



Town of Hampden

Planning Board Meeting

Wednesday September 9, 2020, 7:00 pm

Minutes

This meeting was held via remote means (Google Meet) due to the Covid-19 Pandemic, in accordance with SP0789 / LD2167, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency.

In Attendance:

Planning Board

Kelley Wiltbank, Chairman (arrived 7:07pm)
Jake Armstrong
Gene Weldon
Richard Tinsman
Brent Wells
Jennifer Austin

Staff

Ben Smith, Contract Planner
Sarah DelGizzo, Contract Planner
Wanda Libbey, Recording Clerk
Ryan Carey, CEO

Public

Jim Kiser
Ralph Helms
Martin Capewell
Julie Tozier
Debbie Moody

The meeting was called to order by Vice-Chairman Richard Tinsman at 7:00 pm. Vice-Chairman Richard Tinsman explained that this meeting is being held remotely, with Gene Weldon and Jake Armstrong in the Council Chambers and everyone else via Google Meet, in accordance with the guidelines for the pandemic. He took attendance by roll call; all members listed above participating with both audio and video. It was established that all board members were able to hear and speak to all the other members. All staff and public participants could likewise hear and speak to all other participants.

1. Administrative

- a. Minutes – August 12, 2020 regular meeting

Motion: by member Gene Weldon to approve the minutes of the August 12, 2020 regular meeting with the correction that Gene Weldon was present in Council Chambers and Richard Tinsman was present via Google Meet, seconded by Brent Wells; motion carried 4/0/1 by roll call vote, (Member Weldon abstaining).

- b. Minutes – August 18, 2020 workshop meeting

Motion: by member Jennifer Austin to approve the minutes of the August 18, 2020 workshop meeting, seconded by Jake Armstrong; motion carried 4/0/2 by roll call vote, (Member Weldon and Tinsman abstaining).

2. New Business

- a. Tozier – public hearing for conditional use application to establish a Customary Home Occupation to run a retail shop for the sale of products made on the property, located at 940 Kennebec Road, parcel 01-0-063. This property is in the Rural district.

Chair Kelley Wiltbank opened the public hearing at 7:08pm

Sarah DelGizzo, Contract Planner, presented the proposed plan:

- Conditional Use Review for Customary Home Occupation (4.10.2)
- Construct a 14' x 28' (392 sq. Ft.) building
- new building 10' from the applicant's home
- physical shop for existing online Esty craft shop

Planning Board Members, Dick Tinsman and Gene Weldon, had the following questions/concerns:

- What is the retail occupation?
- What is the definition of Home Occupation?
- Planned hours of operation?

In response, the following comments were provided:

- Retail products being sold are soy wax candles.
- Sarah DelGizzo, Contract Planner representative, read Zoning Ordinance Section 4.10.2 Customary Home Occupation.
- Julie Tozier explained that 20 hours per week would be the maximum hours of operation.

Chair Kelley Wiltbank closed the public hearing at 7:22 pm

Motion: by member Dick Tinsman to approve the proposed conditional use application with the following conditions, that the maximum open hours per week are 24 hours and that not more than one employee outside the owner of the residence be engaged. The motion was seconded by Brent Wells; motion carried 6/0/0 by roll call vote.

- b. Helms – public hearing to subdivide one parcel within a previously approved subdivision to create one new buildable lot from 23 Murphy Lane, parcel 25-0-005-A. This property is in the Residential A district.

Chair Kelley Wiltbank opened the public hearing at 7:24pm

Ben Smith, Contract Planner started the project introduction:

- This application is an amendment to the Van Arkin subdivision approved by the Hampden Planning Board back in the 70's.
- This is a division of lot four of that subdivision to create a new lot within the currently approved subdivision.
- Both of those lots would have frontage on Murphy Lane.

- The application is simply for the creation of a new lot within an approved subdivision.
- The lot does meet the minimum lot size and frontage setbacks.

Ben Smith, Contracted Planner spoke concerning the common area shown on the plan. He explained that it looks like an area that would be subject to easements on the new property which would benefit the remaining land of Ralph and Sandra Helms to be used for access utilities and the well. The well is currently shown on the proposed property at a corner of the property, which is on the property line between the two properties. His suggestions were to, spell out the easements and some draftsman language for utilities and access. Also to consider some additional information to be required to show that the well could serve the two residential uses for that property or to have that well simply serve one lot and have the other lot certify new well.

Ralph Helms, applicant, explained that he would like to put a modular home at the top and sell his some his existing home. A

Questions:

Jennifer Austin asked Mr. Helms if he was an employee of the town and Mr. Holmes replied that he is. Jennifer also asked if the board would be proposing draft language to include with this order regarding the easement and the condition that he will check and provide documentation regarding the well capacity or a new well? Kelley Wiltbank stated that the applicant stated that he will.

Motion: by member Richard Tinsman to approve the application for subdivision amendment to lot four as presented with the following conditions. A draft easement be developed for access, vehicular access, and utilities to be submitted to the town for review and approval. Number two, the applicants will submit information on the existing well including water quality information and flow rates to show the well will be adequate supply for multiple dwelling units or to show that a new well would be provided for the separate lot. The motion was seconded by Jennifer Austin; motion carried 6/0/0 by roll call vote.

- c. DLM Professional Center – public hearing for a major site plan to add 4 new commercial buildings to the commercial property at 588 Main Road North, parcel 19-0-037. This property is in the Business district.

Chair Kelley Wiltbank opened the public hearing at 7:32 pm

Jim Kiser, representing the applicant, presented the proposed plan:

- Property is located at 588 Main Road North, formerly a redemption center and antique shop
- 10.5-acre parcel
- Two swales crossing property that have two small streams in them. Development will be away from those locations.

- Requesting a G-5 business or professional office used for the prop for the new facilities.
- Adding four new buildings of approximately 11,500 sq. ft. of additional building.
- Improving area with access to the rear portion of the buildings and parking in front of each building.

Questions:

Kelley Wiltbank asked if the buildings that are already there will remain there? Jim Kiser explained that the front building will remain. The house that was shown in the plan has been removed and the commercial building to the back is currently rented to a glass company.

Michelle Barry only concern would be as far as the location of the farthest building. What will the height be and type of roof? Jim Kiser explained that they have planted Arborvitaes that will grow up to about 20 feet high in the area along the back of the property.

Chair Kelley Wiltbank closed the public hearing at 7:46 PM.

Sarah DelGizzo expressed concern with the snow storage location in the front of the site next to the improved parking area and it seems just very close to the stormwater treatment for filter basin number two. The second was what will be the dimensions of the parking stalls so that the applicant does provide adequate parking. Sarah had additional comments relevant to the kind of improved parking in the front of the existing commercial building, the new sidewalk and improve parking areas. To have the new sidewalk tie into the existing sidewalk on Main Road North, to make sure that there is crosswalk striping across the new access driveway for safety reasons. Also, to make sure that there is adequate turning space to get out of some of these parking areas. One last comment concerning making sure that the dumpster pad is paved underneath to avoid wear and tear.

Jim Kiser explained the bed itself is approximately 18 feet off the edge of the pavement. A lot of times snow is plowed towards it so that it does go through the filter basin so that it acts as a treatment to remove the sand, grit and smell within the filter itself rather than running off into the streams and River. He will check with DEP to confirm. In reference to the parking stalls, although the ordinance does state 20 feet the board has been receptive to the 18-foot depth. If a formal waiver is required by the board, the applicant will be requesting one. Crosswalks were not provided as it is a driveway and not a roadway. If the board feels that this would be an item that would improve safety concerns, the applicant would be happy extend those right across the drive. The connection of the existing sidewalk was an oversight by the applicant, if the board makes that a condition of approval, the applicant will accommodate that.

Kelley Wiltbank asked if there is space to build the 20-foot stalls? Jim Kiser stated that if required, yes, they have the depth required by Planning Board accommodate the 20-foot gap for the stalls.

Ben Smith was interested in the design of the buildings pertaining drip strips proposed on the buildings. He also was interested in if the applicant had considered any landscaping

along the front of the property in the vicinity of the parking areas or the front of the existing commercial structure.

Jim Kiser explained that the buildings are spec buildings at this point and time. The buildings are being designed with a gable roof in mind so that the back of the building would have the drip edge. We didn't put any plantings down in the front because in looking at that section of Main Road North there is really no landscaping associated with the buildings that are there now and this allows people to see the parking spaces available when they visit the front building.

Consensus of the board is to table this item until the October 14, 2020 meeting due to there not being ample information to go forward to make a decision at this meeting.

- d. Martin Capewell – pre-application of a conditional use review for a change in use from an existing nonconforming use to another nonconforming use on property located at 125 Mayo Road, parcel 06-0-036, in the Residential B district.

Martin Capewell, applicant, explained to the board that he will be purchasing the warehouse at 125 Mayo Road and he was looking for an acknowledgement from the board that he would be able to use it as a warehouse.

Ben Smith explained that this item is an informational item only and that the applicant is working with town staff to figure out how best to proceed.

Due to information coming in late the Code Enforcement Officer will review the new information and determine rather the applicant will need to come back to the Planning Board next month.

3. Old Business – none
4. Planning Board Comment - none
5. Adjournment

Motion: by Gene Weldon to adjourn the meeting at 8:58 pm; second by Richard Tinsman; motion carried 6/0/0 by roll call vote.

*Respectfully submitted by Wanda Libbey,
Administrative Asst.*