



Planning & Development
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Major Subdivision Amendment Application Memo

Date: May 16, 2019

To: Planning Board

From: Planning Office

Re: Wesley by the Sea Phase 3 Subdivision – Map 72, Lot 2 and 3

Project Description:

BH2M has submitted a Final 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.

202-9. Final plan for major subdivision.

A. Procedure.

- (1) The subdivider shall, within six months after the approval of the preliminary plan, file with the Board an application for approval of the final plan at least 10 days prior to a scheduled meeting of the Board. If the application for the final plan is not submitted within six months after preliminary plan approval, the Board may refuse without prejudice to act on the final plan and require resubmission of the preliminary plan. The final plan shall approximate the layout shown on the preliminary plan, plus any recommendations made by the Board. **[Amended 7-11-1996] Preliminary Approval granted on 3/11/19. Final Subdivision Application submitted on 4/23/19. Planning Board recieved the Final Application on 5/6/19.**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. **[Amended 7-9-2002; 4-16-2004] To be held on 5/20/19**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **To be determined**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Received 5/6/19**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material

needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**

- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **Not yet provided, Planning Board to granted a waiver on 5/6/19 to allow submission prior to final approval.**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Final approval from KKWWD provided, dated 5/6/19.**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **A central water supply system is not proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Final approval from WSD provided**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **A centralized or shared system is not proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not applicable**
 - (g) NPDES permit for stormwater discharges. **Not applicable**
 - (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **Final Public Hearing to be held 5/20/19**
 - (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision.
 - (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
 - (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement

by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board workshop comments offered at the Final Public Hearing.
2. The Planning Board to consider the following final review comments:
 - a. MDEP Site Location Permit Application submitted to MDEP, approval pending
 - b. KKWWD final approval of water design provided. See attached 5/6/19 letter.
 - c. Declaration documents provided and reviewed by Town Planner. To be reviewed by Town Attorney. See Town Planner memo attached.
 - d. Waiver to locating 24" trees in the Open Space was granted. Plan must include notes regarding use of the Open Space and cutting restrictions/ trees to be preserved, see recommended changes to Note 16.
 - e. Buildings on abutting Lot 5 to be depicted
 - f. Stormwater Management report revisions and plans provided. Analysis meets Town requirements. Minor plan changes needed, see Town Engineer's memo.
 - g. Cost estimate provided. See attached Town Planner review memo. A revised estimate is needed.
 - h. Lot 1 has multiple frontages and requires vehicular access off of Dorfield Lane per 202-12D(3). The applicant to request a waiver from the Planning Board to permit Lot 1 driveway to be off of Willow Way. Note 29 to be revised to indicate when such a waiver is granted by the Board.
 - i. The Planning Board shall consider determining shared driveways are not required with the exception of Lot 1. (two dwellings on Lot 1 to share 1 driveway).
 - j. 202-12D(11) prohibits all driveway entrances onto existing arterial or collector streets. Lot 1 proposes to utilize the existing Dorfield Lane curb cut onto Willow Way as a shared driveway for the two dwellings that shall remain on that lot. The applicant to request a waiver and ask the Board to consider Lot 1 to retain the existing curb cut on Willow Way instead of eliminating that curb cut and creating a new driveway off of Dorfield Lane.
 - k. Police Department has recommended a street light near the crosswalk proposed on Willow Way at the 5/14/19 SRC meeting.
 - l. The Planning Board must consider determining the monumentation shown to be acceptable.
 - m. Fire Chief approval of the hydrant proposed location is pending.
 - n. Fire Chief and Road Commissioner approval of the alternative turnaround is pending. The alternative turnaround was discussed at the 5/14/19 Staff Review Committee.
 - o. Performance Guarantee notes to be reviewed and recommendations made.
3. The Planning Board to consider granting a 60 day extension to allow the application time to obtain MDEP approval and make plan revisions.