



Town of Hampden
Planning and Development Committee
Wednesday February 14, 2018, 6:00 pm
Municipal Building Council Chambers
Minutes

Attending:

Committee/Council

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

Staff

Angus Jennings, Town Manager
Myles Block, Code Enforcement Officer
Karen Cullen, Town Planner

Public

Jim Kiser

Chairman Ryder called the meeting to order at 6:00 pm.

Note, the meeting was started in Council Chambers and recessed to the conference room at 6:30 since the Planning Board had their regular meeting scheduled for 7:00. Agenda items were taken out of order.

1. Minutes for the January 17, 2018 meeting – **Motion** to approve as submitted made by Councilor Marble; second by Councilor McAvoy; carried 5/0/0.
2. Committee Applications: None
3. Updates:
 - a. MRC/Fiberight: CEO Block said construction on the building is continuing, no issues to report this week.
 - b. Staff Report:
 - i. Handed out copies of the March issue of the Down East Magazine which includes the advertorial we did with Bangor; the four page spread came out quite well.
 - ii. Planner Cullen showed the Doing Business section of the town's website, noting there are some corrections to be made yet but the result is a better illustration of what Hampden has to offer than the previous material was.
 - iii. Planner Cullen led a discussion on the Shoreland Zoning Map; the main points were that there appear to be inconsistencies between the current map and the state guidelines, and the amount of work necessary to get our map into compliance with the state mandated shoreland protection areas exceeds staff resources to get it done in a timely manner. The consensus of the committee was to hire a consultant to do the necessary work to produce a new shoreland layer that maps the areas mandated by the state.

- iv. Jim Kiser was present to discuss the potential for having a map amendment done for a couple of properties where he believes the current map is incorrect. Planner Cullen noted our current ordinance has no provisions for how to process such requests, it simply states the ordinance (and map) can be amended by majority vote of the Town Council, and within 30 days must be submitted to DEP for review and approval. After discussion, Chairman Ryder said he would sponsor a map amendment if the applicant (Jim Kiser in this case) provided all the information to Planner Cullen and CEO Block for review, and possible third party review too. Councilor McAvoy asked what happens if the two consultant recommendations are different.

4. Old Business:

- c. Hampden Business Park Covenants. Manager Jennings led a discussion to review the draft amendments to the covenants as prepared by consultant Noel Musson. After discussion the following additional changes were recommended:
 - Recital 2: delete the last sentence of the second paragraph regarding where the design review provisions apply;
 - Section 4.8, parking areas, loading areas, and driveways: delete the section in its entirety since they are adequately covered in the zoning ordinance;
 - Section 4.9, storage areas: delete the section in its entirety since these provisions are adequately covered in the zoning ordinance amendments;
 - Section 4.10, lighting: delete the section in its entirety since these provisions are adequately covered in the zoning ordinance amendments.

Motion by Mayor McPike to refer the proposed amendments to the Declaration of Covenants, Conditions, and Restrictions for the Hampden Business and Commerce Park to Town Council, second by Councilor McAvoy; carried 6/0/0.

5. New Business:

- a. LD 1565, Bill to amend 30-A M RSA §5222 and §5224 regarding Tax Increment Financing eligibility. Councilor Marble said his understanding is that this bill is dead, but if it had passed it would have been a real problem for Hampden.

6. Zoning Considerations/Discussion:

- a. Planner Cullen gave a presentation of the proposed use table and briefly mentioned other proposed amendments to the zoning ordinance that have resulted from the work on the use table. She noted the use table replaces the lists in the current Article 3 which organizes the districts in such a way that if someone wants to open a new business in town, they have a hard time figuring out where they can do it. The table format makes it very easy to see which districts each use is allowed in, as well as all the uses that are allowed in a particular district. She added that the dimensional table, which is being discussed by the Planning Board tonight, will also make it easy for people to focus their real estate search on properties that meet the requirements for the use they are planning to establish.

- b. Planner Cullen gave the quarterly report on adult use (recreational or retail) marijuana. She noted the activities done at the local level: prohibited retail sales and social clubs via zoning amendments which became effective Dec. 20, 2017; the proposed zoning amendments include cultivation, product manufacture, and testing as prohibited uses in the use table, with the intention of making further amendments to these three uses after the state completes their work; and Town Council has adopted an emergency moratorium on cultivation, product manufacture, and testing, which per the Town Charter is good for 60 days but can be extended in 60 day increments until it is no longer needed because our zoning ordinance has been amended. Planner Cullen noted the activities at the state level: they have yet to amend the Act, they have not enacted an extension of their moratorium, and they are continuing work on the amendments to the Act in committee. She also noted the state is now looking at the medical marijuana laws and may amend those in an attempt to close some loopholes and level the playing field.
7. Citizen Initiatives: None.
8. Public Comments: None.
9. Committee Member Comments: None.
10. Adjournment: The meeting was adjourned at 7:40 pm.

*Respectfully submitted by
Karen Cullen, Town Planner*