



Town of Hamilton  
Planning Board Joint Meeting with Select Board  
Meeting Minutes of April 29, 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 joint meeting of the Hamilton Planning Board and Select Board was posted for April 29, 2025 at 7:00pm. This meeting was held via Zoom and recorded. A Zoom link was provided as a convenience for the public.

**Planning Board Call to Order:** *With a quorum present, Chair Crouch called the Planning Board meeting to order at 7:01pm, identified the meeting was being recorded and those present: Marnie Crouch, Jonathan Poore, Emil Dahlquist, Darcy Dale, Patrick Norton, William Wheaton, Matthew Hamel, Beth Herr, Jeff Austin.*

**Select Board Call to Order:** *With a quorum present, Chair Olson called the meeting to order at 7:01pm. Present: Bill Wilson, Rosemary Kennedy, William Olson, Thomas Myers, Ben Galuzza. The Select Board adjourned at 9pm. Also present: Mark Connors, Director of Planning; Joe Domelowicz, Town Manager, and others as noted.*

## 1. PLANNING BOARD – SELECT BOARD WORKSHOP:

**a. The Planning & Select Boards will hold a workshop to review a revised draft code of proposed Town Center and MBTA Communities (Section 3A) compliant zoning & associated Design Guidelines with Utile Associates.**

***If time permits, public comments will be accepted but must be limited to no more than three minutes & germane to the subject material.***

Matthew Littell and Zoe Mueller from Utile Associates began a presentation on the draft form-based code, explaining they issued a first draft code a couple of weeks ago, and a second draft the prior week. They are working backwards based on a June 26<sup>th</sup> Town Meeting, and assuming a target date of June 5th for the final warrant. By May 20<sup>th</sup> they will have a code that incorporates more comments and is substantially complete. The base zoning for the Town Center is proposed to change with five new Town Center Sub-districts proposed to replace the underlying zoning in that area of Hamilton. Additionally, an overlay district designed to meet any outstanding capacity requirements as required by Section 3A MBTA Zoning is proposed for two parcels on Asbury Street. Together, three of the Town Center Sub-districts, including the Bay Road Mixed-Use, Willow Street Mixed-Use, and Downtown Residential Sub-districts, and the overlay district, the 3A-Multi-family Overlay District, meet the compliance requirements in terms of density, acreage, and unit counts. The second 3A-Multi-family Overlay District consists of 19 acres and includes the Canter Brook senior housing condominium development and an abutting parcel which was recently approved for 45 Affordable Housing Units. Because these parcels were either recently developed or are anticipated to start construction this year, they are unlikely to be redeveloped in the short to medium term. The Depot Square Mixed Use Sub-District covers the most commercial areas of Hamilton including portions of Railroad Avenue, Bay Road, and Walnut Street, and does not contribute to the requirements of Section 3A to ensure these areas can remain largely commercial in the future. The Bay Road Civic Sub-district also does not contribute to the Section 3A requirements as it includes Town-owned land housing the Public Safety Complex, Council on Aging, and Building and Health Departments and is envisioned to remain a space for municipal and civic uses in the future.

The zoning changes require several changes to the larger Zoning By-law, mostly triggered by the new base zoning districts. This includes updates to the Table of Uses. The Willow Street Overlay District is proposed to be deleted, as it will be superseded by the new base zoning. The proposed Town Center zoning changes would result in the elimination of the existing Business District. The definition of floor area ratio was refined to align with changes to the definition of gross floor area.

Utile also incorporated several site development and architectural standards into the zoning framework, such as controls for better screened parking areas, standards for landscaping and tree planting requirements, limitations on new curb cuts, and guidance on exterior lighting. In the 3A Multi-family Overlay District, a sunset clause has been added as requested which would invalidate the overlay district if the Section 3A requirements are eliminated.

There was discussion of the Carriage Lane part of the Town Center and possible alternatives to the proposed zoning for parcels on that street. Those parcels are currently proposed to be rezoned to the Bay Road Mixed-Use Sub-district but the classification could be changed to the Downtown Residential Sub-district, where no commercial uses would be permitted. Mr. Littell also noted that the parcels could be removed from the Section 3A contributing districts entirely, but then the Town would have to identify additional properties to help meet the minimum requirements.

Mr. Littell noted that the Code would not be a sudden change; it would apply as parcels are redeveloped. Existing uses are essentially grandfathered in, there is no immediate non-compliance or obligation to change. Additionally, single-family dwellings would continue to be a permitted use.

Chair Crouch requested a vote to reflect the Planning Board's wishes regarding Carriage Lane as to whether the proposed zoning designation should remain or be modified.

***Vote:*** The Planning Board voted 4-3-0 to maintain the current proposed zoning designation of the Carriage Lane as Bay Road Mixed-Use.

There was some discussion of notification of the proposed zoning changes. Although not required by law, the Board noted it would like to provide property owners on Carriage Lane notice of the proposed change.

Utile also discussed the permit threshold between by-right and by special permit in the Depot Square district. The intent was to model the closely knit small shops and walkability of Railroad Ave. The zoning as written now is by-right development and permitted for the first 80 ft. of the development frontage, and anything behind the 80 ft of frontage would have to go through a special permit. Utile asked if the Board wanted the requirements to be more stringent. Discussion continued about the Depot Square area and how the rail line area could be incorporated into the vision of the zoning, as well as how various design elements would be regulated. The Board wanted to prioritize having a low threshold for special permit, to start the conversation early and make sure the Town has more control over what is happening on the site.

It was recommended that Utile look at the Wenham language for a sunset clause in the zoning, which essentially is a statement that says that if the 3A Zoning becomes inactive or it has been overturned in part, the zoning bylaw is automatically voided. Town Counsel will review the language as adapted by Utile. It is unknown what the State will do with that language. However, it was pointed out that there is nothing to prevent the town from changing its zoning in the future, although rescinding zoning would require a 2/3 vote. Concerns were raised that this may give residents a false sense of security about approving the 3A Zoning. The Board agreed Town Counsel would review the sunset clause and provide recommendations if necessary.

The Board discussed the formatting, numbering, and ordering of the draft Zoning Code. Chair Crouch proceeded to read through a number of her editorial comments on the current draft citing it was not clear enough and further explanation was required relating to any non-conforming structures or uses that are grandfathered in.

B. Herr expressed concern about moving forward with the 3A Zoning given the State Auditor's determination that this is an unfunded mandate, and asked what the Select Board strategy was. W. Olson responded that the Select Board has a dual track plan at this time, to continue with the planning of a Special Town meeting, and also to review the Wenham litigation and discuss options for Hamilton with Town Counsel.

### **3. OTHER BUSINESS:**

#### **a. Update regarding Planning/Zoning discussions with Gordon Conwell Theological Seminary**

Chair Crouch provided background on the discussions with Gordon Conwell, stating that on December 19, 2023, the Planning Board paused its work on the Brown's Hill Overlay District so a Development Agreement could be crafted between the Town and the Seminary. The last draft was dated March 6, 2025, and Carolyn Beaulieu provided a copy before leaving the Select Board. Chair Crouch noted she and some Planning Board members have comments on the draft, and wanted to know where the draft stands in terms of being finalized. She stated it is important that the Planning Board know the parameters of that Development Agreement. Chair Olson stated that comments have gone back to the Seminary, but that it is still in process.

➤ ***Vote:*** The Select Board voted unanimously by roll call to adjourn the meeting at approximately 9:00 PM

### **2. REVIEW & VOTE ON DRAFT MINUTES FROM PREVIOUS MEETINGS:**

**a. March 12, 2025 -** The Board noted some revisions and edits to the minutes; these will be sent to Chair Crouch to compile and send a revised version to M.Connors.

#### **b. Annual Planning Board Reorganization**

***Vote:*** The Board voted unanimously by roll call to reappoint Marnie Crouch as Chair of the Planning Board.

***Vote:*** The Board voted unanimously by roll call to reappoint Emil Dahlquist as Vice-Chair of the Planning Board.

***Vote:*** The Board voted unanimously by roll call to approve Chair Crouch and Vice-Chair Dahlquist attend a meeting with Mernyn Walters of Gordon Conwell Theological Seminary and report back to the Planning Board.

**Adjournment:**

*Vote: The Board voted unanimously to adjourn the meeting at approximately 9:12 PM*

**Documents:**

- Draft Zoning Code documents
- Minutes of March 12, 2025

*Respectfully submitted by D. Pierotti, Recording Secretary, 6/10/25.*

*The minutes were prepared from video.*