

REPORT OF DISPOSAL STUDY COMMITTEE

At the annual Town Meeting in March of 1970, the Town voted to make the necessary alterations to convert the town dump to a modified sanitary landfill. Construction was completed in August and a maintenance contract for its operation was awarded. The sanitary landfill is now in full operation. With a town-wide pickup and adequate supervision of the sanitary landfill, Hampden's next term of 5-8 years—disposal needs appear solved.

Institution of a semi-monthly town-wide pickup of rubbish and garbage now seems appropriate for several reasons. First, in July, 1971 the State appears ready to enforce its ban on all outdoor burning; and second, the sanitary landfill operation can be operated more efficiently when the material is dumped by a single carrier in large quantities. An article appears in the town warrant concerned with town-wide pick up.

Respectfully submitted,

DISPOSAL STUDY COMMITTEE

EMORY FORD, *Chairman*

JOHN M. FLYNN

JAMES INGRAHAM



HAMPDEN SANITARY LANDFILL OPERATION—Graphic evidence of greatly improved conditions at site of former town dump.

REPORT OF LIBRARY

An increasing number of townspeople are making use of our ever-expanding library facilities. The Bookmobile is continuing to supplement our circulation.

This year we have acquired a valued addition to our reference department in the form of the new 1971 World Book Encyclopedia (20 volumes) and the Merit Students' Encyclopedia (20 volumes).

The library has purchased a record bin with donations to the Captain Edward B. Breck Fund.

Once again a successful summer reading program was conducted. Certificates were awarded to children who completed reading and reporting on ten books and a picnic was enjoyed by these same young scholars.

In October, Miriam Bryans, Peg Therrien and Elizabeth Curtis attended a Massachusetts Library Trustees meeting in Worcester, Mass.

The library is being supplied with seasonal exhibits as well as displays of plants and flowers by Mrs. Ruth Sheehan and Miss Gertrude Lyons of the Hampden Garden Club.

Respectfully submitted,

ELIZABETH J. CURTIS, *Librarian*
MILDRED ATTLETON, *Chairman*
ELSIE W. THERRIEN, *Trustee*
MIRIAM P. BRYANS, *Trustee*



HAMPDEN LIBRARY—Left to right: Adina V. Johnson, Cecilia C. Melville (seated front), Elizabeth Curtis, Librarian.

LIBRARY STATISTICS

I. GENERAL SERVICES

Circulation of Books and Magazines	25,847
Books Purchased	776
Periodical Subscriptions	48
Books and Magazines Donated	396
Total Attendance	15,547
Inter-Loan Books Borrowed	241
Bookmobile	2,593

II. FINANCES

Receipts

Appropriation by Town. \$	8,984
Dog Tax Refund.	762
State Aid.	580

\$10,326

Expenditures

Books and Magazines . . . \$	3,418
Wages	5,629
Supplies, Incidentals	1,279

\$10,326

REPORT OF SUPERINTENDENT OF STREETS

Most of the 1970 Highway money was spent for general maintenance of all roads, such as scraping, drainage, brush cutting, patching, resurfacing and the like. Chapter 81 money contributed largely to this work.

Chapter 90 Maintenance Funds, which is made up by the town, county, and state each contributing equally, was \$9,000 last year. The entire amount was used on Main Street from Gerrish Park to the intersection of Somers Road and Main Street, six-tenths of a mile from line on East Longmeadow Road, which was paved with a Bituminous surface.

The road resurfaced with liquid asphalt and pea stone covered was one mile on South Road, Resurfaced shoulders, shere drainage was installed, for one-half mile on Chapin Road.

Drainage was completed on Chapin Road for a distance of 1800 feet. Drainage was also installed on Martin Farm, Potash Hill and the end of turn around on Walnut for a distance of 300 feet.

The grounds care involves considerable time. This department is responsible for the maintenance of the grounds of the Town House, Fire Station, Town Common, Green Meadow School, Thornton W. Burgess School, Recreation Field, baseball diamonds, Gerrish Park and the two cemeteries.

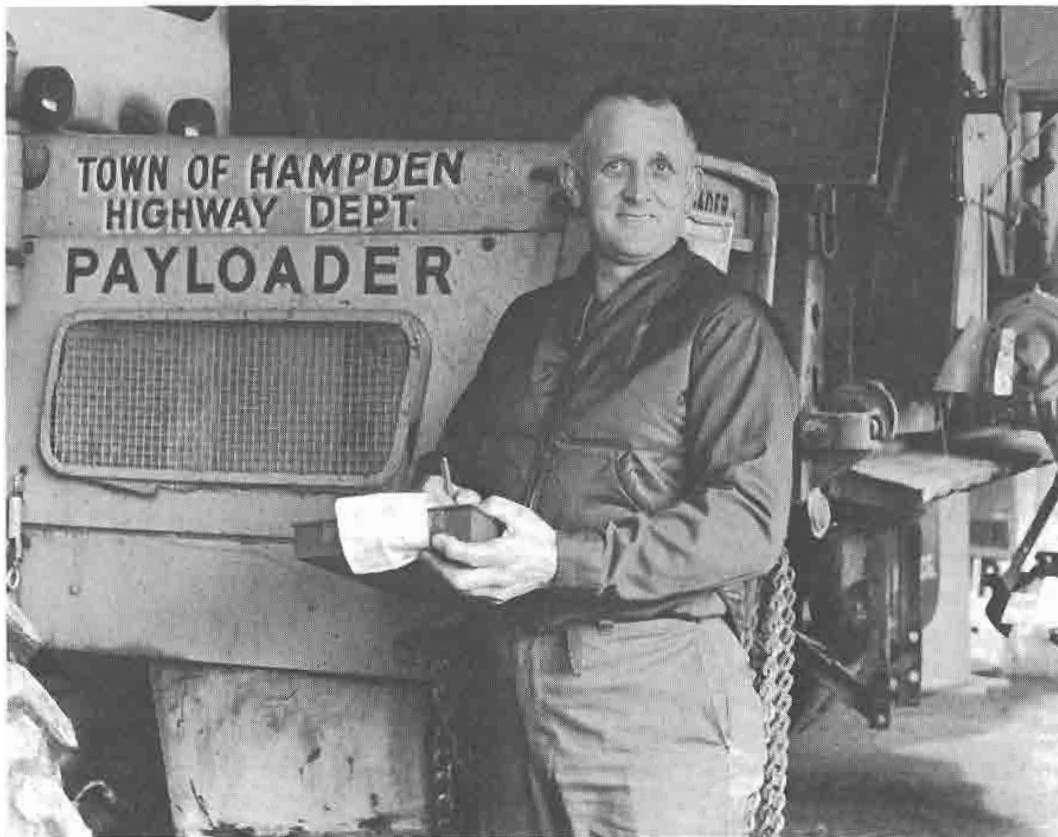
The town's winter work has become a major problem as streets are being accepted by the town every year. The public today insists upon bare pavement year round which adds to the cost of snow removal. The cost for snow removal this past year was \$22,500.

All of the town equipment when used under Chapter 90, construction, Chapter 90 maintenance, and Chapter 81, is reimbursed by the state on an hourly basis. This automatically goes into the Machinery Account which helps to purchase new equipment such as the new Michigan Loader. This year we plan to purchase a new dump truck and body.

During this year my major problem has been a labor shortage. Good dependable men who take an interest and pride in the highways of their town are scarce.

Respectfully submitted,

HOMER L. FULLER,
Superintendent of Streets



HOMER FULLER, Superintendent of Streets

EXPLANATION OF HIGHWAY MONEY FOR 1971

For the benefit of the voters of Hampden, the following is an explanation of Chapter 81 and 90 Highway money; how it is obtained, allotted, and spent:

CHAPTER 81—These funds were established to assist small towns primarily on maintenance, and this fund may be used on any road. This fund was inaugurated by the Legislature and is based on road mileage ratio valuation.

At the present time, the State contributes \$275. per mile of road and Hampden must raise \$50 per mile each year. We have 45 miles of road.

Therefore, in 1971 Hampden must raise:

$$\$ 50 \times 45 \text{ miles} = \$ 2,250 \text{ (Art. 8)}$$

The State will contribute:

$$\$275 \times 45 \text{ miles} = 12,375$$

Total available for work under Chapter 81:

$$\$14,625$$

This money may be used for drainage, scraping, patching, cutting brush, etc. and some is expended on each road in town during the course of the year.

CHAPTER 90 MAINTENANCE—This money is used for maintenance of the roads built or rebuilt with Chapter 90 Construction money, and is usually spent for resurfacing.

The State, County and Town each contribute one-third.

In 1971 Hampden expects to receive from the State

$$\$3,000$$

from the County

$$3,000$$

and must raise

$$3,000 \text{ (Art. 6)}$$

thus making a total of

$$\$9,000$$

CHAPTER 90 CONSTRUCTION—This money is used to construct and reconstruct main roads, and particularly those roads which are connecting links between towns.

State funds for all Chapter 90 work are derived from gasoline tax, registration and operator license fees, fines, etc. and these funds are divided among 351 towns and cities in the Commonwealth.

The State contributes one-half the total allotted for each town, the County contributes one-fourth and the Town contributes one-fourth.

In 1971 Hampden has been allotted from the State	\$ 7,600
from the County	3,800
and must raise	3,800 (Art. 7)
for a total of	\$15,200

This year we plan to use this \$15,200 mentioned above, together with a balance of \$17,048 held over from 1970, making a total of \$32,248 for installation of storm drains on a portion of Main Street.

Since the State and County payments are not made to Hampden until much later in the year, we must transfer from available funds or borrow these State and County amounts; and this money is returned to our Treasury or the loan is repaid when received from the State and County. Thus we have Article 9 for this purpose and the figure is arrived at as follows:

State share of Chapter 81	\$12,375
State share of Chapter 90 Maintenance	3,000
County share of Chapter Maintenance	3,000
State share of Chapter 90 Construction	7,600
County share of Chapter 90 Construction	3,800
	\$29,775

REPORT OF HOUSING FOR THE ELDERLY STUDY

Within the Commonwealth of Massachusetts, and country wide, a great deal of attention has been given in recent years to means of providing housing for elderly people of limited income. Assistance programs are available for this in both State and Federal government.

Last March the Board of Selectmen appointed a committee to study Housing for the Elderly in the Town of Hampden.

Under the State program, a town first creates a Housing Authority. This is an elected board consisting of five members; four elected by the Town, and one appointed by the Governor.

The Housing Authority then oversees the building program and administers leasing, renting, etc. All this is done with the backing of the State, and does not require any funds or liability by the Town. Bonds, which the State guarantees, are paid for by the rental income of the project, plus a state subsidy (approximately 33 $\frac{1}{3}$ %) of annual costs. This is taken from the General Fund of which Hampden pays its share, whether it has a Housing Project or not.

To be eligible for this housing a person must meet the following requirements:

1. A person must be 65 years of age or over (single individuals living alone or couples are eligible).
2. A person must be a citizen of the United States.
3. A person must be of low income. In general the annual income of a single individual not to exceed \$2,500, and the annual income of a couple not to exceed \$3,000.
4. A person must be in need of good housing.

Using the street list as our means of information, we mailed inquiries to all residents 63 years, and older. Of the 197 questionnaires sent out, 61 have been returned. Approximately 30 people have expressed an interest in the state-sponsored program. This does not necessarily mean that all 30 people meet the requirements of such a program.

The committee members have held several meetings, discussing the results of the questionnaires, and how best to meet the needs of the older people in Hampden. Since there is no program of any sort for the elderly in Hampden, the committee is anxious to learn whether there are needs which should be met by an organized effort.

It is believed that, at this point, the development of a building program should not be recommended. However, there is a definite need on the part of some people, and it can be expected that the number of elderly people who need housing will increase. It is suggested, therefore, that a committee be kept active, to maintain a follow-up on the town's needs; to provide information on both State and Federal programs which are subject to change; and to make such recommendations as its findings may dictate.

This committee wishes to acknowledge the kind assistance of Mrs. Erma McClaren and Mrs. Victor Cella of East Longmeadow, who gave us generously of their time and experience.

Respectfully submitted,

CHARLES P. SHARPLES, *Chairman*
HELEN E. LARSON
DONALD E. WILCOX

REPORT OF PARKS AND RECREATION COMMISSION

Meetings of the Commission for 1970 were held on the first and third Tuesdays throughout the year. Transacting of routine business procedure was in order, as well as special meetings with the Selectmen, School Committee, Advisory Board, members of the Recreation Association of Hampden, and members of the Citizens Advisory Committee (a sub-committee of the Planning Board). Thus was created a broader scope of communication and understanding of Town organization and activity as may pertain to the Commission.

1970 Activities were:

RAH Baseball League—starting in April. Men's Softball League—starting in May. Pony League Baseball Tournament—July 31-August 2. 10 week Summer Program with Sandi Johnson, Director, Beverly Bridgman, Swimming Director and Lifeguard assisted by: other lifeguards Michael McMillan, Ned Deane, Pat Twomey and Evelyn Shaw. The Annual Swim Meet was held at the Park. Hampden also entered one meet outside the area. A 6 week Summer Sport School for boys was held at the "REC" starting the week of July 6th with John Jenkins as director. John Hughes again was in charge of our Tennis Program at Thornton Burgess School. July 4th at the "REC" was a big success. More organizations seem to participate each year. The appearance of the Elks Band and the addition of the Art Show were highlights.

Our Maintenance Program was in the charge of John Jenkins with Paul Meacham as a helper. Robert Joyce also assisted in this category as available.

David Grieve ran a Soccer program for 4th, 5th, and 6th grade boys for 8 weeks starting September 26th. A winter program at Thornton Burgess School (for

everyone) was in full swing. Peter Swenson for the men's and high school boys' basketball evenings and David Grieve for the boys' Saturday morning basketball session. Barbara Willenbrock ran the Women's and Girls' evening programs. Plans for possible programs for Senior Citizens are being worked on.

A Roller Skating trial program was held on November 21 at Green Meadows School and proved very successful. Other Roller Skating programs will follow.

Unsupervised Ice Skating—if and when weather and existing conditions at Memorial Park permit.

1970 Projects were many—some of the larger ones being: the erecting of a 3-rail cedar fence bordering the Hosie property and at the end of the parking lot by the softball field—3 maple trees by the baseball field and 2 flowering crab trees (memorials given by the Hampden Garden Club) along the rail fence by the softball field—relocation of electrical meters and wiring for safety, convenience and tying into the new building erected by RAH—new bridge construction over brook by the pavilion—new equipment purchased, namely, bleachers, picnic tables, settees, a tennis backboard, swings, a net for backstop at the baseball field and many more items, some incidental, many unseen, but all of the utmost importance for the benefit of all.

Unfortunately we are still plagued by vandalism.

A sincere "thank you" is extended to the Recreation Association of Hampden, Inc. for the building which they erected at the Park this year.

And again, may we express our sincere appreciation to those residents of Town whose interests and working efforts were so helpful to the Commission during the year.



Recently Constructed Foot Bridge at Hampden Memorial Park

And a quote from last year's report bears repeating, "It is the desire of this Commission to continue to improve both the recreational and park facilities of the Town as rapidly as is practical. Your help in our planning is both necessary and desirable and, therefore, we invite you to attend any of our meetings."

Respectfully submitted,

WILBUR J. JENKINS, *Chairman*
F. EVELYN KIRK
JANE JOHNSON
GEROLD E. DOTEN
RANDALL BURT
LUCILLE MCGUILL, *Clerk*

REPORT OF CONSERVATION COMMISSION



The Conservation Commission has, in the year 1970, been diligently at work in behalf of immediate and long range concerns of Hampden's environment.

We have conducted 22 meetings and held numerous field and site studies. We also directed a Scantic River tube race in early summer and a public walk in autumn when foliage was most colorful.

Gifts of land to be used for conservation continue to receive attention from the Commission. A 10 year easement has been granted

by the Hampden Federated Church to utilize a small parcel of land adjacent to the Scantic River off of Riverside Drive. The piece, known as Scantic Landing, is planned as a small informal park and fishing access.

The Commission has worked to maintain quality in the environment of the Town. When abuses have been brought to our attention, the Commission has given effort to obtaining proper facts, the appropriate individuals contacted, whether officials or private citizens, and constructive results gained. The Commission has also researched and made recommendations to fellow Town Boards relevant to land use, water supply, sewage disposal, recreation and education.

Retaining scenic beauty and the needs of nature yet not seeking to stop Hampden's growth is a balance that is of concern to the Commission. It is basic for us to know and help the townspeople to know and appreciate the resources of Hampden. In 1970 a Natural Resources Inventory was published by the Federal Government at no cost to the Town. This official inventory of the Town's natural resources is an important prerequisite to application for state and federal funds for purchases of land. It is available upon request from the Commission.

In March the Town appropriated \$1,000 to the Commission for planning the purchase of 76 acres of pocketed ridge line known as Ingle's Woods. The purchase was prepared to protect the water resource and scenic beauty of the Town and prevent further runoff hazards to land and roads below. This is supported by our Federal Natural Resources Inventory.

The legal and survey work has been completed and the cost to the Town will be \$4,750, some 18¢ on the tax rate, or about 90¢ per capita, non-repetitive fee. State funds for 50% of the cost of the land was granted. Through purchase Ingle's Woods will be retained in its natural state to be enjoyed by all of Hampden for all

time. Some planned activities are horseback riding, hiking, walking, climbing, nature education and possibly camping.

At a Special Town Meeting held in December, finalization of the purchase of Ingle's Woods was not passed. Serious consideration is being given to the re-submission of the Article in March.

The following associate members have been appointed to the Commission: David Bonney, Betty-Anne Johnson, Lee Procter and Joyce LeClair.

Conservation issues which have been and will continue to be important to all citizens of Hampden in the coming year are:

1. the deteriorating condition of the Scantic River
2. illegal dumping practices
3. proper land use, especially sloping land use
4. adequate street drainage and sediment catch basins
5. mosquito control
6. street salting and sanding
7. preservation of wetlands
8. floodplain zoning

The Commission asks the cooperation and support of Hampden in upholding the best use of the Town's natural resources during the coming year,

Respectfully submitted,

CARLOS CARRANZA, *Chairman*
PATRICIA KNODE
CLIFF KEENEY
BEN LIBBY
BERT NIETUPSKI
MARILYN BLIZARD
STEVE LECLAIR

REPORT OF TRUSTEES FOR COUNTY AID TO AGRICULTURE

In accordance with the General Laws of the Commonwealth—Chapter 128—the Trustees for County Aid to Agriculture are empowered to receive, on behalf of the County, money appropriated by any town or by the Federal Government for carrying out the provisions of the law under which they are appointed.

Their agents have made contacts during the past year in every community either by public meetings, individual visits, group discussions, demonstrations or otherwise in attempting to assist the needs of the citizens toward helping to solve management problems, better living and better community service and have been ably assisted by hundreds of local volunteer leaders to this end.

Respectfully submitted,

Trustees for County Aid to Agriculture
ALBERT H. FULLER, *Clerk*

REPORT OF CEMETERY COMMISSION

The cemetery commissioners wish to report the following:

Both cemeteries were mowed six times.

This year we hope to paint the fence in Prospect Hill Cemetery, and hope to regrade part of the Old Cemetery to make it easier to mow.

Respectfully submitted,

HOMER L. FULLER, *Chairman*
ARTHUR H. GERRISH
ERNESTINE JOHNSON

REPORT OF TREE WARDEN

The tree warden wishes to report that the dead wood was trimmed from the trees on Carmody Road, Wilbraham Road, South Road, Chapin Road, Bennett Road, Main Street and Echo Hill.

Removal of trees included:

- 3 Elm trees on Carmody Road
- 2 Elm and 2 Maple on Wilbraham Road
- 4 Elm and 1 Maple on Chapin Road
- 2 Maple trees on Bennett Road
- 1 Maple tree on Main Street
- 1 Elm tree on Echo Hill

Twenty-two Maple trees were set out on Main Street, Wilbraham Road, Old Orchard Road and Martin Farms Road.

Respectfully submitted,

HOMER L. FULLER,
Tree Warden

DUTCH ELM REPORT

The elm trees in town continue to become infested at a very fast rate; this year saw some of our larger elm trees infested with Dutch Elm Disease.

During the year 1970 we removed 22 infested elm trees.

I would like to thank the Highway Department for their cooperation during the year.

Respectfully submitted,

JAMES A. REARDON,
Superintendent of Insect Pest Control

GYPSY MOTH REPORT

During 1970 the hunt for gypsy moths showed an increase in infestation throughout the town.

Over 125 clusters were found and destroyed.

Respectfully submitted,

JAMES A. REARDON,

Superintendent of Insect Pest Control

REPORT OF DOG OFFICER

During 1970, 44 stray dogs were picked up and confined to the dog pound; some being redeemed and some destroyed after the required 10 days.

\$1,000 was appropriated for this expense, and \$835.77 was spent. Returns to the Town Treasury were \$671; \$586 being reimbursed by County Commissioners, and \$85 in pound fees being received for dogs which were redeemed.

This indicates the extent of the dog officer's duties; in addition the number of calls received concerning dogs averaged 1½ per day.

Respectfully submitted,

RICHARD HATCH,

Dog Officer

REPORT OF ANIMAL INSPECTOR

The Animal Inspector wishes to report that he has inspected the barns and animals which are required by State Law.

The following number of animals were found:

Dairy Cows	160
Beef Cattle	42
Horses	115
Swine	0
Goats	2
Sheep	18

Respectfully submitted,

HOMER L. FULLER,

Animal Inspector

REPORT OF PLANNING BOARD

The excellent help and cooperation of the people of Hampden and the Town Officials has permitted the Planning Board to move ahead in 1970 on two major projects in addition to routine hearings and the usual Planning Board business. These major projects are:

- (1) The total Town Plan—Inventories and Recommendations.
- (2) A Planned Unit Development section for the Zoning By-Law.

The work on the total Town Plan has been progressing steadily with the assistance of the Citizens' Advisory Committee. This group represents all phases of Town government and has been most helpful to the Planning Board and the Master Plan consultants. Their diligence has resulted in an up-grading of much of the original information available and will most surely mean greater efficiency for the Planning Board as well as other Town departments.

Phase I of the Master Plan—Inventories has been completed and is now being reviewed by the Planning Board. Phase II—Recommendations—is now being readied by the planning consultants for review. The completed Master Plan will be ready for submittal to the Town during 1971.

Our second major effort was in reply to a request for a commercial golf course with various types of housing units around the playing area. The best way to comply with this request is to adapt a relatively recent development in zoning called a Planned Unit Development. The purpose of a Planned Unit Development is to foster controlled flexibility in a new developing areas of the Town. The intent is to provide a desirable living area by requiring the development of open space and recreational areas in the land made available by cluster zoning.

An article has been proposed by the Planning Board for a revision to the Zoning By-Law. This article reads as follows:

"To see if the Town will vote to accept a proposed amendment to the Hampden Zoning By-Law which will establish a Planned Unit Development District as set forth by the Planning Board."

The complete proposed amendment and revisions to the Zoning By-Law follows this report. The Planning Board and Town Officials have spent considerable time in reviewing and studying all aspects of the planned unit development concept; hence, the Planning Board recommends favorable action on this article.

Respectfully submitted,

CARL F. LIBBY, *Chairman*
FRANCIS T. BUCKLEY
FREDERICK MAHER, JR.
LAWRENCE W. HATCH
KARL H. PIEPHO

PROPOSAL
PLANNED UNIT DEVELOPMENT
RECOMMENDED AMENDMENTS TO THE ZONING BY-LAW

Add to Contents: Section 6:

6.8 Planned Unit Development District

Add to Section 2, definitions, page 4, a new section 2.30—Planned Unit Development and renumber the present section 2.30 through 2.41 as 2.31 through 2.42, the new section to read as follows:

- 2.30 Planned Unit Development: A planned unit development shall mean a site in single or corporate ownership to be developed as an entity which will provide for specific housing types and uses in R4 and R6 residential districts in the Town other than would normally be allowed in such districts, without detracting from the livability and esthetic qualities of the environment, and subject to the constraints and limitations listed in Section 6.8.

Add to Section 3, page 6, 3.1.8 Planned Unit Development District

Add to Section 6, page 11, a new section as follows:

- 6.1.1.11 Planned unit development district subject to all the provisions of section 6.8.

Add to Section 6, page 11, a new section as follows:

- 6.2.1.3 Planned unit development district subject to all the provisions of section 6.8.

Add to Section 6, a new section 6.8 to read as follows:

6.8 *Planned Unit Development District*

A special permit for a planned unit development in Zone R4 and R6 may be approved, subject to Section 6.8, by the Hampden Board of Selectmen upon application, and if granted, said development shall thereafter be constructed and maintained in conformity with Section 6.8 and other sections of the Zoning By-Law which are applicable.

Definition and Intent

The planned unit development is intended to provide within itself a desirable and practical living area by allowing:

The development of open space as primary recreational purposes. Secondary recreational activities usually associated with the primary outdoor recreational activities.

A mixture of architecturally compatible housing types arranged in an economical manner.

Planned unit development supported business for the convenience of the planned unit development residents.

A planned unit development must be designed to accomplish the following objectives with greater facility than would be possible through the strict application of other sections of the Zoning By-Law and the Rules and Regulations Governing the Sub-Division of Land in the Town of Hampden:

- a. Planned open space and public facilities reflecting architectural creativity and the imaginative use of open space.
- b. Efficient allocation, distribution, use and maintenance of common open space.
- c. A desirable living environment.
- d. A variety of compatible housing types and characteristics.
- e. Economical and efficient street, utility, and public facility installation, construction and maintenance.
- f. A variety and flexibility in the physical development of the overall community.
- g. Land use harmonious with natural features.
- h. The development of real property values for the long-range future.

6.8.1. *Uses Permitted*

In a planned unit development, permitted uses shall include only the following, subject to dimensional and procedural controls, provided the Planning Board finds that the proposed uses meet the requirements of the planned unit development and are designed and intended for the use of the residents of the planned unit development, except that the membership club and non-profit civic, social or recreational uses may be open to the public at-large:

6.8.1.1 Open space left substantially in a natural state or developed for the following primary uses, either commercial or non-profit. If commercial, both the primary and secondary uses listed under Section 6.8.1.2 must be developed as an accessory use to a membership club:

- a. Golf courses and club house
- b. Public parks and preserves
- c. Hiking and riding trails
- d. Arboreta and botanical gardens
- e. Birds, fish or game sanctuaries
- f. Fishing or hunting areas (except as otherwise restricted)
- g. Swimming and skating areas
- h. Recreation areas for outdoor court or field sports

- 6.3.1.2 Secondary social or recreational uses normally and usually conducted in relation to, and secondary to, the primary outdoor recreational activities listed under 6.8.1.1, such as an exercise room, sauna, swimming pool, rifle range, riding ring, or similar recreational uses.
- 6.8.1.3 Single family dwellings
 - a. As part of the development.
 - b. On a building lot subject to the Rules and Regulations Governing the Sub-Division of Land and the Zoning By-Law, except that all structures must conform to Section 6.8.3.2 and must be maintained by the owner(s) of the planned unit development.
- 6.8.1.4 Two family dwellings.
- 6.8.1.5 Multi-family dwellings including, but not limited to, garden apartments, town houses, and condominiums.
- 6.8.1.6 Parking areas and garages.
- 6.8.1.7 Center(s) for social and recreational activities for the residents of the planned unit development.
- 6.8.1.8 Business uses conducted primarily for the residents within the planned unit development, provided that the planned unit development contains at least two hundred fifty (250) dwelling units.
- 6.8.1.9 Public educational uses, places of worship, governmental uses, and public utilities.
- 6.8.1.10 Accessory uses as defined in Section 2.1, Sections 6.1.1.7 and 7.3 and limited in the Zoning By-Law of the Town of Hampden, including garages for storage of equipment used to maintain the development.
- 6.8.2 *Density, Set-Backs, and other Restrictions*

In a planned unit development the following requirements relating to the density and intensity of land use, set-backs, and other restrictions shall be met:

 - 6.8.2.1 Minimum total area: 200 acres.
 - 6.8.2.2 Minimum number of dwelling units: 75, except single family dwellings on a building lot.
 - 6.8.2.3 Maximum number of dwelling units: No more than ten (10) per cent of the total number of dwelling units within the Town of Hampden according to the most recent Census of Housing of the United States Bureau of the Census plus the number of validly granted occupancy permits issued by the Building Commissioner of the Town of Hampden for each calendar year succeeding the Census of Housing, including the number of occupancy permits issued in the calendar year of the date of submission of the definitive plan for a planned unit development, up to that date.

- 6.8.2.4 Maximum dwelling unit density: 0.7 dwelling units per gross land acre (equals 1.44 gross acres per dwelling unit) in an R4 district and 0.5 dwelling units per gross land acre (equals 2.00 gross acres per dwelling unit) in an R6 district. Where the planned unit development includes more than one residential district, the dwelling unit density of the more restrictive shall apply.
- 6.8.2.5 Minimum usable open space:¹
- a. R4 district—1 gross acre per dwelling unit
 - b. R6 district—1.5 gross acres per dwelling unit
- 6.8.2.6 An open space buffer of 100 feet shall separate any building from abutting properties. A 50' landscaped buffer strip shall separate any parking area from abutting properties.
- 6.8.2.7 Single and two-family dwellings must conform to the front set-back as shown for an R6 district. (Page 17A.) Dwellings containing three or more units must conform to the front set-back as shown for multi-unit dwellings. (Page 17A.) Commercial structures in the planned unit development shall have a minimum set-back of 75'.
- 6.8.2.8 Building Size Limitation: Height—35'. Maximum number of dwellings per structure: Eight (8).
- 6.8.2.9 Minimum floor area per dwelling unit: As prescribed in Section 6.3.10 of the Zoning By-Law of the Town of Hampden.
- 6.8.2.10 Maximum gross floor area of business uses in a planned unit development as a percent of gross residential floor area: Four (4) percent except that only social or recreational uses conducted within a structure may exceed this percentage ratio.
- 6.8.2.11 Minimum residential parking requirements: As prescribed in Section 7.5 of the Zoning By-Law of the Town of Hampden, except that no parking space shall be located within fifty (50) feet of that part of a building containing windows of habitable rooms at the basement or first story level, unless such rooms are protected from headlight glare by at least a four (4) foot high, but no more than five (5) foot high, densely planted landscaped strip placed at the periphery of the parking area. Parking spaces screened by such landscaped strip may be located up to, but not within, thirty (30) feet of a residential building containing windows of habitable rooms at the basement or first story level. No more than thirty (30) spaces may be allowed in any one (1) open area, each of which shall be screened from view from interior and exterior streets by appropriate landscaping. All other parking shall be regulated as prescribed in Section 7.5.4.10, and golf courses shall have an additional minimum of ten (10) parking spaces per hole of golf exclusive of other provisions of Section 7.5.4.10, or parking facilities equal to sixty (60) per cent of the serving facilities, whichever is greater.

¹ Usable open space is land left substantially in a natural state or developed for recreational use except as otherwise regulated and shall not include street rights-of-way, open parking, service or loading areas, driveways, school sites, easements for above ground utilities, laundry drying areas, required front yards contained within the minimum setback, landscaped areas adjacent to the exterior walls of any buildings including residential buildings (see Section 6.8.3), ground area covered by any structure other than those directly related to the open space or recreational use or any other area deemed unsuitable by the Planning Board including, but not limited to, swamps and marshes, or land exceeding a slope of thirty-three (33) per cent.

6.8.2.12 *Parking Lots*—Parking lots, if paved, shall have a run-off absorption area of turf or gravel. They shall be sloped to provide maximum absorption and minimum run-off.

6.8.2.13 No noise, vibration, smoke, dust, odors, heat, glare, unsightliness or other nuisance produced in excess of Section 6.6.2.2 through 6.6.2.7 inclusive of the Zoning By-Law of the Town of Hampden.

6.8.3 *Requirements for Developing*

In a planned unit development the following required conditions of development must be met and maintained:

6.8.3.1 *Ownership*—The entire planned unit development shall remain under one ownership except for individually owned condominiums and single family dwellings on a building lot. If sold, the entire development must be sold as one unit and to one buyer.

For the purpose of this By-Law one ownership is defined as the legal possession of a tract of land by an individual, two or more individuals, a partnership, a trust or a corporation having common undivided interests.

6.8.3.2 *Architecture*—Exterior architecture and design of all structures shall be approved by the Planning Board for reasons of architectural harmony and compatibility of adjacent structures.

6.8.3.3 *Utility Provision*—All existing or proposed utilities shall be installed underground at the time of initial construction of the planned unit development.

6.8.3.3.1 *Fire Alarm System*—There shall be a fire alarm system as approved by the National Fire Protection Association Standards and the Hampden Fire Department.

6.8.3.3.2 *Waste Disposal*—There shall be a satisfactory design and location of collection points and for the disposal of solid wastes as approved by the Hampden Board of Health.

6.8.3.3.3 *Sewage Treatment*—A packaged sewage treatment plant as approved by the Massachusetts Department of Health shall be provided to serve the maximum permissible number of dwellings and other facilities in the planned unit development. The owner(s) of the planned unit development shall be responsible for the maintenance of such treatment plant as prescribed by the State Department of Health.

6.8.3.3.4 Such sewage treatment plant shall be fully operable before the occupancy of any of the dwelling units.

6.8.3.3.5 *Lighting*—Adequate lighting shall be provided on streets and other public spaces consistent with the Rules and Regulations of the Planning Board.

6.8.3.4 *Open Space*

6.8.3.4.1 *Public open space*, if deeded to the Town, shall be maintained as a public park, accessible to the public. This shall not prevent the Town from refusing to accept such land without a favorable report from the Planning Board.

6.8.3.4.2 *Dedication of Public Land to the Town*—Sites within the planned unit development equal to at least one (1) per cent of the land area shall be made available to the Town as determined by the Planning Board for schools, parks, or municipal facilities needed to serve the neighborhood.

6.8.3.4.3 *Maintenance of Open Space*—The owner(s) of the planned unit development shall maintain the open space as well as all other open areas.

In cases of rental property, the owner shall assume the responsibility for maintaining the open space in such a manner as to protect the safety, health and convenience of the tenants.

In cases of the sale of individual units, lots or parts of the planned unit development there shall be included in the deed a requirement obligating the purchasers to participate in a non-profit homeowners' association and to support the maintenance of the common open space accessible and available for the purchasers only, by paying assessments to the association. The organization of such homeowners' association shall be on file with the Town Clerk, along with an annual report, including the names of officers, to be submitted to the Town Clerk by February 15 of each year.

6.8.3.5 *Neighborhood Facilities*—All planned neighborhood facilities including dwellings, open space, recreation areas, business areas, streets and ways, utilities and lighting shall be approved in accordance with accepted site planning standards and practices as determined by the Planning Board.

6.8.3.6 *Phasing of Construction*—Construction of the planned unit development shall be phased.

Phase I shall be the development of the primary recreational area.

Phase II shall be the development of all or part of the housing area. Any construction planned to take over two (2) years to complete shall be phased.

The entire development shall be shown on an approved preliminary plan and each phase under construction shall be shown on an approved definitive plan.

Phase I and II may be constructed simultaneously if a bond equal to one hundred (100) per cent of the estimated cost of the improvements is deposited with the Town Treasurer.

Approval of the preliminary plans (Section 6.8.4.6) will constitute the developer concept approval for future phases.

Each phase must be approved by the Planning Board by approval of a definitive plan prior to starting construction. Each phase thereafter must be constructed contiguous and adjacent to a preceding phase or phases. Phases separated by streets or ways shall be considered contiguous.

No building designed or intended for business or commercial use, except the development office, social or recreational uses and uses associated with the open space area shall be constructed until at least fifty (50) per cent of the total dwelling units of the entire planned unit development have been constructed.

- 6.8.3.7 *Landscaping*—Adjacent to all the exterior walls of each residential building, except at building entrances, there shall be a minimum of a five (5) foot wide area of suitable shrubbery.
- 6.8.3.8 *Circulation*—The planned unit development shall be located in relation to major thoroughfares and shall not be permitted if, in the judgment of the Planning Board, the planned unit development will result in an increase in traffic of more than thirty-three and one-third ($33\frac{1}{3}$) per cent above that existing on any thoroughfare in a twenty-four (24) hour period at the time of the most recent traffic count, or an increase in traffic beyond the design capacity of the thoroughfare, whichever is less. Within the planned unit development, vehicular and pedestrian circulation shall be provided in accordance with the Rules and Regulations of the Planning Board.
- 6.8.4 *Procedure for Submission of Application*
- 6.8.4.1 *Preliminary Plan (Form B of Rules and Regulations Governing the Subdivision of Land)*
- Each application for a special permit for a planned unit development shall be accompanied by an original and nine (9) prints of a preliminary plan to be submitted to the Board of Selectmen.
- The preliminary plan shall conform to Section 3.1 of the Rules and Regulations Governing the Subdivision of Land in Hampden.
- The preliminary plan is intended to show all features affecting the function of the planned unit development including, but not limited to: runoff and drainage; circulation of vehicles and pedestrians; recreational facilities and their use; location of residences and services to them; utilities such as sewage, water, electricity, gas, for all areas; and include hydrological, soil, and sub-surface studies evaluating the site for development.
- The preliminary plan shall include a time table for the phasing of construction of the development if it is phased (Section 6.8.3.6).
- 6.8.4.1.1 *Circulation Plan*—Accompanying each copy of the preliminary plan shall be a circulation plan showing the street system and circulation patterns within and adjacent to the proposed development including any special engineering features, such as, but not limited to, median strips, overpasses and underpasses, and major pedestrian paths.
- 6.8.4.1.2 *Architectural Plan*—Also accompanying each copy of the preliminary plan shall be a typical architectural plan showing the types of buildings, preliminary architectural plans and elevations of typical buildings and structures indicating the general height, bulk, general appearance, and number of dwelling units. Perspective drawings of the development may be required. The architectural plan must be adhered to but may be varied during construction provided that the Planning Board approves the new architectural plan as being compatible with that previously constructed.
- 6.8.4.2 *Definitive Plan (Form C of Rules and Regulations Governing the Subdivision of Land)*
- Each application for a special permit for a planned unit development shall be accompanied by an original and nine (9) prints of a definitive plan to be submitted to the Board of Selectmen.

The definitive plan shall conform to Section 3.2 of the Rules and Regulations Governing the Subdivision of Land in Hampden.

The definitive plan is intended to show all aspects of the phase covered by the definitive plan and shall include, but not be limited to, location of streets, parking areas, sidewalks, landscaping, utilities, drainage, structures, and construction time-table.

A definitive plan shall be submitted for each phase of construction.

6.8.4.3 *Payment*

Accompanying each application shall be payment in cash or certified check payable to the Town of Hampden as follows:

Preliminary Plan—

Twenty-five (25) Dollars plus Two (2) Dollars for each acre of land contained in the preliminary plan.

Definitive Plan—

Twenty-five (25) Dollars plus Three (3) Dollars for each acre of land contained in the definitive plan.

- 6.8.4.4 The Board of Selectmen shall refer within fourteen (14) days the preliminary and/or definitive plan to the Planning Board, the Board of Health and the Town Engineer. The Planning Board under Chapter 41, Section 81-S of the General Laws shall, after public notice, hold a public hearing and issue a report to the Board of Selectmen within thirty (30) days after such hearing. Failure of the Planning Board to issue a report within the thirty (30) day period shall be deemed to be an approval thereof.

Upon receipt of the Planning Board report or passage of the required time period, the Board of Selectmen shall within sixty (60) days render a decision regarding approval of the proposed plan. Failure to act within the sixty (60) day period shall be deemed an approval thereof.

Approval by the Board of Selectmen shall be conditioned on approval by the Planning Board of the definitive plan for each phase before construction.

6.8.4.5 *Bonds*

Approval of the definitive plan shall be conditioned on posting bonds as follows:

- 6.8.4.5.1 For streets, ways, and drainage; a bond equal to ten (10) per cent of the total cost of improvements sufficient in the opinion of the Planning Board to secure performance of the construction of streets and ways and the installation of municipal services under subdivision control of the entire site, plus ninety (90) per cent of the cost of such improvements in the phase shown on the definitive plan submitted for actual construction.
- 6.8.4.5.2 For structures, utilities, and landscaping; a performance bond equal to one hundred (100) per cent of the total cost of construction of structures, utilities, and landscaping in the phase shown on the definitive plan submitted for actual construction.
- 6.8.4.6 Each phase of the planned unit development must meet all the requirements for a planned unit development except Section 6.8.2.7 where the phases bound each other or an internal street, and as noted in Section 6.8.2.10.

6.8.4.7 Approval shall also be conditioned on a provision of maintaining the open space, the buildings and all other improvements. Such provision shall be the posting of an annual maintenance bond to cover the annual cost of such maintenance, such a bond to be posted upon initial occupancy of any dwelling unit.

6.8.5 Any appeal of this section of the Zoning By-Law is limited to those powers granted exclusively to the Board of Appeals under the General Laws, Chapter 40A as amended. All other determinations are to be made by the Planning Board of the Town of Hampden, Massachusetts.

Add to Section 7, page 17, paragraph 7.2, line 2 after the words "no building" the following: "unless shown on an approved plan for a planned unit development."

Add to Section 7.4.3, page 18, end of first sentence: "except for a pool shown on an approved plan for a planned unit development."

Add to Section 7.6.1.2, page 25, the following: "or announcing the name or identification of a planned unit development."

Add to section 7.7, page 26, after Limited Industrial District, in both places, "or Planned Unit Development District."

HAMPDEN PLANNING BOARD
January, 1971



PLANNING BOARD—(Left to right) Frederick Maher, Jr., Doris W. Baron, Clerk, Lawrence W. Hatch, Carl F. Libby, Chairman, Francis T. Buckley.

