



Town of Hamilton
Zoning Board of Appeals
Meeting Minutes of February 5, 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 February 5, 2025 at 7pm. This meeting was held via Zoom only.

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; Steven Derocher, David Perinchief, Andrea Philip. Not present: Michael Madden (alternate). Others Present: Mark Connors, Director of Planning.

BOARD DISCUSSION

- **The Board to review & comment on the draft proposed Accessory Dwelling Unit (ADU) Zoning Bylaw Amendments**

The Board received the draft of the ADU bylaw being worked on by the Planning Board. M.Connors explained the bylaw went into effect on February 2nd, and the State regulations have been changing somewhat, so the timeline has been a challenge. The Planning Board will hold a public hearing on March 12. The biggest change in the law is that ADUs now have to be permitted by right. Instead of going through a special permit process with the Zoning Board, if the application meets all of the town’s requirements, it can go straight to the building permit. Other aspects include, only one ADU is permitted on each lot and it cannot exceed 900 sq feet or 50% of the main dwelling, whichever is smaller. The ADU has to meet the dimensional requirements of the zoning ordinance, such as setbacks and maximum building coverage on the lot. It must have a permanent foundation, and maintain the character of the primary dwelling. The property can have a garage, but the ADU cannot also have a garage. The ADUs would not count as affordable housing for the Town, unless the owner chose to complete the required process to have it counted. An attached ADU cannot be in the front of the house, it must be on the side or in the back. The size of decks and porches will be restricted, but they also do not count for the square footage. ADUs cannot be used for short term rentals. Neither the primary house nor ADU is required to be owner occupied per the State regulations. An ADU larger than 900 square feet or 50% of the principal dwelling would require a special permit. The Town will use the new Hamilton Wenham newspaper to post required notices. The ZBA should send any comments to M.Connors who will transmit them to the Planning Board.

Regular Business:

- **Draft Meeting Minutes Review – October 2, 2024, November 6, 2024, December 4, 2024**

Vote: *The Zoning Board of Appeals voted 3-0-1 by roll call to approve the minutes of October 2, 2025 with D. Perenchief abstaining.*

Vote: *The Zoning Board of Appeals voted unanimously by roll call to approve the minutes of November 6, 2025.*

Vote: *The Zoning Board of Appeals voted unanimously by roll call to approve the minutes of December 4, 2025.*

Adjournment: **Vote:** *The Zoning Board of Appeals voted unanimously by roll call to adjourn at approximately 7:34PM.*

Documents:

- October 2, 2024, November 6, 2024, December 5, 2024 Draft Minutes
- Draft ADU Zoning Bylaw Amendments

*Respectfully submitted by D. Pierotti, Recording Secretary, 2/7/25.
The minutes were prepared from video.*