

Town of Hampden
Planning Board Meeting
Minutes
Wednesday March 9, 2016

The meeting of the Hampden Planning Board was called to order at 7:04 pm Wednesday March 9, 2016 at the Hampden Municipal Building Council Chambers by Chairperson Weatherbee.

Attendees:

Peter Weatherbee - Chairperson
Eugene P. Weldon
Kelly Wiltbank
Mike Avery
Joan Reilly

Staff:

Dean Bennett, Community Development Director (CDD)

1. **Approval of Minutes (February 24, 2016)**
Motion by Member Weldon, Second by Member Avery to approve the Minutes with two minor corrections:
 1. Reference on page 2 to Chairperson Avery should state Chairperson Weatherbee.
 2. CDD should be referenced as Community Development Director

Approval: Unanimous

2. **Old Business**

A. Public Hearings:

Chairperson Weatherbee asked for a motion to take the three items off the table for consideration as they were previously tabled until public notice could be given.

Member Avery, Chairperson of the Planning Board Ordinance Committee, reported to the full Board that these three items, coming out of the Ordinance Committee, were returned to the full board with an "ought to pass" recommendation.

Chairperson Weatherbee asked if the Board had any objection to addressing all three items in on public hearing. Hearing no objections, Chairperson Weatherbee opened the public hearing at 7:08 pm. Asking if there are any proponents, opponents, or persons with no position, who would like to comment to please step forward. Hearing and seeing none, Chairperson Weatherbee closed the Public Hearing at 7:10pm.

1. Codification: Public Hearing
2. Subdivision Ordinance Amendment: Public Hearing
3. Zoning Ordinance Amendment: Public Hearing

Chairperson Weatherbee asked the Community Development Director (CDD) to please explain the items. CDD explained the Codification Process is an update of all town

regulations with regard to statutory references, conflicts within the various codes and regulations, identification of no longer relevant codes and documents.

Planning Board Action: Motion made by Member Weldon, seconded by Member Avery, to forward an "ought to pass" recommendation for all three items to the Town Council for consideration of adoption. Vote: 4-0

3. New Business

A. Preliminary/Final Subdivision Application – Orient Avenue

B. Site Plan/Conditional Use Application – Orient Avenue

Chairperson Weatherbee suggested that whereas these two items are related to the same development proposal, that unless there are objections, he would like to address both items with one Public Hearing. There were no objections.

Chairperson Weatherbee opened the Public Hearing at 7:13pm. Proponents, Opponents, and persons with no position are invited to speak.

Jim Kiser, representing Jeffrey Rawcliffe, described the proposed development as being a subdivision, in the creation of more than three (3) units. The proposed development will involve the construction two (2) buildings, housing five (5) one bedroom apartments. The site is to be served by public sewer and water. The buildings will be constructed on slab at grade and be placed such that they will blend into existing landscape. Under the provisions of MDEP Chapter 500, a Storm Water Permit is not needed as the development is less than 1 acre, however, erosion controls need to be provided and a stormwater maintenance plan submitted. These two items have been addressed within the submission materials. Jim offered to answer any questions the board or public may have with regard to the project.

Jason Kash, of 14 Summer Street, inquired as to whether the trees along his back property line will be impacted by this development. Mr. Kiser reviewed the plans with Mr. Kash and indicated that approximately 10 feet of the applicants property will be utilized for slope toward Mr. Kash' property line, however, it was the intent of the applicant to leave the trees in place.

Thomas Lloyd, of 18 Summer Street indicated that last year for the first time he had an unusual amount of water on his back lawn, interfering with his mowing. He was concerned that the development may direct additional water onto his property. Mr. Kiser explained that provisions have been included in the plan, designed to slow water movement from the property. Stone level spreaders will be placed in the existing drainage path creating small dams and delay water movement through the property. In addition, drip edge filters will be installed along the foundation to collect roof runoff into stone storage areas. These measures are designed to drain runoff over a period of 24-48 hours. Mr. Kiser

further stated that the driveway surfaces will indeed move water more quickly. Mr. Lloyd indicated he was pleased that considerations have been made to address potential increased runoff.

Hearing and seeing no further comment, Chairperson Weatherbee closed the Public Hearing at 8:45pm.

Chairperson Weatherbee asked if the Board has any questions of Mr. Kiser. Member Weldon expressed his concern over the storm water and asked for clarification from Mr. Kiser to elaborate on what measures are being proposed with regard to increased runoff and as to whether additional actions could be taken. Mr. Kiser explained that the provisions of the Ordinance have been addressed and that State permits are not necessary. Mr. Kiser further explained that historically the practice is to follow the MDEP guidelines to which he has done. Member Weldon expressed his concern that he wanted to be sure that the local ordinance requirements were met. Member Weldon asked if the setback of the district including fill or just the building. It was determined the setback applied to the building. Section 530 Drainage Requirements within the Subdivision Ordinance was discussed. The consensus was that the proposed development met the stated requirements within the Ordinance.

Member Avery questioned whether the snow plowing area depicted on the plan, at the request of the Public Works Director, should be addressed with a metes and bounds descriptive easement be provided to the town as part of this submission. Mr. Kiser indicated that the area is identified on the plan, will be registered at the Registry of Deeds, and he didn't anticipate any issues arising from the use of the area. Mr. Kiser further indicated that general area has been used by the town historically for snow removal.

Planning Board Action: Motion by Member Weldon, seconded by Member Avery that the Site Plan/Conditional Use Application meets the provisions of the Zoning Ordinance. Vote: 4-0

Planning Board Action: Motion by Member Weldon, seconded by Member Avery with a friendly amendment for the motion: The proposed Subdivision meets the requirements of the Subdivision Ordinance, with the condition that legal advice be sought to determine if the applicant needs to provide a metes and bounds descriptive easement to the Town for the area identified as a snow plowing area. Vote: 4-0

4. Community Development Director's Report

The CDD updated the Board on the receipt of a pre-application submittal by Fiberright/MRC. The Application for Site Plan/Conditional Use is undergoing Peer Review and staff review and ideally will be ready for the April 13th Planning Board meeting to begin review.

CDD also conveyed to the Board of the availability of resources such as legal council during the review process of the Fiberight/MRC application. The Board indicated appreciation and need of available resources in the review and processing of the application. CDD anticipates that the application or parts thereof will be ready for the April 13th Planning Board Meeting.

5. Planning Board Concerns

6. Adjournment

Meeting adjourned at 9:15 pm.

Respectfully Submitted,

Michael Avery
Secretary Hampden Planning Board