



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Preliminary Subdivision Application for “Chick Crossing Village Subdivision”
Page 1 of 10

Chapter 202 Subdivision of Land

PROJECT INFORMATION			
General:	<p>Project Name: Chick Crossing Village Subdivision # Lots Proposed: 20 lots/ 20 dwelling units Applicant: Seacoast Acquisitions, LLC, 57 Smutty Lane, Saco, ME 04072 Landowner: Seacoast Acquisitions, LLC, 57 Smutty Lane, Saco, ME 04072 Location: Chick Crossing Road, Wells, ME Existing Use: Vacant land Proposed Land Use: 20 lot/dwelling unit major subdivisions as a residential cluster development Tax Parcel ID: Tax Map 83, Lot 8 Zoning District: Rural, Aquifer Protection and 250' Shoreland Overlay Districts Chpt 145, Art VII Performance Standards: 145-49. Residential Cluster Developments Design Engineer/ Surveyor: Corner Post Land Surveying, Inc. 600 Main Street, Springvale, ME 04083 Prelim Plan Application Submission Date: April 26, 2022 Plan Submission Date: April 26, 2022</p>		
Project Description:	<p>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.</p>		
Approval Dates:	<p>Preliminary Plan Approval: <u>To be determined</u></p>		
Public Hearings:	<table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 60%;">Preliminary Public Hearing</td> <td style="border: none; text-align: right;">6/6/2022</td> </tr> </table>	Preliminary Public Hearing	6/6/2022
Preliminary Public Hearing	6/6/2022		



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PROJECT HISTORY

1. On 12/7/21 the applicant/agents submitted a subdivision pre-application/ sketch plan for the above described subdivision.
2. On 12/9/21 abutters were mailed notification of the pre-application submission and of the 12/20/21 Planning Board meeting.
3. On 12/16/21 the Planning Office prepared a pre-application memo and draft Article V and VII review checklists for the Planning Board and applicant.
4. On 12/20/21 the Planning Board received the subdivision pre-application and voted to authorize the Town Planner to schedule a site walk at an appropriate time as the ground was covered in snow.
5. On 3/21/22 the Planning Board voted to schedule a site walk of the property on 4/9/22 at 11:00AM.
6. On 4/9/22 the Planning Board conducted a site walk of the property.
7. On 4/11/22 the Planning Office prepared a site walk results memo for the Planning Board.
8. On 4/11/22 the Planning Board reported the results of the site walk.
9. On 4/26/22 the applicant/agents submitted a Preliminary Subdivision Application, fee, plans and associated documents to the Planning Office.
10. On 4/28/22 abutters were mailed notification of the Preliminary Subdivision Application submission and of the 5/9/22 Planning Board meeting.
11. On 5/4/22 the Planning Office prepared Article V, VII and draft preliminary completeness (202-8) review checklists.
12. On 5/6/22 the Planning Office prepared a memo summarizing the review comments for the Planning Board and applicant.
13. On 5/9/22 the Planning Board received the Preliminary Subdivision Application, conducted a workshop, and appointed the Town Planner as the completeness agent so that a public hearing could be scheduled.
14. On 5/16/22 the applicant provided a revised subdivision plan set.
15. On 5/17/22 the Staff Review Committee commented on the Preliminary Subdivision application for the Planning Board.
16. On 5/17/22 the Planning Office provided recommended density notes to the applicant.
17. On 5/23/22 the applicant provided Chick Crossing Village Declarations for review.
18. On 5/24/22 the Town Planner found the application complete for purposes of scheduling a preliminary public hearing for 6/6/22.
19. On 5/24/22 the Planning Office mailed certified mail notice to abutters of the 6/6/22 preliminary public hearing.
20. On 5/31/22 the applicant provided revised Declarations for review.
21. On 6/1/22 the applicant provided a revised subdivision plan for review.
22. On 6/2/22 the Planning Office prepared a memo and copies of all public comments received regarding the proposed subdivision.
23. On 6/2/22 the Planning Office prepared revised Article V, VII and 202-8 completeness review checklists. A draft Preliminary Findings of Fact & Decisions document and memo were also prepared for the Planning Board and applicant.
24. On 6/6/22 the Planning Board conducted a Preliminary Public Hearing **and voted to approved and sign the Preliminary Subdivision Findings of Fact & Decisions.**

§ 202- 8. Preliminary Plan for Major Subdivision

Findings & Decisions

B. Submissions:



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§ 202- 8. Preliminary Plan for Major Subdivision	Findings & Decisions
<p>(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:</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>See Cover sheet provided and Site Location Map on sheets 1-4.</p>
<p>(a) Existing subdivisions adjacent to the proposed subdivision.</p>	<p>Cover sheet labels adjacent subdivisions.</p>
<p>(b) Locations and names of existing and proposed streets.</p>	<p>Chick Crossing Road, Clark Road, Branch Road, Pine Hill Cemetery Road, Meetinghouse Road, etc are noted.</p> <p>Lydia's Circle is noted.</p>
<p>(c) Boundaries and designations of zoning districts.</p>	<p>Parcel boundaries approximately identified.</p> <p>Zoning District Boundaries are shown on the Location Maps on sheets 1 – 4.</p>
<p>(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.</p>	<p>Subdivision identified on cover sheet and Location Maps on sheets 1 - 4. No remaining land proposed.</p>
<p>(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: [Amended 4-12-1999]</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Plan scale is 1" = 120 feet on sheet 2 and 3. And 1" = 80 feet on sheet 4. C-101 is 1" = 40 feet. C-200 to C-202 is 1" = 20'.</p>
<p>(a) The proposed name of the subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Subdivision name noted.</p> <p>Lots to be identified as Map 83, Lots 8-1 to 8-20.</p> <p>Outsale lot, not part of the subdivision, is identified as Lot 8A.</p>



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(b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Plan prepared and stamped by Dana A. Libby, PLS #1350 of Corner Post Land Surveying Inc. dated 4-25-2022.</p> <p><u>Proposed monument types to be determined during final subdivision application review.</u></p>
(c) A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Deed provided. Book 18879, Page 782.</p> <p>Draft HOA covenants and sample deed have been provided <u>and to be reviewed by the Town Planner and Town Attorney during final subdivision application review. The HOA Declaration, Fire System Easement, Open Space Conservation Easement and Drainage Easement will be required with the submission of the final subdivision application.</u></p>
(d) A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Draft HOA and sample deed provided.</p> <p>Proposed drainage easement identified on lots 14, 15, 19 and 20. <u>Drainage easement for Lot 1 will be needed. Drainage easement area to be depicted on the plans. Sample drainage easement document to be provided with the Final Subdivision Application submission.</u></p> <p>A conservation easement on the Open Space to KKWWD is proposed. See note 19 on sheet 3. <u>Proposed draft document needed and to be provided with the final subdivision application submission.</u></p>
(e) Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>1 foot contours are shown on sheet C sheets.</p>



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<p>(f) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The property is located within the Rural and Aquifer Protection Districts. 959,053SF is located within the Rural District and 962,458 SF is located within the Aquifer Protection District.</p> <p>959,053 SF in Rural zone. 15% deduction is 143,858 SF resulting in 815,195 SF. $815,195/100,000 = 8$ dwellings permitted in the Rural zone.</p> <p>962,458 SF in AP zone. 15% deduction is 144,369 SF resulting in 818,089 SF. $818,089/100,000 = 8$ dwellings permitted in AP zone. $8 \times 2 = 16$ dwellings permitted in the AP zone. 16 dwellings to be transferred to the Rural District.</p> <p>$8 + 16 = 24$ dwellings permitted within the development. 20 dwellings are proposed. <u>Table on sheet 3 to be revised.</u></p> <p>Existing building lines on abutting properties identified on sheet 3.</p> <p>See plan note 31 on sheet 2. No trees greater than 24” in diameter were identified on the property.</p> <p>No tree cutting, timber harvesting or soil disturbance permitted within the Open Space (AP zone and Shoreland zone).</p> <p>Determinations on the vernal pools provided, see report by Mark Hampton dated May 17, 2022.</p>
<p>(g) Indication of the type of sewage disposal to be used in the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The subdivision shall be served by private on-site septic systems. See plan note 16 on sheet 4. Septic system areas and tanks shall be more than 800 feet from Branch Brook.</p>
<p>[1] When sewage disposal is to be accomplished by connection to the public sewer, a letter from the Wells Sanitary District indicating that there is adequate capacity within the district's system to transport and treat the sewage shall be submitted.</p>	<p>Not served by public sewer (WSD).</p>



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<p>[2] When sewage disposal is to be accomplished by subsurface sewage disposal systems, test pit analyses prepared by a licensed site evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.</p>	<p>Mark J. Hampton CSS #216/ LSE#263 prepared test pits lots dated 4/9/22.</p> <p><u>Primary septic box for lot 1 appears to be within a drainage area? Lot 1 reserve system needs a test pit. Lot 2 does not require a reserve. Lot 5 primary septic box doesn't have a test pit. Lot 9 reserve septic box doesn't have a test pit, move? Lot 12 reserve system to become primary system? Lot 13, 14 and 15 do not require a reserve system. Additional test pits and corrections to be provided with the final subdivision plan submission.</u></p>
<p>(h) Indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by public water supply, a letter from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that there is adequate supply and pressure for the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The subdivision shall be served by private on-site drilled wells. See plan note 16 on sheet 2.</p> <p>Proposed wells on Lots 11 and 12 are not feasible due to steep existing slopes. <u>To be addressed on the final subdivision plan submission.</u></p>
<p>(i) The date the plan was prepared, North point (identified as true or magnetic), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Grid North. Plan scale is 1" = 120 feet on sheet 2 and 3. And 1" = 80 feet on sheet 4. C-101 is 1" = 40 feet. C-200 to C-202 is 1" = 20'. Record owner/developer noted.</p>
<p>(j) The names and addresses of owners of record of adjacent property, including any property directly across an existing public street from the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Abutters are noted on the sheets 2, 3, and 4.</p>
<p>(k) The location of any zoning boundaries affecting the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Parcel falls entirely within the Rural, Aquifer Protection and 250' Shoreland Overlay Districts. Zoning boundaries are shown on sheets 2 and 3. Zoning boundary mapping shown on Location Map on sheets 1 – 4.</p> <p>No development proposed within the AP or Shoreland Overlay Districts.</p>



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<p>(l) The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Proposed drainage depicted on C and D sheets. <u>Lot layout on C and D sheets does not coincide with layout shown on sheets 2, 3, and 4 and shall be addressed.</u></p> <p>Proposed drainage easement identified on lots 14, 15, 19 and 20. <u>Drainage easement for Lot 1 will be needed. Proposed culvert 1 to be analyzed for a 100 year storm event due to existing area subject to flooding and proximity to Lot 8A.</u></p> <p>Existing utility poles along Chick Crossing Road are identified on sheets 2, 3, and 4. Proposed underground utilities are shown on sheet C101.</p> <p><u>A stormwater management report by Atlantic Resource Consultants dated March 2022 has been provided. Report must be stamped and signed by a PE.</u></p> <p><u>Road drainage is to be directed to a bio-retention pond. Roof and driveway drainage is to be directed to rip rap treatments strips (LIDs). Further stormwater management for development on lots to be addressed.</u></p> <p><u>A MDEP Stormwater/ Site Location Permit is required.</u></p>
<p>(m) The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>All adjacent road names are labelled on the plan sets. Chick Crossing Road is noted to be 49.5’ wide, see note 4 on sheet 2.</p> <p>Buildings adjacent to the subdivision are approximately depicted on sheet 2.</p>
<p>(n) The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>No such public improvements proposed.</p>



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(o) The proposed lot lines with approximate dimensions and lot areas.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>All lots proposed shall exceed the minimum of 20,000 SF per 145-49, pending Planning Board determinations.</p>
(p) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>No such dedication proposed.</p>
(q) The location of any open space to be preserved and an indication of its improvement and management.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The subdivision proposes a minimum of 35% Open Space. Open Space requirement noted on sheet 4, note 19.</p> <p>35% open space is required. The plan indicates 25.23 acres of Open Space is proposed (57.20%).</p> <p>Note 19 on sheet 4 states the Open Space shall be owned and maintained by the Chick Crossing Village Owners Association. The open space (note 19) indicates that a conservation easement is to be granted to the KKWWD.</p>
(r) A copy of that portion of the county soil survey covering the subdivision. When the medium-intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a report by a registered soil scientist indicating the suitability of soil conditions for those uses.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>SCS Map provided</p>
(s) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year-flood elevation shall be delineated on the plan.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>See note 11 on sheet 3 and Flood Zone A is noted and identified on sheet 3. Flood Zone A identified on FRIM panel number 2301580010D.</p>



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(t) A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and:	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>A hydrogeologic assessment was prepared by Mark Cenci dated 4/20/22.</p> <p><u>Nitrate plumes of reserve septic areas also to be considered for well location determinations. Well locations may be required survey layout. To be addressed on final subdivision plan.</u></p>
[1] Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by the Maine Geological Survey, 1985, Map Nos. 2 and 4; or	Not located over a sand or gravel aquifer.
[2] The subdivision has an average density of less than 100,000 square feet per dwelling unit.	This standard is applicable.
(u) The location of any wetlands, streams, rivers, brooks or ponds located within or adjacent (within 75 feet) to the proposed subdivision.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Wetland delineation shown on sheet 3 and 4. Wetland delineation done by Mark Hampton Associates. <u>Total wetland impact proposed is 3,566 SF and requires a MDEP NRPA Tier 1 Permit and ACOE Permit. To be addressed during final subdivision application review.</u></p> <p>Determinations on the vernal pools provided, see report by Mark Hampton dated May 17, 2022.</p> <p>Unnamed streams are identified on sheets 3 and 4.</p> <p>Branch Brook is identified on sheets 2 and 3.</p>
(v) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>A letter from IF&W provided dated 3/3/22.</p> <p>Bat and Wood Turtle Species are identified in the vicinity of the project area/ on the project area.</p> <p>IF&W recommends 300' setback from Branch Brook to maintain possible turtle habitat. <u>Copy of turtle habitat determination needed with final plan submission.</u></p>



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STANDARD CONDITIONS OF APPROVAL

1. 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.
2. The developer must, within six months of the approval of the preliminary plan, file with the Planning Board an application for final approval. Failure to do so may result in the Planning Board refusing to entertain such final plan, and the lapse of approval of the preliminary plan. The final plan shall approximate the layout shown on the Preliminary Plan, plus recommendations and requirements made by the Planning Board.
3. The following permit applications (if applicable) shall be submitted and copies of the application provided with the Final Subdivision Plan Application submission: Maine Dept. of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act; the KKW Water District, if connected to public water; Maine Dept. of Human Services, if a central water supply system is proposed; The Wells Sanitary District, if connected to public sewer; Maine Dept. of Human Services, if a centralized or shared subsurface sewage disposal system is to be utilized; an Army Corps of Engineers dredge and fill permit; NPDES/ MDEP permit for stormwater discharges.

SPECIAL CONDITIONS OF APPROVAL

1. All items **bolded/underlined** within this document shall be addressed on the final subdivision plan or submitted with the final subdivision application materials.

Dated at Wells, Maine this _____ day of _____, 2022

Wells Planning Board

By: _____

Charles Millian, Chairman