



Town of Hamilton  
 Planning Board  
 Meeting Minutes of January 7, 2025

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 January 7, 2025 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 7:01 PM, identified the meeting was being recorded and those present:* Marnie Crouch, Jonathan Poore, Emil Dahlquist, Patrick Norton, Matthew Hamel, Beth Herr (zoom), Darcy Dale, Jeff Austin. Not present: William Wheaton. Others present: Mark Connors, Director of Planning.

**Agenda:**

**1. REVIEW & VOTE ON DRAFT MINUTES FROM PREVIOUS MEETINGS: November 26, 2024**

*Vote:* The Board voted unanimously by roll call to approve the minutes for November 26, 2024 with a minor correction.

**2. DISCUSSION REGARDING POTENTIAL AMENDMENTS TO THE ZONING BYLAW & ZONING MAP: a. Follow-up to Town Counsel review of proposed amendment to the Groundwater Protection Overlay District (Section 9.1.4 of the Zoning Bylaw), including discussion on reasonableness of amendment**

The draft memorandum was sent to Town Counsel Robin Stein. Attorney Stein suggested the Board document (for the file) the reasons for the change to the groundwater protection overlay district. Chair Crouch added that section and another observation on septic seepage. Chair Crouch will send the new version to the Select Board tomorrow.

*Vote:* The Board voted unanimously by roll call to send the Groundwater Protection Overlay District amendment to the Select Board.

**b. Discussion of proposed amendments to Accessory Apartments regulations (Section 3.6 of the Zoning Bylaw) necessitated by the passage of the Affordable Homes Act & draft ADU (Accessory Dwelling Unit) regulations promulgated by the Executive Office of Housing and Livable Communities**

Chair Crouch noted the version of the bylaw on the website is corrupted and the correct 2016 version of the table of use regulations was distributed. J.Poore observed the change in the ADU bylaw could potentially have a greater impact on Hamilton visually and planning-wise, than 3A or form-based code, or any other zoning issues currently circulating. He advocated for detailed visual guidelines and pre-application conferences citing that he has found the combination of methods to be effective, and a more collaborative approach. Members of the Board noted that ADUs must be permitted by right, so guidelines would be for educational purposes to assist homeowners rather than regulations. M.Connors noted that the town could place clear and objective regulations on ADUs, but that subjective restrictions are not permitted. Town Building Inspector Rich Maloney clarified that according to state law, the Board cannot create regulations governing ADUs that are not enforced for single family housing; it can't be any more difficult to build an ADU than it is to build a single-family home. Chair Crouch noted the statute itself permits site plan review, but it is almost unheard of to have site plan review for a single-family house and observed there are enormous benefits from this law, but stressed the importance to create the guidelines to educate residents on ways to build ADUs that fit within the community.

J.Poore cited the Boston ADU guidelines as a comprehensive example that walks people through the process and elements of constructing an ADU. R.Maloney added on small lots, what is going to control ADUs are the setbacks and septic requirements. The State does not want barriers to creating ADUs, however, it is still subject to wetland and other dimensional regulations, and Board of Health regulations; those bylaws cannot be overridden. R.Maloney illustrated the importance of clarifying the definition of gross square footage and described a situation in town where someone is building a detached ADU that includes a basement, garage, and "unheated hallway" the architect argued were not countable as "living space" and it is significantly larger.

Chair Crouch recommended that she, R.Maloney, and M.Connors work on the new draft for Attorney Stein's legal review, and come back to the full board at the next meeting on January 21 for the language to be finalized.

**c. Update on progress in incorporating corrections to Zoning Bylaw**

M.Connors noted that the Town Clerk is waiting for the Attorney General's office to send the version of the Zoning Bylaw that was reviewed and approved in 2016. The Town will use that document to incorporate necessary corrections.

**d. Discussion of comprehensive overhaul to Site Plan Regulations (Section 10.6 of the Zoning Bylaw)**

Chair Crouch stated the key components of the amended regulations is the inclusion of a preapplication conference to help avoid problems arising and eliminating certain provisions related to non-conforming structures covered by the Zoning Board of Appeals. The Board discussed important elements that should be part of the preapplication conference. The Board then proceeded to review the document section by section, and proposed detailed changes and edits to the language. Chair Crouch asked everyone to send any additional edits to her in the next day or so, and the updated version will be considered at the next meeting on January 21. She will incorporate what was discussed this evening and forward it to M.Connors to include edits to process and regulations.

**4. OTHER ITEMS:**

E.Dahlquist stated that he sent a slide deck to M.Connors on form-based code, to explain what it is and the components, and how much protection that it provides to the town. The second part is case studies and examples of what a form-based code looks like, and the third part is what the consultants Utile have accomplished to date. The idea was to lay the ground work for future discussions and give everyone a chance to think about what the Board wants to see in a code. The slide deck was distributed to the Board prior to the meeting.

**a. Master Plan** – M.Connors noted that he has spoken to the Town Manager and he will assist in providing some staff support to help get the plan ready, given the current staffing shortages.

**b. Potential revisions to 2025 Planning Board Schedule** – Chair Crouch discussed the timeline for the various amendments that are currently being worked on, with the goal of having most ready by the 29<sup>th</sup>. M.Connors noted that the Select Board needs to know by January 29 what articles should be on the warrant. The zoning bylaw language should be finalized by February 4<sup>th</sup> with the public hearing to be held in March. Hamilton's Spring town Meeting is Saturday, April 5 this year.

**5. ADJOURNEMENT:**

*Vote: The Planning Board voted unanimously by roll call to adjourn at approximately 9:45pm.*

- [January 7, 2025 Planning Board Agenda](#)
- [Draft 11.26.2024 Minutes for review/approval](#)
- [PB Chair memo to Select Board re: Proposed GPOD Bylaw amendment](#)
- [Working Draft Accessory Dwelling Unit revisions for Planning Board discussion](#)
- [Working Draft Site Plan Review Regulations revisions](#)
- [PB Chair memo re: Proposed Bylaw amendments proposed by Building Commissioner](#)
- [Draft 2025 Planning Board meeting/deadline schedule](#)

*The minutes were prepared from video.*

*Respectfully submitted by D. Pierotti, Recording Secretary, 1/24/25*