



Town of Hampden
Planning Board
Wednesday, August 10, 2022, 7:00 pm
Municipal Building Council Chambers
Minutes

In Attendance:

Planning Board

Richard Tinsman, Chair
Jennifer Austin, Vice-Chair
Benjamin Dunham
Brent Wells
Amanda Day
Kelley Wiltbank
Gene Weldon

Staff

Clifton J. Iler, Town Planner
Wanda Libbey, Admin Asst.
Ryan Carey, CEO
Amy Ryder, Economic Development Director
Public
Stephanie White
Danielle Dorrie

Chair Tinsman called the meeting to order at 7:00 p.m. and verified that all attendees in-person and virtual could hear and see each other.

1. Administrative:

a. Minutes – July 13, 2022, Regular Meeting

Motion by Member Austin to approve the minutes of July 13, 2022 regular meeting as amended, seconded by Member Dunham; motion carried 6/0/1 by roll call vote (Member Weldon abstained).

b. Minutes – July 19, 2022, Workshop Meeting

Motion by Member Dunham to approve the minutes of July 19, 2022 workshop meeting as amended, seconded by Member Austin; motion carried 6/0/1 by roll call vote (Member Weldon abstained).

2. Old Business: None

3. New Business:

a. Kids At Play Childcare – Public hearing for a Conditional Use permit to operate a child care center at 155 Bog Rd; Tax Map/Lot: 11-0-003-C. The property is located in the Rural District.

Chair Tinsman went over the rules for public hearings, confirmed with Planner Iler that the required public hearing posting had been met, and then opened the public hearing at 7:05 p.m.

Applicant, Stephanie White presented opening statements:

- Moving existing child care center from 427 Kennebec Rd to new location of 155 Bog Rd
- Existing business has been in operation for 15 years

- Department of Health and Human Services has inspected and approved the new location
- State Fire Marshal's office has inspected and approved the new location

Town Planner Iler presented his report on the application:

- Although Conditional Use permits are attached to the user, not the location, significant changes in the Zoning Ordinance over the 15-year time period would constitute a re-review of the Conditional Use permit
- Lot and building meet density standards
- Applicant meets the density requirement of no more than 12 children per acre
- Applicant anticipates having no more than 7 or 8 children on site
- Meets parking requirements for one additional staff member

Planner Iler noted that Section 4.19.3.2 of the Zoning Ordinance states that an outdoor play area, if used, shall be fenced and no closer than 25 feet to an adjacent property. However, the DHHS licenser has temporarily approved an outdoor play area without fencing due to the natural tree buffer surrounding the property. It is the recommendation of staff that the Planning Board consider a waiver of this requirement.

Interested Parties Questions/Concerns/Opposition: None

Planning Board Questions:

- Member Day requested clarification for how many children will be at the residence at one time. The applicant, Stephanie White, stated she will have no more than 7 per her license.
- Member Wiltbank and Member Weldon requested clarification on the fencing requirement per ordinance. Member Weldon stated that previous approvals from the Planning Board required the fencing for an outdoor play area. Town Planner Iler stated staff was comfortable with the DHHS determination that a fence was not required, provided a copy of that license is kept on file at the Town Office.

Chair Tinsman closed the public hearing at 7:18 p.m.

Motion by Member Austin to approve the Conditional Use application, based on findings and information presented, for a child care center located at 155 Bog Rd. (Tax Map/Lot: 11-0-003-C) in the Rural District with a waiver to Section 4.19.3.2. – Outside Play Area: Outside play areas proposed as part of Home Day Care, Day Care Facility, or Child Care Center shall be fenced and no closer than 25 feet to any adjacent property lines; subject to the following condition below:

1. The applicant shall provide the Town with a copy of the final State of Maine Department of Health and Human Services (DHHS) license stating that no fence is required for an outdoor play area.

Seconded by Member Dunham; the motion carried 6/1/0 by roll call vote.

- b. Skyline Maine Adventures – Public hearing for a Conditional Use permit to operate a customary home occupation at 166 Main Rd S; Tax Map/Lot: 43-0-001. The property is located in the Residential B District.

Chair Tinsman confirmed with Town Planner Iler that the required public hearing posting had been met and opened the public hearing at 7:22 p.m.

Applicant, Danielle Dorrie, presented opening statements:

- Kayak rentals will be located at her property located at 166 Main Rd South
- Primarily will deliver kayaks, but customers may also pick them up
- Kayak storage unit will be on the roadside for visibility

Town Planner Iler presented his report on the application:

- Kayak storage structure will be on the property
- Kayak rental storage structure is movable and will not encroach on the property line
- Structure will be located no closer than 5 ft from the property line
- Signage on site must conform to the Signs standards (Section 4.7.5)
- Parking spaces are not necessary as they will be delivering kayaks primarily
- Meets approval standards of Section 4.2 and Section 4.10.

Interested Parties Questions/Concerns/Opposition:

- Planner Iler read into the record a letter received by resident Kate Vaillancourt (see Attachment A).

Planning Board Questions:

- Member Dunham noted that there was no signage noted in the application, but the letter from the neighbor references a sign that is currently in place. The applicant, Danielle Dorrie, mentioned that a temporary banner is located on the structure itself. Planner Iler stated that if the banner is on a temporary structure, not a permanent structure, it is not required to meet any specific requirements.

Chair Tinsman closed the public hearing at 7:27 p.m.

Motion by Member Wiltbank to approve the Conditional Use application, based on findings and information presented, for a customary home occupation located at 166 Main Rd S (Tax Map/Lot: 43-0-001) in the Residential B District with the acknowledgment that any permanent signage on site would need to meet ordinance requirement; seconded by Member Austin; the motion carried 7/0/0 by roll call vote.

4. Town Planner Report

Planner Iler informed the board that the Planning Board Workshop for Tuesday, August 16, 2022, has been canceled.

Planner Iler reminded the board of the Hampden Children's Day upcoming on Saturday, August 13, 2022. He will have a table set up at the event with Comprehensive Plan materials.

In addition, staff will be hosting more Comprehensive Plan workshops in the hopes of receiving more public input. The Planning Board will receive an updated schedule in due course.

5. Planning Board Comment

Chair Tinsman expressed his appreciation to Planner Iler for reaching out to the public for input on the planning process with the Comprehensive Plan.

Member Wiltbank asked if the conditions of approval for the Fiberight property remain in place if the site reopens for business. Planner Iler will follow up with the Town Manager and report back to the Planning Board.

6. Adjournment

Motion by Member Weldon moved to adjourn the meeting at 7:34 p.m., seconded by Member Austin; motion carried by roll call vote 7/0/0 in favor.

Respectfully submitted by Wanda Libbey,
Administrative Asst.