

Town of Hampden

Planning Board

Wednesday, April 11, 2018, 7:00 pm

Municipal Building Council Chambers

Minutes



Planning Board

Gene Weldon, Chair
Jake Armstrong
Jennifer Austin
Jim Davitt
Tom Dorrity
Peter Weatherbee
Kelley Wiltbank

Staff

Ben Smith, AICP, Contract Planner
Karen Cullen, AICP, Planner
Myles Block, Code Enforcement Officer

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

1. Administrative.

- a. Minutes of March 20, March 21 and April 3, 2018 meetings.

Motion by Member Weatherbee to approve the minutes of March 20, as written, Second by Member Wiltbank; carried 7/0/0.

Corrections were noted in regard to spelling names in several places in the minutes of March 21, 2018.

Motion by Member Wiltbank to approve the minutes of March 21, as corrected, Second by Member Weatherbee; carried 6/0/1, Member Dorrity abstains.

Motion by Member Davitt to approve the minutes of April 3, as written, Second by Member Dorrity; carried 7/0/0.

2. Old Business.

- a. None

3. New Business

- a. Conditional Use, Customary Home Occupation for Katherine Carter to open an artist's gallery and working studio at her home located at 76 Main Road South, parcel 40-0-010. This property is in the Residential B district.

Kay Carter presented her request to the Board, noting that he has been a Hampden resident since 1973, was the town's land use planner in the 1970s and was on the Planning Board in the 1980s.

Ms. Carter stated that the home occupation is in place today, and is mostly interested in this approval in order to install signage, which will meet the dimensional standards of the district.

Member Wiltbank asked if she is the sole artist at this location, to which Ms. Carter said she is. Member Wiltbank also asked if there would be lessons available at this location. Ms. Carter said no, only people interested in seeing or purchasing the art were expected to visit the studio. Her paintings are in galleries and she is at art shows throughout the region. She wants the option of showing and selling her art from her home, as well as online. She has been working mostly in oils this winter, but has used a wide range of media over the years.

Member Austin brought up the ordinance wording that allowed the Board to specify as a condition that any approval be specific to the applicant, rather than the default approval which runs with the land, no matter who owns the property in the future. Mr. Smith confirmed for the Board that the conditional approval is only for an artist studio as presented. This means that any other conditional use would need to go back to the Board for approval if something beyond an artist studio is proposed.

Member Weldon asked a final question as to whether or not there would be any employees at this studio, to which Ms. Carter responded no.

Motion by Member Wiltbank to grant approval to this conditional use application for the customary home occupation of an artist's studio and gallery, as presented in the application, second my Member Dorrity; carried 7/0/0.

- b. Conditional Use, conversion of commercial building owned by T&A Realty LLC to a mixed commercial/residential building, located at 50 Main Road North, parcel 36-0-14. This property is in the Village Commercial district.

Steven Lord of T&A Realty and the property owner was present and introduced the application. He owns the optometry practice on the first floor. The second floor office was occupied by a computer and electronics services company. That business is no longer there, and Mr. Lord would like to convert that second floor space to a two-bedroom apartment.

Member Weldon noted that the structure looks like a home and asked if that structure was originally a single family home. Mr. Lord stated he believed the structure was originally occupied as a real estate office.

Motion by Member Weatherbee to grant conditional use per the order and the standards of the ordinance, second by Member Wiltbank; carried 7/0/0.

- c. Request for waiver to site plan review under Section 4.1.2 of the Zoning Ordinance; for construction of a new salt shed located at 355 Canaan Road, parcel 05-0-32 for the Hampden Public Works Department.

Mr. Smith introduced this request for the Town, referring to the letter from Public Works Director Sean Currier. The Town is planning on building a new salt storage shed at the existing public works facility. This is a project that meets the requirements for site plan review to apply. The ordinance allows the Board to waive the requirement for site plan review for projects essential service facilities owned by the Town of Hampden.

Member Weldon asked if this project would still require a building permit if site plan review is waived. Code Officer Myles Block came to the podium and confirmed that yes; a building permit would be required.

Member Wiltbank asked Mr. Smith to elaborate on the introduction provided. He asked what review elements would not get looked at if this waiver were granted, and why not just repair the existing facility? Mr. Smith provided more recent history from Mr. Currier's letter, noting the existing shed has outlived its operational life, and is too small. The existing shed was damaged in a wind storm last fall and while temporary repairs were made to get the building through the winter, the salt had more moisture in it than desired for optimal application on the roads.

In regard to the impact of waiving site plan review, Mr. Smith noted that there will not be any additional traffic to or from the site and existing drainage patterns will not be altered. Mr. Block noted he worked with Mr. Currier to make sure the new building would be located outside of the Shoreland Zone and building setbacks will not be a problem with this project.

Member Weldon asked if there is an existing site plan for the public works facility. Mr. Block stated no, the facility was established prior to the requirement for site plan approval.

Motion: by Member Weatherbee to waive the requirement for site plan review for a new salt shed at the public works facility, second by Member Dorrity; carried 7/0/0.

4. Staff Report

None.

5. Planning Board Comment

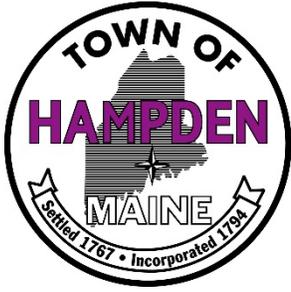
None

6. Adjournment

The meeting was adjourned at 7:30 pm by motion of Member Wiltbank, with second by Member Davitt; motion carried 7/0/0.

The Board reconvened in workshop immediately after to discuss draft changes to Article 4 in a Zoning Workshop with Planner Karen Cullen and Mr. Block.

Respectfully submitted by Ben Smith, Contract Planner



Town of Hampden
Planning Board Workshop
Wednesday April 11, 2018
Council Chambers

Minutes

In Attendance:

Planning Board

Gene Weldon
Kelley Wiltbank
Peter Weatherbee
Jake Armstrong
Tom Dorrity
Jim Davitt
Jennifer Austin

Staff

Karen Cullen, AICP, Town Planner
Myles Block, Code Enforcement Officer

Public

None

The meeting was called to order at 7:35 pm, after the regular meeting adjourned.

Planner Cullen led a discussion on the continuation of review of the proposed amendments to the zoning ordinance; discussion focused on the “list of items for workshop discussion”.

1. Reiterated that the Board had previously decided to eliminate the “amended date” references throughout the ordinance, since many are incomplete and the tabular listing provides sufficient information for future research when needed.
2. §2.1: PB decided to reorder the list of zoning districts to match the use table, add the code that is associated with the zoning map and assessor database, and reorder the purpose statements.
3. Use table: mobile home parks in the CS district – current ordinance does not mention them and therefore they are not allowed; PB decided to keep it that way.
4. Use table: places of worship and non-profit club GIS analysis to determine if there were enough parcels in the town that met the criteria in §3.1.13 and 14; that analysis found 12 parcels. PB was comfortable that that number is sufficient to not be viewed as a prohibition of the uses, particularly important for places of worship as it relates to RULIPA.
5. §3.2.13, places of worship criteria: PB deleted reference to occupancy threshold so all parcels must be connected to public water and sewer.
6. §3.2.14, non-profit club criteria: PB decided to keep the occupancy threshold for connection to public water and sewer, and set it at 49 since that is the threshold in the public safety codes for when a use is subject to more stringent requirements.

7. §3.2.15, retail sales: PB decided to keep “handicap accessibility” in the criteria since there might be some cases where this would be the only place where it would be required, i.e. small projects could be under the thresholds for ADA compliance.
8. §3.2.24, bar, pub, tavern: PB decided to set the distance between a bar/pub/tavern and a dwelling in the Town Center district at 100’ from a dwelling if the dwelling is within the Town Center district, and 200’ if the dwelling is in (an abutting) residential district. This was based on concerns about nuisance issues impacting people living in the nearby Residential A or B districts.
9. §3.4.1, dimensional table, dimensions for the Town Center district: PB reviewed and set the standards: area = 10,000 sq ft, frontage = 50 feet, street yard setback = 0 feet, other yard setback = 0 feet unless abutting a residential district where it is 20 feet, building coverage = 50%, impervious surface = 75%, and building height = 35’. In each case, the board opted to reduce the number of parcels that would be nonconforming to the standard, to encourage redevelopment.
10. §3.4.2.2, multi-family density: PB kept at the recommended 8 units per acre except for the rural district where it is 2 units per acre.
11. No action needed, simply a note that most of the “special district regulations” are now either in §3.2 or §3.4.2.
12. §4.2.1, conditional uses: minor revision to clarify, added “injurious or” before “detrimental” in the text.
13. §4.5.5, nonconforming lots: added “vacant or otherwise” to the first sentence in item 1 to clarify that this applies to all lots, not just vacant ones.
14. §4.6, cluster housing: we had discussed this section at the previous meeting, Planner Cullen had since found her notes on changes from the current ordinance and reviewed those with the board; they agreed to keep the draft as written.
15. §4.7, design standards: the board agreed with the proposed organization of this section and the various changes to the provisions (a few parking requirements, new language in buffer section, the addition of lighting provisions).

Planner Cullen noted that the next (and last) workshop will be on April 17, when we should be able to wrap up the board’s review and set the public hearing date.

The meeting was adjourned at 9:06 pm.

Respectfully submitted by Karen Cullen, Town Planner