



Town of Hampden  
Planning Board Workshop  
Tuesday May 21, 2019

## Minutes

In Attendance:

Planning Board

Gene Weldon, Chairman  
Peter Weatherbee  
Jennifer Austin  
Kelley Wiltbank

Staff

Karen Cullen, AICP, Town Planner

Public

none

The meeting was called to order at 6:30 pm. Planner Cullen said the topic for this meeting is a review of the proposed new Shoreland Zoning Ordinance, including both the text and the map. This is a complete replacement of the existing ordinance and will bring us into compliance with the 2015 ME DEP Guidelines. In addition, pursuant to Town Council direction, the proposed ordinance does not include any shoreland districts that are optional (e.g. local stream protection).

Key points and modifications to be made to the draft (version 9) included:

- Add a reference to Exhibit 1 to Section 3, Applicability
- Change language in Sections 8 and 9 to “Town Council” and “Town” from “legislative body” and “municipal”; also search remainder of document for other instances of this.
- Review Section 10 to determine if we need to add language regarding people who disagree with a boundary can file an application with the Board of Appeals, who make determinations on boundary locations.
- Clarify that “CEO” means “Code Enforcement Officer”
- Correct reference in Section 12.C(3) third paragraph; it should be “15Q” not “15S”
- Question on whether the word “can” is proper (as opposed to “may”) in 12.C(3)(a). [Ed. note: after reviewing the DEP Guidelines which uses the word “shall” and considering the potential use of the word “may”, the most accurate word to use is “can” since it is a directive as opposed to an option.]
- Same question in Section 12.C(4), with same answer
- Questions on the significance of the various dates in the ordinance:
  - January 1, 1989 in Section 12.C(1)(b)(i), 12.C(c)(i) and (ii) [Ed. note: the statute was amended on this date to limit expansions of structures that don't meet the required setback.]
  - March 1, 2010 in Section 12.E(1), 12.E(2), 12.E(3), 15.D(1), and 15.M(4) [Ed. note: this was the date the Shoreland Zoning Ordinance was adopted in Hampden; it was amended 8/15/2011 and 7/12/2014]
  - December 16, 1991 in Section 12.E(3) [Ed. note: there were some text and map amendments done on this date but not a wholesale change; at this time it was in the Zoning Ordinance.]
  - March 24, 1990 in Section 15.B(4) [Ed. note – this is the effective date of the State of Maine Guidelines for Municipal Shoreland Zoning Ordinances]
- Add the date to Section 12.A (effective date of the ordinance) – this would be March 1, 2010.
- Add the abbreviations to the district descriptions in Section 13.
- Search the ordinance for the term “shall” and replace it with the correct term for each instance.

- Check the references in the table footnotes (Section 14) to ensure they are correct.
- Delete “Local Stream Protection” district from Section 15.B(2)
- Question regarding tributary streams – we do have some and the Guidelines include them throughout the ordinance.
- Question on signage (Section 15.H) – is this stricter than the zoning ordinance? *[Ed. note: the provisions in this section are stricter than the zoning ordinance, and several provisions in the Guidelines are less strict than our (land use) zoning ordinance so are not included in the shoreland zoning ordinance.]*
- To clarify language in Section 15.K, add a definition of “service corridor” to Section 17, Definitions.
- Put in the correct (official) title of the zoning ordinance in Section 15.L(2).
- Delete sentence in parentheses from Section 15.L(3)(a).
- Capitalization of “shoreland zone” *[Ed. note: corrected throughout ordinance, most instances are not to be capitalized.]*
- Capitalize Planning Board in Section 15.M(5).

The meeting was adjourned at 9:15 pm; the remainder of the draft ordinance starting at Section 15.N will be reviewed at the workshop scheduled for June 18.

*Respectfully submitted by Karen Cullen, Town Planner*