

Planning and Development Committee
November 16, 2011
6:00 PM
Council Chambers
AGENDA

1. Approval of November 2, 2011 Minutes
2. Committee Interviews – None
3. Old Business/Updates
 - Updates
 - Recreation Plan
 - Marina Park
 - School Appraisal
 - Waterfront District Amendment Revision
 - Sign Ordinance Update
4. New Business:
5. Public Comments:
6. Committee Member Comments:
7. Adjourn

**Planning and Development Committee
Minutes of November 2, 2011
6:00 PM
Hampden Council Chambers - Town Office**

Attendees: Tom Brann, Chair
Janet Hughes
William Shakespeare
Jean Lawlis

Staff:
Dean Bennett, CED
Bob Osborne, Planner
Guest: David Hughes
Epstein Commercial Realty

1. Approval of October 5, Minutes

Approved by Consensus

2. Committee Interviews

None.

3. Old Business

a. Business Park Update

Community and Economic Development Director (CEDD) updated the Committee on his lack of progress with regard to the exploration of sign design for the Hampden Business Park. CEDD will provide to Committee at future meeting.

b. Recreation Plan Update

Chairperson Brann advised he has talked with Kurt Mathies and reports there is progress and the drafting continues.

c. Sign Ordinance Draft

Town Planner presented a draft of the stand alone Sign Ordinance. The draft includes visual illustrations as they relate to the sign requirements within individual districts.

Town Planner explained that the Ordinance and illustrations as drafted represent current standards with minor language amendments intended to address problem areas identified by the Code Enforcement Officer in previously submitted documentation.

The Committee concurred with staff that the draft presents an opportunity to engage the business community, perhaps in a workshop format or HBA Lunch Meeting to present current requirements and seek input for suggested changes and/or corridor vision discussion. Staff will coordinate and seek input from the business community the prevent findings to the Committee.

It was noted that this is further implementation of the BEAR Program initiatives, developed in response to survey interviews of business owners, who assisted in the identification of problematic issues with existing land use regulations, specifically sign standards.

d. Marina Park Update

CEDD updated the Committee on progress to date on the proposed Marina Park. CEDD is in the process of collecting and preparing the National Park Conversion Application. CEDD reports the following status of the application components:

Updated Appraisals

Ted Webersinn of Webersinn Appraisal Service is currently working on the updated appraisals which had expired. The updated appraisals will contain the new land configurations in addition to updated values.

Survey

CES has update the land survey which now indicates the newly configured lot lines created by the pending transfer of property to Hamlin Marine.

Environmental Assessments

David Moyse of Moyse Environmental has provided additional documentation that allow for the creation of two separate property environmental assessments

from the original that contain both properties in the same assessment.

Archaeological Phase One Assessment

State of Maine Historic Preservation has required, as part of the Conversion Application that a Phase One Archaeological Assessment be performed on the property. This Assessment consists of test holes and collection to determine if potential artifacts exist and what means of protection they are to be afforded.

A number of firms and individuals, qualified to do the Phase One Assessment, have been contacted to determine interest and costs. Timing is very important in that digging must occur prior to ground freezing.

Once all components of the application have been assembled, CEDD will write the grant application, package and delivery to Mick Rogers of the State Bureau of Public Lands who will then endorse and forward to the National Park Service for approval.

e. School Re-Use Update

Mayor Hughes reported that she, Tom Brann and CEDD met with school administrators to review specific and detailed costs analysis information pertaining to the content of existing buildings on the former school property, and costs of their disposal. The cost analysis is to be shared with the Appraiser at an upcoming meeting. CEDD will report back on progress.

f. Interchange District Proposed Use Amendment

Town Planner presented draft language for inclusion into the Interchange District per direction of the Committee to provide for the location of retail and service businesses within the existing commercial Interchange District. This change will allow for and support existing business retention and expansion.

Committee Action: The Committee voted to forward the language as drafted and proposed to the Town Council with an “ought to approve” recommendation for further forwarding to the Planning Board as required.

g. Waterfront District Zoning Amendment

Town Planner presented draft language for inclusion in the Zoning Ordinance, as initiated by the CEDD, that proposes a zoning district (Waterfront District I) be created to include the two parcels (town marina property and adjacent lot to serve as the future location of a town park). The intent of this district is to provide a zoning designation and associated regulatory provisions that will accommodate the park and future development as proposed and accepted and as detailed in the Chevron Supplemental Environmental Project.

Due to the specific intent of this district, it is recognized that limited land area is available for related uses therefore innovative development standards are required.

Upon review of the proposed draft amendment, the Committee felt that the Permitted and Conditional uses needed to be further revised and limited to more reflect the uniqueness of the property and its intended development. The Committee suggested that only those uses existing and identified in the Waterfront Park Plan be contemplated within the district in order to ensure conformance to the new district standards and prevent potential development inconsistent with its limited and specific purpose. Committee further noted that although both parcels of land are currently under town ownership, consideration was given to the existing businesses on the property to avoid any negative impact to those businesses.

4. New Business:

- a. Hampden Business Park Lot 5
Offer for Consideration

David Hughes of Epstein Commercial Realty, acting on behalf of the town, presented an offer received on Lot 5 of the Business and Commerce Park.

Committee Action: Committee voted to direct David Hughes to negotiate the offer, as recommended by Epstein Commercial Realty, with interested party.

b. Route 9 Sidewalk Grant
Possible Amendment

Town Planner discussed with the Committee the possible expansion of the Route 9 Sidewalk Grant and scope. The grant scope could be expanded to include additional sidewalk construction provided which would require the appropriation of additional local match resources.

Committee Action: The Committee discussed the fact that there are two major obligations that the Town already faces for sidewalks in FY 2012 and 2013. Given the anticipated financial challenges that are anticipated, the Committee elected not to pursue grant amendment.

5. Public Comments

None

6. Committee Member Comments

Town Planner reports that the Committee requested changes to the proposed easement associated with the Billington Subdivision has been approved by the Corps of Engineers. Town Planner distributed the draft with changes which were verified by the Committee.

Committee Action: Committee voted to approve the easement as presented and to forward to Council with recommendation "ought to approve".

7. Adjourn



TO: Mayor Hughes and Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Zoning Ordinance Text Amendment to Create a Waterfront District
DATE: November 9, 2011

The attached document represents the proposed revised language for a draft Waterfront District created for the committee to consider for land in the area of the Marina expressly to address the issues of road frontage and lotting of existing site developments. Please find attached a copy of the draft amendment to the Zoning Ordinance. The area proposed to be within this proposed zoning district is the Hamlin/Town parcel and the peninsula/Crockett parcel.

TOWN OF HAMPDEN
Draft

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

3.16. Waterfront District 1

3.16.1. Purpose - This district is intended to support the location of water dependent and water related uses, as well as certain commercial activities that also support those water related uses. In general this area is intended to be consistent with the Shoreland Zoning General Development uses. Furthermore it is recognized that limited land area is available for such uses thus innovative development standards are required.

3.16.2. Permitted Uses (Subject to Site Plan Review) - Water dependent and water related uses, public river access/launch facilities, park, outdoor recreation, place of assembly, marina, boar sales, repair and storage and sitdown restaurant, accessory uses or structures and essential service and buildings for essential service.

3.16.3. Conditional Uses (Subject to Site Plan Review) - Outdoor dining restaurant and any establishment which provides in excess of 5,000 square feet of outdoor display or storage of goods or equipment.

3.16.4. Lot Dimensions

<u>Minimum Lot Area</u>	<u>-</u>	<u>20,000 sq. ft.</u>
<u>Minimum Road Frontage</u>	<u>-</u>	<u>none</u>
<u>Minimum Setbacks:</u>		
<u>Street Yard</u>	<u>-</u>	<u>10 feet</u>
<u>Other Yards</u>	<u>-</u>	<u>10 feet</u>
<u>Maximum Ground Coverage</u>	<u>-</u>	<u>70 percent</u>
<u>Maximum Building Height</u>	<u>-</u>	<u>35 feet</u>

3.16.5. Special District Regulations

1. Notwithstanding the maximum building height regulations in Article 3.16.4, building height may be up to 50 feet under the following standards. Buildings in excess of 35 feet in height shall provide additional setbacks on all yards as herein stipulated: Subtract 35 feet from the proposed building height and add that difference to each yard setback requirement.

EXAMPLE: A 48 foot tall building is proposed. By subtracting the base Commercial Service District maximum building height from the proposed height the following is the result $48' - 35' = 13'$.

Then add that amount to each yard or setback.

<u>Setback Type</u>		<u>Base Setbacks:</u>	<u>Total Setback</u>
<u>Street Yard</u>	<u>-</u>	<u>10 feet</u>	<u>23 feet</u>
<u>Other Yard</u>	<u>-</u>	<u>10 feet</u>	<u>23 feet</u>

2. Outdoor dining areas proposed for outdoor dining restaurant uses shall be clearly delineated on a site plan including barriers required under M.R.S.A. Title 28-A. Outdoor dining restaurant uses proposing outdoor consumption of alcoholic beverages shall comply with M.R.S.A. Title 28-A: LIQUORS §1051. Licenses generally which requires that outside areas be controlled by barriers and by signs prohibiting consumption beyond the barriers.

3. Notwithstanding the maximum building height regulations buildings used for functionally water-dependent uses along the Penobscot River are not subject to the maximum building height standard in Article 3.16.4. or 3.16.5.1. provided the lot area for such a use is at least five acres in size.