

TOWN OF HAMPDEN
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Joseph Dolben
Cornelius Flynn
John Matthews
Judge Robert Howarth
James Quackenbush

Approved 6/26/13

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES/HOME OCCUPATION IN AN ACCESSORY STRUCTURE – COLLINS
June 5, 2013
Town House**

Mr. Flynn opened the Public Hearing at 8:55 PM.

The hearing was scheduled on the application of Donna Collins at 36 Ridge Road for a Special Permit under Section 7.122 of the Hampden Zoning Bylaws for a Professional Office or customary home occupation use in an accessory structure at this location.

Members Present: Cornelius Flynn, Chairman; John Matthews, Joseph Dolben, and James Quackenbush:

Recused: Judge Robert Howarth

Statement of Authority: Mr. Flynn read the Statement of Authority.

Legal Notice: The Legal Notice was ready by Mr. Flynn.

Reports from Other Agencies: The Tax Collector reported that the account is current. The Board of Health reported that the septic system needs to be upgraded to accommodate additional flow. All rules and regulations regarding Title V must be met.

Applicant's Presentation/Board Questions: Ms. Collins indicated she will be putting her house on the market; however, she would still like to proceed with the special permit. She presented to the board her request to run a Yoga Studio in the accessory building at 36 Ridge Road. She indicated she would like to hold (4) classes per day not to exceed 40 students per day Monday through Friday between 7 AM to 8:30 PM. The class size will not exceed 10 students per class. On Saturday between 7 AM – 10:30 AM, she would like to hold (2) classes not to exceed 10 students per class. On Sunday between 7 AM – 10:30 AM, she would like to hold (2) classes not to exceed 10 students per class and between 7 PM and 8:30 PM, she would like to hold (1) class not to exceed 10 students per class.

Ms. Collins indicated that the septic system passed Title V. The Planning Board indicated that the Board of Health will determine the number of people per day the septic system can accommodate. However, the board members limit the number of students to no more than 20 per day attending the Yoga Studio. Mr. Quackenbush indicated he has a concern with the number of students per day attending the classes and referenced Section 7.121 of the zoning bylaws for a home occupation. Mr. Matthews also indicated that he has an issue with the additional traffic due to the number of students attending the classes.

Audience Questions/Comments: No audience for this hearing.

Decision: Mr. Quackenbush made a motion to approve the special permit request from Donna Collins allowing the home occupation (Yoga Studio) at 36 Ridge Road subject to the following conditions:

- 1) Limited to 20 students per day attending classes at the Yoga Studio.
- 2) The permit contingent upon the Board of Health review concerning the number of students to no more than 20 per day attending the Yoga Studio.
- 3) This special permit is to be reviewed in six months.
- 4) Any sign displayed must be in accordance with Section 7.6 of the Hampden Zoning Bylaws.

Mr. Dolben seconded the motion. All in favor so approved.

Mr. Dolben made a motion to close the Public Hearing at 9:30 PM. Mr. Matthews seconded the motion. The vote was unanimous.

Submitted by: Joanne Fiore, Clerk