

**TOWN OF HAMILTON
BOARD OF SELECTMEN
SEPTEMBER 7, 2010**

The Board of Selectmen met at the Hamilton Town Hall at 7:00 p.m. on Tuesday, September 7, 2010 with William Bowler, Jennifer Scuteri, Dave Carey, Jeff Stinson and Marc Johnson present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena, Police Chief Russell Stevens, Finance Committee current and former members John McWane, Bob Bullivant and Arthur Oberheim, Recreation Director Melissa Roy and CPA Coordinator Christine Berry also present.

Appoint Ben Ricker to Community Preservation Committee

Jennifer Scuteri entertained a motion to appoint Ben Ricker to the Community Preservation Committee. Jeff Stinson so moved. William Bowler seconded the motion. VOTE: Unanimous.

One-day Liquor License – Tim Hopkins Catering – 9-12-10 – Myopia Horse Show

Tim Hopkins will work with Police Chief Russell Stevens about police details inside at the event since there could be as many as 500 attendees. Traffic details are in place. The bartenders at the event are TIPS-certified.

Scuteri entertained a motion to approve the one-day liquor license for Timothy S. Hopkins Catering for September 12, 2010 from 11 a.m. to 6 p.m. Bowler so moved. Stinson seconded the motion. VOTE: Unanimous.

One-day Liquor License – Mercury Brewing Co. – 9-9-10 – Myopia Horse Show.

Discussion on who would be serving the beer with representatives from Mercury Brewing Co. and Myopia Hunt Club. Mercury Brewing will be providing the beer but not pouring. This event is a clambake and close to 100 people will be attending. Myopia representative Peggy Lynch will contact Police Chief Russell Stevens if number of attendees is likely to exceed 100 to organize a police detail.

Scuteri entertained a motion to approve the one-day liquor license for Mercury Brewing Company on September 9, 2010 from 6:30 to 9 p.m. at the Myopia Hunt Club schooling field subject to the attainment of insurance policy coverage and that the pouring will be

done by a TIPS-certified bartender. This documentation needs to be provided to Assistant Town Manager Chris Lindberg before the license can be issued. Lynch agreed to follow up with Lindberg. Bowler so moved. Stinson seconded the motion. VOTE: Unanimous.

One-day Liquor License – Mercury Brewing Co. – 9-11-10 – Myopia Horse Show

Scuteri entertained a motion to approve the one-day liquor license for Mercury Brewing Company on September 11, 2010 from 1 to 5 p.m. at the Myopia Hunt Club schooling field. Bowler so moved. David Carey seconded the motion. VOTE: Unanimous.

One-day Liquor License – Mercury Brewing Co. – 9-12-10 – Myopia Horse Show

Scuteri entertained a motion to approve the one-day liquor license for Mercury Brewing Company on September 12, 2010 from 1 to 5 p.m. at the Myopia Hunt Club schooling field. Bowler so moved. David Carey seconded the motion. VOTE: Unanimous.

Lynch confirmed that for all Myopia events that would be serving alcohol, a liquor license had been requested. ¹

BOS Task List

Selectmen are trying to control property taxes by controlling spending and bringing revenue into Town by encouraging development in Hamilton. The thought is that this could prompt empty nesters to choose to remain in Town. Board is working with Planning Board to get Willow Street overlay district and Great Estates by-law understood by public so these initiatives could pass at Town Meeting to facilitate mixed-use in Hamilton and working with Wenham to implement more shared service arrangements. Selectmen are also trying to expand P.I.L.O.T. and assist with the sale of unusable Town land.

Senior Property Tax Abatement

Discussion with Finance Committee members about what steps are necessary to implement Senior Property Tax Abatement approved by Town Meeting and Legislature. Intent is to offer property tax relief to senior citizens based on age, household income and assessed valuation of homes.

Applicable age, 65 or 70 years old, has to be defined. Applicants would have to be Hamilton residents for 10 years and have a maximum annual income of \$49,499, if single and \$74,250, if married. An asset test will be done for applicants based on

assessed home value that is less than or equal to the Town's median house value of \$403,300 in FY'10 plus 10%.

Town officials thought that approximately 275 households have homeowners 65 years old but do not know how many would then qualify for the senior property tax abatement. Age threshold has to be set before applications could be recorded.

Hamilton residents will vote during an upcoming special election on a ballot question that asks them whether or not the Town should implement the senior property tax abatement for FY'12 on July 1, 2011.

Discussion on how \$175,000 a year is budgeted for real estate tax exemptions and abatements and that the cost of abatements associated with the senior property tax abatement would have to be budgeted into an overlay account going forward. This year, the Town could have as much as \$90,000 depending on what happens with a Verizon liability (\$62,000) and state reimbursement on statutory exemptions (\$28,000) or as little as \$3,000. The Department of Revenue will weigh in on this process.

Donovan Fields Conservation Restriction

Town officials are investigating the possibility of purchasing land on Sagamore Street owned by the Donovan family to continue use as playing fields and open space.

The purchase price is \$675,000 and Hamilton has applied for a grant of \$338,000. The Town will learn if it received the grant two weeks before Special Town Meeting in October. Community Preservation Act funds will also be applied to the purchase.

Hamilton cannot hold the conservation restriction (CR) for the land. A CR is required since the upland on the property is hopefully going to be obtained through a state grant and CPA money is going to be used. The CR does limit activity on the property.

Essex County Greenbelt has been helpful to the Town regarding the CR but would require a \$15,000 endowment to hold the CR. The Hamilton-Wenham Open Land Trust has also expressed interest in holding the CR at no cost to the Town. The Trust is prepared to do fundraising. Hamilton would continue maintaining the playing fields. The Essex County Trail Association would maintain the trails.

Scuteri entertained a motion to approve Hamilton-Wenham Open Land Trust as the holder of the conservation restriction with regard to the acquisition of the so-called Donovan property. Bowler so moved. Stinson seconded the motion. VOTE: Unanimous.

Fred Mills – Affordable Housing

Discussion was on need for Town to create a balance of housing available in the community. Fred Mills from the Affordable Housing Partnership Committee said when developers buy a property in the \$200,000 price range; typically it is upgraded and is no longer affordable. Therefore, residents would have to live in Hamilton for multi-generations to keep some of the real estate properties affordable.

Discussion was on possibility of buying deed restrictions from homeowners as a way to keep properties affordable.

If a community has a municipal affordable trust it can move quickly to purchase properties for affordable development.

Mills agreed to work with Carey and Stinson to determine and document how many properties in Town fall into an affordable price range.

A municipal affordable trust could be funded by Community Preservation Act funds. CPA Coordinator Christine Berry will check to see if such a trust would have to meet Chapter 40B requirements.

Scuteri entertained a motion to add to the warrant for the Special Town Meeting on October 30, 2011 the adoption of a municipal affordable housing trust. Stinson so moved. Bowler seconded the motion. VOTE: Unanimous.

Willow Street Overlay District and Great Estates Bylaw

Planning Board Coordinator Marcie Ricker presented information on the proposed Willow Street overlay district and Great Estates bylaw. Historically Hamilton has adjusted to change by incorporating mixed uses on its great estate properties. Farms evolved to include shoe production shops and farm workers became estate workers coupled with the advent of the railroad coming to Town.

If Hamilton were to adopt an adaptive reuse bylaw (Great Estates bylaw) it would be the fifth community in the state to do so to preserve the great estate homes and bring in development. This would allow the large, single resident properties to add a few diverse commercial entities (i.e., bakery or apartments) rather than dividing up the estate land for sub-division housing.

The proposed bylaw would apply to the great estates in Hamilton that are more than 5,000 square feet and were built before December 31, 1950. One of these great estates has a single-family residence that is 14,000 square feet.

The Willow Street overlay district could stretch from Asbury Street to 203 Willow Street or as far as Linden Street. It would incorporate smart growth properties that are transit-oriented and could have mixed use with commercial on the first floor and residential on the second floor. This use would increase density and foot traffic in the downtown area.

The Planning Board would identify the best use for a smart growth property and balance the benefits with impact on neighbors when issuing special permits for the overlay district. This type of use would increase a property owner's rights and utilize specific setback requirements.

Town officials agreed that the intent of the Great Estates bylaw was to provide options for uses at great estate houses (i.e., two-bedroom units) while avoiding the building of subdivisions and the overlay district would present creative ways to bring revenue into Hamilton.

Resident Jack Lawrence thought flexibility was key to developing the great estate properties since each one lends itself to different, creative options.

Ricker noted that the Town has to work hard to educate the voters and pass the great estates bylaw and overlay district initiative with a two-thirds vote at the fall Special Town Meeting. Wording and threshold on both could be amended later. The Planning Board will hold a public hearing on these initiatives on September 28.

Discuss Appointment Process procedures

Discussion on the flag that has been added to the Town's website for information on volunteer opportunities. Also, whether or not business owners who are not residents could serve on certain Town boards and committees such as the Economic Development Committee. Discussion was on need for chamber of commerce in Hamilton. This would probably work best as a regional entity done with other communities rather than a downtown commercial group.

Discuss TIPS training for alcohol licenses

Westborough requires TIPS training for alcohol licenses. Lindberg will create a TIPS training document for Hamilton similar to one used in Westborough for Board review.

Selectmen will direct suggested changes on the draft document to Town Manager Michael Lombardo.

Discuss BOS Website Page

Discussion on whether or not the BOS website page could have a dialog area that describes latest Board projects and a calendar to show sub-meetings, etc. To be viable, this would have to be continually updated. Lombardo will check with Virtual Town Hall website software company to identify what could be done regarding access to the system by Board members. Presently, only the Town Hall staff can update the system. Given the current workload, it is unlikely they would have time to update a dialog area.

Sign Cemetery Deeds

The Board signed cemetery deeds.

Close Warrant

Instead of two bylaws, consolidated Willow Street overlay district and Great Estates bylaw proposals into one bylaw. Other changes to warrant include Quinn bill revocation since it was negotiated out of police union contract, adding affordable housing trust article and eliminating Section 6 – free cash application.

Scuteri entertained a motion to close the warrant for the Special Town Meeting on October 30, 2010. Bowler so moved. Marc Johnson seconded the motion. VOTE: Unanimous.

Summary of Regionalization Seminar on September 2

Scuteri and Bowler attended a regionalization seminar at College of the Holy Cross in Worcester on September 2. Many towns in western Massachusetts with small populations have regionalized basic services such as emergency dispatch, animal control and health officer. On Cape Cod, Orleans, Wellfleet and Eastham are sharing police services.

Seminar attendees were very interested in sharing services rather than regionalizing departments. The state is pushing for regionalization.

The Town is currently a member of Metropolitan Area Planning Council that includes Boston. Town officials thought Hamilton would be better served by an Essex County Planning Commission. A local planning commission could potentially provide

geographic information system capabilities for multiple communities similar to what is done by the Merrimack Valley Planning Commission.

Other business

Selectmen agreed to meet next Monday for a working session. The Board discussed alternating what they do at meetings, one week focus on processing information, next week vote on actionable items.

Two selectmen will hold office hours on October 4 at the Hamilton-Wenham Public Library to discuss current topics with residents.

Carey asked that the historic district signs in Town be updated. He thought money for this could be found in the public works budget.

Scuteri entertained a motion at 9:28 p.m. to adjourn. Stinson so moved. Bowler seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk

ⁱ On Wednesday, September 8, another liquor license request came into the Town for an additional 145-guest list party that the Selectmen will discuss in their meeting on Friday, September 10 at 3 p.m. when the Board votes to issue the liquor license.