



Town of Hamilton  
Planning Board  
Meeting Minutes of August 5, 2025

Pursuant to the Open Meeting Law, MGL Chapter 30A, §§ 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 August 5, 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 PM. 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 Marnie Crouch called the Planning Board meeting to order at 7:03 PM, identified the meeting was being recorded and those present: P. Norton, J. Poore, W. Wheaton, E. Dahlquist, D. Dale, M. Hamel. Absent: B. Herr, J. Austin. Also present: M. Connors, Planning Director and others as noted.*

**Agenda:**

**2. PUBLIC HEARINGS:**

**a. SPECIAL PERMIT APPLICATION – The Hamilton Planning Board will review a Special Permit application, in accordance with MGL Chapter 40A, Section 10, and the Hamilton Zoning Bylaw, relative to a Special Permit application, under Section 7.3 of the Bylaw, for a proposed small wireless facility within the public right-of-way for Walnut Road near 18 Walnut Road. The applicant, New Cingular Wireless PCS, LLC d/b/a AT&T, proposes to replace an existing utility pole with a new 37-foot-tall utility pole retrofitted to include a wireless antenna. The project is proposed within the Residence – 1A (R-1A) zoning district. Continued from the April 1, 2025 Planning Board meeting.**

Edward Pare of Brown Rudnick represented the applicant and explained that a pole had been identified for the small wireless facility, and after feedback from neighbors at the previous public hearing, the applicant had agreed to look at potential alternative locations. E. Pare noted that the applicant had identified a potential location, but is still awaiting approval from the utility company. E. Pare requested a continuance to the Planning Board's September 16, 2025 meeting.

**Vote:** *W. Wheaton made a motion to continue the Special Permit hearing from August 5th to September 16th at 7:00 pm. D. Dale seconded the motion. The Planning Board voted unanimously by roll call to approve the request for continuance.*

**1. REVIEW AND VOTE ON DRAFT MINUTES FROM PREVIOUS MEETINGS:**

**April 29, 2025 (revised), May 13, 2025 (revised), May 20, 2025, June 3, 2025 (revised), June 17, 2025, June 24, 2025, July 1, 2025**

**Vote:** *J. Poore made a motion to approve the minutes of April 29, 2025 with the edits requested by Chair Crouch. D. Dale seconded the motion. The Planning Board voted unanimously by roll call to approve the minutes of April 29, 2025.*

**Vote:** *J. Poore made a motion to approve the minutes of May 13, 2025. W. Wheaton seconded the motion. The Planning Board voted unanimously by roll call to approve the minutes of May 13, 2025.*

Chair Crouch noted that in the May 20, 2025 minutes, the term extensions of E. Dahlquist, W. Wheaton, and B. Herr had not been updated to 2028.

**Vote:** *J. Poore made a motion to approve the minutes of May 20, 2025 with Chair Crouch's edits. W. Wheaton seconded the motion. The Planning Board voted unanimously by roll call to approve the minutes of May 20, 2025.*

**Vote:** *J. Poore made a motion to approve the minutes of June 3, 2025. W. Wheaton seconded the motion. The Planning Board voted unanimously by roll call to approve the minutes of June 3, 2025.*

E. Dahlquist noted that the term extensions of E. Dahlquist, W. Wheaton, and B. Herr had also not been updated in the June 17, June 24, and July 1, 2025 minutes.

**Vote:** J. Poore made a motion to approve the minutes of June 17, 2025; June 24, 2025; and July 1, 2025 subject to Chair Crouch's stylistic corrections. W. Wheaton seconded the motion. The Planning Board voted unanimously by roll call to approve the June 17, 2025; June 24, 2025; and July 1, 2025 minutes.

### 3. OTHER BUSINESS:

#### a. Attorney General's review of zoning amendments passed at Annual Town Meeting

Chair Crouch summarized the contents of the Attorney General's review, including that a continuance had been granted for the review of Article 4-5 concerning ADUs. Attorney Stein will be following up with a memo to the Board recommending potential future bylaw revisions based on the Attorney General's comments.

#### b. Discussion/Follow-up of July 14, 2025 Special Town Meeting

The Board expressed gratitude and congratulations for the hard work over the past few months, especially for the support of E. Dahlquist, J. Poore, and M. Connors at the Special Town Meeting. M. Connors and J. Poore both noted that some residents came into the meeting ready to vote no, but many of them were swayed by the presentations and handouts provided by the Planning Board at the meeting.

E. Dahlquist presented a draft flow chart summarizing how to use the Town Center zoning code to assist developers, property owners, and the Planning Board.

J. Poore expressed concerns about the spread of misinformation surrounding 3A before and after the Special Town Meeting, as well as the concerns expressed by some residents as a result. He also expressed that the Planning Board could do more to combat misinformation and spread factual content to Hamilton residents.

E. Dahlquist noted that the Planning Board had compiled a list of FAQs to answer some of the most common questions about 3A and the Town Center zoning. J. Poore raised the question of how to make this information accessible. W. Wheaton suggested having a place on the Planning Board webpage for people to ask questions directly. Chair Crouch and J. Poore noted that *H-W News* would be the best way to publicize the information.

P. Norton noted that it could be more effective to reframe this information as, "What's happening next?" rather than dispelling myths since very few members of the public know about the actual process for the form-based code and 3A decision beyond the vote at the Special Town Meeting. W. Wheaton suggested having a public forum at one or two future Planning Board meetings for members of the public to ask questions about 3A. D. Dale suggested using all three metrics for getting the information out to provide enough avenues for people to seek out the information they're looking for.

Chair Crouch noted that it was important to communicate to the public that 3A is not in effect until it is approved by the Attorney General, and that 3A does not affect private property rights; there is no obligation on the owner's part to ever sell their property to a developer. Additionally, she noted that while a government entity can take property by eminent domain, there has to be substantial cause, and the property owner has to be compensated with the fair market value of their property. J. Poore noted that the questions regarding eminent domain at the Special Town Meeting were not answered effectively, including that historically, eminent domain is used for larger infrastructure projects, such as interstate highways and dams.

Chair Crouch asked M. Connors to draft a statement about the ramifications of 3A, including a) that it is not yet in effect and b) addressing potential fears held by property owners whose homes are in 3A districts, especially regarding the misconception that property owners in the 3A district may be compelled to vacate their property or sell it to a developer.

D. Dale expressed concerns regarding a member of the Hamilton Development Corporation (HDC) going door to door prior to the 3A vote requesting first refusal if property owners in the Downtown area chose to sell.

E. Dahlquist asked if there was any interest in getting Utile back to help the Planning Board and Select Board with the implementation of the form-based code. He suggested that having Utile develop a simplified flow chart of the process of administering the form-based code could be useful for the Planning Board by creating consistency in dealing with future applicants.

P. Norton asked whether Utile would be developing a regulations document or a training since the people on the Planning Board would change over time. J. Poore clarified that Utile could develop a training to build institutional memory, and that would inform the development of guide documents for future Board members.

P. Norton asked if there would be any risk to asking for a training with Utile, as well as the funds for that training, prior to having the Attorney General's approval. M. Connors noted that the EOHLC reviewed the code and issued a Pre-Adoption Review Letter. Chair Crouch noted that at this point in time, the Planning Board members knew as much about the code as they ever would since the planning process was so recent. E. Dahlquist mentioned that he was advocating for the training and therefore he did not foresee too many concerns.

**Vote:** E. Dahlquist made a motion to develop the training/workshop session, starting with creating a draft of what the Planning Board was asking for and why. D. Dale seconded the motion. The Planning Board voted unanimously by roll call to approve requesting a workshop with Utile.

#### **c. Review of New Draft Site Plan Application and Checklist**

M. Connors gave a brief overview of the sections and their functions on the draft Site Plan Application. J. Poore asked if the requirements could include structures on abutting lots to provide context for how the project relates to the abutters.

P. Norton asked if the application could include the requirement that applicants review the stormwater regulations prior to submitting their project and include a section for applicants to highlight any sustainable features in the proposed project, such as building materials, water use, or energy efficiency measures. He also noted that it could be helpful to work with the Environmental Impact Committee on their efforts with incorporating sustainability into the Master Plan. J. Poore asked if M. Connors could find examples of sustainable development in other local bylaws.

#### **d. Master Plan Implementation**

Chair Crouch outlined several aspects of the Flexible Development Bylaw draft that the Planning Board had worked on previously, including using it to incorporate into or potentially replace the Great Estates Overlay District and the Open Space and Farmland Preservation Development Bylaw. W. Wheaton suggested looking through the bylaws that the Flexible Development Bylaw was intended to replace, then listing all aspects of each bylaw that must be preserved to avoid losing anything in the drafting process.

P. Norton proposed the idea of setting a metric in Hamilton to enable commercial use in a residential area. Chair Crouch agreed that this could be a great opportunity to bring visitors to Hamilton for local attractions, such as walking trails and the Myopia Polo Club. P. Norton added that this would provide a public benefit, town revenue, and benefits to the developer of the property. P. Norton also mentioned that to inform this process, he could describe the layout of the Great Estate Preservation District in Ipswich, MA that had two mechanisms that could be leveraged in the code: historic square foot renovation and a lot yield analysis of the property. Chair Crouch noted that the Planning Board should identify estate properties in Hamilton before proceeding.

#### **e. Other**

Chair Crouch discussed her progress with E. Dahlquist in setting up a meeting with two members of the Select Board and the Town Manager to discuss the potential Brown's Hill Overlay District. She noted that while the buyers were still interested in developing the property into apartments, the most economically feasible way of doing that would be through an overlay district since it would allow the buyers to change the footprint of the buildings, increasing their value.

J. Poore noted that he would like to have a discussion about the site plan approval procedures relating to the newly drafted Site Plan Application, including discussing some of the past projects that have been approved by the Planning Board and how the Board could improve in the future. He mentioned that he would like to specifically discuss how the Planning Board could approach projects more collaboratively, particularly when the Town of Hamilton was the applicant. W. Wheaton asked how far this would extend and whether the Planning Board could deny a project, such as a gas station, based on aesthetics. J. Poore clarified that his priority with this discussion was to promote safety.

### **4. ADJOURNMENT**

**Vote:** W. Wheaton made a motion to adjourn the meeting. P. Norton seconded the motion. The Planning Board voted unanimously by roll call to adjourn at approximately 8:51 PM.

**Documents:**

- [Meeting Agenda](#)
- [April 29, 2025 \(Revised\) Joint Meeting with Select Board Draft Minutes for Review/Approval](#)
- [May 13, 2025 \(Revised\) Draft Minutes for Review/Approval](#)
- [May 20, 2025 Draft Minutes for Review/Approval](#)
- [June 3, 2025 \(Revised\) Draft Minutes for Review/Approval](#)
- [June 17, 2025 Draft Minutes for Review/Approval](#)
- [June 24, 2025 Joint Meeting with Select Board Draft Minutes for Review/Approval](#)
- [July 1, 2025 Draft Minutes for Review/Approval](#)
- [Special Permit Application Continuance – 18 Walnut Road](#)
- [Attorney General review of zoning amendments passed at Annual Town Meeting 4/5/25](#)
- [Attorney General Extension Agreement](#)
- [Draft Site Plan Review Application and Checklist](#)
- [Existing Site Plan Review Application](#)
- [Draft Flexible Development Bylaw](#)

*Respectfully submitted by A. Brennan, 8/13/25.  
The minutes were prepared from video.*