

**TOWN OF HAMPDEN
PLANNING BOARD
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, January 8, 2014 at the Hampden Municipal Building Council Chambers by Chairman Peter Weatherbee.

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

Also in attendance: Town Planner Robert Osborne and applicants for tonight's meeting.

1. ELECTION OF OFFICERS – (Chairman and Secretary)

Chairman Weatherbee asked for nominations for Chairman of the Board. Member Avery made a nomination for Peter Weatherbee; this nomination was seconded by Member Andrew Nelson. Nominations were closed and the vote was called. The Board voted unanimously in favor of the motion for Peter Weatherbee to be Chairman of the Planning Board. Chairman Weatherbee accepted the nomination.

Chairman Weatherbee asked for nominations for Secretary of the Board. Mort Syversen nominated Michael Avery for Secretary of the Planning Board. Member Weldon seconded the nomination. The Board voted unanimously in favor of the motion for Michael Avery to be Secretary of the Planning Board. Member Avery accepted the position of Secretary.

2. APPROVAL OF MINUTES (November 13, 2013)

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

3. NEW BUSINESS

A. Site Plan/Conditional Use Approval/Shoreland Permit – Town of Hampden requests approval of a 66 space parking lot and boat storage area as well as public restroom facility located at the end of Marina Road in a Waterfront 1 Zoning District and General Development Shoreland Zoning District. Tax Map 27, Lot 19-31 – Public Hearing

Chairman Weatherbee opened the public hearing. He asked the representative for the application to come to the podium and state their name for the record.

Dean Bennett, Town of Hampden Economic Development Director spoke about the application. Mr. Bennett stated that this has been a long process taking place over the last 6 years to get to this application stage. Mr. Bennett detailed the desire of Hamlin's to acquire the marina parcel and for the Town to switch the marina parking to the peninsula parcel. Mr. Bennett spoke about how the Town and Hamlin's Marina worked together to get the approvals from the federal government. The Town's Waterfront Park with its boat launch and restroom facility, and parking lot will be a great asset to the Town and its residences. Mr. Bennett indicated that the

plan submitted meets the standards for approval and requested that the Board approve the plan as submitted.

As no one else wished to speak Chairman Weatherbee closed the public hearing and asked for staff comments.

Bob Osborne, Town Planner stated the application has several approvals needed. As detailed in the Planning Board Order there is site plan approval, conditional use approval and a shoreland zoning permit. The site plan calls for a 66 space parking lot. Staff recommended approval of this application.

Member Avery had a few question on the set back from the water. Mr. Osborne clarified the setback standards in the shoreland zone.

Member Weldon asked a question about the stormwater permit.

Chairman Weatherbee went over the Board Order. The Board indicated that they had read the Board Order and were familiar with its contents.

Member Weldon made a motion that the application based on those findings in the Board Order is complete the motion was seconded by Member Nelson. The vote was seven in favor and none against the motion.

Member Avery made a motion that the application meets site plan approval standards based on those findings in the Board Order. This motion was seconded by Member Syversen. The vote was seven in favor and none against the motion.

Member Weldon made a motion that the application meets conditional use approval standards based on those findings in the Board Order and noting that the conditional use was identified as water dependent use. The motion was seconded by Member Syversen. The vote was seven in favor and none against the motion.

Member Weldon made a motion that the application meets Shoreland Permit approval standards based on those findings of Board Order. Member Nelson seconded the motion. The vote was seven in favor and none against.

Chairman Weatherbee requested that the staff memorandum and the Board Order be made part of the public record.

B. Subdivision Determination – Maine Ground Developers request review of a 22 lot plan of the Ammo Industrial Park to determine if the development was functionally subdivide prior to September 21, 1971 (and thus those lots will not require subdivision approval). Ammo Industrial Park is located on Ammo Drive in an Industrial 2 District – Tax Map 10, Lot 56 – Public Hearing

Chairman Weatherbee opened the public hearing, asking for a representative of the application.

Oscar Emerson of Down to Earth Land Services spoke for Maine Ground Developers on the determination of the 22 lots in the Ammo Industrial Park. Mr. Emerson stated the Town's

attorney Tom Russell memorandum of January 2, 2014 describes the statutes pertaining to subdivisions developed prior to September 21, 1971 and the criteria they must meet. Mr. Emerson stated that the 22 lots in the Ammo Industrial Park meet those standards and such should be exempt from further subdivision approval from the Town Planning Board. Most of the lots are an acre and a half or larger. All were improved now or previously with buildings and or parking lots. Most are storage buildings. There is a 1968 photo provided by Staff showing these “functionally subdivided lots” and the improvements that were on each at that time.

As no one else wished to speak Chairman Weatherbee closed the Public Hearing and asked for staff comments.

Bob Osborne, the Town Planner stated that what the Planning Board is being asked to do is sign a plan showing these functionally subdivided lots in the Ammo Industrial Park, (prior to September 21, 1971). You have both the Town Attorney’s memo and Mr. Emerson’s opinion, by his deed search. This created a point of reference going forward, that these 22 lots were in existence prior to 1971. Staff would recommend the signing of this plan.

Member Weldon had a few questions for Mr. Emerson on the original deed description wording. (there are 4 basic lots described in the original deed) this plan will be recorded in the registry of deeds.

Mr. Emerson indicated that these lots meets the Industrial 2 District dimensional criteria.

After considerable discussion the Board asked Mr. Emerson if he would be willing to add a note to the plan indicating that he certifies that these lots 1 through 22 contained a structure, lease or development prior to September 23, 1971. Mr. Emerson agreed to do so and added the note to the plan.

Member Avery made a motion seconded by Member Wiltbank. The vote was seven in favor and none against. The Board subsequently signed the plan with the added note.

Staff memo and Board Order to be part of the public record.

4. STAFF REPORT

Bob Osborne has nothing to report.

5. BOARD MEMBER CONCERNS

No Board Member concerns

6. ADJOURNMENT

Meeting was adjourned at 8:05 p.m.

Respectfully Submitted

Michael Avery, Secretary