

Approved 10/14/09

**HAMPDEN PLANNING BOARD
REGULAR MEETING MINUTES
September 9, 2009
Town House**

Meeting called to order: 7:05pm

Members Present – John Matthews, Acting Chair, Charlie Dolben, Joseph Kruzel and Robert Howarth.

Minutes – The minutes from the August 12, 2009 regular meeting were read. Mr. Dolben made a motion to accept the minutes as presented. Mr. Howarth seconded. The vote was unanimous.

Bills – The clerk's payroll voucher was approved and signed.

Dick and Judy Hatch/522 Main St. – Mr. and Mrs. Hatch, owners of 522 Main Street, would like to change the vacant portion of the building to a small apartment. Betty Sutcliffe, owner of The Village Country Kitchen Restaurant has closed her business and has moved out of the building. Anita's Hair Salon is on one side of the building and a newer small apartment, which was added approximately five years ago, is on the back side. The property is in the business district. When asked if a special permit was issued for the newer apartment, Mr. Hatch said he did not have any paperwork. On the left hand side of the building is an attached residence that has been there since the building was built. This is considered a non-conforming residence in a business district. The Board reviewed the Zoning Bylaws. Multi-family dwellings are not permitted in the business zone. Attorney James McEwan, who is representing the Hatch's asked if a non-conforming use can be expanded. He has some documentation on this that he will drop off to the Planning Board to review.

Dan O'Brien/Smith Assoc/ANR South Monson Rd – Mr. O'Brien brought in an ANR for Theresa Fusaro's property on South Monson Road for review. She is cutting out one 2.279 acre lot, known as Lot 3 and reconfiguring the two remaining large parcels into one piece. The large parcels are currently under two separate deeds. Lot 3 has a small flagged wetland area and has frontage on South Monson Road. The Board reviewed the plan. Mr. Kruzel made a motion to approve the ANR as presented. Mr. Howarth seconded. All were in favor. Neil Flynn, Chair will sign the ANR. He was not present at the meeting. Mr. O'Brien will be notified when the signed plan is ready to be picked up.

Ed Haluch/Ed's Tree Service 33 Isaac Bradway Rd – Mr. Haluch and his son came in for a two year review of their special permit for a home occupation in accessory buildings. Per the Building Inspector, there have been no complaints or issues reported and Mr. Haluch has been in compliance with the permit. The Building Inspector and a Planning Board member will do a site visit of the property at a convenient time for all. The Haluchs asked about extending the length of time for renewal of the special permit to longer than two years. The Board will review this. A letter will be sent out to the Haluchs regarding their special permit review.

Eamen Tougias/Used Car Business 33 Commercial Dr. – Cancelled

Meeting Schedule Review - The meeting scheduled for September 23rd will be cancelled. The next meeting will be on October 14th. The schedule will be reviewed again at that time.

Mr. Howarth left the meeting at 7:55pm to attend the Selectmen's meeting.

Escrow Accounts – The Board reviewed the Planning Board escrow accounts records and the General Ledger records.

Mark Casey/480 Main St. & 170 Wilbraham Rd. – Mr. Casey had questions about his property at 170 Wilbraham Road. He would like to transfer a small piece of land to his neighbor at 162 Wilbraham Road. Both of these lots are non-conforming. Mr. Casey would like to give his neighbor a small strip of land approximately 25' x 200' since his neighbor's house is very close to the present property line. Mr. Casey would like to know if this meets the requirements. Mr. Dolben stated that it would have to start 150' back and not increase the non-conformity. Mr. Casey said that it would start more than 150' back. Mr. Dolben will check with Town Counsel as to whether a special permit would be needed or not. The Board will get back to Mr. Casey.

Hampden Hardware has one trailer. Mark Casey, the owner would like to sell it to himself. Hampden Hardware has to have a dealer's license to sell the trailer. The store has the ability to sell trailers; it just needs a license to sell to someone else. The Registry needs the dealer number in order to register it. The dealer's license has to be put on the document of authenticity. There was a discussion on whether this was a change of use for the store or not. The Hardware Store is a retail establishment and has sold trailers in the past so this was not considered a change of use. A recommendation for approval of a one year trailer license will be sent to the Selectmen's office noting that it is a continuation of an existing use and subject to past practice of no outside storage of trailers.

Commercial Dr. Review – The Board will be working on reviewing the special permits issued to all of the businesses on Commercial Drive to see if they are in compliance with their permits. Site inspections will be scheduled later on.

Other Items – Reviewed without further discussion

Mail - Reviewed

Mr. Dolben made a motion to adjourn at 8:55pm. Mr. Kruzel seconded. The vote was unanimous.

Submitted by: Deborah House, Clerk