



**TOWN OF HAMILTON
PLANNING BOARD / PLANNING DEPARTMENT**

Town Center Rezoning DRAFT
What to expect moving forward

August 2025



On July 14, 2025, Hamilton residents approved the rezoning of the Town Center by approving Articles 7-1 and 7-2 at Special Town Meeting. While the approval of these articles helps Hamilton comply with the State's MBTA Communities Act multi-family zoning requirement, it also advances many long-term community goals related to the advancement of Hamilton's Town Center, including the implementation of Form-Based Code.

The Rezoning in a Nutshell

While the rezoning makes many land uses and density requirements more flexible, these allowances are balanced with better defined limits on a building's form, massing, and site design. The goal of these efforts is not to design projects for applicants, but to provide greater clarity for applicants regarding what is expected by the community and should result in – for projects that comply with the requirements – more expedited and streamlined Planning Board reviews. For neighboring property owners, these new measures provide greater certainty over what can be developed when a redevelopment project is proposed to help ensure new development is contextual with its surroundings.

The rezoning of the Town Center is not yet effective and will not become effective until approved by the Massachusetts Attorney General. Because of the large number of communities which have recently amended their zoning bylaws to comply with the MBTA Communities Act requirements and the need for approval from two different agencies of State Government, it will likely be some time before the zoning will be approved. The Town has been informed to expect a review time of between 6 to 18 months, likely sometime in 2026.

In the meantime, the existing Town Center zoning, including the Business District and applicable overlay districts, remain in effect. The Planning Board plans to use this time to help educate property owners on the new requirements and how they should be applied on individual properties.

The Role and Limitations of Zoning

It's important to understand that while zoning plays an important role in how a neighborhood or community develops, its impact is somewhat limited. Zoning controls the future development or redevelopment of properties, if and when it is proposed, and does not limit existing uses and structures. Property owners face no new obligations under the new zoning unless they wish to redevelop their properties and/or to change the land use of a property (i.e. converting a residential property to a mixed-use property or converting a single-family home to a multi-family dwelling). If property owners wish to maintain their properties as they exist today, they may continue to do so without any new obligations. A zoning change does not make development or redevelopment imminent, and it is anticipated that many landowners will continue to utilize their properties as they traditionally have with no significant changes.

Developers and government agencies are not afforded any new powers under the rezoning. Property owners cannot ever be forced to sell their property or enter into an agreement with a developer unless they wish to do so. Existing Constitutional and legal protections regarding eminent domain apply to property owners in the Town Center as they do for all property owners in Hamilton regardless of zoning designations. There are no plans currently in place by the Town of Hamilton to pursue development on any of the land it owns in any of the applicable districts.

What the heck is Form-Based Code?

Zoning became ubiquitous in the mid-1900s and has traditionally focused on controlling land uses and implementing basic dimensional and density controls. For example, zoning has traditionally dictated in what location residential and commercial uses may be developed in a community and many codes are written to require that residential uses be separated from commercial ones. Additionally, most zoning includes basic dimensional controls including mandatory property setbacks and limits on the height of buildings. Most zoning codes also restrict the density of residential development, limiting properties to one or two residential unit(s) per lot or requiring a certain amount of land per residential unit.

Zoning has traditionally not focused on the design of sites and the massing, scale, and basic design elements of buildings. Form-Based Code seeks to better regulate these features while providing less emphasis on land use and density limitations. The rezoning of Hamilton's Town Center incorporates Form-Based Code to regulate new development and redevelopment.

The goal is to provide property owners more flexibility regarding uses – for example a single-family home may not necessarily be limited to a single residential unit – while ensuring that development is contextual and in harmony with its surroundings. The Code requires that certain features, including parking and utilities be screened from the street and requires pitched rooflines common in the neighborhood. It also requires that buildings not exceed a certain footprint, incorporate landscaping features into development, and ensures that pedestrian connections are preserved and provided to key destinations. The goal of these efforts is to promote a vibrant, inclusive, and walkable Town Center for this generation and future ones.

Moving forward in the coming months, the Planning Board will be publishing informational materials for property owners and hosting informational sessions where residents can ask questions regarding the rezoning. The Board looks forward to continued dialogue to ensure positive outcomes for all stakeholders.



The image above, of a neighborhood outside of Hamilton, showcases some of the shortcomings of traditional zoning. Focusing on the building at center, the use and property setbacks are not inconsistent with its surroundings. Although taller than its neighbors, the height of the 2.5 story building is not necessarily out of scale for this type of neighborhood. However, the massing of the building and its basic design elements are very out of character with its surroundings and make the structure stand out in a negative way.

In the meantime, if you have any questions regarding the rezoning, please do not hesitate to contact Hamilton’s Planning Department at planning@hamiltonma.gov or (978) 626-5251. Additionally, the Planning Board would like to invite residents to an **Open House** where residents can pose questions directly to the Board on **Tuesday, October 7, 2025 at 7 pm** at the Hamilton-Wenham Library. Electronic meeting access will also be provided via a Zoom connection accessible below and via a clickable link on the October 7 Planning Board agenda. Moving forward, the Planning Board looks forward to continued dialogue to ensure positive outcomes for all stakeholders.

October 7 Planning Board Zoom Link:

<https://us02web.zoom.us/j/86103206285?pwd=be5j6VkiAaGARCxWIUSTdWVW3bUH2N.1>