



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, December 17, 2018, 7:00 P.M.
Wells Town Hall
208 Sanford Road

CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chairman George Raftopoulos called the meeting to order at 7:00 P.M. Members present: Bob Sullivan, Pierce Cole and Charles Anderson.

Staff present: Mike Livingston, Town Engineer/Planner and Cinni Davidson, Meeting Recorder.

MINUTES

December 3, 2018

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to approve the minutes as written. **PASSED** 2-0-2 with Mr. Raftopoulos and Mr. Cole abstaining.

PUBLIC HEARING

- I. COULSON FARM SUBDIVISION** – Sebago Real Estate Investment, LLC, owner/applicant; Corner Post Land Survey, agent. Subdivision Amendment Application to amend the finish course of paving deadline. Subdivision is located off of Branch Road/Tree Top Lane and is within the Residential A District. Tax Map 56, Lot 25-1 to 25-11.

Applicant Paul Hollis presented the amendment to extend the paving deadline to May 31, 2019. Public comment was solicited. There were questions about the monumentation, which is now complete, and the easements. There are at least 2 easements on an abutting property; Mr. Hollis will review them with the property owner.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to close the public hearing. **PASSED** unanimously.

DEVELOPMENT REVIEW & WORKSHOPS

- I. FIRE SUBSTATION** – Town of Wells, owner/applicant. Site Plan Pre-Application to construct a 4,950 SF Fire Substation (Municipal Facility use) with association parking and utilities adjacent to the existing Public Works Garage. The property is located off of 585 North Berwick Road and is within the Rural and 250' Shoreland Overlay Districts. Tax Map 40, Lot 9-EXE **Report Results of the Site Walk**

Town Manager Jon Carter and Fire Chief Wayne Vetre were present. Mr. Livingston reported on the December 8 site walk which Mr. Sullivan and Mr. Toomey attended. The entrance to Log Cabin Lane needs to be repaired and the pavement extended. The existing trees will buffer the abutting residence. The area consists of well-drained gravel.

- II. WESLEY BY THE SEA – PHASE 3** – Preacher's Aid Society of New England, owner/applicant. BH2M Engineers agent. Subdivision Pre-Application for a 10 lot/dwelling unit residential cluster major subdivision off of Dorfield Lane and Harriseckett Road. The property is approximately 25 acres in size and is located with the Rural and 75' Shoreland Overlay Districts. Tax Map 79, Lot 2 and 3. **Report Results of the Site Walk**

Steve Blake of BH2M was present. Mr. Livingston reported on the December 8 site walk which Mr. Sullivan and Mr. Toomey attended. The road entrance is in a good location with good sight distances, but there may be some adjustments to preserve large trees. The original Dorfield House is on the National Historic Register and will be preserved as a retreat/meditation center. A forester will review the area at the end of the road to determine the health of the pitch pines. There is a nice area of oaks along the property line and open space around the pond area.

- III. MEETINGHOUSE WOODS SUBDIVISION** – David Springer, owner; Mike Burgess, applicant; BH2M, agent. Subdivision Pre-Application to subdivide 29 acres into 11 lots/dwelling units. 10 lots/dwellings to be developed as a Residential Cluster development with a private 50' wide ROW and Open Space. The parcel is located off of 241 Meetinghouse Road and is within the Rural and 75' Shoreland Overlay District. Tax Map 62, Lot 11-A. **Receive Subdivision Pre-Application, consider if a site walk can be scheduled, and offer initial comments**

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to receive the subdivision pre-application. **PASSED** unanimously.

Steve Blake of BH2M represented the applicant. The Code prohibits site walks for subdivisions during January, February and March. The applicant can submit plans during the winter for staff to review and comment.

- IV. MARSHFIELD FARM SUBDIVISION** – Carol Corkish and Meredith Dufort; owners; Pamela Moody-Maxon, applicant. Subdivision Pre-Application to subdivide 4.76 acres into 6 lots/dwelling units with a private 50' wide ROW. The existing dwelling to remain. The parcel is located off of 223 Eldridge Road. The parcel is located within the Residential A and 250' Shoreland Overlay District. Tax Map 115, Lot 176-1. **Receive**

Subdivision Pre-Application, consider if a site walk can be scheduled, and offer initial comments

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to receive the subdivision pre-application. **PASSED** unanimously.

Meredith Dufort, owner, and Pamela Moody-Maxon, realtor, presented the plan for a 6 unit subdivision. A site walk cannot be held until April. Ms. Moody-Maxon said this is a hardship and asked if arrangements could be made. Staff and Board members are not available through the end of the month because of work schedules and holidays. The applicant can submit plans during the winter for staff to review and comment.

- V. YORK COUNTY PEDIATRIC DENTISTRY** – James & Teresa Conroy, owners; Pamela Moody-Maxon, applicant; Site Plan Pre-Application for a change of use from Business Retail to Personal Service Business/ Office Business use for a Dentist and to expand parking. Property is located off of 1750 Post Road and is within the General Business District. Tax Map 139, Lot 13. **Receive Site Plan Pre-Application, consider scheduling a site walk and offer initial comments**

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to receive the site plan pre-application. **PASSED** unanimously.

Pamela Moody-Maxon presented the plan to convert retail space to a dental office. Since this is a site plan, the Board could do a site walk in January if the ground is clear.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to schedule a site walk for Saturday, January 5 at 8 AM. **PASSED** unanimously.

- VI. COULSON FARM SUBDIVISION** – Sebago Real Estate Investment, LLC, owner/applicant; Corner Post Land Survey, agent. Subdivision Amendment Application to amend the finish course of paving deadline. Subdivision is located off of Branch Road/ Tree Top Lane and is within the Residential A District. Tax Map 56, Lot 25-1 to 25-11. **Workshop public hearing comments, workshop Performance Guarantee requirements and compliance/ Findings of Fact & Decisions for possible approval**

Recommendations in Mr. Livingston's memo were discussed. The Town still holds the letter of credit, performance guarantee and escrow. The contractor will come back in the spring to fill in the hole and plant grass. Mr. Livingston asked for the Board to consider a waiver on monumentation where holes had to be drilled in ledge to drive iron rods.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to permit the iron rods instead of granite monuments. **PASSED** unanimously.

The deadline for the finish course of pavement is 5/30/19 or before the final Certificate of Occupancy is issued.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find the application compliant. **PASSED** unanimously.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to approve the Findings of Fact and sign the Findings, plans and Mylars at the end of the meeting. **PASSED** unanimously.

VII. WEBBER RIDGE SUBDIVISION – Teresita Webber, owner; Great Lots of Maine, LLC, applicant; Corner Post Land Surveying, Inc. agent. Minor Subdivision Application for a 4 lot/dwelling unit development with Open Space off of Green Road. No roadway is proposed. The subdivision is located within the Rural, 250' Shoreland Overlay and Resource Protection Districts. Tax Map 16, Lot 8. **Workshop compliance and draft Findings of Fact & Decisions for possible approval**

Applicant Paul Hollis was present. Mr. Livingston reviewed the recommendations in his memo. A 15' wooded buffer has been added along Lot 4.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to approve the buffer. **PASSED** unanimously. The Coulson Farm Subdivision violations/defaults have been resolved. The Findings of Facts & Decisions for Webber Ridge were reviewed.

Conformance with the Comprehensive Plan

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard shall be met. **PASSED** unanimously.

Retention of open spaces and natural or historic features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Blocks

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall not apply. **PASSED** unanimously.

Lots

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Utilities

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Required improvements: monuments, fire protection

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

Water supply, sewage disposal, stormwater management

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

Streets

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Land features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

§202-13 Performance Guaranties

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

§202-2 Purpose, criteria for approval

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

Financial and technical capacity

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to approve the Findings of Facts with 6 standard conditions of approval and no special conditions and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

VIII. HIDDEN TREASURES SUBDIVISION - Scott McLeod, owner/applicant. Corner Post Land Surveying, surveyor. Final Subdivision Application for a major subdivision consisting of 6 lots/dwelling units, open space and a private right-of-way on 184,309 SF of land area off of Riding Road. The subdivision is located within the Residential A and

250' Shoreland Overlay District. Tax Map 118, Lots 2 and 3. **Workshop draft compliance and Final Findings of Fact & Decisions for possible approval**

Scott McLeod, applicant, and Dana Libby from Corner Post Land Surveying were present. The items in Mr. Livingston's previous memo have been addressed. The standard for the road bed is 30' and the applicant proposes 24' which Mr. Livingston recommends because of the road curve and drainage. Shoulders are proposed for pedestrians and will allow clearance for fire trucks. There will be bollards to protect the utility pole from plows. Curbing is proposed to protect the Hunter property. Mr. Anderson asked if the Fire Chief approved the road design. The application has been reviewed twice at Staff Review Committee and the plan for the turn-T and hydrant is satisfactory per the Fire Chief's approval. There were no other safety concerns.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to waive the requirement for the 30' road bed because of the curbing and bollards. **PASSED** unanimously.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to approve the proposed performance guarantee notes. **PASSED** unanimously.

The Findings of Facts & Decisions were reviewed.

Conformance with the Comprehensive Plan

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Retention of open spaces and natural or historic features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Blocks

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall not apply. **PASSED** unanimously.

Lots

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Utilities

There will be a 200' overhead section to support the pole.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to permit the 200' section. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the utilities standard shall be met. **PASSED** unanimously.

Required improvements: monuments, water supply, fire protection, sewage disposal, stormwater management

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

Streets

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

Land features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standard shall be met. **PASSED** unanimously.

§202-13 Performance Guaranties

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously.

§202-2 A & B Purpose, criteria for approval, financial and technical capacity

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the standards shall be met. **PASSED** unanimously. Sections C & D do not apply.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to add special condition #5 that prior to the pre-construction meeting, drawings will be provided that show the curbing on the east side of the entrance road. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to approve the Findings of Facts as amended with 6 standard conditions of approval and 5 special conditions and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

- IX. FOUR SEASONS FARM (FKA BRANCH FARM ROAD) SUBDIVISION** - Seal Harbor, LLC, owner/applicant; Attar Engineering Inc. agent. Final Subdivision Application to amend the 1988 Taylor Property Development Subdivision plan by dividing lot 17-3 into two parcels: one 2.3 acres parcel for the existing farm house and one 9.21 acre parcel to construct 4 single family dwellings as a Multifamily Development. A 50' wide private right-of-way to be constructed off of Branch Road. Parcel is located off of 1285 Branch Road and is within the Rural District. Tax

Map 77, Lot 17-3 Receive Final Subdivision application, workshop completeness, determine Final Public Hearing

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to receive the final subdivision application. **PASSED** unanimously.

Ken Wood from Attar Engineering represented the applicant.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to allow the MDEP/ACOE permits to be provided prior to final approval. **PASSED** unanimously.

Some final completeness items need to be added to the plan.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to appoint the Planning Office as completeness agent and schedule a final public hearing once complete. **PASSED** unanimously.

- X. GETCHELL HILL SUBDIVISION (FKS Abbott Subdivision)** – Clayton Abbott, owner; Attar Engineering, agent. Preliminary Subdivision Application to subdivide 50 acres of land into an 18 lot Residential Cluster Major Subdivision with private 50' wide ROWs and Open Space. The parcel is located off of North Berwick Road and is within the Rural District. Tax Map 32, Lot 5-A. **Consider if resubmission of the Sketch Plan and another site walk is necessary, consider receiving the Preliminary Subdivision Application, and workshop Preliminary completeness**

Ken Wood from Attar Engineering represented the applicant. It has been more than 6 months since the initial sketch plan submission and site walk. The site is an existing gravel pit and the plan calls for development of the entire site. Mr. Sullivan felt that the 6 month requirement should be adhered to. There were no abutters on the April site walk. Mr. Wood didn't think the property has changed in the interim.

MOTION

Motion by Mr. Cole, seconded by Mr. Anderson, to waive the requirement for another site walk. **PASSED** 3-1 with Mr. Sullivan opposed.

The owner is retaining the back land and there will be a 50' ROW to reach it. It requires street frontage. The headwaters of the west branch of West Brook are at the rear of the property and ideally it would be retained as conservation land. The open space requirement will be met. Lot 1 requires a 40' setback from Route 9. A plan shows the trees greater than 24" in diameter. The Board can discuss tree cutting/restrictions after the public hearing. The HOA may have a point system for cutting trees or can make the open space a no cut area. By dividing off the back land, the subdivision can be shown on a plan with a 1"=100' scale. Test pits and reserve areas need to be shown on the plan. Street names are pending. The wildlife biologist needs to provide more information about the cottontail habitat.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to appoint the Planning Office as completeness agent and schedule a public hearing for 1/14/19 if complete. **PASSED** unanimously.

- XI. FAIRWAY VILLAGE SUBDIVISION (FKA Fieldside Lane Subdivision)** – York Building and Design Center, Inc. owner; Attar Engineering, agent. Preliminary Subdivision to subdivide 132 acres into a56 dwelling unit Multifamily Development Major Subdivision. The dwellings are proposed to be age-restricted (55 years or older). The parcel is located off of Fieldside Lane off of North Berwick Road. The parcel is located within the Rural, 250’ Shoreland Overlay and Resource Protection Districts. Tax Map 32, Lot 13. **Receive Preliminary Subdivision Application and workshop Preliminary completeness**

Walter Woods, applicant, and Ken Wood from Attar Engineering were present.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to receive the preliminary subdivision application. **PASSED** unanimously.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, to grant a 60 day extension. **PASSED** unanimously.

Mr. Wood asked to review the completeness items. A soil scientist needs to confirm the Resource Protection Zone and Shoreland Zone. A plan scale of 1”=50’ is acceptable. A boundary survey is required. Details of the septic systems and wells need to be provided. Details of Fieldside Lane maintenance are in the deeds and the agreement has been recorded. The developer is paving the road and taking over responsibility for it.

- XII. SHAW’S DISTRIBUTION CENTER** – Shaws Realty Company, owner/applicant. DM Romba Consulting Engineers, agent. Site Plan Amendment Application to amend the site plan to expand the parking lot resulting in an increase of 56 new spaces. No changes are proposed to the existing 537,070 SF structure for Warehousing use on the parcel. The property is located off of 205 Spencer Drive and is within the Light Industrial District. Tax Map 50, Lot 27-B. **Consider extension**

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to grant a 60 day extension. **PASSED** unanimously.

OTHER BUSINESS

Mr. Cole is resigning from the Board effective December 31 due to his work responsibilities. Thank you for your years of service and contributions to the Board.

- I. Staff Review Committee and CEO site plan approvals**

~Maine Pet Supply was approved by the SRC on December 11.

II. Seagull Condominium – Zoning Board of Appeal Decision

~The ZBA denied the Administrative Appeal and upheld the Planning Board’s decision to deny the application.

III. Review Architectural Update of Patil Hotel, 28 Mile Road, Tax Map 123 Lot 86

~The proposed Best Western Hotel site will become a Holiday Inn Express Hotel. There will still be 60 rooms and the same parking and stormwater design. The pool will be smaller and the building footprint is reduced. There will be a pitched roof. Only the Planning Board has the authority to approve hotel/motel buffers.

MOTION

Motion by Mr. Cole, seconded by Mr. Sullivan, that a new site plan is not required based on the new architectural plans submitted. **PASSED** unanimously.

ADJOURN

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to adjourn and sign plans and Findings. **PASSED** unanimously.

MINUTES APPROVED _____, 2019

ACCEPTED BY:

Robert Sullivan, Secretary

Cinndi Davidson, Recorder