

HAMILTON PLANNING BOARD
MINUTES OF MEETING
December 18, 2018

Members Present: Richard Boroff, Peter Clark, Janel Curry, Ed Howard, Rick Mitchell, and Brian Stein (Chair).

Associate Members:

Planning Director: Patrick Reffett

This meeting was called to order in the Memorial Room at Town Hall at 7:00 with a quorum established.

Approval Not Required 652 and 654 Asbury St.. One new lot.

Wayne Jelbert and Eric Eaton (Hancock Survey) were present to present the plan for the Patton Ltd. Partnership. The plan created one lot with the existing house on it. Lot 6 met all zoning requirements. The applicant wanted to have the Approval Not Required plan endorsed to freeze zoning requirements and had no future plans for the land. The existing driveway on Lot 6 had an easement with traffic patterns set to be able to move through the property. All of the property was in Hamilton. Patrick Reffett said he had analyzed the application to find that the request met zoning with the lot having access to Asbury St. Mr. Reffett recommended approval.

Motion made by Rick Mitchell to approve at the application for 652 and 654 Asbury St. Richard Boroff seconded.

Vote: Unanimous in favor.

Sign Plan for Bayfield. Tom Ford

Tom Ford said missing dimensions had been found and added to the plan. Mr. Ford had met with the Historic District Commission the previous week after he had marked out the radius and width of the driveway on site. Mr. Ford would meet with the Commission again the following Thursday. Ray Brunet had reportedly offered his opinion regarding the rounding and the width for Fire Department access. The Board signed the plans submitted by Mr. Ford.

Approval Not Required 375 Bridge St. John Gardner. Four new lots.

Two drawings were submitted by Phil Patterson (Hancock Engineering) who represented the Gardner family. Currently the property featured 78 acres. A Conservation Restriction plan had been create a few years ago. Mr. Patterson showed the Master Plan of the property with the Conservation areas as well as the building envelopes. The shared driveway would be eliminated as the driveway to the main house out back did not seem practical, according to Mr. Patterson. The plan included a reduced frontage lot with 53' of frontage. Essex County Greenbelt held the Conservation Restrictions on the property. Essex County Greenbelt needed to be approached to give consent to borrow land from the Conservation Restriction to relieve the area requirements of one lot. Consent was given in November

The property was in the Groundwater Protection Overlay District, which triggered larger lot requirements. Mr. Patterson had submitted a document that explained how lot areas were designed in accordance with the District. Patrick Reffett was concerned that an attorney would focus on the frontage of the reduced frontage lot. Mr. Patterson responded that the reduced frontage lot was designed for the driveway from Bridge St. and that the reduced frontage option lessened the impact of the property and restored the value of the property. The plan showed the driveway. The reduced frontage lot had 4.8 acres of land, which fulfilled the requirement.

The driveway to the main house would be eliminated and the driveway through the reduced frontage lot would be used for the main house. Phil Patterson noted that Mr. Gardner wanted to keep a specific beech tree and since lot formation was difficult, an easement was placed around the tree to protect it. Mr. Patterson said the Gardners had acquired eight different parcels over time and the pre-existing Middlebusher property in the middle was never acquired.

Motion made by Rick Mitchell to approve the Approval Not Required plan.
Janel Curry seconded.

While the proposed roadway was indicated on the plan, utilities had not been considered. The driveway was designed to protect the integrity of the property. Originally Conservation Areas A and B were one, but Greenbelt had requested they become two separate areas.

Vote: Unanimous in favor.

Master Plan (Residential) update.

Patrick Reffett announced that focus groups had met the day before the meeting and new groups would meet the day after the meeting. The draft had been distributed and Rick Mitchell had made comments to the draft. Mr. Mitchell and Mr. Reffett would work together to create a document of all comments and send it back to the consultant. On February 5, 2019, a public forum would be held. Details of the study, what had been learned to date and the high points of the focus groups would be presented. According to Brian Stein, those who were not part of the focus groups could offer their suggestions at the public forum. The consultant would synthesize the information and have another public forum on March 20, 2019 after finalizing the report to the Town. Mr. Mitchell added that an online survey was part of the information gathering and would occur within the next month. Anyone in town could answer the survey. There would be a link from the Town website and as part of the public outreach, an article would be placed in the Chronicle regarding the survey. Information would also be posted on social media. Fliers could be distributed through the schools.

Sample questions could be reviewed before the survey was set up. Brian Stein thought questions similar to the town wide survey could be used. Rick Mitchell thought the survey should be more focused on housing versus the surveys produced by Marc Johnson and Shawn Farrell. The Town

survey was not focused on housing. Peter Clark noted the importance of the fiscal impacts. Rick Mitchell commented that the study might not be the place to describe impacts. The HUD website was discussed and it was determined that a graph might be more useful. Median income in Hamilton was \$114,000 with low to moderate income being 80% of that number. 32% of the town residents were in the low to moderate category. Mr. Mitchell added that the State average income was \$40,000. Previously problems occurred when labels were thrown around with no data to substantiate the conversation. Graphic illustration of age and income would be useful. Comments would be sent to Patrick Reffett.

Patrick Reffett thanked those that volunteered to be focus group members. Members of the Council on Aging had been contacted to be involved in the process. Peter Clark was glad as he believed the Town kept talking about low income and seniors but did not have a profile of their needs.

Board Discussion – future potential Zoning By-law amendments.

Brian Stein said the pool placement issue was easy wordsmithing and would be an edit to the By-law to limit where pools could go such as front yards. Bill Bowler would be contacted regarding the Sign By-law as he had an overview of issues and what had happened in the past.

The Inclusionary By-law needed to be revised to represent the actual costs of affordable housing units. The current figure of \$146,000 per unit was about \$100,000 too low. Brian Stein said MAPC had sent literature and the consultant for the Master Plan had been consulted regarding the issue. Patrick Reffett would do research regarding what other towns were doing and what was a reasonable cost per unit. The rewriting of the By-law would be completed in house, according to Mr. Stein. While having a figure that worked for the Town and the developer, Rick Mitchell stated it should be a figure that had longevity and increased with inflation and property prices.

Brian Stein referred to the 175 page document that MAPC had sent to the Town. Patrick Reffett had asked for recommendations for rewriting the problematic issues, one of which was dealing with affordable housing units within a senior housing project. DHCD policy indicated that affordable units could not be restricted by age if they were to be added to the subsidized housing inventory. Mr. Reffett suggested taking an average of the last affordable units of surrounding communities that would be comparable in land value, construction, and permitting. Brian Stein suggested using the sale price of the unit. Janel Curry asked if the figure should be reassessed every five years. Mr. Reffett agreed that it should to keep the numbers fresh.

Rick Mitchell said the percent of median income was published by HUD with 30% of the income being devoted to housing. Patrick Reffett responded that HUD updated the figures every ten years. Brian Stein suggested adjusting the number for inflation. The area median income was currently \$114,000 with 80% near \$90,000. 30% of \$90,000 was \$30,000 to be spend on housing. Peter Clark noted that the Town was having a senior housing project being built but

there were no subdivisions being proposed. Mr. Clark mentioned a possible subdivision on Gardner St.

There was nothing new for the Micro Wireless By-law but Patrick Reffett suggested the Board consider the way the language currently read. The By-law indicated that anytime there was an installation, maintenance, or changing out old equipment for new equipment, cell providers were pushed to get permitted. The Board might want to consider allowing the Building Commissioner to make a determination if a simple change out of existing equipment for comparable equipment needed to be permitted by the Board or not. Mr. Reffett asked if the Board wanted to do the permitting for when cell providers changed from 4G to 5G. Richard Boroff said 5G equipment could not be installed in steeples as the equipment took up too much space so those changes should be reviewed by the Board. Even changing similar equipment might have a different look. Mr. Reffett asked if the Board wanted to review the changes if they could not be seen. Brian Stein said if changes were internal, the Board should not need to review the change but if the changes were external and substantial in size and appearance, the change should be reviewed by the Board. Mr. Stein thought the Building Commission should be able to determine if the change needed to be reviewed by the Board. Mr. Stein said a By-law for switching technology was needed. Peter Clark wanted to have Dan Hamm discuss the topic or have a consultant inform the Board. Mr. Stein said he had received a model By-law for micro-towers and had forwarded it to Mr. Hamm. Mr. Reffett said the hybrid text By-law was extensive with a rigid, prescriptive permit document.

Meeting Minutes – December 4, 2018.

Janel Curry made motion to approve the minutes of December 4, 2018.

Richard Boroff seconded.

Vote: Unanimous in favor.

Updates

The Board set the calendar for 2019. Meeting dates included: January 8 and 29, February 5 and 19, March 5 and 19, April 2 and 23, May 7 and 21, June 4 and 18, July 9 and 23, August 6 and 20, September 10 and 24, October 1 and 15, November 5 and 19 and December 3 and 17, 2019.

Ed Howard discussed the process with the Historic District and said an applicant should come to the Historic District Commission before the Planning Board. Obtaining approval with the Historic District Commission would allow neighbors to offer their concerns regarding the Historic District projects early. Mr. Howard noted the need for the developer to speak with the State Highway Department and local Fire Department. Mr. Howard recalled that Tom Ford had proposed a simple 3' extension on each side on his driveway with a hammerhead turnaround. The Fire Department wanted a cul-de-sac for safety. Ray Brunet (Fire Chief) said the driveway needed to be wider to get equipment into the driveway instead of having firetrucks forced into the oncoming lane of traffic. The argument about headlights were discussed at the Historic District Commission's meeting.

Richard Boroff recalled that the same issues were discussed at the Planning Board Meeting. Ed Howard responded that it was Town Counsel's opinion that the Historic District Commission had to have a hearing. Mr. Howard noted that no houses were being currently proposed and the Commission dealt with doorknobs, roofing, etc. Patrick Reffett said he checked with the State Historic Commission Director who said as long as it was horizontal construction at the ground level, he did not deem it appropriate for local review.

Adjournment

Motion made by Rick Mitchell to adjourn.

Seconded by Richard Boroff

Vote: Unanimous to adjourn at 8:20 pm.

Prepared by:

Marcie Ricker

Attest

Date