



Town of Hampden

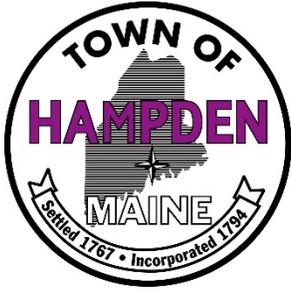
Planning Board

Wednesday, August 8, 2018, 7:00 pm

Municipal Building Council Chambers

Agenda

1. Administrative.
 - a. Minutes – July 11, 2018
2. Old Business – Planning Board Bylaws.
3. New Business
 - a. The Day's Care Children's Center - Conditional Use - Macie and Bryan Day propose to convert an existing single family home into a Child Care Center for ___ children. No exterior alterations are proposed and the structure will retain its existing appearance. The property is located at 100 Mayo Road, parcel 35-0-004. This property is in the Residential B zoning district.
 - b. Zucco's Dog House – Conditional Use Review and Major Site Plan Review – LTZ Holdings, LLC proposes to construct a new 3,512 square foot building to house a dog daycare facility, classified as a Kennel under Hampden's zoning ordinance, on lot 25 of the Hampden Business & Commerce Park, parcel 10-B-025. This property is in the Industrial Park zoning district.
 - c. F.W. Webb Company – Major Site Plan Review – Robert Mucciarone of the F.W. Webb Company proposes to construct a new 72,750 square foot Wholesale & Warehousing Facility on lots 33, 34, and 35 in the Hampden Business & Commerce Park, parcels 10-B-033, -034, and -035. This property is in the Industrial Park zoning district.
4. Staff Report
5. Planning Board Comment
6. Adjournment



Town of Hampden
Planning Board Meeting
Wednesday July 11, 2018, 7:00 pm
Council Chambers

Minutes

In Attendance:

Planning Board

Gene Weldon, Chairman
Peter Weatherbee
Kelley Wiltbank
Jennifer Austin
Tom Dorrity

Staff

Karen Cullen, AICP, Town Planner

Public

Shelly Lizotte, Ames Associates
Ken White, FA Peabody
Peter White, FA Peabody
Brent Dubois
Rachel Beckwith

The meeting was called to order at 7:01 pm.

1. Administrative: Minutes of June 13, 2018. **Motion** by Member Weatherbee to approve the minutes as submitted; second by Member Austin; carried 4/0/1 (Member Wiltbank was not in attendance at that meeting).
2. Old Business: None.
3. New Business:
 - a. Site Plan application for F.A. Peabody to construct a new 4,500 square foot office building with parking for 28 vehicles on two parcels located at 36 and 38 Main Road North (parcels 36-0-008 & 009). This property is in the Village Commercial District. Chairman Weldon opened the public hearing at 7:02 pm.

Shelly Lizotte, representative for the applicant, presented the site plan:

- They are building on two lots, one which has a small office space and the other which had a house that has been demolished.
- The building will be 4,500 square feet and will house the fa Peabody business, which is currently located on the northern end of route 1a near the town line with Bangor.
- The parking was designed based on one space per 200 square feet of office space instead of the required one space per 250 square feet, and in addition extra spaces were included to handle anticipated needs when training sessions are held in the conference room of the building and staff from other area offices attend.
- Most of the parking is behind the building, and the parking lot has a raised bed landscaped island.
- ME DOT has approved the entrance permit in the location and as shown on this site plan.
- There is a fence and plantings along the southern boundary to satisfy the buffer requirements.
- There is also a fence for the first (eastern) 80 feet or so and plantings on the north boundary.

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- Stormwater was originally planned to sheet flow off the property but due to concerns about the abutting property being adversely impacted the system was designed with a berm, swale, and level spreader, with discharge in the same area as it had been previously.
- The architectural style of the building meets the criteria required in the zoning ordinance.

Abutter comments and questions:

- Rachel Beckwith, abutter to the north (42 Main Rd. N.) questioned whether the trees between her house and the new building would remain, and wanted to know what the construction schedule was.
 - The applicant responded that the trees will remain in the area about 80 feet into the site (i.e. the eastern most 80'), and construction should begin this summer and be completed in 4 to 6 months.
- Brent Dubois, abutter to the south (34 Main Rd. N.) is concerned about the traffic impact particularly at peak times of the day.
 - The applicant said there will only be 11 employees at the site so the traffic impact in the morning, between 7:00 and 7:30, will be minimal; likewise at the end of the day when they leave (4:00 to 4:30).
- Brent Dubois questioned the location of the fence and discussed the possibility of moving it to be further from his house (which is close to the property line). He is also concerned about the height of the fence and wondered if people standing in the parking lot would be able to see over the fence and into the windows of his house.
 - The applicant said the proposed fence is 6' tall and she has not looked at the elevation of his windows to determine if that would be an issue.
 - The Board encouraged the applicant to consider accommodating the abutter with a taller fence or taller plantings to shield the abutter's house; the applicant agreed.
 - Planner Cullen noted that if the fence is taller, it might be considered a structure and need to comply with setback requirements, and the applicant needs to look into that and if there is a problem with meeting those requirements than taller plantings should be used along with the (6') fence.

Key points from Planning Board discussion were:

- This area is zoned for mixed use and is transitioning from residential, need to be sensitive to abutting residents' concerns and needs.
- Stormwater drainage is a key concern in this area.
- There will be lighting in the parking lot, all fixtures (including on building) will be downcast and they will be turned on timers so they will turn on about half an hour before opening and off about half an hour after closing; office hours are 7:30 to 4:30.
- The current office houses 8 employees and this new one will house 11, with the potential to expand to 16.
- Clarification that most parking is behind the building and some is on the south side; none in the front (Main Road North side).
- The crosswalk across Main Road North will be installed at the end of the current water main work and will be located such that it does not interfere with this driveway, on the south side of Cottage Street.
- The fence on the south side of the property is currently located pretty much on the property line, but can be moved into the site if necessary.
- The applicant expects the conference room to be used for meetings that would bring additional people on-site about once a month.
- The signs will be designed to total a maximum of 30 square feet in accordance with the zoning ordinance, the intention was not to exceed the standards.

Chairman Weldon closed the public hearing at 7:27 pm.

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Planner Cullen gave a summary of her report, noting the application is in compliance with the submission requirements and the review standards of the ordinance. She noted this application is being processed under the “old” zoning as the recently revised ordinance is not in effect until July 18th.

Motion by Member Weatherbee to grant site plan approval in accordance with the draft Board Order and subject to the two conditions contained in that Order; second by Member Wiltbank; carried 5/0/0 by roll call vote.

b. Planning Board Bylaws: Motion by Chairman Weldon to remove this item from the table; second by Member Weatherbee; carried 5/0/0.

- No changes to Article 1
- No comments on the change to Article 2
- No comments on the change to Article 3; Planner Cullen noted the language is already in the Town Charter and duplication is not recommended.
- The Board requested that we add an appendix to track amendments to the bylaws.
- Discussion on Article 4:
 - The Board agrees with the proposed changes to delete the secretary since the staff performs those functions, and the addition of a vice-chair to automatically serve as chair in the absence of the chair.
 - Instead of deleting the language in 4B regarding the secretarial duties, change it so it is staff responsibility (item 1) and change item 3 to just say that once minutes are approved they are posted online.
- Discussion on Article 5:
 - Suggested the language in 5B track whatever the Town Council does, and change the 24 hour to 48 hour notice and delete the last sentence about non-voting meetings.
 - A couple of minor changes were made to 5E.
- Discussion on Article 6:
 - Delete 6A since it's covered in 5E.
 - Move 5E to 6A.
 - Revert the language in 6C to the previous draft, with a minor revision.
- Discussion on Article 7:
 - Minor modifications to 7A, 7B, and 7E.
 - Keep language regarding retention of all materials used by the Board in their decision making for applications; follow the state's disposition laws regarding for how long.
 - Add language regarding the cost of transcripts, that people requesting them to pay the cost of having them done.
- The Board decided to add language regarding committees, to add a section to Article 3 to authorize the Board to create standing, special, or ad-hoc committees as needed.
- Planner Cullen will make these changes and send to the Town Attorney for review prior to the next meeting (August 8).

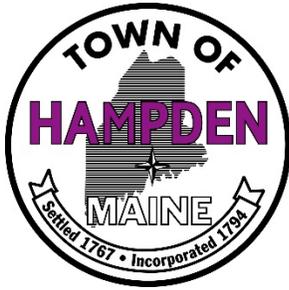
4. Staff Report:

- a. Planner Cullen noted that the town center planning project will have the first workshop later this month, staff was working on getting the venue set so we could nail down the date and time.
- b. Planner Cullen noted the next Planning Board meeting will have the FW Webb site plan application for a warehouse/wholesale business in the business park, and another site plan application for a dog daycare facility, also in the business park.

5. Planning Board comments: None.

Motion by Member Wiltbank to adjourn the meeting at 7:55.

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Town of Hampden
Land & Building Services

Memorandum

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KME*
Date: July 19, 2018
RE: Amendments to Planning Board Bylaws

Attached is a second revised draft of proposed amendments to the Board's Bylaws. This version includes the modifications discussed at the July Planning Board meeting. It has been sent to the town attorney for review; I expect comments back from him for the August meeting.

HAMPDEN PLANNING BOARD

BY-LAWS

ARTICLE 1 – NAME

This organization shall be known as the Hampden Planning Board.

ARTICLE 2 – PURPOSE

These By-Laws are established by the Hampden Planning Board to aid in the fulfillment of its responsibility under the Maine Constitution, the Statutes of Maine, the Charter of the Town of Hampden and the Municipal Ordinances, all of which have precedence. These By-Laws are intended to insure fair and equitable treatment in all proceedings of the Hampden Planning Board. A copy of these Bylaws is available at the Town office and on the Town of Hampden web site.

ARTICLE 3 – MEMBERSHIP

- A. The Planning Board consists of seven regular members and two alternates appointed by the Town Council for terms of five years each.
- B. All Planning Board members, regular and alternate, shall be expected to attend all meetings.
- C. An alternate member may participate in the Board's proceedings but may vote only when s/he has been designated by the Chairperson to sit in for a regular member. The Chairperson shall so designate when any regular member is absent or when a regular member is unable to act because of conflict of interest or any other satisfactory reason.
- ~~D. Any person serving on any town board or committee shall forfeit their seat if they (1) lack any time during their term of office any qualification for the office prescribed by this charter or by law, (2) violates any express prohibition of this charter, (3) is convicted of a crime or offense which is, during their term, reasonably related to their inability to serve, or (4) fails to attend three consecutive regular meetings or no more than a maximum of six meetings per year of the board without being excused by said board. (Amended: 8/11/82)~~
- D. The Planning Board may create standing or special committees at any time by majority vote of its members, for the purpose of handling specific tasks as may be necessary for the conduct of business, with the exception that no such committee may be created for the purpose of reviewing or otherwise dealing with an application before the Board under the Subdivision or Zoning Ordinances.

ARTICLE 4 - OFFICERS AND DUTIES

- A. The Board shall elect a Chair ~~and Vice Chair person~~ from its members annually at its regularly scheduled meeting in January for a one year term. The ~~Chairperson~~ Chair and Vice Chair ~~are~~s eligible for reelection.
 - 1. The Chairperson shall call all meetings of the Planning Board and shall preside at all meetings of the Board.
 - 2. The Chairperson shall call at least eight regular meetings of the Board each year.
 - 3. The Chairperson shall represent the Planning Board and be its official spokesperson in all matters.
 - ~~4. The Chairperson shall be responsible for ensuring that new members receive an orientation.~~
 - 5.4. The Chairperson may appoint committee Chairpersons subject to Board approval.

- ~~6.5.~~ In the event that the Chairperson is unable to attend a called meeting of the Planning Board, ~~s/he shall designate another member of the~~ the Vice Chair of the Board ~~will to~~ act in his/her stead at that meeting.
- B. ~~The staff (planner, administrative assistant) is responsible for maintaining~~ Board shall elect a secretary from among its members annually at its regularly scheduled meeting in January for a one year term. The secretary is eligible for re-election.
- ~~1. The secretary shall be responsible for supervising the maintenance of~~ accurate records of the Planning Board meetings, including all official actions, as well as ~~.~~
 - ~~2. Records and~~ correspondence of the Planning Board. All records shall be maintained in accordance with the Maine State Archives Local Government Record Retention Schedules in the Town Office and may be inspected during municipal business hours.
 - ~~3. Minutes of all meetings of the Planning Board shall be distributed to the members of the Board, Town Council, the Chairman of the Zoning Board of Appeals, the Town Manager, Code Enforcement Officer, and to such other persons as the Chairperson deems advisable and posted on the Town's website after approval.~~
 - ~~4. Minutes of the Planning Board meetings shall be officially approved at the next regular meeting of the Board, subject to corrections. Such approved minutes shall constitute the official record of the meetings of the Board.~~

ARTICLE 5 – MEETINGS

- A. ~~A r~~Regular meetings, if called, of the Planning Board shall be held on the second Wednesday of the month, and workshop meetings, if needed, shall be held on the third Tuesday of the month. (Amended: 9/10/81)
- B. Special meetings may be called by the Chairperson ~~and shall be called when requested by a majority of the Planning Board, provided that twenty four (24)48 hour notice is given to each Planning Board member. Unless proper public notice is able to be given, it will be a non-voting meeting.~~
- C. A quorum of the Board necessary to conduct official business shall consist of four members. A concurring vote of a majority of those present and eligible to vote is required in order for the Planning Board to act officially. ~~However, no official action may be taken unless the majority includes at least three.~~
- ~~D.~~ D. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is challenged.
- E. The agenda for regular meetings shall be e-mailed to all members at least six days prior to the meeting.
- ~~F. The Planning Board agenda and minutes of meetings shall be mailed to the current chairpersons of the Town's standing and special committees. (Amended: 7/10/85)~~

ARTICLE 6 - RULES OF PROCEDURE

- A. Submission Deadlines.
- a. Applications for projects that do not require a public hearing or other requests are due to the Planning Department 15 days prior to the meeting date.
 - b. Applications for projects that require a public hearing but do not require third party peer review are due to the Planning Department 30 days prior to the meeting date.
 - c. Applications for projects that require a public hearing and require third party peer review are due to the Planning Department 44 days prior to the meeting date.

- d. Whenever the due date falls on a day the Town Office is closed, the due date is automatically shifted to the next date the Town Office is open.
- ~~A. An individual wishing to assure Planning Board consideration of any matter other than subdivision review, site plan review, conditional use review or conditional lot dimension review shall notify the Code Enforcement Officer/Town Planner at least 15 days in advance of a regular or special meeting.~~
- B. Meetings shall be conducted in accordance with Maine Statutes, including Maine's Freedom of Access – Public Right to Know Law, as outlined in Title 1, M.R.S.A., Sections 401-410, as amended, Town Ordinances, these By-Laws and pertinent parts of the latest revisions of Roberts Rules of Order ~~;~~ However, the Board may also establish special rules for the conduct of any business provided such establishment of rules does not violate state or municipal law or ordinance.
- C. Information regarding applications before the Board shall be presented to the Planning Board ~~in one or more of the following manners. No information shall be submitted except in one of these manners. (Amended: 11/12/86)~~
1. ~~As as~~ part of a formal application to the Planning Board submitted in accordance with the zoning and/or subdivision ordinances; or
 2. ~~As as~~ verbal or written testimony during for a public hearing; ~~or~~
 3. ~~At the request of the majority of the Board present and eligible to vote.~~

ARTICLE 7 - PUBLIC HEARINGS

All public hearings held by the Planning Board as required by law or ordinances of the Town of Hampden, in addition to meeting special requirements of such law or ordinances, shall comply with the following procedures unless waived by the Planning Board.

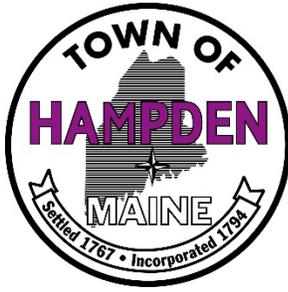
- A. Public hearing notice.
- a. Public hearings must be advertised in a local newspaper at least 10 calendar days prior to the date of the hearing.
 - b. Notice of public hearings must be mailed to all property owners within 300 feet of the property subject to the application as shown in the Assessor's records.
 - c. Town staff is responsible for preparing and distributing such notices, but the applicant is responsible for paying the costs of the newspaper ad and abutter notification. No hearing notice will be published in the newspaper until payment is received.
- ~~A.B.~~ All Under state disposition requirements, only paper, microfilm, or microfiche copies of records are official. However, public hearings shall may be tape-recorded and the recording of the hearings kept in the permanent record of the Planning Board shall may be posted on the Town of Hampden web site.
- C. The applicant, or the applicant's representative, shall present opening statements regarding the project, including any plans, reports, testimony or other evidence.
- D. The Town Planner, followed by other Town staff or other officials may introduce any correspondence, present reports, commentary and recommendations.
- E. All interested parties and members of the public shall be given an opportunity to be heard offer statements relevant to the project under consideration; however, the Chairperson may limit discussion to new information and pertinent information. By majority vote of its members, the Board may limit testimony to a set time period for each member of the public present and may extend or modify this time period based upon a majority vote of those Board members present and voting.
- F. Any interested party may submit written testimony at or prior to the public hearing.
- ~~B.~~ The order of presentation shall be as follows unless the Chairperson rules otherwise:
1. ~~Major proponents~~ 30 minute limitation
 2. ~~Other proponents~~ 5 minute limitation

- ~~3. Major opponents – 30 minute limitation~~
- ~~4. Other opponents – 5 minute limitation~~
- ~~5. Appropriate town officials~~
- ~~6. Rebuttal – 5 minute limitation~~
- ~~C. Major proponents and opponents shall be encouraged to present written information for distribution in advance and at such public hearing.~~
- ~~D. Decisions required as a result of public hearings shall be made in accordance with appropriate laws and/or ordinances.~~
- ~~E.G.~~ All information, recordings and materials made part of the public hearing shall be maintained as part of the permanent record of the hearing meeting. Costs of transcriptions of the hearings shall be borne by the party requesting the transcript.
- ~~F. A public announcement of the hearing shall be made by posting a notice of intent in the Bangor Daily News in accordance with State and municipal laws and ordinances.~~

ARTICLE 8 - ADOPTION AND AMENDMENTS

These By-Laws may be adopted and/or amended by a concurring vote of at least 5 members at any regular meeting of the Planning Board, provided the proposed By-Laws or the proposed amendment has been discussed at the previous regular meeting of the Board.

Town of Hampden
Land & Building Services



Report on Application
Conditional Use
The Day's Care Children's Center

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: July 26, 2018
RE: Report on Conditional Use Application for The Day's Care Children's Center

Project Information

Applicant: Macie & Bryan Day
Site Location: 100 Mayo Road
Zoning District: Residential B
Proposal: Convert an existing single family house into a child care center.

I have reviewed this application and have determined it to be in compliance with the requirements and approval standards of Section 4.2, Conditional Uses, of the Zoning Ordinance, except no information has been submitted regarding 4.2.5.11 regarding financial and technical capacity. However, given the project, I do not consider this to be a crucial aspect of this application, and the applicant already owns the property.

Under Section 4.19.3, Performance Standards under Day Care Provisions, several items apply to this application:

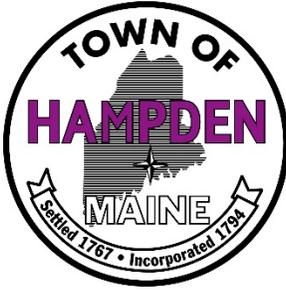
2. Outside play areas must be a minimum of 25 feet from property lines – based on measurements taken using the 2014 aerial image in Hampden's GIS, it appears the application complies with this, but it should be a condition of approval to ensure the distance is correct when the fence is installed.
4. Parking – the site needs to have 4 spaces for the clients plus 2 spaces for the employees. The plan is not clear on the number of spaces accommodated, although it appears there is room for the 6 spaces required. Based on aerial imagery there is one space to the right of the house, and the application indicates three will be added to the left of the house. The existing circular driveway is narrow, but two cars could be accommodated there. Most drop-off and pick-up activity will likely occur with cars parked in the circular driveway. I believe this is sufficient but recommend that there be a condition of approval that there be no parking for any length of time on Mayo Road, due to the hazards that would pose to the public and to the clients of the child care center.

8. Public safety – Chief Rogers has reviewed the application and reports there are no public safety concerns with it.
9. Reuse of existing building – since the site is in the Residential B district, it must be the reuse of an existing building, which it is.

Based on the above, I recommend approval of the site plan as submitted, with the conditions noted above.

2014 aerial image of the site. Note the parcel lines are incorrect in this area, they appear to be shifted northerly. The southern property line should be roughly where the fence line is (see arrow). Note that the measurement from that fence line to the house (from GIS) is about 32 feet (yellow line).





Town of Hampden
Land & Building Services

Planning Board Order
Conditional Use
The Day's Care Children's Center

Approval Date: August 8, 2018

Project Name: *The Day's Care Children's Center*

Location of Project: 100 Mayo Road

Assessor's Reference: 35-0-004

Deed Reference: B14803/P285

Zoning District: Residential B

Total Acreage: 0.55 acres

Type of Use: Child Care Center

Building Area: 960 sq. ft.

Applicant: Macie & Bryan Day
340 Chapman Road
Newburgh, ME 04444

Owner: Same as Applicant

Plans Prepared by: Applicant

Plans Dated: June 22, 2018

Application Date: June 25, 2018

Public Hearing: August 8, 2018

*PB Members:*¹ Eugene Weldon, Peter Weatherbee, Kelley Wiltbank, James Davitt,
Jennifer Austin, Tom Dorrity, and Jake Armstrong

PB Action: Approved. This Conditional Use is approved under Section 4.2 of the
Hampden Zoning Ordinance.

¹ Planning Board Members who were appointed to vote on this case.

Summary Description of Application: This application is to convert an existing single family residence into a Child Care Center. The maximum number of children is 16, with a maximum number of employees, including the owner, of two. There is sufficient space on the site for the required six parking spaces. A ten square foot sign is planned to be installed in the front yard next to the sidewalk, roughly midway between the two driveway entrances. An outdoor play area is proposed to be located in the back of the house, which will be 40' x 40' and fenced, with a gate on the northern side.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board made the following findings as required by Section 4.2.5 of the Hampden, ME Zoning Ordinance:

1. The proposed use is consistent with the general purpose of the ordinance and will not be detrimental to the health, safety, or welfare of the neighborhood or the town.
2. The proposed use is compatible with existing uses and development patterns in the neighborhood, as it is the reuse of an existing house and is located on a relatively busy road where traffic generated by the new use will have a negligible impact on traffic volume.
3. The proposed use will not create a nuisance due to noise, odors, dust, etc. given that it is not an industrial use; potential noise from children playing is not anticipated to be a constant or an on-going issue.
4. The proposed use will not create undue traffic congestion nor unduly impair pedestrian safety given the low traffic volume generated by the use; furthermore the provisions for on-site circulation are adequate given the low traffic volume.
5. The proposed project provides for adequate loading space for the normal operation of the use.
6. The proposed use provides adequate provisions for all waste disposal, as it will not be unlike that of a typical household.
7. The proposed use will not exceed the capacity of any public utility.
8. The proposed project will have no impact on light and air on abutting properties since it is the reuse of an existing building and no new construction is proposed.
9. The proposed project will have minimal impact on the environment given that no construction is proposed other than creating three additional parking spaces.
10. The proposed use will have minimal impact on fish or wildlife habitat since no construction is proposed other than creating three additional parking spaces.
11. The applicant has adequate financial and technical capacity to meet the requirements of the zoning ordinance and the conditions imposed on this approval, given that they already own the property.

Based on these findings, the Hampden Planning Board voted _____ to approve the Conditional Use for the Day's Care Children's Center as previously described.

Conditions:

1. That the play area is located a minimum of 25 feet from any property line.
2. That there be no parking for any length of time on Mayo Road.

For the Hampden Planning Board:

Eugene Weldon, Chairman

Date

Peter Weatherbee

Kelley Wiltbank

James Davitt

Jennifer Austin

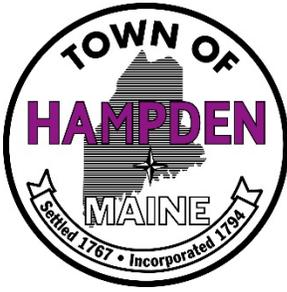
Tom Dorrity

Jake Armstrong

Notes:

1. *A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
2. *This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*

Town of Hampden
Land & Building Services



Report on Application
Conditional Use & Site Plan
Zucco's Dog House

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: July 30, 2018
RE: Report on Site Plan Application for Zucco's Dog House

Project Information

Applicant: Jim Kiser, for LTZ Holdings LLC
Site Location: Carey Drive, lot 25 of the Hampden Business Park
Zoning District: Industrial Park
Proposal: Construct a 3,512 square foot building for a dog day care and kennel facility.

This use is allowed in this district as a conditional use. The application meets all of the submission requirements and complies with the approval standards for conditional use approval. In my review, the only question I had was whether there are any special provisions for dog waste disposal, either from the permitting side or from the operational side. Staff has determined there are no regulatory provisions for dog waste, and the applicant has stated all dog waste, both inside and outside the building, will be picked up and put in the solid waste stream.

I have reviewed this site plan and have determined it to be in compliance with the requirements of Section 4.1, Site Plan Review, of the Zoning Ordinance.

Under Section 4.1.5, Submission Requirements, all items have been provided with the exception of item 8, floor plan, which is typically needed to determine the number of parking spaces required and since this use does not fit any category in §4.7.1.1, Table of Parking Requirements, is not necessary for consideration of the site plan. Item 13 is not applicable to this proposal since the project will not generate anywhere near 100 peak hour trips (the weekday average is 140 for the whole day).

Under Section 4.1.6, Approval Standards, all items have been met with the exception of item 4, dealing with landscaping. Section 4.7.2.5 of the zoning ordinance requires a class 1 buffer on the street side. Section 4.6 of the covenants, items a and b also apply; item a deals with the street

side, and b deals with the perimeters of parking areas, which “shall be landscaped with year round plant material or earth berms or a combination of both to screen said areas from view and lessen the impact on neighboring sites.” The plan shows some landscaping around the parking area and the applicant is seeking a waiver to the class 1 buffer requirement which calls for a dense hedge or a fence. I support the waiver request, as the proposed landscaping is consistent with landscaping at other sites within the business park.

Note, the revised plans in the packet have note 18 cut off. The full note reads: “Landscaping trees, evergreens and shrubs shall be as noted on the plans and if no variety is identified the selection shall be the owners choice.”

The building elevation drawing submitted complies with section 4.4 of the covenants which lists the allowable materials for the exterior of the building.

The site plan has been reviewed by Public Safety and they had no comments. The Public Works Director also reviewed the plans and the plans have been revised to address his comments. Our consulting engineers Woodard & Curran have also reviewed the plan, and the modifications made to the site plan in response to staff comments have also addressed Woodard & Curran's comments. Their report is attached.

Based on the above, I recommend that the waiver to the landscaping and buffering requirements of the zoning ordinance §4.7.2.5 be granted and the conditional use and site plan applications be approved as submitted. Draft Board Orders for these are attached.



July 26, 2018

Karen M. Cullen, Town Planner
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Zucco's Dog House Site Plan Application Peer Review

Dear Karen:

We have completed a review of the Site Plan Application submitted for Zucco's Dog House (Applicant) by Kiser Engineering & Development Consulting, for a proposed dog daycare and kennel on existing undeveloped Lot 25 within the Hampden Business Park. As requested, this review is focused on stormwater management. Our comments are listed below.

Zoning Ordinance Site Plan Standards (Article 4.1)

1. The project is located within the Sucker Brook Watershed, which is identified as an Urban Impaired Stream by the Maine DEP. As you noted in your cover letter, the proposed development is consistent with the approved SLOD for the Hampden Business Park; therefore, no additional stormwater permitting or analysis would be required by the DEP.
2. Proposed grading shows the direction of runoff away from all proposed improvements and utilizes the road side ditches to convey stormwater away from the site. This should be an effective means to manage stormwater and follows the intent of the original SLOD permits.
3. Regarding the site and impact on Public Infrastructure and Services (4.1.6.2), the site plan shows the driveway entrance without any crown. This is quite common, especially in narrow driveways. However, in this instance, that would shed runoff onto the public street where it would have to flow along the curb line for approximately 200 feet to reach the nearest catch basin. The volume of stormwater from this portion of the Applicant's property may not be significant. However, we would suggest the Board require the driveway and parking area be graded to minimize runoff into the street where it affects public infrastructure. This should not be a burden on the Applicant because the 24-foot-wide driveway will require two passes of the paving machine.

If you should have any questions or require additional information, please do not hesitate to contact us.

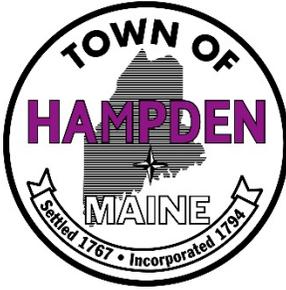
Sincerely,

WOODARD & CURRAN

A handwritten signature in blue ink that reads "James D. Wilson".

James D. Wilson, P.E.
Senior Project Manager

JDW/JCM/jeh
PN: 0213351.52



Town of Hampden
Land & Building Services

Planning Board Order
Conditional Use
Zucco's Dog House

Approval Date: August 8, 2018

Project Name: Zucco's Dog House

Location of Project: Hampden Business & Commerce Park, Lot 25

Assessor's Reference: 10-B-025

Deed Reference: 7872/199 & 7832/274 (note, deeds not yet created for individual lots)

Zoning District: Industrial Park

Total Acreage: 1.33 acres

Type of Use: Kennel

Building Area: 3,512 sq. ft.

Applicant: Jim Kiser
PO Box 282
Hampden, ME 04444

Owner: LTZ Holdings, LLC (future) Town of Hampden (current)
29 Liberty Ave.
Hampden, ME 04444

Plans Prepared by: Kiser & Kiser Co.

Plans Dated: July 25, 2018 (revised)

Application Date: June 25, 2018

Public Hearing: August 8, 2018

*PB Members:*¹ Peter Weatherbee, Kelley Wiltbank, James Davitt, Eugene Weldon,
Jennifer Austin, Tom Dorrity, and Jake Armstrong

PB Action: Approved. This Conditional Use is approved under Section 4.2 of the
Hampden Zoning Ordinance.

¹ Planning Board Members who were appointed to vote on this case.

DRAFT

Summary Description of Application: This application is to construct a kennel facility for a dog daycare business with most dogs only housed at the site for daytime periods. There is a parking lot in front with 12 spaces, and a fenced lawn area in the back for an outdoor play area for the dogs.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board made the following findings as required by Section 4.2.5 of the Hampden, ME Zoning Ordinance:

1. The proposed use is consistent with the general purpose of the ordinance and will not be detrimental to the health, safety, or welfare of the neighborhood or the town.
2. The proposed use is compatible with existing uses and development patterns in the neighborhood, as it is for a use that is consistent with other uses in the business park.
3. The proposed use will not create a nuisance due to noise, odors, dust, etc. given that it is located in an industrial area where there are no residential uses nearby. Noise will be controlled by use of indoor space and controlled outdoor playtime for the dogs.
4. The proposed use will not create undue traffic congestion nor unduly impair pedestrian safety given the location of the site within the business park, which was designed to accommodate typical business traffic.
5. The proposed project provides for adequate loading space for the normal operation of the use, given that deliveries will be by common carrier methods.
6. The proposed use provides adequate provisions for all waste disposal, with a dumpster on-site with a local hauler contracted to remove the waste. All solid dog waste will be disposed of in the solid waste stream.
7. The proposed use will not exceed the capacity of any public utility given that it is a low use operation. The stormwater management has been designed in conformance with the business park's MDEP Site Location of Development Permit.
8. The proposed project will have no impact on light and air on abutting properties since it is about 22 feet high and is not situated close to any lot line.
9. The proposed project will have minimal impact on the environment given that no hazardous materials are stored on the property and pet waste will be disposed of in the trash and not allowed to remain on the ground.
10. The proposed use will have minimal impact on fish or wildlife habitat since pet waste will not remain on the ground.
11. The applicant has adequate financial and technical capacity to meet the requirements of the zoning ordinance and the conditions imposed on this approval, given that they have a bank commitment for the project.

Based on these findings, the Hampden Planning Board voted _____ to approve the Conditional Use for Zucco's Dog House as previously described.

Conditions:

- 1.

For the Hampden Planning Board:

Eugene Weldon, Chairman

Date

Peter Weatherbee

Kelley Wiltbank

James Davitt

Jennifer Austin

Tom Dorrity

Jake Armstrong

Notes:

1. *A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
2. *This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*

DRAFT



Town of Hampden
Land & Building Services

Planning Board Order
Site Plan
Zucco's Dog House

Approval Date: August 8, 2008

Project Name: Zucco's Dog House

Location of Project: Hampden Business & Commerce Park, Lot 25

Assessor's Reference: 10-B-025

Deed Reference: 7872/199 & 7832/274 (note, deeds not yet created for individual lots)

Zoning District: Industrial Park

Total Acreage: 1.33 acres

Type of Use: Kennel

Building Area: 3,512 sq. ft.

Applicant: Jim Kiser
PO Box 282
Hampden, ME 04444

Owner: LTZ Holdings, LLC (future) Town of Hampden (current)
29 Liberty Ave.
Hampden, ME 04444

Plans Prepared by: Kiser & Kiser Co.

Plans Dated: July 25, 2018 (revised)

Application Date: June 25, 2018

Public Hearing: August 8, 2018

*PB Members:*¹ Peter Weatherbee, Kelley Wiltbank, James Davitt, Eugene Weldon,
Jennifer Austin, Tom Dorrity, and Jake Armstrong

PB Action: Approved. This Site Plan is approved under Section 4.1 of the
Hampden Zoning Ordinance.

¹ Planning Board Members who were appointed to vote on this case.

DRAFT

Summary Description of Application: This application is to construct a kennel facility for a dog daycare business with most dogs only housed at the site for daytime periods. There is a parking lot in front with 12 spaces, and a fenced lawn area in the back for an outdoor play area for the dogs.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board made the following findings as required by Section 4.1.6 of the Hampden, ME Zoning Ordinance:

1. The proposed project has been designed to minimize the volume of cut and fill, the site is currently devoid of trees, there are no wetland impacts on this site, and the stormwater management system has been designed in accordance with the DEP SLOD Permit and will have minimal impact on the area.
2. The proposed project provides for safe ingress and egress and on-site circulation for vehicles and pedestrians.
3. The proposed project will not impact scenic views from public ways, and as development within an approved Business Park it is consistent with the intent of the Town in creating the Park.
4. The parking and outdoor service areas are appropriately screened from public ways, and there are no residential areas nearby which might be impacted. Although the landscaping is not in strict compliance with the Class 1 buffer requirements, it is consistent or better than the existing landscaping at approved sites within the Business Park.
5. The proposed exterior lighting complies with the applicable regulations of the Zoning Ordinance and does not present a hazard due to location, glare, or other conditions that negatively impact abutting property or the travelling public.
6. The proposed building complies with the requirements of the covenants for the Business Park and is not an unreasonable departure from the other buildings in the Park.
7. The proposed project will not involve hazardous substances that could contaminate groundwater.
8. The proposed project is designed to provide adequate access for fire and service equipment, as well as for utilities and stormwater management.
9. The proposed project will not exceed the capacity of public utilities or overburden any public service.

Based on these findings, the Hampden Planning Board voted _____ to grant the requested waiver to the Class 1 buffer requirements of §4.7.2.5 of the zoning ordinance and to approve the Site Plan for Zucco's Dog House as previously described.

Conditions:

For the Hampden Planning Board:

Eugene Weldon, Chairman

Date

Peter Weatherbee

Kelley Wiltbank

James Davitt

Jennifer Austin

Tom Dorrity

Jake Armstrong

Notes:

1. *A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
2. *This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*

DRAFT

Town of Hampden
Land & Building Services



Report on Application
Site Plan

FW Webb, Hampden Business Park

To: Planning Board
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: July 30, 2018
RE: Report on Site Plan Application for FW Webb

Project Information

Applicant: FW Webb Company
Site Location: Webb Drive, Hampden Business & Commerce Park; Parcels 10-B-033, 10-B-034, and 10-B-035
Zoning District: Industrial Park
Proposal: Construct a new 72,750 square foot building with attendant parking, loading, and outdoor storage areas for a plumbing supplier. The building will have 64,750 square feet of warehouse space, 12,000 square feet of "self-serve" area (wholesale sales), 60,000 square feet of outdoor storage, 8,000 square feet of office space, and 12,000 square feet of mezzanine space for storage. The site is 16.78 acres with frontage on Webb Drive (name change through E-911 Addressing from Enterprise Drive), with entrances in two locations to facilitate truck and passenger vehicle traffic in and out of the site. There are 88 parking spaces and 6 loading docks. Stormwater drainage is handled onsite with two ponds discharging to an existing wetland area. The site is within the Sucker Brook watershed.

I have reviewed this application and have determined it to be in compliance with the submission requirements of Section 4.1.5.1, Site Plan Review, of the Zoning Ordinance, with the following exception which may be taken care of at the meeting: Item 10 – *The location and size of signs and all permanent outdoor fixtures*. No information has been submitted on signage – I understand the applicant will provide this when they receive it. Note, item 13 is not applicable to this proposal.

DPW Director Sean Currier has reviewed the plan and offered several comments, which were passed on to the applicant's engineer. Sean Currier deferred stormwater issues to our peer review engineers (Woodard & Curran, their report is attached).

1. The silt fence should be continuous across the back of the lot – this change has been made on the revised plans you have in your packet.
2. Snow storage areas are not shown (they are not required to be shown per §4.1.6) but Sean would like to know where snow will be stored – this has also been added to the site plan.
3. The two proposed entrances are okay.

4.1.6.2, site plan objectives, have been met with two exceptions. You will notice these two findings in the attached draft Board Order are highlighted as they need to be finalized at the meeting.

6. *Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.* No architectural elevation drawings have been submitted so it is unknown how this building will look. That said, it is the first in this section of the park and since it is located to the rear of the park will not be as visible to the traveling public as those in the first phase of the park.
9. *Capacity of public utilities:* It is noted that the Hampden Water District has provided a letter stating they have capacity for the domestic water supply for the project, and they are working on the issue of fire flow capacity given the requirements under the fire codes for this proposed facility.

Other comments:

1. §3.2.35 requires that outdoor storage areas in the business park be located on the rear two thirds of the site unless the PB makes a determination that a different location is better. A request including your reasoning for placing it where it is and why it meets the criteria given in §3.2.35 needs to be submitted for the board to consider.
2. The covenants (which are the Town's responsibility to enforce) for the business park require buildings to have certain types of siding material, and to be designed consistent with other buildings in the park. We have not seen an architectural drawing yet, so I cannot say whether the proposal meets this requirement or not.
3. While there is no requirement for a subdivision amendment to combine the three parcels, it would make things easier for the Town Assessor (not having the building on multiple parcels). This issue has been brought to the attention of the applicant including the process for such an amendment if they decide to do one.

The application and plans are attached to this report for your review. In addition, a draft Order (decision) is also attached for your review.



July 26, 2018

Karen M. Cullen
Town Planner
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: F.W. Webb Site Plan Application Peer Review

Dear Karen:

We have completed a review of the Site Plan Application submitted for F.W. Webb (Applicant) by CES, Inc. dated June 2018, for a proposed warehouse and office building for F.W. Webb on existing undeveloped Lots 33, 34, and 35 along East Carey Circle. This review is focused on conformance with Zoning Ordinance Requirements as well as General Engineering Standards. Additionally, Maine Department of Environmental Protection (MDEP) permit regulations may apply and are also addressed. Our comments are listed below.

Zoning Ordinance Site Plan Standards (Article 4.1)

1. The plan does not show any designated snow storage areas. We recommend that the Applicant clarify for the Planning Board how snow is managed on the site within the plans.
2. The plan appears to show wetlands within the project site area. The plans shall show the appropriate wetland setbacks. Additionally, the Applicant should address these wetland areas within the Site Plan Application Narrative.
3. The Application should provide additional details for the following items:
 - a. Gas and electrical utility trenches
 - b. Facility gates
 - c. Planting details
4. In accordance with Section 4.1.5.1(4) of the Town of Hampden Zoning Ordinance: In addition to providing copies of submissions made to MDEP, the development project is required to submit a Stormwater Management Plan pursuant to the regulations of the MDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a. Basic Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices.
 - i. The Applicant shall provide inspection and maintenance requirements in accordance with MDEP Chapter 500.



- b. General Standard: The project will result in an increase in impervious area of approximately 416,782 square feet. As such, the project is required to include specific stormwater management features for stormwater quality control. We offer the following comments:
 - i. Please provide sediment forebay sizing for both Wet Ponds 1 & 2.
 - ii. The Applicant indicated that Wet Pond 1 has been sized to accommodate an additional future 7,000 sq. ft. of impervious area. We recommend the applicant indicated the additional future area on the plans.
 - c. Flooding Standard: The project will result in an increase in impervious area of approximately 416,782 sq. ft. As such, the project is required to provide specific stormwater management features to control the rate or quantity of stormwater runoff. We offer the following comments:
 - i. The Pre-Development model does not include summaries for all subcatchment areas and summation points. Please provide summaries for all subcatchment areas and summation points for each storm event.
 - ii. The Post-Development models for Wet Ponds 1 & 2 do not demonstrate the required Permeant Pool Volume described within the Stormwater Quality Control Narrative. Please provide additional documentation demonstrating that the proposed ponds have adequate Permeant Pool Volume.
 - iii. The HydroCAD model for Wet Pond 2 utilizes a 4-inch underdrain. However, the Wet Pond 2 Outlet Structure Detail indicates a 6-inch underdrain. Please provide additional clarification.
5. The project is located within the Sucker Brook Watershed, which is identified as an Urban Impaired Stream by the MDEP. To meet the Urban Impaired Stream standard, the Applicant must either pay a compensation fee or mitigate the project impacts by treating, reducing, or eliminated an off-site or on-site pre-development impervious stormwater source.

Maine Department of Environmental Protection

1. The Applicant has provided copies of SLOD and NRPA permits to the Town. The Applicant shall forward all approvals to the Town upon receipt.

If you should have any questions or require any additional information, please do not hesitate to contact us.

Sincerely,

WOODARD & CURRAN

A handwritten signature in blue ink that reads "James D. Wilson".

James D. Wilson, P.E.
Senior Project Manager

JDW/JCM/jeh
PN: 0231781.02



Town of Hampden
Land & Building Services

Planning Board Order
Site Plan
F.W. Webb

Approval Date: August 8, 2008

Project Name: FW Webb

Location of Project: Hampden Business & Commerce Park, Lots 33, 34, & 35

Assessor's Reference: 10-B-033, 10-B-34, & 10-B-35

Deed Reference: 7872/199 & 7832/274 (note, deeds not yet created for individual lots)

Zoning District: Industrial Park

Total Acreage: 16.78 acres

Type of Use: Wholesale and Warehouse Facility

Building Area: 72,750 sq. ft.

Applicant: F.W. Webb Company
160 Middlesex Turnpike
Bedford, MA 01730

Owner: F.W. Webb (future) Town of Hampden (current)

Plans Prepared by: CES Inc.

Plans Dated: June 22, 2018; July 30, 2018 (revised)

Application Date: June 25, 2018

Public Hearing: August 8, 2018

*PB Members:*¹ Peter Weatherbee, Kelley Wiltbank, James Davitt, Eugene Weldon,
Jennifer Austin, Tom Dorrity, and Jake Armstrong

PB Action: Approved. This Site Plan is approved under Section 4.1 of the
Hampden Zoning Ordinance.

¹ Planning Board Members who were appointed to vote on this case.

DRAFT

Summary Description of Application: This application is to construct a warehouse and wholesale facility for a plumbing supply company. The project entails indoor and outdoor storage, space for wholesale customers, and office space. Ample room is provided for large trucks to safely enter and exit the site and for on-site circulation. There is good separation between truck and passenger vehicles with minimal areas of potential conflict. Parking is provided for the current space as well as planned future building additions. Stormwater management is being approved by DEP; since the site include three adjacent lots within the Business Park, an amendment to the Site Law (aka SLOD) Permit is required, in addition to a wetlands application under the NRPA. The stormwater system has been sized to handle future expansions.

The project includes a 200' x 200' warehouse with a 12,000 square foot mezzanine for storage for a total of 52,000 square feet, a 75' x 175' pipe barn with 12,750 square feet, a 100' x 120' area of the main building for "self serve" wholesale customer area with 12,000 square feet, and an 80' x 100' office area with 8,000 square feet, for a grand total of 72,750 square feet of building space. There are plans for future additions but they are not set in stone at this point. There is also 60,000 square feet of outdoor storage area, six loading docks, a "will call" pick up area, and a parking lot with 88 spaces which will accommodate both immediate and future needs. The outdoor storage area will be fenced off and gated to prevent unauthorized entry.

Findings: After the public hearing duly noticed and held, the Hampden Planning Board made the following findings as required by Section 4.1.6 of the Hampden, ME Zoning Ordinance:

1. The proposed project has been designed to minimize the volume of cut and fill, the site is currently devoid of trees, there are no wetland impacts on this site, and the stormwater management system has been designed in accordance with the DEP requirements and an amendment to the Business Park SLOD Permit is currently under review by the DEP. The stormwater system is designed to have minimal impact on the area.
2. The proposed project provides for safe ingress and egress and on-site circulation for vehicles and pedestrians, with good separation between truck and passenger vehicles.
3. The proposed project will not impact scenic views from public ways, and as development within an approved Business Park it is consistent with the intent of the Town in creating the Park.
4. The parking and outdoor service areas are appropriately screened from public ways, and there are no residential areas nearby which might be impacted. Although the landscaping is not in strict compliance with the Class 1 buffer requirements, it is consistent or better than the existing landscaping at approved sites within the Business Park.
5. The proposed exterior lighting complies with the applicable regulations of the Zoning Ordinance and does not present a hazard due to location, glare, or other conditions that negatively impact abutting property or the travelling public.
6. The proposed building complies with the requirements of the covenants for the Business Park and is not an unreasonable departure from the other buildings in the Park. NOTE: Need to see architectural drawing to determine this.
7. The proposed project will not involve hazardous substances that could contaminate groundwater.

8. The proposed project is designed to provide adequate access for fire and service equipment, as well as for utilities and stormwater management.
9. The proposed project will not exceed the capacity of public utilities or overburden any public service. **QUESTION: fire flow or other fire suppression system**

Based on these findings, the Hampden Planning Board voted _____ to grant the requested waiver to the Class 1 buffer requirements of §4.7.2.5 of the zoning ordinance and to approve the Site Plan for FW Webb as previously described.

Conditions:

DRAFT

For the Hampden Planning Board:

Eugene Weldon, Chairman

Date

Peter Weatherbee

Kelley Wiltbank

James Davitt

Jennifer Austin

Tom Dorrity

Jake Armstrong

Notes:

1. *A copy of this decision is on file with the Land & Building Services Office at the Town Offices, 106 Western Avenue, Hampden, ME 04444.*
2. *This decision is subject to appeal in accordance with Article 6 of the Hampden Zoning Ordinance within 30 days after the date this decision is made by the Planning Board.*

DRAFT