

Approved 8/25/10

**HAMPDEN PLANNING BOARD
PUBLIC FORUM
August 11, 2010
Town House**

Meeting called to order: 7:30pm

Planning Board Members Present – Neil Flynn, Chair, John Matthews, Joe Kruzel, and Associate Member Judy Jackson.

Absent – Charlie Dolben and Bob Howarth

Other Departments – Lance Trevallion, Building Inspector, John D. Flynn, Selectmen, Vinnie Villamaino, Selectmen and Chrissy Cesan, Zoning Board of Appeals.

Mr. Flynn introduced the members of the Planning Board and explained that the reason for the public forum was to receive the public's input on some of the zoning bylaw amendments under review (home occupation, in-law apartments, and large vehicles) and any other public concerns or interests. Mr. Trevallion, as the Zoning Enforcement Officer, has received numerous complaints in these areas. The way the Zoning Bylaws are currently written leaves a lot of gray areas and are not specific enough for him to enforce. The Boards would like to move forward as a group on improving the zoning bylaws with the town's support. Do people feel things should be changed? This will take a lot of support from other departments and townspeople. Mr. Kruzel noted that we are trying to get feedback so each side can hear the other's points of view before town meeting. A two-thirds vote is needed to pass a bylaw. We hope to get more people at each forum.

Wes Wright – Main Street issues, rusty equipment draining into the river... anything goes.

Dot Kibbe – feels we have plenty of regulations. Not anything goes in town.

In-Law Apartment

In-law apartments are currently not allowed in Hampden. The owners run into problems when they try to sell the property. Mr. Trevallion has an issue when the banks call him to see if the apartment is legal and he has to say no. The banks will not lend money. The Boards would like to "legalize" them and make it easier for the owners and potential buyers.

Dot Kibbe – Lack of senior housing in town, this would be a great service to our seniors to be able to stay with family, long overdue. Also agrees with children staying with parents. May turn into a rental someday? Blood relatives only? Mrs. Kibbe is not against that, main focus is family. Yearly permit required? No problem with that.

Home Occupation

Mr. Trevallion feels that the bylaw we have now was written for a different time. It is more for a professional office, lawyer... Now we have landscapers trailers, bobcats, trucks starting up at 3am, idling, noise, unsightliness. He has received many quality of life complaints. Should this be a home occupation and should restrictions be placed on them? Complaints are received on both sides, the new neighbor moving in next to an approved business and doesn't like it, and the neighbor who has an established business – don't want to hurt their livelihood.

Jim Kibbe – Are more taxes collected from home occupations?

Dot Kibbe – Are there designated spots in town where trucks can be parked and personal vehicles driven home? Town does not have this, liability issues.

Highland Circle Resident – If an area is zoned residential, a business is not allowed. Is bringing home a truck a home occupation?

Chrissy Cesan – maybe special permits, case by case with restrictions. A blanket rule for all cases may be impossible. May also need a distinction between a home occupation and a home-based occupation. Mr. Trevallion agreed that there are too many variables and a case by case review may be better. The ZBA handles these in most towns. Some large vehicles will be taken care of through home occupations.

John D. Flynn – you should not be able to tell there is a business in a residential area. All equipment should be garaged and out of sight.

Vinnie Villamaino – East Longmeadow has a new zoning bylaw – all small business equipment has to be stored. Large businesses have to go to commercial/business property. It works well.

Mr. Trevallion noted that some businesses start off as small home occupations and eventually grow and exceed the limits of their special permits.

Dot Kibbe – What kind of complaints have been received? How many? Mr. Trevallion receives many complaints about landscapers, dump trucks, equipment, businesses outgrow residential areas.

Other Concerns

Dot Kibbe – problem with trespassers on her property coming from the MLT trails. Do trails have signs indicating the “end of trail”? The Board suggested posting private property signs.

The second public forum will be held on September 15th at 7:30pm in the Town Hall.

More efficient advertising of public forums will be done. Mr. Flynn will speak to someone at the Wilbraham-Hampden Times about a larger notice.

Public Forum adjourned at 8:35pm.

Submitted by: Deborah House, Clerk