

HAMILTON PLANNING BOARD  
MINUTES OF MEETING  
Webinar 886 2558 0160  
Hybrid with Members in the  
Memorial Room  
Hamilton Town Hall  
September 7, 2021

Members Present: Corey Beaulieu, Richard Boroff, Marnie Crouch, Emil Dahlquist, Rick Mitchell (Chair), Jonathan Poore, and Patrick Norton (Associate).  
Planning Director: Patrick Reffett.

This meeting was called to order by Rick Mitchell at 7:03 pm with a quorum established.

**Senior Housing Special Permit Public Hearings Continued. Chebacco Hill Capital Partners, LLC. 133 Essex St. 50-unit age restricted condominium development. Senior Housing Special Permit and Stormwater Management Permit.**

Rick Mitchell reopened the public hearing. Patrick Reffett offered a review of the project and a summary of what would be discussed. There was a 30 minutes pause in the meeting due to technical difficulties but no discussions took place during the pause.

Jill Mann, attorney for Chebacco Hill Capital Partners, LLC, was present and shared her screen to show a PowerPoint presentation. Ms. Mann discussed the proposed project' eligibility under and compliance with the provisions of Section 8.2 of the Town's Bylaws, namely the Senior Housing Bylaw. Ms. Mann said the application complied with Section 8.2. Ms. Mann discussed the distance to other senior housing developments and the number of units previously built. She opined that the proposal met the required criteria. Ms. Mann discussed how the affordable housing contribution had been determined (based on the average median income for one and two persons with income limits rather than the median family income for four people) and how the Groundwater Protection Overlay District (GPOD) requirements would not affect the development of 50 units based on the definition of lot. Although the GPOD was applicable to the entire lot if more than 33% of the lot was in the District, Ms. Mann said the farmland portion of the lot could be severed from the entire lot, leaving only 25% of the lot within the GPOD. The development and the septic system were both outside the GPOD, but the passive stormwater system (drainage basin) was in the GPOD. The path to the septic system would be temporary and the septic system would be an open meadow to be mowed once a year.

Rick Mitchell responded that consistency in determining affordable housing contributions should be used as had been done for the Canterbrook and Patton Ridge developments. Marnie Crouch had a significant issue regarding the contribution as the money generated created funds for families that might have four people in them. Ms. Mann emphasized that average median income was determined by the Department of Housing and Urban Development income limits.

Members had requested seeing cross sections at the previous site walk. Jill Mann presented the elevations with existing tree canopies. Trees along Chebacco Road were 40' to 60' tall with shorter ones along Essex St. Brent Cole and Jeff Merritt (Granite Engineering) explained the cross sections, which were part of the PowerPoint presentation. Jonathan Poore requested having paper copies of the cross sections. Jill Mann concluded the presentation by stating that all but one trail (depicted in yellow on a map prepared by Jonathan Poore) would be preserved.

Members discussed the complexity of the site due to its steep slopes, abutting aquifer, and groundwater areas. It was noted that Dave Thompson may be able to appear before the Board in the future to explain the history and research that was considered in drafting the GPOD Bylaw. Jonathan Poore requested that the applicant provide a 3-D model of the site showing the existing and proposed topography. A CAD program would allow for the addition of roads, sidewalks, and building blocks. It appeared that 2:1 slopes were grassed and about 50 feet high. Changes to the landscape were considered significant, especially at the entrance at Chebacco Road and owing to the removal of substantial cubic yardage of stone. Members agreed that the 3-D model would help the Board members and the public understand the site and proposed changes to it. Members wished to see how the site would be managed during construction and the sustainability goals for the project. Rick Mitchell wanted to ensure the discussion remained within the purview of the Board and the Zoning Bylaw.

Jill Mann asserted that all sites required stormwater management. The farmland had been separated from the bulk of the property for a long time, which had been delineated. Ms. Mann said there would be no impact to the developable land and that Canterbrook was entirely within the GPOD. All buildings and the septic were outside the GPOD. Stormwater compliance had been established and that the applicant would respond to the peer reviewer's comments. Ms. Mann would report back regarding affordable housing after the meeting with the Affordable Housing Trust.

Attorney Deborah Eliason (Eliason Law Office representing Save Chebacco Trails & Watershed) was present. Ms. Eliason said she had delivered a letter to the Board, which would be discussed at the next meeting. Ms. Eliason wanted a summary of the site walk. She argued that the GPOD Bylaw definition of "lot" in Section 11 of the Bylaw included the entire lot. Ms. Eliason said there were limited offsite options for affordable units and offering \$233,000 per unit was inadequate. Ms. Eliason also supported the request for a 3-D model.

Christina Delicio (Manchester) spoke regarding protecting Manchester's drinking water supply.

Peter Richardson (81 Berry Circle) was present to offer his concerns and request that sidewalks be added to Route 22 and Chebacco Road to protect residents who walk in the area.

Ron and Katie Vandi (Meadowbrook Farm) were present. Ms. Vandi was concerned about the close proximity of the septic system to the farm irrigation field as well as maintenance of the septic field.

John Cole was present and shared his screen. Mr. Cole was concerned that trails would be destroyed due to the development. Mr. Cole noted the close distance of the trails to the backs of homes.

Al DeGroot (193 Chebacco Road) was present. Mr. DeGroot was concerned about stormwater management and the aquifer. Rick Mitchell explained that the Planning Board was responsible for stormwater management with opinions from a peer reviewer, adding the Board of Health was responsible for the approval of the septic system design.

Questions from the Zoom audience were answered to the best of the Board's ability.

Motion made by Emil Dahlquist to continue the hearing until September 21, 2021.

Seconded by Richard Boroff.

Roll Call Vote: Corey Beaulieu – aye, Marnie Crouch – aye, Emil Dahlquist – aye, Jonathan Poore – aye, Richard Boroff – aye, and Rick Mitchell – aye.

### **Board Business.**

The DPW consultant proposed making changes to the Stormwater Regulations to make them compliant with Federal and State drainage requirements. Changes would be presented to the Board for consideration and potential vote on October 16, 2021.

The Town was re-engineering Chebacco Road, a scenic road, to change the width in certain areas and address drainage issues in some areas. Illustrations would be provided to help in understanding where stone walls would be modified and trees over 6 inches in diameter would be removed in the right of way. The illustration would also show drainage inverts. Chebacco Road would be paved to the Manchester line.

The Board of Selectmen would be changing their name to the Selectboard. There were 18 locations in the Zoning Bylaw where the term was mentioned. The change would be an article for Special Town Meeting. There would be a public hearing in October, when a vote would be called.

Members discussed if meetings should be held via Zoom or hybrid. The chat feature would need to be disabled. Patrick Reffett announced that webinar allowed for 1,000 attendees. Members agreed that a hybrid model was preferable due to the unpredictability of technology and the importance of being in person to discuss and vote upon topics.

Review/approve Meeting minutes of August 3, 2021.

Members discussed that minutes could include an overview of discussions, motions, and votes taken. A list of materials would be included so the public would be able to reference any materials needed to understand the project and the discussions. Materials would need to be submitted ahead of the meeting or a vote would not be taken on the issue or the matter would not be discussed.

Motion made by Richard Boroff to approve the minutes of August 3, 2021 as amended.

Seconded by Emil Dahlquist.

Vote: Unanimous in favor.

Upcoming Meetings – September 21, 2021.

**Documents Reviewed**

PowerPoint by Jill Mann.

**Adjournment.**

Motion made by Richard Boroff to adjourn at 10:17 pm.

Seconded by Marnie Crouch.

Vote: Unanimous in favor.

Respectfully submitted as approved at the meeting of \_\_\_\_\_ by  
Marcie Ricker, as reviewed and amended by Marnie Crouch.