



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

MARCH 21, 2011

7:00 P.M.

• **5:45 pm – FINANCE COMMITTEE MEETING**

- ELECTION OF MAYOR
- RECOGNITION OF FORMER MAYOR ARNETT
- RECOGNITION OF FIRE DEPARTMENT FOR MAJOR GRANT APPLICATION

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. March 1, 2011 (Special Meeting re Comp Plan)
- b. March 12, 2011 (Strategic Planning Workshop)

3. COMMUNICATIONS

- a. Michael Wagner – Notification of Completion of Eagle Scout Project – 10 New Trash Receptacle Holders for Town Parks
- b. Tolling & Standstill Agreement – Mallinckrodt – Update
- c. David Ryder – New Application for Citizen Comprehensive Plan Committee – Referral to Planning & Development Committee
- d. Shelley Blosser – New Application for Citizen Comprehensive Plan Committee – Referral to Planning & Development Committee

4. REPORTS

- a. Hampden Academy Building Committee Report – Kathy Walker & Norm Prouty
- b. Finance Committee Minutes – 3/7/2011
- c. Edythe Dyer Library Trustees Minutes – 1/12/2011
- d. Lura Hoit Pool Trustees Minutes – 1/11/2011

B. PUBLIC COMMENTS

C. POLICY AGENDA

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

1. PUBLIC HEARINGS

- a. Proposed Zoning Ordinance Text Amendments re Medical Marijuana Dispensary and Cultivation Facilities and Methadone Clinics – Articles 3.1; 3.2; 3.3; 4.7; 4.24 and 7.2

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. Set Date for Special Election to Fill At-Large Council Vacancy – June 14, 2011
- b. Council Committee Assignments – Finance and Communications Vacancies
- c. Finance Committee Recommendations for New Appointment and Reappointment:
  - 1. Julie Johnston – New Appointment to Board of Appeals
  - 2. Scott Luciano – Reappointment to Personnel Appeals Board
- d. Services Committee Recommendations for Reappointment:
  - 1. Mary Ellen Conner – Lura Hoyt Pool Board of Trustees
  - 2. Tracey Mahoney – Recreation Committee
  - 3. Terry Bean – Recreation Committee

3. UNFINISHED BUSINESS

- a. Business Expansion and Retention (BEAR) Program Strategic Plan – Recommendation of Planning & Development Committee to Approve
- b. 2010 Comprehensive Plan Draft – Next Steps
- c. Marina Lease Amendment re Restaurant and Service of Alcoholic Beverages
- d. Paper Talks Ad Request – Communications Committee Recommendation

4. NEW BUSINESS

- a. Applications for Renewal of Victualer’s Licenses
  - 1. Bangor Tennis & Recreation Club, 60 Mecaw Road
  - 2. Best Western White House Inn, Filibuster Lounge, 155 Littlefield Avenue
  - 3. Dysart’s Service d/b/a Dysart’s Travel Stop, 366 Coldbrook Road

- 4. Ronald & Barbara McKinnon d/b/a McK's Variety, 995 Western Avenue
- 5. Brian & Cindy Carlisle d/b/a Pizza Gourmet, 60 Main Road North, Suite A
- 6. Kathy Smith d/b/a R & K Variety, 573 Main Road North
- 7. DLLS, Inc. d/b/a Subway of Hampden, 7 Western Avenue

b. Request from ACANE to hold 2011 Souadabscook Stream Canoe Race

c. Budget Review Schedule - Draft

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

## TOWN COUNCIL MINUTES

MARCH 1, 2011

A special meeting of the Hampden Town Council was held on Tuesday, March 1, 2011 for the purpose of addressing citizens' concerns relative to the 2010 Comprehensive Plan, which was adopted on October 4, 2010. Because of the large number of citizens in attendance, the meeting was moved from the Council Chambers to the Community Room and was called to order by Mayor Arnett at 6:35 p.m.

**Attendance: Councilors:** Mayor Matthew Arnett, Deputy Mayor Andre Cushing, Janet Hughes, Thomas Brann, Jean Lawlis, William Shakespeare and Kristen Hornbrook

**Town Manager:** Susan Lessard

**Town Counsel:** Thomas Russell

Citizens

The following citizens spoke in opposition to the 2010 Comprehensive Plan, its process, and in particular the land use map that is part of the plan; most encouraged the Council to consider repealing the 2010 Comp Plan:

Paul Philbrick  
 Dave LaChance, Meadow Road  
 Robert Dunton, Babcock Road  
 Alex King, Kennebec Road  
 Mark Cormier  
 Lisa Carter  
 Matt McLaughlin  
 Al Valcourt  
 Robert Wass, 15 Carriage Lane  
 Sally Leete  
 Jeremy Williams  
 Rick Kelley, Kennebec Road

Jim Kiser, 15 Constitution Avenue  
 Cindy Philbrick  
 Eleanor Willey, 1001 Kennebec Road  
 Peter Brown, 208 Kennebec Road  
 Scott Carter, Western Avenue  
 Peggy Brown  
 Shelley Blosser  
 Colby Clendenning, 1 Hillside Drive  
 Cash Webb  
 Sheila Williams, 1334 Carmel Road North  
 David Ryder, Meadow Road

An audio DVD (complete) and video DVD (partial) of this meeting is attached hereto and made a part of these minutes.

Written comments were received from the following citizens prior to the meeting – copies attached hereto and made a part of these minutes:

Don Katnik  
 Monica Small

Frank King, 46 Main Road North  
 Robert Lilieholm, 451 Main Road South

Special Council Meeting re 2010 Comprehensive Plan  
March 1, 2011

Town Attorney Tom Russell explained that when the 2010 Plan was adopted, the 2001 Plan was repealed by implication. He expressed concern that without an adopted Comprehensive Plan, the Town's Zoning Ordinance would be in jeopardy, as Maine law requires that a zoning ordinance must be pursuant to and consistent with a comprehensive plan. He advised that the repeal of a comprehensive plan would be subject to the same process applicable to the adoption of a comprehensive plan. He suggested the idea of amending the 2010 Plan instead of repealing it.

Councilor Cushing stated that he would be willing to make a motion to suspend implementation of the plan until a new committee can be formed.

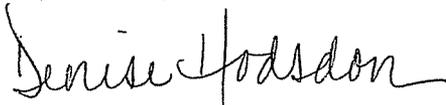
Motion by Councilor Brann, seconded by Councilor Hughes to suspend the rules to add action on implementation of the Comprehensive Plan as an item to the agenda – unanimous vote in favor.

Motion by Councilor Brann, seconded by Councilor Hughes to identify the fact that the BEAR program is not part of the Comprehensive Plan, is not dependent on it, is not part of the implementation process and is simply a parallel event and to exempt the BEAR program from the intent of Council to suspend implementation of the Comprehensive Plan – Vote 6-1 (Hornbrook)

Motion by Councilor Cushing, seconded by Councilor Hornbrook to suspend implementation of the 2010 Comprehensive Plan until a new Comprehensive Plan committee can be formed from citizens of the community – unanimous vote in favor.

There was a suggestion from an unidentified resident to identify on the map the areas of state and federal mandates.

There being no further business, the meeting adjourned at 9:05 p.m.



Denise Hodsdon  
Town Clerk

Council Strategic Planning Workshop Minutes  
March 12, 2011

Attending:

Councilor William Shakespeare	Town Manager Sue Lessard
Councilor Kristen Hornbrook	3 members of the general public
Councilor Jean Lawlis	Walt Cupples - Facilitator
Councilor Janet Hughes	Deb Cupples - Facilitator
Councilor Andre Cushing	
Councilor Thomas Brann	

The following information was all posted on newsprint sheets around the room during the workshop. As part of the work, Councilors and visiting community members were asked to put 'dots' on areas of the department budgets that they felt were most important. Those dots are reflected in these notes with an X next to the statement.

1. 2011/12 Budget/Council Work Plan

The facilitators presented a plan for time and subject allocation for the three hour meeting as follows:

Review Agenda and Norms  
Council Budget & Work Plan

A. Budget Information

1. Review previously generated ideas
2. Clarification needed
  - a. Council
  - b. Visiting Community Members
3. Update of recent information
4. How does this impact previous ideas?
  - a. Council
  - b. Visiting Community Members

B. What does the Town need to accomplish this year?

1. Input from Council on each of 11 departments (Questions for clarification)
2. Input from Visiting Community Members

C. If the Budget needs to be reduced due to unforeseen information...

1. Prioritize individually – Town Councilors
2. Input from Visiting Community Members

Hampden Academy Re-use – discussion of replacement for Mayor Arnett as liaison to re-use committee

The meeting then began with a reminder of Norms agreed upon at the 2/5/2011 meeting:

- o Speak out

- Listen
- Discussion for clarification only
- No decisions

Budget parameter information discussed on 2/5

1. Maintain mil rate at or near total current mil rate
2. Put pressure on School to contain costs
3. Assess areas where cost of Town Services may be reduced
4. Try to be creative in looking at service delivery
5. Concern over potential 6% increase in education (no longer an issue per recent information received from Superintendent Lyons)

New Budget Reactions

1. Start thinking about not subsidizing school system with cuts to town services.
2. Maintain overall mil rate
3. Increased taxes resulting from new valuation should be considered 'proportionally' available to cover potential increases in school/county/town budgets
4. New valuation does not necessarily translate into additional budget costs for school or Town
5. Create a planning 'pie chart' that show the proportion of the budget applicable to each budget sector
6. Create a bar graph showing percentage of budget and expenditures by each budget sector
7. Focus on 'proportion' of school budget to property tax overall component
8. Does not feel as though we have to significantly reduce town services
9. No across the board percentage cuts
10. Look for opportunities within departments to decrease expenditures
11. Continue to apply pressure to school – we cannot absorb additional increases to the mil rate
12. What are goals for municipal services/projects in 2/5/10 years?
13. We should have a Plan B in mind related to school costs which may go up in the future which we cannot control
14. Continue pressure on SAD #22 – we cannot keep giving up what we
15. More communication with residents with information regarding the large percentage of the mil rate that is attributable to the School Budget
16. We are absorbing State responsibilities
17. No longer a statutory requirement that school budget committees include members of the Councils of their member communities
18. We should lobby to separate billing and assessment of school taxes from town departments
19. Where could we become more efficient in Town Services?
20. Can a Council member be a School Board member?

### Town Manager Information

1. The school expects increased funding of approximately \$600,000 from the additional \$21m proposed in the State Budget
2. The School expects approximately \$500,000 in reimbursements from the early childhood programs that operate in New burgh and Winterport
3. Increase to Hampden for the 2011/2012 school budget translates to a .77% increase in the Town contribution, which equates to approximately \$39,000.
4. Increases to school and the county tax will require approximately \$80,000. At the present time, the Town is expecting (at the current mil rate) approximately \$100,000 in taxes from new construction

### Town Departments – Service Delivery

1. Administration
  - a. Is 4 day work week working in terms of savings and customer satisfaction
  - b. Are system upgrades necessary
  - c. Is there space requirement issue for records
  - d. The Town should have silent alarm buttons for front office staff for use in conjunction with the video surveillance system
  - e. The public wants to be able to get license plates at the Town Office
  - f. Ask people how they want to be communicated with XX
  - g. Town may need a separate Information Technology position X
2. Planning/Code Enforcement
  - a. LIDAR mapping – how will we incorporate it into our current operations
  - b. Should GIS be separated from IT
  - c. Costs associated with old Hampden Academy re-use
  - d. How can we better streamline the process to bring business in
  - e. Are there ways to consolidate positions to improve service delivery and cut costs X
  - f. What are opportunities to be creative in this area
  - g. Comprehensive plan costs XXX
3. Economic Development
  - a. Where are we going with the Business Park XXX
  - b. Hampden Academy Re-use XXXX
  - c. New infrastructure development (i.e. Coldbrook Road)
  - d. Costs associate with Turtle Head Cove Improvements XX
  - e. BEAR program costs
  - f. Impact fees
4. Public Works
  - a. Vehicle replacement schedule

- b. Road upgrades XX
- c. Saturday Bus Service X
- d. Road Maintenance
- e. Do loaders/backhoes need 5 year replacement schedules
- f. Sewer maintenance and upgrades
- g. Increase Municipal Building parking X
- h. Beautification work collaboration (grants, etc)
- i. Remind people about Tree City USA activities
- j. What about paving budgets and what gets cut
- 5. Public Safety
  - a. Union negotiations
  - b. Provide services to other towns – review for changes X
  - c. Maintain current staffing coverage
  - d. This department is first priority
  - e. Power stretcher for second ambulance
  - f. We need to be competitive with an eye toward retaining our employees
- 6. Library
  - a. More library volunteer services
  - b. No more projects this year unless they find grant money
- 7. Recreation
  - a. Start investigating combining with other town functions X XX
  - b. Respond to request for more space
  - c. Town Forest
  - d. More programs for Seniors
  - e. Expand recreation reserves
  - f. Organized park management program
  - g. Playground priorities
  - h. Dog Park
  - i. Open space connectivity
- 8. Pool
  - a. Self-sustaining X
  - b. Privatization XX
  - c. Continue pool for this year – do not close X
  - d. Look for fundraising opportunities X
- 9. Cemeteries
  - a. Assess long term needs for additional space
  - b. Rewrite burial contracts to allow town to repair stones X
  - c. Need to adjust lot fee
- 10. Transfer Station
  - a. Increase user fee XX
  - b. Revisit Curbside service X
  - c. Investigate composting
  - d. eliminate accepting Construction and demolition debris
  - e. Look at days of service
  - f. Pay by the bag

- g, Single stream recycling
  - h. Keep it the same
- XXX

- 11. Outside Agencies
    - a. Eliminate
    - b. Reduce
    - c. Evaluate benefits to citizens
    - d. Senior center support
  - 12. Capital Improvements
  - 13. Reserves
- XXX  
X

- 2. Hampden Academy Re-use
  - a. Andre as Deputy mayor will take lead on this issue until new Mayor is chosen
  - b. We want collaboration
  - c. Requests need to be put in writing to the District for Information.

The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

A-3-a

Letter of Acceptance

We the Town of Hampden accept Michael A. Wagner's Eagle project donation of 10 trash receptacles.

At time of delivery on or before May 20th, 2011 the responsibility of maintenance and care of said receptacles will be that of the Town of Hampden.

Town Representative- *Richard Lyman* Date:

Representative's Title- *Town Manager* Date:

A-3-b



SIDLEY AUSTIN LLP  
ONE SOUTH DEARBORN STREET  
CHICAGO, IL 60603  
(312) 853 7000  
(312) 853 7036 FAX

jaschlickman@sidley.com  
(312) 853 7404

BEIJING N  
BRUSSELS P  
CHICAGO S  
DALLAS S  
FRANKFURT S  
GENEVA  
HONG KONG SYDNEY  
LONDON TOKYO  
LOS ANGELES WASHINGTON, D.C.

FOUNDED 1866

March 4, 2011

Susan Lessard  
Town Manager, Town of Hampden  
106 Western Ave.  
Hampden, ME 04444

Re: Status Update - Penobscot River Tolling and Standstill Agreement

To Susan Lessard,

We are writing on behalf of Mallinckrodt US LLC ("Mallinckrodt") to provide you with an update concerning the ongoing efforts to evaluate and respond to mercury contamination in the lower Penobscot River and Estuary (the "Penobscot River Site" or "Site"). Town of Hampden entered into a Tolling and Standstill Agreement with an effective date of July 1, 2008, which is still in effect. The purpose of this letter is to keep you apprised of recent events in the independent scientific study of mercury in the Penobscot River Site that the United States District Court for the District of Maine ordered Mallinckrodt to fund (the "Court-Ordered Study"). See *Maine People's Alliance v. HoltraChem Manf. Co.*, 211 F. Supp. 2d 237, 251 (D. Me. 2002). We anticipate continuing to provide periodic updates, such as this, during the Court-Ordered Study.

Since our original July 2008 letter to you, and our September 2009 update, Mallinckrodt has continued to fund the Court-Ordered Study as required. Phase I of the Court-Ordered Study is completed, while Phase II work is continuing. The January 25, 2008, report on Phase I (which can be found on PACER) concluded that mercury concentrations are at levels that could pose a risk to the environment and wildlife. While Mallinckrodt does not agree with the conclusions of Phase I of the Court-Ordered Study, a Phase II plan was submitted to the Court on March 10, 2008, with a revised plan submitted on May 21, 2008. Phase II is aimed at determining the process and rate by which mercury levels at the Penobscot River Site will decrease naturally over time, and also whether a more active cleanup strategy is feasible and/or desirable.

As part of the Phase II work, the Study Panel is currently engaged in developing a mathematical model of hydrodynamics, particle transport and mercury dynamics for the Penobscot River Site. In its Mercury Modeling Workshop Report, filed with the Court on November 8, 2010 (which can be found on PACER), the Study Panel reports that the model will be used to predict the transport and bioaccumulation of mercury at the Site, and this information

March 4, 2011  
Page 2

will be used by the Study Panel to evaluate natural recovery and other cleanup options for the Site.

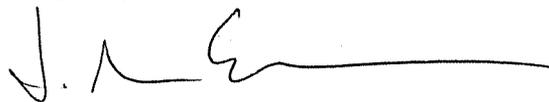
Mallinckrodt has raised concerns about undertaking a complex modeling effort at the Site, questioning whether a model will provide any useful and reliable information for evaluating cleanup options. Mallinckrodt has also asked the Study Panel to provide more information about the modeling effort, including the inputs used for the model. While the Panel has agreed to provide some of this information, they have not yet provided it, and the Special Master overseeing the Study Panel's work for the Court has recently required them to provide more information (but not everything Mallinckrodt has been seeking).

In the most recent Quarterly Report filed with the Court on February 9, 2011 (which can be found on PACER), the Study Panel indicated that drafting of the Phase II Final Report is underway as well. Currently the final Phase II Report is scheduled to be completed in the summer of 2012.

As of the date of this letter, Mallinckrodt has been ordered to pay more than \$12.5 million towards the Court-Ordered Study, and will likely be ordered to provide additional funds before the study is finished. There is no set date by which the Court-Ordered Study must be completed, but the most recent schedule estimates that the work will continue well into 2012, when the Phase II report is scheduled to be released. At some point after that, the Special Master will submit a final report and recommendation to the United States District Court for the District of Maine for approval.

If you have any questions, please contact Maggie Sobota at (312) 853-7857.

Very truly yours,



J. Andrew Schlickman





Check One:  Initial Application A-3-d  
 Reappointment Application

TOWN OF HAMPDEN

APPLICATION FOR TOWN BOARDS AND COMMITTEES

(aka Shelley Hackett)

NAME: Blosser LAST Shelley FIRST R MI

ADDRESS: 344 Main Rd. S. STREET Hampden TOWN  ZIP

MAILING ADDRESS (if different): 344 Main Rd. S.

TELEPHONE: 299-6143 HOME 941-6230 WORK

EMAIL: smillerhack@yahoo.com

OCCUPATION: teacher

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Citizens Committee (to be to look at the Comp Plan)

SECOND CHOICE (OPTIONAL): Conservation Committee / Historic Preservation Committee

*I also own a 200+ acre house; and am interested in historic preservation*

How would your experience, education and/or occupation be a benefit to this board or committee? I have lived in Hampden 13 years - own land that abuts 40+ acres - and am concerned about the

vision of Comp plan. I have been in education 24 years, & have a lot of experience working through issues - to find a good compromise

Are there any issues you feel this board or committee should address, or should continue to address? Citizen concerns about land use

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>MAR 07 2011</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

A-4-a

## MEMO

TO: Hampden Town Councilors  
FR: Kathy Walker and Norm Prouty  
DA: February 18, 2011  
RE: Hampden Academy (HA) Building Committee

Two meetings of the Building Committee, in December and earlier this week have been held since our last report. The agenda for each meeting has consisted primarily of updates on the progress of construction. This progress can be viewed online at [www.sad22.us](http://www.sad22.us) and is updated regularly.

An OSHA inspection of the site occurred in mid-November. No items of concern with the Phase 1 site work were noted. The Phase 2 building had only one minor item that was immediately corrected: a small (approximately 4"x16") unprotected floor opening was discovered. All subcontractors were found to be in compliance as well.

Winter conditions have delayed progress on the interior of the building, although daily work is being done. As Bill Charland, the owner's rep noted, this winter has not been like the previous two or three when minimal snowfall and cold temperatures occurred. WBRC reported at this week's meeting that 29% of the value has been paid to date to the contractors, and 37% of the estimated time has been expended. The range between these percentages is within the normal expected amount.

J&J Construction is reviewing a potential defect in the sidewall sheeting. Correction of this problem may delay the bricking work.

Forty-two artists from Maine, New England and New York submitted proposals for the Percent for Art competition. The five members of the review committee (Ruey Yehle, Pat Craig, Gabrielle Dantilio, Sheridan Kelley, Kathy Walker) met on February 9<sup>th</sup> to select finalists. Four artists will present completed design concepts to the committee on April 13<sup>th</sup>, beginning at 1 PM in the WBRC first floor conference room. Members of the public are invited to be present. The committee at the end of the meeting will make a recommendation of one or more of the four artists (Cynthia Fisher, Cassie Jones, Cindy Rizza [HA grad], Aaron Stephan). A maximum amount of \$42,500 is available from the state for artwork in or on the grounds of the new building. Both the Maine Arts Commission and the local school board must approve the committee's recommendation.

A policy for naming parts of the new facility is being developed by a subcommittee of the Building Committee (Joanie Speyer, Ruey Yehle, Kathy Walker). The draft policy will be presented to the school board for final approval.

We appreciate the opportunity to be involved in this project. The next Building Committee meeting is scheduled on Thursday, March 31, 6 PM, at the HA Library.

FINANCE COMMITTEE MEETING MINUTES  
Monday, March 7, 2011

Attending:

Mayor Matthew Arnett  
Councilor Kristen Hornbrook  
Councilor William Shakespeare  
Councilor Jean Lawlis  
Councilor Thomas Brann  
Councilor Janet Hughes  
Town Manger Susan Lessard  
Public Works Director Chip Swan

1. Minutes of 2-7-2011 – The minutes of the 2-7-2011 Finance Committee meeting were reviewed. No changes were made and the minutes were accepted as written.
2. Review and sign warrants – Bill payment warrants were reviewed and signed by the Committee. Councilor Shakespeare questioned expenses related to printing costs for the Town newsletter and suggested that the Town Manager call other vendors for additional quotes to make sure that we were getting a good price for printing.
3. Old Business
  - a. 2012 Plow Truck Bid Results – Motion by Councilor Shakespeare, seconded by Councilor Lawlis to recommend to the full council the acceptance of the low bid for a 2012 International plow truck from Daigle and Houghton for \$119,043.36. Unanimous vote.
  - b. Scott Luciano – Application for Reappointment to Personnel Appeals Board (Mr. Luciano will attend) – Mr. Luciano attended the meeting and discussed his re-appointment to the Personnel Appeals Board. Although the Board has not met due to no need, it was noted that Mr. Luciano has very strong credentials for this kind of board and that the Committee appreciated his interest in serving the Town. Motion by Councilor Lawlis, seconded by Councilor Hughes to recommend to the full Council that Scott Luciano be re-appointed to the Personnel Appeals Board. Unanimous vote.
4. New Business
  - a. Acceptance of Forfeited Property – Public Safety – Motion by Councilor Hughes, seconded by Councilor Brann to recommend to the full Council the forfeited 2002 truck

*and to allow the Police Department to sell the truck and put the proceeds into Cruiser Reserve. Unanimous vote.*

- b. Julie Johnston – Board of Appeals – New Applicant - Ms. Johnston attended the meeting and discussed her interest in serving on the Appeals Board. It was noted by the Committee that she had outstanding qualifications for the committee work. She is well versed in conflict resolution through her work as the call center supervisor for LL Bean. The Committee expressed their appreciation for Ms. Johnston's willingness to serve on the Committee. Motion by Councilor Lawlis, seconded by Councilor Brann to recommend to the full Council the appointment of Julie Johnston to the Appeals Board. Unanimous vote.*
- c. Union Negotiations (added to the agenda by Mayor Arnett) – It was the consensus of the Committee that a subcommittee assist the Town Manager with contract negotiations. This item will be posted on the next regular Finance Committee agenda.*

5. Public Comment - None

6. Committee Member Comments

*Councilor Shakespeare requested that the Fire Department be recognized for their work in obtaining a grant for t new brush truck for the department.*

*The meeting was adjourned at 6:20 p.m.*

Respectfully submitted,

Susan Lessard  
Town Manager

A-4-C

EDYTHE I. DYER COMMUNITY LIBRARY  
BOARD OF TRUSTEES' MEETING  
JANUARY 12, 2011  
MINUTES

**Call to order:** A regular meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on January 12, 2011. The meeting convened at 7:38 a.m., Mark Russell presiding, Debbie Lozito recording secretary.

**Members present:** Ruth Stearns, Mary Ann Bjorn, Mark Russell, Yvonne Lambert, Cheri Condon, Tony Mourkas, John Skehan, Richard Jenkins, Debbie Lozito (ex officio), Bill Arata from Morgan Stanley Smith Barney (MSSB).

**Members absent:** Judy Beebe, Don Desmarais, David Barrett

**Approval of minutes:** Motion was made by Tony and seconded to approve the minutes of the November 10, 2010 meeting. **Motion carried.**

**Library reports:**

Fees & fines  
Circulation  
Director's

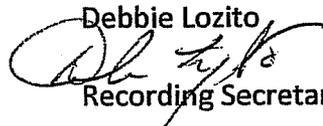
**New Business:**

Bill Arata from MSSB gave his semi-annual report to the board on the Endowment Fund. The library's Endowment Fund has had a 15% gain since September of 2009 when it moved with Bill and his team to MSSB. Bill recommended at this time the Endowment Fund should invest 20% in gold & silver, 20% in stocks including 1% in rare earths, and 60% in bonds (including Treasury Inflation Protected Bonds and foreign bond funds excepting Portugal, Ireland, Greece or Spain).

The next meeting is scheduled for March 9, 2011.

**Adjournment:** The meeting was adjourned at 9:20 a.m.

Debbie Lozito



Recording Secretary

---

Date of approval

A-4-d

*Lurea Not Pool*  
Board Meeting Minutes ~ 1/11/11

Cedena McAvoy brought the meeting to order at 7:01 pm.

Those present: Cedena McAvoy, Greg Hawkins, Karen Brooks, John Weinm; Feverston, Mary Ellen Conner, Pat Foley, Norm Stern, Darcey Peakall, and Julie Macleod.  
Not present: David Hawkins

The secretary's minutes were accepted as presented.

The Director's Report:

~ The number of participants in December was down 355 people and daily receipts were up \$70 compared to last year. For the year, the total number of people was down 1,310 participants and total income was down \$10,283.

~ The pool rental income in December was down \$631 compared to last year and down \$2,779 total for the year.

~ The monthly fuel usage went down 205 gallons compared to last year. The exhaust damper on the air handler has been fixed and that is why the oil amount was so high last month.

The rental totals and income are down due to SAD 22 adaptive PE program being cut from two hours a week to one half-hour a week time slot and swim team has 20 less people participating this season; 20 people times 5 days a week is 100 less people a week during their rental time.

Cedena has some orders for t-shirts and needs Jim to cut her a check for \$28.25 to pay Brandywine Graphics.

Norm and Mary Ellen need to renew their board position with the town office.

The board reviewed the Memorandum of Understanding. Darcey proposed that the board look at expanding the criteria of the distribution of funds since they are not being spent. The board came up with three options that they would like to be explored. Option 1: Expand outside the SAD 22 borders to offer swim lessons to all towns. Option 2: Allow for family memberships. Option 3: Allow pool staff to apply for an academic performance and leadership college scholarship that will be given to one or more staff members depending on the amount still left in the Susan Abraham account at the end of each year. The board would still like to have the first two options be based on the financial criteria previously set. Cedena will research how the scholarships work through the schools.

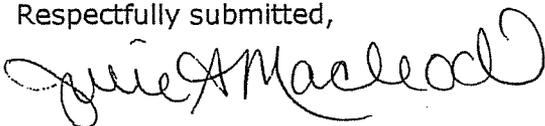
A motion was made to have Darcey approach the Town about the possibilities of extending the scholarship guidelines. Motion was passed 8-0.

The treasurer's report was accepted as presented.

Cedena would like the board to start thinking about other fundraising options and bring ideas to the next board meeting.

Meeting adjourned at 7:50pm.

Respectfully submitted,



Julie A. Macleod

C-1-a



**TO:** Mayor Arnett and Hampden Town Council  
**FROM:** Robert Osborne, Town Planner RLO  
**SUBJECT:** Draft Zoning Ordinance Text Amendments for Medical Marijuana Dispensary, Medical Marijuana Cultivation Facilities and Methadone Clinics  
**DATE:** March 2, 2011

Please be advised that the Hampden Planning Board held a public hearing on the draft set of amendments to the Zoning Ordinance on the subject topic (as referred by the Town Council at their December 20, 2010 meeting) on January 12, 2011 and referred the item to their Planning Board Ordinance Committee for further review. The Planning Board Ordinance Committee met on January 26, 2011 and considered both the referral language as well as additional language regarding methadone clinics. The Planning Board Ordinance Committee at their January 26, 2011 meeting voted to recommend that language to the Planning Board pending review by Attorney Russell. Tom Russell made suggestions that were incorporated into the new document containing regulations on methadone clinics as well as medical marijuana dispensaries and clinics that the Planning Board held a subsequent newly advertized public hearing on at their February 9, 2011 meeting. The Planning Board voted to recommend the attached draft ordinance amendments to the Town Council with an ought-to-pass recommendation. This now also contains language from Tom Russell, Town Attorney.

At the January public hearing there was public testimony which is detailed in the Planning Board Minutes of the January 12, 2011 meeting (attached). There was no public testimony at the February meeting. There was subsequent to the February hearing some suggestions made by Peter Frazier which are also attached.

3/7/11 Introduced for public hearing on 3/21/2011

**TOWN OF HAMPDEN**  
**Draft**

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

Deletions are ~~Strikethrough~~      Additions Double Underlined

ARTICLE 3  
**REGULATIONS PERTAINING TO INDIVIDUAL ZONES**

**3.1. Industrial Park District**

**3.1.1. Purpose** - This district is established to provide a location for fully serviced industrial development. It is intended that land within this district will be protected from encroachment of non-industrial uses, however, the district also contemplates planned business parks with a more diverse mixture of uses and development standards implemented in a closely managed context. *(Amended 2-20-01)*

**3.1.2. Permitted Uses (Subject to Site Plan or Subdivision Review)** – Manufacturing, compounding, assembling, packing, treatment, warehousing, wholesaling of goods and products, research and testing operations, take-out restaurant, business park, essential service, wireless telecommunications facilities (subject to *Section 4.22*), consulting operations, public or private utility service providers and their related operation, service and maintenance activities, accessory uses or buildings, and other industrial operations, but not including excavation, gravel pit and quarry activities, which conform to all performance standards in this Ordinance. *(Amended 2-20-01, 10-01-01, 12-6-04, 12-17-07)*

In addition to the permitted uses set forth above, permitted uses within a Business Park may also include the following: Office and service businesses, government and institutional uses, places of assembly such as hotel and conference center, bar in conjunction with hotel or conference center, small restaurant, sit down restaurant, retail sales not exceeding 5,000 sq. ft. gross floor area per retail business space or module, accessory uses or structures, day care facilities, essential services, buildings necessary for essential services. A master plan for a Business Park must be prepared by a State of Maine registered engineer, landscape architect, or architect, submitted, and approved by the Planning Board as part of the subdivision review and approval process. The master plan shall indicate the full build-out of the subdivision including but not limited to: building footprint, building height, impervious surface, stormwater management, architectural guidelines, traffic, and other items that the Planning Board may require. The plan shall:

1. Depict the land area designated for the Business Park use.
2. Depict the lotting of the Business Park subdivision. *(Amended 12-17-07)*
3. Establish the overall development criteria for the Business Park.
4. Propose covenants governing use and the appearance, size, and physical location of the building and other necessary site improvements. *(Amended 2-20-01, 12-6-04, 10-01-07)*

**3.1.3. Conditional Uses (Subject to Site Plan Review) – Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility (subject to Article 4.24), methadone clinic (subject to Article 4.24), Stockpiles (subject to Article 4.9) not accessory to excavation, gravel pit and quarry activities, living quarters for security personnel, buildings necessary for essential services, buildings greater in height than thirty-five (35) feet. (Amended 3-5-88, 6-15-92, 12-17-07)**

**3.1.4. Lot Dimensions**

	Typical	Business Park as described in 3.1.2. only
Minimum Lot Area	- 1 acre -	- 20,000 sq. ft. -
Minimum Road Frontage	- 200 feet -	- 50 feet -
Minimum Setbacks:		
Street Yard	- 50 feet -	- 20 feet -
Other Yards	- 50 feet -	- 20 feet -
Maximum Lot Coverage	- 25 percent -	- 30 percent -
Maximum Impervious Surface	- 60 percent -	- 70 percent -

(Amended 2-20-01, 12-6-04)

**3.1.5. Special District Regulations** - In addition to the general regulations in Article 4 of this Ordinance, the following specific requirements shall be applicable to the Industrial Park District:

1. When necessary to store or keep articles, goods and materials in the open, the area shall be limited to the rear two thirds of the property. Where necessary to protect the visual amenities of the Industrial Park, the planning board may require screening, as defined, around areas designed for the keeping of articles, goods, or materials where they are exposed to the public view.
2. Buildings in this district shall not be used for any of the following purposes: storage of junk, automobile wrecking, operation of a mine or quarry, rendering plant, or any business having appearance, odor, or noise characteristics detrimental to other businesses in the park, the future of the park, the neighborhood, or the Town of Hampden.
3. Notwithstanding other requirements in this section any structure which requires access to rail service shall not be required to setback from the railroad siding.
4. In order to protect the integrity of the industrial park, to insure that it is developed in a manner which fits harmoniously with the surrounding environment, and to prevent erosion, the planning board may require landscaping, with lawn, trees, or shrubs, of the front setback. It may also require landscaping of a buffer strip of up to twenty (20) feet on the side and rear lot lines. In such cases, an occupancy permit shall not be issued until the landscaping is complete or until a certified check for the amount of one hundred twenty-five (125%) percent of any unfinished work is accepted by the Town Manager.  
(Amended 6-15-92)

### 3.2. Industrial District

**3.2.1. Purpose** - These areas are set aside for non-service intensive industrial uses which do not require the amenities of an industrial park and which would fit into the surrounding rural area with ease. Industries needing public sewer or water are not expected to locate in these areas.

**3.2.2. Permitted Uses (Subject to Site Plan Review)** - Facilities for manufacturing, compounding, processing, packaging, essential service, wireless telecommunications facilities (subject to *Section 4.22*), treatment or warehousing of goods and products, wholesale distribution, take out restaurant, retail sales where such activities are part of and accessory to an industrial use, such facilities having less than five thousand (5,000) square feet of gross floor area, and accessory uses and structures. Excavation, gravel pit and quarry activities are not permitted in the district. (*Amended: 10-01-01, 12-6-04, 12-17-07*)

**3.2.3. Conditional Uses (Subject to Site Plan Review)** - Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility (subject to Article 4.24), methadone clinic (subject to Article 4.24), facilities for manufacturing, compounding, processing, packaging, treatment, buildings necessary for essential services, or warehousing of goods and products, wholesale distribution, retail sales where such activities are part of and accessory to an industrial use, such facilities having more than five thousand (5,000) square feet of gross floor area. Stockpiles (subject to *Article 4.9*), but not including excavation, gravel pit and quarry activities. Accessory uses or structures, building or living quarters for security personnel. (*Amended: 12-17-07*)

#### 3.2.4. Lot Dimensions

Minimum Lot Area	-	2 acres
Minimum Road Frontage	-	150 feet
Minimum Setbacks:		
Street Yard	-	50 feet
Other Yards	-	35 feet
Maximum Ground Coverage	-	25 percent
Maximum Building Height	-	35 feet

#### 3.2.5. Special District Regulations

1. Notwithstanding the above requirements any structure which requires access to rail service shall not be required to setback from the railroad siding.
2. In order to provide for harmonious development and preserve the rural character the Planning Board may require additional buffers beyond that required in *Article 4.7.11*. (*Amended 8-17-92*)

**3.3. Commercial Service District**

**3.3.1. Purpose** - This district is intended for the location of heavy commercial uses, wholesale uses, office buildings, automotive type of uses such as sales and service, convenience stores and commercial service type of uses. In general this area is devoted to service or wholesale uses.

**3.3.2. Permitted Uses (Subject to Site Plan Review)** - Any retail or service business, hotel and motels, business or professional offices, take-out restaurant, small restaurant, sit-down restaurant, automobile service, place of assembly, outdoor recreation and accessory uses or structures. Essential service and buildings for essential service, single family dwellings in existence on the date of this amendment. (Amended 12-6-04)

**3.3.3. Conditional Uses (Subject to Site Plan Review)** – Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility (subject to Article 4.24), methadone clinic (subject to Article 4.24), Fast-food restaurant, outdoor dining restaurant, tavern, bar, dance hall, commercial school, drive-thru business, wholesale distribution, truck terminal, light industrial operations (but not including excavation, gravel pit and quarry activities) which do not exceed 10,000 square feet, such as warehousing assembly or fabrication. Functionally water-dependent uses along the Penobscot River. Any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment. Stockpiles (subject to Article 4.9) not accessory to excavation, gravel pit and quarry activities. (Amended 4-7-03, 12-6-04, 12-17-07, 03-01-10)

**3.3.4. Lot Dimensions**

Minimum Lot Area	-	20,000 sq. ft.
Minimum Road Frontage	-	100 feet
Minimum Setbacks:		
Street Yard	-	40 feet
Other Yards	-	30 feet
Maximum Ground Coverage	-	25 percent
Maximum Building Height	-	35 feet

**3.3.5. Special District Regulations**

1. Where a commercial or industrial use abuts any residential use or residential district, the other yard setback shall be double where it abuts the residential property.
2. Notwithstanding the maximum building height regulations in Article 3.3.4. building height may be up to 50 feet under the following standards. 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 yard setback requirement. (Amended 03-01-10)

**EXAMPLE:** A 48 foot tall building is proposed. By subtracting the base Commercial Service District maximum building height from the proposed height the following is the result  $48' - 35' = 13'$ .

Then add that amount to each yard or setback.

Setback Type		Base Setbacks:	Total Setback
Street Yard	-	40 feet	53 feet
Other Yard	-	30 feet	43 feet

3. Notwithstanding other requirements in this section any structure which requires access to rail service shall not be required to setback from the railroad siding. *(Amended 8-17-92, 10-4-93)*
4. Fast-food restaurant use shall be located on a lot having a minimum lot size of 1.5 acres, minimum frontage of 200 feet and no part of the vehicle queue shall be located within 100 feet of a residential structure. *(Amended 12-6-04)*
5. 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)*
6. 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)*
7. Notwithstanding the maximum building height regulations buildings used for functionally water-dependent uses along the Penobscot River are not subject to the maximum building height standard in Article 3.3.4. or 3.3.5.2. provided the lot area for such a use is at least five acres in size. *(Amended 03-01-10)*

**4.7. Off-Street Parking, Loading, Drive-Thru Design and Bufferyard Requirements** – The purpose of this section is to provide minimum standards and design guidelines for off-street parking, and loading areas, drive-thru businesses and bufferyards. *(Amended: 10-12-04)*

**4.7.1. Parking Basic Requirement** - No use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street parking spaces in accordance with the following parking requirements. No required parking space shall serve more than one use. Parking areas with more than five (5) parking spaces shall be so arranged that vehicles can be turned around within such area and are prevented from backing into the street.

**4.7.1.1. Minimum Off-Street Parking Space Requirements.** The following are the minimum number of off-street parking spaces that may be provided for each of the uses stated. *(Amended: 10-12-04)*

1. Elderly housing; one (1) space per dwelling unit plus one (1) additional space for every ten (10) dwelling units or fraction thereof.
2. Congregate care facility; one (1) space per dwelling unit.
3. All other dwellings; two (2) spaces for each dwelling unit.
4. Hotels, motels, tourist homes, rooming houses, bed and breakfast establishment; one (1) space per guest room.

5. Hospital or nursing home; one (1) space per three (3) patient beds.
6. Restaurant parking space requirement is based on the following formula:
  - A. Divide the total seats by three. Where seating is provided by bench, booth or picnic table a seat shall be considered two linear feet.
  - B. Divide the total restaurant sq. ft. floor area by 75 sq. ft.

Restaurant minimum parking spaces shall be the sum of A plus B divided by 2.  
Parking shall also be provided for outdoor seating in excess of 12 outdoor seats at one parking space per three seats. *(Amended: 10-12-04)*

7. Other places of assembly such as churches, theaters, funeral homes, auction houses and galleries, where seating can be determined; one (1) space per three (3) seats or one (1) space per six (6) linear feet of bench space. Where seating cannot be determined; one (1) space per one hundred-fifty (150) sq. ft. of gross floor area.
8. Office use; one (1) space per two hundred-fifty (250) sq. ft. gross floor area.
9. Retail and service businesses; one (1) space per two hundred (200) sq. ft. gross floor area (minimum of five [5] spaces).
10. Industrial use, wholesale, warehouse, manufacturing plant; three-quarters (3/4) of a space per employee (minimum of five [5] spaces).
11. Golf course including miniature golf; one and one half (1.5) spaces per hole.
12. Marina; one (1) space per berth, ten (10) spaces per boat launching ramp.
13. Campgrounds, tenting areas, and recreational vehicle parks; one and one half (1.5) spaces per camp site.
14. Preschool facility; one (1) space per three (3) students. *(Amended: 8-22-94)*
15. Auto service; four (4) spaces per service bay (non drive thru service) Drive thru service; two (2) spaces per service bay.
16. Outdoor display and sales such as automobiles, farm equipment, heavy machinery, boats, recreational vehicles; one (1) space per five thousand (5,000) sq. ft. of display area.
17. Uses not listed in this schedule; the standard shall be determined by the planning board based on the most similar use listed or on other available adopted zoning ordinance or published sources of parking standards.
18. Notwithstanding these Minimum Off-Street Parking Space Requirements a site development established prior to the adoption of this ordinance for which a change of use is proposed shall meet parking space requirements for the new use to the maximum practical extent as determined by the Code Enforcement Officer provided that at least 75 percent of the required parking spaces are provided. This provision

shall apply to both on-site and off-site parking spaces. Determination of the number of parking spaces in parking lots where spaces are not delineated shall be based on the traditional usage of the lot. It is not the intent of this regulation to retroactively apply current parking location, setback and design standards to site developments established prior to the adoption of this ordinance. (Amended: 10-12-04)

19. For medical a marijuana dispensary, five (5) spaces per one thousand (1,000) square feet total floor area, plus one additional space for every two (2) employees.

20. For methadone clinic, five (5) spaces per one thousand (1,000) square feet total floor area, plus one additional space for every two (2) employees.

#### 4.24 Performance Standards for Medical Marijuana Registered Dispensaries, Medical Marijuana Cultivation Facilities and Methadone Clinics

4.24.1 Adequacy of Building for the Subject Use. The property and building for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility and/or Methadone Clinic shall be adequate to accommodate sufficient interior space so as not to have outside patient queuing on sidewalks, parking areas, and other areas outside of the building(s). A letter of compliance from the Town of Hampden Code Enforcement Officer shall be submitted to the Planning Board as part of the site plan application. The size of the inside waiting area shall be calculated at a minimum of 15 square feet per person based on total client capacity (registered patients and the registered primary caregiver of each registered patient). Any Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall adhere to the laws of the State of Maine and the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122), and any Methadone Clinic shall adhere to the laws of the State of Maine and the State of Maine Regulations for Licensing and Certifying Substance Abuse Treatment Programs (14-118 CMR Chapter 5), as any the same may be amended from time to time, and to Ordinances and Codes of the Town of Hampden, as the same may be amended from time to time.

4.24.2. Required Setbacks. No Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility and/or Methadone Clinic shall be located within 1,000 feet of the property line upon which the Dispensary and/or Facility and or Methadone Clinic is or are located and the nearest property line of any of the following, which is or are in existence when an application for a Medical Marijuana Registered Dispensary and or Medical Marijuana Cultivation Facility and/or Methadone Clinic is made:

4.24.2.1. Preexisting public or private school.

4.24.2.2. Preexisting church or other facility for religious worship.

4.24.2.3. Preexisting residence or lot located in a Residential A District, Residential B District or Rural District.

4.24.2.4. Preexisting licensed daycare facility, or

4.24.2.5. Preexisting juvenile or adult halfway house, correctional facility, or substance abuse rehabilitation or treatment center or program.

4.24.2.6. Preexisting athletic field, park, playground or recreation facility.

4.24.3. Maximum Number of Subject Use Within the Town of Hampden. No more than one (1) Medical Marijuana Registered Facility and/or one (1) Marijuana Cultivation Facility and/or one (1) Methadone Clinic shall be located in the Town of Hampden. If both a Medical Marijuana Registered Dispensary and a Medical Marijuana Cultivation Facility are located in Hampden, they shall be located on the same property and shall be under common ownership.

4.24.4. Hours of Operation. A Medical Marijuana Registered Dispensary shall only be open for business between the hours of 8:00 a.m. and 8:00 p.m. daily. A Methadone Clinic shall only be open between the hours of 6:00 a.m. and 8:00 p.m.

4.24.5. Signs and Advertising. Medical Marijuana Registered Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic shall conform to the provisions of Article 4.8 Signs of this Ordinance. In addition thereto, any freestanding or sign attached to building(s) in which the Dispensary and/or Facility is located in shall clearly state that it is a Medical Marijuana Dispensary and/or Medical Cultivation Facility and/or Methadone Clinic. There shall be no signage in any window and/or door, except for the hours of operation and the presence of a security system. In addition, no signage or advertising shall use the word "marijuana" or "cannabis," or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers and/or methadone clinic patients.

4.24.6. Security Requirements for Subject Use. Security measures at a Medical Marijuana Registered Dispensary and /or Medical Marijuana Cultivation Facility and/or Methadone Clinic shall include the following at a very minimum:

4.24.6.1. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week to monitor all entrances, along with the interior and exterior of the Dispensary and/or Facility and/or Clinic, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring on the property;

4.24.6.2. Door and window intrusion, robbery and burglary alarm systems with an audible on-site system and Police Department notification components that are professionally monitored and maintained in good working condition, using hard line traditional telephone communications and cellular communications;

4.24.6.3. A safe affixed to the building in which it is located that is suitable for the storage of all prepared and/or processed marijuana and cash stored overnight in the Dispensary and/or Facility, and a secure storage container for methadone and cash stored overnight in a Clinic;

4.24.6.4. Exterior lighting that illuminates all exterior walls of the licensed Dispensary and/or Facility and/or Clinic; and

4.24.6.5. Deadbolt locks on all exterior doors and locks or bars on any other access point.

All security recordings shall be preserved for thirty (30) days by the management of the

licensed Dispensary and/or Facility and/or Clinic. 4.24.7. Consumption, Ingestion Or Inhalation Of Medical Marijuana. The consumption, ingestion or inhalation of medical marijuana on or within the property of a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility is prohibited; provided, however, that a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility employee who is a registered patient, as that term is defined in 22 M.R.S.A. Section 2422(12), as the same may be amended from time to time, may consume medical marijuana inside the building(s) on the licensed property, if such consumption occurs via oral consumption and not by smoking. For purposes of this subsection, the term "licensed property" shall include the lot or parcel of the land upon which the Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility are located.

4.24.8. Visibility Of Activities; Control Of Emissions; Disposal Plan for Subject Use. Visibility of activities; control of emissions; disposal plan for a Medical Marijuana Registered Facility and/or Medical Marijuana Cultivation Facility and/or Methadone Clinic shall be as follows:

4.24.8.1. All activities of a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility and/or Methadone Clinic, including, without limitation, cultivating, growing, processing, displaying, selling and storage shall be conducted indoors.

4.24.8.2. No marijuana or paraphernalia shall be displayed or kept in a Dispensary or Facility so as to be visible from outside the building (s).

4.24.8.3. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a Dispensary and/or Facility and/or Clinic must be provided at all times. Sufficient measures shall be provided for the proper disposal of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable state and local laws and regulations.

4.24.8.4. Any Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall have in place an operation plan, subject to the approval of Hampden Public Safety, for proper disposal of marijuana related byproducts.

4.24.8.5. Class II Bufferyards in accordance with Article 4.7.4 Screening/ Bufferyards shall be provided along each lot line or at least along each line of the developed area of buildings and parking areas.

4.24.9. Limitations of Food Products. No food products shall be sold, prepared, produced or assembled by a Medical Marijuana Registered Dispensary except in compliance with all operation and other requirements of state and local law and regulation, including without limitation, food establishment licensing requirements. Any goods containing marijuana for human consumption shall be stored in a secure area.

4.24.10. Compliance With State and Local Law. A Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility and/or Methadone Clinic shall meet all operating and other requirements of state and local law and regulation. To the extent the State of Maine has adopted or adopts in the future any stricter law or regulation governing medical marijuana dispensaries or methadone clinics, the stricter law or regulation shall control.

ARTICLE 7  
DEFINITIONS

**7.1. Construction Language** - In this Ordinance, certain terms or words shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure" and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

**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:

*Marijuana:* Marijuana shall have the definition set forth in Title 17-A M.R.S.A. Section 1101(1) and the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122, Section 1.15), as the same may be amended from time to time.

*Medical Marijuana Registered Dispensary:* Medical Marijuana Registered Dispensary means a not-for-profit entity as defined under Title 22 M.R.S.A. Section 2422 and registered pursuant to Title 22 M.R.S.A. Section 2428 and to Section 6 of the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122) that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana, paraphernalia or related supplies and educational materials to registered patients who have designated the Dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients. Any Medical Marijuana Registered Dispensary shall be further defined in, and shall adhere to, the laws of the State of Maine and to the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122), as the same may be amended from time to time.

*Medical Marijuana Cultivation Facility:* Medical Marijuana Cultivation Facility means a building owned or operated by a not-for-profit entity registered pursuant to the laws of the State of Maine and to Section 6 of the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122) that is used for the cultivation or storage of marijuana for the Medical Marijuana Registered Dispensary licensed by the State of Maine for Penquis District 6. Any Marijuana Cultivation Facility shall be further defined in, and shall adhere to, the State of Maine Rules Governing the Maine Medical Use of Marijuana Program (10-144 CMR Chapter 122), as the same may be amended from time to time.

*Methadone Clinic:* Methadone Clinic is a clinic which has been established for the dispensing of methadone (Dolophine) to those who abuse heroin and other opiates. The focus of these clinics is the elimination or reduction of opiate usage by putting the patient on methadone.

**TOWN OF HAMPDEN  
PLANNING BOARD  
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Thursday, January 13, 2011, at the Hampden Municipal Building by Acting Chairman Michael Avery.

Attendance: Planning Board Chairman Peter Weatherbee, Members Andrew Nelson, Peter Frazier, Thomas Blais, Mort Syversen.

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

**1. ELECTION OF OFFICERS**

Member Frazier nominated **Peter Weatherbee** for Chairman. This was seconded by Member Syversen. The vote was unanimous. Chairman Weatherbee accepted the role of Chairman.

Member Frazier nominated **Michael Avery** for Secretary. This was seconded by Member Syversen. The vote was unanimous.

**2. APPROVAL OF MINUTES (November 10, 2010)**

Member Nelson made a motion to approve the minutes as written. This motion was seconded by Member Frazier. The vote was unanimous.

**3. NEW BUSINESS**

**A. Minor Subdivision – Alan Peters requests approval to modify Lot 1 of the previously approved Andrade Subdivision located at the northeast corner of Kennebec Road and Libby Lane in a Rural District. (Tax Map 5, Lot 73-B1)- Public Hearing**

Chairman Weatherbee opened the public hearing, asking to hear from the applicant.

Alan Peters asked the Board to amend lot 1 of the Andrade Subdivision. He stated that lot one is currently a three acre lot and the revision reduces the area to 2.0 acres, He stated that they are creating road frontage on Kennebec Road for his existing house lot to the rear and a potential second lot to the rear by modifying the subdivision. He indicated that the plan meets the town standards and asked the Board to approve the plan.

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

Town Planner Bob Osborne stated that the Andrade Subdivision was created and approved in 1985. Libby Lane is a town road (associated with the subdivision) about 400 feet in length. It came to our attention that tax map 5, lot 91 to the rear of the subject subdivision lot did not meet the frontage requirement of the Rural District on Libby Lane (because the constructed length of Libby Lane is longer than the accepted length of the street). Mr. Peters who owns both parcels seeks to amend the subject subdivision lot to provide frontage to the land to the rear. Frontage is provided as proposed for two lots to

the rear (Tax map 5, Lot 91). The subject lot (map 5 lot 73-B1), would be reduced in size and road frontage but is fully conforming as proposed. Staff recommends subdivision approval.

Member Syversen asked about access and a deeded easement.

Member Syversen made a motion that the application meets the standards governing subdivision, this motion was seconded by Member Nelson. The vote was five in favor and none against. Chairman Weatherbee asked that the Town Planner's Memo be entered into the record.

**B. Zoning Ordinance Text Amendments – Town of Hampden requests amendments to regulate medical marijuana registered dispensaries and cultivation facilities including amendments to Definitions 7.2, district regulations Article 3.1 - Industrial Park, 3.2 – Industrial and 3.3 – Commercial Service Districts, Performance Standards are proposed in Article 4.24 and parking standards are proposed in Article 4.7 – Public Hearing**

Chairman Weatherbee opened the public hearing. He asked for anyone speaking in favor then anyone opposed, then anyone with questions or general comments.

Shelley Blosser of Hampden asked is it a necessity that Hampden allow medical marijuana dispensary and cultivation facilities?

Bob Osborne asked Chairman Weatherbee if he could address the question. He indicated that the voters approved the referendum to allow medical marijuana and the legislature approved a statute to allow for the creation of regional facilities. The question is what happens when a company comes and says it wants to put a facility in town? Failing having medical marijuana regulations in place the code enforcement officer would have to determine if the zoning ordinance addresses the use either specifically or inclusively in the form of some category of use such as service business or medical facility. Then given that this use was not contemplated when the zoning ordinance was written in 1979 and forward no appropriate performance standards or district considerations were crafted for this use. The purpose for the town to look at this is if a request comes to the town and the legislature said it is a legal operation that we have the appropriate land use controls in place so that the people of the town can live with. Looking at downtown Hampden there are service businesses contemplated in the Village Commercial Districts and Business B District. If it were to be determined that this is a service business would Hampden citizens be comfortable with that use in close proximity to homes and schools?

Shelley Blosser asked: So you are saying outer town areas?

Bob Osborne indicated that the goal is to find some standards that aren't totally unreasonable but thoroughly consider the juxtaposition of homes and schools and churches.

Bob Osborne said that as we went through the Council Planning and Development Committee process that is what was discussed. We looked at two ordinances: South Portland and Brewer. We utilized Brewer's primarily with some elements of South Portland's as well.

Shelley Blosser asked: Are we bound by law to have one, a plan in place, if other towns already have a plan in place?

Bob Osborne said that if we do not have appropriate regulations then the existing regulations apply.

Shelley Blosser said next to Edwards (Supermarket).

Member Syversen said (when the application comes to the town) you would just wing it with the current rules. We can set up a black box now that applications must pass through but only if it is in place before they apply (for the use).

Shelley Blosser asked: Is there any way to zone it out of town?

Bob Osborne said that I put that question to Town Attorney Tom Russell and he indicated that he did not think so.

Shelley Blosser asked: Why?

Bob Osborne said that is because the legislature has passed a law that says the use is legal to do in the state of Maine. In zoning law ordinances are supposed to be crafted with a place in town for every use. Not a lot of places but some place.

Shelley Blosser asked if we can have the pertinent laws at the public hearing.

Bob Osborne indicated that this was a subject that would require time and attention and is not a five minute discussion for this hearing.

Shelley Blosser said we agreed in what we voted on the referendum as a state to have medical marijuana facilities. In what we voted does it require that each town have one?

Bob Osborne said that each region will have one initially. If South Portland gets one Westbrook will not have to worry about one initially. However, eventually a single facility will not be adequate and the legislature may come to the conclusion that more are necessary.

Shelley Blosser said that has not happened yet.

Bob Osborne said no, not yet but we are currently in a moratorium on medical marijuana pending adoption of local regulations.

Member Frazier said the legislature did not leave it up to the local communities to decide if they want methadone clinics or medical marijuana clinics. The voters for whatever reason said it is fine to have one. I think what Bob is saying is that we are developing an ordinance that may make it contained because we can't prohibit it completely. I hope we do a good job of creating an ordinance that makes it less attractive to establish the use in Hampden than some other place.

Shelley Blosser asked when does the moratorium run out?

Bob Osborne said he believed it ran out in six months. (The actual extension was for 120 days).

Shelley Blosser asked if we are having other hearings.

Bob Osborne indicated that the Planning Board will likely take this back up next month.

Sally Leete, of Hampden cited a MSNBC report that looked at San Francisco, California and the connections between medical marijuana and crime. It quoted a public official that indicated where there are drugs and money there will always be crime. Sally Leete noted that although marijuana is illegal under federal law the voters approved medical marijuana and Maine is going to have this. It brings in a whole new set of laws and guidelines. It is not something I would like to see in Hampden. She questioned that not all people in town have internet and computers and she favored an open forum for exchange of information.

Kristen Hornbrook, Hampden Town Councilor, spoke about concerns of the crime rate going up and the growing drug problem and cited data from San Francisco, California.

Councilor Hornbrook discussed that these were good issues that were raised and an emotionally charged topic and the statute could have been done differently with control by medical providers. With drug problems everywhere it boggles the mind that this got approved. Perhaps this is something that could be brought to referendum. The question: are you for or against medical marijuana in Hampden? What about Home Rule? Where does it say we must have a medical marijuana facility in Hampden? What about home rule option? What the State says and what the Town says- legally what or where does the town stand on this? It is illegal to possess marijuana under federal law. Can the Town extend the moratorium on medical marijuana? She wants to see that statute, law or case that says towns must provide a place for each use in a zoning ordinance. Perhaps through regulation the town can define a regulation that would make it extremely difficult for the use to be established here. I spoke to the town attorney and he said that the use cannot be excluded but I want to see where it says that. I want to talk more about home rule and the state and local differences and who has the final say. Perhaps there is a link between a referendum and what authority the town could have to exclude the use. My feeling is that if it is medical marijuana that it should be near a medical facility such as Brewer's treatment center. It is illegal to possess marijuana under federal law. Do we have to end the moratorium or can we extend it?

Chairman Weatherbee stated that it strikes him that some of the issues raised tonight are

better suited to the Town Council.

Bob Osborne stated that the moratorium must clearly state a reason for it and the time frame to do what was stated for a reason in the moratorium. Moratoriums are temporary.

Mr. Osborne suggested this item be referred to the Planning Board Ordinance Committee, and he will make the arrangements for the committee to meet, time and place.

A motion was made by Member Syversen to table. This was seconded by Member Frazier. The vote was five in favor and none against.

**C. Zoning Ordinance Text Amendments – Town of Hampden requests amendments to reduce the required setbacks of certain small accessory structures in Article 3.3 Commercial Service District. – Public Hearing**

Chairman Weatherbee opened the public hearing.

Bob Osborne stated that reduced setbacks for accessory structures already existed in the Rural District and the Residential A and B Districts. The town is seeking to apply those existing standards to the Commercial Service District as well. Hampden Mobile Home Park is in the Commercial Service District. The park would benefit from allowing accessory structures with reduced setbacks so that some of the stuff in the yards could be stored in sheds. Accessory buildings would be under 150 square feet and under 16 feet in height. The side and rear setback reduced to five feet.

As no one else wished to speak Chairman Weatherbee closed the public hearing and asked that the staff memo become part of the public record.

Member Syversen made a "ought to pass" recommendation to send this to Council. This was seconded by Member Frazier. The vote was five in favor and none against.

**4. STAFF REPORT**

Mr. Osborne distributed copies of the 2010 Town of Hampden Comprehensive Plan to the Board Members.

Next month's agenda is light with just the text amendment.

**5. BOARD MEMBERS CONCERNS**

None were stated.

**6. ADJOURNMENT**

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

Respectfully Submitted,

Michael Avery, Secretary

STATE OF MAINE  
RETURN OF VOTES CAST  
Referendum

November 3, 2009

Municipality: HAMPDEN

Municipal Total

**INSTRUCTIONS TO THE WARDEN:**

Complete the attached RETURN OF VOTES CAST by recording the number of "YES" and "NO" votes cast on the lines below the question and verify for accuracy (if no votes were cast, write "none" or "0").

Record the Total Number of State ballots cast. (Refer to the tally sheet or tally tapes to determine this number.)

TOTAL NUMBER OF STATE BALLOTS CAST: 3478

The WARDEN signs on line 1 and one other election official signs on line 2 of the RETURN. The WARDEN must immediately deliver the completed and signed RETURN to the MUNICIPAL CLERK.

1. Patricia Sheehan  
Warden's Signature

2. Jammy Ewing  
Election Official's Signature

**INSTRUCTIONS TO THE MUNICIPAL CLERK:**

The MUNICIPAL CLERK must make an attested copy of this RETURN and deliver it to the Secretary of State within 3 business days after Election Day. Please review the RETURN as completed by the WARDEN. If necessary, you may make corrections as indicated below.

**NOTE REGARDING CORRECTION OF ERRORS ON THE RETURN:**

The MUNICIPAL CLERK shall correct any errors in either the tabulating or recording of the count that are obvious based on the tally sheets or copies of the tally tapes available to the clerk. The MUNICIPAL CLERK may not change the totals recorded on the RETURN prepared by the WARDEN, but shall make any corrections to the attested copy with a notation of the basis for the corrections.

Attest, A True Copy:

Denise R. Godsdon  
Municipal Clerk's Signature

**COMPLETED RETURNS MUST BE RECEIVED BY THE SECRETARY OF STATE BY:  
November 6, 2009 (TITLE 21-A, SEC.711.3)**

PEN

Date 1/19/2011  
A True Copy  
Attest  
Denise R. Godsdon  
Town Clerk

Municipality: HAMPDEN

Voting District: W. 1 P. 1

**Question 1: PEOPLE'S VETO**

Do you want to reject the new law that lets same-sex couples marry and allows individuals and religious groups to refuse to perform these marriages?

Yes 1844 No 1618

**Question 2: CITIZEN INITIATIVE**

Do you want to cut the rate of the municipal excise tax by an average of 55% on motor vehicles less than six years old and exempt hybrid and other alternative-energy and highly fuel-efficient motor vehicles from sales tax and three years of excise tax?

Yes 861 No 2595

**Question 3: CITIZEN INITIATIVE**

Do you want to repeal the 2007 law on school district consolidation and restore the laws previously in effect?

Yes 1225 No 2143

**Question 4: CITIZEN INITIATIVE**

Do you want to change the existing formulas that limit state and local government spending and require voter approval by referendum for spending over those limits and for increases in state taxes?

Yes 1299 No 2130

**Question 5: CITIZEN INITIATIVE**

Do you want to change the medical marijuana laws to allow treatment of more medical conditions and to create a regulated system of distribution?

Yes 1762 No 1686

**Question 6: BOND ISSUE**

Do you favor a \$71,250,000 bond issue for improvements to highways and bridges, airports, public transit facilities, ferry and port facilities, including port and harbor structures, as well as funds for the LifeFlight Foundation that will make the State eligible for over \$148,000,000 in federal and other matching funds?

Yes 2296 No 1128

**Question 7: CONSTITUTIONAL AMENDMENT**

Do you favor amending the Constitution of Maine to increase the amount of time that local officials have to certify the signatures on direct initiative petitions?

Yes 1752 No 1628



**TOWN OF HAMPDEN  
PLANNING BOARD  
DRAFT MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Thursday, February 9, 2011, at the Hampden Municipal Building by Chairman Peter Weatherbee.

Attendance: Planning Board Chairman Peter Weatherbee, Members Michael Avery, Peter Frazier, Eugene Weldon, Attorney Tom Russell, Associate Member Kelley Wiltbank.

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

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

Member Avery stated that a few corrections needed to be made to the minutes.

Member Avery made a motion to table the minutes, this was seconded by Member Weldon. The vote was unanimous.

**2. NEW BUSINESS**

**A. Zoning Ordinance Text Amendments – Town of Hampden requests amendments to regulate medical marijuana registered dispensaries and cultivation facilities and methadone clinics including amendments to Definitions 7.2, district regulations Article 3.1 – Industrial Park, 3.2 – Industrial and 3.3 – Commercial Service Districts, Performance Standards are proposed in Article 4.24 and parking standards are proposed in Article 4.7 – Public Hearing**

Public hearing was opened by Chairman Weatherbee. There was no one from the general public who wished to speak.

Mr. Osborne spoke about the proposed language and the text amendments.

The Planning Board's ordinance committee met on January 26, 2011 to discuss the text amendments. The Committee Chairman Mike Avery stated that they recommended an "ought to pass" recommendation be sent back to the Town Council.

Chairman Weatherbee asked that Mr. Osborne go thru the amendments for the Board.

Member Weldon made a motion to send the zoning text amendments back to Town Council with an "ought to pass" recommendation, this motion was seconded by Member Avery. The vote was four in favor and one against. Member Frazier voted against the recommendation.

Chairman Weatherbee asked that Mr. Osborne's staff memo be made part of the record.

**4. STAFF REPORT**

No staff report

**5. BOARD MEMBERS CONCERNS**

Member Frazier raised some concerns about the medical marijuana.

**6. ADJOURNMENT**

The Planning Board meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Michael Avery, Secretary



Robert Osborne <planner@hampdenmaine.gov>

---

**FW:**

1 message

---

**PETER FRAZIER** <psfinmaine@msn.com>

Tue, Feb 15, 2011 at 1:52 PM

To: planner@hampdenmaine.gov

Robert:

Please pass this on to the Planning Board members.

I do not have all of their current e-mail addresses.

If you have questions, please contact me.

Peter

**Peter S. Frazier**

*Defender of Personal Integrity,  
Freedom, and Responsibility*  
[psfinmaine@msn.com](mailto:psfinmaine@msn.com)



**ORDINANCE MARIJUANA.docx**

13K

Mr. Robert Osborne  
Planner  
Town of Hampden

1-24-2011

Please forward my comments to the other members of the ordinance committee.

In general, I believe that the town cannot overrule the State Legislature. However, if it can, I will vote for barring methadone, marijuana, and other offensive programs from the Town.

However since we probably cannot, we must make the rule and ordinances such that they protect the law abiding citizens of the town. I recommend the following ordinances be implemented.

1. A permanent video of all store personnel, operations and patrons be kept by the Town Police Department on a real time basis at the police station. The cost of this to be borne by the store owners.
2. All patrons must have a full face video prior to buying the drug. All employees must have a full background check by the police department paid for by the store.
3. All exterior doors must be of steel strong enough to prevent entry by potential thieves. All windows must be of a construction to prevent any access from the outside. All windows and doors must have a permanent outside video maintained by the police, paid by the store.
4. Any operational unanticipated town costs, such as additional police, fire etc. must be paid for by the store.
5. Only Hampden residents and prescriptions will be honored.
6. Any marijuana found on persons not prescribed but having the marijuana come from the store will cause the store to be closed for 1 month, second offense is 6 months' closure; third offense is permanent closure.
7. A monthly audit by a registered CPA chosen by the Town Council and paid for by the store will be conducted on the growing volume, the inventory, and the sale of product to prevent "leakage, gifts or non-registered sales" of product.
8. No employee can have any police record of using, growing, selling, etc of marijuana or any other illegal drug for any reason. Further, no one with any felonies can be employed.

Peter S. Frazier

Member of the Town of Hampden  
Ordinance Committee  
Planning Committee



C-2-C-2



Check One:  Initial Application  
 Reappointment Application

### TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: LUCIANO SCOTT M  
LAST FIRST MI

ADDRESS: 6 MARION DRIVE HAMPDEN 04414  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 207 862 2649 \_\_\_\_\_  
HOME WORK

EMAIL: FLUCIANO @ YAHOO.COM

OCCUPATION: FIREFIGHTER

#### BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: PERSONNEL APPEALS BOARD

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

PRIOR SERVICE ON PERSONNEL APPEALS BOARD

16+ YEAR OF EMPLOYMENT IN MUNICIPAL GOVERNMENT

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

3 YEAR  
CONSERVATION COMMITTEE  
BOARD OF ASSESSMENT REVIEW  
PERSONNEL APPEALS BOARD  
LURA HOIT MEMORIAL POOL  
ECONOMIC DEVELOPMENT COMMITTEE  
FRIENDS OF DOROTHEA DIX PARK

DYER LIBRARY  
RECREATION COMMITTEE  
BOARD OF APPEALS  
HISTORIC PRESERVATION COMMITTEE  
TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>1/3/2011</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  Reappointment Application

### TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Conner MARY ELLEN  
LAST FIRST MI

ADDRESS: 10 South Rd Brewer 04412  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 207-989-7434 \_\_\_\_\_  
HOME WORK

EMAIL: \_\_\_\_\_

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Lura Hoyt Pool

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

\_\_\_\_\_

CONSERVATION COMMITTEE  
BOARD OF ASSESSMENT REVIEW  
PERSONNEL APPEALS BOARD  
LURA HOIT MEMORIAL POOL  
ECONOMIC DEVELOPMENT COMMITTEE  
FRIENDS OF DOROTHEA DIX PARK

3 YEAR

DYER LIBRARY  
RECREATION COMMITTEE  
BOARD OF APPEALS  
HISTORIC PRESERVATION COMMITTEE  
TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>JAN 24 2011</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

C-2-d-2

Check One:  Initial Application  
 Reappointment Application



### TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Mahoney Tracey S  
LAST FIRST MI

ADDRESS: 59 Surrey Ln Hampden 04444  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 862-4575 299-4575  
HOME WORK

EMAIL: tmahoney@wan.net

OCCUPATION: medical communications consultant

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: Recreation committee

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I have been on this committee for the past 2+ years.

Are there any issues you feel this board or committee should address, or should continue to address? The town of Hampden needs its own dedicated <sup>indoor</sup> recreation facility.

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>JAN 0 5 2011</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  Reappointment Application

### TOWN OF HAMPDEN APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Bear Terry A.  
LAST FIRST MI

ADDRESS: 387 Old County Rd Hampden 04444  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 990-3339 941-2610  
HOME WORK

EMAIL: beante@ge.com

OCCUPATION: Production Control

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Rec Committee

SECOND CHOICE (OPTIONAL): Economic Development

How would your experience, education and/or occupation be a benefit to this board or committee? I have been on the board for several years now. Would like to help see through the new school.

Are there any issues you feel this board or committee should address, or should continue to address? There is a real need for sports fields and extra gym space.

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>1/3/2011</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

**Town of Hampden**  
**Business Expansion**  
**and Retention**  
**Program**  
**BEAR**

**Strategic Plan**  
**Review Draft**

**September 1, 2010**

**Submitted By: Renaissance Planning Associates**

# Table of Contents

<b>Title:</b>	<b>Page:</b>
<b>Introduction</b>	
The Business Expansion and Retention Program	3
The Purpose of the Strategic Plan	3
The Planning Process	4
Strategic Plan Organization	4
Participants	4
Acknowledgements	5
<b>Vision and Goals</b>	
Vision Statement	5
Goals and Objectives Overview	5
<b>Strategic Plan Objectives</b>	
Development Review Process	7
Background Information	7
Goals	7
Objectives	8
Zoning and Land Use	8
Background Information	8
Goals	9
Objectives	9
Business Development	10
Background Information	10
Goals	11
Objectives	11
Municipal Services, Programs and Infrastructure	13
Background Information	13
Goals	13
Objectives	13
Business Enhancement and Promotion	14
Background Information	14
Goals	14
Objectives	15
<b>Appendix</b>	
BEAR Survey Results	

# Introduction

## **The Business Expansion and Retention Program:**

The Business Expansion and Retention (BEAR) Program is focused on enabling Hampden's existing business community to become more competitive and thrive within the community.

The theory underlying the BEAR Program is that the economic vitality of a community is dependent upon the health of existing businesses, and future economic growth and expansion will occur if the needs, ideas and vision of the existing business community is respected and promoted.

The following are goals of the Hampden BEAR Program:

- Start to build a working relationship between the town and existing businesses located in Hampden.
- Communicate to existing businesses the town's support.
- Identify and address business concerns and issues.
- Foster greater participation between the town and the business community.
- Improve communication between existing businesses and community leaders.
- Increase the competitiveness of existing businesses.
- Empower the business community to work together and improve their economic health and profitability.
- Retain businesses and jobs where there is risk of closure.
- Encourage local business expansion and growth.
- Identify and create new business opportunities.
- Develop and implement a strategic plan to promote Hampden economic development.

The first task of the BEAR Program was to listen to the needs and concerns of the local business community, and to use this information to develop an economic plan for the town. A business survey and associated interview was conducted to take the pulse of the business climate. The results of the survey are included in the appendix of this plan.

The information collected in the survey was used to develop this strategic plan, which is designed to assist local businesses and to improve the economic vitality of the town. Numerous ideas were collected in the survey and reflect a local business community excited about doing business in town.

## **The Purpose of the Strategic Plan:**

The purpose of the plan is to create a list of achievable objectives which reflect the ideas, concerns and suggestions expressed in the BEAR Survey. Each objective will be clearly explained and assigned a timeline for completion and one or more persons or groups responsible for addressing the task.

The plan objectives are based upon data gathered during the survey and reflect the following general priorities:

- Objectives are designed to build upon the existing strengths of business and the community.
- Objectives will address problems and deficiencies identified in the survey.
- Objectives will strive to maintain and improve existing municipal services, programs and regulations as necessary.

- Objectives will be periodically reviewed to respond to new and changing priorities and concerns.
- Objectives will be discussed and implemented in an open and transparent process.
- Objectives will respect the community's diverse points of view.
- Objectives will promote economic growth and self-determination of the business community.

## **The Planning Process:**

The strategic plan is not the end of the planning process; rather, it is just the beginning. The town, the Hampden Business Association, business owners and residents will further refine this plan as they put it into action. Over time, the objectives in the plan will be adapted and improved to meet changing needs and resources of the business community. The strategic plan, in concert with the comprehensive plan, will provide the overall framework for future economic development within the community for the next ten years.

The objectives set forth in the plan are designed to be accomplished over the next 10 years. However, some objectives will require a longer time period to complete due to high cost, changing priorities, unforeseen events or development restraints.

The plan should be updated at least every 2 years to account for new priorities and other changes. The update process should be efficient and focused upon the continued importance of the BEAR Program goals. Whenever necessary, the plan objectives should be revised to reflect current realities.

## **Strategic Plan Organization:**

The strategic plan is organized into three sections an introduction, vision and goals section, and the plan objectives. The introduction provides a summary of the plan and the vision and goals section establishes the plan's overall purpose. The plan objectives section is the lays out specific tasks to be addressed and is divided into the following five categories:

- Development Review Process
- Zoning and Land Use
- Business Development
- Municipal Services, Programs and Infrastructure
- Business Enhancement and Promotion

## **Participants:**

The strategic plan was compiled from the information gathered during the business survey and reflects the ideas, concerns and priorities expressed by the local business community. The participation from the business community along with the Hampden Business Association and support from the Town Council and the Community and Economic Development Director were the foundation for this plan.

## **Acknowledgements:**

The strategic plan was developed by Renaissance Planning Associates under the direction of the Community and Economic Development Director and the Town Council. The following persons also contributed to the plan development:

## **Vision and Goals**

### **Vision Statement:**

Hampden is a vibrant and growing community with a reputation for good neighborhoods and schools. The town is mostly residential and rural with a moderately diverse economic base of retail, service, and other commercial activities focused on the needs of Hampden residents. Most of the local businesses are located in one of three business districts. The 2010 Comprehensive Plan also has designated a fourth area along the Colebrook Road. The Hampden business community size and scope appears to meet the needs of the town.

The strategic plan is designed to provide a clear path for growth and expansion in concert with the comprehensive plan and community expectations that will enhance the vitality of Hampden businesses. Local stores, services and commercial operations provide jobs, offer needed and desired goods and services, and contribute to the economic stability of both the town and the region. The existing and proposed business clusters encompass a small fraction of the town's real estate. However, the business clusters are located along the primary gateways into the town and play a significant part in defining the look and character of the community. It is important for both the community and local business to ensure that the design, streetscape, and visual appeal of the commercial corridors respect Hampden's sense of place.

The strategic plan will propose a variety of objectives designed to bridge the expectations of all Hampden residents into a set of zoning and other practices which allow commercial activities to flourish and provide the entire town with services and benefits.

### **Goals and Objectives Overview:**

The goals will help to shape the vision of the Hampden business community. They set a direction and establish a blueprint for change and growth. The goals are broad statements and are designed to set the tone and communicate clearly the ideas and intent of the business community.

The goals will be further expanded in the form of plan objectives, which are organized into five categories. The objectives are the specific actions that will turn the strategic plan into reality. Each objective will set a specific task to be accomplished by one or more individuals, groups or committees. Possible funding sources to accomplish each objective are also identified as applicable. A realistic timeframe that matches the plan 10-year horizon is also included.

Each objective is assigned one of the following timeline priorities:

- Short-term priorities are to be completed within a two-year period.
- Mid-term priorities are to be completed within a 5-year period
- Long-term priorities are to be completed within a 10-year period.

Some objectives will also be designed with an on-going priority, which should be adopted as a standard operating procedure.

The strategic plan establishes specific objectives to be addressed, however, it is important to remember that the final outcome for each objective may evolve and change over time. This should be viewed as a natural outcome of this planning process. New ways to achieve an objective or new problems or circumstances may alter how solutions are proposed and implemented. The strategic plan should be reviewed and modified at least every two years to account for new priorities.

Each objective is assigned one or more persons or groups responsible to implement the objective. multiple responsible parties are expected to coordinate among themselves how the objective should be addressed. The following is a list of the various responsible persons or groups:

TC	Town Council
PB	Planning Board
HBA	Explore w/Hampden Business Association
TM	Town Manager
CEDD	Community and Economic Development Director
TP	Town Planner
CEO	Code Enforcement Officer

# Strategic Plan Objectives

## Development Review Process

### **Background Information:**

The zoning permit review and approval process is the path all new or expanding businesses must follow to obtain approval for their particular project. Some applications can be complex, such as a new building, which requires extensive traffic, environmental and engineering documents. Other applications may be more mundane, such as an addition to an existing business or the creation of new parking spaces. The review process is necessary to make sure the proposal conforms to all local and applicable state laws and regulations. A much broader purpose is to ensure compliance with the town's comprehensive plan to make sure the proposal is in keeping with the community sense of itself and what it wishes to look like in the future. Hampden has a strong sense of its identity and strives to protect and enhance its image. Likewise, Hampden is an active community with a diverse arena of voices and interest all wishing to express their individual and collective point of view.

Considering these realities, it is easy to see that the review process is layered with many different and sometimes competing priorities and purposes. Creating a single cohesive and ultimately acceptable application for community support and approval requires a significant investment and effort on the part of the business applicant. When the process works as planned, the outcome should result in all parties walking away satisfied, or at the very least, appreciative of the process's fairness.

However, like any formal, legal, and public application process the outcome can result in frustration and even a result not in the best interest of the community or the business applicant. Recognizing the need for fair and comprehensive application review and making sure all the overall planning objectives embodied in the comprehensive plan and local ordinances are addressed will be the overall goal of drafting a responsive development review process.

### **Goals:**

- To create a development review process which clearly establishes all the requirements and submissions necessary for an appropriate permit application.
- To continue the existing municipal staff review of applications and to improve the process as needed.
- To communicate and educate the business community about the development review process

## **Objectives:**

### **Objective # 1**

Priority: Short-term

Responsible Party: CEDD, TP & CEO

Create a doing business in Hampden brochure which outlines the development review and permit process and provides contact information.

### **Objective # 2**

Priority: Short-term

Responsible party: CEDD, TP & CEO

Continue to improve the existing municipal staff review process with the applicant prior to submitting the application to the Planning Board.

### **Objective # 3**

Priority: Short-term

Responsible party: CEDD, TP, &CEO

Explore the option of creating a multi-tier review process for commercial applications based upon the complexity of the proposed project. The existing Planning Board review would continue to be used for major projects while staff review by the Planner and Code Enforcement Officer could be used for small projects under a certain square footage or for minor expansions.

### **Objective# 4**

Priority: Short-term

Responsible party: CEDD, TP & PB

Review current Planning Board review decisions and amend the zoning ordinance to include items typically required by the Planning Board for applications. This makes sure that applicants can find all the zoning requirements they must meet in the ordinance document.

### **Objective# 5**

Priority: Short-term

Responsible party: CEDD, TP, PB, TC

Explore the option of creating a multi-tier approach for an applicant to meet certain performance standards. The zoning ordinance could include a prescriptive standard which clearly describes how the performance standards must be designed and also include an option whereby the applicant could submit a design if it meets the intent of the ordinance and is developed by an appropriate professional. This approach would allow an applicant to design an application without having to using multiple professionals.

## **Zoning and Land Use**

### **Background Information:**

The business community provided many ideas to improve the zoning and land use rules and also expressed concerns about how the existing zoning rules negatively impact the business community. Business owners appreciated the need for fair zoning regulations and wanted to have input about how these regulations will affect their operations and especially plans for future expansion. Likewise, a strong interest was voiced to participate in future land use planning especially pertaining to the waterfront, Route 1 A North, the village area and the new business cluster identified in the comprehensive plan for the Coldbrook Road.

A challenge for both the business community and the town will be to recognize that any discussion of zoning also involves many other participants since at its heart it is truly a community wide activity. Diverse ideas and visions for the future will be in the mix of any zoning conversation and all the parties at the table must be prepared to respect and be willing to accommodate each other's points of view and interests.

The business community must be prepared to compromise and likewise, the community at large must be ready to discuss how zoning regulations can, at times, create costs and hurdles for business which may create limited positive outcomes for the community. An observation expressed in the business survey is how the implications of the town regulation or policy decision can quickly and negatively impact a business operation without seemingly proving any community benefit. To respond to this concern, the town must be willing to be sensitive to how its actions can impact business and weigh their actions carefully before making a decision. It is generally a common fault of the zoning process that zoning laws may create consequences which are unintended or have an effect no one intended or planned. Often this issue can be quickly mitigated by making sure the zoning regulation process involves a diverse set of participants and representatives from the part of the community most affected by the particular zoning change.

### **Goals:**

- To implement the strategic plan objectives along with the ordinance revisions recommended in the comprehensive plan.
- To invite the business community to participate in the ordinance revision process.
- To include the business community in the process of all future ordinance revision efforts.
- To evaluate the effectiveness of ordinance regulations and determine whether existing requirements are designed and written to achieve their intended outcome.
- To create clear performance standards which promote objectives articulated in the comprehensive plan.

### **Objectives:**

#### Objective# 1

Priority: Short-term

Responsible party: CEDD, TP

Create a business zoning forum and invite the business community to participate in discussing proposed zoning regulations for the business districts. The ideas from the forum can be used as the zoning ordinance is revised as per the recommendations in the 2010 Comprehensive Plan.

#### Objective # 2

Priority: Short-term

Responsible party: CEDD & TC

Include representatives from the business community on the committees assigned to revise the zoning ordinance as per the recommendations in the comprehensive plan.

Objective # 3

Priority: Short-term

Responsible party: CEDD, TP, CEO & TC

Identify all of the existing non-conforming uses throughout the town and determine the usefulness of their designation. Make recommendations to amend the zoning ordinance as appropriate to reclassify the non-conforming uses as appropriate.

Objective # 4

Priority: Short-term

Responsible party: CEDD, TP, & CEO

Create clear performance standards which provide an applicant the information needed to design their proposal in compliance with the zoning ordinance. Review the zoning ordinance for vague language or areas which have been difficult for the Planning Board and municipal staff to use.

Objective # 5

Priority: Short-term

Responsible party: CEDD, TP, PB, CEO & TC

Review the list of allowed and conditional uses in each of the business districts and in consultation with the business community determine if changes are required.

Objective # 6

Priority: Short-term

Responsible party: CEDD, & TP

Review the zoning ordinance and determine whether many opportunities exist for business in-fill development and expansion in each of the business districts. Also, review the zoning ordinance to make sure it provides opportunities for affordable business spaces.

Objective # 7

Priority: Short-term

Responsible party: CEDD & TP

Create a sign workshop with the business community to discuss effective signs and how the existing zoning ordinance could be designed to allow effective business signs.

## **Business Development**

### **Background Information:**

This section will address a range of issues involved with business retention, expansion of existing business, business promotion and attraction, and new economic development. The primary focus of the plan is towards assisting existing business to stay healthy and maintain their operations and to enhance existing businesses opportunities to expand and grow. A secondary focus is to promote new economic development into the appropriate areas identified by the community, and to do so in a way which respects and builds upon the foundation created by the existing business community.

The survey contained many ideas for new business ventures which would enhance existing operations and also provide goods or services desired or needed by existing business. These ideas should be further explored and especially identification of niche areas which have the potential to significantly enhance the entire community.

## Goals:

- To create an ongoing process of communication between the town and the business community to promote existing business retention and expansion.
- To make sure the conditions and opportunities exist which allow for affordable and competitive business expansion in the community.
- To maximize the capacity of each of the town's existing business areas and to promote expansion in each of these areas.
- To develop in cooperation with the business community long-term plans for the improvement of each of the existing and proposed business areas.
- To promote new business opportunities for the community and to target niche markets and new ventures identified as important by the community.
- Explore opportunities for businesses incentives such as loans, Tax Increment Financing, etc..

## Objectives:

### Objective # 1

Priority: Short-term

Responsible party: CEDD & TP

Affordable space for small local businesses is important to have a variety of business ventures for residents. While the town does not play, an active role is establishing lease prices or constructing buildings, it does create the regulations which allow affordable business space to be constructed in the town. The zoning regulations should be reviewed to make sure that a variety of business developments such as by way for example , mini-malls, mixed use structures with office, retail or residential, and other similar designs are permitted .

### Objective # 2

Priority: Short-term

Responsible party: TM, CEDD & TC

Create the following ad-hoc planning committees to develop a draft plan for public consideration:

- Re-use of the old school and former town hall.
- A Route 1A North streetscape and improvement plan.
- A waterfront plan for the area along the river with consideration of impacts to businesses in the area.
- A village area plan to address parking, pedestrian and traffic access, and development.

### Objective # 3

Priority: Short-term

Responsible party: CEDD & TP

Develop a master traffic access plan for the Coldbrook Road business district, which identifies how new business development will be sited to provide safe traffic access and allow for interconnection between sites.

Objective # 4

Priority: Short-term

Responsible party: CEDD TP

Develop a traffic access plan for commercial sites along state routes with in-fill or expansion potential. A priority should be given to locations where there already exist multiple traffic access point and areas already developed. The plan should offer options and alternative ways to allow development while also meeting applicable local and state traffic access requirements.

Objective # 5

Priority: Short-term

Responsible party: CEDD & TC

Develop a plan to increase occupancy in the existing business park and explore opportunities to expand the park.

Objective # 6

Priority: Short-term

Responsible party: CEDD Explore with HBA

Explore one or more new business niche opportunities for the town including artistic/craft businesses to promote and consider developing a marketing and development plan to advocate for the new businesses to locate in the town based upon the areas identified in the BEAR survey.

Objective # 7

Priority: Mid-term

Responsible party: CEDD Explore with HBA

Develop a "Hampden Brand" in cooperation with the business community to help promote and identify Hampden Businesses. Explore grant opportunities to fund this project.

Objective # 8

Priority: Mid-term

Responsible party: CEDD & TP

Develop a business in-fill plan to promote vacant business locations and buildings in all of the business districts.

Objective # 9

Priority: Mid-term

Responsible party: CEDD & TP

Develop a plan to promote new business location at the proposed Coldbrook Business district. A master development plan should be used to direct new businesses into the area.

Objective #10

Priority: Mid-term

Responsible party: CEDD & TM

Create an Economic Opportunity Team composed of a few local business and professional people in town to assist the Community and Economic Development Director with outreach to new businesses and to help existing businesses with expansion plans. The purpose of the team is to provide the Community and Economic Development Director with ideas, advice, and insight to help promote both new and expanding businesses. The team would help to put together local, regional and state resources to customize assistance to an individual business proposal.

# Municipal Services, Programs and Infrastructure

## **Background Information:**

Business is dependent upon many municipal services and infrastructure to operate and remain competitive. These include local and state roads, sidewalks, traffic control features, water and sewer, fire, police and emergency services, local and state grants, electrical, phone and internet services. Depending upon the business and its location, one or more of these areas play a critical role in the success of the business operation. The following objectives will address ways to improve these services for businesses. The town of Hampden may not have a principal or active role in all of the above listed services and infrastructure. However, the town may in cooperation with the business community advocate for improvements or changes.

## **Goals:**

- To maintain and invest in municipal infrastructure to keep it in good condition.
- To explore grant opportunities to improve municipal infrastructure whenever available.
- To communicate with other infrastructure suppliers and advocate for efficient services for the community.
- To make sure the town has the internet and communication infrastructure to remain competitive.

## **Objectives:**

### Objective # 1

Priority: Short-term

Responsible party: TP & TM

Develop a policy whereby businesses are notified whenever road construction is planned for an area which would affect their businesses operations. This would allow residents and businesses to take steps to minimize the impact from construction.

### Objective# 2

Priority: Short-term

Responsible party: CEDD Explore with HBA

Include a feature news story about one Hampden business in the town newsletter.

### Objective # 3

Priority: Short-term

Responsible party: CEDD

Place local business links on the town web site.

### Objective # 4

Priority: Short-term

Responsible party: TM & CEDD

Maintain an on-going discussion with area land and cell telephone and data services to make sure all parts of Hampden have adequate coverage.

Objective # 5

Priority: Short-term

Responsible party: TM & CEDD

Maintain an on-going discussion with area providers of broadband internet service to make sure Hampden is adequately served with reliable high-speed internet service.

Objective # 6

Priority: Short-term

Responsible party: CEDD

The Community and Economic Development Director should maintain on-going communication with the Hampden Business Association and participate in events as applicable.

Objective # 7

Priority: Mid-term

Responsible party: TC, TM & CEDD

The town should explore opportunities to increase activities for young people especially teenagers throughout the community. Some ideas which should be considered include a community center and local hangout with Wi-Fi capacity.

Objective # 8

Priority: Long-term

Responsible party: TM & CEDD

Maintain an on-going discussion with the natural gas utility about the feasibility of extending gas utilities into Hampden, especially for the use of businesses located along state routes.

## **Business Enhancement and Promotion**

### **Background Information:**

This category is targeted primarily at how businesses can work together to improve the business climate and find cost-effective ways to advertise, and increase sales. The survey and interviews identified many strategies which are the responsibility of the businesses to implement. The Town can play a role as a convener to help start the process.

### **Goals:**

- To promote the Hampden Business Association activities and membership growth.
- To foster an active local business community that promotes local businesses and community events.
- To look for ways for businesses to work together to increase sales, promote local business and reduce operational costs.

## Objectives:

### Objective # 1

Priority: Short-term

Responsible party; CEDD Explore with HBA

Develop a business after-hours program to allow a local business to host a HBA meeting and showcase their business.

### Objective # 2

Priority: Short-term

Responsible party; CEDD Explore with HBA

Develop a Buy Local program to promote Hampden Businesses. Incorporate seasonal events and sale promotions to encourage residents to support local businesses.

### Objective # 3

Priority: Short-term

Responsible Party: CEDD Explore with HBA

Create an on-going training/workshop program to offer interesting topics to HBA members a few times each year. Encourage business owners to design and offer training in their area of expertise.

### Objective # 4

Priority: Short-term

Responsible Party: CEDD Explore with HBA

Explore shared advertisement venues among local businesses especially in conjunction with seasonal and special sales promotions.

### Objective # 5

Priority: Short-term

Responsible party: CEDD Explore with HBA

Create a training program to promote internet, facebook and similar social networking venues as ways to advertise and promote you business.

### Objective # 6

Priority: Short-term

Responsible party: CEDD Explore with HBA

Develop a marketing training program designed to help businesses understand and respond to their local market and take advantage of the unique opportunities available in the town and the region.

### Objective #7

Priority: Mid-term

Responsible party: CEDD Explore with HBA

Develop an energy efficiency and conservation program with Bangor Hydro, Casella, and the Maine Efficiency trust to help businesses find ways to save energy.

C-3-b

**FARRELL, ROSENBLATT & RUSSELL**

**ATTORNEYS AT LAW  
61 MAIN STREET  
P.O. BOX 738  
BANGOR, MAINE 04402-0738**

ANGELA M. FARRELL  
NATHANIEL M. ROSENBLATT  
THOMAS A. RUSSELL  
JON A. HADDOW  
GREGORY P. DORR  
ROGER L. HUBER

TELEPHONE (207) 990-3314  
TELECOPIER (207) 941-0239  
e-mail: tar@frrlegal.com

MEMORANDUM

Date: March 10, 2011  
To: Susan Lessard  
From: Tom Russell  
Re: Status of 2010 Comprehensive Plan

The 2010 Comprehensive Plan was prepared and adopted in accordance with the Growth Management statute. Title 30-A M.R.S. § 4324 requires that the municipal officers designate and establish a planning committee to develop a comprehensive plan. The municipal officers may designate the Planning Board as the planning committee, but the municipal officers are not required to do so. For the 2010 Comprehensive Plan, the Town Council created a separate planning committee. Although it is my understanding that two (2) Planning Board members were on the planning committee, the Planning Board as a whole was not involved in the development of the comprehensive plan. It appears that the planning committee followed the statutory process, and referred the proposed plan to the Town Council. The Town Council conducted a public hearing on the proposed comprehensive plan (even though the statute did not require it to do so), and adopted the plan on October 4, 2010.

However, Section 604 of the Town Charter provides as follows:

***Sec. 604 Planning Board: Comprehensive Plan*** – The town council shall provide no changes in the comprehensive plan without the recommendation of the Planning Board. Such recommendations may be overturned by an affirmative vote of five councilors.

It was recently brought to my attention by a staff member that the Planning Board as a whole was not involved in the development of the comprehensive plan, did not review the same, and did not make any recommendation on the proposed 2010 Comprehensive Plan to the Town Council.

In my opinion, the replacement of the 2001 Comprehensive Plan with the new 2010 Comprehensive Plan constituted a “change in the comprehensive plan” within the meaning of

Section 604, as the definition of “change” includes “to exchange or replace with another.” Also, it is my opinion that the receipt of a recommendation from the Planning Board as required by Section 604 is a prerequisite to any change to the comprehensive plan by the Town Council. Therefore, even though the statutory enactment process was followed, it is my opinion that the adoption of the 2010 Comprehensive Plan by the Town Council was ineffective because the Town Council did not receive a recommendation from the Planning Board as required by Section 604.

Since the adoption of the 2010 Comprehensive Plan was ineffective, it did not repeal the 2001 Comprehensive Plan by implication. So, at this point, it is my opinion that the 2001 Comprehensive Plan is still in effect, and that the 2010 Comprehensive Plan is essentially a draft. It can be referred to a newly constituted planning committee for further review, but it must be evaluated by the Planning Board, and the Planning Board must make a recommendation on the final draft, before it can be adopted by the Town Council. Given this Charter provision, it might make sense to have the full Planning Board be a part of the planning committee, so then it will have input in, and be familiar with, the final draft that it will have to make a recommendation on.



Denise H

C-3-C

e.gov>

---

## Amendment to Marina Lease

1 message

---

**Thomas A. Russell** <tar@frrlegal.com>

Wed, Mar 16, 2011 at 12:57 PM

To: Denise Hodsdon <clerk@hampdenmaine.gov>, Dean Bennett <economicdevelopment@hampdenmaine.gov>, Susan Lessard <manager@hampdenmaine.gov>

Cc: John Candors <jcandors@eatonpeabody.com>

All: Attached is a proposed amendment to the existing lease with Hamlin's Marina, Hampden. I propose deleting the existing Paragraph 4(A), and replacing it with the language set forth in the Amendment. To deal with the primary public outdoor recreation requirement of the grant documents, I have tied that requirement into the broader Marina Premises (the entire parcel owned by the Town), not just Parcel A leased to Hamlin's. I then added language that the uses on Parcel A would not interfere with that broader concept of public outdoor recreation. By copy of this email, I ask John to review and provide any comments thereon ASAP, so that this matter can be placed on the agenda for the 3/21 Council meeting. If anyone receiving this has any questions, comments or suggestions, please contact me. Tom



**FIRST AMENDMENT TO LEASE.doc**

26K

## FIRST AMENDMENT TO LEASE

This First Amendment to Lease is entered into by and between the TOWN OF HAMPDEN and HAMLIN'S MARINA, HAMPDEN.

### RECITALS

- A. The parties entered into a Lease concerning the so-called "Hampden Marina" property on April 7, 2006.
- B. The parties desire to amend the Lease concerning uses permitted on Parcel A of the Leased Premises.

NOW, THEREFORE, in consideration of the foregoing recitals and in furtherance of the benefits and obligations to the parties under the Lease, the parties hereby agree as follows:

1. Paragraph 4(A) of the Lease is hereby amended to delete the existing Paragraph 4(A) therefrom, and to replace it with the following:
  - A. Parcel A. Lessee shall have the right to use, occupy, and maintain the area designated as Parcel A on Exhibit A attached hereto for the purposes of operating, maintaining, repairing, replacing or adding to the existing building thereon (which was constructed at the sole expense of a predecessor lessee), and to use and occupy the same for any of the following purposes or uses, or combination thereof: (1) office accessory to the permitted operations being undertaken on the Leased Premises, (2) marine supply store, (3) marine sales office, (4) single-family residential use, (5) restaurant and/or take-out, (6) installation, operation and maintenance of fuel pumps, pipes, storage tanks and related apparatus for dispensing of fuel to recreational boats, and (7) ingress and egress, in common with others, to and from the existing parking lot, boat ramp and/or float. It is understood and agreed by the parties that the primary purpose of the Marina Premises shall be for public outdoor recreation (including, but not limited to water-related recreation activities), and that the uses set forth above shall not interfere with that primary purpose, especially with respect to the public parking area located on Parcel C and the access drives, boat ramp and floats located on the Marina Premises. The premises hereby leased, and designated as Parcel A, are leased SUBJECT to Town's reserved right of access to Parcel D as depicted on Exhibit A and the right to extend utilities over, under and across Parcel A of sufficient scope and magnitude to allow access to and development and use of Parcel D.
2. Except as amended hereby, the terms of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed on their behalf as of the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

TOWN OF HAMPDEN

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Susan M. Lessard  
Its Town Manager

HAMLIN'S MARINA, HAMPDEN

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

## LEASE

This Lease is entered into by and between the TOWN OF HAMPDEN, a municipality situated in Hampden, County of Penobscot, State of Maine, (hereinafter "Town") and HAMLIN'S MARINA, HAMPDEN, a Maine corporation with a business address of 290 West River Road, Waterville, Maine 04901 (hereinafter "Lessee").

### RECITALS:

1. Town is the owner of certain premises commonly known as the "Hampden Marina" situated southerly of Route 1A in said Hampden and more particularly described in a Municipal Quitclaim Deed from the City of Bangor to the Town of Hampden dated June 23, 1982, recorded in the Penobscot County Registry of Deeds in Volume 3314, Page 273 and depicted on a plan recorded in the Penobscot County Registry of Deeds in Nap File D35-82 (hereinafter called "Marina Premises").

2. Parcel A, a portion of the Marina Premises, is currently improved with a 1,776± square foot building housing offices, a single family apartment, and a seasonal take-out food establishment; a structure and apparatus relating to the storage and dispensing of fuel; a paved driveway and parking lot; and lawn and other landscaping. Parcel B, a portion of the Marina Premises, is currently improved with a 30,400± square foot structure and a gravel parking lot/outdoor storage area. Lessee is, or will be, the owner of those Improvements.

3. Lessee desires to use and develop the Marina Premises as a public outdoor recreation facility and more particularly to operate a publicly accessible recreational marina facility on the Marina Premises under the terms and conditions hereinafter set forth.

4. In connection with Lessee's operation of a publicly accessible recreational marina facility on the Marina Premises, Lessee wishes to lease from Town a portion of the Marina Premises on which Lessee proposes to own certain buildings thereon and to conduct certain commercial activities in connection with and ancillary to its operation of a publicly accessible recreational marina facility.

NOW, THEREFORE, in consideration of the obligations and rights set forth herein, the parties hereby agree as follows:

1. Premises

Town does hereby lease unto Lessee and Lessee hereby takes and leases from Town certain real property situated in Hampden, County of Penobscot, State of Maine, being a portion of the Marina Premises all as more fully identified as Parcels A and B on Exhibit A attached hereto and incorporated herein by reference (hereinafter called "Leased Premises"), and further grants to Lessee, SUBJECT to the rights of the public, the non-exclusive right to use the remainder of the Marina Premises in connection with Lessee's operation of a publicly accessible recreational marina facility.

2. Term

The term of this Lease shall be for 30 years, commencing on April 7, 2006 and terminating, unless sooner terminated in accordance with the provisions herein, on April 6, 2036.

3. Rental

- A. In addition to the improvements and services to be performed or provided by Lessee as hereinafter set forth, Lessee shall pay to Town as rental for the first five years of the term of this Lease the annual sum of \$4,500.00, payable in advance.
- B. The annual rents shall be adjusted to reflect and incorporate therein any percentage increases in the Consumer Price Index over the term of this Lease. For the purpose herein, the Consumer Price Index shall mean the average for all items shown on the United States City Average for Urban Wage Earners and Clerical Workers as promulgated by the Bureau of Labor Statistics of the United States Department of Labor. The rent increases and the payment thereof shall be in accordance with the following provisions. Although the rent shall be subject to an annual adjustment for inflation, the rent shall be re-calculated by Town at the end of each five year period during the term of the Lease. At the time of re-calculation, Town shall send Lessee an invoice for the "back-rent" attributable to inflation for the prior five years, and Lessee shall pay said amount within 30 days of the issuance of the invoice. Town shall also send Lessee

a notice of the amount of the inflation adjusted annual rent to be paid for the succeeding five year period. If the rent paid as the date of the notice is less than the amount due as set forth in the notice, Lessee shall pay the deficiency to Town within 30 days of the issuance of the notice. An example illustrating the operation of the rent re-calculation and payments required is set forth in a letter from Thomas A. Russell to David Hamlin dated March 9, 2006, which is incorporated herein by reference.

C. Lessee shall pay all rentals herein required, without prior demand therefor, in lawful money of the United States at the address of Town as herein set forth or at such other places as Town shall designate.

\* 4. Use, Occupancy and Improvements of and on the Leased Premises

A. Parcel A. Lessee shall have the right to use, occupy, and maintain the area designated as Parcel A on Exhibit A attached hereto for the purposes of operating, maintaining, repairing, replacing, or adding to the existing building thereon, to be used as an office accessory to the permitted operations being undertaken on the Leased Premises, a marine supply store, marine sales office, single-family residential use, snack bar, and other accessory or ancillary uses thereto; for the installation, operation, and maintenance of fuel pumps, pipes, storage tanks, and related apparatus for the dispensing of fuel to recreational boats; and for ingress and egress, in common with others, to and from the existing parking lot, boat ramp, and/or float. It is understood and agreed by the parties that the primary purpose of the aforementioned facilities shall be for water-related activities, and that the service of food or beverages on the Leased Premises shall remain subordinate and incidental throughout the term of this Agreement. No alcoholic beverages shall be sold, served, or consumed on the Leased Premises. The premises being hereby leased, and designated as Parcel A, are leased SUBJECT to Town's reserved right of access to Parcel D as depicted on Exhibit A and the right to extend utilities over, under and across Parcel A of

sufficient scope and magnitude to allow access to and development and use of Parcel D.

- B. Parcel B. Lessee shall have the right to use, occupy and maintain the area designated as Parcel B on Exhibit A attached hereto for the purposes of the outdoor storage of boats and indoor service of boats and for the purposes of operating, maintaining, repairing, replacing, or adding to the existing building thereon. In addition, Lessee may conduct boat sales and/or repair activities on Parcel B, provided that said area is maintained by Lessee in a neat and orderly fashion. Lessee shall not use the Leased Premises, for any purpose, except as authorized under this Lease, without the prior written consent of Town. The premises being hereby leased, and designated as Parcel B, are leased SUBJECT to Town's reserved right-of access to Parcel D as depicted on Exhibit A and the right to extend utilities over, under and across Parcel B of sufficient scope and magnitude to allow access to and development and use of Parcel D.

5. Use of the Remainder of the Marina Premises.

Lessee shall, in connection with its operation during the term of this Lease of a publicly accessible recreational marina facility, have the right, in common with others, to use the existing roadways, ramps, floats, and gangways situated at the Marina Premises, including the right to use the existing float and gangway for the dispensing of fuel to recreational boats and Lessee shall have the nonexclusive option, subject to prior approval of the plans and specifications by the Town Council, to install and maintain additional docks and moorings at the marina, as long as the same do not interfere with the use of the Marina Premises by the public or jeopardize public safety. Lessee shall further have the right to use occupy and maintain that portion of the Marina Premises designated as Parcel C on Exhibit A attached hereto for the purposes of the outdoor storage of boats from October 1 through April 30 of each year during the term of this Lease, which period may be extended for any year during the term of this Lease, at the sole discretion of the Town for weather related reasons. Lessee shall repair any damage to Parcel C arising from the storage of boats thereon. In the event that said storage of boats thereon, in the sole opinion of the Town, causes unreasonable damage to or



C-4-a-1

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2011

Public Hearing: Yes        No X

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

NAME: Bangor Tennis & Recreation Club Dean Armstrong  
Business Name Individual

ADDRESS: 60 Mecaw Rd. PHONE: 942-4836

MAP/LOT: Map 10, Lot 47-A DATE: 2/23/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's Ordinance.

DATE: 3/15/2011

BY: *Ben J...*  
Title: Code Enforcement Officer

BY: *Daniel A. Pugsley J*  
Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

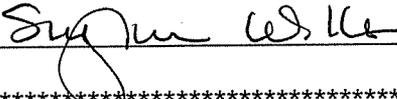
DATE: 2/20/2011 PHONE NUMBER: 207-942-4836

NAME(S): BANGOR TENNIS + RECREATION CLUB INC

ADDRESS: 60 MECAN RD HAMPDEN ME 04444

NAME OF BUSINESS: SAME

LOCATION OF BUSINESS: SAME

SIGNATURE: 

\*\*\*\*\*

(FOR TOWN USE ONLY)

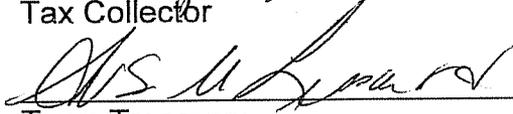
\*This facility has been inspected and meets ordinance criteria.

  
Code Enforcement Officer

  
Fire Inspector/Building Inspector

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

  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: FEB 23 2011 1 \$50.00



C-4-a-2

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2011  
Public Hearing: Yes        No X

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

Best Western White House Inn

NAME: Filibuster Lounge Peggy Brown  
Business Name Individual

ADDRESS: 155 Littlefield Ave. PHONE: 862-3737

MAP/LOT: Map 9/ Lot 49-A DATE: 3/10/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's Ordinance.

DATE: 3/15/2011

BY: [Signature]  
Title: Code Enforcement Officer

BY: [Signature]  
Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 2.28.11 PHONE NUMBER: 862.3737

NAME(S): Best Western White House Inn

ADDRESS: 155 Littlefield Avenue, Bangor, ME 04401

NAME OF BUSINESS: Filibuster Lounge

LOCATION OF BUSINESS: 155 Littlefield Avenue

SIGNATURE: P. Brown

\*\*\*\*\*

(FOR TOWN USE ONLY)

\*This facility has been inspected and meets ordinance criteria.

Ben Jh  
Code Enforcement Officer

Daniel Huggins  
Fire Inspector/Building Inspector

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

Sheryl M Johnson  
Tax Collector

Chris H. Leonard  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: **\$50.00** Date Received/Fee Paid: 3/10/2011 1 \$50-



**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 2/17/11 PHONE NUMBER: 942-4878

NAME(S): Dysarts Service

ADDRESS: PO Box 1689, Bangor, Me 04402-1689

NAME OF BUSINESS: Dysarts Travel Stop

LOCATION OF BUSINESS: Coldbrook Rd, Hampden

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: **\$50.00** Date Received/Fee Paid: 2/22/2011 1 \$50.00



C-4-a-4

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2010  
Public Hearing: Yes        No X

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

NAME: McK's Variety Ron McKinnon  
Business Name Individual

ADDRESS: 995 Western Ave. PHONE: 862-3196

MAP/LOT: Map 7 / Lot 42 DATE: 3/9/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's Ordinance.

DATE: 3/15/2011

BY: Ben J...  
Title: Code Enforcement Officer

BY: Daniel A. Pugliese  
Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 3/9/11 PHONE NUMBER: 862-3196

NAME(S): Ronald + Barbara McKinnon

ADDRESS: 91 Ichabod Lane Hampden, ME

NAME OF BUSINESS: MCK's Variety

LOCATION OF BUSINESS: 995 Western Ave Hampden

SIGNATURE: Barbara McKinnon

\*\*\*\*\*

(FOR TOWN USE ONLY)

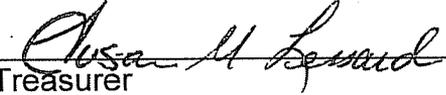
\*This facility has been inspected and meets ordinance criteria.

  
Code Enforcement Officer

  
Fire Inspector/Building Inspector

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

  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: 3/9/2011 | \$50-



C-4-a-5

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2011  
Public Hearing: Yes        No X

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

NAME: Pizza Gourmet Brian Carlisle  
Business Name Individual

ADDRESS: 60 Main Rd. North, Ste. A PHONE: 862-6900

MAP/LOT: Map 36 / Lot 17 DATE: 2/28/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's Ordinance.

DATE: 3/15/2011

BY: Benny  
Title: Code Enforcement Officer

BY: Daniel Huggins  
Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 2-24-11 PHONE NUMBER: 862 6900

NAME(S): Brian + Cindy Cartislo

ADDRESS: 60 Main Rd No Ste A

NAME OF BUSINESS: Pizza Gourmet

LOCATION OF BUSINESS: 60 Main Rd No Ste A

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: \$50.00 Date Received/Fee Paid: FEB 28 2011 1 \$50.00



C-4-a-6

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2011  
Public Hearing: Yes        No X

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

NAME: R & K Variety Kathy Smith  
Business Name Individual

ADDRESS: 573 Main Rd. North PHONE: 942-8355

MAP/LOT: Map 27, Lot 32 DATE: 2/23/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's ordinance.

DATE: 3/15/2011

BY: *Ben Jh*  
Title: Code Enforcement Officer

BY: *Daniel A Pugsley J*  
Title: FIRE / BUILDING INSPECTOR

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 2/21/11 PHONE NUMBER: 942-8355

NAME(S): KATHY E SMITH

ADDRESS: 975 MAIN ST BRADLEY ME 04411

NAME OF BUSINESS: R & B VARIETY

LOCATION OF BUSINESS: 573 MAIN RD NORTH HAMPDEN ME 04444

SIGNATURE: Kathy E Smith

\*\*\*\*\*

(FOR TOWN USE ONLY)

\*This facility has been inspected and meets ordinance criteria.

Ben J  
Code Enforcement Officer

Daniel A. Angley  
Fire Inspector/Building Inspector

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

Cheryl Johnson  
Tax Collector

Ann V. Lewis  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: FEB 23 2011 1\$50.00



C-4-a-7

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 3/21/2011  
Public Hearing: Yes        No X

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

NAME: DLS, Inc. Subway of Hampden Lynn Higgins  
Business Name Individual

ADDRESS: 7 Western Ave. PHONE: 862-4477

MAP/LOT: Map 36/Lot 22 DATE: 3/1/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of  
Hampden Victualer's Ordinance.

DATE: 3/15/2011

BY: Ben J.  
Title: Code Enforcement Officer

BY: Daniel Pugsley J.  
Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 2/28/11 PHONE NUMBER: 862-4477

NAME(S): DLS Inc Lynn Higgins

ADDRESS: 7 Western Ave

NAME OF BUSINESS: DLS Inc, Subway of Hampden

LOCATION OF BUSINESS: 7 Western Ave

SIGNATURE: Lynn Higgins

\*\*\*\*\*

(FOR TOWN USE ONLY)

\*This facility has been inspected and meets ordinance criteria.

Ben J  
Code Enforcement Officer

Daniel A Pugsley  
Fire Inspector/Building Inspector

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

259 Cheryl M Johnson  
Tax Collector

740 Chris H Bond  
Town Treasurer

\*\*\*\*\*

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

LICENSE FEE: \$50.00 Date Received/Fee Paid: 3/1/2011 1 \$50.00

C-4-b

A.C.A.N.E.  
271 Kenduskeag Ave.  
Bangor, ME 04401  
March 14, 2011

Susan Lessard  
Town Manager  
Town of Hampden  
106 Western Ave.  
Hampden, ME 04444

Dear Susan,

My name is James (J.R.) Mabee; I am a member of the ACANE (American Canoe Association New England). For the past few years I have been obtaining permits for the canoe races our organization holds in the state of Maine from the Dept. of Inland Fisheries and Wildlife (IF&W). IF&W has requested we get written permission from the municipalities that our events are held in, on the municipalities' letterhead.

The Souadabscook Stream canoe race and sprints course start and finish in the town of Hampden. The race director for these events is Gary Brooks; his contact number is (207)478-8469. The events are scheduled for Saturday April 9, 2011. Our organization gets liability insurance coverage for our events through the ACA (American Canoe Association) which covers paddle sport events like this throughout the United States. We also always communicate with the Town of Hampden Police Department regarding the event and any concerns they may have.

If you need more information regarding the event or liability coverage please feel free to contact me. My phone number is (207)942-0601, or email [jrmabee@roadrunner.com](mailto:jrmabee@roadrunner.com). If approved of, the letter of permission can be sent by mail to me at 271 Kenduskeag Ave, Bangor, ME 04401.

Sincerely,

James R. Mabee

TOWN OF HAMPDEN  
2011/2012 BUDGET MEETING SCHEDULE

C-4-c

(Meetings start at 6:00 p.m. and are held in the Council Chambers on non-council meeting dates. Budget discussions on Council meeting nights follow the regular agenda. )

- May 9, Monday:           Public Safety  
                                  Police  
                                  Fire  
                                  Administration  
                                  Town Council  
                                  Municipal Building  
                                  Tax Collector  
                                  Elections
- May 16, Monday:       (Council Meeting)  
                                  Library  
                                  Recreation  
                                  Lura Hoit Pool  
                                  Debt Service
- May 17, Tuesday       Reserves  
                                  General Assistance  
                                  Education  
                                  County Tax  
                                  Revenues  
                                  Social Service Agency Requests  
                                  Assessor/Planning  
                                  Economic Development  
                                  GIS/IT  
                                  Communications
- May 23, Monday:       Public Works  
                                  Municipal Garage  
                                  Solid Waste  
                                  Buildings & Grounds  
                                  Marina  
                                  Non-Departmental Utilities  
                                  The Bus
- June 1, Wednesday:   Budget Review – (if necessary)
- June 6, Monday:       Budget Review – Post for Public Hearing
- June 20, Monday:      (Council Meeting)  
                                  Budget Adoption