



# TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes  
Monday, April 17, 2023, 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: Richard DeBold, Brenda Durand, Steve Koeninger, Joshua Lagasse, Paul Baratta  
Excused: Brian Toomey

Staff present: Town Planner/Engineer Mike Livingston, Meeting Recorder Cinni Davidson

## **MINUTES**

April 3, 2023

### **MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to accept the minutes as written. Passed unanimously.

## **PUBLIC HEARINGS**

- I. **BULRUSH RETAIL PLAZA** – Bulrush, LLC, owner/applicant; Platz Associates, agent. Site Plan Application for a one-story 7,850 SF building and associated parking and infrastructure for Business Retail use, Business Office use, and Registered Marijuana Dispensary use. The property is located off 279 Post Road and is within the General Business District. The property is identified as Tax Map 108, Lot 33-15.

Tom Platz and Joel Pepin presented the plan for a registered marijuana dispensary and Business Office use. The Business Retail use is being eliminated to reduce the parking requirement. There were no public comments.

### **MOTION**

Motion by Mr. DeBold, seconded by Mr. Koeninger, to close the public hearing. Passed unanimously.

1 **DEVELOPMENT REVIEW & WORKSHOPS**

- 2
- 3 **I. THE WOODS** – Walter Wormwood, owner; Home Innovations, LLC, applicant; Dana  
4 Libby, agent. Subdivision Pre-Application for two lots/ single family dwellings. The  
5 property is located off Bragdon Road within the Rural District. Tax Map 30, Lot 17-2  
6 and 17-5. **Receive Subdivision Pre-Application and schedule a site walk**

7

8 **MOTION**

9 Motion by Mr. Koeninger, seconded by Mr. DeBold, to receive the subdivision pre-application.  
10 Passed unanimously.

11

12 Dana Libby of Corner Post Land Surveying and applicant Jason Labonte presented a plan for  
13 two single family dwellings off of Bragdon Road. Family lots have been merged into one lot of  
14 common ownership and one lot was conveyed out in 2021. The property can't be divided again  
15 for 3 ½ years. The two proposed lots come under subdivision review.

16

17 **MOTION**

18 Motion by Mr. DeBold, seconded by Mr. Koeninger, to schedule a site walk for Saturday, April  
19 22 at 8 AM. Passed unanimously.

- 20
- 21 **II. LITTLEFIELD LANDING** – Robert Kammerer, Rose Anna Racanielle, and Robert  
22 Duffy, owners; Big Ledge, LLC, applicant; Dana Libby, agent. Subdivision Pre-  
23 Application for a 5 lot/ single family dwelling major subdivision with private right-of-  
24 way on 5.24 acres of land. The property is located in the Residential A District and is  
25 off 941 Littlefield Road. Tax Map 25, Lot 31-A. **Receive Subdivision Pre-Application**  
26 **and schedule a site walk**

27

28 **MOTION**

29 Motion by Mr. Koeninger, seconded by Mr. DeBold, to receive the subdivision pre-application.  
30 Passed unanimously.

31

32 Dana Libby of Corner Post Land Surveying and applicant Jason Labonte presented a plan for a 5  
33 lot single family dwelling major subdivision. There will be a new private right-of-way off of  
34 Littlefield Road.

35

36 **MOTION**

37 Motion by Mr. Koeninger, seconded by Mr. DeBold, to schedule a site walk for Saturday, April  
38 22 at 8:45 AM. Passed unanimously.

- 39
- 40 **III. BULRUSH RETAIL PLAZA** – Bulrush, LLC, owner/applicant; Platz Associates,  
41 agent. Site Plan Application for a one-story 7,850 SF building and associated parking  
42 and infrastructure for Business Retail use, Business Office use, and Registered  
43 Marijuana Dispensary use. The property is located off 279 Post Road and is within the  
44 General Business District. The property is identified as Tax Map 108, Lot 33-15.  
45 **Workshop public comments and draft compliance/ Findings of Fact & Decisions**  
46 **for possible approval**

1 There were no comments from the public hearing. Planning Office recommendations and  
2 comments were reviewed. The fuel tanks are identified on the plan. The proposed 28 parking  
3 spaces are adequate for the business uses. The Fire Chief found the sprinkler system adequate.  
4 Landscape buffers were discussed.

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6 **MOTION**

7 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find the 15' buffer along Salt Marsh  
8 Circle and Route One adequate. Passed unanimously.

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10 **MOTION**

11 Motion by Mr. Koeninger, seconded by Mr. DeBold, to approve the proposed screening along  
12 the future residential lot 15-1. Passed unanimously.

13  
14 The stormwater analysis has been updated. Mr. Koeninger suggested a pipe in the stone trench to  
15 disperse the flow and prevent puddling. Mr. Livingston said they can install a perforated pipe  
16 with an outlet at the corner, but would affect infiltration/detention.

17  
18 **MOTION**

19 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find the application compliant with the  
20 addition of the drainage pipe to be evaluated at the time of a building permit being addressed in  
21 the Findings of Facts. Passed unanimously.

22  
23 The Findings of Facts & Decisions were reviewed individually.

24  
25 Traffic

26 **MOTION**

27 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
28 Passed unanimously.

29  
30 Dust, fumes, vapors and gases

31 **MOTION**

32 Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
33 Passed unanimously.

34  
35 Odor

36 **MOTION**

37 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
38 Passed unanimously.

39  
40 Glare

41 **MOTION**

42 Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
43 Passed unanimously.

44  
45 Stormwater runoff

46 **MOTION**

47 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met with  
48 the addition of a special condition of approval. Passed unanimously.

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Erosion control

**MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
Passed unanimously.

Setbacks and screening

**MOTION**

Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
Passed unanimously.

Explosive materials

**MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
Passed unanimously.

Water quality

**MOTION**

Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
Passed unanimously.

Preservation of landscape

**MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
Passed unanimously.

Refuse disposal

**MOTION**

Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
Passed unanimously.

Water supply

**MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
Passed unanimously.

Sewage disposal

**MOTION**

Motion by Mr. DeBold, seconded by Mr. Koeninger, to find that the standard shall be met.  
Passed unanimously.

Fire safety

**MOTION**

Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that the standard shall be met.  
Passed unanimously.

1 Special conditions of approval

2 **MOTION**

3 Motion by Mr. Koeninger, seconded by Mr. DeBold, to add a third condition that the drip line  
4 stormwater treatment system will be analyzed at the time of the building permit and a pipe could  
5 be added. Passed unanimously.

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7 **MOTION**

8 Motion by Mr. DeBold, seconded by Mr. Koeninger, to approve and sign the plans and authorize  
9 the Chairman to sign the Findings of Fact once they are amended. Passed unanimously.

- 10  
11 **IV. THE BEACHES** – Australis, LLC, owner; Alex Fabish, applicant. Site Plan  
12 Application for an existing, grandfathered Motel (Lodging Facility) with 17 motel  
13 units and 1 dwelling unit seeking after the fact approval for changes that occurred on  
14 the property without site plan approval including lot coverage additions, changes to  
15 landscaping and buffer/setbacks. The property is located off 773 Post Road. The  
16 property is located within the General Business District and is identified as Tax map  
17 117, Lot 53. **Report results of Site Walk and Article V, VI, VII/completeness**  
18 **review comments**

19  
20 Owner Alex Fabish was present. Mr. Livingston reported on the April 15 site walk which Mr.  
21 Baratta, Ms. Durand, Mr. DeBold, Mr. Koeninger and Mr. Lagasse attended. The shed in the  
22 setback area will be removed. The exit should have a sign and needs striping and arrows to  
23 define parking vs. the exit lane. The shuffleboard area is grandfathered. There is a steep slope  
24 along the rear lot line with some erosion behind the units. There is yard debris in the rear area.

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26 **MOTION**

27 Motion by Mr. Koeninger, seconded by Mr. DeBold, to continue the workshop for 60 days.  
28 Passed unanimously.

- 29  
30 **V. MARKS ORGANIX** – Strada Postale, LLC, owner. Mark Quinn, applicant. Kenneth  
31 Wood, Attar Engineering Inc, agent. Site Plan Amendment Application seeking  
32 approval for 1,175 SF Medical Marijuana Dispensary use within the existing 2-story  
33 building on the property. Other separate uses on the property to remain as follows:  
34 1,200 SF Business Wholesale use, 12,389 SF Business Retail use, 2,000 SF Business  
35 Office use, and 2,498 SF accessory storage for the businesses on the property,  
36 excluding the Medical Marijuana Dispensary use proposed. The property is located  
37 off 655 Post Road and is within the General Business District. Tax Map 114, Lot 35.  
38 **Report results of Site Walk, workshop completeness and determine a public**  
39 **hearing**

40  
41 Mark Quinn, applicant, and Ken Wood of Attar Engineering were present. . Mr. Livingston  
42 reported on the April 15 site walk which Mr. Baratta, Ms. Durand, Mr. DeBold, Mr. Koeninger  
43 and Mr. Lagasse attended. The fire lane was disturbed for the utility line and the plastic grid  
44 system was partially removed. This will be repaired, and grass installed. The building overhang  
45 was partially removed to meet the setback. Drainage flowing onto abutting land was observed.  
46 The building façade and new sign look good. More detail from the water district is needed to  
47 determine the location of the fire service connection before the public hearing.

1 **MOTION**

2 Motion by Mr. Koeninger, seconded by Mr. DeBold, to appoint the Planning Office as  
3 completeness agent to schedule a public hearing. Passed unanimously.

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5 **MOTION**

6 Motion by Mr. Koeninger, seconded by Mr. DeBold, to find that additional traffic data isn't  
7 required. Passed unanimously.

- 8  
9 **VI. WEBBER RIDGE PHASE 2** – Southcoast Construction, Corp. owner/applicant.  
10 Horizon Engineering, agent. Final Subdivision Amendment Application seeking  
11 approval to relocate the well and associated well exclusion zone on Lot 8-9. No other  
12 changes proposed to the existing 10 lot/dwelling unit Residential Cluster Subdivision.  
13 The property is located off Webber Ridge Lane off Green Road. The subdivision is  
14 located within the Rural, Resource Protection and 250' Shoreland Overlay Districts.  
15 Tax Map 16, Lot 8-1 to 8-10. **Workshop compliance/ Findings of Fact & Decisions**  
16 **for possible approval**

17  
18 Erik Christiansen of South Coast Construction Inc. was present. Plan markups were reviewed.

19  
20 **MOTION**

21 Motion by Mr. Koeninger, seconded by Mr. DeBold, to find the application complete. Passed  
22 unanimously.

23  
24 **MOTION**

25 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find the application compliant. Passed  
26 unanimously.

27  
28 **MOTION**

29 Motion by Mr. Koeninger, seconded by Mr. DeBold, to approve the plan and Findings of Fact &  
30 Decisions and sign the plan and Findings at the end of the meeting. Passed unanimously.

- 31  
32 **VII. FAIRWAY VIEW VILLAGE** – York Building & Design, Inc. owner/applicant.  
33 Nathan Amsden Surveying, surveyor. Final Subdivision Amendment Application  
34 seeking approval to change the building footprints for units 19-22, 25, and 26-31. No  
35 change to the number of dwelling units, which remains as 46 dwellings. No changes to  
36 the lot lines, open space or roadways proposed. The property is located off Fieldside  
37 Land and is within the Rural District. Tax Map 32, Lot 13. **Workshop compliance/**  
38 **violation resolution, notes, and conditions**

39  
40 Nathan Amsden represented the applicant. The amendment application includes relocating units  
41 and septic systems. Bulkheads and crawl spaces are allowed. There is a consent agreement  
42 between the Town and the owner to eliminate the violation at units 7 and 8. Generators are a  
43 structure and locations must be shown on the plan.

44  
45 **MOTION**

46 Motion by Mr. Koeninger, seconded by Mr. DeBold, to approve amended Note 48 allowing the  
47 CEO and Planning Office to approve generator locations. Passed unanimously.

1 Proposed Note 11 sets the deadline for the as-built plan for Phase 1. The recommended plan  
2 notes address the additional survey work to be completed.

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4 **MOTION**

5 Motion by Mr. DeBold, seconded by Mr. Koeninger, to find the application complete. Passed  
6 unanimously.

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8 **MOTION**

9 Motion by Mr. DeBold, seconded by Mr. Koeninger, to waive the public hearing. Passed  
10 unanimously.

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12 **MOTION**

13 Motion by Mr. Koeninger, seconded by Mr. DeBold, to continue the workshop for 60 days.  
14 Passed unanimously.

- 15  
16 **VIII. BURNT MILL ESTATES** – Burnt Mill Holding Company, LLC, owner; Sebago  
17 Technics, Inc., applicant/engineer. Final Subdivision Amendment Application to  
18 eliminate the 18-hole Golf Course and driving range (Low-Intensity Commercial  
19 Recreation use) and associated Clubhouse with 74 seat Restaurant, Event Barn, Kid  
20 Club, Fitness/Pool Center, restrooms, storm shelters, sheds and Maintenance buildings  
21 (Club use). No change proposed to the 174 dwelling units on 362 acres of land. The  
22 property is located off Hobbs Farm Road, Storer Lane, James Street and Parsonage  
23 Way. The property is within the Rural and 75' Shoreland Overlay Districts. Tax Map  
24 62A, Lot 1. **Workshop final completeness and compliance review comments**  
25 Craig Burgess of Sebago Technics represented the applicant. Comments and recommendations  
26 were reviewed.  
27  
28 Lot 6/7 Drainage. The note will be revised, and the drainage easement conveyance will be  
29 recorded.  
30  
31 Pedestrian trail/Sidewalk. The \$60,000 to cover construction costs of the trail are in place and  
32 exceed the construction estimate. Additional funds are needed for the sidewalk construction.  
33  
34 MDEP Permit and drainage Improvements for Little Meadow Court. MDEP approval is needed  
35 prior to Planning Board approval. The construction cost estimates are low and need to be  
36 updated. Mr. Koeninger felt that the paving costs are low, and the applicant should get a quote  
37 from a paving company. Mr. Livingston recommended October 1 as the deadline to complete  
38 the paving.  
39  
40 Performance guarantees and phasing. Additional funds are needed for Little Meadow Court,  
41 Faxon Drive and Cider Press. Monumentation for developed lots needs to be updated on the  
42 plan.  
43  
44 Open space. With the elimination of the golf course, the Board should reconsider the 5% density  
45 bonus for public access. The applicant is proposing public access over the trails, and draft  
46 easement language will be provided.  
47  
48

1 **MOTION**

2 Motion by Mr. Koeninger, seconded by Mr. DeBold, to grant another 60 day extension. Passed  
3 unanimously.

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5 The critical items for Planning Board approval are DEP approval and written permission of the  
6 lot owners.

7  
8 **OTHER BUSINESS**

9  
10 **I.** Application Extensions to be considered.

11 **MOTION**

12  
13 Motion by Mr. Koeninger, seconded by Mr. DeBold, to grant 60 day extensions for the  
14 following:

- 15 Chick Crossing Subdivision
- 16 Dells Downeast Subdivision
- 17 Sea Vu West Site Plan Amendment
- 18 Anchor Inn Site Plan Amendment
- 19 UPS Site Plan Amendment

20  
21  
22 Passed unanimously.

23  
24 **II.** The CEO and Town Planner approved a site plan application for storage space at Atlantic  
25 Oceanfront Resort.

26  
27 **III.** The Legislature is considering extending the date for compliance on ADU regulations.  
28

29 **IV.** A member of the public recommended using the parking area at the College as additional  
30 beach parking and expanding the trolley service to the beach. The Planning Board has no  
31 control over this, and she was advised to speak at the Selectmen’s meeting.

32  
33 **ADJOURN**

34 **MOTION**

35  
36 Motion by Mr. Koeninger, seconded by Mr. DeBold, to adjourn and sign plans. Passed  
37 unanimously.

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39 **MINUTES APPROVED** \_\_\_\_\_, 2023

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41 **ACCEPTED BY:**

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45 Richard DeBold, Secretary

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Cinndi Davidson, Recorder