



Town of Hampden

Town Planner

## Memorandum

To: Town Council, Town Manager  
From: Karen M. Cullen, AICP, Town Planner *KMC*  
Date: August 12 and 17, 2020  
RE: Proposed Amendments to the Hampden Zoning Ordinance – for Referral to Public Hearing

The Town Council has several choices on how to proceed with the proposed amendment to the zoning ordinance, including 1) voting to refer all proposed amendments to public hearing, 2) voting to not refer any to public hearing, or 3) voting to refer some but not all to public hearing. Since there was little or no discussion on some of the proposed amendments, and since we should be working to eliminate the need for the emergency ordinance on medical marijuana registered caregivers, which is coupled with §2.24 of the proposed amendments, I do not recommend the second option.

In order to provide the public with the opportunity to comment on the proposed amendments, my recommendation is to refer all of them, as proposed, to public hearing. If the Council is not in favor of adopting any of them, then the proper procedure is to not vote to adopt them after the public hearing.

Town Council also has the option to refer some but not all of the proposed amendments to public hearing. Based on the discussion at the workshop, I believe this option would be: For proposed amendments number 1 (§3.2.1) and 4 (§4.7.2), do not vote to refer these amendments to public hearing. They will then “die on the table” and will not be considered again unless the Planning Board and Town Council choose to reconsider the language and hold new public hearings.

If any of the proposed amendments are referred to public hearing, the schedule is as follows:

- September 1 – publication of the notice for the public hearings
- September 8 – public hearings (one for the zoning ordinance and one for the marijuana ordinance) with the Town Council
- October 8 – the amendments become effective, if adopted by Town Council on September 8

**NOTE: after receiving the Town Attorney's comments late last week, I have edited the proposed amendments as shown in highlighted text in the attached. His recommendation is to modify two marijuana definitions and delete two others, and add the appropriate change to the use table.**