

HAMILTON PLANNING BOARD  
MINUTES OF MEETING  
June 7, 2016

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

Associate Members Present: Richard Boroff and Bill Olson

Others Present:

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

**All Boards Meeting Regarding 40B Projects.**

Jeff Melick opened up discussion about the All Boards meeting and asked for input. Peter Clark noted that there was very little new information from the developer regarding the potential project on Longmeadow Way. He noted it was basically a rehash of the meeting that was held at Christ Church a few weeks before. He also noted that the Board of Selectmen (BOS), at their June 6 meeting voted against having 108 units of affordable housing on Longmeadow Way.

Richard Boroff was disappointed that the developer could not talk about the specific other properties he had looked at as possible alternate development sites.

Fred Mills, chairman of the Hamilton Affordable Housing Trust (HAHT) noted their board had been asked, by the Selectmen, to take a vote on the 108 units as well. A review of their previous vote in favor of 24 units on the Farnham property was also asked for. Fred noted a quorum was present at their last meeting and a vote was called whether to support 108 units on Longmeadow Way. The vote was 3 against with 1 abstention. Fred also noted that both the HAHT vote and BOS vote were symbolic in that they do not affect the project moving forward. If the project meets Board of Health, Conservation Commission, and any other applicable requirements for a 40B project, there is little the Town can do to prevent it from happening. Fred noted the failure of the Town to follow the Housing Production Plan is one of the reasons it is in this position.

Peter Clark asked about a program that the HAHT looked at regarding deed restrictions for small grants on existing homes for the elderly. The deed restrictions would restrict the houses as affordable. Fred Mills noted that there are no houses in the program and that no one wants to put a 30 year deed restriction on their property for a relatively small grant to help fix issues with the home.

Rosemary Kennedy asked about the affordable units at the Junction project. How many are affordable and why were they not on the DHCD list of affordable units that was circulated recently. Fred noted the DHCD list was from 2012 and not everything was on the list. He noted that the HAHT does not manage the list – it is a state managed list. Claudia Woods noted that the HAHT should be the place to go for people who want to know what is on the list and for any other items relating to affordable housing.

Rosemary Kennedy asked why the yearly number of affordable units was 14 as noted in the Housing Production Plan. Fred Mills that DHCD does not recognize rising and falling economic issues. They look solely at the housing stock of the town. He said it is our communities' responsibility to arrive at or close to that number. Our town has avoided development of these units. We can either work with developers who want to provide a 40B project with 100% of the units being affordable or ones that will only provide the minimum of 25%, which are typically for-profit developers.

Bill Olson asked why the Longmeadow developer picked the 60% median income threshold vs. something lower. Fred Mills said that the developer dictates the % he wants to meet, initially. A negotiation with the ZBA is possible as well. The state dictates a maximum of 80% of regional median income. Fred would like Harborlight Community Partners (HCP) to file with the state so that negotiations can start regarding this and other issues on the potential project.

Rosemary Kennedy noted HCP is opting to go with the lower percentage so they can get more state money. Rick Mitchell noted that if the town would put up money for the project, it may affect the percentage HCP would seek. The question was also asked about local preference. Fred noted that it is not a guarantee that if the town put up more money that the state would allow for some local preference.

Peter Clark noted that our town needs affordable senior housing more than it needs affordable family housing. Fred noted that we do not have ability to control that. The state, generally, sees a need for family housing on a regional or state-wide basis.

Jeff Melick noted that HCP is willing to work with the Planning Board and the town. They are not at a point in the process to begin those discussions yet until more is known about the site and they have filed with the state.

Jeff Hubbard spoke to a question from Claudia Woods about what exactly did the BOS and HAHT vote down. Jeff noted that a motion was made at the BOS meeting that 1. 108 units units was too many for Longmeadow way; 2. The Developer should follow the existing 40B policy the town has set; and 3. Ask the HAHT to focus on our local seniors. Jeff asked that the Planning Board take a position on the project as well.

Jeff Melick asked what it would take to reduce the number of units proposed for Longmeadow Way. Can the town "buy down" the number of proposed units? Is there some type of costs benefit analysis that can be done? Fred noted that there is a complicated analysis that could be done to study such a scenario. The town can push to build a certain number of units to have safe harbor and prevent future 40Bs for a certain amount of time. Rick Mitchell said it all comes down to money. What will it cost the town to reduce the number of units? Fred Mills noted that discussion will happen after HCP files with the state.

### **Citizens Petition – Site Plan Review**

A discussion ensued about the special town meeting on July 5. Jeff Melick noted there will be a special town meeting held on July 5<sup>th</sup> at the High School auditorium to vote on transferring Site Plan Review authority from the Zoning Board of Appeals to the Planning Board.

Robin Sears asked if the town or town counsel could confirm that all the filed paperwork was accurate. She wants to make sure everything is done properly this time around. Donna Brewer, Hamilton Town Counsel, said if all steps are done by July 5, it should be confirmed by the Attorney General. The Planning Board will hold a public hearing on June 21. The warrant has been or will be posted by the Constable. The warrant was signed by the BOS on June 6. The Planning Board needs to vote on June 21. The petition legally meets statute requirements. A motion to amend the petition will require a 50% vote on the matter and that it may be voted on within two years of its presentation to Town Meeting.

Jack Lawrence asked what happens if a quorum is not present at the July 5 special town meeting. Donna Brewer said no more hearings would be required. A petition with 100 certified signatures would be required to put it on the warrant for the fall special town meeting.

Robin Sears noted the Town Moderator is working on a policy that will help future citizens craft a citizens' petition so a citizen or citizens know exactly what is required to make an accurate and legal filing.

### **Zoning Bylaw Changes**

Jeff Melick wants to discuss all the changes the board has made to the zoning bylaws with Patrick Reffett when he returns from vacation.

Bill Olson went through the table of contents (handout) he put together and the possible changes to the original organization put together by the consultant. He suggested grouping items differently than originally thought to make it easier to read and make it more consistent with the organization of other towns' bylaws.

Jeff Melick said we need to get these changes to Mark Bobrowski to review. The first step is to approve all changes that have been made, then send to Mark, then sit down and review the entire document again to make sure it is accurate.

Ann Gero noted there were still some inconsistencies in the Table of Dimensional Regulations. She passed around a hand out noting them. She said having a table is nice but is sometimes difficult to get everything in a table vs. regular text. She noted footnotes need to be used properly and that possibly a combination of a table and text is ok, but it needs to be clear. She also asked for more time to review Draft #9.

Jeff Melick asked the board if it should wait to discuss Phase 2 changes until Patrick is back from vacation. The board agreed.

### **Minutes**

Jeff Melick asked the board if we should wait on approving meeting minutes. The board agreed on waiting until their next meeting.

**Board Business**

Ed Howard updated the board on the Community Preservation Committee public meeting. He noted that the meeting was sparsely attended – maybe 25 people. He was wondering if anyone had thoughts on getting better attendance at future meetings. Rick Mitchell said the 25-30 number is fairly typical for meetings like that. Ed also passed out a handout that included the Powerpoint presentation as well as a summary.

Motion to adjourn made by Claudia Woods

Seconded by Brian Stein

Vote Unanimous to adjourn

Prepared by:

\_\_\_\_\_  
Brian Stein

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Date