



Town of Hampden
Planning and Development Committee
Wednesday May 3, 2017, 6:00 pm
Municipal Building Council Chambers
Agenda

1. Approval of April 19, 2017 Minutes
2. Committee Applications:
 - A. Anthony Ng, Historic Preservation Commission
3. Updates:
 - A. MRC/Fiberight
 - B. Staff Report
4. Old Business:
 - A.
5. New Business:
 - A. Proposed Amendments to Fees Ordinance
 - B. Solid Waste Flow Control Ordinance
6. Zoning Considerations/Discussion:
 - A. Potential Amendment to Definitions
7. Citizens Initiatives
8. Public Comments
9. Committee Member Comments
10. Adjourn

Note: This meeting will be followed by a Town Council budget meeting which is scheduled to begin at 7:00 pm.



Town of Hampden
Planning and Development Committee
 Wednesday April 19, 2017, 6:00 pm
 Municipal Building Council Chambers
Minutes - Draft

Attending:

Committee/Council

Ivan McPike-Chair
 Terry McAvoy
 David Ryder
 Dennis Marble
 Mark Cormier
 Steve Wilde

Staff

Angus Jennings, Town Manager
 Karen Cullen, Town Planner

Public

Bernard Kubetz
 Janet Hughes

Chairman McPike called the meeting to order at 6:00 pm.

1. Approval of April 5, 2017 Minutes – **Motion** to approve as submitted made by Councilor Marble with second by Councilor McAvoy; carried 5/0/0.
2. Committee Applications: Bernard Kubetz for the Board of Appeals. Mr. Kubetz stated he has lived in this area for 40 years and moved to Hampden 2 years ago. He is an attorney and has served on Boards for non-profit organizations. He said he is now in a position to donate more time to his community and is interested in serving on the Board of Appeals.

Motion by Councilor McAvoy to refer the application of Bernard Kubetz to the Town Council for appointment to the Board of Appeals; seconded by Councilor Marble; so voted 5/0/0. Manager Jennings noted this will go to Town Council on May 1.

3. Updates:
 - a. MRC/Fiberight: The application for a modification of the Board Order was approved by the Planning Board last week, to deal with the frontage issue so MRC/Fiberight can obtain a building permit before the roadway is constructed. The next MRC Board meeting is scheduled for April 26; the MOU regarding Hampden's contribution to the infrastructure costs will be discussed at that meeting. Manager Jennings handed out several pieces of correspondence from MRC. He also reported that Fiberight has received FAME commitment for \$45 million in tax-exempt conduit bonds. Manager Jennings also noted that contrary to some communications regarding a potential transfer station at the site, that is very unlikely to happen given the current MRC Board membership.

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b. Staff Report:

- i. Planner Cullen mentioned that the annual stream cleanup event, which is part of our responsibility under the MS4 Permit, will take place on Saturday May 6. Planning for the event is underway.
- ii. Planner Cullen reported that under the direction of Manager Jennings, she has just completed draft amendments to the Fees Ordinance. Manager Jennings added that last year a number of these had been proposed but had not been completed; this is to finish that effort. Discussion on timing for public hearing May 15 along with the proposed changes to the sewer fees; decision to discuss in detail at the P&D meeting on May 3 and take to hearing on the 15th.
- iii. Manager Jennings noted that staff will be attending the Build Maine conference on June 8 & 9; we were recently approached regarding sponsoring the event and after some research staff concluded that this would be a good use of our economic development advertising budget. Being a sponsor allows any town employee or official to attend the Friday session of the conference for free, and Manager Jennings invited the Councilors to consider it.

4. Old Business:

- a. Market study discussion. Manager Jennings said he wanted to take a step back and think about how we think the study should inform Hampden's future. The main points from the discussion included:

- We're headed in the right direction, future growth will be small businesses.
- Hampden shouldn't try to be something we're not – continue to attract small businesses; there may be opportunity for small office complexes.
- There is a need for good restaurants, especially a pub.
- Housing for the older population was cited as a need in the study; the committee agreed and noted there should be good opportunity here with the proximity to medical services.
- There is opportunity for businesses serving people as opposed to other businesses.
- While there is limited opportunity here to attract major businesses, there continues to be opportunity to increase the tax base with high end housing.

5. New Business: Discussion of grant opportunity. Manager Jennings said that at the March Infrastructure Committee meeting a number of grant opportunities were discussed and one of those was for the Coastal Communities grant, which we planned to apply for funding for a planning study of the waterfront area generally from Turtle Head Park north to the Waterfront Marine property. Since then staff has done more research on this grant and has had conversations with a couple of the key landowners. We now have second thoughts about moving forward with an application for this project, for a number of reasons. Among them are a shift in priority away from the Town Center project, a skepticism that a grant application for this will score well enough to receive funding, and potential timing issues with plans for some of the land area.

Janet Hughes was present and provided information to the committee regarding the plans for the Hughes Bros. property for construction of the bases for ocean-bound wind turbines. This has been a research project with UMaine Orono and Cianbro among others, and at this time Cianbro has an

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option to lease the Hughes Bros. site for a couple of years for the purpose of constructing the floating concrete bases for wind turbines.

After discussion, it was decided that this is not the right time to submit an application for a planning grant for potential future redevelopment of this area.

6. Zoning Considerations/Discussion: Report on the Planning Board's Ordinance Committee meeting. The meeting was not held due to lack of a quorum. The proposed amendment that was to be discussed will be on the Planning Board's agenda for their May 10 meeting.
7. Citizen Initiatives: None.
8. Public Comments: None.
9. Committee Member Comments: Councilor McAvoy mentioned that he had attended the broadband meeting this afternoon and asked when the broadband topic would be discussed again. Manager Jennings said it will be discussed at the Services Committee meeting on May 8th. Chairman McPike asked if there has been any news on a replacement for the vacant water board seat; there has not.
10. Adjournment: **Motion** to adjourn at 7:40 pm by Councilor Marble; seconded by Councilor McAvoy, carried 6/0/0.

*Respectfully submitted by
Karen Cullen, Town Planner*

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Town of Hampden
Land & Building Services

Memorandum

To: Planning & Development Committee
 From: Karen M. Cullen, AICP, Town Planner *KMC*
 Date: May 1, 2017
 RE: Amendments to Fees Ordinance

The Fees Ordinance contains numerous fees which are outdated and insufficient to cover the basic cost of providing the service. The following draft amendments are for discussion purposes with the intention of taking these, either as drafted or as further amended, to public hearing at the Town Council on May 15, 2017. A few comments on the proposed amendments:

- The addition of 1.16, regarding hunting on town land, is to cover the cost of preparing and printing (in color) the map booklet showing the location of the various hunting sites.
- The proposed sewer rate increases are incorporated into this document.
- Update the fees for the solid waste flow control ordinance, in light of new developments with the MRC/Fiberight project (see materials in 5/3/2017 P&D packet on that topic).
- Simplify/clarify the fees for subdivisions and for site plans, and to differentiate between a fee and a draw account. Note that the definition of a minor and a major subdivision is given in the Subdivision Ordinance and should not be repeated here, to avoid having to amend two ordinances if the definition should change.
- The fee for Yard Sales is deleted since the Yard Sale Ordinance has been repealed.
- The fees for demolition and earth moving are split, since they are two separate activities.
- The fees for certificates of occupancy and compliance are also split; this proposal goes hand in hand with a zoning amendment proposal currently in process.
- Provides a fee for replacement of lost transfer station stickers, given the frequency of such requests.
- Throughout the ordinance, added provision for applicants to pay the costs for public hearing notification requirements (advertisement for hearing and postage for abutter notices).

**TOWN OF HAMPDEN, MAINE
FEES ORDINANCE**

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- ADOPTED: Hampden Town Council October 20, 1986
Effective: November 19, 1986
- AMENDED: Hampden Town Council December 7, 1987
Effective: January 5, 1988
- AMENDED: Hampden Town Council March 21, 1991
Effective: April 21, 1991
- AMENDED: Hampden Town Council July 6, 1993
Effective: August 5, 1993
- AMENDED: Hampden Town Council December 20, 1993
Effective: January 19, 1994
- AMENDED: Hampden Town Council May 6, 1996
Effective: June 6, 1996
- AMENDED: Hampden Town Council February 7, 1998
Effective: March 18, 1998
- AMENDED: Hampden Town Council November 17, 2003
Effective: December 17, 2003
- AMENDED: Hampden Town Council March 21, 2005
Effective: April 20, 2005
- AMENDED: Hampden Town Council April 4, 2005
Effective: May 4, 2005
- AMENDED: Hampden Town Council October 6, 2008
Effective: November 5, 2008
- AMENDED: Hampden Town Council June 15, 2009
Effective: July 15, 2009

Note, no changes are proposed to Articles 3, 4, or 6 though 9, or Appendix A or B; those pages are not included in this document.

AMENDED:	Hampden Town Council August 3, 2009 Effective: September 2, 2009	
AMENDED:	Hampden Town Council January 19, 2010 Effective: February 18, 2010	
AMENDED:	Hampden Town Council September 19, 2011 Effective: October 19, 2011	8.8.4, 8.9, 8.10, 8.11, 8.15, 8.16.1, 8.16.3, 8.16.5 (new 8.11 added and remainder of Article 8 re-numbered)
AMENDED:	Hampden Town Council April 23, 2012 Effective: May 23, 2012	New 1.13 added and remainder of Article 1 re-numbered, 3.5, 3.6, 3.7, 3.8, 7.2, 7.3, added 7.4 and 7.5
AMENDED:	Hampden Town Staff, November 27, 2012 Effective: December 27, 2012	Deleted Article 8.12 and 8.13
AMENDED:	Hampden Town Council, April 22, 2014 Effective: May 22, 2014	Articles 6.2, 6.3 and 6.4
AMENDED:	Hampden Town Council, September 2, 2014 Effective: October 2, 2014	Articles 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, and 8.16
AMENDED:	Hampden Town Council, December 1, 2014 Effective: December 31, 2014	Articles 3.1, 3.3, 3.5, 3.7 and 3.8; 3.9 and corrected numbering of Article 3; and Articles 4.2, and 4.4
AMENDED:	Hampden Town Council, February 16, 2016 Effective March 17, 2016	Article 2.9
AMENDED:	Hampden Town Council, April 19, 2016 Effective May 19, 2016	Articles 1.8, 1.9, 1.15 (new), 2.3, 2.5, 2.7, 2.8, 2.13, 5.1, 5.2, 8.1, 8.3, 8.4, 8.6, 8.7, 8.10, 8.14, and 8.16
AMENDED:	Hampden Town Council, May 16, 2016 Effective June 16, 2016	Articles 2.6, 2.12.2, 2.12.4, 2.16.2, 2.16.4, 2.16.5, and 2.16.8
AMENDED:	Hampden Town Council, September 8, 2016 Effective October 8, 2016	Article 6.3.8, 6.3.9, and 6.4.4
AMENDED:	Hampden Town Council, February 21, 2017 Effective March 21, 2017	Articles 6.2.1- 6.2.7, 6.3.1 – 6.3.4, 6.3.11

CERTIFIED BY: _____
Paula Scott, Town Clerk

Affix Seal

**TOWN OF HAMPDEN, MAINE
FEES ORDINANCE**

The Town of Hampden hereby ordains:

In addition to those Town fees and charges, the authorization of which is provided for by Town Ordinances, the following schedule of fees for Town services is approved:

Note: All Town Government activities and projects shall be exempt from these fees except in the case where Maine Statutes dictate otherwise.

**ARTICLE 1
ADMINISTRATION**

Amended 11-17-03, 3-21-05, 6-15-09, 4-23-12, 4-19-16

1.1. Business or Corporation filing	State Regulated
1.2. Copy of <u>(Marriage/Birth/Death) Certificate</u> (marriage/birth/death)	State Regulated
1.3. Copy of Subdivision Ordinance	At Cost
1.4. Copy of Zoning Ordinance	At Cost
1.5. Copy of other ordinances	
1.5.1. up to 20 pages	\$0.25/page
1.5.2. and a page after that	\$0.15/page
1.6. Photocopies	
1.6.1. 8 ¹ / ₂ inch x 11 inch or smaller <u>(B&W)</u>	\$0.25/page
1.6.2. 8 ¹ / ₂ inch x 14 inch <u>(B&W)</u>	\$0.50/page
1.6.3. 11 inch x 17 inch <u>(B&W)</u>	\$0.75/page
1.6.4. 8 ¹ / ₂ inch x 11 inch or smaller (color)	\$1.00/page
1.6.5. 8 ¹ / ₂ inch x 14 inch (color)	\$1.25/page
1.7. Marriage License	State Regulated
1.8. Notary Fee	Free for Hampden residents \$3.00 for non-residents
1.9. Record Search	\$15.00/hour (for hours over 1)
1.10. Recording of Pole Permits	\$4.00
1.10.1. 1 st page	\$2.00
1.10.2. Additional pages	\$1.00/page
1.11. Tax Maps	
1.11.1. (11 inch x 17 inch)	\$50.00/complete set
1.11.2. (24 inch x 36 inch)	\$48.00 map
1.12. Compact Disk copies of ordinances or documents	\$5.00

1.13. DVD copies of recorded meetings (Added 4/23/12)	\$3.00
1.14. Liquor License (Amended 6/15/09)	
(Public hearing not required)	\$ 50.00
(Public hearing is required)	\$125.00
1.15. Incoming Faxes	\$1.00/page
<u>1.16. Hunting on Town Land Authorization and Map Book</u>	<u>\$15.00</u>
<u>1.17. Dog Licensing:</u>	
<u> 1.17.1. Spayed/Neutered dog</u>	<u>State Regulated</u>
<u> 1.17.2. Male/Female dog</u>	<u>State Regulated</u>
<u> 1.17.3. Late Fee</u>	<u>State Regulated</u>

ARTICLE 2
FEES FOR ACTIVITIES REGULATED BY TOWN ORDINANCE

Amended 11-17-03, 3-21-05, 6-15-09, 8-3-09, 4-19-16

- 2.1. Animal Control Ordinance**
- 2.1.1. Animal Impoundment Fee \$30.00 for each offense.
- 2.2. Cable Television Ordinance**
- 2.2.1. Initial Franchise Application Filing Fee \$500.00
- 2.2.2. Renewal Franchise Application Filing Fee \$500.00
- 2.2.3. Modification of a Franchise Agreement \$500.00
- 2.2.4. Combined Filing Fee for participating towns \$7,000.00
- 2.3. Cemetery Ordinance**
- 2.3.1. Lot Fees including perpetual care.
- 2.3.1.1. Resident \$325.00
- 2.3.1.2. Resident - Infant or Cremation \$325.00
- 2.3.1.3. Non-Resident \$450.00
- 2.3.1.4. Non-Resident Infant or Cremation \$450.00
- 2.3.2. Interment fees
- 2.3.2.1. Grave Openings Weekdays Adult \$400.00
- 2.3.2.2. Grave Openings Weekdays Infant or Cremation \$125.00
- 2.3.2.3. Grave Openings Weekends or Holidays Adult \$600.00
- 2.3.2.4. Grave Openings Weekends or Holidays Infant or Cremation \$200.00
- 2.3.3. Town Crypt Fees
- 2.3.3.1. Resident Free
- 2.3.3.2. Non-Resident \$50.00
- 2.3.4. Disinterment \$1,000.00
- 2.3.5. Vault Cremation \$400.00
- 2.3.6. Public Works Dept. Labor After 3:00 PM \$35.00/hour
- 2.4. Concourse Gathering Ordinance**
- 2.4.1. Concourse Gathering Permit Fee \$100.00
- 2.5. Floodplain Management Ordinance**
- 2.5.1. Application Fee \$100.00
- 2.5.2. Experts Fee \$500.00 horizontal review
\$1,000.00 vertical review and horizontal review.
This is a draw account established for a professional to establish flood elevation data where possible. Any unspent funds are to be returned to the applicant
- 2.5.3. Cost for public notices and mailings At cost
(Any "at cost" fee must be paid to the Town before the issuance of approved permits or variances, or action on a board order is undertaken).

2.6. Harbor Ordinance		
2.6.1. Private mooring		\$100.00 annual fee.
2.7. Historic Preservation Ordinance		
2.7.1. Certificate of Appropriateness Application Fee		\$75.00
2.7.2. Historic Site or Landmark Designation Application Fee		\$150.00
2.7.3. Cost of public notices and mailings		At cost
2.8. Mobile Home Park Ordinance		
2.8.1. Annual Mobile Home Park License <i>(This includes application review, initial inspection of premises and a follow-up inspection).</i>		\$200.00
2.8.2. Additional Inspection Fee <i>(If the town needs to perform additional inspections as a result of applicant deficiencies, each inspection will be charged prior to the inspection).</i>		\$200.00
2.9. Sewer Ordinance <i>(Amended 8/3/09, 2/16/16)</i>		
2.9.1. Sewer Service Charge Rate <i>(Amended 8/3/09)</i>		\$9.74 11.60 per 100 cubic feet of water (c.f.w.) consumed as indicated by consumer's water meter.
2.9.1.1. Sewer Charge Flat Rate Town Water No Meter		\$108.56 111.29
2.9.1.2. Sewer Charge Flat Rate Well Water No Meter		\$178.19 182.66
2.9.2. Sewer Service Capital Charge		
2.9.2.1. Base Rate for 1 to 2,999 c.f.w. consumed		\$0.00
2.9.2.2. 3,000 to 5,999 c.f.w. consumed (double base)		\$0.00
2.9.2.3. 6,000 to 8,999 c.f.w. consumed (triple base)		\$0.00
2.9.2.4. Other c.f.w. amount		\$0.00
2.9.3. Sewer Service Minimum Charge Rate		\$30.62
2.9.4. Sewer Service "Ready to Serve" Charge		\$30.62
2.9.5. Special Sewer Service Charge <u>(Sewer Ord. Sec. 10.4)</u>		As determined by Town Council.
2.9.6. Sewer Service Charge Rate Outside Town Limits		As determined by Town Council.
2.10. Solid Waste Flow Control Ordinance		
2.10.1. License Application Fee <u>(one-time fee, Per Vehicle)</u>		\$100.00
2.10.2. Annual License Fee Per Vehicle		\$25 100.00
2.11. Special Amusement Ordinance		
2.11.1. Permit Application Fee		\$50.00
2.12. Subdivision Ordinance		
2.12.1. Subdivision Sketch Plan		No Charge
2.12.2. Minor Subdivision <i>(Less than 5 lots and no public improvements).</i>		\$100.00 plus \$20.00/acre per lot
2.12.3. Minor Subdivision Review/Inspection Draw		not required.

2.12.4. Major Subdivision Preliminary Plan		
	<u>on existing road</u>	\$150.00 plus \$50.00/lot plus
	<u>with new road</u>	\$500.00 plus \$50.00/lot
	(Five or more lots and/or public improvements).	
	<u>Draw Account Deposit (for technical review)¹</u>	\$1,000.00 <u>\$2,000.00</u> peer technical review draw account or in such greater amount as determined based on type of peer review needed (i.e. traffic, stormwater etc).
2.12.5. Major Subdivision Final Plan		Fee based on 10% of estimated
	(Review/Inspection Draw Account)	cost of completing all on site public improvements plus 10% of estimated cost of completing all off site public improvements.
	<u>Following Preliminary Plan</u>	\$150.00 plus \$20.00 per lot
	<u>If no Preliminary Plan</u>	\$500.00 plus \$50.00 per lot
	<u>Draw Account Deposit (for technical review)¹</u>	<u>None if Preliminary Plan completed and no significant modifications to infrastructure made; otherwise \$2,000.00.</u>
2.12.6. Major Subdivision Final Plan		Fee based on 10% estimated
	(Mobile Home Park Construction Review/Inspection Draw Account)	cost of completing all on site improvements plus 10% of estimated cost of completing all off site improvements.
2.12.6	<u>Cost for public notices and mailings</u>	<u>At cost</u>

2.13. Victualers Ordinance (Amended 6/15/09, 4/19/16)

2.13.1. Victualers License Application		
2.13.1.1.	Public hearing not required	\$100.00
2.13.1.2.	Public hearing is required	\$150.00
2.13.1.3.	Cost for public notices and mailings	At cost

The above fees include all inspections required by Town of Hampden Victualers Ordinance. If an inspection is performed and the Code Enforcement Officer or Fire Inspector, or their alternate, believe a reinspection is needed because of a fault of the applicant or agent then a fee per 2.16.5 will be charged and due prior to the issuance of the Victualers License.

¹ In addition to the Planning Board application fees the applicant must make a deposit for a Peer Technical Review draw account when the nature of the review exceeds the technical capability of Town personnel. Applications which require subsequent re-review of additional information, or amended submittals shall be responsible to provide additional funds to cover the full peer review costs. Upon exhausting in excess of 75% of the funds in the original deposit, the applicant shall provide additional funding increments of 50% of the original deposit. Any remaining funds held in the draw account upon completion of the review process shall be returned to the applicant.

2.14. Waste Disposal Facility Licensing Ordinance

2.14.1. Application Fee \$50,000.00

This is a draw account to be used by the Council to hire consultants as necessary to review the proposal. If at any time balance drops to \$10,000.00 the applicant shall deposit an additional \$10,000.00. Any unexpended balance shall be returned after a final decision on the application is rendered.

~~2.15. Yard Sale Ordinance~~

~~2.15.1. Permit Fee \$5.00~~

2.16. Zoning Ordinance

2.16.1. Building Permit Applications for all Construction \$25.00 plus \$0.10 per sq. ft. of total building area including but not limited to finished areas, basements, attics, decks, pools, porches, sheds, garages, etc.
State Regulated

(Plumbing Permit Application)

2.16.2. Demolition/Earth Moving Permit Application

2.16.2.1 Demolition/ Earth Moving (residential-with sewer connection)	\$100.00
2.16.2.2 Demolition/ Earth Moving (residential-no sewer connection)	\$ 50.00
2.16.2.3 Demolition/ Earth Moving (commercial)	\$150.00
2.16.2.4 Earth Moving (Code Enforcement Issued)	\$100.00
2.16.2.5 Earth Moving (Planning Board Issued)	\$200.00

2.16.3. Sign Permit Application \$25.00 per sign

2.16.4. Certificate of Compliance or Occupancy

2.16.4.1 Certificate of Compliance Application \$100.00

(Change of use, resumption of use, new use without building permit application)

2.16.4.2 Certificate of Occupancy Application \$100.00

2.16.4.3 Dual applications (filed together) \$150.00

2.16.5. Additional Inspections \$35.00 per hour per inspector
(If the town needs to perform additional inspections as a result of applicant deficiencies, each inspection will be charged prior to the inspection).

2.16.8. Zoning Board of Appeals Variance Application

2.16.8.1. General Variance	\$250.00
2.16.8.2. Dimensional Variance	\$250.00
2.16.8.3. Disability Variance	Free
2.16.8.4. Administrative Appeal Application	\$250.00
2.16.8.5 Cost for public notices and mailings	At cost

2.16.9. Zoning Ordinance Map ~~or Text~~ Amendment Request

2.16.9.1 Amendment Application \$650.00

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2.16.9.2	Cost for public notices and mailings	At cost
2.16.10. Site Plan Review Applications		
2.16.10.1.	Minor Development <i>This includes reuse proposal or new structures with less than 3,000 sq. ft., and total site improvements of less than 5,000 sq. ft</i>	\$75.00
2.16.10.2.	Major Development <i>This includes new structures in excess of 20,000 sq. ft or developments with more than 50,000 sq. ft. of site improvements</i>	\$500.00
2.16.10.3.	All Others	\$150.00
2.16.10.4	Draw Account Deposit (for technical review) ²	
2.16.10.4.1	General Engineering	\$800.00
2.16.10.4.2	Stormwater Analysis <i>(Where proposed use disturbs more than one acre of land).</i>	\$600.00
2.16.10.4.3	Traffic Analysis <i>(Where proposed use will generate at least 350 average daily trip ends).</i>	\$1,000.00
2.16.10.4	Cost for public notices and mailings	At cost
2.16.11. Commercial Secure Landfill Applications \$0.005/cubic yard of capacity <i>(Application to expand or construct a Commercial Secure Landfill in addition to the above fees).</i>		
2.16.11.1	Cost for public notices and mailings	At cost
2.16.12. Peer Technical Review Draw Accounts <i>(In addition to the Planning Board application fees the Town shall assess a Peer Technical Review draw account accompanying a complete application as defined by ordinance and prior to review by the Board based on the following schedule. Applications which require subsequent re-review of additional information, or amended submittals shall be responsible to provide additional funds to cover these full peer review costs. Upon exhausting in excess of 75% of the funds in the original submittal, the applicant shall provide additional funding increments of 50% of the original fee. Any remaining fees held in the account upon completion of the review process shall be returned to the applicant).</i>		
2.16.12.1.	Engineering Analysis <i>(Where the staff or planning board requires an Engineering Analysis</i>	\$600.00.

² In addition to the Planning Board application fees the applicant must make a deposit for a Peer Technical Review draw account when the nature of the review exceeds the technical capability of Town personnel. Applications which require subsequent re-review of additional information, or amended submittals shall be responsible to provide additional funds to cover the full peer review costs. Upon exhausting in excess of 75% of the funds in the original deposit, the applicant shall provide additional funding increments of 50% of the original deposit. Any remaining funds held in the draw account upon completion of the review process shall be returned to the applicant.

- ~~based on any on-site or off-site impacts).~~
- 2.16.12.2. ~~Stormwater Analysis~~ ~~\$500.00.~~
~~(Where the staff or planning board
requires a pre-development and
post-development storm water
impact study based on 2 acres of
proposed impervious surface or
other local stormwater drainage problems).~~
- 2.16.12.3. ~~Traffic Analysis~~ ~~\$1,000.00.~~
~~(Where the staff or planning board
requires a Traffic Impact Study
based on 100 peak hour trips
generated on-site or other known
local traffic congestion problems).~~

ARTICLE 5
PUBLIC WORKS
Amended 11-17-03, 4-19-16

5.1. Additional Fees

5.1.1.	Public Works Dept. Labor After 3:00 PM	\$200.00 per person (up to 4 hours); \$50.00 per person per hour for every hour above 4.
5.1.2.	Street Opening/Utility Connection Permit	\$50.00
5.1.3.	Sewer Connection	Determined based on proposed use and flow in accordance with Sewer Connection Fee Calculation Worksheet and Sewer Connection Fee Schedule.

5.2. Solid Waste Fees

5.2.1.	Business Companies Hauling Trash	\$200.00/annually
5.2.2.	Business Hauling directly to Pine Tree Landfill or to the transfer station	\$25.00/annually
5.2.3.	Non-resident Business working on Hampden Project (temp permit)	\$25.00/annually
5.2.4.	Resident Transfer Station Sticker	\$10.00
5.2.5.	<u>Replacement of lost Transfer Station Sticker</u>	<u>\$5.00</u>

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Angus Jennings <townmanager@hampdenmaine.gov>

Revision to Local Flow Control Ordinances

1 message

Greg Louder <glouder@mrcmaine.org>

Fri, Apr 28, 2017 at 2:16 PM

Reply-To: glouder@mrcmaine.org

To: Catherine Conlow <cathy.conlow@bangormaine.gov>, Karen Fussell <kfussell@brewermaine.gov>, Sophie Wilson <sophiew@orono.org>, Angus Jennings <townmanager@hampdenmaine.gov>

Hi all –

Steve from Fiberight just called to share that the matter of existing ordinances directing MSW to PERC has been raised as a condition that could frustrate timing of close.

Can each of you provide me an estimate of the soonest possible time that your respective city/town could adopt revisions to your flow control/solid waste ordinances?

Thanks

Greg



Angus Jennings <townmanager@hampdenmaine.gov>

Re: Revision to Local Flow Control Ordinances

1 message

Angus Jennings <townmanager@hampdenmaine.gov>

Fri, Apr 28, 2017 at 3:00 PM

To: glounder@mrcmaine.org

Cc: Catherine Conlow <cathy.conlow@bangormaine.gov>, Karen Fussell <kfussell@brewermaine.gov>, 'Sophie Wilson' <sophiew@orono.org>

Greg,

Hampden's ordinance is online here:

http://www.hampdenmaine.gov/vertical/sites/%7B1FCAF0C4-5C5E-476D-A92E-1BED5B1F9E05%7D/uploads/Solid_Waste_Flow_Control_Ordinance.pdf

Once we have proposed revised language, this would need to be referred by a Committee to the Council, then to public hearing. Once voted by Council, per our Charter the changes won't take effect for 30 days.

The soonest a Council hearing could be held would be June 5 but that will rely on the Planning & Development Committee have proposed language for referral by May 3. My town, sewer and capital budgets are due Monday and budget workshops start May 3 so this would almost certainly rely on MRC providing suggested language. If we do this ourselves, a hearing date of June 19 is more achievable. In either case the effective date of the ordinance amendments would be July 5 or July 19.

If language can't be available by May 3, we could still hit the June 4 hearing date if amendments were referred by the Finance Committee May 15 (which would need revised language by May 11) with Council referral to hearing later that same night. This wouldn't normally be the referring Committee but I think would work ok.

We have had this ordinance amendment in our workplan for FY18 for some time, knowing the changes would need to take effect well enough in advance of April 1, 2018 to enact licensing requirements for haulers (since this ordinance has not been enforced for many, many years).

If this is a critical path issue for financing, won't such ordinance amendments also be required from all municipalities that have committed MSW to Fiberight?

Angus

--

Angus Jennings
Town Manager

Sent from mobile device

Town of Hampden
106 Western Avenue
Hampden, ME 04444
(207)-862-3034
townmanager@hampdenmaine.gov

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On Apr 28, 2017, at 2:16 PM, Greg Louder <glounder@mrcmaine.org> wrote:

Hi all –

Steve from Fiberight just called to share that the matter of existing ordinances directing MSW to PERC has been raised as a condition that could frustrate timing of close.



Angus Jennings <townmanager@hampdenmaine.gov>

Re: Revision to Local Flow Control Ordinances

1 message

Greg Lounder <glounder@mrcmaine.org>

Fri, Apr 28, 2017 at 4:21 PM

To: Angus Jennings <townmanager@hampdenmaine.gov>

Cc: Catherine Conlow <cathy.conlow@bangormaine.gov>, Karen Fussell <kfussell@brewermaine.gov>, 'Sophie Wilson <sophiew@orono.org>

All. We'll be drafting too right away to share with all. We drafted local model few years back that we'll pull off the shelf. Could save local cost of drafting?

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: Angus Jennings <townmanager@hampdenmaine.gov>

Date: 4/28/17 4:09 PM (GMT-05:00)

To: Greg Lounder <glounder@mrcmaine.org>

Cc: Catherine Conlow <cathy.conlow@bangormaine.gov>, Karen Fussell <kfussell@BrewerMaine.gov>, 'Sophie Wilson <sophiew@orono.org>

Subject: Re: Revision to Local Flow Control Ordinances

I did reach out to the Town Atty this afternoon to see if they'd be in a position to prepare amendments on a short timeline; will pick this up with them Monday.

-

Angus Jennings
Town Manager

Sent from mobile device

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106 Western Avenue
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townmanager@hampdenmaine.gov*

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On Apr 28, 2017, at 3:29 PM, Greg Lounder <glounder@mrcmaine.org> wrote:

Thank you Angus. It's only a material issue close the middle of the service area in communities with significant quantities of commercial tons that don't flow through transfer stations. These 4 four communities would cover most of the issue.

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: Angus Jennings <townmanager@hampdenmaine.gov>

Date: 4/28/17 3:00 PM (GMT-05:00)

To: glounder@mrcmaine.org



Angus Jennings <townmanager@hampdenmaine.gov>

RE: Revision to Local Flow Control Ordinances

1 message

Edmond J. Bearor <ebearor@rudmanwinchell.com>

Sun, Apr 30, 2017 at 12:52
PM

To: Angus Jennings <townmanager@hampdenmaine.gov>
Cc: "Lynn E. Brochu" <lbrochu@rudmanwinchell.com>, "Katie R. Foster"
<krfoster@rudmanwinchell.com>

Angus: Happy sunny Sunday afternoon.... So, we probably can't have anything by the 3rd of May for consideration by the P&D Committee. But we can have something in a week or so. I have taken a look at Hampden, Bangor and Brewer ordinances. All direct municipal solid waste to PERC and, as I understand it, we now need to modify Hampden's ordinance to direct MSW to the Fiberight Facility. We can do that by modifying a little as possible about the existing ordinance and essentially change PERC to Fiberight, or we can examine other ordinances and see if there are provisions worth considering in the process of updating the town's existing ordinance. Let me know. I do want to be clear, that we will not be doing exhaustive research to opine on whether the Flow Control Ordinance is Constitutional or that it will otherwise survive an attack by outside forces, such as commercial haulers. My brief look into this concept a while back leaves me thinking that a municipality can direct to a municipally owned facility. If that is a correct recollection/interpretation of the case law, the question would be whether the Fiberight facility would equate to municipally owned. Obviously, on its face it is not a municipally owned facility, but the argument can easily be made that the cost of disposal is beyond the financial ability of any one town or collection of towns and that the contractual arrangements made by the cooperating towns and cities is the functional equivalent of a facility owned by the towns and therefore directing solid waste to Fiberight is a constitutional exercise by each town. As I write this, I am quickly concluding that if such an opinion is sought it should come from MRC's attorneys.

Let me know if a week or so to turn around a draft and if you want us to modify the existing ordinance a s little as possible, or whether a more comprehensive review and drafting would be preferred.