



Planning & Development
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Major Subdivision Application Memo

Date: March 5, 2026

To: Planning Board

From: Planning Office

Re: Mia Lane Subdivision - Map 139, Lot 6

Project Description:

Mike Sudak of Attar Engineering has submitted a Final Subdivision application for the property owned by Gilchrest Development, Inc/ Kevin Hill located off 88 Burnt Mill Road. The subdivision proposes to develop a 6 single family dwelling unit Multifamily Development on 3.51 acres of land located off Burnt Mill Road. The property is located within the General Business and Residential A zoning districts but per 145-19.A the zoning district regulations of the RA zone to be applied to the entirety of the property. The subdivision to be served by public sewer and on-site drilled wells. The property is identified as Tax Map 139, Lot 6.

§ 202-9. Final plan for major subdivision.

A. Procedure.

- (1) The subdivider shall, within six months after the approval of the preliminary plan, file with the Board an application for approval of the final plan at least 10 days prior to a scheduled meeting of the Board. If the application for the final plan is not submitted within six months after preliminary plan approval, the Board may refuse without prejudice to act on the final plan and require resubmission of the preliminary plan. The final plan shall approximate the layout shown on the preliminary plan, plus any recommendations made by the Board. **[Amended 7-11-1996] Preliminary approval granted 1/27/25; final subdivision application submitted within 6 months on 7/8/2025**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. **[Amended 7-9-2002; 4-16-2004] Final Public Hearing held 10-20-2025.**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final 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. **Final Application received on 7/21/25**

- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **Final Public Hearing held 10-20-2025.**
- (6) Prior to submittal of the final plan application, the following applications shall be submitted to the appropriate entities, where appropriate: [Amended 11-2-2021]
- (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. **Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable (pending determination from Planning Board)**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as no central water supply is proposed. Private wells are proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Capacity letter provided. Design approval not provided.**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as shared subsurface sewage disposal systems are not proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not applicable – no wetland impact proposed.**
 - (g) NPDES permit for stormwater discharges. **NOI/PBR required prior to construction**
 - (h) Maine Department of Transportation entrance or traffic movement permit. **Not applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **Final Public Hearing held 10-20-2025.**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision. **Not applicable, 6 dwellings are proposed.**
- (9) Before the Board grants approval of the final plan, the subdivider shall: [Amended 11-2-2021]
- (a) Meet the performance guaranty requirements contained in § 202-13. **To be determined.**

- (b) Obtain in writing approvals listed in Subsection A(6) if applicable. **To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board located in the lower left corner of the plan. Four copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information: [Amended 4-13-1999; 4-27-2007; 11-2-2021]

Recommendations and conclusions:

1. The Planning Board to determine if the applicant has provided the Town the required escrow to cover a past due invoice. The required escrow account has insufficient funds. The applicant has been notified on several occasions.
2. The Planning Board to review the project history:
 - a. The Sketch Plan/Pre-Application was submitted to the Town on 5/2/2023. (almost 3 years ago).
 - b. The Preliminary Application was submitted to the Town on 12/5/2023.
 - c. Review and Approval of the preliminary application took 13 months, with preliminary approval granted on 1/27/2025. (five 60-day extensions and one 30-day extension were granted during this application review).
 - d. The Final Subdivision Application was submitted to the Town on 7/8/25 (8 months ago). The Board had to delay final review due to the Willow Bend Subdivision Violation (7/21/25 – 9/8/25); a 60 day extension was granted on 10/20/25 and a 90 day extension was granted on 12/15/25.
 - e. Since the preliminary application submission, there have been 4 town meeting votes in which ordinances have changed and which this project is grandfathered/vested in not having to meet the new ordinances.
 - f. The Planning Office reminded the applicant on 2/27/26 that the 90 day extension granted on 12/15/25 would be lapsing and the last chance to be considered is on the 3/9/26 agenda.
 - g. A submission was provided by the applicant on 3/4/26 for the 3/9/26 agenda.
3. The Planning Board to acknowledge the 3/4/26 submission, consider the progress described by the applicant to have been completed, and consider granting an extension of 30 days as a full review of the new materials has not yet been completed by the Planning Office.
 - a. On-site well has been drilled and testing taken. Testing results have not been provided.

- b. Updated cost estimate provided, to be reviewed.
- c. Updated Condominium documents provided, to be reviewed,
- d. Plan revisions provided, to be reviewed.