



Town of Hamilton
Zoning Board of Appeals
Meeting Minutes of August 6, 2025

Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Zoning Board of Appeals members, a meeting of the Hamilton Zoning Board of Appeals was posted for August 6, 2025 at 7pm. This meeting was held remotely via zoom.

Call to order: *With a quorum present, Chair Gingrich called the Zoning Board of Appeals meeting to order at 7:00 PM, identified the meeting was being recorded and those present:* Bruce Gingrich, Chair; Andrea Philip, Steven Derocher. Not present: David Perinchief, Michael Madden (alternate). Others Present: Mark Connors, Director of Planning.

PUBLIC HEARING: The application is for the property owned by William Eggleston & the Applicant is Attorney Charles Clapp representing Jonathan Collins. The property is located at 42 Maple Street, Assessor's Map 57, Lot 111, Zoning District R1A. Applicant is seeking a Special Permit under Section 5.5.1.3 of the Zoning Bylaw to demolish a single-family dwelling and build a new single-family dwelling which will exceed the current footprint but comply with setback requirements.

Attorney Charlie Clapp spoke representing the applicant and identified the property as being in very poor condition the existing house is not salvageable; photos were emailed to the Board. The new structure will be two levels and it will comply with all setbacks, so no special permits are being sought, they are only seeking to expand the footprint of the house. A new septic system will be installed. The new house will be single family, but larger than it is now. He noted there were some abutter concerns, but they seem to be neighborhood concerns not zoning concerns, such as tree removal. It will be a newer, better, structure that will add to the tax base of the town. The current owners are builders; it will be rebuilt and sold. The current site plans are illustrative and not final.

Chair Gingrich walked the property and expressed concern with the proximity of the driveway to the property line, and to a line of trees, which are likely not survive with the paving envisioned. He also stated a concern for runoff directly into the neighbor's yard and septic system. He suggested shifting the house to allow 10 feet of space for the drainage. Gary Lichfield, one of the owners, responded that they already looked at turning the garage to face the right of way to leave 15 feet without asphalt, and that should address those concerns and allow them to slide the house a bit more forward and to the right. He noted preparing plans are very expensive, therefore, the plans are not specific to the final project and questioned if the Board was inclined to approve the expanded footprint of the structure, before going forward with the actual plans. M.Connors stated the Board would need more specific plans in order to issue an approval.

➤ **Greg Meyer, Arlington St.** abutter, opined a house of the proposed size would be overbearing in a neighborhood of small capes. He questioned the tree removal, and noted they want to preserve the older trees that are also shading their yard. He questioned if any remediation is required given the mold present.

The builder noted there is no remediation for the mold, but it would be inspected for asbestos or other hazardous materials and for animal presence before any demolition is allowed. He noted the preference to leave the large trees in place as they are expensive to remove. The applicant committed to be in touch with abutters when it is time to address tree issues.

➤ **John Safford, Maple St,** noted he was trying to calculate the footprint of the house, but the calculations don't seem to make sense. He asked how the math was done.

Chair Gingrich noted the plans submitted are not accurate to what they may build, and he is not able to comment on that as yet.

➤ **Emory Haight, Arlington St** also stated he did calculations that seem to show a very large house, and he is concerned about the size. He believed many of the trees were invasive and should be taken down. He also observed there was a lot of debris in the lot, which has damaged many of the trees.

The builder responded the proposed house will be 4-5 bedrooms in the 4,000 square foot range.

The ZBA was agreeable to the larger footprint, but not the ambiguity of the plan and could not vote without a more specific and accurate plan. The builder agreed to provide the plan and meet with abutters in the meantime. A new plan will be submitted prior to the next meeting.

M.Connors noted there are two abutters' letters regarding this property.

Vote: *The Board voted unanimously by roll call to continue the application to the meeting of September 3, 2025.*

REGULAR BUSINESS:

- **Meeting Minutes – May 2025 & June 2025**

The May minutes were postponed to the next meeting, as only two members present had attended.

Vote: *The Board voted unanimously by roll call to approve the June 2025 minutes.*

- **Updates from the Chair**

The next meeting will be Wednesday, September 3, 2025.

Adjournment: **Vote:** *The Zoning Board of Appeals voted unanimously by roll call to adjourn at approximately 8:00PM.*

Documents:

- [Agenda – 08-06-25](#)
- [42 Maple Street Application](#)
- [42 Maple Street Site Plan – added on 8-5-25 – clearer version](#)
- [42 Maple Street – Building Inspector's Memo for ZBA Meeting](#)
- [42 Maple – Comments from the Board of Health Agent](#)
- [42 Maple Street – Letter from Applicant's Representative in response to Building Inspector's Memo](#)
- [42 Maple – Assessor's Record](#)
- [42 Maple Street – Photos of current condition](#)
- [Letter from Abutters – 40 Maple Street – Benjamin and Caitlin Galuza](#)
- [Letter from Abutters – 44 Rear Maple Street – Stephen and Andrelina Santarelli de Brasch](#)
- [Draft Meeting Minutes May 7, 2025](#)
- [Draft Meeting Minutes June 4, 2025](#)
- [505 Bay Road Application – **The public hearing date for this application has been changed to September 3, 2025**](#)
- [505 Bay Road – Copy of 2002 Construction Plans](#)
- [505 Bay – No issue comment from the Board of Health Agent](#)

Respectfully submitted by D. Pierotti, Recording Secretary, 8/7/25. The minutes were prepared from video.