for many years to come. As a result, it is very important to assure that downtown properties provide not only a wide range of goods and services, but also as much tax revenue as possible. It is also important for zoning regulations to be written with an eye toward preserving the physical form of a downtown area, considering lot sizes, setbacks, access and curb cuts, and building styles, scale, massing and other design elements.



Under Hamilton's current zoning, commercial buildings may house a variety of business uses appropriate for a small suburban downtown, such as shops, offices, financial institutions, personal services, and restaurants. However, the only residential uses allowed in the downtown area are single-family homes. By permitting downtown buildings to accommodate a broader mix of uses, including some upper-story housing units, Hamilton will make it possible for owners to respond to changing market conditions, preserve high occupancy rates and maximize the value of their property.

Flexible development regulations will help to stabilize and enhance commercial property values, but it takes more than zoning to maintain a vibrant downtown. When local governments invest in sidewalks, landscaping, street lighting, public parking areas and wastewater treatment facilities, they perform a function that individual property owners cannot provide. Hamilton needs a public realm plan for the downtown area, and it needs to make a sustained commitment of resources toward implementing the plan.

III. Key Recommendations

Land Use Element

Guiding Principles

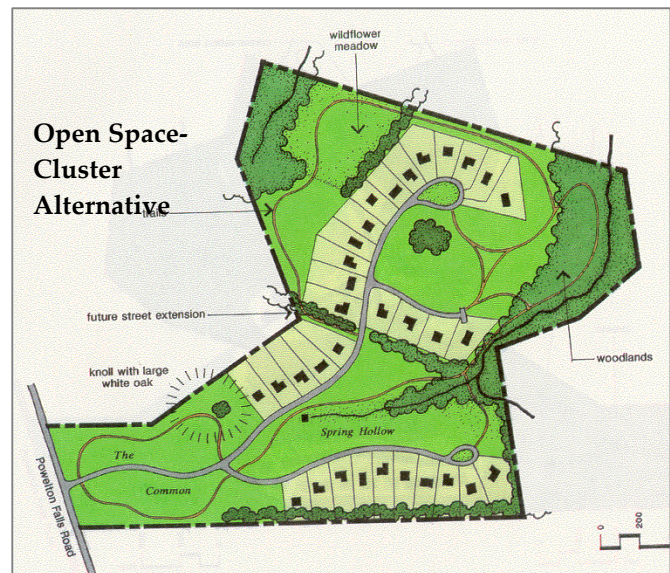
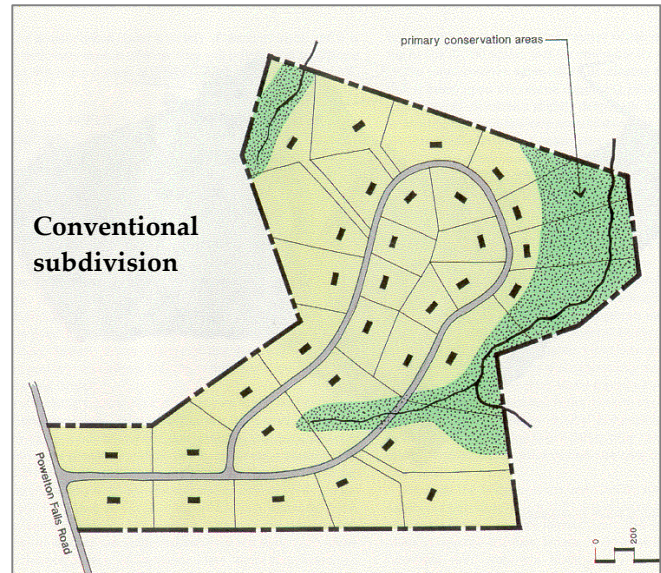
- 1) Resource Protection. Development should protect the quality of Hamilton's wetland and water resources and foster a reduction in water usage per capita, recognizing the need for flexibility to preserve horse pastures and serve agricultural uses.
- 2) Sustainability. Whenever possible, commercial and residential development should occur in established areas while preserving the small-town character of Downtown Hamilton and neighborhoods, all as part of a comprehensive plan to preserve open space and farmland, and to connect walkable, attractive neighborhoods with retail, services and community facilities.
- 3) Agriculture. Farming and equestrian activities are rooted in Hamilton's history and they enjoy a preferred position in the town. Regulations, policies and administrative procedures will consistently promote the retention and expansion of agriculture as a way of life, work and use of land in areas with suitable soils and adequate water supplies.
- 4) Scenic Views. Roadway views play a critical role in conveying an impression of Hamilton. Development will respect and preserve mature trees, stone walls and scenic views along Hamilton's major and minor streets, and protect roadside open space by subordinating the location of new buildings and roads to the significant natural or man-made features of a site.
- 5) Downtown Hamilton. In support of a downtown that thrives as the town's business, social and cultural center, Hamilton's zoning will provide maximum flexibility as to use and dimensional requirements in the Business District and regulate appearance, operation and safety through site plan and design review.
- 6) Housing. While retaining its tradition of single-family homes, Hamilton will promote housing that is suitably designed and affordably priced for senior and young citizens. Where possible, mixed residential uses will be located close to retail, services and transportation resources.
- 7) Public Investment. Hamilton will target capital investments to support the land use goals of the Master Plan. As such, local government will work to acquire open space that protects farmland and water resources from development, and to acquire or improve recreation, water, wastewater, transportation, municipal and school facilities in areas where new or additional development will occur.



Recommendations

Bylaws and Regulations

- 1) Tailor land use regulations and policies to foster open space and farmland protection, encourage vital neighborhoods and mixed-use areas, and improve the town's fiscal future.
- 2) Adopt an open space-residential cluster bylaw that requires open space design in developments over an agreed-upon size threshold, e.g., five or more lots or five or more housing units.¹ Provide density incentives to attract small, common-wall housing units that can be clustered efficiently on the land, and thereby provide environmental and fiscal benefits to the town. Create a bylaw that allows but does not require lotting in an open space development.
- 3) Revise existing elderly housing regulations to provide for independent elderly housing, retirement and assisted living facilities by special permit from the Planning Board.
- 4) Remove regulatory barriers to infill development in older, established areas of town, in exchange for public benefits such as a greater mix of affordable housing or local commerce with limits on the number of infill developments per neighborhood in order to preserve the character of the downtown residential areas of town.
- 5) Adopt a demolition delay bylaw in the town's Residence Districts to protect older historic residential, non-residential and accessory structures from demolition for at least six months to encourage alternative uses, and provide corresponding zoning regulations to make preservation economically feasible.
- 6) Initiate the necessary planning and surveys to establish more local historic districts in Hamilton, including single-property districts, and to nominate additional districts and properties for listing on the National Register of Historic Places.



¹ Source of comparison subdivision designs: Randall Arendt, Conservation Design for Subdivisions (1996).

- 7) Use zoning overlay districts to accomplish key land use objectives
 - a) Provide alternatives to single-family homes for the disposition of large parcels, such as mixed-use planned developments to preserve significant natural and built features, agricultural land and equestrian facilities.
 - b) Allow higher-density development in established locations such as Asbury Grove or Gordon-Conwell Seminary, and encourage a mix of residential uses, including affordable housing, with adequate wastewater and other facilities.
 - c) Adopt scenic protection and design controls for undeveloped or underdeveloped areas along collector and local streets, and consider regulatory techniques to obtain conservation restrictions over roadside open space.
 - d) Discourage loss of scenic resources by protecting higher elevations and hillsides.
- 8) Amend the Business District regulations to allow accessory apartments above the ground floor of commercial buildings, by special permit from the Planning Board.
- 9) Reorganize and streamline the bylaw's administrative procedures by clarifying the roles and responsibilities of the Planning Board, the Zoning Board of Appeals and other boards that perform development review and permitting functions.
- 10) Develop a comprehensive set of architectural, sign and site design guidelines for the Business District, non-residential or mixed-use development in other parts of town, and multi-family housing.
- 11) Consider allowing accessory dwelling units and single-family to multi-family conversions in residences older than 10 years, subject to administrative site plan review by the Planning Board, an affordable housing use restriction on at least one unit, adequate wastewater disposal capacity, and a cap on the total number of accessory or conversion units per year. Allow accessory dwelling units and conversions by special permit in order to waive the affordable housing use restriction.
- 12) Conduct a comprehensive review of the town's zoning, subdivision control, wetlands protection and board of health regulations to assure internal consistency and remove impediments to implementing the Master Plan.
- 13) Use GIS technology to estimate development impacts on surrounding areas and to evaluate developments for consistency with the Master Plan.

Policy, Program and Capital Investment Actions

- 1) Authorize a bond issue for agricultural, conservation, park and recreation land purchases, and finance bond repayments with Community Preservation Act (CPA) revenue and other available funds.
- 2) Establish a Department of Planning and Community Development in order to provide town boards with adequate support for planning, growth management and open space protection, and finance a portion of the department's operating costs with CPA revenue and open space bond proceeds.
- 3) Initiate, secure financing and coordinate the construction and operation of a package treatment facility and municipal parking areas to serve downtown commercial and mixed-use buildings.

- 4) Focus public capital investment in roadway maintenance and improvements, sidewalks, bikeways, water supply and distribution system improvements, and other community facilities in areas designated for higher-density or mixed-use development, and focus public land acquisition investments in areas designated for resource protection priorities.
- 5) Assure consistency between the town's water rate structure and the land use objectives of the Master Plan, and develop public water supplies in areas where aquifer protection zones will benefit wildlife and critical resource areas.
- 6) Support the Conservation Commission's efforts to maintain timely five-year updates of the Open Space and Recreation Plan so that Hamilton can apply for and receive Self-Help grants.
- 7) Institute a predictable cycle of Master Plan updates.

Implementation Capacity

- 1) Improve communication and coordination between town boards and committees with a role to play in growth management and the development process, such as the Planning Board, Conservation Commission, Board of Appeals, Historic District Commission, Board of Health and Inspectional Services, and the proposed Farm Commission, Economic Development Commission and Housing Partnership². Provide adequate training and support for town staff to assist citizen volunteers, and consider bylaw changes that reinforce the need for coordinated development review procedures.
- 2) Appoint a Master Plan Implementation Committee to assist the Planning Board with the initial phases of Master Plan implementation, and ask other town boards and commissions to participate.
- 3) Adopt and use GIS as a standard component of development review.

Open Space and Resource Protection Element

Guiding Principles

- 1) **Community Responsibility**. All stakeholders – town officials and employees, residents, property owners and developers—share responsibility for protecting Hamilton's land and water resources.
- 2) **Local Government Responsibility**. Hamilton's town boards share responsibility for protecting land and water resources and they will work cooperatively to achieve that end.
- 3) **Public Investment**. Bond authorizations to acquire and protect significant open space are an appropriate use of local government resources. The town will make every reasonable effort to allocate 1.5-2% of its annual expenditures to debt service for public land acquisition and improvements, to be paid for with general fund revenue, developer contributions to the (proposed) Land and Water Conservation Fund, Community Preservation Act (CPA) surcharges, transfers from the water enterprise fund, and other available resources.

² See Open Space & Resource Protection, Economic Development and Housing elements of the Master Plan.

- 4) Open Space and Community Character. Hamilton seeks to preserve agricultural land, open space and forests from alteration, and to protect the character of historic and scenic corridors. Developments will be designed and built to support these objectives by adhering to open space-cluster principles whenever possible.
- 5) Historic Preservation. Hamilton recognizes the architectural importance of structures that represent all eras of the town's development. Significant historic buildings will not be substantially altered or demolished without prior review by the historical commission and consultation with the Planning Department to identify feasible alternatives.
- 6) Effective Techniques. Hamilton will use a variety of tools, including strategic land purchases, limited development, working with conservation partners, conservation restrictions and zoning techniques, to achieve its open space and resource protection goals



Recommendations

Bylaws and Regulations

- 1) Adopt an open space-residential cluster bylaw that requires open space design in new developments that exceed a particular threshold, e.g. five or more housing units, and protects important natural features, preserves trails and/or provides recreation space.
- 2) Adopt a land clearing and grading bylaw that requires all non-agricultural clearances of 20,000-30,000 ft² or more to obtain prior review and approval by the Planning Board in order to protect mature trees, stone walls and prevent erosion and sedimentation.
- 3) Consider a Transfer of Development Rights (TDR) bylaw to protect high-priority open space parcels by transferring their development rights to other locations where there is capacity to absorb higher-density development. Designating "sending" (open space) and "receiving" (development) areas that complement the Land Use Policy Plan.
- 4) Adopt regulations to require septic system maintenance (pumping) for all systems located around Chebacco Lake, the School Street wellfield, Beck and Pleasant Ponds, and within the Groundwater Protection Overlay District.
- 5) Ban or restrict new underground sprinkler systems to lower water consumption and require all new construction and significant rehabilitation projects to use water-conserving fixtures.
- 6) Adopt a bylaw that gives the Historical Commission the power to review demolition permits and delay demolition of historically significant structures (e.g., over 50 years old) for at least six months.
- 7) Provide zoning regulations to make preservation of older buildings economically feasible. For example, allow the conversion of large, historic homes to multi-family, mixed-use or commercial

uses by special permit, subject to a design review process based on the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- 8) Initiate the necessary planning, surveys and inventories to establish more local historic districts in Hamilton, including single-property or parcel districts, and nominate additional districts and properties for listing on the National Register of Historic Places. Hamilton should prioritize the inventory by starting with the town's Scenic Roads: Asbury Road, Bridge Street, Chebacco Road, Cutler Road, Highland Street, Gardner Street, Goodhue Street, Miles River Road, Sagamore Street and Walnut Road.
- 9) Review the Planning Board's Subdivision Control Regulations for potential inconsistencies between roadway design and construction standards and the preservation of Hamilton's scenic character. Consider allowing narrower streets, a smaller cul-de-sac, and no sidewalks to minimize unnecessary paving/loss of open space.

Policy, Program and Capital Investment Actions

- 1) Authorize a bond issue for open space conservation, water supply, agricultural, park and recreation land purchases. Establish an oversight committee for the bond issue, and eventually transfer responsibility for coordinating acquisitions to the (proposed) Department of Planning and Community Development.³
- 2) Focus land acquisition investments in areas designated as resource protection priorities: unfragmented wetland, riparian, forest and other significant habitats; water supply and storage areas; agricultural land; and recreation sites and trails.
- 3) Work with private property owners and conservation organizations to pursue protection of key open space parcels through conservation restrictions, gifts of land, etc.
- 4) Establish an inter-departmental Land Use Committee to strengthen and sustain coordination between the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health and Historic District Commission.
- 5) Assure consistency between the town's water rate structure and the water conservation and land use objectives of the Master Plan.
- 6) Acquire land for future water supplies outside the Ipswich River Basin and develop a storage facility to increase supply and improve domestic pressure and fire flows, combining open space preservation with water supply protection.
- 7) Adopt the Community Preservation Act (CPA) to provide revenue for open space acquisition and historic resource protection.
- 8) Create a Land and Water Conservation Fund and allow developers to make a payment in exchange for increased density, subject to established criteria and review and approval by the Planning Board.
- 9) Establish an Agricultural Incentive Committee to study the feasibility and appropriateness of creating Agricultural Incentive Areas under the provisions of G.L. c.40-L, a Farmland Conservation Overlay District or an Agricultural Preservation District. The committee should also explore non-zoning agricultural land preservation incentives such as tax abatement, town-

³ See also, Land Use Element.

sponsored markets, Agricultural Preservation Restrictions (APR) and buffer acquisition and design.

- 10) Institute a predictable cycle of 5-year Open Space and Recreation Plan updates to assure that the Conservation Commission is eligible to apply for and receive Self-Help Grants.

Implementation Capacity

- 1) Establish formal relationships between the (proposed) Department of Planning and Community Development and conservation groups such as Essex County Greenbelt Association, Hamilton-Wenham Open Land Trust, Massachusetts Audubon Society, Trustees of Reservations and the Essex County Trails Association, to partner on complementary land acquisition projects for fundraising, grant writing, negotiation, outreach/education and land stewardship.
- 2) Dedicate a percentage of the acquisition fund bond proceeds to retain a town planner/capital projects coordinator in the Department of Planning and Development.
- 3) Assign the (proposed) Department of Planning and Development with responsibility for strictly enforcing and monitoring resource protection regulations and stewardship/management agreements. Evaluate the existing fee structures of town boards to determine if adequate funds exist to monitor compliance.
- 4) Implement demonstration projects and best practices including at town-owned properties and use interpretive signs (when appropriate) to educate residents and visitors.

Housing Element

Guiding Principles

- 1) Small-Scale Development. Hamilton's residential development objectives are to preserve agricultural land, open space and forests from alteration, to protect the character of historic and scenic corridors, and to provide distinctive, high-quality neighborhoods for all residents of the town. The town prefers developments that achieve all of these objectives at a scale appropriate for a small suburb.
- 2) Housing Choice. While retaining its tradition of single-family homes, Hamilton will promote housing that is suitably designed and affordably priced for senior and young citizens. .
- 3) Housing and Community Character. When development of outlying land is unavoidable, Hamilton seeks to protect open space and views from the road by encouraging developers to meet cluster design standards that are sensitive to the most important features of a site. Toward this end, the town will describe its cluster design requirements in clearly written zoning regulations and give developers flexibility to create responsive plans.



- 4) Affordable Housing. Residential development should contribute to Hamilton's inventory of Chapter 40B affordable housing. Developers may include affordable units in a proposed subdivision, they may provide comparable units elsewhere in Hamilton, preferably by acquiring existing homes, or they may pay a fee in lieu of creating affordable units. Developers seeking a waiver of the town's frontage regulations are expected to comply with similar standards.
- 5) Local Preference. Hamilton expects that a majority of its Chapter 40B housing will benefit town and school employees, existing residents, or persons who grew up or previously lived in Hamilton and wish to return. Developers will accommodate these local preferences in the sale or rental of affordable housing units.
- 6) Housing Preservation. Hamilton recognizes the architectural importance of homes that represent all eras of the town's development. A residence will not be substantially altered or demolished without prior review by the historical commission and consultation with the Planning Board to identify feasible alternatives. In support of housing preservation, Hamilton will participate in regional housing resource programs and consider funding or leveraging funds for activities that retain the original scale and features of older homes in exchange for affordable housing deed restrictions.

Recommendations

Bylaws and Regulations

- 1) Adopt regulations and policies consistent with the Housing Concepts Map (Map 12).
- 2) In conjunction with the proposed open space-residential cluster bylaw, enact regulations that require affordable units in all new developments of five or more lots or housing units on ten or more acres of land. Provide modest density incentives to encourage small, common-wall housing units instead of single-family homes. Allow developers to provide affordable units in their developments or off-site, or to pay a fee in lieu of creating units.
- 3) Create an incentive overlay district for large parcels in the A-R District and allow moderate-density housing development, alone or in conjunction with other land uses, as an alternative to single-family housing. Encourage a mix of multi-family, common-wall and single-family housing units, up to a district-wide maximum specified in the bylaw.
- 4) Adopt special regulations to allow elderly housing, retirement and assisted living facilities in the R-1A, R-1B and RA Districts, or in an overlay zone applied to portions of these districts, by special permit from the Planning Board.
- 5) Reduce regulatory constraints against accessory apartments, single-family conversions and multi-family uses above the ground floor of commercial buildings in order to provide more housing choices while limiting the fiscal impact of residential development.

Policy, Program and Capital Investment Actions

- 1) Work with Asbury Grove Camp Meeting Association to secure planning and predevelopment funds for a long-term solution to wastewater problems at Asbury Grove, and explore the potential for placing some or all of the housing units under affordable housing deed restrictions.
- 2) Integrate affordable and elderly housing development strategies with the town's Open Space and Recreation Plan, using limited development wherever possible to increase housing choices while saving open space.

- 3) Establish a Housing Trust Fund for developer fees and other appropriate revenue, and use the fund to acquire, improve and sell existing homes at prices affordable to low- or moderate-income homebuyers, subject to a deed restriction to secure long-term affordability.
- 4) Petition the state legislature for approval to establish an affordable housing program that allows Hamilton to enter into right-of-first-refusal agreements with elderly homeowners to purchase their homes at a negotiated price in exchange for reduced or waived property taxes, and to acquire and sell the homes with affordability restrictions.
- 5) Adopt a housing plan to create permanently affordable housing units at a pace that Hamilton can sustain.

Implementation Capacity

- 1) Establish a permanent Housing Partnership Committee to advise the town on housing policy, attract qualified developers to provide affordable and elderly housing, identify and pursue local development opportunities, set comprehensive permit guidelines and act as the town's liaison with state housing officials.
- 2) Adopt the Community Preservation Act (CPA) to provide a source of funds to create permanently affordable housing in a manner compatible with the Master Plan.
- 3) Designate the director of the (proposed) Department of Planning and Community Development as the town's negotiator with comprehensive permit developers.
- 4) Establish a non-profit development corporation to acquire, renovate, and sell or lease existing homes, or to develop new homes, for permanently affordable housing.

Agricultural and Economic Development Element

Guiding Principles

- 1) Agriculture and Community Character. The use of Hamilton's land for crops, hayfields, polo fields, horse trails, paddocks and pastures is of great benefit to the town and its residents. Agriculture preserves open space, provides jobs, and costs less in town services than it generates in tax revenue, even when the land is differentially assessed under G.L. c.61A. Accordingly, Hamilton encourages farming and equestrian activity for economic, fiscal and quality of life reasons, and recognizes the right to farm. Local policies will not create impediments to farmland protection and new agricultural and equestrian development.



- 2) Design Guidelines. Development in Downtown Hamilton will be of appropriate scale, design and character for a small suburban business district. In furtherance of this policy, the town will provide clear, understandable design guidelines for new construction and alterations to or expansion of existing commercial, mixed-use and multi-family buildings. Activities that do not comply with the design guidelines are prohibited.
- 3) Downtown Vitality. Hamilton's Business District is small, but its 26-acre area is appropriate for a suburban community and it is not feasible to expand the commercial zone at this time. Future needs for goods and services will be met in the downtown area through flexible development regulations, provisions for greater use intensity where feasible, and mixed-use development.
- 4) Mixed-Use Development. Where possible, Hamilton seeks to channel new development away from single-family homes and toward a more diverse mix of land uses, including commercial uses, in a manner that preserves large amounts of open space and farmland, respects the character of traditional neighborhoods, and provides tax revenue to support the cost of town and school services.
- 5) Home-Based Businesses. Hamilton encourages residents to work at home, whether as owners of home-based businesses, including farms, or as telecommuting employees of other business establishments. Local regulations to manage the impacts of at-home employment on surrounding property owners will be limited to the minimum necessary to reduce use conflicts, considering factors such as traffic, signage, noise or lighting, and to protect the residential character of Hamilton neighborhoods for all who live and work in the community.

Recommendations

Bylaws and Regulations

- 1) Develop downtown design guidelines and integrate them with site plan review under the direction of the Planning Board. Where appropriate, charge a peer review fee and secure the services of a qualified architect or landscape architect to assist the Planning Board or design review board with an analysis of submitted plans.
- 2) Amend the Business District regulations to allow accessory dwelling units in commercial buildings, by special permit from the Planning Board.
 - a) Restrict accessory dwelling units to the second and/or higher floors of any development in order to preserve the first floor exclusively for commercial use. Encourage commercial use on the second and higher floors.
 - b) Limit residential uses by setting a maximum number of accessory dwelling units or a maximum percentage of gross floor area for residential use so that the district remains predominantly commercial.
 - c) Consider requiring a percentage of the accessory dwelling units to be affordable and eligible for listing on the Subsidized Housing Inventory.
- 3) Revise the development regulations for the Business District so that small commercial projects for allowed uses may occur as of right, subject to abbreviated site plan review, while larger projects or higher-impact uses of any size may be controlled by special permit.
 - a) Set a maximum floor area ratio for all projects.
 - b) Consider establishing a maximum front yard setback.

- c) Adopt access management regulations, e.g., curb cut consolidation and shared driveways.
- 4) Review zoning and board of health regulations to assure the permissibility of shared septic systems in the Business District.
- 5) Amend the town's parking regulations by adopting standards appropriate for a downtown or central business district.
 - a) Reduce off-street parking requirements to more realistic amounts relative to total floor area.
 - b) Tailor parking requirements to categories of land use and size of commercial facilities, and provide a modest allowance for compact cars.
 - c) Allow waivers from parking compliance by special permit in the Business District in exchange for developer contributions to an off-street parking fund.
- 6) Amend the site plan standards to require bicycle facilities at appropriate commercial locations, including shared facilities maintained by two or more businesses.
- 7) Amend the home occupation bylaw by defining classes of home-based businesses in terms of their potential effects on neighborhood areas, and differentiating those which may be conducted as of right, as of right with abbreviated site plan review, and by special permit.
- 8) Establish a mixed-use development overlay district that allows alternatives to single-family home development on large land holdings and agricultural land by special permit from the Planning Board:
 - a) Within the overlay district, allow certain commercial uses such as conference, hospitality, recreation, agri-tourism, office and accessory uses, and consider integrating them with residential uses.
 - b) Allow assisted living facilities, independent elderly housing and age-restricted housing, and combinations thereof.
 - c) Require substantial open space and farmland protection, including mandatory agricultural preservation restrictions on farmland in planned development projects.
 - d) Require preservation and extension, or new interconnections where appropriate, to existing networks of horse and walking trails, and require appropriate public access.

Policy, Program and Capital Investment Actions

- 1) Provide the Planning Board with consulting services to conduct a design analysis of Downtown Hamilton and write design guidelines that can be incorporated into the Zoning Bylaw or adopted and administered by a design review board.
- 2) Sponsor the design and construction of a package treatment facility to serve commercial and mixed-use properties and public facilities located in Downtown Hamilton. Finance debt service with a combination of general fund revenue and special assessments on downtown properties, and finance operations with user fees paid by property owners connected to the facility.
- 3) Change existing parking regulations in Downtown Hamilton so they express appropriate expectations for a small suburban downtown and allow more commercial development (in floor area) per required parking space. Provide leadership to improve the parking supply and management, emphasizing shared use of existing off-street parking areas and developing additional, small public parking lots as opportunities arise. Finance public parking with fees

paid to the off-street parking fund, along with ticket revenue, and consistently enforce local parking regulations.

- 4) Establish an inter-departmental Land Use Committee or Development Cabinet to strengthen and sustain coordination among the Planning Board, Zoning Board of Appeals, Conservation Commission, Board of Health and Historic District Commission.
- 5) Develop, adopt and implement a downtown capital plan in the context of the town's long-range capital improvements plan. The plan should address all aspects of the public realm, including sidewalks, landscaping, parking, pedestrian amenities, informational signage and banners, lighting, and accessibility. By adopting a capital plan for downtown, Hamilton will be in a better position to forecast costs, identify local and non-local funding sources, especially grants, and set development fees that relate rationally to the cost of improving the district.

Implementation Capacity

- 1) Establish an Economic Development Committee, appointed by the Board of Selectmen, to advise the town on economic development policy, to promote economic development, agricultural, equestrian and other businesses, and to act as an advocate for local businesses. The Committee's charge should include:
 - a) Facilitating communications between local government and the business community.
 - b) Sponsoring a public review, reassessment and update of the 1980-1982 Downtown Plan working in conjunction with the Planning Board and the (proposed) Department of Planning and Community Development.
 - c) Working with downtown businesses to prepare a comprehensive public realm plan and financing strategy.
 - d) Researching and making recommendations on the merits of establishing a Business Improvement District (BID).
 - e) Analyzing the opportunities and constraints of redeveloping land at the town's former landfill for a new mixed-use commercial district, working in conjunction with the Planning Board.
 - f) Providing a point of contact for prospective new businesses, including home-based businesses, and locating and coordinating small business resources.
 - g) Promoting the development of commercial activities in the proposed mixed-use development overlay district.
 - h) Promoting agricultural and equestrian business growth in Hamilton.
- 2) Establish an Agricultural and Equestrian Commission, appointed by the Board of Selectmen, to act as an advocate for agriculture and equestrian activity. The Commission's duties should include:
 - a) Advising the Selectmen, Town Meeting and other local government bodies on issues that affect agriculture, including development regulations.
 - b) Studying and making recommendations about the creation of Agricultural Incentive Areas under G.L. c.40-L.

- c) Exploring other land preservation incentives such as town-sponsored markets and Agricultural Preservation Restrictions (APR).
- d) Publishing a report in the Annual Town Report.

Community Facilities and Services Element

Guiding Principles

- 1) Inter-Local Agreements. Wherever possible and appropriate, Hamilton will seek regional solutions to public service needs that it has in common with neighboring communities.
- 2) Town and School Services. Hamilton will provide equally high-quality services and facilities for persons in all age groups and persons with disabilities. Toward that end, the town will review the performance of all programs and services using quality standards developed in concert with residents and local businesses.
- 3) Fiscal Policy. Hamilton will work to maintain combined free cash and stabilization fund balances of 7-10%, an overall debt level per capita of \$1,000-\$1,500, and a debt burden (debt to market value) of 3% or less.
- 4) Community Assets. Hamilton will acquire and maintain an inventory of general-purpose municipal property in order to assure adequate sites for future schools, recreation facilities and water supplies.
- 5) Complementary Zoning. Where possible and appropriate, Hamilton will minimize the amount of permanent debt incurred from land acquisitions by sponsoring limited development that meets other objectives of the Master Plan.



Recommendations

Bylaws & Regulations

- 1) Adopt a capital improvement plan (general) bylaw that requires the development of a five-year capital plan, including a clear definition of capital projects, short- and long-term financing strategies, and a process for developing, overseeing and reviewing the plan.
- 2) Include a fiscal impact analysis in the permit granting criteria for special permitted residential uses, mixed commercial-residential uses and planned developments.
- 3) Review the zoning bylaw and assure that appropriate consistency references are made to both the Master Plan and the town's Capital Improvements Plan for all allowed and special permitted uses, and site plan review.

- 4) Provide realistic ways for developers to contribute to capital improvement needs in Hamilton. For example, amend the town's parking regulations to allow fees in lieu of providing off-street parking spaces and establish an Off-Street Parking Fund for the downtown area.

Policy, Program and Capital Investment Actions

- 1) Establish an annual town goal-setting process directed and coordinated by the Board of Selectmen.
- 2) Authorize a bond issue for agricultural, conservation, water supply, park and recreation land purchases. Place responsibility for coordinating acquisitions under the (proposed) Department Planning and Community Development.
- 3) Complete a review of options for the present public safety building on Bay Road and move forward with a financing plan to replace it.
- 4) Commission the services of a preservation architect to conduct a code analysis of town hall and recommend alternatives to addressing space configuration, accessibility and storage needs in the context of the building's historic character.
- 5) Establish a complete set of acceptable debt indicators and baselines, and use them to monitor the adequacy of debt financing over time.
- 6) Establish and implement an annual, systematic review of all user fees, penalties and fines for municipal services.

Implementation Capacity

- 1) Appoint an ad hoc town government study committee to review Hamilton's form of government and departmental staff levels to determine whether the town has sufficient capacity to manage its responsibilities.
- 2) Establish a standing capital planning or asset management commission, appointed by the Board of Selectmen.
- 3) Assign the (proposed) Department of Planning and Community Development with responsibility for coordinating the capital improvement plan process in order to maximize the alignment of capital spending and planning policies.

Transportation Element

Guiding Principles

- 1) Roads and Community Character. Hamilton's network of minor regional roads, local streets and bridges is very important to the scenic beauty of the town. To the maximum extent possible, Hamilton will preserve mature trees, open views and stone walls on all roads under the town's jurisdiction, assuring that local government, landowners and developers work in partnership to preserve the character of town roads.

- 2) Unpaved Roads. The enduring presence of unpaved roadways contributes to Hamilton's rural image. The town will commit appropriate resources to maintaining gravel roads, including street classification policies, capital outlays, signage, and other alternatives to paving.



- 3) Equestrian Trails. Bridle paths and trails have historic, agricultural and recreational significance in Hamilton and the town considers them to be a critical community resource. Using its powers under zoning and subdivision control, local government will make every effort to protect these resources from alteration, discontinuation or loss of public access. Agricultural land with equestrian facilities shall be a high priority for open space acquisitions financed in whole or in part with town funds.
- 4) Land Use and Transportation Policy. Public facilities, shopping areas and services will be concentrated in or close to the town's more densely settled areas as part of a comprehensive plan to protect outlying open space from development and reduce the volume of locally generated traffic on Hamilton roads. Hamilton strives to be a walkable, bicycle-friendly community and it will encourage land use options that help to achieve that end.
- 5) Pedestrian and Bicycle Facilities. Hamilton is committed to providing and maintaining a safe, cross-town system of walking and bicycle paths. Through its own expenditures and developer contributions, the town will assure that safe, accessible, clearly delineated areas exist alongside established collector roads to facilitate non-vehicular circulation. Where appropriate, a modest expansion of pavement width will be considered to support alternative modes of transportation.
- 6) Downtown Hamilton. Land use, transportation and public safety strategies in Downtown Hamilton must be integrated to assure safe, efficient access to property, improve pedestrian safety and enhance the public realm. Downtown Hamilton's civic vision anticipates both a vibrant business district and the town's primary gateway. Toward these ends, the town will work in partnership with businesses, property owners, developers and state agencies to design, build and maintain accessible, attractive pedestrian walkways throughout the downtown area.
- 7) Traffic calming. Whenever possible, traffic calming will be given preference over conventional traffic control measures, signalization or road widening to address the needs of critical traffic locations in Hamilton. Traffic calming options will be planned by the town's public works and public safety personnel, working cooperatively with residents, business and institutional establishments.

Recommendations

Bylaws & Regulations

- 1) Establish a Scenic Corridor (Overlay) District along key local roads in order to minimize the potential for adverse impacts on roadside open space, agricultural features and mature

vegetation. Within the Scenic Corridor District, modify the zoning bylaw's existing reduced frontage provisions to require a conservation restriction over open space at the road.

- 2) Provide regulatory incentives to preserve, connect and extend existing equestrian and walking trails on Hamilton's large parcels and farms if they are developed or converted to another use.
- 3) Adopt new parking and site plan standards to require reasonable off-street parking, coordinated access to private property, landscaping and pedestrian improvements that will implement a coherent civic vision for Downtown Hamilton.
- 4) Adopt a general bylaw that governs all curb cut review, including upon changes in tenancy.
- 5) Adopt regulations to subordinate parking to commercial buildings in Downtown Hamilton, particularly when older properties are assembled and redeveloped to support new, more viable uses.
- 6) Amend applicable portions of the Zoning Bylaw to incorporate by reference both the Master Plan Update and the (proposed) public realm plan for Downtown Hamilton.

Policy, Program and Capital Investment Actions

- 1) Enlist town officials and the public in a formal street classification study to identify and distinguish roads for higher volumes of traffic from roads that should serve primarily local needs. The town should use its street classification plan to prioritize annual transportation improvement expenditures.
- 1) Downtown Hamilton's current and long-term desirability will be enhanced by a safe, accessible sidewalk system. The town should prepare a public realm for the downtown area, considering walkways, landscaping, lighting, pedestrian amenities, and off-street parking locations, design standards and treatments.
- 2) In addition to their scenic and cultural value, unpaved roads involve lower construction costs than paved roads, they require less equipment and fewer skilled operators, and they generate lower speeds. However, dirt and gravel roads require regular maintenance to keep them passable and safe. If the town determines that its long-standing gravel roads can no longer support daily traffic loads, Hamilton should plan for road improvements that comply with MassHighway's Low Speed-Low Volume Design Standards (1997) instead of conventional road design criteria.

Implementation Capacity

- 1) Provide technical assistance to town staff, boards and committees in methods of maintaining and managing the use of gravel roads.
- 2) Appoint an ad hoc committee to assist the Department of Public Works and Police Department in developing a town-wide street classification plan.
- 3) Form an interdepartmental team (e.g., public works, public safety) to seek grants for the design and construction of bicycle lanes and paths along designated roadways.