

## Mark Connors

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**From:** Snellings, Emma (EOHLC) <Emma.Snellings@mass.gov>  
**Sent:** Wednesday, June 18, 2025 3:58 PM  
**To:** Mark Connors  
**Cc:** Joe Domelowicz; Kassner, Kristin - Rep. (HOU); Carlucci, Nathan (EOHLC); Paladino, Laura (EOHLC); Kluchman, Chris (EOHLC); Nadeau, Seth (EOHLC)  
**Subject:** External Email Warning RE: Hamilton time sensitive 3A related zoning language question

Hi Mark,

Thank you for reaching out with this zoning question. The additional language prohibiting the denial of a multi-family use through site plan review is not necessary to achieve 3A compliance. When we review site plan review bylaws for compliance, we look for requirements that are clear and objective, and check that the language conforms with existing case law.

Our office will be closed tomorrow, 6/19 for Juneteenth, but I will be available on Friday 6/20 if you have any additional questions as you finalize the language.

Thank you,  
Emma

Emma Snellings (she/her)  
Regional Planner  
Executive Office of Housing and Livable Communities - EOHLC  
emma.snellings@mass.gov

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**From:** Mark Connors <mconnors@hamiltonma.gov>  
**Sent:** Wednesday, June 18, 2025 11:30 AM  
**To:** Snellings, Emma (EOHLC) <Emma.Snellings@mass.gov>; Paladino, Laura (EOHLC) <Laura.Paladino@mass.gov>; Carlucci, Nathan (EOHLC) <Nathan.Carlucci@mass.gov>  
**Cc:** Domelowicz, Joseph (EXT) <jdomelowicz@hamiltonma.gov>; Kassner, Kristin - Rep. (HOU) <Kristin.Kassner@mahouse.gov>  
**Subject:** Hamilton time sensitive 3A related zoning language question  
**Importance:** High

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Good Morning Emma, Laura, and all,

Thank you very much for your time yesterday and for your offer of assistance as we work through the final zoning language in this home stretch. I am hoping you can help me with a relatively quick answer - we need to have the language finalized for this Friday, 6/20 - to the following question:

The Town's legal counsel recommended that the following sentence be added to the draft zoning and indicated EOHLC would want it in the 3A compliant zoning (relevant section in bold): *"Multi-Family housing is allowed by right in the*

*[designated] Sub-districts, subject to site plan review pursuant to Section 10.6, **provided however that site plan review for Multi-Family uses cannot be denied.***"

Last night, the Planning Board questioned whether this language was necessary and pointed to the rare circumstances under caselaw where a site plan could be denied. My question is: Is it necessary for this language – prohibiting the denial of a site plan application for multi-family housing - to be included in the zoning language in order for EOHLC to deem it compliant with the Section 3A requirements?

Thank you for your help.

Best,  
Mark

Mark Connors  
Planning & Development Director  
Town of Hamilton  
[mconnors@hamiltonma.gov](mailto:mconnors@hamiltonma.gov)  
(978) 626-5251