

Town of Hampden

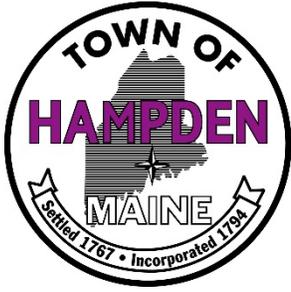
Planning Board

Wednesday, October 14, 2020, 7:00 pm

Municipal Building Council Chambers

Agenda

1. Administrative
 - a. Minutes – September 9, 2020 regular meeting
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.
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 Monroe Road, Parcel 02-0-024 & 024-1. The property is located in the Rural district.
 - 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 Monroe Road, Parcel 02-0-024. This property is located in the Rural district.
 - 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.
4. Planning Board Comment
5. Adjournment



Town of Hampden

Planning Board Meeting

Wednesday September 9, 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 (arrived 7:07pm)
Jake Armstrong
Gene Weldon
Richard Tinsman
Brent Wells
Jennifer Austin

Staff

Ben Smith, Contract Planner
Sarah DelGizzo, Contract Planner
Wanda Libbey, Recording Clerk
Ryan Carey, CEO

Public

Jim Kiser
Ralph Helms
Martin Capewell
Julie Tozier
Debbie Moody

The meeting was called to order by Vice-Chairman Richard Tinsman at 7:00 pm. Vice-Chairman Richard Tinsman 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 – August 12, 2020 regular meeting

Motion: by member Gene Weldon to approve the minutes of the August 12, 2020 regular meeting with the correction that Gene Weldon was present in Council Chambers and Richard Tinsman was present via Google Meet, seconded by Brent Wells; motion carried 4/0/1 by roll call vote, (Weldon abstaining).

- b. Minutes – August 18, 2020 workshop meeting

Motion: by member Jennifer Austin to approve the minutes of the August 18, 2020 workshop meeting, seconded by Jake Armstrong; motion carried 4/0/2 by roll call vote,

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2. New Business

- a. Tozier – public hearing for conditional use application to establish a Customary Home Occupation to run a retail shop for the sale of products made on the property, located at 940 Kennebec Road, parcel 01-0-063. This property is in the Rural district.

Chair Kelley Wiltbank opened the public hearing at 7:08pm

Sarah DelGizzo, Contract Planner, presented the proposed plan:

- Conditional Use Review for Customary Home Occupation (4.10.2)
- Construct a 14' x 28' (392 sq. Ft.) building
- new building 10' from the applicant's home
- physical shop for existing online Esty craft shop

Planning Board Members, Dick Tinsman and Gene Weldon, had the following questions/concerns:

- What is the retail occupation?
- What is the definition of Home Occupation?
- Planned hours of operation?

In response, the following comments were provided:

- Retail products being sold are soy wax candles.
- Sarah DelGizzo, Contract Planner representative, read Zoning Ordinance Section 4.10.2 Customary Home Occupation.
- Julie Tozier explained that 20 hours per week would be the maximum hours of operation.

Chair Kelley Wiltbank closed the public hearing at 7:22 pm

Motion: by member Dick Tinsman to approve the proposed conditional use application with the following conditions, that the maximum open hours per week are 24 hours and that not more than one employee outside the owner of the residence be engaged. The motion was seconded by Brent Wells; motion carried 6/0/0 by roll call vote.

- b. Helms – public hearing to subdivide one parcel within a previously approved subdivision to create one new buildable lot from 23 Murphy Lane, parcel 25-0-005-A. This property is in the Residential A district.

Chair Kelley Wiltbank opened the public hearing at 7:24pm

Ben Smith, Contract Planner started the project introduction:

- This application is an amendment to the Van Arkin subdivision approved by the Hampden Planning Board back in the 70's.
- This is a division of lot four of that subdivision to create a new lot within the currently approved subdivision.
- Both of those lots would have frontage on Murphy Lane.
- The application is simply for the creation of a new lot within an approved subdivision.

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- The lot does meet the minimum lot size and frontage setbacks.

Ben Smith, Contracted Planner spoke concerning the common area shown on the plan. He explained that it looks like an area that would be subject to easements on the new property which would benefit the remaining land of Ralph and Sandra Helms to be used for access utilities and the well. The well is currently shown on the proposed property at a corner of the property, which is on the property line between the two properties. His suggestions were to, spell out the easements and some draftsman language for utilities and access. Also to consider some additional information to be required to show that the well could serve the two residential uses for that property or to have that well simply serve one lot and have the other lot certify new well.

Ralph Helms, applicant, explained that he would like to put a modular home at the top and sell his some his existing home. A

Questions:

Jennifer Austin asked Mr. Holmes if he was an employee of the town and Mr. Holmes replied that he is. Jennifer also asked if the board would be proposing draft language to include with this order regarding the easement and the condition that he will check and provide documentation regarding the well capacity or a new well? Kelley Wiltbank stated that the applicant stated that he will.

Motion: by member Richard Tinsman to approve the application for subdivision amendment to lot four as presented with the following conditions. A draft easement be developed for access, vehicular access, and utilities to be submitted to the town for review and approval. Number two, the applicants will submit information on the existing well including water quality information and flow rates to show the well will be adequate supply for multiple dwelling units or to show that a new well would be provided for the separate lot. The motion was seconded by Jennifer Austin; motion carried 6/0/0 by roll call vote.

- c. DLM Professional Center – 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.

Chair Kelley Wiltbank opened the public hearing at 7:32 pm

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

- Property is located at 588 Main Road North, formerly a redemption center and antique shop
- 10.5-acre parcel
- Two swales crossing property that have two small streams in them. Development will be away from those locations.
- Requesting a G-5 business or professional office used for the prop for the new facilities.

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- Adding four new buildings of approximately 11,500 sq. ft. of additional building.
- Improving area with access to the rear portion of the buildings and parking in front of each building.

Questions:

Kelley Wiltbank asked if the buildings that are already there will remain there? Jim Kiser explained that the front building will remain. The house that was shown in the plan has been removed and the commercial building to the back is currently rented to a glass company.

Michelle Barry only concern would be as far as the location of the farthest building. What will the height be and type of roof? Jim Kiser explained that they have planted Arborvitae that will grow up to about 20 feet high in the area along the back of the property.

Chair Kelley Wiltbank closed the public hearing at 7:46 PM.

Sarah DelGizzo expressed concern with the snow storage location in the front of the site next to the improved parking area and it seems just very close to the stormwater treatment for filter basin number two. The second was what will be the dimensions of the parking stalls so that the applicant does provide adequate parking. Sarah had additional comments relevant to the kind of improved parking in the front of the existing commercial building, the new sidewalk and improve parking areas. To have the new sidewalk tie into the existing sidewalk on Main Road North, to make sure that there is crosswalk striping across the new access driveway for safety reasons. Also, to make sure that there is adequate turning space to get out of some of these parking areas. One last comment concerning making sure that the dumpster pad is paved underneath to avoid wear and tear.

Jim Kiser explained the bed itself is approximately 18 feet off the edge of the pavement. A lot of times snow is plowed towards it so that it does go through the filter basin so that it acts as a treatment to remove the sand, grit and smell within the filter itself rather than running off into the streams and River. He will check with DEP to confirm. In reference to the parking stalls, although the ordinance does state 20 feet the board has been receptive to the 18-foot depth. If a formal waiver is required by the board, the applicant will be requesting one. Crosswalks were not provided as it is a driveway and not a roadway. If the board feels that this would be an item that would improve safety concerns, the applicant would be happy extend those right across the drive. The connection of the existing sidewalk was an oversight by the applicant, if the board makes that a condition of approval, the applicant will accommodate that.

Kelley Wiltbank asked if there is space to build the 20-foot stalls? Jim Kiser stated that if required, yes, they have the depth required by Planning Board accommodate the 20-foot gap for the stalls.

Ben Smith was interested in the design of the buildings pertaining drip strips proposed on the buildings. He also was interested in if the applicant had considered any landscaping along the front of the property in the vicinity of the parking areas or the front of the existing commercial structure.

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Jim Kiser explained that the buildings are spec buildings at this point and time. The buildings are being designed with a gable roof in mind so that the back of the building would have the drip edge. We didn't put any plantings down in the front because in looking at that section of Main Road North there is really no landscaping associated with the buildings that are there now and this allows people to see the parking spaces available when they visit the front building.

Consensus of the board is to table this item until the October 14, 2020 meeting due to there not being ample information to go forward to make a decision at this meeting.

- d. Martin Capewell – pre-application of a conditional use review for a change in use from an existing nonconforming use to another nonconforming use on property located at 125 Mayo Road, parcel 06-0-036, in the Residential B district.

Martin Capewell, applicant, explained to the board that he will be purchasing the warehouse at 125 Mayo Road and he was looking for an acknowledgement from the board that he would be able to use it as a warehouse.

Ben Smith explained that this item is an informational item only and that the applicant is working with town staff to figure out how best to proceed.

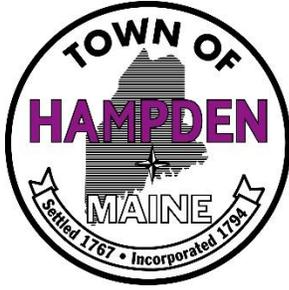
Due to information coming in late the Code Enforcement Officer will review the new information and determine rather the applicant will need to come back to the Planning Board next month.

3. Old Business – none
4. Planning Board Comment - none
5. Adjournment

Motion: by Gene Weldon to adjourn the meeting at 8:58 pm; second by Richard Tinsman; motion carried 6/0/0 by roll call vote.

Respectfully submitted by Wanda Libbey,
Administrative Asst.

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Town Planner
planner@hampdenmaine.gov

Report
Major Site Plan
DLM Professional Center

To: Planning Board
From: Sarah DelGizzo, Planner, North Star Planning
CC: Karen Cullen, AICP, Town Planner
Ben Smith, AICP, Principle, North Star Planning
Date: September 30, 2020
RE: Report on Application for a Major Site Plan Review – DLM Professional Center

This application is for a major site plan review for development of four (4) office buildings (2,880 SF each/ 11,520 total SF), two (2) parking areas, and a 1,000' drive. The proposed development is located on Main Road North in the Business District.

This parcel (TM 19, lot 37) is located across from Hamlin's Marine/PDQ Door Company Inc, and Foreign Car Center. The parcel is 10.45 acres with existing commercial development along the road, and an older house and garage behind the existing commercial development. The plan shows two improved parking areas adjacent to the existing commercial development and a new access drive for the proposed office buildings, which are shown to be developed behind the existing building. Water supply is to be provided by Hampden Water District and wastewater disposal will be into the Hampden sewer system.

The application is in compliance with the submission requirements of the Major Site Plans.

The application is in compliance with the approval standards for major site plan review with the exception of needing a waiver for parking stall dimensions of 18' X 9' rather than 20' X 9' per § 4.7.1.

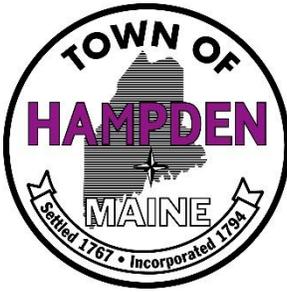
The application is in compliance with the approval criteria under state law.

Comments from Woodard & Curran are provided in a separate report, attached.

Note that Jim Kiser has addressed the comments from the initial review of this application and comments from September 9, 2020 Planning Board in the letter accompanying his application. These modifications have included:

- Provided a written waiver request for the parking area requesting that parking stall depth as 18' rather than 20' as required in §4.7.1
- Added a connection to the Main Road North Sidewalk
- Added landscaping in front of the existing building and the front improved parking areas
- Added a crosswalk from the northerly parking area across the proposed driveway
- Provided electronic copy of DEP stormwater application

Our comments were addressed in revisions to the plan that was reviewed. Jim Kiser has included a written waiver request regarding parking stall size. The application in the packet includes the revised site plan.



Town of Hampden
Land & Building Services
Planning Board Order
DLM Professional Center

Approval Date: TBD

Project Name: DLM Professional Center

Location of Project: 588 Main Road North

Assessor's Reference: 09-0-37

Deed Reference: B15383/P200

Zoning District: Business District

Total Acreage: 10.45 acres

Type of Use: G-5 Commercial/Office

Building Area: 11,520 square feet

Applicant: Debbie Moody
DLM Rental LLC
21 Hustus Hill Road
Brooks, ME 04921

Owner: Debbie Moody
DLM Rental LLC
21 Hustus Hill Rd
Brooks, ME 04921

Plans Prepared by: Kiser & Kiser Co

Plans Dated: September 22, 2020 (Most recent revision Date)

Application Date: July 21, 2020 (September 22, 2020 update)

Public Hearing: September 9, 2020

*PB Members:*¹ J. Kelley Wiltbank, Richard Tinsman, Eugene Weldon,
Jennifer Austin, Jake Armstrong, Brent Wells, Ladoiya
Wells

PB Action: TBD

Summary Description of Application: This application is for a major site plan review for development of four (4) office buildings (2,880 SF each), two (2) parking areas, and a 1,000' drive. The proposed development is located on Main Road North in the Business District.

This parcel (TM 19, lot 37) is located across from Hamlin's Marine/PDQ Door Company Inc, and Foreign Car Center. The parcel is 10.45 acres with existing commercial development along the road and an old house and garage behind the existing commercial development. The plan shows two improved parking areas adjacent to the existing commercial development and a new access drive for the proposed office buildings, which are shown to be developed behind the existing building. Water supply is to be provided by Hampden Water District and wastewater disposal will be into the Hampden sewer system.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board made the following findings as required by Section 4.1.6 of the Hampden Zoning Ordinance:

1. The proposed use **does** minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and the threat of air and water pollution.
2. The proposed use **does** maximize pedestrian and vehicular safety both on the site and entering and exiting the site.

¹ *Planning Board Members who were eligible to vote on this case.*

3. The proposed use **does** minimize obstruction of scenic views from publicly accessible locations.
4. The proposed use **does** minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned.
5. The proposed use **does** minimize glare and light trespass from headlights, outdoor lighting, or signage lighting.
6. The proposed use **does** minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.
7. The proposed use **does** prevent contamination of groundwater from operations on the premises involving the use, storage, handling, or containment of hazardous substances.
8. The proposed use **does** ensure adequate access to each structure for fire and service equipment and adequate provisions for utilities and stormwater drainage.
9. The proposed project **will not** exceed the capacity of any public utility (e.g. sewage disposal, water supply, stormwater management system, solid waste disposal, roads, etc.) or will overburden any public service (e.g. public safety, schools, municipal recreation, etc.).

Based on these findings, the Hampden Planning Board voted *TBD*.

Waivers (requested):

1. To §4.7.1, for the requirement that each parking space shall measure a minimum of 9 feet wide by 20 feet long exclusive of drives and maneuvering space, given that 9 feet by 18 feet stalls reduce the overall impervious surface and have been approved in prior projects in Hampden.

Conditions: TBD

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For the Hampden Planning Board:

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J. Kelley Wiltbank, Chair	Date
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Richard Tinsman, Vice Chair	
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Eugene Weldon	
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Jennifer Austin	
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Brent Wells	
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Jake Armstrong	
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Ladoiya Wells	

Notes:

- 1. A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
- 2. This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*



August 14, 2020

Karen M. Cullen, Town Planner
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: DLM Professional Center Major Site Plan Application Peer Review

Dear Karen:

We have completed a review of the Major Site Plan Application submitted for DLM Rental, LLC (Applicant) by Kiser Engineering & Development Consulting, for a proposed development of four additional commercial buildings in the Business District located at 588 Main Road North (TM 19; Lot 37). As requested, this review is focused on compliance with Zoning Ordinance requirements, stormwater management requirements, and the applicable Post-Construction Stormwater Management Ordinance. Our comments are listed below.

Zoning Ordinance Standards for Business District (Article 3.4)

1. The Application appears to meet the standards of this article for minimum lot area, frontage, setbacks and coverage.
2. The existing and proposed building heights or an elevation view were not provided in the Application. We were unable to determine if the building would exceed 35 feet and be subject to Conditional Use standards.

Zoning Ordinance Site Plan Standards (Article 4.1)

1. In accordance with Article 4.1.5, any development required to obtain approval under site plan review that proposes a cumulative land disturbance of greater than one acre must provide for stormwater management in compliance with the Maine Department of Environmental Protection (Maine DEP) Chapter 500 Rules. The Applicant's proposed development will disturb approximately 3.0 acres of the existing property with a total new impervious area of 1.1± acres, which requires the new development to meet the Chapter 500 Basic Standard and General Standard requirements. The Basic Standards include erosion and sediment control, inspection and maintenance, and housekeeping standards. The General Standards include stormwater management and treatment standards.
 - The Applicant has made adequate provisions for both requirements. However, inlet protection to storm drain inlets is not referenced. We recommend providing inlet protection to proposed field basins to meet the Basic Standard requirements.
2. The plans do not show any designated snow storage areas or clearly restrict snow storage from the filtration bed areas. We recommend that the Applicant clarify intended snow storage and demonstrate filter bed operation in accordance with Maine DEP Best Management Practices.
3. The Applicant has not provided basic layout floor plans for the proposed buildings. In accordance with Article 4.1.5, we recommend the Applicant include these plans as part of the Major Site Plan submission.



Zoning Ordinance Parking Standards (Article 4.7)

1. The Site Plan shows parking spaces for ordinance compliance in the Parking Data table. The Applicant states that there will be 48 parking spaces for the four new buildings and 19 parking spaces for the existing buildings. Based on the ground floor area (GFA) of the proposed and existing buildings, the number of parking spaces is adequate to meet the ordinance requirements.
2. The parking spaces shown in the Site Plan are 18 feet long. To comply with the Zoning Ordinance, each parking space must measure a minimum of 9 feet wide by 20 feet long. We recommend extending the length of each parking space to meet this requirement.

General Engineering Standards

1. The Applicant will be required to obtain a Wastewater Disposal Permit in accordance with the Sewer Ordinance. The Applicant will need to demonstrate the ability to meet Requirements for Extending Sanitary Sewer Systems because the proposed sewer appears to be a private sewer extension subject to Sewer Ordinance 5.3.
2. The Site Plan shows the proposed sewer service pipe connecting to the existing 24-inch Hampden sewer main at a point along the sewer main pipe. We recommend tying the proposed sewer service into the existing sewer main through a manhole for ease of access and maintenance. The Site Plan and Details should show this proposed connection.

Post-Construction Stormwater Management Ordinance

1. The Applicant will be subject to the requirements of the Post-Construction Stormwater Management Ordinance, including the submission of a Post-Construction Stormwater Management Plan and Maintenance Agreement. The Site Plan Application submission meets these requirements for stormwater management and maintenance.

If you should have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

WOODARD & CURRAN

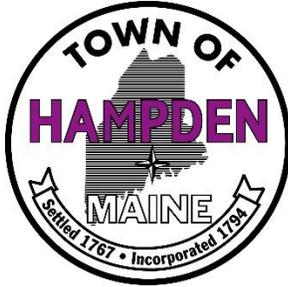
A handwritten signature in blue ink that reads "James D. Wilson".

James D. Wilson, P.E.
Senior Project Manager

JDW/slr

PN: 0213351.69

Town Planner
planner@hampdenmaine.gov



Report
Major Subdivision & Site Plan
BNA Monroe Property/
Pine Grove Estates

To: Planning Board
From: Ben Smith, AICP, Principal Planner, North Star Planning 
CC: Karen Cullen, AICP, Town Planner
Jim Kiser, P.E., Kiser & Kiser
Date: October 6, 2020
RE: Report on Application for a Major Subdivision Review – BNA Monroe Property/Pine Grove Estates

The applicant has submitted three (3) subdivision applications for the subject properties at 175 Monroe Road, identified as Tax Map 2, Lots 24 and 24-1:

- Application 1: Minor Subdivision of land to create a three-lot subdivision, with new lots Parcel B & Parcel C and Parcel A as an existing lot that was created and transferred out of common ownership in 2019. Parcel A is not subject to this application).
- Application 2: Major Subdivision and Major Site Plan for 24-units on Parcel C of the subdivision above.
- Application 3: Minor Subdivision to add a duplex dwelling unit to the property that currently is developed with a duplex dwelling unit, on Parcel B of the subdivision.

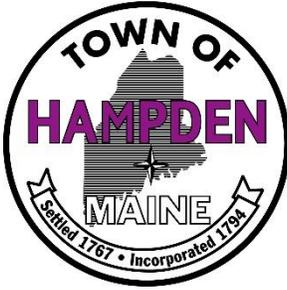
These projects were last in front of the Planning Board in March 2020 as a single project application. A site walk was held on Wednesday, September 23, 2020.

The applicant's representative Jim Kiser, P.E., of Kiser & Kiser has addressed comments in a memo from North Star Planning dated September 30, 2020, and from Woodard & Curran dated September 25. These responses, along with updated plans are included in Board packet materials.

New plan elements from the original August submission for Application #2 include boulder barriers to keep vehicles and plowed snow out of filter bed areas and nine (9) trees planted near the top of the road, between the wetland area and Filter Bed #2. The plan also shows a cluster mail box on the plan set for Application #2, but this is not shown on the road labeled Pine Grove Drive in Application #3. The applicant should discuss how this will impact the clearing limits shown on the plans for Application #3, and whether or not the residents in Units 3 and 4 for Application #3 will have access to the mailbox shown in Application #2.

Please see application materials online at hampdenmaine.gov, departments, planning, planning board applications.

The Planning Board should discuss the potential need for a light at the project's new private road with Monroe Road. A new streetlight is shown in the plan set for Application #2, and the volume seems to make a new light worthwhile, but I do not know if there is a policy in Hampden about the location of new street lighting, especially if it were to become a public responsibility within the right of way. An alternative might be to locate a new private light pole just off the Monroe Road right-of-way. If a light is required, details of the pole and fixture should be provided in the plan set.



Town of Hampden
Land & Building Services
Planning Board Order
BNA Monroe Property Subdivision

Approval Date: TBD

Project Name: BNA Monroe Property

Location of Project: 175 Monroe Road

Assessor's Reference: 02-0-24 & 02-0-24-1

Deed Reference: B15181/P325

Zoning District: Rural

Total Acreage: 13.55 acres

Type of Use: No new uses proposed – division of land only.

Number of Units: Not applicable

Applicant: BNA Properties, Inc.
PO Box 345
Bangor, ME 04402

Owner: BNA Properties, Inc.
PO Box 345
Bangor, ME 04402

Plans Prepared by: Kiser & Kiser Co

Plans Dated: October 2, 2020

Application Date: August 13, 2020

Public Hearing: N/A for Minor Subdivision

*PB Members:*¹ *J. Kelley Wiltbank, Richard Tinsman, Eugene Weldon, Jennifer Austin, Jake Armstrong, Brent Wells, Ladoiya Wells*

PB Action: *TBD*

Summary Description of Application: This application is for a minor subdivision to create a 3-lot subdivision, though the first lot was split out from this parcel in 2019, and is not subject to review. The new lots are shown as Parcel B, 2.06 acres with 200 feet of frontage on Monroe Road and Parcel C, 11.49 acres with 208.32 feet of frontage at the end of the unnamed access easement/private road.

Findings: The Hampden Planning Board makes the following findings as required by Section 4.1.6 of the Hampden Zoning Ordinance:

1. The proposal will not result in undue water or air pollution, as the application is for the creation of lots only, not new development.
2. The proposal will not cause unreasonable soil erosion or reduction in the land's capacity to hold water.
3. The proposal will not cause unreasonable convection or unsafe conditions on public roads given that there is no traffic associated with this application.
4. The proposal conforms with the Subdivision Ordinance and is consistent with the 2010 Comprehensive Plan.
5. The proposal will not adversely affect the quality or quantity of groundwater since there will be no soil disturbance as part of this application.

¹ *Planning Board Members who were eligible to vote on this case.*

6. The proposal provides adequate stormwater management given that there is no change to the impervious area or drainage patterns on the subject property.

Based on these findings, the Hampden Planning Board voted *TBD*.

Conditions: TBD

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For the Hampden Planning Board:

<hr/> J. Kelley Wiltbank, Chair	<hr/> Date
<hr/> Richard Tinsman, Vice Chair	
<hr/> Eugene Weldon	
<hr/> Jennifer Austin	
<hr/> Brent Wells	
<hr/> Jake Armstrong	
<hr/> Ladoiya Wells	

Notes:

- 1. A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
- 2. This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*



September 25, 2020

Karen M. Cullen, Town Planner
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Pine Grove Estates Major Site Plan & Major Final Subdivision Application Peer Review

Dear Karen:

We have completed a review of the Major Site Plan & Major Final Subdivision Plan Application submitted for BNA Properties, LLC (Applicant) by Kiser Engineering & Development Consulting, for a proposed 22-unit multi-family development in the Rural District located at 175 Monroe Road (TM 2; Lots 24 & 24-1). As requested, this review focused on compliance with Zoning Ordinance requirements, Subdivision Ordinance requirements, stormwater management requirements, and the applicable Post-Construction Stormwater Management Ordinance. Our comments are listed below.

Zoning Ordinance Standards for Rural District (Article 3.4)

1. The Application appears to meet the standards of this article for minimum lot area, frontage, setbacks, building height, and building coverage.

Zoning Ordinance Site Plan Standards (Article 4.1)

1. The Applicant submitted three (3) applications for the subdivision of land and the site developments on TM 2, Lots 24 & 24-1. We agree that the Site Plan and Subdivision application on Lot 24 for the proposed 22-unit multi-family development requires Major Site Plan Review. At this time, we are unable to determine if the Minor Site Plan application for a proposed two-family dwelling on TM 2, Lot 24-1 meets or exceeds the requirements of Minor Site Plan Review.
 - In accordance with Article 4.1.3, Minor Site Plan Review applies to the construction of new structures having a footprint of more than 500 square feet but less than 2,000 square feet. The aggregate area of all applications made within the five (5) previous calendar years is used.
 - The footprint measured on the Subdivision Plan for the two-family dwelling may exceed 2,000 square feet. The Board may wish to review the two-family dwelling application further for compliance with footprint zoning standards under Minor Site Plan Review. If the new building is determined to have a footprint greater than 2,000 square feet, the site will be required to meet the Major Site Plan Review standards of Article 4.1.3.
 - Based on a Google imagery search, it appears that the existing structure on TM 2, Lot 24-1 was built within the previous five (5) calendar years. Under the Hampden Zoning Ordinance Article 4.1.3, the area of the existing structure on the property would be included in the total building footprint for the site. Thus, the combined footprints of the existing building and proposed building will exceed 2,000 square feet, requiring that the site be reviewed under Major Site Plan Review as opposed to Minor Site Plan Review.
2. In accordance with Article 4.1.5, any development required to obtain approval under site plan review that proposes a cumulative land disturbance of greater than one acre must provide for stormwater management in compliance with the Maine Department of Environmental Protection



(Maine DEP) Chapter 500 Rules. The Applicant's proposed development will disturb approximately 5.6 acres of the existing property with a total new impervious area of 1.75± acres, which requires the new development to meet the Chapter 500 Basic Standard and General Standard requirements. The Basic Standards include erosion and sediment control, inspection and maintenance, and housekeeping standards. The General Standards include stormwater management and treatment standards.

- The Applicant has made adequate provisions for both Basic Standard and General Standard requirements. However, inlet protection to storm drain inlets and housekeeping notes are not referenced. We recommend providing inlet protection to proposed field basins and providing housekeeping information to meet the Basic Standard requirements.
 - The proposed development drains into the site's wetland area. Because of this, the development may be subject to the Chapter 500 Discharge to Wetlands Standard. There is not enough information at this time to determine if the requirements of the Standard are met by the proposed development. The Planning Board may wish to review this Standard as it pertains to the application and at a minimum, make approval subject to Maine DEP approval of the Applicant's stormwater plan.
 - In accordance with Appendix D of Chapter 500, infiltration systems must be located greater than 300 feet from any private drinking water supply well. The Site Plan indicates at least two (2) drinking water wells within 300 feet of Stormwater Infiltration Area 1. The Planning Board may wish to consider recommendations to move the drinking water wells to outside of a 300-ft. radius from the infiltration system to maintain compliance with Chapter 500 requirements, but this too may be a matter for Maine DEP consideration.
3. The plans do not show any designated snow storage areas or clearly restrict snow storage from the filtration bed areas. We recommend that the Applicant clarify intended snow storage and demonstrate filter bed operation in accordance with Maine DEP Best Management Practices.

Zoning Ordinance Parking Standards (Article 4.7)

1. The Applicant has submitted total proposed parking as one (1) space per unit garage and two (2) spaces per unit driveway for a total of 66 spaces. In accordance with Zoning Ordinance standards, the maximum number of parking spaces shall not exceed 110% of the number of spaces required by Article 4.7.1.1. Whereas the garage spaces would not normally count toward the number of required parking spaces, the actual number of site parking spaces by our count is 44 spaces which meet these requirements for parking standards.

Subdivision Ordinance Design for Private Streets Standards (Article 554)

1. In accordance with Article 554, private streets must have either a Hammerhead or T turnaround at dead-ends to meet turning radius requirements. The Applicant submitted one (1) T turnaround located at their designation of the end of the proposed private street based on constraints imposed by the location of the existing wetlands. This one (1) turnaround may meet the requirements of this ordinance. Based on the proposed location of the turnaround, however, it may not provide the intended access to Units 4 and 8 since access is after the turnaround. The Planning Board may wish to review the location of the T turnaround and confirm that it provides adequate access.

Subdivision Ordinance Definitions (Article 1021)

1. The Major Final Subdivision Plan Application appears to meet the definition of a "Subdivision" as required by the Hampden Subdivision Ordinance.



Post-Construction Stormwater Management Ordinance

1. The Applicant will be subject to the requirements of the Post-Construction Stormwater Management Ordinance, including the submission of a Post-Construction Stormwater Management Plan and Maintenance Agreement. The Site Plan Application submission meets these requirements for stormwater management and maintenance.

If you should have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

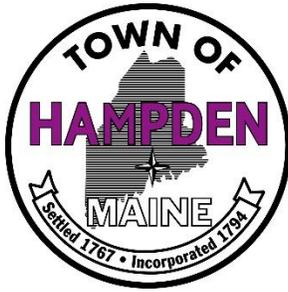
WOODARD & CURRAN

A handwritten signature in blue ink that reads "James D. Wilson".

James D. Wilson, P.E.
Senior Project Manager

JDW/slr/jeh

PN: 0213351.70



Town of Hampden
Land & Building Services
Planning Board Order
Pine Grove Estates
Major Subdivision & Site Plan

Approval Date: TBD

Project Name: Pine Grove Estates

Location of Project: 175 Monroe Road

Assessor's Reference: 02-0-24 & 02-0-24-1

Deed Reference: B15297/P252

Zoning District: Rural

Total Acreage: 11.49 acres

Type of Use: Multi-family development (B-3) and two-family dwelling (B-2)

Number of Units: 22 dwelling units in five (5) 4-unit buildings and one (1) two-family dwelling

Applicant: BNA Properties, LLC
PO Box 345
Bangor, ME 04402

Owner: BNA Properties, LLC
PO Box 345
Bangor, ME 04402

Plans Prepared by: Kiser & Kiser Co

Plans Dated: October 2, 2020

Application Date: August 13, 2020

Public Hearing: October 14, 2020

PB Members:¹ J. Kelley Wiltbank, Richard Tinsman, Eugene Weldon, Jennifer Austin,
Jake Armstrong, Brent Wells, Ladoiya Wells

PB Action: TBD

¹ Planning Board Members who were eligible to vote on this case.

Summary Description of Application: This application is for a major subdivision and major site plan to create five (5) 4-unit buildings and one (1) two-family dwelling, for a total of 22 dwelling units. The site is currently undeveloped, but has recently been subject to a timber harvest operation. There is a large wetland area in the center of the parcel. These units will be served by 3 wells and 6 separate subsurface wastewater disposal systems (septic fields). All units have driveways onto a new unnamed way built to the private street standard. This access drive originates at Monroe Road, is just over 1,400 feet long, and terminates in a hammerhead turnaround.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board makes the following findings as required by Section 4.1.6 of the Hampden Zoning Ordinance:

1. The proposed project has been designed to minimize the volume of cut and fill, though there will be grading associated with building and construction of the access drive; there are no wetland fill impacts proposed with this project; and the stormwater management system has been designed in accordance with the applicable requirements. This project requires a Stormwater Permit from Maine DEP.
2. The proposed project will provide for safe ingress and egress and on-site circulation for both vehicles and pedestrians.
3. The proposed project will not impact scenic views from public ways, as there are no identified scenic views.
4. Outdoor services areas are appropriately screened from public ways and abutting residential properties. There are no common parking areas that require screening.
5. There is no exterior lighting proposed in the vicinity of the residential units. There is a new streetlight proposed at the intersection of the access drive and Monroe Road.
6. The proposed project minimizes unreasonable departure from the character, materials, and scale of buildings in the vicinity; the buildings are single story residential within a residential and rural area.
7. The proposed project will not involve hazardous substances that could contaminate groundwater, since it is a residential use.
8. The proposed project is designed to provide adequate access for fire and service equipment, as well as for utilities and stormwater management.
9. The proposed project will not exceed the capacity of public utilities or overburden any public service, since it will have its own water supply and sewage disposal.
10. The proposal will not result in undue water or air pollution, as the project has been designed to have treated stormwater flow to the large wetland on the parcel, similar to current drainage patterns.
11. The proposal will not cause unreasonable soil erosion or reduction in the land's capacity to hold water, given that adequate provisions have been made to handle stormwater runoff and potential soil erosion.
12. The proposal will not cause unreasonable congestion or unsafe conditions on public roads given the low volume of traffic generated by this residential project.

13. The proposal conforms with the Subdivision Ordinance and is consistent with the 2010 Comprehensive Plan in that it provides multi-family housing at low overall density in the Rural Area.
14. The proposal will not adversely affect the quality or quantity of groundwater as there will be no hazardous materials or chemicals stored as part of a residential project.
15. The proposal provides adequate stormwater management given the design of the stormwater system.
16. The proposed project complies with the criteria for multi-family development in Section 3.2.1 of the Zoning Ordinance.

Based on these findings, the Hampden Planning Board voted _/_/_ to approve the Pine Grove Estates subject to the following conditions, listed below.

Conditions: TBD

[Continued on the next page]

For the Hampden Planning Board:

J. Kelley Wiltbank, Chair

Date

Richard Tinsman, Vice Chair

Eugene Weldon

Jennifer Austin

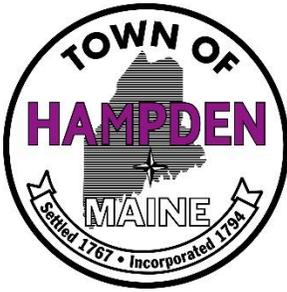
Brent Wells

Jake Armstrong

Ladoiya Wells

Notes:

1. A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.
2. This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.



Town of Hampden
Land & Building Services
Planning Board Order
BNA Parcel B Subdivision

Approval Date: TBD

Project Name: BNA Parcel B

Location of Project: 175 Monroe Road

Assessor's Reference: 02-0-24 & 02-0-24-1

Deed Reference: B15181/P325

Zoning District: Rural

Total Acreage: 2.06 acres

Type of Use: No new uses proposed – division of land only.

Number of Units: Not applicable

Applicant: BNA Properties, Inc.
PO Box 345
Bangor, ME 04402

Owner: BNA Properties, Inc.
PO Box 345
Bangor, ME 04402

Plans Prepared by: Kiser & Kiser Co

Plans Dated: October 2, 2020

Application Date: August 13, 2020

Public Hearing: N/A for Minor Subdivision

PB Members:¹ J. Kelley Wiltbank, Richard Tinsman, Eugene Weldon, Jennifer Austin,
Jake Armstrong, Brent Wells, Ladoiya Wells

PB Action: TBD

¹ Planning Board Members who were eligible to vote on this case.

Summary Description of Application: This application is to build one (1) two-family dwelling on a lot where a two-family dwelling is already located, bringing the total to four (4) units in two (2) buildings. The new building will have a driveway on the proposed access road for the Pine Grove Estates Subdivision on Parcel C of the BNA Properties Subdivision. The new unit will have a separate septic system from the existing system on the property.

Findings: The Hampden Planning Board makes the following findings as required by Section 4.1.6 of the Hampden Zoning Ordinance:

1. The proposal will not result in undue water or air pollution, as the application is for the creation of a new two-family dwelling.
2. The proposal will not cause unreasonable soil erosion or reduction in the land's capacity to hold water, as existing drainage patterns will not be impacted and the relatively small increase in impervious area.
3. The proposal will not cause unreasonable congestion or unsafe conditions on public roads given that the new two-family dwelling will have direct access onto a private way.
4. The proposal conforms with the Subdivision Ordinance and is consistent with the 2010 Comprehensive Plan.
5. The proposal will not adversely affect the quality or quantity of groundwater since there will be hazardous materials stored on-site associated with a residential use.
6. The proposal provides adequate stormwater management.

Based on these findings, the Hampden Planning Board voted *TBD*.

Conditions: *TBD*

[Continued on the next page]

For the Hampden Planning Board:

J. Kelley Wiltbank, Chair

Date

Richard Tinsman, Vice Chair

Eugene Weldon

Jennifer Austin

Brent Wells

Jake Armstrong

Ladoiya Wells

Notes:

1. *A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
2. *This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*