



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, September 12, 2022, 7:00 P.M.
Wells Town Hall
208 Sanford Road

7:00 PM CALL TO ORDER & DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 PM. Members present: Charles Anderson, Richard DeBold, Steve Koeninger, Brian Toomey, Brenda Durand, Dennis Hardy

Selectmen present: John MacLeod, Bob Foley, Scott DeFelice

Staff present: Interim Town Manager Bill Giroux, Town Planner/Engineer Mike Livingston, Meeting Recorder Cinndi Davidson

JOINT BOARD OF SELECTMEN AND PLANNING BOARD PUBLIC HEARING

I. TO CONSIDER AN ORDINANCE AMENDMENT TO CHAPTER 145 (LAND USE) SECTION 12(F) REGARDING NONCONFORMING MOBILE HOME PARKS.

Mr. Livingston said the current ordinance is silent on nonconforming mobile home parks regarding density, boundaries, buffers and setbacks, etc. and comply with the State statute. This amendment adds a paragraph 3 to Section F to cover the omissions. Only three mobile home parks in Town fall into this category and one of them has a density issue.

There were no comments from the public or board members.

MOTION

Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing for the Planning Board. Passed unanimously.

MOTION

Motion by Mr. DeFelice, seconded by Mr. Foley, to close the public hearing for the Selectmen. Passed unanimously.

1 **PLANNING BOARD WORKSHOP**

- 2
- 3 **I. TO CONSIDER AN ORDINANCE AMENDMENT TO CHAPTER 145 (LAND**
4 **USE) SECTION 12(F) REGARDING NONCONFORMING MOBILE HOME**
5 **PARKS. Discuss comments made during public hearing and make**
6 **recommendations to Board of Selectmen**

7

8 There were no comments.

9

10 **MOTION**

11 Motion by Mr. Toomey, seconded by Mr. DeBold, to approve the proposed ordinance change
12 and forward it to the Selectmen. Passed unanimously.

13

14 **BOARD OF SELECTMEN WORKSHOP**

- 15
- 16 **I. TO CONSIDER AN ORDINANCE AMENDMENT TO CHAPTER 145 (LAND**
17 **USE) SECTION 12(F) REGARDING NONCONFORMING MOBILE HOME**
18 **PARKS. Discuss comments made during public hearing and consider vote to place**
19 **on November Special Town Meeting Ballot**

20

21 There were no comments.

22

23 **MOTION**

24 Motion by Mr. DeFelice, seconded by Mr. Foley, to approve the proposed ordinance change and
25 move it onto the November ballot. Passed unanimously.

26

27 **MINUTES**

28

29 August 15, 2022

30

31 **MOTION**

32 Motion by Mr. Toomey, seconded by Mr. DeBold, to accept the minutes as written. Passed
33 unanimously.

34

35 **PUBLIC HEARING**

- 36
- 37 **I. STORAGE DEPOT -** Grahaneli Realty, LLC, owner/applicant. Attar Engineering Inc,
38 agent. Site Plan Application to construct four 7,200 SF Self-Storage Facility one-story
39 buildings (28,800 SF total) and maintain the existing building uses which include
40 Business Contractor/ Wholesale/ Manufacturing/ Warehousing. The parcel area to be
41 5.6 acres. The property is located off Willie Hill Road and is within the Light Industrial
42 District. Tax Map 41, Lots 11-1A, 11-1B and 11-2 to become Lot 11-1B.

43

44 Ken Wood of Attar Engineering represented the applicant. There were no public comments. The
45 Planning Office received a letter in November 2021 from the owner of the abutting property,
46 objecting to the location of the access road. That property has since been sold.

1 **MOTION**

2 Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing. Passed
3 unanimously.

4
5 **DEVELOPMENT REVIEW & WORKSHOPS**

- 6
7 **I. STORAGE DEPOT** - Grahaneli Realty, LLC, owner/applicant. Attar Engineering Inc,
8 agent. Site Plan Application to construct four 7,200 SF Self-Storage Facility one-story
9 buildings (28,800 SF total) and maintain the existing building uses which include
10 Business Contractor/ Wholesale/ Manufacturing/ Warehousing. The parcel area to be
11 5.6 acres. The property is located off Willie Hill Road and is within the Light Industrial
12 District. Tax Map 41, Lots 11-1A, 11-1B and 11-2 to become Lot 11-1B. **Workshop**
13 **public hearing comments and draft compliance**

14
15 There is an existing 40 ft. wide landscaped buffer along Willie Hill Road.

16
17 **MOTION**

18 Motion by Mr. Toomey, seconded by Mr. DeBold, to find the existing buffer sufficient. Passed
19 unanimously.

20 A 40 ft. wide landscaped buffer is proposed along Route 9. The LI Zone requires shade trees
21 every 30 ft. The Molly Corporation has filed a site plan amendment application to resolve the
22 Route 9 buffer violation.

23
24 **MOTION**

25 Motion by Mr. Toomey, seconded by Mr. DeBold, to find the proposed buffer suitable. Passed
26 unanimously.

27
28 The MDEP and ACOE permits are pending approval.

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30 **MOTION**

31 Motion by Mr. Toomey, seconded by Mr. Anderson, to continue the workshop for 60 days,
32 pending receipt of the permits. Passed unanimously.

- 33
34 **II. CENTRAL INDUSTRIAL PARK SUBDIVISION AMENDMENT** – Grahaneli
35 Realty, LLC, owner/applicant. Attar Engineering Inc, agent. Final Subdivision
36 Amendment Application to merge lots 11-1A, 11-1B and 11-2 into one 5.6 acre parcel
37 of land. The property is located off Willie Hill Road and is within the Light Industrial
38 District. Tax Map 41, Lots 11-1A, 11-1B and 11-2. **Workshop compliance and**
39 **Findings of Fact & Decisions for possible approval**

40
41 Ken Wood of Attar Engineering represented the applicant. Internal lot lines are being eliminated
42 to create one 5.66 acre parcel. A drainage easement will benefit an abutting lot. The Board
43 previously waived a site walk and public hearing.

44
45 **MOTION**

46 Motion by Mr. Toomey, seconded by Mr. DeBold, to continue the workshop for 30 days. Passed
47 unanimously.

1 **III. MOLLY CORPORATION** – Grahaneli Realty, LLC applicant/ owner; Attar
2 Engineering Inc. engineer. Site Plan Amendment Application to alter the Route 9
3 landscaped buffer and stormwater management plan. Use to remain unchanged as
4 12,500 SF and 3,700 SF Manufacturing use. The property is located off 60 Willie Hill
5 Road and is within the Light Industrial District. Tax Map 40, Lot 18. **Receive Site Plan**
6 **Amendment Application and schedule a site walk**

7
8 **MOTION**

9 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the site plan amendment
10 application. Passed unanimously.

11
12 Ken Wood of Attar Engineering represented the applicant.

13
14 **MOTION**

15 Motion by Mr. Koeninger, seconded by Mr. DeBold, to waive a site walk. Passed unanimously.
16 A drainage easement is proposed across the adjacent lot. Mr. Livingston is reviewing the revised
17 stormwater management plan.

18
19 **MOTION**

20 Motion by Mr. Toomey, seconded by Mr. Anderson, to continue the workshop for 30 days.
21 Passed unanimously.

22
23 **IV. SEA ORCHARD SUBDIVISION AMENDMENT** – Sea Orchard Homeowner’s
24 Association, owner; Grace Chmielewski, applicant. BH2M, engineer. Subdivision
25 Amendment Application to remove existing trees within the Open Space adjacent to
26 Lot 9-5, replant the buffer with evergreen trees and depict existing stockade fence to be
27 the Sea Orchard HOA fence. The property is located off 80 Autumn Lane and is within
28 the Residential A District. Tax Map 135, Lot 9-5/ Open Space. **Receive Subdivision**
29 **Amendment Application and schedule a site walk**

30
31 **MOTION**

32 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the subdivision amendment
33 application. Passed unanimously.

34
35 Applicant Grace Chmielewski presented her request to remove 5 large pine trees in the open
36 space adjacent to her home and replace them with hemlock or arborvitae. The HOA has granted
37 permission to remove the trees because of the risk they pose to the home. An arborist’s report
38 concurs. Mr. Livingston said the owners need Planning Board permission to cut the trees because
39 they are in a no-cut buffer as originally approved. A 6’ tall solid fence on HOA property serves
40 as buffering/visual screening for abutters.

41
42 **MOTION**

43 Motion by Mr. Toomey, seconded by Mr. Anderson, to schedule a site walk for Wednesday,
44 September 21 at 5 PM. Passed unanimously. The arborist will be invited to attend.

1 **V. MOODY COUNTRY ESTATES SUBDIVISION AMENDMENT** – Lindsey
2 Development Group, LLC & Sterling Ogunquit, LLC, owners; Tidewater Engineering
3 & Surveying Inc, engineer. Subdivision Amendment Application to subdivide Lot 33-
4 15 into 2 lots and modify lot lines of Lot 33-15, 33-28 and 33-27. The properties are
5 located off Post Road, Salt Marsh Circle and Mariner Lane. The properties are within
6 the General Business District. Tax Map 108, Lot 33-15, 33-28 and 33-27. **Receive**
7 **Subdivision Amendment Application and schedule a site walk**
8

9 **MOTION**

10 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the subdivision amendment
11 application. Passed unanimously.
12

13 Ryan McCarthy of Tidewater Engineering and Surveying represented the applicant. The
14 applicant proposes to subdivide a lot and adjust lot lines. Sterling Ogunquit owns the parcels to
15 the right and left sides of the property, while Lindsey Development Group owns the center
16 parcel. If any lot is residential it would have to be screened from commercial properties.
17

18 **MOTION**

19 Motion by Mr. Toomey, seconded by Mr. DeBold, to schedule a site walk for Thursday,
20 September 22 at 5 PM. Passed unanimously.
21

22 **VI. MOODY MEDICAL CENTER** – Lindsey Development Group, LLC,
23 owner/applicant. Tidewater Engineering & Surveying Inc, engineer. Site Plan
24 Amendment Application to modify lot lines with Lots 33-15 and 33-27; seek
25 reapproval of 2,776 SF building area not constructed after the 1988 site plan approval;
26 add a bulkhead; and depict existing site conditions. The property is located at 277 Post
27 Road and is within the General Business District. Tax Map 108, Lot 33-28. **Receive**
28 **Site Plan Amendment Application and schedule a site walk**
29

30 **MOTION**

31 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the site plan amendment
32 application. Passed unanimously.
33

34 Ryan McCarthy of Tidewater Engineering and Surveying represented the applicant. Lot line
35 adjustments for abutting lots will enlarge this property. Changes to the parking and dumpster
36 area are requested. The amendment seeks re-approval of a building area that was not constructed
37 within 2 years of the original approval.
38

39 Mr. Livingston reviewed the original site plan. The exit was intended to be an exit only, while
40 Mariner Lane is an entrance and exit. He recommended keeping the same traffic pattern as the
41 original approval.
42

43 **MOTION**

44 Motion by Mr. Toomey, seconded by Mr. Anderson, to schedule a site walk for Thursday,
45 September 22 at 5:30 PM. Passed unanimously.
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1 **VII. SEA VU WEST CAMPGROUND** – LGC SVW, LLC, owner/applicant. Attar
2 Engineering, Inc, engineer. Site Plan Amendment Application to convert 7 safari sites
3 to RV Park Model sites, resolve lot coverage issues, and restore wetland and buffer
4 areas around the main office. The property is an existing Tent and Recreational Vehicle
5 Park use. The property is located off 23 College Drive and is within the Rural District.
6 Tax Map 43, Lot 6. **Receive Site Plan Amendment Application, determine if a site**
7 **walk is necessary, workshop draft completeness if appropriate**

8
9 **MOTION**

10 Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the site plan amendment
11 application. Passed unanimously.

12
13 Ken Wood of Attar Engineering represented the applicant. The applicant proposes to convert 7
14 safari sites to permanent Park Model RV sites. Some sites have more than the allowed coverage.
15 In the Rural Zone lot coverage is capped at 20% and the original approval was 17%. Some
16 wetlands that were filled will be restored. The Board conducted a site walk in April. The plan
17 can be approved with conditions and a timetable for correcting the violations.

18
19 **MOTION**

20 Motion by Mr. Toomey, seconded by Mr. Koeninger, that another site walk isn't necessary.
21 Passed unanimously.

22
23 Mr. Livingston stated the application cannot be considered complete until the as-built existing
24 conditions plan is provided to the Planning Office.

25
26 A representative of Summerscape was present. He was advised that he can contact the Planning
27 Office with questions and comments, and there will probably be a public hearing.

28
29 **MOTION**

30 Motion by Mr. Toomey, seconded by Mr. DeBold, to continue the workshop for up to 60 days.
31 Passed unanimously.

32
33 **VIII. BOLDUC SUBDIVISION AMENDMENT** – Christien Bolduc, owner; Geoffrey Aleva
34 of Civil Consultants, applicant/ engineer. Final Subdivision Amendment Application to
35 relocate a 20' wide drainage easement on Lot 6-2-B and also onto abutting lot 6-1. No
36 change to the number of lots or dwelling units proposed. The property is located off of
37 Admirals Way and is within the Rural District. Tax Map 62, Lot 6-2-B and 6-1.
38 **Workshop compliance and draft Findings of Fact & Decisions for possible approval**

39
40 The Planning Office has received a revised subdivision plan.

41
42 **MOTION**

43 Motion by Mr. Toomey, seconded by Mr. DeBold, to continue the workshop for 30 days. Passed
44 unanimously.

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3 **IX. WESTHAVEN PRESERVE SUBDIVISION** – Eastwood Estates, LLC,
4 owner/applicant, Corner Post Land Surveying, Inc. agent. Final Subdivision Application
5 for a 15 lot/dwelling unit Residential Cluster Subdivision with private roadway and open
6 space proposed on 17.25 acres of land. The property is located off Sanford Road and is
7 within the Residential A District. Tax Map 60, Lot 10. **Receive Final Subdivision**
8 **Application, workshop compliance with preliminary conditions of approval,**
9 **workshop draft final completeness**

10
11 **MOTION**

12 Motion by Mr. Koeninger, seconded by Mr. Anderson, to receive the final subdivision
13 application. Passed unanimously.

14
15 Applicant Mark Patterson was present. The preliminary conditions of approval were reviewed.
16 Utilities will be underground. The subdivision may have natural gas instead of propane. The
17 abutter to the north of the development requested a solid fence for visual screening. The Board
18 has already approved a 30 ft. no-cut vegetated buffer in that area. Signage will be added to
19 protect the buffer and wetlands. The acceleration/deceleration lanes on Route 109 must be
20 completed before the 6th certificate of occupancy is issued. More detail is needed on the grading
21 and construction on Route 109 before the public hearing.

22
23 **MOTION**

24 Motion by Mr. Toomey, seconded by Mr. DeBold, to continue the workshop for 60 days. Passed
25 unanimously.

26
27 **OTHER BUSINESS**

28
29 **I.** Review SRC and CEO site plan applications - None

30
31 **II.** Violations at the Holiday Inn Express were discussed at a previous meeting. Mr.
32 Livingston wrote a memo to the Code Office outlining the violations and
33 recommendations for corrections. The motel has a temporary occupancy permit and
34 provided a performance guaranty. The Town cannot issue additional occupancy permits,
35 or revoke the lodging license, or can work with the attorney to declare it in default and
36 use the performance guaranty to correct the violations.

37
38
39 **MOTION**

40 Motion by Mr. Toomey, seconded by Mr. Koeninger, to advise the Interim Town Manager and
41 Board of Selectmen of the situation, and recommend that the temporary occupancy permit should
42 not be renewed. Passed unanimously.

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44 **ADJOURN**

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46 **MOTION**

47 Motion by Mr. Toomey, seconded by Mr. Koeninger, to adjourn. Passed unanimously.
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MINUTES APPROVED _____, **2022**

ACCEPTED BY:

Richard DeBold, Secretary

Cinndi Davidson, Recorder

DRAFT