

HAMILTON BOARD OF SELECTMEN

MINUTES OF MEETING

April 18, 2017

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

This meeting was called to order at 7:03 pm

Announcements

Scott Maddern described the current Board openings: Planning Board two Associate Members, one Community Preservation Committee (CPC) at large member, and one Affordable Housing Trust member. The Hamilton Wenham Little League Opening Day Parade will take place on Saturday, April 29, 201 at 8:30 am.

Public Comment

Amendment to the School lease for .8 acre was questioned by Rob Harrison. Scott Maddern replied that the discussion would be part of his update.

Selectmen/Town Manager's Report

Allison Jenkins thanked the Town Clerk and poll workers for the well run election.

Shawn Farrell said that he met with the Planning Board to discuss the Willow Street Overlay District (WSOD) and Great Estate Bylaw revisions. According to Mr. Farrell, Rick Mitchell presented Special Permit Rules and Regulations combining all Special Permit Rules and Regulations into one large document. The Board also discussed filing of Special Permit Decisions. Conscom met on April 12, to discuss an Enforcement Order at the Black Earth Compost site. Essex County Greenbelt found a new location for the company to move off site. Richard Luongo was reelected as Chairman of the Commission. The Commission discussed issues of the 9.1 acres of Patton Homestead. The Open Space Committee submitted comments on the Open Space and Recreation Plan.

Shawn Farrell describe the drainage work that needed to be completed for the flooded Weaver Pond in Patton Park. The solar project at the landfill site would come to the Conservation Commission. The Community Preservation Committee met to discuss Town Meeting and review grants, such as the balustrades at the Council on Aging building, cannon wheels at Patton Park, American Legion electrical work, Historic Society pictorial collection, Patton Estate roof replacement, Winthrop School playground, completed Patton Homestead Riverwalk, evaluation scoring system, and surcharge exemptions. There would be an open meeting on June 8, 2017. Mr. Farrell also announced that the rain barrel program was in effect.

Bill Wilson noted the election for school committee members with Hamilton now having two representatives. The Affordable Housing Trust (AHT) discussed locations. Russ Tanzer was elected Acting Interim Chair until the open seat was filled. The AHT discussed the landfill site and talked about solar ray panels and how it might conflict with affordable housing. The AHT felt there were two spots, which could have housing. A letter of interest would be sent to partners, but the AHT noted it was more important that the development would be marketable. Mr. Wilson said Brian Stein (Hamilton Development Corporation), had issued a Request for Proposal for Willow St. with applications due May 9, 2017. There was some interest for affordable housing of the three potential uses, commercial, mixed, or affordable housing. The basket of sites would be discussed with Andrew DeFranza later in the meeting. There was no agreement on unit count.

According to Jeff Hubbard, it was the first meeting after Town Meeting that the FinCom met. Members discussed the budgeting process and noted that Marisa Batista did a great job. The Committee would be updating the five year capital forecast and determine PILOT program policies. The FinCom have engaged a consultant to put together financial policies, such as how much money should be held in free cash or how much to money should be kept as a balance on the books so as not to affect the bond rating. The FinCom had also been looking at fees for services to determine if they were in line with other communities.

Scott Maddern reported that he would be attending an apportionment discussions meeting, which would be May 11, 2017, following an agenda submitted by Mr. Maddern. Peter Lombardi (Wenham Town Administrator) had suggested that the meeting attendees look at the reenrollment data originated by the Towns themselves rather than the State information, which might be unpredictable. Representation on the school committee would be discussed as would the long term direction of the District.

Water issues were significant at the Winthrop School and the wedge of land behind the school was important in that the Town needed to be able to access the land in an effort to remediate the water problems. According to Scott Maddern, changing the Winthrop School lease did not mean housing was going on the site. The Town owned the property but it was leased to the school.

The Joint Rec Board had a meeting, when they discussed the popularity of pickleball, the family promise use of Patton Park, the Longmeadow study committee, and the high school turf field. There was a pool update. The Patton Homestead Committee met and would discuss their proposal later in the meeting. Enough is Enough founders wanted to donate a speaker system with money raised. Scott Maddern noted that follow up letters to Brad Hill and Bruce Tarr had been sent listing asks and requesting help on affordable housing.

Michael Lombardo's reports were online and on the table. Mr. Lombardo recalled that methane testing had been conducted on the landfill site with concentrations 25% above the limit, which according to Mr. Lombardo, were fairly common. The issue was reported to DEP and the Town

would continue to monitor the situation. A couple of neighbors to the Chebacco Lake access, Town owned land “the Reservation” appeared to be encroaching. A land survey would be done. The Gun Club lease was up and Mr. Lombardo was negotiating with them discussing minor modifications. Mr. Lombardo said the Town’s financial picture was strong and he would be surprised if the Town did not receive a AAA rating again. The solar project at the landfill was discussed and the planning process was moving forward with a goal of commissioning the project before February 27, 2018. Mr. Lombardo noted it was more lucrative for the Town to apply under the current regulations.

Compost was available. The Bridge St. culvert would have the paving completed the following week. Sidewalk projects were moving forward. Mr. Lombardo noted the Hamilton residents who ran the Boston Marathon. Members of several boards would meet about the Patton Homestead parking lot on April 27, 2017.

Russ Stevens announced that emergency notifications were being converted to Code Red. Chief Stevens recalled that 225 cities and towns were part of Code Red, including the Sherriff’s Departments. Code Red could target specific neighborhoods. Michael Lombardo added that weather alerts could be added to the program. Allison Jenkins said the Town of Reading was very happy with the system, which was very user friendly. Michael Lombardo ended the discussion by announcing Russ Stevens would remain in the Town of Hamilton as its Police Chief.

Consent Agenda

Gift Agreement – Board of Selectmen accept a new sound system from Citizens for Fiscal responsibility.

Appointment of Town Hall Building Committee to be discussed later in the meeting.

Approve minutes of the March 11, 2017 Board of Selectmen and the Finance and Advisory Committee

Approve minutes of the March 20, 2017 Board of Selectmen meeting

Approve minutes of the March 28, 2017 Board of Selectmen meeting

One Day Liquor License requested by the Community House for a Fundraising event at 284 Bay Road on May 5, 2017 from 7:00 pm to 11:00 pm

One Day Liquor License requested by the Community House for a Fundraising event at 284 Bay Road on May 13, 2017 from 7:00 pm. to 11:00 pm.

Motion made by Jeff Hubbard to approve the Consent Agenda.

Seconded by Shawn Farrell.

Vote: Unanimous to approve.

Continued Public Hearing Turnbuckle LLC. Retail Liquor License.

Lauren Kroesser clarified that she was applying for a beer, wine, and cordial license. The definition of cordial depended on the sugar content. Ms. Kroesser would not sell rum or vodka.

Allison Jenkins recalled that the Hungry Fox sold beer and wine. There would be a 6' x 11' room for alcohol sales. Mary Kroesser said it was hard to sell bakery goods and any retail that could be added to the business, such as a gift baskets, could help the business be successful. Ms. Kroesser described what she would serve for breakfast and lunch. The license was non-transferable, so according to Shawn Farrell, residents from the previous meeting's issues were solved.

Motion made by to approve the retail liquor license by Shawn Farrell.

Seconded by Allison Jenkins.

Vote: Unanimous to approve.

Agenda

Election of Officers.

Scott Maddern noted that he was Chairman for three years, which was a long time.

Motion for Bill Wilson to be the new chair was made by Scott Maddern.

Seconded by Jeff Hubbard.

Allison Jenkins said she was fully in favor. Shawn Farrell concurred with Scott Maddern that having a Vice Chairman was helpful.

Vote: Unanimous in favor.

The Board agreed that a Vice Chairman was important.

Shawn Farrell offered to take the role. Allison Jenkins agreed. Scott Maddern mentioned the survey that had been championed by Mr. Farrell.

Scott Maddern made motion that Shawn Farrell be Vice Chairman.

Jeff Hubbard seconded.

Vote: Unanimous in favor.

Allison Jenkins said she would be happy to be secretary again.

Jeff Hubbard made motion to appoint Allison Jenkins as secretary.

Shawn Farrell seconded.

Vote: Unanimous in favor.

Town Hall Building Committee – Appoint Members and Take Any Other Action Relative Thereto

Bill Wilson noted the six applicants. The Committee would include Town Manager and one or two employees, the Town Planner or the DPW Director. Mike Madden stood up at Town Meeting to volunteer. Other interested candidates were Mike Twomey, Jay Butler, and Ed Howard. Jeff Hubbard and Allison Jenkins wanted Town Hall employees. The original charge had seven members including two from Town Hall, which did not include the Town Manager. Michael Lombardo said if he needed to come to a meeting, he could do so. Bill Wilson thought eight or nine members would be a good number. The Board agreed to appoint Michael Madden at this meeting and others at the next meeting.

Motion made to appoint Michael Madden to the Town Hall Building Committee by Scott Maddern.

Seconded by Shawn Farrell.

Vote: Unanimous to approve.

Affordable Housing – Discussion with Andrew DeFranza Regarding Possible Sites and Prioritization

Andrew DeFranza was present. Bill Wilson reviewed the process and noted the three properties in the basket, Longmeadow Way, 13 Essex St., and Gordon Conwell. Mr. DeFranza was looking for guidance from the Board. Andrew DeFranza supplied a chart of potential sites.

According to Mr. DeFranza, the 20 acre Longmeadow site featured 15 buildable and five wet acres. Two of the three lots were still under agreement. The primary challenge would be traffic with access issues off of 1A. Drainage and septic were positive. The development would stay away from the wetlands and buffer zone. The likelihood of appeal was very likely. Over ten to 15 years, there would be 108 family and senior units. There was a chance of a smaller development on the front parcel if there was no appeal. The third option would be to split it up and do an 80 unit site on the second and third parcels. The fourth option would be having the school use a portion of the land with less than 80 units. The acquisition price needed to be supplemented.

13 Essex St. was a 30 acre site, which was half in a conservation restriction. There was a need for a traffic study although Andrew DeFranza did not think it was the volume as Longmeadow. There was a single access off Essex St. with an easement on one side, which would be restricted to emergency vehicles. Soil testing had not been done. Mr. DeFranza thought it was reasonable to handle stormwater and septic. The major challenge was the existing Natural Heritage designation. There was a high likelihood of appeal. Mr. DeFranza said he would probably use the main house as senior housing with 30 or 40 family units on site.

The Gordon Conwell site was 13 acres off of Bridge St. The College appeared willing to sell the land should it be in the interest of the Town. There were some concerns regarding the access point. According to Andrew DeFranza, the site was the most technically difficult. It was the only site that was in Zone II so wastewater treatment would be limited on volume. There was a 50 unit maximum. The primary issue was drainage off the hill into the houses below.

Andrew DeFranza said if he had a ranking or affirmation of a site, he would want to have soil testing on site next, then submit a Project Eligibility Letter (PEL). Once the PEL was affirmed, then the application would be submitted to the ZBA. Mr. DeFranza said he would need to file with Natural Heritage before the State for Essex St., discuss land use with the School for Longmeadow, and study drainage issues for Gordon Conwell.

Andrew DeFranza noted that Harborlight had control of Longmeadow so it would be the quickest and Gordon Conwell would be the slowest. 13 Essex St. became a time issue due to Natural Heritage issue. Senior housing was more interesting to the Town, but family housing was more interesting to the State. The proposal could be two parcels together, including one senior and one family.

Shawn Farrell asked about the timing and funding, Andrew DeFranza responded that Longmeadow would be ten plus years. Phasing was due to funding from the State. The period of construction would be 18 months for each phase.

Bill Wilson was interested in flexing down as 108 units would be too large at Longmeadow. Andrew DeFranza said the Town could package two small sites, such as Willow St. into one phase, but questioned whether the two would be viable for technical reasons. There was not an advantage to those sites to make the basket sites smaller. If Harborlight could create 15 units at Willow St., it would not help at the basket sites because the unit cost would need to balance the cost of the land. Units would cost \$25,000 per unit. Mr. Wilson said abutters or the Town could buy in and purchase land.

Jeff Hubbard was uncomfortable prioritizing the properties because the proposals impacted neighborhoods forever. Mr. Hubbard asked if one project would require more financial contribution than another. Andrew DeFranza responded that the level of participation would be \$200,000 to cut 20 units from a project.

Brad Haley (Bridge St.) said it was excruciating to attend meetings where the Selectmen pitted the neighborhood groups against each other. Marcie Ricker suggested looking at workforce housing rather than having a massive apartment complex in town. Allison Jenkins did not think it was viable to build 30 cottages on the Longmeadow site. Ms. Jenkins asked if the Selectmen should not recommend a property, but see what might happen or if there is some other objective that the residents were asking for.

Rob Harrison (Horseshore Lane) said it was a concern about getting the information. Brad Haley said anytime these properties were discussed, neighbors should be notified. Tim Ledbern (Bridge St.) said the Gordon Conwell - Town relationship had idiosyncrasies, including annuities and conflict of interests. Rainer Kohler suggested having a Town Meeting to vote to move any project forward or not.

Bill Wilson asked if the Board wanted to call out one or all three properties. Allison Jenkins researched 13 Essex St. on Zillow to compare the price to units. Andrew DeFranza said the sale price was \$2.5M and the main house would feature wings to accommodate more units.

Robert Borsetti (Bay Road) spoke regarding Andrew DeFranza's Longmeadow proposal and the likelihood of appeal, noting that everyone would appeal. Bill Wilson, who was comfortable with

40 to 50 units per project, suggested putting the topic on the next agenda with abutter notification. Jeff Hubbard added that he would rather see focus on Town owned land such as the Patton property. Michael Lombardo said \$35,000 per unit multiplied by the purchase price was considered by the State.

Designer Selection Policy – Second Reading, Discuss and Vote on Adoption

Allison Jenkins said the language was written by the State and described how it would be adopted. The Town Manager said he was comfortable with it.

Motion to adopt the policy as presented made by Shawn Farrell.

Seconded by Jeff Hubbard.

Vote: Unanimous in favor.

Patton Homestead, Inc., Discussion Relative to the Proposal/Presentation

Bill Wilson reviewed the presentation by the Board. There was a Citizen Petition for accounting of the property. Michael Lombardo had a plan to allocate cost and maintenance. The framework made sense to Bill Wilson whether it was the Town Manager, his staff, or a Board created for it. The All Boards meeting would discuss the parking lot.

Michael Lombardo said his position had not changed regarding the purpose of the non-profit who continued that a small town government was not set up to manage an event center. As a Town asset, the Town needed to be involved, but as far as managing it, it was not the Town's strength. If the Board decided to hire it out, it would look to find another entity to bring their expertise and management to bear as there was no direct staff.

If the Board of Selectmen managed uses internally, it was Michael Lombardo's inclination to find a service provider to manage the facility and events. . Bill Wilson agreed with the mission and thought the facility would be self-sustaining. The governance was the question.

Marisa Batista reported the accounting could be managed through the current system, a spreadsheet of MUNIS. Michael Lombardo said grant revenues could be done manually.

According to Bill Wilson, the long term goal was governance, but Jeff Hubbard pointed to the cascading effect of adding an employee and setting up accounts for event management. Shawn Farrell referred to the Stevens Estate and said he would keep it a not for profit. Carin Kale President Patton Homestead Inc. said the non-profit was created for management. The issue focused on the renovations of the building rather than the programming of events.

Discussion ensued regarding the dormer work and the Massachusetts Cultural Council list of things that needed to be accomplished to allow access. A procedure would need to be identified the following week on how to account for revenue and expenses. Fire suppression, ADA compliance and load issues were discussed.

