



Planning & Development
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Major Subdivision Amendment Application Memo

Date: April 18, 2022

To: Planning Board

From: Planning Office

Re: Wesley by the Sea Phase 4 Subdivision – Map 79, Lot 2-1 to 2-16

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. 6 lots/ dwelling units are proposed what is currently identified as lot 2-10 consisting of approximately 9.172 acres of land off of Dorfield Lane. The approved subdivision consists of 10 lots/ 11 dwelling units (with two dwellings on Lot 1). A total of 16 dwellings units are proposed on 15 lots. Lot 2-10 is identified to remain as "remaining land." Further clarification on the remaining land to be addressed. The subdivision to continue to be served by public sewer and public water. The subdivision is located within the Rural and 75' Shoreland Overlay Districts. To become Tax Map 79, Lot 2-1 to 2-16. 37.9% Open Space to remain.

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 2/28/22. Final Subdivision Application submitted on 3/29/22. Planning Board to receive final application on 4/25/22.**
- (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 determined**
- (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. **To be considered for receipt on 4/25/22**
- (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 applications shall be submitted to the appropriate entities, where appropriate: [**Amended 11-2-2021**]
 - (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.* **Copy of submission provided. Pending 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 3/4/22**
 - (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 dated 3/8/22**
 - (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 determined**
- (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 receiving the final subdivision application.
2. Planning Board to review compliance with preliminary conditions of approval"
 - a. Note 33 has been added to sheet 1 to address the Lot 10 (remaining land)
 - b. Missing metes and bounds have been added to sheet 2
 - c. Planning Board to review and make determinations on found and to be set monuments after a final public hearing is determined.
 - d. Draft HOA Declarations provided and to be reviewed by Town Planner and Town Attorney
 - e. Drainage easements for lots to be reviewed
 - f. Street ROW areas (existing portion and proposed portion) noted
 - g. Stormwater Management plan and design reviewed by Town Engineer
 - i. Grading adjustment on Lot 15 needed
 - ii. Shallow culvert pipe cover near Lot 6
 - iii. Weir adjustment at pond good.
 - h. MDEP Site Location Permit approval is pending
 - i. Lot size reduction per 145-49 approved by Board on 2/28/22
 - j. Fire Chief approval of fire hydrant location pending.
3. The Planning Board to consider the following final completeness review comments:
 - a. Setback and street frontage reductions per 145-49 and lot coverage increases to 40% per 145-49 for lots smaller than 40,000 SF to be considered
 - b. Signature block on sheet 1 to be moved to lower left corner of plan
 - c. Cost estimate reviewed by Town Engineer, includes all items, costs are constantly changing.
 - d. Are streetlights proposed or optional? Detail on Sheet 7.
 - e. Sample deed and drainage/utility easements to be provided.
4. The Planning Board to consider finding the application complete.
5. The Planning Board to determine if a final public hearing is to be scheduled.
6. If a final public hearing is needed, it shall be held on 5/9, with a compliance workshop to follow.
7. If a final public hearing is waived, the compliance workshop to begin on 5/9