



Town of Hampden
Planning Board Meeting
Wednesday October 9, 2019

Minutes

In Attendance:

Planning Board

Gene Weldon, Chairman
Jake Armstrong
Brent Wells
Ladoiya Wells
Richard Tinsman
Tom Dorrity
Jennifer Austin

Staff

Karen Cullen, AICP, Town Planner

Public

Jim Kiser
Jennifer Naross
Jeff Bacon
Nate Bacon
Trudy Bacon
Hans Albee

The meeting was called to order at 7:00 pm.

Chairman Weldon noted two regular members were absent (Peter Weatherbee and Kelley Wiltbank) and he appointed alternates Ladoiya Wells and Richard Tinsman to sit in their places.

1. Administrative

- a. **Motion** by Member Tinsman to approve the minutes of the September 11, 2019 regular meeting; second by Member Ladoiya Wells; motion carried 6/0/1. **Motion** by Member Tinsman to approve the minutes of the September 17, 2019 workshop meeting; second by Member Weldon; motion carried 3/0/4.

2. Old Business

- a. Stanley & Sean MacMillan – Continuation of Public Hearing for Preliminary Subdivision plan for Stearns Farm. Proposal for a major subdivision for a single family 39 lot cluster housing development with three new roads, on a 27.7-acre parcel located on Main Road North (parcels 33-0-011-A & 33-0-015-A). This property is in the Residential A district.

Chair Weldon asked Jim Kiser what the applicant wants to do before they decide to reopen the public hearing. Mr. Kiser said the applicant is re-evaluating how they want to design the project and no decision has yet been made whether to do a cluster development as originally proposed or to switch to a traditional standard subdivision. After discussion about scheduling, a **Motion** was made by Member Austin to continue the public hearing for Stearns Farm to December 11, 2019; second by Member Ladoiya Wells; motion carried 7/0/0.

- b. Nate Wicklow – Continuation of Public Hearing for a Major Site Plan and Final Subdivision for a minor subdivision to construct a 4-unit multi-family building on property on Monroe Road, Parcel 02-0-024-2. This property is in the Rural district.

Chairman Weldon opened the public hearing at 7:10pm.

Jim Kiser summarized the Wicklow application:

- To eliminate the need for the subdivision to split off the 2.03 acre parcel in the original submission, the owner has transferred the “remaining land” 8 acres +/- to “parcel B” (02-0-024-01) which has an existing duplex on it. Now it has common ownership.
- Entire parcel is not a subdivision, just looking at this parcel as a single entity.
- Attorney has concurred that this transfer doesn’t constitute a subdivision.
- Included a letter to the board about the traffic generated by the 4 units, confirming it will have minimal impact on Monroe Road.
- Data from the existing well on the duplex lot show substantial water on this property for servicing the duplex and no issues are expected with water supply for private wells in the area.

Planner Cullen confirmed that she heard back from the town’s attorney and he concurred that the transfer of the 8-acre parcel to the duplex parcel does not constitute a subdivision. So, this is just a site plan and subdivision for the 4 unit building on the 2.03 acre parcel. According to staff reviews everything is all set to go for approval tonight.

Questions/Concerns/Comments:

Jennifer Naross Monroe road asked Jim Kiser who he spoke with at the DEP regarding approval for this whole project? She is concerned because this borders a cranberry bog. Jim Kiser said there was no conversation with DEP because this project didn’t require it, but added there were two after-the-fact permits sought from DEP for activities on the 8 acre portion of the site, which is no longer part of the application before the Planning Board. Those issues were dealt with by Jon Cullen at DEP and have been resolved.

Motion by member Ladoiya Wells to approve the Major Site Plan and Final Minor Subdivision Plan to construct a 4-unit multi-family building on the property on Monroe Road, Parcel 02-0-024, as submitted, and to approve the Board Order as presented including the findings and conditions; seconded by Brent Wells; motion carried 5/0/2.

- c. Referral to Town Council - proposed amendments to various sections of the Hampden Zoning Ordinance to clarify or correct language, add a new use category for “agricultural diversity uses”, modify the cluster housing provisions, and add a new use category “private event venues” along with provisions to govern them.

Planner Karen Cullen reviewed the additional modifications to the proposed Zoning Ordinance amendments which included:

- §4.6.4.4, Utilities in open space – revised language to clarify how utility areas will be measured.
- §4.6.5.6, Tract buffer – added “or alternative method” to allow an applicant to propose an alternative material, or to reduce the width of the buffer, to allow for a wall or fence instead of only vegetation.

Motion by Member Brent Wells to refer the proposed Zoning Ordinance amendments as presented to the Town Council with a recommendation for adoption; seconded by Member Richard Tinsman; motion carried by unanimous vote, 7/0/0.

3. New Business

- a. ReVision Energy – Public Hearing for a Major Site Plan to install a 268.8 KWDC Solar Photovoltaic system on property owned by H.O Bouchard Inc. and Hickory Development, LLC at 349 Coldbrook Road, parcels 14-0-001-01, 15-0-012, 15-0-012-A, and 15-0-014. This site is in the Interchange and Rural districts.

Chair Weldon opened the public hearing at 7:26 pm.

Speaking on behalf of the applicant was Hans Albee from Revision Energy:

- Grid tied solar system to generates electricity, H.O. Bouchard will get a credit on their utility bills from the solar generation.
- Proposed location is in a wooded area not visible from the public way.
- Will have a separate connection from the grid that will pass through the HO Bouchard property.
- Solar array will require clearing about 1.25 acres of the woods but won't affect the grade of the land (no grade changes needed).
- The solar array will be fenced for security, the gate will have a Knox padlock for access by emergency personnel and first responders.
- The array will be a fixed system installed on metal racking; not a tracking system.

There were no comments from the public and Chair Weldon closed the Public Hearing at 7:28 pm.

Planner Karen Cullen mentioned that the applicant meets all the requirements for site plan review. She added there is only one condition that all applicable local and state permits be obtained prior to construction, mainly to cover the pending application to DEP for an amendment to the SLODA permit for the HO Bouchard trucking facility.

Motion by Member Austin to approve the Site Plan for Revision Energy for installation of a solar array on land owned by HO Bouchard as submitted, and to approve the Board Order as presented; seconded by member Brent Wells; motion carried 6/0/1.

- b. Kongsuriya Investment, LLC – Public Hearing for a Major Site Plan and Final Minor Subdivision to construct a 4-unit multi-family building on a 0.54-acre parcel on Old County Road, parcel 21-0-026-A. This property is in the Residential B district.

Chair Weldon opened the public hearing at 7:33 pm.

Scott Braley from Plymouth Engineering spoke on behalf of the applicant:

- Multi-family is a permitted use in the Residential B district
- Proposal for a 4-unit rental building
- It is located across Old County Road from another multi-family development
- During preliminary review by staff, they received a few comments on the site grading regarding stormwater management and on the sewer connection. Those issues were discussed with Public Works Director Sean Currier and have been resolved.
- Grading the site to keep as much stormwater runoff flowing towards the back of the site as possible, since there are existing drainage problems further north on Old County Road and they don't want to exacerbate those.
- Last property on Old County Road on the left going towards Bangor, other than a wooded piece that Emera owns
- Single story structure
- 2 parking spaces per unit, parking to the side of the building viewed from the road

- Will be connected to public sewer, water, and electric utilities
- For connection to the sewer system a private pump station is required. Design plans have been submitted to Public Works Director, Sean Currier to review; applicant is fine with the proposed condition regarding this in the Board Order.

There were no comments from the public and Chair Weldon closed the Public Hearing at 7:36 pm.

Planner Karen Cullen noted the application is good to go, the Board Order includes three conditions:

- Exterior construction times will be 7am to 7pm Monday thru Saturday;
- Signage must meet the standards of the Zoning Ordinance; and
- Requirement to have the Public Works Director, Sean Currier review and approve the submitted private pump station design.

Motion by Member Ladoiya Wells to approve the Major Site Plan and Minor Subdivision Plan for Kongsuriya Investment LLC for a 4-unit multi-family building on property on Old County Road as submitted, and to approve the Board Order as presented including the findings and conditions; seconded by Member Austin; motion carried 6/0/1.

- c. Zoning Map Amendment – Public Hearing for a proposed change in the zoning district designation from Residential B to Business for the property located at 271 Western Ave, parcel 20-0-011. This application has been submitted by the property owner pursuant to §1.5.3.1 of the Zoning Ordinance.

Chair Weldon opened the public hearing at 7:41 pm

Jim Kiser spoke on behalf of the owners Jeff and Trudy Bacon:

- Adjacent to existing business zone properties
- There is no sewer to the property. To extend the sewer up Western Ave would be costly. The extension would go up Mayo road to the pump station that currently has issues.
- Plan is to put in storage units, which will fit the area well; that proposal will meet all zoning requirements
- Will be submitting a site plan for the storage units if the zone change is approved
- There will be no wastewater disposal, because there will only be a self-storage facility

There were no comments from the public and Chair Weldon closed the Public Hearing at 7:44 pm.

Planner Karen Cullen spoke on the application:

- Abutting properties include 3 residences, 2 contractors, office/retail uses, and the fuel depot for Dead River is nearby.
- This parcel is adjacent to a small cluster of nonresidential uses on Western Ave by the railroad tracks
- The Comprehensive Plan doesn't indicate this location being anticipated for business use. However, the request may still be reasonable given the existing uses.
- Once rezoned to Business, anything that is permitted in that commercial district will be permitted. If someone decides they want to tie into the sewer system, which is less than 500 feet away, then they can do that. It may not always be a self-storage facility, and other commercial uses may not be as benign as a self-storage facility.

- A self-storage facility would be a low impact use, especially if there is adequate landscaping along Western Avenue and along the property line with the abutting residential uses. This would ensure there isn't a negative impact visually to those properties.
- The Town Council is the body that makes the decision on whether to amend the zoning map. How the Planning Board votes can dictate the required "yes" votes from Town Council. The Planning Board should consider what the Comprehensive Plan says, what the abutting uses are, and what makes sense for this location.
- The lot is 2.5 acres.

Discussion:

- Chair Weldon mentioned that this wasn't an anticipated growth area on the Comprehensive plan.
- Member Austin said that she thought this seems like a fine proposal, because it is contiguous with other businesses that are also relatively low impact businesses.

Motion by Member Tinsman to refer this application to Town Council with a recommendation to approve the request for rezoning the property located at 271 Western Ave, parcel 20-0-011 from Residential B to Business; seconded by Member Austin; motion carried 7/0/0.

4. Staff report: None
5. Planning Board comment: None
6. Adjournment: Upon **motion** by Member Dorrity and second by Member Brent Wells, the meeting was adjourned at 8:02 pm.

*Respectfully submitted by Jessica Albee,
CED Administrative Asst.*