



Town of Hamilton
Planning Board
Meeting Minutes of May 20, 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 May 20, 2025 at 7:00pm. 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, 2025, William Wheaton, 2025, Beth Herr, 2025, 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 7:01 PM, identified the meeting was being recorded and those present:* M. Crouch, Chair; J. Poore, E. Dahlquist, D. Dale, P. Norton, M. Hamel, B.Herr, J. Austin. *Not present:* W.Wheaton. Others present: Mark Connors, Director of Planning.

Agenda:

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.***

Attorney Ed Pare representing AT&T summarized the previous meeting in which abutters and the Planning Board requested the applicant consider alternative pole locations for the facility. The suggested pole was not available, but the next pole was, and they are in the process of licensing that pole from National Grid. They expect to have a new application before the Planning Board by the July 15 meeting. However, the Board will keep this application open while the applicant continues to explore the alternative location.

Vote: *B. Herr moved to continue the public hearing to July 15, 2025. D. Dale seconded the motion. All members voted in favor and the motion passed.*

- b. **SITE PLAN APPLICATION – The Hamilton Planning Board will hold a public hearing to review a Site Plan Application, pursuant to M.G.L. Ch. 40A, § 10 and Section 10.6 of the Hamilton Zoning Bylaw, on May 20, 2025 at 7 pm at the Hamilton-Wenham Public Library, 14 Union Street, Hamilton. The applicant, Iron Ox Farm, proposes to construct a 24' by 36' open air structure to support agricultural operations at 656 Asbury Road (Assessor's Map 19, Lot 6) owned by the Essex County Greenbelt Association. The property is located within the Residence-Agricultural (RA) District.**

M. Connors read the public notice and confirmed that abutters were properly notified. The applicant Alex Cecchinelli, operator of Iron Ox Farm, was present to represent the proposed project. Chair Crouch noted the structure is being built to store equipment for the farm, and for use by the employees of the farm. D. Dale asked if the farm planned to enclose the structure over time. A. Cecchinelli responded it might be an option in the future and that they discussed it with the Planning Director; They understood they would need to return to the Planning Board if they did pursue that. E. Dahlquist asked if exterior lighting was planned for the structure. A. Cecchinelli responded that none was planned. Chair Crouch opened the public hearing, however there were no comments from the public.

Vote: *D. Dale moved that the Planning Board approve the site plan application submitted by Alex Cecchinelli of Iron Ox Farm to construct a 24' by 36' open air structure to support agricultural operations at 656 Asbury St. B. Herr seconded the motion. All members voted in favor in a roll call vote.*

- c. **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.

M. Connors read the public hearing notice. Chair Crouch reported that she appeared at the Select Board the previous evening and relayed the vote of the Planning Board, which recommended postponing the vote on the zoning changes, including 3A. Matt Littell of Utile Associates gave a slide presentation on the status of the project and an overview of the zoning and how it relates to 3A. He noted there have been three drafts of the zoning submitted so far, and they have revised the timeline at the request of the Town to submit a more final version to the Planning Board on May 27. This will give the Board time to review and discuss the zoning at their June 3 meeting, in time for the closing of the warrant.

He spoke on the primary outstanding issues and gave a broad description of zoning and what it does and doesn't do. He described floor area ratio used in the zoning, and noted this is new for Hamilton; however, it is an easy metric to translate into compliance. The height of buildings is capped at two and a half stories. Zoning controls what happens on private property, not the public ways, but it does control the public-facing elements such as curb cuts. Utile Associates added some clarity to the bylaw on district nonconforming uses and structures. He explained there are five town center sub districts and an overlay that comply with the 3A requirements. There are 19 acres on Asbury St that are also zoned for 3A; housing projects are already underway. He reviewed each proposed district and showed the frontage types for the buildings and noted how the zoning would change. One of the ongoing issues has been the current use table and what Boards are involved, and issues with non-conforming structures. He also said they have been requested to provide a summary handout.

The Board discussed some concerns with M. Littell regarding the zoning, including issues of parking, non-conforming buildings and sites, where additions can be placed, and minor items which need clarifying.

Discussion followed about existing clarifying language in the code and what needs to be added. The Board commented that the State does not allow application of sustainability requirements for 3A housing, which appears to be counterintuitive to the push for energy efficiency in the state. Zoe Mueller of Utile Associates clarified that the State regulations prohibit zoning that imposes requirements (or higher standards) on multi-family housing that are not generally applicable to other uses.

Utile will meet with Town Counsel Robin Stein to resolve her comments and work towards finalizing the code. There was brief discussion about how many articles to present at Town Meeting and how the zoning would be packaged in those articles; Utile will consult with Town Counsel on that as well.

Chair Crouch summarized her concerns with the draft as presented; she believes it is inconsistent with how the current zoning is formatted and there were inconsistencies with capitalization, typos, and associated formatting. She will send a redlined version to M. Connors. The Board thanked Utile for their work so far.

Chair Crouch opened the public hearing.

- **Erin Crowley, Appaloosa Ln.** attended the Select Board meeting last night and was concerned about what was likely to happen with 3A given the Planning Boards presentation, but she was pleased to hear the conversation this evening and how the zoning was moving forward. She was concerned with some misrepresentations of facts including that the Town would only lose \$28,000 in grant funding for 3A non-compliance, and that the Winthrop School lot might back come back under consideration which is not the case. She felt at the Select Board meeting that the Planning Board was focused on opposing 3A rather than doing their due diligence to move it forward, but she is grateful for the thoughtful discussion this evening. She believes strongly that there is a housing crisis in the state and Hamilton should be part of the solution. She noted the letter from Representative Kristin Kassner laying out the hundreds of thousands of dollars in grants that could be at risk. She encouraged the Board to take their job seriously and work through the timeline that has been set. She believes that Hamilton residents are very smart and will be able to digest the zoning.
- **Nancy Baker, Goodhue St.** questioned the calculations on the 3A Asbury St zoning and whether there would be more units added to those lots under the proposed zoning. The Board responded that it would be economically unfeasible to add any additional units to those lots as they are already under development or have been approved for development.
- **Tosh Blake, Sagamore St.** also attended the Select Board meeting the previous evening, and is concerned with the Select Board trying to rush the vote on the 3A zoning. He believes the State manufactured the current housing crisis and that it is a fake crisis. He believes the vote should be postponed to a later vote, as everything, including form-based code is likely to be voted down and all the hard work on that will be lost because of the rancor over 3A. He believes form-based code and 3A should be separated.
- **Deb Safford, Maple St.** questioned the Willow St district and how it was constructed. Utile explained how they tried to keep the parcels consistent. She also asked about the concept of putting parking in the back, where backyards are typically, and questioned why it would be mandated that yards become parking lots. Utile explained that yes, typically it is set back as far as the building is so that parking is not in the front yard. She expressed concern with combining the form-based code and the 3A compliance, and that there was no way to separate these issues so form-based code can stand on its own? Chair Crouch responded, at this point, the two are tied together and the form-based code is intended to ameliorate the 3A zoning and constrain what it can look like. D. Safford opined everyone moved here for a reason because they liked the horse farms, the small town character, the small schools, and this is not Lynn or Revere. No one is telling anyone to live

here, but people have lived here for decades and this is a fundamental transformation of the town adding this kind of multifamily density to the downtown and another whole area without any impact study right on water and schools. She believed going forward was reckless.

- **Anne Arnette, Patton Dr.** stated that she does support complying with 3A. She is concerned about some of the fearmongering that has been put forward this evening and hopes the public messaging will be clearer. Unfortunately, there are loud voices that are intent on keeping the “other” out by saying things like we want our horse farms, but the horse farms aren't going anywhere, the plan doesn't include building on horse farms, or even building at all, it's zoning. She believes the basic messaging has become very confused. She hopes that the messaging can be clear, and offered her services in creating fact sheets or social media posts. She wants the whole town to be on board with understanding this issue rather than feeling they got swooped into passing this.
- **Linda Preston, Highland St.** asked where else the other 350 units would be other than Downtown. The Board explained that the Asbury Street Overlay District is where that would be zoned. L. Preston noted the water issues in that neighborhood, and that she has had water in her basement. She said she has been asking for impact studies and that has not been done. She believes it would be a population explosion and required further review.

Chair Crouch reminded everyone that the discussion this evening is regarding the four corners of the zoning articles, and that arguments for the pros and cons of 3A should be reserved for other forums.

- **Jack Simons, Sagamore St.** stated that he and his wife are 3A supporters and appreciate what has obviously been a very hard slog to come up with a good faith solution which will comply with the law. 3A is the law and he urged the Board to move forward expeditiously. He believes most of the community does not reflect some of the comments made this evening in terms of the nativist and anti-immigrant positions, and that Hamilton is not Lynn or Lawrence, nor is likely to become so, and those sentiments are meant to scare people.
- **Sandy Fisher, Greenbrook Rd.** stated that asking questions is not fearmongering, and is concerned about the real impact of the development on the town. She wants facts, and stated that there is fearmongering in stating grant funds will be lost, as no one knows that is true.
- **Kathleen Brill, Knowlton St.** stated she is support of compliance on 3A. She was concerned with comments at last evening's Select Board meeting. She echoed earlier concerns on how the views of the Planning Board were presented; it was distressing to hear that the Planning Board was recommending not bringing this to the Town for a vote within the legally required time frame to which the town has already committed. She said there are hundreds of thousands of dollars at risk in grant funds, referencing the letter provided by Rep. Kassner on the topic. She noted that non-compliance would not simply mean the loss of grant funds; the Supreme Judicial Court determined that the Attorney General's can pursue enforcement action with other potential penalties. The current zoning code now is not a model of simplicity or accessibility nor are most zoning codes in the state, and that is not a reason to postpone the vote. She suggested putting together a brief FAQ to explain how this would apply to pre-existing non-conforming uses. She encouraged the Board to get behind the plan and support it vocally and without hesitation in public, and that calling it scary does not help. She thanked the Board and Utile for all the excellent work.
- **Megan Beaton, Essex St.** supports 3A, and the important piece is to go forward in a timely manner, and it is time to make this happen and give voters the opportunity to actually vote on this.

Chair Crouch noted the Board is under a very tight timeline, and the Board is not dragging its feet, they do not yet have final drafts and they need time to evaluate the documents. It is not the Planning Board's purview to do financial impact analysis, that is the role of the Finance Committee.

Vote: B. Herr moved to continue the public hearing to June 3, 2025 at 7:00PM. W. Wheaton seconded the motion. All voted in favor and the motion passed.

Vote: D. Dale moved to adjourn the meeting at 9:34 pm. W. Wheaton seconded the motion. All members voted in favor and the meeting adjourned.

Documents:

- [May 20, 2025 Planning Board Meeting Agenda](#)
- [Public Hearing Notice: Iron Ox Farm](#)
- [Iron Ox Farm Site Plan Application](#)
- [Iron Ox Farm Site Plan Combined Materials](#)
- [Iron Ox Farm Certification Letter](#)
- [Iron Ox Farm Abutters List](#)

*Respectfully submitted by D. Pierotti, Recording Secretary, 6/1/25.
The minutes were prepared from video.*