

Town of Hampden

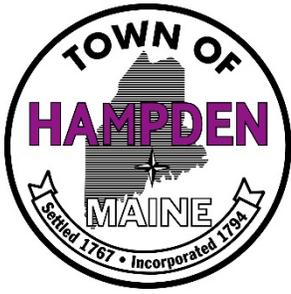
Planning Board

Wednesday September 14, 2016, 7:00 pm

Municipal Building Council Chambers

Agenda

1. Administrative
 - a. Introduction – New Town Planner Karen Cullen
 - b. Minutes – July 19, 2016 (note, no meeting held in August)
2. Old Business – None
3. New Business
 - a. Public Hearing: Zoning Amendment to Section 4.8.1. Off-Premises Signs
 - b. Public Hearing: Zoning Amendment to Section 5.3.1, Building Permits to change what activities require a building permit
 - c. Public Hearing: Shoreland Zoning Ordinance Amendment to bring it into compliance with DEP's model ordinance
 - d. Pre-application & Sketch Plan – Bog Road Subdivision; Tim Brochu, CES
 - e. Discussion re: Day Care Facilities – Ben Doucette
 - f. Zoning Amendment Process – Discussion
 - g. Overview of Town's Work Plan and Planner's responsibilities
 - h. Status of Comprehensive Plan Committee
4. Planning Board Comments
5. Adjournment



Town of Hampden
Planning Board
Wednesday July 19, 2016, 7:00 pm
Municipal Building Council Chambers

Minutes

In Attendance:

Planning Board

- Peter Weatherbee, Chairman
- Michael Avery, Secretary
- Andrew Scott
- Eugene Weldon
- James Davitt
- Joan Reilly
- Morton Syversen

Staff & Others

- Angus Jennings, Town Manager
- Myles Block, Code Enforcement Officer
- Ed Bearor, Town Attorney

Chairman Weatherbee called the meeting to order at 7:00 pm

1. Old Business:

Continued Public Hearing: Site Plan/Conditional Use Review of proposed Solid Waste Recycling and Processing Facility. Applicant: Fiberight LLC and Municipal Review Committee (MRC).

Chairman Weatherbee opened the public hearing by noting that this is the fifth public hearing session regarding the application. He noted that this item was on the prior Planning Board agenda but was opened and continued with no testimony taken at that time due to the absence of multiple Board members. He said that there is new information in the meeting packet for tonight’s hearing session including the recently issued DEP licenses and a submittal from the applicant regarding truck traffic. He said that the scope of public comments would be limited to new information not previously on the record, and that speakers would be limited to three minutes. He asked the applicant to present initially.

Sean Thies from CES, Inc., the applicant’s representative, presented the preferred truck routes plan that would seek to route truck traffic away from the intersection of Western Avenue and Route 1A, and encourage use of Interstate 95. He reported that, since the last hearing session, Maine DEP had issued final Solid Waste, Stormwater and Natural Resources licenses for the project.

Member Scott asked if any other permits are pending, and Mr. Thies said that only the local permitting remained.

Chairman Weatherbee opened the floor to public comment.

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Deborah Dufton from Monroe Road said she has lived here for 40 years, has watched this hearing multiple times, and has seen “red flags” due to the scale of the proposed Hampden facility relative to the existing Fiberight facility in Virginia. She is concerned about how the truck routes will be enforced, and said that complete information has not been provided regarding how impacts to vernal pools will be mitigated. She is concerned about odor impacts and air emissions, and asked who is investing capital in the project.

Chairman Weatherbee stated financing is not a concern of the Planning Board, that is outside the Board’s purview.

Ms. Dufton said that the emissions and burning of materials that we ought to recycle or compost leads her to not support the project.

There being no further public comment, there was a **motion** by Member Davitt seconded by Member Weldon to close the public hearing, and the motion carried 7-0.

Chairman Weatherbee said that the Planning Board would now review the application against the criteria in the Zoning Ordinance for Site Plan and Conditional Use. He said that Associate Member Andrew Scott would be a voting member on this matter in the absence of Kelley Wiltbank. Chairman Weatherbee asked CEO Block whether he had any additional information to provide and he did not.

Chairman Weatherbee said staff has prepared a draft proposed order as a guideline to review the required findings. The Board then reviewed the draft Order, which is attached to and are part of these minutes. Points of discussion follow. Note, the Order includes the findings and each motion in detail and they have not been repeated here.

- Parking spaces – for uses not specified, the Planning Board can set required parking based on a plan submitted by the applicant; Sean Thies stated the parking was calculated based on the number of employees (70); they are providing 48 spaces; typically there will be 25 to 30 employees per shift. CEO Block had calculated they needed 92 spaces; S. Thies said they can accommodate a maximum of 53.
- Motion 1: Member Syverson expressed concern that an updated draft Board Order had been provided to the Board just prior to tonight’s meeting, and he said there is not time to review it. Chairman Weatherbee noted that a draft had been provided to the Board several days ago, but that the DEP licenses had been issued since this time so the draft has now been updated. He said that the draft before the Board is a guide and is not intended as a final document. He asked whether there is discussion from the Board regarding whether the application is complete. Member Avery asked if CEO Block could discuss the revisions. Attorney Bearor stated he had gotten his comments at 11:30 today, the first item is the number of

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parking spaces. Member Avery stated he needed more time to absorb the changes; he is struggling with the importance of this application. Member Scott asked if the Town Attorney had any comments; he replied yes, and so did Woodard & Curran and others. CEO Block stated he had calculated a need for 92 parking spaces. Section 4.7.1.1.17 of the Zoning Ordinance says that for uses not specified, the Planning Board can set parking needs based on plan submittal by the applicant on another level. Member Avery stated we know what the ordinance requires, he wants to know what the facts are regarding what is proposed. Attorney Bearor asked how the parking count was arrived at; S. This explained they did not separate the parking for the processing facility from the office space. They used the number of employees – 70 – and figured they needed 48 spaces, which is what the current plan shows. He added they can accommodate 53 spaces but not 92, which seems excessive. He noted there are typically 25 to 30 employees per shift. Attorney Bearor said one of the findings is whether there is enough parking. Using $\frac{3}{4}$ of a space per employee and apply that to the larger number of employees (70). Member Avery asked at what point do we address this; Chairman Weatherbee replied later in the decision. CEO Block added it is performance standard #3 under site plan review. Chairman Weatherbee stated the current issue for discussion is whether the application is complete. Member Scott asked if there was any staff recommendation; CEO Block stated the application would not have gotten to the Board if it was not complete. The Board found that the application is complete.

- Motion 2: Chairman Weatherbee read the relevant language regarding consistency with zoning ordinance and comprehensive plan. Member Avery asked if the building height as proposed exceeded the height limitation; CEO Block stated it is in compliance. Member Weldon made a motion that the proposed development meets the standards, seconded by Member Davitt. Member Scott asked who determined that it does; Attorney Bearor stated the draft order is not a substitute for the Board's deliberation. Member Scott said this hasn't been reviewed against the comprehensive plan; Attorney Bearor said it wouldn't be a separate review. Member Weldon said that as part of the Comprehensive Plan Committee, it's my opinion that it meets the Comprehensive Plan. Member Scott reiterated that there is a lot of information to digest. The Board found that the application meets the standards.
- Motion 3: Chairman Weatherbee read Section 4.1.7.2, proposed buildings consistent with buildings in the vicinity – There are no other buildings in the vicinity and the building is setback 100 feet based on DEP requirements for solid waste processing facilities. The Board found that the proposed development is properly integrated with the site.
- Motion 4: Section 4.1.7.3, site ingress and egress: Member Avery asked if this is the time to discuss off-site traffic. Attorney Bearor stated the Board has the opportunity to add conditions that are within the Board's authority. This standard

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relates to on-site traffic. The conditional use standards are somewhat broader; the board can accept truck haul routes volunteered by the applicant. Member Reilly asked if there are turn lanes proposed off Coldbrook Road; S. Thies said there are no designated turn lanes but there is a widened shoulder on Coldbrook Road. Member Syversen asked if there will be a lot of traffic coming off I-95; S. Thies said yes, this reduces right-turns into the site. He added DOT required reinforcing the shoulder; the volumes didn't warrant a dedicated turn lane. Member Avery asked if DOT reviewed the numbers based on revised traffic patterns; S. Thies said the project didn't exceed the DOT threshold for requiring a traffic study, the traffic study was a local requirement. Motion by A. Scott, seconded by M. Syversen, to find that the proposed development is consistent with this standard and the site layout provides safe ingress and egress to the site; further discussion ensued. Kyle Corbeil said the initial application said 70 employees, while the traffic study said 66 and sheet C103 said maximum 50 employees per shift. Discussion on the number of employees on various shifts and the number of parking spaces needed. Motion amended to add a condition that 53 parking spaces be provided rather than the 48 shown on the initial submittal; carried 7/0/0.

- Motions 5 through 8 were approved by unanimous votes with no additional discussion.
- Motion 9: Attorney Bearor said the DEP permit has been issued; this language (in the draft order) allows us to monitor the DEP conditions. The Board adopted the motion.
- Motion 10: After discussion regarding cross-referencing the DEP conditions, the Board adopted the motion.
- Motion 11: S. Thies stated that Maine Natural Areas has signed off. The Board adopted the motion.
- Motion 12: After discussion regarding the truck routing policy, it was established that the policy cannot be enforced by the applicant or the Town. J. Pottle, attorney for the applicant, stated they are committed to providing maps to all the haulers and the municipalities, and if it becomes known that a hauler is not complying, they can suspend the driver. Attorney Bearor said a condition can be added to adopt the haul route policy; if problems arise we would probably contact MCR/Fiberight. Craig Stuart-Paul, CEO of Fiberight, said they don't want to be a burden on the Town, and they can impose a one hour delay on wayward truckers. The Board adopted the motion.
- Motion 13: Section 4.1.7.13, Attorney Bearor said there are no proposed condition. Member Avery asked if conditions can be handled at the end; he said traffic, odor, air quality are highly subjective and asked if this is where we might address these issues or add condition. Attorney Bearor said Section 4.2.3 governs conditional use standards. The Board adopted the motion.

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- Motion 13B: Discussion on how this standard is within the approvals by DEP. The Board adopted the motion.
- Motion 14: The Board adopted the motion to approve the site plan, pending approval of the Conditional Use.
- Discussion under Conditional Use regarding odor and how it will be dealt with; understanding that it will be dealt with in conditions later in the Order.
- Motion 15: The Board adopted the motion.
- Motion 16: Discussion regarding where waste will be stored and disposed of; applicant stated that all solid waste generated on site will be processed or recycled. He added that all waste not processed will be trucked to the Norridgewock facility; there is a letter on record regarding this. The Board adopted the motion.
- Motion 17: After some discussion regarding comments from direct abutters, the draft motion was modified and adopted.
- Motion 18: After discussion and modification of the draft motion to incorporate reference to the Maine DEP Air Emissions Permit, the Board adopted the motion.
- Motion 19: The Board adopted the motion with minor modification.
- Motion 20: The Board adopted the motion with modification.
- Motion 21: The Board adopted the motion.
- Motion 22: Discussion regarding funding for completion of the project and sureties to ensure public infrastructure is completed. Attorney Bearor said the option agreement with Bouchard requires road acceptance before the building permit can be obtained. Water and sewer would be subject to the Water District and the Sewer Commissioners. The Board adopted the motion.
- Motion 23: the Board adopted the motion.

The Board took a recess at 9:19 pm.

The Board then reviewed the conditions in the draft Order.

- Discussion regarding trucking routes and enforcement of same. Attorney Bearor said the Board could accept the offer of Fiberight to impose a one hour delay as a penalty for truckers violating the policy. The draft condition was amended to include that penalty.
- Motion 24: Member Syversen made a motion to adopt the conditions presented in the draft Order, as amended; second by Member Scott; motion carried by unanimous vote.
- Motion 25: Member Davitt made a motion that based on the Findings of Fact and Conclusions of Law, together with the background information for this application and the conditions listed, to approve the MRC/Fiberight Solid Waste Processing

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Facility Conditional Use; seconded by Member Scott; motion carried by unanimous vote.

The meeting was adjourned at 10:03 pm.

*Respectfully submitted by Karen Cullen, Town Planner
From notes taken by Angus Jennings, Town Manager*

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Town of Hampden
Office of the Town Planner

Memorandum

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner
Date: August 4, 2016
RE: Amendments to Zoning and Shoreland Zoning

Attached you will find the draft language for two amendments to the Zoning Ordinance that have been referred to the full Planning Board from the Ordinance Committee, both by unanimous vote. The first is regarding off-premises signage and the second is regarding the threshold for when a building permit is required.

The purpose of the change to the off-premises signage provisions is to allow one sign near the intersection of Main Road North and Marina Road to make the public aware of and direct them to the Waterfront Park. Due to requirements of the Maine Department of Transportation that prohibit the placement of off-premises commercial signs within the state right-of-way, and complexities with ownership of Marina Road, there are challenges to erecting signs that this proposed amendment will help to resolve. The vision is to have one freestanding sign, with a maximum sign size of 50 square feet (per side assuming the sign would be double sided), with placards “embedded” into the design of the overall sign for each business in the Waterfront I Zoning District. The municipal park would be the primary use being advertised on the sign.

P. Weatherbee made a motion, seconded by J. Reilly, to send this amendment to the Planning Board with a recommendation of “ought to pass.”

The purpose of the amendment regarding the building permit threshold is to eliminate the existing conflict between Hampden’s code and the Maine Uniform Building and Energy Code (MUBEC). Rather than our zoning ordinance specifying what requires a building permit, this amendment refers back to the MUBEC.

P. Weatherbee made a motion, seconded by J. Davitt, to send this amendment to the Planning Board with a recommendation of “ought to pass.”

The third amendment is to the Shoreland Zoning Ordinance, and is not included with this portion of the packet since I have found dozens of instances where the red-lined version recently circulated does not actually have any change, which is confusing to everyone. I had planned to clean that

document up today, but unfortunately I am unable to locate the Word version of the document. I plan to work with Myles Block on Monday to address this, and hope to have the cleaned up version showing the changes that are actually proposed by the close of business on Monday. Nearly all of the actual changes are to bring the Shoreland Zoning Ordinance into compliance with the DEP model ordinance, and most of it relates to the expansion of non-conforming structures or to tree removal.

P. Weatherbee made a motion, seconded by J. Davitt, to send this amendment to the Planning Board with a recommendation of "ought to pass."

Should the Planning Board agree, the next step in the process is for the Planning Board to set a public hearing to address these amendments.

The Ordinance Committee is continuing to work on the accessory apartment amendment, as I have raised a number of broader issues which led the committee to direct me to rewrite the draft as a combination of the two family conversion provisions with the proposed accessory apartment provisions. Once redrafted, the Ordinance Committee will reconvene to discuss the new draft.

Town of Hampden

Public Notice

Notice is hereby given that the Hampden Planning Board will conduct a public hearing at 7:00 p.m. on Wednesday, September 14, 2016, in the Municipal Building Council Chambers, located at 106 Western Avenue, Hampden, to hear the following:

1. Proposed Zoning Ordinance Amendment to Section 4.8.1. Off-Premises Signs
2. Proposed Zoning Ordinance Amendment to Section 5.3.1, Building Permits to change what activities require a building permit
3. Proposed Shoreland Zoning Ordinance Amendment to bring it into compliance with DEP's model ordinance

Copies of the proposed ordinance amendments are available at the Municipal Building or online at www.hampdenmaine.gov.

Paula A. Scott
Town Clerk

Publish in the newspaper on Thursday September 1, 2016 and Tuesday September 6, 2016.

Off-Premises signage for the Waterfront Park area

Add a new section 4.8.1.4 of the Hampden Zoning Ordinance to read:

In order to promote the use and enjoyment of the Waterfront Park and uses within the Waterfront 1 Zoning District, such uses and businesses within said district shall be permitted to have signage located on Main Road North (Route 1A) in the vicinity of Marina Road subject to the following conditions:

- a. One freestanding sign structure is permitted, on which all signage for the Waterfront District 1 shall be installed.
- b. The signage may be double-faced, and the cumulative area shall not exceed 50 square feet per side, exclusive of the sign structure.
- c. Each individual sign for a non-municipal entity shall not exceed 15 square feet in area (per side for a double faced sign).
- d. The maximum height of the sign shall not exceed 15 feet in height from the ground level under the sign.
- e. Lighting of the sign shall only be by an externally located steady stationary white light source, shielded and directed solely at the sign.
- f. If located on private property, the owner of the property must have given permission in writing to allow the installation of the sign.
- g. Authorization for placement of a sign under this section shall be obtained from the Code Enforcement Officer.

ARTICLE 5 - ENFORCEMENT

(Amended: 6/ 3/02)

5.1. Administrative Officer - This Ordinance shall be enforced by a Code Enforcement Officer appointed by the Town Manager with confirmation by the Town Council.

5.2. Duties - The Code Enforcement Officer, in enforcing this Ordinance, shall be responsible for establishing reasonable procedures for enforcement, keeping all activities within the jurisdiction of this Ordinance under surveillance, issuing building and/or use permits where applicable, keeping public records of his proceeding and instituting or causing to be instituted any or all actions that might be appropriate for the enforcement of this Ordinance.

5.3. Permits - Application for a building permit and a certificate of compliance shall be made concurrently with the initial application.

5.3.1. Building Permits

5.3.1.1. Building Permit Required - ~~An application shall be submitted to the Code Enforcement Officer for the following activities, and these activities shall not commence in the Town of Hampden without a permit being issued.~~ Building Permits shall be required per the Maine Uniform Building and Energy Code as amended from time to time.

- ~~1. Construct or alter a structure.~~
- ~~2. Change of exterior dimensions of an existing structure;~~
- ~~3. Construct a sign or change the exterior dimensions of a sign;~~
- ~~4. Reconstruction of a disaster damaged or disaster destroyed structure.~~

5.3.1.2. No building permit shall be issued except in conformity with the provisions of this Ordinance.

5.3.1.3. Within fourteen (14) days of the filing of an application for a building permit, the Code Enforcement Officer shall approve or deny such application or shall refer the applicant to the planning board or the Board of Appeals. The decision shall be in writing and communicated directly to the applicant. In the case of a denial of an application, the decision shall include reasons for such. One (1) copy of the Code Enforcement Officer's decision shall be filed in the municipal office. (Amended:09-18-06)

5.3.1.4. No building permit for a building or structure on any lot shall be issued except to the owner of record thereof, or his authorized agent. The Code Enforcement Officer may require that any application for such a permit shall be accompanied by a plan, accurately drawn to scale, showing the actual shape and dimensions of the lot to be built upon, an on site soils survey, the exact location and size of all buildings or structures already on the lot, the location of new buildings to be constructed, together with the lines within which all buildings and structures are to be constructed, the existing and intended use of each building or structure, and other such information as may be necessary to provide for the execution and enforcement of this Ordinance.

5.3.1.5. Applications for permits with their accompanying plans and building permits shall be maintained as a permanent record by the Code Enforcement Officer.

5.3.1.6. A building permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within ~~six (6)~~ twelve (12) months of the date on which the permit is granted, or if the work or change is not substantially completed within two (2) years of the date on which the permit is granted.

5.3.1.7. No building permit, demolition permit, earth moving permit, sign permit or certificate of compliance shall be issued without payment of fees in accordance with the Town of Hampden Fees Ordinance. *(Amended: 11-17-03)*

Any structure on which construction, including but not limited to foundation work, has begun before the issuance of a building permit will be assessed double the above described fees.

5.3.1.8. Building permits for structures to be located on subdivision lots shall not be issued by the Code Enforcement Officer until all improvements, including public utilities (sewer, water and electrical), roads and drainage facilities as approved by the Planning Board and required by town ordinances, are completed to the satisfaction of the Town designated engineering consultant and the road, if any, has been accepted by the Town Council as a town way. *(Amended: 03-01-10)*

5.3.1.9. *Wastewater Disposal Permit Required* - No building permit shall be issued for any structure or use involving the construction, installation, or alteration of plumbing facilities unless either a subsurface wastewater disposal permit or sewer hook-on permit has been secured by the applicant or his authorized agent in conformance with the State of Maine Subsurface Wastewater Disposal Rules or the Town of Hampden Sewer Ordinance. *(Amended: 03-01-10)*

August 25, 2016

Town of Hampden
Attn: Karen Cullen
106 Western Ave.
Hampden, ME 04444

Town of Hampden
RECEIVED
AUG 25 2016
Planning & Zoning
Office

Re: Southbranch, LLC – Lee Cliff / Subdivision Sketch Plan

Dear Karen:

Thank you for taking time to meet with us last week on the proposed residential subdivision for Southbranch, LLC / Lee Cliff property on the Bog Road.

Please find attached 12 copies of the sketch plan application submission items and application for the project. As discussed we would like to be on the next available planning board agenda to present the project to the planning board.

The subdivision will consist of the establishment of 7 lots on an approximately 121 acre parcel owned by the applicant. All lots will have frontage on the Bog Road and no infrastructure will be required for the project. Each lot will have individual subsurface wastewater disposal and individual wells. Lots generally range in size from 2.4 acres to 3.7 acres. However, one lot will be substantially larger and will include the remaining land area. This lot is anticipated to be approximately 103 acres.

There are no restrictive covenants on the property and no wetland areas will be disturbed as part of the project.

If you have any questions or need any additional information, please let us know.

Sincerely,
CES, Inc.



Tim Brochu, Project Manager
Senior Vice President

PB File Copy

TB/
Enc



SUBDIVISION APPLICATION

Please note that this application must be submitted with plans in conformance with Article 300 of the Hampden Subdivision Ordinance. Incomplete applications will not be processed. All fees must be paid for application to be processed. Proper number of copies of application must be submitted in order to be processed. All town ordinances are available at www.hampdenmaine.gov for review.

This application is for (check one):

- Sketch Plan, Minor Final, Major Preliminary, Major Final

Date: 8-25-2014

APPLICANT (LANDOWNER):

Name: Southbranch, LLC (ATTN: LEE CLIFF)

Address: 762 Blackstream Road Hermon, ME 04401

Phone: x Cell: 299-5747 Email: lcliff@hermon.net

AGENT (SUBDIVIDER):

Name of agent or representative: CES INC (ATTN: TIM BROCHU)

Address: 465 South Main Street Brewer, ME 04412

Phone: 989-4824 Cell: 852-9225 Email: tbrochu@ces-maine.com

THE SITE:

Location of site: Bog Road Hampden tax map and lot number: 11-0-009, 11-0-010, 11-0-003-A

Zoning district: Shoreland/Rural Existing use of property: Vacant

Legal interest in the parcel: Owner

Subdivision size (acres): 121.8 +/- Proposed number of lots: 7

Will your project disturb one acre or more of land area? Yes No

If Yes, and if your project is in the Urbanized Area, refer to the Town of Hampden Post Construction Storm Water Ordinance.

If Yes, and if your project is outside the Urbanized Area, Contact the Maine Dept. of Environmental Protection.

Will your project result in one acre or more of non-revegetated land area? Yes No

If Yes, you will most likely require a State Storm Water Permit, Contact the Maine Dept. of Environmental Protection.

(APPLICATION CONTINUES ON REVERSE SIDE.)

FEES: Application fees are as follows (from section 2.12 of Fees Ordinance):

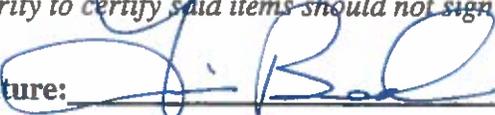
- Subdivision Sketch Plan – no charge.
- Minor Subdivision (less than five lots and no public improvements) - \$35.00 plus \$20.00/acre.
- Minor Subdivision Review/Inspection Draw – not required.
- Major Subdivision Preliminary Plan (five or more lots and/or public improvements) - ^{150.00} \$85.00 plus \$50.00/^{LOT}acre, plus \$1,000.00 peer technical review draw account.
- Major Subdivision Final Plan (review/inspection draw account) – Fee based on 10% of estimated cost of completing all on-site public improvements, plus 10% of estimated cost of completing all off-site public improvements.
- Major Subdivision Final Plan (mobile home park construction review/inspection draw account) – Fee based on 10% estimated cost of completing all on-site improvements, plus 10% of estimated cost of completing all off-site improvements.
- OPEN SPACE: Please contact the town to discuss requirements for open space, calculations for required acreage or calculations for fee-in-lieu of open space.

Application fee amount: SKETCH PLAN \$0.00

Complete and accurate submissions require less time to review.)

Other fees may be incurred throughout the development process, including but not limited to: sewer hook-on or opening of a public way fees.

CERTIFICATION: By signing this form I certify that the information provided on these plans, text, and associated testimony is true and correct. I certify that all site improvements will be constructed in strict conformance with Planning Board approved plans. Furthermore, I acknowledge that if the constructed site improvements are not built in accordance with the Zoning and Subdivision Ordinances and Planning Board approved plans that I am obliged to take corrective action that may include obtaining a revised Planning Board approval or the removal of non-conforming uses and structures and site improvements. (Agents that lack authority to certify said items should not sign this form.)

Signature:  CES INC Date: 8/25/16

OFFICE USE ONLY

Date received: 8/25/16 Date complete: _____

Fees paid: Amount/Date: NO Fee Draw paid: Amount/Date: Not required

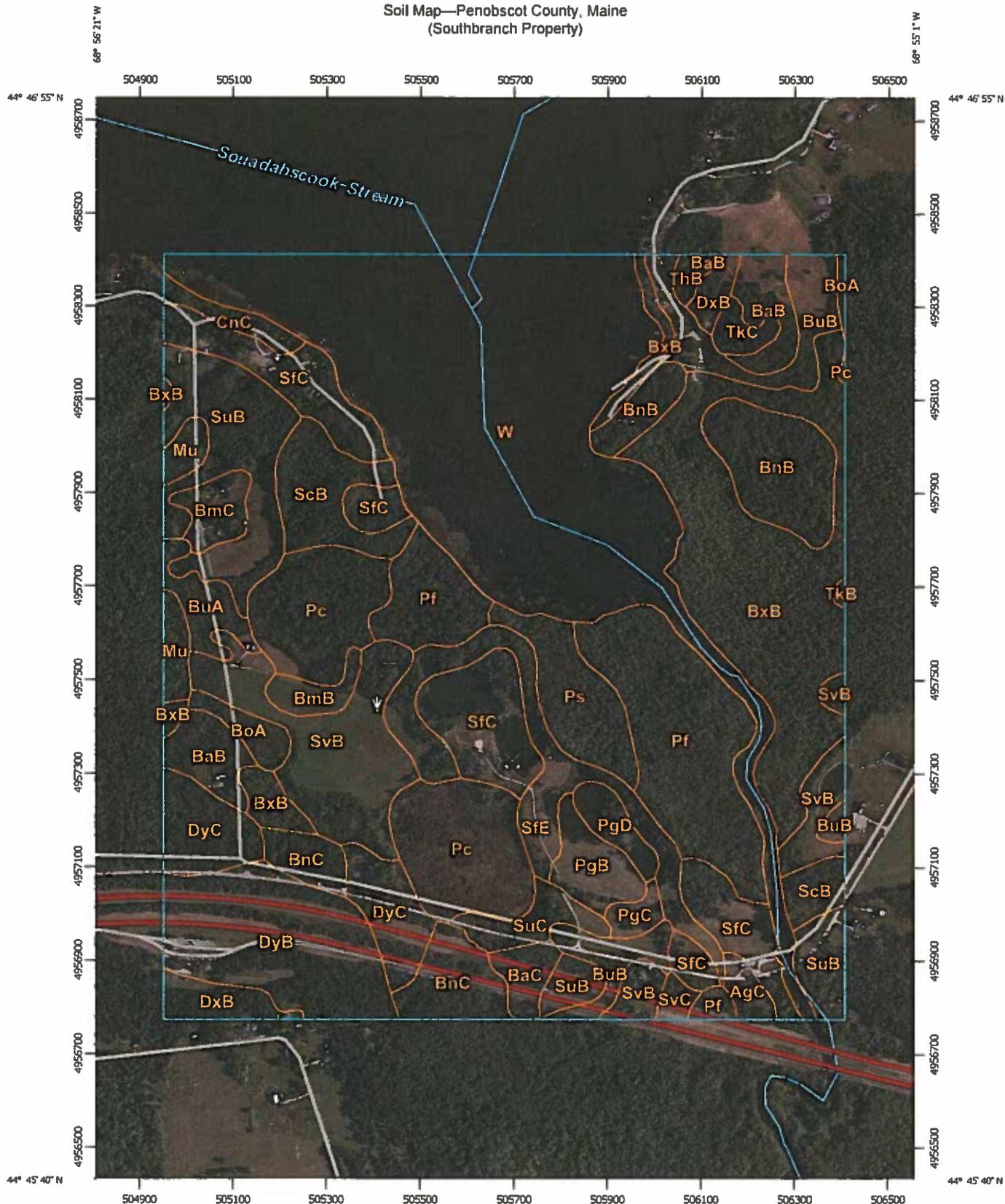
Conditional Use determination: N/A

Planning Board action: _____ Date: _____

Conditions: _____

Is this in the Urbanized Area? Yes No

Soil Map—Penobscot County, Maine
(Southbranch Property)



Map Scale: 1:11,300 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

8/3/2016
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Soil Map—Penobscot County, Maine
(Southbranch Property)

MAP LEGEND

Area of Interest (AOI)			Spoil Area
	Area of Interest (AOI)		Stony Spot
Soils			Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
Special Point Features		Water Features	
	Blowout		Streams and Canals
	Borrow Pit	Transportation	
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow	Background	
	Marsh or swamp		Aerial Photography
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Penobscot County, Maine
Survey Area Data: Version 14, Sep 14, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

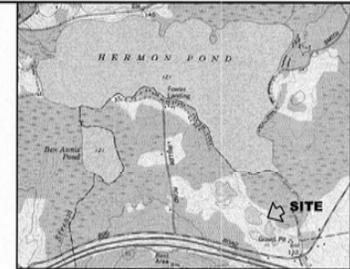
Date(s) aerial images were photographed: Jul 27, 2010—Aug 31, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Penobscot County, Maine (ME614)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AgC	Allagash fine sandy loam, 8 to 15 percent slopes	2.5	0.4%
BaB	Bangor silt loam, 2 to 8 percent slopes	12.8	2.2%
BaC	Bangor silt loam, 8 to 15 percent slopes	3.9	0.7%
BmB	Bangor silt loam, moderately deep, 2 to 8 percent slopes	3.5	0.6%
BmC	Bangor silt loam, moderately deep, 8 to 15 percent slopes	4.8	0.8%
BnB	Bangor very stony silt loam, 0 to 8 percent slopes	19.5	3.3%
BnC	Bangor very stony silt loam, 8 to 15 percent slopes	12.9	2.2%
BoA	Biddeford mucky peat, 0 to 3 percent slopes	4.2	0.7%
BuA	Buxton silt loam, 0 to 2 percent slopes	5.6	0.9%
BuB	Buxton silt loam, 2 to 8 percent slopes	17.9	3.0%
BxB	Buxton, Scantic, and Biddeford stony silt loams, 0 to 8 percent slopes	59.8	10.1%
CnC	Colton gravelly sandy loam, dark materials, 8 to 15 percent slopes	3.4	0.6%
DxB	Dixmont silt loam, 2 to 8 percent slopes	7.3	1.2%
DyB	Dixmont very stony silt loam, 2 to 8 percent slopes	29.5	5.0%
DyC	Dixmont very stony silt loam, 8 to 15 percent slopes	16.9	2.9%
Mu	Muck	5.3	0.9%
Pc	Peat, coarsely fibrous	35.2	5.9%
Pf	Peat, moderately fibrous	43.8	7.4%
PgB	Plaisted gravelly loam, 3 to 8 percent slopes	6.9	1.2%
PgC	Plaisted gravelly loam, 8 to 15 percent slopes	2.3	0.4%
PgD	Plaisted gravelly loam, 15 to 30 percent slopes	4.1	0.7%
Ps	Peat, sphagnum	12.5	2.1%

Penobscot County, Maine (ME814)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ScB	Scantic silt loam, 0 to 8 percent slopes	15.8	2.7%
SfC	Stetson-Suffield complex, 0 to 15 percent slopes	38.4	6.5%
SfE	Stetson-Suffield complex, 15 to 45 percent slopes	20.7	3.5%
SuB	Suffield silt loam, 2 to 8 percent slopes	30.3	5.1%
SuC	Suffield silt loam, 8 to 15 percent slopes	5.6	1.0%
SvB	Suffield very fine sandy loam, 2 to 8 percent slopes	33.6	5.7%
SvC	Suffield very fine sandy loam, 8 to 15 percent slopes	1.5	0.3%
ThB	Thomdike shaly silt loam, 2 to 8 percent slopes	1.2	0.2%
TkB	Thomdike very rocky silt loam, 2 to 8 percent slopes	0.3	0.1%
TkC	Thomdike very rocky silt loam, 8 to 15 percent slopes	2.7	0.5%
W	Water bodies	127.3	21.5%
Totals for Area of Interest		591.9	100.0%

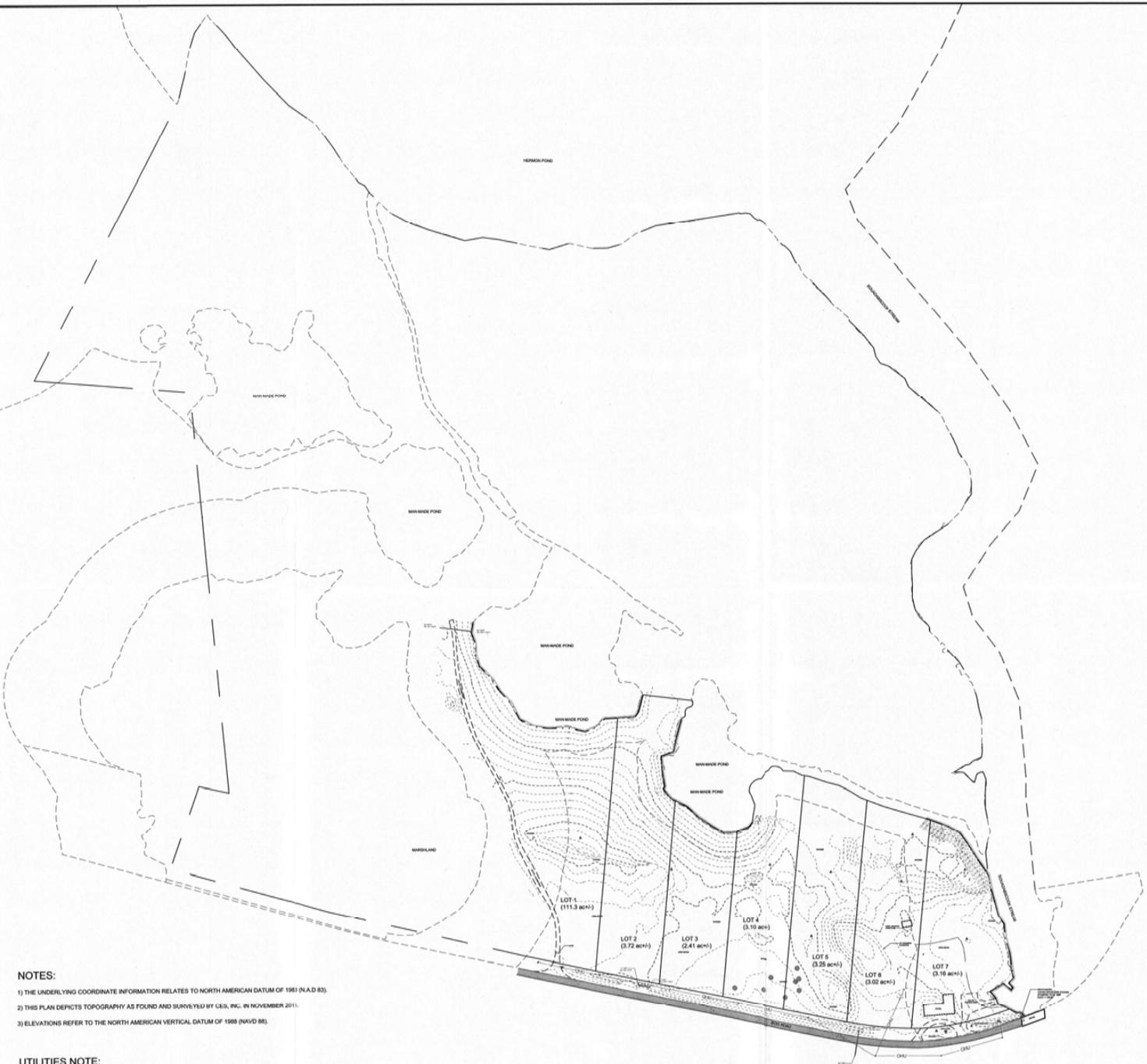


LOCATION MAP: USGS QUADRANGLE: HERMON
 SCALE: 1"=2000'
 MAPTECH: USGS TOPOGRAPHIC SERIES™,
 ©MAPTECH, INC. 878-833-3000
 WWW.MAPTECH.COM/TOPO



LEGEND:

-  SURVEY STATION
-  EXISTING TREE
-  EXISTING UTILITY POLE
-  EXISTING OVERHEAD UTILITIES
-  EXISTING EDGE OF GRAVEL
-  EXISTING EDGE OF PAVEMENT
-  APPROXIMATE WATER LEVEL
-  EXISTING 2 FOOT CONTOUR
-  EXISTING 10 FOOT CONTOUR
-  EXISTING TREELINE



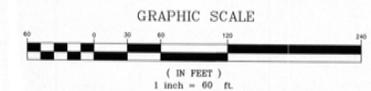
NOTES:

- 1) THE UNDERLYING COORDINATE INFORMATION RELATES TO NORTH AMERICAN DATUM OF 1983 (NAD 83).
- 2) THIS PLAN DEPICTS TOPOGRAPHY AS FOUND AND SURVEYED BY CES, INC. IN NOVEMBER 2011.
- 3) ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

UTILITIES NOTE:

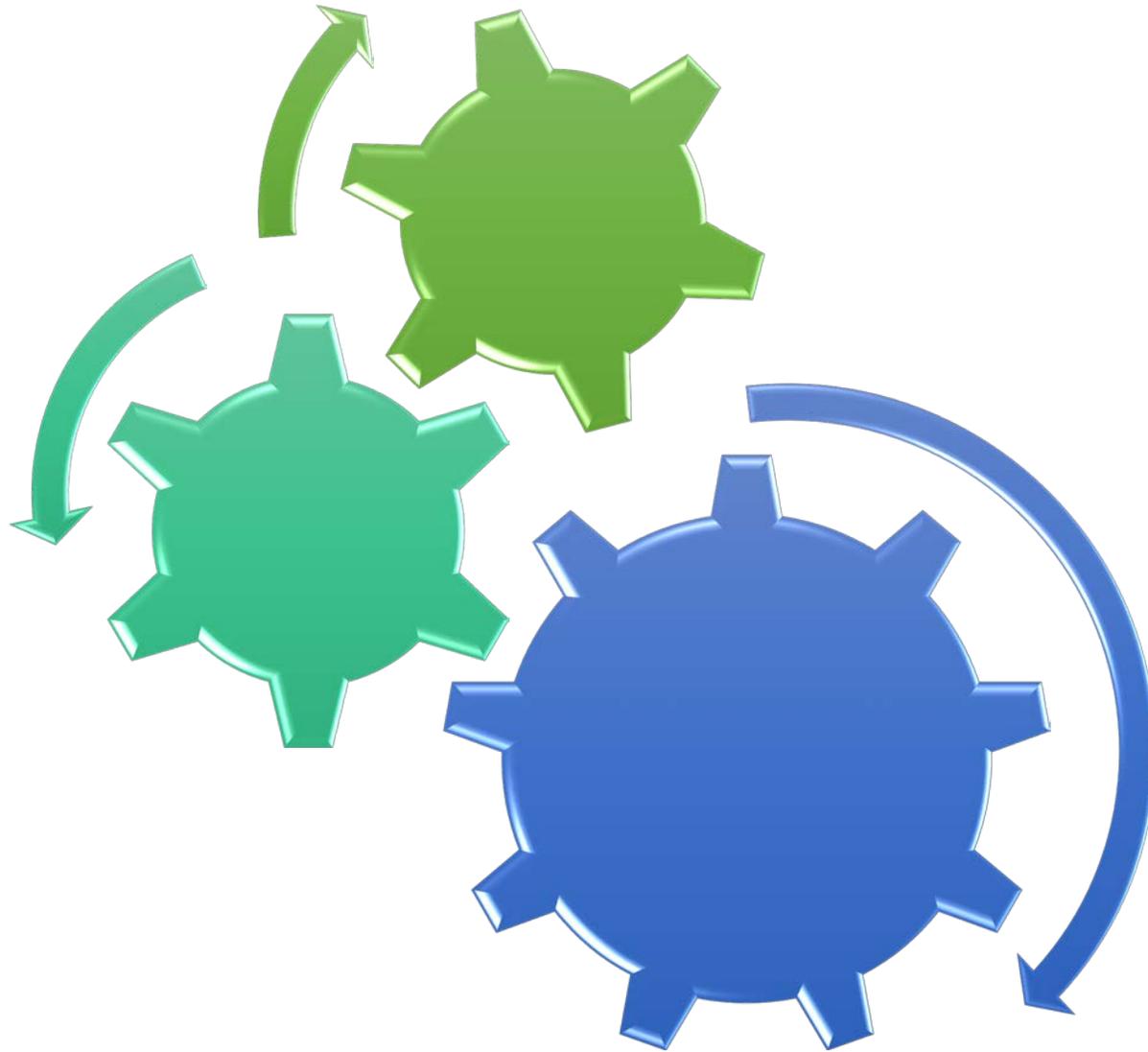
THERE MAY BE ADDITIONAL UNDERGROUND WIRES, CABLES, UTILITIES, AND/OR STRUCTURES NOT SHOWN ON THIS PLAN. THE LOCATIONS SHOWN HEREON ARE BASED UPON SURFACE FEATURES VISIBLE AT THE TIME OF THE SURVEY AND POSSIBLY FROM GFC PLAN INFORMATION PROVIDED BY THE OWNER/CLIENT AND/OR THE RESPECTIVE UTILITY COMPANIES. NO EXCAVATIONS WERE MADE DURING THE COURSE OF THIS SURVEY TO VERIFY AND/OR LOCATE ANY UNDERGROUND STRUCTURES. IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO VERIFY THE LOCATION OF ANY UNDERGROUND UTILITIES PRIOR TO EXCAVATION BY CONTACTING THE APPROPRIATE UTILITY COMPANY OR BY CALLING 800-SAVE AT 1-888-344-7233.

**SKETCH PLAN
 FOR
 SOUTHBRANCH, LLC / LEE CLIFF
 BOG ROAD, TOWN OF HAMPDEN, PENOBSCOT COUNTY, MAINE**



SOUTHBRANCH / LEE CLIFF
 BOG ROAD, TOWN OF HAMPDEN, PENOBSCOT COUNTY, MAINE

DATE: _____
 DRAWN BY: _____
 DESIGNED BY: _____
 JOB NUMBER: _____
 DRAWING NUMBER: _____



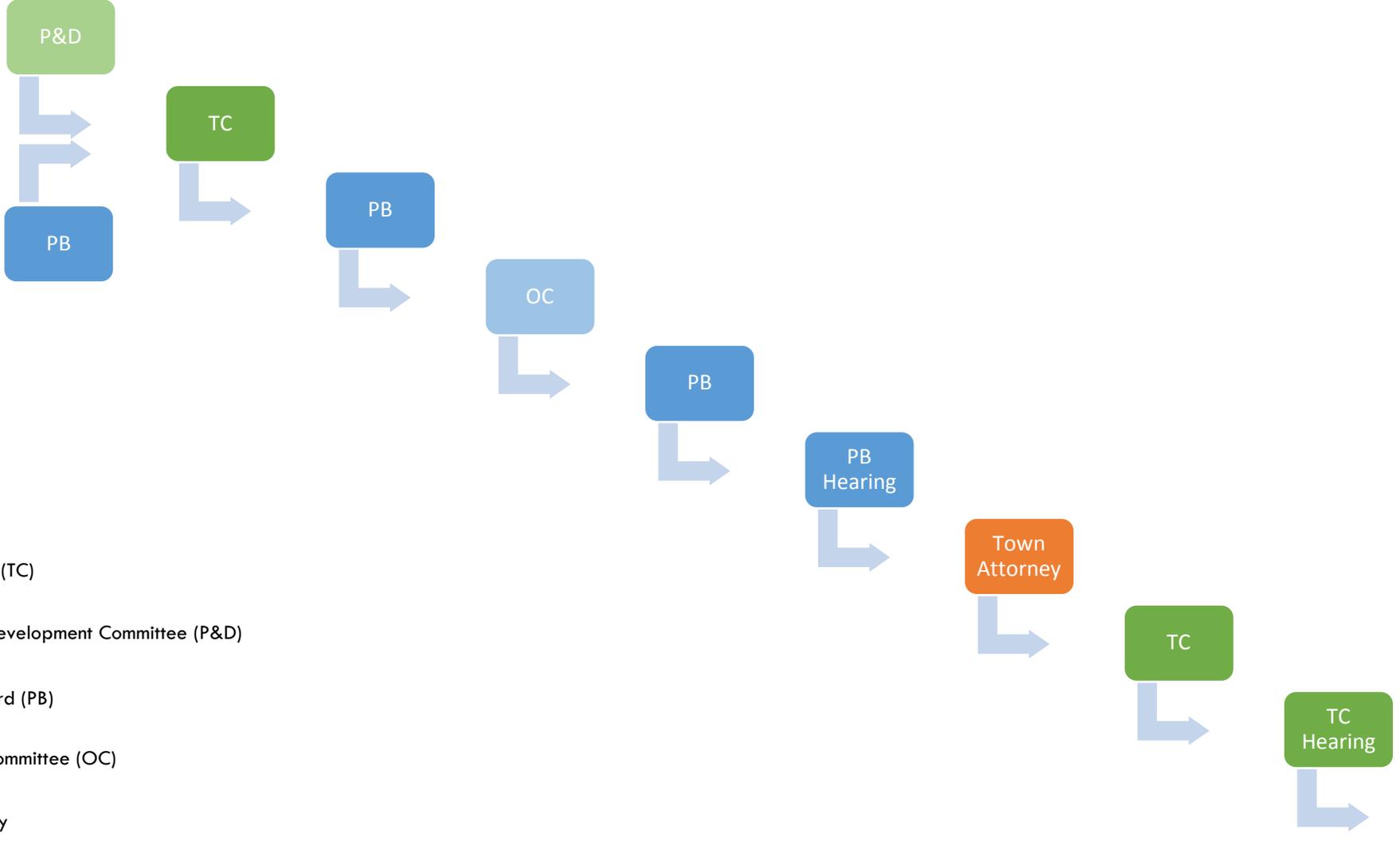
The Zoning Amendment Process

Or, who does what when and
how can we improve it

Town of Hampden Maine

Current Process

Amendment starts with P&D or PB

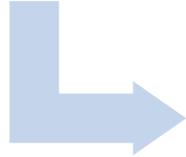
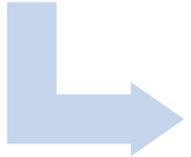


Key

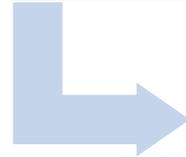
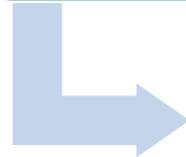
- Town Council (TC)
- Planning & Development Committee (P&D)
- Planning Board (PB)
- Ordinance Committee (OC)
- Town Attorney



- Drafts amendment (can be OC), Schedules hearing



- Notice posted per 30-A MRS 4352 para 9



- Required by Hampden Charter

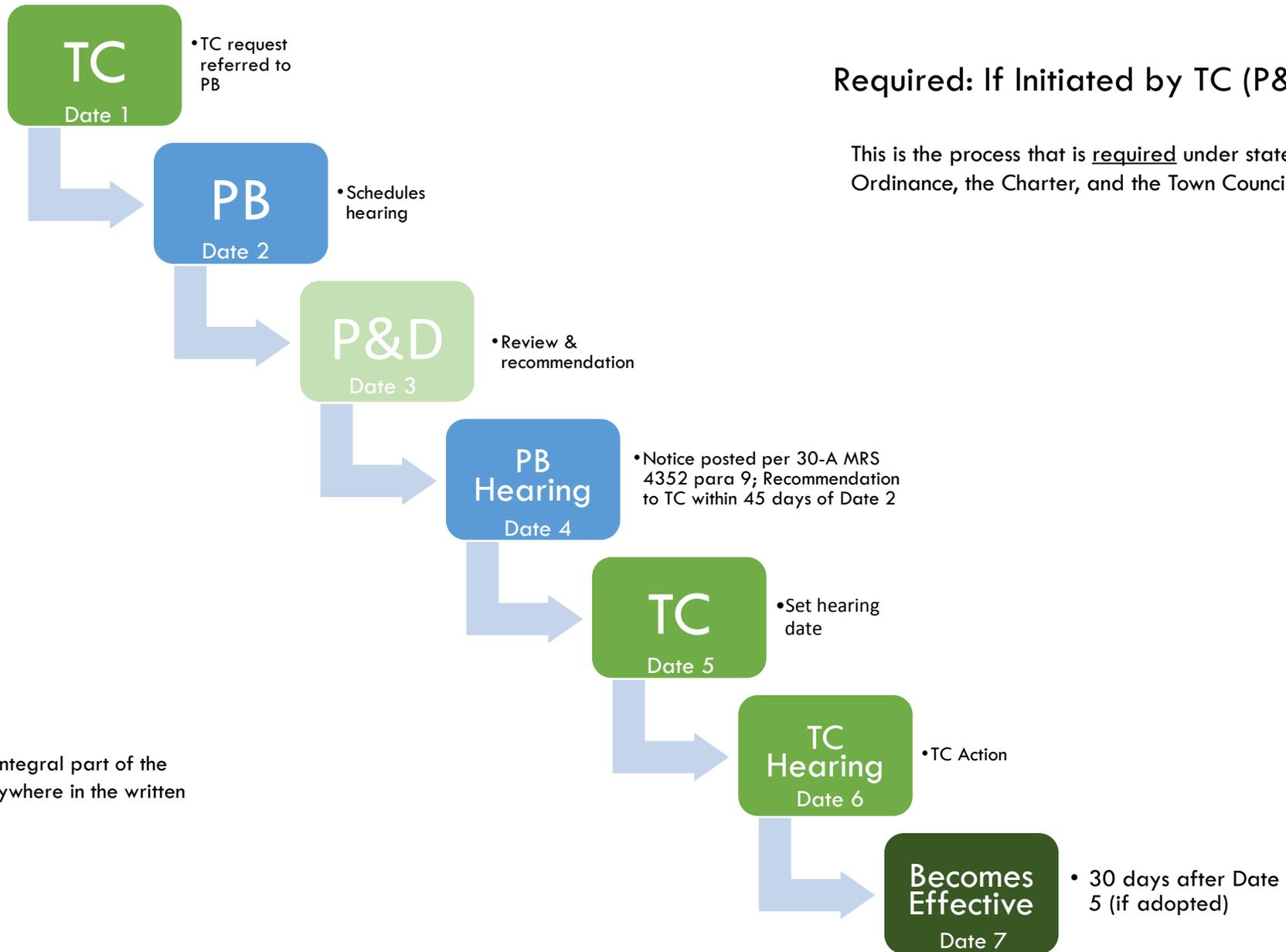


- 30 days after Date 5 (if adopted)

Required: If initiated by PB (Ord. Committee)

This is the process that is required under state law, the Zoning Ordinance, the Charter, and the Town Council Rules.

Note: The OC is currently an integral part of the process but is not included anywhere in the written ordinance or rules.



Required: If Initiated by TC (P&D Committee)

This is the process that is required under state law, the Zoning Ordinance, the Charter, and the Town Council Rules.

Note: The OC is currently an integral part of the process but is not included anywhere in the written ordinance or rules.



- Town Planner works with OC to draft amendment, updating P&D during process, Town Attorney review during this step.

The intent is to make the entire process a more collaborative effort between the Town Planner, P&DC, OC, and PB.

* Date 1 is actually a time period which could last anywhere from a few weeks to a few months, depending on the complexity of the amendment. For this exercise, Date 1 is the last meeting of the OC on the amendment.



- Reviews and schedules hearing



- Notice posted per 30-A MRS 4352 para 9

Notice posted in town hall at least 13 days prior to hearing; published in newspaper at least 12 days and 7 days prior to hearing.

Note: the draft amendment may be modified based on input at the hearing.



- Reviews and makes recommendation to TC

To implement this, Sec. 213(b) of the Town Charter will need to be amended to exclude amendments to the Zoning Ordinance from the requirement for a public hearing. TC action would still be required, but the public hearing held by the Planning Board, which is required by statute, should suffice for public input. It is also recommended to amend Sec. 1.5 of the Zoning Ordinance to more accurately and clearly reflect the amendment process, whether initiated by the Town (TC, PB, or staff) or by a private entity or by petition of 10% of the registered voters.

Also note the Zoning Ordinance sets forth specific procedure for amendments to zoning districts (map) that are initiated by a property owner; that process supersedes this.



- Reviews and takes action

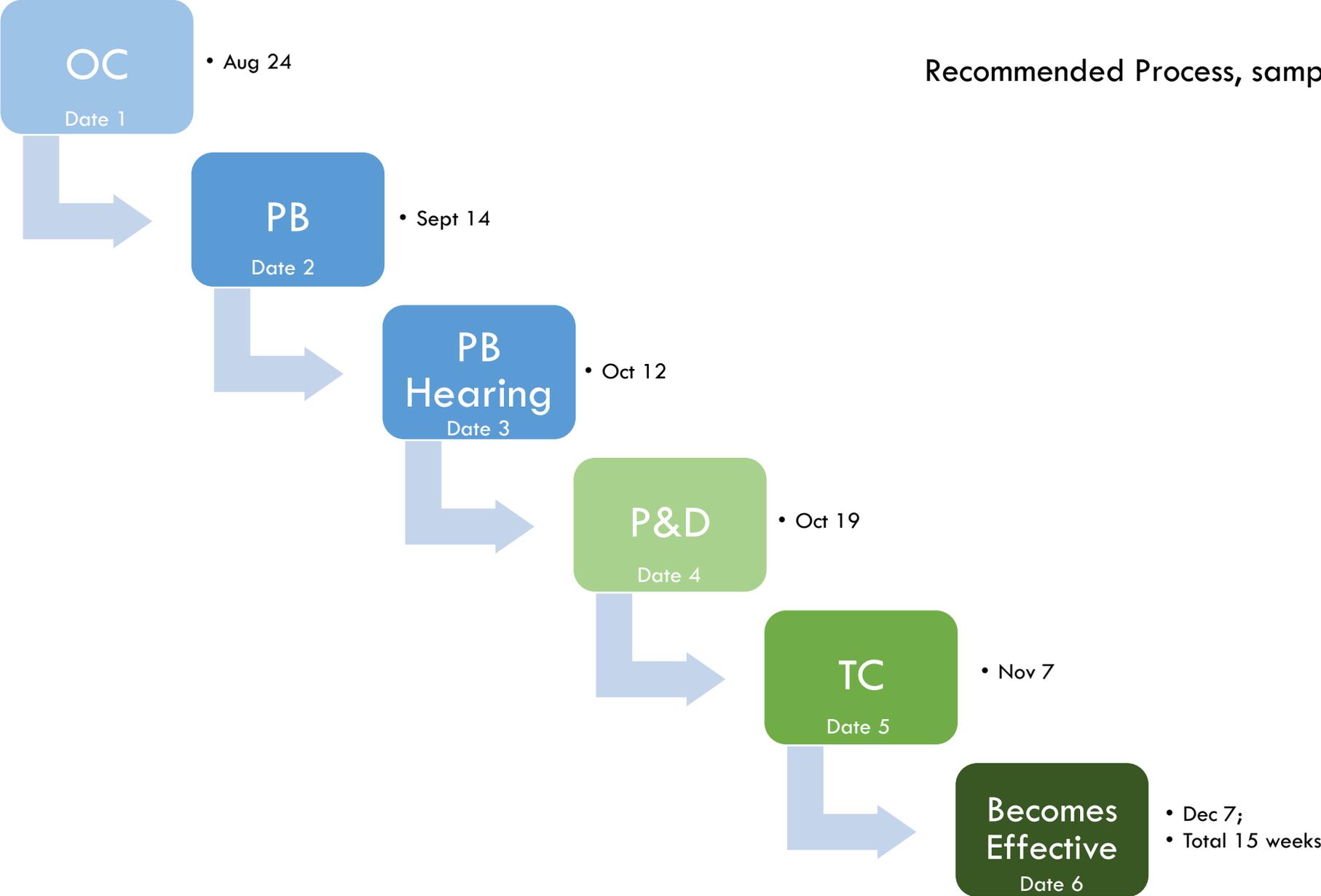


- 30 days after Date 5 (if adopted)

Recommended Process

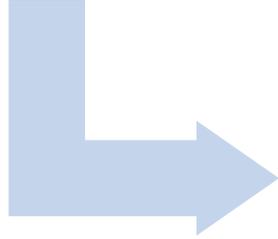
The TC, through the P&D, should be setting policy regarding what is in the best interest for the Town regarding zoning regulations. The PB, through the OC (with help from staff), should be drafting the language for the amendments to accomplish the goals set by TC.

Recommended Process, sample schedule

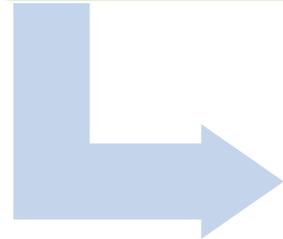




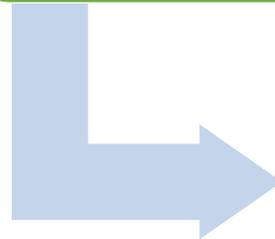
- Submitted at any TC mtg; proposed ordinance included in packet
- Set public hearing



- Not written into Charter procedure, but is in TC Rules that P&D review proposed ordinance



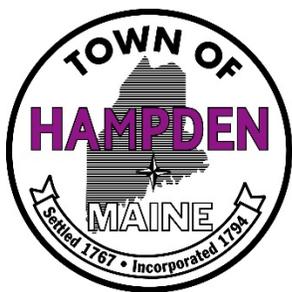
- Notice of hearing published and posted at least 7 days prior to hearing
- If substantive changes made, requires new public hearing
- TC action to follow hearing



- 30 days after Date 3 (if adopted)

For Ordinance Amendments NOT Involving PB

This is the process that is required under the Charter and the Town Council Rules.



Town of Hampden
Office of the Town Planner

Memorandum

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner
Date: August 4, 2016
RE: Overview of Town's Work Plan / Status of Comprehensive Plan Committee

As a prelude to the discussion on the status of the Comprehensive Plan Committee, Town Manager Jennings and I thought it would be useful for the Planning Board to see the attached "Town Manager Project Management." This document highlights the projects already under consideration or planned to be addressed sometime within the next year or so; at five pages long you can see there is a lot to do. This listing has been sorted to put all the items which the Town Planner is either to be the lead on or should have a role in at the beginning of the list; at just over two pages (51 projects) this is quite a long list.

Projects shown with a yellow background are in progress, those with a pink background have yet to be started, and those with a green background have been completed. Of the 51 projects which I will have some role in, 4 have been completed.

That said, and recognizing that there are no projects directly related to the Comprehensive Plan, my recommendation to the Ordinance Committee and to the Planning Board is that regulatory amendments (to the Subdivision Ordinance, Zoning Ordinance, and Shoreland Zoning Ordinance) should be reviewed in light of consistency with the Comprehensive Plan. They should be analyzed to determine if they further the goals of the community and help the town achieve the vision set forth in the Plan.

