

TOWN OF HAMPDEN  
MASSACHUSETTS

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Planning Board  
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Joseph Dolben  
Cornelius Flynn  
John Matthews  
Judge Robert Howarth  
James Quackenbush  
Associate Member: Richard R. Green

**MINUTES OF THE HAMPDEN PLANNING BOARD**  
**Wednesday, December 11, 2013**

**Approved 1/8/14**

**In Attendance:** Cornelius Flynn  
John Matthews  
Charlie Dolben  
Judge Robert Howarth

**Absent:** James Quackenbush

**A representative for the HCC Buffer Committee attended to tape record the meeting of the Planning Board.**

**1) General**

**Call to Order** - Cornelius Flynn called the meeting to order at 7:02 PM.

**Approval of Minutes** - Chair, Cornelius Flynn, made a motion to amend the November 13, 2013 minutes by removing Rick Green's name on all motions per the advice of Town Counsel. John Matthews seconded the motion. All in favor so approved.

Mr. Jim Smith addressed the board concerning the Open Meeting Law, Section 22, Meeting Minutes; Records. Mr. Smith read the Paragraph (c) Minutes of all open sessions shall be created and approved in a timely manner. The minutes of an open session, if they exist and whether approved or in draft form, shall be made available upon request by any person within 10 days. Chair, Cornelius Flynn, acknowledged his comments and asked if there was any specific instance in which he had a concern. Mr. Smith indicated that Theresa Bechard of 125 Wilbraham Road had an issue with obtaining draft minutes. Theresa addressed the board and indicated that she requested a draft copy of minutes and was not able to receive them. Mr. Flynn asked for the specific date this occurred. Theresa Bechard did not have this available, but indicated she would have to get back to the board

**2) 41 Mountain Road – Rescind ANR**

Sue Robinson attended the meeting in order for the Board to explain why the ANR for 41 Mountain Road was rescinded. John Matthews explained that board was not made aware of her plans to build, and therefore, the garage cannot remain on the property. Sue asked if the ANR signed seven years ago was still valid. Mr. Matthews indicated that we do not have that information at this time and will have to respond back to her in a letter concerning this matter.

**3. 112 East Longmeadow Road - Discussion**

The Board discussed Lance Trevallion's response to the written complaint received from Maryanne Shwartz of 119 East Longmeadow Road. Per Neil Flynn, this is a closed issue. The Board will request an e-mail from Lance indicating this is a closed issue.

Minutes of the 12/11/13 Planning Board Meeting

**4. Associate Member Position on Planning Board**

The Board discussed Attorney Martel's response to Neil Flynn's e-mail concerning the role of the Associate Member to the Planning Board under extenuating circumstances. According to Atty. Martel, Rick Green, as Associate Member to the Planning Board, can vote on Special Permit applications but not other business of the Board. Mr. Flynn indicated that James Quackenbush will let the Board know at the start of the New Year if he can commit to being on the Planning Board.

**5. Discussion – Medical Marijuana Bylaw**

The Board will review the Zoning Map of Hampden for locations of Medical Marijuana Dispensaries. Mr. Matthews has read the draft of the model Medical Marijuana Bylaw that was provided by Pioneer Valley Planning Commission and indicated they may want to increase the distance the dispensaries can be from schools. Mr. Flynn asked this item be added to the January 8, 2014 Agenda.

**6. Common Driveway - Discussion**

Mr. Matthew indicated he discussed the issue of the common driveway and specifically the first twenty feet of the common driveway. He indicated that both Dana Pixley and Lance Trevallion agreed it must be either a binder coat or concrete.

**7. Review Zoning Notices from Other Towns**

No notices were received.

**8. Review November Building Permits**

To be provided for next meeting.

**New Business for Next Meeting**

1. Scantic Meadows – Alert Dana Pixley when Mr. Speight is scheduled to meet with the Planning Board in order to address any outstanding issues.

**Adjournment** – Having no further business, Mr. Dolben made a motion to adjourn at 7:39 PM. Judge Howarth seconded the motion. All in favor so adjourned. The Planning Board's next scheduled meeting is Wednesday, January 8, 2014.

**The HCC Buffer Committee representative turned off the tape recorder upon adjournment.**