



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

Minutes

May 6, 2014

Welcome – At 7:30 PM Chairman Ed Howard opened the Planning Board meeting. Board members Rick Mitchell, Peter Clark, Rob McKean, Brian Stein and Claudia Woods were present. Jeffrey Melick was absent. Planning Coordinator Kristine Cheetham was present.

Agenda Items

Public Hearing Continued – Canterbrook Senior Housing Special Permit 354 Highland Street

Bob Forbes, of Prime Engineering, submitted a letter to the Board that addressed the peer engineering comments. He also presented revised plans that demonstrated the comments. He began the presentation with an explanation of the Groundwater Protection Overlay District from an engineering perspective. He reviewed two posters of information. The first was titled Groundwater Well Impacts. It demonstrated the changes at the site from current situation to a developed situation for both groundwater quantity and quality. A goal of the groundwater protection overlay is to increase groundwater recharge. This project will increase the recharge quantity of groundwater at the site because of the following reasons:

- There is re-vegetation at the site,
- No increase in impervious areas,
- Roof runoff infiltration systems, and
- Rain Gardens.

He then explained that the quality of the groundwater will be improved by the development as compared to the current situation because of the following reasons:

- Stabilization of soils that are currently bare ground,
- Discontinuance of the animal manure (a higher volume than normally permitted per acre)
- Stormwater BMP's such as stormceptors and rain gardens, and
- Advanced treatment of the sanitary sewage.

Mr. Forbes also explained the difference in calculations for the 2 year, 10 year and 100 year storm events.

P. Clark asked if from time to time during the meeting that the town's peer engineer could comment on the presentation from the applicant's engineer. P. Ogren, the peer engineer, responded positively to the request and the information that Mr. Forbes had explained. He concurred with the overall concepts. He also explained that due to the high levels of groundwater at the Sharon & Bradford Road area, it may be optimal to create a situation of some increase runoff instead of infiltrating the site with more groundwater. He did note that this is not consistent with the groundwater protection overlay district and not typical for approvals by the state.

Site Plan Revisions & Questions

1. Roadway – The plan was revised to show the visitor spaces in new locations along the roadway. The roadwidth is at 20' which is as narrow as is recommended for a neighborhood with two way traffic. This does not allow for onstreet parking. However, there are adequate visitor spaces as well as additional parking near garages.
2. Impervious Surface – The Board confirmed that the impervious surface totals remain below the 15%. The applicant stated that they are at 14.8%.
3. Mailboxes – The U.S. Post Office confirmed that they would like one mailbox location for a development of this size. So that was added to the plans with two parking spaces.
4. The minimum distance between structures was resolved with a letter from the Building Inspector. P. Ogren noted that there are potential vehicle conflicts if all parking spaces are in use. However this does not usually happen.
5. Building Height – The height for the buildings averages 25'. The rooflines will not exceed the approved building height. Also the units within 30' of the road are held to a lower height due to their setback.

Will there be a restriction on boat and trailer storage at site?

What is the location of the fencing along the property? It will just run along Asbury Street.

Septic system is a schematic. The full submittal will go to the Board of Health

The PB should note the maintenance of the septic system in their review and permits. It should not just be left upto the Board of Health.

P. Ogran suggested that the language include a “run time clock”. He concurred that the PB decision should have a condition that requires maintenance.

GPOD – R. McKean asked if the peer engineer had an opinion on the groundwater topic. P. Orgren responded that development within a zone II or groundwater recharge area was primarily concerned with nitrogen loading. The units in this project are 2 BR and for Senior Housing. Both of these criteria reduce the overall water usage and sewage as compared to a single family home. This is a much less intense use and the applicant is proposing a nitrogen removal system that is better for the environment. P. Clark added that the memo from town counsel directly addressed the topic and rebutted the comments made by the abutter’s attorney.

General Comments from Public

Wayne Castonway, Ipswich River Watershed Association – He has been following the project over the years and knows that it is near the Idlewood Well and water supply. His non-profit is concerned with groundwater supplies. He agreed with the comments made in the abutter’s attorney letter. His organization feels strongly that infiltration is key and that stormwater runoff is a problem. He felt that the engineer should use the most intense storm levels for their measurements. He recommended low impact development techniques and a good landscape plan. He had some concerns about the maintenance of the septic system in the future.

Lily Shaw – She asked for a copy of the engineering report so that she could possibly have a second review.

B. Forbes – As the project engineer, he responded to a few questions. He noted that no matter what size storm data is used, the site will reduce runoff from the current situation, will recharge more water and will improve the water quality through the septic system.

R. McKean noted that the engineering presentation indicated the project would be a benefit to the site overall.

W. Castonway made a statement that the current conditions could be improved with action and pressure from the Board of Health and Conservation Commission. He debated that the comparison of a development to the existing equine use was appropriate.

B. Forbes responded strongly that this site has been reviewed by three engineers who are certified and well qualified to make a determination about development impacts. He stood behind his engineering and the peer review as well.

Several neighbors asked about how the phasing works at the project. They also wanted to be assured that the equestrian site would be gone before the housing development.

The applicant will have to provide a timetable for demolition. This will involve notification to current renters of space. The zoning bylaw does not allow for multiple uses on one site. The new permit will only be for the senior housing project.

Rosemary Kennedy asked how the Board assures the completion of the development. Do they require a bond? The answer is yes – the estimates and legal paperwork for this has yet to be determined.

ACTION: B. Stein made a motion to continue the hearing until May 20, 2014. P. Clark seconded. All voted in favor.

Pre Application Conference 540, 560, 568 Bay Road

R. McKean asked to recuse himself from the discussion as his realty firm is involved in the property at 540 Bay Road.

Tom Ford, a local developer, informed the Planning Board that he intended to purchase the three parcels directly across from the Hamilton Town Hall and to develop them. He explained that there were roughly 32 acres in total, some of which was wetland. He plans to combine the lots through the ANR process. Although he normally builds single family homes, he was inspired by the estate house, roughly 8500 sq. ft., to consider other options. He also reviewed the updated Hamilton Housing Production Plan and the School Committee Report of Dec. 2013 which both call for additional housing development in the community. He provided the Planning Board with a few overall design concepts with two different access routes: a loop road with one or two entrances on Bay Road. He noted that he preferred to have only one entrance on Bay Rd. Mr. Ford stated that the soils are good for drainage and that the wetlands are confined to the north-western side of the property. He was looking into creative options for development using either the Great Estates Overlay or the OSFPD zoning bylaws.

P. Clark noted that the property along Bay Road is in the Historic District. He also wanted to learn more about the unique characteristics of the site. He informed the applicant that this was a goal for the OSFPD permitting. The Board would be interested in learning about any trails, wetlands or other features.

Special Planning Board Meeting: March 13, 2014

ACTION: R. Mitchell voted to enter Executive Session to review the minutes from the Special Meeting of March 13, 2014 and the April 15, 2014 discussion. E. Howard seconded. All voted in favor.

The Board read the minutes from April 15, 2014 and learned that the flash drive and recording from the Special Meeting held on March 13, 2014 were audible. The Board members then

deliberated about whether or not to approve the minutes without a printed version. R. Mitchell didn't understand why a meeting would be rendered inaccessible. R. McKean did not feel that the typed version was acceptable which was why he attempted to provide his own version. R. Mitchell was opposed to using the minutes from R. McKean because he wasn't present at the meeting and he was biased as the focus of the meeting was based on his actions. He felt that the town's independent minutes person was acceptable. P. Clark felt that the advice in the minutes from town counsel would be lost without a printed version. B. Stein stated that he would be ok with the taped minutes.

ACTION: R. McKean made a motion to approve the flash drive recording of the Special Meeting of March 13, 2014 as the official minutes. B. Stein seconded. A majority voted in favor: E. Howard, R. McKean, C. Woods and B. Stein. P. Clark and R. Mitchell opposed.

The minutes of the April 15, 2014 discussion of the Special Meeting required an edit on the paragraph describing site plan review. K. Cheetham agreed to clarify the sentence.

ACTION: R. McKean made a motion to approve the Executive Minutes from April 15, 2014. C. Woods seconded. All voted in favor.

Upon reflection of the April 15, 2014 Planning Board meeting, R. McKean inquired about procedural matters relative to the status of the citizen petition. He asked K. Cheetham to consult the town counsel to see if he should still pursue it. She notified him of previous comments from town counsel and of the vote of the Planning Board not to pursue any action based on the citizen petition. He continued to ask for town counsel advice. She did not seek it and requested that the matter be addressed with the full Board. She does not have authority to request town counsel advice for individual members of the Board. The Board agreed that they did not wish to pursue the matter of the citizen petition any further. The topic was closed.

General Discussion

1. On June 17, 2014 there will be a wastewater treatment system public workshop at the Hamilton Wenham Library from 6-9 PM. The Planning Board will not have a regularly scheduled meeting at that time.
2. E. Howard informed the Board that he submitted a letter he wrote to the town manager as the Chair of the Planning Board in response to a letter from the Town Manager and selectmen regarding comments about the planning director position. He noted that the tenor of the letter from the manager was not amicable. He shared his letter with the Board for their review. The Board asked where the communication was at: Ed noted that there has not been a response back from the Town Manager.

3. R. McKean distributed a policy memo to the Board in response to a previous conversation about Planning Board members communicating officially-outside of meetings. He asked for a discussion of the memo at an upcoming meeting.

Adjourn – At 10:30 PM R. Mitchell made a motion to adjourn. C. Woods seconded. All voted in favor.