

**TOWN OF HAMPDEN
PLANNING BOARD
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Thursday, October 12, 2011, at the Hampden Municipal Building by Chairman Peter Weatherbee.

Attendance: Planning Board Chairman Peter Weatherbee, Members Andrew Nelson, Peter Frazier, Morton Syversen, Michael Avery, Eugene Weldon and Associate Member Kelley Wiltbank.

Also in attendance: Town Planner Robert Osborne, Recording Secretary Rosemary Bezanson and applicants for tonight's meeting.

1. APPROVAL OF MINUTES (August 10, 2011)

Member Nelson made a motion to approve the minutes as written. This motion was seconded by Member Syversen. The vote was unanimous.

2. NEW BUSINESS

A. Minor Subdivision Plan – Harry Rancourt III, requests approval of a three-lot, single family residential subdivision located at 363 Sawyer Road in a Rural Zoning District and a Limited Residential Shoreland Zoning District (Tax Map 4, Lot 43).

Chairman Weatherbee asked to hear from the applicant on this minor three-lot subdivision.

Darrell Ginn, PLS representative for Harry Rancourt, spoke about the 3-lot proposed subdivision. There are no public improvements and the soil tests have been done. The wetlands have been mapped by S.W. Cole. The open space will be retained and maintained by the developer. Mr. Ginn stated he would take any questions at this time.

There were no opponents and no one had general questions or comments.

The Public hearing was closed.

Mr. Osborne state that lot 1 is in a shoreland zone. It has a stream (West Branch of the Souadabscook Stream and Brown Brook) and (freshwater) wetlands. Lot 2 & 3 are in a Rural District with no shoreland zoning on these two lots. He discussed the SW Cole wetland study that accompanied the application. The wetlands are identified as either jurisdictional under shoreland zoning or those that are not jurisdictional wetland areas of special significance. That study establishes the building setback for lot 1. All buildings must be set back 75 feet from the jurisdictional wetlands as identified on the subdivision plat.

Each lot has an acre of uplands the soil testing on each lot has been done.

The proposed open space to provide access to the stream is the required 5 percent and is retained by the developer.

Staff would recommend approval of this three-lot minor subdivision.

The wetlands mapping report is on file, done by S.W. Cole.

Member Avery asked about the uplands. Mr. Osborne stated that under Article 520 and 521 in the Subdivision Ordinance addresses uplands, and this subdivision meets those requirements. Under the Lots to be Buildable language it states that either a subdivision lot in Rural District can have two acres of total upland area or one acre of generally contiguous upland area.

Member Syversen asked about the open space being retained by the developer. Mr. Osborne stated that under Subdivision Ordinance Article 540 and 545 option number 1 states that the developer retain and maintain the open space.

Member Syversen made a motion that this three-lot minor subdivision with no public improvements meets the standards for approval under Article 340. This motion was seconded by Member Avery. The vote was unanimous. Seven in favor and none against. (Associate Member Wiltbank voted on the item). Chairman Weatherbee requested that the Staff Memorandum be part of the public record.

B. Zoning Ordinance Text Amendment – Town of Hampden requests amendment to Article 3.3.3 Commercial Services Conditional Uses to add Church to the contemplated uses of the District. – Public Hearing

Chairman Weatherbee opened the public hearing.

Rev. Tom Channel, Pastor of the Calvary Apostolic Church in Winterport, stated that on May the 5th he received a phone call telling him that the church was on fire. The building was destroyed. The church is looking at all their options. 177 Coldbrook Road is still for sale, they would like to lease this building. In order to do that they would need Church added to a place of assembly under condition uses.

There were no other questions or comments.

The Public hearing was closed.

Mr. Osborne stated that in the Commercial Service District adding the use of church seems reasonable, and would fit with the district. It was discussed that the church use would appear to not in any way interfere with the uses currently contemplated in the district.

Staff would recommend an "ought to pass" be sent back to the Town Council.

Member Syversen made a motion to send an "ought to pass" back to Town Council on this issue. The motion was seconded by Member Wiltbank. The vote was seven in favor and none against the motion.

3. STAFF REPORT

Bob Osborne stated that the Comp Plan Committee is back in action. Meetings are every other Thursday evening starting at 6 p.m. they have until early December to get all the work done and report back to the Town Council.

Mr. Osborne stated that next month's planning board will have Billington's final subdivision plan and a home occupation for item on the agenda.

4. BOARD MEMBERS CONCERNS

Some Board Members asked about the alternate Board Member that has never attended a meeting. Mr. Osborne stated that the Town Council would have to act on that.

5. ADJOURNMENT

The Planning Board meeting adjourned at 7:25 p.m.

Respectfully Submitted,



Michael Avery, Secretary

