Meeting Minutes
Monday, February 24, 2020, 7:00 P.M.
Wells Town Hall
208 Sanford Road

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, Robert Sullivan, Brian Toomey and Associate Member Rick Seiden. Mr. Seiden is voting on the minutes tonight.

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

MINUTES

January 13, 2020

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to accept the minutes as written. PASSED unanimously.

February 10, 2020

MOTION

Motion by Mr. Sullivan, seconded by Mr. DeBold, to accept the minutes as written. PASSED 5-0-1 with Mr. Sullivan abstaining.

DEVELOPMENT REVIEW & WORKSHOPS

I. RIVERBEND OAKS SUBDIVISION – Barry J. and Joanne N. Middleton, owners; Civil Consultants, applicant/ engineer. Final Subdivision Amendment Application to convey 3.64 acres of land from abutting lot 21 to lot 19-13 within the Riverbend Oaks Subdivision. Lot 19-3 to become 5.86 acres in size. The parcel is located within the Rural District and 75’ Shoreland Overlay District. Tax Map 13, Lot 19-13 and Lot 21. Receive Subdivision Amendment Application, determine a site walk, workshop completeness, determine a possible public hearing.
MOTION
Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the subdivision amendment application. PASSED unanimously.

Geoff Aleva of Civil Consultants presented the applicant’s plan to convey part of one lot to his other lot within the subdivision and build one house on the enlarged lot. The subdivision was approved in 1976. One abutter letter was received and Mr. Aleva has addressed her concerns. Mr. Seiden questioned a pole on the plan with the owner identified as New England Telephone and Telegraph. That company still exists and owns the poles. Mr. Sullivan asked if the larger lot could ever be subdivided in the future. There can be only one dwelling on that parcel based on more than 20 dwellings using the street. This lot is in the Rural Zone with a 100,000 sq. ft. minimum size, plus the 150’ Shoreland frontage requirement. The street frontage is still non-conforming but all other requirements become conforming. The completeness review comments in Mr. Livingston’s memo were discussed. Notes 19 and 20 regarding septic systems and wells have been added to the plan. Many of the requested waivers are not required for a revision to an existing plan. Mr. Aleva will have the locations of the wells and existing culvert identified.

MOTION
Motion by Mr. Anderson, seconded by Mr. DeBold, to waive the site walk. PASSED unanimously.

MOTION
Motion by Mr. Sullivan, seconded by Mr. DeBold, to waive the requirement for locating trees greater than 24” in diameter. PASSED unanimously.

MOTION
Motion by Mr. Sullivan, seconded by Mr. Anderson, to appoint Mr. Livingston completeness agent. PASSED unanimously.

A decision on a public hearing will be made at the March 9 meeting.

II. PARKER RIDGE – Parker Ridge Development, LLC, owner/applicant; Norm Chamberlain of Walsh Engineering, engineer; Leon Blood of Lower Village Survey, surveyor. Subdivision Pre-Application to amend the Parker Ridge Subdivision by creating 10 new lots/dwelling units on the remaining land (Lot 4). The new lots/dwellings are to be residential cluster development lots and are to have street frontage off of a new private roadway. The development is located off of 506 Quarry Road and is within the Rural District. Tax Map 37, Lot 6. Consider scheduling a Site Walk for April 4th at 9AM, snow conditions/ weather dependent

MOTION
Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the subdivision pre-application. PASSED 4-1 with Mr. Toomey opposed.

Deborah Briggs and Leon Blood of Lower Village Survey Co. represented the applicant. The applicant wishes to divide Lot 4 in the existing subdivision into a 10 to 14 lot cluster subdivision.
Mr. Sullivan said the proposed road and building lots need to be staked for a site walk. Mr. Millian said the applicant should apply for 14 lots initially, and can reduce the number later.

**MOTION**

Motion by Mr. Sullivan, seconded by Mr. Toomey, to schedule a site walk for Monday, April 6 at 5:45 PM before the Planning Board meeting, weather and ground conditions permitting. **PASSED unanimously.**

Mr. Seiden asked to see a plan with 14 lots before the site walk. Mr. Millian said copies are usually handed out at the site walk.

**III. 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 **Workshop Preliminary Findings of Fact & Decisions for possible approval**

Mike Sudak of Attar Engineering represented the applicant. Mr. Livingston reviewed the list of items for preliminary approval which have been addressed. The draft Findings of Facts were reviewed.

**MOTION**

Motion by Mr. Sullivan, seconded by Mr. Anderson, to grant preliminary approval. **PASSED unanimously.**

**IV. 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. The 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 traffic and screening information provided**

Walter Woods, applicant, and Mike Sudak of Attar Engineering were present. Diane Morabito’s traffic analysis was discussed. She recommends one exit lane onto Route 9.

**MOTION**

Motion by Mr. Toomey, seconded by Mr. DeBold, to not require separate turning lanes because of the sight obstruction safety issue. **PASSED unanimously.**

A revised sheet shows a combination of vegetation and fencing to prevent headlight glare into adjacent residences. Mr. Woods agreed to vegetation at the entrance and at the top curve, but asked why there should be vegetation in the middle section. He proposed 100’ of vegetation at the top and bottom with fence in between. Mr. Livingston said the sight distance needs to be preserved. There will be riprap at the bottom for drainage. Plantings from station 200-450 will
be eliminated. Board members felt that this is a reasonable accommodation and Mr. Sullivan asked to see a revised plan at the next meeting.

Mr. Woods asked about the letter of credit and estimated $3500 per acre of disturbance. Mr. Livingston agreed. Phase 1 will be the first 16 units. Phase 2 will start once they are sold. The phasing should be shown on the plan.

The Fire Chief asked for a hammerhead turn-around for fire trucks during construction. A maintenance plan should be prepared for the cistern. There are 3 cisterns in Town which are privately maintained. The Chief’s concern was that standing water can go stagnant and it needs to be flushed periodically. NFPA doesn’t have a standard. The applicant stated that and the York Beach Chief said they check for capacity, not water quality.

V. TOWN CODE ORDINANCE CHANGES – Review Accessory Dwelling Unit Zoning Changes and Subdivision Violation Changes

Accessory dwelling units

MOTION
Motion by Mr. Sullivan, seconded by Mr. DeBold, to forward the revision to the Selectmen for a workshop. PASSED unanimously.

Chapter 202:

“Inspection” has a precise meaning and should be changed to “site visit”.

Defaults were discussed. The consensus was that the CEO, or a third party inspector hired at the applicant’s expense, should determine the default. The Town Attorney should review the language, since some developers use a different LLC for each project and all the LLC’s should be included. At the pre-application stage a default can be mentioned, but not used as the basis for rejecting an application. The consensus was to keep §202-6(F) in all the sections. §202-9(C)1 will include site plans. State law has changed and the registries no longer require Mylars. Paper plans are acceptable. Plans submitted should be compatible with the Town’s software. Mr. Seiden noted that some definitions need clarification—amendment vs. revision and registered, certified and licensed.

OTHER BUSINESS

I. Staff Review Committee and CEO site plan approvals

None

ADJOURN

MOTION
Motion by Mr. Toomey, seconded by Mr. DeBold, to adjourn and authorize the Chairman to sign the Findings of Facts. PASSED unanimously.
MINUTES APPROVED MARCH 9, 2020.

ACCEPTED BY:

[Signatures]

Brian Toomey, Secretary            Cinndi Davidson, Recorder