

HAMILTON PLANNING BOARD  
MINUTES OF MEETING  
June 5, 2018

Members Present: Richard Boroff, Peter Clark, Janel Curry, Ed Howard, Brian Stein (Chair), and Claudia Woods.

Associate Member(s): Chris Sheperd

This Planning Board meeting was called to order at 7:04 with a quorum established. A Pledge of Allegiance was conducted.

**Associate Applicant**

Dan Hamm (35 Miles River Road) was present to be considered as an associate member. Mr. Hamm is a civil engineer who works across MA doing civil and structural engineering as well as telecommunications. Mr. Hamm stated he is a licensed engineer in 24 states. Mr. Hamm was on the Beverly Planning Board for four years before moving to Haverhill, Boxford, and then Hamilton. While on the Beverly Planning Board, Mr. Hamm worked on the Sterling YMCA, Shaws, and condos on Rantoul St. Mr. Hamm did not think projects were controversial as the Planning Department was very strong and resolved issues. Mr. Hamm added that his work ethic as a professional would be to follow the letter of the law and as a Board member to follow the By-law. Peter Clark explained the cell tower controversy to Mr. Hamm. Mr. Hamm said his company only did the layout of cell towers and their foundations. Mr. Hamm would be uncomfortable discussing radio frequency as it was not his expertise. Mr. Hamm was also Vice President of the New England Wireless Association whose main function was to raise money for charity. Brian Stein said he had met with Hamm once and Associate Member Chris Sheperd said he met Mr. Hamm three weeks before the meeting.

**FinCom Liaison**

David Wanger introduced himself as the FinCom liaison to the Planning Board.

**ANR/Approval not Required Request. 278 Cutler Road. One additional lot (14.8 acres), which would be conveyed as open space/conservation land.**

Planning & Inspections Director Patrick Reffett had reviewed the plans and submitted a memo to the Board in the packet indicating that the plan had met the requirements. The engineer was unable to be present. Brian Stein said the plan was straight forward and that Mr. Reffett had recommended signing it.

Motion made by Rick Mitchell to approve the ANR for 278 Cutler Road as submitted.

Claudia Woods seconded.

Vote: Unanimous in favor.

### **Board Discussion. Accessory Housing**

A few revisions had been made since the previous meeting, including the Landscape Plan requirements. Brian Stein said each project would be approved as a special permit and landscape requirements were minimal.

Ed Howard referred to Essex where two families were allowed by right. Claudia Woods commented that the apartments in Hamilton would be accessory to the main house and currently, there were four different ways to have an accessory apartment. The plan was to streamline the process. Mr. Stein said two families and accessory apartments were two different things. The apartment would be limited to 900sf within the buildings, barns, or garages. The home must be owner occupied. Discussion ensued regarding long term rentals versus Air BNB.

Peter Clark discussed the three year limitation on the special permit and that the spirit of the old By-law was to remove the apartment or renew the permit. Brian Stein noted that no one was keeping track of apartments in the past. Claudia Woods wondered how the language would allow for the home to revert back to a principal residence and who would police the three year limitation. Richard Boroff suggested it would be the responsibility of the ZBA and Planning Director. Mr. Boroff questioned the one bedroom limitation. Janel Curry added that a 900 sf apartment could feature two bedrooms. Ms. Woods was concerned that it would become a two family house rather than an accessory apartment. Mr. Stein suggested speaking with the public to determine what they wanted. Main entrances were discussed as well as the need for a renewal provision. Verbiage would include if there were an outside stairway, it should be on the side or rear, unless the ZBA disagreed.

Members of the Board agreed with Janel Curry that language should be in place regarding daily or weekly rentals. Rick Mitchell thought the landscape plan and floor plan would be onerous and in some instances, it would not be needed. The landscape plan requirements could be at the ZBA's discretion. The Site Plan would determine parking. Section 2.4 would be removed and 3.6 would remain as to the discretion of the ZBA.

The ZBA would be asked to evaluate the By-law before the public hearing. Patrick Reffett would make changes.

### **Board Discussion. Master Plan revision finalization of scope of services for possible future consultant for housing growth in the community. Funding discussion as well.**

The RFP was discussed that incorporated Claudia Woods' comments and selection criteria. Rick Mitchell questioned the sequence of tasks listed in the RFP and remarked that it would make sense to reorder to have the data collection/updates and public survey precede the series of public meetings and recommendations by consultant. It was suggested that the consultant would determine the "gist" of what the town wanted, defining the outdated old Master Plan, and making recommendations of each section and next steps for By-laws. Mr. Mitchell added that public

participation, recommendations, and financial impact evaluations would be important in considering any final recommendations. . Brian Stein wanted the data to be incorporated with the public first. How the housing plan (including single, cottage, accessory, cluster, and family housing) would affect taxes was considered key element in understanding and evaluating the cost/benefit of recommendations made by a consultant. Mr. Mitchell volunteered to redraft the RFP and send to members in line with comments and suggestions on the sequencing of tasks to be completed in the Master Plan update.

David Wanger noted that affordable housing was an obligation rather than an option. Claudia Woods suggested referencing it to look for a solution to meeting the State's requirements. Mr. Wanger added that multiple committees were dealing with affordable housing and that he would hate to see multiple disconnects. Brian Stein said he expected the consultant to work with multiple boards. Rick Mitchell discussed the difference between affordable versus attainable housing.

Rick Mitchell commented on the CPC funding, which was reliant upon affordable housing even though the proposal would capture other things outside the affordable housing component. Janel Curry said the focus was on affordable and attainable housing.

#### **Minutes from May 1, 2018 and May 22, 2018**

Motion made by Brian Stein to approve the minutes of May 1, 2018.

Seconded by Claudia Woods.

Vote: Unanimous in favor with a minor modification ("residence to residential").

Motion made by Brian Stein to approve the minutes of May 22, 2018

Seconded by Rick Mitchell.

Vote: Unanimous in favor.

#### **Updates from Members**

Peter Clark wanted a time limit to recommend Associate Members to the Selectmen. It was agreed a candidate would be chosen at the next meeting.

Ed Howard announced the CPC meeting on June 18, 2018, which would encourage public participation regarding CPC spending. Brian Stein said the HDC would hold a meeting regarding downtown beautification on June 20, 2018. Town funds would be used to improve the downtown area along with funds from the sale of the Willow St. parcel. Richard Boroff said there were several openings on the CPC and Historic District Commission. Tom Catalano had not resigned to date but his home was for sale. Two other terms expired in 2018.

#### **Adjournment**

Rick Mitchell made motion to adjourn.

Seconded by Peter Clark.

Vote: Unanimous to adjourn at 8:22 pm.

Prepared by:

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Marcie Ricker

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Attest

Date