



Town of Hampden
Planning and Development Committee
Wednesday October 18, 2017, 6:00 pm

Municipal Building Council Chambers

Minutes

Attending:

Committee/Council

Ivan McPike-Chair
Terry McAvoy
David Ryder
Dennis Marble
Mark Cormier

Staff

Angus Jennings, Town Manager
Myles Block, Code Enforcement Officer
Public
Valerie Webster
Richard Mudd
Matthew Davidson

Chairman McPike called the meeting to order at 6 pm.

1. **Approval of September 20th, 2017 Minutes – Motion** to approve as submitted made by Councilor Marble with second by Councilor McAvoy; carried 5-0.
2. **Committee Applications:** None
3. **Updates:**
 - A. **MRC/Fiberight** – Manager Jennings provided an update regarding the project timeline and there was discussion among the Committee members. Mayor Ryder asked how Fiberight’s request last year for the Town to hold a Conservation Easement was resolved, and Manager Jennings said they had decided to pay DEP the fee in lieu instead.
 - B. **Staff Report** – Manager Jennings summarized the materials in the meeting packet, including the update of ongoing/pending development activity.
4. **Old Business:**
 - A. **Quarterly Update, Recreational Marijuana policy** – Manager Jennings summarized his written quarterly report included in the meeting packet. Chairman McPike opened the meeting to public comment. Richard Mudd said he was glad the Committee was waiting to enact policy to see how the State policy ends up. Valerie Webster said that participation in the medicinal marijuana market should not advantage a potential participant in the recreational marijuana market. She said she expects that State policy will require 2 years of Maine residency in order to qualify for licensing for the recreational market. Councilor McAvoy said that would be a State issue to address. Mr. Mudd said that the policy would give a leg up to people who have lived here a while. Matthew Davidson spoke about the new potential category “Nurseries” that looks like it will be part of the State regulatory framework. Mr. Mudd emphasized that State policy will require “flower to

sale” accounting for plants. Chairman McPike spoke about a session he had attended today with the Maine Supreme Court and said that, since marijuana remains illegal under Federal law, at any point the Federal Government could step in. Councilor Marble agreed that the Council should wait to set policy on local uses – other than retail sales and social clubs – until State policy is set. Manager Jennings highlighted one potential change in State policy that would prohibit local retail uses unless municipalities specifically allow them, rather than requiring municipalities to specifically prohibit retail marijuana uses. He said that, unless there is new information regarding State policy in the meantime, the next quarterly update on retail marijuana would be presented at a January meeting of the P&D Committee.

- B. Update on potential commercial development at northeast corner of Coldbrook Road and Route 202: review of zoning map amendment proposed by developer; update on potential to propose new TIF District to facilitate development** – Manager Jennings provided an update on the proposed zoning map amendment that will be considered by the Planning Board at a public hearing on November 8. He said that discussions with the developer are ongoing regarding establishing an agreement to move forward with a proposed TIF District. He asked the Committee whether, if a TIF District is created, this should encompass all four corners of the Coldbrook/202 intersection or be limited to the parcel where the rezoning is proposed. The Committee agreed it makes sense to look at the whole intersection, understanding it could always be scaled back as the process moves forward.

5. New Business:

- A. Review of proposed work scope and budget from The Musson Group to prepare amendments to the Business Park Covenants and associated zoning amendments, including support for public process** – Manager Jennings said that the consultant scope included in the packet was received shortly before the packet was finalized so didn’t reflect staff review. He said he thinks the scope is close to final but that he’ll work with the consultant to modify it a bit, including adding project timeline and milestones, prior to executing the agreement. Councilor McAvoy said that the funds the Town is investing to modify the covenants could be expected to help generate new development, and tax revenue that will make this funding worthwhile as an investment in future growth. Councilor Marble said that, once the work is complete, Epstein Commercial Real Estate should promote the Business Park with marketing that says the permitting process is “easier than it’s ever been before.”

6. Zoning Considerations/Discussion:

- A. Discussion of zoning amendment process including the role of the Planning Board and its Ordinance Committee; consideration of potential changes to process to improve timeliness and efficiency** – Manager Jennings summarized his memo in the packet, and said that the potential delay that could result if the Planning Board chooses to refer the Coldbrook/202 rezoning to Ordinance Committee rather than make a recommendation at the November 8 hearing illustrates the challenge of

providing developers a predictable time schedule. Several Councilors expressed that they think the process needs to change to make it more time efficient. Councilor Marble said that the Planning Board needs to be allowed time for full due diligence regarding proposed zoning amendments, and suggested that some change in how this is done could be a win-win. Chairman McPike called for a show of hands and all five Councilors present agreed with the need for a change to how the Planning Board considers zoning amendments. It was agreed that Mayor Ryder and Councilor Marble would join Manager Jennings in attending the November 8 Planning Board meeting to discuss what changes would be helpful.

- 7. Citizens Initiatives:** *None.*
- 8. Public Comments:** *None.*
- 9. Committee Member Comments:** *None.*
- 10. Adjournment:** *There was a **motion** and a **second** to adjourn at 6:53 pm. The motion carried unanimously.*

*Respectfully submitted –
Angus Jennings, Town Manager*