

HAMILTON PLANNING BOARD  
MINUTES OF MEETING  
December 15, 2015

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

Associate Members Present: Bill Olson and Richard Boroff

Planning Director: Patrick Reffett

This meeting was called to order at 7:00 p.m.

**Canter Brook Estates Senior Housing Project Special Permit Public Hearing at 354 Highland St./Asbury St.**

Patrick Reffett reviewed the project and noted the Site Plan improvements as indicated on the Drainage, Lighting, and Stormwater Management Plans. Mr. Reffett suggested approving individual plans.

Attorney Jill Mann said her intention was to consolidate the information and organize the structure of the hearing process. Ms. Mann also provided a draft Decision. Ms. Mann noted the similarity to the Conditions and Decision for 650 Asbury St. including the bond or tri-partite agreement which would apply to any assign or successor to the applicant.

Jill Mann addressed the landscaping including what she considered to be a sufficient buffer for the Sharon Road abutters. The photos taken by Mr. Hayes were used to illustrate the winter views. Ms. Mann said the applicant had increased the size and number of plantings. Mr. Hayes currently saw dilapidated buildings and would, in the future, see the proposed triplex but the view would be muted in the winter due to the evergreens proposed. According to Ms. Mann, in the summer, the view would be obscured by evergreen and deciduous plantings. Ms. Mann showed the original plan compared to the new proposed plan and noted where trees were added as well as the landscaping that was added to the back of the individual units. The size of the plants were also increased according to Attorney Mann based on comments from Mr. Reffett and the Board.

Patrick Reffett said Item Number 1 in the large binder, dated 12/2/15, included revisions that had been worked on to date. Features included the 24' roadway design and two-thirds of the site being open space with walking trails. Mr. Reffett recommended the Board make a motion to vote to accept the plan.

Claudia Woods wanted to know who the legal owner or applicant was and when the property was sold, if the Town would see the Purchase and Sale Agreement. Jill Mann said the purchaser would be legally required to follow the Decision no matter who it was. Ms Mann said the owner was the Canter Brook Estates LLC.

Peter Clark wondered why the address was not Asbury St. and Jill Mann responded that the Assessor had it listed as 354 Highland St. and at Salem Deeds, it was registered as 354 Highland St. even though access from Highland St. would be abandoned and Asbury St. would be used. Peter Clark asked about the process by which the town assigned addresses. According to Bill Redford, the Building Inspector would assign address numbers once the roadway and building permits were issued but would do that in consultation with Police, Fire and DPW. Jeff Melick said the Board and applicant should add notes that the entrance would be from Asbury St. on the plans and the Decision. Jill Mann said she would add Asbury St., then Highland St. making Asbury St. more prominent.

Peter Clark asked about the septic approval. Jill Mann said the builder couldn't get a building permit until the septic was approved. Patrick Reffett said the two approvals were stand alone systems and if there were any site plan modifications required for the septic approval, the project would need to come back to the Planning Board. Ms Mann said it was a bio-clear system and that Peter Ogren had reviewed the leaching area and wrote about it in his review. Details for the septic system had been completed but not approved as yet according to Ms Mann. Claudia Woods said she could not judge the size of the open space path, so Jill Mann scaled it to note that it was 15'.

Richard Hayes thanked the Board for listening to the concerns of the neighbors.

Rick Mitchell made motion to approve the Canter Brook Estates Site Plan as revised and dated 12/2/15 including drawings 1-9 S-1, S-2 and P-1.

Brian Stein seconded.

Vote: Unanimous in favor.

Jill Mann discussed the color palettes and described the colors as muted. Claudia Woods asked about the materials to which Ms Mann responded that they were fabricated fiber board and added that there would be an asphalt shingled roof. Ms Mann said the applicant was proposing different (from other units) front and garage doors. Peter Clark wondered about the finishing of extra space within the units but Ms Mann said the Board of Health and Building Inspector would not certify anything above two bedrooms in each unit.

Brian Stein made motion to approve the Architectural Plan dated, 10/24/15 along with the proposed Front Door Elevations, dated 12/7/15 including pages A-1 through 8 dated 10/24/15.

Rick Mitchell seconded.

Vote: Unanimous in favor.

Matt Tobyne made motion to approve the Color Palette dated, 12/15/15 as presented.

Rick Mitchell seconded.

Vote: Unanimous in favor.

Brian Stein stated that he would draft conditions regarding roof approvals. Ed Howard suggested that lighter colored roofs were ecologically better, but Brian Stein said he would trade the positive aesthetics of darker roofs for the minor ecological benefits of a lighter roof. Mr. Howard said he wanted to make sure the approval was appropriate for a Green Community.

Patrick Reffett said the applicant had upsized the plant materials along with the layouts which were improved with substantial robust plantings around the buildings. The cul-de-sac featured a significant landscape. Mr. Reffett recommended that the plan be approved. Claudia Woods wanted a condition that if plant material died, it would be replaced and Mr. Reffett replied that the plantings would have a warrantee for a one year period and would then be the responsibility of the property owner after that term. Jeff Melick suggested drafting a Decision which noted that the Condominium Association shall maintain the landscaping. Mr. Reffett said he was comfortable with all the materials for sidewalks, driveways and roadways. Mr. Reffett added that the proposed cast iron bands separated lawns from plantings.

Rick Mitchell made motion to approve the Landscaping Plan including sheets L-1.0.-6.0, dated 12/7/15

Claudia Woods seconded.

Vote: Unanimous in favor.

Peter Ogren's letter regarding the Lighting Plan was mentioned by Patrick Reffett who recommended approval of the Lighting Plan. Jeff Melick questioned the wattage to which Jill Mann responded that all details were included on the Page 5 Schematic which was located after Tab 8.

Jeff Melick made motion to approve the Lighting Plan contained in Sheet Page 5 and the four pages saying Stern Lighting as well as the photometric map with the condition that on Page 5, the color temp of the lightbulbs shall be 3,000 as shown on the Lighting Plan.

Peter Clark seconded.

Vote: Unanimous in favor.

Patrick Reffett stated that Tab 9 Signage met the conditions of the district.

Peter Clark made motion to accept the design.

Brian Stein seconded.

Vote: Unanimous in favor.

Jill Mann discussed the Local Preference Plan and stated the timeframe required for approvals was expanded to 120 days.

Peter Clark made motion to continue the public hearing for Canter Brook Estates Special Permit Hearing until 1/5/16.

Claudia Woods seconded.

Vote: Unanimous in favor.

**Modifications to the Existing Special Permit for Senior Housing at 650 Asbury St.**

Mark Allara on behalf of C.P. Berry, was present to request the addition of a 35' flagpole at the mail kiosk and also requested the ability to offer sunrooms adjacent to the units by using the area on the proposed decks. Sunrooms would be fully framed on the deck with roofs and windows. There would be no expansion of the floor space. Patrick Reffett said the Town Resident Engineer (Bill Redford) had indicated the area under the deck was part of the stormwater

calculations and therefore the change would not create additional impervious space. The flag would be lit or taken down each evening. Claudia Woods wanted to keep it “low key” and wondered if the flag would be visible from Asbury St. Peter Clark did not want the flag lit. The lighting plan did not include another light, according to Jeff Melick.

Rick Mitchell made motion that the applicant’s request of sunroom additions and unlit flagpole were minor modifications to the approved plan.

Seconded by Brian Stein.

Unanimous in favor.

Brian Stein made motion to approve the proposal of an optional sunroom on the footprints of the existing decks.

Rick Mitchell second.

Vote: Unanimous in favor.

Brian Stein made motion to approve an unlit 35’ flagpole.

Rick Mitchell second.

Vote: Unanimous in favor,

### **Zoning Revision Draft #2.**

On December 17th there would be an All Boards Meeting according to Patrick Reffett. Mr. Reffett noted specific discussion items in the second draft may be beyond what the Board and town may want to approve at the current time like landscape requirements and the flexible zoning concept. Peter Clark thought the previously approved By-laws that preserved open space were being taken out in an effort to streamline the document and the proposed version was much more generic. Patrick Reffett said the premise was the very same as the early By-laws in its efforts to preserve open space. The discussion of the Zoning By-law meeting focused on how the document would be redesigned and about which topics would be included and excluded. Mr. Reffett described the difference between Euclidian Zoning and Flexible Zoning.

### **Board updates**

Ed Howard said there were three proposals for funding in front of the CPC, including a new playground behind Winthrop School which the CPC thought was eligible, the Patton Homestead building which the CPC believed was eligible, and turf fields at the High School, which the CPC thought was not eligible in its present form because the Recreation Department had presented it. The CPC thought it should have been presented by the HWRSD. Mr. Howard noted that these proposals were about eligibility not endorsements.

Patrick Reffett announced that he and all Board Members needed to complete the Conflict of Interest Questionnaire.

### **Minutes**

Jeff Melick made motion to approve the minutes of December 1, 2015 as amended.

Claudia Woods seconded.

Vote: Unanimous in favor.

Rick Mitchell made motion to adjourn.

Claudia Woods seconded.

Peter Clark wondered about the Cutler house being torn down but was informed that the process only required a demolition permit.

Vote: Unanimous in favor to adjourn at 8:50 pm.

Prepared by:

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Attest

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Date

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Marcie Ricker