

RECEIVED
TOWN CLERK
HAMILTON, MA

2026 MAR 11 AM 10:41



TOWN OF HAMILTON PLANNING BOARD

Town Offices at Patton Homestead
650 Asbury Street / P.O. Box 429
Hamilton, MA 01982

NOTICE OF DECISION

**SITE PLAN REVIEW AND STORMWATER MANAGEMENT PERMIT FOR
435 BAY ROAD, MYOPIA HUNT CLUB**

Application Type:	Site Plan Review and Stormwater Management Permit pursuant to Section 5 and Section 10.6 of the Hamilton Zoning By-law and Chapter XXIX of the Hamilton By-laws
Applicant:	Myopia Hunt Club
Applicant's Representative:	Anthony Donato, Hancock Associates
Location of Project:	435 Bay Road, Hamilton, MA
Property Owner:	Myopia Hunt Club
Public Hearing Opened:	January 13, 2026
Decision Date:	February 24, 2026
Decision Rendered:	Approval of Site Plan and Stormwater Management Permit
Date of Written Decision:	March 5, 2026

I. APPLICATION INFORMATION, BACKGROUND & EXHIBITS SUBMITTED:

The applicant, Myopia Hunt Club, represented by Hancock Associates, requested approval by the Hamilton Planning Board for Site Plan Review, pursuant to Section 10.6 of the Hamilton Zoning By-law, and a Stormwater Management Permit, pursuant to Chapter XXIX of the Hamilton General By-laws, to permit construction of an 11,128 square-foot maintenance building and associated improvements on its existing campus at 435 Bay Road, Assessors Map 56, Lot 12.

Following notification to abutting property owners by Certified Mail and the publication of a Legal Notice in the *Hamilton-Wenham News* editions of December 19, 2025 and December 26, 2025, the Planning Board opened the Public Hearing on January 13, 2026. Following deliberations, the Board voted to submit the application for third party engineering review by the Town's consulting engineer, subject to the commitment of funds from the applicant in the amount of \$6,000 to the Town of Hamilton for such a purpose. The Board tabled the application to February 3, 2026.

Following receipt of a written request from Hancock Associates to postpone consideration of the application to allow for the completion of the third-party engineering review, the Board voted to table the application to February 24, 2026. Following deliberations, the Planning Board approved the Site Plan Review and Stormwater Management Permit applications on February 24, 2026 subject to the conditions and information included in this Notice of Decision.

The Planning Board's action followed a decision of the Hamilton Zoning Board of Appeals, rendered on November 5, 2025. The decision followed a public hearing on the same evening, and was formalized in a written Notice of Decision, dated November 12, 2025, for approval of a Finding pursuant to Section 5.3.4 of the Hamilton Zoning By-law to permit an Extension or Alteration of a Non-Conforming Use, Structure, or Lot. The Zoning Board of Appeals pursuant to its decision allowed the proposed improvements to move forward. The approval, reached in a 3-0 decision, included eight Findings of Fact as memorialized in the Notice of Decision on file with the Hamilton Town Clerk and incorporated herein by reference. The decision did not include any conditions.

The Planning Board application, hereby incorporated into this Notice of Decision, included the following exhibits:

- 1.0 Letter of Transmission authored by Anthony Donato, PE of Hancock Associates, to Town of Hamilton dated September 24, 2025
- 2.0 Town of Hamilton Site Plan Application
- 3.0 Town of Hamilton Stormwater Management Permit Application
- 4.0 Site Plans, 'Site Permit Set,' architectural elevations and associated exhibits prepared by Hancock Associates and Robert Olson+Associates Architects, dated September 12, 2025 (25 sheets)
- 5.0 Stormwater Report prepared by Hancock Associates dated September 2025 (78 pages)
- 6.0 A Certified Abutters List prepared by the Hamilton Tax Assessor
- 7.0 Supplemental Site Plan sheets prepared by Hancock Associates and Robert Olson+Associates Architects dated February 6, 2026 (12 sheets)
- 8.0 A Stormwater Management Report prepared by Hancock Associates, revised on February 6, 2026
- 9.0 A Waiver Request Letter from Town of Hamilton Stormwater Management Regulations authored by Anthony Donato, PE of Hancock Associates, to Town of Hamilton
- 10.0 Correspondence relating to the Town's Peer Review (detailed below, second paragraph)
- 11.0 Revised Landscape Plan, titled 'Architectural Site Plan,' last revised February 27, 2026 (one sheet, Sheet AS1.1)

At a Public Hearing held on January 13, 2026, three abutting property owners provided oral comments to the Planning Board. A description of those comments is included in the approved Hamilton Planning Board Minutes of January 13, 2026. No written comments were received from any abutters or members of the public.

Following a review of the application, the Town's consulting engineer, William M. Ross, PE of New England Civil Engineering Corp., issued a Peer Review Letter to the Town dated February 2, 2026 (5 pages). The applicant's representative, Hancock Associates, provided a 'Response to Peer Review comments' in a letter to the Town dated February 6, 2026 (6 pages) and submitted supplementary

materials in response to the review (see listed application exhibits above). The Town's consulting engineer issued a supplementary Peer Review Letter to the Town dated February 14, 2026. In the letter and an associated e-mail to the Planning Director, also sent on February 14, 2026, Mr. Ross indicated that all comments had been satisfactorily addressed except for part of Comment #2 *Stormwater Management, Drainage Delineations Runoff Patterns*, which would require approval of a waiver from the Town of Hamilton Stormwater Regulations (see discussion and decision of waiver request in Findings of Fact below).

II. FINDINGS OF FACT

a. The Planning Board hereby incorporates the following Findings of Fact pursuant to the Site Plan Review application and the Site Plan Review (Section 10.6.1) of the Hamilton Zoning By-law:

- 1.) The plan shall show compliance with Zoning By-law requirements for parking, signage, loading, landscaping, performance standards, dimensional requirements, and all other applicable requirements of this By-law:

The Planning Board determined that the applicant had obtained a Finding from the Hamilton Zoning Board of Appeals to permit an Extension or Alteration of a Non-Conforming Use, Structure, or Lot. The Planning Board further determined that the application complied with all other relevant requirements of the Zoning By-law.

- 2.) The proposed project should be compatible with existing natural features of the site and compatible in architecture and scale with the surrounding area:

The Planning Board determined that the proposed improvements were compatible with the existing features of the site and were compatible with the architecture and scale of the surrounding area subject to the conditions of this Notice of Decision.

- 3.) The plan shall provide landscaping and open spaces that enhance the proposed development from within and without, which provide screening and buffers as necessary and which maximize amenity for customers, neighbors, and the general public:

The Planning Board determined that the application retained open spaces on a vast majority of the site. The Planning Board further determined that the distance of the proposed improvements from abutting properties and the proposed landscaping improvements would provide for adequate screening and buffering subject to the conditions of this Notice of Decision.

- 4.) The proposed project shall provide for safe and convenient vehicular and pedestrian movement within the site in relation to adjacent ways, and provide for compliance with handicapped access requirements, and provide for access and egress by emergency vehicles;

The Planning Board determined that use of the proposed Maintenance Facility and associated structures would be limited to Myopia Hunt Club staff and officers and not to members of the general public. The Planning Board further determined that the proposed improvements provided for safe and convenient vehicular and pedestrian movement appropriate for the proposed use, including for emergency vehicles, subject to the conditions

of this Notice of Decision.

- 5.) The proposed project shall provide for location and screening of exposed storage areas, machinery, service areas, dumpsters, utility buildings and structures and other unsightly uses to maximize amenity for neighborhood. The Planning Board may require landscaping and/or fencing to provide needed buffers;

The Planning Board determined that unsightly features were adequately screened relative to the location of the proposed improvements on the site and their distance from abutting properties, and in relation to the proposed landscaping and fencing improvements proposed in the application and the conditions of this Notice of Decision.

- 6.) The proposed plan shall be consistent with the capacity of local infrastructure, such as water supply, utilities, drainage and Streets, or shall provide for such improvements as necessary;

The Planning Board determined that the application would not adversely impact the capacity of local infrastructure subject to any reasonable requirements or conditions imposed by the Hamilton Water Department, Department of Public Works, and the Hamilton Police and Fire Departments.

- 7.) The plan shall provide for compliance with Board of Health, Conservation Commission, and other Town and State Regulations. Where applicable, the approval may be made conditional upon Board of Health, Conservation Commission, State Department of Public Works or other approvals, which shall be specifically referenced in the decision:

The Planning Board determined that the Town's Conservation Agent reviewed the application and determined Conservation Commission review or approval was not required. The Planning Board further stipulates that if any other local or State approvals are identified for the project to move forward, the Hamilton Building Commissioner shall be empowered to withhold the issuance of a building permit until such approvals have been obtained.

- b. The Planning Board hereby incorporates the following Findings of Fact pursuant to the Stormwater Management By-law (Chapter XXIX of the Hamilton General By-laws) and the Hamilton Stormwater Regulations:

The Planning Board determined that the application and associated exhibits, as confirmed by Peer Reviews conducted by the Town's consulting engineer New England Civil, were consistent with the letter and spirit of the Hamilton Stormwater Management By-law (Chapter XXIX of the Hamilton General By-laws) and the Hamilton Stormwater Regulations except for the following:

- A portion of the site, to the south of the existing building, and proposed to be excavated and repaved was not included in the delineation of the stormwater catchment area and not subject to treatment measures requiring the approval of a Waiver from the Hamilton Stormwater Regulations.

The Town’s consulting engineer, Mr. Ross, provided oral comments to the Planning Board at its meeting on February 24, 2026, noting that he had reviewed the Waiver Request and did not object to it because the applicant was proposing appropriate mitigation including an increase of 5,000 square-feet in sizing of the design water quality volume of the proposed detention basins. The Planning Board subsequently approved the waiver request by a vote of 5-0.

III. VOTE

Following deliberations by the Board, testimony by members of the public and the Town’s consulting engineer and review of the application exhibits and Peer Review materials, the Planning Board issued decisions on the applications on February 24, 2026. Acting on a motion offered by Member Wheaton and seconded by Member Dale, the Planning Board voted to approve the Site Plan Review application subject to the Conditions of Approval noted under Section IV of this Notice of Decision. The Planning Board also voted to approve the Stormwater Management Permit, acting on a motion offered by Member Poore and seconded by Member Dale, subject to the Conditions of Approval noted under Section IV of this Notice of Decision.

The roll call of the votes was as follows:

	Site Plan Review	Stormwater Management Permit
Marnie Crouch, Chair:	YES	YES
Jonathan Poore, Member:	YES	YES
Pat Norton, Member:	YES	YES
Darcy Dale, Member:	YES	YES
William Wheaton, Member:	YES	YES

The Planning Board’s deliberations are further summarized in the Board’s meeting minutes of January 13, 2026, February 3, 2026, and February 24, 2026.

III. PLANNING BOARD CONDITIONS OF APPROVAL:

Based upon the foregoing, the Planning Board imposes the following binding Conditions of Approval on the approval of the Site Plan Review application and Stormwater Management Permit:

- 1.) **Building Permit.** The applicant shall submit a complete building permit application to the Building Department within two years of the date of the Town Clerk's stamp on this Notice of Decision. The permit plans shall be consistent with the Exhibits in this Notice of Decision and the proceedings of the Planning Board. Prior to the start of construction, the applicant shall obtain a valid building permit.
- 2.) **Pre-Construction Meeting.** Prior to the start of construction, the applicant shall contact the Planning Department to schedule a Pre-Construction Meeting, to be coordinated by the

Planning Director, with the Planning and Building Departments, the Police and Fire Departments, and the Department of Public Works.

- 3.) **Erosion Control & Sediment Control.** Prior to the start of construction but after the installation of erosion control and site sedimentation controls, the applicant shall schedule an on-site inspection with the Planning Director for the review of all such installations.
- 4.) **Access During Construction for Emergency Response.** The applicant is responsible to ensure safe and convenient access to the site during construction. Prior to the start of work, the Police and/or Fire Departments may require the submission of a Construction Staging Plan showing accessways for emergency response during stages of construction or any other reasonable actions deemed necessary to ensure adequate emergency response.
- 5.) **Access During Construction for Inspections.** The applicant is responsible to ensure safe and convenient access to the site during construction for the purposes of site inspections by the Planning Board or its representatives. Construction inspections, shall occur, at minimum, at the following intervals;
 - a. When site clearing has been substantially completed;
 - b. When final grading has been substantially completed;
 - c. When final grading has been substantially completed;
 - d. When stormwater maintenance facilities have been installed and substantially completed;
 - e. When, and if, the site is closed for the construction season; and
 - f. When all site work is completed, including the installation and stabilization of all landscaping.

Inspections of stormwater maintenance facilities and completion of final site work (d. and f.) shall be conducted by the Town's consulting engineer in addition to Planning Department staff. The applicant, or its representatives, is responsible to promptly address any issues identified in inspections completed by the Town or its representatives.

- 6.) **Regular Inspection Reports.** The applicant, or its representatives, shall be responsible to inspect the site no less than weekly and prior to and after anticipated storm events to determine the effectiveness of control measures, maintenance needs, and the need for additional control measures. The individual conducting the inspection shall be associated with the engineering firm or general contractor but is not required to be a Professional Engineer. The applicant shall submit monthly reports to the Planning Department, with the name and contact information of the individual conducting the inspections, during the construction phase summarizing inspections completed for the month.
- 7.) **Landscaping.** The installed landscaping must be in accordance with the most recently submitted landscape plan last revised February 26, 2026 (Exhibit 11.0).

- 8.) **Lighting.** All exterior lighting shall be fully downcast and Dark Sky Complaint. Exterior lighting shall be installed so as to minimize lighting glare and illumination onto abutting properties or areas outside the areas of work.
- 9.) **Lighting.** All exterior lighting shall be turned off or dimmed, except for lighting necessary for security purposes, between the hours of 10 pm and 6 am. Security lighting shall be activated to the minimum extent necessary to accomplish security objectives.
- 10.) **Hours of Operation during Construction.** The hours of operation for all onsite construction activity, including the operation of construction equipment, shall be limited to between the hours of 7 am and 7 pm, Monday through Friday, or between 7:30 am and 5:30 pm on Saturdays.
- 11.) **Peer Review/Inspection Fees.** Prior to the issuance of a Certificate of Occupancy, the applicant shall pay any outstanding engineering peer review or inspection invoices to the Town.
- 12.) **Performance Guarantee.** Prior to the start of construction, the applicant shall be responsible to submit to the Planning Department a Performance Guarantee, in the form of a check, bond, or letter of credit in the amount of \$25,000 to guarantee the installation of all stormwater management controls and site stabilization. The Performance Guarantee shall be released to the applicant after the completion of the project or partially as construction objectives are met.
- 13.) **Certificate of Occupancy and Consistency with Approved Plans.** All improvements depicted on the approved plans, including landscaping, shall be installed in accordance with such plans prior to the issuance of a Certificate of Occupancy. If the applicant, or its representatives, proposes changes to the plans, the revised plans shall be provided to the Planning Director prior to the installation or construction of such deviations. The Planning Director shall be responsible to either administratively approve such changes or to require review and approval by the Planning Board and notify the applicant of such decision within seven business days.
- 14.) **As Built Plans.** Prior to the full release of Performance Guarantee and within 90 days of the issuance of a Certificate of Occupancy, the applicant shall provide the Planning Department with As Built plans signed and stamped by a Professional Engineer for all accessways, structures, utilities, and structural and non-structural stormwater controls. Any deviations from the approved Site Plan shall be clearly depicted on the As Built plans.

POST CONSTRUCTION

- 1.) **Continued Maintenance.** The applicant is responsible to maintain the site in accordance with the approved plans for the life of the improvements. The Town may require mitigation,

including the replacement of dead or dying landscaping, to ensure the appearance and operation of the site is in accordance with the approved plans.

- 2.) **Stormwater Controls Regular Maintenance.** The applicant is responsible to maintain the Stormwater Management controls in good working order for the life of the project. Beginning in 2028, the applicant must submit an affidavit annually to the Planning Department, stamped by a Professional Engineer, certifying that all stormwater management controls have undergone any necessary regular maintenance and are operating in accordance with their design intent and the approved Operations and Maintenance Program. The affidavit must be submitted no later than December 1 beginning in 2028 and every year thereafter.

IV. CERTIFICATION

By signature below, the Chair of the Hamilton Planning Board attests that this Notice of Decision is a true and accurate account of the Planning Board's decision and deliberations relative to the Site Plan Review and Stormwater Management Permit applications of Myopia Hunt Club:

Marnie Crouch

3/10/2026

Marnie Crouch, Planning Board Chair

Date

This Notice of Decision shall be stamped by the Hamilton Town Clerk and maintained on file with the Planning Department and the Town Clerk's Office.