

Proposed Changes



The most significant change to the procedural requirements is in the site plan review section, which is being reorganized and a third level of review is being added for small projects that will have little or no impact on the neighborhood. These "minor site plans" will be reviewed and acted upon by a new Staff Review Committee.

Building Permit



Many proposed projects only need a building permit. These are obtained under the regulations of the State Building Code, from the Land & Building Services Office. During the course of the review, the Code Enforcement Officer will determine whether other approvals are necessary under the Zoning Ordinance. It is important to contact the Code Enforcement Officer early in the planning process for your project to find out what requirements you need to follow. Note, the Land & Building Services Office also issues a variety of other permits, such as those for signs, swimming pools, fences, and plumbing.

There are several different procedures one may need to follow to obtain approval for development. This brochure provides a brief description of site plan review, conditional use, variance, and building permit. With the exception of building permits, the proposed amendments include changes to make it easier to obtain these approvals.

Planning Board - 2018

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Town of Hampden



2018 Zoning Ordinance Amendments

Making Hampden's zoning user friendly and understandable.

Approval Procedures

A guide to the permitting procedures in the Zoning Ordinance

Site Plan Review

The purpose of site plan review is to protect the health, safety, convenience, and general welfare of the inhabitants of

Hampden by ensuring that the design of multi-family residential and all nonresidential development does not create safety hazards, significant impacts on the environment, public infrastructure, or abutters.

Issues dealt with during site plan review include site layout, traffic impacts to the adjacent roadway, vehicular and pedestrian circulation on the site, landscaping and buffering, lighting, placement of signage, stormwater management, snow storage, and placement of utilities.

The proposed zoning ordinance includes three categories of site plans: minor revisions (to previously approved site plans), minor site plans, and major site plans. Minor revisions and minor site plan projects do not create the same level of impact as a major site plan, and therefore do not require a public hearing, which is required for a major site plan. Review for minor revisions are by the Code Enforcement Officer, minor site plans by a new Staff Review Committee, and major site plans by the Planning Board.



Conditional Use

There are many uses which may be acceptable in a given zoning district, provided certain conditions are met or impacts on abutters are mitigated. These uses are approved by conditional use approval, granted by the Planning Board.

All conditional uses require a public hearing which must be advertised in accordance with state laws. The hearing allows abutters to hear what the proposal is, offer comments, and ask questions. The Planning Board takes such comments into consideration in making its decision. The Board can approve, approve with conditions, or deny a conditional use, although denials are uncommon since the purpose is to ensure a particular use will not adversely impact the neighborhood, and usually there are mitigation measures that can be taken to allow the use to be established. Conditions typically address factors such as buffering, lighting, modifications to the visual appearance of the structure or site, hours of operation, and other similar issues. In the past, conditional use permits were granted as part of the site plan review process; going forward they will be separate processes but for projects requiring both, a combined review will be done and a single public hearing held.



Variance

A variance is a type of approval that grants relief from certain requirements of the zoning ordinance. Most variances require a public hearing, and are granted by the Board of Appeals.

Hampden has three types of variances: general, dimensional, and disability. A general variance applies to specific sections of the ordinance and is difficult to get since the applicant must prove “undue hardship” and that the property cannot yield a reasonable return without the variance. A dimensional variance applies to §3.4.1, Table of Dimensional Requirements (except height) and the applicant must prove “practical difficulty” including the absence of any other feasible alternative.

Disability variances are divided into two types: those for vehicle storage, where a proposed garage will encroach setbacks or exceed building coverage standards, and those for construction of ramps or other means of providing access to a dwelling for a disabled person. Vehicle storage variances are granted by the Board of Appeals while dwelling accessibility variances are granted by the Code Enforcement Officer through the issuance of a building permit.

