



Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-7046
Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Assistant Planner</i>	sbelanger@wellstown.org

Major Subdivision Application Memo

Date: February 24, 2022
To: Planning Board
From: Planning Office
Re: Dells Downeast Subdivision - Map 17, Lot 16

Project Description:

Patrick Johnson of JPS Surveying and Engineering has submitted a Final Subdivision Application on behalf of the property owner, Paul M. Bisceglia. The application proposes a 13 lot/ single-family dwelling unit major subdivision on 38.90 acres of land. The subdivision is designed as a Residential Cluster Development per 145-49. The property is located off of 260 Hiltons Lane and is within the Rural District. The property is identified as Tax Map 17, Lot 16. A 50' wide private roadway off of Hiltons Lane is proposed. 62.7% Dedicated Open Space (25.72 acres) is proposed. All lots to be served by individual drilled wells and on-site subsurface disposal systems.

§ 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 4/5/21; final subdivision application submitted within 6 months on 8/19/21. Planning Board received the Final Application on 9/27/21**
- (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] Final public hearing to be held 3/21/22**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**

- (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. **Final Application was received on 9/27/21**
- (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. **Final Public Hearing to be held 3/21/22**
- (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 Applicable**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as no central water supply is proposed. Private wells are proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as shared subsurface sewage disposal systems are not proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Copy of MDEP Stormwater Permit Application provided. Approval is PENDING.**
- (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 3/21/22**
- (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 to consider the following:
 - a. Workshop comments offered during the final public hearing;
 - b. Planning Board to review the following:
 - i. Buffers/ screening to be determined by the Board. Applicable plans shall be revised to incorporate the Board decisions:
 1. What buffering or screening is required along the entrance road off Hiltons Lane for the abutter to the north on Lot 14?
 - a. Due to proximity of cistern to abutting Lot 14 a fence may be more feasible than plantings but will block view of existing stone wall.
 - b. In other areas evergreen plantings of 5-6' in height may be recommended.
 2. No screening or buffering is proposed along Wildwood Road for abutting lot 15.
 - a. The residence on abutting lot 15 requires a visual screen. Plantings may be difficult to install within the Wildwood Drive ROW. 6' tall fencing may be required.
 3. 20' wide no-cut buffer plus native species plantings are proposed as a buffer/screen for abutting Lot 15 on Lot 9.
 - a. Is this suitable?
 - b. What planting separation and minimum height requirement is required for the native species plantings?
 4. 20' wide no-cut buffer with native species plantings is proposed on a portion of Lot 8 as a buffer to abutting lot 15. A section of about 280 linear feet proposes no screening or buffering to abutting lot 15.
 - a. Is the screening/buffer proposed on Lot 9 suitable?
 - b. If not, what additional screening is necessary?

5. A 50' wide setback/ no-cut buffer appears to be proposed on Lot 7 for abutting lot 15.
 - a. Is the buffer proposed to be 50' wide or 20-30' wide?
 - b. Is the buffer suitable?
6. Lots 1, 2, and 3 fall within 50 feet of abutting lot 14 to the north. A 20' wide no-cut buffer within the Open space is proposed and native species plantings are proposed on lots 1, 2, and 3 around the grading/ retaining walls proposed.
 - a. Is the 20' wide open space with no-cut buffer plus plantings on lots 1, 2, and 3 suitable?
7. Signage is to be installed on all lots that require screening/buffer for abutters. The sign shall state "No-Cut Buffer limit" or something similar and be placed every 50 feet within the cluster lots.
 - i. Make determinations on Monumentation:
 1. Proposed monuments are depicted on sheet S3 and edits are recommended by the Planning Office.
 2. The applicant has requested a waiver to install drillholes instead of bounds. Reasoning for the waiver not provided.
 3. Missing monument on S3 between lot 1 and 2 to be addressed on the plans.
 - ii. Planning Board to review and consider finding the 24" trees to be removed as suitable. Trees within the Open Space shall not be disturbed. Or is timber harvesting of Open space still proposed?
 - iii. Determine if the Open Space proposed is suitable.
 - iv. Determine if shared driveways are to be required or not.
 - v. What input has IF&W provided, if any, to protect Eastern Ribbon Snake and Blanding's Turtle habitats identified in the proximity of the development.
- b. Applicant to address the following:
 - i. Town Planner to review and prepare a separate memo for the cost estimate. Estimate to be updated and 10% contingency to be accounted for.
 - ii. MDEP Stormwater Permit Copy has been provided to the Planning Office for filing.
 - iii. Lots 5 and 6 do not need reserve systems (see sheet U1.)
 - iv. Town attorney review of HOA documents pending.
- d. Planning Board to continue the workshop 60 days so the applicant can revise the subdivision plans.