

HAMILTON PLANNING BOARD
MINUTES OF MEETING
August 4, 2015

Members Present: Peter Clark, Ed Howard, Jeff Melick, Rick Mitchell, Brian Stein,
and Matt Tobyne and Claudia Woods

Associate Members: Bill Olson

Planning Director: Patrick Reffett

Others Present: Bill Redford, Charlie Wear, Charlie Nutter, Mike Jones, Robin
Sears, Doug Tree, and Doug McGarra

This meeting was called to order at 7:30 p.m.

Senior Housing at Canterbrook, 254 Asbury St. Continued Public Hearing

Bill Redford stated that the DPW would not allow a curb cut permit if the roadway was less than 24'.

Bob Forbes wanted direction as to which way the applicant should go with the size of the road and noted that he had never gone against the Fire or Police Chief's recommendations in the past. Peter Clark wanted a win/win in that the roadway could be 20' throughout the project with a wider turnout for the access to the hydrant and the units. Mr. Clark did not see the need to build an extra wide road for an infrequent situation and did not want to see a full road width but rather a small country road. Jeff Melick said the problem was in the winter when roads were full of snow. Patrick Reffett said both the Fire and Police Chief were very firm in their desire for a 24' road. Bob Forbes said it was not impossible to make a 24' road while remaining under the 15% impervious surface but he would need to move some things around and requested four weeks to do it. Jeff Melick reminded the Board that the DPW was not going to give a curb cut permit unless there was a 24' roadway.

Jeff Melick made motion to continue the public hearing for four weeks

Rick Mitchell seconded

Vote: Unanimous to continue

Institution for Savings. 545 Bay Road for ZBA Site Plan Review Recommendation

Attorney Richard Nysten, Charlie Wear and Charlie Nutter were available for the discussion. Jeff Melick described the Site Plan Review process. Patrick Reffett described the process of a non conforming use within a business use (MGL 40A Section 6) which would allow for a change of use that would not increase impacts to the surrounding residential district. Peter Clark wanted to postpone the discussion until it was known if the use was allowable. Patrick Reffett said the ZBA would need to focus on that topic alone and the use decision was theirs to make. Mr. Reffett said it would be

unfair to the applicant because the Zoning By-law was not set up to sequence that decision in that manner.

The applicant said that the bank was a member of the community and had borrowers and depositors from the town in their existing banks. Charlie Wear described the two story building on a $\frac{3}{4}$ acre lot with current development as a florist. The proposal was to demolish the building and construct a new building with a single access point from Bay Road with two access points on Bridge St. There would be a slight increase in impervious surface with a slight decrease in building size. The landscaping would be increased. Stormwater sloped from Bay Road to the back of the site. All of the runoff would be directed onto Bridge St. There was currently no treatment but infiltration was proposed. A 100 year event would have a 50% reduction which would meet the stormwater management requirements. 25 paved parking spaces would be proposed even though 13 was required according to Zoning. The number was based on previous bank experience but if it was determined that fewer spaces would be needed, the applicant would reduce the spots and add more landscaping. The proposed building would be less than 3,000 sf.

Peter Clark suggested building downtown rather than an out of downtown location. Claudia Woods worried about lights in neighbors' windows when the ATM was used at night. The applicant stated that after 10:00 pm, an ATM would be used an average of twice a month. Claudia Woods said it would be lit all night. The applicant responded that the interior directed light was a Hamilton requirement and would not affect the neighbors. Brian Stein said the light would not spill off the site but would glow. The applicant said he was hoping not to affect the neighborhood. Rick Mitchell wondered if all traffic flowed out of Bay Road with vegetated barriers on Bridge St. and the rear side, it might cocoon the use away from Bridge St.

Charles Nutter, the architect for the applicant presented a drawing that illustrated the character of the building presented. Mr. Nutter said there would be reduced lot coverage and improved site lines. The applicant used the lighting standards for other districts in town with nothing spilling off the property.

Robin Sears was concerned about headlights into her house and stated that she had visited other banks after 9:00 pm and presented photos that illustrated how many lights were apparent at night. Doug Trees said he reviewed the parking and traffic study which indicated that the proposal would feature fewer trips but noted that the study was done as a generic garden center rather than the existing use which created little traffic. Mr. Trees said the study was deeply flawed and the Town needed a true analysis of parking and traffic at the corner. Doug McGarra said the proposal was a shoehorn bank trying to fit into an agricultural use and thought the bank should be downtown.

Bill Redford suggested eliminating parking on Bay Road and reducing the 24' wide access to a 14' entrance only. Mr. Redford stated that the 14' exit should be eliminated and rerouted to a 24' entrance/exit on Bridge St. Mr. Redford said all proposed signage and plantings should be moved off the property line. The proposal was an improvement

to the current pergola according to Mr. Redford. Patrick Reffett had prepared a report regarding the changes. Mr. Redford said the Police Chief, Fire Chief and he did not want an exit onto Bay Road and want all exits onto Bridge Street.

Mike Jones, President of the Institute for Savings said they do not build branches without ATM or drive thru-s.

The Planning Board would discuss the property on August 18th while the Zoning Board would be discussing the project the following night.

Changes to the Town By-laws

Mark Bobrowski was the single applicant to respond to the RFP to revise the Hamilton Zoning By-law. Patrick Reffett's recommendation was to accept the proposal and allow the applicant to proceed. He also mentioned the Steering Committee was to meet the next week.

Jeff Melick asked the Board if there were changes that the Board would want to propose. Rick Mitchell said the OSFPD needed to be reviewed. Patrick Reffett said the GPOD needed to be reviewed. Brian Stein said the Accessory Apartment By-Law needed to be simplified. Peter Clark said the Estate Overlay District should allow for more residential use.

Matt Tobyne said the Affordable Housing Trust was hoping that there would be fewer payments in lieu and would hope for more units on site. Rick Mitchell said the amount of payment in lieu was an amount predicated in the By-Law. Patrick Reffett said the Trust had \$100,000 in cash and \$260,000 in affordable housing reserves via the CPA. The Patton Project payment (\$156,480) would be added to that amount.

Draft Land Acquisition Policy

Jeff Melick had made changes to the document. Rick Mitchell noted that the purpose was to set up a policy that 61A and B properties as well as other significant properties would be listed to create a discussion with the Town whether to acquire those properties and included a ranking system of property importance. The only change was that there should be that a public hearing would be held about a property. Patrick Reffett's changes included consequences of a positive action. Mr. Reffett made note of properties that did not require a CPC coordination including those that were used for schools or capital improvements. Jeff Melick said it should be sent to the Board of Selectmen and the Board agreed.

Code of Conduct tabled for two weeks

Matt Tobyne provided a red lined copy for the Board which would be discussed at the next meeting. Peter Clark wanted to have a clear statement about a professional relationship with a client.

Updates from other Boards and Committees

HDC draft language would be available at the next meeting, according to Brian Stein.

Minutes: July 7, 2015
Rick Mitchell made motion to approve
Brian Stein seconded
Vote: unanimous to approve

Minutes of July 21, 2015
Rick Mitchell made motion to approve
Brian Stein seconded
Vote: unanimous to approve

September meetings 1st and 15th
Claudia Woods made motion to adjourn at 9:52
Seconded by Rick Mitchell
Vote: Unanimous to adjourn

Prepared by:

Marcie Ricker

Attest

Date