



**Town of Hamilton Planning Board  
PO Box 429, 577 Bay Road  
Hamilton, MA 01936  
978-468-5584**

**MINUTES**

**October 1, 2013**

Welcome – Chairman Ed Howard opened the meeting officially at 8 PM. Planning Board Members Rob McKean, Peter Clark and Claudia Woods were present. Planning Coordinator, Kristine Cheetham, was also present.

Release of Covenant

1. Aquilla Farm Road – Applicant is requesting a release of the covenant on Lot 6 of the Aquilla Farm subdivision. All site improvements have been completed as required.

P. Clark shared photos of the site improvements at Aquilla Farm Road with the Board. He raised concerns that the hammerhead turnaround was not sufficient for a fire truck. He also did not observe a fire hydrant at the site on his visit. He requested a formal review from the Fire Department.

**ACTION:** C. Woods made a motion to deny the release of the covenant until all members of the Board are satisfied with the installation of the fire hydrant.

P. Clark seconded. All voted in favor.

2. Kinsman Lane – Applicant is requesting a release of the covenant for the subdivision at Kinsman Lane.

Chairman E. Howard noted that he toured the Kinsman Lane property prior to the meeting. He suggested that the roadway was paved and there was ample turnaround space for safety vehicles. The houses have been occupied for over a decade. There were no other specific requirements on

the covenant. K. Cheetham noted that in 2001 a driveway agreement was signed and recorded with the registry for the properties along Kinsman Lane.

ACTION: C. Woods made a motion to release the covenant on Kinsman Lane. R. McKean seconded. All voted in favor.

### General Discussion

- **Town Meeting Zoning Bylaws – Cell Towers and OSFPD** – The Board had a general discussion relative to the listing of two bylaw amendments on the town meeting warrant. Planning Coordinator informed the Board that she has not received any proposed language changes from the Selectmen. Also she noted that the procedure for the attorney general approval requires a vote from the Board of Selectmen to require that the Planning Board hold public hearings, a two week public hearing notice process, and then a 65 day period for open discussion. The window of opportunity to conduct research and hold public hearings has narrowed. Selectmen Jen Scuteri was present at the meeting to share her interest in the two bylaw changes.

Cell Towers: She informed the Board that she has been researching possible opportunities to locate a cell tower at the church across the street near town hall or at the Gordon Conwell property. She also suggested that the bylaw language for the town of Wenham seemed more streamlined than the Hamilton language. Her concerns are that the setbacks and height restrictions may be too stringent.

K. Cheetham added that two vendors recently came into town hall researching town land for potential locations for cell towers. She is working with the building administrator and Director of Public Works to coordinate the effort. The Planning Coordinator also noted that the height and setback requirements can be waived by the Planning Board during a permit review process.

The members of the Planning Board agreed that the timing was too short for a fall town meeting amendment. They were also unsure of the need for one at this time. They did raise concerns that the cell tower bylaw was adopted in 2001 and many technological advances have occurred since then. The Board felt that it may be appropriate to seek advice from an expert in cell technology and bylaws.

OSFPD: Selectmen Scuteri then turned the discussion to the OSFPD. She is working with several people in the community to address the future of the Patton Estate. The committee is researching options to sell off a portion of the land for the development of 12 modest homes, as allowed for in the gift agreement. In order to develop 12 homes on a parcel of roughly 14 acres, the OSFPD bylaw will be needed. Of the 14 acres, roughly 10 will be needed for the housing leaving 4 for the open space requirement. She asked the Planning Board if they would consider an amendment to change the OSFPD bylaw with respect to a town owned project such as the Patton Estate. Several members of the Board agreed that they would need to see actual plans for the land, and the proposed language for a bylaw amendment before they would discuss their support for this type of

change. The Board asked if the Patton Committee could appear before the Board with a presentation and also schedule a formal site walk. Some asked if there were any determinations about the use of the homestead. J. Scuteri noted that there are no certain plans for the homestead at this time. She noted that there is interest in developing a trail system to the river area.

- **Downtown Planning Workshop – Oct. 3, 2013** – The Board members discussed a few concerns that they hope are integrated into the downtown planning discussions. P. Clark stressed the need to address sidewalks along Bay Road, at the Train Crossing, at Asbury St. and along Willow Street. R. McKean agreed that improving pedestrian safety at the corner of Asbury, Willow and Bay Road was a priority for him. K. Cheetham also mentioned that one question for the community is whether or not they are interested in amending the downtown zoning for the business district to be more aligned with the language in the Willow Street Overlay District. P. Clark was not sure what the community was ready for an overlay for the entire business district relative to increased density and height.
- **DHCD Technical Assistance Grant Application** - K. Cheetham shared a memo that was prepared for the Board of Selectmen relative to a grant application to the Department of Housing and Community Development. The application is for \$10,000 of Technical Assistance funding for a marketing/graphic designer for the downtown streetscape improvements.
- **Letter from Bob Gray – Stone Walls** – The Planning Board received a letter of concern from a citizen regarding a stone wall along Essex Street that is in a state of disrepair. Because the Board oversees the Scenic Byways Act governing trees and stone walls along scenic roads, the Chair requested advice on the matter from the Board. The Board felt that they could only forward a letter to the owner in the hopes that they might repair the stone wall. Also a member noted that the CPC might have funds available to assist the homeowner if needed. An expert on stone walls, Kevin Gardner, may be in the area this fall as a local speaker.

The discussion about stone walls also led into a discussion about unkept properties. A photo of an unoccupied building was shared with the Board. They requested the assistance of the building inspector to determine if there were public health or building code problems associated with the structure. The Planning Coordinator will follow up with staff to determine if the Building Inspector can take any action.

- **Planning Board Procedures / Housekeeping Matters** – The Chairman facilitated a discussion about several “housekeeping matters” for the Board.
  1. The Board wished to compile an updated contact listing.

2. They also discussed whether or not to start future meetings at 7 PM or remain at the 7:30 PM start time. The Planning Coordinator will secure information about meeting time preferences from all members online.
3. The Board also discussed having a tape recorder in use for future meetings.
- 4.

**Adjourn:** At 10:15, C. Woods made a motion to adjourn. R. Mckean seconded. All voted in favor.