



Town of Hampden  
**Planning and Development Committee**  
Wednesday June 6, 2018, 6:00 pm  
Municipal Building Council Chambers  
**Minutes**

Attending:

Committee/Council

David Ryder - Chair  
Mark Cormier  
Terry McAvoy  
Ivan McPike

Staff

Karen Cullen, Town Planner  
Myles Block, Code Enforcement Officer  
Angus Jennings, Town Manager  
Jim Chandler, Incoming Town Manager

Public

Eric Jarvi

After determining that Chairman Ryder and Mayor McPike constituted a quorum of the committee (2 out of 3), Chairman Ryder called the meeting to order at 6:00 pm.

1. Minutes for the April 18, 2018 meeting – **Motion** to approve as submitted made by Councilor McAvoy; second by Mayor McPike; carried 4/0/0.
2. Committee Applications: None
3. Updates:
  - a. MRC/Fiberight: Planner Cullen noted the packet contained a number of articles on Fiberight or MRC. Yesterday a meeting between staff and MRC representatives was held, and was successful in that we got the point across that they need to be focused on three main issues to prevent potential problems down the road. The first is the use issue during the period between opening with MRF and when the “wet end” is operational; they will submit information to CEO Block for him to make the determination as to whether the use constitutes a transfer station under our zoning ordinance. In regards to avoiding future potential shut-down if the wet-end is not operational before the 12 month conditional certificate of occupancy time period ends, staff suggested requesting an amendment to the Planning Board Order to create a phasing plan - that would solve the problem by allowing the CEO to issue a (final) certificate of occupancy by phase. Finally, they need to be aware that the Director of the DPW, if not fully satisfied that the roadway will not have problems similar to what was experienced since it was built, will recommend to Town Council that the road not be accepted until it has successfully survived a winter season. CEO Block also reported they had an onsite meeting that included all the stakeholders, including DEP.
  - b. Staff Report:
    - i. Planner Cullen reported that the escrow account reconciliation is going well, her research and recommendations will be completed soon and she plans to meet with

the auditor to review it. She noted many of the accounts are so old that the records no longer exist, so it is likely to become a legal question as to whether the town has the authority to keep the money left in the accounts.

- ii. The project list in the packet reflects the current applications, and she is expecting an increase in applications after the zoning is adopted, based on inquiries she's received.
  - iii. Staff will be meeting with contract planner Ben Smith next week to nail down the scope of services in preparation for the beginning of work July 2. Planner Cullen will be the project manager and will attend public meetings, Ben Smith will do the majority of the work.
  - iv. Planner Cullen said that while the Town Center project is being done by Ben, she will be focused on getting the Shoreland Zoning completed. The goal is to have both projects done by the end of the year.
  - v. CEO Block reported that the Board of Appeals met last week and approved two requests for Shoreland Zoning boundary determinations.
4. Old Business: None.
  5. New Business: None.
  6. Zoning Considerations/Discussion: Planner Cullen started the discussion of the proposed zoning amendments which will be the subject of a Town Council public hearing on June 18<sup>th</sup> by reviewing the memo handed out tonight (see addendum to these minutes). The main points of the discussion were:
    - Regarding multi-family cluster developments:
      - The committee agreed with the suggested changes to deal with the inconsistencies in the language dealing with multi-family units in a cluster development.
      - The existing multi-family developments in the Rural district were done prior to the zoning amendment in 2007 that added the requirement for multi-family in that district be connected to both public water and sewer. Staff believes the reason for that change was due to fire flow and the requirements of the fire code.
      - Fire flow requirements are different for single family/two-family and for multi-family (3 or more units).
      - Discussion on allowing a property owner to install an on-site well and related water supply infrastructure that would have the capacity to handle fire flow. The cost would be high and it is questionable whether a single well could provide the flow needed.
      - A townhouse, which has a fire separation wall between units extending from the foundation through the roof, has different requirements from multi-family.
      - The committee decided to change the language in §3.2.1.1 to remove the restriction that the development be connected to public water, unless there is a line within 500'. In addition, add language related to financial feasibility, similar to what is in the sewer ordinance. The applicant would be responsible for providing accurate cost information to prove financial infeasibility.
      - The committee decided to add a definition of townhouse; CEO Block will give me the definition in the residential code.

- Regarding building permits and road acceptance:
  - There are risks on both sides in allowing a building permit to be issued prior to road acceptance. The property owner could end up with a building that can never get a certificate of occupancy because the road may never get completed and accepted. The Town could end up with incomplete roads with no developer to finish it, with houses or non-residential buildings sitting there.
  - Staff will put together a form that property owners will need to sign if they are seeking a building permit for a lot in a subdivision with an unaccepted road, that will make it clear they are taking a risk in doing so. We'll have that reviewed by the Town Attorney to ensure the wording provides legal backing for it.
  - Lots can be sold at any time, we have no restrictions on timing of sale of lots.
  - There is a two year timeframe for completion of a road approved in a subdivision.
- Ideas on getting the word out after the amendments are adopted:
  - Mailing to local developers, engineers, architects, realtors, etc.
  - Newsletter article or separate mailing to all residents
  - Insert in the sewer bills
  - Info on the website
  - Update or summarize the 4 page summary – make it a marketing piece
  - Costs for this would be TIF eligible (Emera TIF)
  - Press release to the BDN, the “Edge”
  - Provide some examples of things that were fixed from the old to the new ordinance.
- Councilors thanked staff for the well done work; Councilor Cormier noted this was the reason he ran for office – to relax restrictions and make it easier for people to develop their land.
- Adult use marijuana uses are included in the new use table, prohibited in all districts; once the state competes their work then we'll go back in to make amendments to handle these uses as determined at that time.
- Regarding cluster housing density bonus related to provision of affordable housing – the developer has the option to get a density bonus if they provide a few units of workforce housing.
- The open space requirement for cluster housing remains at 30%, and 20% for mobile home parks, and 40% for multi-family development. Keep as-is because the differences are for density reasons – the different housing types have different needs. In cluster, the amendments allow a higher number of units due to a change in the calculations.
- The requirement for half of the open space to be non-wetland is to allow for useable land for community gardens, playgrounds, trails, gathering areas, etc.

It was noted the Town Council has already referred this to hearing for June 18<sup>th</sup>.

**Motion** by Councilor McAvoy to send the revisions as revised tonight to Town Council with a recommendation “ought to pass” for the public hearing; seconded by Mayor McPike; carried 4/0/0.

7. Citizen Initiatives: None.
8. Public Comments: None

9. Committee Member Comments: Mayor McPike requested that the Councilors send him their three top priorities for discussion with incoming Town Manager Jim Chandler.
10. Adjournment: **Motion** to adjourn the meeting at 7:21 pm made by Mayor McPike, seconded by Chairman Ryder; motion carried 4/0/0.

*Respectfully submitted by  
Karen Cullen, Town Planner*