



Town of Hampden

Planning Board Meeting

Wednesday October 14, 2020, 7:00 pm

## Minutes

This meeting was held via remote means (Google Meet) due to the Covid-19 Pandemic, in accordance with SP0789 / LD2167, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency.

### In Attendance:

#### Planning Board

Kelley Wiltbank, Chairman  
Ladoiya Wells  
Gene Weldon  
Richard Tinsman  
Brent Wells  
Jennifer Austin

#### Staff

Ben Smith, Contract Planner  
Sarah DelGizzo, Contract Planner  
Wanda Libbey, Recording Clerk  
Ryan Carey, CEO  
Amy Ryder, Economic Development Director  
Public  
Jim Kiser  
Debbie Moody  
Nate Wicklow  
Francis Leathers

The meeting was called to order by Chairman Wiltbank at 7:00 pm. Chairman Wiltbank explained that this meeting is being held remotely, with Gene Weldon and Jake Armstrong in the Council Chambers and everyone else via Google Meet, in accordance with the guidelines for the pandemic. He took attendance by roll call; all members listed above participating with both audio and video. It was established that all board members were able to hear and speak to all the other members. All staff and public participants could likewise hear and speak to all other participants.

1. Administrative
  - a. Minutes – September 9, 2020 regular meeting

**Motion** by Member Weldon to approve the minutes of the September 9, 2020 regular meeting with two amendments. Amendment one is to add Member Tinsman abstaining to the approval of August 12, 2020 minutes and the second amendment is on page 3, Mr. Holmes should read Mr. Helm's, seconded by Member Wells; motion carried 6/0/0 by roll call vote.

2. Old Business
  - a. DLM Professional Center –Continuation of Public Hearing for a Major Site Plan to add 4 new commercial buildings to the commercial property at 588 Main Road North, parcel 19-0-037. This property is in the Business district.

**Motion** by Member Weldon to remove this item from the table and continue the public hearing; second by member Richard; motion carried 5/0/1. (Member L. Wells abstained)

Chairman Wiltbank re-opened the hearing at 7:07 pm after confirmation that the hearing was duly noticed.

Jim Kiser, representing the applicant, presented the proposed plan:

- Property is located at 588 Main Road North, across from PDQ Doors.
- Proposing to revise parking for the existing building in the front.
- Proposing two parking areas on each side of the existing building.
- Proposing 4 new buildings that are each just under 2,900 sq. ft. for professional services.
- The first building in the back will be utilized by the applicant, Debbie Moody.

Jim Kiser addressed each item in the Planner's report; only those items which were discussed further at the September 14th meeting are noted here:

- Add connection to the Main Road North sidewalk.
- Landscaping in front of the existing building and the front parking areas.
- A crosswalk from the northerly parking area across the proposed driveway.
- A written waiver request for parking stall depth from 20' to 18'.

Chairman Wiltbank asked if anyone had any questions concerning the waiver being requested concerning parking spaces.

- On this issue Member Tinsman recommends that the board look at the requirements of allowing a waiver. A waiver requires extraordinary or unnecessary hardships, it relates to special circumstances of a particular plan. Our Ordinance tells us that such waiver will not have the effect of nullifying the purpose of the regulations. When we do grant a waiver the Planning Board should require such conditions that substantially meet the objectives of the ordinance. Jim Kiser stated that changing the size of the parking spaces from 20' to 18' will provide less exposure to impervious areas for projects.
- Ryan Carey, CEO stated that the project is in the MS4 District/Urban Area of town where we are trying to reduce the impervious area on all these projects.
- Ben Smith commented concerning the waiver requested that 9' x 18' parking space that it is a standard size with other communities he works with in the state. Ben believes it is reasonable for the board to consider this waiver request and to be open minded when doing so. Ben does agree that it might be time to look at this particular standard in the Zoning Ordinance concerning waivers.

**Motion** by Member Austin to grant a waiver from parking dimensional requirements in Section 4.7.1, to allow 9' x 18' parking spaces in order to reduce total impervious surface in the project, seconded by Member Tinsman; motion carried 4/1/1 by roll call vote, (Member Tinsman voted against and Member L. Wells abstained).

Chairman Wiltbank invited comments from anyone who wished to speak for or against the application; there being no public comments, the public hearing was closed at 7:25 pm.

**Motion** by Member Austin to approve the Major Site Plan for DLM Professional Center to add 4 new commercial buildings to the commercial property at 588 Main Road North with waiver, seconded by Member Tinsman; motion carried 6/0/0 by roll call vote.

3. New Business

- a. BNA Monroe Property – Minor Subdivision Final Plan. The proposal is to create a 3-lot subdivision by creating 2 additional lots on a 13.55-acre parcel of which one lot was created in 2019 located on 175 Monroe Road, Parcel 02-0-024 & 024-1. The property is in the Rural district.

Jim Kiser, representing the applicant, presented the proposed plan:

- Creation of a 3-lot subdivision on 13.55-acres.
- The first lot, Parcel A, was split out from the parcel in 2019
- New lot, Parcel B, 2.06-acres with 200 ft of frontage on Monroe Rd.
- New lot, Parcel C, 11.49-acres with 208.32 ft. frontage at the end of unnamed access easement/private road.

Discussion:

- Member Weldon asked if Parcel A is Wicklow Holdings and Parcel B and C are BNA Properties? Are they all common ownership? Jim Kiser stated that Parcels B and C are common ownership under BNA Properties. Parcel A is under a different corporation name that was separated last year so it does not require final review under this subdivision.
- Member Weldon asked what the original subdivision was? Jim Kiser explained that the original subdivision was just on Parcel A for a four-unit division of that parcel. It was broken out from the parent parcel as a separate which did not require a subdivision review. Under land subdivision it did require a subdivision review under dwelling unit subdivision.
- Because this is more than two lots in five years you are coming to us for an additional divisional of this property breaking of Parcels B and C. Jim Kiser stated that this is correct.

**Motion** by Member Tinsman that based on the findings, dated October 14, 2020 I move that the Planning Board approve the Subdivision Application from BNA Monroe Property Inc. for plans dated October 2, 2020, seconded by Member L. Wells; motion carried 6/0/1 (Member B. Wells abstained).

- b. Pine Grove Estates – Public Hearing for a major site plan and a major final subdivision plan. The proposal is to construct 5 four-plex buildings and 1 duplex on a 11.49-acre parcel located on Lot C, BNA Monroe Property located on the Monroe Road, Parcel 02-0-024-1. This property is in the Rural district.

Chairman Wiltbank opened the public hearing at 7:36pm

Jim Kiser, representing the applicant, presented the proposed plan:

- a. This is a dwelling unit subdivision.
- b. Multi-family project with 22 units in 6 buildings.
- c. Five four-plex buildings and 1 duplex
- d. Spawn step wastewater disposal system for each building
- e. Four wells on property and no more than eight units off each well.
- f. DEP Stormwater application has been submitted

Ben Smith, Contract Planner, explained that this project has been reviewed by the consulting engineer for the town and we had supplied some comment to the applicants representative Jim. Jim has submitted revised plans following a review by the consulting engineer for the town. To ensure that the numbers for frontage were correct and that lot B and C in the subdivision meet the fringe requirements, engineering requirements and clarified filter bed requirements for the zone. You will note that there are boulders shown on the plan to keep snowplows and traffic out of the filter beds. Overall, I think that it meets the requirements of the ordinance, as Jim noted, it does require a stormwater permit from the state which will need to be in hand prior to the issuance of any building permit.

Amy Ryder, Economic Development Director spoke in favor of the project.

Chairman Wiltbank opened the public hearing at 7:43pm.

Discussion points:

- Does the fire department have any issues with the turnarounds that were shown on the plans? Ben Smith explained that the fire department did have an opportunity to review the plan but did not specifically say that the hammerhead turnaround was going to be problematic.
- Is there a streetlight shown on the plan at the intersection? Jim Kiser stated the yes, a streetlight was going on the pole closest to the access on the Monroe Road.

**Motion** by Member Tinsman move that the Planning Board approve the Major Subdivision and Major Site Plan for Pine Grove Estates project, seconded by Member B. Wells; motion carried 6/0/0.

- c. BNA Parcel B –Minor Final Subdivision Plan. The proposal is to develop a second two-family building on 2.06-acre parcel located at 175 Monroe Road, parcel 02-0-024-1. This property is in the Rural district.

Jim Kiser, representing the applicant, presented the proposed plan:

- a. Minor subdivision with an existing two-unit building
- b. Adding a second duplex identical to the existing building.
- c. Separate septic for new unit
- d. Shared well with existing unit.

Discussion points:

- Ben Smith commented on the clearing limits for the previous application and the impact it will have on parcel B in association with the entrance to the new units as well as the mailbox. Jim Kiser explained that any additional clearing would be minimal.
- Ryan Carey asked Jim if putting in the additional building on the lot would we still be within the impervious area threshold? Jim Kiser explained that there will be less than an acre of impervious and less than an acre of disturbed area, so there is no DEP permitting criteria required.
- Member Weldon would like to recommend the previous subdivision approval be referenced on the plan the board will be signing. Jim Kiser said that he would do that.

**Motion** by Member Tinsman that based on the findings, dated October 14, 2020 I move that the Planning Board approve the application from BNA Properties for a Minor Subdivision dated October 2, 2020, seconded by Member L. Wells; motion carried 6/0/0.

4. Planning Board Comment - none

5. Adjournment

**Motion** by Member Weldon to adjourn the meeting at 8:12 pm; second by Member Tinsman; motion carried 6/0/0 by roll call vote.

*Respectfully submitted by Wanda Libbey,  
Administrative Asst.*