



Town of Hampden  
Planning Board Workshop  
Monday April 23, 2018  
Council Chambers

## Minutes

In Attendance:

Planning Board

Gene Weldon  
Kelley Wiltbank  
Peter Weatherbee  
Jake Armstrong  
Jim Davitt

Staff

Karen Cullen, AICP, Town Planner

Public

None

The meeting was called to order at 6:30 pm.

The Board discussed the minutes of the March 21, 2018 meeting and decided to table this item to the next regular meeting. They also requested that comments regarding traffic for the Tradewinds application be added to the minutes.

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”, picking up at item 15 where we’d left off at the previous meeting.

15. §4.7, design standards: the board agreed with the changes in the sign section (adding a provision for signage for customary home occupations and changing village commercial to town center). Discussion on the new stormwater section, the board agreed with it with two changes: adding language to clarify that the land disturbance area is cumulative, and deleting “or subdivision review.”
16. §4.9, filling, grading, stockpiling: the board agreed with the change to avoid confusion with the term “lot coverage” in the dimensional table in article 3.
17. §4.10, use of residence for business purposes: the board agreed with the changes proposed, to add language from the customary rural business section which is being deleted, to delete language in the general requirements section dealing with commercial vehicles that is also covered in the sections on each of the three types, and deleting language in the procedure section that is no longer needed due to changes in §4.1 and §4.2.
18. §4.13, mobile homes: discussion about the contradiction in the current ordinance regarding whether a certified mobile home has to be on a permanent foundation or not. The board decided to delete item 3 which requires a permanent foundation, and asked Planner Cullen

to work with CEO Block to ensure the language in item 4 referencing the building code is correct.

19. §4.19, day care provisions: the board decided to change the time period the day care must be closed in §4.19.3.3 from 6:00 pm to 6:00 am to 7:00 pm to 6:00 am (i.e. they can operate from 6 am to 7 pm). The board also decided to modify the sign restrictions, allowing a 4 square foot sign for home day care and a 12 square foot sign for day care facilities. The board also decided to delete the second sentence of §4.19.4.3 dealing with child care centers in churches or community buildings, since they should be treated the same as those in any other type of building. Planner Cullen noted the changes in the site plan review section would handle situations where there are no changes to a site with the simpler tiers of the review process.
20. §4.24, medical marijuana: Planner Cullen said these changes are to make the ordinance consistent with the state law, and are mandatory under the statute.
21. §6.2.2, variance: Planner Cullen noted the board has already reviewed the variance section and had previously agreed to the proposed changes.
22. Article 7, definitions: no questions or comments on the many new definitions or edited definitions.
23. Aquaculture: Planner Cullen said the question came up recently whether we wanted to include aquaculture as an allowed use in the use table, someone has been inquiring as to whether he could do aquaculture on a lot in town. After discussion the board decided not to add it, since there is a wide range of aquaculture facilities and we don't fully understand the potential impacts of such facilities on the town, neighborhood, or environment.
24. Seasonal district dimensional requirements: Planner Cullen said we'd discussed this before but she wanted to make sure the board is comfortable with leaving the dimensional requirements as they are now – she noted most lots are nonconforming to the district standards, and nearly all lots are also nonconforming to the Shoreland Zoning Ordinance. The board decided to leave the dimensional standards as they are.
25. §3.2, automotive fuel station: added language to guide applicants and the board for how to deal with queuing needs, since gasoline fuel pumps was removed from the drive-through section of §4.7 because they do not meet the definition of a drive-through business. The board agreed with the new language.
26. §3.4.2.1, height for accessory structures: added language to deal with amateur radio antennas to comply with FCC rules. Discussion on adding a setback requirement related to the fall zone, Planner Cullen said she would research the issue further to determine if we could do this or if the FCC had rules against it.
27. §4.1.6.2 item 9, site plan review, public utility capacity: Planner Cullen noted that at the Feb. 20 workshop meeting the board had wanted to add "in their sole and exclusive

judgement” to the language, essentially giving the utilities “veto” power over the board in their decision on the site plan review. Since we cannot do that, the suggested addition was not included in the amendments.

28. §4.3, conditional lot dimensions: Discussion on what the intention of this section was – is it only supposed to apply to lots that already exist but which have less than the required frontage? Or is it supposed to allow the creation of one or more lots that don't have the required frontage (without a variance)? After discussion it was determined the intent is to allow one such lot (a flag lot) per parcel, except when a new subdivision is created with a cul-de-sac, an unlimited number of flag lots can be created at the cul-de-sac provided they all meet the requirements listed in §4.3.4. Planner Cullen will edit item k to reflect the intention stated.
29. Frontage: do we want to require the frontage to be where the access is, to avoid parcels with frontage on limited access highways and no frontage of any amount on a road? The issue is the number of houses that have access via a shared driveway. After discussion it was decided to leave the ordinance as-is, and (in the future) get policy direction from town council on whether to change the way frontage is handled.

Planner Cullen noted that this completes the board's review of the proposed zoning amendments. The proposed ordinance will be posted online and made available at the town offices by Thursday this week, which is the day the legal ad will appear in the BDN. The hearing will begin on May 9<sup>th</sup> and will continue on the 15<sup>th</sup> if necessary. She also noted the P&D Committee has decided they would like the ordinance to go from the Planning Board to the P&D Committee, they will review it on June 6<sup>th</sup>, and then refer it to the Town Council, and they will hold their public hearing on June 18<sup>th</sup>. If adopted, it'll go into effect on July 18<sup>th</sup>.

The meeting was adjourned at 8:56 pm.

*Respectfully submitted by Karen Cullen, Town Planner*