



Planning & Development
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Major Subdivision Preliminary Application Memo

Date: June 16, 2022

To: Planning Board

From: Planning Office

Re: Burnt Mill Estates Subdivision - Map 62A, Lots 1-1 to 1-25, 1-32, 1-34 to 1-61, 1-63 to 1-94 and Map 63, Lots 7-62 and 7-95 to 7-103 (Redesign Subdivision)

Project Description:

Craig Burgess of Sebago Technics has submitted a Preliminary Subdivision Application on behalf of the property owner, Burnt Mill Holding Company, LLC. Subdivision Application is to redesign Burnt Mill Estates Subdivision. A total of 36 residential cluster lots to remain as approved/developed and include: Lots 1-22, 55-57, 95-103 and Lot 62 to remain off Hobbs Farm Road, Little Meadow Court and Faxon Drive; Lot 32 to remain as approved off Parsonage Way. Lots 23 -25 to be enlarged off of James Street. Lot 54 is to remain a Multifamily Development but is proposed to consist of 10 single family dwelling units, not 20 units. 16 residential cluster lots/dwelling units are proposed off Storer Lane; 5 residential cluster lots/dwelling units are proposed off Hobbs Farm Road; and 104 dwelling units are proposed as a Multifamily Development on the south side of Hobbs Farm Road. The development to remain with a total of 174 dwelling units on 374.94 acres of land. Much of the north side of the Hobbs Farm Road/ Storer Lane will become Open Space. Tax Map 62A, Lots 1-1 to 1-25, 1-32, 1-34 to 1-61, 1-63 to 1-94 and Map 63, Lots 7-62 and 7-95 to 7-103

§ 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] Pre-App was received on 4/11/22. Site Walk was held on 5/7/22. Preliminary Subdivision Application was provided to the Town on 6/1/22**
- (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 to consider receiving the application on 6/20/22**
- (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 6/9/22**
- (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. **To be determined**
- (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. **To be determined**
- (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. **To be determined**
- (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:

- I. The Planning Board to consider the following:
 1. Receive the Preliminary Subdivision Application
 2. Applicant to give presentation
 3. Discuss issues that require resolution as part of the application submitted:
 - a. The application to address changes made during construction to the drainage pond on Lot 6. New topography and drainage design to be provided. Performance guarantee or approval for condition to be established to cover construction.
 - b. Status of June 2021 MDEP Permit application for drainage changes to Little Meadow Court is needed. What inquiries have been made by the applicant to MDEP regarding the submission? Performance guarantee or approval condition to be established.
 - c. The application to address the driveway of Lot 57 as it was required to be constructed off Storer Lane but has been built off Hobbs Farm Road. (Driveways are required to be located off the less traveled way). See plan note 25 on sheet S2 and Findings of Fact & Decisions. Note 25 to be revised if Board allows driveway for lot 57 to be off Hobbs Farm Road.
 - d. The application to address when Little Meadow Court and Faxon Drive shall have finish course of pavement installed.
 - e. The application to address when portions of the pedestrian path shall be established. (Path along the northeast side of Hobbs Farm Road in front of lots 12-16, 21, 22, and open space could

be completed now; Path along east side of Hobbs Farm Road in front of lots 98-102 and open space could be completed now.) A construction detail needs to be reviewed and determined for the path/sidewalk.

- f. The application to address the constructed location of Cider Press Lane curb cuts onto Hobbs Farm Road (S2, S7, S11 to be revised).
 - g. A written request to have the following site plan approvals voided is needed: 18-hole Golf Course and driving range (Low-Intensity Commercial Recreation use) and associated Clubhouse with 74 seat Restaurant, Event Barn, Kid Club, Fitness/Pool Center, restrooms, storm shelters, sheds and Maintenance buildings (Club use) which involve sheets C6.0, C6.1, C6.2, C6.4, C6.5, C6.6, C6.7, C6.8, C6.9 and C6.18.
4. Planning Board to discuss preliminary completeness review comments. Plan notes to be added to S1 or S2 to address the following and plan changes to Sebago Technics sheets as applicable:
- a. Dedicated Open Space versus Non Dedicated Open Space areas and percentages to be adjusted. Non-dedicated open space areas such as club houses, golf course shelters and restrooms, pool, etc. are being eliminated. Non-dedicated Open Space area can become dedicated Open space, totaling 68.02% Open Space. Sheet S 11 is still necessary. Open space areas for the multifamily development lots must be shown and detailed.
 - b. All previously approved S sheets by Corner Post Land Surveying to be included in the plan set. New areas of the subdivision development should use new S sheet plan numbers S12, etc.
 - c. Proposed lot numbers cannot use the same lot numbering for previously approved lots. Lot numbering to continue after lot 58.
 - d. Plan purpose notes to include the elimination of the 18-hole Golf Course and driving range (Low-Intensity Commercial Recreation use) and associated Clubhouse with 74 seat Restaurant, Event Barn, Kid Club, Fitness/Pool Center, restrooms, storm shelters, sheds and Maintenance buildings (Club use); revise the Cider Press Lane roadway entrances onto Hobbs Farm Road; alter drainage on Lot 9 and relocate the driveway for Lot 57; 16 new cluster lots proposed off Thistle Way, 5 cluster lots proposed along Hobbs Farm Road; lot 54 to have 10 single family dwelling units; and the Multifamily Development Lot next to lot 54 to have 104 single family dwelling units.
 - e. Reference to condominium units to be corrected.
 - f. Sheet C6.19, C6.20 and C6.21 to be revised or notes added to address the elimination of the golf course and associated infrastructure as it relates to Lot 54 and Lot 54's associated Dedicated Open Space (41.3 acres).
 - g. Cost estimate for construction associated with the drainage changes to lot 6, installation of a stormwater pond adjacent to lot 16, installation of stormwater pond at the end of Little Meadow Court, and updated installation of the finish course of pavement to be provided. Estimate total to include a 10% contingency.
 - h. Deadlines to be established for when the performance guarantees for items above shall be provided and when the work must be completed by, such as, prior to any additional building permits being issued.

- i. December 2021 plan reference to be added to note 2 on sheet S1.
 - j. Can the Lot 54 (multifamily development/ condominium) be merged with the new association to eliminate the multifamily development setbacks required between the two lots?
 - k. Proposed buffering is required along Map 63, Lot 2.
- 5. The Planning Board to continue the workshop for 60 days to allow the applicant time to address the above plan changes and notes. Future workshops to discuss:
 - a. Density bonuses
 - b. Residential Cluster performance standards
 - c. Multifamily Development performance standards