

**TOWN OF HAMPDEN  
PLANNING BOARD  
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, May 11 2011, at the Hampden Municipal Building by Chairman Peter Weatherbee.

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

Also in attendance: Town Planner Robert Osborne, Recording Secretary Rosemary Bezanson and applicants for tonight's meeting.

**1. APPROVAL OF MINUTES (January 13 & February 9, 2011)**

Member Avery made a motion to remove January 13, 2011 minutes from the table. This motion was seconded by Member Wiltbank. The vote was unanimous. Member Avery made a motion to approve the amended minutes (showing Chairman Weatherbee as Chairman of the January 13, 2011 Planning Board Meeting. This motion was seconded by Member Nelson. The vote was unanimous.

Member Wiltbank made a motion to approve February 9<sup>th</sup>, 2011 minutes. This motion was seconded by Member Nelson. The vote was unanimous.

Bob Osborne made mention that there were no Planning Board meetings for the months of March and April, 2011.

**2. NEW BUSINESS**

- A. Site Plan/Conditional Use/Group Development and Shoreland Zoning Permit – McLaughlin LLC requests approval to construct an outdoor dining area and utilize and reuse an existing portion of the building for indoor dining area for an exiting take-out restaurant located at 100 Marina Road in a Commercial Service District and a General Development Shoreland Zone. (Tax Map 28, Lot 17-A1)- Public Hearing**

Chairman Weatherbee opened the public hearing, asking to hear from the applicant. Jeanne DeTour of Carpenter Associates representing the applicant McLaughlin LLC (owners Kimberly and Reid McLaughlin were present at tonight's meeting) spoke in favor of the application. Ms. DeTour stated that a remodel of existing space was taking place. The covered patio will be facing the river. The 2<sup>nd</sup> floor will continue as an apartment. Seating will be for 68 people with adequate parking and a proposed second phase roof deck with 24 seats, and an additional 9 leased parking spaces will be provided. Property is served by public water and sewer. Two signs are proposed.

There was no one wishing to speak against the proposal.

Chairman Weatherbee closed the public hearing.

Chairman Weatherbee asked to hear from the Town Planner. Bob Osborne's staff memo was made part of the record. Mr. Osborne indicated that there are three elements to the

request. The plan must satisfy the standards for a shoreland zoning permit. He read through the standards and indicated that those were satisfied. The plan must meet the standards for conditional uses in the Zoning Ordinance. He indicated that the outdoor dining element requires conditional use approval in the Commercial Service District. He noted that when the Zoning Ordinance restaurant criteria were written it was discussed that the Planning Board should have the ability to consider conditions for outdoor dining areas where they might disrupt neighboring residences but in this case the neighboring residences are not close by. He recommended approval of the conditional use with no special conditions. He discussed the site plan. He noted that there are two primary use buildings on the lot (Hamlin and McLaughlin) and this constitutes a group development and the site plan approval would be subject to the planned group development standards. He indicated that the plan includes a signature block for the Board to see if they subsequently wish to provide a recordable document for the registry of deeds. He indicated that staff recommends approval of the site plan including the phased approval of the roof deck with associated leased parking for phase 2.

Jeanne DeTour handed out a memorandum of lease between Hamlin's Marina, Hampden and McLaughlin, LLC to be included as part of the record.

Member Avery wanted clarification on the setbacks and how the coastal wetlands was verified.

Ms. DeTour responded, stating that an on-site visual of the vegetation was made.

Mr. Osborne stated that in order to record the plan in the registry of deed a mylar document will need to be provided to be signed by Planning Board Members.

Chairman Weatherbee asked the Planning Board for a motion on the Conditional Use. A motion was made by Member Avery that the conditional use under article 4.2.3 has been met. Member Nelson seconded the motion. The vote was four in favor and none against the motion.

Chairman Weatherbee asked the Planning Board for a motion on the Site Plan review. Member Avery made a motion to approval the site plan review under article 4.1.7, this would be phased into two parts. Member Nelson seconded the motion. The vote was four in favor and none against.

Chairman Weatherbee asked the Planning Board for a motion on the shoreland permit under article 16 of the Shoreland Zoning Ordinance. Member Avery made a motion under article 16 that the application meets approval, Member Nelson seconded the motion. The vote was four in favor and none against the motion.

#### **4. STAFF REPORT**

Mr. Osborne stated that the Zoning Ordinance text amendment and the Shoreland Zoning Ordinance text amendment regarding the definition of "family" has been referred from the Town Council and will be scheduled to be heard by the Planning Board at their June

meeting. He asked the Board to schedule an Ordinance Committee meeting before the next planning board. A meeting was schedule for 6:00 p.m. before the next planning board meeting on June 8<sup>th</sup>.

**5. BOARD MEMBERS CONCERNS**

None were stated.

**6. ADJOURNMENT**

The Planning Board meeting adjourned at 8:00 p.m.

Respectfully Submitted,



Michael Avery, Secretary

