

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

TUESDAY

September 7, 2010

7:00 P.M.

• 5:45 pm – Finance Committee Meeting

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

a. May 3, 2010

3. COMMUNICATIONS

- a. Planning Board Member Resignation – Melinda Merrill-Maguire
- b. MRC Quarterly Distribution – 3rd Quarter 2010

4. REPORTS

- a. Community & Economic Development Report – August 2010
- b. Infrastructure Committee Minutes 8/30/2010

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Renewal of Victualer's License received from Blue Sky Enterprises, LLC d/b/a Hampden Natural Foods at 281 Western Avenue

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. New Streetlight Request Policy – Infrastructure Committee Recommendation

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

- b. Resolution Supporting Extension of Pilot Truck Weight Increase – Infrastructure Committee Recommendation
- c. Western Avenue Sidewalk Grant Application – Infrastructure Committee Recommendation
- d. Bid Results – Municipal Building Boilers – Finance Committee Recommendation

4. NEW BUSINESS

- D. COMMITTEE REPORTS
- E. MANAGER'S REPORT
- F. COUNCILORS' COMMENTS
- G. ADJOURNMENT

TOWN COUNCIL MINUTES**May 3, 2010**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, May 3, 2010. The meeting was held at the municipal building council chambers and was called to order by Deputy Mayor Cushing at 7:00 p.m.

Attendance: Councilors: Deputy Mayor Andre Cushing, Thomas Brann, William Shakespeare, Jean Lawlis, Shannon Cox and Janet Hughes; Mayor Matt Arnett was excused

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Works Director Galen 'Chip' Swan and Town Planner Bob Osborne

Deputy Mayor Cushing noted that Mayor Arnett was unable to attend the meeting this evening and had asked to be excused. Motion by Councilor Cox, seconded by Councilor Hughes to excuse Mayor Arnett – unanimous vote in favor.

A. CONSENT AGENDA

The Treasurer's Warrants were reviewed and signed by the Finance Committee at their meeting earlier in the evening. Motion by Councilor Cox, seconded by Councilor Shakespeare to accept the balance of the Consent Agenda – unanimous vote in favor.

B. PUBLIC COMMENTS**C. POLICY AGENDA****1. PUBLIC HEARINGS**

- a. APPLICATION FOR RENEWAL OF VICTUALERS LICENSE RECEIVED FROM ANGLERS, INC. d/b/a ANGLERS RESTAURANT at 91 COLDBROOK ROAD

Deputy Mayor Cushing explained the procedure for the public hearing and then opened the hearing.

Proponents – none; Opponents – none; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Shakespeare, seconded by Councilor Hughes to approve the application – unanimous vote in favor.

- b. APPLICATION FOR RENEWAL OF LIQUOR LICENSE RECEIVED FROM ANGLERS, INC. d/b/a ANGLERS RESTAURANT at 91 COLDBROOK ROAD

Deputy Mayor Cushing opened the hearing. Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Motion by Councilor Shakespeare, seconded by Councilor Hughes to approve the liquor license – unanimous vote in favor.

- c. APPLICATION FOR RENEWAL OF VICTUALERS LICENSE RECEIVED FROM MWP ENTERPRISES d/b/a NEALLEY'S CORNER STORE at 1230 KENNEBEC ROAD

At the initial inspection of the business, Building Inspector Keith Barnhard and Code Enforcement Officer Ben Johnson had determined that the store's hood system does not meet code requirements and owner Martin Panther has hired a contractor to do the work necessary to bring it up to code.

Deputy Mayor Cushing opened the hearing. Proponents – none; Opponents – none: General Questions or Comments – None. The hearing was closed.

Due to the hood system not being up to code and to allow the owner to have the work done, Councilor Brann moved and Councilor Hughes seconded to continue the public hearing until the next meeting – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

- a. DRAFT ZONING ORDINANCE TEXT AMENDMENT – RURAL DISTRICT USES – REFERRAL TO PLANNING BOARD

Motion by Councilor Hughes, seconded by Councilor Cox to refer this item to the Planning Board – unanimous vote in favor.

- b. MAYO ROAD BIDS – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Councilor Shakespeare reported that the Infrastructure Committee has reviewed the bids for the Mayo Road reconstruction project with the Public Works Director and it is the recommendation of the Committee to award the bid to the lowest bidder, K & K Construction in the amount of \$1,586,991.00. Councilor Shakespeare so moved and Councilor Brann seconded the motion – unanimous vote in favor.

C-3-a



TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendments for Rural District Uses
DATE: April 27, 2010

At a recent Planning and Development Committee meeting it was voted that this item be sent to the Council for referral to the Planning Board.

This amendment would increase the types and size of buildings that could be considered accessory in this district. Attorney Russell is currently reviewing the document and no changes are anticipated.

5/3/2010 - Referred to Planning Board

TOWN OF HAMPDEN
Draft

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

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.9. Rural District

3.9.1. Purpose - The intent of this district is to protect and promote the rural use and character of the area, to provide for traditional agricultural and open space uses, and to provide for low density residential development where appropriate. It is intended that much of the residential development occurring in this district will be either dispersed in nature or, where the developer chooses, will be clustered with extensive open space surrounding the development. *(Amended: 12-18-95)*

3.9.2. Permitted Uses (Subject to Site Plan Review where applicable) - Agriculture, forestry, single family dwelling, certified manufactured home, two family dwelling, three or four family dwelling when serviced by public sewer and water, home day care (subject to *Section 4.19*), accessory use, golf course or other outdoor recreational facilities, home occupation (subject to *Article 4.10*), cluster subdivisions, essential service, and wireless telecommunications facilities (subject to *Section 4.22*). *(Amended: 9-19-83, 8-22-94, 12-18-95, 10-01-01, 6-3-02, 03-21-05)*

3.9.3. Conditional Uses (Subject to Site Plan Review) - Daycare facility (subject to *Section 4.19*), nursing home, non-profit school, public schools, church, non-profit club, hospital or clinic, mobile home park (subject to *Section 4.13*), campground, cemetery, buildings and parking for recreational facilities, processing agricultural products which are not accessory to an agricultural use, processing and excavation, gravel pit and quarry activities (subject to *Article 4.23 Excavations, Gravel Pits and Quarries*), stockpiles (subject to *Article 4.9*) not accessory to excavation, gravel pit and quarry activities, commercial nursery, indoor recreational facilities, boarding of animals; to include training and grooming, veterinary hospital, buildings necessary for essential services, community facility (including solid waste facility), Customary Rural Business (subject to *Section 4.20*). *(Amended: 8-22-94, 12/18/95, 12-2-96, 1-21-97, 03-21-05, 12-17-07)*

3.9.4. Lot Dimensions

Minimum Area	-	2 acres
Minimum Road Frontage	-	200 feet
Minimum Setbacks:		
Street Yard	-	30 feet
Other Yards	-	30 feet
Maximum Ground Coverage	-	10 percent
Maximum Building Height	-	35 feet

Notwithstanding the above requirements, accessory structures which are not attached to a principal building may be located on a lot in accordance with the following:

Accessory Structures Ground Floor Area	Up to 250 Sq. Ft.	251 – 650 Sq. Ft.
Maximum Height	- 16 feet	- 24 feet
Minimum Other Yard	- 5 feet	- 15 feet

Once located in accordance with the foregoing requirements, said accessory structures shall not be attached to a principal building unless said structures are in compliance with the Other Yard requirement of the District. *(Amended: 10-3-94)*

3.9.5. Special District Requirements

1. All buildings for the commercial raising or keeping of animals shall be set back a minimum of fifty (50') feet from side and rear property line. *(Amended: 10-3-94, 12-18-95)*
2. Kennels for the commercial boarding, raising, and training of six or more dogs shall be kept fifty (50') feet from side and rear property lines. *(Amended: 12-18-95)*
3. Accessory structures or buildings associated with single family residences may be larger than the principal building (single family residence) in both building height and total floor area provided that: The accessory building shall function as an accessory use to the residential use and not as a second primary use. Vehicles or equipment owned or leased by the person(s) residing on a lot may be stored or repaired in the accessory structure or building, and shall be considered to be an accessory use to the single family residential use. The accessory building shall not exceed 5,000 sq. ft. in floor area. The accessory building shall be constructed on a lot of at least 3 acres in size. Accessory buildings that meet these requirements do not require site plan approval.

7.2. Definitions - In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Accessory use or structure: A use or structure of a nature customarily incidental and subordinate to those of the principal use or structure. For residential uses, accessory structures shall not be used as habitable space. *(Amended: 11-18-02)*

Principal building: The primary use to which the premises is devoted, and the main purpose for which the premises exists.

4. NEW BUSINESS

a. SAFE ROUTES TO SCHOOL GRANT APPLICATION

Motion by Councilor Brann, seconded by Councilor Hughes to sign letter in support of the grant application – unanimous vote in favor.

b. LOCK-IN PRICE – PROPANE – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Councilor Shakespeare reported that the Infrastructure Committee has reviewed lock-in prices received for propane for the Town Garage for the 2010/2011 year. It is the recommendation of the Committee to accept the \$1.77 per gallon price from Maine Energy. Councilor Shakespeare so moved and Councilor Cox seconded the motion – unanimous vote in favor.

c. USE OF POOL RESERVE – AIR HANDLING SYSTEM – INFRASTRUCTURE COMMITTEE RECOMMENDATION

Manager Lessard explained that some additional maintenance work needs to be done to the pool's air handling system. The cost of the required maintenance is \$619.00. The pool's operating budget for routine maintenance is already pushed for this budget year and it is the recommendation of the Infrastructure Committee to expend the \$619.00 from the reserve account.

Motion by Councilor Shakespeare, seconded by Councilor Cox to expend \$619.00 from the Pool Reserve account – unanimous vote in favor.

d. SEWER COMMITMENT – 1st QUARTER 2010

Motion by Councilor Hughes, seconded by Councilor Lawlis to approve and sign the commitment – unanimous vote in favor.

D. COMMITTEE REPORTS

Councilor Hughes reported that the Planning & Development Committee will meet on May 6th at 6:00 pm.

Councilor Brann reported that there is a Comp Plan public meeting tomorrow night at 6:00 pm.

Councilor Lawlis reported that the Services Committee will meet next Monday at 5:00.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached hereto.

F. COUNCILOR'S COMMENTS

Councilor Lawlis commented that she visited Dorothea Dix Park yesterday and noted that there has been a lot of cleanup done at the park and it is a lovely place to walk. She expressed appreciation to the Public Works Department for their work in cleaning up the park.

Councilor Brann noted that there are some public ways and road easements that the Town no longer has an interest in and may want to consider discontinuing. He would like to see this referred to the Infrastructure Committee for discussion with the Town Attorney.

Councilor Hughes reminded everyone that the Hampden Business Association will meet tomorrow at noon at Anglers Restaurant. The HBA's annual meeting and dinner to honor Garry Gilpatrick as Business Person of the Year will be held on May 19th at Spectacular Event Center in Bangor.

Deputy Mayor Cushing thanked Town Planner Bob Osborne and all the volunteers who participated in the annual stream cleanup. He also noted that the Mock Trial Team and the Destination Imagination Team are both preparing to leave for their respective national competitions.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:57 p.m.



Denise Hodsdon
Town Clerk

August 18, 2010

A-3-a

To Whom It May Concern,

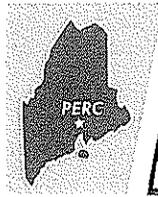
It is with regret that I am resigning my position on the Town of Hampden Planning Board. I have found that my commitment to my family has been preventing me from fulfilling the position in a manner which I believe I should. As I have a young family, it takes precedence. I deeply value the skills and knowledge I gained in my brief time serving on the Board and hope to be able to be an active resident in the future when I know that I will be able to give the energy that is worthy of any task that I am given.

Thank you again.

Sincerely,

A handwritten signature in cursive script that reads "Melinda Merrill-Maguire".

Melinda Merrill-Maguire



A-3-b

40 Harlow Street
Bangor, ME 04401-5102

August 11, 2010

Dear MRC Member Community:

The MRC Board of Directors is pleased to provide the enclosed check for the quarterly cash distribution return to Amending Charter Municipalities and new Charter Municipalities for the Third Quarter of 2010. The payment is based on tipping fees, plant performance and asset activity in the Second Quarter of 2010. In addition, the cash distribution includes a corrective adjustment from second quarter 2010 as described in an explanatory letter and spreadsheet forwarded to the MRC communities on May 24, 2010.

Consistent with MRC Board-approved policies and Transaction Guidelines, a total distribution amount of \$1,126,205.75 to the Amending Charter Municipalities was approved to meet the system-wide target value of \$45.00 per ton, which is tipping fees less cash distributions. The tipping fee for the Second Quarter was \$71.50 per ton. Therefore, on average as a group, the Amending Charter Municipalities need a cash distribution of \$1,126,205.75 in order to achieve the \$45.00 per ton target value. This total amount is the product of \$26.50 per ton and 42,498.33 tons of solid waste delivered by all Amending Charter Municipalities in the Second Quarter of 2010. New Charter Municipalities also received funds from Performance Credits for Second Quarter equal to tons delivered multiplied by the difference between the tipping fee of \$71.50 per ton and the new Charter Municipality target value of \$54.00 per ton.

This cash distribution to Amending Charter Municipalities was generated from Performance Credits in the amount of \$539,142.20, Custody Account prior balance of \$434,703.34, and \$152,360.21 in Net Cash Flow received as a result of PERC ownership interests. Funds from Performance Credits in the amount of \$83,051.45 were distributed to new Charter Municipalities.

The MRC Board of Directors thanks all MRC members for their efforts and contributions in support of the MRC mission of an environmentally safe, long-term solid waste disposal solution at a reasonable and affordable cost.

Sincerely yours,

Gregory A. Lounder
Executive Director

A-4-a

To: Manager Lessard and Town Council
From: Dean L. Bennett
Director of Community and Economic Development
Subject: August Report
Date: August 30, 2010

DEVELOPMENT REVIEW TEAM DVD

If you haven't done so, please take a few minutes and view the documentary DVD that we recently completed. Although the initial labeling on the copies that were provided to you was incorrectly entitled "Economic Development Committee", the DVD will serve as the primary business attraction and retention tool. The new labels now read "Development Review Team"

I think we have designed and produced something very special and unlike what you might find in a promotional DVD. Please take the time to watch the 22 minute reflection from a business' perspective of developing in Hampden. I am very proud of this effort, both in concept and production. We have been making great strides in process and perspective on proposed development in Hampden. Please watch your copy as I would appreciate any feedback.

BEAR INITIATIVE:

- Interviews Completed - **completed**
- Consultant Selected - **completed**
- Intro of Consultant to Hampden Business Association – **completed**
- Filming of Newsmagazine Show featuring BEAR Program – **completed**
- Develop Survey with Planning and Development Committee -**completed**
- Interviews with 100 businesses/Analysis of Survey – **completed**

- Develop Short and Long Term Strategies with P& D – **draft completed**
- Presentation of Findings/Strategies to Businesses – September/October
- Presentation of Final Product to Council – October/November
- Implementation of Strategies as Identified by Local Business – 2-5 years

COMPREHENSIVE PLAN:

Plan Drafted by Committee - **completed**
Plan Presented to Council - **completed**
Council to Implement Public Process - **completed**
Newsmagazine Show on Comp Plan - **completed**
Newsletter Focus - **completed**
Completion of Public Process – **completed**
Final Council Approval of Draft Plan - **completed**
Submission of Plan to State Planning Office for Approval - **completed**
Review of State Findings of Inconsistencies/if any – **completed (none)**
Revision to Plan to Address Inconsistencies - **unnecessary**
Public Hearing on Plan and Findings – September/October
Adoption of Hampden Comprehensive Plan - October
Implementation Process* – Immediate to ensure consistency with comp plan
*Consultant Assistance Advised

MARINA RE-DEVELOPMENT:

Concept of Conversion – **completed**
Determination of Possibility-town - **completed**
Determination of Requirements-town - **completed**
Benefits and Opportunities Explored – town/business - **completed**
Steps to Conversion Application Determined (Four Steps) – town - **completed**
Memorandum of Understanding on Approach – town/business - **completed**
Step One: Survey of Properties – town/business - **completed**
Step Two: Appraisal of Properties – town/business - **completed**
Decision to Move Forward Based on Results – town/business - **completed**
Research of Application Process – town - **completed**
Drafting Outline of Conversion Permit Application – town - **ongoing**
Step Three: Environmental Assessment of Both Properties – **ongoing**
Determination of Value of Marina Parcel as Reconfigured
Determination of Terms of Purchase/Sale
Decision to Move Forward with Application
Implement Terms/Conditions of Purchase
Submission of Conversion Application
Application Approved
Implement Terms/Conditions of Sale – **April 2011**
Construction of Parking Area
Development of Site

DEVELOPMENT REVIEW TEAM INITIATIVE

Development Review Team Process in Place and Functioning – **completed**
Promotion of Development Review Process – **ongoing**
Documentary on Dev Rev Team/Anglers – **completed**

Applications Processed Through Development Review Team

Anglers – completed
Rite Aid – completed
Katahdin Trust – completed
Wights Sporting Goods – completed
Hampden Properties – completed

We have processed 5 development reviews through the Development Review Team process. I am proud to say, because of the hard work and commitment of staff, they have been fluid and without major controversy.

MAINE GREEN ENERGY ALLIANCE

Coordinate Roles and Responsibilities - **completed**
Departmental Coordination and Support of Initiatives - **completed**
Facilitation of Process – **ongoing**
Community Outreach – **initial success**

HAMPDEN BUSINESS ASSOCIATION OUTREACH

Continued Support of the Hampden Business Association - **ongoing**

SUBMERGED LANDS LEASE

I am working with Hamlin Marine and the Maine Bureau of Parks and Lands to secure another 30 year lease for the use of submerged lands of the Penobscot River. The deadline is end of September. **Application submitted**

COMMITTEE ON COMMITTEE:

Provided Concept to Address Identified Concerns – completed
Develop Departmental Handbook/Work Plans – completed
Finalize Handbook/Work Plans with Council – **inactive**
Implementation of Handbook

Despite the timely and engaged development of the handbook/work plans, this effort has been stalled due to lack of Committee Chair and continuation of process since Shannon Cox resignation.

PLANNING AND DEVELOPMENT COMMITTEE

Suggested Future Goals:

The Use of TIF as an Economic Development Stimulus/Tax Shelter
Create and Initiate Commerce Park Marketing and Development Strategy
Develop Coldbrook Road Infrastructure Investment Plan

BANGOR REGION DEVELOPMENT ALLIANCE

I am pleased to report that for the second time in the history of the Bangor Region Development Alliance and the first for myself as part of that group, I have been able to gain the commitment of Joan Herron Consulting to visit our region and meet the members of the Development Alliance and other economic development leaders of the region.

The purpose of this visit is to educate Joan Herron on the assets of our region, including its greatest asset, the people. Despite lacking existing and marketable infrastructure as that of many regions of the country, we can still be competitive; however, if site selectors are unaware of what we do have to offer toward business relocation and attraction, the odds are poor at best. We are optimistic and looking forward to her visit.

If we are going to be in the regional economic development game, this is how it's played. Securing the visit of a site consultant is a major step for this region and can only be a positive representation of not only our commitment to attract but are our will to succeed.

INFRASTRUCTURE COMMITTEE MEETING MINUTES
08/30/2010

A-4-b

Attending:

Chair William Shakespeare
Councilor Thomas Brann
Councilor Janet Hughes
Councilor Andre Cushing, III
Mayor Matthew Arnett

Town Manager Sue Lessard
Public Works Director Chip Swan

1. Minutes of 7/26/2010 – Motion by Matthew Arnett, seconded by Andre Cushing to approve the minutes as presented. There were no objections.
2. Old Business
 - a. Truck Weight Limit Pilot Project – Motion by Matthew Arnett, seconded by Tom Brann to recommend to the full council that they adopt the resolution presented in support of a continuation of the pilot project allowing 100,000 lb trucks on the interstate north of Augusta.
 - b. 3- Town Meeting regarding HA reuse – There will be a meeting on Tuesday, September 7th at 1 p.m. of council chairs/managers and the school superintendent/assistant Superintendent/board chair at 1 p.m. at the Hampden Town Office for the purpose of listening to what the school proposes. There will be a follow up meeting of all three SAD 22 community councilors/selectmen and Manager and School Board members/Superintendent on Tuesday September 14th at 7 p.m. at the Victoria Grant Center in Winterport. The Committee members discussed concerns related to the SAD 22 decision to retain the former Hampden Academy property.
 - c. Grant application – Sidewalk – The Committee discussed what the preferred location for a sidewalk from Route 202 to Mayo Road was in relation to grant applications to the DOT for funding. Motion by Andre Cushing, seconded by Tom Brann to recommend to the full Council that the Town apply for MDOT funding of the Route 202 to Mayo Road sidewalk on the southerly side of Western Avenue, vote 5-0.
 - d. Street Light Policy Discussion – The Committee reviewed the draft Streetlight Policy and amended it to include line of sight as a criteria for consideration. Motion by Matthew Arnett, seconded by Janet Hughes to recommend to the full Council that they adopt the Streetlight Policy as amended, vote 5-0.
 - e. Sewer Easement – Gary and Suzanne Mock have requested permission to hook into the town sewer system for a new home construction on Elm Street West. Motion by Matt Arnett, seconded by Andre Cushing to recommend that the Town Council approve an easement for connection to the Town Sewer system and that the

easement be prepared by Town Attorney Tom Russell with expenses for same to be borne by the Mocks. Vote 5-0.

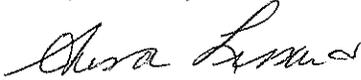
- f. Western Avenue Sign – Councilor Shakespeare discussed an issue raised by a constituent related to the 'Vote out the Cockroaches' sign that is posted on outer Western Avenue. The constituent felt that the sign was inappropriate and should not be allowed by the Town. The Manager provided information from Public Safety Director Rogers and CEO Ben Johnson indicating that this sign was protected under the free speech clause in the Constitution and that the only parameters that had to be met were setbacks, which the sign does.
- g. Kennebec Road – Councilor Hughes asked for an update on the likelihood of Kennebec Road getting improved in this season. Public Works Director Swan reported that he had met with MDOT representatives and that 300 tons of reclaim material would be put on that road as shim this month in an effort to smooth out the traveling surface. He also reported that he had emailed the constituent who had contacted Councilor Hughes with the information.
- h. Saturday Bus Ridership = Councilor Hughes reported that resident Joyce Rankin (596 Main Road North) had requested that the Town re-institute Saturday bus service. The Town Manager informed the Committee that the Town had never had Saturday bus service and that the Council had discussed the idea of starting Saturday service a year or more ago and decided due to budget constraints not to pursue it at that time. The cost was approximately \$13,000 and would not be covered by any Federal/State subsidy.
- i. 91 Old County Road – Councilor Hughes expressed concern over the growing pile of debris at 91 Old County Road. It appears to be residual 'stuff' from a tenant moving in or out and it is possible for the occupants to get a transfer station decal to dispose of it. The Manager indicated that she would have the Code Enforcement Officer investigate the situation.
- j. Podium sign – Councilor Shakespeare asked that the Town Seal sign be put on the front of the podium so that during council meetings it would show when persons were addressing the Council. The Town Manager asked the Public Works Director to provide a Town Seal sign from inventory used for Town trucks.
- k. Trees – Emerson Mill and Sawyer Road – Councilor Shakespeare asked for an update on the tree trimming to be done on limbs overhanging the roads. The Public Works director reported that it would be taken care of before winter.
- l. Shared Entrances – Councilor Cushing expressed concern that the new Rite Aid and the new bank that are to be adjacent to each

other will not be required to have a shared entrance off Western Avenue. Suggestions were made that the Town revise its zoning ordinance to require shared entrances and limit curb cuts where possible. The Public Works director questioned whether the Town had the right to control such matters on State roads. The Town Manager was instructed to get more information on the subject and bring it back to the Committee.

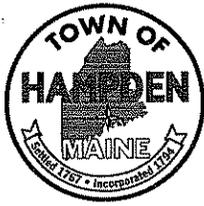
- m. Comprehensive Plan – Councilor Brann reported that the State Planning Office had completed its review of the Town's Comprehensive Plan and that no changes were required. The plan will be put on the next Council agenda for referral for public hearing and adoption.
- 3. New Business – None
- 4. Public Comments – None
- 5. Committee Member Comments – Councilor Shakespeare asked the Committee members if they would be interested in seeing an 1859 Map of the town at the upcoming Planning and Development meeting. It was the consensus of the Committee that they would be interested in viewing the map.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Susan Lessard
Town Manager



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 9/7/2010
Public Hearing: Yes X No

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

Blue Sky Enterprises, LLC
NAME: d/b/a Hampden Natural Foods Jon Boehmer
Business Name Individual

ADDRESS: 281 Western Ave. PHONE: 862-2500

MAP/LOT: 29/13 DATE: 8/19/2010

DEPARTMENT REPORT:

Inspected on August 25, 2010 and found all
Proper safety requirements to be in place.

DATE: 8-25-10

BY: [Signature]
Title: CODE ENFORCEMENT OFFICER

BY: Keith Bamhard
Title: Fire/Building Inspector

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 8/18/10 PHONE NUMBER: (207)862-2500
NAME(S): Son Boehmer - Blue Sky Enterprises LLC.
ADDRESS: 281 Western Ave.
NAME OF BUSINESS: Hampden Natural Foods
LOCATION OF BUSINESS: 281 Western Ave.
SIGNATURE: [Signature]

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

[Signature]
Code Enforcement Officer

[Signature]
Fire Inspector/Building Inspector

*All sewer user fees and personal property taxes are paid in full to date.

[Signature]
Tax Collector

[Signature]
Town Treasurer

Please return completed form to: **Town Clerk**
Town of Hampden
106 Western Avenue
Hampden, ME 04444

LICENSE FEE: \$125.00 Date Received/Fee Paid: 8/19/2010 \$125.00
(Fee Includes Notice of Public Hearing)

TOWN OF HAMPDEN POLICY ON NEW STREET LIGHTS

In order to establish a policy that is fair, consistent and economically, practical, the Hampden Town Council will address the installation of new street lights to insure safe movement of vehicles and public safety in the following manner:

1. By Petition or Individual Request – Any resident may bring forth a petition by January 15th of each year which must include signatures from their neighborhood requesting one or more street lights. The petition must be submitted to the Town Manager. The Town Manager will forward the request to the Public Safety Director for evaluation and recommendation.
2. Action by Public Safety – The Public Safety Director shall provide an evaluation and recommendation for all street light requests by March 1st. This will allow for appropriate time to include the request in the next fiscal year budget. The Public Safety Director will use the following criteria when considering a request:
 - a. Are there a large number of vehicles using this road, especially during darkness?
 - b. Intersections
 - c. Line of sight
 - d. Dead End Streets
 - e. Past occurrences of accidents at night
 - f. Past occurrences of crimes in immediate area
 - g. Is this a high pedestrian area (i.e. walkers, joggers, etc.)?
 - h. Do sidewalks exist in the area
 - i. Number of people to benefit
 - j. Number of residents to benefit
 - k. Number of businesses to benefit

Once the Public Safety Director has evaluated all the requests based on the cited criteria, he will make a recommendation on each request to the Town Council Infrastructure Committee. The positive recommendations will be listed in an order of priority that assigns the #1 priority to the request that Public Safety determines has the highest rating in terms of public safety concerns. Those not recommended for installation will have a brief statement explaining the reason for denial. The Infrastructure Committee shall review the list of recommendations and prepare a recommendation to the Town Council in regard to the requests by April 1st of each year.

RESOLUTION

In Support of Extending the Truck Weight Limit Pilot Study Increasing the Truck Weight Limit on the Entire Length of Maine's Interstate System

WHEREAS, the provision in the *Federal Department of Transportation Appropriations Act, 2010* (PL 111-117), which increased the weight limit for six-axle vehicles traveling on Maine's entire Interstate System from 80,000 to 100,000 pounds will expire on December 16, 2010; and

WHEREAS, prior to the enactment of PL 111-117, the truck weight limit on Interstate 95 north of Augusta and on Interstate 295 and 395 was 80,000 pounds, while the weight limit on the Maine Turnpike was 100,000 pounds; and

WHEREAS, since 1999, municipal officials across the state and the Maine Municipal Association have urged Maine's Congressional Delegation to support legislation enacting a uniform 100,000 pound truck weight limit on the entire length of Maine's Interstate System; and

WHEREAS, the section of Maine's I-95 running north of Augusta was originally designed and built for military freight movements to Loring Air Force Base at weights that exceeded 100,000 pounds; and

WHEREAS, municipal officials believe that the temporary weight limit increase provided for in PL 111-117 will have demonstrable impacts on the preservation of the road and bridge infrastructure and improved public safety on Maine's smaller and less substantially built state and local roads; and

WHEREAS, as a result the economy, fuel prices and improvements in motor vehicle performance, which is contributing to the stagnation of the revenue available to fund state and local projects, Maine's Department of Transportation is falling seriously behind on its highway and bridge maintenance and repair program and is now exploring avenues to share state-level capital improvement responsibilities over the minor collector road system with local property taxpayers; and

WHEREAS, the enactment of a permanent and uniform 100,000 pound truck weight limit increase for six-axle trucks will keep these more productive trucks on the federal Interstate System where they belong, and thereby take some of the pressure off the smaller state and local roads;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Hampden, Maine hereby expresses its support for the extension of the federal truck weight limit increase on Maine's entire Interstate System so that the 100,000 pound limit is made permanent.

C-3-c



TO: Mayor Arnett and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Western Avenue Sidewalk Grant Application
DATE: August 30, 2010

The question before the Infrastructure Committee is would you support expanding Hampden's pending MDOT Quality Community Program Grant Application to include application under the Transportation Enhancement Program which requires a 20 percent local match. (The application is currently limited to the Safe Routes to School Program which requires no local match but the total statewide monies available to that program is about 1/5th that in the Transportation Enhancement Program.

The grant application is divided into two portions. The first is to complete the leg of sidewalk on Western Avenue from Mayo Road to 800 feet east to the end of that sidewalk at a cost of \$419,165 which would require a \$83,833 match. The second is to construct a new sidewalk from Mayo Road to Route 202 at a cost of 906,490 which would require a match of \$181,298.

*Committee Recommendation - Apply for Mayo-202
on South side. vote 5-0 8/30/2010*

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: hampden@midmaine.com

May 3, 2010

Dan Stewart
MDOT
16 State House Station
Augusta, ME 04333

Dear Mr. Stewart,

Please be advised that the Hampden Town Council at their May 3, 2010 meeting voted to support a grant application for the Safe Routes to School program.

Based on the recently completed pedestrian study done by BACTS there are clear pedestrian needs on Western Avenue and remedial actions warranted on Main Road South. The relocation of Hampden Academy to Western Avenue makes this area pedestrian sensitive and new sidewalks are needed. We urge you to approve funding for this important project.

Respectfully,

Hampden Town Council

Matthew D. Arnett, Mayor

Jean H. Lawlis

Shannon F. Cox

Andre E Cushing, III

Janet M. Hughes

Thomas B. Bram

William W. Shakespeare



MaineDOT

Maine Department of Transportation QUALITY COMMUNITY PROGRAMS Fiscal Years 2012-2013 Application

Date Application
Received

(For MaineDOT Use
Only)

Quality Community Program Eligibility:

Please indicate which Quality Community Program(s) your project is eligible for. Please place an "x" next to all that apply:

- Transportation Enhancement Program (Up to 80% of total project value)
- Safe Routes to School Program (Up to 100% of total project value, within 2 miles of a K-8 school)
- Other Program (please list):

Section 1: General Information

Applicant Name(s): Town of Hampden, Maine		
Contact Person: Robert Osborne		
Mailing Address: 106 Western Avenue		
City: Hampden	State: Maine	Zip: 04444
Daytime Phone No.: 862-6527	Email: hampdenmaineplanner@gmail.com	
NOTE: The following sections of this application request specific project related information. If warranted, pictures, maps, exhibits, diagrams, survey summaries, etc., should be included with the application. Please be concise. If additional space is required, please attach supplemental sheets.		

Section 2: Project Brief

Location of Project: The proposed project is located in Hampden, Maine primarily on Western Avenue extending from Route 202 Bypass to Mayo Road and also on Main Road South extending from the Masonic Hall to Reeds Brook. The project is located within 2 miles of K-8 schools. See attached Pedestrian Improvement Plan for Hampden's Four Mile Square prepared by BACTS, EMDC and funded by MDOT which includes mapping, aerial and ground photography.

Project Summary The project consists of construction of sidewalks on both the north side (821 feet) and south side (4,113 feet) of Western Avenue to complete sidewalk from Route 202 Bypass Mayo Road. These can be considered as two separate projects for purposes of this grant application.

Section 3: Project Details

Background: The Town of Hampden, Maine recently participated in the Pedestrian Improvement Plan for Hampden's Four Mile Square and that document is attached to the grant application. (The Four Mile Square is Western Avenue to Mayo Road to Kennebec Road to Main Road back to Western Avenue). The "plan" made a number of findings including the following: School Administration District 22 (SAD 22) is currently constructing a new high school located near the intersection of Western Avenue and Route 202 Bypass. The new high school is on a contiguous campus with the district's K-8 facilities. Upon completion of construction of Hampden Academy (High School) project the school campus consisting of Reeds Brook Middle School, McGraw and Weatherbee Elementary Schools and Hampden Academy will be fully interconnected with sidewalks. It is anticipated that pedestrian activity will increase in the area of Western Avenue for

school children and adults. Recent commercial development in the area from Route 1-A to Route 202 also increases the need for pedestrian safety measures. The proposed sidewalk construction is a safety project that would ultimately encourage pedestrian activity and fitness.

The Project: The project is proposed to be constructed fully within the current 100 foot wide state highway right-of way along Western Avenue. Concurrent to the construction of the high school the Town of Hampden, Maine is also constructing a sidewalk the full length of Mayo Road. With the completion of the Mayo Road sidewalk and the (821 foot long) connection of the Western Avenue sidewalk to Mayo Road there will be pedestrian service around the full "Four Mile Square".

The proposed sidewalks for this grant would be constructed of bituminous material and would be separated from the traveled way of Western Avenue with a MDOT Type 3 Curb. The project is contained to the existing MDOT 100 ft. right-of-way for Western Avenue. A significant cost of the project is stormwater drainage and drainage devices along the proposed sidewalk. This design necessitates conveyance of stormwater under the proposed sidewalk and curb to the modified ditch row as well as placement of permanent stabilization elements such as riprap.

Support for the Project: The project as described in the plan has support from the Town of Hampden, Maine, SAD 22 and BACTS as the letters of support in the plan indicate. **See attached report.**

Section 3.1 - Estimated Cost of Infrastructure Project

The Town of Hampden hired Woodard and Curran to do preliminary cost estimates for the proposed project. That cost estimate found in the Pedestrian Improvement Plan for Hampden's Four Mile Square and was done at Town expense (\$1,000) in order to provide a responsible cost estimate for the project.

	North Sidewalk 821 linear feet	South Sidewalk 4,113 linear feet
Environmental Evaluation:	1. included in # 2	1. included in # 2
Preliminary/Final Design Engineering:	2. \$41,300	2. \$92,300
MaineDOT Project Design Administration (5% of Preliminary and Final Design line above)	3. \$ 2,065	3. \$ 4,615
Right of Way/Land Acquisition	4. \$ N/A	4. \$ N/A
Legal, Admin, Financing, Permitting	\$13,800	\$30,750
MDOT Road Opening Permit Fee	\$18,000	\$10,000
Construction:	5. \$275,200	5. \$615,025
Contingency (25%)	\$68,800	\$153,800
Construction Engineering:	6 \$ included in # 2	6 \$ included in # 2
MaineDOT Construction Administration (10% of Construction Engineering line above)	7 \$ 4,130	7 \$ 9,230
Total Value of Project (add lines 1 through 6):	8. \$419,165	8. \$906,490
Local Match/Voluntary Contributions (Note: All match/voluntary contributions must be detailed. Bonus consideration may be given to applications that offer additional match/voluntary contributions beyond any applicable required local match.)		
- Cash:	9. \$	9. \$
- In-kind, right of way, or other contributions:	10. \$4,130	10. \$9,230
- Please describe local match in detail: Locally Administered Project		
Total Local Match/Voluntary Contributions:	11. \$4,130	11. \$9,230

Funds Requested from MaineDOT:

12. \$ 415,035

12. \$ 897,260

Note: The sum of Lines 11 and 12 should equal Line 8 above.

Note: Section 3.2 of this form also requires further details on costs. The amount shown on line 8 on the above estimate should match the total outline of costs in Section 3.2, or an explanation must be given for the discrepancy.

Section 3.2 - Detailed Description of Infrastructure Project and Cost (if applicable)

Provide a detailed description of project work items and/or construction costs from Section 3.1. Note that all infrastructure improvements must comply with the requirements of the Americans with Disabilities Act (ADA).

We propose that two elements of this grant application be considered separately but are requested together in keeping with the recommendations of the attached report.

The first element of the project consists of construction of 821 linear feet of bituminous concrete sidewalk, 5 feet in width, on the north side of Western Avenue extending east from Mayo Road and connecting to the existing sidewalk. This project element also consists of associated stormwater drainage work necessitated by construction of the sidewalk and associated curblines. The proposed sidewalks extend over areas that typically serve as the front slope of the existing ditch row of Western Avenue. The design proposes establishing catch basins along the new curb line to collect stormwater and convey it to the modified ditch row. **See costs and drawings detailed in the attached report.**

Project cost: \$419,165.

The second element of the project consists of 4,113 linear feet of bituminous concrete sidewalk, 5 feet in width, on the south side of Western Avenue extending east to Route 202 Bypass (which is also the location of the access drive for the new Hampden Academy). This project element also consists of associated stormwater drainage work necessitated by construction of the sidewalk and associated curblines. Both project elements consist of construction of a 5 foot wide sidewalk adjacent to the shoulder of Western Avenue. The proposed sidewalks extend over areas that typically serve as the front slope of the ditch row of Western Avenue. The design proposes establishing catch basins along the new curb line to collect stormwater and convey it to the modified ditch row. **See costs and drawings detailed in the attached report. Project cost: \$906,490**

Section 3.3 - Project Description and Demonstrated Needs

Describe the proposed project and scope: The project as stated consists of creating connected sidewalks to aid pedestrian safety within the Four Mile Square. The proposed construction of sidewalk on the north side of Western Avenue (821 feet) will establish sidewalk around the Four Mile Square which is a well populated area of the town. The addition of sidewalk on the south side of Western Avenue will improve pedestrian safety by limiting the need to cross Western Avenue. (This side will directly serve the large residential Colonial Heights Subdivision). *Attach diagrams, maps and/or correspondence that will help provide a clear description of the proposed scope.* **See Attached Report**

Describe why this project is important to your community/region and worthy of funding: There is currently a good deal of pedestrian activity around the Four Mile Square despite the fact that it presents significant risk to those who walk in areas with no sidewalks. This project will greatly improve pedestrian safety and encourage younger pedestrians to walk to school. The project is an investment in the Town's designated growth area in support of our zoning and comprehensive plan and encourages additional investment to that growth area.

Describe the Transportation Values: This project serves a valid transportation service by connecting residences to schools and increases safety while enhancing the overall utilization of the system.

Describe the Positive Impacts on Community: This project has been specifically called for in the 2001 Comprehensive Plan as well as the submitted 2010 Comprehensive Plan because the community recognized the importance of connectivity in the Four Mile Square.

Describe Regional Benefits: The project has regional benefits in that it provides pedestrian connectivity while maintaining highway shoulders wide enough for bicycle lanes.

Describe the Demonstrated Needs: Younger children should not walk on the shoulder of Western Avenue and there is significant pedestrian activity today which will be better served.

Describe How the Project Brings New Opportunities for Public Benefit: This project has been specifically called for in the 2001 Comprehensive Plan as well as the submitted 2010 Comprehensive Plan because the community recognized the importance of connectivity in the Four Mile Square. The sidewalks will make school, work and other pedestrian commuting more attractive and safer.

Describe How Your Project Meets State Planning Goals/Economic/Tourism Benefits: This project will enhance a livable compact community and improve the quality of life thereby enhancing the economic vibrancy of the community and region.

Describe the Potential Safety Improvements: Improvements will include better wheelchair accessibility through appropriate design details. As part of the school project pedestrian signalization will be improved which will enhance this link of the project as well.

Section 4: Community Support

Provide information on the consultation and support for the project by the community: This project is supported by the Pedestrian Improvement Plan for Hampden's Four Mile Square prepared by BACTS. BACTS has also provided written support for this project. SAD 22 has provided written support for the project. The Hampden Town Council has provided written support for the project. The current and draft Comprehensive Plans for the Town of Hampden support full pedestrian connectivity for the Four Mile Square.

Is a municipal official where the project is located certified to locally administer the project?

Yes No

Is the municipality willing to become LAP Certified?

Yes No

A municipal/state agreement with the Maine Department of Transportation is required for the development, design, and construction of the project in accordance with Federal, State, and Local requirements.

Note: Information on Locally Administered Project (LAP) requirements can be found at:
<http://www.maine.gov/mdot/lap/lpa.php>

Section 5: Sensible Transportation Planning Bonus Points

Please Note: Your community may receive additional bonus points if it has met some of the criteria listed below. To be eligible for these bonus points, please answer the following questions:

Does your community have an approved Comprehensive Plan or Community Transportation Plan that has been found consistent by the State Planning Office or MaineDOT? Yes No **If yes, please list the year it was found consistent:** 2000 (The Town also has a new comprehensive plan that is currently under evaluation by the State Planning Office).

If applicable, please outline relevant ordinances and policies that have been enacted to support the Comprehensive or Transportation Plan by promoting and encouraging compact development patterns in growth areas. The Zoning Ordinance encourages and directs compact growth into this area. It provides incentives for higher densities as well as diversity in the designated growth/urban areas.

If applicable, please describe any regional efforts with surrounding municipalities that your community has undertaken to promote and encourage compact development patterns in growth areas. Participation in the MPO/BACTS process. Participation and support of the Greenprint Project. Consultation with neighboring municipalities on compatibility on adjoining zoning districts.
