



Town of Hampden

Planning Board

Wednesday January 11, 2017, 7:00 pm

Municipal Building Council Chambers

## Minutes

### In Attendance:

#### Planning Board

Eugene Weldon, Chair  
Kelley Wiltbank  
Michael Avery  
Joan Reilly  
Jim Davitt  
Mort Syversen  
Peter Weatherbee

#### Staff & Others

Karen Cullen, AICP, Town Planner  
  
Rick Strout, builder for Pine Tree Food Equip.  
\_\_\_\_\_, for Jumpin Jac Realty  
Randal Atwood

Chairman Weatherbee called the meeting to order at 7:00 pm.

### 1. Administrative

- a. Reorganization: Election of Officers. Member Wiltbank made a motion to nominate Peter Weatherbee to serve as Chairman, Gene Weldon to serve as Vice-Chair, and Mike Avery to serve as Secretary; seconded by Member Weldon. Discussion followed, Gene Weldon said he'd serve as Chairman as long as there is a back-up for meetings he may need to miss. Peter Weatherbee said he'll continue to serve if nobody else will. Vote on first motion failed, 0/7/0. Member Syversen made a motion to nominate Gene Weldon to serve as Chairman, seconded by Member Weatherbee; motion carried unanimously, 7/0/0. Discussion regarding Vice-Chair; the Planning Board By-laws indicate that the Chairman shall designate another member to serve as acting chair for any specific meetings he will miss; thus there is no reason to elect a Vice-Chairman. Member Wiltbank made a motion to nominate Mike Avery to serve as Secretary, seconded by Member Syversen; motion carried unanimously, 7/0/0.
- b. Minutes of December 14, 2016 meeting: Member Avery had questions on page 2 second bullet regarding discussion on the driveway width; the minutes don't indicate what the outcome of the discussion was – it may be in the Board Order. He had the same concern regarding the lighting. Request for Town Planner to check the record to revise the minutes. Motion by Member Avery to table the minutes to the next meeting, seconded by Member Davitt, so voted 6/0/1 (Member Weatherbee abstained).

### 2. Old Business: none.

3. a. Public Hearing: Site plan review application for Jumpin Jac Realty for new construction of a 3,600 square foot building to house Pine Tree Food Equipment at 17 Nadine's Way in the Commercial Service district.

Chairman Weldon read the hearing notice into the record and confirmed with Planner Cullen that the proper notice for the hearing had been given. He then opened the public hearing at 7:14 pm.

Rick Strout, representing Pine Tree Food Equipment (the applicant), stated the facility is for the commercial sales and service for restaurant equipment.

There being no other speakers on the application, Chairman Weldon closed the hearing at 7:15 pm.

Town Planner Cullen reviewed her report on the application. Discussion on several points ensued:

- The site plan did not show the location of all of the buildings within 300 feet of the site; this was made a condition of approval.
- The size of the new culvert at the driveway to Mecaw Road is not given; it was stated by Mr. Strout that it is 15 inches in diameter and 30 feet long. This was also made a condition of the approval.
- Comments from DPW Director Sean Currier included the silt fence was not continuous around the site; the Board made this a condition of approval.
- DPW Director Currier also questioned the location of snow storage on the site; Mr. Strout said it would be pushed off the sites of the driveway and parking lot and would not go into the drainage ditches. The Board felt it was unnecessary for this to be a condition of approval.
- The Woodard & Curran review was limited to looking at potential for pollutants entering Sucker Brook and resulted in a modification to the site plan to eliminate a ditch along the driveway to Nadine's Way. That runoff will instead sheet flow to the ditch on Nadine's Way, providing better removal of pollutants.
- Lighting on the site will be limited to four small downcast fixtures, two on the garage and two on the building at the main entrance. Given a lack of detail in the submission, the Board set a condition requiring details of the lighting proposed to ensure it complies with the ordinance.

**Motion** by Member Avery that the application for Pine Tree Food Equipment meets the standards under §4.1 of the Zoning Ordinance, Site Plan Review, and to approve the application and Planning Board Order as amended, including the findings which are detailed in the Order, subject to the following conditions:

1. That a plan showing the three abutting buildings that are within 300 feet of the site be submitted to the Town Planner and Code Enforcement Officer for their review and approval;
2. That a detail sheet (or specification sheet) showing the proposed lighting in compliance with the Zoning Ordinance be submitted to the Town Planner and Code Enforcement Officer for their review and approval;
3. That the site plan be amended to show the size of the culvert at the driveway on Mecaw Road; and
4. That the site plan be amended to show a continuous silt fence around the site.

The motion was seconded by Member Syversen; passed by unanimous roll call vote (7/0/0).

- b. Discussion with Randal Atwood regarding issues related to a lot partially fronting on the vacated portion of Ledgewood Drive. Mr. Atwood noted the property is owned by the Trust for Blaine Atwood, who now resides in an assisted living facility. Mr. Atwood described the situation, which is that Blaine Atwood had created this subdivision in 1966 and built the road with the exception of the cul-de-sac in 1968. The cul-de-sac was not built due to the high cost of doing so given the topography in that area. The Town accepted the portion that was built, which is 800' from Emerson Mill Road, shortly thereafter. Since the cul-de-sac end was never built, it eventually reverted to Blaine's ownership, but they didn't realize that until recently when the title company discovered the problem.

About a year ago Randal Atwood spoke with Myles Block (CEO) and Sean Currier (DPW Director). Based on that conversation Mr. Atwood thought he was good to go with splitting off the house from the remaining 10 acres of land. Then he discovered this problem which left both the Atwood parcel and the parcel across the street (a three-unit apartment building built in 1977) with less than the required 200 feet of frontage. Mr. Atwood asked the Planning Board if they could waive the frontage requirement or grant a variance or make the cul-de-sac a paper street again, or help in some other way. The goal is to be able to split the 12 acres into two lots, a 2 acre lot with the house and a 10 acre lot which may be sold to an abutter (not on Ledgewood Drive).

Member Weatherbee said he's not sure the Planning Board can address the problem, it seems as though all of the questions are legal and the Atwood's need to seek legal counsel. He noted the Board cannot give legal advice. Board members agreed, and felt that they would need an application before them to act on; they cannot give legal advice as requested.

4. Town Planner's Report: We need to set a date for the Ordinance Committee to meet to review the proposed amendment to the home occupation section of the Zoning Ordinance. The Board agreed on January 17 at 6:30 pm. Planner Cullen said she will post the meeting tomorrow (Thursday January 12) once she received confirmation that there would be a quorum.

Discussion on packet distribution: Board preference is to receive the full packet, printed, one week prior to the meeting. Planner Cullen said it will be mailed; if completed in time for members to pick up at the Town Office, she will notify them by email.

5. Planning Board Comments: None.

The meeting was adjourned at 8:45 pm by motion of Member Wiltbank with second by Member Avery; motion carried 7/0/0.

*Respectfully submitted by Karen Cullen, Town Planner*

Materials reviewed at the meeting:

- Application, Report from Planner Cullen, Memo from Woodard & Curran, and draft Planning Board Order, Pine Tree Food Equipment site plan
- Memo from Planner Cullen regarding Ledgewood Drive