

**TOWN OF HAMPDEN  
PLANNING BOARD  
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, January 9, 2013 at the Hampden Municipal Building Council Chambers by Chairman Peter Weatherbee.

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

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

**1. ELECTION OF OFFICERS**

Member Avery nominated Peter Weatherbee as Chairman; this was seconded by Member Wiltbank.

Chairman Weatherbee accepted the nomination, the vote was unanimous.

Member Weldon nominated Mike Avery as Secretary; this was seconded by Member Wiltbank. Member Avery accepted the nomination, the vote was unanimous.

**2. APPROVAL OF MINUTES (October 10, 2012)**

Member Syversen made a motion to approve the minutes as written this was seconded by Member Avery, the vote was unanimous.

**3. NEW BUSINESS**

**A. Site Plan/Conditional Use Approval – Mystic Lodge Masonic Temple Association requests approval for Infill Uses of Existing Community Buildings for the 3,380 sq. ft. first floor of their site located at 8 Main Road South in a Residential B District for place of assembly, self-storage, office and church uses – Tax Map 36, Lot 1A – Public Hearing**

Chairman Weatherbee asked if this item had been noticed, Mr. Osborne replied that it had been public noticed.

Chairman Weatherbee opened the public hearing asking for anyone wishing to speak in favor of the application.

Jim Kiser spoke as a consulting engineer with the Mystic Lodge. Mr. Kiser stated that they do not have a tenant at this time but would like to have Planning Board approval in place for anyone wishing to lease space from them for the four uses that are requested: place of assembly, self-storage, office and church uses. Mr. Kiser stated that a Community Building infill use was discussed defined by the Planning Board at a prior meeting in the context of the recent Zoning Ordinance amendment. The Mystic Lodge would like the approval to allow a mixture of four uses requested in the application. The Code Enforcement Officer would issue a Certificate of Compliance to the tenant. One of the issues discussed was parking; the parking requirements

would have to be met. Jim Kiser further addressed the parking. He also stated that the Mystic Lodge is seeking historic structure status.

Bob Osborne, the Town Planner stated that this is a request to do certain infill re-uses of the Mystic Lodge. Parking is the key compliance consideration for these proposed uses. The Code Enforcement Officer will have to approve the Change of Use Permit for each proposed uses.

Member Weldon made a motion that the application meets Article 4.1.6 site plan submission standards; the motion was seconded by Member Nelson. The vote was unanimous. Member Weldon made a motion to approve the application finding that it meets Article 4.1.7 standards governing site plan review; the motion was seconded by Member Nelson. The vote was unanimous.

Member Weldon made a motion to approve the conditional use finding that it meets Article 4.2.3 standards governing conditional use permits with a condition in regard to parking conditions, that a change of use permit be require through the Code Enforcement Office, outside of what normally would be allowed based on conditional use requirements, and The Planning Board is copied on any change of use permits issued by Code Enforcement, this is just for informational purposes for the Board Members and would be copied by staff. Member Nelson seconded the motion. The vote was unanimous.

Chairman Weatherbee asked that the Town Planner's memo be made part of the record.

**B. Site Sketch/Conditional Use Approval – Jana Harriman requests approval for a Day Care Facility ( Up to 12 children) located in their home at 360 Monroe Road in a Rural District– Tax Map 2, Lot 10 – Public Hearing**

Chairman Weatherbee opened the public hearing, and asked to hear from anyone wishing to speak in favor of the application.

Jana Harriman spoke as the applicant. She stated her six years of experience in the classroom working with children, and having one of her own, she would like to care for other children in her home. The hours would be from 7 a.m. to 5:30 p.m. and she would be caring for six children. There would be no other employees at this time.

Member Weldon made a motion to approve the application finding that it meets Article 4.1.7 standards governing site plan review, noting that the application is limited to 12 children; this motion was seconded by Member Nelson. The vote was unanimous.

Member Weldon made a motion to approve the application for conditional use finding that it meets Article 4.2.3 standards governing conditional use permits, this motion was seconded by Member Syversen. The vote was unanimous.

**4. STAFF REPORT**

Bob Osborne stated that things are picking up again, we have a few more applications coming in.

**5. BOARD MEMBER CONCERNS**

Board Members discussed the Planning Board Order for the Site Plan/Conditional Use that Bob Osborne has presented to them for the Mystic Lodge item. The purpose of the Board Order is to document the process by which the Planning Board reviews such an item and to make it clear that the Board documents that it followed the process laid out in the Zoning Ordinance. A question was raised if the Planning Board must go thru and vote on each site plan review standard separately? Some Members expressed that this would take a long time to do, making Planning Board meeting longer than need be. Mr. Osborne explained that the Board at it's workshop meeting in November had discussed the concept and had agreed that somehow the Board must clearly document how it arrives at these decisions and to not do so opens up these decisions to needless legal challenges. The draft board order for this meeting was modeled after the one that the Brewer Planning Board uses which was developed by their attorney. The Board asked if Mr. Osborne would look at ways to consolidate the number of votes required for the approval of the Board Order and he indicated he would do so.

**6. ADJOURNMENT**

Meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Michael Avery, Secretary