

TOWN OF HAMILTON
Joint BOARD OF SELECTMEN and LAND USE BOARDS
JANUARY 30, 2013

The Board of Selectmen and Land Use Boards met at Hamilton Town Hall at 7:00 p.m. on Monday, January 30, 2013 with Selectmen David Neill, Marc Johnson, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard, Zoning Board of Appeals member William Bowler, Planning Coordinator Kristine Cheetham, Planning Board members Peter Clark, Edwin Howard, Brian Stein and Claudia Woods, Hamilton Development Corporation members Bill Gisness and David Carey, Board of Health chair Lindle Willnow, Assessor Peter Kane, Assessors' Director Tina Zelano, Community Preservation Committee member Tom Catalano, CPA Coordinator Christine Berry, Building Department administrator Deb Paskowski, Conservation Commission members and Conservation Coordinator Jim Hankin, Affordable Housing Trust member Fred Mills present. Town Manager Michael Lombardo and Finance Director Deborah Nippes-Mena also present.

Welcome: Michael Lombardo, Town Manager

Town Manager Michael Lombardo called the meeting to order at 6:30 p.m. He explained that draft Hamilton Housing Production Plan Update would be distributed to Town boards for constructive feedback on how to make the report stronger and better. He added that tonight's discussion would focus on a few of the data elements and address Town officials' views on housing and development in general, how it relates to other forms of development, the community vision and possibly Town's current by-laws and related barriers.

He described how this would be one of many meetings of this kind with the hope to build synergy as a start to create a vision for the future. Also to foster understanding about how the Town boards and committees relate to one another with disparate and common roles as well as comprehend what work is being done in Town by the boards and committees, how to communicate in the future about where the Town is going and about the momentum that is building. He introduced the Hamilton Affordable Housing Trust and Hamilton Development Corporation that will play a pivotal role in driving projects that may result from the Housing Production Plan.

New Hamilton Housing Production Plan/ Discussion

Jennifer Raitt, Chief Housing Planner, MAPC, expressed her enthusiasm for the Town officials getting together to determine next steps for the Town and said that she is here to help facilitate that. She noted that she has been working on the draft Housing Production Plan with Planning Coordinator Kristine Cheetham as well as the Affordable Housing Trust to define clear goals and strategies for the community. She added that feedback on the plan is being gathered through Cheetham with a deadline of February 8. After that time Raitt will provide edits to the draft plan followed by a meeting in early March with Selectmen and Planning Board as part of the plan approval process.

Raitt summarized topics to be addressed as new information learned from the Housing Production Plan, Economic Development Master Plan as it relates to Hamilton Development Corporation, discussion of Town by-laws and next steps.

She directed the group to the MAPC region that constitutes 101 communities in greater Boston. Raitt mentioned the three areas of the Housing Production Plan as Hamilton, North Shore task force sub-region of Hamilton and its neighboring communities, as well as developing suburbs related to metro future growth and development in certain types of communities where Hamilton falls into this category. Raitt added that discussion about what will happen with population and what would change in the community refers back to vision and projection for developing suburbs.

Raitt summarized that population has changed in Hamilton in the last decade from the last census with the lower age cohort getting smaller and that the biggest growth cohort is 65 years old and older. Current trend is about how the Town has grown over the past decade, and metro future is based on regional plan and type of community. She noted that metro future has been growing more slowly and current trend says the Town is going to build more based on what has been built in the past which may or may not be accurate since there was a recession. She added that metro future has Hamilton growing more slowly because it is a developing suburb.

Raitt said it is recognized in the projections that communities such as Hamilton want to grow in a specific way to conserve and protect important resources and drive development in specific locations and compact ways.

She referred to a category called metro future projections that was revised in 2011. She reiterated that the largest age gains in Hamilton's population are 65 years old and older where the biggest growth is seen through 2035. This impacts what residents will be living in the community as projected and what would happen to the declining school population that is occurring based on Mass. Dept. of Education information and figures where this population has declined in the last decade. So the Housing Production Plan addresses who is going to be living in Hamilton and the housing those residents will need.

Also analyzed for the Town was household income where Raitt said there is a high number of households with very high income compared to North Shore and MAPC regions as well as a significant number of households with lower incomes of \$40,000 or below or 20% of households. She noted that the lower income households could include students or the elderly on fixed income. These households are specifically defined in the Housing Production Plan based on American Community survey data that is an estimate through 2010.

Using this survey data, cost burden is also analyzed based on resident need and current conditions. Raitt mentioned that in Hamilton there are owners as well as renters that are dealing with a cost burden which is significant in terms of income. She explained that cost burden is defined as when residents are paying more than 30% of total gross household income on housing costs and this could affect a lot of people in Hamilton even those classified as middle income. More important is when people are paying more than half of their gross household income on housing. This can be serious for residents on the lower end and some on the high end are experiencing cost burden since what they paid for their homes is no longer what they are valued at and there could be foreclosure risk.

So Raitt said Hamilton has challenges with people who are cost burdened, aging population, there is a serious shift in terms of households within the community and there has not been much building. She added that some people need another housing type to remain in the community. Raitt explained that the population decline in Hamilton might be attributed to recession, change in job, change in family situation, education issues, and people with graduating children moving to another location. Raitt noted when there is a wide balance of housing opportunities and variety of housing types provided in a community, municipalities can keep people.

In response to David Carey, Raitt spoke to Hamilton having issued the fewest building permits in a group of 40 neighboring developing suburbs where

Wenham has been doing permitting and welcoming new development. She said Hamilton had 72 building permits of single family housing issued from 2000 to 2011 with the bulk issued from 2000 to 2003. Raitt suggested there could have been a turning point in the community such as access to utilities, and concerns about conservation, so the community embarked on creating a Master Plan in 2004 relative to future direction of Hamilton.

Raitt said the reality is Hamilton needs to think about multi-family housing and where it is suitable to develop and in some cases by rights. She described some of the issues that are impeding this goal as not having information and access to GIS data as well as data about septic and utilities, not having clear information about parcels and opportunities, and that restrictive measures meant to protect important resources in the community may be hindering development.

She added that procedurally since the Town is concerned about protecting resources there might be some actions that could be done differently so the community could expedite development to move forward. Raitt explained that Hamilton has some serious housing needs with the elderly and to bring younger families into Town at specific income levels, 50% and up to 100% of the area's current median income and affordable and general market rate housing prices. She noted that if Hamilton is interested in these strategies and goals it has to think about how to do things differently.

William Bowler remarked on change in population with drop in 18 to 35 year olds. Raitt responded that this may be due in part to student population and related to people looking for starter home opportunities. There is an out migration of that age cohort statewide partly because they cannot find an affordable place to live with first time home ownership or rental housing.

Raitt reiterated that the population change information was based on census information from 2000 to 2010 and projections. David Neill mentioned that his 30-year-old sons who grew up in Town were interested in moving back to Hamilton but they couldn't afford it without family support. Fred Mills said there is a structural challenge to buying affordable housing in Hamilton due to the limited opportunities for people wanting to downsize and stay in Hamilton so this ties up starter homes for first-time buyers.

Raitt described a strategy in the housing production plan that applies to a household of any income for the elderly that may need home modification. She noted that programs are available for residents in this situation and for housing

rehabilitation, and home repair. She referred to a senior housing survey that was done where residents said they want to stay in their own homes or if they moved they would prefer to be closer to the Town center or in a location with access to support services. Raitt mentioned that for Hamilton to accomplish that goal there would have to be changes in the Town's zoning. She also noted that there is information in the plan for first-time home buyers regarding loans and other opportunities that are available for Hamilton.

In response to Jeff Stinson, Raitt said that there are opportunities for housing authorities such as was done in Manchester and Ipswich to assist residents interested in downsizing. Discussion ensued about how housing authorities in the state would be consolidating. Raitt explained that the proposal is for communities to keep local housing authority or transfer housing authority powers to another board that handles land use decisions.

Lombardo inquired of the group if there was a collective vision regarding housing that is needed or that the community is willing to support. Jennifer Scuteri asked Raitt about 55-plus housing projects regarding ideal price point and location. Raitt said there is usually mixed income with affordable units priced at \$120,000 to \$240,000. She noted that residents cannot have a certain level of assets for an over 55 population so this housing is very limited.

In response to Scuteri, Raitt said most affordable housing projects have one bedroom units and she noted that an all 55 and older community might not be the right move for Hamilton. She suggested the Town make provisions for affordable housing with priority units set aside for priority populations including the elderly, disabled and local preference. Raitt noted the challenge that Sudbury is experiencing with price point on affordable units and resident assets. These projects typically apply to people with 60% of median income or below so this is not addressing lower income housing needs.

Discussion ensued about locations identified in Hamilton for affordable housing in consideration of limited opportunities in the downtown and whether or not the locations Town officials have in mind are suitable for particular types of housing. Raitt said this is a next step and agreed that downtown might be considered most appealing. She added that Town officials need to vet out what the housing need is, where it should be located and if current zoning works or if it should be modified to drive growth and a larger scale project that would be cost effective for developers. Raitt recommended the Town officials speak to

developers. She noted that Hamilton's Affordable Housing Trust had worked with Harborlight Community Partners.

Peter Clark described process involved with affordable housing and the Town's Master Plan. Housing stock was identified including accessory apartments but none qualify for Chapter 40B. He added that Asbury Grove, caretakers at estates who live in outbuildings and Gordon Conwell Theological student housing do not count toward Hamilton's affordable housing quota. Raitt explained that affordability restriction is for future low to moderate income units. She said Sunderland had a similar argument but SJC said these are not qualifying units based on 40B. Raitt noted that she suggested adjustments to Hamilton's accessory apartments by-law to make it more usable.

Lombardo described how Affordable Housing Trust had come to conclusion that fixation on the quota numbers for affordable housing is not productive for the Town since it is highly unlikely given the state laws that those milestones would be met. Based on the data there is not enough housing stock to meet the need so the focus is on how the Town can productively add units that create opportunities for seniors and other residents to reside in Hamilton and grow the community.

Raitt concurred with previous discussion about households that are cost burdened and are lower income that do not have accessible opportunities for housing. She agreed that it is important not to look at the percentages of affordable units but to recognize the need and understand what is occurring in Hamilton that is impeding the creation of those housing opportunities.

Marc Johnson suggested the Town identify what the tolerance in the community is for different housing stock (i.e., 20 to 100 unit project). Discussion ensued about the Town's appetite for density and number of units and if new development should be focused downtown. Town officials asked if this includes tearing down existing structures in the downtown to create space for new development or if residential units could be added in a second story in the commercial district where there historically has been a lack of developer interest.

Discussion addressed by Tom Catalano was that the downtown is built out due to septic limitations and if there was a municipal septic system this would alleviate that problem. Lombardo emphasized the importance of a shared vision for the Town as to what the downtown should look like relative to vibrancy and greater activity with 50 to 500 people. He added if several hundred housing units

were promoted in and around the downtown, there is not enough open space so changes would have to occur such as a septic field and how to size it.

The group worked toward weighing in on its tolerance for a classic multi-family property with two to four units within a mile to the downtown. Neill provided the perspective that the seven condominium units located next to his single family home on Asbury Street on one acre complied with zoning. He said when that project was proposed in the 1980s it was for 20 to 30 units on one acre but local zoning did not allow it. He said there is the infrastructure issue with septic needs to be solved but a multiple family property could be included in the downtown and maintain the same environmental character. Neill suggested that there could be 14 units per acre in the downtown and noted that zoning would have to change.

Raitt described how Mass. Development state agency visited Town Hall today and it might be a resource to help the community tackle its infrastructure and growth issues since it has assisted other municipalities. Lombardo said the Hamilton Development Corporation, Affordable Housing Trust and other Town boards need to understand what Hamilton should do relative to density and infrastructure needs beyond the septic, as well amend current by-laws to enable multi-family property development.

Peter Kane said as a downtown resident the area already seemed full and he suggested the Cutler or Winthrop school sites had real potential. Lombardo explained that this meeting was the Town's beginning effort to look at opportunities not at any specific location in Town. Discussion ensued about the need to address the overlay district downtown. Bill Gisness noted that the cost to buy the Hansbury property and the number of units that would have been allowed deterred developers from moving forward at the site. Raitt said this result may have been what happened in Hamilton from 2003 until 2011 where land value is high and limitation of number of units did not make development feasible.

Discussion then addressed possibility of a larger development in the outskirts of Town for residents interested in open space. Some meeting participants thought there was a consensus that people were interested in development in the downtown while one resident from the area thought the character of the downtown would be impacted with multi-family development. Discussion ensued about last year's conversation with Asbury Grove and whether or not this is a solution to Town's affordable housing quota.

Raitt emphasized that there is a need for affordable, multi family housing in Town and actions should be addressed to move forward with this development in Hamilton. She described how other communities have village center zoning that accommodates new growth and doesn't change feel of community but creates vibrancy and supports community. She referred to the state's Compact Neighborhood program, similar to Smart Growth housing district, Chapter 40R, with 4 units for one acre, 8 units multi family per acre and she expressed confidence that Hamilton could do this.

Jennifer Scuteri raised the issue of how historically any developer proposed project in Town is strongly opposed by resident groups. Raitt suggested that initiatives could be promoted and community building should be done. However, she said Hamilton has a reputation for not developing while other surrounding communities are providing funds or expediting the permitting process. She agreed that the Town had amended some of its zoning but it may not have been enough. Raitt emphasized that the Town had a history that it had to work on to change by community building outreach and board strengthening processes.

Discussion ensued about if other communities addressed infrastructure such as septic and utilities prior to new development. Raitt said that was not the case with other communities and cited examples. Lombardo recommended that the Town would be successful if it were to create a common supportable vision of what it wants to accomplish and discuss needed infrastructure simultaneously.

Discussion ensued about how developers sometimes appeal to abutters and that there can be pre-conference meetings with boards. Jeff Stinson described how with the Canterbrook proposed project there was misinformation about water usage that prevented this from moving forward. Fred Mills noted the community as a whole probably does not understand that Hamilton has a declining population and housing stock is not being well maintained.

Discussion addressed economic realities for Hamilton and whether or not septic issue in the downtown should be addressed upfront relative to economic study that was done where it was found not be to be economically feasible. Lombardo suggested conversations across Town boards have to be done to build consensus and develop another process for moving forward.

Scuteri raised the issue of Town officials focusing primarily on downtown as the area for development, when there are great estates for sale in Hamilton and she

suggested that development effort should be directed throughout Town. Lombardo recommended that time should be spent addressing housing and parking issues outside the downtown at future meetings. Jeff Hubbard reported on a conversation he had with a developer who was having success in Newburyport with pre-conference meetings and expedited permitting process where applicable parties met jointly with the developer to move the process forward. He suggested the Town consider the perspective of a developer and that the developers should be welcomed to Hamilton.

Discussion ensued where there was a difference of opinion where Peter Clark said the Planning Board is open to developers and Lindle Willnow strongly disagreed citing the example of his Board of Health work on the Canterbrook project. He stated his belief that the Town board representatives should be in the same meeting to discuss development proposals.

Conservation Coordinator Jim Hankin said statutory requirements would not allow such a joint meeting on separate permit applications. Bowler said there are boards in Town that would not consider a project until there has been a formal filing nor would they provide an informal answer. He said as a Zoning Board of Appeals member he meets informally with people to help them assess feasibility of project and possible issues. Hankin said the Town's staff does that and tries to field questions from developers early on in the process. Lombardo concurred this could reside with staff and the process could be strengthened to make it easier for developers to work with the Town.

Raitt explained that staff can do that and joint meetings with one board member from each permitting entity are allowed and she suggested Town officials review the best practices permitting handbook from the state. She added if the Town had a specific district that it wanted to have zoning by right and a specific permitting process there are certain types of zoning and/or districts that can be adopted to enable the Town to have a faster permitting process. Hubbard suggested the Town ask Newburyport how it is doing its permitting process.

Discussion ensued about financial incentives that Beverly is offering to developers and if Town is considering energy efficient, green technology projects. Also addressed was if Lombardo could set up a blog for core group of Town boards. Planning Board Christine Cheetham said the meeting minutes would be posted on the Planning Board website page. Discussion was on the fact that blog would violate Open Meeting Law but questions on the topic could be

posted. Raitt said Lexington has created a place for people to comment on town's website that is managed by a staff person.

Bowler said it would be helpful to have expertise brought into the meetings on how to improve the downtown to identify what is possible (i.e., septic) and what would be the development cost (i.e., land purchase). The intent would be to narrow down the problem and Hamilton Development Corporation could bring this back to a bigger group.

Tom Catalano suggested that the Selectmen should communicate to the Town in general, perhaps at Town Meeting, why the housing production plan is needed and that a decline in population is ultimately bad for Hamilton. He emphasized that the public has to buy into the fact that the Town is sinking which would be done by community outreach so there is a broader understanding about why Hamilton needs housing production and economic development.

Scuteri mentioned that an 80-acre estate is currently being sold to a developer who was recently before the Planning Board. She thought this could be a first project where Town officials discuss with the developer possibilities beyond six houses to more units with some affordable. Clark cited history with the property having been on the market for three years and approval for subdivision plan was done in 1994 but the equestrian estate owner was not willing to divide the land that has three buildings on three established lots with estate house as the fourth lot so little new construction will occur. He added that there is affordable housing with the farm dwellings for people working on the estate. Hubbard concurred with Scuteri that this was a chance to win over the developer, turn the Town's image around and have a positive relationship moving forward with the developer.

Discussion ensued about divergent groups in Town that have individual priorities such as the schools, property taxes and open space. A meeting attendee said the property under discussion could cut off equestrian uses if there are separate property owners so this could potentially impact open space.

Raitt reiterated the primary issue facing the Town is that there are residents living in Hamilton who are cost burdened and there are individuals who cannot considering moving into Town due to lack of availability of right priced rentals and right priced homeownership options. She summarized that the Town boards acknowledged that there is a housing problem for Hamilton and that there is interest in working together to solve the situation in part by seeking information

about how housing development is being done successfully in neighboring communities.

There is some consensus about what the Town wants to do with the downtown to address housing issues but due to infrastructure challenges and as part of the housing plan process other opportunities in other locations in Hamilton should be investigated and options vetted. Also, that perhaps an updated feasibility report for the downtown septic situation may be needed. In addition, there is interest from Town boards to have the Hamilton Development Corporation and Affordable Housing Trust meet and discuss housing situation in Hamilton so HDC can bring ideas back to the larger Town board group.

Clark referred to Canterbrook project and how developer had come back with lower density, 43 to 23 senior housing units, and now that developer is considering six single family housing lots for the site which Clark did not think would pass permitting process. Clark suggested the Town go back to the 23 unit proposal that has approved septic system and wetlands management system. He added that the Town needs to speak to the property owner and developer about how Hamilton wants the project done and there are incentives for developer to move forward with senior housing project versus single family housing project.

In response, Raitt recommended since the Town might not have the incentives, it should bring in state agencies to help out with that project. Lombardo described how the Town has asked the property owner and developer to converse about what state resources could be brought to bear to vet the senior housing project.

Discussion ensued about Hamilton Development Corporation where David Carey, Brian Stein, Bill Gisness and Rick Mitchell are board members and the Corporation is seeking a fifth member, preferably with contracting or developer background. Members described how they are focused on whether or not another study should be done for downtown sewerage, the importance of a vision for the Town, how they will update Wenham as an abutter to the downtown about any ideas about development in the area, that the HDC has a budget of \$230,000 and is a separate legal entity as outlined on Town's website.

Gisness said HDC is looking at envisioning for downtown since that is the Corporation's jurisdiction, it would consider what densities would look like for future projects and this information would be provided on website for developer review. Also, that the HDC receives \$40,000 annually from the Meals Tax. He recommended anyone with development ideas converse with the Corporation.

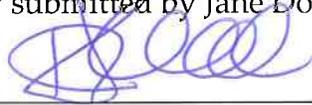
Lombardo suggested that the Affordable Housing Trust, Hamilton Development Corporation, and Planning Board convene to discuss ideas on next steps such as scheduling structured meetings to maintain momentum on Town's housing issue. He added that as the Town addresses its housing need, the by-laws will come into play, need to be revisited and possibly tweaked.

Neill suggested if they focused on a presentation for this year's Annual Town Meeting to inform the voters that this is the direction Hamilton is going in then the HDC should take the lead. In response to Clark who recommended this topic be publicized in the local media, Lombardo said this spurs action to get the Town going with social media.

The meeting adjourned at 8:30 p.m.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____



Clerk