

HAMILTON PLANNING BOARD
MINUTES OF MEETING
May 22, 2018

Members Present: Richard Boroff, Peter Clark, Ed Howard, and Brian Stein (Chair).
Associate Members:
Planning Director: Patrick Reffett

This Planning Board meeting was called to order at 7:04 with a quorum established.

Potential associate candidates. Barbie DeJaeger and Laura Walsh.

Barbie DeJaeger said she had lived in town for 51 years and noticed a lot of changes in the last few years. Friends had encouraged her to apply for an associate position so she could offer her help. Ms. DeJaeger was a business owner, land owner, and all of her children attended the Hamilton Wenham Schools. Ms. DeJaeger said she had a lot of stake in the town. Ms. DeJaeger said her qualifications included a college degree with a background in education. While Ms. DeJaeger thought the language of the By-law was confusing, she was confident that she could learn it. Peter Clark responded that the greatest commitment was learning the rules. Ms. DeJaeger also spoke about affordable housing, the stunted town growth, and the cell towers.

Richard Boroff commented that it was important to know the “planning stuff” but not insurmountable as he knew nothing when he first joined the Planning Board. It was important to express one’s opinions at meetings. Barbie DeJaeger wanted to grow old in the town despite the shift in dynamics. Ms. DeJaeger wanted to maintain the feel of the lovely town, but still be able to adjust to State guidelines to bring the town into compliance. In response to Patrick Reffett’s question regarding the change of town dynamics, Ms. DeJaeger responded that things change and it was acceptable to change or be angry about change, but that she was concerned with putting the brakes on and saying no to change. Ms. DeJaeger referred to the pool as an example as some groups loved it and other groups hated it. Ms. DeJaeger said she did not have an opinion on the pool but wanted to have a say in the future of the town. Ms. DeJaeger was not afraid to ask questions. Brian Stein noted the importance of coming to every hearing with an open mind, understanding every presented fact, and applying the By-law. Ms. Stein said emotion should not be part of the process. Ms. DeJaeger said she had no preconceived notions.

Laura Walsh lived in Hamilton for 5.5 years and was originally from the Midwest. Ms. Walsh was drawn to the town for the schools and had two children, one of which was at the Cutler School. Ms. Walsh’s occupation is the director of corporate real estate for a technology company in Cambridge. Interior design and architecture are Ms. Walsh’s background before she switched to real estate. Ms. Walsh thought the Planning Board sounded interesting. Brian Stein had previously reached out to her and said there was an opening after speaking about a potential position years ago. The buildings that Ms. Walsh managed did not require permitting review as they were previously constructed by others. The 66 properties associated with the

company she works for are located in Asia, Europe, Cambridge, and California. Richard Boroff asked if travel would interfere with meetings. Ms. Walsh thought she would be able to schedule around the meetings. Brian Stein asked if Ms. Walsh would be able to review plans without emotion to which Ms. Walsh responded that she would want to retain what drew her to town. Ms. Walsh said she was bi-partisan in general. Ms. Walsh was drawn to the housing sector and interested in the Master Plan, written in 2005. Ms. Walsh added that a lot had changed since then. Ms. Walsh suggested understanding the pros and cons, retain what was good, and look at what could be changed for a greater good in the long run.

Peter Clark described the use of public questionnaires. Mr. Clark noted the semi-rural feel of the town, the open space, and when farms were being converted to neighborhoods. Mr. Clark added that there were not many subdivisions currently as there were no big tracts of land. Mr. Clark recalled the Canter Brook project that took two to three years for a senior housing proposal to be approved. Mr. Clark described 40B to the potential associate members. 40B projects are under the purview of the ZBA.

Brian Stein discussed the recodification of the Zoning By-law to include legal changes and cross referencing. The changes were approved at Town Meeting and by the Attorney General. The Planning Board would be issuing a RFP for the Master Plan housing portion. Mr. Stein said many of recommendations for the housing piece had been completed. The Planning Board currently had the responsibility of Site Plan Review, which previously was that of the ZBA. Mr. Stein added that Business District redevelopment or development would come to the Planning Board as part of site plan review.

Bill Olson, former Planning Board member, was recognized as the Selectmen liaison to the Planning Board.

Board Discussion – Accessory housing and potential By-law changes

Patrick Reffett presented a hybridized (Ipswich and Topsfield) version text after researching other communities with accessory apartment zoning. The apartment By-laws focused on having the units in the primary home. Mr. Reffett recognized that Hamilton, as an agricultural community had many properties with barns, carriage houses, and out buildings and integrated language that would allow for them as residential quarters. Members' comments had been incorporated and Mr. Reffett wanted to discuss landscape improvements as requested by Claudia Woods. Brian Stein suggested the screening of parking and stairways if the unit were in a detached structure would be part of the discussion. Mr. Stein did not think a detached structure would be as visually appealing as a simple addition to the house would be. Richard Boroff thought it was a moot problem if someone had a nicely landscaped property, they would keep the landscaping similar and do things to minimize the effect.

Brian Stein noted that approval would be site specific and part of the permit. Patrick Reffett would enforce the special permit approval. Peter Clark said it was important as a way to protect

the rest of the neighborhood. Mr. Stein said screening might be appropriate in some cases. Richard Boroff responded that it was too subjective and members were being obstructionists as they were making it difficult for residents to create apartments. Mr. Stein did not agree as it was a special permit and not a by-right approval. Mr. Clark added that the Master Plan determined having apartments in homes was financially beneficial. There were five different ways to obtain an apartment currently and the new By-law was an attempt to consolidate them all.

Patrick Reffett noted the concern that apartment parking be on-site with a site plan illustrating that would help the Planning Board understand where parking would be proposed and determine if parking was reasonable, appropriate, and convenient to the apartment. Peter Clark said typically apartment space would be over the garage with three more cars in the driveway, which would change the character of the neighborhood. Richard Boroff said having two more cars on the property with kids and no space in the driveway was so discriminatory. Brian Stein responded that neighbors would see the issues and call the Town.

Richard Boroff calculated that 30% of a 3,000 sf house would create a 900 sf apartment, which he believed could handle two bedrooms and 1.5 bathrooms. Mr. Boroff thought that a market rate rental would be more attractive especially if the unit were on a larger piece of property (4, 5, or 20 acres). The unit on the larger parcel would eliminate neighborhood problems. Brian Stein noted that having a two bedroom apartment would encourage children, which might be an issue. Peter Clark asked if the Planning Board wanted to encourage school children. Mr. Boroff thought a two bedroom apartment might encourage an older couple who preferred separate bedrooms. Mr. Clark thought the target market should be one apartment dweller rather than a family but thought the Planning Board could expand the target market in five years. Mr. Boroff responded that Mr. Clark's concept was that of an obstructionist.

Patrick Reffett referred to Section 3.7 which prohibited a property from having both an accessory apartment and commercial activity, which would limit the ability for someone to have a home business. Mr. Reffett noted that the economy had changed over last 20 years and understood that up to 24% of the workforce worked at home. Mr. Reffett suggested reconsidering the language. Mr. Reffett said the language would be needed for an instance when a problem arose.

Brian Stein discussed Section 3.10, which described alterations to one structure on the lot. As the Board intended to allow a detached structure, the language would need to be altered. Patrick Reffett found a definition for the Section on Page 4, which tracked the concept of the unit being in a residential home or accessory structure. Mr. Reffett added that Bill Bowler wanted the Planning Board to consider the temporary aspect and dimensional requirements relative to square footage of the units

Board Discussion – Master Plan revision specifically regarding finalization of the housing growth in the community. Discussion regarding CPC funding and potential approaches to pursue other funds for the effort.

Member edits were discussed. Claudia Woods' edits had not been received by anyone except Brian Stein, who thought they had been distributed to everyone. Peter Clark wanted the consultant to be independent of the Planning Board. The idea was to gather perspectives on housing independent of the Board itself and report to the Board.

The recently added selection criteria was similar to the Hamilton Development Corporation's RFP in regard to how the submission would be judged. Patrick Reffett noted the premise was to hire based on qualifications, which would be easily discernible based on the level of requirements within the RFP and the respondent's responses to questions and the interview process.

Ed Howard suggested hiring a planner rather than a lawyer. Brian Stein responded that there would be a minimum number of years of city or town master planning and residential growth being highlighted. Richard Boroff requested the applicant provide a history of ten or more similar projects. Mr. Howard noted that section 2.1 was better defined. There would be a short list of candidates to be interviewed with the Interim Town Manager, who would accept the recommendation would then execute the contract.

Updates from Members

Ed Howard announced the CPC had started the process of developing signage to indicate projects that had CPC funding so the public would have a connection. Mr. Howard was discouraged at the lack of interest in the annual public meetings that were set to gather public input. Mr. Howard suggested holding a public meeting with the Selectmen in June. Mr. Howard reviewed the open grants. Brian Stein suggested using social media to gather public input.

Patrick Reffett had been contacted by Carriage House Lane residents who were interested in pursuing having the Town accept their street as a public street. A policy was created in 1999, which allowed for a lengthy process for a private way to become a public way. Now that the Town was becoming more stringent in regard to snow plowing, it was a frequent request. The Planning Board, Board of Selectmen, and Town Meeting would approve the request. The DPW Director would review the request to determine costs and then the Town would purchase the right of way. If the road was not up to standards, abutters to the private way were responsible for upgrading the roadway.

Adjournment

Peter Clark made motion to adjourn.

Seconded by Richard Boroff.

Vote: Unanimous to adjourn at 8:27 pm.

Prepared by:

Marcie Ricker

Attest

Date