

Town of Hampden

PLANNING & DEVELOPMENT COMMITTEE MEETING

Wednesday, June 5, 2019

6:00 P.M.

HAMPDEN TOWN OFFICE

AGENDA

1. Approval of Minutes
 - a. April 3, 2019 Meeting (no May meeting)
2. Committee Applications
 - a. Ladoiya Wells
 - i. for the Planning Board as a full member, to serve out the remainder of an unexpired term, to Dec 31, 2021
 - ii. for the Board of Appeals as a full member with a three year term
 - b. Brent Wells
 - i. for the Planning Board as a full member, to serve out the remainder of an unexpired term, to Dec 31, 2019
 - ii. for the Historic Preservation Commission as a full member to serve out the remainder of an unexpired term to Dec 2020
3. Citizen's Initiatives
4. New Business
 - a. Refer to Council endorsement of the Proclamation on Carbon Fee and Dividend Proposal before the U.S. Congress – Councilor Jarvi
 - b. Discussion on safety issues at 676 Main Road North
 - c. Pine Tree Landfill Environmental Monitoring Report
5. Unfinished Business
 - a. Town Center Plan / Market Study evaluation
6. Zoning Considerations/Discussion
7. Staff Updates
 - a. MRC/Fiberight
 - b. Staff Report
8. Manager Items
9. Public Comments
10. Committee Member Comments
11. Adjourn



Town of Hampden
Planning and Development Committee

Wednesday April 3, 2019, 6:00 pm
 Municipal Building Council Chambers

Minutes

Attending:

Committee/Council

Eric Jarvi - Chair
 Dennis Marble
 Terry McAvoy
 Ivan McPike
 David Ryder

Staff

Karen Cullen, Town Planner
 Jim Chandler, Town Manager

Public

Chance Sudbeck

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

1. Minutes for the March 6, 2019 meeting – **Motion** to approve as submitted made by Councilor Marble; second by Councilor Ryder; carried 5/0/0.
2. Committee Applications: None
3. Citizen's Initiatives: None
4. New Business:
 - a. Town Center project – next steps. Chairman Jarvi asked the committee if it was appropriate to refer the plan to the full council for endorsement. After discussion the committee consensus was that at this time there is nothing for the Council to take action on, so the best approach is for Chairman Jarvi to report at the next Council meeting on the discussion from tonight's meeting. The committee then discussed the best way to move forward, noting they do not want the plan to get shelved and forgotten. Discussion points, which included comments from Hampden Academy student Chance Sudbeck, were:
 - i. Pedestrian routes and safety are central to creating a community center (a place which fits the vision of the town center plan). Some improvements will be part of infrastructure projects now programmed or planned; this will reduce costs.
 - ii. Some of the existing buildings seem out of place, out of character with the rest of the area.
 - iii. The school campus is a primary driver of the traffic concerns in the town center area, but since it is a main thoroughfare from Winterport other issues come into play, such as high volumes of heavy truck traffic. Campus circulation patterns play a major role and future changes to it should be coordinated with the town in light of improving conditions in the town center.
 - iv. Trails within the Four Mile Square, including the snowmobile trail, could likely have greater usage by the public; will require coordination with the snowmobile club, landowners, and volunteers to maintain walking paths throughout the growing season.

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- v. This plan needs to be considered in context with the results of the market study that was completed a couple years ago, to ensure we are not trying to create a town center that will never be able to support the businesses or land uses we think should be located there.
 - vi. Housing needs to be considered as well; the need to increase the population within the town center and in close proximity to it is crucial to creating a successful town center. Such housing needs to be high density, and a mixture of market rate and workforce housing should be considered.
 - vii. The town currently has no staff dedicated to direct the implementation of this project, which is a problem and will slow our efforts. However, being methodical and carefully considering potential actions is important to the success of any efforts to improve the town center area.
 - viii. A citizen group consisting of businesses, residents, students, and others as recommended in the plan will be a key player, but it is more sensible for the committee to flesh out the related elements of the market study and town center plan and create a blueprint of sorts to provide guidance to the new group. It was felt that a reasonable timeframe for getting to the point of recruiting volunteers would be this fall. Chance Sudbeck said the students at the school would likely be very interested in participating, and noted several existing groups and other resources for recruitment and assistance.
 - ix. There may be some TIF revenues available for use in implementing some of the plan recommendations (e.g. crosswalks); to be discussed further during the budget process.
 - x. Consensus of committee is to discuss further at the June meeting, once the correlation of the market study and town center plan is completed by staff.
5. Unfinished Business: None
6. Zoning Considerations/Discussions:
- a. Mayor McPike noted that there are now some ducks being kept at a property in the town center and he is concerned that chickens and ducks have the potential of being nuisances; staff will consider this issue when the town center zoning amendments are being developed.
7. Updates:
- a. MRC/Fiberight:

It was noted that the proposed revisions to the site plan, including using a portion of the truck yard for outdoor storage of “non-odorous single stream recyclables, will be addressed by the Planning Board at their May 8th meeting and will be a public hearing. All of the people who were originally notified will be notified of the hearing again, rather than just the abutters within 300 feet as required.

Manager Chandler noted they are nearing the completion of the process for the sewer easement through Ammo Park, and are working on easements in the roadway area for public utilities that are in the right-of-way since the road has not been accepted as a Town Way. He added staff is still waiting on other information related to building and fire suppression issues.

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Discussion on the continued delays in opening the facility, and at what point does it become a transfer station – regardless of whether the material undergoes some sorting or other processing prior to being shipped out to another waste facility (e.g. landfill). Councilors expressed concern that MRC/Fiberight is not being open and honest with Hampden in regards to when they will open, noting multiple opening dates that keep getting pushed back.

- b. Staff Report: Planner Cullen reported she is still working with the DEP for the final determination on the shoreland zoning map, but she expects to be able to move it and the other zoning ordinance amendments through the hearing process with the Planning Board in time for them to refer to P&D for the June or July meeting.

8. Manager Items:

- a. Manager Chandler reported that the extension of the water main along Route 202 to the Business Park is moving forward after some issues with DOT. However now they are dealing with an area of ledge that is in the original layout of the water main, which may cause relocation around that area.

9. Public Comments: None

10. Committee Member Comments:

- a. Councilor McAvoy inquired why there is Public Works SUV without a decal on the door that is apparently being used for town business; Manager Chandler said he will look into it.

11. Adjournment: Chairman Jarvi adjourned the meeting at 7:28 pm.

*Respectfully submitted by
Karen Cullen, Town Planner*

Items from this meeting for June 5, 2019 P&D meeting:

- Agenda Items:
 - Town Center project – correlation with Market Study
- Staff Report:
 - none

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Check One: Initial Application
 Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Wells LAST Brent FIRST E MI

ADDRESS: 174 Old County Rd. STREET ME TOWN 04444 ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: (207) 852-3191 HOME NA WORK

EMAIL: doshaw@gmail.com

OCCUPATION: currently on disability

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Board of Appeals

SECOND CHOICE (OPTIONAL): Recreation Committee

How would your experience, education and/or occupation be a benefit to this board or committee? Because I am disabled, I am uniquely aware of access issues for disabled individuals that both the Board and the Committee are asked to respond to.

Are there any issues you feel this board or committee should address, or should continue to address? I am especially concerned about disability rights/access and would like to see both committees address this issue.

3 YEAR

BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
HARBOR COMMITTEE

DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMISSION

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>SEP 05 2017</u>
COUNCIL COMMITTEE ACTION: <u>P & D - referred to Council</u>	DATE: <u>9/20/17</u>	
COUNCIL ACTION: <u>Appointed</u>	DATE: <u>10/2/17</u>	
<input checked="" type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: <u>12/31/2020</u>

Expires 2020

Proofed Version of the Proclamation on Carbon Fee and Dividend Proposal before the U.S. Congress

WHEREAS, Maine recognizes that the health of our citizens is dependent on the high quality of our air, water, and natural resources and that the health of much of the state's economy, including agriculture, forestry, fishing and tourism are favored by a stable climate; and

WHEREAS, the University of Maine's Climate Change Institute agrees with the consensus of climate scientists worldwide, that the climate is rapidly changing as the result of increased concentration of pollutant emissions of carbon dioxide and other greenhouse gases derived from burning carbon fuels; and

WHEREAS, the State of Maine has pursued efforts through the Regional Greenhouse Gas Initiative to reduce the burning of carbon fuels for generation of electricity, and is on target to reduce all emissions to 10% below 1990 levels by 2020, with a targeted 80% reduction by 2050; and

WHEREAS, putting a price on carbon fuels is widely accepted by economists as being the most effective means to achieve this goal; with revenues returned to the economy through equitable dividends distributed to households; and

WHEREAS, the carbon-fee-and-dividend proposal is expected to be revenue-neutral, effective, good for people, good for the economy, and bipartisan;

NOW THEREFORE BE IT RESOLVED that the Town of Hampden

1. Strongly urges the U.S. Congress to enact a carbon fee and dividend system (HR 763) that both:
(a) reduces CO₂-equivalent emissions to 10% of 1990 levels; and (b) encourages similar actions by other nations trading with the United States by suitable carbon-content-based tariffs for imports from, and rebates for exports to, nations that have not taken similar actions; and
2. That the U.S. Congress implement this policy with the speed appropriate to the gravity and urgency of the situation, and in recognition of the benefits that will be realized by a transition to clean energy.

D/C Scott Webber
 Inv. Joel Small
 Ofc. Ben Eyles
 Ofc. Marc Egan
 Ofc. David Mushrall
 Ofc. Monic Christian

Sgt. T.D. Stewart
 Ofc. J.D. Burke
 Ofc. Shawn Devine
 Ofc. Wm. Miller
 Ofc. Tony Lorenz



Lt. Dan Pugsley, Jr.
 Lt. Jason Lundstrom
 FF Jared LeBarnes
 FF Shaun McNally
 FF Matt Roope
 FF Gavin Webb
 FF Ken Roy
 FF Oliver Bianchi

Lt. Matt St.Pierre
 CH. Joe Dunton
 FF Matt Thomas
 CEO Myles Block
 FF Chris Liepold
 FF Ed Gardella
 FF Chad Spann
 FF Mike Simmons

Kandy McCullough, Office Manager
 Chief Christian Bailey, Director of Public Safety

POLICE

FIRE

EMS

CODE ENFORCEMENT

LOCAL HEALTH OFFICE

Memorandum

To: Planning and Development Committee
 From: Lt. Jason Lundstrom, Fire Inspector *JL*
 Myles Block, Code Enforcement Officer *MB*
 Date: May 30, 2019
 CC: Chief Chris Bailey, Public Safety Director
 Re: Status of 676 Main Rd N

The early morning of 2/23/19 the single-family dwelling at 676 Main Rd N was partially destroyed by fire. Since that time the Fire Department Investigators examined the cause of the fire and returned the structure back to the control of the owner, James Butler, Jr.

We have had no contact with the owner of the building since that time. Unfortunately, the Town of Hampden does not have a Code Enforcement mechanism to have the building secured or removed because of a lack of an ordinance or section in an existing ordinance allowing that.

The only mechanism the Town has is to have the Council deem the structure as a dangerous building under 17 M.R.S. §2851-2859; if the Council would like to pursue this action the Code Enforcement Team can start that process for you. When a building is deemed dangerous it give the Town/Council the power to secure the building and up to demolition of the building and then assess a "special tax" on the property to recoup the costs.

	<u>Drumlin Environmental, LLC</u> <i>Hydrogeologic and Engineering Consultants</i> Soil Metrics, LLC	
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REVIEW MEMORANDUM

To: Jim Chandler & Hampden Environmental Trust
From: Matt Reynolds
Date: May 27, 2019
Subject: Pine Tree Landfill –Initial Review of 2018 Annual Report

As you requested, I have done an initial review of water quality data from the Pine Tree Landfill (PTL) site from sampling events conducted in October 2018 and April 2019. Jeff Pelletier of New England Waste Services of Maine (NEWSME) also provided a copy of the 2018 Annual Monitoring Report for the PTL site and I have done an initial review of that report as well. An overview of recent site data based on these reports is provided below.

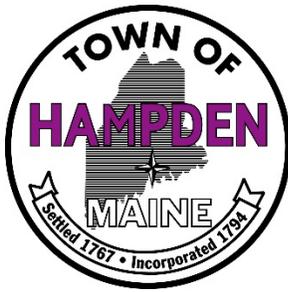
- In order to improve water quality around the landfill site, NEWSME extracts groundwater from 6 extraction wells and the perimeter underdrain. During 2018, NEWSME increased groundwater withdrawal from the 6 extraction wells by 29% compared to 2017, extracting 2.04 million gallons of groundwater. NEWSME also extracts landfill gas (LFG) from 4 gas extraction wells and in 2018 increased gas extraction compared to 2017.
- The majority of the data from monitoring wells around the landfill show that groundwater quality in 2018 was similar to groundwater quality in 2017. For most locations, this represents improved conditions compared to 2011, which was the first year that the landfill was closed. However groundwater quality at most locations remains significantly above the criteria established by the Maine Department of Environmental Protection for successful corrective action.
- During 2018 there were 3 of the 22 groundwater monitoring wells that were below the corrective action criteria for specific conductance of 500 umhos/cm during at least one of the sampling events. There are 4 additional monitoring wells that have been below this criteria in one or more sampling events in the last few years. However, 12 of the 22 wells continue to have specific conductance concentrations above 1000 umhos/cm.
- There were 4 of 22 wells that have a statistically significant 5-year trend of improving water quality as measured by specific conductance and 3 of 22 wells that have an improving 5-year trend as measured by dissolved methane. All of the wells with improving 5-year trends are located to the south of the landfill.
- During 2018 there were 7 of 22 monitoring wells where the data indicated a 5-year trend of increasing specific conductance concentration. Several of the wells with increasing specific conductance trends are to the north or west of the landfill in

locations that are not downgradient from the landfill and where non-landfill activities (e.g., Route 95) may also influence water quality.

- As noted in previous reviews, there are a several wells (MW-03-802B, MW03-803A, MW03-803B, MW03-804A) near the southwest side of the landfill that have exhibited a persistent trend of increasing concentrations over the past several years, and this trend continued in 2018. In June 2016, a seep was discovered originating from the landfill cover system near these wells. In July 2016, the cover was repaired and the impacted soil was excavated and removed. The 2016 Annual Monitoring Report suggested that this seepage may have been responsible in part for the increasing trend, which was expected to decline following the repairs and soil removal. However, the increasing trend persists in these wells. This suggests that the repair was incomplete or that there is a different condition that is responsible for the increasing trend in these wells.
- Following closure of PTL in 2010, on-site monitoring wells showed increasing concentrations of arsenic. At the request of the MEDEP, NEWSME conducted additional on- and off-site sampling for arsenic in 2014, 2015 and 2016. During 2018 (and 2017), water quality monitoring detected significantly lower arsenic concentrations comparison to the 2014 to 2016 period.
- During 2018, NEWSME recirculated approximately 371,000 gallons of leachate back into the landfill using leachate recirculation trenches 2 and 3. This was approximately 10% of the 3.4 million gallons proposed in the 2017 Annual Report. The decrease in recirculation was reportedly due to staffing limitations and a reduced need for fuel at the on-site gas-to-energy facility. The 2018 Annual Report proposes to recirculate up to 3.4 million gallons of leachate during 2019, as feasible considering staffing levels and fuel needs.

The PTL site was closed in 2010 and 2018 represents the 8th year of the 30-year post closure monitoring period. The overall trend of water quality monitored in association with the landfill represents slow improvement. The current corrective actions, including groundwater and gas extraction, are having a positive influence on water quality, but it is premature to conclude that these corrective actions will be sufficient to achieve the criteria established by the MEDEP within the 30-year post-closure period. The area to the southwest of the landfill monitored by the 802-, 803- and 804-series wells continued to exhibit an increasing trend during 2018. NEWSME and their engineers Sevee & Maher Engineers propose to continue monitoring to gather data to better understand the conditions that are causing this trend.

The items discussed above provide an overview based on our initial review of the 2018 data and Annual Report. As we have done in the past, we will prepare a more complete review memorandum and will provide that to you and the Environmental Trust. If you or the Trustees have any questions during or following your upcoming meeting, please feel free to call or email me at any time.



Town of Hampden

Town Planner

Memorandum

To: Planning & Development Committee
 From: Karen M. Cullen, AICP, Town Planner *KMC*
 Date: May 30, 2019
 RE: Town Center Planning Project and the Town Wide Market Study

At the April P&D meeting, it was decided that a prudent way to move forward with the Town Center Plan was to review it in light of the town wide market study that was completed early in 2017. The final Town Center plan is available on the town's website [via this link](#); the summary of recommendations begins on page 3 (pdf page 7 of 70). The market study is also available on the town's website [via this link](#).

The following are the main points from my review of these two documents as they relate to each other. Keep in mind that the market study was done on a town wide basis and most of the data is not available for a smaller geographic area (e.g. the town center). In addition, much of the data in the market study is from the 2010 US Census.

- The town wide income distribution implies two-thirds of Hampden residents have enough disposable income to make purchases that are not necessary for daily living; this is borne out in social indicator data (spending is well over the US average on apparel & service, entertainment/recreation, eating out, and travel). Could indicate shops and restaurants in the town center could be successful.
 - 32% of Hampden households have an income under \$50,000
 - 31% between \$50,000 and \$100,000
 - 20% between \$100,000 and \$150,000
 - 17% over \$150,000
- Town wide the housing type distribution is heavily weighted to single family detached; only 3.1% of housing stock is in apartments with 5+ units. There may be potential for new multi-family units, possibly (and preferably) as conversions of existing buildings, in the town center.
- Town wide, Hampden has a well educated population and nearly 75% of the employed population have white collar jobs.
- Hampden has a high concentration (55%) of wealthy urbane households, most of which do not have children at home. These households enjoy getting out to enjoy arts and cultural activities, restaurants, and travel. Over a quarter (26%) of Hampden's households are wealthy Soccer Mom families with younger children at home. Entertainment is all about the children for these

households. Nearly one-fifth (19%) of Hampden's households are rural in character and conservative. Entertainment is found at home and they recreate in the great outdoors.

- The market study states that “Rentals in Hampden rent for less than \$1.00 per square foot per month. Rents are too low to support new rental apartment construction.” However, a 30-unit apartment complex has recently been approved by the Planning Board for a 3.5 acre site on Mayo Road. That project is purportedly going to be on the higher end of the price range.
- The market study also states that “villa condo” development has been successful in Hampden (e.g. Chickadee Lane). There are currently two projects that are similar to Chickadee Lane in the planning stages (both are single family cluster developments, one with 39 homes and the other with 23 homes proposed).
- Hampden lacks a walkable mixed use center, has limited housing options, and has limited amenities for older, urbane households (“third places”, trails, restaurants, cafes, etc.). The ultimate goal of the Town Center planning project is to transform the town center area into a walkable center with those “third places” and amenities which will attract more people and their business to the center.
- Hampden has a relatively high retail expenditure potential per capita and a relatively low sales capture (i.e. residents here spend a lot of money, but not much of it here in Hampden). The same is true of eating and drinking. Hampden has the potential for capturing more dollars in retail and eat/drink market, but given the small market it's risky – essentially we're too close to Bangor. In addition, Hampden lacks a walkable mixed use center and the existing primary retail stores are auto-oriented and too far from town center. The town center could be ripe for new retail and restaurant businesses, especially if the risk can be reduced, which is likely to occur if more businesses open in the town center and are successful.
- The market study postulates that “Stand alone eat/drink investment could be challenging unless implemented by a recognized regional or national outlet.” Possibly from a financial resources point of view, but on the other hand national chains are unlikely to locate outside of Bangor or Brewer in this market area.
- The market study states that the office market holds potential due to the high concentration of wealthy households that demand services, the projected growth in such households, and the available space in the Old Hampden Academy. However, it also states the local market is small. Furthermore, the rents are too low to justify construction of new multi-tenant office buildings. All that said, there may be potential for small offices to occupy existing or new space in the town center, particularly for health, financial, or professional businesses.

In summary, Hampden has the population with the demographic trends to support a more robust town center which has places for people to shop, eat, conduct business, work, and socialize. The potential appears to exist for new multi-family dwellings, new restaurants, stores, offices, and cultural opportunities such as an arts center to locate in the town center. Along with the recommended improvements to the infrastructure, particularly for enhancing pedestrian circulation and safety, the potential certainly exists for the area to become the center of local activity envisioned in the Town Center Plan.

Project List - Planning

Project Name	Location	What it is	Size ¹	PB Action/Date	Type
F.A. Peabody	36/38 Main Road N	construction of new office building	4,500 sq ft	Approved	Site Plan
Day's Care Children's Center	100 Mayo Rd	convert house to child care center	1,335 sq ft	Approved	Conditional Use
F.W. Webb	Hampden Busn Park lots 33-35	construct new warehouse/wholesale facility	72,750 sq ft	Approved	Major Site Plan
Zucco's Dog House	Hampden Busn Park lot 25	construct new kennel (dog daycare)	3,512 sq ft	Approved	Conditional Use & Site Plan
Smith, Andrew	115 Main Road South	Addition for storage	1320 sq ft	Approved	Minor Site Plan
MRC/Fiberight	348 Coldbrook Road	insubstantial modifications to site plan	NA	Approved	Site Plan Modification
Daryl Coulliard	Back Winterport Rd	split second lot off parcel w/in 5 year period	2 lots	Approved	Minor Subdivision
Shaw Subdivision	Pond Rd/Fowler's Landing Rd	minor subdivision	2 lots	Approved	Minor Subdivision
Revision Energy	Littlefield Rd	solar array behind the White House Inn	NA	Approved	Major Site Plan
Bangor Realty Group LLC	Mayo Rd	multi-family cluster project	30 units	Approved	Major Site Plan & Subdiv.
Stearns Farm Subdivision	Main Rd North	single family cluster subdivision	39 lots	6/12/2019	Prelim Subdiv
Carmichael Transport	178 Ammo Park Rd	addition of a garage bay	1,800 sq ft	Approved	Minor Site Plan
Historical Society	83 Main Rd South	addition to building	1,020 sq ft	Approved	Minor Site Plan
T&A Realty	50 Main Road North	convert retail space to apartment	1 unit	Approved	Conditional Use
Zucco's Dog House	Hampden Busn Park lot 25	change grass to turf in outdoor dog area	16,000 sq ft	Approved	Minor Site Plan
Andrew Connolly	256 Main Rd N	convert existing space to accessory apartment	1 unit	Approved	Conditional Use
Dysart's	370 Coldbrook Rd	expand store, relocate pumps & replace USTs	4,275 sq ft	Approved	Major Site Plan & Shoreland
Amy Young	1240 Carmel Rd N	daycare facility (in home)	12 children	Approved	Conditional Use
Day Property Dev.	238 Main Rd S	single family cluster subdivision	23 lots	4/10/2019	Sketch plan
Larry Emery	75 Chickadee Lane	amateur radio operator tower	50 ft tall	6/12/2019	Conditional Use
Fiberight/CRM	348 Coldbrook Road	insubstantial modifications to site plan	NA	Approved	Site Plan Modification
Honey Hill Estates	238 Main Rd S	single family cluster subdivision	23 lots	6/12/2019	Prelim Subdiv
Hampden Municipal Complex	106 & 146 Western Ave	parking lot expansion, stormwater mgt system	add 105 spaces	7/10/2019	Major Site Plan

1. Size refers to square footage of building (new or addition), number of new building lots, number of new units, or acreage.