



Town of Hamilton
Planning Board
Meeting Minutes of June 3, 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 June 3, 2025 at 7:00 pm. This meeting was held at the Hamilton Wenham Public Library, 14 Union St. A zoom link was provided as a convenience for the public.

The Planning Board has seven members elected to three-year terms with one, two, or three 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, 2028, William Wheaton, 2028, Beth Herr, 2028, Patrick Norton, 2026, Jonathan Poore, 2027, Darcy Dale (2027), Matt Hamel (associate) 2026, Jeff Austin (associate) 2027.

Call to order: *With a quorum present, Chair Crouch called the Planning Board meeting to order at 7:00 PM, identified the meeting was being recorded and those present:* M. Crouch, J. Poore, E. Dahlquist, D Dale, P. Norton, M. Hamel, B. Herr, J. Austin, W. Wheaton. Also present: Mark Connors, Director of Planning; others as noted.

Agenda:

1. PUBLIC HEARINGS: a. ZONING BYLAW AMENDMENTS - The Planning Board will conduct a public hearing pursuant to M.G.L. ch. 40A, § 5, for consideration of proposed amendments to the Hamilton Zoning Bylaw. A description of the proposed zoning bylaw amendment under consideration can be found on the posted May 20, 2025 Zoning Bylaw Planning Board Public Hearing Notice. The full text of the proposed zoning bylaw amendments may be reviewed at the Town Clerk's Office, located at the Patton Homestead, 650 Asbury Street in Hamilton, during regular business hours, or by visiting the Hamilton Planning Board webpage at <https://www.hamiltonma.gov/government/planning-board/> This public hearing was continued from the Planning Board's May 20, 2025 meeting.

Chair Crouch indicated that she attended the Select Board meeting and informed Board members that because of the number of outstanding issues, it was advisable to continue the June 26th Town Meeting in order to consider the zoning issues. The Select Board did not act on that request but did continue discussion of the Warrant to their next meeting on Tuesday, June 10th, instead of closing it. Chair Crouch sent an email to the Select Board and the Town Manager this morning, and identified outstanding issues in the latest draft zoning from Utile on May 29th. She has since been informed that the Select Board Chair is amenable to continuing the Special Town Meeting from June 26th to July 10th, which would give the Planning Board and Town Counsel more time on the warrant articles and the appendices. This would have to be approved by the full Select Board next week. The Planning Board will have two meetings – June 17, 2025 and potentially a special meeting on June 24, 2025 – to finalize the language before the warrant needs to be posted.

The Board then moved to discussion of the remaining issues in the draft zoning. Chair Crouch pointed to the following issues:

- Section 9.8.1.3B as being unclear on nonconforming uses and structures in the downtown and how they would be addressed. She noted the Board has raised this previously, and it is important to resolve. M. Connors noted that E. Dahlquist sent some proposed language today relating to Nonconformities and he felt that they could work from that language, although it would have to be reviewed with Town Counsel for conformance to state law. The Board reviewed the proposed language and agreed with that approach.
- The Table of Use regulations identified the Zoning Board as the responsible entity, but the roles of the two Boards need to be clarified and spelled out.
- The draft of the Warrant articles, she believes, is unclear and the appendices have not been drafted. The zoning provisions that require a simple majority will be separated from those requiring a 2/3 majority vote. She is concerned about how the zoning will be deconstructed to fit the two articles.

M. Connors clarified that Town Counsel drafted the Warrant articles. Town Counsel Caroline Murray of KP Law clarified the zoning must be separated to comply with state law. The provisions related to creating new districts where multi-family housing is permitted by right would be included in one article which would require a simple majority. All other provisions, including creating new zoning districts which do not permit multi-family housing uses by right, would be in a second article which would require a 2/3 quantum of votes to pass. She explained that Attorney Stein will complete the draft of the articles and the appendices based on comments from the Planning Board. Chair Crouch stated the Board needs the drafts to comment, and she requested it prior to the next meeting on June 10th.

P. Norton asked why the Board could not recommend sustainable building materials as part of the zoning. M. Littell believed it did not seem feasible to add to the zoning at this time, and it would have to be applied town-wide, because under the state regulations it cannot be applied to the Section 3A zones selectively. C. Murray concurred with that assessment. J. Poore drafted some proposed language for section 5 to assist with the nonconformity section and add some clarity. M. Littell stated that Utile drafted the section in a very specific way, and sought to narrow the interpretations. C. Murray stated if nonconformities are treated differently in different districts, it could be problematic in terms of acceptance by the State for applying different metrics to the multi-family districts.

The Board discussed different scenarios and how the code would apply, to test the clarity and specificity of the zoning. The Board generally preferred more specificity to be included. One concern raised was what would constrain the size of the buildings under this zoning; this is covered by the building dimensional standards on page 17 in the draft code, and all the metrics together work to constrain the building size.

- Charlotte Bartter, Carriage Lane, noted her home was in one of the Section 3A compliant zoning districts and asked if she would not be able to rebuild her house in the event of a tornado, or some such event. M. Littell responded that yes, reconstruction is exempt from the requirements, as long as it does not include voluntary demolition.
- Sandy Fisher, Greenbrook Rd., believed the Select Board was rushing the process and it should be slowed down. She noted that court challenges brought by Wenham and other communities are undecided, which is important. Once the zoning is voted in, it cannot be revoked, she said. She believes it is giving control over to the state.
- Deb Safford, Maple St., thanked the Board and Chair Crouch for all of their work on behalf of the Town and trying to do the right thing. She asked for a pause as well, to wait for issues, such as the lawsuits, to play out. She feels the talk of losing grant funding is blackmail, and decisions shouldn't be made out of fear. She believes the Town's ch. 40B status is at risk of backsliding by adding this housing as well.
- Tosh Blake, Sagamore St, agreed with the previous speakers, and said there is not a lot to lose by waiting. He said once it is voted in, it is a one-way ratchet. He thinks it should be postponed to the fall, and the Town should not be bullied by the state.

Discussion continued regarding the specific concerns of the Planning Board, and what they requested Utile and Town Counsel to focus on.

Vote: *The Planning Board voted unanimously by roll call to continue the public hearing to June 17, 2025 at 7:00PM.*

b. TREE REMOVAL, SCENIC ROAD – The Hamilton Planning Board will hold a public hearing pursuant to M.G.L. Ch. 15C, on June 3, 2025 at 7 pm at the Hamilton-Wenham Public Library, 14 Union Street, Hamilton. The applicant, The Engineering Corp. (TEC), proposes to remove trees along Bridge Street, a designated scenic road, as part of a public road improvement project.

Matt Perry, civil engineer, introduced himself and stated they have requested a continuance as they gather some additional information in preparation for the hearing.

Vote: *The Planning Board voted unanimously by roll call to continue the public hearing to July 1, 2025 at 7:00 pm.*

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

Documents:

- [Meeting Agenda](#)
- [Proposed Town Center and Overlay District draft zoning language and supporting materials](#)
- [Draft Special Town Meeting Warrant](#)
- [Scenic Road Hearing \(Bridge Street\) staff memo and associated materials](#)
- [Scenic Road Hearing applicant narrative](#)
- [Scenic Road Hearing Plans](#)
- [Images of relevant area of Bridge Street](#)

Respectfully submitted by D. Pierotti, Recording Secretary, 6/15/25.

The minutes were prepared from video.