



Town of Hampden
Planning and Development Committee
Wednesday November 1st, 2017, 6:00 pm
Municipal Building Council Chambers
Agenda

1. Approval of October 18th, 2017 Minutes
2. Committee Applications: None.
3. Updates:
 - A. MRC/Fiberight
 - B. Staff Report
4. Old Business:
 - A. Update on potential commercial development at northeast corner of Coldbrook Road and Route 202; update on agreement to engage consultant to support new TIF District proposal to facilitate development; review potential boundaries of potential TIF District
 - B. Review of approved consultant work scope and schedule to prepare amendments to the Business Park Covenants and associated zoning amendments; review draft outreach to Business Park owners
5. New Business: None.
6. Zoning Considerations/Discussion:
 - A. Discussion of zoning amendment process including the role of the Planning Board and its Ordinance Committee; preparation for November 8 Planning Board meeting
7. Citizens Initiatives
8. Public Comments
9. Committee Member Comments
10. Adjourn



Town of Hampden
Planning and Development Committee
 Wednesday October 18, 2017, 6:00 pm
 Municipal Building Council Chambers
Minutes – Draft

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*



NEWSLETTER

Municipal Review Committee | 395 State Street | Ellsworth, ME 04605 | www.MRCMaine.org

ISSUE 6.3 | October 2017

Letter from Executive Director Greg Louder

With the Fiberright processing facility construction well underway, tracking local weather has taken on a new meaning for the MRC. Unseasonably warm late summer weather has cooperated well with the construction crew's efforts to prepare the site for foundation placement, all which is on track to be complete by or before the end of October. The brilliant display of fall foliage color and the chill in the evening air serves to remind us that weather change is coming and construction progress needs to continue nevertheless.

The next major construction phase beginning in November is the erection and enclosure of the facility steel building, which, mother nature and other factors allowing, is scheduled to be complete by mid-December. This will make way for the installation of the front-end materials recovery processing equipment as soon as possible before the winter solstice. All involved are keenly aware of the importance of getting facility processing equipment installed, commissioned and started up in time to accept and process Joining Member MSW by Monday, April 2, 2018.

Based upon feedback received from a number of Joining Members at the October 4-5 MMA Convention, interest is focused clearly on facility construction progress and the ability of the facility to accept and process MSW by April 2, 2018. This feedback has focused the content of this newsletter as we report on repurposing of the MRC website and preparation steps to consider for the transition to the new facility in April of 2018. As the pace to the new facility commercial operation phase quickens, MRC is also committed to providing you more frequent and in-depth updates from this point forward.

MRC continues its work with all involved to ensure that the Fiberright processing and recycling facility is available to process our MSW as completely as possible as soon as possible. Weather, among other factors, will play a role. Whatever the weather, on behalf of the MRC

Continued on pg. 4

UPCOMING MEETINGS

Wednesday, October 25
9 AM: Finance Committee Meeting
10 AM: Regular Board of Directors Meeting
 Orono Municipal Building
 59 Main Street, Orono

ABOUT THE MRC

The Municipal Review Committee (MRC) is a non-profit association of Maine communities led by an elected, volunteer board of directors. For more than 25 years, the member communities of the MRC, now numbering more than 180 cities and towns, have used the PERC waste-to-energy incinerator in Orrington to process their municipal solid waste (MSW). After 2018, the contracts with PERC will expire. The MRC has partnered with Fiberright to offer an innovative solution to recycle and process our MSW post 2018.

Visit www.mrcmaine.org or contact Greg Louder at 207-664-1700 or glouder@mrcmaine.org to learn more about the Municipal Review Committee and to add your name to our email contact list.

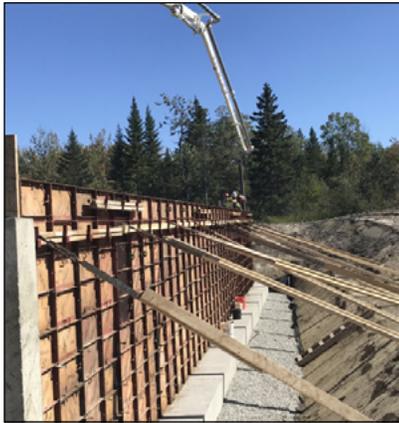
JOIN OUR EMAIL LIST & FOLLOW US ON SOCIAL MEDIA

MRC regularly sends updates and announcements by email to those who have signed up for our alerts. We also have active Facebook and Twitter accounts, and we've posted informative videos from recent meetings on our YouTube account. All of these are accessible from the homepage of our website, mrcmaine.org.



Site Progress

Rapid progress is being made at the site; concrete has been poured, and the road is in. **Success is just around the bend!**



Election Underway for New Board Members

The last day for nominations of new members of the Board of Directors is Wednesday, October 18. Candidates receiving the three highest numbers of votes in the upcoming election will fill three seats whose terms expire on December 31, 2017 currently held by Sophia Wilson, Jim Guerra, and Mike Roy. The three-year terms of office will run from January 1, 2018 through December 31, 2020.

The year 2018 represents a significant transition for MRC member communities. The majority of the MRC member communities chose to remain with the MRC and sign a long-term commitment to MSW disposal at Fiberight. Other member communities have made alternative arrangements. Consistent with the MRC Bylaws, all MRC member communities are eligible to present nominations to the Board of Directors and to cast votes in the upcoming annual election. However, it is prudent to consider the eligibility criteria for serving on the Board of Directors. Elected individuals must be an elected or appointed official, an employee, or legal resident of a Member Community. Thus, any person from a current Member Community that did not commit to MRC/Fiberight would be obligated to notify the MRC Board on April 1, 2018 (3 months thru a 3-year term) that they cease to meet the eligibility criteria. Upon receipt of such notice, the MRC Board, in its discretion, could remove such director.

The MRC Bylaws limit the slate of candidates to the first nine nominations received. Nominees are placed on a slate of candidates for election by a vote of the MRC membership. MRC Board members are elected to serve the membership at large. Current MRC Board members whose terms expire are eligible to be nominated.

An annual election ballot with the final slate of candidates will be prepared and mailed to all MRC Members on or before October 27, 2017. The results of the election will be announced at the MRC Annual Meeting to be held in the second or third week of December 2017.

MRC Supports #MaineRecyclesWeek

November 13th through 18th is Maine Recycles Week (MRW), a statewide event that promotes recycling and the purchase of recycled goods. Use #MaineRecyclesWeek to help build social media awareness on the week. The goal is to educate Maine people on the practice as well as the importance of recycling and the solid waste hierarchy. Schools, municipalities, and businesses are all encouraged to participate in MRW by holding recycling related events. If you're interested in more information go to www.mainerecycles.com or call Shelby Wright of the MRRRA at **592-6432** to learn about how you can help raise public awareness on this important topic.

MRC Website Changes

With the new facility coming in 2018, the MRC is taking steps to redesign its website. Our goal is to improve the site to make it more intuitive and easier for members and the public to find information without having to search through a document landfill (excuse the pun). We will finalize our contract with our website development partner at the MRC Board Meeting later this month. The MRC is seeking ideas and suggestions on how to improve the website. We would love to know what you would like to see. Please send comments to Jessica Anderson at janderson@ces-maine.com.

Joining Members: Are you ready for April 2018?

Ten things to do in preparation for changes in Municipal Solid Waste (MSW) management on April 1, 2018:

- Ensure your hauler knows where to take the MSW you receive and transfer or arrange to have collected and transferred. (I-95 Exit 180, turn south onto Coldbrook Road for about one-half of a mile and turn onto Fiberight Access Road at 348 Coldbrook Road).
- Be familiar with requirements of your Joinder Agreement regarding MSW delivery practices, requirements (what is Acceptable Waste v Unacceptable Waste) and schedules and ensure your hauler is familiar with them.
- Ensure that haulers, businesses and institutions are familiar with any local flow control regulations directing MSW to be delivered to the new Hampden facility.
- Encourage businesses and institutions in your community to direct MSW they generate to the new Hampden facility consistent with your community's Estimated Delivery Amount.
- Clarify, amend or replace MSW collection and hauling contracts consistent with the above.
- Amend or replace solid waste licensing procedures, rules or ordinances to be consistent with the above.
- Communicate local changes! If you plan significant changes for MSW or recyclables collection, transfer and hauling, let the MRC know.
- Prepare now to take advantage of single stream recyclables processing in Hampden. If you arrange for the collection and transfer of or arrange for the receipt and transfer of single-sort recyclables separately from your MSW, manage your contracts to ensure you can direct the collected material to the Fiberight facility as of April 1, 2018.
- Watch those hard-to-manage wastes! Our new arrangements allow for MSW to be delivered to the new facility consistent with historical practice. If you need help managing materials that cannot be accepted, let the MRC know. As we gain operational experience with the new facility, be open to exploring whether certain items, such as tires, glass, and textiles can be managed more efficiently than being delivered to the new facility.
- If you are an Equity Charter Municipality, exercise your option to sell your position in the PERC partnership and get the paperwork to the MRC before December 8, 2017.

MRC AT MMA

Thank you to everyone who stopped by our booth at the MMA Convention on October 4 & 5 at the Augusta Civic Center. The feedback received focused our reporting efforts about the start of the Fiberight facility construction.



If you have questions about any of the above, or anything not listed above, contact Greg Louder, Executive Director of the MRC, at (207) 664-1700 or glouder@mrcmaine.org.

Continued from pg. 1... Board and myself, we will be here as your resource to support a smooth transition to the new facility, including the management and execution of any interim delivery arrangements should they become necessary.

Sincerely yours,

Greg



[104.1 FM, Maine Public Classical in Portland is off the air due to technical issues.](http://mainepublic.org/where-hear-maine-public-classical)
<http://mainepublic.org/where-hear-maine-public-classical>

Developers: New Waste-To-Energy Plant in Hampden On Track For April Opening

By [A.J. HIGGINS \(/PEOPLE/AJ-HIGGINS\)](#) • OCT 23, 2017

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[url=http%3A%2F%2Fwww.tinyurl.com%2Fy7lsv57c&text=Developers%3A%20%20New%20Waste-To-Energy%20Plant%20in%20Hampden%20On%20Track%20For%20April%20Opening](http://http%3A%2F%2Fwww.tinyurl.com%2Fy7lsv57c&text=Developers%3A%20%20New%20Waste-To-Energy%20Plant%20in%20Hampden%20On%20Track%20For%20April%20Opening)

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(http://mediad.publicbroadcasting.net/p/mpbn/files/styles/x_large/public/201710/37175581594_e3002991db_k.jpg)

Fiberight LLC CEO Craig Stuart-Paul, left, gestures during a meeting of the Maine Resource Recovery Association in Brewer Monday as Greg Louder, executive director of the Municipal Review Committee looks on.

A.J. HIGGINS / MAINE PUBLIC

The developers of a new \$69 million waste-to-energy plant in Hampden say steel for the 144,000-square-foot building is expected to arrive this week, and that plans are on track for an April 1 opening.

Speaking to members of the Maine Resource Recovery Association in Brewer, Craig Stuart-Paul, CEO of Fiberight LLC, the company that will run the facility, said roadwork and other site preparation targets have been completed ahead of schedule.

"With luck, the shell will be up by mid-December, but it's all about weather now," Stuart-Paul said. "But by having the foundations in place and rock on the ground, we don't have to worry about mud. So a lot of the work is ahead of schedule. So that certainly increases the chances of the building being up by Christmas time."

More than 115 communities have signed contracts with the Maine Review Committee, the working group that is partnering with the town of Hampden, the Sargent Corporation and CES engineering services to send their refuse to Fiberight when their existing contracts with the Penobscot Energy Recovery Company expire next year.

Greg Louder, executive director of the Maine Review Committee, which has partnered with Fiberight, said cities and towns that have contracted with the company will see few differences in their current home refuse policies. He said difficult-to-manage waste, such as tires, glass and textiles, will be processed elsewhere.

"We recognize that over time, we are going to be relying on a processing facility that manages things in a different way," Louder said. "We expect to learn from that."

TAGS: [FIBERIGHT \(/TERM/FIBERIGHT\)](#) [MAINE PUBLIC \(/TERM/MAINE-PUBLIC\)](#)

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RELATED CONTENT

[Maine Resource Recovery Association \(MRA\) Announces New Waste-to-Energy Plant Slated to Open in April \(/post/hampden-waste-energy-plant-slated-to-open-april\)](#)

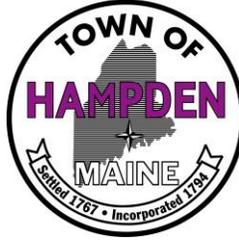
JUL 24, 2017

Project List - Planning

Project Name	Location	What it is	Size ¹	PB Action/Date	Type
Fiberight	off Coldbrook	solid waste processing	153,800 sq ft	Approved	Site Plan
Hannibal Hamlin Place	Main Road N	expansion	2,800 sq ft	Approved	Site Plan
Pine Tree Food Equipment	Nadine's Way	new building/business	3,600 sq ft	Approved	Site Plan
Dennis Paper	Mecaw Rd	expansion	27,237 sq ft	Approved	Site Plan
Colonial Heights	off Constitution	phase 3 of subdivision (final plan)	11 new lots	Approved	Subdivision
Carver	Ballfield Rd	conversion of single family to two family	1 new unit	Approved	Conditional Use
Sky Villa	646 Main Road N	conversion of interior to 10 short term rehab beds	3,172 sq ft	Approved	Conditional Use
Brickle	326 Main Road N	conversion of single family to two family	1 new unit	Approved	Conditional Use
Southeast Development Co	Route 202/Coldbrook Rd	zoning map amendment; Resid A to Comm. Service	16 acres	Withdrawn	Zoning Map Amendmemt
Hamlin's Marina	Marina Road	new boat storage building	10,000 sq ft	Approved	Site Plan
Fiberight	348 Coldbrook Road	Site Plan Revision	-	Approved	Site Plan
Springer Estates	Deer Hill Lane	Addition of land to existing lot within subdivision	1 Lot	Approved	Minor Revision
Hannaford	Western Ave.	Addition of ~12' x 32' external CLYNK bldg as accessory structure.	384 sq ft	11/8/2017	Site Plan Revision
H.O. Bouchard	Coldbrook Road	Expanded office building & Deck	1,620 sq ft	11/8/2017	Site Plan Revision
Southeast Development Co	Route 202/Coldbrook Rd	zoning map amendment; Resid A to Comm. Service	16 acres	11/8/2017	Zoning Map Amendmemt
Pat's Pizza	Main Road N	New restaurant to replace current restaurant	?	?	Anticipated

1. Size refers to square footage of building (new or addition), number of new building lots, number of new units, or acreage.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Planning & Development Committee
FROM: Angus Jennings, Town Manager
DATE: October 30, 2017
RE: Potential development at Coldbrook/202

We are working with Southstreet Development, LLC, the proposed developer of a Tradewinds at the northeast corner of Coldbrook Road and Route 202, on an overall timeline for zoning amendments, creation of a TIF District, execution of a TIF Credit Enhancement Agreement (CEA), and local permitting. The developer's goal would be to break ground on a new development next construction season.

We are very close to finalizing a Professional Fee Reimbursement Agreement between the Town and the developer whereby, consistent with the Town TIF Policy, the developer would fund the consultant costs associated with the TIF District and CEA. We are also very close to finalizing a Scope of Services and fee with Noreen Norton, working through Rudman Winchell, to provide TIF consulting services. It is likely that both documents will be in final form and executed prior to Wednesday's meeting.

I have prepared a detailed outline of tasks and key milestones which will allow the overall project schedule to be achieved. This will continue to be refined as the consultant scope is finalized, and will serve as a useful reference document for all parties to remain in coordination throughout the project.

Last month, the Committee favored a larger potential TIF District than the single parcel where a Tradewinds is expected to be proposed. At Wednesday's meeting, I'd like the Committee to review the attached draft map and provide direction regarding whether this is an appropriate starting point for the TIF consultant to begin her work.

As you know, the Planning Board will open its public hearing regarding the proposed zoning map amendment on November 8, and I'll attend, along with Mayor Ryder and Councilor Marble, to speak in favor of the rezoning.

I plan to move forward with a legal ad announcing a November 20 public hearing before the Town Council regarding the proposed map amendment. If the Planning Board does not make a recommendation at its November 8 hearing this would require the Council's hearing to be opened and continued to a future date, but because the proposed map amendment is fully consistent with the Proposed Land Use Map in the 2010 Comprehensive Plan, I'm hoping that the Planning Board will issue its recommendation on November 8.

Potential "Coldbrook Corners" TIF District Boundaries – for discussion, Nov. 1 at 6 PM

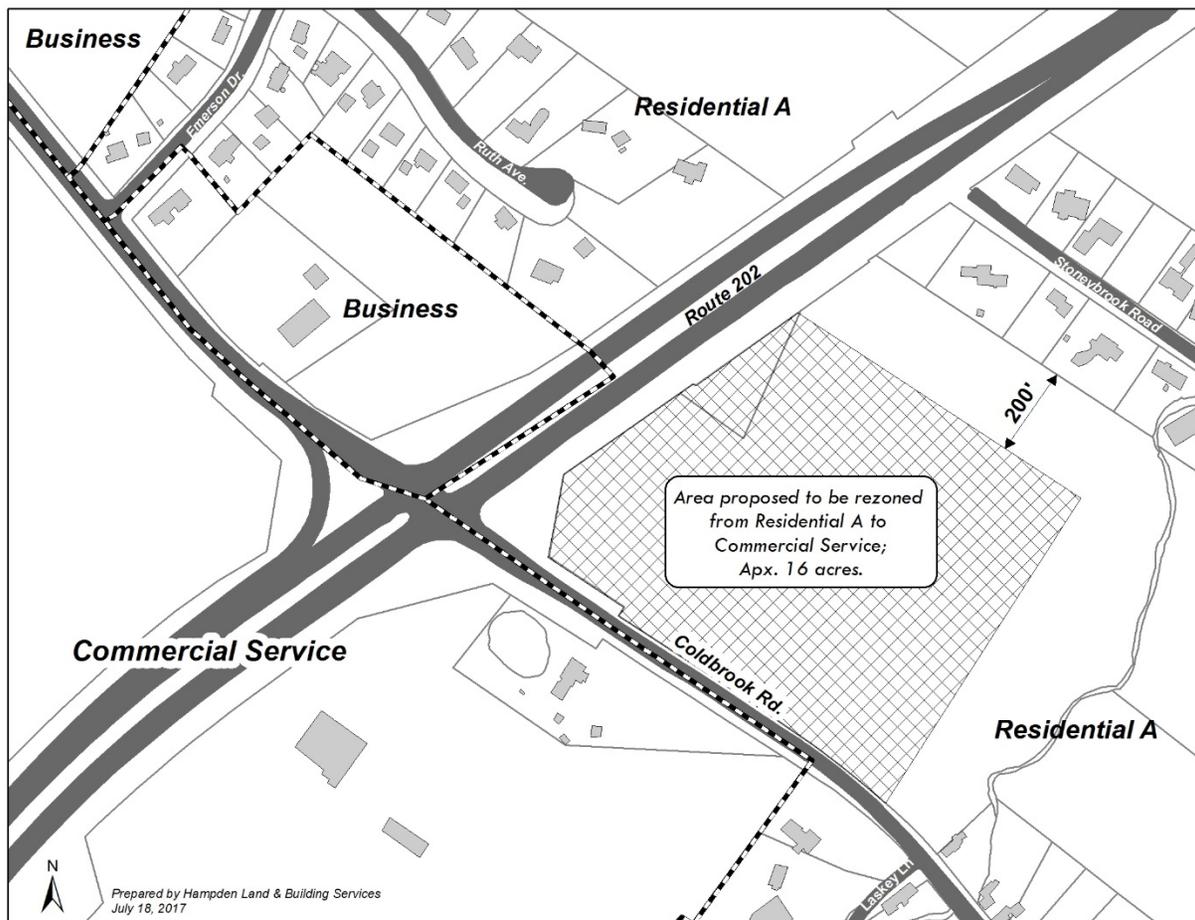


Town of Hampden

Public Notice

Notice is hereby given that the Hampden Planning Board will conduct a public hearing at 7:00 pm on Wednesday, November 08, 2017, in the Municipal Building Council Chambers, located at 106 Western Avenue, Hampden, to hear the following:

Proposed Zoning Map Ordinance Amendment to rezone a 16 +/- acre portion of parcel 33-0-011-A located at the intersection of US Route 202 and Coldbrook Road from the Residential A district to the Commercial Services district. This request has been filed by Southstreet Development Company LLC of Holden ME to facilitate a future Tradewinds facility.



Interested parties can view the proposed zoning map amendment application at the Municipal Building or online at www.hampdenmaine.gov.



LEGEND

INFRASTRUCTURE

- Town Roads
- Private Roads
- State Roads
- Unimproved Roads
- Railroad
- Pipeline US Government
- Pipeline ExxonMobil

GROWTH AREAS

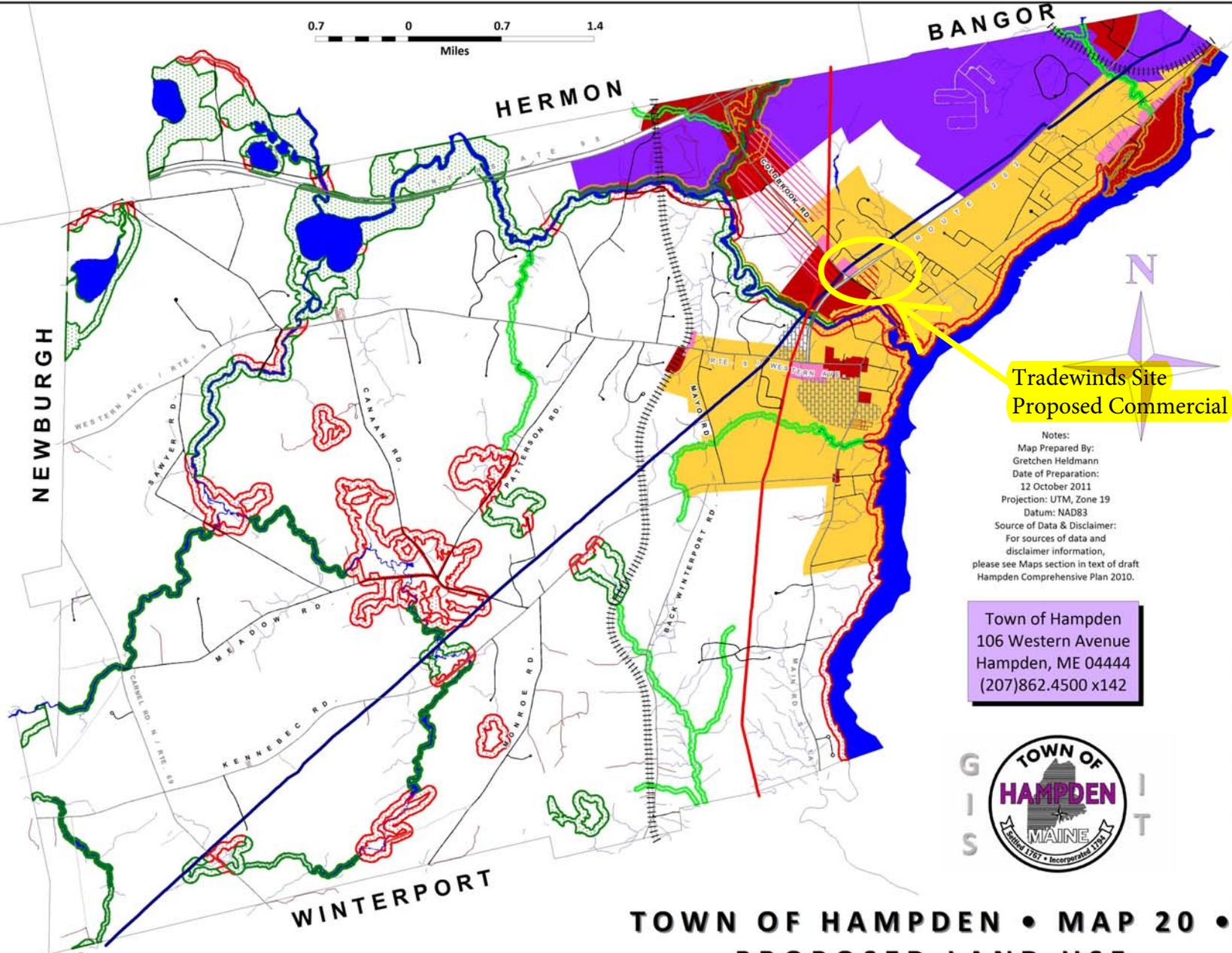
- Proposed Commercial District
- Proposed Business District
- Proposed Institutional District
- Industrial District**
 - Industrial
 - Industrial 2
 - Industrial Park
- Residential District**
 - Residential A
 - Residential B
- Commercial District**
 - Commercial Service
 - Interchange
 - Village Commercial
 - Village Commercial II
- Business District**
 - Business
 - Business B

RURAL AREAS

- Rural District
- Rural
- Rural Business

SHORELAND ZONING

- 75ft Stream Protection or up to 250ft Resource Protection
- 75ft Local Stream Protection
- Limited Residential
- General Development



Tradewinds Site
Proposed Commercial

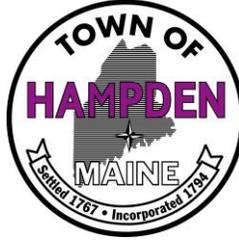
Notes:
Map Prepared By:
Gretchen Heldmann
Date of Preparation:
12 October 2011
Projection: UTM, Zone 19
Datum: NAD83
Source of Data & Disclaimer:
For sources of data and
disclaimer information,
please see Maps section in text of draft
Hampden Comprehensive Plan 2010.

Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)862.4500 x142



**TOWN OF HAMPDEN • MAP 20 •
PROPOSED LAND USE**

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
Email:
townmanager@hampdenmaine.gov

TO: Planning & Development Committee
FROM: Angus Jennings, Town Manager
DATE: October 30, 2017
RE: Update on Business Park Covenants

Since the last meeting, the consultant work scope was finalized, with modifications including addition of a tasks/timeline schedule to assist all parties in coordinating.

We provided Noel Musson, AICP, the lead consultant, with substantial backup documentation regarding the original adoption of the Covenants, their prior amendment in 2008, and records of businesses that have received prior waivers from the Covenants as part of the development approval process.

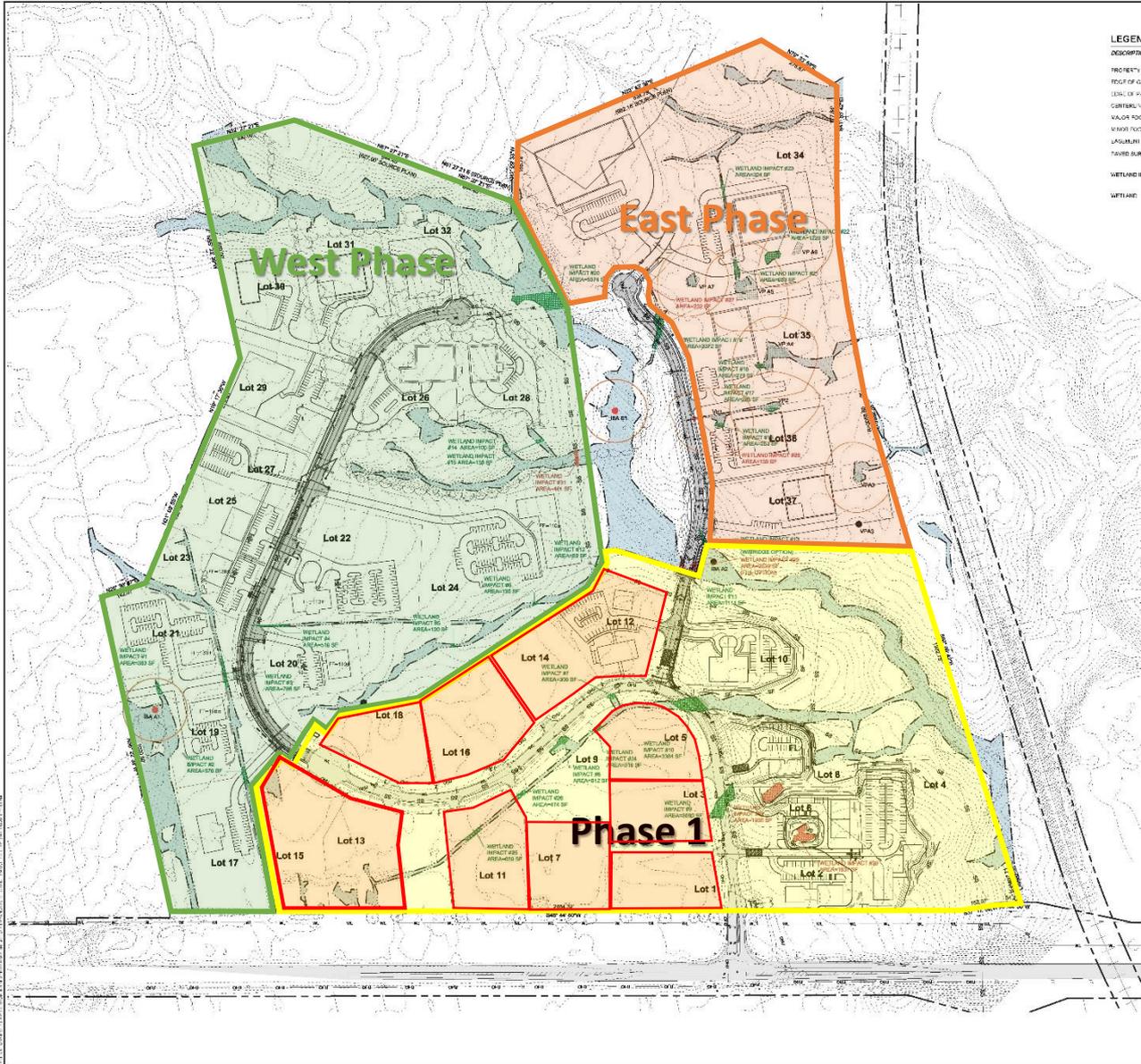
This information will help the consultant understand the background and initial objectives of the Covenants. It was also helpful for current staff (myself included) to better understand this process. This work has only reinforced my opinion that significant changes will be needed in order to achieve the current Council's objective of prompt and predictable permitting in the Business Park.

Notably, in May 30, 2001 Planning Board meeting minutes, Rob Frank from WBRC (the Town's consultant on the Business Park) advocated for an expedited review process within the Park. At that time, a Design Review Committee had been established in order to review proposed developments for compliance with the Covenants, and the minutes report that Mr. Frank said that "a primary reason for developers to bear higher development costs driven by the Covenants would be the expedited review process."

These many years later, we are working to realize this objective.

Following last month's suggestion by Councilor McAvoy, the consultant has been directed to explore a two-tiered permitting structure in the Business Park, whereby certain development (based on allowed use, size, etc.) could be exempted from Site Plan Review in favor of an administrative (staff issued) permit review and approval. Precedents for this approach to permitting exist in other Maine communities, and the consultants will recommend a comparable approach in the Business Park. As their work proceeds, the Council may also consider broader changes – outside the Business Park – in how we administer Site Plan reviews and approvals.

Although Mr. Musson is not available to attend the November 15 P&D meeting, I intend to invite current Business Park businesses to that meeting as a kick-off of this effort in order to get started, and help us meet the goal of getting the Covenants and Zoning Ordinance modified by February or, at latest, March of 2018.



LEGEND:

DESCRIPTION	EXISTING	PROPOSED
PROPERTY LINE	---	---
FOOT OF GRAVE	---	---
EDGE OF PAVEMENT	---	---
CURB/RAIL	---	---
WALKER FOOT COUNTER	---	---
WALKER FOOT COUNTER	---	---
ASPHALT	---	---
PAVED SURFACE	---	---
WETLAND IMPACT	---	---
WETLAND	---	---

WETLAND IMPACT SUMMARY		
IMPACT NO.	PREVIOUSLY PERMITTED	SIZE (SQ)
1		888
2		2,195
3		706
4		1,035
5		1,182
6		300
7		1,348
8		817
9		3,104
10		3,064
11		1,111
12		89
13		403
14		100
15		1,135
16		269
17		300
18		775
19		2,077
20		1,074
21		662
22		1,020
23		324
24		328
25		1,190
26		333
TOTAL		26,329
PROPOSED IMPACT AREAS		
IMPACT NO.	SIZE (SQ)	
27	232	
28	1,195	
29	2,026	
30	1,817	
31	761	
32	333	
TOTAL	6,660	
PREVIOUSLY PERMITTED AREAS TO REMAIN UNOBTAINED (CREDIT)		
IMPACT NO.	SIZE (SQ)	
1	1,111	
20	1,074	
TOTAL	2,185	
PROPOSED CHANGES TO IMPACT AREA		
CHG#	SIZE (SQ)	
NEW TOTAL	24,144	

- East Phase
- West Phase
- Phase 1
- Developed



**PROPOSED SITE PLAN
FOR
HAMPDEN BUSINESS PARK
HAMPDEN, MAINE
GRAPHIC SCALE**



CES INC
Engineering • Environmental Sciences • Surveying

ISSUED FOR PERMITTING

DATE	
SCALE	
PROJECT	
CLIENT	
DESIGNER	
APPROVER	
DATE	

STATE OF MAINE

PROJECT

NO.	
DATE	
SCALE	
PROJECT	
CLIENT	
DESIGNER	
APPROVER	
DATE	

PROJECT

NO.	
DATE	
SCALE	
PROJECT	
CLIENT	
DESIGNER	
APPROVER	
DATE	

C101



October 24, 2017

Angus Jennings, Town Manager
Town of Hampden
104 Western Avenue
Hampden, ME 04444

Re: Hampden Business Park – Covenants Revisions

Dear Angus,

As requested we have developed a general scope of services and budget cost estimate to assist with reviewing and revising the covenants at the Business Park. As discussed, we will be working with Ben Smith of Northstar Planning throughout the project, but I will be the one primarily attending workshop meetings and public hearings.

TASKS OVERVIEW

Task 1 - Review and Summarize. As a starting point, we will want to become more familiar with the existing covenants (including prior amendments to the covenants), pertinent Ordinance provisions, and any requirements that may have been placed on the business park during the permitting process. This will entail a review of including the Business Park approval documents from the Planning Board, DEP permits, the zoning ordinance, covenants, etc. From this we will create a summary matrix which can be used to communicate possible changes.

Task 2: Planning Workshop. We propose 2 working meetings with the Planning and Development Committee to discuss the overall need for changes and to review possible amendments. The initial meeting will likely be more educational in nature, where we provide the summary document and learn more about the history of the development at the business park from the Town's perspective, as well as the Town's objectives for future development. We recommend to use this meeting as an opportunity to hear from the existing property owners about their experiences and to understand what provisions are important to them and what revisions they might like to see. At a second meeting, we would anticipate having more detailed discussion about proposed changes to the covenants. To the extent that restrictive provisions of the covenants continue to reflect current Town policy objectives, it is anticipated that such provisions may be proposed for including in the Zoning Ordinance, to be amended concurrently with the covenants.

Task 3: Draft Changes to Covenants and Zoning Ordinance. After the first working meeting we will start to draft changes to the covenants and possibly the ordinance. We will solicit feedback on these proposals at the second working meeting and make edits to the covenants and zoning amendments. We anticipate



coordinating with the Town Attorney throughout the project to review changes to covenants and review changes to zoning ordinance.

Task 4: Approval Process. Once the drafts of amendments to the covenants and the ordinance are in place we will be available to attend the necessary public hearings to with the Town Council's Planning and Development (P&D) Committee, Planning Board and Town Council. Our role at these meetings will be to help explain any proposed amendments and to answer questions as necessary.

SCHEDULE

Work would be completed based on the enclosed Tasks/Timeline Outline, subject to periodic revision as needed upon mutual agreement of the consultant and the Town, acting through the Town Manager.

COMPENSATION

Based on our experience with similar projects and the scope of services outlined above, we estimate a budget of \$14,500. Billing in excess of this amount only upon written approval received prior to undertaking the work. The budget includes charges for labor, materials, communication, estimated travel time, and other costs necessary to perform the indicated services. Work would be invoiced on a time and materials basis. It is understood that the Town would handle printing and copies for public meetings, legal advertisements, and other direct expenses which are not included in the budget outlined above. As per our contract for planning services we will charge mileage for travel and bill at our half rate for travel time.

AUTHORIZATION

If this proposal is sufficient in its present form, a signed copy of the attached Authorization for Professional services will serve as our authorization to proceed. Invoices for services will be issued monthly. Work will be billed based on time actually expended.

We appreciate the opportunity to work with you on this project. Please do not hesitate to contact me should you require any additional information or a modification to this proposal.

Sincerely,
The Musson Group

Noel Musson
Principal/Owner



Hampden Business Park Task/Timeline Outline 10/24/2017

November

- *Monthly Task*: Review existing covenants and files, prepare summary matrix; initial communications with Town Attorney
- *Town Tasks*: Initial outreach to existing Business Park businesses, Planning Board, and others as appropriate.
- *Meeting 1*: November 15 P&D Committee @ 6PM, to include discussion with current Business Park business owners. (Consultant not in attendance).

December

- *Monthly Task*: Draft edits to covenants and Zoning Ordinance; periodic reviews with Town Manager, town staff, and Town Attorney
- *Meeting 2*: P&D Committee Meeting – December 6 @ 6PM
 - Purpose: review matrix, discuss potential changes, hear from property owners. (Consultant work products to be reviewed at meeting to be provided to Town no later than Monday, December 3 at 9AM).
- *Meeting 3*: P&D Committee Meeting – December 20 @ 6PM
 - Purpose: review proposed changes, hear from property owners. (Consultant work products to be reviewed at meeting to be provided to Town no later than Monday, December 17 at 9AM).

January

- *Monthly Task*: Finish drafts of proposed changes; set stage for public hearings and approvals; review with Town Attorney
- *Town Tasks*: Public notices to current businesses,¹ including legal ads for Planning Board and Town Council public hearings in BDN.
- *Meeting 4*: Planning and Development Committee Meeting – January 3 @ 6PM. (Consultant not in attendance).
 - Purpose: Review Proposed Changes and discuss edits. P&D Committee referral of proposed zoning amendments to Town Council. *Potential* P&D Committee referral of proposed covenants amendments to Town Council.² (Consultant work products to be

¹ Note: Under Article VI of the Covenants, “No such modification or amendment shall be effective until the owners and occupants [of the Business Park] have been given thirty (30) days prior written notice of the proposed change and a proper instrument in writing has been executed and recorded.”

² Note: In order for proposed Zoning Ordinance amendments to be referred by the Planning Board at their January 10 meeting, they’ll need to be included in the Board’s meeting packet which will be finalized and mailed on Thursday, January 4 – the day after the P&D meeting – so this will require quick turnaround of edits (if any).



reviewed at meeting to be provided to Town no later than Thursday, December 28 at 9AM).

- *Meeting 5*: Town Council Meeting – January 8 @ 7 PM. (Consultant not in attendance).
 - Purpose: Town Council referral of proposed zoning amendments to Planning Board.
- *Meeting 6*: Planning Board – January 10 @ 7 PM. (Consultant not in attendance, except that Ben Smith may be in attendance pursuant to Planning Board Support work scope).
 - Purpose: Planning Board referral of proposed zoning amendments to public hearing (or to Ordinance Committee). (Consultant work products to be reviewed at meeting to be provided to Town no later than Thursday, January 4 at noon).
- *Meeting 7 (if needed)*: Planning Board Ordinance Committee – January 16 at 6PM.
 - Purpose: Ordinance Committee “ought to pass” recommendation on proposed zoning amendments to Planning Board.
- *Meeting 8 (if needed)*: P&D Committee Meeting – Jan 17 @ 6PM. If covenants amendments are not referred out on January 3, this additional meeting would take place for additional Committee review of proposed amendments, and referral to Town Council.
 - Purpose: P&D Committee referral of proposed covenants amendments to Town Council. (Consultant work products to be reviewed at meeting to be provided to Town no later than Monday, January 15 at 9AM).

February (and March, if necessary)

- *Monthly Tasks*: Attend public hearings; make any edits to proposed changes
- *Meeting 9*: Town Council – February 5 at 7PM. (Consultant not in attendance).
 - Purpose: Town Council referral of proposed covenants amendments and proposed zoning amendments to public hearing.
- *Meeting 10*: Planning Board Public Hearing – February 14 at 7PM.
 - Purpose: Planning Board “ought to pass” recommendation on proposed zoning amendments to Town Council.
- *Meeting 11*: Town Council – February 19 (or March 5) at 7PM. Public hearing would be advertised for February 19, and if the Planning Board makes its recommendation on February 14 the hearing would proceed. If the Planning Board does not make its recommendation, the public hearing would be opened and continued, with no testimony taken, to resume on March 5.
 - Purpose: Public Hearing on proposed amendments to covenants and to Zoning Ordinance. Town Council adoption of amendments to covenants and Zoning Ordinance.
- *Project Closeout*: Support Town staff as needed to incorporate approved amendments into Zoning Ordinance; and execute and record a proper instrument regarding approved modifications to the covenants.

Note: Meetings at which consultant attendance is expected are underlined. The project scope includes a minimum of four, and up to six, public meetings. If more than six public meetings are needed these would be out of scope and billed on a time and materials basis.