



Town of Hamilton
Select Board
Meeting Minutes of December 2, 2024

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Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Select Board members, a meeting of the Hamilton Select Board was posted for December 2, 2024 at 7:00pm. This meeting was held at the Hamilton Wenham Library, 14 Union Street.

The Select Board functions as the Chief Executive body of the Town. Its five members are elected to three-year terms with one or two seats up for election each year. The Board acts as the chief policy making body of the Town and directly supervises the activities of the Town Manager. The Select Board typically meets the first and third Monday evening at 7:00 p.m. Select Board: Caroline Beaulieu (2025); Thomas Myers (2025); Bill Wilson (2026); William Olsen (2027); Rosemary Kennedy (2027).

Call to order: Chair Beaulieu called the meeting to order at 7:02pm. Present: C. Beaulieu, Chair, B.Wilson, Vice-Chair, R.Kennedy, W. Olsen (joined late). Not present: T.Myers, Clerk.
Also present: Joseph J. Domelowicz Jr., Town Manager; and others as noted.

The Chair announced Board and Committee openings as displayed on the agenda:

- Conservation Commission – 3 openings
- Council on Aging - 2 associate openings
- Cultural Council – 1 opening
- Finance and Advisory Committee – 1 associate opening
- Hamilton Development Corporation – 1 opening for a 3-year term
- Historic District Commission - 2 openings for 3-year terms, 2 openings for 2-year terms
- Human Rights Commission - 1 opening

Select Board Member Reports:

- **R.Kennedy** – The Conservation Commission had two members resign as discussed at the previous meeting, and Virginia Cookson was recognized for her significant role on the committee. .
- **B.Wilson** – Hamilton Development Corporation has prepared a *draft* Meals Tax Policy; the document is currently with the Finance Committee for review.
- **Department Head Report: Council on Aging (COA), Health & Human Services, Director Theresa Woodbury** – The COA is wrapping up open enrollment on December 7. T. Woodbury noted she personally met with over 175 people to review their health insurance plans adding only 12 were not Hamilton residents, and she expects to see another 25 before enrollment closes. Since July, there have been over 2,000 participants through the Senior Center, and 20-40 people have been attending the open market. The COA received a grant together with Rowley to purchase iPads and Chromebooks. COA programs continue to be robust and well attended. The Holiday party will be December 17 at 12:00 at the Community House.
R.Kennedy noted the COA is a very small percentage of the Town budget, but there are significant financial needs. Laura Studley, Chair of the COA Board spoke regarding the COA and how active and vibrant it is. She requested financial support to help meet the growing demand of their client base, and noted the budget allocation is about 0.3% of the total Town budget, although the serve 20% of the population. She advocated for a part-time paid associate to focus on the underserved population of recently retired seniors. Dick Hewett, Vice-Chair of the COA Board also spoke regarding the lack of transportation options in Hamilton and requested to contract one van for the COA to fill the transportation needs, as other surrounding Towns do. He also highlighted the need for a wall to be added to the senior center in order to create two spaces for programming, instead of just one large space. He stressed the need for maintenance and making the COA building more attractive.
- **Public Comment:** Three (3) minutes per person on items not already on the agenda – *There was none.*

Agenda:

1. Tax Classification & Tax Rate Setting with Board of Assessors Chair Steve Ozahowski – *Discuss & Vote*

S.Ozahowski opened the Board of Assessor's meeting and reviewed there were several determinations involved in setting the tax rate. He started with the open space exemption, and the residential exemption, neither of which was applicable to Hamilton. The

small commercial exemption similarly does not make sense for Hamilton, where there is very little commercial activity. He recommended the Select Board adopt a Residential Tax Factor of 1.

Vote: The Board voted unanimously to accept the residential tax factor of 1.

S.Ozahowski continued with a slide presentation regarding the tax rate. He noted going into the new calendar year, the tax bill reflects the value as of an entire year previously, based on sales from that prior year. The Principal Assessor for Hamilton has left the position, and the department will need to be restructured. He noted the median home value has gone up from \$720,000 to \$731,000. The new tax rate is \$15.65; a modest 3.6% increase. The month of January is the only time for homeowners to submit an abatement if they do not agree with the value as assessed.

Vote: The Board voted unanimously to approve the FY25 tax rate of \$15.65 per thousand.

Vote: The Board of Assessors voted unanimously to adjourn at approximately 7:35.

2. Appoint Nancy Baker to vacant position on the Conservation Commission - Discuss & Vote

Virginia Cookson of the Conservation Commission explained N. Baker's candidacy was discussed at the last Conservation meeting, and voted unanimously to recommend her to the Select Board for appointment.

Vote: The Board voted unanimously to appoint Nancy Baker as a member of the Conservation Commission.

3. Appoint Sandra McKean as Associate member of the Finance and Advisory Committee - Discuss & Vote

John McGrath, Chair of the Finance & Advisory Committee was present to fully endorse the appointment of Sandra McKean.

Vote: The Board voted unanimously to appoint Sandra McKean as an Associate member of the Conservation Commission.

4. Request for non-resident to purchase cemetery plot - Discuss & Vote

The Board discussed a request from J. Commette, a non-resident, to purchase four plots in the Cemetery. J. Commette grew up in Hamilton and both parents are buried in the Hamilton Cemetery. The Board questioned the capacity of the cemetery and how many requests like this are plausible. The Board will look into it further in the spring.

Vote: The Board voted unanimously by roll call (W.Olsen joined the meeting) to approve the purchase of four cemetery plots by Jeanne Commette.

5. Approve Myopia Hunt Club liquor license & change of manager submissions - Discuss & Vote

The Board previously approved the change of manager for Myopia Hunt Club, but the State has requested updated paperwork to include the new officers of Myopia as well as the manager change.

Vote: The Board voted unanimously by roll call to approve the change of manager and the new officials of the Myopia Hunt Club.

6. Discuss timing of 3A related zoning & Form Based Code zoning with consultant firm Utile and members of the Hamilton Planning Board - Discussion

Matthew Littel and Zoe Mueller from Utile were invited to do a presentation summarizing the progress to date. They referenced the residents unhappiness with 3A was contaminating the process of developing Form-based Code, for which they believe there was some enthusiasm. Utile proposed fashioning the Form-based Code separately in a way in that some of its pieces could be integrated into a town wide 3A scenario, to be voted on separately. A slide deck was referenced showing the various potential sites, such as the downtown, where Form-based Code might be best applied and how some elements may overlap with 3A development. Utile has worked with the advisory committee, which has been very helpful. Also mentioned was a possible impasse, where the forms and scale of the buildings for the Form-based Code is not as controversial, but the planning is at the point in the process where density needs to be discussed. Given the anger and anxiety around 3A, it is undermining the conversation about Form-based Code, and it may potentially be difficult to advance this discussion in a public setting.

Z.Mueller explained the process Utile has planned going forward, prior to recommending a pause in the process. Once the Milton case is decided, it should give Hamilton more clarity and a better position for the Town to move forward. She also explained the proposed project pause until the Milton case is decided, and then resuming the process with a re-scoping exercise based on the outcome. She described the meetings they would recommend to resume public engagement and the public hearings. Marnie Crouch, Chair of the Planning Board summarized the Supreme Judicial Court will rule on whether and to what extent municipalities are expected to comply with the requirements of 3A, and the related compliance guidelines for multi-family zoning districts in the 3A districts, whether 3A provides the sole remedy for non-compliance, and whether the Attorney General's office has standing to enforce compliance. She stated it is the guidelines that have generated the controversy, because they set forth the metrics of compliance. J.Domelowicz noted the Form-based Code would only apply to the downtown, whereas 3A will likely apply to other parcels in town. The Board continued to discuss the timeline and the various permutations of how Form-based Code and 3A could potentially be discussed and voted and at what town meetings. Also discussed was the ability to separate the two issues, with some stating that ultimately, they are not separable when considering the downtown area. Chair Crouch articulated that it is important for the public to understand all the ramifications of 3A, including the ramifications of voting it

down, which will only become clear after the SJC decision. M.Connors noted that there at least 20 other Towns in the situation of Hamilton that will also miss the deadline. Discussion continued around the overlap and interaction of Form-based Code and 3A Zoning requirements, as well as the purpose and advantages of Form-based Code.

- **Deb Safford, Maple St.** stated there has not been a discussion separate from the 3A requirement of how much housing is actually needed, and what the total cost of adding population is. She questioned whether the Seminary units can count towards 40B and also 3A, and if not, that has to be found somewhere else. She stated the school building project is going to be approximately \$150million which would be a debt that is "owed" to 3A. She opined if the Town is in debt to the State, "they are a slave owner, and they own us." She argued the Town should not take on any debt, without a vote of the people, that is tied by blackmail from the State.
- **Tosh Blake, Sagamore St.** stated the residents do not want 3A under another name, such as Form-based Code and advocated for pausing the process. He opined Form-based Code is just as dead as 3A if it is the same thin and not one public official in Hamilton or Wenham has come out in favor of 3A itself, and those public officials are moving the process forward despite that. He further opined this sounds like a "Nuremberg defense" where "you" are saying "you" were ordered to do it, or a higher authority told "you" to do it. He described that pathway as craven and weak.

7. Five Boards meeting budget recap - Discussion

Chair Beaulieu explained in previous iterations of the school budget a 3% placeholder was used for school union contract increases and the actual negotiated increases came in between 8-19%, resulting in a \$2.5million increase in the school budget. Finance Director Wendy Markiewitz added including the five union contract negotiations, there is currently a \$5million gap in the budget, meaning there is a lot of work to do to work towards a balanced budget. A discussion followed regarding the timeline of the budget process and when actual numbers will start to clarify. Finance Committee Chair John McGrath noted it is early in the process and expressed confidence the School has thoroughly scrubbed their budgets over the past couple of years and has worked hard on creating transparency.

8. New Business

There was none.

Adjournment Vote: The Select Board voted unanimously to adjourn the meeting at approximately 9:43PM.

Meeting Packet Enclosures:

- FY25 Tax Classification presentation.
- Application to a Board/Committee from Nancy Baker for Conservation Commission
- Application to a Board/Committee from Sandra McKean for Finance and Advisory Committee alternate
- Request to purchase 4 burial lots in Hamilton
- Myopia Hunt Club application for change of manager
- HW Regional School District FY25 Budget recommendation slides
- Town of Hamilton preliminary budget Summary slides

Respectfully submitted by D. Pierotti, Recording Secretary, 12/11/24.

The minutes were prepared from video.

Respectfully submitted as approved at 11/6/25 meeting.

Tom Myers, Clerk