



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JUNE 16, 2014

7:00 P.M.

• **6:00 pm – Finance & Administration Committee Meeting**

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. Special Meeting Minutes – 6/4/2014
 - 3. COMMUNICATIONS
 - 4. REPORTS
 - a. Finance Committee Minutes – 4/22/2014
 - b. Finance Committee Minutes – 5/19/2014
 - c. Department Reports – May 2014
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - 2. PUBLIC HEARINGS
 - a. Consideration of Elimination of Saturday Bus Service
 - b. Adoption of FY 2014/2015 Budget
 - 3. NOMINATIONS – APPOINTMENTS – ELECTIONS
 - a. Official Results of Special Municipal Election – 6/10/2014
 - 4. UNFINISHED BUSINESS
 - a. Little League Request to Move Batting Cages – Infrastructure Committee Recommendation

NOTE: The Council will take a 5-minute recess at 8:00 pm.

- b. Draft Shoreland Zoning Ordinance Text Amendment re Resource Protection – Introduction for Public Hearing
- c. Draft Shoreland Zoning Ordinance Map Amendment – Introduction for Public Hearing
- d. Draft Shoreland Zoning Ordinance Text Amendment re Timber Harvest – Introduction for Public Hearing
- e. Draft Zoning Ordinance Text Amendment re Business B District – Introduction for Public Hearing
- f. Draft Zoning Ordinance Map Amendment, Western Avenue – Introduction for Public Hearing
- g. Draft Subdivision Open Space Amendment – Introduction for Public Hearing
- h. 1859 Map – Finance Committee Recommendation
- i. Winterport Winery Farmer’s Market Permission – Change of Location – Finance Committee Recommendation
- j. Animal Control Shelter Contract – Finance Committee Recommendation

5. NEW BUSINESS

- a. Maine Municipal Association – Nominations to Legislative Policy Committee
- b. Proposed Council Compensation Ordinance Amendment – Finance Committee Recommendation – Introduction for Public Hearing
- c. Forfeiture of Assets/Use of Proceeds – Finance Committee Recommendation
- d. Use of Municipal Building Reserve Funds – Divider Wall Repair in Community Room

E. COMMITTEE REPORTS

F. MANAGER’S REPORT

G. COUNCILORS’ COMMENTS

H. ADJOURNMENT

B-2-a

SPECIAL TOWN COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 4, 2014

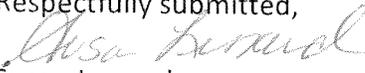
Attending:

Mayor Carol Duprey	Councilor Jean Lawlis
Councilor Greg Sirois	Councilor Tom Brann
Councilor Ivan McPike	Residents
Councilor David Ryder	Town Manager Susan Lessard
Councilor William Shakespeare	

1. CALL TO ORDER – The meeting was called to order at 6 p.m. by Mayor Carol Duprey
2. INTRODUCE 2014/15 BUDGET FOR PUBLIC HEARING ON 6/16/2014 – Councilor Lawlis introduced the 2014/15 budget proposal for public hearing on June 16, 2014.
3. INTRODUCE CONSIDERATION OF ELIMINATION OF SATURDAY BUS SERVICE FOR PUBLIC HEARING ON 6/16/2014 – Councilor McPike introduced consideration of elimination of Saturday Bus Service for public hearing on June 16, 2014.

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,


Susan Lessard
Town Manager

B-4-a

FINANCE & ADMINISTRATION COMMITTEE MEETING

Tuesday, April 22, 2014

Attending:

Mayor Carol Duprey	Councilor Greg Sirois
Councilor Ivan McPike	Councilor David Ryder
Councilor William Shakespeare	Town Manager Susan Lessard
Councilor Tom Brann	Residents

The meeting was opened at 6:04 p.m. by Mayor Duprey.

1. Meeting Minutes
 - a. April 7, 2014 – The minutes of the April 7, 2014 meeting were reviewed and approved with no corrections or changes.
2. Review & Sign Warrants – The Committee reviewed and signed the warrants for payment of bills.
3. Old Business
 - a. Bangor Humane Society Contract 2014-2015 – This item was postponed until the next meeting for additional information.
 - b. Codification of Charter & Ordinances – The Town Manager presented information on what is involved with the codification process for all the Town ordinances. It includes not only the organization of all ordinances into one code; it also includes a review of the ordinances for consistency in definition and practice between ordinances and for consistency with State Statutes. It is a lengthy process and could take from 6-9 months. The estimated cost from General Code is \$14,900 with annual costs of \$1195 for maintenance of an electronic on-line code as well as \$2-\$3,000 for updating the code to include any new ordinances passed or amendments to existing ordinances. A funding source for initial codification was identified as four long-unused reserve accounts related to Planning and Town record preservation. There was considerable discussion about the necessity of doing this as well as concern over the ongoing annual cost. Resident Terry McAvoy objected to the project and indicated that the Town attorney and staff should make sure that ordinances and state law are consistent. Motion by Councilor Brann, seconded by Councilor Shakespeare to recommend to the full council to move forward with the codification process and to fund the project from the reserve accounts identified. Unanimous vote in favor.
 - c. Legal Issues re Charter & Citizens Petitions – The Town Manager presented a proposed schedule for review of the Town Charter at Finance & Administration Committee meetings from May through August with any proposed changes then being converted to ordinance so that as many noncompliant or out of date provisions as possible could be addressed at the November 2014 election. Also recommended was that the Finance & Administration Committee move

forward to the Council consideration of an ordinance to correct the charter items related to charter amendments and citizen petitions that have already been identified as noncompliant. Motion by Councilor Brann, seconded by Councilor McPike to recommend to the full council to move forward with a charter amendment ordinance to address the items already identified as noncompliant with State law regarding citizen petitions and charter amendments. Unanimous vote in favor. The consensus of the committee was to do the charter review as outlined in the memo from the Town Manager.

4. New Business - None
5. Public Comment - None
6. Committee Member Comments – None

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

B-4-b

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, May 19, 2014

Attending:

Mayor Carol Duprey	Councilor Jean Lawlis
Councilor Greg Sirois	Councilor William Shakespeare
Councilor Ivan McPike	Residents
Councilor David Ryder	
Councilor Tom Brann	

The meeting was opened at 6 p.m. by Mayor Duprey.

1. Meeting Minutes
 - a. April 22, 2014 – The minutes of the 4/22/14 meeting were approved with no changes or corrections.
2. Review & Sign Warrants – The payment and payroll warrants were reviewed and signed.
3. Old Business
 - a. Historic Map Update – Councilor Brann reported that he had visited the University of Maine to get more information on the 1859 map that Councilor Shakespeare wishes to donate to the Town. According to Councilor Brann, the map was done by the State and distributed to all schools in each county region in the 1859 time frame. There are multiple copies in the area, but most are in much worse shape than the map proposed for donation by Councilor Shakespeare. The cost of a rehab and restoration of the map would be between \$15,000 and \$20,000. Since it is not a unique map, but does have some historical significance, the University recommended just having the map matted and framed for display. The cost of that option was previously investigated by the Town Manager and the estimate was \$1,000-\$1,500.

Motion by Councilor Brann, seconded by Councilor Lawlis to recommend to the full Council to matt and frame the 1859 map and to use up to \$1,500 in funds from Host Community Benefit to do so, but to repay that fund with donations received from the public. Vote 4-3. (Ryder, Sirois, McPike). Motion carried.

Councilor Lawlis reiterated that she would donate \$100 to the cost of the project and Mayor Duprey indicated that she would as well.

Councilor Lawlis volunteered to assist Councilor Shakespeare with fundraising for the project at the Hampden Business Association Dinner on Tuesday, May 20th.
4. New Business
 - a. Grant Application – Police Department – The Town Manager explained that in order for the Council to stay apprised of grant opportunities that departments wish to submit, the topic of each proposed application will be included on the Finance & Administration agendas so that

Councilors who have questions regarding grants can ask them earlier in the process.

- b. Route 1A Sidewalk Bid Results – The Town Manager explained that both bids received on the second bidding of the Route 1A sidewalk from Kennebec Road to Western Avenue exceeded the amount of funds available by a substantial amount. Due to this - the contract will not be awarded to either bidder.
 - c. Charter Review – Article III Administrative Officials and Employees – No suggestions were made for changes to this section by the Town Attorney after his review and no changes were suggested by the Committee for changes either. Councilor Brann pointed out that in order to know how well/poorly we were in compliance with the personnel provisions; the Council would need a copy of the current personnel ordinance. The Town Manager will provide that for the next Finance Committee meeting.
5. Public Comment – Resident Terry McAvoy asked a number of questions related to budgets concerning recreation, the pool, and the before/after school program. He was also told by Mayor Duprey that he would be allowed to ask questions at budget meetings, and not have to wait until just the budget public hearing in June.
6. Committee Member Comments – None

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

B-4-C

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: June 11, 2014
RE: Department Reports – May 2014

The purpose of this memo is to transmit the monthly reports of the Town's Departments.

Administration
Town Manager
Code Enforcement
Assessing
Planning
GIS/IT
Economic Development Director
Public Works
Public Safety
Edythe Dyer Library
Recreation Department

Please feel free to contact me with questions or suggestions for changes in the type/format of information submitted.

ADMINISTRATION MONTHLY REPORT – May 2014

VEHICLES REGISTERED	920
BOATS REGISTERED	214
ATV'S REGISTERED	53
SNOWMOBILES REGISTERED	00
DOGS LICENSED	8
TRANSFER STATION DECALS SOLD	168
VITAL RECORDS ISSUED	
BIRTH	11
MARRIAGE	6
DEATH	04
BURIAL PERMITS	01
MARRIAGE LICENSES ISSUED	3
HUNT/FISH LICENSES SOLD	68
VICTUALER'S LICENSES ISSUED	01
GENERAL ASSISTANCE APPOINTMENTS	3
GENERAL ASSISTANCE GRANTED	\$874.47

Code Enforcement Office

Monthly Report for May 2014

During the month of May the Code Enforcement Office processed a total of 17 permit applications. This total included one new single-family home.

A total of \$2,897.90.00 in fees were collected in the month of May. This compares to \$1,527.00 the previous year.

The Code Enforcement Officer performed a total of 15 inspections in the month of May.

The Code Enforcement Officer had 6 meetings with individuals at the office or on a property where guidance on both Town and State regulations was provided.

The Code Enforcement Officer participated in the monthly meeting of the Bangor Area Stormwater Group. The focus of this particular meeting was the Code Enforcement Officer's role in the MS4 program. Several area CEOs provided feedback on how the program and the relationship between municipal CEOs and DEP could be enhanced.

The Code Enforcement Officer attended a two day code conference where training on a variety of topics was presented. The credits awarded for this training will count toward recertification.

Respectfully Submitted,



Ben Johnson
Code Enforcement Officer
Local Plumbing Inspector

**ASSESSING REPORT
MAY 2014**

May was a busy month for the office. We received 68 assessing documents from the Penobscot County Registry of Deeds as well as 50 Tax Collector and Sewer Collector documents.

I have done data entry for approximately half of the personal property accounts. As part of the Business Equipment Tax Exemption (BETE) program, each item declared as exempt must be verified as being eligible and the form needs to be signed and approved by me. If there are items declared that do not meet the criteria, State Law requires that the filing entity be sent a denial letter via certified mail. There is one entity in Canada that cost over \$30.00 to mail. These additional requirements take a lot more time than they have in the past, however, if the State finds that exemptions have been granted that do not qualify we will not get reimbursement for them. As part of this process I have also had several discussions as well as e-mail correspondence with a number of reporting businesses. As part of the requirement for LD1 every added item needs to be documented as well as any additional value in Real Estate.

I provided the Manager and the Economic Development Director with a report on businesses in the community. I also provided the LD1 figures to the Manager.

Rosemary and Ben each took a week of vacation. I was out sick for 3 days. The office was fully covered during those times with everyone pitching in to answer phones and wait on customers.

The document scanning project is moving along and several of the file cabinets in Ben's Office have been moved to the Front Office. We do not have any answer yet on the status of the destruction of the old records and we also need to get the large-size site plans and building plans scanned in by an outside vendor. There is no money currently designated for this purpose, so we are currently flagging any property record files that have large-size plans, and we are keeping them stored in boxes for a time when we do have the money to get them scanned in and uploaded to our digital document system.

Respectfully,

A handwritten signature in cursive script, reading 'Kelly J. Karter'.

Kelly J. Karter, CMA
Hampden Assessor

Town Planner Report

May 2014 activities of the Town Planner include the following:

The Planning Board made “ought to pass” recommendations on a variety of ordinance amendments that had been referred to by the Council including the Shoreland Zoning Ordinance Resource Protection language and Timber Harvest regulations and Shoreland Zoning map amendments of Resource Protection to Limited Residential District as well as three wetland edge revision map amendments, Zoning Ordinance Business B District text amendments and map amendments (Residential A and Village Commercial to Business B District) and Subdivision Ordinance amendments Open Space in the Rural District that the Council referred to the Board. The Planning Board also approved site plans for the Calvary Apostolic Church and Portland Air Freight both in Ammo Park.

Council Planning and Development Committee activities include preparation of: the Power Point presentation of Stormwater 101, Zoning Ordinance excavation language revisions, Zoning Ordinance industrial uses and development standards language revisions and updates on pending items returning from the Planning Board.

Bangor Area Storm Water Group (BASWG) met in Hampden in May. (The meeting location changes month to month). Activities include chairman duties at Policy and Executive committees, and attendance of an Education and Outreach meeting related to the permit.

Bangor Area Comprehensive Transportation System (BACTS) activities include Policy Committee and Technical Committee responsibilities.

IT update: I continued to clean up some minor issues that arose after the VoIP phone installation, such as how we found out after the fact that the elevator emergency call push button was not working properly (it has since been fixed). I continued to have trouble getting Time Warner internet service at the Skehan Center, and so I initiated the process of staying with TDS and upgrading the speed on the contract with them, even though it is not as cost effective. The Rec Dept cannot afford to keep waiting on Time Warner. I fixed a variety of computer issues throughout town during May, nothing major.

GIS update: I worked on updating our stormwater data layers as we have to have them updated by the end of Permit Year 1 on June 30th. Our stormwater inspector was out in the field and discovered a few more catch basins we did not have on our maps, so I will be GPS locating those soon. I prepared maps for the Economic Development Director, the public, and prepared an update for the folded color two-sided glossy surrounded by advertisements streets map that we first put out in around 2008. That updated map should be here any day now. I also prepared a couple of maps for Molly Schwenn of the CDC, and Ed Barrows, Hampden resident, regarding the Coldbrook Rd cancer claims area.

Stormwater update: I continued working on the second draft of the work plan for the \$41,600 grant award I won, to develop a watershed based management plan for Sucker Brook, which is our priority impaired watershed under our stormwater permit. I received comments from MDEP representatives and they were minor, so I began work on the third draft of the work plan. As part of the effort to finish up Phase I, I spent some time in the field with City of Bangor staff riding around the Sucker Brook watershed documenting non-point source pollution hot spots and photographing areas that need improvement. I also met with representatives from MDEP and ME Dept of Agriculture at John Perry's farm on Old County Road, to begin the discussion of working together to restore Sucker Brook in that area and reduce the impact of the farm on the stream. I will also be having similar conversations with other businesses and landowners in Hampden in the Sucker Brook watershed, and City of Bangor staff will be working with businesses in the watershed in Bangor for the same purpose - reducing impact on the stream and begin the process of restoration. More of this will be happening over the summer as we wrap up the Phase I grant and begin Phase II, which involves more stakeholder and landowner outreach while we work to develop the Watershed Management Plan. Lastly, at a Planning and Development Committee meeting I presented a very fast crash-course on Stormwater 101 - an introduction to the permit and plan requirements.

Other: In addition to preparing a couple maps for Molly Schwenn, I somehow also became her de facto go-to for a barrage of questions regarding businesses in the Coldbrook Rd area, historical mills in the area, diesel spills, apartments on well water, and so forth. I researched what I could in-house and referred her to other entities where appropriate (such as Hampden Historical Society for answers to questions about historical mills).

I provided testimony at an MDEP listening session on climate change, where I discussed the value of geospatial data and the importance of keeping it up to date. I encouraged them to utilize the GeoLibrary Board's existing programs for orthophotography and lidar, and to support the Board in their legislated mission to coordinate geospatial data across Maine. My testimony generated a lot of questions from MDEP Commissioner Patricia Aho at the session, and apparently more afterward – the Executive Director to the GeoLibrary Board contacted me to let me know she scheduled another session with him to discuss the Board in more detail. He also forwarded my testimony to the Maine GeoNews email listserv, where I then received a lot of positive feedback from people all over the state and beyond, from surveyors to federal government reps, to private GIS vendors, complimenting me on the well-spoken/written points I made in my testimony and asking to share my testimony with others in order to further the cause of keeping geospatial data coordinated and up to date. This also reminds me that the half-foot resolution orthophotography we bought last fall through the GeoLibrary Board program was flown this spring, and we should be receiving the new imagery this fall.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Gretchen', with a long horizontal line extending to the right.

Gretchen Heldmann, GISP
GIS/IT Specialist

Department of Community and Economic Development
Activity Report: May 2014

Business Referrals:

- Facilitated business interests in available retail, commercial and industrial zones.

Hampden Business Park:

- Assisted representatives of Sargent Corporation, providing direction and pathways to various approvals in order to expedite completion of development. (Consultation with CEO and Town Planner)

Ammo Park:

Continued my facilitation of the following opportunities.....

1. Linking infrastructure of the two parks (Ammo and Business).
2. Expansion of natural gas through Ammo into Business Park.
3. Provision for a 20 car parking lot to be constructed to provide access to the former L. L. Bean property for recreational purposes.

Marina Project:

- Clearing and construction underway for parking lot at what will be the new marina park.

Business Advocacy Services:

- Proactively identifying zoning impediments to business expansion and retention.
- Collaborating with Noreen Norton on preparation on Emera's and Sargent Corporation's TIF documentation.
- Attendance, participation and support of the Hampden Business Association.

MONTHLY REPORT PUBLIC WORKS MAY 2014

Mowed all cemeteries once a week

Mowed all fields

Washed Equipment

Broomed bridges , highways, and Sidewalks

Patched pot holes

Loaded transfer station 2 times after demo weekends

Cleaned Cemeteries

Checked all buildings and removed trash

Flushed 82680 Ft of sewer line

Painted fence at Old Burial ground Cemetery

Prepared pad for zero sort compactor

Repaired cylinder in compactor at Transfer Station

Ditched 100 ft on Triangle Rd

Screened loam

Repaired equipment

TOWN OF HAMPDEN DEPARTMENT OF PUBLIC WORKS WEEKLY FOREMAN REPORTS

LIST DAILY ACCOMPLISHMENTS, SIGNIFICANT EVENTS, WEATHER CONDITIONS AFFECTING WORK, AND ANY OTHER INFORMATION THAT SHOULD BE NOTED. USE BACK OF SHEET IF NECESSARY FOR ADDITIONAL COMMENTS.

SUNDAY
DATE: _____

MONDAY
DATE: 5-12-2014 LOADED BOXES TRANSFER STATION
 OPENED 2 LOTS LAKE VIEW
 MEETING AT TOWN OFFICE SEWER JOB ON 1A
 REPAIRED LAWN CONSTITUTION AVE PLOW DAMAGE
 WORKED ON BRAKES #14 ADJUSTED

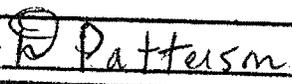
TUESDAY
DATE: 5-13-2014 MOWED GRASS CEMETERYS + BALLFIELDS
 LOADED TRASH TRANSFER STATION
 HAULED SAND FROM UFW LOT FROM ROAD SWEEPING
 CLEANED BAYS IN GARAGE + AROUND BUILDINGS
 MARKED SEWER OLD COUNTY + SCHOOL HOUSE WATER MAIN BROKE
 ORDERED BELT AT GREENWAY FOR O TURN MOWER

WEDNESDAY
DATE: 5-14-2014 MOWED IN CEMETERYS
 PICKED UP BELT FOR O TURN AT GREENWAY PUT ON
 CHECKED SEWER KELLEY LANE ORDER PROBLEM THEIRS
 CHECKED SEWER MAIN RD BY EIM ST THEIR PROBLEM (BROWN)

THURSDAY
DATE: 5-15-2014 MOWED IN CEMETERYS
 HUGHES^{BOS} PUTTING IN MANHOLES RT 9 FOR APARTMENTS (O'DONNELL'S)
 TOOK AIR CONDITIONING PADS OF VENTS AT LIBRARY
 FLUSHED SEWERS RUTH AVE AREA WORKED ON ID 540 BELTS
 WORKED ON SHOULDER'S PATTERSON RD PLOWED UP WINTER
 REPAIRED LAWN 152 MAYO ROAD SNOW BLOWER MARKED IT

FRIDAY
DATE: 5-16-2014 HAULED TRASH FROM BUILDING OVEREAST 540
 Picked up Parts WORKED ON 540 JOHN DREW MOWER BELTS + PULLEYS
 FLUSHED SEWER EAST HAMPDEN AREA
 PAINTED FENCE OLD BURIAL GROUND
 MOWED GRASS ALL CEMETERYS MARKED OUT LOTS

SATURDAY
DATE: _____

SIGNATURE  DATE 5-19-2014

**TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS
WEEKLY FOREMAN REPORTS**

LIST DAILY ACCOMPLISHMENTS, SIGNIFICANT EVENTS, WEATHER CONDITIONS AFFECTING WORK, AND ANY OTHER INFORMATION THAT SHOULD BE NOTED. USE BACK OF SHEET IF NECESSARY FOR ADDITIONAL COMMENTS.

SUNDAY
DATE:

MONDAY

DATE: 5-26-2014 MEMORIAL DAY

TUESDAY

DATE: 5-27-2014 LOADED BOXES TRANSFER STATION
 PICKED UP SCREENS AT MILTON Jordan Brewer PUT IN MACHINE
 A NEW HOSE ON PRESSURE WASHER IN GARAGE
 WORKED ON CONCRETE PAD FOOTING FOR O PICK Recycling
 MOWED BALLFIELDS + Around GARAGE + Compactor AREA

WEDNESDAY

DATE: 5-28-2014 MOWED CEMETERY + BALL FIELDS
 WORKED ON PAD FOR O Recycling IN TRANSFER STATION
 MAN FROM NEW HAMPSHIRE TO CHANGE PISTON IN Compactor #2
 WORKED ON STEER MOWER BROKEN HANDLE

THURSDAY

DATE: 5-29-2014 WORKED ON PAD IN TRANSFER STATION
 WORKED ON O TURN MOWER HANDLE BROKEN POT METAL
 MOWED GRASS IN CEMETERY + BALLFIELD
 FLUSHED SEWERS KENNEBEC RD + 1A 1B4 PARK

FRIDAY

DATE: 5-30-2014 WORKED ON PAD FOR COMPACTOR IN TRANSFER STATION
 MOWED TOWN OFFICE, BALL FIELDS + PARK
 FLUSHED SEWERS DOWNTOWN AREA
 PICKED UP IRON BANGOR STEEL FOR COMPACTOR
 MOWED WINTERSMID in Building

SATURDAY

DATE: 5-31-2014 DAN WORKING TRANSFER STATION

SIGNATURE D Patterson DATE 6-2-2014



HAMPDEN PUBLIC SAFETY

**Police - Fire - EMS
106 Western Avenue
Hampden, Maine 04444
Phone 207-862-4000
Fax: 207-862-4588**



TO: Susan Lessard, Town Manager
FROM: Joe Rogers, PSD
RE: Monthly Report for May
DATE: June 10, 2014

During the month of May, the Hampden Police Department responded to 343 calls for service, had 12 arrests/court violations; and issued 126 traffic citations and 205 written traffic warnings. The Fire Department responded to 37 calls for service and the ambulance responded to 66 calls.

FF Jason Lundstrom was promoted to Lieutenant and will take over the responsibilities of the Building Inspector. Lt. Dan Pugsley was placed back into the rotation and will assume the responsibilities previously held by Retired Lt. Coombs. Aaron Jellison was hired as our newest full-time firefighter and he will fill the slot formerly held by Jason Lundstrom.

The police officers participated in the "Buckle Up, No Excuses" campaign with several other law enforcement agencies. Grant monies were provided to allow officers to work special details specifically looking for seatbelt violations. Officers made traffic stops of 153 violators and issued 88 seatbelt citations.

FF/Medic Myles Block and Lt. Jason Lundstrom attended a conference presented by St. Joseph's Hospital in Bangor. The one day conference consisted of presentations by various doctors discussing topics facing today's emergency health care providers. Also in May, Emera Maine came to Hampden Public Safety and provided training regarding downed lines, safety methods and what their role is during emergent circumstances. They discussed what they are able to do for us, and what they need from us to best assist during emergencies.

On May 23, 2014, Lt. Lundstrom was off-duty, but on his way to the station in his personal vehicle. He was scheduled to attend the St. Joseph's conference and was going to pick up his uniform at the station when he noticed smoke coming from 203 Western Avenue. He advised the fire department and they responded to the address, which was an apartment building under construction. The fire caused heavy damage to the building; and is believed to have started by combustible painting/staining supplies.

Edythe Dyer Community Library
May, 2014
Report of activities to the Town Council

Circulation: 3008 adult items; 2765 children's materials; 147 items were downloaded; 122 people used our public access computers (this does not include people who brought their own wireless devices). 2140 people came into the Library.

EDL staff answered 264 reference questions for people in the library and 189 over the telephone (these include 49 that were people who thought they were calling the town office)

EDL loaned 577 items to other libraries and borrowed 767 through the statewide delivery service.

Children's programs: Play & Learn Programs: 28 children / 20 adults
Preschool Storytimes: 51 children / 36 adults
Toddler Storytimes: 115 toddlers / 99 adults
Read 'em and eat book discussion: 17

Adult programs: book discussions: 26 adults
Creative Writing: 17 adults
Knitting group: 25 adults & teens

Community groups: 10 groups met: 35 people

Literacy: 7 groups met: 14 people

Trainings/professional development:

- Debbie chaired the Maine Library Association Scholarship and Loan Committee meeting.
- Debbie attended two Webinars one on managing donors and one on the future of libraries
- Debbie attended the spring Library Tri-District meeting at the Augusta Civic Center.

Hampden Recreation Department

Skehan Recreation Center

May Update 2014

Currently we are open 7 days per week. Current day time programming consists of walking, senior fitness, line dancing, men's noon-time basketball, yoga, Tuesday open gyms and pickleball. Outdoor programs began in May and include three baseball type programs. Facility rental times by Bangor Roller Derby continued this month. Weekend programs include line dance, baseball clinics, and adult pick up volleyball and basketball. Bangor Roller Derby continues to rent for a three hour block on Sundays.

The Annual Children's Fair put on by the Hampden United Methodist Church was held in early May. The Recreation Staff collect a \$1 admission charge from adults entering the sale. This was a good fundraiser again this year bringing in \$459.00. In addition to this event we hosted the 3rd Roller Derby Bout of season the same afternoon. It required a very quick building turnover to hold both events on the same day, but was easily managed with the help of both renting parties and recreation staff.

During the month of May, we installed the 4 banners that had been secured through an initial email campaign of current users. The banners were hung on the north gym wall. We plan to begin approaching area businesses in person about their interest in participating in the campaign in July.

With a late break in the weather, Chip Swan (Public Works) was able to shut down the boiler at the Skehan Center on May 5th. This move should lighten oil and electricity costs for the next few months.

Electricity costs continue to be huge for the Skehan Center. I met with Everett McLeod from Gilman Electric in April who did a survey of the current gym lighting in the Skehan Center. Everett reviewed our current usage, vs needs, and current trends toward energy efficiency fixtures and bulbs. He is working with Hampden Electric for a proposal on a cost for an update to offer potential savings. Attached is the energy analysis which shows in could potential half usage costs.

Two community volunteers have purchased and planted annuals in the roadside sign and plant pots at the front of the door. We love having some spring color! Staff will work to keep them watered and deadheaded as needed.

Gretchen Heldmann (GIS/IT) is working hard to clear up phone and internet issues at the Skehan Center. Since the changeover to VOI phone service, the Skehan Center has continued to experience loss of service through call drops or poor connection. The problem appears to have intensified with the addition of tenants in the building. Currently we use TDS with a connection speed that is rapidly downgraded due to the distance the line travels from the old school building to the gym location. Gretchen has worked to no avail with Time Warner for service, and TDS for an upgrade of current service. At the current time, phone service is not available in many places in our space including the Recreation Director's office. Internet service is also slow and spotty at best.

Hampden Recreation Department

Skehan Recreation Center

Director Report

May 2014

- Completed monthly fire extinguisher inspections.
- Fire Extinguishers were retagged by Guay Fire Equipment to fall in line with other town facilities annual inspection.
- Completed AED Monthly Test.
- Managed concession stand purchases and sales
- Completed monthly billing for Bangor Roller Derby and received April and May (prepaid by e.o.m.) payment.
- Received ticket proceeds for the March, April, and May Roller Derby Bout sales.
- Received payment for John Bapst for indoor baseball practice rental.
- Attended Hampden Children’s Day Committee for monthly event meeting.
- Made contact with various vendors for Hampden Children’s Day as directed by the committee.
- Continued to work with Bronco Travel Soccer to accept registrations for the 2014 Soccer Camp.
- Presented the proposed budget for the 20-01, 20-05, and 20-07 accounts for FY 2014-2015.
- Began processing registrations for the summer/camp program session.
- Hosted the third of 4 Bangor Roller Derby Bouts at the Skehan Center.
- Installed the four advertising banners on the north gym wall.
- Ordered Porta Potty for Dorothea Dix Park.
- Staffed and collected door admission at the Annual Hampden Children’s Fair put on by the Hampden Methodist Church.
- Worked with Bronco Little League to research installation of water at the new press box (decided it was cost prohibitive at this time) and research the relocation of the batting cage from VFW Drive to a grassy location between the VFW fence and outdoor basketball courts.
- Submitted a letter to the Town Council for permission to relocate batting cage on Little League’s behalf.
- Worked with the Garden Club to identify needs for mulch and compost for various garden spaces they help maintain. Researched cost comparisons of bagged material vs bulk, and manpower to provide the bulk material movement.
- Worked with local landowner of Papermill Road Rec Area to level out an area where porta potty rental was to be set. Thanks go to Jeremy Jones for providing the labor for the project.
- Continued to work with staff to ready the Western Avenue Recreation Area for spring activities...i.e. goals set up, volleyball nets put up, playground chips raked out.
- Worked with a user group interested in acquiring a backboard for the tennis courts to promote individual enjoyment and practice opportunities.
- Submitted paperwork to show interest in applying for a grant for a tennis backboard from the USA Tennis Association. The response received included parameter in additional line work and program offerings to be considered which are unobtainable at this time. User group will continue to look for funding sources to move forward on such a project.
- Submitted paperwork through AETNA insurance to show interest in becoming a “Silver Sneakers” facility with their company, which possibly could result in savings for participants who take part in the Reshaping Retirement Senior Fitness Class. I have not heard anything back on my email application at this time.
- Spoke at the Hampden Business Association Annual Awards Dinner about the Skehan Recreation Center, Recreation Department and the Lafayette’s who were named business people of the year.
- Continued to foster and strengthen relationship ties with the building owners Historic Hampden Academy LLC.

Thank you for the opportunity to serve the community in this capacity.

Shelley Abbott
Recreation Director

D-2-a



TOWN OF HAMPDEN

PUBLIC NOTICE

Notice is hereby given that the Hampden Town Council will conduct a public hearing at 7:00 p.m. on Monday, June 16, 2014 at the Hampden Municipal Building Council Chambers, 106 Western Ave. to hear public comment on the following item:

1. Consideration of Elimination of Saturday Bus Service

Denise R. Hodsdon
Town Clerk

Posted: June 5, 2014



**TOWN OF HAMPDEN
PUBLIC NOTICE**

D-2-b

Notice is hereby given that the Hampden Town Council will hold a public hearing at 7:00 pm on Monday, June 16, 2014 at the Hampden Municipal Building for consideration of the entire FY 2015 proposed town budget.

**PROPOSED 2015
HAMPDEN TOWN BUDGET**

ACCOUNT NUMBER	ACCOUNT NAME	PROPOSED BUDGET 2015
01-01	ADMINISTRATION	\$589,929.00
01-02	GIS/IT	\$119,305.00
01-03	COMMUNICATIONS	\$25,419.00
01-05	TOWN COUNCIL	\$35,090.00
01-10	MUNICIPAL BUILDING	\$92,020.00
01-15	TAX COLLECTOR	\$6,000.00
01-20	ELECTIONS	\$7,039.00
01-25	PLANNING/ASSESSING	\$255,032.00
01-30	ECONOMIC DEVELOPMENT	\$113,320.00
05-01	POLICE	\$1,016,330.00
05-05	FIRE DEPARTMENT	\$976,614.00
05-10	PUBLIC SAFETY	\$191,976.00
06-06	NON-DEPARTMENT UTILITIES	\$468,400.00
10-01	PUBLIC WORKS	\$1,277,330.00
10-05	MUNICIPAL GARAGE	\$29,080.00
15-10	SOLID WASTE	\$374,843.00
20-01	RECREATION	\$139,317.00
20-10	DYER LIBRARY	\$241,924.00
20-20	LURA HOIT POOL	\$204,236.00
25-10	THE BUS	\$63,544.00
30-10	BUILDINGS & GROUNDS	\$82,529.00
40-10	GENERAL ASSISTANCE	\$10,000.00
50-10	DEBT SERVICE	\$361,397.00
67-10	TIF	\$17,521.00
3-00-00	RESERVES	\$239,925.00
GROSS	MUNICIPAL BUDGET TOTAL	\$6,938,120.00
LESS	MUNICIPAL REVENUES -	\$3,140,285.00
= NET	MUNICIPAL BUDGET TOTAL	\$3,797,835.00
	SAD #22 TAXATION AMOUNT	\$5,928,805.00
	COUNTY TAXATION AMOUNT	\$751,929.00

ESTIMATED TOTAL TAXATION REQUIREMENT \$10,478,569.00

Proposed FY 2015 budget figures are as of 6/4/14. Estimated mil rate impact as presented is a .60 increase (current mil rate is 16.65/thousand). Copies of the entire proposed FY 2015 Budget are available for public inspection at the Hampden Town Office.

2014/15 Proposed Budget

Attached is the proposed 2014/15 Budget for the Town of Hampden that has been reviewed by the Town Council at budget meetings during the month of May. The following are changes made between the 2013/14 budget and the proposed 2014/15 budget:

- Reduce Public Works Department by one person effective 1/1/15
- Reduce Transfer Station by one ½ time person
- Reduce Building & Grounds by 1 seasonal employee
- Change Town Planner position to 28 hours per week effective 1/1/15
- Eliminate Saturday Bus Service (retain Monday through Friday Service)
- 1.6% Cost of Living Increase for all full-time employees (Police & Fire unions are contracted for this raise – remaining non-union employees were budgeted for equal treatment)

Changes proposed in the original budget draft presented to the Council also included the elimination of wages and internet reimbursement for Town Councilors based on information from a planning meeting with Councilors. However, an ordinance considered which would have actually changed the Council Compensation Ordinance to allow this did not pass so per meeting wages were restored to the budget. The Council never took any formal action to eliminate the \$50 per month per Town Councilor internet fee so that is also included in the budget as presented.

The budget hearing and adoption does not set the mil rate for the community. That is done in August after all the real estate, personal property, and exempt valuations are compiled by the Assessor. However, attached is a sheet with estimated mil rate impact from this proposed budget and the source of the impact.

Revenue/Expense/Mil Rate Impact
Comparison Between 2013/14 and 2014/15 Proposed

Expense	Dollars	%
Budget As presented including Council Amendments through 5/28/2014 (including school & county)	\$ 13,618,854.00	
Last year's budget (including school & county)	\$ 13,242,624.00	
Net difference - Expense Increase	\$ 376,230.00	2.84%
 Revenue		
Non-tax Revenues 2014/15 (proposed)	\$ 3,140,285.00	
Non-tax Revenues 2013/14	\$ 3,248,750.00	
Net Difference - Revenue Decrease	\$ (108,465.00)	3.34%
Total net difference (Expense & Revenue)	\$ 484,695.00	3.66%
Estimated increased valuation - \$7.5 m @16.65 mil rate equals \$124,875	\$ 124,875.00	
Expense & Revenue Impact minus new valuation taxes	\$ 359,820.00	2.72%
 mil rate required = 359,820.15/599965500	 \$ 0.60	

Increase Source:	Total Dollars	% of total	Amt of Mil increase
Municipal	\$ 60,964.00	16.94%	0.10
School	\$ 278,464.00	77.39%	0.47
County	\$ 20,392.00	5.67%	0.03
Total	\$ 359,820.00	100.00%	0.60

2014-2015 Proposed Budget

Town of Hampden

Account Number	Account Name	Proposed Budget		
01-01	Administration	\$	589,929.00	
01-02	GIS/IT	\$	119,305.00	
01-03	Communications	\$	25,419.00	
01-05	Town Council	\$	35,090.00	
01-10	Municipal Building	\$	92,020.00	
01-15	Tax Collector	\$	6,000.00	
01-20	Elections	\$	7,039.00	
01-25	Planning/Assessing	\$	255,032.00	
01-30	Economic Development	\$	113,320.00	
05-01	Police	\$	1,016,330.00	
05-05	Fire	\$	976,614.00	
05-10	Public Safety	\$	191,976.00	
06-06	Non-Department Utilities	\$	468,400.00	
10-01	Public Works	\$	1,277,330.00	
10-05	Municipal Garage	\$	29,080.00	
15-10	Solid Waste	\$	374,843.00	
20-01	Recreation	\$	139,317.00	
20-10	Dyer Library	\$	241,924.00	
20-20	Lura Hoit Pool	\$	204,236.00	
25-10	The Bus	\$	63,544.00	
30-10	Building/Grounds	\$	82,529.00	
40-10	General Assistance	\$	10,000.00	
50-10	Debt Service	\$	361,397.00	
67-10	TIF Reimbursement	\$	17,521.00	
3-00-00	Reserves	\$	239,925.00	
Total Municipal Budget		\$	6,938,120.00	
01-03 -> 25-02	Estimated Revenues	\$	3,140,285.00	
	Municipal Taxation Budget	\$	3,797,835.00	36.24%
45-10	County Tax	\$	751,929.00	7.18%
65-10	RSU #22 Budget	\$	5,928,805.00	56.58%
	Total Taxation Budget	\$	10,478,569.00	100.00%

2014/15
Budget Draft
04/23/2014

Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	2014/15 Budget Flat Funded	Affected Areas
01-05	TOWN COUNCIL										
01-05-01-05	Wages	\$16,500.00	\$15,235.00	\$18,060.00	\$17,245.00	\$18,060.00	\$13,470.00	\$18,060.00	\$10,325.00	\$18,060.00	
01-05-05-01	FICA/Medicare	\$1,263.00	\$1,166.00	\$1,382.00	\$1,319.00	\$1,382.00	\$1,031.00	\$1,382.00	\$790.00	\$1,382.00	\$0.00
01-05-05-10	Worker's Comp.	\$0.00	\$0.00	\$0.00	\$0.00	\$64.00	\$45.00	\$64.00	\$36.00	\$64.00	\$0.00
01-05-10-10	General Expense	\$8,000.00	\$9,131.00	\$8,000.00	\$4,821.00	\$8,000.00	\$6,297.00	\$7,800.00	\$2,196.00	\$7,800.00	\$0.00
01-05-30-60	Dues	\$10,825.00	\$10,062.00	\$11,049.00	\$8,974.00	\$7,784.00	\$9,167.00	\$7,784.00	\$8,161.00	\$7,784.00	\$0.00
	TOTAL 01-05	\$36,588.00	\$35,594.00	\$38,491.00	\$32,359.00	\$35,290.00	\$30,010.00	\$35,090.00	\$21,508.00	\$35,090.00	\$0.00

2014/15
Budget Draft
04/23/2014

Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Budget Not Flat Funded	Affected Areas
01-10	Municipal Building										
01-10-01-05	Wages	\$12,500.00	\$11,089.00	\$12,785.00	\$11,811.00	\$13,100.00	\$6,807.00	\$6,000.00	\$0.00	\$0.00	-\$6,000.00
01-10-05-01	FICA/Medicare	\$957.00	\$845.00	\$978.00	\$563.00	\$1,002.00	\$447.00	\$0.00	\$0.00	\$0.00	\$0.00
01-10-05-10	Workers' Comp.	\$0.00	\$0.00	\$0.00	\$0.00	\$451.00	\$316.00	\$0.00	\$0.00	\$0.00	\$0.00
01-10-10-01	Office Supplies	\$1,500.00	\$1,339.00	\$1,400.00	\$3,551.68	\$2,400.00	\$3,275.00	\$2,400.00	\$1,083.00	\$2,400.00	\$0.00
01-10-15-01	Telephone	\$750.00	\$675.00	\$750.00	\$689.00	\$690.00	\$709.00	\$690.00	\$552.00	\$690.00	\$0.00
01-10-15-05	Electricity	\$44,000.00	\$45,598.00	\$44,000.00	\$38,155.00	\$37,200.00	\$38,127.00	\$37,200.00	\$25,472.00	\$39,000.00	\$1,800.00
01-10-15-10	Fuel	\$26,000.00	\$28,096.00	\$25,500.00	\$20,426.00	\$24,400.00	\$26,731.00	\$24,400.00	\$25,114.00	\$26,195.00	\$1,795.00
01-10-15-15	Water	\$3,200.00	\$3,807.00	\$3,735.00	\$3,895.00	\$3,900.00	\$3,895.00	\$3,900.00	\$2,921.00	\$3,900.00	\$0.00
01-10-20-10	Equip. Service Cont.	\$7,000.00	\$2,576.00	\$4,600.00	\$5,012.00	\$5,200.00	\$5,272.00	\$5,300.00	\$1,972.00	\$5,365.00	\$65.00
01-10-20-35	Building Maintenance	\$12,000.00	\$12,745.00	\$12,000.00	\$8,507.00	\$6,000.00	\$11,916.00	\$6,000.00	\$18,597.00	\$14,470.00	\$8,470.00
	TOTAL 01-10	\$107,907.00	\$106,770.00	\$105,748.00	\$92,609.68	\$94,343.00	\$97,495.00	\$85,890.00	\$75,711.00	\$92,020.00	\$6,130.00

2014/15
Budget Draft
04/23/2014

Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expended 3/31	2014/15 Budget Flat Funded	Affected Areas
01-15	TAX COLLECTOR										
01-15-30-15	Computer Services	\$2,500.00	\$2,273.00	\$2,500.00	\$3,228.00	\$3,200.00	\$2,694.00	\$3,200.00	\$2,529.00	\$3,200.00	\$0.00
01-15-30-40	Liens & Transfers	\$3,500.00	\$2,832.00	\$3,500.00	\$2,960.00	\$2,800.00	\$2,879.00	\$2,800.00	\$2,827.00	\$2,800.00	\$0.00
	Total 01-15	\$6,000.00	\$5,105.00	\$6,000.00	\$6,188.00	\$6,000.00	\$5,573.00	\$6,000.00	\$5,356.00	\$6,000.00	\$0.00

2014/15
Budget Draft
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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	2014/15 Proposed Flat Funded	Affected Areas
01-20	ELECTIONS										
01-20-01-01	Salaries	\$500.00	\$90.00	\$500.00	\$0.00	\$500.00	\$240.00	\$0.00	\$0.00	\$0.00	\$0.00
01-20-01-05	Wages	\$2,000.00	\$2,448.00	\$2,000.00	\$1,352.00	\$2,000.00	\$1,959.00	\$2,500.00	\$785.00	\$2,500.00	\$0.00
01-20-05-01	FICA/Medicare	\$0.00	\$34.00	\$0.00	\$0.00	\$38.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-20-05-10	Workers' Comp	\$13.00	\$0.00	\$0.00	\$0.00	\$9.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-20-10-01	Office Supplies	\$250.00	\$124.00	\$250.00	\$275.00	\$250.00	\$252.00	\$250.00	\$2.00	\$250.00	\$0.00
01-20-10-05	Postage/Shipping	\$200.00	\$211.00	\$200.00	\$186.00	\$200.00	\$287.00	\$200.00	\$12.00	\$200.00	\$0.00
01-20-10-10	General Expense	\$500.00	\$0.00	\$500.00	\$0.00	\$500.00	\$39.00	\$589.00	\$589.00	\$589.00	\$0.00
01-20-10-20	Supplies & Materials	\$3,300.00	\$2,299.00	\$3,300.00	\$4,190.00	\$3,300.00	\$2,506.00	\$3,300.00	\$1,610.00	\$3,300.00	\$0.00
01-20-20-01	Equipment Replace.	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-20-30-01	Advertising	\$200.00	\$0.00	\$200.00	\$0.00	\$200.00	\$126.00	\$200.00	\$315.80	\$200.00	\$0.00
	Total 01-20	\$12,963.00	\$11,206.00	\$6,950.00	\$6,003.00	\$6,997.00	\$5,409.00	\$7,039.00	\$3,313.80	\$7,039.00	\$0.00

2014/15
Budget Draft
04/23/2014

Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	2014/15 Budget Flat Funded	Affected Areas
01-25	PLANNING/ASSESSING										
01-25-01-01	Salaries	\$159,170.00	\$150,541.00	\$156,427.00	\$157,818.00	\$160,333.00	\$167,256.00	\$162,227.00	\$130,302.00	\$171,461.00	\$9,234.00
01-25-01-05	Wages	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000.00	\$3,675.00	\$3,000.00	\$1,398.00	\$3,000.00	\$0.00
01-25-01-25	Vehicle Expenses	\$500.00	\$430.00	\$2,000.00	\$1,349.00	\$2,500.00	\$1,893.00	\$2,500.00	\$867.00	\$2,000.00	-\$500.00
01-25-05-01	FICA/Medicare	\$12,177.00	\$10,886.00	\$11,966.00	\$11,423.00	\$12,495.00	\$12,454.00	\$12,640.00	\$9,923.00	\$13,345.00	\$705.00
01-25-05-05	Retirement	\$13,371.00	\$13,959.00	\$13,140.00	\$14,430.00	\$13,468.00	\$15,041.00	\$13,627.00	\$11,493.00	\$11,788.00	-\$1,839.00
01-25-05-10	Workers' Comp	\$1,300.00	\$3,359.00	\$3,200.00	\$3,352.00	\$2,956.00	\$2,072.00	\$2,100.00	\$1,646.00	\$1,900.00	-\$200.00
01-25-05-15	Health Insurance	\$30,668.00	\$31,733.00	\$32,922.00	\$33,691.00	\$34,753.00	\$35,737.00	\$34,753.00	\$28,096.00	\$29,030.00	-\$5,723.00
01-25-05-20	Life Insurance	\$400.00	\$339.00	\$400.00	\$339.00	\$400.00	\$339.00	\$400.00	\$254.00	\$333.00	-\$67.00
01-25-05-25	Dental Insurance	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$450.00	\$338.00	\$375.00	-\$75.00
01-25-10-01	Office Supplies	\$1,000.00	\$1,167.00	\$1,000.00	\$2,005.00	\$1,500.00	\$856.00	\$1,500.00	\$834.00	\$1,500.00	\$0.00
01-25-10-05	Postage/Shipping	\$700.00	\$670.00	\$700.00	\$810.00	\$1,000.00	\$995.00	\$1,500.00	\$1,008.00	\$1,500.00	\$0.00
01-25-10-15	Books/Publications	\$1,000.00	\$942.00	\$1,500.00	\$778.00	\$1,500.00	\$854.00	\$1,000.00	\$705.00	\$750.00	-\$250.00
01-25-10-17	Tree Planting	\$750.00	\$0.00	\$750.00	\$0.00	\$750.00	\$473.00	\$750.00	\$0.00	\$750.00	\$0.00
01-25-15-01	Telephone	\$750.00	\$634.00	\$750.00	\$701.00	\$750.00	\$722.00	\$750.00	\$561.00	\$750.00	\$0.00
01-25-20-01	Software Contracts	\$4,200.00	\$3,823.00	\$5,000.00	\$3,325.00	\$4,000.00	\$7,259.00	\$4,400.00	\$4,091.00	\$4,400.00	\$0.00
01-25-30-30	External Printing	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-25-30-60	Dues	\$600.00	\$501.00	\$600.00	\$650.00	\$800.00	\$257.00	\$800.00	\$241.00	\$350.00	-\$450.00
01-25-30-80	Travel/Training	\$800.00	\$1,746.00	\$800.00	\$92.00	\$1,200.00	\$775.00	\$1,000.00	\$671.00	\$1,000.00	\$0.00
01-25-30-85	Zoning	\$7,000.00	\$2,051.00	\$7,000.00	\$3,195.00	\$5,000.00	\$2,895.00	\$4,800.00	\$1,598.00	\$4,800.00	\$0.00
01-25-35-01	Legal	\$12,000.00	\$8,013.00	\$12,000.00	\$4,486.00	\$6,000.00	\$4,935.00	\$6,000.00	\$3,753.00	\$6,000.00	\$0.00
	Total 01-25	\$246,836.00	\$231,244.00	\$250,605.00	\$238,894.00	\$252,855.00	\$258,938.00	\$254,197.00	\$197,779.00	\$255,032.00	\$835.00

2014/15
Budget Draft
04/23/2014

Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expended 3/31	14/15 Budget Flat Funded	Affected Areas
01-30	Economic Development										
01-30-01-01	Salaries	\$54,338.00	\$62,585.00	\$55,968.00	\$63,310.00	\$65,000.00	\$68,216.00	\$65,715.00	\$50,441.00	\$66,766.00	\$1,051.00
01-30-05-01	Fica/Medicare	\$4,157.00	\$4,380.00	\$4,282.00	\$4,383.00	\$4,973.00	\$4,774.00	\$5,027.00	\$3,780.00	\$5,107.00	\$80.00
01-30-05-05	Retirement	\$4,565.00	\$4,964.00	\$4,701.00	\$5,103.00	\$5,460.00	\$5,688.00	\$5,520.00	\$4,361.00	\$5,608.00	\$88.00
01-30-05-10	Workers' Comp	\$120.00	\$282.00	\$300.00	\$288.00	\$306.00	\$215.00	\$306.00	\$170.00	\$306.00	\$0.00
01-30-05-15	Health Insurance	\$14,819.00	\$15,334.00	\$15,909.00	\$16,280.00	\$16,794.00	\$17,269.00	\$16,794.00	\$13,576.00	\$18,498.00	\$1,704.00
01-30-05-20	Life Insurance	\$150.00	\$113.00	\$150.00	\$113.00	\$150.00	\$113.00	\$150.00	\$85.00	\$150.00	\$0.00
01-30-05-25	Dental Insurance	\$185.00	\$150.00	\$185.00	\$150.00	\$150.00	\$150.00	\$150.00	\$113.00	\$150.00	\$0.00
01-30-10-01	Office Supplies	\$250.00	\$453.00	\$250.00	\$13.00	\$1,000.00	\$320.00	\$750.00	\$13.00	\$0.00	-\$750.00
01-30-10-05	Postage/Shipping	\$250.00	\$5.00	\$350.00	\$0.00	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-30-15-01	Telephone	\$150.00	\$0.00	\$250.00	\$0.00	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01-30-30-01	Advertising	\$2,500.00	\$2,635.00	\$1,500.00	\$1,758.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00
01-30-30-45	Marketing	\$500.00	\$790.00	\$3,000.00	\$2,350.00	\$3,500.00	\$3,500.00	\$3,500.00	\$2,989.00	\$3,500.00	\$0.00
01-30-30-60	Dues	\$250.00	\$100.00	\$250.00	\$3,265.00	\$3,500.00	\$3,489.00	\$3,500.00	\$3,265.00	\$235.00	-\$3,265.00
01-30-30-80	Training/Travel	\$4,000.00	\$4,704.00	\$4,000.00	\$4,393.00	\$4,000.00	\$2,367.00	\$3,000.00	\$1,734.00	\$3,000.00	\$0.00
01-30-35-01	Legal	\$500.00	\$4,786.00	\$1,000.00	\$13,601.00	\$8,000.00	\$9,122.00	\$8,000.00	\$7,403.00	\$8,000.00	\$0.00
	Total 01-30	\$86,734.00	\$101,281.00	\$92,095.00	\$115,007.00	\$115,833.00	\$117,223.00	\$114,412.00	\$89,930.00	\$113,320.00	-\$1,092.00

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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Proposed Flat Funded	Affected Areas
	Non-Dept. Utilities										
06-06-15-05	Streetlight Electricity	\$51,000.00	\$49,601.00	\$49,750.00	\$49,479.00	\$49,750.00	\$48,586.00	\$49,000.00	\$32,403.00	\$49,000.00	\$0.00
06-06-20-30	Streetlight Repair	\$2,500.00	\$1,779.00	\$2,500.00	\$1,889.00	\$2,500.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	\$0.00
06-06-30-35	Hydrant Rental	\$369,672.00	\$398,655.00	\$412,626.00	\$413,008.00	\$413,000.00	\$413,008.00	\$413,000.00	\$309,756.00	\$413,000.00	\$0.00
06-06-30-76	Crosswalk/Sidewalk	\$3,000.00	\$3,490.00	\$3,000.00	\$3,890.00	\$3,900.00	\$4,015.00	\$3,900.00	\$1,025.00	\$3,900.00	\$0.00
	Total	\$426,172.00	\$453,525.00	\$467,876.00	\$468,266.00	\$469,150.00	\$465,609.00	\$468,400.00	\$343,184.00	\$468,400.00	\$0.00

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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	2014/15 Budget Flat Funded	Affected Areas
10-05	Municipal Garage										
10-05-05-05	Electricity	\$5,340.00	\$5,521.00	\$5,340.00	\$4,884.00	\$5,340.00	\$4,802.00	\$4,080.00	\$3,570.00	\$4,080.00	\$0.00
10-05-05-10	Fuel	\$12,400.00	\$15,486.00	\$14,000.00	\$11,954.00	\$14,000.00	\$13,914.00	\$14,000.00	\$11,755.00	\$14,000.00	\$0.00
10-05-20-35	Building Maintenance	\$11,000.00	\$9,456.00	\$11,000.00	\$11,376.00	\$11,000.00	\$9,892.00	\$11,000.00	\$11,355.00	\$11,000.00	\$0.00
	10-05 Total	\$28,740.00	\$30,463.00	\$30,340.00	\$28,214.00	\$30,340.00	\$28,608.00	\$29,080.00	\$26,680.00	\$29,080.00	\$0.00

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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Budget Flat Funded	Affected Areas
20-01	Recreation										
20-01-01-05	Wages	\$81,620.00	\$83,308.00	\$84,056.00	\$85,306.00	\$86,163.00	\$89,545.00	\$87,110.00	\$74,776.00	\$91,164.00	\$4,054.00
20-01-05-01	FICA/Medicare	\$6,244.00	\$5,681.00	\$6,430.00	\$5,797.00	\$6,592.00	\$6,074.00	\$6,664.00	\$5,720.00	\$6,975.00	\$311.00
20-01-05-05	Retirement	\$7,040.00	\$7,186.00	\$7,061.00	\$7,356.00	\$7,433.00	\$7,729.00	\$7,514.00	\$5,055.00	\$7,908.00	\$394.00
20-01-05-10	Workers' Comp	\$2,227.00	\$5,476.00	\$4,500.00	\$5,180.00	\$2,378.00	\$1,666.00	\$2,352.00	\$1,324.00	\$3,000.00	\$648.00
20-01-05-15	Health Insurance	\$29,639.00	\$30,668.00	\$31,819.00	\$32,561.00	\$33,587.00	\$32,164.00	\$33,587.00	\$17,006.00	\$29,880.00	-\$3,707.00
20-01-05-20	Life Insurance	\$267.00	\$226.00	\$267.00	\$226.00	\$267.00	\$226.00	\$267.00	\$113.00	\$240.00	-\$27.00
20-01-05-25	Dental Insurance	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$38.00	\$150.00	\$0.00
20-01-10-01	Office Supplies	\$1,000.00	\$704.00	\$1,000.00	\$277.00	\$0.00					\$0.00
20-01-10-05	Postage/Shipping	\$300.00	\$102.00	\$300.00	\$135.00	\$0.00					\$0.00
20-01-15-01	Telephone	\$1,291.00	\$1,335.00	\$1,327.00	\$1,219.00	\$0.00					\$0.00
20-01-40-50	Parks	\$2,752.00	\$2,390.00	\$2,500.00	\$1,950.00	\$0.00					\$0.00
	20-01 Total	\$132,530.00	\$137,226.00	\$139,410.00	\$140,157.00	\$136,570.00	\$137,554.00	\$137,644.00	\$104,032.00	\$139,317.00	\$1,673.00

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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expended 3/31	14/15 Budget	Affected Areas
25-10	The Bus										
25-10-55-15	Expense	\$52,000.00	\$36,044.00	\$72,000.00	\$56,332.00	\$73,000.00	\$64,384.00	\$89,380.00	\$63,008.00	\$63,544.00	-\$25,836.00
	25-10 Total	\$52,000.00	\$36,044.00	\$72,000.00	\$56,332.00	\$73,000.00	\$64,384.00	\$89,380.00	\$63,008.00	\$63,544.00	-\$25,836.00

2014/15
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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Proposed Flat Funded	Affected Areas
30-10	Building/Grounds										
30-10-01-05	Wages	\$58,693.00	\$66,089.00	\$68,349.00	\$65,406.00	\$70,500.00	\$69,793.00	\$77,040.00	\$38,822.00	\$67,226.00	-\$9,814.00
30-10-05-01	FICA/Medicare	\$4,490.00	\$4,903.00	\$5,229.00	\$4,837.00	\$5,393.00	\$5,197.00	\$5,894.00	\$2,888.00	\$5,143.00	-\$751.00
30-10-05-05	Retirement	\$3,387.00	\$0.00	\$3,841.00	\$0.00	\$3,730.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
30-10-05-10	Workers' Comp	\$2,200.00	\$3,046.00	\$3,000.00	\$3,075.00	\$2,989.00	\$2,095.00	\$2,900.00	\$1,664.00	\$2,900.00	\$0.00
30-10-10-18	Flowers	\$500.00	\$233.00	\$500.00	\$327.00	\$500.00	\$355.00	\$500.00	\$0.00	\$1,500.00	\$1,000.00
30-10-10-20	Supplies/Materials	\$1,000.00	\$744.00	\$1,000.00	\$484.00	\$1,000.00	\$961.00	\$1,000.00	\$342.00	\$1,000.00	\$0.00
30-10-10-75	Maps/Markers	\$500.00	\$0.00	\$500.00	\$89.00	\$500.00	\$413.00	\$500.00	\$0.00	\$500.00	\$0.00
30-10-10-85	Memorial Day	\$175.00	\$175.00	\$175.00	\$175.00	\$330.00	\$0.00	\$330.00	\$0.00	\$330.00	\$0.00
30-10-15-15	Water	\$330.00	\$158.00	\$330.00	\$81.00	\$330.00	\$163.00	\$330.00	\$223.00	\$330.00	\$0.00
30-10-20-01	Equipment Replace.	\$8,500.00	\$7,009.00	\$0.00	\$0.00	\$6,000.00	\$5,890.00	\$0.00	\$0.00	\$0.00	\$0.00
30-10-20-05	Equipment Maint.	\$2,000.00	\$1,959.00	\$1,500.00	\$882.00	\$1,500.00	\$1,987.00	\$1,500.00	\$945.00	\$1,500.00	\$0.00
30-10-20-35	Building Repair	\$2,600.00	\$0.00	\$1,205.00	\$1,040.00	\$1,000.00	\$836.00	\$1,000.00	\$680.00	\$1,000.00	\$0.00
30-10-20-50	Grounds Improvement	\$500.00	\$0.00	\$500.00	\$386.00	\$500.00	\$410.00	\$500.00	\$0.00	\$500.00	\$0.00
30-10-25-05	Safety	\$600.00	\$517.00	\$600.00	\$655.00	\$600.00	\$274.00	\$600.00	\$11.00	\$600.00	\$0.00
30-10-25-10	Equipment Rental	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	30-10 Total	\$85,475.00	\$84,833.00	\$86,729.00	\$77,437.00	\$94,872.00	\$88,374.00	\$92,094.00	\$45,575.00	\$82,529.00	-\$9,565.00

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Budget Draft
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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expended 3/31	2014/15 Budget Flat Funded	Affected Areas
38-00	Outside Agencies										
38-00-00-01	Hammond St. Sr. Ctr.	\$5,285.00	\$5,285.00	\$5,775.00	\$5,775.00	\$6,055.00	\$6,055.00		\$0.00	\$0.00	\$0.00
38-10-04-04	Eastern Area Agency	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00		\$0.00	\$0.00	\$0.00
38-00-00-05	UCP	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00				\$0.00	\$0.00	\$0.00
38-10-04-05	Hampden Historical	\$600.00	\$600.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00		\$0.00	\$0.00	\$0.00
38-10-04-06	Com.Health & Counsel	\$0.00	\$0.00	\$0.00	\$0.00				\$0.00	\$0.00	\$0.00
38-10-04-07	Bangor STD Clinic	\$150.00	\$150.00	\$500.00	\$500.00				\$0.00	\$0.00	\$0.00
38-10-04-08	Penquis Cap	\$9,126.00	\$9,126.00	\$7,238.00	\$7,238.00				\$0.00	\$0.00	\$0.00
38-10-04-09	American Folk Fest.	\$400.00	\$400.00	\$0.00	\$0.00				\$0.00	\$0.00	\$0.00
38-10-04-03	Hampden Kiwanis	\$0.00	\$0.00	\$0.00	\$0.00				\$0.00	\$0.00	\$0.00
	Hampden Garden Club	\$0.00	\$0.00	\$600.00	\$600.00	\$600.00	\$600.00		\$0.00	\$0.00	\$0.00
38-10-04-10	Red Cross	\$1,580.00	\$1,580.00	\$1,580.00	\$1,580.00	\$1,580.00	\$1,580.00		\$0.00	\$0.00	\$0.00
	38-00 Totals	\$21,641.00	\$21,641.00	\$21,193.00	\$21,193.00	\$12,735.00	\$12,735.00	\$0.00	\$0.00	\$0.00	\$0.00

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Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Budget	Affected Areas
40-10	General Assistance										
40-10-43-01	Expenses	\$10,000.00	\$5,937.00	\$10,000.00	\$2,864.00	\$15,000.00	\$3,449.00	\$7,500.00	\$5,147.00	\$10,000.00	\$2,500.00
	40-10 Totals	\$10,000.00	\$5,937.00	\$10,000.00	\$2,864.00	\$15,000.00	\$3,449.00	\$7,500.00	\$5,147.00	\$10,000.00	\$2,500.00
Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Budget	Affected Areas
45-10	County Tax										
45-10-55-10	Tax	\$633,244.00	\$633,243.00	\$662,172.00	\$638,333.00	\$695,306.00	\$695,506.00	\$731,537.00	\$731,537.40	\$751,929.00	\$20,392.00
	45-10 Totals	\$633,244.00	\$633,243.00	\$662,172.00	\$638,333.00	\$695,306.00	\$695,506.00	\$731,537.00	\$731,537.40	\$751,929.00	\$20,392.00
Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	2014/15 Budget	Affected Areas
50-10	Debt Service										
50-10-50-04	Mayo Road Rebuild	\$0.00	\$0.00	\$126,989.00	\$126,989.00	\$126,447.00	\$126,447.00	\$125,736.00	\$109,866.07	\$124,859.00	-\$877.00
50-10-50-15	Mun. Bldg. Addition	\$130,078.00	\$130,077.00	\$126,510.00	\$126,509.00	\$120,195.00	\$120,196.00	\$115,955.00	\$98,673.00	\$112,308.00	-\$3,647.00
50-10-50-30	Road Paving-Gravel	\$100,667.00	\$100,666.00	\$97,187.00	\$91,062.00	\$93,749.00	\$93,721.00	\$90,396.00	\$87,601.00	\$86,938.00	-\$3,458.00
50-10-50-20	LL Bean Purchase	\$42,461.00	\$42,460.00	\$41,169.00	\$47,219.00	\$39,877.00	\$39,876.00	\$38,584.00	\$38,584.00	\$37,292.00	-\$1,292.00
	50-10 Total	\$273,206.00	\$273,203.00	\$391,855.00	\$391,779.00	\$380,268.00	\$380,240.00	\$370,671.00	\$334,724.07	\$361,397.00	-\$9,274.00
Account Number	Account Name	10/11 Budget	10/11 Expended	11/12 Budget	11/12 Expended	12/13 Budget	12/13 Expended	13/14 Budget	13/14 Budget Expend 3/31	14/15 Budget	Affected Areas
67-10-50-20	TIF REIMBURSEMENT	\$50,000.00	\$43,959.00	\$32,000.00	\$28,881.00	\$17,110.00	\$17,110.00	\$17,416.00	\$13,554.00	\$17,521.00	\$105.00

D-3-a

OFFICIAL RETURN OF VOTES
FOR
SPECIAL MUNICIPAL ELECTION
HELD ON
JUNE 10, 2014

To determine the following Referendum Question:

ARTICLE 1. Shall the Charter amendment reprinted below be approved?

The Town of Hampden hereby ordains that the following amendment to the Town Charter be enacted:

Deletions ~~stricken~~
Additions underlined

Sec. 807 DISTRICT BOUNDARIES

District boundaries are as follows:

~~*DISTRICT 1:* Beginning on the shore of the Penobscot River at the Hampden/Bangor line; thence southwesterly by and along the shore of the Penobscot River to the Edythe Dyer Library; thence northwesterly by and along the centerline of the Library access road to the centerline of Route 1 A; thence northeasterly to the centerline of Daisy Lane; thence northwesterly by and along the centerline of Daisy Lane and a continuation thereof to Route 202; thence across Route 202 to a point on the northerly boundary thereof located 1200 feet northeasterly of the centerline of Coldbrook Road; thence northwesterly 1200 feet northeasterly of and parallel to the centerline of Coldbrook Road to the Hampden/Hermon town line; thence northeasterly and southeasterly by and along the Hampden town line to the point of beginning.~~

DISTRICT 1: Beginning on the shore of the Penobscot River at the Hampden/Bangor town line; thence southwesterly by and along the shore of the Penobscot River to the centerline of the extension of Carver Road; thence northwesterly by and along the centerline of Carver Road to the centerline of Route 1A; thence southwesterly by and along the centerline of Route 1A to the centerline of Coldbrook Road; thence northwesterly by and along the centerline of Coldbrook Road to the centerline of Route 202; thence northeasterly by and along the centerline of Route 202 to the Hampden/Bangor town line; thence northeasterly and southeasterly by and along the Hampden town line to the point of beginning.

OFFICIAL RETURN OF VOTES
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~~*DISTRICT II:* Beginning at the shore of the Penobscot River at Edythe Dyer Library; thence southwesterly by and along the shore of the Penobscot River to the Souadabscook Stream; thence northwesterly by and along the centerline of the Souadabscook Stream to the centerline of Route 1 A; thence southerly by and along the centerline of Route 1 A to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of the railroad tracks; thence northerly by and along the centerline of the railroad tracks to the Hampden/Hermon town line; thence northeasterly by and along the town line to a point marking the northwesterly corner of District I; thence southeasterly by and along the westerly boundary of District I to the point of beginning.~~

DISTRICT II: Beginning at the shore of the Penobscot River at the extension of the centerline of Carver Road; thence southwesterly by and along the shore of the Penobscot River to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of Route 1A; thence southerly by and along the centerline of Route 1A to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the centerline of Mayo Road; thence northwesterly by and along the centerline of Mayo Road to the centerline of Route 9; thence westerly by and along the centerline of Route 9 to the railroad tracks; thence northerly by and along the centerline of the railroad tracks to the Hampden/Hermon town line; thence easterly by and along the Hampden/Hermon and Hampden/Bangor town line to the centerline of Route 202; thence southwesterly by and along the centerline of Route 202 to the centerline of Coldbrook Road; thence southeasterly by and along the centerline of Coldbrook Road to the centerline of Route 1A; thence northeasterly by and along the centerline of Route 1A to the centerline of Carver Road; thence southeasterly by and along the center line of Carver road to the point of beginning.

~~*DISTRICT III:* Beginning at the centerline of the Souadabscook Stream at the Penobscot River; thence northwesterly along the centerline of the Souadabscook Stream to the centerline of Route 1 A; thence southerly by and along the centerline of Route 1 A to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the Hampden/Newburgh town line; thence southerly by and along the Hampden/Newburgh town line to the Hampden/Winterport town line; thence easterly by and along the Hampden/Winterport town line to the shore of the Penobscot River; thence northerly by and along the shore of the Penobscot River to the point of beginning.~~

DISTRICT III: Beginning on the shore of the Penobscot River at the centerline of Reed's Brook; thence southerly by and along the shore of the Penobscot River to the Hampden/Winterport town line; thence southwesterly by and along the

OFFICIAL RETURN OF VOTES
SPECIAL MUNICIPAL ELECTION
JUNE 10, 2014

Hampden/Winterport town line to the centerline of Route 69; thence northwesterly by and along the centerline of Route 69 to the centerline of Kennebec Road; thence easterly by and along the centerline of Kennebec Road to the centerline of Meadow Road; thence northwesterly by and along the centerline of Meadow Road to the centerline of Patterson Road; thence northeasterly by and along the centerline of Patterson Road to the centerline of Route 9; thence easterly by and along the centerline of Route 9 to the centerline of Mayo Road; thence southeasterly by and along the centerline of Mayo Road to the centerline of Kennebec Road; thence easterly by and along the centerline of Kennebec Road to the centerline of Route 1A; thence northerly by and along the centerline of Route 1A to the centerline of Reed's Brook; thence easterly by and along the centerline of Reed's Brook to the point of beginning.

~~DISTRICT IV: Beginning at the intersection of the centerline of the railroad tracks and the centerline of the Kennebec Road; thence westerly by and along the centerline of the Kennebec Road to the Hampden/Newburgh town line; thence northerly by and along the Hampden/Newburgh town line to the intersection of the Hampden/Newburgh/Carmel/Hermon town lines; thence northeasterly, northerly, southeasterly, and northeasterly by and along the Hampden/Hermon town line to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the point of beginning.~~

DISTRICT IV: Beginning at the intersection of the centerline of the railroad tracks and the centerline of Route 9; thence westerly by and along the centerline of Western Avenue to the centerline of Patterson Road; thence southwestly by and along the centerline of Patterson Road to the centerline of Meadow Road; thence southeasterly by and along the centerline of Meadow Road to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the centerline of Route 69; thence southeasterly by and along the centerline of Route 69 to the Hampden/Winterport town line; thence southwestly by and along the Hampden/Winterport town line to the Hampden/Newburgh town line; thence northerly by and along the Hampden/Newburgh town line to the intersection of the Hampden/Newburgh/Carmel/Hermon town lines; thence northeasterly, northerly, southeasterly, and northeasterly by and along the Hampden/Hermon town line to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the point of beginning.

Effective Date: These Charter Amendments shall take effect upon adoption by the voters, and shall apply to the District elections commencing on November 4, 2014.

OFFICIAL RETURN OF VOTES
SPECIAL MUNICIPAL ELECTION
JUNE 10, 2014

Summary: Title 30-A M.R.S. § 2503 requires that each district for the election of municipal officers must contain as nearly as possible the same number of inhabitants according to the latest Federal Decennial Census. The 2010 Census revealed that the number of inhabitants in the Districts varied significantly, and that the Districts as established in 2001 do not comply with the requirements of § 2503. The proposed re-districting will bring Hampden's Districts into compliance with § 2503. If these Charter Amendments are not enacted, § 2503(2) provides that the four District councilor seats slated for election on November 4, 2014 must be elected at large and the councilors so elected shall serve until their terms expire.

Given in at the Special Municipal Election held on June 10, 2014.

At a legal meeting of the Inhabitants of Hampden in the County of Penobscot, qualified to vote in the Special Municipal Election, held on the 10th day of June in the year of our Lord, two thousand fourteen, the said Inhabitants gave their votes for said referendum question.

The same were received, sorted and declared by the Warden who presided and in the presence of the Clerk, who formed a list of the person voted for and made a record thereof as follows:

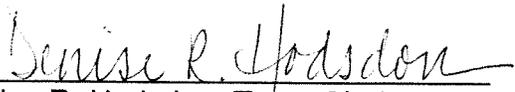
Total Number of Ballots Cast: 1100

Article 1 – Charter Amendment (as stated above)

Yes had:	<u>895</u>
No had:	<u>156</u>
Blanks	<u>49</u>

A True Copy.

Attest:


Denise R. Hodsdon, Town Clerk
Town of Hampden



D-4-a

Hampden Recreation

Skehan Recreation Center

1 Main Road North (physical)
106 Western Avenue (mailing)
Hampden, ME 04444
207-862-6451
recreation@hampdenmaine.gov

May 19, 2014

Hampden Town Council:

I am writing on the behalf of Bronco Little League to request permission to relocate the Little League Batting Cage presently located along the roadside of VFW Drive, to the grassy area between the tennis courts and parking lot for the tennis and outdoor basketball courts. This change is being requested due to safety concerns of students being close to the roads edge, and to alleviate some of the parking issues (with the addition of more parking spaces once removed) at the field location. The new location is centrally located to both fields with good sight lines, and appears to be a fairly flat and dry.

Frank Peckham, Bronco Little League, will work with town staff Shelley Abbott, Ben Johnson, Bob Osborne, and Chip Swan, to work through the process of meeting any necessary set-backs, modify any site plans, permitting as required, and contacting dig safe. Little League has arranged for a parent volunteer from Verizon (Matthew Polo) to remove, transfer, and replant the telephone support poles at the new location. The time frame for this project to be completed for the 2015 season would be after the spring season (mid July to mid August) or after the fall league play (late October).

Thank you for your consideration of this request.

Shelley Abbott
Recreation Director

DRAFT

INFRASTRUCTURE COMMITTEE MEETING

Tuesday, May 27, 2014

Attending:

Chairman David Ryder

Councilor William Shakespeare

Councilor Tom Brann

Councilor Greg Sirois

Councilor Ivan McPike

Councilor Jean Lawlis

Resident Terry McAvoy

Public Works Director Chip Swan

Town Manager Sue Lessard

The meeting was opened at 6:03 p.m. by Chairman Ryder.

1. MINUTES OF 4/28/2014 – The minutes of the 4/28/14 meeting were reviewed and approved as presented.
2. OLD BUSINESS
 - A. Update – Western Avenue to Mayo Road Sidewalk – The Public Works Director reported that the State would be putting this sidewalk project out to bid in the Spring of 2015 for construction in 2015. They have asked for some updated information from Woodard & Curran, the engineering firm that prepared the initial sidewalk plan.
 - B. Route 1A Sidewalk – Possible Alternatives – The Public Works Director explained an option for paving the sidewalk on Route 1A between Kennebec Road and Western Avenue since the bids received for the whole project were too high. The proposal would be to split the project into two sections and combine them with the road paving program over the next two years. Committee members also discussed the possibility of doing a shim coat over the sidewalk and not replacing the curbing, and repairing just the worst sections in this year and paving in future years as suggested by the Public Works Director. Work involving curbing cannot happen in this season because of the work being done by the State on Route 1A from Kennebec to Western Avenue. The Public Works director will survey the sidewalk and make repairs to the badly broken sections in this year.
3. NEW BUSINESS
 - A. Municipal Building Flooring Repairs - This item will be discussed at the June meeting when more information is available.
 - B. Little League Request to Move Batting Cages – The Town Manager presented a letter from Recreation Director Shelley Abbott, who had written on behalf of the Little League program. The request is to relocate the batting cages at the VFW field to a location between the basketball and tennis courts to allow for more parking along the road next to the ballfield and improve safety. Motion by Councilor McPike, seconded by Councilor Lawlis to recommend approval of the project to the full Council. Unanimous vote in favor.
4. PUBLIC COMMENTS - None
5. COMMITTEE MEMBER COMMENTS – Councilor Sirois noted that the basketball hoops at the VFW complex were in very bad condition. Councilor Brann indicated that he had had questions regarding why the Town does not use the tree on the

corner of the Municipal Building as a Christmas tree instead of purchasing one. The Manager replied that in years past the tree really was not large or developed enough to decorate. She indicated that the Town would look to the use of that tree for the next holiday season. Councilor Lawlis reported that the Farmer's Market appeared to be doing well for its first 'market' of the season. Councilor Ryder asked where the Town was with the project to put gravel along the edge of the municipal building parking lot on the Post Office side to add space that was discussed at an earlier committee meeting. Other Committee members offered that that project had been dropped when it was determined that the Town Office was going to be closed on Fridays and the Farmer's Market was going to operate in the front parking lot. The Town Manager will review the tape of that meeting to determine exactly what was supposed to happen in regard to the gravel placement.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,



Susan Lessard

Town Manager

**TOWN OF HAMPDEN
PLANNING BOARD
MINUTES**

D-4-b
thru
D-4-g

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, April 9, 2014 at the Hampden Municipal Building Council Chambers by Chairman Peter Weatherbee.

Attendance: Planning Board Chairman Peter Weatherbee, Members Michael Avery, Peter Frazier, Kelley Wiltbank, Andrew Nelson.

Also in attendance: Town Planner Robert Osborne.

1. APPROVAL OF MINUTES (February 5, 2014)

Member Wiltbank made a motion to approve the minutes as written this motion was seconded by Member Frazier. The Board voted unanimously to approve the minutes as written.

2. NEW BUSINESS

NOTE: Items E and F were taken up first.

E. Zoning Ordinance Text Amendment – Town of Hampden requests a Zoning Ordinance text amendment to Article 3.13 Business B District to amend the permitted and conditional uses contemplated in the district. – Public Hearing

Chairman Weatherbee asked to hear from Bob Osborne, the Town planner on this item.

Bob Osborne stated that this item comes from the Town Council's Planning and Development Committee. Western Avenue is the only street in town that utilizes the Business B District. The district has a design review element (like the Village Commercial). There are amendments proposed to the district to add uses consistent with the existing uses in the area proposed for the Zoning Map Amendment under item F. There is language to accommodate buildings over 35 feet in height. There is language to accommodate existing residences on smaller lots with lesser setbacks than otherwise required in the Business B District. Staff would recommend an "ought to pass" to Council.

Chairman Weatherbee indicated that these items all came from the Town Council and that they were sent to the Planning Board to hold public hearings and to make recommendations on their approval.

Town Planner, Bob Osborne stated he did get a phone from Mr. Pellerin, stating they were not in favor of the proposal

Chairman Weatherbee opened the public hearing and asked for those in favor of the proposed amendment to speak first and then those against the amendment and finally those with general questions or comments.

Herb Frost, of Frost's Garage and self-storage stated he is in favor of this amendment and indicated that he would support a more extensive change than proposed as well.

Marjorie Bowen, 36 Western Ave., is not in favor of the proposal. She has a single family home and it may be going up for sale in the next few years, and fears it would not sell due to being next door to Business B District.

Mr. Osborne answered a question and stated that single family dwellings would not be excluded from the Business B District.

Member Frazier asked if future eminent domain would affect these properties after zone change.

Mr. Osborne stated that eminent domain was not anticipated to be at issue here. The most typical case would be when a street widening. The new zone would allow current uses and add additional flexibility of uses.

Ms. Pellerin asked what the advantages of rezoning the district would be to the businesses in the area.

Mr. Osborne stated there are a number of uses historically in the area that have been there for many years that are not allowed in the current district permitted and conditional uses. This change to the district language would address that issue.

Chairman Weatherbee closed the public hearing there were no further comments from the general public.

Member Avery asked questions regarding the rationale for the map amendment and how that decision was made. Mr. Osborne indicated on the south side of Western Avenue the intent was to make the zoning consistent for the bank, funeral home and telephone company and that this seemed a good spot to end the change. He noted that the original Village Commercial district was an outgrowth of the Four Mile Square study and a desire to reuse the existing buildings for commercial uses and save the character of the village

Member Avery made a motion to refer the item to the Ordinance Committee. This motion was seconded by Member Wiltbank. The vote was unanimous.

F. Zoning Ordinance Map Amendment – Town of Hampden requests a Zoning Ordinance Map amendment to change an area of Western Avenue from Residential A and Village Commercial District to Business B District. – Public Hearing

Chairman Weatherbee asked Mr. Osborne to describe the proposed amendment.

Bob Osborne stated that all of the directly affected land owners as well as the abutters received written notification of this item. He described the map amendment on the north side of the street inclusive from the church to McCue property and on the south side of the street from the bank to the telephone company. He indicated that this item comes from the Town Council's Planning and Development Committee. Western Avenue is currently split into Residential A, Village Commercial and Business B District in the subject area. This amendment would unify the zoning to the Business B District. The Council is exploring the extension of the Business B District further down and across Western Avenue. The result of the change would be Business B District from and including the church to and including McCue's on the north side of the street and from and including the bank to and including TDS on the south side of the street. Staff recommends an "ought to pass" to Council.

Mr. Osborne noted that Mr. McCue and Mr. Gilpatrick supported the text and map amendments. Chairman Weatherbee opened the public hearing and asked for comments.

No one spoke from the public on this item although their comments on the prior item appear to apply here as well.

Member Avery made a motion to table the item and to refer it to the Ordinance Committee. The motion was seconded by Member Wiltbank. The vote was unanimous.

A. Shoreland Zoning Ordinance Text Amendment – Town of Hampden requests text amendment to Article 13, A (1) Establishment of Shoreland Districts, Resource Protection, Water bodies and Wetlands to match the current State regulation – Public Hearing

Chairman Weatherbee asked Bob Osborne the Town Planner to give a brief summary on this item.

Bob Osborne stated that this text amendment would bring the Town in line with the State regulation. The amendment would be less restrictive, allowing more land that was previously in shoreland - wetland to be in a limited resource protection, therefore making it more developable.

Chairman Weatherbee opened the public hearing and asked for comment.

Ann Mourkus 171 Patterson Road, spoke about the rezoning from shoreland zoning and resource protection to the limited residential, this concerns her. She has seen the wildlife decline, as the rural areas get developed. She questioned why would the Town not exceed the minimum standards that the State requires (when allowed to under law).

Jamie Leonard lives on Carmel Road South (route 69) he has two wetlands one abuts his land, and one on his land. A number of years ago the MDOT put in a culvert, to help drainage and water issues, then the beavers dammed it up. He was wondering how far back the shoreland zone goes and whether it will include more of his land, making it harder for him to develop the property.

Bob Osborne addressed some of Mr. Leonard's questions.

Dave Crocker, lives across the bog from Jamie at 164 Carmel Road South. The State has totally messed up that culvert. If the amendment goes thru land that had restrictions on it is now buildable. The assessment on his land will go up?

Ann Mourkus asked about variances on a parcel of land, and why do all shoreland parcels need to change.

Chairman Weatherbee closed the public hearing and asked if there were any comments from Board Members.

Chairman Weatherbee asked for a motion.

Member Avery made a motion to table the item and to refer it to the Ordinance Committee. The motion was seconded by Member Wiltbank. The vote was unanimous.

- B. Shoreland Zoning Ordinance Map Amendment – Town of Hampden requests five map amendments to jurisdictional wetlands that change the zoning from Resource Protection to Limited Residential and three map amendments that relocate the location of the edge of the jurisdictional wetland- Items 1 through 8 – Public Hearing**
1. Kennebec Road wetland between Back Winterport Rd. & Monroe Rd. Resource Protection District to Limited Residential District.
 2. Kennebec Road wetland between Wessnette Drive & Emerald Drive. Resource Protection District to Limited Residential District.
 3. Back Winterport Road wetland near Railroad Crossing. Resource Protection District to Limited Residential District.
 4. Carmel Road South wetland near Kennebec Road. Resource Protection District to Limited Residential District.
 5. Patterson Road wetland near Ichabod Lane. Resource Protection District to Limited Residential District.
 6. Meadow Road wetland at Patterson Road. Redefine wetland edge and reduce extent of Shoreland Zoning.
 7. Patterson Road wetland near Ichabod Lane. Redefine wetland edge and reduce extent of Shoreland Zoning.
 8. Kennebec Road wetland between Back Winterport Rd. and Monroe Rd. Redefine wetland edge and reduce extent of Shoreland Zoning.

Chairman Weatherbee noted that these amendments did not originate with the Planning Board and that some of the policy questions would be better answered by the Council which will also hold a public hearing on these items and vote the items (for approval/denial).

Chairman Weatherbee asked Bob Osborne to discuss these map amendments.

Mr. Osborne discussed the items noting that items 1 through 5 are changes to the shoreland zone from Resource Protection to Limited Residential and that items 6 through 8 are changes to the location of the upland edge of the wetland as delineated at the land owner's expense by a soil scientist/wetland delineator. He showed where the wetlands are located on a map for the benefit of those in the audience. He stated that some of the comments and questions should be made to the Council. He noted that the Limited Residential District is the default shoreland zone and that much of the shoreland restrictions remain such as tree cutting restrictions. He also noted that the water fowl habitat is still subject to Natural Resources Protection Act permitting surrounding these same wetlands. These areas may not be particularly suitable for development because of wetlands, septic system soil suitability or flood plains regardless of the shoreland district.

Bob Osborne stated that item 1 wetland on this agenda located at Kennebec Road is the same wetland in item 8 and the wetland in item 5 located on Patterson Road is the same wetland in item 7.

Chairman Weatherbee opened the public hearing and asked for comments.

Brian Lowell 280 Canaan Road, he asked if the State has looked at the wetland and re-drafted it due to better information of the wetland edge. Limited Residential District building setback is 75 feet from the wetland.

As no one else wished to speak Chairman Weatherbee closed the public hearing.

Member Avery made a motion to table this item and to refer it to the Ordinance Committee. The motion was seconded by Member Wiltbank. The vote was unanimous.

C. Shoreland Zoning Ordinance Text Amendment – Town of Hampden requests text amendment to Article 14 Land Use Table, Article 15, O, O1 Timber Harvesting and Article 17 Definitions to delete references to Timber Harvesting in order to pass the Permitting for Timber Harvesting to the Maine Forest Service – Public Hearing

Chairman Weatherbee asked the Town Planner to describe the draft amendment. Bob Osborne stated when the Shoreland Zoning ordinance was drafted the intent of the Council was to pass the timber harvesting permitting to the Maine Forest Service when they indicate that they were ready to deal with the matter from a critical mass of municipalities. That is now the case and the way that the DEP is now recommending to pass timber harvest permitting to the Forest Service is to delete the timber harvest regulation from the ordinance in its entirety. Mr. Osborne stated the attached draft letter (sample enclosed in the Planning Board's packets) was all that the Town need do to pass this to the Forest Service.

Chairman Weatherbee opened the public hearing and asked for comment but none were heard and he subsequently closed the public hearing.

Member Wiltbank made a motion to recommend an "ought to pass" to Council this motion was seconded by Member Nelson. The vote was unanimous.

D. Subdivision Ordinance Text Amendment – Town of Hampden requests text amendment to Article 542 Area Required to create an exemption for the open space requirement for certain Minor Subdivisions in the Rural District – Public Hearing

Chairman Weatherbee asked Bob Osborne to explain the draft amendment.

Mr. Osborne indicated that the amendment is intended to address the need to dedicate open space in two and three lot rural district subdivisions. It has been observed that these open spaces are not typically the sort that the Town wishes to accept and that they are not of particular utility to the neighborhood. The proposal here is to create an exception that would allow the board to approve minor subdivisions in the rural district without an open space dedication if the total land area of the subdivision exceeds the required lot area by 10%.

Chairman Weatherbee opened the public hearing and asked for comment but none was offered and he subsequently closed the public hearing.

Member Avery made a motion to table this item and refer it to the Ordinance Committee this motion was seconded by Member Frazier. The vote was unanimous.

* The next two items were heard at the beginning of the meeting.

E. Zoning Ordinance Text Amendment – Town of Hampden requests a Zoning Ordinance test amendment to Article 3.13 Business B District to amend the permitted and conditional uses contemplated in the district. – Public Hearing

F. Zoning Ordinance Map Amendment – Town of Hampden requests a Zoning Ordinance Map amendment to change an area of Western Avenue from Residential A and Village Commercial District to Business B District. – Public Hearing

Chairman Weatherbee asked that the Staff memo become part of the public record.

3. STAFF REPORT

Bob Osborne explained about the postponed meetings due to weather last month, and the stream clean up May 3rd. Also, this is Peter Frazier's last meeting, he has submitted his resignation. Mr. Osborne thanked Peter for his years of service on the Board.

4. BOARD MEMBER CONCERNS

There were no Board Member comments.

5. ADJOURNMENT

Meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

Michael Avery,
Planning Board Secretary



Robert Osborne <planner@hampdenmaine.gov>

Shoreland Zoning Amendments

Janet Hughes <jhughes@hughesbrosinc.com>
To: Robert Osborne <planner@hampdenmaine.gov>

Wed, Apr 2, 2014 at 10:10 AM

Hi Bob,

I apologize that I haven't responded to you sooner. I have been so wrapped up in other projects and just haven't had two minutes to think about the Shoreland Zoning Map Changes in Hampden. This morning I took some time to review the information, considering the public hearing tonight.

Thank you for incorporating the information from Prentice and Carlisle.

It appears that the mapping indicates a good portion of our lot will be impacted by the proposed zoning map change by removing the shoreland zoning restriction on a portion of the lot. We would like to attend the meeting in support of the proposed amendment, however, have a schedule conflict. Again thank you for your efforts on this amendment and we look forward to working with you in the future as we continue rehabilitation of the former gravel pit.

Janet Hughes

Hughes Bros.

From: Robert Osborne [mailto:planner@hampdenmaine.gov]
Sent: Thursday, February 06, 2014 3:56 PM
To: Janet Hughes
Subject: Shoreland Zoning Amendments

[Quoted text hidden]



Robert Osborne <planner@hampdenmaine.gov>

Shoreland zone changes

Jim Kiser <jim@kiser-kiser.com>
To: Bob Osborne <planner@hampdenmaine.gov>

Wed, May 14, 2014 at 7:17 AM

Bob,

I apologize for not being able to make the planning board meeting on Wednesday night, yet would like to express the following comments regarding the Shoreland Zoning Regulations.

As an owner of property that is part of the proposed shoreland zone changes, I would express that I am in favor of the proposed changes not just for our property but for all of the areas under consideration. These waterfowl areas should have never been included in the State's mandated shoreland zones in the first place as they were already protected by state regulations under the Natural Resource Protection Act. The areas in question are protected with a 75' setback which is pretty much a no touch area and then extend out to the 250' area around the habitat in which any activity must be permitted by the State's DEP.

Since the state has reconsidered these areas under the Shoreland Zoning rules and eliminated the requirement that they be zoned Resource Protection due to the NRPA protection criteria and Hampden's Comp Plan guides the town to only regulate to the minimum levels needed, we are in favor of the proposed zone changes. The town does not need to further regulate these areas beyond the limited residential zoning criteria which are now part of the State's minimum Shoreland Zoning standards. We feel the Planning Board should recommend to the council that the proposed Shoreland Zoning ordinance changes be adopted.

Regards

Jim Kiser



ENGINEERING & DEVELOPMENT CONSULTING

PO BOX 282, HAMPDEN, ME 04444

207-862-4700



Robert Osborne <planner@hampdenmaine.gov>

Patterson Rd re-zoning

2 messages

Gayle Zydlewski <gayle.zydlewski@maine.edu>
To: planner@hampdenmaine.gov

Sun, Apr 6, 2014 at 1:21 PM

Hi Bob,

I was wondering if you could help me understand the re-zoning that is proposed for Patterson Road from "Resource Protection" to "Limited Residential". How much land is being considered?

Is this re-zoning is consistent with the town's comprehensive plan? By the way, did the town ever accept to send the plan to the state after the last re-drafting?

I am assuming this is for new construction. Last I was involved in town planning discussions there was some concern about the need for further construction since there was already a lot of real estate on the market. So, how much real estate is available and how much construction is already happening in town?

I will try to make Wednesday's meeting but won't have much time to get in touch during regular business hours. If you don't mind providing me further details via email that would be helpful!

Thanks

Gayle

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Gayle B. Zydlewski

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Robert Osborne <planner@hampdenmaine.gov>
To: Gayle Zydlewski <gayle.zydlewski@maine.edu>

Mon, Apr 7, 2014 at 11:46 AM

Hi Gayle,

Maine recently made changes to the Chapter 1000 shoreland zoning regulations. One change was to remove most wetland regulations from Resource Protection district criteria. In other words the regulation that said jurisdictional wetlands that were classified moderate or high value waterfowl habitat are required to be in resource protection district was removed from chapter 1000 and now the default shoreland zone, limited residential district, applies in that situation. See below:

13. Establishment of Districts

A. Resource Protection District. *The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except that areas which are currently developed and areas which meet the criteria for the Limited Commercial, General Development I, or Commercial Fisheries/Maritime Activities Districts need not be included within the Resource Protection District.*

(1) Floodplains along rivers and floodplains along artificially formed great ponds along rivers, defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils. This district shall also include 100 year floodplains adjacent to tidal waters as shown on FEMA's Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

(2) Areas of two or more contiguous acres with sustained slopes of 20% or greater.

(3) Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater or coastal wetland as defined, and which are not surficially connected to a water body during the period of normal high water.

(4) Land areas along rivers subject to severe bank erosion, undercutting, or river bed movement, and lands adjacent to tidal waters which are subject to severe erosion or mass movement, such as steep coastal bluffs.

The Council was approached by Jim Kiser who owns land on the a jurisdictional wetland on Kennebec Road which is also the head water to Baker Brook and asked the council to consider making changes to become consistent with Chapter 1000. You will recall that there was discussion at the Comp Plan meetings that Hampden's environmental regulations should not generally be more stringent than the state of Maine's and the Council seems to support that approach (although they are not proposing to eliminate local stream protection).

This question of the waterfowl habitat was also a sore point with people because these wetlands were already subject to Natural Resources Protection Act permitting which protects the waterfowl in these same wetlands and the zoning was perceived as unnecessary overlap of regulations.

The Council sent amendments to the Planning Board for five jurisdictional wetlands. They include the one on Patterson Road that backs down onto Ichabod Lane. In each case the land involved is 250 feet from the upland edge of the wetland. I do not have an area metric for the change. (The other change was three of the wetlands were partially delineated at landowner expense and the shoreland z map is proposed to be amended to reflect the newly delineated upland edge of wetland. Two of those changes are quite modest in size. The one on Meadow/Canaan/Patterson is massive in change. The issue there was a large area that were old pits was mistaken in aerial photography as wetlands which was just incorrect).

With regard to the comp plan the 2010 final plan was submitted to the state and approved by them.

With regard to the changes proposed and their consistency with the Comprehensive Plan: They appear consistent with CR6 which calls for: update Shoreland Zoning Ordinance and Maps to show all regulated areas and meet current state guidelines. The changes proposed by Chapter 1000 may be somewhat contradictory with LU12 which calls for: Shoreland Zoning as required by the State of Maine the town will continue to amend the Shoreland Zoning ordinance as necessary to include moderate and high value habitat.

Respectfully,

Bob Osborne,
Town Planner

[Quoted text hidden]



Robert Osborne <planner@hampdenmaine.gov>

Resource protection Change

cmsnow tds.net <cmsnow@tds.net>

Fri, Feb 28, 2014 at 5:32 PM

To: planner@hampdenmaine.gov

Dear Mr. Osborne,

I received your letters about the proposed changes. If I am reading the plan correctly (Webber Brook letter), the intent is to change land at or near the NE corner of my property from resource protection to limited residential. I have owned the property since 1985 and I can assure you that the land at that location is very wet to the point where the standing spruce trees are dying. It is actually the beginning of the swamp that includes the pond at the north end of Icabod Lane. Additionally, I believe that part of the area to be changed is on land that the State or Federal government purchased about 10-15 years ago to mitigate the loss of wetlands from a highway project in Orrington. I believe MEDOT was involved with that project. I know about this because at the time they considered purchasing some of my property, but they purchased adjacent property. The property of mine that they were interested in was at/near the discussed NE corner.

I suggest that you or someone from your office actually inspect the area in question after the snow is gone and the frost is out of the ground. I am a licensed surveyor and I have the borders of my property well delineated and could provide you with assistance on the ground if you wish. I think it would be a mistake to remove this land from resource protection without further unbiased investigation.

At a mutually agreeable time I would like to meet with you prior to the March 12 meeting.

Sincerely,

Craig E Snow
cmsnow@tds.net
862-3547



Robert Osborne <planner@hampdenmaine.gov>

Wetlands

cmsnow tds.net <cmsnow@tds.net>

Tue, Mar 11, 2014 at 1:53 PM

To: Robert Osborne <planner@hampdenmaine.gov>

Dear Mr Osborne-

I'm sorry not to have been able to meet with you the last 2 weeks as I have been working irregular hours. I may or may not make tomorrow night's meeting as I start work at 3AM that day.

This is what I would like to express as an owner of a significant amount of land in the center of the area affected. My first concern is that the affected areas should be examined after the spring thaw. I have always considered the beginning of wetlands to be approximately the NE corner of my property, but this is the limit of the 250 foot protection zone. For at least 9 months a year the water table is at the surface at the NE corner of my property. Generally, I would err on the side of protecting wetlands in order to preserve both wildlife and our drinking water resources. I know I am getting into what defines a wetland and I am not well versed in the current definitions.

A spring is located at the corners of Patterson, Meadow, and Cannan road. This spring has a very good year round flow and provides spawning areas for native brook trout. It is unique and deserves special consideration.

Thanks for listening to my input. I will make every effort to make tomorrow night's meeting but if I do not please make my opinions known to the group. Based on the weather forecast, the meeting could be canceled. Please send me a brief email if you do cancel.

Sincerely,

Craig Snow
862-3547



Robert Osborne <planner@hampdenmaine.gov>

Comments

cmsnow tds.net <cmsnow@tds.net>

Wed, Apr 9, 2014 at 10:52 AM

To: planner@hampdenmaine.gov

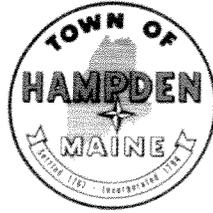
Dear Mr Osborne-

Thank you for the updates. I cannot make tonight's meeting due to work but here is what I would have expressed for the record.

Please take a careful look at removing areas from protection. Especially now the value of these areas to store runoff and their unsuitability for development is apparent. Wild brook trout have spawned for many years in the spring at the intersection of Meadow and Canaan Road. This is an increasingly rare resource in all of the lower 48 states. It is my opinion that these areas should be inspected by qualified town officials in person before any changes are made.

Respectfully submitted

Craig Snow
Meadow Road
Hampden



D-4-b

TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Shoreland Zoning Ordinance Text Amendment Resource Protection District
DATE: June 5, 2014

These draft Shoreland Zoning Text Amendments concern modifications to the Resource Protection District that are a companion piece to the proposed map amendments changing Resource Protection District to Limited Residential District for five local jurisdictional wetlands. This item originates from the Planning Board and addresses a change that is needed in order to make the noted map amendments. The Board held a public hearing on the item at their April 9, 2014 meeting and referred it to their Ordinance Committee meeting on April 23, 2014 and then made an "ought to pass" recommendation at the subsequent May 14, 2014 meeting.

There were no proponents or opponents to this item at the Planning Board Public Hearing on April 9, 2014.

This amendment also reflects comments from the Maine Department of Environmental Protection.

All shoreland zoning amendments must be approved by the DEP prior to them taking effect locally.

TOWN OF HAMPDEN

Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance

Additions are underlined

Deletions are ~~striketrough~~

13. Establishment of Shoreland Districts

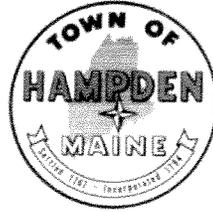
A. Resource Protection District. The Resource Protection District includes areas in which *development* would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the *shoreland zone*, exclusive of the *Stream Protection District*, except that areas which are currently developed and areas which meet the criteria for the General Development District need not be included within the Resource Protection District.

- (1) Water bodies and Wetlands. Areas within 250 feet, horizontal distance, of the *shoreline* of ~~freshwater wetlands and wetlands associated with great ponds and rivers, (depicted on the Town of Hampden Fresh Water Wetlands Map prepared by the DEP and dated 1989) which have Wetland Identification Number: 118, 123, 136, 137, 138, 139, 147, 148, 149, 153 and 157 are rated as moderate or high value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of May 1, 2006.~~ wetlands associated with great ponds and rivers, (depicted on the Town of Hampden Fresh Water Wetlands Map prepared by the DEP and dated 1989) which have Wetland Identification Number: 118, 123, 136, 137, 138, 139, 147, 148, 149, 153 and 157 are rated as moderate or high value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of May 1, 2006. which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of December 31, 2008. For the purposes of this paragraph "*wetlands associated with great ponds and rivers*" shall mean areas characterized by *non-forested wetland vegetation* and hydric soils that are contiguous with a *great pond* or *river*, and have a surface elevation at or below the water level of the *great pond* or *river* during the period of normal high water. "*Wetlands associated with great ponds or rivers*" are considered to be part of that *great pond* or *river*.
- (2) Floodplains. Floodplains along *rivers* defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps. This district shall also include 100 year floodplains adjacent to *tidal waters* as shown on FEMA's Flood Insurance Rate Maps.
- (3) Slopes. Areas of two or more contiguous acres with *sustained slopes* of 20% or greater.
- (4) Other Smaller Wetlands. Areas of two (2) or more contiguous acres supporting *wetland vegetation* and hydric soils, which are not part of a freshwater or *coastal wetland* as defined, and which are not surificially connected to a *water body* during the period of normal high water.

NOTE: These areas usually consist of *forested wetlands* abutting *water bodies* and non-forested *wetlands*.

- (5) Bluffs and River Bank Erosion. Land areas along *rivers* subject to severe bank erosion, undercutting, or *river* bed movement, and lands adjacent to *tidal waters* which are subject to severe erosion or mass movement, such as steep coastal bluffs.

D-4-c



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Shoreland Zoning Ordinance Map Amendment
DATE: June 5, 2014

The Town Council referred these draft Shoreland Zoning Map Amendments to the Planning Board for public hearing and recommendation. The Board held a public hearing on the item at their April 9, 2014 meeting, sent it to their Ordinance Committee for its April 23, 2014 meeting and then made an “ought to pass” recommendation at their May 14, 2014 meeting.

The Planning Board heard from both proponents and opponents of the map amendments. Jim Kiser was a supporter of the proposed amendments noting that the changes are consistent with recent changes in the statute and Chapter 1000. Several residents questioned why the Town would change the ordinance to allow additional development in sensitive environmental areas.

The purpose of these draft Shoreland Zoning Ordinance Map amendments is to acknowledge that the State of Maine no longer requires that areas adjacent to jurisdictional wetlands with moderate and high value waterfowl habitat are no longer required to be zoned Resource Protection but rather they may be Limited Residential. The draft Shoreland Zoning Ordinance Map amendments also further defines portions of the edge of three jurisdictional wetlands by a licensed wetland delineator. The revised location requires that the Shoreland Zoning map both change the edge of the waterbody as well as remove area that is no longer subject to shoreland zoning.

1. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Back Winterport Road and Monroe Road (and is the headwater of Baker Brook). Land area within 250 feet of this jurisdictional wetland to be changed from Resource Protection to Limited Residential.
2. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Wessnette Drive and Emerald Drive on Brown Brook. Land area within 250 feet of this jurisdictional wetland to be changed from Resource Protection to Limited Residential.
3. Wetland involved is on Back Winterport Road near the railroad crossing. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential. (NOTE: Per DEP the forested wetland portion of this shoreland zone must remain Resource Protection District).
4. Wetland involved is on Carmel Road South near Kennebec Road located on Brown

Brook. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential.

5. Wetland involved is on Patterson Road (near Ichabod Lane) located on Webber Brook. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential.
6. Wetland involved is on Meadow Road at Patterson Road located on Brown Brook. This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to reduce the size of the jurisdictional wetland and to also reduce the area subject to shoreland zoning. The zoning designation remains Limited Residential District.
7. Wetland involved is on Patterson Road (near Ichabod Lane) located on Webber Brook. Land area. This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to move the edge of the jurisdictional wetland on two land parcels and to also modestly move the area subject to shoreland zoning. The zoning designation remains Limited Residential.
8. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Back Winterport Road and Monroe Road (and is the headwater of Baker Brook). This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to move the edge of the jurisdictional wetland and to also modestly move the area subject to shoreland zoning. The zoning designation is subject to the changes proposed in item 1 as well.

This amendment also reflects comments from the Maine Department of Environmental Protection.

All shoreland zoning amendments must be approved by the DEP prior to them taking effect locally.

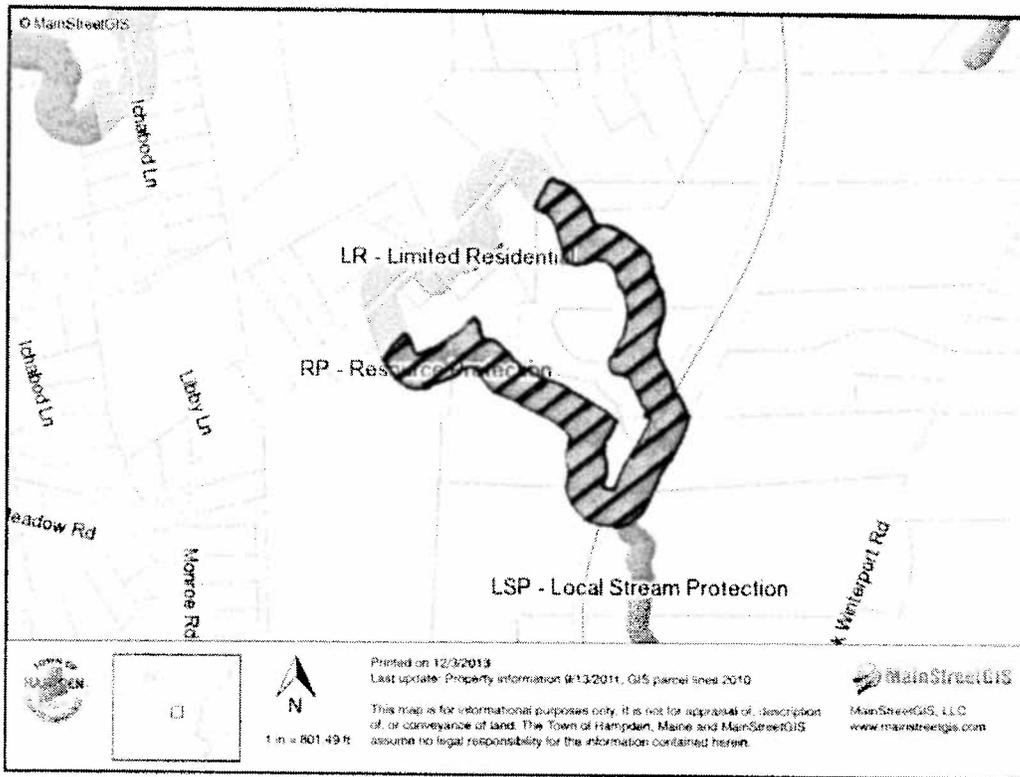
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

1. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Back Winterport Road and Monroe Road (and is the headwater of Baker Brook). Land area within 250 feet of this jurisdictional wetland to be changed from Resource Protection to Limited Residential.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Resource Protection to Limited Residential District

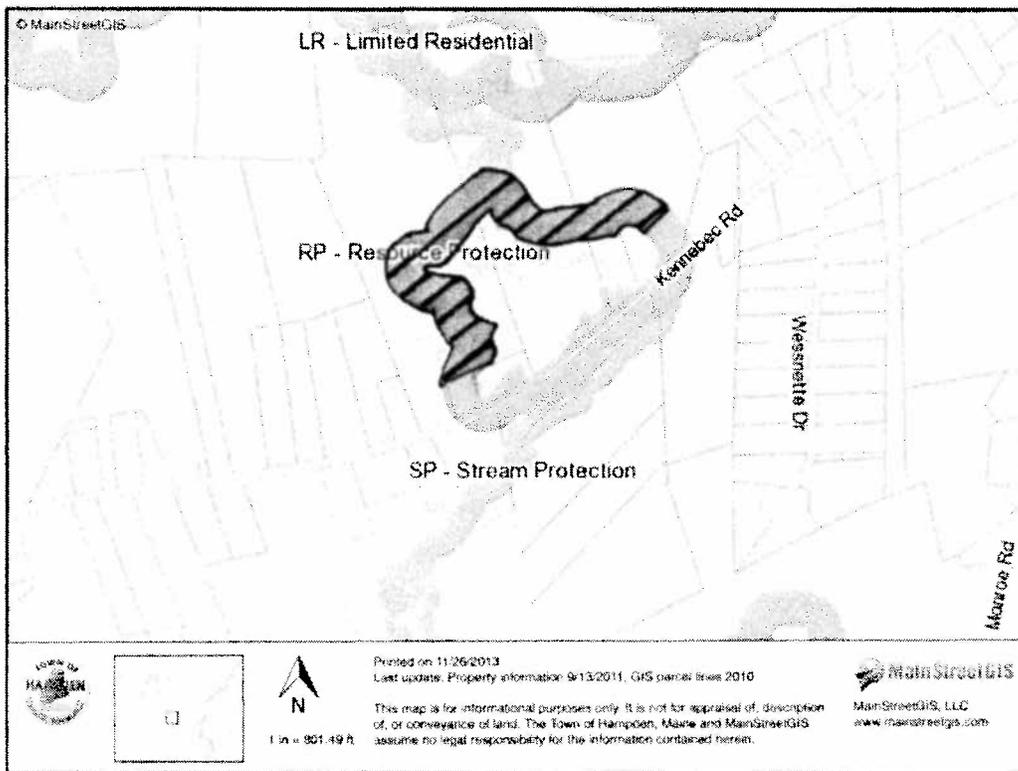
**TOWN OF HAMPDEN
Draft**

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

- 2. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Wessnette Drive and Emerald Drive on Brown Brook. Land area within 250 feet of this jurisdictional wetland to be changed from Resource Protection to Limited Residential.

town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Resource Protection to Limited Residential District

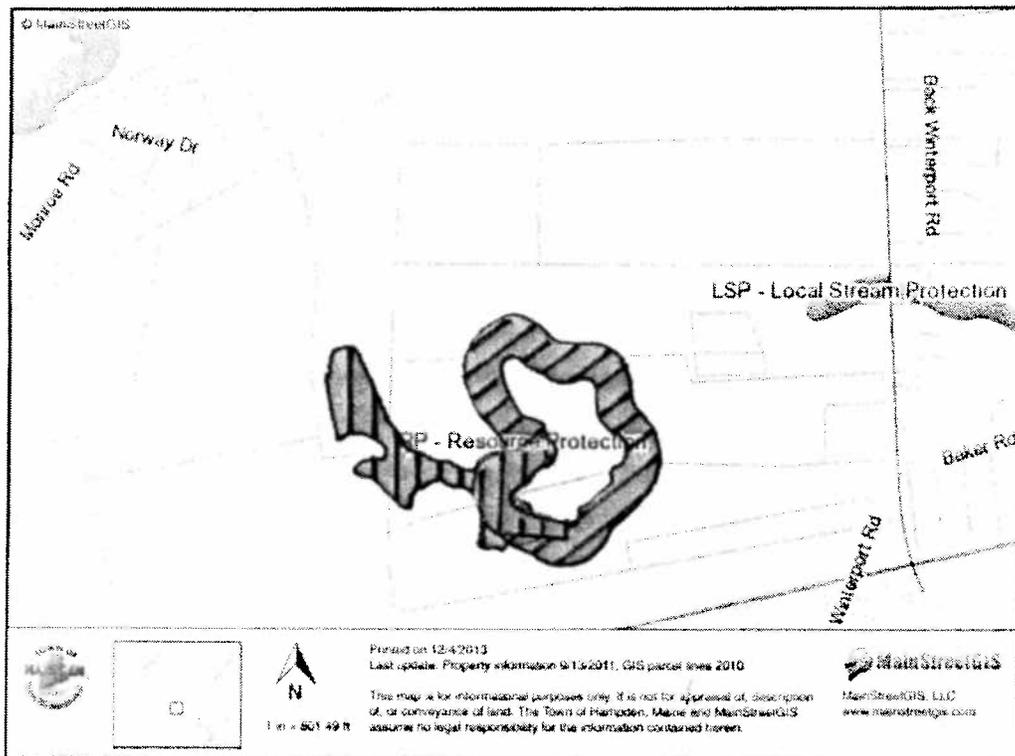
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

3. Wetland involved is on Back Winterport Road near the railroad crossing. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Resource Protection



Resource Protection to Limited Res.

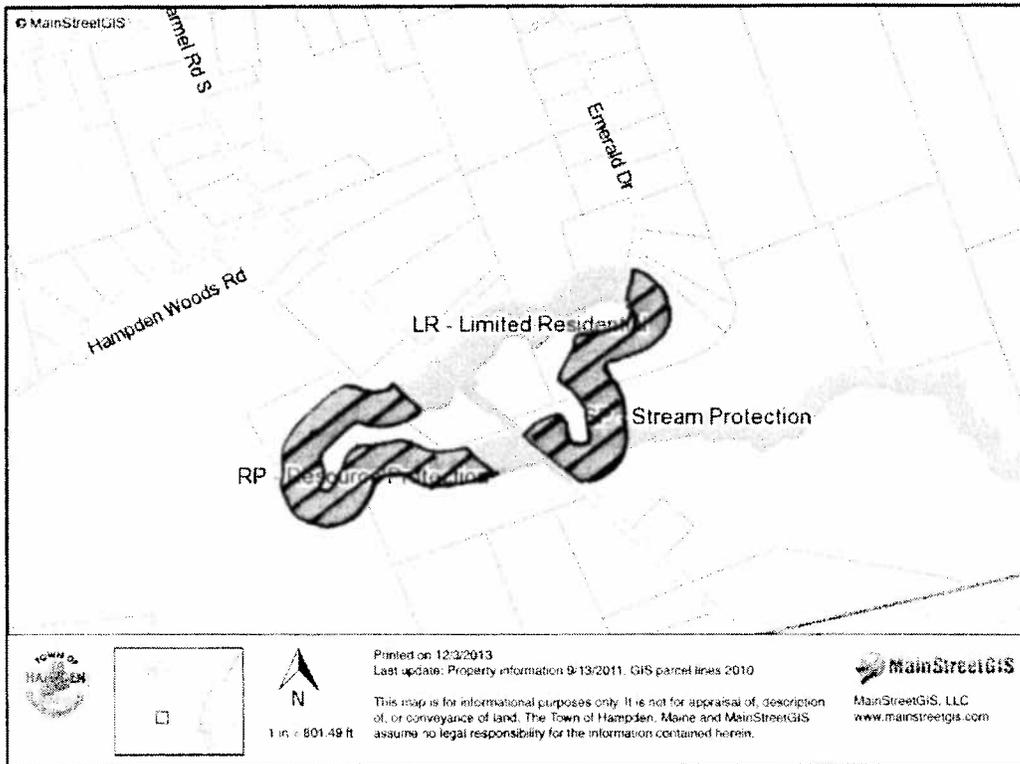
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

4. Wetland involved is on Carmel Road South near Kennebec Road located on Brown Brook. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Vgis.exe>



Resource Protection to Limited Residential District

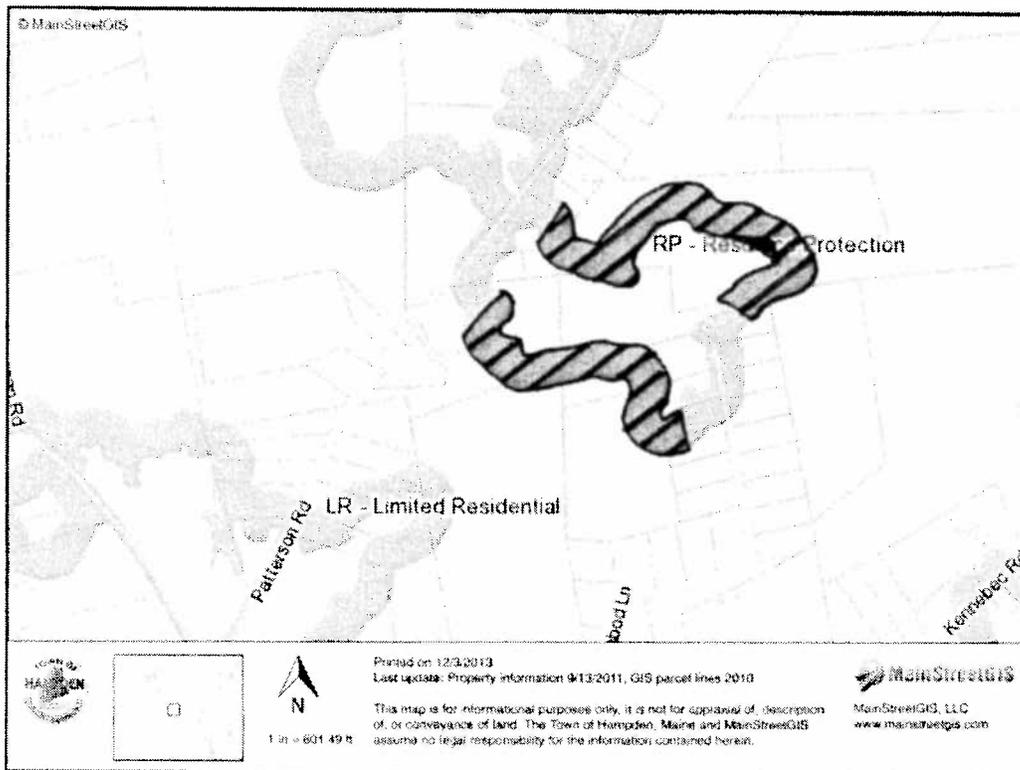
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

5. Wetland involved is on Patterson Road (near Ichabod Lane) located on Webber Brook. Land area within 250 feet of the jurisdictional wetland to be changed from Resource Protection to Limited Residential.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



Resource Protection to Limited Residential District

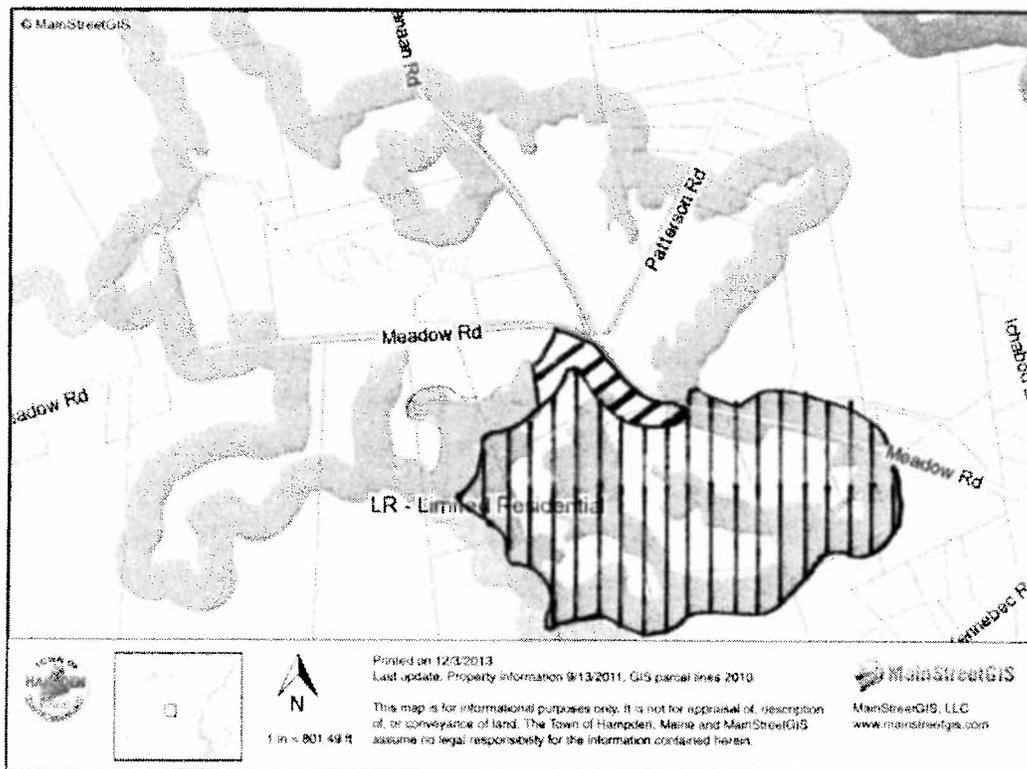
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

6. Wetland involved is on Meadow Road at Patterson Road located on Brown Brook. This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to reduce the size of the jurisdictional wetland and to also reduce the area subject to shoreland zoning. The zoning designation remains Limited Residential District.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



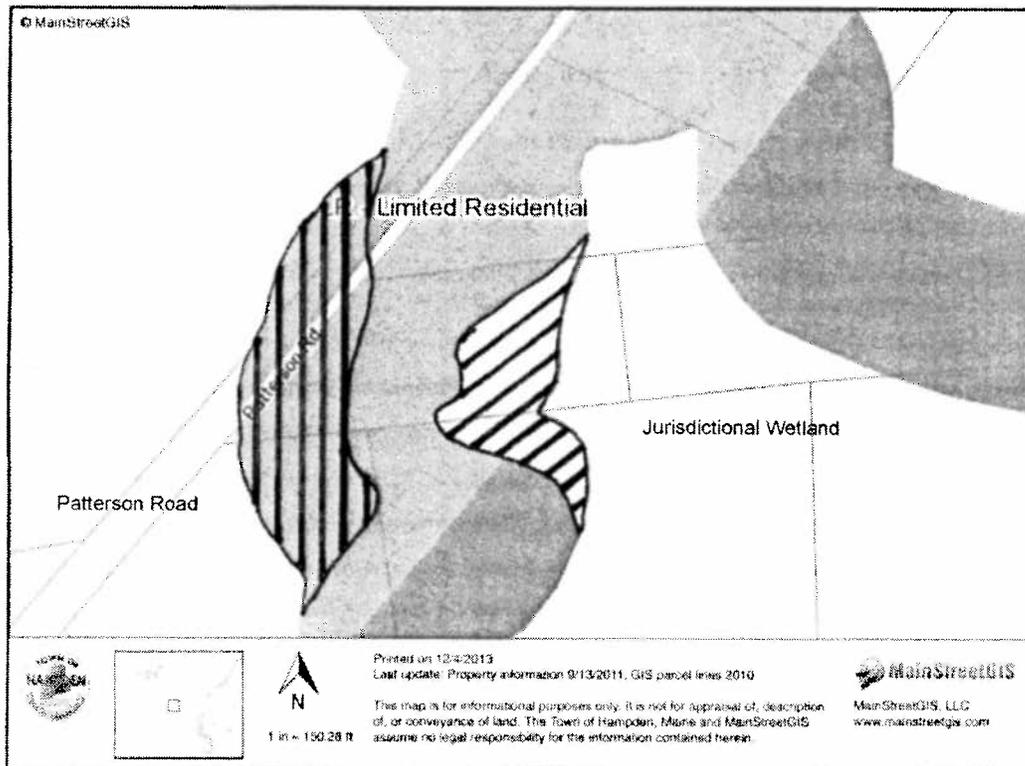
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

7. Wetland involved is on Patterson Road (near Ichabod Lane) located on Webber Brook. Land area. This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to move the edge of the jurisdictional wetland on two land parcels and to also modestly move the area subject to shoreland zoning. The zoning designation remains Limited Residential.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/V/gis.exe>



Remove Shoreland Zoning Regulations



Limited Residential District

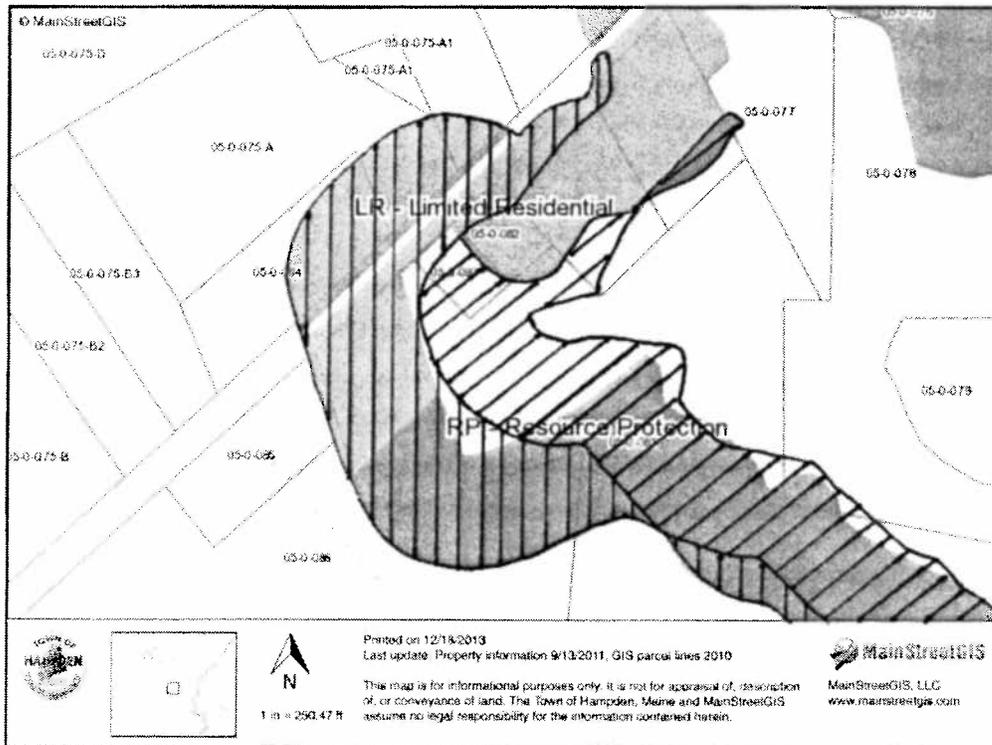
TOWN OF HAMPDEN Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance Map

8. Wetland involved is on Kennebec Road. This jurisdictional wetland is between Back Winterport Road and Monroe Road (and is the headwater of Baker Brook). This change is the result of new information about the extent of the jurisdictional wetland area from a licensed wetland delineator. The result of the new delineation is to move the edge of the jurisdictional wetland and to also modestly move the area subject to shoreland zoning. The zoning designation is subject to the changes proposed in item 1 as well.

Town of Hampden, Maine - Web GIS Maps and Property Information

<http://www.mainstreetmaps.com/cgi-bin/Y/gis.exe>



D-4-d



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Shoreland Zoning Ordinance Text Amendment: Timber Harvest
DATE: May 22, 2014

These draft Shoreland Zoning Text Amendments concerning timber harvesting activities were referred to the Planning Board for public hearing and recommendation. The Board held a public hearing on the item at their April 9, 2014 and then made an “ought to pass” recommendation.

There were no proponents or opponents to this item at the Planning Board Public Hearing.

The Council may recall that at the time the Shoreland Zoning Ordinance was adopted by the Town of Hampden the State of Maine was moving toward allowing municipalities to pass shoreland zone timber harvesting review and permitting to Maine Department of... Forestry but at that time it was not quite ready for implementation. Hampden’s Shoreland Zoning Ordinance contains text that contemplates both self regulation as well as passing the duties to Forestry. Forestry recommends In order to pass this duty to Forestry through what they call option one the Town simply purge all language from the shoreland zoning ordinance regarding timber harvesting.

The Please find attached a copy of the basic amendments needed to select Option 1 for the State of Maine to take over the permitting of timber harvesting in the Shoreland Zone.

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance

Additions are underlined

Deletions are ~~striketrough~~

4. Effective Date

A. Effective Date of Ordinance and Ordinance Amendments. This Ordinance, which was adopted by the Town of Hampden on March 1, 2010, shall not be effective unless approved by the Commissioner of the Department of Environmental Protection. A certified copy of the Ordinance, or Ordinance Amendment, attested and signed by the Town Clerk, shall be forwarded to the Commissioner for approval. If the Commissioner fails to act on this Ordinance or Ordinance Amendment, within forty-five (45) days of his/her receipt of the Ordinance, or Ordinance Amendment, it shall be automatically approved.

Any application for a *shoreland permit* submitted to the Town of Hampden within the forty-five (45) day period shall be governed by the terms of this Ordinance, or Ordinance Amendment, if the Ordinance, or Ordinance Amendment, is approved by the Commissioner.

B. ~~Sections 15(O) and 15(O-1).~~ ~~Section 15(O) is repealed on the statutory date established under 38 M.R.S.A. section 438-B(5), at which time Section 15(O-1) shall become effective. Until such time as Section 15(O) is repealed, Section 15(O-1) is not in effect.~~

C. Repeal of Prior Shoreland Zoning Provisions. Upon the effective date of this Ordinance pursuant to Section 4(A) above, Section 4.14 of the "Zoning Ordinance of the Town of Hampden, Maine" shall stand repealed. Provided, however, that said provisions of the Zoning Ordinance shall remain in effect for the prosecution of any violations thereof in existence as of the effective date of this Ordinance."

5. Availability. A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the *person* making the request. Notice of availability of this Ordinance shall be posted.

6. Severability. Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.

7. Conflicts with Other Ordinances. Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other ordinance, regulation or statute administered by the Town of Hampden, the more restrictive provision shall control.

8. Amendments. This Ordinance may be amended by majority vote of the Town Council. Copies of amendments, attested and signed by the Town Clerk, shall be submitted to the Commissioner of the Department of Environmental Protection following adoption by the Town of Hampden and shall not be effective unless approved by the Commissioner. If the Commissioner fails to act on any amendment within forty-five (45) days of his/her receipt of the amendment, the amendment is automatically approved. Any application for a *shoreland permit* submitted to the Town of Hampden within the forty-five (45) day period shall be governed by the terms of the amendment, if such amendment is approved by the Commissioner.

⁴ Provided that a variance from the *setback* requirement is obtained from the Board of Appeals.

⁵ Reserved.

⁶ See further restrictions in Section 15(L)(2).

⁷ Except when area is zoned for resource protection due to floodplain criteria in which case a *shoreland permit* is required from the PB.

⁸ Except as provided in Section 15(H)(4).

⁹ Single *family* residential *structures* may be allowed by special exception only according to the provisions of Section 16(E), Single Family, Special Exceptions. Two-*family* residential *structures* are prohibited.

¹⁰ Except for *commercial* uses otherwise listed in this Table, such as *marinas* and campgrounds, that are allowed in the respective district.

¹¹ Reserved. .

¹² *Shoreland permit* not required' but must file a written "notice of intent to construct" with CEO.

¹³ ~~*Forest Management Activities must be carried out consistent with a forest management plan prepared and submitted by a licensed forester.*~~

¹⁴ ~~*All timber harvesting and clearing activities shall be supervised by a licensed forester.*~~

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

~~O. **Timber Harvesting.** All Shoreland Districts are subject to this Timber Harvesting section. *Timber harvesting shall be supervised by a licensed forester. Supervision shall include marking of trees for cutting and written verification by the licensed forester post cut stating that the cutting was in keeping with the original markings.*~~

~~(1) In a Resource Protection District abutting a *great pond*, *timber harvesting* shall be limited to the following:~~

~~(a) Within the strip of land extending 75 feet, horizontal distance, inland from the *normal high water line*, *timber harvesting* may be conducted when the following conditions are met:~~

~~(1) The ground is frozen;~~

~~(2) There is no resultant soil disturbance;~~

~~(3) The removal of trees is accomplished using a cable or boom and there is no entry of tracked or wheeled vehicles into the 75 foot strip of land;~~

~~(4) There is no cutting of trees less than 6 inches in diameter; no more than 30% of the trees 6 inches or more in diameter, measured at 4 1/2 feet above ground level, are cut in any 10 year period; and a well distributed stand of trees and other natural *vegetation* remains; and~~

~~(5) A licensed professional forester has marked the trees to be harvested prior to a *shoreland permit* being issued by the Town of Hampden.~~

~~(b) Beyond the 75 foot strip referred to in Section 15(O)(1)(a) above, *timber harvesting* is permitted in accordance with paragraph 2 below except that in no case shall the average *residual basal area* of trees over 4 1/2 inches in diameter at 4 1/2 feet above ground level be reduced to less than 30 square feet per acre.~~

~~(2) Except in areas as described in Section 15(O)(1) above, *timber harvesting* shall conform with the following provisions:~~

~~(a) Selective cutting of no more than forty (40) percent of the total volume of trees four (4) inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any ten (10) year period is permitted. In addition:~~

~~(i) Within one hundred (100) feet, horizontal distance, of the *normal high water line* of a *great pond* or a *river* flowing to a *great pond*, and within seventy five (75) feet, horizontal distance, of the *normal high water line* of other *water bodies*, *tributary streams*, *local streams* or the *upland edge of a wetland*, there shall be no clearcut openings and a well distributed stand of trees and other *vegetation*, including existing *ground cover*, shall be maintained.~~

~~(ii) At distances greater than one hundred (100) feet, horizontal distance, of a *great pond* or a *river* flowing to a *great pond*, and greater than seventy five (75) feet, horizontal distance, of the *normal high water line* of other *water bodies* or the *upland edge of a*~~

~~wetland, harvesting operations shall not create single clearcut openings greater than ten thousand (10,000) square feet in the forest canopy. Where such openings exceed five thousand (5000) square feet they shall be at least one hundred (100) feet, horizontal distance, apart. Such clearcut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.~~

~~(b) Timber harvesting operations exceeding the 40% limitation in Section 15(O)(2)(a) above, may be allowed by the planning board upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such an exception is necessary for good forest management and will be carried out in accordance with the purposes of this Ordinance. The planning board shall notify the Commissioner of the Department of Environmental Protection of each exception allowed, within fourteen (14) days of the planning board's decision.~~

~~(c) No accumulation of slash shall be left within fifty (50) feet, horizontal distance, of the normal high water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four (4) feet above the ground. Any debris that falls below the normal high water line of a water body or tributary stream shall be removed.~~

~~(d) Timber harvesting equipment shall not use stream channels as travel routes except when:~~

~~(i) Surface waters are frozen; and~~

~~(ii) The activity will not result in any ground disturbance.~~

~~(e) All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.~~

~~(f) Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.~~

~~(g) Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least seventy five (75) feet, horizontal distance, in width for slopes up to ten (10) percent shall be retained between the exposed mineral soil and the normal high water line of a water body or upland edge of a wetland. For each ten (10) percent increase in slope, the unscarified strip shall be increased by twenty (20) feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than twenty five (25) feet, horizontal distance, from the normal high water line of a water body or upland edge of a wetland.~~

~~0-1. Timber Harvesting — Statewide Standards [Effective on effective date established in Section 4(B)]~~

~~(1) Shoreline integrity and sedimentation. — Persons conducting timber harvesting and related activities must take reasonable measures to avoid the disruption of shoreline integrity, the occurrence of sedimentation of water, and the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within~~

~~water bodies, tributary streams and wetlands. If, despite such precautions, the disruption of shoreline integrity, sedimentation of water, or the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within water bodies, tributary streams and wetlands occurs, such conditions must be corrected.~~

~~(2) Slash treatment. Timber harvesting and related activities shall be conducted such that slash or debris is not left below the normal high water line of any water body or tributary stream, or the upland edge of a wetland. Section 15(O-1)(2) does not apply to minor, incidental amounts of slash that result from timber harvesting and related activities otherwise conducted in compliance with this section.~~

~~(a) Slash actively used to protect soil from disturbance by equipment or to stabilize exposed soil, may be left in place, provided that no part thereof extends more than 4 feet above the ground.~~

~~(b) Adjacent to great ponds, rivers and wetlands:~~

~~(i) No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high water line or upland edge of a wetland; and~~

~~(ii) Between 50 feet and 250 feet, horizontal distance, of the normal high water line or upland edge of a wetland, all slash larger than 3 inches in diameter must be disposed of in such a manner that no part thereof extends more than 4 feet above the ground.~~

~~(3) Timber harvesting and related activities must leave adequate tree cover and shall be conducted so that a well distributed stand of trees is retained. This requirement may be satisfied by following one of the following three options:~~

~~(a) Option 1 (40% volume removal), as follows:~~

~~(i) Harvesting of no more than 40 percent of the total volume on each acre of trees 4.5 inches DBH or greater in any 10 year period is allowed. Volume may be considered to be equivalent to basal area;~~

~~(ii) A well distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,~~

~~(iii) Within 75 feet, horizontal distance, of the normal high water line of rivers, streams, and great ponds, and within 75 feet, horizontal distance, of the upland edge of a freshwater or coastal wetlands, there must be no cleared openings. At distances greater than 75 feet, horizontal distance, of the normal high water line of a river or great pond or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than 14,000 square feet in the forest canopy. Where such openings exceed 10,000 square feet, they must be at least 100 feet, horizontal distance, apart. Such cleared openings will be included in the calculation of total volume removal. Volume may be considered equivalent to basal area.~~

~~(b) Option 2 (60 square foot basal area retention), as follows:~~

~~(i) The residual stand must contain an average basal area of at least 60 square feet per acre of woody vegetation greater than or equal to 1.0 inch DBH, of which 40 square feet per acre must be greater than or equal to 4.5 inches DBH;~~

~~(ii) A well distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,~~

~~(iii) Within 75 feet, horizontal distance, of the normal high water line of water bodies and within 75 feet, horizontal distance, of the upland edge of wetlands, there must be no cleared openings. At distances greater than 75 feet, horizontal distance, of the normal high water line of a river or great pond, or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than 14,000 square feet in the forest canopy. Where such openings exceed 10,000 square feet, they must be at least 100 feet, horizontal distance, apart. Such cleared openings will be included in the calculation of the average basal area. Volume may be considered equivalent to basal area.~~

~~(e) Option 3 (Outcome based), which requires: An alternative method proposed in an application, signed by a Licensed Forester or certified wildlife professional, submitted by the landowner or designated agent to the State of Maine Department of Conservation's Bureau of Forestry (Bureau) for review and approval, which provides equal or better protection of the shoreland area than this rule.~~

~~Landowners must designate on the Forest Operations Notification form required by 12 M.R.S.A. chapter 805, subchapter 5 which option they choose to use. If landowners choose Option 1 or Option 2, compliance will be determined solely on the criteria for the option chosen. If landowners choose Option 3, timber harvesting and related activities may not begin until the Bureau has approved the alternative method.~~

~~The Bureau may verify that adequate tree cover and a well distributed stand of trees is retained through a field procedure that uses sample plots that are located randomly or systematically to provide a fair representation of the harvest area.~~

~~(4) Skid trails, yards, and equipment operation. This requirement applies to the construction, maintenance, and use of skid trails and yards in shoreland areas.~~

~~(a) Equipment used in timber harvesting and related activities shall not use river, stream or tributary stream channels as travel routes except when surface waters are frozen and snow covered, and the activity will not result in any ground disturbance.~~

~~(b) Skid trails and yards must be designed and constructed to prevent sediment and concentrated water runoff from entering a water body, tributary stream, or wetland. Upon termination of their use, skid trails and yards must be stabilized.~~

~~(c) Setbacks:~~

~~(i) Equipment must be operated to avoid the exposure of mineral soil within 25 feet, horizontal distance, of any water body, tributary stream, or wetland. On slopes of 10 percent or greater, the setback for equipment operation must be increased by 20 feet, horizontal distance, plus an additional 10 feet, horizontal distance, for each 5 percent increase in slope above 10 percent. Where slopes fall away from the resource, no increase in the 25 foot setback is required.~~

~~(ii) Where such setbacks are impracticable, appropriate techniques shall be used to avoid sedimentation of the water body, tributary stream or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of~~

additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the *water body, tributary stream, or wetland*. If, despite such precautions, sedimentation or the *disruption of shoreline integrity* occurs, such conditions must be corrected.

(5) ~~Land Management Roads. *Land management roads*, including approaches to crossings of water bodies, *tributary stream* channels, and *freshwater wetlands*, ditches and other related *structures*, must be designed, constructed, and maintained to prevent sediment and concentrated water runoff from directly entering the *water body, tributary stream or wetland*. Surface water on or adjacent to *water crossing* approaches must be diverted through vegetative filter strips to avoid sedimentation of the *waterecourse or wetland*. Because roadside ditches may not extend to the resource being crossed, vegetative filter strips must be established in accordance with the *setback* requirements in Section 15(O-1)(7) of this rule.~~

~~(a) *Land management roads* and associated ditches, excavation, and fill must be set back at least:~~

~~(i) 100 feet, horizontal distance, from the *normal high water line* of a *great pond, river or* freshwater or *coastal wetland*;~~

~~(ii) 50 feet, horizontal distance, from the *normal high water line of streams*; and~~

~~(iii) 25 feet, horizontal distance, from the *normal high water line of tributary streams*~~

~~(b) The minimum 100 foot *setback* specified in Section 15(O-1)(5)(a)(i) above may be reduced to no less than 50 feet, horizontal distance, and the 50 foot *setback* specified in Section 15(O-1)(5)(a)(ii) above may be reduced to no less than 25 feet, horizontal distance, if, prior to construction, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the *water body, tributary stream, or wetland*. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the *water body, tributary stream or wetland*. If, despite such precautions, sedimentation or the *disruption of shoreline integrity* occurs, such conditions must be corrected.~~

~~(c) On slopes of 10 percent or greater, the *land management road setback* must be increased by at least 20 feet, horizontal distance, plus an additional 10 feet, horizontal distance, for each 5 percent increase in slope above 10 percent.~~

~~(d) New *land management roads* are not allowed within the shoreland area along a Resource Protection District, unless, prior to construction, the landowner or the landowner's designated agent makes a clear demonstration to the Planning Board's satisfaction that no reasonable alternative route exists outside the shoreland zone, and that the new road must be set back as far as practicable from the *normal high water line* and screened from the *river* by existing *vegetation*.~~

~~(e) Ditches, culverts, bridges, dips, water turnouts and other water control installations associated with roads must be maintained on a regular basis to assure effective functioning. Drainage *structures* shall deliver a dispersed flow of water into an unscarified filter strip no less than the width indicated in the *setback* requirements in Section 15(O-1)(7). Where such a filter strip is impracticable, appropriate techniques shall be used to avoid sedimentation of the *water body, tributary stream, or wetland*. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the *water body, tributary stream, or*~~

~~wetland. If, despite such precautions, sedimentation or the *disruption of shoreline integrity* occurs, such conditions must be corrected.~~

- ~~(f) Road closeout and discontinuance. Maintenance of the water control installations required in Section 15(O-1)(5)(e) must continue until use of the *road* is discontinued and the *road* is put to bed by effective installation of water bars or other adequate *road* drainage structures at appropriate intervals, constructed to avoid surface water flowing over or under the water bar, and extending a sufficient distance beyond the traveled way so that water does not reenter the *road* surface.~~
 - ~~(g) Upgrading existing roads. Extension or enlargement of presently existing roads must conform to the provisions of Section 15(O-1). Any nonconforming existing road may continue to exist and to be maintained, as long as the *non conforming conditions* are not made more nonconforming.~~
 - ~~(h) Exception. Extension or enlargement of presently existing roads need not conform to the *setback* requirements of Section 15(O-1)(5)(a) if, prior to extension or enlargement, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the *water body, tributary stream, or wetland*. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the *water body, tributary stream, or wetland*. If, despite such precautions, sedimentation or the *disruption of shoreline integrity* occurs, such conditions must be corrected.~~
 - ~~(i) Additional measures. In addition to the foregoing minimum requirements, persons undertaking construction and maintenance of roads and river, stream and tributary stream crossings must take reasonable measures to avoid sedimentation of surface waters.~~
- ~~(6) Crossings of waterbodies. Crossings of rivers, streams, and tributary streams must allow for fish passage at all times of the year, must not impound water, and must allow for the maintenance of normal flows.~~
- ~~(a) Determination of flow. Provided they are properly applied and used for the circumstances for which they are designed, methods including but not limited to the following are acceptable as a means of calculating the 10 year and 25 year frequency water flows and thereby determining *water crossing* sizes as required in Section 15(O-1): The United States Geological Survey (USGS) Methods; specifically: Hodgkins, G. 1999. Estimating the Magnitude of Peak Flows for Streams in Maine for Selected Recurrence Intervals. U.S. Geological Survey. Water Resources Investigations Report 99-4008. 45 pp.~~
 - ~~(b) Upgrading existing water crossings. Extension or enlargement of presently existing water crossings must conform to the provisions of Section 15(O-1). Any nonconforming existing water crossing may continue to exist and be maintained, as long as the *non conforming conditions* are not made more nonconforming; however, any maintenance or repair work done below the *normal high water line* must conform to the provisions of Section 15(O-1).~~
 - ~~(e) Other Agency Permits. Any *timber harvesting and related activities* involving the design, construction, and maintenance of crossings on waterbodies other than a *river, stream or tributary stream* may require a permit from the Land Use Regulation Commission, the Department of Environmental Protection, or the US Army Corps of Engineers.~~

~~(d) Any timber harvesting and related activities involving the design, construction, and maintenance of crossings of freshwater wetlands identified by the Department of Inland Fisheries and Wildlife as essential wildlife habitat require prior consultation with the Department of Inland Fisheries and Wildlife.~~

~~(e) Notice to Bureau of Forestry. Written notice of all water crossing construction maintenance, alteration and replacement activities in shoreland areas must be given to the Bureau prior to the commencement of such activities. Such notice must contain all information required by the Bureau, including:~~

- ~~(i) a map showing the location of all proposed permanent crossings;~~
- ~~(ii) the GPS location of all proposed permanent crossings;~~
- ~~(iii) for any temporary or permanent crossing that requires a permit from state or federal agencies, a copy of the approved permit or permits; and~~
- ~~(iv) a statement signed by the responsible party that all temporary and permanent crossings will be constructed, maintained, and closed out in accordance with the requirements of this Section.~~

~~(f) Water crossing standards. All crossings of rivers require a bridge or culvert sized according to the requirements of Section 15(O-1)(6)(g) below. Streams and tributary streams may be crossed using temporary structures that are not bridges or culverts provided:~~

- ~~(i) concentrated water runoff does not enter the stream or tributary stream;~~
- ~~(ii) sedimentation of surface waters is reasonably avoided;~~
- ~~(iii) there is no substantial disturbance of the bank, or stream or tributary stream channel;~~
- ~~(iv) fish passage is not impeded; and,~~
- ~~(v) water flow is not unreasonably impeded.~~

~~Subject to Section 15(O-1)(6)(f)(i-v) above, skid trail crossings of streams and tributary streams when channels of such streams and tributary streams are frozen and snow covered or are composed of a hard surface which will not be eroded or otherwise damaged are not required to use permanent or temporary structures.~~

~~(g) Bridge and Culvert Sizing. For crossings of river, stream and tributary stream channels with a bridge or culvert, the following requirements apply:~~

- ~~(i) Bridges and culverts must be installed and maintained to provide an opening sufficient in size and structure to accommodate 10 year frequency water flows or with a cross-sectional area at least equal to 2 1/2 times the cross sectional area of the river, stream, or tributary stream channel.~~
- ~~(ii) Temporary bridge and culvert sizes may be smaller than provided in Section 15(O-1)(6)(g)(i) if techniques are effectively employed such that in the event of culvert or bridge failure, the natural course of water flow is maintained and sedimentation of the water body or tributary stream is avoided. Such crossing structures must be at least as wide as the channel and placed above the normal high water line. Techniques may include, but are not limited to, the effective use of any, a combination of, or all of the following:~~

- ~~1. use of temporary skidder bridges;~~
- ~~2. removing culverts prior to the onset of frozen ground conditions;~~
- ~~3. using water bars in conjunction with culverts;~~
- ~~4. using road dips in conjunction with culverts.~~

- (iii) ~~Culverts utilized in *river, stream* and *tributary stream* crossings must:~~
- ~~1. be installed at or below *river, stream* or *tributary stream* bed elevation;~~
 - ~~2. be seated on firm ground;~~
 - ~~3. have soil compacted at least halfway up the side of the culvert;~~
 - ~~4. be covered by soil to a minimum depth of 1 foot or according to the culvert manufacturer's specifications, whichever is greater; and~~
 - ~~5. have a headwall at the inlet end which is adequately stabilized by *riprap* or other suitable means to reasonably avoid erosion of material around the culvert.~~
- (iv) ~~*River, stream* and *tributary stream* crossings allowed under Section 15(O-1), but located in flood hazard areas (i.e. A zones) as identified on a community's Flood Insurance Rate Maps (FIRM) or Flood Hazard Boundary Maps (FHBM), must be designed and constructed under the stricter standards contained in that community's National Flood Insurance Program (NFIP). For example, a *water crossing* may be required to pass a 100-year flood event.~~
- (v) ~~Exception. *Skid trail* crossings of *tributary streams* within shoreland areas and *wetlands* adjacent to such *streams* may be undertaken in a manner not in conformity with the requirements of the foregoing subsections provided *persons* conducting such activities take reasonable measures to avoid the *disruption of shoreline integrity*, the occurrence of sedimentation of water, and the disturbance of *stream banks, stream channels, shorelines*, and soil lying within ponds and *wetlands*. If, despite such precautions, the *disruption of shoreline integrity*, sedimentation of water, or the disturbance of *stream banks, stream channels, shorelines*, and soil lying within ponds and *wetlands* occurs, such conditions must be corrected.~~
- (h) ~~Skid trail closeout. Upon completion of *timber harvesting and related activities*, or upon the expiration of a Forest Operations Notification, whichever is earlier, the following requirements apply:~~
- ~~(i) Bridges and culverts installed for *river, stream* and *tributary stream* crossings by *skid trails* must either be removed and areas of exposed soil stabilized, or upgraded to comply with the closeout standards for *land management roads* in Section 15(O-1)(6)(i) below.~~
 - ~~(ii) *Water crossing structures* that are not bridges or culverts must either be removed immediately following *timber harvesting and related activities*, or, if frozen into the *river, stream* or *tributary stream* bed or bank, as soon as practical after snowmelt.~~
 - ~~(iii) *River, stream* and *tributary stream* channels, banks and approaches to crossings of water bodies and *tributary streams* must be immediately stabilized on completion of harvest, or if the ground is frozen and/or snow covered, as soon as practical after snowmelt. If, despite such precautions, sedimentation or the *disruption of shoreline integrity* occurs, such conditions must be corrected.~~
- (i) ~~*Land management road* closeout. Maintenance of the water control features must continue until use of the *road* is discontinued and the *road* is put to bed by taking the following actions:~~

- ~~(i) Effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to reasonably avoid surface water flowing over or under the water bar, and extending sufficient distance beyond the traveled way so that water does not reenter the road surface.~~
- ~~(ii) Water crossing structures must be appropriately sized or dismantled and removed in a manner that reasonably avoids sedimentation of the water body or tributary stream.~~
- ~~(iii) Any bridge or water crossing culvert in roads to be discontinued shall satisfy one of the following requirements:~~
 - ~~1. it shall be designed to provide an opening sufficient in size and structure to accommodate 25 year frequency water flows;~~
 - ~~2. it shall be designed to provide an opening with a cross sectional area at least 3 1/2 times the cross sectional area of the river, stream or tributary stream channel; or~~
 - ~~3. it shall be dismantled and removed in a fashion to reasonably avoid sedimentation of the river, stream or tributary stream.~~

~~If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.~~

~~(7) Slope Table~~

~~Filter strips, skid trail setbacks, and land management road setbacks must be maintained as specified in Section 15(O-1), but in no case shall be less than shown in the following table.~~

Average slope of land between exposed mineral soil and the shoreline (percent)	Width of strip between exposed mineral soil and shoreline
	(feet along surface of the ground)
0	25
10	45
20	65
30	85
40	105
50	125
60	145
70	165

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Shoreland Zoning Ordinance

Additions are underlined Deletions are ~~strikethrough~~

17. Definitions.

~~*Cross sectional area.*~~ “~~Cross sectional area~~” means the ~~cross sectional area~~ of a ~~stream or tributary stream~~ channel is determined by multiplying the ~~stream or tributary stream~~ channel width by the average ~~stream or tributary stream~~ channel depth. The ~~stream or tributary stream~~ channel width is the straight line distance from the ~~normal high water line~~ on one side of the channel to the ~~normal high water line~~ on the opposite side of the channel. The average ~~stream or tributary stream~~ channel depth is the average of the vertical distances from a straight line between the ~~normal high water lines~~ of the ~~stream or tributary stream~~ channel to the bottom of the channel.

~~*DBH.*~~ “~~DBH~~” means the diameter of a standing tree measured 4.5 feet (breast height) from ground level.

~~*Disruption of shoreline integrity.*~~ “~~Disruption of shoreline integrity~~” means the alteration of the physical shape, properties, or condition of a ~~shoreline~~ at any location by ~~timber harvesting and related activities~~. A ~~shoreline~~ where shoreline integrity has been disrupted is recognized by compacted, scarified and/or rutted soil, an abnormal channel or ~~shoreline cross section~~, and in the case of flowing waters, a profile and character altered from natural conditions.

~~*Harvest area.*~~ “~~Harvest area~~” means the area where ~~timber harvesting and related activities~~, including the cutting of trees, skidding, yarding, and associated ~~road~~ construction take place. The area affected by a harvest encompasses the area within the outer boundaries of these activities, excepting unharvested areas greater than 10 acres within the area affected by a harvest.

~~*Land management road.*~~ “~~Land management road~~” means a route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing materials constructed for, or created by, the passage of motorized vehicles and used primarily for ~~timber harvesting and related activities~~, including associated log yards, but not including ~~skid trails or skid roads~~.

~~*Residual basal area.*~~ “~~Residual basal area~~” means the average of the basal area of trees remaining on a harvested site.

~~*Residual stand*~~ “~~Residual stand~~” means a stand of trees remaining in the forest following ~~timber harvesting and related activities~~

~~*Skid Road or Skid Trail.*~~ “~~Skid road or skid trail~~” means a route repeatedly used by forwarding machinery or animal to haul or drag forest products from the stump to the yard or landing, the construction of which requires minimal excavation.

~~*Slash.*~~ “~~Slash~~” means the residue, e.g., treetops and branches, left on the ground after a timber harvest.

~~*Timber harvesting and related activities.*~~ “~~Timber harvesting and related activities~~” means timber harvesting, the construction and maintenance of ~~roads~~ used primarily for ~~timber harvesting and other activities~~ conducted to facilitate timber harvesting.

~~Windfirm. "Windfirm" means the ability of a forest stand to withstand strong winds and resist windthrow, wind rocking, and major breakage.~~

D-4-e



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment, Business B District
DATE: May 21, 2014

The Town Council referred this Zoning Ordinance Text Amendment concerning the Business B District to the Planning Board for public hearing and recommendation. The Board held a public hearing on the item at their April 9, 2014 meeting, sent it to committee for its April 23, 2014 meeting and then made an "ought to pass" recommendation at their May 14, 2014 meeting with a couple of friendly amendments. The Board recommended that buildings over 35 feet in height be a Conditional Use and that storage facility be deleted from the list of contemplated uses in the district.

One of the goals was to make certain that existing uses did not become non-conforming uses after the map amendment is approved. Thus, added to the permitted uses is single family dwellings (and home occupations). Added to the conditional uses are: automobile and truck sales and service, storage facility, church and funeral home.

Additionally, the conditional uses do not contain a number of uses that seem likely to be useful to the district including: mixed residential/commercial uses, day care facility and child care center, preschool, commercial school, place of assembly, nursing home, community facility, community building, hotel and motel and buildings for essential services.

A second goal is the following: The Business B District's yard requirements are significantly larger than the now in effect Village Commercial's and looking out for those single family residences that are to become part of the Business B District staff suggests borrowing the concept from the Residential B District that provides relief for the existing smaller lots with regard to yard setbacks.

Finally, there may be need of buildings in the district in excess of 35 feet in height. With that in mind staff has added language that would allow taller buildings with an additional setback consistent with the concept that was previously developed for other commercial districts.

**TOWN OF HAMPDEN
Draft**

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance

Additions are Double Underlined Deletions are ~~Strikethrough~~

3.13. Business B District

3.13.1. Purpose - This district is intended to provide a location for larger commercial developments (in excess of 10,000 sq. ft. of floor area) in central locations of Hampden.

3.13.2. Permitted Uses (Subject to Site Plan Review) - Business and professional offices, retail and service businesses, take-out restaurant, small restaurant, single family dwelling, home occupation (subject to Article 4.10), accessory uses or structures and essential service.

3.13.3. Conditional Uses (Subject to Site Plan Review) - Sit-down restaurant, fast-food restaurant, outdoor dining restaurant, tavern, drive-thru business, automobile and truck sales and service, church, mixed residential/commercial uses, limited to a maximum of four (4) dwelling units, day care facilities and child care center (subject to Article 4.19), preschool, commercial school, place of assembly, nursing home, funeral home, community building, community facility, hotel and motel, buildings over 35 feet in height and buildings for essential services

3.13.4. Lot Dimensions

Minimum Lot Area	-	1 acre
Minimum Road Frontage	-	125 feet*
Minimum Setbacks:		
Street Yard	-	35 feet*
Other Yards	-	30 feet*
Maximum Lot Cover	-	20 percent
Maximum Building Height	-	35 feet

*Any lawfully existing lot of record situated in a Business B District containing road frontage of 100' or less as of June 1, 2014 served by public sewer with existing single family dwellings and accessory structures with minimum street yard and other yards of not less than 10 feet each. Any such lots containing between 100' and 124' of road frontage may be developed for single family dwellings and accessory structures with minimum street and other yards of 10 feet each, plus 0.5 feet per side yard for each foot of road frontage in excess of 100'.

3.13.5. Special District Regulations

1. Along any boundary line adjacent to a residential district a Class III landscaped buffer strip shall be provided.
2. Shopping centers shall provide accommodations for pedestrians, bicyclists, handicap accessibility and public transportation. (Adopted: 11-8-83) (Amended: 8-8-94)
3. Buildings with the exception of one and two unit dwellings constructed, reconstructed, moved or structurally altered, shall comply with the following standards:

- a. Buildings shall have a pitched roof with a minimum pitch of six (6) in twelve (12), or have a roof form and pitch consistent with adjacent structures within 300 feet or if in the development of structures in excess of 10,000 square feet, has an appearance similar to that of a pitched roof.
 - b. Buildings shall have exterior siding that is compatible with those of the adjacent buildings, such as brick or masonry veneers, wood siding, wood shingles, aluminum or vinyl siding simulating a clapboard pattern, or hardboard siding. Inconsistent architectural elements created by illumination, form or color shall be discouraged.
 - c. Buildings in excess of 10,000 square feet shall treat the predominately visible street facade(s) within the guidelines of the above materials to provide a consistent architectural appearance.
4. In order to evaluate consistency with Special District Regulation 3, the site plan submission shall include elevation drawings with details as to how the above standards are met. *(Amended: 07-19-00)*
 5. Fast-food restaurant use shall be located on a lot having a minimum lot size of 1.5 acres, minimum frontage of 200 and no part of the vehicle queue shall be located within 100 feet of a residential structure. *(Amended: 12-6-04)*
 6. Sale or consumption of alcoholic beverages is prohibited for outdoor dining restaurant uses in conjunction with take-out restaurants and fast-food restaurants. *(Amended: 12-6-04)*
 7. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. *Title 28-A*. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. *Title 28-A: LIQUORS §1051. Licenses generally* which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers. *(Amended: 12-6-04)*
 8. Notwithstanding the maximum building height regulation herein building height may be up to 60 feet maximum height under the following condition: Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each base yard setback requirement.

EXAMPLE: A 60 foot tall building is proposed. By subtracting the base district building height from the proposed height the following is the result $60 - 35 = 25$ which is added to the minimum yard requirement.

		Minimum Setbacks:	Modified Setback
Street Yard	-	35 feet	60 feet
Other Yard	-	30 feet	55 feet

D-4-f



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Map Amendment, Western Avenue
DATE: May 21, 2014

This Zoning Ordinance Map amendment was referred to the Planning Board for public hearing and recommendation. The Board held a public hearing on the item at their April 9, 2014 meeting, sent it to committee for its April 23, 2014 meeting and then made an "ought to pass" recommendation at their May 14, 2014 meeting.

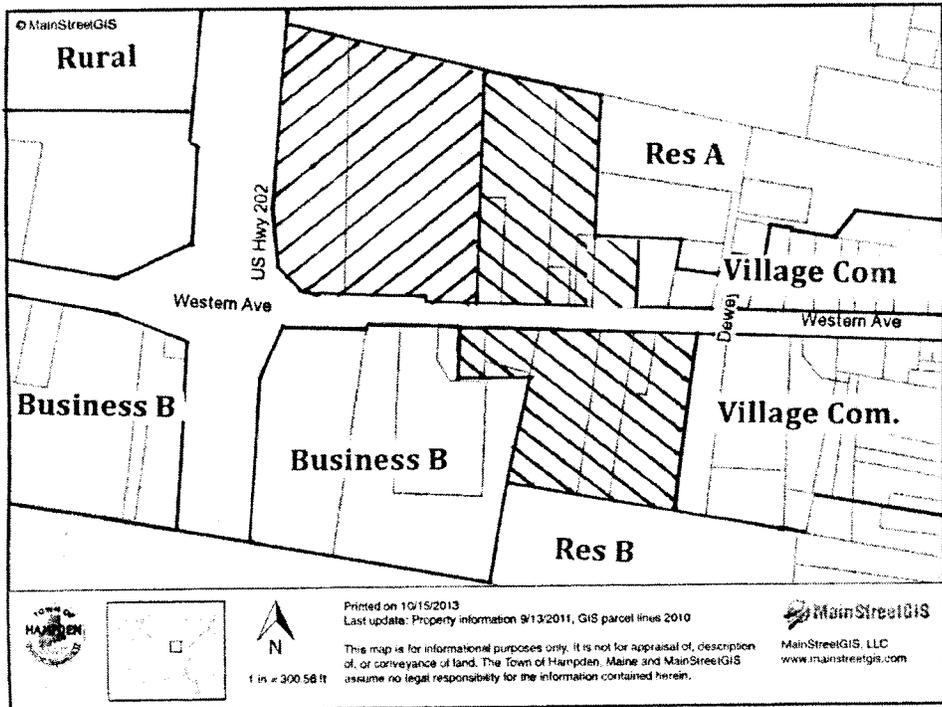
It is important to note that while much of the public comment has been favorable some has not. The town has received favorable comment from the Frosts, McCues and Gilpatricks. The Pellerines at 54 Western Avenue next to the parish house are not in favor of the amendment and that land parcel is proposed to be changed from Residential A to Business B. Marjorie Bowen next door to McCues also spoke against the amendment and her parcel is just beyond the subject zone change.

The land parcels involved include the following: Starting on the north side of Western Avenue, east of Route 202 are Map 31, Lots 14 and 15 (Catholic Church and parsonage), Map 32, Lots 1 (Pellerin), Map 32, Lots 2, 3 and 3A (all owned by Frost) and Map 32, Lot 4 and 5 (owned by McCue). On the south side of Western Avenue, starting with the front corner of the Katahdin Trust Bank, Map 36, Lots 30, 29 and 28 (Gilpatrick), and Map 36, Lots 27 and 27A (TDS).

The total land area to be rezoned on the north side of the street is 13.25 acres (10 acres from Res. A to Business B District and the remaining 3.25 acres from Village Commercial to Business B District. The land area to be rezoned on the south side of the street is 6 acres all from Village Commercial to Business B District.

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance Map



 Residential A to Business B  Village Com. to Business B

10/15/20

D-4-g



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Subdivision Open Space Amendment
DATE: May 21, 2014

The Town Council referred this Subdivision Ordinance text amendment concerning Open Space to the Planning Board for public hearing and recommendation. The Board held a public hearing on the item at their April 9, 2014 meeting, sent it to committee for its April 23, 2014 meeting and then made an "ought to pass" recommendation at their May 14, 2014 meeting with a friendly amendment adding "*This exemption shall also apply to further division of lots in previously approved subdivisions*" to the stated exemptions for open space dedication.

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Subdivision Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

542. *Area Required* - The area of land set aside shall be based on the open space requirements of the Zoning Ordinance. If no open space requirement exists in the Zoning Ordinance, the applicant shall be required to provide land in accordance with the following: 500 square feet per unit, or five (5) percent of the parcel to be developed, whichever is greater.

Exception: No open space dedication is required in Minor Subdivisions (four lots or less) in the Rural District if the total aggregate area of the proposed lots exceeds the minimum lot area required in the Zoning Ordinance by at least 10 percent. No fee in lieu of open space is required for subdivisions that satisfy this exception. The intent of this exception is to avoid creating very small open spaces that do not serve the interests of the subdivision or the Town while maintaining the densities that the ordinances contemplate. This exception shall also apply to further division of lots in previously approved subdivisions.

Bureau of Alcoholic Beverages
& Lottery Operations
Liquor Licensing & Enforcement

D-4-i



<u>BUREAU USE ONLY</u>

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

Application for a Farmer's Market

ALL QUESTIONS MUST BE ANSWERED IN FULL

NAME OF FARMER'S MARKET		
Hamptden Farmers Market		
LOCATION OF FARMER'S MARKET		
106 Western Ave	HAMPTDEN	04444
CONTACT PERSON		
LAURI PHILBRICK		
ADDRESS OF CONTACT PERSON		
FRANKFORT	ME	04438
City/Town	State	Zip Code
372-1455		223-2215
Telephone Number		Fax Number

Dated at: HAMPTDEN, ME on May 30, 2014
Town/City, State Date

Ann Zygram - Mkt manager

Lauri Philbrick - Treasurer
Hamptden Farmers Market

John Anderson
Signature of Applicant Please sign in blue ink

If the farmer's market is held on private property, this application must include a written statement signed by the owner of the property permitting the sale of wine or malt liquor

I _____, owner of property that the above farmer's market is to
Print name of owner of property
 be held on, do agree to allow alcohol sales on my property during legal hours of sale of alcohol at the farmer's market.

Signature of property owner

164 State House Station
Augusta ME 04333-0164

Farmer's Market/2011

Farmer's Market Authorization, At least 30 days prior to the sale of wine or malt liquor, a farmer's market must obtain municipal approval and apply and receive authorization from the bureau for a licensee authorized by the bureau to sell wine or malt liquor at the farmer's market.

**STATE OF MAINE
MUNICIPAL APPROVAL**

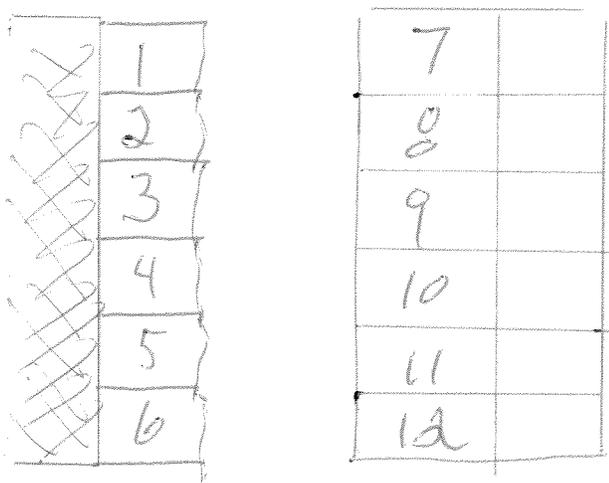
Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

**A diagram is required showing the number of booths at the Farmer's Market.
 There must be at least 6 stalls or booths not including booth for sale of alcohol**

Hamden Police | Hamden Town Office
 106 Weston Ave



← West

Weston Ave — East →
 164 State House Station Farmer's Market/2011
 Augusta ME 04333-0164

D-4-j



BUCKSPORT POLICE DEPARTMENT

PUBLIC SAFETY BUILDING, 89 FRANKLIN STREET
P.O. BOX C-1, BUCKSPORT, MAINE 04416
(207) 469-7951/FAX (207) 469-3122

Chief Sean P. Geagan

May 30, 2014

Susan Lessard
Town of Hampden
106 Western Avenue
Hampden, Me 04444

RE: Animal Contract

Dear Susan,

This letter is in response to your request for the Town of Bucksport to consider housing stray cats and dogs for the Town of Hampden.

The finance committee discussed this matter at a meeting on May 29th and recommended the following to the Town Council:

The Town of Bucksport is willing to complete an annual contract to house stray cats and dogs from the Town of Hampden. The fee will be \$.75 cents per population, with a boarding charge of \$9 per day for cats and \$12 for dogs for a 6 day period plus any medical expenses incurred with the animals, this is per existing policy for this department. The cost with your current population of 7257 would be \$5442.75 per year plus the additional expenses as mentioned.

If you have any questions feel free to contact me.

Sincerely,

Sean P. Geagan
Chief of Police
Bucksport Police Department



RENEWAL ADDENDUM

THIS RENEWAL ADDENDUM is made and executed in duplicate as of this 1st day of March, 2014 by and between the Town of Hampden and Bangor Humane Society ("BHS").

RECITALS:

A. The parties entered into an Agreement on 6/15/2011 concerning the provision of shelter and care of strayed and lost dogs, cats, and rabbits.

B. The term (or renewal term, as the case may be) of said Agreement expires on **June 30, 2014**, and the parties are desirous of renewing said Agreement for an additional one year period.

NOW, THEREFORE, in consideration of the foregoing recitals and the benefits and obligations in the original Agreement, the parties hereby agree as follows:

1. The term of the Agreement (or the most recent renewal term thereof, as the case may be) shall be extended for an additional one year period, commencing on **July 1, 2014**, and expiring on **June 30, 2015**.

2. For the services to be provided by BHS during the renewal term, the Town of Hampden agrees to pay BHS the total annual sum of 8656.20, which is based on 1.35 per capita of the Town of Hampden's population as of the most recent Maine Municipal Association census, payable in advance in 11 equal monthly installments of 723.85 and a final installment of \$723.85, the first installment being due and payable on the date of commencement of this renewal term set forth in Paragraph 1.

3. Other terms:

4. Except as expressly modified hereby, the parties agree that the terms and conditions of the original Agreement shall be applicable to and binding on the parties for the one year renewal term set forth in Paragraph 1.

IN WITNESS WHEREOF, the parties have caused this Renewal Addendum to be duly executed and sealed on their behalf, in duplicate counterparts, as of the date first above written.

BANGOR HUMANE SOCIETY

Witness

By: _____

Printed Name: Suzan Bell

Its: Executive Director

Witness

MUNICIPALITY OF _____

By: _____

Printed Name: _____

Its: _____



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

D-5-a

To: MMA's Key Municipal Officials
From: Peter Nielsen, President, Maine Municipal Association
Date: May 8, 2014
Re: Nominations to MMA's Legislative Policy Committee

We are beginning the process to elect 70 municipal leaders to the MMA Legislative Policy Committee. Given the importance of the LPC to MMA's overall mission, I urge you to help us identify nominees for service during the 2014-2016 biennium.

The LPC brings elected and appointed officials together from towns, cities, and regions across the state. Its purpose is "to define municipal interests and to maximize those interests through effective participation in the legislative process." Operating like a town meeting, usually on Thursday, the LPC sets MMA's public policy positions for representation in the State House.

The new LPC will prepare its desired directions for submission to the Legislature in January 2015. It will respond to the Governor's and legislators' initiatives. MMA staff follows through on the LPC's directions. I've served in different years since the early 1990's. My experience is that some of the best and most productive conversations occur in the LPC Subcommittee meetings on Thursday mornings. Participation produces results, often with eventual statewide effect.

A Nomination Form is enclosed. Two municipal officials are elected from each of Maine's 35 Senate Districts. What follows is background information on the process of election, and the suggested time commitment to serve.

I've found the LPC to be a powerful mixture of seasoned veterans who find continued service worthwhile, and new members with fresh concerns and insights. The results help make MMA an important player in the Maine legislative process. Think about giving it a try. Thanks.

Background Information. Any elected or appointed municipal official holding office in any MMA member community is eligible to serve on the Committee. There are two seats on the LPC for each State Senate District. Members serve two-year terms, representing their own community and the other municipalities in their Senate District.

LPC activities require a time commitment of approximately ten hours a month during legislative sessions (i.e., during the first 4 months of each calendar year) which includes attendance at the monthly meeting and contacts with other communities and legislators in the district as issues arise. The LPC is also engaged in the development of MMA's legislative agenda during the fall and early winter of each even-numbered year, which typically involves at least one additional meeting in Augusta. All mileage

(over)

expenses are reimbursed. MMA's strength as a municipal advocate depends on the active help of a dedicated LPC membership.

More information about MMA's Legislative Policy Committee and the Association's entire advocacy program can be found at the Legislative/Advocacy link at MMA's website <http://www.memun.org/LegislativeAdvocacy/TheLPCHandbook.aspx>. In particular, the *LPC Handbook* describes the Association's overall policy development process and procedures in more detail.

Nomination Process

Your municipality is entitled to nominate a representative to the LPC.

- The nominee may be either elected or appointed, but must be serving currently as a municipal official.
- You may nominate any municipal official from any member town or city within your Senate/LPC District; you do not have to nominate someone from your municipality.
- The names and brief bios of all municipal officials properly nominated will appear on the LPC ballot, which will be distributed on June 23rd.

Nominee Profile

Because the municipal officers may not be familiar with a nominee from another municipality, a brief description of each nominee who completes the enclosed **Nominee Profile Sheet** will be provided with the ballots that are distributed in late June. Please make sure that the person you nominate has a chance to complete the Nominee Profile Sheet and that it is returned to MMA with the Nomination Form.

Deadline for Submitting Nomination



The Chairman of your Board of Selectman, Council or Assessors (the "nominator") *and the nominee* must sign the nomination form for it to be valid.



The form must be returned to MMA by 5:00 p.m. on June 19, 2014, to be counted. Ballots will be mailed out immediately after the nomination process closes, so make sure the nomination form is received by MMA by that deadline. Please return the nomination form to **Laura Ellis** at MMA either by mail (60 Community Drive, Augusta, Maine, 04330), by FAX (624-0129) or by email (Lellis@memun.org).

If you have any questions, please call MMA's State and Federal Relations staff at 1-800-452-8786 or 623-8428.

NOMINATION FORM

Maine Municipal Association's
Legislative Policy Committee
July 2014 to June 2016

Senate District 10

Carmel
Corinna
Corinth
Dixmont
Etna

Exeter
Glenburn
Hampden
Hudson
Kenduskeag

Levant
Newburgh
Newport
Plymouth
Stetson

The municipal officers of _____ hereby nominate:
Print name of your municipality

Nominee: _____ 
Print name of Nominee

Nominee's municipality: _____ Position: _____

Date: _____ 
Signature of Nominator

Print name of Nominator

Consent

I agree to accept the nomination and to serve if elected to the MMA Legislative Policy Committee:

Date: _____ 
Signature of Nominee

Please return Nomination Form by 5:00 p.m. on June 19, 2014, to:

Laura Ellis - Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Nominations Received After 5:00 p.m. on June 19, 2014, Will Not Be Counted

LPC NOMINEE BIOGRAPHY

To: Legislative Policy Committee Nominees

From: Maine Municipal Association

Date: May 8, 2014

To help municipal officials make an informed choice when they vote for their LPC representatives, we ask nominees to provide some background information regarding their municipal service and why they want to be LPC members. A "nominee profile" is included on the ballot for each nominee who provides us with a profile.

Name: _____ **Title:** _____

Municipality: _____ **Years in current position:** _____

Mailing Address: _____
(include zip code, please)

Prior (recent) municipal experience: _____

Have you served on the LPC before? No Yes If yes, what years? _____

If you have served on any other MMA Committees, please note them: _____

Please indicate your primary issues of concern, and/or reasons for wanting to serve on the LPC:

Please give this completed form to your Board of Selectmen/Assessors or Council so that it can be returned with the Nomination Form, or send it directly to Laura Ellis at MMA by June 19th:

Maine Municipal Association
60 Community Drive
Augusta, ME 04330
FAX: 624-0129

Thank You!

D-5-b

Town Council Compensation Ordinance

The Town of Hampden hereby ordains that the following amendments to the Town Council Compensation Ordinance be enacted

Deletions shown by ~~strikeout~~.

Additions shown by underlining.

Section 1. Pursuant to Sec. 203 of the Town Charter, the Hampden Town Council hereby determines that effective July 1, 2014 the annual salary of the chairman and councilors shall be as follows:

Chairman	\$ 35.00 <u>1.00</u> /meeting
Other Councilors	\$ 30.00 <u>1.00</u> /meeting

Section 2. For the purposes of this Ordinance, a meeting shall include all regular or special meetings of the Town Council, as well as the meetings of its committees. In order to be eligible for compensation for a meeting, the chairman or councilor must have been present at the meeting.

~~Section 3. Pursuant to Sec. 203 of the Town Charter, the foregoing increase in salary shall become effective as of the first regularly scheduled meeting in January 2006, said meeting being the commencement of the terms of councilors elected at the next regular election scheduled for November 8, 2005.~~

Section 3. This Ordinance shall apply retroactively to July 1, 2014.



HAMPDEN PUBLIC SAFETY

Police - Fire - EMS
106 Western Avenue
Hampden, Maine 04444
publicsafety@hampdenmaine.gov
Phone 207-862-4000
Fax: 207-862-4588



TO: Susan Lessard, Town Manager
FROM: Joe Rogers, Public Safety Director
RE: Approval of Transfer of Forfeiture Assets
DATE: June 2, 2014

On November 2, 2013, Officer James Ryan, Jr. conducted a traffic stop on a vehicle operated by Matthew Graves. During this routine traffic stop, Officer Ryan detected evidence of drug trafficking. Ultimately, Mr. Graves was charged with felony drug offenses and monies totaling \$5111 was confiscated as evidence in our case. Last week, Mr. Graves pleaded guilty to the charges Officer Ryan levied against him, and the money confiscated, believed to be proceeds from drug sales, were ordered forfeited.

With the Council's approval and acceptance of the funds, we would purchase four new Tasers (roughly \$1000 each), new Taser holsters, and both duty and training cartridges. Each cartridge costs approximately \$25. This purchase is only made possible due to the efforts and intuitive investigative skills demonstrated by Officer Ryan during what began as a routine patrol stop for running a stop sign.

JANET T. MILLS
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

May 27, 2014

Hampden Police Department
Chief Joseph Rogers
106 Western Avenue
Hampden, ME 04444

RE: State of Maine vs. Matthew Graves
Penobscot County Superior Court Doc. No. CR-13-4172 - **Criminal Forfeiture**
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Rogers:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**

B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;

C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) *In Rem* will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) *In Rem* are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) *In Rem* to a Department, Agency, County or Municipality based upon the "*substantial contribution*" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) *In Rem* or portions thereof. In order to streamline what is otherwise a cumbersome forfeiture process, it is our practice to seek State, county or municipal approval in anticipation of the final order of forfeiture. However, final

forfeiture is not guaranteed and both the municipal legislative body and the law enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is "embossed" with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Larson for".

Patrick Larson
Assistant Attorney General

Enclosure

STATE OF MAINE
Penobscot, ss

SUPERIOR COURT
Criminal Action
Docket No. CR-13-4172

State of Maine	}	
	}	Municipality of Hampden
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Matthew Graves,	}	
Defendant;	}	
	}	
And	}	
	}	
\$5,111.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Hampden, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$5,111.00), or any portion thereof, on the grounds that the Hampden Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Hampden, Maine does hereby approve of the transfer of the Defendant(s) in Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Hampden municipal legislative body on or about _____.

Dated: _____

Municipal Officer
Hampden, Maine
(Impress municipal legislative body seal here)



www.pdqdoor.com

REMIT TO OUR MAIN OFFICE:

589 Main Road North
Hampden, ME 04444
207-947-1839
800-744-1401
Fax: 207-947-1839



INVOICE

DATE INVOICE #

5/30/2014 H102764

D-5-d

BILL TO:

Town of Hampden
106 Western Avenue
Hampden, ME 04444

Job Location:

Fire Dept Training Room



P.O. NUMBER	TERMS	REP	CONTACT
-------------	-------	-----	---------

NET 10

Will

Dan@ 862-4000

QUANTITY	DESCRIPTION	AMOUNT
----------	-------------	--------

1	Kwik Wall Parts	64.00
1	Shipping	8.80
1	Commercial Service	351.50
	Movable wall is not working correctly	
	5/14/14 - Eric	
	Travel .25, On Site 1.5	
	5/28/14 - Eric & Derrick	
	Travel .25, On Site 1.25	

3-702-00

RECEIVED
JUN 02 2014

BY:

Acct. No. 3-702-00

Municipal Public Revenue

DEPARTMENT HEAD SIGNATURE

DATE 6/2/2014

Work has been completed to my satisfaction. I understand that I will be charged 1 1/2% interest per month as well as reasonable collection costs for any overdue balance.



Additional Convenient Locations:

209A State Road West Bath, ME 04530 207-443-7426 888-559-3667 Fax: 207-443-6152	10 Rockport Park Center Rockport, ME 04856 207-230-0808 877-230-0809 Fax: 207-230-0888	50 Airport Road Waterville, ME 04901 207-872-7711 866-570-7711 Fax: 207-872-7713	P.O. Box 1543 331 North Street Houlton, ME 04730 207-532-0808 877-529-3719 Fax: 207-532-0880	78 Industrial Street Presque Isle, ME 04769 207-764-0213
---	--	--	---	--

TOTAL	\$424.30
Payments/Credits	\$0.00
Balance Due	\$424.30



www.pdqdoor.com

REMIT TO OUR MAIN OFFICE:

589 Main Road North
Hampden, ME 04444
207-947-1899
800-734-1401
Fax: 207-947-1839

2011
IDA Door Dealer
of the Year

INVOICE

DATE 6/6/2014 INVOICE # H103089

BILL TO:

Town of Hampden
106 Western Avenue
Hampden, ME 04444

Job Location:

Hampden Fire
Bay #6



P.O. NUMBER	TERMS	REP	CONTACT
-------------	-------	-----	---------

NET 10 Jim Dan

QUANTITY	DESCRIPTION	AMOUNT
----------	-------------	--------

1	Door is only opening a foot. Can be used manually. Cables, rollers and pulleys seem to be functional. Chain will not engage after the door raises about a foot.	
1	P.D.Q. Lube 14 OZ	12.00
1	LockTite	2.00
1	2" Commercial Roller	3.95
2	Torsion Springs 262 x 56 x 2	256.00
1	Shipping	22.00
1	Commercial Service	253.00
	5/30/14 - AJ	
	Travel .25, On Site 1	
	6/4/14 - Don & Travis	
	Travel .25, On Site 1.25	

3-702-00

RECEIVED
JUN 09 2014

Acct. No. Non Bldg Reserve
Cynthia Lomas
DEPARTMENT HEAD SIGNATURE
DATE 6-10-2014

BY:-----

Work has been completed to my satisfaction. I understand that I will be charged 1 1/2% interest per month as well as reasonable collection costs for any overdue balance.



Additional Convenient Locations:

209A State Road West Bath, ME 04530 207-443-7426 888-559-3667 Fax: 207-443-6152	10 Rockport Park Center Rockport, ME 04856 207-230-0808 877-230-0809 Fax: 207-230-0888	50 Airport Road Waterville, ME 04901 207-872-7711 866-570-7711 Fax: 207-872-7713	P.O. Box 1543 331 North Street Houlton, ME 04730 207-532-0808 877-529-3719 Fax: 207-532-0880	78 Industrial Street Presque Isle, ME 04769 207-764-0213
---	--	--	---	--

TOTAL	\$548.95
Payments/Credits	\$0.00
Balance Due	\$548.95