

HAMILTON PLANNING BOARD
MINUTES OF MEETING
March 19, 2019

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 7:04 with a quorum established.

Conceptual 40B Project Presentation

Peter Conant, who has an option on the 19.75 acres Gordon Conwell Theologic Seminary site, was present to discuss the project. Mr. Conant would be filing a Project Eligibility Letter for 43 single family detached homes, which would be sold in condominium form of ownership. 25% of the homes (11 total) would be affordable (\$216,000) of which seven would be local preference. One unit would be devoted to a minority family whether it be one of the 25% or another one. The remainder would be sold at about \$500,000. Brian Stein noted that no application had been filed and the presentation was only an informal conceptual plan. Mr. Conant had previously been to the Affordable Housing Trust. Patrick Reffett explained that after the 40B plan had been submitted to the Town, the ZBA would review the plans rather than the Planning Board, in accordance with State law.

The applicant said he needed to be in touch with the Planning Board, Selectmen, ZBA, Town Manager, and Affordable Housing Trust before he could file an application. Peter Conant thought the site was unique with the homes being built on a steep slope, which would not be visible from Bridge St. due to a dense evergreen screen. Mr. Conant said he was aware of water runoff issues and thought he would be able to solve the problem. Mr. Conant added that he would address the traffic problems on Bridge St.

Peter Conant presented the plans and listed the towns in which he had previously developed (Concord, Winchester, Stowe, Bolton, Bedford, Acton, Lynn, Chelsea, and Framingham). Mr. Conant explained the site, including the top of the hill at the Gordon Conwell library with placeholder contours exhibited. Mr. Conant noted the two catch basins that drained onto the site resulting in a lot of run off down the steep hill.

The proposed project would include three or four models of two bedroom homes with a percentage (10%) of three bedroom units. The site was in Zone II due to a local well. A group septic system would be used and a 3.5 acre open space area, which would include walking trails and a picnic area. Mr. Conant pointed to judicious cuts and fills in the hill needed to preserve areas of existing trees. The units would have 900 sf walk out basements with windows on three

sides. The upper floors of the units would be between 1,100 sf and 1,200 sf. The units would feature a one car garage and would be marketed to first time buyers or those wanting to downsize to a cottage in Hamilton.

Rick Mitchell noted that the median income for the affordable units would be \$65,000. Peter Conant added that the State wanted to have the range deflated by \$10,000 to \$55,000. The projected price of \$216,000 might increase slightly. Mr. Conant reiterated that 10% would be three bedroom units, which would bring the 110 gallon per day per bedroom up to the Board of Health limit. The timeline for the full proposal would include filing with the State within one month, having the State take 60 days to respond, having one month to file with the Town, and having the ZBA take up to a year to approve the project.

Once the application was filed with the ZBA, the ZBA would require the applicant to place funds in escrow to hire a consultant for traffic, environmental, septic, and soil review. Peter Conant noted that 40B reviews would not go into specific details such as siding. The ZBA would request input from all Town departments and condition their Decision based on all received information. Mr. Conant added that he had never received an onerous Decision. Mr. Conant explained that traffic increase would be non-existent and that there were no special endangered species or wetlands to contend with on site. The perc rate was wonderful according to Mr. Conant.

Peter Conant would send a list of completed projects to Patrick Reffett and suggested that Board members speak with Towns in which he had completed projects. The sketch of the project indicated that the entrance and exit would be from Bridge St. and not Miles River Road. The Board noted that they had received letters from residents who were concerned with Miles River Road access. Mr. Conant added that open space would be along Miles River Road and emergency access would be to the Gordon Conwell Seminary, if necessary. The proposed roadway would be less than 500' long and could be built as a dual carriage way. Rick Mitchell requested the applicant conduct a fiscal impact analysis of the project to show tax revenue and potential costs. Mr. Conant explained that he would only be able to profit 20% as per 40B law. The land was purchased for \$2.5M. Homes would cost \$200 per foot. Other costs would include soft costs for financing and marketing.

Public Hearing – Zoning By-law Amendments.

Rick Mitchell read the public hearing notice to open the public hearing.

Signage

Brian Stein noted that the By-law had been modified to address constitutional issues per Town Counsel and had been simplified in the Residential District by only allowing two temporary signs per contiguous lots in the same ownership. Temporary signs would be allowed for no more than two months in a calendar year. Five election signs per lot would be allowed. The Business District did not change. Discussion ensued regarding the applicability of a “For Sale” sign and it

was decided that it would be excluded from the provisions of the By-law. The word “temporary” was added to “signs per contiguous lots” in Section 6.3.2.

Rick Mitchell moved to accept amending the Hamilton Zoning By-law Section 6.3. to allow the Town to regulate signs within all zoning districts with the language as amended at this hearing to include new language in 6.3.1. and new language in 6.3.2.

Janel Curry seconded.

Vote: Unanimous in favor.

Micro Cellular Facilities

Patrick Reffett noted that Micro Cell Facilities term would be changed to Small Wireless Facilities (SWF). Mr. Reffett said the language was derived from the Worcester Ordinance with aesthetic language being added from the Peabody Ordinance. The Worcester language was changed from having the DPW review proposals to having the Planning Board review proposals as part of the Special Permit process. The placement of facilities would be in public right of ways, private right of ways, private property, and public property was included as it would comprise the entire community. Formatting and duplicative wording would be fixed. Mr. Reffett explained that once the application requirements were met, the application would be brought to the Planning Board to fulfill the Special Permit process. Facilities could be reviewed in batches of up to ten poles or individually. An overall plan would need to be submitted. It was determined that National Grid would not accept this type of addition to their poles, according Mr. Reffett, which would force installations on private barns or steeples close to density centers. It was noted that the Town-owned poles in the park might be a proper solution.

Janel Curry moved to approve the amendment to the Hamilton Zoning By-law in Section 7.3. to allow the Town to regulate Micro Cell or Small Wireless Facilities renumbering the existing 7.3 “Wind Facilities” to become 7.4 with the elimination of the second number 2.

Seconded by Richard Boroff.

Vote: Unanimous in favor.

Inclusionary Housing

Brian Stein said the changes were for defining the area median income and changing the fee in lieu of construction from two times to three times the median income. Rick Mitchell said the median income, which was calculated the HUD, was now approximately \$100,000 for a family of four. Mr. Stein thought it was \$80,000, of which 80% would calculate to \$65,500. It was agreed that the Board wanted to pursue obtaining the full median income rather than a percentage. Janel Curry suggested removing the term 80% and defining average median income. Patrick Reffett said the Selectmen’s previous discussion had centered on raising Senior Housing By-law age requirement to 62, which should not be confused with the Inclusionary Housing By-law as they were separate By-laws. Mr. Stein suggested ending the definition sentence with “HUD.”

Rick Mitchell made motion to adopt the amendment to the Hamilton Zoning By-law to add a definition to the median income and modify the Inclusionary Housing By-law Section 8.3. and appropriate sections to allow the Town to impose Inclusionary Housing requirements as part of applicable projects as amended relating to the area median income.

Janel Curry seconded.

Vote: Unanimous in favor.

Master Planning (Residential Update)

Patrick Reffett said he had distributed the graphic to be circulated and reviewed by those who would attend the second forum. The forum was postponed until April 29, 2019 to allow for more time for fiscal analysis and for advertising the forum on that night. The compiled data would be reviewed at the meeting of April 2, 2019 with Jennifer Goldson. Projected fiscal data should be available.

Board Business

The public hearing for Green Meadows Farm Site Plan Review would be on April 2, 2019. The Selectmen had asked that the Board review impacts such as odors as part of their review, which had not been considered in the Host Community Agreement (HCA). The peer review engineer (BETA) would submit information after a scope had been written. Patrick Reffett would provide a summary of Host Community issues. The Police Chief would need to provide comments regarding traffic related matters, while the peer consultant would review items such as trip distribution, loading, and unloading times and place. There were water main considerations. The large building would need to comply with the rural look of the area. The structure which is designed like a barn would be set back from Asbury Street. The Meyer Road Subdivision would be considered on April 2, 2019 as well. The Board was asked to review correspondence provided as well as Site Plan Review Regulations and process.

Richard Boroff wondered if residents' correspondence could be improved. Ed Howard agreed but thought it was important to have those who were not articulate, be able to speak. Brian Stein did not want to police what was received. Patrick Reffett had the Canter Brook Temporary Sign Decision based on plans received and board acceptance thereof ready for signature. Richard Boroff updated the Board regarding the Open Space Committee. Mr. Boroff was Chairman and said the Committee would meet weekly. A representative from MAPC would be at the April 4, 2019 meeting to offer his help.

Minutes

Janel Curry made motion to approve the minutes of March 5, 2019.

Richard Boroff seconded.

Vote: Unanimous in favor.

Adjournment

Motion made by Rick Mitchell to adjourn.

Seconded by Richard Boroff.
Vote: Unanimous to adjourn at 8:25 pm.

Prepared by:

Marcie Ricker

Attest

Date

