



Planning & Development
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Memo

Date: May 16, 2019

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Wesley by the Sea Phase 3 Subdivision – Tax Map 79, Lot 2 and 3

Open Space Management Review:

Recommended Plan Note changes:

16. The dedicated "Open Space" areas shall be retained/ owned and managed by Preachers Aid Society of New England, it's successors and/or assigns which may include a Home Owner's Association comprised and administered by the owners of the lots within the subdivision. Use of the Open Space may include walking paths, see Note 24. Future division or building lots in the Open Space shall not be permitted. Trees and vegetation shall not be disturbed except for a walking path or if a tree becomes hazardous. An assessment from a certified arborist supporting the removal shall be provided to the Code Enforcement Office and a 3 inch (min.) caliber replacement tree shall be installed.

23. Dorfield Lane shall be privately owned and maintained to Town standards by Preachers Aid Society of New England, it's successors and/or assigns or Home Owner's Association and shall not be accepted or maintained by the Town of Wells. An easement to the KK&WWD shall be granted within Dorfield Lane. An easement to the WSD shall be granted within Dorfield Lane and across Lot 1.

24. Preachers Aid Society of New England, it's successors and/or assigns or Home Owner's Association shall be responsible for the following:
 - A. Road maintenance and repair of Dorfield Lane: plowing, pavement, etc.
 - B. Stormwater system maintenance and repair: Ponds, swales.....
 - C. Open space management: Buffers, trails, trees, setbacks, Shoreland Overlay Zone, cemetery, structures, irrigation well, etc.
 - D. Pond/Dam maintenance and repair: inspections, outlet controls, etc.
 - E. Lot 1 dwellings with accessory 'pastoral retreat' (the retreat may require site plan approval as a Club use if operation found to exceed an accessory use to the dwelling/residential uses)
 - F. Walkway across Lot 1 and sidewalk to Willow Way
 - G. Street light maintenance and fees
 - H. Fire hydrant fees

28. Lots may be leased or conveyed subject to conditions of the proposed Declaration of Covenants and Restrictions. Conveyance of a lot shall require the establishment of a Homeowner's Association.

Declaration Comments:

2. Maintenance

- Clarification on private water – potable water service to be KK&WWD, existing wells can be used for irrigation
- Add reference to sidewalk
- Add reference to stormwater inspections for MDEP
- Add street light(s)
- Add hydrant fees

4. Vehicles

- Add prohibition of parking in roads
(See markup of Document)

The first paragraph includes a reference that includes future lots which is good (lot 10), but an additional section/ paragraph might be appropriate to specify PASNE right to develop Lot 10 and extend Dorfield Lane.

Based on the likelihood of PASNE continued ownership and management and provisions in sections 14 and 15, a sample deed is not required.