



Town of Hampden
Land & Building Services

Memorandum
Zoning Ordinance Amendments

To: Planning Board
From: Clifton J. Iler, AICP, Town Planner
CC: Paula Scott, Town Manager
Amy Ryder, Economic Development Director
Date: October 11, 2023
RE: Zoning Ordinance Amendments

Background

Town staff has been in conversation with two potential applicants regarding new economic development opportunities in Hampden. Those conversations have yielded questions and potential conflicts in our current Zoning Ordinance. Town staff has determined that these questions should be brought to the attention of the Town Council and Planning Board for their review.

The Town Council previously referred these questions to the Planning Board at its August 21, 2023 meeting. The Planning Board discussed the proposed amendments at its September 20, 2023 workshop meeting.

Summary

Four proposed amendments are before the Planning Board this evening:

1. **Update** §3.2.11 Municipal Solid Waste Facility (E-4) and §3.1.3 Use Table to remove "~~Municipal~~" from "~~Municipal~~-Solid Waste Facility".

The purpose of this amendment is to allow the opportunity for private solid waste facilities in Hampden. This could solve local and regional solid waste problems while not impacting the existing use and functionality of the Hampden Transfer Station.

The Town Council referred this amendment to the Planning Board at its August 21, 2023 meeting.

2. **Update** §3.2.11 ~~Municipal~~ Solid Waste Facility (E-4) to read:

"~~In the Rural district, only facilities owned by the Town of Hampden are allowed. Any facility that is licensed, permitted, or otherwise approved for the management, transportation, transfer and disposal of solid waste, recyclables, organic waste including composting, and wasted to energy processes. This does not include incineration or landfilling operations.~~"

The Town Council referred this amendment to the Planning Board at its August 21, 2023 meeting.

3. **Delete** the definition of Municipal Solid Waste in §7.2 Definitions:

~~*Municipal Solid Waste: Any solid waste emanating from household and normal commercial sources, excluding construction and demolition debris.*~~

4. **Update** the definition of Solid Waste in §7.2 Definitions:

~~*Solid Waste: Non-liquid waste originating from households and regular commercial activities, excluding construction and demolition materials. This category encompasses materials that are no longer useful or wanted, including but not limited to rubbish, garbage, scrap materials, discarded items, inert fill material, and landscape waste, while excluding septic tank sludge and agricultural waste. Useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example and not by limitation, rubbish, garbage, scrap materials, junk refuse, inert fill material and landscape refuse, but shall not include septic tank sludge or agricultural wastes.*~~

This definition update combines the previous definition of *Municipal Solid Waste* and *Solid Waste* following recommendation by the Planning Board.

5. **Delete** §3.4.2.8.2 ~~*“In the Industrial 2 district: No buildings may be constructed within 300’ of the Route 202 right of way.”*~~

In review of a potential application, Town staff determined that properties in the Industrial 2 District that abut Route 202 could ostensibly be unbuildable given this provision. Although an applicant could apply for a variance to create a buildable lot, this line seems to be an artifact of previous regulations since this standard is not held to other zoning districts that abut Route 202.

Sincerely,



Clifton J. Iler, AICP
Town Planner