



**Planning & Development**  
**208 Sanford Road, Wells, Maine 04090**

Phone: (207) 646-5187, Fax: (207) 646-7046

Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon M. L. Belanger, Assistant Planner</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

**Memo**

Date: May 6, 2022

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Grand Trail Place III – Tax Map 56, Lot 6A  
Homeowner’s Association/ Deed Document Review

This review is based on Homeowner’s Association (HOA) and associated documentation provided for Grand Trail Place II and III Subdivision. Also, see mark-up of documents attached.

*I. HOA Established*

- Declaration to reference existence and recording information, Bk. 17822, pg. 882

*II. Declaration Comments/ Recommendations*

Section 1. Recitals

- Include a reference to the existing HOA Declaration and rights of the Declarant to amend without a vote of the lot owners
- Include reference to roads and infrastructure along with Open Space
- Is this document replacing the existing or amending the existing Declaration?

Section 2. Property

- Needs to include references to the other subdivision approval plans if replacing existing Declaration

Section 4. Purposes and Power

- c. Revision to fire pond to include changes
- e. Additional drainage components to be added
- f. Section needs to be expanded to match existing Declaration

Section 5. Duration

- Needs to be revised to match existing Declaration

Section 8. Reserved Declarant Rights

- Time frame to specify whether 2 years from Phase II or III and if applicable to Phase II still

Section 9. Executive Board

- Time frame to specify whether 2 years from Phase II or III and if applicable to Phase II still

Section 14. Transfer of Open Space – eliminated from existing. Option should still exist per Note 18 on plan

Section 14. Covenants, Restrictions, and Conditions

- l. Sprinkler systems not required except for lots 1, 2, and 3;
- t. Differs from existing, intentional?
- v, w, x and y eliminated from existing and are still applicable, to be added

*III. Bylaws Review*

Art. I, Section 2

- References to other subdivision plans and dates update needed

Art. IV, Section 2

- Add maintenance responsibilities for the Fire Pond and stormwater ponds

Last page – update date

*IV. Deed Review*

- *Subdivision Plan reference updates needed*
- *Reference to requirement to be a member of the HOA needed*
- *Reference to Declaration needed*
- *Reference to easement rights and Open Space rights similar to previous conveyances needed.*

*V. Road Association*

- *Copy of Road Association provided but not applicable – HOA*

*VI. Covenants*

- *Copy of Covenants provided but not necessary - HOA*