

Town of Wells, Maine

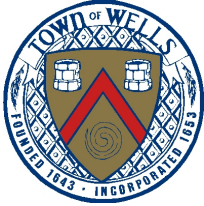
Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 1 of 9

Chapter 202 Subdivision of Land

PROJECT INFORMATION		
General:	Project Name: # Lots Proposed: Applicant: Landowner: Location: Existing Use: Proposed Land Use: Tax Parcel ID: Zoning District: Chpt 145, Art VII Performance Standards: Design Engineer: Prelim Plan Application Submission Date: Plan Submission Date:	Wesley by the Sea (Phase 3) Subdivision 10 lots/ 11 dwelling units Preachers’ Aid Society of New England, 51 Charles Wesley Court, Wells, ME 04090 Preachers’ Aid Society of New England, 51 Charles Wesley Court, Wells, ME 04090 HARRISSECKET ROAD, Willow Way, Dorfield Lane 4 dwelling units and various accessory buildings exist on Map 79 Lot 2 and Lot 3 Lots 2 and 3 to be merged into one 25 acre +/- parcel and a 10 lot/11 dwelling unit major subdivision is proposed by reconfiguring Dorfield Lane and creating cluster lots around the existing dwellings/ associated buildings and creating additional lots and Open Space Tax Map 79, Lot 2 and 3 to become Map 79, Lots 2-1 to 2-10 Rural District and 75’ Shoreland Overlay District 145-49. Residential Cluster Development BH2M Engineers, 28 State Street, Gorham, ME 04038 January 15, 2019 January 15, 2019
Project Description:	BH2M has submitted a Preliminary Subdivision Application on behalf of the applicant/owner, Preacher’s Aid Society of New England for a major subdivision residential cluster development. 10 lots/ 11 dwelling units are proposed on approximately 25 acres of land off of Dorfield Lane/ Willow Way and HARRISSECKET ROAD. The subdivision to be served by public sewer and public water. The subdivision is located within the Rural and 75’ Shoreland Overlay Districts. Tax Map 79, Lot 2 and 3.	
Approval Dates:	Preliminary Plan Approval:	<u>To be determined</u>
Public Hearings:	Preliminary Public Hearing	3/11/2019

PROJECT HISTORY	
1.	On 10/23/18 the applicant submitted a Subdivision Pre-Application for the above described project.

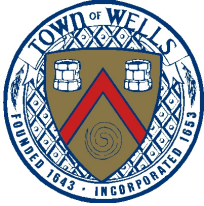


Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 2 of 9

PROJECT HISTORY
<ol style="list-style-type: none"> 2. On 10/23/19 the Planning Office notified abutters of the subdivision pre-application and of the 11/5/18 Planning Board meeting. 3. On 10/31/18 the Planning Office prepared a pre-application memo for the applicant and Planning Board. 4. On 11/5/18 the Planning Board received the subdivision pre-application and scheduled a site walk for 11/17/18 at 9AM. 5. On 11/17/18 the Planning Board was unable to conduct a site walk of the property due to inclement weather. 6. On 11/19/18 the Planning Board rescheduled the site walk to 12/8 at 9AM. 7. On 12/8/18 the Planning Board conducted a site walk. 8. On 12/10/18 the Planning Office prepared a site walk results memo. 9. On 12/17/18 the Planning Board reported the results of the site walk. 10. On 1/15/19 the applicant submitted a Preliminary Subdivision Application to the Planning Office. 11. On 1/16/19 the Planning Office notified abutters of the Preliminary Subdivision application submission and of the 1/28/19 Planning Board meeting. 12. On 1/25/19 the Planning Office prepared Article V, VII and 202-8 review checklists and plan markups showing recommended changes to be considered by the applicant. 13. On 1/28/19 the Planning Board voted to receive the Preliminary Application, conducted a workshop and appointed the Town Planner as the completeness agent. 14. On 2/13/19 the applicant submitted plan revisions to the Planning Office. 15. On 2/20/19 the Planning Office prepared updated Article V, VII and 202-8 review checklists. 16. On 2/22/19 the Planning Office prepared a memo for the Planning Board and applicant. 17. On 2/28/19 the Planning Board conducted a workshop and granted a waiver for Lot 9’s lot shape and voted scheduled the Preliminary Public Hearing for 3/11/19. 18. On 3/1/19 the Planning Office mailed certified notices to abutters of the Preliminary Public Hearing scheduled for 3/11/19. 19. On 3/5/19 the applicant submitted revised plans to the Planning Office for review. 20. On 3/8/19 the Planning Office prepared updated checklists and a draft Preliminary Findings of Fact & Decisions. 21. <u>On 3/11/19 the Planning Board conducted the Preliminary Public Hearing and a workshop. Various determinations were made. The Planning Board voted to grant Preliminary Approval and voted to sign the Findings of Fact & Decisions.</u>

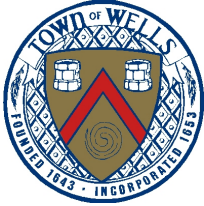
§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions						
<table border="0" style="width: 100%;"> <tr> <td style="width: 30px; vertical-align: top;">B.</td> <td>Submissions:</td> </tr> <tr> <td style="vertical-align: top;">(1)</td> <td>Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:</td> </tr> <tr> <td></td> <td>(a) Existing subdivisions adjacent to the proposed subdivision.</td> </tr> </table>	B.	Submissions:	(1)	Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:		(a) Existing subdivisions adjacent to the proposed subdivision.	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>References to approved abutting subdivision added to sheet 1.</p>
B.	Submissions:						
(1)	Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:						
	(a) Existing subdivisions adjacent to the proposed subdivision.						



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 3 of 9

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
(b) Locations and names of existing and proposed streets.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Harrissectet Road, Willow Way, Charles Wesley Court and Dorfield Lane are identified on the plan sets</p>
(c) Boundaries and designations of zoning districts.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>The Rural zone and Shoreland Overlay Districts are noted on sheet 1.</p> <p><u>Location map on the Final Subdivision Application plan to identify zoning (Rural and Aquifer Protection zones are in the vicinity).</u></p>
(d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Remaining land parcel is identified as Lot 10.</p>
(2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: [Amended 4-12-1999]	<p>Plan scale is 1" = 60 feet on sheet 1 and 2. And 1" = 40 feet on sheet 3. Sheets 4, 5, and 6 have 1" = 25'</p>
(a) The proposed name of the subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Note 7 notes the existing Map and Lot numbers of the subject parcels.</p> <p>Note 7 states the Lot numbering to become Map 79, Lots 2-1 through 2-10. Plan labels lots (2-1 to 2-10)</p>



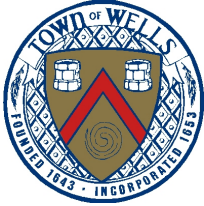
Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
<p>(b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Plan prepared and stamped by Robert C. Libby, PLS #2190 of BH2M dated 1-15-2019.</p> <p><u>Found and to be set monument types to be clarified on the Final Subdivision Application plan sheets.</u></p>
<p>(c) A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Deeds provided: Book 17815, Page 421 and Book 17815, Page 423.</p> <p>Draft Declaration of Covenants and Restrictions were provided. <u>Final description of ownership, leasing the lots and management will be needed. A Sample Deed or lease agreement to be provided upon submission of the Final Subdivision Application.</u></p>
<p>(d) A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Draft Declaration of Covenants and Restrictions provided.</p> <p>Various drainage easements are identified on the plan.</p> <p>A 20' wide access and utility easement is proposed across Lot 1 from Willow Way to Dorfield Lane.</p> <p>A 20' wide access and utility easement is proposed along Willow Way across Lot 1 and the Open Space.</p> <p>A 60' parking easement area is proposed on Lot 9.</p>
<p>(e) Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Plan depicts 1 foot contours.</p>

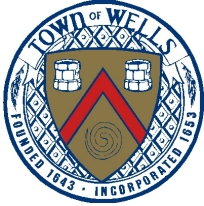


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 5 of 9

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
<p>(f) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Total parcel area is noted to be 25 acres or 1,090,719 +/- SF.</p> <p>Net area is noted as 1,022,512 SF with the stream and pond area (68,207 SF) deducted.</p> <p>See Density Table on Sheet 1. Per 145-49B:</p> <p>1,090,719 - Brook and Pond Areas (68,207 SF) = 1,022,512 Net Area x .15 =153,377 SF deduction</p> <p>1,022,512 -153,377 = 869,135 SF</p> <p>869,135/ 40,000 = 21 dwelling units permitted</p> <p>11 dwelling units are proposed on the 10 lots cluster lots</p> <p>Trees greater than 24” in diameter are identified. <u>24” trees to be retained on the lots or within the Open Space are not labelled “To Remain” on the Final Subdivision Application plan.</u></p>
<p>(g) Indication of the type of sewage disposal to be used in the subdivision.</p>	<p>The subdivision shall be served by public sewer (Wells Sanitary District.) See note 12, on sheet 1.</p>
<p>[1] When sewage disposal is to be accomplished by connection to the public sewer, a letter from the Wells Sanitary District indicating that there is adequate capacity within the district’s system to transport and treat the sewage shall be submitted.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>A letter from the WSD dated 11-15-18 was provided.</p> <p>All existing dwellings and proposed dwellings shall connect to public sewer (WSD).</p>
<p>[2] When sewage disposal is to be accomplished by subsurface sewage disposal systems, test pit analyses prepared by a licensed site evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.</p>	<p>Not applicable.</p>

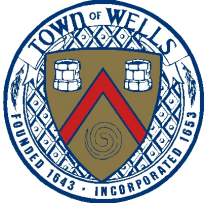


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 6 of 9

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
<p>(h) Indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by public water supply, a letter from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that there is adequate supply and pressure for the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>The subdivision shall be served by public water (KKW Water District.) See note 13, on sheet 1. Existing dwelling units shall connect to public water (KKWWD).</p> <p>A letter from the KKWWD dated 11-15-18 was provided.</p> <p>Existing wells are identified and to remain <u>as irrigation wells.</u></p>
<p>(i) The date the plan was prepared, North point (identified as true or magnetic), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Grid North. Plan scale is 1” = 60 feet, 40 feet or 25 feet. Record owner/developer noted.</p>
<p>(j) The names and addresses of owners of record of adjacent property, including any property directly across an existing public street from the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Abutters across HARRISSECKET ROAD, Willow Way and Charles Wesley Court are identified.</p>
<p>(k) The location of any zoning boundaries affecting the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>The Rural and 75' Shoreland Zone are noted or labelled on the plan. See note 11 on sheet 1.</p>
<p>(l) The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>Sheets 3, 4, 5, and 6 identify proposed utilities and stormwater plan.</p> <p>Stormwater Management Report prepared by Steven J. Blake, II PE 11695 dated January 2019 provided.</p> <p><u>To be reviewed by Town Engineer upon submission of the Final Subdivision Application. Minor stormwater increases are proposed and to be resolved.</u></p>



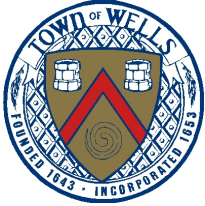
Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision” Page 7 of 9

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
(m) The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>All adjacent road names are labelled on the plan sets.</p> <p>Road widths and speed limits noted.</p> <p>See note 23 on sheet 1.</p>
(n) The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>No such public improvements proposed.</p>
(o) The proposed lot lines with approximate dimensions and lot areas.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>All lots proposed shall exceed the minimum requirement of 20,000 SF in the Rural zone if served by public sewer per 145-49. <u>Planning Board determinations to be made on 3/11/19 after the public hearing regarding Residential Cluster performance standards.</u></p> <p>Lot 9 is odd shaped and less than 3 to 1 length to width ratio. On 2/25/19 the Planning Board granted a waiver to allow Lot 9 to be odd shaped with a ratio of 5:1.</p>
(p) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>No such dedication proposed.</p>
(q) The location of any open space to be preserved and an indication of its improvement and management.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>See notes 16 and 21 on sheet 1.</p>
(r) A copy of that portion of the county soil survey covering the subdivision. When the medium-intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a report by a registered soil scientist indicating the suitability of soil conditions for those uses.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>SCS Map provided</p>



Town of Wells, Maine

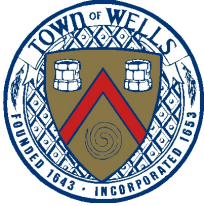
Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Wesley By the Sea (Phase 3) Subdivision”
Page 8 of 9

§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
(s) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year-flood elevation shall be delineated on the plan.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>See note 18 on sheet 1. The subdivision is not identified to be within a flood zone.</p>
(t) A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and:	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD DOES NOT APPLY.</p> <p>Not required as the subdivision shall be served by public sewer.</p>
[1] Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by the Maine Geological Survey, 1985, Map Nos. 2 and 4; or	
[2] The subdivision has an average density of less than 100,000 square feet per dwelling unit.	
(u) The location of any wetlands, streams, rivers, brooks or ponds located within or adjacent (within 75 feet) to the proposed subdivision.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>The stream and Pond are identified. A 75' Shoreland overlay zone setback is shown.</p> <p>An IF&W recommended 100' stream setback is also identified. <u>Was this to also be a no disturb buffer?</u></p> <p>Soils and Wetland Report prepared by Mainely Soils, LLC dated 8-23-18 was provided.</p>
(v) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD HAS BEEN MET.</p> <p>A letter from IF&W provided dated 10-19-18.</p>

STANDARD CONDITIONS OF APPROVAL

1. Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received
2. The developer must, within six months of the approval of the preliminary plan, file with the Planning Board an application for final approval. Failure to do so may result in the Planning Board refusing to entertain such final



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Preliminary Subdivision Application for "Wesley By the Sea (Phase 3) Subdivision" Page 9 of 9

plan, and the lapse of approval of the preliminary plan. The final plan shall approximate the layout shown on the Preliminary Plan, plus recommendations and requirements made by the Planning Board.

3. Prior to the submittal of the final plan application, the following approval shall be obtained in writing if applicable: Maine Dept. of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act; the KKW Water District, if connected to public water; Maine Dept. of Human Services, if a central water supply system is proposed; The Wells Sanitary District, if connected to public sewer; Maine Dept. of Human Services, if a centralized or shared subsurface sewage disposal system is to be utilized; an Army Corps of Engineers dredge and fill permit; NPDES permit for stormwater discharges.

SPECIAL CONDITIONS OF APPROVAL

1. All items **underlined/bolded** above shall be addressed or submitted as part of the Final Subdivision Application submission.

Dated at Wells, Maine this _____ day of _____, 2019

Wells Planning Board

By: _____
Charles Millian, Chairman

DRAFT