

Planning and Development Committee
July 17, 2013
6:00 PM
Council Chambers
AGENDA

1. Approval of July 3, 2013 Minutes
2. Committee Applications
3. Updates
4. Old Business
 - A. E-911 Addressing Ordinance – Gretchen Heldmann
 - B. Executive Session pursuant to 1.M.R.S.A. §405 (6) (C) to discuss an Economic Development Proposal. (Hampden Business Park). (Postponed to August 7, 2013)
 - C. Discussion on Purchase/Sale and Lease Agreement for former Hampden Academy Property.
5. New Business:
 - A.
6. Comprehensive Plan Implementation
 - A. Re-Zoning – District Amendments
7. Citizens Initiatives:
8. Public Comments:
9. Committee Member Comments:
10. Adjourn

Planning and Development Committee

July 3, 2013

6:00 PM

Council Chambers

MINUTES

Attendees: Committee

**Tom Brann
Bill Shakespeare
Jean Lawlis**

Staff

**Dean Bennett
Tom Russell, Attorney**

1. **Approval of June 19, 2013 Minutes** – Approved
2. **Committee Applications** – There were no committee applications under review.
3. **Updates**
 - A. **Marina Project**

Community and Economic Development Director (CEDD) updated the Committee and advised that the NRPA and Storm Water Permits have been completed and submitted to the appropriate agencies.
4. **Old Business**
 - A. **Executive Session pursuant to 1. M.R.S.A. §405 (6) (C) to discuss an Economic Development Proposal (Academy Property)**

Motion into Executive Session: 6:03 pm
Motion out of Executive Session: 6:37pm

Committee Action: Motion made (Jean lawlis) seconded (Bill Shakespeare to “Recommend to the Town Council to move forward with adoption of Ordinance to dispose of town property and the subsequent approval and signing of the Lease Agreement and Purchase Sale Agreement with regard to the former Hampden Academy. Vote: 3-0

B. Executive Session pursuant to 1. M.R.S.A. §405 (6) (C) to discuss an Economic Development Proposal (Hampden Business Park)

Motion into Executive Session: 6:38 pm

Motion out of Executive Session: 6:48 pm

5. **New Business:**

6. **Comprehensive Plan Implementation**
 - A. **Re-Zoning – District Boundaries**

This item tabled until next scheduled meeting.

7. **Citizens Initiatives:** - none.

8. **Public Comments:** - none.

9. **Committee Member Comments:** - none.

10. **Adjourn:** The meeting was adjourned at 7:00 pm.

**TOWN OF HAMPDEN, MAINE
E911 ADDRESSING ORDINANCE**

ENACTED DATE: MONTH, XX, 2013
EFFECTIVE DATE: MONTH, XX, 2013

CERTIFIED BY: _____
Name

Title Affix Seal

**TOWN OF HAMPDEN, MAINE
E911 ADDRESSING ORDINANCE
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**ARTICLE 1.
TITLE**

1.1 Title. This Ordinance shall be known as the "Addressing Ordinance."

**ARTICLE 2.
PURPOSE**

2.1 Purpose. The purpose of this Ordinance is to enhance the easy and rapid location of structures by law enforcement, fire, rescue, and emergency medical services personnel in the Town of Hampden.

**ARTICLE 3.
AUTHORITY**

3.1 Authority. This ordinance is adopted pursuant to and consistent with Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

**ARTICLE 4.
DEFINITIONS**

4.1 Construction Language. In this Ordinance, certain terms or words shall be interpreted as follows: The word "person" includes a firm, association, organization, partnership, trust, company, corporation or other legally recognized entity, as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory; the word "structure" includes the word "building" and the word "dwelling" includes the word "residence", the word "parcel" includes the words "lot" or "plot". In case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control. Terms not defined shall have the customary dictionary meaning.

4.2 Definitions. In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Road: A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare serving three or more structures. A road name assigned by the municipality in accordance with this ordinance shall not constitute or imply Town acceptance of the road as a public way or Planning Board approval as a feature of a subdivision plan.

**ARTICLE 5.
ADMINISTRATION**

5.1 Administration. This Ordinance shall be administered by the designated e911 Addressing Officer who is authorized to and shall assign and/or approve road names and numbers to all properties, both on existing and proposed roads, in accordance with the criteria in Articles 6 and 7. The Addressing Officer shall be responsible for maintaining the following official records of this ordinance:

- a) A municipal map(s) for official use showing road names and numbers.
- b) An alphabetical list of all property owners as identified by current tax records, by last name, showing the assigned numbers.
- c) An alphabetical list of all roads with property owners listed in order of their assigned numbers.

The Town Manager shall designate an Addressing Officer, who is responsible for and authorized to provide all required addressing and database information to the state agency responsible for the implementation of Enhanced 9-1-1 service.

**ARTICLE 6.
ROAD NAMING SYSTEM**

6.1 Road Naming System. All roads that serve three or more structures shall be named regardless of whether the ownership is public or private. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way. The following criteria shall govern the naming system:

- a) No two roads shall be given the same name (ex. Pine Road and Pine Lane).
- b) No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
- c) Each road shall have the same name throughout its entire length located within the boundaries of Hampden. Roads that continue through into an adjacent town may change names at the town border.

**ARTICLE 7.
NUMBERING APPLICATION PROCESS AND NUMBERING SYSTEM**

7.1 Numbering Criteria. The following criteria shall govern the numbering system:

7.1.1 Numbers shall be assigned to structures only. This includes but is not limited to: single or multi-family dwellings, camps, businesses, apartments, mobile homes, construction site office trailers. This process is initiated when a building permit application is pulled, so that numbers are assigned to structures being built, and not at the end of the construction period.

7.1.2 Numbers shall be assigned every 50 (fifty) feet along both sides of the road regardless of zone or location in town, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend.

7.1.3 All number origins shall begin from the intersection of Route 9 (Western Avenue) and Route 1A (Main Road North) or that end of a road closest to the designated origin. For dead end roads, numbering shall originate at the intersection of the adjacent road and terminate at the dead end.

7.1.4 The number assigned to each structure shall be that of the numbered interval falling closest to the driveway of said structure.

7.1.5 Every structure with more than one principle use or occupancy shall have a separate number for each use or occupancy, i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Road, Apt 2.

7.1.6 Parcels with more than one structure, such as a mobile home park or group development, shall be assigned unique addresses that make the most logical sense to each situation. Each structure shall be identified by a unique number. For example, 235 Maple Road, Lot 1 or 235 Maple Road, Unit 1.

7.2 Numbering Application Process. Numbers will be assigned when an applicant fills out and submits a "Driveway Entrance/e911 Address" application available at the town office. This application can be completed as a stand-alone application for an already-existing structure, or as part of the building permit application process for new structures. Applicants must adhere to all terms of the application, including staking and flagging the proposed or existing driveway entrance. The Addressing Officer will then GPS the staked/flagged location, process the GPS data, and scale out and assign an appropriate number.

ARTICLE 8. COMPLIANCE

8.1 Compliance. All owners of structures shall display and maintain in a conspicuous place, assigned numbers in the following manner:

- a) Number at the Road Line. The assigned number shall be displayed on a post, fence, wall, mail box, or on some structure adjacent to the walk or access drive to the residence or structure.
- b) Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road at all times of the year.
- c) Proper number. Every person whose duty is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this Ordinance.

- d) Interior location. All residents and other occupants are requested to post their assigned number and road name adjacent to their telephone for emergency reference.

**ARTICLE 9.
NEW CONSTRUCTION, NEW SUBDIVISIONS, AND NEW ROADS**

9.1 New Construction. Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to obtain an assigned number from the Addressing Officer. This shall be done at the time of the issuance of the building permit.

9.2 New Subdivisions. Any prospective subdivider shall show a proposed road name system on the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the Addressing Officer, shall constitute the assignment of road names in the subdivision. On the final plan showing proposed roads, the applicant shall mark on the plan, lines or dots, in the center of the streets every 50 feet so as to aid in the assignment of numbers to structures subsequently constructed.

9.3 New Roads. Any prospective new roads not serving a new subdivision shall show a proposed road name on the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the Addressing Officer, shall constitute the assignment of road names. On the final plan showing proposed roads, the applicant shall mark on the plan, lines or dots, in the center of the streets every 50 feet so as to aid in the assignment of numbers to structures subsequently constructed.

**ARTICLE 10.
EFFECTIVE DATE**

10.1 Effective Date. This Ordinance is not retroactive. Pursuant to Section 213(c) of the Town Charter, this Ordinance shall become effective at the expiration of 30 days after its adoption by the Town Council. It shall be the duty of the Addressing Officer to notify each property owner and the U.S. Postal Service of any new addresses assigned after the effective date of this ordinance.

**ARTICLE 11.
ENFORCEMENT AND CIVIL PENALTY**

11.1 Enforcement. The Addressing Officer has the authority to enforce the provisions of this Ordinance, as well as any officer of the Public Safety Department. If the Addressing Officer finds that any provision of this Ordinance has been violated, the Officer shall notify the property owner(s), or other person(s) responsible, in writing of the nature of the violation and the corrective action required. If the corrective action is not completed within 15 days of the issuance of the notice, the Town Manager, upon notice from the Addressing Officer, may authorize any and all actions and proceedings that may be available or necessary to enforce the provisions of this Ordinance.

11.2 Civil Penalty. Any person who violates any provision of this Ordinance commits a civil violation, and shall be subject to relief and a civil penalty in accordance with 30-A M.R.S. A. §4452, as may be amended or replaced from time to time. Each day that a violation continues shall constitute a separate violation. If the Town is the prevailing party in an enforcement action, it shall be entitled to its costs, expert witness fees, and reasonable attorney's fees.

**ARTICLE 12.
SEVERABILITY**

12.1 Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

DRAFT

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DRAFT



Dean Bennett <economicdevelopment@hampdenmaine.gov>

Re: 115 Main Road Hampden

Dean Bennett <economicdevelopment@hampdenmaine.gov>

Tue, Apr 16, 2013 at 12:08 PM

To: Phil Adams <adamsre@roadrunner.com>

Thank you Phil. We are putting together a hit list of zoning amendments and working our way through them. I will make the Planning and Development Committee aware of the issue and explore the possibility of a zone change whereas the property is adjacent to commercial zone. I will keep you posted.

Dean

On Tue, Apr 16, 2013 at 12:03 PM, Phil Adams <adamsre@roadrunner.com> wrote:

Dean,

The Swan property located at 115 Main Road in Hampden(formerly Hampden Highlands Auto) has been listed with me since February 14, 2013. At that time I listed it as a commercial property, from February 14, 2013-I April 4, 2013. During that time frame I had been approached and/or showed the property to people that wanted to start or relocate their business's to Hampden. The types of business included, but were not limited to;

Landscaping firm, granite counter tops and associated granite sales , motorcycle repair, Tree trimming & pruning, Car Sales, Bakery, and accounting firm.

These are just the contacts I have received and there have been others through other agents and agencies who have looked at the property, but were told the zoning does not allow anything other than what is acceptable in Residential B.

On April 4, 2013 I placed the property in the residential section of MREIS. I have not had another call on the property or showed the property since that took place.

Respectfully,

