



Town of Hamilton  
Planning Board Joint 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 meeting of the Hamilton Planning 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 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 5<sup>th</sup> for the final warrant. By May 20<sup>th</sup> they will have a code that incorporates more comments and is substantially complete. There are new additions to the base zoning for the town center including 5 subdistricts and would replace the underlying zoning. There is an overlay designed to meet any outstanding capacity requirements as required by 3A MBTA Zoning. Together, these additions meet the compliance requirements in terms of density, acreage, and unit counts (Bay Rd Mixed Use, Willow St Mixed Use, Downtown Residential). The Depot Square Mixed Use, which is the most commercial of the districts in Bay Road, is outside of the requirements of 3A. The second 3A district is an overlay on Asbury Street, consisting of two parcels – one of which has a 23-unit condominium development, and the other was recently permitted for 45 units. Together they comprise about 19 acres and are not likely to be redeveloped.

The zoning changes include changes to the underlying bylaw, mostly triggered by the new districts. The table of use has been updated as well. The Willow Street overlay was deleted, as it has been superseded by this zoning. The business district has been replaced by the new district. The definition of floor area ratio was refined to align with changes to the definition of gross floor area.

Utile also added site development standards, such as controls for smaller parking areas, guidance on landscaping in front yards, tree planting requirements, specificity about curb cuts, and some guidance on lighting. In the 3A multi-family overlay district, the sunset clause has been added as requested.

There was discussion of the Carriage Lane district and possible alternatives to its zoning, such as whether it should allow commercial uses or be part of the downtown residential district, or remove it entirely and find additional acreage to satisfy the 3A requirements.

There was clarification 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.

The idea was to keep a lot of the busy commercial activity off Bay Road and allow that to be a scenic, more historic kind of road, and the side streets would be the active areas with more commercial uses and density than what is currently existing.

**Vote:** *Mr. Wheaton made a motion to keep the Carriage Lane area in the proposed Bay Road Mixed-Use District. The Planning Board voted 4-3-0 by roll call in favor.*

The Board would like the Town to give property owners on Carriage Lane specific 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 their 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 that Town Counsel would review the sunset clause and provide recommendations.

The Board discussed the formatting, numbering, and ordering of the 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 explained any non-conforming structures or uses are grandfathered in, and what changes would trigger the application of this town center zoning, and that it is not clear enough.

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 finalizing. 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:** T. Meyers made a motion to adjourn the joint Select Board meeting. The Select Board voted unanimously by roll call to adjourn the meeting at approximately 9:00PM

### **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.

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

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

**Vote:** D. Dale made a motion to reappoint M. Crouch as Chair of the Planning Board. The Board voted unanimously by roll call to reappoint Marnie Crouch as Chair of the Planning Board.

**Vote:** D. Dale made a motion to reappoint E. Dahlquist as Vice-Chair of the Planning Board. The Board voted unanimously by roll call to reappoint Emil Dahlquist as Vice-Chair of the Planning Board.

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

#### **Adjournment:**

**Vote:** D. Dale made a motion to adjourn the Planning Board meeting. The Board voted unanimously by roll call to adjourn the meeting at approximately 9:12PM

**Documents:**

- Minutes of March 12, 2025

*Respectfully submitted by D. Pierotti, Recording Secretary, 6/10/25.  
The minutes were prepared from video.*