



Town of Hampden

Planning Board

Wednesday, December 13, 2017, 7:00 pm

Municipal Building Council Chambers

Agenda

1. Administrative.
 - a. Minutes – November 8, 2017
2. Old Business – None.
3. New Business
 - a. Earth Moving Permit Application – Randy Bragg, agent for Southstreet Development Co. LLC, proposes temporary storage of 8,000 to 10,000 cubic yards of earth materials under Section 4.9.4 of the Zoning Ordinance on property at 98 Coldbrook Road, the future site of Tradewinds (corner of Coldbrook and Route 202).
 - b. Zoning Workshop: Article 3, uses¹
 - c. Discussion Item: Continuation of discussion of the current ordinance amendment process.
4. Staff Report
5. Planning Board Comment
6. Adjournment

¹ Note that the Planning Board will be discussing a number of changes to the zoning ordinance over the next few months as the entirety of Article 3 is being reorganized and rewritten to create a more useable and updated document, with a table of uses and a table of dimensional requirements. Modifications to other articles will also be made in line with the proposed changes. Discussions will be noted in the agendas as Zoning Workshops. All Planning Board meetings are open to the public.

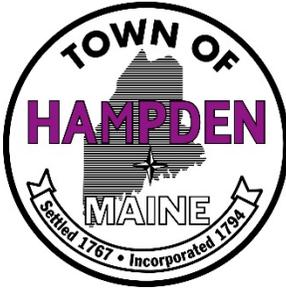
Town of Hampden

Planning Board

Wednesday, November 8, 2017, 7:00 pm

Municipal Building Council Chambers

Minutes - Draft



Planning Board

Gene Weldon, Chair
Michael Avery
Kelly Wiltbank
Thomas Dorrity
Jim Davitt

Staff

Ben Smith, AICP, Contract Planner

Chairman Weldon called the meeting to order at 7:00 pm.

1. Administrative.

- a. Minutes of October 11, 2017 meeting. Member Avery noted that he was at the last meeting and not listed in the minutes and that Member Davitt was listed twice. Also, on page two, minutes should note Member Syversen, not Member Avery at the start of the paragraph about 1/3 down the page.

Motion by Member Davitt to approve as corrected; Second by Member Avery, carried 4/0/1, Member Dorrity abstaining.

2. Old Business.

- a. None

3. New Business

- a. Public Hearing: Tradewinds/Southstreet Development Company, LLC, to request the rezoning of a 16+/- acre portion of the 31 acre property at the corner of US Route 202 and Coldbrook Drive. The land is currently zoned Residential A zoning district and the request is to rezone the land to Commercial Services zoning district. The property is identified as Tax Map Parcel 33-0-011-A.

Chuck Lawrence, the applicant was present with his representative Randy Bragg, P.E., of Carpenter Associates Consulting Engineers. Mr. Bragg noted that this rezoning proposal was being sought for about 16 acres of the existing 31 acre parcel in order to develop a gas station and convenience store with a Dunkin Donuts drive through.

Public Comment.

Julie and David Summers, Stoneybrook Road. They are concerned about the impacts of development on that property for their home, including headlights, noise, lower property value and destruction of wildlife habitat. They want to keep a wooded buffer between the back of their property and the development, and for the applicant to install a fence to screen noise and headlights from the residential area. They asked if the rest of the property is planned for development.

Mr. Smith noted that the application was for a zone change only, meaning there is no proposed development in front of the Planning Board now. When a site plan application is submitted, it will need to meet the standards of the ordinance prior to approval.

Thomas and Elizabeth Figueroa, Stoneybrook Road. They asked if the gas station would be a 24-hour operation and had concerns about a loss of privacy. They want to know what the traffic impacts on Coldbrook Road would be and noted there could be sight distance issues with an entrance on Coldbrook Road. Would there be DEP permitting or a traffic study? There are utility easements on the property – will they be able to develop over those? They are concerned about people walking this property. They have a pool and are afraid they will have no privacy left.

Angus Jennings, Town Manager. This zone change request is consistent with the Comprehensive Plan, and the Town Council unanimously supports this application.

Mr. Lawrence stated that he wants to be a good neighbor. The lights will be focused downward, the project will be well landscaped and the area of development will be in the corner of the property away from the homes on Stoneybrook Road. He will do what he can to minimize the impacts and is open to putting up a privacy fence.

Chair Weldon asked about tenants for the building. Mr. Lawrence said that tenants have not been nailed down yet. Dunkin Donuts was mentioned earlier, but even if it is not a Dunkin Donuts, it would be a similar business.

Public hearing closed at 7:29.

Member Avery asked about the extent of the zone change, since it was not clearly show in the Planning Board packet. Mr. Bragg described the area shown as from Coldbrook Road to 200 feet from the boundary with residential properties on Stoneybrook Road and from Route 202 to Stoney Brook.

Member Wiltbank asked about future plans. Mr. Lawrence said that there may be room on the property for some amount of additional development beyond the gas station, but there were no plans now.

Member Avery asked Mr. Smith how this compares to the Comprehensive Plan. Mr. Smith stated that this area was specifically called out for a change in zoning from residential to commercial. Mr. Avery said that the application seems reasonable relative to the Comprehensive Plan.

Member Dorrity asked about the history of the zoning districts. Why was this zoned residential in the first place and why had this change not occurred? Mr. Smith noted that was a good question and he did not know the history of the zoning districts.

Chair Weldon suggested that the area proposed for rezoning should have been shown as an overlay with the Comprehensive Plan's Future Land Use map, and wanted the Board's recommendation to the Council to be accompanied by such a map.

Motion by Member Avery to recommend approval of the application for 16 acres to be rezoned from Residential A to Commercial Services, and to have an additional exhibit to the Council prepared showing this property as an overlay on the Future Land Use Map; second by Member Dorrity; carried 5/0/0.

- b. Public Hearing: H.O. Bouchard, Inc., Amended Site Plan. The applicant proposes to construct a 1,680 square foot addition and 300 square foot deck to an existing office building. The project is located at 349 Coldbrook Road, and identified as Tax Map 14; Parcel 01-01. The zoning district is Interchange Zone.

Amy Young, P.E., from Plymouth Engineering, and Matt Carter from Carter Architecture and Design were present representing the applicant. Ms. Young handed out architectural elevation drawings for the office building showing the addition and deck in relation to the existing structure. The only new lighting would be egress lighting.

There was no public comment. The public hearing was closed at 7:50.

Chair Weldon noted that this project was subject to a DEP Site Location of Development Permit, and Ms. Young confirmed that this amendment fell under the 10,000 square foot exemption so that amending the DEP permit was not necessary.

Member Avery asked about handicapped accessible parking spaces, and the applicant replied that there are none there now. They will provide an ADA space.

Member Avery also asked about a lighting schedule diagram, and noted there are no lights shown on the plan view sheet or in the details. He requested that this information be supplied as a condition of approval. That information should be sent to the Code Enforcement office.

Motion: by Member Avery that the application for 1,380 square feet of building expansion and 300 square foot deck be approved with the site plan to show ADA parking and lighting details; 2nd by Member Wiltbank; carried 5/0/0.

- c. Public Hearing: Hannaford Bros. Co., LLC, Amended Site Plan. The applicant proposes a 320 square foot detached CLYNK Redemption Unit to be placed within an existing paved area of the Hannaford parking lot. The project is located at 77 Western Ave., and identified as Tax Map 31; Parcel 02.

Darrin Stairs, P.E., from Stantec was present representing the applicant along with Jay Lord from Maplerock Consulting.

There was no public comment. The public hearing was closed at 7:59 pm.

Mr. Stairs noted that Hannaford was moving CLYNK operations out of their buildings all over the state to make more space for retail uses in the stores. The installation of this prefabricated unit would result in a reduction of 5 parking spaces. This would bring the number of spaces from 152 to 147, with 152 required by ordinance, and a waiver would be required. Chair Weldon noted that the area of the unit itself would generate the need for an additional space so that the waiver considered by the Board should be for six spaces, not five.

Mr. Stairs also noted that the size of the unit would be 12 feet by 24 feet (288 square feet) rather than the 380 square feet show on the plans and application materials. The only lighting for the unit would be on the front, and the artwork on the side is done by a local Maine artist. The words are directional, and meet the sign ordinance. Mr. Smith concurred and noted that this had been discussed with the Code Enforcement officer.

Mr. Stairs clarified that the lighting would be located on the parking lot side of the unit, internal to the site, and that this light would not be a wall pack, but a soffit light.

Chair Weldon asked if this unit met the setbacks for structures. Mr. Stairs confirmed that it does.

Member Avery asked if the unit's eaves would meet the setbacks. Mr. Stairs confirmed that they could make that work.

Motion: by Member Dorrity to grant the waiver request for six parking spaces less than required by the ordinance; 2nd by Member Avery; carried 5/0/0.

Motion: by Member Avery to approve the site plan amendment with a condition that property line setbacks are shown on the plan; 2nd by Member Davitt; carried 5/0/0.

- d. **Public Hearing:** To review and make a recommendation on the proposed zoning ordinance amendments to prohibit recreational marijuana retail sales and social clubs in Hampden.

Mr. Smith walked the Planning Board through the memo in their packets from Mr. Jennings dated October 2, 2017, with ordinance markups labeled version 3. The memo from Karen Cullen, AICP, Town Planner, dated November 7, 2017, included ordinance markups labeled version 4. This memo was distributed at the meeting. Version 4 included all of the changes in version 3, plus an additional definition of Retail Marijuana Product and an addition to the definition of Retail Sales noting that retail sales does not include the sales of retail marijuana.

Motion: by Member Avery to send the changes in the November 7, 2017, memo to the Town Council with a recommendation of “ought to pass”; 2nd by Member Dorrity; carried 5/0/0.

- e. **Discussion Item:** To discuss the current ordinance amendment process relative to the role of the Ordinance Committee and the ordinance amendment procedures detailed in Section 1.5 of the Zoning Ordinance.

Town Manager Jennings was joined by Councilor Marble to discuss ways to reduce the time it takes for the Planning Board to review and make recommendations on ordinance changes sent from the Town Council.

Mr. Jennings stated that a top Council priority is addressing permitting issues and streamlining economic development activities. Progress has been made but there is more to do. Mr. Jennings cited the clarity that recent ordinance changes have brought to the process and the ongoing work of Town Planner Karen Cullen on the use table and dimensional table to be incorporated into the ordinance.

The Council has sent a number of amendments to the Planning Board and there are more to come. He plans to keep Contract Planner Ben Smith on board even though Planner Cullen is back on the job in order for her to keep working on the ordinance change project started earlier this year.

The ordinance amendment process takes 4-5 months, and the Planning Board's Ordinance Committee adds at least 30 days to that process. The memo included

in the Board's packet makes suggestions on how to speed up the Board's review without sacrificing the due diligence function the Board serves. These suggestions for consideration include:

- Ending the referral of proposed amendments to the Ordinance Committee, until Board bylaws are amended to define the Committee, its membership and responsibilities
- Review of proposed amendments as a Board as part of regularly scheduled Board meetings, or
- Scheduling and deliberating ordinance amendments at posted meetings immediately before the regularly scheduled Board meetings.

Councilor Marble stated the Council wants the Planning Board to find ways to be more efficient with time. This is not just the Town Manager's request; he is acting on direction from the Council.

Member Avery noted that the Board also wants to be business friendly and efficient, but noted that Ordinance Committee meetings can be lengthy which would make it difficult to schedule such work as part of a regular meeting or at a separate meeting earlier in the evening. Sometimes it takes multiple Ordinance Committee meetings to discuss and deliberate on complex ordinance issues.

Chair Weldon said he is open to thinking about how to be more efficient, and asked if there should be more clarity in the ordinance or the Town Charter?

Mr. Jennings stated that there is a need to align the ordinance with practice but in the meantime we need to follow the ordinance. As an example of this, Mr. Jennings noted the work done to eliminate "ghost committees" like the Conservation Commission. This committee was eliminated in ordinance. Similarly, the Ordinance Committee does not exist anywhere in ordinance. All Planning Board members have equal standing a shouldn't be excluded from subcommittees or through hierarchy. Member Wiltbank said that the membership at each Ordinance Committee changes, but it is not a hierarchy and there are no ranks.

Chair Weldon thought the structure of the Board's Ordinance Committee was similar to the Council's Planning & Development Committee. They are using the Council as a guide, and all of their work is done in a public workshop environment.

Mr. Jennings cited the Recreational Marijuana recommendation voted on earlier in the meeting. This is a straight forward change. He granted that it was quite technical but there was clear policy guidance from the Council to the Board to consider. Any ordinance change won't take place until December, even though it was sent to the Board in August and the guidance was set in April. Member Avery agreed that the Marijuana work could have been handled in one Ordinance Committee meeting rather than the two it took, plus the Planning Board meeting

tonight. Chair Weldon followed by stating the 90 days required by the ordinance to turn around a recommendation has been adequate with only one exception. Mr. Jennings said if the Board can get something back in less than 90 days, that should be the goal.

Mr. Jennings and Councilor Marble thanked the Board for their time and consideration of how to review and move proposed ordinance changes by to the Town Council faster.

4. Staff Report:
 - a. Mr. Smith noted that there are currently no items on the agenda for the December Planning Board meeting.
5. Planning Board Comment.
 - a. Member Avery expressed thanks to the Town for the recent training for the Board through the MMA.
 - b. Member Wiltbank asked for clarification on whether or not Town Planner Cullen was back on the job. Mr. Jennings confirmed that she is back, and focusing in large part on ordinance work, while Mr. Smith was coordinating development review.
 - c. Chair Weldon suggested that the Town should check with MMA on clarifying Planning Board and Ordinance Committee roles and changes.
6. The meeting was adjourned at 9:00 pm by motion of Member Davitt, with second by Member Wiltbank; motion carried 5/0/0.

Respectfully submitted by Ben Smith, Contract Planner

Town of Hampden
Land & Building Services



Report on Application
Southstreet Development Co./Tradewinds
Earth Moving Permit Application

To: Planning Board
From: Ben Smith, AICP, Contract Planner *BWS*
Date: December 5, 2017
RE: Planning Board Review & Action on Earth Moving Permit
Planning Board Meeting – December 13, 2017

Project Information

Applicant: Southstreet Development, Co. LLC/Tradewinds Development
Site Location: 98 Coldbrook Road, Tax Map & Lot # 33-0-011-A
Zoning District: Commercial Services
Proposal: Stockpiling fill materials in advance of site plan approval and development

This property was last in front of the Planning Board at their meeting of November 8, 2017. The Board was asked to make a recommendation on a rezoning request to change a portion of this property to the Commercial Services zoning district. The applicant offered his future plans for development of retail activities on the lot pending the zone change. Since that meeting, the Town Council enacted the zone change to Commercial Services.

In advance of submitting a site plan for development of that property, the owner has brought in gravel for site work that will take place in advance of actual construction activities on the site. Storage of materials and grading and fill activities requires an Earth Moving Permit. Because these activities will involve more than 1,000 cubic yards of materials, Planning Board approval of the permit is required.

In the application materials submitted by Randy Bragg, P.E. of Carpenter Associates Consulting Engineers dated December 4, 2017, approximately 8,000 to 10,000 cubic yards of material. The estimated limits of fill activities and a construction entrance are shown on a plan submitted with the application dated December 3, 2017. The application includes all of the required submission items.

This application was reviewed by James Wilson, P.E. of Woodard and Curran. Mr. Wilson's comments are supplied in the attached letter dated December 5, 2017, where he states this application meets the standards of Section 4.9.4.

Mr. Wilson suggests the Board should discuss the hours of operation and request more information about the use of the stockpile site in regard to any onsite work with snow conditions and the location of snow storage.

After review and discussion the Board may offer a motion along the lines of the following:

Motion: To (approve/deny/approve with conditions) the Earth Moving Permit for Southstreet Development, LLC located at 98 Coldbrook Road and shown on Tax Map and Lot # 33-0-011-A.



CARPENTER ASSOCIATES

CONSULTING ENGINEERS

December 4, 2017

Angus Jennings
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

RE: Earth Moving Permit Application

Dear Mr. Jennings:

Please find enclosed a copy of our application and drawings for the temporary stockpiling of 8,000-10,000 cy of earth at 98± Coldbrook Road. The intent of the drawings is to meet the Town of Hampden, *Article 4.9.4 Earth Movings Activity Requiring a Permit from the Planning Board*, as well as "MDEP's Maine Erosion and Sediment Control Best Management Practices" for winter stockpiling. The owner is Southstreet Development Co, LLC, which intends to permit and construct a Tradewinds next season at the northwest corner of the property. A check in the amount of \$200 for the permit fee and hard copies of the drawings will be dropped off.

Please place this application on the next Planning Board Agenda. Please call with questions.

Sincerely,

Randy Bragg, P.E.

Attachment

Cc: Danielle Simons
Chuck Lawrence

17073



TOWN OF HAMPDEN

CODE ENFORCEMENT OFFICE

Earth Moving Permit Application

APPLICATION DATE: 12-4-2017

This application covers Article 4.9 Filling and Grading of Land and Stockpiling of Materials of the Town of Hampden Zoning Ordinance.

Proposals involving Excavation, Gravel Pit or Quarry operations shall be subject to Article 4.23 Excavation, Gravel Pit and Quarry of the Town of Hampden Zoning Ordinance.

OWNER/APPLICANT INFORMATION

Applicant or Agent's Name: Randy Bragg - Agent Phone # 827-8001

Mailing Address: 687 Stillwater Avenue, Old Town, Maine 04468
Address Town/City State Zip Code

Land Owner's Name: Southstreet Development Co. LLC Phone # 356-2526

Mailing Address: 59 Kidder Hill Road, Holden, Maine 04429
Address Town/City State Zip Code

CONTRACTOR INFORMATION

Contractor's Name: Sargent Corporation Phone # 827-4435

Mailing Address: PO Box 435, Stillwater, Maine 04489
Address Town/City State Zip Code

PROPERTY INFORMATION

Street Number: 98 Street Name: Coldbrook Road

Tax Map & Lot # 33-0-011-A Zoning District(s): Commercial Services

PROJECT JURISDICTIONAL EVALUATION

Section 1

Does the project alone or in total (including previous earth-moving activities) involve the removal or filling of more than two-hundred (200) cubic yards of material from or onto the lot within a one (1) year period?

- Yes → Permit Required- Go To Section 2.
- No → Go to # 1.

1. Does the project disturb more than 10,000 square feet of land area?

- Yes → Permit Required- Go To Section 2.
- No → Go to # 2.

2. Does the project change the existing topography of the site by more than three (3) feet?

- Yes → Permit Required- Go To Section 2.
- No → Go to # 3.

3. Does the project redirect the natural flow of stormwater toward or impound stormwater upon a neighboring property?

- Yes → Permit Required- Go To Section 2.
- No → Go to # 4.

4. Does the project propose to place fill in wetlands?

- Yes → Permit Required- Go To Section 2.
- No → Go to # 5.

5. Does the project propose to place fill in FEMA identified special flood hazard areas?

- Yes → Permit Required- Go To Section 2.
- No → **STOP NO PERMIT REQUIRED**

If the answer is No to Section 1 questions 1. through 5. an earth-moving permit is not required.

Section 2

Is project located in Rural Zoning District?

- Yes → Go to # 1.
- No → Planning Board Approval Required (*Article 4.9.4*)

1. Does the project remove or fill more than one thousand (1,000) cubic yards of material from or onto the lot?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Go to # 2.

2. Does the project result in more than 20,000 square feet of land area disturbance?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Go to # 3.

3. Does the project change the existing topography of the site more than ten (10) feet?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Go to # 4.

4. Does the project create slopes in excess of a 2:1 horizontal to vertical ratio?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Go to # 5.

5. Does the project redirect the natural flow of stormwater toward or impound stormwater upon a neighboring property?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Go to # 6.

6. Does the project propose to disturb or in any way impact wetlands?

- Yes → STOP Planning Board Approval Required (*Article 4.9.4*).
- No → Permit may be issued by Code Enforcement Officer (read below)

If the answer is No to Section 2 questions 1 through 6, an earth-moving permit may be issued by the Code Enforcement Officer. If, however, in the Code Enforcement Officer's judgment, the project represents a possible neighborhood problem or concern, the Code Enforcement Officer may opt to refer the application to the Planning Board for their review and consideration.

ADDITIONAL INFORMATION

Applicant shall submit all information required by Article 4.9.3.3 *Earth Moving Permit Application Requirements* of the Town of Hampden Zoning Ordinance as follows:

4.9.3.3. Earth Moving Permit Application Requirements All applications for earth moving permits issued by the Code Enforcement Officer shall include applicable fees in accordance with the Town of Hampden Fees Ordinance and be accompanied by a plan, drawn to scale which shall show:

1. The name and current address of the owner of the property involved;
2. The location and boundaries of the lot or lots for which the permit is requested;
3. The location of all proposed access roads and, staging areas, disturbed areas topographic details and physical features such as streets and rock walls;
4. The proposed provisions for drainage and erosion control including a plan that shows the location of sediment barriers, water diversions, temporary stockpiles, constructed ditches and swales and culverts;
5. The plan for stabilizing all disturbed soil following the earth-moving activity including details on loam and seed and other ground cover treatments;
6. Any other information the Code Enforcement Officer may deem necessary to carry out the intent of this section;
7. Copy of deed and subdivision plat plan if applicable (*Note: This requirement is to determine if and where deeded drainage easements may be located on a land parcel*).

If you do not have a copy of the State of Maine Department of Environmental Protection's publication entitled "Maine Erosion and Sediment Control Best Management Practices" please talk to Town staff about how to obtain a copy.

PROJECT DESCRIPTION

Please explain the earth moving activity you are proposing. Be as detailed as possible.

Temporary stockpile of material in anticipation of Tradewinds development next season. Estimated fill 8,000-10,000 cy properly stabilized.

REQUIRED SIGNATURES

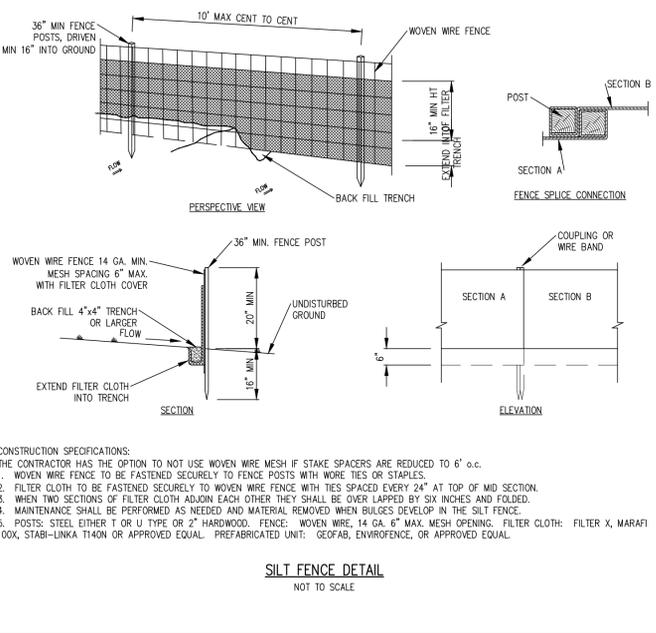
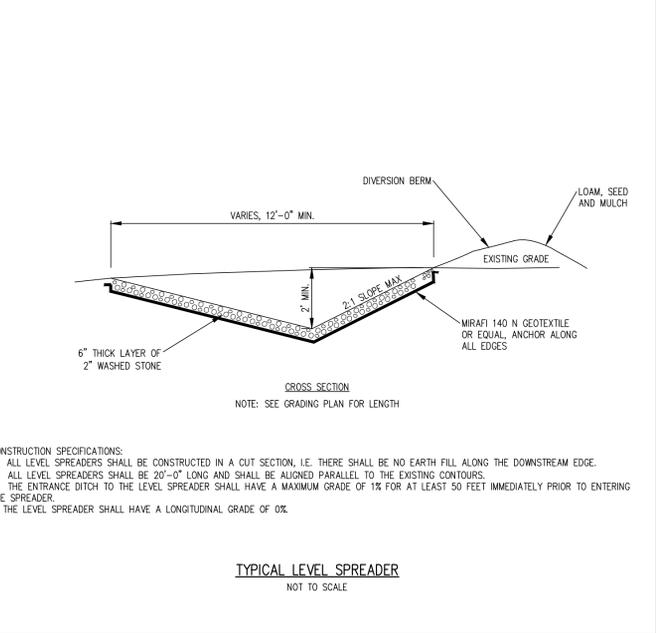
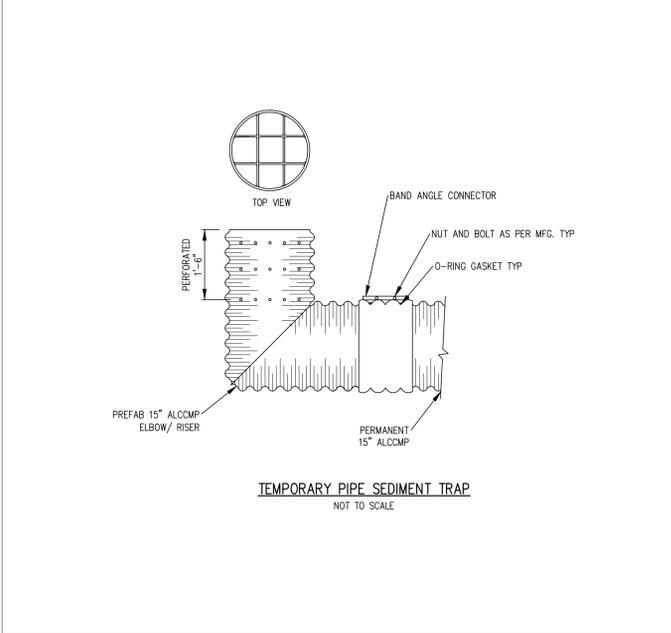
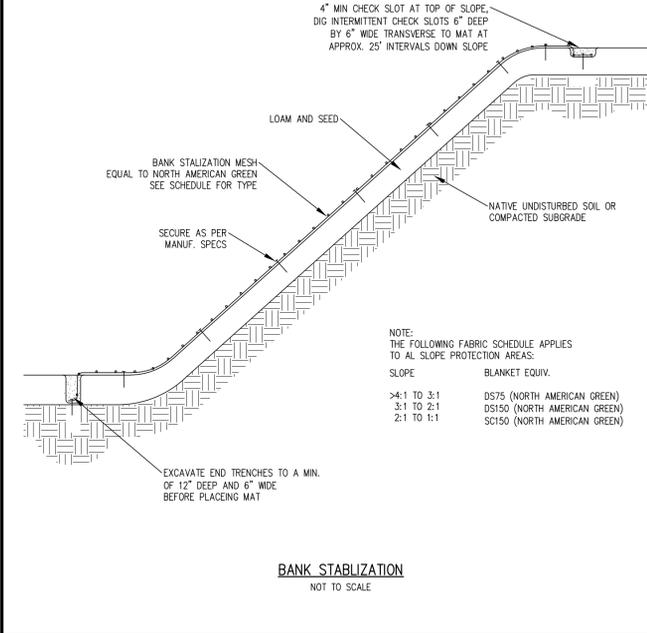
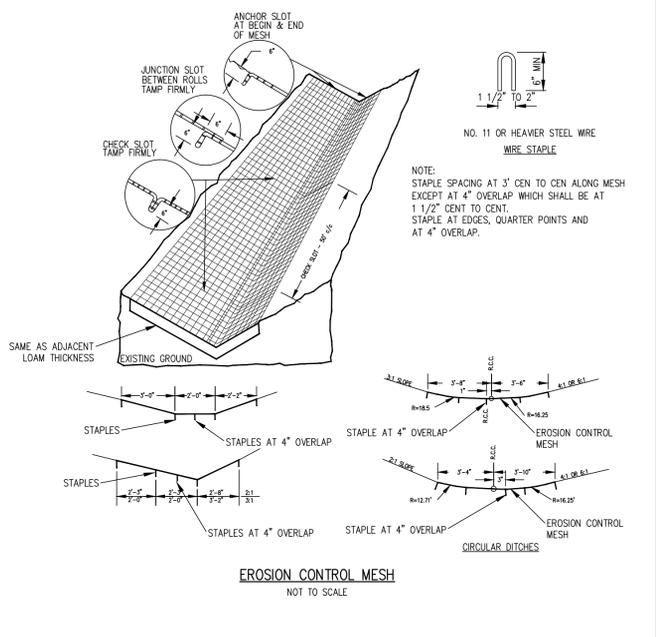
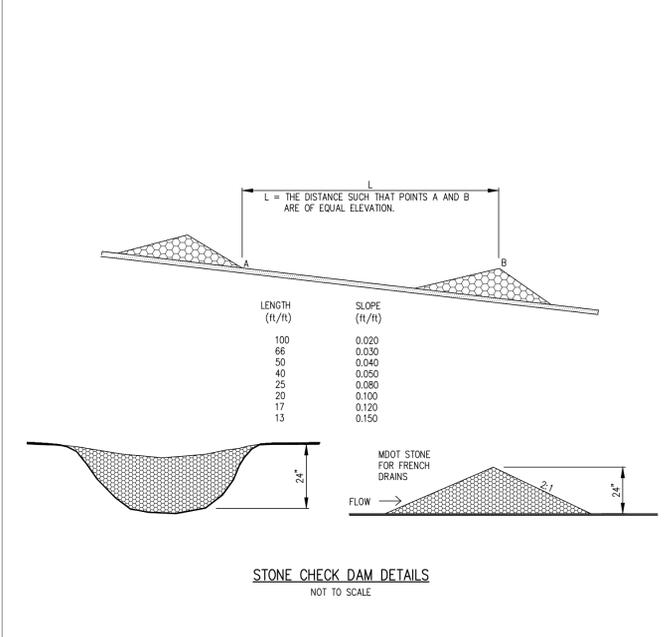
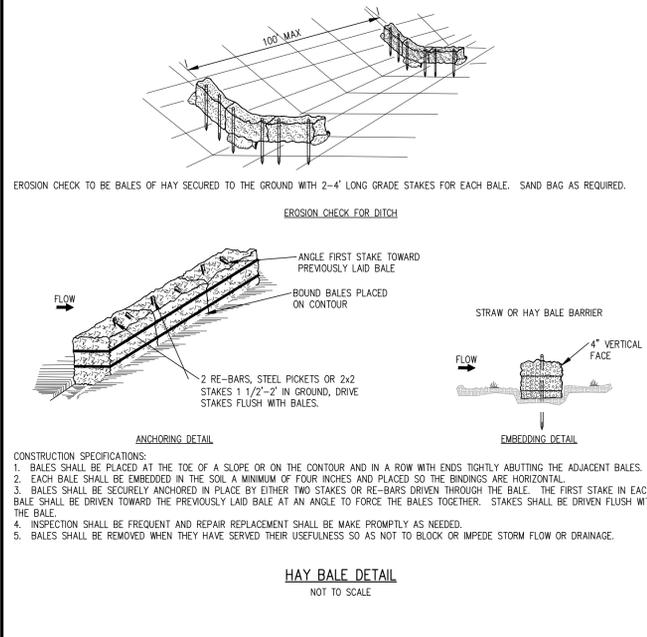
I hereby certify that the proposed earth moving activity will be conducted as I have indicated above. All work will comply with the *Town of Hampden Zoning Ordinance* and all Federal and State laws and/or rules related to this kind of activity especially State of Maine Department of Environmental Protection's publication entitled "Maine Erosion and Sediment Control Best Management Practices"

Applicant Signature Randy Boag - agent date 12-4-17
Owner Signature _____ date _____

.....
Date Received: _____ Fee paid: _____

Date of Action: _____ Approved [] Denied []

Dec 04, 2017 - 2:26pm H:\Projects\2017\17073 Chuck Lawrence Tradewinds Hampden CA - Drawings\7073 - TEMP_SED-ERO SITE PLAN.dwg Jonh





CARPENTER ASSOCIATES
CONSULTING ENGINEERS
687 STILLWATER AVENUE-OLD TOWN-MAINE 04468

REVISIONS	
NO.	DESCRIPTION



STATE OF MAINE
LICENSED PROFESSIONAL ENGINEER

SOUTHSTREET DEVELOPMENT
STOCKPILE
COLDBROOK ROAD HAMPDEN, MAINE
SOUTHSTREET DEVELOPMENT CO. LLC.
DETAILS

Drawn: JE
Checked: RB
Scale: 1" = 40'
Date: 12-03-2017
Project No: 17073
Sheet Number:

FOR REVIEW
12-04-2017

2

December 5, 2017



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

Re: Tradewinds Earth Moving Permit Review

Dear Angus:

We have completed a review of the Earth Moving Permit Application submitted for Southstreet Development Co., LLC (Applicant) by Carpenter Associates, Inc. dated December 4, 2017, for a proposed temporary stockpile for future development of a Tradewinds on the property in 2018. As requested, this review is focused on conformance with Zoning Ordinance requirements Article 4.9.4 – 4.9.6.

Zoning Ordinance Review

The Applicant's proposed project is located within the Residential A Zoning District.

The following is a review of specific standards that are applicable to the Zoning Ordinance Article 4.9.4 – 4.9.6.

Standards for Earth Moving Activity Requiring a Permit from the Planning Board (Article 4.9.4)

1. The Application meets a majority of the standards in this Article. The applicant has provided a location map of the lot boundaries, proposed access road, and potential temporary structures. The Site Plan and notes on Sheet 1 indicate the proposed erosion control and potential drainage structures, will be performed in accordance with Maine Department of Environmental Protection (MDEP) Best Management Practices.
2. In accordance with this Article, the Application also indicates the existing and proposed contours for the stockpile location on the lot. The site plan does not include contours to the extent of the lot limits, or extending 200 feet beyond the property boundary, as required by the Ordinance. Considering the applicants purpose for the storage of material and its temporary nature, it seems reasonable that the existing contours and proposed grading may be adequate for the Town to judge whether negative environmental impact to this or adjacent properties is a risk. Based on our understanding of the Work and our familiarity with the site, that would be our recommendation.

Conditions of an Earth Moving Permit from the Planning Board (Article 4.9.5)

1. The Application appears to meet the standards of this Article for temporary ground cover and sedimentation controls. Temporary ground cover is proposed in accordance with MDEP Best Management Practices Handbook. The applicant does not propose any fill or artificial channels for drainage control except for potential sediment basins and level spreaders.
2. On Sheet 2, the applicant indicates on-site stabilization will be finished within 30 days from the initial ground disturbance, which we believe is sufficient time to complete the proposed work. The Ordinance suggest that the Town may desire to set dates for when the ground and stockpile will



need to be covered, both temporary and permanent but the 30 day duration suggested by the applicant may be sufficient.

Optional Conditions of an Earth Moving Permit from the Planning Board (Article 4.9.6)

1. In accordance with Article, the Town may require a few additional details be submitted with the Application regarding construction activities. In particular the Town may require the Applicant to provide hours of operation or routes of transporting material. This is generally so the Town can evaluate whether traffic or road maintenance may be affected by the applicant's activity. Considering the time of year with lower traffic volumes and frozen soils, these may not be major concern for this work.
2. The Town may wish to ask the Applicant to clarify intended use of their site, if any, outside of this work and whether any snow storage should be anticipated. The plan does not show any designated snow storage areas or clearly restrict snow storage from the stormwater detention basin areas. This may not be a factor if snow storage on the site is not anticipated.

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

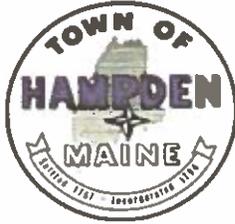
Sincerely,

WOODARD & CURRAN INC.

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

James D. Wilson, P.E.

JDW/JCM
213351.00 048



TOWN OF HAMPDEN

PUBLIC WORKS & GIS/IT DEPARTMENT

Driveway/e911 Address Permit Application

APPLICATION DATE: 12/1/17

OWNER/APPLICANT INFORMATION

Applicant or Agent's Name: John W. Goodwin, Jr. Construction Phone # 244-7805

Mailing Address: P.O. Box 919 Southwest Harbor ME 04679
Address Town/City State Zip Code

Land Owner's Name: Southstreet Development Co., LLC Phone # _____

Mailing Address: 15 South Street Blue Hill ME 04614
Address Town/City State Zip Code

Check here if you need an e911 Address. You must still fill out the rest of this application as applicable and follow the instructions regarding staking/flagging the proposed driveway location. If you are on a state road, you need to apply with the state for a driveway permit, but the town assigns the e911 Address. Once the state approves your driveway location, the town will GPS locate your driveway and assign you an address. Attach copy of state approved permit.

PROPERTY INFORMATION

Road Name: Cold Brook Road Street Number (if applicable): 98

North South East West – Side of Road

Distance of Proposed Driveway from Nearest Intersection: 485-ft, 0.1-miles
(estimate in tenths of a mile)

Name of Nearest Intersection: Rte 202 & Cold Brook Road Nearest Utility Pole #14

Tax Map & Lot #33-0-011-A

PROPOSED LOCATION OF DRIVEWAY MUST BE STAKED AND FLAGGED BY APPLICANT

DRIVEWAY/ENTRANCE INFORMATION

Does your property have an existing access? Yes No

Desired Width of Driveway: 25' *(in feet)* Type of Surface: Crushed stone *(gravel, pavement, etc.)*

Are you proposing a new entrance to the property? Yes No

Proposed Driveway Purpose: Stockpile gravel for future use.

(single-family home, timber-harvesting, subdivision street, etc.)

CONSTRUCTION INFORMATION

Construction expected to begin on: 12/1/17 *(date)* Completed by: 12/1/17 *(date)*

Person/Company Constructing Driveway: John W. Goodwin, Jr. Construction

Construction Contact's Name: Laura Carter Phone # 244-7805

SITE SKETCH (OR ATTACH PLOT PLAN)	NORTH ↑
PLEASE SEE ATTACHED PLAN.	

THE OWNER/APPLICANT HEREBY AGREES:

1. To provide, erect and maintain all necessary barricades, lights, warning signs and other devices to direct traffic safely while the work is in progress.
2. To at no time cause the Road to be closed to traffic.
3. To obtain, deliver to the site and install any culverts and/or drainage structures necessary for drainage; the size, type and length of such culverts or structures shall be as specified by the Town of Hampden Public Works Department. All culverts and/or drainage structures shall be new.
4. **TO COMPLY WITH ALL FEDERAL, STATE AND LOCAL LAWS AND ORDINANCES**
5. To not alter, without prior written approval, any culverts, drainage patterns or swales within the Town Right-of-Way.
6. To notify the Town of Hampden Public Works Department if the use or purpose of the Driveway is to be changed.
7. To make all repairs which may become necessary as a result of the driveway installation.

FURTHER CONDITION OF THE PERMIT: The applicant shall become liable, and shall indemnify and save harmless said Town of Hampden against all suits, claims, damages and proceedings of every kind arising out of the construction and maintenance of said driveway approach including snow removal.

SIGNATURES

Signature of Owner:  Date: 12/4/17

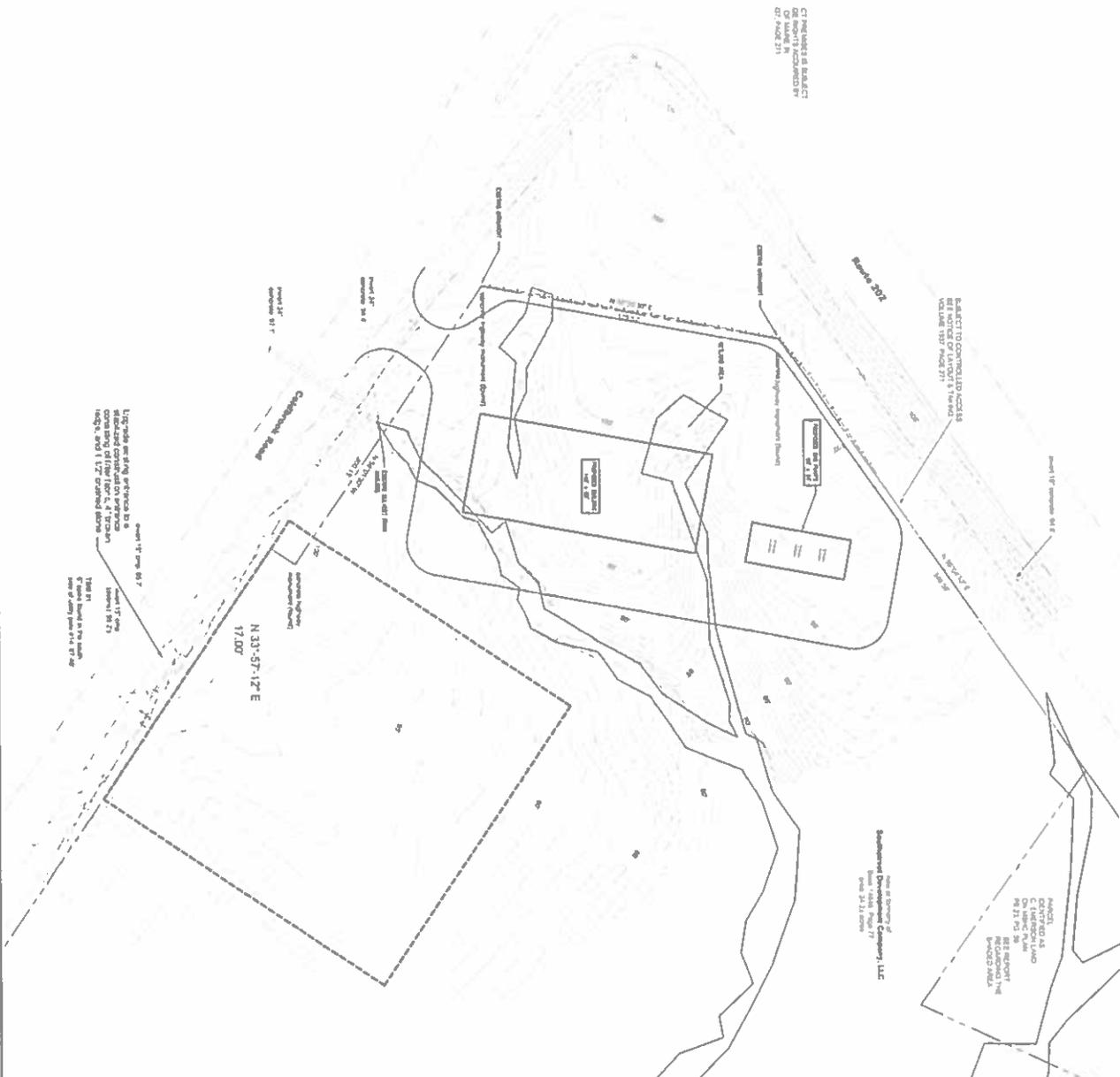
Signature of Applicant/Agent: Laura E. Carter Date: 12/1/17

I hereby certify that I have been granted permission from the property owner to act on their behalf.

TOWN OFFICE USE ONLY

Date Permit Issued: 12-4-17 Permit Issued by: JLC SEAN CURRIER

NOTES: This is a temporary permit to access the site. The drive shall be removed upon site plan approval of full build out on site. Existing culvert will suffice until full site development. DOT will need to specify permanent culvert sizing along with Town Public Works.



CT REGISTRATION SUBJECT
 OF RECORD ACCORDING TO
 07/14/02 211

SUBJECT TO CONTROLLED ACCESS
 SEE NOTICE OF LAYOUT'S 5/16/10
 (FILED 10/27/10) 211

PROJECT:
 C. CARPENTER ASSOCIATES
 100 W. WATER ST. 2ND FLOOR
 HAMPDEN, MA 01902

South Street Development Company, LLC
 100 W. WATER ST. 2ND FLOOR
 HAMPDEN, MA 01902

FOR REVIEW
 11-17-2017

Sheet Number: 1	Project No: 17071	Date: 08/23/2017	Scale: 1" = 20' Check: RJS Drawn: AE	SOUTHSTREET DEVELOPMENT TRADEWINDS COLDBROOK ROAD HAMPDEN, MA, MA SITE PLAN	REVISIONS	CARPENTER ASSOCIATES CONSULTING ENGINEERS 100 W. WATER ST. 2ND FLOOR HAMPDEN MA 01902														
					<table border="1"> <thead> <tr> <th>NO</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>			NO	DATE	BY	DESCRIPTION									
NO	DATE	BY	DESCRIPTION																	



STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 REGION 4
 219 HOGAN ROAD
 BANGOR, MAINE 04401-5603

Paul R. LePage
 GOVERNOR

David Bernhardt
 COMMISSIONER

Town of Hampden
 RECEIVED

DEC 04 2017

Office of the
 Town Manager

November 30, 2017

Angus G. Jennings
 Town of Hampden
 106 Western Ave.
 Hampden, ME 04444

Subject: WIN 23318.00 Hermon – Hampden, Coldbrook Road – Cyclical
 Pavement Resurfacing

Dear Angus:

The Maine Department of Transportation is planning to design and advertise the subject project in the spring/summer, 2018.

The project is further described as follows: Hermon to Hampden – Coldbrook Road, Beginning 0.04 of a mile southeast of Autocar Lane and extending southeasterly 2.53 miles ending at Route 202. The primary scope of work is a variable-depth shim and a 3/4" HMA surface course over existing pavement to maintain the serviceability and integrity of the pavement structure.

The purpose of this letter is to make the necessary notifications of the project to the abutters, municipal officials and occupants of the highway under the provisions of 23 M.R.S.A. § 3351. **We hereby request that you provide a copy of this notice to all municipal officials, employees and boards with responsibilities for utility and/or land-use planning/permitting, and that you post this letter on any municipal public bulletin boards, media outlets and/or municipal websites.**

If you have or plan to have knowledge of underground utility facilities within the limits of this project, please inform MaineDOT Region 4 Office as soon as possible in order that they may be properly considered during the design and construction of the proposed project. Properly located facilities are a consideration for protection against damage from construction operations.

Should you have questions, concerns or other areas of interest, we would appreciate your comments and input. You may contact me, Randall Barrows, Sr. Project Manager at 941-4754.

Sincerely,

Randall Barrows
 Sr. Project Manager
 Highway Program, Region 4



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
REGION 4
219 HOGAN ROAD
BANGOR, MAINE 04401-5603

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

November 30, 2017

Angus G. Jennings
Town of Hampden
106 Western Ave.
Hampden, ME 04444

Town of Hampden
RECEIVED

DEC 04 2017

Office of the
Town Manager

Subject: WIN 23326.00 Newburgh – Hampden, Route 9 – Cyclical
Pavement Resurfacing

Dear Angus:

The Maine Department of Transportation is planning to design and advertise the subject project in the spring/summer, 2018.

The project is further described as follows: Newburgh to Hampden - Route 9, Beginning 0.18 of a mile west of Chapman Road and extending easterly 7.50 miles. The primary scope of work is a variable-depth shim and a 3/4" HMA surface course over existing pavement to maintain the serviceability and integrity of the pavement structure.

The purpose of this letter is to make the necessary notifications of the project to the abutters, municipal officials and occupants of the highway under the provisions of 23 M.R.S.A. § 3351. **We hereby request that you provide a copy of this notice to all municipal officials, employees and boards with responsibilities for utility and/or land-use planning/permitting, and that you post this letter on any municipal public bulletin boards, media outlets and/or municipal websites.**

If you have or plan to have knowledge of underground utility facilities within the limits of this project, please inform MaineDOT Region 4 Office as soon as possible in order that they may be properly considered during the design and construction of the proposed project. Properly located facilities are a consideration for protection against damage from construction operations.

Should you have questions, concerns or other areas of interest, we would appreciate your comments and input. You may contact me, Randall Barrows, Sr. Project Manager at 941-4754.

Sincerely,

Randall Barrows
Sr. Project Manager
Highway Program, Region 4



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Paul R. LePage
GOVERNOR

November 15, 2017

David Bernhardt
COMMISSIONER

Angus Jennings, Town Manager
Town of Hampden
106 Western Avenue
Hampden, Me 04444

Town of Hampden
RECEIVED

NOV 20 2017

Office of the
Town Manager

Subject: I-95 Bridges Pittsfield to Howland
Protective Coating for Concrete Surfaces, Win Number: 21764.00

Dear Mr. Jennings,

The Maine Department of Transportation is currently working on the final design of a Substructure Protective Coating project for the bridges on the I-95 corridor, WIN 21764.00. Advertisement of the subject project for competitive bids is scheduled for January 2018. We estimate that the construction would begin approximately in April 2018, and be completed by September 3, 2018.

The project is further described as: *Region 4, Protective coatings - Interstate bridges.*

The Contractor will be allowed to reduce traffic on I-95 to one 14' lane of traffic from Monday to Saturday from 8:00 p.m. to 6:00 a.m. for the following bridges:

- 5971 Access Rd/I-95 Bangor
- 5794 Hammond St/I-95 Bangor
- 5822 Essex St/I-95 Bangor
- 5800 I-95 NB/Stillwater Ave. Bangor
- 6411 Stillwater Interchange/I-95 NB Bangor
- 6412 Stillwater Interchange/I-95 SB Bangor
- 5934 Chase RD/I-95 Bangor

The Contractor may reduce traffic on I-95 to one 14' lane of traffic from 9:00 a.m. to 3:00 p.m. Monday to Thursday and from 9:00 a.m. to 12:00 p.m. on Friday for all other bridges.

We hereby request that you provide a copy of this notice to all municipal officials, employees and boards with responsibilities for utility and/or land-use planning/permitting, and that you post this letter on any municipal public bulletin boards, media outlets and/or municipal websites as a public meeting will not be held regarding this project unless specifically requested by the municipality.

Should you have any questions, concerns or other areas of interest, we would appreciate your comments and input. Please feel free to contact me at (207)-624-3336 or by e-mail at joseph.r.stilwell@maine.gov with any questions or concerns.

Sincerely,

Joseph Stilwell PE, Project Manager
Bridge Program



PRINTED ON RECYCLED PAPER

Sgt. T.D. Stewart
Sgt. Chris Bailey
Ofc. J.D. Burke
Ofc. Shawn Devine
Ofc. Wm. Miller

Sgt. Scott Webber
Inv. Joel Small
Ofc. Ben Eyles
Ofc. Marc Egan
Ofc. David Mushrall



Lt. Dan Pugsley, Jr.
Lt. Jason Lundstrom
FF Jared LeBarnes
FF Shaun McNally
FF Matt Roope
FF Gavin Webb

Lt. Matt St.Pierre
CH. Joe Dunton
FF Matt Thomas
CEO Myles Block
FF Chris Liepold

Kandy McCullough, Office Manager

Chief Joseph L. Rogers, Director of Public Safety

POLICE

FIRE

EMS

CODE ENFORCEMENT

LOCAL HEALTH OFFICE

MEMORANDUM

To: Mayor Ivan McPike & Members of the Hampden Town Council
Chairman Eugene Weldon & Members of the Hampden Planning Board

From: Myles Block, Code Enforcement Officer

Date: December 7, 2017

Re: Upcoming Board of Appeals Meeting

Pursuant to **30-A M.R.S. § 4353** this memorandum is to notify the Town Council and Planning Board that there will be a Board of Appeals meeting Tuesday December 19, 2017. The meeting and public hearing will be held at 7:00pm in the Council Chambers of the Hampden Municipal Building. The Board will consider the following item:

Public Hearing:

Application for a general variance has been made by Rosanne Cyr & Hugh Porter regarding property located at 173 Canaan Rd, further identified as assessor's tax map 05 lot 027 for a decrease in setback requirements from 30 feet to 12 feet. The subject property, owned by Roseanne Cyr, is located in the Rural zoning district. The Board of Appeals will consider this item pursuant to Articles 6.2.2 of the Town of Hampden Zoning Ordinance and the Town of Hampden Board of Appeals Ordinance.

cc: Lt. Jason Lundstrom, Fire Inspector
Jared LeBarnes, Building Official
Karen Cullen, Town Planner
Joseph L. Rogers, Director of Public Safety
Angus Jennings, Town Manager
File (05-0-027)