



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING

MINUTES

MONDAY

JULY 20, 2015

7:00 P.M.

Attending:

Mayor David Ryder

Councilor Bill Shakespeare

Councilor Terry McAvoy

Councilor Dennis Marble (until 8:00 pm)

Councilor Stephen Wilde

Councilor Greg Sirois

Councilor Carol Duprey

Interim Town Manager Susan Lessard

Town Attorney Thomas Russell

Town Clerk Denise Hodsdon

Citizens

Mayor Ryder called the meeting to order at 7:00 pm.

A. PLEDGE OF ALLEGIANCE – *Mayor Ryder led the Pledge of Allegiance*

B. CONSENT AGENDA – *Motion by Councilor Marble, seconded by Councilor McAvoy to accept the Consent Agenda. Unanimous vote in favor.*

1. SIGNATURES

2. SECRETARY'S REPORTS

a. July 6, 2015 Minutes

3. COMMUNICATIONS

a. Marsha Richardson – Application for Appointment to Pool Board – Referral to Services Committee

4. REPORTS

a. Finance Committee Minutes – 6/1/2015

b. Pool Trustees Minutes – 6/9/2015

C. PUBLIC COMMENTS

Jeremy Jones of the Partridge Road expressed disappointment in one Councilor who ran on fiscal responsibility and business sense and now seems to think that it is okay to spend other people's money. He also commented that during the last couple of Council meetings rebuttals were allowed during public comment on agenda items. He let the Council know that he will rebut any rebuttals. He also believes that under the Code of Ethics, there is an appearance of a conflict of interest by one Councilor and he should recuse himself from deliberations and voting on one of the items coming up seeing that his salary is derived from his clients' consistent use of certain services. He

suggested that the Council consider going into executive session to pursue that or he may call a point of order.

D. POLICY AGENDA

1. NEWS, PRESENTATIONS & AWARDS - None

2. PUBLIC HEARINGS - None

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

- a. David Barrett – Reappointment to Library Board – Services Committee Recommendation – Motion by Councilor McAvoy, seconded by Councilor Sirois to reappoint David Barrett to the Library Board of Trustees. Unanimous vote in favor.**

4. UNFINISHED BUSINESS

- a. Discussion re Elimination of Saturday Bus Service – Mayor Ryder asked for public comment:**

Andrew Husson of 45 Sunset Avenue gave the Council a stack of postcards with comments from people who ride the bus and want to keep it going. He noted that there has been quite a turnout of people who support and rely on the bus to get to work and other places. He read some quotes from people who use the bus. He said he knows that one of the issues is whether Bangor should share in the expense, but the same thing goes on with the Old Town bus and the Brewer bus. Those towns don't ask for or receive any financial support from Bangor, so why should we? He said it is a regional system and Hampden relies on this region for people to go to work and without it our whole economy collapses. Why should we get rid of it?

Bill Lippincott of 30 Wilbur Drive said this an essential service for people who have few other options. He has heard the concerns of some Councilors that Bangor is not contributing toward this, but he noted that Bangor does not subsidize the Orono/Veazie and Brewer lines. He said this is a real benefit for people in Hampden. He has heard an alternate program suggested, but that program is a very expensive government program and in terms of expense, the bus would be a much more wise way to use that money. He also believed that people who use the bus would not be aware of that option. He urged the Council to keep the Saturday service and said it speaks to how we are as a Town.

Joyce Rankin of 695 Main Road North said she knows of 16 people who use the Hampden bus to get to work on Saturdays. She said she has lived here 39 years and has taken the bus on and off for 30 years. She wondered why Hampden couldn't raise the fair.

Angela Rankin of 695 Main Road North said this would be hurting Hampden residents, not Bangor residents, and it is not fair to take and not give. She said there is no bus that would replace the Bangor part of the Hampden run.

Stephen Ritz-Perkins asked Jeremy Jones to ride the bus for 11 hours on a couple more Saturdays, because you can't judge how the Saturday bus is doing by basing facts on just one Saturday. He said you would need to get 2 or 3 months' worth of data to really determine how the route is doing.

Clyde MacDonald of Main Road said he has been trying to emphasize that we ought to do the math, but he still doesn't have the figures. We need to know precisely how much this is costing, but whatever the figure is, it is really going to turn out to be miniscule in a \$6 million Town budget. He feels that those who want to turn this down, are not doing anything for the Town of Hampden and this will impose great hardships for the disadvantaged.

Lisa Scofield of 46 Back Winterport Road said the bus system is an invaluable service and even if taxes go up, it should be considered an investment in our future. She feels there should be more outreach to try to increase ridership.

Jeremy Jones of the Partridge Road noted that in looking at the map of all the stops, it appears that they are mostly in Bangor. He can't see that the Bus system would cut those stops all because of Hampden. He reported that he did not receive a response from the email he sent to the Bus Superintendent and noted that the comments from the Bangor hearing included names, but no addresses. He feels this is a gross inefficiency and Hampden is being asked to pay for it. He thought that fewer more targeted runs would be less costly.

Angela Bickford, Co-Chair of Transportation for All said that sometimes we need to put the humans back in the figure and urged the Council to keep Saturday service for the humans that need this.

Public comment was closed and Mayor Ryder asked if any Councilor felt they had a conflict. There were none.

Councilor Sirois said he agrees with all the points being made and noted that he has not been approached by anyone other than Jeremy Jones who was against Saturday service. He agreed that Hampden is not getting a return on its investment, but until we find a better way, he can't vote to cut it.

Councilor Duprey said it is not that the Council doesn't care; it is unrealistic. We are paying a high price for it and she has an issue with people getting on in Bangor and off in Bangor and never entering Hampden. She explained that the Town cannot raise the rates as those are set by the Bus system. She also added that only a very small portion of our community is on the bus route. She feels that we need to look at options that would serve all.

Councilor Wilde agreed that there were some really good points being made. He noted that this has been going on for months and we now know that Hampden is paying more than double per rider what other communities are paying. However, he has heard from his constituents in District 1 and the majority want to keep Saturday service. He said he agrees with Councilor Duprey, but also agrees with Councilor Sirois and feels that until we find a better way, he won't vote to eliminate Saturday service.

Councilor Marble agreed that Councilor Sirois has made an excellent

suggestion and said we don't have all the information and haven't explored every option. He will vote to continue Saturday service. Motion by Councilor McAvoy, seconded by Councilor Duprey to discontinue Saturday Bus service effective as of August 1, 2015. During discussion Councilor Shakespeare pointed out that when Saturday Bus service was first added a few years ago it was to be on a trial basis and the Town received a federal subsidy, which has since been taken away. He believes that we are not getting the full value of what we're paying for the bus, which is \$2.20 for each rider and Bangor residents make up ¾ of our ridership. Given all the confusion regarding the actual cost of Saturday service, he questioned whether the Community Connector knows for sure what their figures mean. He urged them to be reasonable with the Town of Hampden and bring the cost down so individuals can go where they need to. Mayor Ryder pointed out that the Bus would never be self-sufficient and agreed that Hampden residents need the Bus 5 days of the week, but as the Councilor representing District 4 residents who are not on the bus route, he cannot support Saturday service. Vote on the motion was 4 in favor (McAvoy, Duprey, Shakespeare and Ryder) and 3 opposed (Marble, Sirois and Wilde) – motion carried.

- b. Proposed Amendments to Subdivision Ordinance – Planning & Development Committee Recommendation to refer to Planning Board** – *Motion by Councilor Shakespeare, seconded by Councilor McAvoy to refer the proposed amendments to the Subdivision Ordinance to the Planning Board. Unanimous vote in favor.*
- c. Proposed Zoning Ordinance Text Amendments – Section 4.8 Signs – Planning & Development Committee Recommendation to refer to Planning Board** – *Motion by Councilor Shakespeare, seconded by Councilor Wilde to refer the proposed amendments to Zoning Ordinance, Section 4.8 to the Planning Board. Unanimous vote in favor.*
- d. Zoning Ordinance Text Amendment – Article 4.7 Off-Street Parking – Introduction for Public Hearing** – *Councilor Duprey introduced this item for public hearing at the next regular meeting.*
- e. Zoning Ordinance Map Amendment – Main Road North – Introduction for Public Hearing** – *Councilor McAvoy introduced this item for public hearing at the next regular meeting.*

5. NEW BUSINESS

- a. Maine Municipal Association Annual Election Voting Ballot** – *Motion by Councilor McAvoy, seconded by Councilor Duprey to accept the Maine Municipal Association Voting Ballot. Unanimous vote in favor.*

D-4-d



TO: Hampden Town Council
FROM: Dean Bennett, Community and Economic Development Director
SUBJECT: Zoning Ordinance Text Amendment, Municipal Parking Exceptions to Parking Regulations
DATE: July 14, 2015

At the July 8, 2015 the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee opened the public hearing but as no one wished to speak he closed the public hearing and asked for staff comments.

Dean Bennett explained that with the re-zoning of a portion of Main Road North comes the demand for parking. Current parking provisions require on-site parking only. This amendment would allow the Code Officer and Planning Board to consider available public parking, both on-street and off-street, as a means to satisfy the current parking requirements within the Zoning Ordinance. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation.

After discussions with regard to the creation of on-street parking and potential unintended consequences related to traffic congestion and safety, the Planning Board felt that the appropriate cautions can be addressed at time of Site Plan Review.

The Planning Board supported the proposed amendment with an "ought to pass" recommendation. Vote: 4-0.

4.7. Off-Street Parking, Loading, Drive-Thru Design and Bufferyard Requirements – The purpose of this section is to provide minimum standards and design guidelines for off-street parking, and loading areas, drive-thru businesses and bufferyards. *(Amended: 10-12-04)*

4.7.1. Parking Basic Requirement - No use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street parking spaces in accordance with the following parking requirements. No required parking space shall serve more than one use. Parking areas with more than five (5) parking spaces shall be so arranged that vehicles can be turned around within such area and are prevented from backing into the street.

4.7.1.1. Minimum Off-Street Parking Space Requirements. The following are the minimum number of off-street parking spaces that may be provided for each of the uses stated. *(Amended: 10-12-04)*

1. Elderly housing; one (1) space per dwelling unit plus one (1) additional space for every ten (10) dwelling units or fraction thereof.
2. Congregate care facility; one (1) space per dwelling unit.
3. All other dwellings; two (2) spaces for each dwelling unit.
4. Hotels, motels, tourist homes, rooming houses, bed and breakfast establishment; one (1) space per guest room.
5. Hospital or nursing home; one (1) space per three (3) patient beds.
6. Restaurant parking space requirement is based on the following formula:
 - A. Divide the total seats by three. Where seating is provided by bench, booth or picnic table a seat shall be considered two linear feet.
 - B. Divide the total restaurant sq. ft. floor area by 75 sq. ft.Restaurant minimum parking spaces shall be the sum of A plus B divided by 2. Parking shall also be provided for outdoor seating in excess of 12 outdoor seats at one parking space per three seats. *(Amended: 10-12-04)*
7. Other places of assembly such as churches, theaters, funeral homes, auction houses and galleries, where seating can be determined; one (1) space per three (3) seats or one (1) space per six (6) linear feet of bench space. Where seating cannot be determined; one (1) space per one hundred-fifty (150) sq. ft. of gross floor area.
8. Office use; one (1) space per two hundred-fifty (250) sq. ft. gross floor area.
9. Retail and service businesses; one (1) space per two hundred (200) sq. ft. gross floor area (minimum of five [5] spaces).
10. Industrial use, wholesale, warehouse, manufacturing plant; three-quarters (3/4) of a space per employee (minimum of five [5] spaces).
11. Golf course including miniature golf; one and one half (1.5) spaces per hole.

12. Marina; one (1) space per berth, ten (10) spaces per boat launching ramp.
13. Campgrounds, tenting areas, and recreational vehicle parks; one and one half (1.5) spaces per camp site.
14. Preschool facility; one (1) space per three (3) students. *(Amended: 3-22-94)*
15. Auto service; four (4) spaces per service bay (non drive thru service) Drive thru service; two (2) spaces per service bay.
16. Outdoor display and sales such as automobiles, farm equipment, heavy machinery, boats, recreational vehicles; one (1) space per five thousand (5,000) sq. ft. of display area.
17. Uses not listed in this schedule; the standard shall be determined by the planning board based on the most similar use listed or on other available adopted zoning ordinance or published sources of parking standards.
18. Notwithstanding these Minimum Off-Street Parking Space Requirements a site development established prior to the adoption of this ordinance for which a change of use is proposed shall meet parking space requirements for the new use to the maximum practical extent as determined by the Code Enforcement Officer provided that at least 75 percent of the required parking spaces are provided. This provision shall apply to both on-site and off-site parking spaces. Determination of the number of parking spaces in parking lots where spaces are not delineated shall be based on the traditional usage of the lot. It is not the intent of this regulation to retroactively apply current parking location, setback and design standards to site developments established prior to the adoption of this ordinance. *(Amended: 10-12-04)*
19. For medical a marijuana dispensary, five (5) spaces per one thousand (1,000) square feet total floor area, plus one additional space for every two (2) employees. *(Amended 03-07011)*
20. For methudone clinic, five (5) spaces per one thousand (1,000) square feet total floor area, plus one additional space for every two (2) employees. *(Amended 03-07011)*

4.7.1.2. Location of Parking - All parking shall be on the same lot as the principal use/building served or in accordance with the following provisions.

Where all of the required parking cannot be provided on the same lot, parking shall be allowed on another lot within three hundred (300') feet, provided that the lot is in the same ownership or lease and is in the same or a less restrictive district than the use served.

EXCEPTION: Lots located within the Village Commercial District on Main Road may also utilize municipal on-street parking where it is available and may count such parking spaces as available parking.

EXCEPTION: Lots located within the Village Commercial District on Main Road may also utilize municipal off-street parking where it is available and may count such parking spaces as available parking.

Off-site parking shall meet the following standards:

1. Leased parking must provide for a minimum of one (1) year availability through a recordable document and provide notification to the code enforcement officer upon termination.
2. No more than fifty (50%) percent of required spaces shall be provided off-site.
3. Off-site spaces shall conform to *Articles 4.7.1.3, 4.7.1.4, and 4.7.1.5. (Amended: 10-12-04)*

4.7.1.3. Parking Setbacks - All parking shall be setback in accordance with the following minimum standards. *(Amended: 10-12-04)*

ZONE	STREET YARD	OTHER YARD	PRINCIPAL BLDG.
BB IA, IB, I2,	20'	10'*	5'
B, BR, CS, INT, VC, VCII	10'	5'*	3'
RA, R, S	10'	5'	N/A
RB	10'	10'	5'
RP Subject to Site Plan Approval			

* Where any property line abuts a residentially zoned or used property the standard shall be doubled.

4.7.1.4. Minimum Parking Space Design Standards - All off-street parking areas shall be constructed in conformance with the following minimum standards.

PARKING ANGLE (Degrees)	STALL WIDTH (Feet)	STALL DEPTH (Feet)	(Travel) AISLE WIDTH (Feet)
90	9	18	24
60	9	19	16 One Way
45	9	17.5	12 One Way

4.7.1.5. Required Improvements and Landscaping for Large Parking Lots.

Parking lots of fifty (50) or more spaces shall meet the following additional requirements.

1. Raised landscaped traffic islands shall separate parking areas from access aisles.
2. A minimum of ten (10%) percent of the interior area of the parking lot shall be landscaped and planted with trees (minimum of one [1] tree per ten [10] spaces).
3. The parking lot shall be designed to prevent travel across parking stalls.
4. Parking aisles should be oriented perpendicular to building entrances to enhance pedestrian

access and safety.

5. Parking lots shall be a level, uniform, dust free surface constructed of concrete, bituminous asphalt, brick or pavers, or other similar material.

4.7.1.6. Handicapped Parking - Any building or facility constructed as a place of public accommodation, a place of assembly, a place of employment or a dwelling unit which is designed to be handicapped accessible shall provide handicapped parking in accordance with the following standards:

1. **Minimum Off-Street Handicapped Parking Space Requirements** – This standard requires provision of one off-street handicapped parking space out of every twenty-five (25) off-street parking spaces provided, to be reserved for the exclusive use of the handicapped.
2. **Off-Street Handicapped Parking Space Design Standards.** Spaces reserved for the handicapped shall include the following minimum design features.
 - a. A five (5) foot access aisle in addition to the space required under *Article 4.7.1.4*.

Five foot shared access aisle.

- b. One access aisle may be shared by two (2) parking spaces.
- c. All handicapped parking spaces shall be located within the shortest barrier free accessible route to a handicapped accessible entrance.

4.7.2. Off-Street Loading. The following uses shall provide off-street loading spaces in accordance with this regulation: Retail and service businesses, warehouses, wholesale distributors, industrial and manufacturing uses. (*Amended: 10-12-04*)

4.7.2.1. Minimum Off-Street Loading Space Requirements. A minimum number of off street loading spaces shall be provided in accordance with this section. The following table provides the minimum loading area required (based on square footage of gross floor area).

BUILDING SIZE	LOADING AREA REQUIRED
<5,000 SF	NONE
5,000 - 25,000 SF	25 feet plus 25 feet per each additional 10,000 SF over 5,000 SF
>25,000 SF	50 feet plus 50 feet for each additional 25,000 SF over 25,000 SF

4.7.2.3. Minimum Off-Street Loading Space Dimensional Requirements. ~~Spaces required~~ - Loading spaces provided shall be a minimum of ten (10) feet in width and provided in twenty (25') foot increments. Spaces shall be a minimum of ten (10') foot by twenty-five (25') foot bays or ten (10') foot by fifty (50') foot bays depending on needs of the use.

4.7.2.4. Special Provisions

1. Joint use of loading spaces by two (2) abutting users in a shopping center shall be allowed.
2. No loading spaces shall be allowed which require trucks to maneuver in the public street.
3. No loading spaces shall be allowed within the required parking setbacks.
4. Loading spaces shall not be located in the street yard.

4.7.3. Drive thru Business - In addition to the parking requirements of *Article 4.7.1.* all drive thru businesses including fast food restaurants and automobile service uses are subject to the following standards. (*Amended: 11-05-90*)(*Amended: 10-12-04*)

4.7.3.1. Location.

- 1 Drive-thru windows, ATMs, or other devices by which a customer may conduct business shall not be located in the street yard space or in front of the principal use building. Notwithstanding this requirement gasoline service islands may be located in front of principal use structures.
- 2 Drive-thru businesses shall have direct access to principal arterials, minor arterials or major collectors as identified in the Federal Highway Functional Classification Map. Notwithstanding this requirement drive-thru businesses may be an element of a group development which has direct access to said street types.
- 3 Drive-thru business shall not be located within any building located in a Historic District that the Historic Preservation Commission determines is a "contributing structure", nor shall they be located on a "historic landmark" or within a "historic site" as defined in the Hampden Historic Preservation Ordinance.

4.7.3.2. Lot Coverage. That portion of a site development that is solely related or dedicated to the drive-through use shall not cover more than ten percent (10%) of the lot.

4.7.3.3. Site Design and Layout.

1. **Driveway Curb Cuts.** A drive-thru business shall not be designed with multiple driveway curb cuts except as authorized by the Planning Board through site plan review. Two curb cuts may be considered where one serves as an entrance to the site development and one serves as an exit. Curb cuts shall be located such that neither the vehicles entering or exiting the site nor vehicles standing in a related off-site center turn lane would create conflicts with vehicles utilizing neighboring curb cuts.
2. **Site to Accommodate Larger Vehicles.** A drive-thru business shall be designed to

accommodate class A commercial delivery vehicles. The purpose of this provision is to provide adequate radius, lane widths and other design considerations so delivery vehicles entering the site can circle and leave the site without backup. This provision does not require drive thru queues, windows and overhangs be designed to accommodate class A vehicles for service direct to the vehicle.

3. Maneuvering space shall be provided in the rear or side yard.
- 4 The radius of drive through lanes shall be a minimum of forty-five (45) feet.
5. *Drive thru Vehicular Queue Requirements.*
 - a. Each service window, ATM, side of a gasoline pump island or service bay, shall be considered as a separate activity which must meet the queue requirements of this section. However, where two (2) or more windows are used in tandem, they shall be treated as one, and gasoline pump islands with multiple pumps shall be treated as one.
 - b. The design standard for a single space in a queue shall be 9 feet in width and 18 feet in length.
 - c. Queue lanes shall be designed with a tandem bypass lane to allow vehicles to exit the queue and leave the site.
 - d. Queue lanes shall be designed to not interfere with access and egress to the site, vehicle maneuvering areas and customer parking.
 - e. ATMs, service bays and each side of a gasoline pump island shall require five queueing spaces. Service windows and remote tellers shall require a minimum of eight queueing spaces.
 - f. A minimum of 180 feet total driveway stacking area must be provided between the entrance curb of the site development and any drive thru window or speaker device for fast food restaurants and other intensive uses as may be determined by the Planning Board.
 - g. Both the queueing lane and the drive-in window shall be at least fifty (50) feet from any residentially zoned property.
 - h. The queue lane shall provide an area for two vehicles to wait just beyond the drive thru service window for services or products not immediately available. This area shall not be considered parking spaces but rather part of the drive thru queue. Notwithstanding this regulation if the location this waiting area conflicts with Zoning District regulations or the Historic Preservation Ordinance the Planning Board may approve alternative locations for such spaces.
6. Additional provision shall be made for parking of vehicles where any product is to be consumed on premises or where service to vehicles away from drive-up windows or stations is contemplated or possible.
7. Site design and layout shall minimize impacts to traffic circulation on adjacent public streets and arterials; where impacts cannot be avoided, the applicant shall be required to mitigate

such impacts by making improvements to public roadways, including but not limited to, the addition of center/ turn lanes, breakdown lanes, widening, or other measures to mitigate unavoidable impacts to adjacent roadways. If an MDOT Traffic Permit is required for the drive-through use, the Town shall coordinate its traffic mitigation recommendations for the site development with MDOT at the MDOT Traffic Permit scoping meeting. However, securing an MDOT Traffic Permit shall not relieve applicants from demonstrating that the traffic and safety considerations found in this Ordinance are met.

4.7.3.5. Landscaping. Drive-through facilities shall be buffered with landscaping pursuant to *Article 4.7.4, Screening/Buffers*. Where abutting residential districts, such buffer shall include a solid wall or fence of at least six (6) feet in height.

4.7.3.6. Additional Standards

1. Signs associated with a drive-through facility shall be regulated pursuant to *Article 4.8, Sign Regulations*.
2. All utilities associated with a drive through facility shall be entirely enclosed or buried.
(Amended: 11-05-90)

4.7.4. Screening/Buffers

4.7.4.1. Basic requirement - No use shall be authorized or extended, and no building or structure shall be constructed or enlarged unless the applicable bufferyard and screening requirement is met in accordance with this section.

4.7.4.2. Bufferyard Types

1. *Class I Bufferyard* is either: 1) a hedge or buffer strip at least five (5') feet wide consisting of densely planted shrubs or trees, at least four (4') feet in height at the time of planting, and eventually reaching a mature height of at least six (6') feet; or, 2) a wall or fence at least six (6') feet in height, but not exceeding eight (8') feet, which provides an effective visual barrier.
2. *Class II Bufferyard* is a buffer strip at least twenty-five (25') feet wide of which a ten (10') foot width shall be vegetated with trees and/or shrubs (existing or planted) at least four (4') feet in height at the time of planting, and eventually reaching a mature height of at least six (6') feet.
3. *Class III Bufferyard* is a buffer strip at least fifty (50') feet wide of which a twenty-five (25') foot width shall be vegetated with trees and/or shrubs (existing or planted) at least four (4') feet in height at the time of planting, and eventually reaching a mature height of at least six (6') feet.

4.7.4.3. Location of Class I Bufferyards.

1. All off-street parking areas containing five (5) or more spaces and all outdoor off street loading areas shall have screening on each side adjoining or fronting on any residential district or any public or private street or way.
2. Any non residential use in a residential district shall have screening along each property line abutting a residential use.

3. Any commercial or industrial use shall provide a buffer along each property line abutting a residential use or district.

4.7.4.4. Location of Class II Bufferyards.

1. Any use in a commercial or industrial district in excess of five thousand (5,000) square feet in floor area, or one (1) acre in land development, shall provide a buffer strip along each property line abutting a residential use or district.
2. Any multi-family development of fifty (50) units or more shall have a buffer strip along each property line abutting a residential use or district.

4.7.4.5. Location of Class III Bufferyards. Any multi-family development of one hundred (100) or more units shall have a buffer strip along each property line abutting a residential use or district.

4.7.4.6. Special Provisions

1. Where two (2) or more classes of buffers are required, the stricter requirement shall apply.
2. All screening/buffers required by this section shall be maintained so as to provide an effective visual barrier. *(Amended: 11-05-90, 06-03-91)*
3. In its review the Planning Board may waive or reduce the screening requirements along property lines where the adjacent property has an existing vegetated buffer and written permission is provided by the applicable property owner. *(Amended: 1-16-96)*

D-4-e



TO: Hampden Town Council
FROM: Dean Bennett, Community and Economic Development Director
SUBJECT: Zoning Ordinance Map Amendment, Main Road North
DATE: July 14, 2015

At the July 8, 2015 the Planning Board considered the subject amendment and took the following action:

Chairman Weatherbee opened the public hearing but as no one wished to speak he closed the public hearing and asked for staff comments.

Dean Bennett, Community and Economic Development Director, explained that the purpose of the amendment is to make adjustments on Main Road North to allow small scale service and retail based development on properties which are configured to accommodate such development. He indicated the proposed amendment is in response to a neighborhood request for said zone change. He noted that the Ordinance Committee has recommended to the Planning Board that the item be returned to the Council with an "ought to pass" recommendation.

Please find attached a draft Zoning Ordinance Map amendment that changes properties on Main Road North in the general vicinity of Cottage Street to Village Commercial from the respective Residential A District on the east side of Main Road North and Residential B District on the West side of that street.

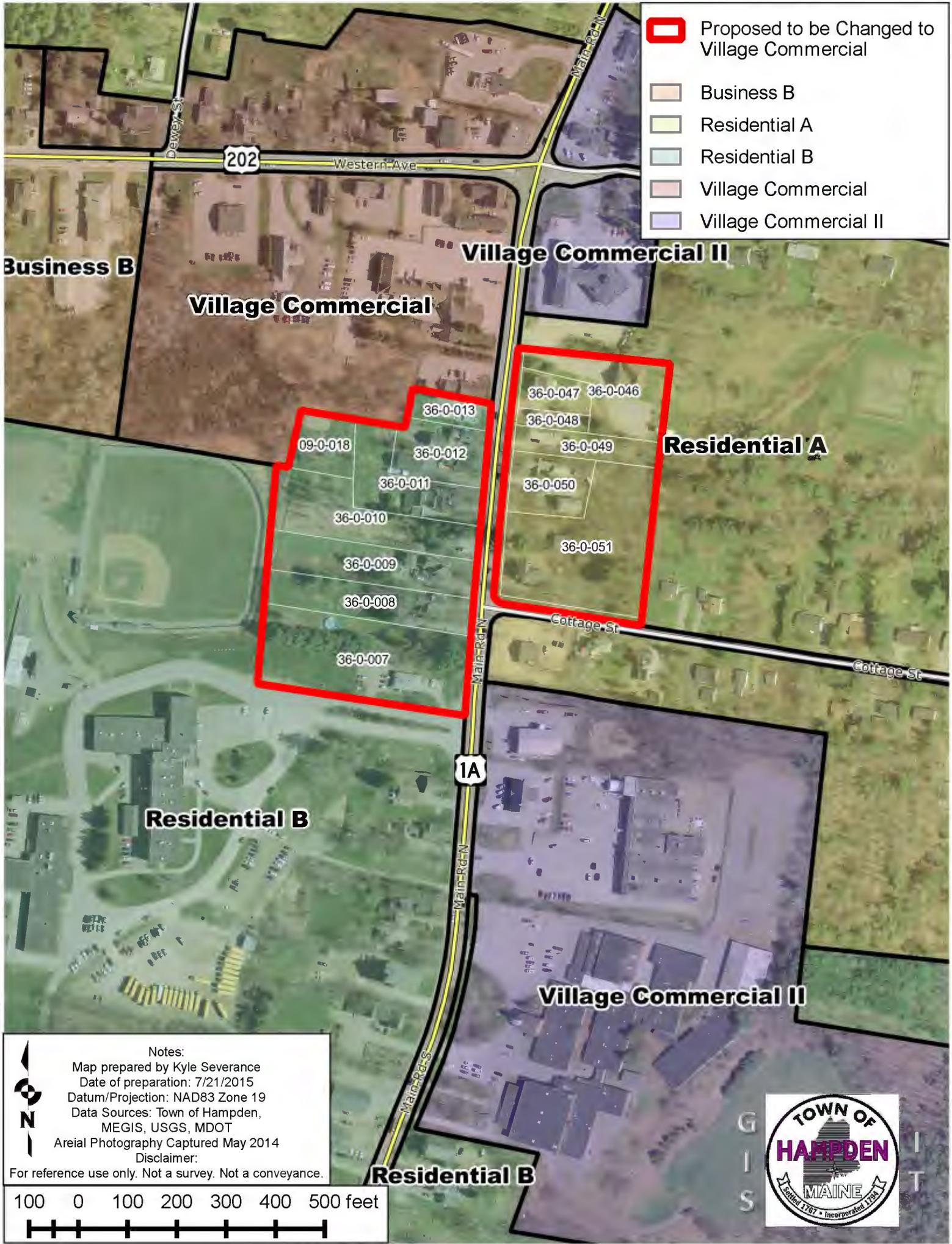
The land parcels involved include the following: Starting on the west side of Main Road North the parcels are Map 36, Lots 7, 8, 9, 10, 11, 12 and 13. On the east side of Main Road North the parcels are Map 36, Lots 47, 48, 49, 50, 51 and p/o Map 6, Lot 45.

The total land area to be rezoned on the West side of the street is 4.35 from Res. B to Village Commercial District and the remaining 3.35 acres from Res. A to the Village Commercial District.

After discussions with regard to the impact of development on the area and the subsequent affect on neighboring properties, the Planning Board felt comfortable that any impact concerns can be address through the site plan review process.

The Planning Board supported the proposed amendment with an "ought to pass" recommendation. Vote: 4-0.

-  Proposed to be Changed to Village Commercial
-  Business B
-  Residential A
-  Residential B
-  Village Commercial
-  Village Commercial II



Notes:
 Map prepared by Kyle Severance
 Date of preparation: 7/21/2015
 Datum/Projection: NAD83 Zone 19
 Data Sources: Town of Hampden, MEGIS, USGS, MDOT
 Aerial Photography Captured May 2014
 Disclaimer:
 For reference use only. Not a survey. Not a conveyance.

100 0 100 200 300 400 500 feet



- b. **Local Road Assistance Program – Acceptance of Funds – Finance Committee Recommendation** – *Motion by Councilor McAvoy, seconded by Councilor Duprey to accept the Local Road Assistance Program funds. Unanimous vote in favor.*

E. COMMITTEE REPORTS

Services Committee – *No report.*

Infrastructure Committee – *The next meeting is Monday, July 27th.*

Planning & Development Committee – *Councilor Shakespeare reported that the Committee met on July 15th and discussed proposed amendments to the TIF Policy and reviewed the Home Occupation section of the Zoning Ordinance.*

Finance Committee – *Mayor Ryder reported that in addition to items already discussed, the Committee also discussed the possibility of acquiring land for recreation fields to replace the fields that the Town has lost and continued review of Council Rules.*

- F. MANAGER'S REPORT** – *A copy of the Manager's Report is attached and made a part of the minutes.*

G. COUNCILORS' COMMENTS

Councilor McAvoy reminded everyone to shop local and buy American.

Mayor Ryder thanked the people who came out tonight. He thinks it is great when citizens come forward and express their opinions. He knows that some of them were not happy tonight, but he always looks forward to hearing what the Town's residents have to say.

- H. ADJOURNMENT** – *There being no further business, the meeting was adjourned at 8:20 pm.*



Denise Hodsdon
Town Clerk

Manager's Report
July 20, 2015

30 day Notices – 30 day notices for unpaid 2014/15 property taxes were mailed today. Liens will be placed on those remaining unpaid as of August 19th.

Health Insurance Changes – The changes to the employee health insurance plan should be in place by August 1st. Thanks to the non-union employees for being supportive, the Police and Fire Unions for agreeing to the changes, and to Sue Smith from the Health Trust and Carl McNally from Med-A-Vision for their help with this process.

Attorney RFQ – The Request for Qualifications for a Town Attorney has been posted on our website and in the Bangor Daily News and is being emailed to all area law firms as well.

Sewer Bills – Sewer billing for the second quarter of 2015 will be going out next week.

Candidate Nomination Papers – A reminder that nomination papers for 3 at-large council seats as well as several school board seats and a trustee term on the Water District will be available as of Wednesday, August 5th from the Town Clerk. Papers have to be returned with the appropriate number of signatures no later than 6 p.m. on Thursday, September 3rd.

Tax Bills – Tax bills will be going out the 4th week in August. We have had some questions about changes in the State Budget with regard the Homestead Exemption. The changes that increase the Homestead Exemption will not be seen in tax bills until starting in the 2016/2017 fiscal year. The Homestead Exemption will remain at the same \$10,000 figure this year that it has been.

Schedule – I will be in the office on Tuesday morning, Wednesday afternoon and Thursday morning for the rest of this week. As always if there are questions or concerns please call my cell phone or email me.