



Town of Hampden
Planning Board
Wednesday, April 13, 2022, 7:00 pm
Municipal Building Council Chambers
Minutes

In Attendance:

Planning Board

Richard Tinsman, Chair
Jennifer Austin, Vice Chair
Gene Weldon
Brent West
Benjamin Dunham (arrived at 7:09 p.m.)

Staff

Clifton Iler, Planner
Wanda Libbey, Admin Asst.
Amy Ryder, Economic Development Director
Paula Scott, Town Manager
Ryan Carey, Code Enforcement Officer

Public

Angela Kirk
Derek Kirk

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 – March 9, 2022, Regular Meeting

Motion by Member Weldon to approve the minutes of March 9, 2022, regular meeting as amended, second by Member Austin; motion carried 4/0/0 by roll call vote.

b. Minutes – March 15, 2022, Workshop Meeting

Motion by Member Austin to approve the minutes of March 15, 2022, workshop meeting as presented, second by Member Weldon; motion carried 4/0/0 by roll call vote.

2. Old Business

3. New Business

a. 389 Meadow Rd – Public hearing for Conditional Use permit for a customary home occupation at 389 Meadow Rd; Tax Map/Lot: 04-0-026-C. The property is located in the Rural District.

Chair Tinsman opened the public hearing at 7:04 p.m.

Applicant, Amy Ryder, explained to the Board that she would like to sell organic vegetable seedlings, hanging baskets, and annual flowers on her property located at 389 Meadow

Road. She has a greenhouse and display area at a minimum of 75 FT from Meadow Road. Her business will be open for four to five weeks each spring.

Town Planner Iler stated that the retail area does not exceed 50% of the floor area of the primary structure. He also confirmed that there will be no more than three parking dedicated to the business. Applicant, Amy Ryder, confirmed that no additional non-residents are employed in the business at this site. The approval standards of Section 4.2 and Section 4.10 are met.

There were no questions, concerns, or opposition from the public present or virtual.

Member Weldon asked if there were any additional conditions? Town Planner Iler stated that there were not.

Motion by Member Weldon to approve the Conditional Use application for a customary home occupation at 389 Meadow Road (Tax Map/Lot: 04-0-026-C) in the Rural District; seconded by Member Austin; motion carried 4/0/0 by roll call vote.

- b. AK Edibles – Public hearing for Conditional Use Permit for medical marijuana registered dispensary at 798 Main Road N; Tax Map/Lot: 21-0-012-A. The property is located in the Business District.

Chair Tinsman opened the public hearing at 7:10 p.m.

Applicant, Derek Kirk, explained that he and his wife are looking forward to providing the community with medical marijuana at 798 Main Road N.

Town Planner Iler presented the proposed application:

- This is the first application received for a medical dispensary in Hampden.
- A site plan for this location was approved on August 29, 2001, for retail use. No additional site plan is needed since the use hasn't changed.
- The property is located in the Business District.

Questions asked by Town Planner Iler on behalf of Staff members:

1. Will the food products sold be in following State regulations on both marijuana and food establishing licensing? Derek Kirk stated that yes, he was in the process of this.
2. Is the applicant aware that the total building capacity will be limited to the number of parking spaces currently on-site or the requirements of Section 4.4 of the Hampden Marijuana Ordinance (15 SF per person), whichever is lesser? The applicant said he was aware.
3. The new interior wall that will separate the two businesses in the existing building will need proper permitting through the Code Enforcement Officer. The applicant stated that he has already spoken with the Code Enforcement Officer concerning permitting.
4. Will the graphical representation of a marijuana plant exceed 20 percent of the area on the exterior sign face? Applicant Kirk stated that he did not believe it would exceed that area, but he would check on it.

Board Member Questions:

Member Austin asked if edibles will be his exclusive product. Applicant Kirk stated that his focus will be edibles at this time, and it will be exclusively retail.

Chair Tinsman closed the public hearing at 7:18 p.m.

Questions/Comments/Concerns:

Member Weldon asked if there were any conditions in the ordinance in reference to security? Town Planner Iler stated that the security monitors are on the inside of the building and the Code Enforcement Officer and applicant have discussed the exterior security.

Member Austin asked because this is the only dispensary that will be allowed in town should it be limited to only one type of product? Town Planner Iler stated that the ordinance does not say that the Planning Board can limit the type of product that can be sold.

Chair Tinsman asked the applicant if he ever intends to change from medical to recreational marijuana? Applicant Kirk stated that if his business is successful and it is allowed, he would consider it if the Town changed the Marijuana Ordinance.

Motion by Member Austin to approve the Conditional Use application for a medical marijuana registered dispensary at 798 Main Road North (Tax Map/Lot: 21-0-012-A) in Business district; second by member Weldon; motion carried 5/0/0 by roll call vote.

4. Town Planner Report

Town Planner Iler informed the board that Wednesday, April 20, 2022, the workshop meeting will be canceled.

5. Planning Board Comment

Member Austin asked about the status of having Woodward & Curran doing a training on plan reviews and stormwater rules? Town Planner Iler will schedule that training for a future workshop.

Chair Tinsman would also like to have some training on condominium association documents. What's required, what should we be looking at, and the enforceability of condominium documents after the approval process are potential questions to discuss.

Member Weldon asked if a Comprehensive Plan Committee has been established? Town Planner Iler stated that they have had two meetings to date and starting to prepare for public forums that will be taking place this summer.

6. Adjournment

Motion by Member Austin moved to adjourn the meeting at 7:31 p.m., seconded by Member Dunham; motion carried by roll call vote 5/0/0 in favor.

Respectfully submitted by

Wanda Libbey, Administrative Asst.