

Approved 10/13/10

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES
September 8, 2010
Town House**

Mr. Flynn opened the Public Hearing at 7:02pm.

The Hearing was scheduled on the application of Diane Rollins who is requesting a special permit for a farm business at 146 Thresher Road.

Members Present – Cornelius Flynn, Chair, Charlie Dolben, Joseph Kruzel and Judy Jackson, Associate Member.

Members Absent – John Matthews and Robert Howarth

Introduction of Board Members: Mr. Flynn introduced the Planning Board members.

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

Legal Notice: The legal notice was read by Mr. Flynn.

Reports from Other Agencies: The Tax Collector reported that the account is current. The Historical Commission reported no comment. The Building Inspector is concerned as to what will be “processed” on the property. The Board of Health (Lorri McCool) recommends that a special permit be denied until all requirements of state regulation 105 CMR 530.000 Sanitation in Meat and Poultry Processing Establishments are met. (A copy of 105 CMR 530.000 was sent to the Planning Board and Mrs. Rollins.)

Applicant’s Presentation: Mrs. Rollins stated that she would like to raise chickens, turkeys and rabbits. She and her husband originally wanted to process the animals but have taken that “off the table” for now until they can construct a building that will comply with the state regulations (105 CMR 530.000) that were given to them by the Board of Health. They have a vegetable garden and would like to sell the vegetables, eggs and live animals.

Board Member Questions: Judy Jackson asked if there is enough room for the required five parking spots. Mrs. Rollins felt that five cars could fit easily in her driveway. Mrs. Jackson asked about trees bordering the property. There are lots of trees except for in some spots where they were taken down; a neighbor’s 6’ stockade fence also runs along part of the yard per Mrs. Rollins. Mrs. Jackson asked about deliveries. None are made to the house. There is no stand currently out in front of the house, it is on the porch. There is a 24’ above ground pool in the back yard. The waste from the animals is buried and used in the compost heap. It is mixed with soil and leaves then sits for eight months to a year. A garden hose is currently used for water for the animals and to water the garden. Mrs. Jackson feels that the property is too small for all that is planned.

Audience Questions/Comments:

1. Joe Hickson/134 Thresher Road – owns a home next door that he rents and other nearby land and has concerns about the Rollins property. Trees have been cut down on their property to view his horses. There have been turkeys there in the past and a goat that came over to his yard and urinated on his porch which left a terrible smell for quite a while. There are at least seven out buildings on the property. Turkeys have been processed and the pallets that are used as floorboards are burned and give off an awful smell. Mr. Hickson is concerned with the health and safety of the neighborhood.
2. Richard Lanoie/240 Thresher Road – lives next door, downhill from the Rollins. During heavy rains, runoff from the Rollins' yard comes down into his yard. He use to have an herb garden next to the property line but now is afraid of any contaminates that might be washing down. The Rollins should have to adhere to all bylaws involved. The backyard pool has not been chlorinated in two years and is a breeding ground for mosquitoes. Mr. Rollins commented that the pool liner has a hole in it and that he was going to fix it this year.
3. Helen Crowley/252 South Monson Road – There is a rooster(s) that crows early in the morning and all day long every day. There is only one rooster per the Rollins. Mr. Flynn recommended that Mrs. Crowley contact the Animal Control Officer for the rooster issue.
4. Marybeth Lanoie/240 Thresher Road – lives next door. The turkey smell is so bad that she and her husband have to close up the house and run their air conditioner even when it is not hot outside just to keep the smell out. The rabbit structure is close to their property line. Their 6' stockade fence helps to block some of the view of the Rollins yard. She has parking concerns due to the fact that the side of the road is a ditch and there are other vehicles in the driveway already. Mrs. Lanoie referenced some of the zoning bylaws that pertain to noise and odor, traffic, waste water and 50% of products being raised/grown in Hampden. The Rollins reported that they currently have 68 chickens and would be getting 25 turkeys.
5. Austin McKeon/28 Potash Hill Lane – attended in support of Mr. and Mrs. Lanoie.

Board Member Comments:

Judy Jackson – No dimensions of outbuildings are listed on the site plan, not sure bylaws are being met. A lot is planned for a small parcel (2.3 acres).

Charlie Dolben – Not comfortable with the size of the lot and the scope of the project.

Joe Kruzel – Concerns that the plan is not detailed, dimensions not there, not enough information to make a decision now, and heard a lot of concerns from the neighbors.

Neil Flynn – Agrees that a lot is planned for a small area. Need to organize, detail structures on the site plan, address parking issues and concerns from neighbors. (Farm stand bylaw 3.18, no special permit, now that the processing plant has been excluded.)

The Rollins were given the option of withdrawing without prejudice and to come back at a later date with a more detailed plan.

There will be no processing right now unless for personal consumption. There is no selling of eggs now (June – August for a farm stand).

Mr. Kruzel clarified that a home occupation review has been done and approved for Mr. Rollins truck business. A neighbor left a picture of a sign posted on the Rollins' garage for the truck business. Mr. Rollins said that he will take it down.

Mr. Flynn suggested that the neighbors who have building concerns contact the Building Department and the neighbors who have animal concerns contact the Animal Inspector.

Mrs. Rollins decided to withdraw without prejudice.

Mr. Kruzel made a motion to allow the applicant to withdraw without prejudice. Mr. Dolben seconded. The vote was unanimous.

With no further questions or comments, Mr. Flynn closed the Public Hearing at 7:50pm.

Site Plan Presented: 8 ½ x 11 septic system repair plan with garden area, pool, rabbit cages, chicken and turkey coop and processing plant hand drawn in.

Submitted by: Deborah House, Clerk