



Planning & Development
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Major Subdivision Preliminary Application Memo

Date: June 3, 2022
To: Planning Board
From: Planning Office
Re: Chicks Crossing Village Subdivision - Map 83, Lot 8

Project Description:

Corner Post Land Surveying has submitted a Preliminary Subdivision Application on behalf of the property owner, Seacoast Land Acquisitions, LLC. The subdivision proposes 20 lots/single family dwelling units on 44.40 acres of land. A 108,349 SF out-sale parcel was divided off and is not considered part of the subdivision. The subdivision is to be a Residential Cluster development with 25.23 acres of Open Space. A private 50' wide roadway is proposed as frontage for 18 of the lots. The property is located within the Rural, Aquifer Protection and 250' Shoreland Overlay Districts. No development is proposed within the Aquifer Protection or Shoreland Overlay Districts. All lots to be served by individual on-site septic systems and drilled wells. Tax Map 83, Lot 8.

§ 202-8. Preliminary plan for major subdivision.

A. Procedure.

- (1) Within six months after the on-site inspection by the Board, the subdivider shall submit an application for approval of a preliminary plan at least 10 days prior to a scheduled meeting of the Board. Failure to do so shall require resubmission of the sketch plan to the Board. The preliminary plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Board. **[Amended 7-11-1996] Site Walk held on 4/9/22. Preliminary Application submitted on 4/26/22.**
- (2) All applications for preliminary plan approval for a major subdivision shall be accompanied by an application fee in the amount established by the Board of Selectmen following notice and a public hearing. In addition, the applicant shall pay a fee of \$25 per lot or dwelling unit, to be deposited in a special account designated for that subdivision application, to be used by the Planning Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$10 per lot or dwelling unit be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$10 per lot or dwelling unit be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a final decision on the subdivision application by the Board shall be returned to the applicant. **[Amended 5-16-1996; 7-9-2002; 4-16-2004] Application fee and escrow provided**

- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the preliminary 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. **Planning Board received the application on 5/9/22**
- (5) Within 20 days of the Board meeting at which the application is received, the Board shall notify by certified mail all owners of abutting property and the Town Clerk and Planning Board of any municipality that abuts or includes any portion of the proposed subdivision that an application for subdivision approval has been submitted. The notice shall include the location of the proposed subdivision and a general description of the proposed development. The notice shall be mailed no less than seven days prior to the Board commencing review of the plan. **[Amended 7-9-2002] Abutters mailed notice of the Preliminary Application submission on 4/28/22**
- (6) If the subdivision is located in more than one municipality, the Board shall have a joint meeting with the Planning Board of the adjacent municipality to discuss the plan. **Not applicable**
- (7) Within 30 days of receipt of a preliminary plan application form and fee, the Board shall notify the applicant in writing whether or not the application is complete and what, if any, additional submissions are required for a complete application. **Found complete on 5/24/22**
- (8) Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. Within 30 days of determining a complete application has been submitted, the Board shall hold a public hearing on the preliminary plan application and shall publish notice of the date, time and place of the hearing in a newspaper of general circulation in the municipality at least two times, the date of the first publication to be at least seven days prior to the hearing. A copy of the notice shall be mailed to the applicant and the owners of abutting property. **Application received on 5/9/22. Application found complete on 5/24/22.**
- (9) The Board shall, within 30 days of a public hearing or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, make findings of fact on the application and approve, approve with conditions or deny the preliminary plan. The Board shall specify in writing its findings of fact and reasons for any conditions or denial. **Preliminary public hearing to be held on 6/6/22**
- (10) When granting approval to a preliminary plan, the Board shall state the conditions of such approval, if any, with respect to: **To be determined**
 - (a) The specific changes which it will required in the final plan;
 - (b) The character and extent of the required improvements for which waivers may have been requested and which in the Board's opinion may be waived without jeopardy to the public health, safety and general welfare; and
 - (c) The amount of all performance guaranties which it will require as prerequisite to the approval of the final plan.
- (11) Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received. **To be determined**

B. Submissions.

- (1) Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:
 - (a) Existing subdivisions adjacent to the proposed subdivision.
 - (b) Locations and names of existing and proposed streets.
 - (c) Boundaries and designations of zoning districts.
 - (d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.
- (2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: **To be determined**

Recommendations and conclusions:

1. The Planning Board to consider the following:
 - a. Workshop comments offered during/provided for the preliminary public hearing.
 - b. Workshop the following review comments.
 - a. Minor plan markups to be addressed with final plan submission.
 - b. Updated engineering sheets to be provided.
 - c. Residential cluster lot determinations to be considered after the preliminary public hearing:
 - i. lot size reductions for cluster lots 1- 20
 - ii. street frontage reductions for cluster lots 2, 4, 7 to 18 and 20
 - iii. Lydia's Circle and lot line setback reductions for lots within the cluster development (25' lot line setback to 15' lot line setback and 25' setback from Lydia's Circle to 20')
 - iv. lot coverage for lots smaller than 40,000 SF increase to 40% maximum. Lots that are greater than 40,000 SF required to meet 20% lot coverage maximum.
 - v. Buffers:
 1. Lots 1, 2, and 3 require a 50 setback/buffer from Chick Crossing Road. Planning Board to determine what this buffer shall consist of (remaining trees to be maintained, grass areas for septic systems, shrubs or trees to be planted, etc).

2. 50' wide buffer/setback is labelled along Lots 7, 8A and Lot 9. This setback may be required to provide screening or restrict removal of vegetation to create a buffer. An abutter has requested a fence along map 83, Lot 9 due to an existing family sawmill. Planning Board to make determinations after the preliminary public hearing.
 3. The out-sale lot (Lot 8A) is a standard lot and is not part of the cluster development. A 50' setback/ buffer is required from Lot 8A and must be detailed on the plan. Lydia's Circle is within the setback/buffer from Lot 8A. A 20' no-cut easement to benefit the Chick Crossing Village HOA is proposed on lot 8A along Lydia's Circle. Planning Board to determine what this buffer is to consist of.
 4. Septic systems and fire cistern are proposed within the 50' setback/buffer. Board to determine if this is suitable and what screening/plantings are to be required.
- d. Net area and density table has been updated. Minor revisions still necessary. Allowed density is 24 dwelling units/lots and proposed density is 20 dwellings/lots. No density bonuses required.
 - e. The HOA Declaration, Fire System Easement, Open Space Conservation Easement and Drainage Easement will be required with the submission of the final subdivision application.
 - f. Possible pesticide restriction or prohibition to be included in the HOA Declaration and noted in the Deeds for the properties?
 - g. Some additional test pits may be needed, or adjustments made to septic boxes.
 - h. Some well locations to be adjusted.
 - i. Stormwater management for development on lots to be addressed and reviewed during final application review. MDEP Site Location Permit needed.
 - j. Nitrate plumes for reserve septic system areas to also be considered for well location placements.
 - k. Copy of Vernal Pool determination report provided.
 - l. Turtle habitat correspondence regarding the required buffer to be provided.
2. Planning Board to consider granting preliminary approval and voting to sign the preliminary Findings of Fact & Decisions or continue the workshop for 30 days to allow the applicant time to address public comments, the plan markups, engineering sheets and turtle habitat letter.