



Town of Hampden
Planning Board
Wednesday, June 14, 2023, 7:00 pm
Municipal Building Council Chambers
Minutes

In Attendance:

Planning Board

Richard Tinsman, Chair
Benjamin Dunham, Vice-Chair
Amanda Day
Jacob Beaulier
Ryan Tribou
Dennis Marble
Monica Small (Alternate)

Staff

Clifton Iler, Town Planner
Amy Ryder, Economic Development Director
Wanda Libbey, Admin Asst.
Paula Scott, Town Manager

Public

Lucy Feeney
Sean Thies
Colleen Magaw
Jeff Bouchard

Chair Tinsman called the meeting to order at 7:00 p.m. and verified that all attendees in-person and virtual could hear and see each other. In the absence of a regular member, he appointed Alternate Member Small to serve as a full voting member for the duration of the meeting.

1. Administrative:

- a. Minutes – May 10, 2023, Regular Meeting

Motion by Member Beaulier to approve the minutes of May 10, 2023, Regular Meeting Minutes; second by Member Small; motion carried 7/0/0 by roll call vote.

- b. Minutes – May 16, 2023, Workshop Meeting

Motion by Member Beaulier to approve the minutes of May 16, 2023, Workshop Meeting Minutes; second by Member Tribou; motion carried 5/0/2 by roll call vote (Member Dunham and Day abstained).

2. Old Business: None

3. New Business:

- a. Harold Bouchard Way Subdivision – Public hearing for a Major Subdivision and Major Site Plan review for an 8-lot subdivision on Harold Bouchard Way; Tax Map/Lot: 09-0-035. This property is located in both the Interchange District and Industrial District.

Chair Tinsman went over the rules for public hearings and confirmed with Administrative Asst. Wanda Libbey that the required public hearing posting had been met, and then opened the public hearing at 7:04 p.m.

Lucy Feeney, representing the applicant, presented the plan:

- Proposed 7-Lot Commercial Subdivision off Harold Bouchard Way.
- Total acreage is a little over 13 acres.
- Lots will be one to two acres each.
- The existing water and sewer lines will be utilized by some lots and the applicant will put in a water main for the others not able to tie into the existing waterline.
- Lots that are unable to access the existing sewer line on Harold Bouchard Way will be responsible for putting in private septic systems. The applicant has completed test pits for those lots.
- SLODA application has been completed and it is in the process of being reviewed.
- Proposed wet pond in the south corner of the subdivision designed based on the Town's zoning standards.
- The owner intends to maintain the stormwater pond and the parcel it is on.
- The park is likely to be used for business purposes.
- Proposed road of approximately 700' with a cul-de-sac.

Planner Iler stated that this project meets the dimensional standards for both the Interchange District and the Industrial District. He shared that the project was sent out for peer review to Woodard & Curran for compliance with general engineering and stormwater management. Comments from Woodard & Curran were forwarded to Haley Ward for their responses of which both were included in the packet. Additional outstanding items to be considered by the Board include the following:

- The proposed "Remaining Land" lot will be the location for the wet pond and rendered unbuildable. The Board should decide on whether the wet pond and associated foliage is required to meet the 25-foot setback per Section 2.1.1 of the Subdivision Ordinance. Comment 1 within the third-party report.
- The applicant requests a waiver of Section 2.3.1 of the Subdivision Ordinance, requiring a letter stating why underground electrical placement is impractical. Comment 6 on the third-party report.
- The applicant should confirm the ownership and maintenance responsibilities of the wet pond on the "Remaining Land" lot. Town staff do not recommend accepting ownership. Comment 14 in the third-party report.
- The applicant should explain why sidewalks and street trees along the roadways were not considered as part of the larger site plan for the subdivision. Ceding responsibility of these items to the individual lot owners could create a disjointed pedestrian network, especially if the future commercial enterprises are services, restaurants, etc. that require such a connection. Comments 17 & 18 in the third-party report.

Public Questions/Concerns/Opposition:

Paula Scott, Town Manager, asked if a consent agreement will be drawn up to formalize the responsibility for maintenance of the stormwater feature. Sean Theis of Haley Ward explained that it is a requirement for MDEP, and they will provide it for the town also. Planner Iler also added that a copy of the maintenance agreement should be on file with the Town. The Town typically requests that there is an access easement from the road to the feature in case of an emergency.

Chair Tinsman asked if the pond would be wet or dry and how deep will it be. Sean Theis stated that it will be wet and approximately 8 FT deep.

Resident Colleen Magaw, who resides at 316 Coldbrook Rd., and is an abutter to the proposed subdivision, has the following concerns:

- This subdivision could depreciate her property value.
- Will there be some sort of barrier between her property and the portion of the subdivision that abuts her property?
- Concerned with how close the retention pond will be in association with her home.
- Will the property directly behind 316 Coldbrook Rd. be developed?

Haley Wade representative, Lucy Feeney explained that the town has rules that must be met concerning noise and buffer requirements. The lot where the wet pond is located will be mowed and maintained per MDEP regulations.

Planner Iler suggested that as we move forward from the preliminary plan to the final plan to incorporate a landscaping plan to potentially address Ms. McGaw's concerns.

Haley Wade representative, Sean Theis stated that the property directly behind Ms. McGaw's property will remain wooded.

Planning Board Questions:

Member Small is concerned with the potential of animals or children falling into the wet pond as it is 8 FT deep. She asked if it would need a fence. Lucy Feeney explained that the inside slope comes down a few feet and then there is a 10ft bench that can be mowed before there is water. This acts as a safety bench that would enable a person or animal to climb out if they did happen to fall in. At this point, a fence is not proposed.

Member Marble asked the following concerns and questions:

- Asked why Haley Ward is asking the Planning Board to provide guidance in reference to the location and extent of the buffer. Lucy Feeney explained that they wanted to make sure they provided something that everyone was happy with.
- Are there any existing trees between what is proposed to be the southwest border of the pond and the McGaw property? Lucy Feeney explained that there is an existing tree line that will create a buffer on some but not all of Ms. McGaw's property.
- Why is the applicant requesting a waiver for the placement of underground electrical/communications utilities? Lucy Feeney stated that it was requested mainly due to cost.
- Due to the water table being incredibly high on these properties will this system be effective and not over-taxed in the future?

- Asked for clarification on the cul-de-sac and future development. Lucy Feeney explained that it is to meet existing standards.
- What is the intent of the subdivision in terms of likely prospective buyers? Sean Thies explained that it will be geared toward professional-type offices. The applicant would like to have a covenant to ensure that all have a common theme and look nice. The Economic Development Director, Amy Ryder stated that the businesses she has directed to the applicant will likely be low-impact businesses that will likely be closed for business by 5 to 6 PM.
- Concerned in reference to the 8 FT pond and safety.

Vice-Chair Tinsman asked if there would be covenants put on the properties by the applicant. Sean Thies stated that it is a possibility but unknown at this time.

Planner Iler recommends that the request applicant provide a draft of the deed with a covenant or covenant to the Town if they choose to create one, even though the Town does not enforce covenants.

Chair Tinsman closed the public hearing at 7:48 p.m.

Chair Tinsman asked for an economic feasibility letter in reference to Comment 11 of the peer review.

Member Beaulieu asked if a buffer of 25 FT should be required. Planner Iler suggests that because it is a non-buildable space an updated landscape plan might be a better solution.

Member Beaulieu recommended that the applicant provide a letter of explanation to the waiver request in reference to Article 2.3.1 of the Subdivision Ordinance. Member Dunham agreed with the recommendation.

Member Beaulieu asked if the Water District has provided approval at this time. Lucy Feeney stated that the letter of approval from the Water District was included in the packet.

Member Beaulieu expressed his concerns with the space needed to put a subsurface septic system in a commercial space but understands when it is to two separate parcels.

Member Marble would like to note that it might be to the owner's benefit to have public utilities as much as possible looking to the future.

Member Dunham requested a detailed maintenance plan for the wet pond between the Town and the applicant.

Member Beaulieu would like to see more detailed plans on sidewalks and crosswalks in lieu of future development. Sean Thies explained that although they do not appear in the design there will be ample space to add them in the future if desired.

Motion by Member Beaulieu based on discussion and information presented herein moved to approve the Preliminary Site Plan and Subdivision Plan for the 8-lot commercial subdivision located on Harold Bouchard Way (Tax Map/Lot: 09-0-035 & 09-0-035-A), without the requested waiver; seconded by Member Marble; motion carried by 7/0/0 by roll call vote.

4. Town Planner Report

Town Planner Iler reminded Board Members that the June Workshop Meeting has been rescheduled for Wednesday, June 21, 2023, at 6:30 p.m.

5. Planning Board Comment

Member Beaulier congratulated the RSU 22 graduates.

6. Adjournment

Motion by Member Marble moved to adjourn the meeting at 8:29 p.m., seconded by Member Beaulier; the motion was carried by a roll call vote of 7/0/0 in favor.

Respectfully Submitted By,

Wanda Libbey, Administrative Asst.