



Town of Hampden  
Planning Board  
Wednesday July 12, 2017, 7:00 pm  
Municipal Building Council Chambers

## Minutes

In Attendance:

Planning Board

Peter Weatherbee  
Michael Avery  
Jim Davitt  
Mort Syversen  
Kelley Wiltbank

Staff & Others

Karen Cullen, AICP, Town Planner  
  
Don Meagher  
Jennifer Austin

Acting Chairman Weatherbee called the meeting to order at 7:00 pm.

1. Administrative

- a. Minutes of June 12, 2017 meeting: **Motion** by Member Davitt to approve as submitted; second by Member Avery, carried 5/0/0.

2. Old Business: None

3. New Business

- a. Public Hearing, Zoning Ordinance Amendment: §5.3, Permits. Amend the section to differentiate between a Certificate of Occupancy and a Certificate of Compliance and establish clear procedures for the issuance of each. Add definitions of these terms to §7.2. Acting Chairman Weatherbee opened the hearing at 7:02 pm. There were no public comments for or against the proposal, and the hearing was closed at 7:03. Planner Cullen gave a brief description of the amendment.

The Board then discussed the proposed amendments, the main points were:

- The certificate of compliance is for the Town to ensure that the site was constructed in accordance with the approved site plan, while the certificate of occupancy is for the Town to ensure the building was constructed in accordance with the building and life safety codes.
- The proposed amendments will ensure sites are built according to the plans
- The Ordinance Committee reviewed this with the old language and the proposed language is much clearer than the old language and a significant improvement.

**Motion** by Member Avery to send the proposed amendments to §5.3 and §7.2 of the zoning ordinance as written to Town Council with a recommendation "ought to pass"; second by Member Wiltbank; carried 5/0/0 by roll call vote.

- b. Public Hearing, Zoning Ordinance Amendment: §7.2, Definitions, regarding municipal solid waste, processing, and transfer station. Acting Chairman Weatherbee opened the hearing at 7:12 pm. There were no public comments for or against the proposal, and the hearing was closed at 7:12. Planner Cullen said these amendments were brought forth to ensure the interests of the citizens who have said quite clearly they don't want a transfer station in town. Based on the definition of processing, the town is currently at risk of having a transfer station opened. The Town Manager had requested that the ordinance be amended to eliminate that possibility.

Discussion:

- The amendments were drafted to avoid adverse impacts on the approved Fiberight facility as well as the existing operations at Pinetree.
- Both MRC/Fiberight and Cassella are aware of the proposal and as far as is known tonight, neither has any objection to the proposed amendments.

**Motion** by Member Syversen to send the proposed amendments to §7.2 of the zoning ordinance as presented to Town Council with a recommendation "ought to pass"; second by Member Davitt; carried 5/0/0 by roll call vote.

4. Staff report: Planner Cullen reported that the town has not had an official zoning map properly signed by the Town Manager and Town Clerk as required by the zoning ordinance since 1979. Each time the map is amended a new map is supposed to be printed and signed and put in the vault. Rather than go back and research every map amendment made since 1979 to ensure the boundaries are correct, staff recommends that the map as it is currently drawn be taken through the amendment process and after Town Council adopts it, it will be signed by the Town Manager and Town Clerk and put in the vault. Then, after each map amendment is adopted, a new map will be printed and signed as required.

Discussion as to the need for this; from a legal point of view it is better to have a properly adopted map when defending any sort of land use case. The Board agreed it made sense to go through this process. Member Avery mentioned the Board had done a thorough review of the map about five years ago, Member Syversen agreed they had reviewed it during the comprehensive planning process.

Planner Cullen also updated the Board on her work on zoning amendments, currently she is working on Articles 2 and 3. The Board agreed to wait to hold an ordinance committee meeting on this until Karen is closer to completion.

5. Planning Board Comments: Member Avery said he would like to sign off on the minutes for the official record; Planner Cullen said she'd have her assistant get these ready for him.

The meeting was adjourned at 7:30 pm by motion of Member Syversen with second by Member Davitt; motion carried 5/0/0.