



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, February 14, 2022, 7:00 P.M.
Wells Town Hall
208 Sanford Road

7:00 PM CALL TO ORDER & DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 PM. Members present: Brian Toomey, Charles Anderson, Richard DeBold, Steve Koeninger.

Staff present: Town Planner/Engineer Mike Livingston, Meeting Recorder Cinndi Davidson
Excused: Dennis Hardy

MINUTES

January 24, 2022

MOTION

Motion by Mr. Toomey, seconded by Mr. DeBold, to accept the minutes as written. Passed unanimously.

PUBLIC HEARINGS

- I. **WELLS ACTIVITY CENTER** – Town of Wells, owner; Parks & Recreation, applicant. Site Plan Amendment Application seeking approval to add Day-Care Center use to the Municipal Facility building and to establish a 2,500 SF outdoor playground on the property. The property is located within the Residential Commercial, Mobile Home Overlay and 75' Shoreland Overlay Districts. The property is located off 113 Sanford Road and is identified as Tax Map 134, Lot 34-EXE.

Parks & Recreation Director Tina LeBlanc was present. This application is for a day-care center and outdoor playground on the property.

There was a question about the program hours and transportation for the children. The morning program hours are 7-8:30 or 9:00. The afterschool program runs until 5:30. School buses and vans will be used.

MOTION

Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing. Passed unanimously.

1 **II. ORDINANCE CHANGE PROPOSAL** - Revision to the Land Use Ordinance, Chapter
2 145, Section 48 (Multifamily Developments) and Section 49 (Residential Cluster
3 Development) to revised dimensional requirements.
4

5 Mr. Livingston discussed the proposal to change the minimum lot size to 40,000 sq. ft. without
6 municipal sewer. Lots in the Rural Zone that have sewers would stay at 20,000 sq. ft. In RA and
7 RC the change would be from 20,000 to 30,000 sq. ft.
8

9 Street frontage for cluster lots is 50 ft. The proposal is to increase it to 150 ft. on town streets to
10 avoid a lot of curb cuts. Frontage on the internal streets would remain at 50 ft. A vegetated buffer
11 would be required along town roads. The density calculations for multi-family developments
12 should match cluster subdivisions. Map references to the Comprehensive Plan will be deleted
13 since they will probably change when the new plan is adopted. The reference to maps in the
14 Comprehensive Plan will remain. April 1 was the proposed deadline for applications to be
15 considered grandfathered at the pre-application level. That has been changed to any preliminary
16 application submitted to be grandfathered and vested.
17

18 Public comments were solicited:
19

20 ~The Aquifer Protection restrictions will remain. Development in AP is prohibited but that land
21 can be used as open space for the open space requirement and density calculation.
22

23 ~Increasing the lot size from 20,000 to 40,000 sq. ft. would involve longer roads and more
24 overhead wires, with a corresponding cost increase.
25

26 ~Increasing frontage from 50 ft. to 150 ft. seems like a large increase and maybe 100 ft. would
27 be better.
28

29 **MOTION**

30 Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing. Passed
31 unanimously.
32

33 **DEVELOPMENT REVIEW & WORKSHOPS**
34

- 35 **I. WELLS ACTIVITY CENTER** – Town of Wells, owner; Parks & Recreation, applicant.
36 Site Plan Amendment Application seeking approval to add Day-Care Center use to the
37 Municipal Facility building and to establish a 2,500 SF outdoor playground on the
38 property. The property is located within the Residential Commercial, Mobile Home
39 Overlay and 75' Shoreland Overlay Districts. The property is located off 113 Sanford
40 Road and is identified as Tax Map 134, Lot 34-EXE. **Workshop public comments and**
41 **draft compliance/ Findings of Fact & Decisions for possible approval**
42

43 Comments from the public hearing were discussed. Screening is required between a non-
44 residential use and a residential use. The Planning Office proposes a combination of a fence and
45 vegetated screen for the lot on the east side. Abutters prefer a solid fence rather than chain link.
46

47 **MOTION**

1 Motion by Mr. Toomey, seconded by Mr. Anderson, to approve a vegetated screen and solid
2 vinyl fence. Passed unanimously.

3
4 Parking was discussed. The occupancy has been reduced to 240 people to comply with the Code
5 Enforcement parking recommendation of 60 parking spaces.

6
7 **MOTION**

8 Motion by Mr. Toomey, seconded by Mr. DeBold, to restrict occupancy to 240 people and find
9 that 60 parking spaces are sufficient. Passed unanimously.

10
11 **MOTION**

12 Motion by Mr. Toomey, seconded by Mr. DeBold, to find the application complete. Passed
13 unanimously.

14
15 **MOTION**

16 Motion by Mr. Toomey, seconded by Mr. DeBold, to find the application compliant. Passed
17 unanimously.

18
19 **MOTION**

20 Motion by Mr. Toomey, seconded by Mr. Koeninger, to change the note with the description of
21 the fence, and continue the workshop to the next meeting. Passed unanimously.

22
23 **II. ORDINANCE CHANGE PROPOSAL - Revision to the Land Use Ordinance, Chapter**
24 **145, Section 48 (Multifamily Developments) and Section 49 (Residential Cluster**
25 **Development) to revised dimensional requirements. Workshop public comments and**
26 **consider recommendation for Board of Selectmen**

27
28 **MOTION**

29 Motion by Mr. Koeninger to increase the minimum frontage requirement to 100 ft. in the Rural
30 District. The motion was not seconded.

31
32 **MOTION**

33 Motion by Mr. Toomey, seconded by Mr. DeBold, to accept the 150 ft. street frontage
34 requirement as written in the Planning Office memo. Passed 4-1 with Mr. Koeninger opposed.

35
36 **MOTION**

37 Motion by Mr. Toomey, seconded by Mr. DeBold, to approve Items #3-7 as written in the
38 Planning Office memo: buffers, multifamily development standards, AP district density,
39 comprehensive plan map references and vested rights in applications. Passed 4-1 with Mr.
40 Koeninger opposed.

41
42 **MOTION**

43 Motion by Mr. Toomey, seconded by Mr. Anderson, to forward the Planning Board
44 recommendations to the Board of Selectmen. Passed 4-1 with Mr. Koeninger opposed.

45
46 **III. RT PROPERTY HOLDINGS SUBDIVISION – RT Property Holdings, LLC, owner;**
47 **Patrick Johnson, applicant/ agent. Subdivision Pre-Application for an 11 unit Multifamily**
48 **Development on 10.6 acres of land. The property is located within the Residential A**

1 District and is located off Sanford Road near the Bragdon Road intersection. Tax Map 55,
2 portion of Lot 13-EXE and Lot 14-EXE. **Receive Subdivision Pre-Application,**
3 **workshop initial review comments, determine a Site Walk**

4
5 **MOTION**

6 Motion by Mr. Toomey, seconded by Mr. Anderson, to receive the subdivision pre-application.
7 Passed unanimously.

8
9 Applicant Patrick Johnson was present. A 10 unit development is proposed with some of the
10 units designated as rentals. Mr. Johnson said they would like to proceed with the initial
11 documents at their own risk, as allowed by the ordinance. Site walks can be done after April 1st,
12 weather permitting. The sight distance study was done and MDOT approved the entrance.

13
14 **MOTION**

15 Motion by Mr. Toomey, seconded by Mr. DeBold, to schedule a site walk for April 9 at 8:30
16 AM, weather and ground conditions permitting. Passed unanimously.

- 17
18 **IV. M&L AGGREGATE RECYCLING, INC – J. K. MacLeod/ Leighton Excavation,**
19 **LLC, owner/applicant. Lew Chamberlain, PE, agent, site Plan Application for a Business**
20 **Contractor/ Recycling Facility use for wood product processing and composting. A 7,200**
21 **SF building, a 432 SF building, equipment storage areas, parking and 38,000 SF waste**
22 **handling area are proposed. The property is located off Willie Hill Road and is within the**
23 **Light Industrial District. Tax Map 41, Lot 13-1. Receive Site Plan Application,**
24 **workshop completeness and determine a public hearing if appropriate**

25
26 **MOTION**

27 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the site plan application. Passed
28 unanimously.

29
30 John MacLeod, applicant, and Lew Chamberlain of Attar Engineering were present. This is an
31 application for an outdoor waste handling and recycling facility for wood processing and
32 composting. The solid waste permit allows leaves and brush to be stored on gravel. They are
33 applying for a solid waste PBR. There may be some chipping and stump grinding on site.
34 Completeness comments were discussed. There are performance standards for recycling
35 facilities. A bond must be provided to cover decommissioning costs and site restoration when the
36 property is conveyed. The Board will consider buffering and screening requirements after the
37 public hearing. The Code Office will provide a parking recommendation; 15 spaces are
38 proposed. Plan scale was discussed.

39
40 **MOTION**

41 Motion by Mr. Koeninger, seconded by Mr. DeBold, to allow 1 inch equals 60 ft. on sheet 1.
42 Passed unanimously.

43
44 A stormwater permit is pending. A dumpster has been added to the plan. Minimal traffic is
45 expected—2 or 3 employees and 3-5 trucks per day.

46
47 **MOTION**

1 Motion by Mr. Koeninger, seconded by Mr. DeBold, to waive a traffic study. Passed
2 unanimously.

3
4 **MOTION**

5 Motion by Mr. Toomey, seconded by Mr. DeBold, to find the application complete and schedule
6 a public hearing for the next meeting. Passed unanimously.

- 7
8 **V. R&L PROPERTIES BUSINESS CONTRACTOR-** R&L Properties, Owner,
9 applicant; Lew Chamberlain, ATTAR, agent. Site Plan Application for an 8,000 SF one-
10 story building with 8 Business Contractor use units and a two-story building consisting of
11 1,920 SF Business Contractor use for 4 Business Contractor use units on 1st floor and two
12 dwelling units on the 2nd floor. The property is located within the General Business
13 District and is located off 2229 Post Road. Tax Map 147, Lot 13. **Receive Site Plan**
14 **Application, workshop completeness and Code Enforcement Office Memo**

15
16 **MOTION**

17 Motion by Mr. Toomey, seconded by Mr. De Bold, to receive the site plan application. Passed
18 unanimously.

19
20 Lew Chamberlain of Attar Engineering presented the plan for two buildings with 12 business
21 contractor uses and 2 dwelling units. Some large trees will be preserved. Clearing is needed
22 along Laudholm Farm Road for the sight distances. Landscaped buffers and fencing will be
23 considered after the public hearing. Parking for contractors' vehicles will be considered. There
24 may be some inside parking bays and 40 spaces are proposed (12 business uses @ 3 spaces each,
25 plus 2 for each dwelling unit). This section of Route One has architectural standards. The
26 property is outside the sidewalk zone.

27
28 Mr. Anderson asked about combining business and residential uses. The building permit will
29 address the fire rating between the first and second floors and sprinklers may be required.
30 Occupants need to be aware of the noise ordinance. Utilities were discussed. There is a water line
31 on the west side of Route One. A main along Laudholm Farm Road could be used for the
32 sprinkler, and the district is planning to upgrade the line this year. There is a sewer line on site.
33 The uses will be contractor buildings and aren't expected to generate much traffic.

34
35 **MOTION**

36 Motion by Mr. Toomey, seconded by Mr. Koeninger, to continue the workshop for 30 days.
37 Passed unanimously.

- 38
39 **VI. WESLEY BY THE SEA – PHASE 4 –** Preachers' Aid Society of New England,
40 owner/applicant; BH2M Engineers, agent. Preliminary Subdivision Application
41 amendment seeking to further subdivide lot 2-10 into 6 more lots/single family dwelling
42 units within the Residential Cluster Development located off Dorfield Lane within the
43 Rural District. Tax Map 79, Lot 2-10. **Receive Preliminary Subdivision application,**
44 **workshop preliminary completeness and determine a preliminary public hearing if**
45 **appropriate**

46
47 **MOTION**

1 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the preliminary subdivision
2 application. Passed unanimously.

3
4 Steve Blake of BH2M and Wesley Palmer of the Preachers Aid Society were present. The
5 proposal is to add 6 lots with single dwelling units to the existing cluster subdivision on Dorfield
6 Lane. The lots are served by public water and sewer. There is no plan to develop Lot 10; a
7 gazebo is being considered or it might become part of the open space. A stormwater
8 management plan has been provided. An IF&W letter was provided for Phase 3.

9
10 **MOTION**

11 Motion by Mr. Koeninger, seconded by Mr. Toomey, that an updated IF&W letter isn't
12 necessary. Passed unanimously.

13
14 The Fire Chief will review the cul-de-sac design and proposed hydrant location.

15
16 **MOTION**

17 Motion by Mr. Toomey, seconded by Mr. Anderson, to appoint the Planning Office
18 completeness agents to schedule a public hearing. Passed unanimously.

19
20 **VII. RIVER LANDING SUBIVISION (FKA LEWIS SUBDIVISION)** – Michael J. Lewis,
21 owner/applicant; Tidewater Engineering & Surveying, Inc. agent. Final Subdivision
22 Application for a 12 lot/dwelling unit residential cluster major subdivision on 28.2 acres
23 of land. The parcel is located near 350 Tatnic Road and is within the Rural and 75'
24 Shoreland Overlay Districts. Tax Map 13, Lot 21-A-1. **Receive Final Subdivision**
25 **application, workshop final completeness and determine a final public hearing if**
26 **appropriate**

27
28 **MOTION**

29 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the final subdivision application.
30 Passed unanimously.

31
32 Ryan McCarthy of Tidewater Engineering & Surveying represented the applicant. Compliance
33 items were reviewed. Permits are pending for the wetland impacts, vernal pool and stormwater.
34 There are no endangered species on the property. A 100 ft. setback along the Ogunquit River was
35 recommended to protect the fishery. Language has been added to the HOA agreement and as a
36 note on the plan about access to the river. Options for the fire cistern are either concrete or
37 fiberglass. The HOA needs to be aware of the cistern maintenance requirement. Gravel shoulders
38 of 2 ft. vs. 5 ft. were discussed. A grass filter strip can prevent gravel from washing away. The
39 30 ft. gravel base is required by the ordinance, but the Board can allow full grass shoulders.
40 Screening for the abutting residential lots was discussed. A full vegetated buffer was
41 recommended because of the septic systems.

42
43 **MOTION**

44 Motion by Mr. Toomey, seconded by Mr. Koeninger, to appoint Mr. Livingston completeness
45 agent and authorize him to schedule a public hearing. Passed unanimously.

46
47 **VIII. 1810 POST ROAD CONDOMINIUM – FOREST VILLAGE NORTH**
48 **SUBDIVISION** – 1810 Post Road, LLC, owner, Luxe Enterprises, LLC, applicant,

1 Northern Survey Engineering, LLC, agent. Minor Subdivision Amendment Application
2 to create a two unit Condominium on the .70 acre parcel. Unit 1 to remain the
3 commercial building and unit 2 to be a single family dwelling unit. The property is
4 located off 1810 Post Road and is within the Residential Commercial and General
5 Business District. Tax Map 139, Lot 16-A. **Consider granting an extension**

6
7 **MOTION**

8 Motion by Mr. Toomey, seconded by Mr. DeBold, to grant a 30 day extension. Passed
9 unanimsously.

10
11 **OTHER BUSINESS**

12
13 **I. Review SRC and CEO site plan applications**

14
15 ~The SRC approved the parking for 1810 Post Road Condominium Realty Office.

16 ~A field change was approved for the Littlefield Solar Project.

17 ~ Minor modifications to the Millbrooke Farm Subdivision plan due to recent flooding were
18 approved.

19
20 **I. CPUC update and comments**

21 Project Website: [https://resilience.mysocialpinpoint.com/wells-comprehensive-plan-
22 update](https://resilience.mysocialpinpoint.com/wells-comprehensive-plan-update)

23
24
25
26
27 ~The Comprehensive Plan Update Committee submitted documents for the Planning Board to
28 review and comment. Mr. Koeninger is leaving the CPUC and a Planning Board representative
29 needs to be appointed.

30
31 **ADJOURN**

32
33 **MOTION**

34 Motion by Mr. Toomey, seconded by Mr. DeBold, to adjourn. Passed unanimsously.

35
36 **MINUTES APPROVED** _____, 2022

37
38 **ACCEPTED BY:**

39
40
41
42 _____
43 Richard DeBold, Secretary

44 _____
45 Cinni Davidson, Recorder
46
47
48