

HAMILTON PLANNING BOARD
MINUTES OF MEETING
April 5, 2016

Members Present: Peter Clark, Ed Howard, Jeff Melick, Rick Mitchell, and Claudia Woods

Associate Members Present: Richard Boroff and Bill Olson

Planning Director: Patrick Reffett

Others Present: Bill Redford, Jim Kroesser, and Mary Kroesser

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

Site Plan Review for 248 Bay Road

Patrick Reffett reviewed the project and submitted a recommendation letter based on the last meeting to be submitted to the ZBA. Jim Kroesser had no comments about the letter. Peter Clark said directing the fan away from Bay Road would reduce the noise. Peter Clark asked about signage on the building to which Mary Kroesser replied that on the front of the building there would be the name of the bakery and possibly the windows would have information written upon them.

Motion made by Ed Howard to approve the letter of recommendation as revised by the Planning Board discussion.

Seconded by Jeff Melick

Vote: Unanimous in favor

Changes to the Zoning Bylaw

Jeff Melick asked if anyone had a chance to review their sections of the Zoning By-law but had not had a chance to review any changes that had been submitted by others. Mr. Melick thought the new definitions were acceptable. Mr. Boroff said Mark Brobowski did a nice job consolidating uses in the chart provided. Peter Clark said setbacks should be zero, the 20,000 sf was an error, and that there was no frontage or lot size requirements in the Business District. Richard Boroff said that for a dwelling there was a 20,000 sf requirement, but Jeff Melick said the other lines on the chart should indicate zeros rather than 20,000 sf. Dimensions were in accordance with Site Plan Review in the past, but the chart indicated inconsistencies. Mr. Melick said it should be reviewed and considered again at the next meeting.

Mr. Boroff reviewed section 4.1.3 that described sections of a lot that were more narrow than 75' which could not be counted as land calculated for lot size which would replace the previously required circle of required space for a lot. Mr. Boroff said no part of a pond or river could also be included in the buildable area. Claudia Woods thought it was different than section C.1.A. which required a circle within the buildable area. 4.2.2. was the same as C.1.A according to Mr. Boroff. Claudia Woods and Peter Clark agreed that the language was different as it was for an irregular lot shape versus the width of a lot. Jeff Melick asked if the Board wanted to go with the new or old language regarding irregularly shaped lots. Claudia Woods said irregularly shaped

lots would be determined by the Building Commissioner in 4.1.4. Jeff Melick suggested placing the word, “too” before irregular.

The concept that no more than two pork chop lots (reduced frontage lots) could be constructed next to each other was discussed and the Board agreed that the provision should continue. In Section 4.3.3., 80,000 sf was indicated where 40,000 was indicated in the previous edition of the Zoning By-Law. Jeff Melick said he thought it was best to consider changes to this section as part of Phase II as it was a substantive change. In section 4.3.1., Claudia Woods said it should be a parcel not an area and Jeff Melick agreed. Section VI.3.7. outlined that no area that was less than 75’ in width could be included as buildable area, which was considered and the discussion focused on buildable area versus lot size.

Section V was completed by Bill Bowler who was not present at the meeting. The Board agreed to wait until Mr. Bowler could be present to discuss the changes that he had presented. Patrick Reffett reported that Mr. Bowler had considered the potential of doubling the size of buildings (such as adding a second story) in Section 5.3.3. under the purview of the Building Commissioner and the impact on abutters and thought this should potentially require a Special Permit. Jeff Melick suggested having Mr. Bowler come to the next meeting to discuss the changes.

Bill Olson said he highlighted the changes from the original By-Law. Parking spaces were defined as 300 sf in the previous By-Law and were now reduced to 200 sf. Patrick Reffett explained that a parking space was 18’ x 9’ and the additional area would typically be devoted to the access lane. Peter Clark thought it was changed a few years ago to 200 sf per parking space. Section 6.1.4 should dictate the size of all spaces, according to Mr. Olson. Section V.I. 9. D. d. described 300 sf per parking space and under 4., the same dimensions were required. Jeff Melick said he thought the Board should stay with 300 sf for each parking space as that was what the current Zoning By-Law indicated.

V.I. 6 shared parking was described by Bill Olson including the word “detrimental” which was not in the current By-Law. Jeff Melick suggested taking out the word as it was a substantive change.

VI.1.10 outlined the special permit authority under the ZBA which was discussed. Bill Olson thought Section V.I.3. was out of order in its location even though it was word for word from the original By-Law. Special Regulations discussion focused on Section 7.1.2. which described a radius of 60’ which was in the current By-Law for a driveway. Jeff Melick suggested that the radius of the driveway should be described. Bill Olson dictated the change described all driveways would have a centerline radius of at least 60’ in the event that the driveway curves. Figures were included in the By-Law so reference to them should either be included or have the figures exemplified including 7.1.2. Figure A and 7.1.5. Figure B.

Section VII.1.5. was discussed by Bill Olson as a connection to an access way to a Town street but under the current By-Law referred to paper streets or future streets so should be revised to include the new verbiage. Dimensional standards and density regulations, Section VII.2.4. were not included in the current By-Law, according to Mr. Olson. Rick Mitchell said it was just a

reference to the new dimensional standards. Section VII.3.3. described Communication Towers when an application needed to include sound or noise impacts which was a newly included requirement by Mr. Olson. Patrick Reffett said as they are approved via a special permit, noise would be under consideration during the permitting process.

Bill Olson was concerned with the noise generated by cell towers as well. Under Section VII.3.1.5., fees, the revision missed any special fees that would be assessed by the Selectmen were missing. Section VII.4.10, requirement section was misnumbered and noise for wind turbines was discussed. Jeff Melick suggested coming back to the noise issue at a later time. According to Mr. Olson, Section VII.4.1.9 should define both utility and small scale wind energy utilities.

According to Bill Olson, Section VII.4.2.4. and .5 could be combined under VII.4.24 and 25 under submittal requirements. Mr. Olson noted that abandonment for the utility scale would be under the ZBA which Jeff Melick thought was a substantive change and should be changed in Phase II. Rick Mitchell thought it would overburden Phase II with minutia. Motion made by Rick Mitchell to change the purview of abandonment to the Planning Board Peter Clark seconded
Vote: Majority to approve.

Bill Redford raised concern about paper streets versus future roadways.

Ed Howard complimented whoever wrote the letter regarding the citizen's petition. Jeff Melick said the citizens asked for no action on their Town Meeting proposal.

Claudia Woods made motion to adjourn.
Rick Mitchell seconded the motion.
Vote: Unanimous in favor to adjourn at 9:08 pm.

Prepared by:

Marcie Ricker

Attest

Date