

Town House
625 Main Street
Hampden, MA 01036

Fax: (413) 566-3513
E-mail: planning@hampden.org

Joanne Fiore, Adm. Assistant

TOWN OF HAMPDEN
MASSACHUSETTS



Planning Board
625 Main Street
Hampden, MA 01036
Tel: (413) 566-2151 Ext. 109

John Matthews, Chair
Judge Robert Howarth
Phillip Schneider
Mark Casey
M. Paige Gore
Associate Member: Richard R. Green

MINUTES OF THE HAMPDEN PLANNING BOARD
Wednesday, February 25, 2015
Regular Meeting

Approved 3/11/15
Amended 3/25/15

In Attendance: John Matthews, Chairman
Phillip Schneider
M. Paige Gore

Staff: Joanne Fiore, Adm. Assistant

Mr. Matthews alerted those attending the meeting is being recorded by Paul Bechard of 125 Wilbraham Road, Hampden.

General:

Call to Order – John Matthews, Chair, called the meeting to order at 7 PM.

Mail –

Bills – Payroll signed.

Approval of Minutes – Paige Gore made a motion to approve the February 11, 2015 Regular Meeting Minutes. Phillip Schneider seconded the motion. All in favor so approved (3-0).

1. 482 Main Street – Site Plan Review, BAF Auto Sales, Inc., Used Car Dealer License

Mr. Bilal Mhanna presented plans for a Used Car Dealer License at 482 Main Street. Office space will have a computer and internet connection to purchase and sell cars online. He indicated all physical buying and selling of cars to be done off-site (i.e. auction). He will have a designated parking space at 482 Main Street for BAF Auto Sales. Mr. Mhanna hours of operation will be Monday 10 AM to 4 PM; Tuesday and Wednesday, 1 PM to 5 PM; Thursday 10 AM to 4 PM; Friday 12 PM to 4 PM, and Saturday, 10 AM to 2 PM.

There will be no physical repairs of cars on premise. He will have only one used car dealer plate. The Board notified him of the \$25,000 bond. Phillip Schneider made a motion to approve BAF Auto Sales, Inc. at 482 Main Street. M. Paige Gore seconded the motion. All in favor so approved (3-0).

2. 229 Somers Road – Correct Clerical Omission on Decision

As the property is being leased by Minnechaug Solar, LLC, the Registry requires the property owners name be added to the Decision along with the property address. Also, the date the Decision was signed is to be added.

3. Scantic Meadows/Kibbe Lane – Discussion

John Flynn, Vinnie Villamaino, and Dana Pixley attended the meeting to discuss the status of Kibbe Lane.

John Flynn stated they have been receiving complaints from the residents on the street regarding the condition of the road. John Matthews indicated there is no top coat over a failing base coat. John Matthews would like to have Tighe & Bond, Consulting Engineers, go out to the site and provide a recommendation and associated costs for the completion of the road and its acceptance by the town.

Dana discussed the process of a sub-division. He indicated that due to Mr. Speight's refusal not to negotiate the price of the lots and the length of time to complete this subdivision has caused the issues with the condition of the street. He also stated the buyers are not aware that this is not an accepted street. John Flynn stated

the control is with the Planning Board. He wants to alleviate the concerns of the homeowners by bringing these issues to the Planning Board.

Vinnie stated he believes the amount of the bond seems low to complete the road for acceptance. He also indicated that due to the condition of the catch basins and the sewer covers, the plows are getting damaged; and the town in incurring costs to repair them.

After much discussion, it was agreed that the Planning Board will take the following actions:

- 1) Invite Mr. Speight to meet with the Planning Board to discuss the condition of the road and his intentions for the completion of the road.
- 2) The Planning Board will also ask Tighe & Bond to provide a review of the road and associated costs for its acceptance by the town.
- 3) The Planning Board will also need to increase the amount of the bond to cover the completion of the road.
- 4) Once Kibbe Lane is completed, the town will vote to accept the road at Town Meeting.

4. Changes/Additions to Zoning Bylaws

Addition of Solar to Bylaws

Phillip Schneider made a motion to add to the Table of Use Regulations, 6.25 Solar Energy System(s). Indicate "P", permitted use in R-6, R-4, MD, B, C, LI, GR, and N-PER districts; Indicate "N", Use Prohibited, in FPW and WSP districts. Also, add in Standards and Conditions within Table, the following Note: Special Permit required for systems larger than 3,501 square feet. Paige Gore seconded the motion. All in favor so approved (3-0).

Phillip Schneider made a motion to add Definition #2.117 Solar to Section 2 of the Bylaws with the following definition: Any solar collector or other solar energy device, including appurtenances, mounted on a building or on the ground, the primary purpose of which is to provide for the collection, storage, conversion and distribution of solar energy for space heating or cooling, water heating or generation of electricity. Paige Gore seconded the motion. All in favor so approved (3-0).

Phillip Schneider made a motion to add a new section to the Bylaws, Section 7.16 Solar Energy System(s), with the following verbiage:

Solar Energy System(s) are permitted as an accessory use to the principal use subject to the following requirements. Solar Energy Systems with solar energy collector panels occupying a total footprint of more than 3,500 square feet of land area shall require special permit approval from the Planning Board and the Planning Board may impose conditions reasonably appropriate to improve site design, protect the public health, safety and welfare and/or otherwise serve the purpose of this section. For the purpose of this regulation, such footprint shall be measured as the total area of the vertical projection on the ground of all panels in the installation's most horizontal tilt position including all spaces between the panels.

The Solar Energy System(s) shall be designed for the primary purpose of supplying electrical or thermal power for the principal use and/or accessory use of the property on which the system is located, although this provision shall not prohibit a net metered solar energy system to be installed for the purpose of generating electricity on-site that is interconnected with the electric grid and which allows the on-site consumer to feed surplus electricity into the electrical grid with the approval of the local utility company.

Solar Energy System may only be constructed or materially modified after the issuance of a building permit by the Building Inspector.

The Solar Energy System may be integrated into or attached to the principal structure and/or accessory building or mounted on the ground in accordance with the requirements of this by-law and all other applicable building and electrical codes.

Roof-Mounted Solar Energy Systems shall conform to height regulations specified for the applicable principal or accessory building type in the underlying zoning district or to such other height as is determined by the Building Inspector to be essential for proper system operation provided that such height will not present any undue hardships on abutting properties. A structural engineering report may be required by the Building Inspector documenting the structural integrity of the structure and its ability to support the proposed roof-mounted solar facility.

Ground-mounted Solar Energy Systems shall be considered structures which must comply with the following standards:

Ground-mounted Solar Energy Systems must comply with all minimum setback requirements for the Zoning District where it is to be installed except that the rear yard setback for such Systems can be reduced by one-half of the required setback in the Zones.

Ground-mounted Solar Energy Systems shall be installed as close to the ground as practicable and shall not exceed twelve (12) feet in height.

Ground-mounted Solar Energy Systems shall be designed and located to minimize adverse visual impacts on surrounding properties and, if necessary, the Building Inspector may require that the property owner make reasonable efforts to screen the system from the view of streets and abutting property.

Cessation of Use & Obsolescence: Upon Building Inspector's notice to Planning Board of Cessation of Use of a Solar Energy System, said Solar Energy System shall be deemed in Decommission. At that time, said Solar Energy System shall be dismantled and removed from property, including but not limited to all unused parts thereof, accessory facilities and structure which have been not used shall be dismantled and removed at owner's expense.

Paige Gore seconded the motion. All in favor so approved (3-0).

Addition of Wind Energy Conversion System(s)

Paige Gore made a motion to add Definition #2.139 Wind Energy Conversion System(s) to Section 2 of the Bylaws with the following definition: Any wind energy collecting device or system, the primary purpose of which is to provide for the collection, conversion, storage and/or distribution of wind energy for generation of electricity, water pumping or operating mechanical devices. Phillip Schneider seconded the motion. All in favor so approved (3-0).

Paige Gore made a motion to add to the Table of Use Regulations, 6.26 Wind Energy Conversion System(s). Permitted use in R-6, R-4, MD, B, C, LI, FPW, WSP, GR, and N-PER districts; Indicate "SPB-PA, Use Allowed by Special Permit with Site Plan Approval from the Planning Board. Phillip Schneider seconded the motion. All in favor so approved (3-0).

Paige Gore made a motion to add a new section to the Bylaws, Section 7.17 Wind Energy Conversion System(s) with the following verbiage:

Wind energy conversion system for the on-site use of and/or credit distribution of excess electricity to an electric utility, designed pursuant to applicable Town, State and Federal codes, regulations and statutes.

Height limitations shall not apply to wind energy conversion systems if such systems are in no way used for living purposes.

Minutes of the Planning Board 2/25/15 Meeting

Page 4

Cessation of Use & Obsolescence

Upon Building Inspector's notice to the Planning Board of Cessation of Use of a Wind Energy System, said Wind Energy System shall be deemed in Decommission. At that time, said Wind Energy System shall be dismantled and removed from property, including but not limited to, all unused parts thereof, accessory facilities and structures which have not been used shall be dismantled and removed at owner's expense.

Phillip Schneider seconded the motion. All in favor so approved (3-0).

Other Business - None

Adjournment – Having no further business, the meeting was adjourned at 8:55 PM. The Planning Board's next scheduled meeting is Wednesday, March 11, 2015.

cc: Assessor's Office
Building Dept.
Conservation Commission
Highway Dept.
Moderator
Selectmen
Zoning Board of Appeals
Office Files

Submitted by: Joanne Fiore, Adm. Assistant