TOWN OF WELLS, MAINE
PLANNING BOARD

Meeting Minutes
Monday, February 10, 2020, 7:00 P.M.
Wells Town Hall
208 Sanford Road

6:15 PM EXECUTIVE SESSION

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to go into Executive Session pursuant to 1
M.R.S. section 405 (6)(E) to consult with the Town Attorney regarding the Board’s legal rights
and duties concerning a letter to Chairman Millian dated January 30, 2020 from Attorney John
Bannon re: Parker Ridge Subdivision. PASSED unanimously.

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to come out of Executive Session with no
action taken. PASSED unanimously.

CALL TO ORDER AND DETERMINATION OF QUORUM
Chairman Chuck Millian called the meeting to order at 7:00 P.M. Members present: Charles
Anderson, Richard DeBold, Brian Toomey and Rick Seiden. All are voting tonight.
Staff present: Mike Livingston, Town Engineer/Planner, Meeting Recorder Cinndi Davidson

MINUTES
January 13, 2020

Tabled to the next meeting.

PUBLIC HEARINGS

1. FAIRWAY VIEW VILLAGE SUBDIVISION (FKA Fieldside Lane
Subdivision) – York Building and Design Center, Inc. owner; Attar Engineering,
agent. Final Subdivision to subdivide 123 acres into a 46 dwelling unit
Multifamily Development Major Subdivision. 42 dwellings are proposed to be
age-restricted (55 years or older). The parcel is located off of Fieldside Lane off
of North Berwick Road. The parcel is located within the Rural District. Tax Map
32, Lot 13.

PB Min 02-10-20
Lew Chamberlain of Attar Engineering represented the applicant and presented the plan for a 46 unit major subdivision. There will be 42 age-restricted units and 4 regular units. There will be private wells and septic systems. The Board has received several e-mails from abutters who could not attend tonight.

Public comment was solicited.

~Screening: The Board determines what visual screening is required, either vegetation or fencing, after soliciting input from the abutters.

~Traffic on Route 9. MDOT determines the speed limit but the Town through the Selectmen can request a traffic study for that section of road. The applicant needs a DOT entrance permit for the new road. The project isn’t big enough to trigger a traffic movement permit. Traffic is already heavy on Route 9 at certain times, and the three new subdivisions underway will add to it. Suggestions included a rumble strip and a third turning lane for right turns only. If MDOT decides to do a study it will probably be done within 3-4 months. This project will probably be approved in 1-2 months with construction to begin this summer. The project will be built out over several years and the Town would have the results of the traffic study by then.

~Drainage. There will be a swale on both sides of Fieldside Lane, new culverts and a level spreader.

~Power. Starting at Route 9 the power will be underground up Fieldside Lane for the first 850 ft. There is a pole with overhead power into the development then the power goes underground again.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing. **PASSED** unanimously.

**II. CURTIS FARM SUBDIVISION** – Landings Development, LLC owner; South Ash Development, LLC, applicant. Attar Engineering, Inc. agent. Preliminary Subdivision Application for a 9 lot/dwelling unit Residential Cluster Major Subdivision located off of Loop Road. The property is located within the Rural District, Resource Protection District and 250’ Shoreland Overlay District. Tax Map 25, Lot 11

Lew Chamberlain of Attar Engineering represented the applicant and presented the plan for a 9 lot subdivision. A proposed road will connect to Loop Road and end in a cul-de-sac. The road was moved to the south side to avoid the cemetery. There will be private wells and septic systems.

Public comment was solicited.

~Headlight glare. The road has been moved to avoid glare into abutters’ homes. The developer has mentioned a screen of trees along Loop Road. There probably won’t be any streetlights. Utilities will be underground.

PB Min 02-10-20
~Drainage. The brook can back up under Loop Road if the drainage is blocked. The DEP has specific regulations about stream crossings. With new development and increased runoff, the Board can ask for culverts sized for a 100 year storm. The existing culvert is upstream from the development.

~The Planning Office received a letter about endangered turtle habitat. IF&W has been asked for provide a letter about any endangered species.

~Family members and slaves are buried in the cemetery. There might be some veterans’ graves. The Staff Review Committee recommended a foot path for access and have the HOA maintain the cemetery and path.

~The Police Chief had concerns about the road curvature and recommended a “Dangerous Intersection Ahead” sign.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. DeBold, to close the public hearing. PASSED unanimously.

**DEVELOPMENT REVIEW & WORKSHOPS**

**I. FAIRWAY VIEW VILLAGE SUBDIVISION (FKA Fieldside Lane Subdivision) –** York Building and Design Center, Inc. owner; Attar Engineering, agent. Final Subdivision to subdivide 123 acres into a 46 dwelling unit Multifamily Development Major Subdivision. 42 dwellings are proposed to be age-restricted (55 years or older). The parcel is located off of Fieldside Lane off of North Berwick Road. The parcel is located within the Rural District. Tax Map 32, Lot 13.

**Workshop Public Hearing comments and workshop draft compliance review comments**

Mr. Livingston reviewed the comments from the public hearing. Utilities will be underground and the pole has to be replaced. The work will have to be planned to minimize the time when power to the existing residences will be shut off. Mr. Toomey asked if the applicant would provide generators for the abutters while the power is switched over. Mr. Chamberlain will ask his client. Buffering and screening, either vegetation or a fence, are needed to prevent headlight glare when cars are entering and exiting and at the first turn in the road. A solid fence may be preferable for the first 2 lots. Mr. Millian asked the neighbors to discuss what they would like for screening and contact the Planning Office. The condo association will be responsible for maintaining the road and fence. The Board previously voted to accept 3.70 as the average daily trips for senior housing units. The Route 9 entrance was discussed and having right and left turns out was proposed. A traffic engineer will be asked to evaluate the road width.

The recommendations in Mr. Livingston’s memo were reviewed. The Fire Chief requests a maintenance plan for the cistern to flush out stagnant water. Mr. Seiden said the HOA documents should include maintenance plan and asked how the cistern will be tested. Mr. Livingston will ask the Chief for a recommendation.
MOTION
Motion by Mr. Toomey, seconded by Mr. Seiden, to grant a 60 day extension. PASSED unanimously.

Comments from the public hearing were discussed. One abutter was concerned about headlights. With the new road alignment, the lights will be opposite the connector between his house and barn. A critical factor for the road is the radius for fire trucks. The IF&W letter will address the habitat and endangered species.
The recommendations in Mr. Livingston’s memo were reviewed. Lot line adjustments have to be made since the developed area cannot include any of the Shoreland Overlay Zone. Lot size reductions for a cluster subdivision were reviewed.

MOTION
Motion by Mr. Toomey, seconded by Mr. Anderson, to allow the following: minimum lot size of 20,000 sq. ft., street frontage reduction to no less than 50 ft., setback from Curtis Farm Road may be reduced to 20 ft., setback from abutting cluster lots may be reduced to 15 ft. PASSED unanimously.

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to allow lot coverage increases for lots smaller than 40,000 sq. ft. (Lots 3,5,6,7,8,and 9). PASSED unanimously.

There are setback and buffering requirements between the subdivision and non-cluster residential abutters. The Staff Review Committee reviewed the application on February 4. A warning sign should be installed east of the new intersection because of the speed limit and road curvature. Sight distances are limited there. The Fire Department approved the use of the fire pond on Route 9B. The cemetery needs an access walking path and the HOA should maintain the cemetery and path.

MOTION
Motion by Mr. Toomey, seconded by Mr. Anderson, to continue the workshop for 30 days. PASSED unanimously.

Mr. Seiden asked about the FEMA flood zone. An applicant is required to determine the flood elevation and show it on the plan. The applicant used the elevation at the top of the dam. None of the building envelopes are affected.
III. WELLS PARKS & RECREATION PARKING LOT – Town of Wells, owner/applicant. Site Plan Amendment Application seeking approval to add 62 parking spaces at the existing Municipal Facility/Active Recreation use. The property is located off of 412 Branch Road and is within the Rural, Residential A and 75’ Shoreland Overlay Districts. Tax Map 56, Lot 15-EXE. Receive Site Plan Amendment Application, workshop completeness and consider scheduling a Public Hearing

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the site plan amendment application. PASSED unanimously.

Tina LeBlanc, Parks & Recreation Director, and Brian Nielson of Attar Engineering were present. An additional parking lot with 62 spaces and 4 ADA spaces is proposed with additional lighting and security cameras. A previous parking plan would have required people to cross Branch Road. The Board conducted a site walk last October. An abutter across the street filed a complaint about the existing lighting, particularly the lights that shine into the front windows of oncoming cars.

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to appoint Mr. Livingston completeness agent and schedule a public hearing. PASSED unanimously.

IV. TOPSAIL WAY SUBDIVISION – Joseph Moody, owner; Luxe Enterprises, LLC, c/o Zach Pappas, applicant; Sebago Technics, agent. Minor Subdivision Application for 4 single family dwelling units on one 2.04 acre parcel to be developed as a Multifamily Development. The property is located within the General Business and Residential A Districts. Tax Map 43, Lot 10. Receive the Minor Subdivision Application and workshop completeness

Zach Pappas, applicant, and Rick Meek of Sebago Technics were present.

MOTION
Motion by Mr. Toomey, seconded by Mr. Anderson, to receive the minor subdivision application. PASSED unanimously.

This is a multi-family development with 4 single units. The Board conducted a site walk last fall and there were concerns about glare based on the original location of the road. The entrance has been relocated. There will be public water and sewer and overhead power. One utility pole is on the abutter’s property. Landscaping and stormwater detention areas are proposed. There is no catch basin near the project and abutters already experience flooding. Grading work might cut into the roots of the large tree at the front of the property. They will try to work around it and save the tree. Mr. Seiden asked about the stone wall and boundary. The boundary on the survey mostly follows the wall except for a small encroachment. Stormwater running down the driveway will be directed to the north. Proposed grading to be revised to prevent any encroachments onto abutting properties. Snow storage areas are limited, between Lots 3 & 4 and along the road. The turn-tee needs to be extended to accommodate fire trucks. An on-site fire hydrant is recommended since the existing one is across Route One. Decisions about buffering

PB Min 02-10-20

5 of 7
and screening will be made after the public hearing. Outside patios can be moved to the east sides of the houses to get them out of the 25 ft. buffer. The utility pole on the abutter’s property should be researched to determine if an easement is necessary.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. Seiden, to continue the workshop for 60 days. **PASSED** unanimously.

**V. BURNT MILL SUBDIVISION AMENDMENT** – Burnt Mill Holding Company, LLC and Chinburg Development, LLC, owners. Attar Engineering, applicant and agent. Final Subdivision Amendment Application seeking approval to amend the drainage system for lots 1-16 to 1-21; to change lots 1-1 to 1-10 and 1-12 to 1-21 from Duplex (DP) lots to Single Family (SF) lots; and to change lots 1-23 to 1-25 and 1-78 to 1-90 from Single Family (SF) lots to Duplex (DP) lots. The Subdivision to remain as previously approved with 174 dwelling units. The Subdivision is located off of Hobbs Farm Road and is within the Rural and 75’ Shoreland Overlay Districts. Tax Map 62-A, Lots 1-1 to 1-10, Lots 1-12 to 1-21, Lots 1-23 to 1-25 and Lots 1-78 to 1-90. **Receive Subdivision Amendment Application, consider waivers, workshop**

**MOTION**

Motion by Mr. Toomey, seconded by Mr. DeBold, to receive the subdivision amendment. **PASSED** unanimously.

Brian Nielson of Attar Engineering represented the applicant. The applicant proposes to change the drainage system and change some of the units from duplexes to single family and some single family to duplexes. The total number of units remains at 174. A site walk was considered. All the changes are internal and none of the houses in that section have been built. One abutter would be affected by changing the no cut buffer from 50 ft. to 20 or 25 ft. but that house is far from the property line.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. Seiden, to waive the site walk. **PASSED** unanimously.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. DeBold, to appoint Mr. Livingston completeness agent and authorize him to schedule a public hearing. **PASSED** unanimously.

**OTHER BUSINESS**

**I. Parker Ridge Subdivision:** No action was taken.

**II. Possible Ordinance Change Proposals**

~Lodging Facilities: delete the requirement for sprinkler systems in accessory buildings. Clarify the landscape buffer.
MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to recommend these changes to the Selectmen to be placed on the ballot. **PASSED** unanimously.

~Accessory dwelling units: This would allow one ADU in an owner-occupied single family dwelling in all districts. The ADU would have 2 parking spaces in addition to the parking for the residence. If this change is approved, many existing units would become conforming.

~Chapter 202 Subdivisions

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to continue work on these two sections at the next meeting. **PASSED** unanimously.

**III. Staff Review Committee and CEO site plan approvals**

The SRC reviewed Curtis Farm Subdivision and Fairway View Village Subdivision.

**ADJOURN**

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to adjourn. **PASSED** unanimously.

MINUTES APPROVED ______________, 2020.

ACCEPTED BY:

[Signatures]

Brian Toomey, Secretary                     Cinndi Davidson, Recorder

PB Min 02-10-20