

TOWN OF HAMPDEN
MASSACHUSETTS

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Joseph Dolben
Cornelius Flynn
John Matthews
Judge Robert Howarth
James Quackenbush

MINUTES OF THE HAMPDEN PLANNING BOARD
Wednesday, April 25, 2012
Town House

Approved 5/23/12

Attending Members: John Matthews
Charlie Dolben
Judge Robert Howarth
James Quackenbush

Members Absent: Cornelius Flynn, Chairman

The meeting was called to order at 7:02 PM by John Matthews

Approval of Minutes – Judge Howarth made a motion to approve the minutes of the April 11, 2012 Regular Board Meeting. Mr. Dolben seconded. All in favor so approved.

Minnechaug Land Trust/Kibbe Farm, South Road – Sherry Himmelstein met with the Board to discuss the property owned by Russ Morton located on the Kibbe Farm on South Road. According to Sherry, Dawn of the Assessor's Office brought this issue to her attention in the process of assessing the land. Sherry stated that the Town of Hampden violated a Conservation Restriction in the Minnechaug Land Trust. She referred to Page 3, Paragraph (8) of the Conservation Restriction to the Massachusetts Audubon Society, Kibbe Farm, South Road, Hampden which states, "Subdivision; conveyance of a part or portion of the Premises (as compared to conveyance of the premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel." She asked the Board if they can "undo" an ANR. Mr. Matthews stated there is nothing the Board can do, and we cannot undo an ANR. Mr. Matthews stated there was no indication on the original set of plans presented to the Board for the ANR that this land was under the conservation restrictions of the Minnechaug Land Trust. He indicated she will have to speak to the Board of Selectmen or seek the advice of a lawyer. Sherry Himmelstein asked whether she could come back with a new ANR to put everything back the way it was. Sherry doesn't believe the Land Trust should incur the cost of a lawyer, and it would take a long time. . Sherry will speak with Mr. Morton to discuss this.

Sherry Himmelstein asked the Board if she could run by them a proposal for the Westbrook Parcel (22 acres long the brook). She will be proposing two estate lots with a 60-80 foot common driveway. Mr. Matthews is not in favor of this proposal. He believes this property would be a great area for kids. Mr. Matthews suggested (1) estate lot and go back for a second grant. Sherry Himmelstein indicated she will consider this suggestion.

546 Main Street – Site Plan Review – GiGi’s Boutique and Consignment Store – Mr. Ed Kennedy met with the Board for a Site Plan Review for a new tenant at 546 Main Street. GiGi’s Boutique & Consignment will reside in the space previously occupied by Diana’s Pawfessional. (approximately 1,500 square feet). Dawn Sheldon is the business owner and plans to consign clothing with focus on men’s, women’s and children’s clothing. There is currently no direct competition in Hampden. Dawn Sheldon is a town resident with previous small business experience and a following in Hampden and Wilbraham.

Her hours of operation will be Monday (By Appointment Only); Tuesday through Friday, 9 AM to 6 PM; Saturday, 9 AM to 4 PM; and Sunday, closed. Her customer base will be around 30 per week. She has her business permit and is in the process of obtaining the sign permit. She plans to hang a 2 ft. X 3 ft. sign on the post with other business signs. There should be no parking problems due to the hours of operation. Dawn Sheldon is planning a Grand Opening on May 18 or 19. Charlie Dolben made a motion to approve the site plan. Judge Howarth seconded. All in favor so approved.

53 Acres on Glendale Road – Discussion with Property Owner, Ed Kennedy – Mr. Ed Kennedy met with the Board to discuss the property he owns on Glendale Road. He asked what was discussed at the last meeting with a perspective buyer. Mr. Kennedy spoke with his lawyer who informed him there is no problem in selling the property. Mr. Kennedy had two issues to discuss—access to the property and whether it was buildable. Pertaining to access to the land, Mr. Dolben indicated that Mr. Kennedy would have to consult an engineer to reflect access to the property. He would need to come to the Board with a proposal showing a plan for egress. The Board indicated there is no approval for a common driveway on file. Mr. Kennedy believes the shared access gives him access to the land. Mr. Kennedy will consult his attorney on the status of the driveway.

100 Somers Road – Site Plan Review – Shannon McCarthy – Shannon McCarthy met with the Board to discuss her site plan review for a home occupation. Shannon McCarthy lives at 100 Somers Road. She has started selling anti-bullying rubber bracelets from her home in February, and decided to expand. She currently sells just this one product. Local businesses have featured them in their stores. She will process orders through a web-site and deliver them herself. There will be no signs or employees other than her. The only deliveries to be made will be a UPS truck occasionally. Ms. McCarthy is in the process of setting up a web site “BeWhoYouWantToBe.net. She will sell the bracelets at \$3 each in which \$1 goes to a charity.

“LUPA-2” Legislation Before the Joint Committee on Municipalities and Regional Government - Document from PVPC – Mr. Matthews discussed recent correspondence from PVPC pertaining to the recently proposed “LUPA-2” legislation now before the joint committee on municipalities and regional government. Mr. Matthews questioned how this information effects site plan reviews. Judge Howarth indicated it could be years before this is approved, and we will probably never be notified when it is approved.

Trailer at Wingate Nursing Home – Mr. Matthews read to the Board Lance Trevallion’s memo concerning Wingate indicating that the storage trailer parked on the premises will be removed within the next 30 days if not sooner.

118 Raymond Drive – Mr. Matthews read to the Board a memo received from Selectman John D. Flynn concerning the property owner and tenant at 118 Raymond Drive. Fines have been levied against them by the town and no permits are to be issued until checking with the Board to see if the fines are paid.

Mail – Reviewed.

Adjournment – Having no further business, Mr. Dolben made a motion to adjourn at 8:10 PM. Judge Howarth seconded the motion. VOTE: All in favor so adjourned. The Planning Board's next scheduled meeting is Wednesday, May 9, 2012.

Submitted by: Joanne Fiore, Clerk