

Approved 5/14/08

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES
April 23, 2008
Town House**

Mr. Dolben declared the Public Hearing on the request by Chapdelaine Realty to rezone the parcel located at 37 Allen Street from its current zoning of R4 to Business opened at 7:03pm.

Members Present: Charlie Dolben, Chair, Joseph Kruzel, Neil Flynn and John Matthews.

Members Absent: Judy Jackson, Associate.

The Public Hearing was opened and the Order of Business was read by Mr. Dolben. Introductions of the board members and the clerk were made. Due to the length of the property description, the reading of the entire legal notice was waived. The applicant, Roger Chapdelaine and his Attorney, Larry Levine were invited to speak about their request for a zone change from R4 to Business for 37 Allen Street.

Attorney Larry Levine thanked the Board for having the Public Hearing in an expeditious manner. He and the Chapdelaines are asking that the entire parcel of 4.38 acres be zoned entirely in the business district. He introduced Roger Chapdelaine and Jacqueline Chapdelaine and her sons, Michael and Christopher. Mr. Roger Chapdelaine continued with the presentation. Mr. Chapdelaine explained that he is one of the owners of Chapdelaine Realty and that they have owned the property since 1966. They want to rezone the parcel to business in order to do something profitable with it. They had two choices; either houses or a business. Mr. Chapdelaine felt that a business would be good for the Town and the taxes from a business would be more beneficial to the town. The Chapdelaines have been in business for a long time and have a good reputation and feel that they could do a good job with a business on the property. The property is currently partially zoned business and abuts the business district of Allen Street on one side. Mr. Chapdelaine explained that they are thinking of building a storage facility if the zoning change is approved. He feels that he could do a good job and have a nice facility. The existing house would be used as an office and a residence for the caretaker. A fence and row of trees would hide the storage units from view. Mr. Chapdelaine has a friend in the storage business and has acquired some information from him.

The triangular piece of the property where the existing house sits was zoned business in the mid 60's by the previous owner Mr. Lemelin. Attorney Levine gave Mr. Dolben a copy of the original deed from Mr. Lemelin to the Chapdelaines. A copy of an affidavit to correct an angle was also submitted to Mr. Dolben.

Reports from other agencies were read: The Board of Health stated that nothing requires their review at this time. The Historical Commission stated concerns for the existing house on the

property which dates back to the first half of the 20th century. No other feedback was received from other departments.

Mr. Vincent Villamaino, 29 Allen Street, a business owner and abutter to the Chapdelaine property, felt that rezoning 37 Allen Street to business would be a good thing and a great idea. It would be a win, win situation with the taxes. Mr. Villamaino stated that he and the other business owners would like to dress up the Allen Street business entrances and make it look nice from the street. Ms. Connie Witt, speaking as the Historical Commission Chairman, was happy that the Chapdelaines plan on keeping the existing home on the property. As a resident she had a few questions about a residence and a business being on the same property, concerns and comments about the protection of the aquifer under the Allen Street area and Smart Growth. She asked that the Board take these things into consideration and to please consider carefully where businesses are going to go.

Mr. Steve Walence of 55 Allen Street stated that he has some concerns. He is not home much and attended the Public Hearing to learn more about the possibility of a storage facility on the property and what was involved. He felt that more neighbors should have attended.

The Board had some questions for Mr. Chapdelaine on the storage facility idea. Mr. Dolben asked if the amount of traffic a storage facility would generate was known. Mr. Chapdelaine answered 7-8 vehicles a day come in and out. Mr. Kruzel asked how many units would be built. Mr. Chapdelaine replied that it was too early to tell. Mr. Kruzel also asked if restrictions can be put on what is stored at the facility. Mr. Chapdelaine answered that a list of rules would be given out. Mr. Kruzel asked how that would be enforced. Mr. Chapdelaine stated that the caretaker would have to be there when people came in. Mr. Flynn asked if there would be outside storage for trucks, RVs, boats or large equipment. Mr. Chapdelaine was not sure but they could be put out in back of the facility. Trees would be planted to prohibit the view of neighbors. Mr. Flynn mentioned security lighting at night and to be wary of neighbors. Attorney Levine mentioned that if the zoning change was approved, the Planning Board would have to review a site plan of the proposed business and the particulars would be worked out then. The plan would be reasonable because the Chapdelaines want to be good neighbors. Mr. Kruzel had a concern about future owners of the property. Attorney Levine stated that the Chapdelaines have been long time residents and will continue to be. Mr. Matthews asked if the detached garage would stay. Mr. Chapdelaine answered that it would go. Mr. Matthews also asked about traffic flow and limiting the number of entrances and exits. He also made note of how hectic that particular area can be in the summer with the Mini Mall, Mountain View Restaurant, the preschool and Mr. Villamaino's business all in one area. The Chapdelaines would try to limit traffic in and out of the facility so as not to bother the neighbors too much.

A discrepancy was noted on the deed and map on the border of the property. Mr. Villamaino stated that his property is all pinned and all corners are marked. Attorney Levine noted that the metes, bounds and angles were done by a surveyor in the 1960's for the Chapdelaines. Mr. Matthews advised that the property be surveyed again. Mr. Dolben added that an instrument survey will have to be done for bank financing. Mr. Flynn asked about the timeline to start the project if the property was rezoned. Mr. Chapdelaine replied that they would like to start as soon as possible. Mr. Dolben stated that it would be about three months before the property would be officially rezoned.

Attorney Levine presented six letters from neighbors and residents in support of the proposal submitted. He also stated that an environmental engineer was consulted regarding the aquifer. Mr. Matthews added that once the property was rezoned to business, the Chapdelaines could change their minds about what type of business they will put on their property. Mr. Chapdelaine will look into the lighting and traffic study. Mr. Flynn stated that he would be interested in the traffic study. Storage of trucks, landscaping vehicles and trailers, and large equipment could produce heavier traffic in the morning and evening everyday. Being so close to the Villamaino property and the Mini

Mall and Mountain View may be an issue. Mr. Kruzel stated that the Planning Board has an obligation to protect neighbors and the town. The Planning Board will be looking at the traffic situation. Mr. Kruzel added that since there are other businesses around the property in question and this would not be spot zoning, the presented use could be a viable operation pending a traffic study. Mr. Dolben was modestly agreeable to it.

Mr. Dolben asked for any further questions.

Mr. Kruzel made a motion to recommend favorable action on the zone change to business for the parcel at 37 Allen Street stated in the Public Hearing. Mr. Flynn seconded. The vote was four in favor and none opposed.

A written recommendation of favorable action by the Planning Board will be presented at Town Meeting on April 28, 2008.

Mr. Dolben declared the Public Hearing closed at 8:07pm.

Submitted by: Deborah House, Clerk