



Pursuant to the Open Meeting Law, MGL Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Planning Board members, a meeting of the Hamilton Planning Board was posted for December 3, 2024 at 7pm in the Hamilton Wenham Library, 14 Union St. This meeting was held in person (with Zoom access provided as a courtesy) and recorded by HWCAM.

The Planning Board has seven members elected to three-year terms with one or two seats up for election each year. The Planning Board typically meets the first and third Tuesday evening at 7:00 p.m. Planning Board members: Marnie Crouch, Chair, 2026, Emil Dahlquist, Clerk, 2025; William Wheaton, 2025; Beth Herr, 2025; Patrick Norton, 2026; Jonathan Poore, 2027; Darcy Dale (2027); Associates Matt Hamel 2026; Jeff Austin 2027.

**Call the meeting to order:** *With a quorum present, Chair Crouch called the Planning Board meeting to order at 7:02 PM, identified the meeting was being recorded and those present:* Marnie Crouch, Jonathon Poore, Emil Dahlquist, William Wheaton, Matthew Hamel (Zoom), Beth Herr, Jeff Austin, Darcy Dale. Not present: Patrick Norton. Others present: Mark Connors, Director of Planning.

### Agenda:

#### 1. REVIEW AND VOTE ON DRAFT MINUTES FROM PREVIOUS MEETINGS - July 16, 2024

*Vote: The Board voted unanimously by roll call to approve the minutes of July 16, 2024.*

#### 2. LAND USE APPLICATIONS:

**a. SITE PLAN REVIEW: Owner: Town of Hamilton, Applicant: Hamilton Fire Department – Request for site plan review of proposed improvements to the Public Safety property at 265 Bay Road (Tax Map 56, Parcel, 32), to include a 308 square-foot display structure housing and for public viewing of an antique Model T fire engine and associated pedestrian pathways and landscaping. The subject property is located within the R-1A zoning district.**

Chair Crouch opened the discussion by stating the idea presented was an excellent one, but noted the bylaw pertaining to site plan review has scrivener's errors, and is not entirely clear. It was also not clear to her whether the Fire Department intended to submit for an abbreviated site plan review or a full site review, and she believed that abbreviated site plan review does not apply to this application. She also noted the application was filed by the Fire Department and she believes it should be filed by the Town of Hamilton, as the property owner of the land and the public safety building. Alternatively, the Select Board could vote to authorize the Fire Department to submit on the Town's behalf. Chair Crouch further noted that at the Annual Town Meeting, the Town authorized the creation of form-based code for the downtown area, which includes the public safety building, and likewise would include the proposed display structure. She noted that the application is also missing the required abutters list. Fire Chief Ray Brunet responded that he felt blindsided by the issues being raised. Brian Stein, from Vance Stein Architecture, stated he coordinated with Patrick Reffett (former Director of Planning) on the application, who approved the entire application as completed, and confirmed it could be submitted for a full site plan review, and added the abutter's list was included in the application. Chief Brunet stated he is an authorized representative under Massachusetts law, and the Town Manager is fully aware of the application, and has reached out to KP Law for clarification on the authority to submit. He further noted that the same application was approved in prior years under the previous fire chief, and he was perplexed by some of the comments.

The Board supported hearing the presentation and would formally continue the hearing until the administrative details are sorted out and corrected. Chief Brunet proceeded to discuss the history of the project and the site, and the importance of preserving this piece of history. B.Stein explained the proposed structure would protect the historic engine, and talked about the design of the new structure as reminiscent of Hamilton's history and fully visible and accessible for all the public to enjoy. There will be other memorabilia displayed in the structure, and the plan includes landscaping to create an attractive focal point for the town. J.Poore questioned the project relative to the form-based code exercise that is underway in the Town, and E.Dahlquist questioned whether the project should wait until the code is in effect, noting there are aspects of the project that will not be consistent with the new code. There was discussion of the chosen location, and whether there are alternative placements that might make sense. B.Stein stated the form-based code bylaw is not in existence yet, and still has a significant way to go until it potentially takes effect. He disagreed with attempting to apply a noy yet designed or approved code to a current project. Former Fire Chief Stevens spoke to the difficulty of getting this project approved and launched 15 years ago. Discussion continued with questions from the Board regarding the site and placement options, and intersection with form-based code.

*Vote: The Board voted unanimously by roll call to continue the public hearing to December 17, 2024.*

### 3. STATUS REPORT ON THE COMPEHENSIVE PLAN FOR THE TOWN CENTER

#### a. Follow-up from December 2, 2024 Select Board discussion

There was a general discussion about what the Board would like to discuss in terms of potential form-based code. A suggestion was made to look at a sample form-based code to start to understand what the components would be. If enacted, it would replace the existing bylaws for downtown. Chair Crouch stated she would like to make sure the Planning Board is prepared to interpret the graphic renderings included in a form-based code, and how those graphics are supported with language. The suggestion was to look at a standard code and go through a presentation of it.

M.Connors displayed two potential cover designs for the Hamilton Master Plan and there was brief discussion of the layout and images to be included.

### 4. DISCUSSION REGARDING POTENTIAL AMENDMENTS TO THE ZONING BYLAW AND ZONING MAP:

#### a. Discussion of proposed modifications to the Inclusionary Housing Bylaw with town legal counsel

Town Counsel Robin Stein was present for this discussion and stated she sent comments with her draft modifications. She proceeded to identify a few of her comments and the rationale behind them, and some of the specific changes were noted. She noted that most of the changes being made are minor. She clarified that the Planning Board needs to submit proposed zoning bylaw amendments to the Select Board, and the Select Board refers it back to the Planning Board to have a public hearing. She clarified that this is not a public hearing, this is simply an agenda item for discussion. With a clean copy of the proposed language, the Planning Board can vote to submit it formally to the Select Board in order to start the process of amending a zoning bylaw.

#### b. Update and discussion regarding promulgation of proposed state regulations concerning accessory dwelling units (ADU) related to the passage of the Affordable Homes Act and potential 2025 bylaw amendment.

M. Connors reported he looked into what the State is doing in terms of creating regulations, and that nothing has been published as of yet. He contacted other Town Planners and reported that many towns are not waiting for the State and are going forward with draft bylaws. The law goes into effect February 2, 2025 which allows ADUs by right; the Town's current ADU bylaws are by special permit and he would like to have something in place for Spring Town Meeting. Mr. Connors noted that the State is not leaving the communities much time to digest the regulations and put forward appropriate bylaw amendments. R.Stein recommended waiting to see what the State guidance will be, and offered to take a look at the current Town bylaws in the meantime. She explained the Town will not be able to apply any part of the bylaw after February 2 that is in conflict with State law. She suggested starting to work on changes with the goal of presenting them at the spring Town Meeting. R.Stein opined given the confines of the law, it should be a straightforward set of regulations from the State.

### 5. ADJOURNEMENT

**Vote:** *The Planning Board voted unanimously to adjourn at approximately 9:10pm.*

*The minutes were prepared from video.*

*Respectfully submitted by  
D. Pierotti, Recording Secretary  
1/4/25*