



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING

Minutes

MONDAY

OCTOBER 15, 2012

7:00 P.M.

Attending-

Mayor Janet Hughes

Town Manager Susan Lessard

Councilor Andre Cushing

Town Planner Robert Osborne

Councilor Tom Brann

Councilor Kristen Hornbrook

Councilor Jean Lawlis

Councilor Jeremy Williams

Councilor Shelby Wright

The meeting was opened at 7:05 by Mayor Hughes.

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. Hampden Water District Invitation – 10/18/2012
- b. Penobscot County Caucus – 10/17/2012

4. REPORTS

- a. Finance & Administration Committee Minutes – 10/1/2012
- b. Services Committee Minutes – 10/9/2012
- c. Communications Committee Minutes – 10/9/2012
- d. Bangor Humane Society – Hampden Report – August 2012
- e. Lura Hoit Pool Trustee's Minutes – 9-11-2012
- f. Rapid Renewal Statistics – July 2012 – September 2012

Motion by Councilor Cushing, seconded by Councilor Lawlis to approve the consent agenda. Unanimous vote in favor.

B. PUBLIC COMMENTS –

Katherine Cavness thanked the Council for the letter to the MDOT Commissioner regarding the Route 69 deterioration and the article in the newspaper as well as involving Winterport and Newburgh in the letter to the MDOT Commissioner.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. *Adoption of final draft of the 2010 Comprehensive Plan – Mayor Hughes gave a history of the 2010 Comprehensive Plan and then indicated that the Citizen’s Comprehensive Plan Committee had held a Public Hearing on it in March 2012 and that no comments had been made on the plan at that time other than one emailed comment. The plan had been sent to the Planning Board and they had some comments and recommendations. The Town Planner read into the record the letter from the Planning Board (attached hereto). The maps have been amended to reference the 2010 Comprehensive Plan, page numbers and corrections have been made and the table of contents and Appendix B have been incorporated. The Planning Board recommends adoption of the plan. Councilor Williams asked for the definition of affordable housing and the Town Attorney informed him that it was the same definition that is used in the federal definition of the term. The Mayor Hughes opened the public hearing. Proponents – none. Opponents – none. Neither for nor against: Sally Leete, Main Road South stated that in researching other comp plans, such as the Town of Carmel, why is Hampden’s so large? She also noted that the City of Houston, Texas has no comprehensive plan and it is a major city. The Mayor responded that the smaller book is the actual plan and the larger book is the data that supports the plan. Councilor Williams responded that we have a lot more infrastructure than many small communities and the larger book is the inventory of all of that. The public hearing was closed.*

Motion by Councilor Brann, seconded by Councilor Cushing to adopt the Comprehensive Plan as presented.

Discussion:

Councilor Hornbrook does not support comprehensive planning and considers it the epitome of overreaching in government. It is not mandatory and she will not support its passage. She supports common sense zoning. She warned viewers that there would be updates to ordinances coming and for those who have not researched it; there is a wealth of information out there on this overreaching process. She will proudly not be supporting the plan.

Councilor Williams – agrees with Councilor Hornbrook that the mandatory provision of the Growth Management Act went away and thanked Councilor Hornbrook for bringing to the attention of citizens the negative impacts of the former plan. He thanked Councilor Cushing for the idea of forming a citizen’s committee to review the plan and Dean Bennett for doing a great job in helping the Committee revise it. He believes that the plan will result in the repeal of some overreaching zoning and while he does not like comprehensive planning – he will vote for this because it can help the Town to straighten out and fix overreaching ordinances.

Councilor Cushing – appreciates the efforts that have gone into this plan and what has come out was helpful and productive as we continue to grow as a community. Certain aspects of the community have benefited from comprehensive planning and a lot of knowledgeable people came to the table to participate in the process. What we do with it during the implementation phase will have a real impact going forward and there is still a lot of work to do.

Councilor Williams – The Communications Committee is working on ways to improve the ways in which we inform the public so that hopefully we do not have cases in the future where people believe that ‘decisions were being made in the dark’.

Councilor Brann – stated that the Town Councils of Hampden have long been committed to comprehensive planning and cautioned Councilor Williams that existing ordinances have not yet been changed and that the implementation phase will be where those discussions take place.

Mayor Hughes – believes in Comprehensive Planning. The Citizen’s Committee made the plan more flexible. It allows the staff to focus on future visions for sidewalks, roads, recreation, etc. Concerns with shoreland zoning can be worked on separately.

Vote on motion – 6 in favor, 1 opposed (Hornbrook). Motion carried.

Motion by Councilor Brann, seconded by Councilor Lawlis to forward all Planning Board comments related to the Comprehensive Plan to the Planning & Development Committee. Vote on motion – 6 in favor, 1 opposed (Hornbrook). Motion carried.

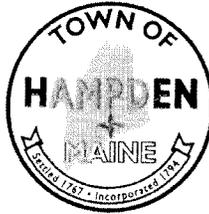
- b. *Application for Victualer’s License – Hannaford Supermarket & Pharmacy, 77 Western Avenue – Motion by Councilor Brann, seconded by Councilor Williams to approve the victualer’s license for Hannaford Supermarket & Pharmacy. Unanimous vote in favor.*

2. NOMINATIONS – APPOINTMENTS – ELECTIONS - None

3. UNFINISHED BUSINESS

- a. *Habitat for Humanity – Council Update on the Hampden House Project Amanda Charette of Bangor Habitat for Humanity reported to the Council that they had found a family for the Cottage Street house that was going to be built. They are tentatively scheduling a groundbreaking for this coming Saturday and would like someone from the Town Council to speak. They hope to have the family in by Christmas and they look forward to working with the Town. Anyone who wants to help can contact habitatbangor.org and a construction schedule will be*

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October 10, 2012

Dear Hampden Town Council:

The purpose of this letter is to respond to your recent referral of the following item:

Town of Hampden forwards the 2010 Comprehensive Plan to the Planning Board for recommendations with particular focus on the comprehensive land use policy amendments proposed by the Citizens Comprehensive Plan Committee, and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan.

The Hampden Planning Board has reviewed the 2010 Comprehensive Plan's comprehensive land use policy amendments as proposed by the Citizen's Comprehensive Plan Committee. Those elements were found to be well considered and generally an incremental change from the 2001 Comprehensive Plan. Accordingly, in accordance with Sec. 604 of the Town Charter, the Board hereby recommends the adoption of the 2010 Comprehensive Plan, as revised by the Citizen's Comprehensive Plan Committee in 2012.

The Hampden Planning Board has reviewed the 2010 Comprehensive Plan and the Planning Board's responsibility to rule on proposals before them, as to the proposal's consistency with the comprehensive plan. The Board discussed the 2010 Comprehensive Plan and generally found that the Board would be able to utilize the plan as drafted to evaluate proposed projects consistency with the Comprehensive Plan. The Board recommends that the Town Council have Town Attorney, Tom Russell develop a priority list of ordinance revisions and replacements needed to be consistent with the 2010 Comprehensive Plan. The Board recommends that priority be given to adjustment of land use ordinances that are not consistent with the 2010 Comprehensive Plan and that a priority list should be developed identifying what ordinances should immediately be modified in some way to be made consistent with the new plan. The Board recommends that in instances where land use ordinances specifically require the Planning Board to determine if an application is consistent with the 2010 Plan that the ordinance offer some parameters for the Board to consider rather than a universal reference to the plan.

The Hampden Planning Board made some general observations about the 2010 Comprehensive Plan that are also included here as well as several recommendations:

Affordable Housing: The Plan places considerable emphasis on affordable housing. The Board questions how that is to be accomplished. Is the intention to simply create incentives through subdivision and zoning ordinances such as density bonuses for developers or was there an intention to create some sort of mandatory requirement? The term "affordable housing" is found a number of times in the 2010 Comprehensive Plan. Since "affordable housing" is a State of Maine mandate the Planning Board recommends that the 2010 Plan should include a precise

definition of the term “affordable housing”.

Accomplishing the Goals of the 2010 Plan: The Hampden Planning Board identified an ambitious number of stated goals contained in the 2010 Plan and noted that accomplishing those goals represents a quantifiable amount of time and financial expense. It was suggested that any proposed project that requires additional resources or funding from the Town or State be noted and identified in the plan as to the amount of funding and sources.

As examples, the following projects are referenced.

2.3 Employment and Economy Implementation Strategies EE1, EE2, EE3, EE6, EE13, EE16, and EE18;

3.3 Housing Implementation Strategies (provide incentives for housing); H1 and H8;

4.3 Transportation Implementation Strategies (build alternative methods, sites vs. single passenger trips); T5, T9, T10, T11, T16, T17, and T18;

5.3 Recreation Implementation Strategies R2, R6 and R8;

6.3 Marine Resources Recommendations/Implementation Strategies MR8;

7.3 Water Resources Implementation Strategies WR13 (what would be the budget for materials, etc.?)

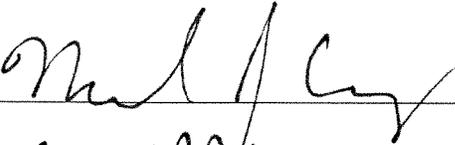
The Hampden Planning Board noted that the number of projects proposed is ambitious and may exceed the time capabilities of the town’s staff if the intent is to pursue all of the stated recommendations of the plan within the timeframe laid out in the plan. As an example, the 2010 Comprehensive Plan assigns the Town Planner/Planning Board with more than 40 immediate projects, 13 ongoing projects, and 22 long term projects without the addition of any new projects. Thus, the Planning Board recommends that there be an effort to review those assigned projects to determine if the current staff and Planning Board has the time to complete the identified projects within the defined timeline. This would also lead to assigning a specific time (weeks, months or years) for each project, and more importantly, a priority system within each of the plan’s currently stated times for the projects should be established. Perhaps some of those assigned projects might be accomplished with hired consultants if the Council determines that to be necessary to meet the prescribed timeline to accomplish the stated goals and objectives. The Planning Board suggests that in instances where a design or study would precede a large capital expense that the fiscal prudence be observed to not study and design Town projects that cannot be funded in the immediate future.

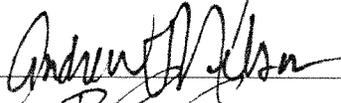
Clerical errors: The Hampden Planning Board noted that there were a number of clerical errors that they recommend be noted and corrected. They passed those specific comments on to the Town Planner but they are not all detailed here. Generally those issues include page numbering and citations in Book One, a citation to Section 14.8 (that should be 14.7). An error was noted in Book Two regarding the days that the Planning Board meets on. The Board noted that the Map

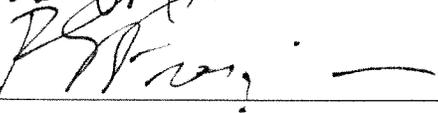
Book should generally be addressed to improve the referencing and citations on the maps. For example the Current Land Use Map inadvertently cites the 2009 Comprehensive Plan.

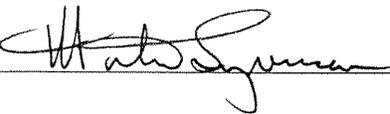
Additional information provided for the plan: The Hampden Planning Board recommends that the Map Listing and Citation Information document the Town Planner provided the Board previously (essentially an index of the maps that was revised because of changes made by the Citizens Committee) become Appendix B of Book 2 and also become the Table of Contents of the Map Book.

Respectfully submitted by the members of the Hampden Planning Board,


_____ Chairman







posted online. Bricks from the original home will be used in the construction.

4. NEW BUSINESS

- a. Application for Liquor License – Best Western White House Inn – 155 Littlefield Avenue – *Motion by Councilor Williams, seconded by Councilor Cushing to approve the liquor license for the Best Western Whitehouse Inn. Unanimous vote in favor.*
- b. Hampden Business Park Listing Agreement – David Hughes of Epstein Commercial Realty – Planning & Development Committee Recommendation - *Mayor Hughes stated that this is a renewal of an existing contract for the sale of lots in the business park. Motion by Councilor Cushing, seconded by Councilor Brann to contract with David Hughes of Epstein Realty. Vote 6 – 1 (Williams). Motion carried. Motion by Councilor Cushing, seconded by Councilor Brann to authorize the Town Manager to sign the contract on behalf of the Council. Vote 6-1 (Williams). Motion carried.*
- c. Reserve Use Request – Library Reserve – Electrical – *Motion by Councilor Cushing, seconded by Councilor Brann to permit the library to use reserve funds in the amount of \$788.79 for exterior lighting work. Unanimous vote in favor.*

D. COMMITTEE REPORTS

Services Committee – Councilor Lawlis – The Committee met last Tuesday and visited Papermill Park. Everyone was impressed with what a beautiful place it was and that it was in relatively good shape. Jeremy Jones has volunteered to get a group together to work on park improvements.

Planning & Development – Councilor Brann – Several items on tonight's agenda were Planning & Development Committee items. The next agenda will include the sign ordinance, the building status of the old Hampden Academy, and beginning discussion of the implementation of the comprehensive plan. The next meeting is on 10/17.

Communications Committee- Councilor Hornbrook – The committee met on 10/9 and is working on microphones for the council chambers, ideas for programming on Channel 7 including business testimonials, the Papermill Park project and the marina project. Also discussed was the idea of a video contest of "I love Hampden because..." The next meeting will be on November 13th at 6 p.m.

Infrastructure – Councilor Wright – The next meeting is on 10/22 at 6 p.m.

Finance & Administration – Mayor Hughes – the Committee met prior to the Council meeting and discussed the community survey, and victualer's license and outdoor woodburning license ordinances.

- E. MANAGER'S REPORT – *The Manager's report is attached hereto and made a part of the minutes. It was the consensus of the Council to schedule the next Council meeting for Monday, October 29th in order to avoid holding a meeting the day before the election on November 5th.*

F. COUNCILORS' COMMENTS –

Councilor Wright – Thanked everyone for watching.

Councilor Hornbrook – Appreciates everyone's comments and thanked people for coming.

Councilor Cushing congratulated the Hampden Academy football team for winning their homecoming game with MDI.

Councilor Lawlis forgot to mention progress by the Recreation Department on using the Skehan Center. They have a tentative program schedule and interest by third parties in renting it. Generous people and businesses in Town have offered time and money to get it up and running.

Councilor Williams – thanked everyone for coming and reiterated Councilor Brann's comment that Hampden has had a comprehensive plan for a long time and encouraged people to come forward as we move toward implementation of the plan.

Mayor Hughes – Commended the citizens who worked on the Comprehensive Plan both in the first version and the second and also recognized staff members Dean Bennett and Gretchen Heldmann and the Town Manager for their work on the plan.

G. ADJOURNMENT

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,



*Denise Hodsdon
Town Clerk*