



**Town of Hamilton Planning Board
PO Box 429, 577 Bay Road
Hamilton, MA 01936
978-468-5584**

MINUTES

Feb 4, 2014

Welcome – At 7:30 PM Chairman Ed Howard opened the Planning Board meeting. Members, Rob McKean, Peter Clark, Rick Mitchell, Jeffrey Melick, Claudia Woods and Brian Stein were present. Planning Coordinator Kristine Cheetham was also present.

Agenda Items

Planning Board Administration

1. Approval of Minutes

ACTION: R. Mitchell made a motion to approve the minutes of 12/3/13 and 1/7/14. R. McKean seconded. All voted in favor.

2. Planning Board Budget

K. Cheetham provided a brief explanation of the budget prepared for the town meeting warrant. She specifically called attention to the capital overlay of \$12,172 left over from the warrant article of 2004 for the Master Plan. The Dept. of Revenue has asked that carry over items not remain on budgets for more than three years. This item has been on the budget for ten years and is currently scheduled to be returned to the General Fund. The members of the Planning Board can ask Town Meeting to re-appropriate the funds. K. Cheetham noted that the funds could be used to support a records management project to consolidate the files of the land use boards. Many members of the Board agreed that it was a worthy project, but wanted to discuss further other uses of the funds.

ACTION: P. Clark moved to accept the Planning Board budget as presented. C. Woods seconded. All voted in favor.

ACTION: R. Mitchell made a motion to table the discussion of the capital overlay until the next meeting to consider other options. B. Stein seconded. Six members voted in favor. One opposed.

Approval Not Required

1. 401 Sagamore Street – Professor John Donovan presented the plans to subdivide the property at 401 Sagamore Street into two parcels. He provided a family history and explained that he was undergoing estate planning.
Member J. Melick wanted to publically thank Mr. Donovan for the donation of the land for the Donovan playing fields. He stated that many children and families have enjoyed the use of the land.
He demonstrated the deeds for the parcels and the notarized statements authorizing his son to pursue the changes. The son was not present due to illness. The Board agreed to accept the application from the father on behalf of the son.
The division of land includes the creation of two parcels:

ACTION: R. Mitchell made a motion to approve the ANR for 401 Sagamore St. P. Clark seconded. All voted in favor.

2. 434-438 Asbury Street – Scott Cameron of the Morin Group presented the plans to re-subdivide the property at 434-438 Asbury Street. He demonstrated the new lot configuration, the frontage and access requirements and the other features noted on the plans. Each of the three parcels meets the zoning requirements for the Groundwater Protection Overlay District. K. Cheetham noted for the Board that the existing right of way was approved through a previous subdivision of the land in 1957 and is a legitimate way for frontage. The plans demonstrate a 30' wide right of way even though only a 15' gravel way exists.

ACTION: R. Mitchell made a motion to approve the ANR for 434-438 Asbury St. J. Melick seconded. All voted in favor.

Pre-Application Conference – 354 Highland Street : Canterbrook Estates

Attorney Frank Tavares made a presentation to the Board regarding an application for 24 senior housing units at the Canterbrook Equestrian Center.

- The property contains roughly 14 acres with some wetland portions.
- He reviewed the basic site plan and confirmed that there would be three inclusionary units built within the site.
- He noted that the intent of the project is to meet all of the local requirements without requiring any waivers or exemptions from dimensional standards.
- The lighting specifications are not available yet.
- The storm water management data has been revised.
- A package treatment plant will be installed for a collective waste management system.
- The main access will be from Asbury Street. There will be emergency access only from Cross Street.
- The owner will speak about the market for this type of housing.

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Chairman Howard read a letter submitted by the owner requesting a waiver of the fees associated with the project application. The owner paid the full fees during the previous application which was withdrawn without prejudice. The Board voted in 2012 to accept a new application without the fees.

ACTION: R. Mitchell made a motion to waive the fees associated with the new application. P. Clark seconded. All voted in favor.

Staff also asked the Board to discuss and decide upon the need for a peer engineering review and the acceptance of the traffic information from the previous application. The bylaw also requires the open space to have certain legal restrictions.

- The Board agreed that they wanted to have a peer engineering review. They preferred to work with the same engineer as before.
- The element of traffic and parking was addressed. R. Mitchell noted that the old traffic analysis would be acceptable as a reference. However, the concept of traffic, parking, and access would be revisited through the review process. The Board members agreed to use the old traffic analysis as a base for decision making.
- The Board agreed to review the bylaw with specific attention to the open space restrictions.

Public Comments

Tim McClusky of Sharon Road shared his concerns regarding the groundwater protection overlay district. He wanted to better understand how the project meets the zoning requirements.

Rick Hayes wanted to know how he could view a set of the plans. K. Cheetham responded that a full set of plans would be available for public review at the planning department during regular business hours. Once the public hearing notice is printed, that signifies that the application is complete and available for review.

Cami Beckman wanted to be assured that the project would not waste a lot of time and money if there were unachievable goals. She referenced an article from a newspaper that indicated a lot of time and money were spent with no permits as result. She asked for the Board to address the toughest issues first.

The Board was advised that a schedule for reviewing the application that focused on different aspects of the project such as engineering, architecture, transportation, legal documents, etc.

would be established by the applicant and planner. The schedule will be released prior to the meetings so that the Board can be prepared and the audience as well.

C. Woods wanted to be assured from the town counsel about the proper process for permits. There is currently a special permit for the use of the site as a commercial equestrian facility. It does not allow the Planning Board to subdivide the property. K. Cheetham noted that the new senior housing special permit, if granted, would provide the applicant zoning relief for a new use. After the new relief is granted and constructed the old permit would no longer be valid. The senior housing permit is also not a subdivision of the land – it is a change of use.

Planning Director Position

Town Manager, Michael Lombardo, and Chairman of the Board of Selectmen, Marc Johnson, presented a draft of the Director of Planning and Inspectional Services position. Michael explained his vision for restructuring town government to the Board. He noted that there are four land use departments that are not formally coordinated within the town. He does not feel that managing them separately works in the long run for any town manager. He noted that this organizational structure would allow the director to re-align the tasks and staff support so that untapped potential can be realized. Finally, he stressed that the town manager under the directives of the Board of Selectmen need the ability to direct and manage staff. It has been four years of work under a town manager form of government which is different.

Marc Johnson echoed the sentiment that additional coordination with the land use boards might provide increased productivity for the town. He also drew attention to the 2004 Master Plan recommendations for a different form of government and a full time planner to improve the long term planning goals.

Board Discussion

P. Clark – He felt that the role and position of the planning board and coordinator have changed and evolved over time. He agreed that not enough work gets done with a part time staff. However, if the full time aspect of the position was consumed by supervisory tasks, it would not be beneficial to the planning board. It would remain the same as a part time planner. He wanted to share a few thoughts on the position. He felt that some of the new tasks were not necessarily within the typical experience of a town planner.

R. McKean – He felt that the emphasis in the language of the description was more geared towards a supervisor and less towards a planner. This concerned him. He also noted that if current employees were underutilized, that was a management problem, not necessarily one for the planning board to resolve.

C. Woods – She too wondered about the ability of the person to manage the tasks in the description and still support the planning board. In her opinion, the Planning Board operates independently from the town government so she was unsure about the organizational chart demonstrating that the position reported to the town manager with only input from the Board. She also expressed concern that the new position was more focused on management and was too expensive for the community.

J. Melick – He noted that the tone of the language may be off-setting. He felt that it was demonstrative in the terms that the new planner would direct the Planning Board instead suggesting that the planner would be guided and advised by them.

R. Mitchell – He tried to summarize the concerns of the Board. He noted that many felt that they might lose the technical assistance currently provided to them by the Planning Coordinator. He suggested that language be included to assure the Planning Board of continued level of support.

ACTION: All members are to forward comments on the position to Jeffrey Melick. He will compile the feedback and provide a recommendation for the next meeting of the Planning Board. Members are instructed to only email J. Melick and not to copy any other members of the Board.

Patton Estate – Request for Proposals

The town manager, Michael Lombardo and Chairman of the Board of Selectmen, Marc Johnson, offered a revised RFP to the Planning Board for review and discussion. They noted that the RFP would be listed on the town website the following morning, 2/5/14. M. Johnson also distributed a memo with several frequently asked questions as a basis for the conversation with the Board.

M. Johnson – He informed the Board that the town intends to work on a co-application with a developer because of the unique relationship with the land and development goals. The town leadership has had preliminary conversations with developers. The intent of the RFP is to provide guidance to a developer but to be vague so that the town can learn more from the developers about what their needs are related to the market and housing development.

Access – There are a few options for access to the property. The access points were left open ended for the developer to propose. The presence of wetlands is an issue for one access area and the other is adjacent to the potential field/parking lot.

Riverwalk – There have been meetings with the Essex County Greenbelt Association to discuss the potential of developing a riverwalk along the boundary of the two properties. The work in the wetlands and overall plan needs some clarification.

Fields – There are still hopes of having a recreation field located at the site. However, the Recreation Department has other goals and sites – so that aspect is also flexible. It is not leading the re-development of the site.

Estate House – The estate house is not a part of the RFP at this point. The town will share thoughts and visions with the developer(s) during the review period. The intent of selling some land for development is to secure an endowment that will enable the town to re-visit the goals for the Estate House.

Materials – M. Johnson clarified the attached paperwork relative to the site plan. There were different color schemes to denote areas of the site. The area for development and open space were highlighted. Also two potential access points were highlighted.

General Discussion

P. Clark was concerned that not enough of the site constraints were identified within the RFP. He had specific concerns about the location of the proposed land for sale with regard to site access and fire safety. The discussion about the paper road for frontage and other proposed access area near the wetlands were of concern to him. He also inquired about the use of land the town owns around the abandoned well. E. Howard wanted more information about the closure of the well.

M. Lombardo informed the Board that the well had been officially abandoned and capped. It only has potential re-use for irrigation purposes. The land owned by the town is currently a separate parcel.

P. Clark also wanted to confirm the actual quantity of land for sale. His concern was that a developer using the OSFPD bylaw for 12 homes would normally have to own many more than just 4 acres. He wondered if the town should have the developer purchase the land in order to benefit from the value of the land purchased and taxes on the and after it was developed. In addition, he inquired about the timing of the RFP.

M. Lombardo responded that the goal is to have a decision available for town meeting. Any sale of town land requires a 2/3 vote from town meeting.

C. Woods asked what decision, if any, was being asked of the Planning Board at this time? She was hoping for the Board to have a greater role in shaping the project.

M. Johnson replied that the RFP was on-line and that these comments would be useful during the discussions with the developer. The Planning Board will shape the project somewhat during the permit process.

P. Clark also asked about the composition of the Selection Committee.

M. Lombardo responded that he has not finalized a selection committee. His thoughts were that it should not be members of Boards with permit authority.

Adjourn – At 10:40 PM C. Woods made a motion to adjourn. P. Clark seconded. All voted in favor.

