

HAMILTON PLANNING BOARD  
MINUTES OF MEETING  
April 23, 2019

Members Present: Richard Boroff, Peter Clark, Janel Curry, Rick Mitchell, Brian Stein (Chair) and Bill Wheaton.  
Associate Members: Laura Walsh  
Planning Director: Patrick Reffett

This meeting was called to order in the Memorial Room at Town Hall at 7:02 with a quorum established.

**Public Hearing – Medical Marijuana Facility. Site Plan Review. 654 Asbury St.**

Patrick Reffett offered a review of the process and the proposal. The BETA group was the chosen engineering company who would conduct a peer review. Bob Patton said he distributed a letter to the Board that clarified the nature of the project as a very rare, translucent roofed greenhouse that would use sunlight as its main source of light. Mr. Patton said it reflected the fundamental organic element of what they were trying to do, which was an important distinction from other facilities. Project Manager and Engineer Kevin McGarry said an updated plan with a new colored rendering was added to the file. Since the last meeting, the applicant went to the ZBA and coordinated with the Ipswich River Watershed Association (IRWA) and the BETA group. There was a meeting scheduled with the police chief to go over the security plan.

Kevin McGarry submitted automatic traffic counter data, data on parking, and trip generation information to BETA. Non-employee traffic would include shipments via a large delivery van off site about once a week depending on the time of year. Deliveries would include administrative office supply deliveries as needed during working hours, agricultural supply deliveries in larger box trucks once to twice a month, and infrequent equipment delivery in the event a piece of equipment needed to be replaced in various sized vehicles. Turning studies indicated that a 30' box truck and a tractor trailer could navigate the site. Hours of operation would be from 7 am to 8 pm. Employee arrival would be staggered.

The ZBA and IRWA commented that they wanted a reduction in impervious surfaces. The large loading dock on the western edge was designed to accommodate a large tractor trailer truck. Some pavement near the western loading dock would remain to accommodate the box truck, but the applicant would use crushed stone for the turning movements of the tractor trailer resulting in approximately 5,000 sf of reduction. Changes would be included in the Stormwater Management Plan. The other reduction was the size of the parking lot from 57 spaces to 47 spaces for 50 employees. The loading dock would be used for overflow parking if needed. The total reduction was 7,500 sf for the two areas.

Organic chemicals and pesticides were discussed. A revised list with detailed description of use would be submitted to the Planning Board. All the material would be stored in the building. The applicant was also working on anticipated water usage. A water impact statement would be provided along with a water recharge study. The applicant was working with BETA's subcontractor regarding odor and noise to address their concerns. Kevin McGarry indicated where infiltration systems were located. All water would pass through best management practice facilities.

Energy use was discussed. The hybrid greenhouse would use natural sunlight for the growing of plants. Grow lights were proposed inside the building but the intention was to use natural sunlight. Grow lights were below industry standards for required watts per square foot. Computer controlled lights were arranged in a checkerboard pattern and could be dimmed.

Roof vent fans and color were added to the presented elevations. Kevin McGarry explained each view. Corrugated metal would be on the three non-street sides with brown wood on the Asbury St. side. Fans would be located in the center of the roofline. The fan facing Asbury St. was relocated. Landscaping would obstruct the view from both directions on Asbury St.

Christopher Abbot (abutter) asked how many fans were included. Kevin McGarry responded there were 18 fans but would confirm the number. The fans would not be on 24/7. The noise would be reviewed at a subsequent meeting. Ben Timing (Counsel for Christopher Abbot) asked about the reduction in impervious surface. Mr. McGarry did not have the number but the Stormwater Report had the original number before the reduction and would be reviewed by BETA. The ZBA hearing included discussion of underground utilities. Mr. McGarry said there was a new pole on the property and overhead wires would cross the street but utilities would be underground to the back of the building from the pole.

Ben Tymann asked the applicant to quantify industry standards. Kevin McGarry referred to power per square foot, which was under that of other projects. Bob Patton's letter talked about using 1/3 or 1/4 of comparable industrial facilities. Mr. Patton said that was a conservative number and it could be as much as a 90% savings. Mr. Timing questioned nearby facilities that used the fog system for odor mitigation. Mr. McGarry responded that the applicant was in contact with BETA regarding odor and noise and didn't have the exact address of the facility where the process was in use.

Patrick Reffett asked to discuss how the building was sited. Kevin McGarry said the existing wetland line was also the edge of mean annual high water of the Ipswich River so there was a 200' riverfront resource area. When the engineers saw the floodplain, woodlands, hill, wetlands, and riverfront, they decided to take it out the resource area and place it in an area that had previously been disrupted in an effort to be environmentally sensitive. The fields to the northeast were at the Hamilton/Topsfield town line and the land was restricted in Topsfield. The fields

were being leased to Marini Farms for cultivation. Bob Patton said he would run the facility as a family business. Mr. Patton said MA was limiting licenses to keep small business surviving.

Jeff Maxtutis (BETA) said he prepared an evaluation of the traffic report, plans, and application. The letter was dated, April 19, 2019. The study was done following guidelines of MA Department of Transportation (DOT) for impact assessment and featured comments, issues, and concerns. Two traffic counts were conducted in February. MA DOT indicated that counts in February should be increased by 13% to show average conditions. Peak hour trips at the driveway were based on CSA memberships of 260 to 400 members depending on the year. Mr. Maxtutis thought the comparative seemed to be true. Figure 1 (vehicle trip distribution arrive and exit) showed the average distribution for both peak hours. Traffic speeds on Asbury St in both directions showed 39 mph in both directions, which seemed reasonable to Mr. Maxtutis. Two crashes were reported in 2014 and 2016, which were both related to fixed objects.

Future conditions were based on Institute of Traffic Engineers (ITE) trip generation code for warehouse use. Jeff Maxtutis thought the use was close. With 50 staggered start employees, 37 vehicles would be present for morning and evening peak hours, which seemed reasonable. Based on the use there would be 150 to 200 trips per day. Mr. Maxtutis said the applicant should provide a schedule of deliveries to ensure there would be no late night or early morning impacts. Figure 2 in the report should be revised to show the suggested trip generation figures suggested by BETA. Future volume growth would be minimal but a future traffic volume for turning at the driveway as well as existing traffic volumes should be included.

The intersection site distance was discussed. Jeff Maxtutis agreed with the applicant's calculations. Mr. Maxtutis noted that when vehicles were approaching southbound, the road dipped and turned to the left. The driveway could be seen but cars turning from the northbound lane could not be seen. Mr. Maxtutis suggested a sign warning of possible turning vehicles be installed. It was noted that the facility sign would not block the site distance.

Jeff Maxtutis looked at parking access and site circulation and suggested that the fire department look at vehicles parking against the building. Parking dimensions and driveway width as well as asphalt being used as the material were fine. Mr. Maxtutis suggested the applicant consider using bumpers at the sidewalk. The DPW, Police, and Fire Department should all review the plans. The traffic management plan had not been provided to minimize the impact of construction to abutters and residents of the town.

Christopher Abbot referred to the farm stand hours of 8 am to 6 pm and that the facility would have expanded hours of 7 am to 8 pm. Bob Patton recalled that the farm stand had Farm to Table dinners that started at 5:30 pm as well.

Kevin McGarry said the applicant would address the issues including the traffic management plan as there would be no staging of delivery vehicles or parking on Asbury St. during

construction. In response to Patrick Reffett's question regarding snow removal, Mr. McGarry said snow would typically be stored at the end of the loading dock, along the sides of the driveway, in the parking island, and between landscaping. If piles became too large, they could be moved to the front of the site. No off-site snow would be brought in. Ice and snow would be controlled with sand rather than de-icing chemicals if avoidable.

Utilities and stormwater would be discussed at the next meeting. A formal response letter would be sent to BETA and a letter from BETA would be submitted sometime in May indicating that all concerns had been addressed. Noise and odor discussions would be in the future. Kevin McGarry said he did not see any recharge issues in the IRWA letter than could not be addressed. Peter Clark requested that IRWA submit a follow up letter.

Motion made by Rick Mitchell to continue the public hearing for the medical marijuana Site Plan Review until May 7, 2019.

Seconded by Janel Curry

Vote: Unanimous in favor.

**Abbreviated Stormwater Management Permit. Franz and Anne Colloredo-Mansfeld. 47 Winthrop St.**

Larry Graham and Hugh Collins were present. The project was a single family residential structure, an accessory structure, and landscape improvements on an 8.7 acre lot on a private way off of Winthrop St. Mr. Graham provided a grading review and stormwater drainage analysis for the site. Mr. Graham did not believe the project required a Stormwater Management Permit.

The drainage system included catch basins with hoods and sumps, manholes, piping, and water quality inlets to collect, infiltrate, and store runoff from the hard surfaces including roofs, lawn, and landscaped areas. Mr. Graham presented the project, which included two courtyards, a pool, a poolhouse, and walkways. Catch basins were located at the corners of the entry court and located at the bottom of the driveway. Another was located outside the court in the field. The service court drainage had a French drain to a manhole the drained to a water quality inlet, which provided additional treatment from the paved surfaces. Roof drains and window well drains led to a manhole and infiltration chamber. Eventually water would lead to Black brook. The project was 120' by 350' or 42,000, which was less than an acre. The permanent land disturbance was considerably less than one acre. Mr. Graham submitted an abbreviated permit application but felt the project didn't qualify. There would be 18,000 sf of permanent disturbance and about 24,000 sf of temporary disturbance that would be replaced by lawn and the landscape plan.

Patrick Reffett noted the applicability for smaller projects as point 3A in the Regulations, which included .5 indicating that a lot that had less than 30,000 with a 5% or greater slope was subject to the Regulations. Mr. Reffett noted the project was disturbing more than that amount of land and an Abbreviated Stormwater Permit was appropriate as portions of the lot exceeded 5%. Larry Graham disagreed as he believed single family homes were not applicable to the

Stormwater Permit. Mr. Graham said there was more drainage for this project than any other single family house he had worked on in decades.

Patrick Reffett said the application was complete. Waivers included a drainage area pass on one side of the house but Mr. Graham brought the drainage to a new catch basin and into the system so the waiver was no longer needed. Another waiver was for a catch basin and water quality inlet running offline so other basins didn't create a disturbance in the one catch basin. If the waivers were not granted, there would be a need to create many additional structures to comply with the standard. Mr. Reffett said he checked with the DPW Director whose only comment was to ensure the system was privately maintained. The owner would check the catch basins and water quality outlet twice a year to clean out sediment. Low impact development was not achieved but the landscape effort would offset what couldn't be completed with stormwater management. Mr. Reffett said the proposal addressed all the Regulations within the town.

Motion made by Janel Curry that the application dated March 15, 2019 for the project at 47 Winthrop St. qualified for an abbreviated permit.

Seconded By Rick Mitchell.

Vote: Unanimous in favor.

Motion made by Janel Curry to accept the Abbreviated Stormwater Management Plan to approve with the following waivers: 1) to permit the use of catch basins with 2' versus 4' sumps for the Total Suspended Solids (TSS) removal credit due to the small size of the drainage area, 2) to permit catch basins for the TSS removal credit due to the small size of the drainage areas, and 3) to permit inline water quality unit due to the small scale of the drainage area.

Seconded by Rick Mitchell.

Vote: Unanimous in favor.

#### **MAPC Natural Hazard Mitigation Plan Presentation.**

Sam Cleaves (MAPC) was present. Mr. Cleaves was hired to help the Town update their Federally required Natural Hazard Mitigation Plan. The fulfillment of the plan allowed the Town to go after natural mitigation grants. The Plan was good for five years. The Plans from 2011 and 2019 were compared for what hazards were considered such as flooding, drought, climate change, invasive species, high winds, microbursts, and heavier precipitation. The process was outlined. Mr. Cleaves said the project was being coordinated locally with the Hamilton team, which allowed for information to be shared across departments. Mitigation strategies and gaps would be reviewed as well as priorities set. Projects that would benefit would be the Winthrop St. bridge and the design, rebuilding, and vegetation and flood management plan for the Miles River. Stormwater Regulations would be expanded. The draft plan would be posted online and comments would be received for changes. The draft plan would then be sent to MEMA, then FEMA, with the final step being the adoption by the Selectmen.

#### **Review/Sign Decision for Shamsuddin Subdivision.**

Chris Heap had submitted a Decision, which was revised and distributed to members. The vote was taken on April 2, 2019. Members who voted, signed the mylar plan.

### **Master Planning (Residential Update) Preparation.**

Patrick Reffett noted the April 29, 2019 forum. Brian Stein recalled the work product, summary report, and three example and locations. Discussion ensued regarding the appropriateness of projects that had been used as examples as they appeared to be in the opposite direction of the forum and the survey. While it was helpful to have a large project in terms of Town services, a 20 unit cottage development would have been a better choice for the second example. Rick Mitchell recalled that the Board was hoping to receive a financial analysis based on the survey and both public forums along with input about what was most favored and politically feasible in town. Mr. Mitchell hoped for a presentation of examples so the town would understand what a certain kind of housing looked like and the density required for the impacts with an economic analysis run as a cost/benefit. Judi Barrett did an analysis on developments at the Winthrop School and Essex St., which Mr. Mitchell did not think would occur.

Brian Stein said the Board could not bring the scenarios to the meeting because it was not what people wanted and the consultants didn't have time for a smaller analysis. The Budget might need to be increased to pay for a smaller analysis. Mr. Stein noted the consultants spent the budget on something that was unwanted. Patrick Reffett noted the transition relative to Town Meeting articles for Zoning and that there was a bigger demand for senior housing and small scale, accessible homes. The By-laws that related to what people wanted were rare. The benefit of the focus groups was discussed. There was a conflict between what people wanted (smaller, rental, senior), which all lead to density while on the other hand, the town wanted open space and lower taxes. Mr. Stein said the survey should have been conducted first.

Members of the Board discussed the benefits and potential downfalls of senior housing. Patrick Reffett said the average person per home decreased from two and one half to two. Two bedroom homes had the ability to transition to family homes. Janel Curry noted that young families wanted smaller homes. Bill Wheaton noted that a project would be built for one purpose and wind up being used for another when the original purpose was no longer viable. Old estate homes were used as an example.

### **Board Business**

#### **Minutes**

Janel Curry made motion to approve the minutes of December 18, 2018.

Richard Boroff seconded.

Vote: Unanimous in favor.

Brian Stein made motion to approve the minutes of February 19, 2019.

Rick Mitchell seconded.

Vote: Unanimous in favor.

**Adjournment**

Motion made by to Rick Mitchell to adjourn.

Seconded by Bill Wheaton.

Vote: Unanimous to adjourn at 9:11 pm.

Prepared by:

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Marcie Ricker

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Attest

Date