

**HAMILTON PLANNING BOARD**

**MINUTES OF MEETING**

Via Zoom 872 6872 1310

Passcode: 684425

One tap mobile – 1 929 205 6099 (New York)

March 2, 2021

7:00 p.m.

Members Present: Marnie Crouch, Rick Mitchell, Corey Beaulieu, Bill Wheaton and Richard Boroff

Planning Director: Patrick Reffett

Others Present: John Cole, Alan Berry

The meeting was called to order by Planning Board Clerk Rick Mitchell (filling in for Chairman Brian Stein) with a quorum established via Zoom.

Roll Call: Richard Boroff – aye, Bill Wheaton – aye, Corey Beaulieu – aye, Marnie Crouch – aye, and Rick Mitchell – aye.

**1. REVIEW & DISCUSSION OF VARIOUS POTENTIAL CHANGES TO HAMILTON ZONING**

**BYLAW LANGUAGE** – The Board is preparing a text for a “flexible” residential zoning bylaw and is considering its application for the Town of Hamilton. The Board is also considering the potential of creating an open space fund to offset density on development parcels. Additionally, the Board may consider the possibility of amending the Senior Housing Bylaw.

Patton Ridge Developer, Alan Berry joined the meeting to offer his input to the potential Zoning Bylaw change. Mr. Berry explained that his comments would be related to his notes based on the first draft of the Bylaw as well as “Other Issues to Consider Following Developer Comments February 20, 2021.”

Mr. Berry’s comments were as follows:

- In terms of eligible locations, Mr. Berry cautioned that he had witnessed developers in the past that chose large parcels of land with houses and would squeeze in a development and explained that this situation could be prevented by requiring vacant land only. Another way to manage it would be to have the Planning Board decide whether or not a development would be detrimental to a neighborhood. Mr. Wheaton commented that a minimum parcel size of 2-3 acres could alleviate the concern as well.
- Other observations and comments made by Mr. Berry were that the limitations on flexible developments that stated 100,000 to 12,000 square feet should be corrected to 100,000 to 120,000 square feet.
- Mr. Berry suggested that the Planning Board check Town Council regarding whether a septic system would be allowed with a perpetual easement on open space.

- For the open space definition, Mr. Berry noted that the language units per developable square footage would make more sense than per developable space.
- Mr. Berry shared that the term compact units would be easier to understand than efficiency units and that the absorption rate of the 1,500 square foot units should be based on how many the town would like to see. The definition of compact units would best be described as 1,500 square feet of gross living area and would not include the basement, garage, or attic. Mr. Berry told Members that even though the unit is compact, the land, driveway, landscaping and septic system would still cost the same as it would for a larger unit making it more expensive per square foot. The challenge would be to encourage smaller units in an affordable price range by adding the density bonus for a potential developer. Members discussed that costs could be shared with a multi-unit building or expanding to 1,800 square feet could open it up a little more and make it more feasible.
- Mr. Berry shared that enhanced energy standards would be difficult to quantify and felt a better definition of exactly what it meant would be helpful.
- Mr. Berry pointed out some calculation discrepancies on the matrix that the Board made note of.
- For inclusionary housing, Mr. Berry explained that it would not work better for rental units than units for sale because buyers would not be able to make money when they decided to sell in the future.
- In terms of parking, Mr. Berry commented that the R1A land would be smaller and more parking might not be necessary. If more parking was offered it would mean more land would be covered with pavement.
- In Section 8.1.22, Mr. Berry suggested that open space be used as a buffer between the development and the existing road.
- In Section 8.1.22.6, Mr. Berry commented that 50 percent of wetlands for open space seemed too high and that 25 percent of wetlands for open space might make more sense.
- For ownership in perpetuity in Section 8.1.23, Mr. Berry recommended that the Planning Board obtain legal advice from Town Council as to whether septic systems would be allowed in that area.

Mr. Mitchell asked the following questions of Mr. Berry:

1. Do the density bonuses provide sufficient financial incentive for you? Mr. Berry agreed that the density bonuses were an incentive depending on where the property was, the shape of the land, the topography, etc. and particularly whether it was a multi-family or not.
2. Based on your experience, is there any sense of which zoning district you think might be most used under this Bylaw? Mr. Berry responded that the RA zoning district would be used most because more of it is available.

3. Which of those density bonuses would you gravitate toward or avoid? Mr. Berry answered that his choice would most likely be land that is available and if the location was good. If the purpose was to encourage more development toward 1A or even 1B, then increasing the required minimum open space in those zoning districts would create more incentive.
4. Does the open space fund seem reasonable? Mr. Berry asked if the purpose was to acquire more open space with those funds. Mr. Mitchell explained that the tradeoff would be that you can have more density if you paid for open space. Mr. Berry replied that it would work as long as the market was strong enough because you would have to increase the sales price of the house to cover that cost.
5. Compared to the Senior Housing Bylaw, does the Flexible Development Bylaw provide a financially viable active alternative to build market rate housing? Is one more attractive than the other? Mr. Berry responded that the Senior Housing Bylaw has a tighter market with the age group basically being 55-75 so the Flexible Development Bylaw would be more attractive.
6. Is there a market for the kind of housing approach that we are talking about where you would be allowing multi-family, single-family duplex -- higher density? Mr. Berry agreed that 1 and 2 family units are usually pretty easy to sell. With more than 2, there are stricter building codes and middle units are tougher to sell so you would end up getting a lower price. A multi-family might not be as marketable in an RA district.

In closing, Mr. Berry agreed to review the final draft before it was shared with the public.

2. **REVIEW AND DISCUSSION OF POSSIBLE ZONING MAP CHANGE** – The Board is to conceptually review and discuss the possibility of a zoning map change for property associated with the Winthrop School from R-1A to Business.

Mr. Reffett had previously sent out the power point presentation and reviewed the proposed map changes with the Board that shared 3 different perspectives. There were no wetlands in the subject area and no public utilities on the Winthrop School property except there was a drain that connected Weaver Pond with Miles River that was further to the east of the property. The total area being reviewed would be about 15 acres and included the Winthrop School, the Public Safety Building and the Council on Aging.

Mr. Reffett agreed to contact the Department of Public Works and ask if a roadway connection between Carriage Lane and Locust Street had ever been considered. If it was a viable option, it could potentially occur along with an added buffer at the rear of Winthrop School.

**BOARD BUSINESS** – Discussion regarding State changes to Zoning Law and Residential Zoning; Review/approve Meeting Minutes of February 16, 2021; Liaison reports; Staff reports; Future agenda items; Upcoming preparation of Planning Board 2020 Annual Report; Etc.

Mr. Reffett reported to the Board that legal counsel had opined regarding whether the Town's Business Zoning complied with the MBTA community requirement. Her response was "no"

since a mixed use component was required to allow for multi-family residential. However the existing Bylaw could be modified to exclude mixed use to rectify the noncompliance. Reffett also mentioned that Town Counsel also was careful to advise the Board that the State is still making refinements to the new zoning regulations.

Ms. Crouch had edits for February 16, 2021 minutes that she agreed to work with Mr. Reffett on. Approval of the minutes will be held off until those revisions have been made.

Mr. Reffett reported that there was a parking meeting last week that concluded there was enough aggregate parking but it was not managed properly. Lack of signage was an issue and without proper signage appropriate parking could not be enforced. The pedestrian environment would also need investment from the town to be make much-needed improvements to sidewalks and crosswalks.

**Adjournment**

Motion made by Marnie Crouch to adjourn.

Seconded by Bill Wheaton.

Roll Call Vote: Marnie Crouch – aye, Bill Wheaton – aye, Corey Beaulieu – aye, Richard Boroff – aye, and Rick Mitchell – aye.

Unanimous in favor of voting members.

**Upcoming Board Meeting(s):** March 16, 2021; April 6, 2021; April 20, 2021; May 4, 2021

Prepared by:

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Ann Schlecht

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3/5/2021

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Attest