



Town of Hampden
Planning Board
Wednesday, March 9, 2022, 7:00 pm
Municipal Building Council Chambers
Minutes

In Attendance:

Planning Board

Richard Tinsman, Chair
Jennifer Austin, Vice Chair
Benjamin Dunham
Gene Weldon
Kelley Wiltbank

Staff

Clifton Iler, Planner
Wanda Libbey, Admin Asst.

Public

Jim Kiser
Miranda Richards
Toby Richards
Thomas Jones
Marcel Bonenfant

Chair Tinsman called the meeting to order at 7:00 p.m. and verified that all attendees in-person and virtual could hear and see each other.

1. Administrative

a. Minutes – January 12, 2022, Regular Meeting

Motion by Member Weldon to approve the minutes of January 12, 2022, regular meeting as amended, second by Member Austin; motion carried 5/0/0 by roll call vote

b. Minutes – January 25, 2022, Workshop Meeting

Motion by Member Austin to approve the minutes of January 25, 2022, workshop meeting as amended, second by Member Weldon; motion carried 5/0/0 by roll call vote.

c. Minutes – February 9, 2022, Regular Meeting

Motion by Member Dunham to approve the minutes February 9, 2022, regular meeting as amended, second by Member Weldon; motion carried 4/1/0 by roll call vote (Member Austin abstained).

d. Minutes – February 15, 2022, Workshop Meeting

Motion by Member Austin to approve the minutes of February 15, 2022, workshop meeting as written, second by Member Wiltbank; motion carried 4/1/0 by roll call vote (Member Weldon abstained).

2. Old Business

a. 676 Main Rd N – Discussion following site walk on February 23, 2022.

Town Planner Iler explained that on February 23, 2022, at 8:00 a.m. Member Austin, Member Dunham, and himself did a site walk at 676 Main Road North with the applicant's representative. For future site walks, attendees will give a synopsis of what was covered.

Member Austin found it very beneficial to see the topography in person and the significant ground disturbance and drainage.

Member Kelley asked Member Austin what significant ground disturbance she was referring to. Member Austin explained that what looks like small piles of fill on the site plan are in fact huge piles of fill. The applicant's representative, Jim Kiser, also pointed out where the sewer line will run through the property.

Member Dunham stated that Jim Kiser did a great job in explaining and pointing out what the project will look like.

Chair Tinsman noted that there will be a site walk for an adjacent property, which will be scheduled later in this meeting. This will enable those that were unable to attend the site walk for 676 Main Rd N the opportunity to view that property as well.

Member Weldon asked if there will be a public notice posted of the site walk that will be scheduled later in this meeting? Town Planner Iler stated that he has spoken with the Town Manager currently public notice is not required for site walks. A synopsis will be provided at the next regular meeting following the site walk.

3. New Business

- a. 99 Monroe Rd – Public hearing for Conditional Use permit for an attached accessory apartment at 99 Monroe Rd; Tax Map/Lot: 02-0-026-1. The property is in the Rural District.

Chair Tinsman went over the steps involved in holding a public hearing and then opened the public hearing at 7:14 P.M.

Miranda Richards, the applicant's daughter, explained that her father owns the home at 99 Monroe Road. She and her husband currently reside in the home and her father would like to add an in-law apartment on the back of the existing garage for him and his wife.

Town Planner Iler briefed the board on the application in question. The applicant has provided all relevant documentation for the accessory apartment located in the rural district. All setbacks and dimensional requirements are met. The property owner will reside onsite and there will be a dedicated parking space for the apartment.

Chair Tinsman asked whether the receipt of a Conditional Use permit is tied to the structure or the applicant. Town Planner Iler stated that his interpretation is that a Conditional Use permit would be tied to the applicant rather than the structure. This would allow the Planning Board to review past decisions on properties and ensure that future sale and use of the property could be kept up to code with the Code Enforcement Officer.

Public Questions/Concerns/Opposition

Marcel Bonenfant, the representative of abutter Jennifer Naross who resides at 117 Monroe Rd. with her concerns.

- Is the new in-law apartment going to be close to the property line?
- Has anyone checked the property lines?

Town Planner Iler stated that per the applicant the property was not surveyed prior to the creation of the elevations. Looking at the site plan, there's a setback that is increasing. The new addition is on the backside so if the property in question is to the north, it's getting further away and angled further south. Based on that setback, it's not encroaching on the property line as drawn.

The applicant gave Mr. Bonenfant a copy of the site plan that is part of his application and that is also posted on the town's website to show and explain to Ms. Naross.

Another concern of Ms. Naross' is what the applicant intends to do with the pile of trees near the property line.

Board Questions/Concerns/Opposition

Member Austin asked the applicant what was planned for the piles of cut trees near the property line that the neighbor is concerned with? The applicant stated that he is waiting for the snow to melt so they can burn the trees that have been cut.

Chair Tinsman closed the public hearing at 7:22 p.m.

Motion: Based on the finding and information presented herein, Member Austin moved to approve the Conditional Use application for a proposed accessory apartment located at 99 Monroe Rd. (Tax Map/Lot: 02-0-026-1); seconded by Member Weldon who also wanted it noted that it will still require building permits and the distances will be check at that time as well; motion carried by roll call vote 5/0/0 in favor.

- b. 317 Old County Rd – Sketch plan review for a proposed multi-family subdivision at 317 Old County Rd; Tax Map/Lot: 20-0-033-A. The property is in the Residential B District.

Jim Kiser, representing applicant NKSE Investment, LLC, presented the sketch plan.

- 1.2 acres
- 8 multi-family units within 2 buildings
- Units will have garages under them
- Connect to municipal sewer and water

Town Planner Iler explained that future submittals of this project will be subject to the new submission requirements of the Subdivision Ordinance, which went into effect on March 9, 2022. In reference to the roadway design, if there will not be any connectivity via road by vehicular means, there should be a guardrail to show that there is no vehicular pass through between this development and the one at 676 Main Road North. It is recommended to install a sidewalk infrastructure that will allow residents easy access to Dollar General and other businesses on Main Road North. The preliminary plan should also identify the locations for dumpsters, snow storage, and EMS turnaround. The stormwater management

plan for this project needs to be detailed enough to show where stormwater will be going, whether it's into the retention pond next to Dollar General or Sucker Brook. This will be classified as a major subdivision. The street type would be lane and Town Planner Iler noted that the Planning Board would have to schedule a site walk with Mr. Kiser.

Main points from the discussion:

- The units will be rentals as there is a strong market for these at this time.
- Chair Tinsman noted that one of the conditions of the purchase and sales document is incorrect. It states that one of the conditions for the purchase is that the Planning Board grants a variance to the Zoning Ordinance. The Planning Board does not grant variances and Chair Tinsman believes it should be mentioned to the applicant.
- Jim stated that as it stands today the project will not require a DEP permit.
- Jim Kiser explained that this project and the project at 317 Old County Road are being kept separate due to two different forms of ownership.
- Town Planner Iler was asked to contact the Town Attorney to confirm that the Planning Board can review two applications for subdivision by the same persons on adjacent pieces of property given the state and local regulations that might be triggered or key if they were combined. This would clear us to review it as Mr. Kiser is requesting.
- If this were one application for this property and the 676 Main Road North property, there would not be a requirement for post and pre-development calculations because they would not exceed three acres of impervious area.
- Site walk was scheduled for Tuesday, March 15, 2022, at 5:30 p.m.

4. Town Planner Report

Town Planner Iler reminded the board there will be a Planning Board Workshop meeting on Tuesday, March 15, 2022, at 6:30 p.m. in Council Chambers.

Town Planner Iler reported that he had testified at the Labor and Housing Committee meeting for the State Legislature on Monday, March 14th regarding LD 2003.

5. Planning Board Comment

Member Weldon recommended that we ask Woodard & Curran to do training either virtually or in-person on plan reading and stormwater.

6. Adjournment

Motion by Member Weldon moved to adjourn the meeting at 8:13 p.m., seconded by Member Austin; motion carried by roll call vote 5/0/0 in favor.

Respectfully submitted by
Wanda Libbey, Administrative Asst.