TOWN OF WELLS, MAINE
PLANNING BOARD

Meeting Agenda
Monday, September 22, 2014, 7:00 PM
Littlefield Meeting Room, Town Hall
208 Sanford Road

CALL TO ORDER AT 7:00 pm & DETERMINATION OF QUORUM

MINUTES

I. APRIL 4, 2016 DRAFT MEETING MINUTES

DOCUMENTS: PB MIN 04-04-16.PDF

PUBLIC HEARING(S)

DEVELOPMENT REVIEW & WORKSHOPS

I. MEETINGHOUSE ROAD SUBDIVISION

Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Subdivision Pre-Application for a 13 lot/dwelling unit major residential cluster subdivision with private road ROW, Open Space, and one 5.8 acre standard lot 'out-parcel.' The subdivision to be located off of 1321 Meetinghouse Road and is within the Rural District. The parcel is identified as Tax Map 77, Lot 22. **Receive Subdivision Pre- Application and schedule a site walk**

DOCUMENTS: MEETINGHOUSE ROAD SUBDIVISION PRE-APP MEMO 04-13-16.PDF, MEETINGHOUSE ROAD SUBDIVISION ART VII (145-49) RESIDENTIAL CLUSTER 04-14-16.PDF, MEETINGHOUSE ROAD SUB PLAN DRAFT 04-05-16.PDF, MEETINGHOUSE ROAD SUBDIVISION SUBMISSION 04-05-16.PDF, MEETINGHOUSE ROAD STANDARD SUBDIVISION PLAN 04-05-16.PDF

II. PETTINGA SUBDIVISION AMENDMENT

Judith & Peter Pettinga, owners/applicants; Middle Branch, LLC, surveyor. Minor Subdivision Amendment application proposes to divide lot "C" in the Phyllis Foster Realty Trust Subdivision into two 2.3+ acre parcels. The subdivision is located off of Burnt Mill Road and Branch Road and is within the Rural District. Tax Map 63, Lot 29-A. **Receive Minor Subdivision Amendment Application and schedule a site walk**

DOCUMENTS: PETTINGA MINOR AMD APP MEMO 04-13-16.PDF, PETTINGA SUB AMD ART V (145-30) RURAL DIST 04-13-16.PDF, PETTINGA AMD COMPLETENESS CHECKLIS 04-13-16.PDF, PETTINGA SUBDIVISION APP SUBMISSION 04-05-16.PDF, PETTINGA SUBDIVISION PLAN DRAFT 04-05-16.PDF, PHYLLIS FOSTER SUBDIVISION PLAN SIGNED 01-13-1997.PDF, PHYLLIS FOSTER SUBDIVISION PLAN SIGNED 11-27-1989.PDF

III. MILLBROOKE FARM SUBDIVISION

Kasprzak Landholdings, Inc. owner; Kasprzak Homes/ Robert Georgitis, applicant; Sebago Technics, agent. Final Subdivision Application consisting of 70 dwelling units located within 35 duplex (two-family) buildings on land totaling 80.82 acres of which 60.69 acres to be dedicated as open space (Multifamily Development). The major subdivision proposes roadways and shall be connected to public water and public

subdivision proposes roadways and shall be connected to public water and public sewer. The subdivision is located within the Rural and 75' Shoreland Overlay Districts and is located off of Willow Way/ Gateway Drive and Midway Drive. Tax Map 72, Lots 4B, 12 and 13. **Workshop draft compliance and Final Findings of Fact & Decisions for possible approval**

DOCUMENTS: MILLBROOKE FARM FINAL SUB MEMO 04-15-16.PDF, MILLBROOKE FARM DRAFT COMPLIANCE AND FOF 04-15-16.PDF, 04426 OPEN SPACE PLAN 041116.PDF, FIRE CHIEF LETTER 4-4-16.PDF

IV. GRANTS PASTURE SUBDIVISION

Gerald & Raylene Grant Living Trust, owners; Sebago Real Estate Investment, LLC/ Paul Hollis, applicant; Attar Engineering, Inc. engineer. Final Subdivision Application for a 7 lot/dwelling unit residential cluster major subdivision on 47 acres of land with 38.8 acres of open space proposed. Parcel is located off of North Berwick Road and is within the Rural, 250' Shoreland Overlay, and Resource Protection Districts. Tax Map 32, Lot 11. **Receive the Final Subdivision Application, workshop completeness and determine a Final Public Hearing if appropriate**

DOCUMENTS: GRANTS PASTURE FINAL APP MEMO 04-14-16.PDF, GRANTS PASTURE FINAL COMPLETENESS DRAFT 04-14-16.PDF, GRANTS PASTURE FINAL SUBDIVISION APP SUBMISSION 04-05-16.PDF, GRANTS PASTURE COST ESTIMATE 04-05-16.PDF, GRANTS PASTURE ROAD NAME APPROVAL 04-05-16.PDF, GRANTS PASTURE IFW LETTER 03-20-16.PDF, GRANTS PASTURE GROUNDWATER IMPACT STUDY 04-05-16.PDF

V. CHICK CROSSING SUBDIVISION AMENDMENT

Eric & Sherida Roubo, owners/applicants. Final Subdivision Amendment Application to modify Lots 1 and 2 septic and well locations, modify the building envelope of Lot, and eliminate a drainage easement on Lot 1. The subdivision is located off of 469 Chick Crossing Road and is within the Rural, Aquifer Protection District and 250' Shoreland Overlay District. Tax Map 82, Lot 6. **Receive the Final Subdivision Amendment Application, determine if a site walk is needed, workshop draft completeness**

DOCUMENTS: CHICK CROSSING FINAL AMD APP MEMO 04-13-16.PDF, CHICKS CROSSING SUBDIVISION ART V (145-31) AQUIFER PRO DIST CHECKLIST 04-13-16.PDF, CHICKS CROSSING SUB AMD ART V (145-30) RURAL DIST CHECKLIST 04-13-16.PDF, CHICK CROSSING FINAL AMD COMPLETNEESS DRAFT 04-13-16.PDF, CHICK CROSSING FINAL COMPLIANCE AND FOF DRAFT 04-13-16.PDF, CHICK CROSSING SUB AMEND SUBMSSION 04-05-16.PDF, CHICK CROSSING SUB AMEND PLAN DRAFT 04-05-16.PDF

VI. RIVERWALK SUBDIVISION AMENDMENT

Bourne Field Properties, LLC, owner, Rick Licht, applicant, Lower Village Survey Co, surveyor. Final Subdivision Amendment Application to amend note 39 to allow for 6,000 SF of impervious area per lot instated of 5,000 SF of impervious area per lot. The subdivision is located off of Branch Road and is within the Rural and 75' Shoreland Overlay Districts. Tax Map 70, Lot 5. **Receive the Final Subdivision Amendment Application, determine if a site walk is needed, workshop draft completeness and compliance, determine if a public hearing is needed**

DOCUMENTS: RIVER WALK FINAL AMD APP MEMO 04-13-16.PDF, RIVERWALK SUBDIVISION AMEND SUBMISSION 04-05-16.PDF, RIVERWALK SUBDIVISION STORWATER TREATMENT PLAN 04-05-16.PDF, RIVERWALK SUB AMD PLAN S1.1 DRAFT 04-05-16.PDF, RIVERWALK SUB AMD PLAN S1.2 DRAFT 04-05-16.PDF

VII. COMPASS POINTE SITE AND SUBDIVISION PLAN AMENDMENT

Seal Harbor, LLC, owner/applicant; Attar Engineering Inc. agent. Site Plan and Final Subdivision Amendment Application to relocate a sewer pump station. No change of use or to the number of hotel/motel units or dwelling units proposed. The parcel is located off of 45 Post Road and is within the General Business, Residential A and Shoreland Overlay Districts. Tax Map 105, Lot 159. **Receive the Site Plan Amendment and Final Subdivision Amendment Application, determine if a site walk is needed, workshop draft completeness and compliance, determine if a public hearing is needed**

DOCUMENTS: COMPASS POINTE SITE AND SUB AMEND 6 MEMO 04-12-16.PDF, COMPASS POINTE AMD 4 DRAFT COMPLETENESS 04-12-16.PDF, COMPASS POINTE AMD 6 SUB COMPLETENESS DRAFT 04-12-16.PDF, COMPASS POINTE AMD 6 SITE PLAN DRAFT COMPLIANCE FOF 04-12-16.PDF, COMPASS POINTE AMD 6 DRAFT SUBDIVISION COMPLIANCE AND FOF 04-12-16.PDF, COMPASS POINTE SUB AMD 6 SUBMISSION 04-05-16.PDF, COMPASS POINTE SITE PLAN AMD 6 SUBMISSION 04-05-16.PDF, COMPASS POINTE AMD 6 DRAFT PLAN 04-05-16.PDF

OTHER BUSINESS

I. SRC & CEO SITE PLAN REVIEW AND APPROVALS UPDATE

DOCUMENTS: 04-12-16 SRC AGENDA.PDF

TOWN OF WELLS, MAINE

PLANNING BOARD

Meeting Minutes
Monday, April 4, 2016, 7:00 P.M.
Wells Activity Center
113 Sanford Road

CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 P.M. Members present: Rick Goodrich, Robert Sullivan, Pierce Cole and Charles Anderson. There is a quorum and all members are voting tonight. Staff present: Mike Livingston, Town Engineer/Planner and Meeting Recorder Cinndi Davidson.

MINUTES

March 21, 2016

MOTION

Motion by Mr. Goodrich, seconded by Mr. Anderson, to approve the minutes as written. **PASSED** unanimously.

PUBLIC HEARING

I. SPRINGER LLC – David Springer, owner. Civil Consultants, engineer. Site Plan Amendment Application to construct a 40' x 140' structure instead of the previously approved 60' x 60' structure. Use to remain indoor Agriculture for the cultivation of medical marijuana by Caregivers as regulated by the State of Maine. The property is located off of 14 Willie Hill Road and is located within the Light Industrial District (no Shoreland Overlay or Resource Protection based on survey located wetland from prior site plan approval). Tax Map 40, Lot 3-14.

Applicant David Springer described his plan to change a 3600 SF indoor agricultural use building into a 5600 SF building with3 rental units and no change in use. This is an expansion of an approved facility. There will be 10 paved parking spaces, private septic and a drilled well. There were no questions or comments from members of the public. Mr. Goodrich asked about security cameras. There will be up to 10 cameras covering the entire facility. They will probably be monitored by Seacoast Security. Each tenant will have interior cameras. Everything will be recorded and the storage facility can save the recordings up to 3 months.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to close the public hearing. **PASSED** unanimously.

DEVELOPMENT REVIEW & WORKSHOPS

I. **SPRINGER LLC –** David Springer, owner. Civil Consultants, engineer. Site Plan Amendment Application to construct a 40' x 140' structure instead of the previously approved 60' x 60' structure. Use to remain indoor Agriculture for the cultivation of medical marijuana by Caregivers as regulated by the State of Maine. The property is located off of 14 Willie Hill Road and is located within the Light Industrial District (no Shoreland Overlay or Resource Protection based on survey located wetland from prior site plan approval). Tax Map 40, Lot 3-14. **Workshop compliance and draft Findings of Fact & Decisions for possible approval**

Mr. Livingston reviewed the recommendations in his memo. The Planning Office has not received any inquiries about this amendment. The Board reviewed the previously approved landscape/buffering plan. No changes are proposed.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find that the landscaping plan meets the buffering requirements. **PASSED** unanimously.

Lighting specifications were provided and the applicant added the standard "no glare" Note 18 to the plan.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve the lighting plan. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find the application in compliance with 145-75 A-N. **PASSED** unanimously.

The draft Findings of Facts & Decisions were reviewed. Mr. Cole questioned Special Condition #3. Mr. Livingston said three of the special conditions address marijuana growing. The approved use is indoor agriculture. The building will be rented to registered growers and is different from a dispensary.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve the Findings of Facts & Decisions, to approve the site plan amendment application, and to sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

The paper copies will be signed tonight, and the applicant will provide a Mylar for signing at the next meeting.

II. MILLBROOK FARM – Kasprzak Landholdings, Inc. owner; Kasprzak Homes/ Robert Georgitis, applicant; Sebago Technics, agent. Final Subdivision Application consisting of 70 dwelling units located within 35 duplex (two-family) buildings on land totaling 80.82 acres of which 60.69 acres to be dedicated as open space (Multifamily Development). The major subdivision proposes roadways and shall be connected to public water and public sewer. The subdivision is located within the Rural and 75' Shoreland Overlay Districts and is located off of Willow Way/ Gateway Drive and Midway Drive. Tax Map 72, Lots 4B, 12 and 13. **Workshop draft compliance and Final Findings of Fact & Decisions for possible approval**

Bob Georgitis of Kasprzak Landholdings represented the applicant. Mr. Livingston reviewed the recommendations in his memo. The Planning Office has received revised plans. The revised Homeowners' Association documents for Riverbend Woods and Millbrooke Farm are still pending. Management of the open space needs to be resolved. Mr. Livingston's comments of February 1st haven't been addressed yet. Mr. Livingston quoted from the Code §202-12 H.4 which calls for the Association's bylaws to specify the maintenance responsibilities for the open space, and this must be submitted to the Board prior to final approval. The waiver on locating trees greater than 24" was granted with the condition that the applicant would provide a forestry management plan in the Association documents. Mr. Goodrich recommended a meeting with the attorneys for both parties to resolve the impasse. Mr. Millian asked for a clarification of the issue. Mr. Livingston said the language of the open space documents for Millbrooke Farm has to match the requirements of the ordinance. Another question is whether the transfer of the ownership of the land in the earlier projects to Riverbend Woods Association constitutes a violation of the subdivision approval. Those subdivision plans were clear on the lot lines vs. the easements. The Board can make resolution of that issue a condition of approval for the current project and set a time limit. Mr. Livingston said the language of the open space ownership and management is a compliance item and must be approved by the Planning Board at final approval. Mr. Sullivan asked if any items could be resolved tonight.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to waive the requirement for bounds at five property corners where there are existing pipes or bounds within 50' or where they are adjacent to the cemetery. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that all other proposed monumentation is suitable. **PASSED** unanimously.

Note 17 addressing performance guarantee requirements will be changed from "sale of a unit" to "occupancy of the first unit" for Code Office purposes. The guarantee will cover final landscaping and the finish course of pavement.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to approve the revised language of Note 17. **PASSED** unanimously.

Mr. Livingston discussed changing the completion date for the Millbrooke Drive connection to 5 years from the recording date of the Heron Landing plan. The new date would be 4/30/2018 since the plan was recorded several weeks after it was signed.

MOTION

Motion by Mr. Goodrich, seconded by Mr. Sullivan, to approve changing the completion date. **PASSED** unanimously.

MOTION

Motion by Mr. Goodrich, seconded by Mr. Sullivan, to continue the workshop for 30 days. **PASSED** unanimously. An effort will be made to meet with the two attorneys before the April 18 Planning Board meeting.

OTHER BUSINESS

~SRC and CEO site plan reviews and approvals: There are 4 applications for the April 12 SRC meeting.

ADJOURN

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to adjourn and sign plans and Findings. **PASSED** unanimously.

MINUTES APPROVED _____, 2016

ACCEPTED BY:

_____ _____

Robert Sullivan, Secretary Cinndi Davidson, Recorder

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Subdivision Pre-Application Memo

Date: April 13, 2016

To: Planning Board

From: Planning Office

Re: Meetinghouse Road Subdivision - Map 77, Lot 2 and 22

Project Description:

Rick Licht of Licht Environmental Design, LLC has submitted a Subdivision Pre-Application on behalf of the property owner, Richard Moody & Sons Construction Co, LLC for a 13 lot/dwelling unit major residential cluster development subdivision off of 1321 Meetinghouse Road, one 5.8 'out parcel' was conveyed within the last 5 years. The subdivision proposed a 50' wide private right of way with 22.5 acres of dedicated Open Space. The subdivision is located within the Rural District and is identified as Tax Map 77, Lot 22. Lots to be served by private septic systems and drilled wells.

§ 202-6. Preapplication.

A. Procedure:

(1) Applicant presentation and submission of sketch plans. **To be determined**

(2) Question and answer period. Board makes specific suggestions to be incorporated by the applicant into subsequent submissions. **To be determined**

(3) Scheduling of on-site inspection. **To be determined**

B. Submission. The preapplication sketch plan shall show, in simple sketch form, the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan, which may be a freehand penciled sketch, should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development. It is recommended that the sketch plan be superimposed on or accompanied by a copy of the Assessor's map(s) on which the land is located. The sketch plan shall be accompanied by a copy of a portion of the USGS topographic map of the area showing the outline of the proposed subdivision, unless the proposed subdivision is less than 10 acres in size. The sketch plan shall also be accompanied by a list of names and addresses of abutters to the proposed project and certification that notices describing the proposed project have been sent or delivered by the applicant to the abutters. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records, and the notice and certification form shall be supplied by the Office of Planning and Development. **[Amended 3-24-1997]** **To be determined**

C. Contour interval and on-site inspection. Within 30 days, the Board shall hold an on-site inspection of the property and determine and inform the applicant in writing of the required contour interval on the preliminary plan, or final plan in the case of a minor subdivision. However no on-site inspections shall be held during the months of January, February or March or when the ground is covered with snow. **To be determined**

D. Rights not vested. The submittal or review of the preapplication sketch plan shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of 1 M.R.S.A. § 302.

Recommendations and conclusions:

1. The Planning Board to consider receiving the subdivision pre-application
2. The Planning Board to schedule a site walk of the property.
3. The Planning Office offers the following initial comments:
    a. Site walk layout will be needed
    b. Lot 13 driveway will require a waiver
    c. Possible ordinance change may affect allowed lot coverage
    d. Septic system and well locations will be tight on some lots
    e. Headlight impact to the home on the north side of Meetinghouse Road may be a consideration.

Project Name/District:	Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22	Date of Review:	04/13/16; 04/14/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Article VII
Performance Standards

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			Application Meet Requirements			
			Yes	No	NA	Comments
The purpose of this section is to allow, by Planning Board approval, the clustering of one- and two-family dwelling units. Clustering shall provide a more efficient use of land resulting in the preservation of natural land forms, wetlands, wildlife and waterfowl habitats, significant vegetation and agricultural lands, other natural resources, and historic sites. Notwithstanding other provisions of this chapter, the Planning Board may modify the dimensional requirements of this chapter as specified in this section to permit the clustering of one- and two-family homes. Such modifications shall not be construed as the granting of a variance to relieve hardship.						
A.	Permitted locations. Residential cluster development shall be permitted in all zoning districts where residential development is allowed except the Aquifer Protection District and the Shoreland Overlay District.		**Y**			The subdivision is located within the Rural District.
B.	Density. The maximum density of dwelling units permitted shall be the same as permitted in the district(s) in which the cluster development is located, unless density bonuses are granted in accordance with § 145-49D. To determine maximum density the following steps shall be taken:		**Y**			**Boundary survey of the parcel not provided.** **Town Assessor has the parcel size as 45.16 acres. The 'outparcel' described to have been 'broken off' into a separate 5.77 acre parcel. 45.16- 5.77 = 39.39 acres of remaining land.** Deeds provided on 4/14/16. 39.39 acres or (1,715,828 SF)/ 100,000 = 17 dwelling units permitted.
	(1)	A sketch plan shall be submitted showing a standard nonclustered subdivision layout. Each lot in the standard subdivision shall meet the minimum lot size, density and lot width requirements of this chapter and, if not serviced by public sewer, shall have an area suitable for subsurface wastewater disposal according to the Maine Subsurface Wastewater Disposal Rules. In addition, the lots shown in the standard subdivision sketch plan shall be designed in accordance with subdivision standards and shall not require a variance or waiver from the existing ordinances or regulations in order to achieve the layout supporting the proposed density.	**Y**			A sketch of a non-clustered subdivision of this parcel was provided.

Project Name/District: Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22

Date of Review: 04/13/16; 04/14/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			**Application Meet Requirements**			
			Yes	**No**	**NA**	**Comments**
		determined by calculating net area and subtracting 15% of the area of the lot to account for roads and parking.				
	(2)	In order to determine the maximum number of dwelling units permitted on a tract of land the net residential acreage shall be determined by calculating net area and subtracting 15% of the area of the lot to account for roads and parking.	**Y***			39.39 acres or 1,715,828 SF x .15 = 257,374SF 1,715,828-257,374 = 1,458,454 SF of net residential acreage/ 100,000 = 14 lots/ dwelling units permitted. **Not 15 dwelling units.** 13 lots/dwelling units are proposed.
	(3)	A cluster development layout shall be submitted indicating a minimum of 35% open space and significant natural features.	**Y***			1,715,828 x .35 = 600,539 SF or 13.7 acres required. 22.5 acres or **57.1% proposed.**
C.	Dimensional requirements.					
	(1)	The minimum lot sizes may be reduced to 20,000 square feet in any district where clustering is allowed, if not serviced by public sewer, or may be reduced to the following if on public sewer: **Served by Public Sewer** **Type of Dwelling** / **RA, GB and RC Districts (square feet)** One-family Dwelling: 10,000 Two-family Dwelling: 15,000	**Y***			All lots may be reduced to 20,000 SF and are not served by public sewer. **Lot areas not provided on sketch plan.**
	(2)	The required setbacks from lot lines and from street rights-of-way within the cluster development may be reduced, but no structure shall be located within 15 feet of any lot line or within 20 feet of any street right-of-way within the cluster development.	**Y**			See site data table on sketch plan.
	(3)	The required street frontage may be reduced to no less than 50 feet.	**Y***			**Propose lots street frontages not provided on the sketch plan.**
	(4)	When a lot in a cluster subdivision abuts a nonclustered residential lot, the setback in the cluster subdivision lot shall be twice the required setback along the adjoining lot line. The Planning Board may require additional screening or restrict the removal of vegetation within the setback to provide a buffer between higher and lower density development.	**Y**			See site data table on sketch plan.

Project Name/District: Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22

Date of Review: 04/13/16; 04/14/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			**Application Meet Requirements**			
			Yes	**No**	**NA**	**Comments**
D.	Innovative open space bonus. At least 35% of the total parcel acreage in a cluster subdivision must be designated as open space and protected as such in perpetuity. At the discretion of the Planning Board the applicant may earn density bonuses in addition to the maximum density permitted in § 145-49B. The applicant may seek application of more than one density bonus as set forth below, and the total density bonus earned shall be cumulative. However, in no case shall the total density bonus allow the overall subdivision density to exceed the maximum density allowed in § 145-49B above by more than 25% in the rural areas and 50% in the growth areas as set forth in the Comprehensive Plan. Bonuses shall be allotted in whole lot increments only and shall not be rounded up. Density calculations, including all awarded open space bonuses, shall be shown on the subdivision plan.				**NA**	No Open Space bonuses are requested.
	(1)	An open space cluster plan that provides at least 50% of the total parcel acreage as open space, protected as such in perpetuity, may be awarded a density bonus of 10%. The purposes for which proposed open space areas will be used shall be fully documented by the applicant.				
	(2)	An open space cluster plan that protects agriculturally valuable lands and provides for their use as such in perpetuity may be awarded a 5% density bonus. The open space land preserved for agricultural use must consist of at least 3.5 acres, and be land that has been historically farmed, or contain good soils for farming, and be reasonably accessible to receive a bonus. The instrument designating the land as agriculture use, acceptable to the Planning Board, may reasonably restrict the type or intensity of farming to occur to prevent nuisances. This provision only requires that permission be reasonably available so that validity of the bonus is not affected if agricultural uses are not pursued at any particular time.				

Project Name/District: Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22

Date of Review: 04/13/16; 04/14/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			**Application Meet Requirements**			
			Yes	**No**	**NA**	**Comments**
	(3)	An open space cluster plan that protects timber harvesting lands and provides permission for that use to continue in perpetuity may be awarded a 5% density bonus. The open space preserved for timber harvesting must include at least 10 contiguous acres and be land that has historically been forested, and must be reasonably accessible to receive a bonus. A forest management plan signed by a professional forester outlining proposed activities to ensure compliance with performance standards and regeneration requirements established pursuant to Title 12 M.R.S.A § 8869 must be submitted.				
	(4)	An open space cluster plan that accomplishes either of the following:				
		(a) Protects valuable wildlife and environmental areas in a manner that is consistent with the goals, policies and strategies of the following chapters and related maps in the Comprehensive Plan may be awarded a density bonus of 5%.				
		[1] Chapter 3, Natural Resources Policies and Strategies;				
		[2] Chapter 4, Marine Resources Policies and Strategies;				
		[3] Map 4, Natural Areas Wildlife Habitat;				
		[4] Map 9, Wetlands; or				
		[5] Map 10, Areas of High Potential for Wildlife Habitat.				
		(b) Links dedicated open space to large parcels of adjoining dedicated open space to provide usable wildlife habitat or corridor connections between usable wildlife habitats in a manner that is consistent with the goals, policies and strategies of the following chapters and related maps in the Comprehensive Plan may be awarded a density bonus of 5%:				
		[1] Chapter 3, Natural Resources Policies and Strategies;				
		[2] Chapter 4, Marine Resources Policies and Strategies;				
		[3] Map 4, Natural Areas Wildlife Habitat;				
		[4] Map 9, Wetlands; or				
		[5] Map 10, Areas of High Potential for Wildlife Habitat.				
	(5)	An open space cluster plan that allows public access to the open space may be awarded a density bonus of 5%. The nature of public access required to trigger this bonus is pedestrian traffic. The instrument granting access, acceptable to the Planning Board, may reasonably restrict the use of motorized vehicles.				

Project Name/District: Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22

Date of Review: 04/13/16; 04/14/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			**Application Meet Requirements**			
			Yes	**No**	**NA**	**Comments**
	(6)	An open space cluster plan that preserves, and provides for their use as such in perpetuity, the Town's historic, traditional New England seacoast and rural community character and appearance by preserving and incorporating existing historic structures and natural features of historic significance may be awarded a density bonus of 5%.				
	(7)	An open space cluster plan that effectively links large areas of the dedicated open space to adjoining dedicated open space may be awarded a density bonus of 5%.				
	(8)	An open space cluster plan that preserves scenic vistas especially toward the seacoast from Route 1 and along scenic corridors especially along Routes 1, 9, 109, and roads in rural areas may be awarded a density bonus of 5%.				
	(9)	A "unit for unit" density bonus may be granted for open space cluster plans that include affordable housing for moderate-income buyers. For example, if 10% of the dwelling units in the project are affordable for moderate-income buyers then a density bonus of 10% may be awarded. The matching density bonus may be doubled for open space cluster plans that include affordable housing for low-income buyers. For example, if 10% of the dwelling units in the project are affordable for low-income buyers then a density bonus of 20% may be awarded.				
E.	Aquifer Protection District. Where the parcel is located in the Rural District and partially in the Aquifer Protection District the permitted density for that portion of the lot within the Aquifer Protection District may be doubled, transferred to the portion of the lot located in the Rural District, and counted towards total bonus density, provided that:				**NA**	The parcel is not located in the Aquifer Protection District
	(1)	All land within the Aquifer Protection District is included within the common land or open space;				
	(2)	A conservation easement is granted to the Town or to the Kennebunk, Kennebunkport and Wells Water District over that portion of the subdivision located within the Aquifer Protection District; and				
	(3)	All stormwater detention facilities shall be located outside the Aquifer Protection District. Stormwater retention facilities may be located in the Aquifer Protection District.				

Project Name/District: Meetinghouse Road Subdivision/ Rural District - Tax Map 77, Lot 22

Date of Review: 04/13/16; 04/14/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

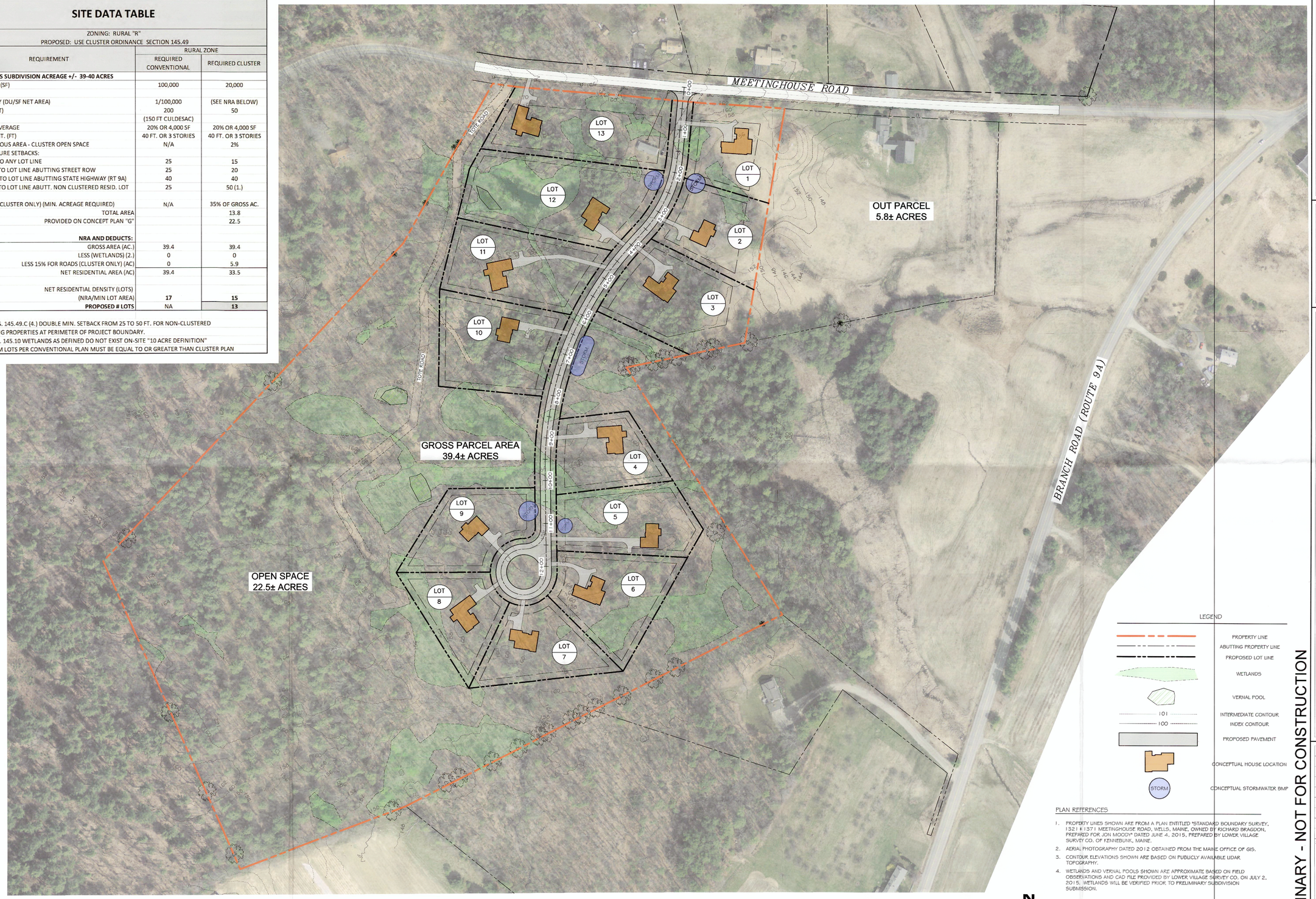
§ 145-49. Residential Cluster Development. [Amended 11-7-2006]			**Application Meet Requirements**			
			Yes	**No**	**NA**	**Comments**
F.	Management of open space. The open space portion of the cluster development site shall be permanently dedicated open space by covenant recorded at the Registry of Deeds and shown on the recorded subdivision plans. No more than 2% of the open space shall be impervious surfaces that are accessory to the proposed use of open space (i.e., roads, parking areas, sheds, etc.), of which total structural coverage shall not exceed 600 square feet. Nonroofed or elevated structures (i.e., walking paths) are allowed. The designated open space shall not be used for additional building lots.		**Y***			**The open space management provisions shall be documented in the homeowner association documents and shall be reviewed by the Town Engineer and Town Attorney upon submission of the final subdivision application.**
	(1)	Prior to the sale of any lots, the open space shall be controlled by one or more of the following methods:				
		(a) Ownership by an association of the owners of the dwelling units within the development;				
		(b) Ownership by an association of the owners of the dwelling units within the development with a conservation easement granted to the Town or recognized conservation organization;				
		(c) Dedication to the Town as public open space; and/or				
		(d) Transfer, with permanent restrictions, to a land trust or other recognized conservation organization.				
	(2)	The developer may structure the control of the common open space in one or more of the above methods. The Planning Board shall approve the arrangements for the ownership, control and maintenance of the common open space as part of the subdivision approval. No changes in use or management of the common open space shall be made without the approval of the Planning Board.				
G.	Homeowners' association management of open space. If the open space will be owned and/or managed by the owners within the cluster development, then a homeowners' association shall be created to own and manage the common lands and facilities. Covenants for mandatory membership in the homeowners' association, setting forth the owner's rights, interest and responsibilities, and providing for the assessment of lots or units to fund common expenses shall be required and approved by the Planning Board and shall be included in the deed for each lot. The documents shall also include a management plan for the common open space and facilities.		**Y***			**The open space management provisions shall be documented in the homeowner association documents and shall be reviewed by the Town Engineer and Town Attorney upon submission of the final subdivision application.**

SITE DATA TABLE

ZONING: RURAL "R"
PROPOSED: USE CLUSTER ORDINANCE SECTION 145.49

REQUIREMENT	RURAL ZONE	
	REQUIRED CONVENTIONAL	REQUIRED CLUSTER
GROSS SUBDIVISION ACREAGE +/- 39-40 ACRES		
MIN LOT SIZE (SF)	100,000	20,000
MAX. DENSITY (DU/SF NET AREA)	1/100,000	(SEE NRA BELOW)
FRONTAGE (FT)	200 (150 FT CULDESAC)	50
MAX. LOT COVERAGE	20% OR 4,000 SF	20% OR 4,000 SF
MAX. BLDG. HT. (FT)	40 FT. OR 3 STORIES	40 FT. OR 3 STORIES
MAX IMPERVIOUS AREA - CLUSTER OPEN SPACE	N/A	2%
MIN. STRUCTURE SETBACKS:		
A. SETBACK TO ANY LOT LINE	25	15
B. SETBACK TO LOT LINE ABUTTING STREET ROW	25	20
C. SETBACK TO LOT LINE ABUTTING STATE HIGHWAY (RT 9A)	40	40
D. SETBACK TO LOT LINE ABUTT. NON CLUSTERED RESID. LOT	25	50 (1.)
OPEN SPACE (CLUSTER ONLY) (MIN. ACREAGE REQUIRED)	N/A	35% OF GROSS AC.
TOTAL AREA		13.8
PROVIDED ON CONCEPT PLAN "G"		22.5
NRA AND DEDUCTS:		
GROSS AREA (AC.)	39.4	39.4
LESS (WETLANDS) (2.)	0	0
LESS 15% FOR ROADS (CLUSTER ONLY) (AC)	0	5.9
NET RESIDENTIAL AREA (AC)	39.4	33.5
NET RESIDENTIAL DENSITY (LOTS) (NRA/MIN LOT AREA)	**17**	**15**
PROPOSED # LOTS	NA	**13**

NOTES:
(1). ZONING S. 145.49.C (4.) DOUBLE MIN. SETBACK FROM 25 TO 50 FT. FOR NON-CLUSTERED ABUTTING PROPERTIES AT PERIMETER OF PROJECT BOUNDARY.
(2). ZONING S. 145.10 WETLANDS AS DEFINED DO NOT EXIST ON-SITE "10 ACRE DEFINITION"
(3). MAXIMUM LOTS PER CONVENTIONAL PLAN MUST BE EQUAL TO OR GREATER THAN CLUSTER PLAN



LEGEND

- PROPERTY LINE
- ABUTTING PROPERTY LINE
- PROPOSED LOT LINE
- WETLANDS
- VERNAL POOL
- 101 — INTERMEDIATE CONTOUR
- 100 — INDEX CONTOUR
- PROPOSED PAVEMENT
- CONCEPTUAL HOUSE LOCATION
- STORM — CONCEPTUAL STORMWATER BMP

PLAN REFERENCES

1. PROPERTY LINES SHOWN ARE FROM A PLAN ENTITLED "STANDARD BOUNDARY SURVEY, 1321 & 1371 MEETINGHOUSE ROAD, WELLS, MAINE, OWNED BY RICHARD BRAGDON, PREPARED FOR JON MOODY" DATED JUNE 4, 2015, PREPARED BY LOWER VILLAGE SURVEY CO. OF KENNEBUNK, MAINE.
2. AERIAL PHOTOGRAPHY DATED 2012 OBTAINED FROM THE MAINE OFFICE OF GIS.
3. CONTOUR ELEVATIONS SHOWN ARE BASED ON PUBLICLY AVAILABLE LIDAR TOPOGRAPHY.
4. WETLANDS AND VERNAL POOLS SHOWN ARE APPROXIMATE BASED ON FIELD OBSERVATIONS AND CAD FILE PROVIDED BY LOWER VILLAGE SURVEY CO. ON JULY 2, 2015. WETLANDS WILL BE VERIFIED PRIOR TO PRELIMINARY SUBDIVISION SUBMISSION.

N

GRAPHIC SCALE
100 0 50 100 200 400
1 inch = 100 ft.

PRELIMINARY - NOT FOR CONSTRUCTION

LICHT ENVIRONMENTAL DESIGN, LLC

WALSH ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

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LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2820, Kennebunkport, ME 04046
Phone: 207-967-3545 e-mail: info@lowervillagesurvey.com

Meetinghouse Road Subdivision

Meetinghouse Road
Wells, Maine

Richard Moody & Sons Construction Co. LLC
Wells, Maine
899 Post Road
Wells, Maine

Rev.	Date	Description	Drawn	Check
1	4/5/16	Submitted For Sketch Plan	SWC	WRW

Sheet Title:
Sketch Plan

Job No.:	298
Date:	Mar 23, 2016
Scale:	1" = 100'
Drawn:	SWC
Checked:	WRW

Sheet No.: 1 of 1

P:\298 - Meetinghouse Road Subdivision - Wells\0 - CADD\298 - Sketch Plan.dwg plot date: 4/7/2016 4:44 PM

LICHT
ENVIRONMENTAL DESIGN, LLC

April 1, 2016

JN 15.077

Received 4-5-2016

Mr. Mike Livingston, PE, Town Engineer
Town of Wells
P.O. Box 398
Wells, Maine 04090

Proposed Meetinghouse Road, Cluster Subdivision
Pre-Application Sketch Plan Submission
(Assessors Map 77 Parcels 22)

Dear Mike and Members of the Planning Board:

On behalf of our client, Richard Moody & Sons Construction Co., LLC we are pleased to provide the enclosed Subdivision Pre-Application Sketch Plan Application materials for a proposed 13-lot cluster subdivision located at 1321 Meetinghouse Road. This Pre-Application submission includes 12 copies of the following:

- Cover Letter
- Application Form and Fee
- Pre-Application Abutter List and Notification Form
- Exhibit-1 U.S.G.S. Quad Locus Map
- Exhibit -2 Zoning Map
- Exhibit -3 Assessors Map
- Sketch Plan – Conventional Subdivision (reduced copy)
- Sketch Plan - Cluster Subdivision 13 Lots dated 04-01-16

1. Introduction:

The applicants are proposing the development of a 13-lot residential single family subdivision on the former property of Richard Bragdon located at 1321 Meetinghouse Road. The project is proposed as a 13-lot cluster single-family subdivision in accordance with the Town of Wells Land Use Code, Chapter 145-49 and Subdivision Regulations. Our project team consists of:

- Licht Environmental Design, LLC – Project Planning and Engineering
- Walsh Engineering Associates – Engineering
- Lower Village Survey Company – Survey and Wetlands Mapping
- Joseph Noel, -Soils, Subsurface Wastewater Disposal and Wetlands Mapping

2. Existing Conditions:

The property is located on the southerly side of Meetinghouse Road and westerly of Branch Road (Route 9A). The former Bragdon farmstead has been broken off from the original 45+/- acre parcel, formerly of Richard Bragdon, to create a 5.77 acre out parcel. The remaining 39.4 acres are proposed for

development as a 13-lot subdivision. The property includes an existing trailer and driveway which will be removed.

The site location is shown on *Exhibit 1*. The neighborhood in general contains a mix of residential homes, farmland and undeveloped woodlands. The site contains open fields and wooded areas near Meetinghouse Road and transitions into a mixed pine and hardwood forest further south into the site. Several old tote roads cross the property from apparent former harvesting and thinning operations. Topography is gently rolling to level terrain with several wetland drainages flowing generally to the southeast which eventually cross under Route 9A culverts further offsite to the southeast.

The site is serviced by overhead electric and cable utilities and will require on-site wells and subsurface wastewater disposal systems. Fire protection will be reviewed with the Fire Chief to determine options to supply the development in accordance with Chapter 202-12 fire protection standards.

Meetinghouse Road is a local road with 22 feet of recently improved travel surface and 2.5 - 3 foot gravel shoulders and roadside drainage swales.

Site soils as mapped by the Natural Resource Conservation Service (NRCS) are generally outwash tills and vary from Adams fine sandy loam, Croghan sandy loam and Naumburg sands which predominate the central and southwestern areas of the site to Raynham and Scio silt loams located in the northern and eastern areas. The soils appear very suitable for the proposed development. On-site soil tests will be performed during the design process to verify specific areas for subsurface wastewater disposal and road and infrastructure design.

Wetlands have been delineated by Joseph Noel, CSS and are shown on the attached Sketch Plan. Wetlands are generally identified with onsite drainages and isolated pockets in the upper elevations. Vernal pool mapping has been performed and reviewed on site with the Maine Department of Environmental Protection (DEP) and U.S. Army Corps of Engineers. Three non-significant vernal pools are located in the western portions of the site which will be provided with buffers to meet DEP and Corps standards. No DEP streams exist onsite.

2. Zoning and Net Residential Density:

The property is located in the Rural (R) Zoning District, *(Exhibits 2 and 3)*. Minimum conventional lot sizes in this district are 100,000 s.f. with 200 feet of frontage. The proposed development will utilize the Land Use Ordinance Chapter 145-49 cluster provisions to provide significant open space in a "conservation style" subdivision.

The Net Residential Acreage (NRA) and Net Residential Density (NRD) calculations are shown on the attached Sketch Plan Site Data table. The NRD allows 15 lots and 13 are proposed. A conventional subdivision plan is attached demonstrating that 13 lots could also be created using the standard or conventional zoning standards.

3. Subdivision Proposal:

The development proposes a 1,400 +/- lineal foot, 24-foot wide paved roadway and 50 foot right of way ending in a cul-de-sac. The overall design concentrates the lots in upland areas with several road

35 Fran Circle, Gray, Maine 04039 • rlicht@securespeed.net • V 207.749.4924 F 207.428.4167

wetland crossings at areas selected to minimize impacts. The layout provides for optimal building areas within both wooded and meadow areas. The cluster ordinance requires that a minimum of 35% of the gross acreage be set aside in conservation open space. The project proposes open space areas of 22.5 acres or over 56% of the gross acreage - well exceeding the minimum requirements of 35%. A homeowners' association is anticipated to be created to control and manage the open space, however the final vehicle for maintaining the open space (i.e. association, conservation easement, etc.) will be determined during the design process.

Minimum required cluster lot areas are 20,000 s.f. (0.46 acres) and minimum frontage of 50 feet. The proposed development lots range from approximately 0.8 to 1.7 acres and most frontages are well over 100 feet. A minimum 50-foot buffer or building setback has been maintained between any external property line and the adjacent properties in accordance with Chapter 145-49 C.(4).

Lot 13 is proposed with a driveway located off Meetinghouse Road rather than from the internal subdivision road to both provide wetland protection and buffers and to take advantage of an excellent building site on the western side of Lot 13 which has been used as a logging yard in the recent past. We would request that the Planning Board and Road Commissioner approve this lot with a driveway from the main roadway due to the specific site conditions of Lot 13.

Sight distances were measured in the field by Licht Environmental Design, LLC (LED) in accordance with Chapter 201-11.B (3.)(b.) standards. With a 35 mile per hour posted speed limit, 350 feet of sight distance is required. The following sightlines are provided at the main road intersection with Meetinghouse Road and at the proposed Lot 13 driveway:

- Proposed Subdivision Roadway: Looking Left (west) – 640+ ft.
  Looking Right (east) – 1000+ ft.

- Proposed Lot 13 Driveway: Looking Left (west) – 400+ ft.
  (From approx. 70 feet east of property corner) Looking Right (east) – 700+ ft.

Both locations exceed the Town sight distance requirements.

As noted above there are several minor wetland crossings which are estimated preliminarily to create approximately 7,000 – 8,000 s.f. of wetland impacts requiring the filing of a DEP Natural Resources Protection Act (NRPA) Tier 1 wetland permit application. Final impacts may vary based on detailed engineering design. The project would incorporate stormwater facilities and BMP's throughout the project to meet local and DEP Stormwater requirements.

In summary the proposed cluster subdivision is being proposed on a 39.4 acre parcel in accordance with Land Use Code Chapter 145-49 and would provide 13 lots all exceeding minimum lot area requirements. The development would create a 1,400 lineal foot subdivision roadway and cul-de-sac and 22.5 acres of preserved open space.

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We look forward to meeting with the Board at the April 18th Planning Board meeting to discuss the application proposal and schedule a site walk. In the meantime, should you have any questions or comments on the project please do not hesitate to contact me.

Sincerely,

Frederic (Rick) Licht, PE, LSE
Principal

Encl: As noted

Cc: Jon Moody, Josh Moody – R. Moody & Sons Construction Co., LLC
Leon Blood, Lower Village Survey Company
Silas Canavan, Walsh Engineering Assoc.
J.W. Noel, Wetland Scientist

35 Fran Circle, Gray, Maine 04039 • rlicht@securespeed.net • V 207.749.4924 F 207.428.4167

TOWN OF WELLS, MAINE
PLANNING BOARD

P.O. Box 398, 208 Sanford Road,
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-2935
Website: www.wellstown.org

Received
4-5-2016

SUBDIVISION PRE-APPLICATION - §202-6

1. Property Owner (of land to be divided): Richard Moody & Sons Construction Co., LLC

   Mailing Address: 899 Post Road

   Wells, ME 04090

   Telephone: 207-646.6194 Fax: 207-646-4519

   Email Address: jon@rmoodyconstruction.com

2. Applicant (if different from owner): (Same)

   Mailing Address: (Same)

   Telephone: (207) 646-6194 Fax: (207) 646-4519

   Email Address: jon@rmoodyconstruction .com

3. Agent (Engineer, Surveyor, etc): Frederic (Rick) Licht, PE, LSE
   Licht Environmental Design, LLC

   Mailing Address: 35 Fran Circle

   Gray, Maine 04039

   Telephone: (207) 749-4924 Fax: (207) 428-4167

   Email Address: rlicht@securespeed.net

4. Assessor's Tax Map Number(s): 77 Lot Number : 22 (of land to be divided)

5. Subdivision Location (street address): 1321 Meetinghouse Road

6. Acres to be subdivided: 39.4+/- Number of proposed lots or dwelling units: 13

7. Zoning District(s): Rural (R)

8. Shoreland Overlay District(s): No
9. Existing Land Use: Wooded Land and outparcel –former farmstead

10. Description of proposed subdivision or amendment:

Develop property as 13 lot cluster subdivision with approximately 22.5+/- acres of open space and approximately 1,200 lineal feet of roadway and cul-de-sac.

CERTIFICATION: To the best of my knowledge, all information submitted on this subdivision plan and with my application is true and correct.

Signature of Applicant — Date: 3/31/16

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE PREAPPLICATION FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- **To be submitted with a subdivision pre-application form** (See §*202-6)*

Submitted	Not Submitted	Preapplication form shall be accompanied by
X		A sketch plan shall show, in simple sketch form, the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan, which may be a freehand penciled sketch, should be supplemented with general information to describe or outline the existing conditions of the site and the proposed development.
X		A sketch plan superimposed on or accompanied by a copy of the Assessor's map(s) on which the land is located.
X		A copy of the Assessor's map(s) on which the land is located
X		A copy of a portion of the USGS topographic map of the area showing the outline of the proposed subdivision, unless the proposed subdivision is less than 10 acres in size.
X		A list of names and addresses of abutters to the proposed project and certification that notices describing the proposed project have been sent or delivered by the applicant to the abutters. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records, and the notice and certification form shall be supplied by the Office of Planning and Development

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

CERTIFICATION OF ABUTTER NOTIFICATION FOR A SUBDIVISION PRE-APPLICATION

Project Name: MEETINGHOUSE ROAD SUBDIVISION

Street Address of Project: 1321 Meetinghouse Road

Map/ Lot # of Project: Map-77 Lot 22

As part of the submission requirements for a subdivision pre-application that will create new lots or dwelling units, the application shall be accompanied by a list of names and addresses of abutters to the proposed project and certification that notices describing the proposal, in a form specified by the Town, have been sent or delivered by the applicant to the abutters and to the Town Planning Department. Abutter information shall be obtained from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*] **The applicant is responsible for notifying the Town and abutters of the subdivision preapplication.**

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
Town of Wells Planning Department	208 Sanford Rd, P.O. Box 398 Wells, Maine 04090		
	See Attached Abutters List Sheet		

I hereby certify that on or before 4-4-16 **the listed abutters and the Wells Planning Department were sent or delivered notification of the proposed subdivision pre-application or amendment using the form supplied by the Town.**

agent

Signature of Applicant
(provided to Town to mail to abutters)

4-4-16
Date

12-19-07
Subdivision Pre-Application Form

Attach extra pages as necessary

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

SUBDIVISION PRE-APPLICATION ABUTTER NOTIFICATION

*This Subdivision Pre-Application Notice to abutters is required to be **mailed by the applicant** to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Subdivision Pre-Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court." §202-15

Property Owner (of land to be divided): Richard Moody & Sons Construction Co. LLC

Owner's Mailing Address: 899 Post Road, Wells Maine 04090

Applicant's Name: Richard Moody & Sons Construction Co., LLC

Applicant's Mailing Address: 899 Post Road, Wells, Maine 04090

Applicant's Signature: _____

Assessor's Tax Map Number: Map 77 Lot 22 **(of land to be divided)**

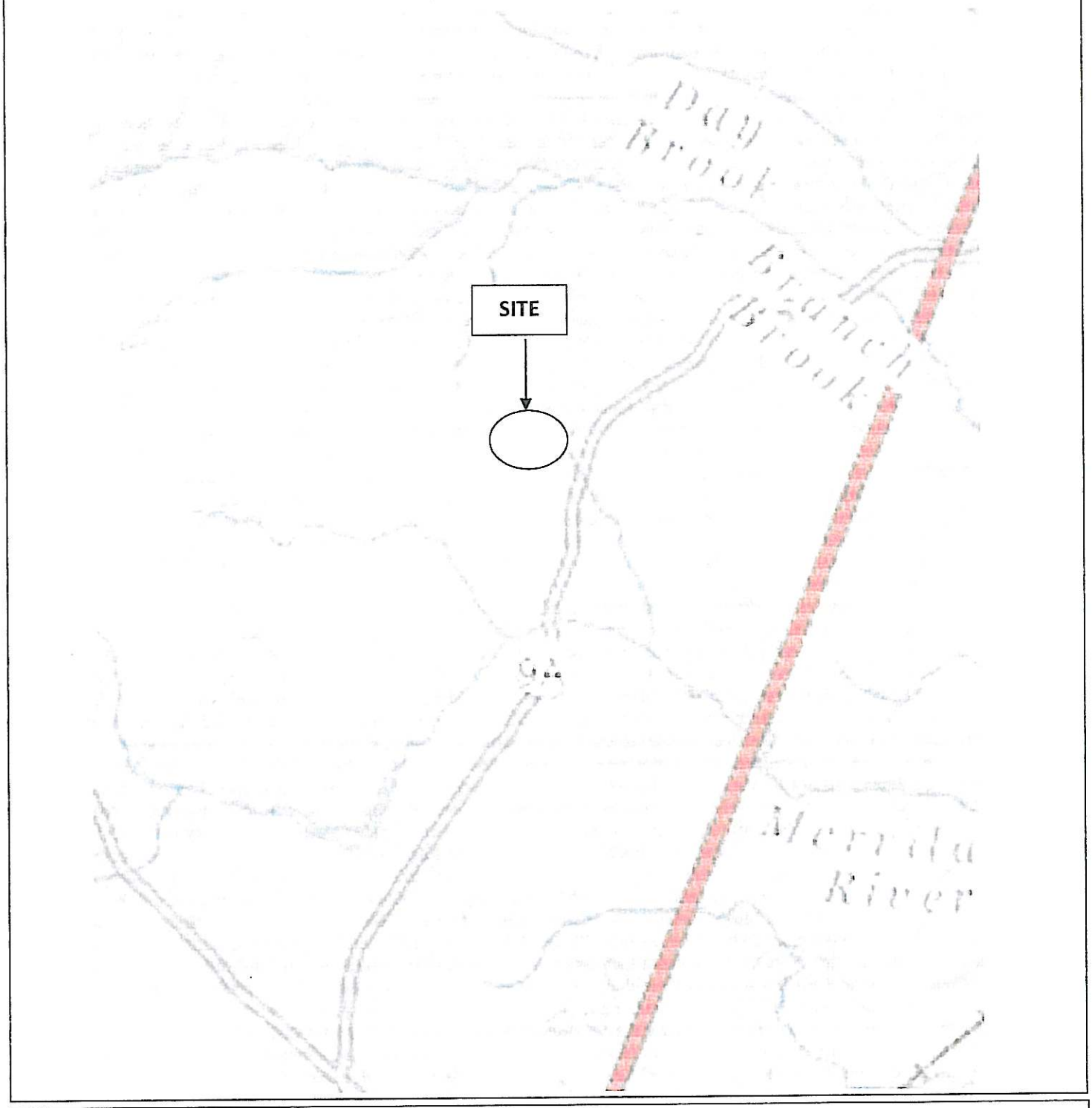
Subdivision Location (street address): 1321 Meetinghouse Road

Acres to be subdivided: 39.4+/- **Number of proposed lots or dwelling units:** 13

Zoning District(s): Rural (R)

Description of Proposal: Proposed 13 Lot Cluster Subdivision with 22.5+/- acres of open space..

REFERENCE : USGS, Wells Quadrangle, 7.5 Minute Series, 1956



PREPARED FOR:

1321 Meetinghouse Rd.
Wells ME 04090

TITLE:

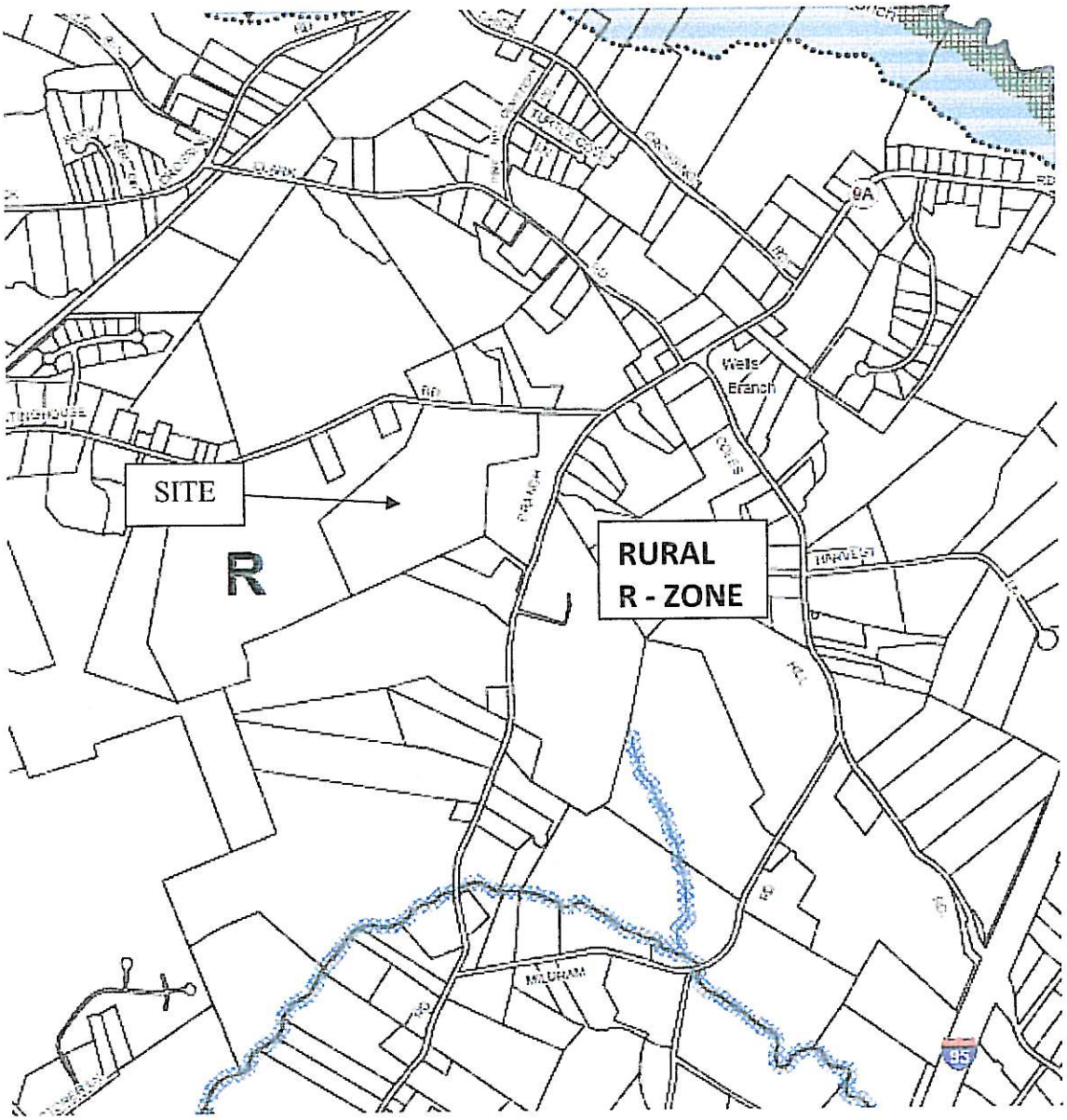
USGS Locus Map

LICHT
ENVIRONMENTAL DESIGN, LLC

DATE: 04/2016 SCALE: 1"=1000' JOB NO: 15.077

Exhibit 1

REFERENCE : Wells Zoning Map Amended 2012



PREPARED FOR:

MEETINGHOUSE ROAD SUBDIV.
1321 MEETINGHOUSE ROAD
WELLS, MAINE

TITLE:

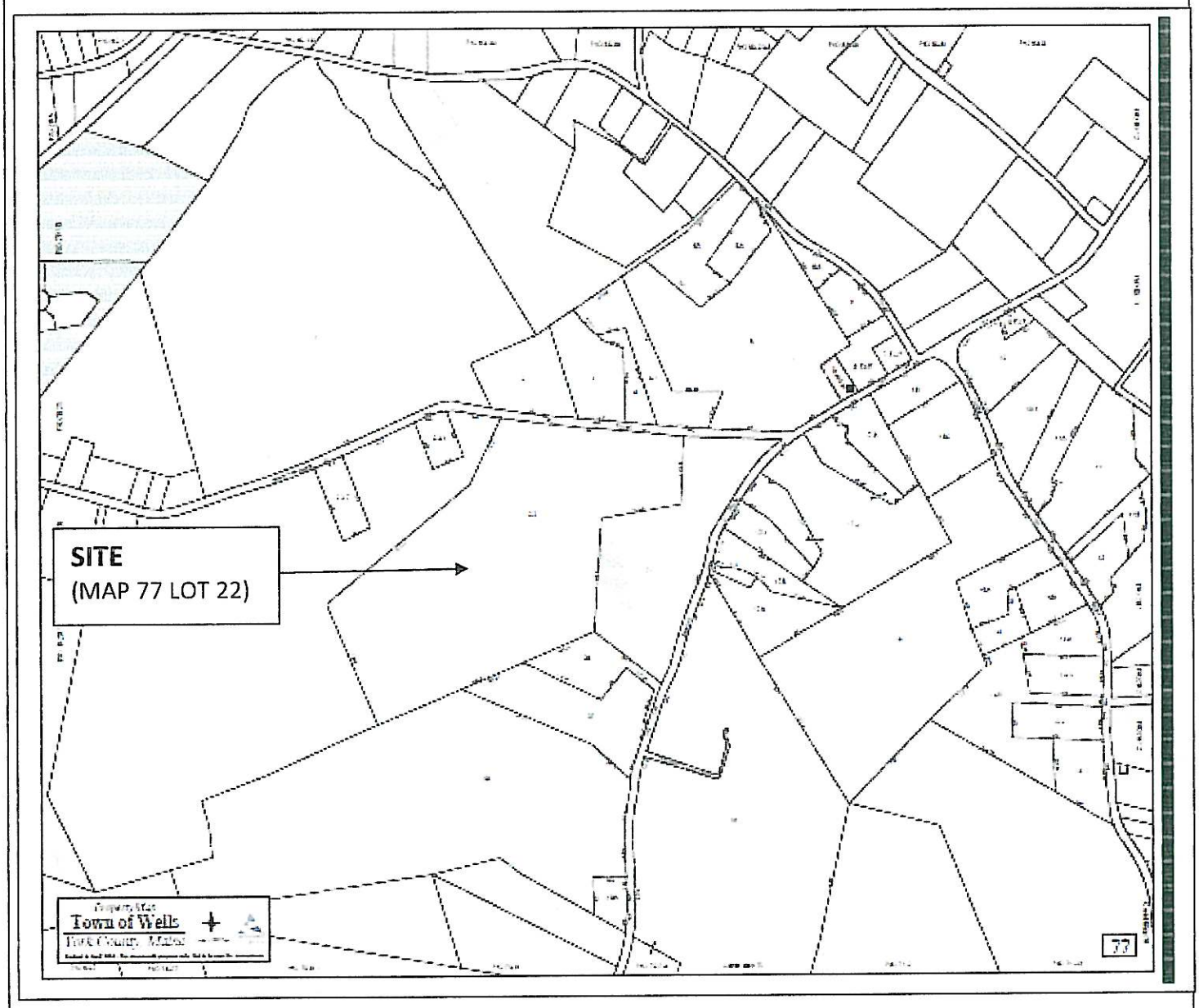
Zoning Map

LICHT
ENVIRONMENTAL DESIGN, LLC

Exhibit 2

DATE: 04/2016 SCALE: 1"=1000' JOB NO: 15.77

REFERENCE : Wells Assessors Map 77



PREPARED FOR:

MEETINGHOUSE ROAD SUBDIV.
1321 MEETINGHOUSE ROAD
WELLS, MAINE

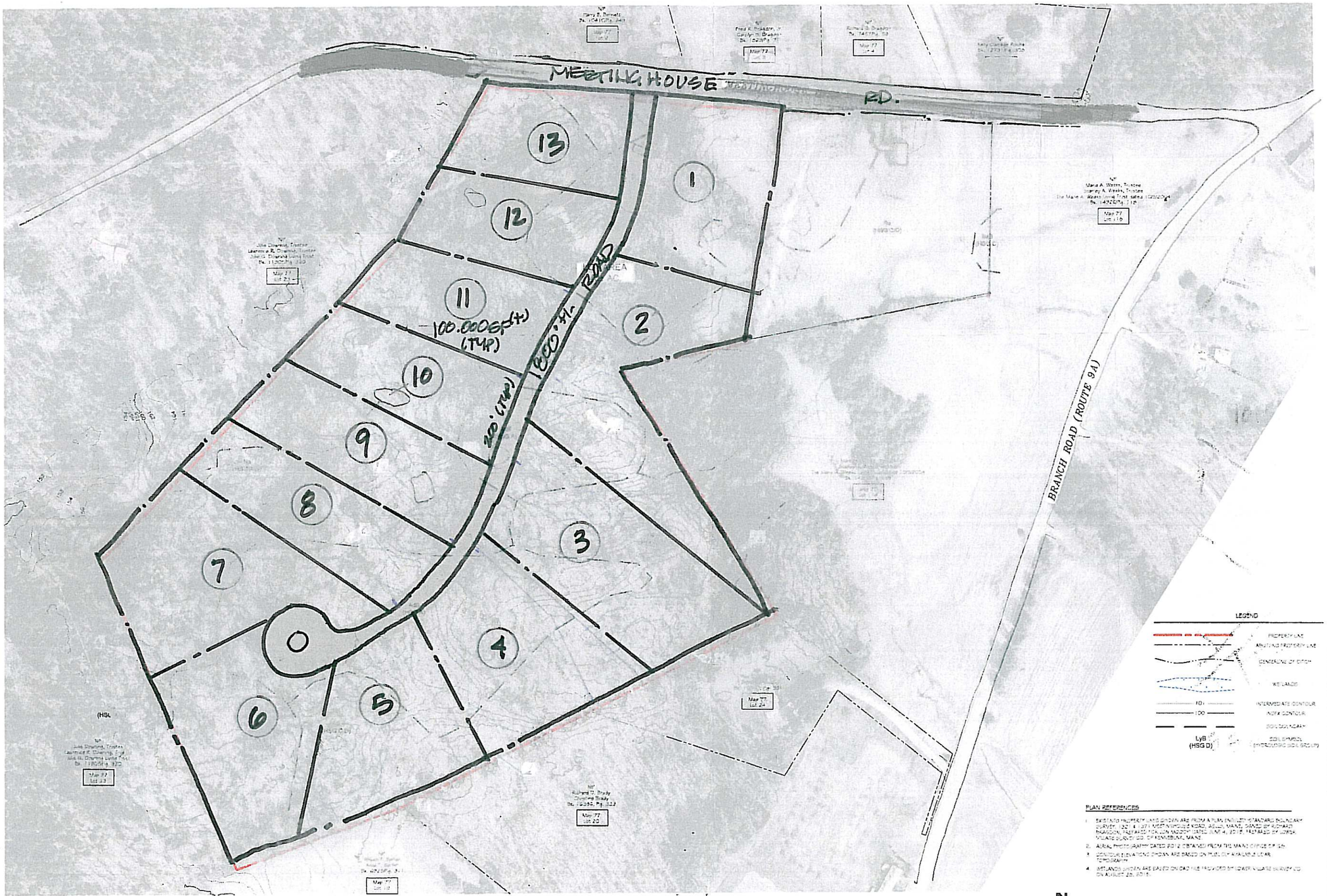
TITLE:

Assessors Map
(Map 77 Lot 22)

LICHT
ENVIRONMENTAL DESIGN, LLC

DATE: 04/2016 SCALE: NTS JOB NO: 15.77

Exhibit 3



LICHT ENVIRONMENTAL DESIGN, LLC

WALSH ENGINEERING ASSOCIATES, INC.

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Ph: 207.553.9938 | www.walsh-eng.com

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PRELIMINARY - NOT FOR CONSTRUCTION

CONVENTIONAL PLAN - 13 LOTS

Meetinghouse Road
Wells, Maine

Richard Moody & Sons Construction Co. LLC
Wells, Maine

Rev	Date	Description	Drawn	Check
X	X	X	X	X

Sheet Title

SKETCH PLAN

Job No.	298
Date:	Sept. 1, 2015
Scale:	1" = 100'
Drawn:	SWC
Checked:	WRW

Sheet No.

1 of 1

Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

Michael G. Livingston, Town Engineer/Planner	*mlivingston@wellstown.org*
Shannon M. L. Belanger, Planning Assistant	*sbelanger@wellstown.org*

Minor Subdivision Amendment Application Memo

Date: April 13, 2016

To: Planning Board

From: Planning Office

Re: Pettinga Subdivision Amendment - Map 63, Lot 29-A

Project Description:

Judith and Peter Pettinga have submitted a Minor Subdivision Amendment Application for a parcel of land identified as Map 63, Lot 29-A, which is further identified as Lot C within the Phyllis A. Foster Subdivision. The parcel is 4.67 acres and the owner proposes to divide the lot into a 2.35 acre lot for the existing single family dwelling and a 2.32 acre lot for a single family dwelling. Lot 29-A to have street frontage off of Branch Road/ Route 9A and Burnt Mill Road and proposed lot 29-A-2 to have street frontage off of Burnt Mill Road. The parcels are located within the Rural District. The parcels are to be served by on-site subsurface wastewater disposal systems and on-site drilled wells.

§ 202-7. Final plan for minor subdivision.

B. Procedure.

(1) Within six months after the on-site inspection by the Board, the subdivider shall submit an application for approval of a final plan at least 10 days prior to a scheduled meeting of the Board. Failure to do so shall require resubmission of the sketch plan to the Board. The final plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Board. **[Amended 7-11-1996]** **Site Walk to be determined**

(2) All applications for final plan approval for a minor subdivision shall be accompanied by an application fee in the amount established by the Board of Selectmen, following notice and a public hearing, and payable by check to the municipality. **[Amended 7-9-2002; 4-16-2004]** **Application fee and escrow have been submitted as requested.**

(3) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **PB scheduled to receive minor app on 4/18/16**

(4) Within 20 days of the Board meeting at which the application is received, the Board shall notify by certified mail all owners of abutting property and the Town Clerk and Planning Board of any municipality that abuts or includes any portion of the proposed subdivision that an application for subdivision approval has been submitted. The notice shall include the location of the proposed subdivision and a general description of the proposed development. The notice shall be mailed no less than seven days prior to the Board commencing review of the plan. **[Amended 7-9-2002]** **To be determined**

(5) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **YES**

(6) Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. **[Amended 3-24-1997]** **To be determined**

(7) The Board shall hold a public hearing within 30 days of determining that a complete application has been received and shall publish notice of the date, time and place of the hearing in a newspaper of general circulation in the municipality at least two times, the date of the first publication to be at least seven days prior to the hearing. **To be determined**

(8) Within 30 days of a public hearing or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, the Board shall make findings of fact on the application and approve, approve with conditions or deny the final plan. The Board shall specify in writing its findings of facts and reasons for any conditions or denial. **To be determined**

C. Submissions:

(1) The subdivision plan for a minor subdivision shall consist of a reproducible, stable-based transparent original and three copies 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 100 acres may be drawn at a scale of not more than 200 feet to the inch, provided all necessary detail can easily be read. 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 lines on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be provided for endorsement by the Board. Twelve bound copies of all information accompanying the plan and plans not larger than 11 inches by 17 inches shall be submitted. **To be determined – see review checklist comments**

Recommendations and conclusions:

1. The Planning Board should motion to receive the minor subdivision amendment application.
2. The Planning Board should consider scheduling a site walk of the property.
3. The Planning Office offers the following initial completeness review comments:
    a. Minor note and plan recommendations to be addressed
    b. Is there forested wetland on proposed lot C-1?
    c. A letter from IF&W has not been provided, no special habitat areas identified on published maps.
    d. Existing septic and well locations on Lot C and abutting properties not identified. These locations may affect the possible areas for proposed Lot C-1's well/ septic locations.
    e. Will there be a proposed driveway location?

f. Abutting mobile home on Map 63, Lot 30 close to the property line.

Project Name/District:	Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Article V District Regulations

A. Purpose.

The purpose of the Rural District is to maintain the open, rural character of the land within the district. Open uses of the land, such as forestry and agricultural uses, should be encouraged and large-scale residential uses discouraged. Residential development should be clustered so that significant areas of the development can be maintained as open space and, where applicable, used to buffer the development from existing Town ways.

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:					
	(1)	Animal husbandry.			**NA**	
	(2)	Agriculture.			**NA**	
	(3)	Cemetery having an area less than 20,000 square feet and containing no buildings.			**NA**	
	(4)	Dwelling, one-family. (See also § 145-55)	**Y**			A Single family dwelling unit exists on lot 29-A. A single family dwelling unit is proposed on lot 29-A-2.
	(5)	Dwelling, two-family.			**NA**	
	(6)	Dwelling, multifamily. (See also § 145-48)			**NA**	
	(7)	Recreation, passive.			**NA**	
	(8)	Timber harvesting.			**NA**	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:					No such use exists or is proposed on the parcel.
	(1)	Bed and breakfast/small inn (See also § 145-52)			**NA**	
	(2)	Cemetery larger than 20,000 square feet in area.			**NA**	
	(3)	Church.			**NA**	
	(4)	Club.			**NA**	
	(5)	Congregate care facility, in areas served by public water and sewer. **[Added 6-8-2010]**			**NA**	

Project Name/District: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A Date of Review: 04/13/16

Prepared By: Office of Planning & Development Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(6)	Day-care home.			NA	
	(7)	Day-care center/ nursery school.			NA	
	(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. **[Added 4-14-2000; amended 11-5-2002]**			NA	
	(9)	Kennel.			NA	
	(10)	Mineral extraction. (See also § 145-53)			NA	
	(11)	Municipal facility.			NA	
	(12)	Museum having a gross floor area less than 5,000 square feet.			NA	
	(13)	Neighborhood convenience store.			NA	
	(14)	Public utility facility.			NA	
	(15)	Recreation, active.			NA	
	(16)	Recreation, low-intensity commercial.			NA	
	(17)	Restaurant (standard) containing fewer than 75 seats.			NA	
	(18)	Sawmill.			NA	
	(19)	School, public and private.			NA	
	(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. **[Added 4-18-1995]**			NA	
	(21)	Tent and recreational vehicle park.			NA	
	(22)	Transmission tower, radio.			NA	

Project Name/District: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A Date of Review: 04/13/16

Prepared By: Office of Planning & Development Company Name: Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.			**Y**			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.			**Y**			
F.	Dimensional requirements.						
	(1)	Minimum lot size:					
		(a)	One hundred thousand square feet of net area.	**Y***			See note 5. Parcels are proposed to meet the 100,000 SF in **net area** minimum lot size requirement.
		(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			**NA**	Not served by public sewer or east of the turnpike
	(2)	Maximum density: **[Amended 4-28-1995]**					
		(a)	One dwelling unit for each 100,000 square feet of net area.	**Y***			See note 5. **Maximum** density is 100,000 SF of **net area per dwelling unit**
		(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.			**NA**	Not served by public sewer or east of the turnpike
		(c)	Four housekeeping cottages or seasonal cottages per acre of net area.**[Amended 4-12-2003; 6-13-2006** *Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.*			**NA**	No cottage units exist or are permitted on this parcel.

Project Name/District: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A Date of Review: 04/13/16

Prepared By: Office of Planning & Development Company Name: Town of Wells

§ 145-30. Rural District.					Application Meet Requirements			
					Yes	No	NA	Comments
	(3)	Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.			**Y**			**Minimum street** frontage required is noted (see note 5). Proposed street frontage for lot 29-A exceeds 200 feet. Proposed street frontage for proposed lot 29-A-2 exceeds 200 feet.
	(4)	Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.			**Y***			**Maximum lot** coverage is noted (see note 5) as 20%.
	(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)			**Y***			**Maximum building** height is noted (see note 5).
	(6)	Setbacks.						
		(a)	All structures shall be at least:					**Structures shall meet these requirements.**
			[1]	Twenty-five feet from any lot line.	**Y***			Setbacks noted. **Setbacks to be depicted.**
			[2]	Twenty-five feet from any lot line abutting any street right-of-way.	**Y***			Setbacks noted. **Setbacks to be depicted.** The existing dwelling on lot 29-A does not meet the setback requirements from Route 9A or Burnt Mill Rd and is grandfathered in this nonconformity.
			[3]	Forty feet from any lot line abutting the right-of-way of any state highway.	**Y***			Setbacks noted. **Setbacks to be depicted.** The existing dwelling on lot 29-A does not meet the setback requirements from Route 9A or Burnt Mill Rd and is grandfathered in this nonconformity.
			[4]	Twenty-five feet from the boundary of any cemetery.	**Y***			**Setback to be noted.**

Project Name/District: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A Date of Review: 04/13/16

Prepared By: Office of Planning & Development Company Name: Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.			**NA**	Parcel does not abut such rivers or brooks.
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site.**[Added 6-13-2006** *Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.*			**NA**	No such uses exist or are permitted on the parcel.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Cluster residential development.				**Y**			145-13 applies to the existing dwelling on lot 29-A as it does not meet the setback requirements from Route 9A or Burnt Mill Rd.
G.	Special provisions. All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.					**NA**	A residential subdivision is proposed. The division of Lot "C" creates a total of 4 lots/dwellings. A multitfamily or cluster development is not required.

Project Name/Map & Lot #:	Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A	District:	Rural
Prepared By:	Office of Planning & Development	Review Date:	4/13/16
Plans Dated:	3/8/2016	Final Plan Revisions Submittal Date:	4/5/16

Chapter 202
Subdivision of Land

§ 202-7. Final plan for minor subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
B.	Submissions.						
	(1)	The subdivision plan for a minor subdivision shall consist of a reproducible, stable-based transparent original and three copies 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 100 acres may be drawn at a scale of not more than 200 feet to the inch, provided all necessary detail can easily be read. 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 lines on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be provided for endorsement by the Board. Twelve bound copies of all information accompanying the plan and plans not larger than 11 inches by 17 inches shall be submitted.	**Y**				Plans provided. Scale is 1” = 60’.
	(2)	The application for approval of a minor subdivision shall include the following information:					
		(a) Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	**Y***				Lot C is to be Map 63, Lot 29-A; and Lot C-1 is to be Map 63, Lot 29-A-2) **Map and lot numbers to be assigned/confirmed by the Town Assessor’s Office**
		(b) A field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	**Y***				See survey notes. **Notes 7, 8, and 9 are not necessary on the subdivision plan but can remain.** **Final mylar to have a surveyor stamp and signature.**
		(c) A copy of the deed from which the survey was based and a copy of all deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	**Y**				Book 12837, Page 231 provided.

Project Name/Map & Lot #:	Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A	District:	Rural
Prepared By:	Office of Planning & Development	Review Date:	4/13/16
Plans Dated:	3/8/2016	Final Plan Revisions Submittal Date:	4/5/16

§ 202-7. Final plan for minor subdivision	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(d) A copy of any deed restrictions intended to cover all or part of the lots in the subdivision.			**NA**		None identified.
(e) Indication of the type of sewage disposal to be used in the subdivision.					
[1] When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District stating that the district has the capacity to collect and treat the wastewater shall be provided.			**NA**		Not served by public sewer.
[2] When sewage disposal is to be accomplished by subsurface wastewater disposal systems, test pit analyses prepared by a licensed site evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.	**Y***				A test pit log for the proposed lot provided by **? (cannot read name of site evaluator on copy provided).** No restrictive factor to 42" depth. **Approximate location of existing septic system and well on lot 29-A-2 needs to be depicted.** **Approximate location of septic systems and wells on abutting lots 30 and 30-1 not identified. See recommended note 13.**
(f) Indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by the Kennebunk, Kennebunkport and Wells Water District, a written statement from the district shall be submitted indicating that there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary. Where the district's supply line is to be extended, a written statement from the Fire Chief stating approval of the location of fire hydrants, if any, shall be submitted.	**Y***				**Subdivision plan must note that the proposed lot shall be served by an on-site drilled well. See recommended note 12.**
(g) The date the plan was prepared, North point (identified as true or magnetic), graphic map scale, names and addresses of the record owner, subdivider and individual or company who or which prepared the plan and the names of adjoining property owners.	**Y***				**Abutters on the north side of Route 9A are missing.**

Project Name/Map & Lot #:	Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A	District:	Rural
Prepared By:	Office of Planning & Development	Review Date:	4/13/16
Plans Dated:	3/8/2016	Final Plan Revisions Submittal Date:	4/5/16

§ 202-7. Final plan for minor subdivision	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(h) A copy of the portion of the county soil survey covering the subdivision.	Y				Provided.
(i) Contour lines at the intervals specified by the Planning Board, showing elevations in relation to mean sea level.				W*	**Applicant requests a waiver. Planning Board to make a determination after the site walk is held.**
(j) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	Y*				**A note is recommended to be added to the subdivision plan stating the subdivision is not located within a flood zone.**
(k) A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and the subdivision has an average density of less than 100,000 square feet per dwelling unit.			NA		Lots not served by public sewer. Average density is slightly higher than 100,000 SF per dwelling unit. A hydrogeologic assessment is not required.
(l) The location of any wetlands, streams, rivers, brooks or ponds located within or adjacent (within 75 feet) to the proposed subdivision.		N			**Wooded/forested wetland may exist on proposed lot? Plan does not identify wetland areas.**
(m) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.		N			**A letter from IF&W not provided. Applicant may request a waiver.**

TOWN OF WELLS, MAINE

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-2935
Website: **www.wellstown.org**

Amendment ✓
(Revision involves creation of less than 4 lots/dwellings and no new roads)

New _____

For Office Use Only

Fees Paid ✓
$250.00

Received 4-5-2016

MINOR SUBDIVISION APPLICATION - §202-7

1. Project/Subdivision Name: AMENDED SUBDIVISION PLAN (MINOR)

2. Property Owner: JUDITH & PETER PETTINGA

   Mailing Address: 433 BRANCH ROAD
   WELLS, ME 04090

   Telephone: 207-409-9085 Fax: _____

   Email Address: PPETTINGA@yahoo.com

3. Applicant/Agent (if different from owner): _____

   Mailing Address: _____

   Telephone: _____ Fax: _____

   Email Address: _____

4. Engineer or Surveyor who prepared plan: MIDDLE BRANCH, LLC

   Mailing Address: P.O. BOX 618
   ALFRED, ME 04002

   Telephone: 207-324-8712 Fax: 207-324-6100

   Email Address: surveyorsa@gwi.net

5. All correspondence should be sent to:
   (specify one of the above) OWNER

6. Assessor's Tax Map Number: 63 Lot Number: 29-A (of land to be divided)

7. Is applicant a Maine-licensed corporation? ☐ Yes ☒ No (if yes, attach copy of license)

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?

OWNER

9. What interest does the applicant have in any abutting property?

NONE

10. Location of Property:
Street Address (approx.) 433 BRANCH ROAD
Book 12837 Page 231 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: RURAL DISTRICT

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? ☐ Yes ☑ No

13. Total Acreage: 4.67 ACRES Acreage to be developed: 2.32

14. Indicate the nature of any restrictive covenants to be place in the deeds:

15. Has this land been part of a prior approved subdivision? ☑ Yes ☐ No
Or other divisions within the past 5 Years? ☐ Yes ☑ No
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

16. Identify existing use(s) of land, (farmland, woodlot, etc.)

RESIDENTIAL

17. Does the parcel include any water bodies? ☐ Yes ☑ No

18. Is any portion of the property within a special flood hazard area as idenitifed by the Federal Emergency Management Agency? ☐ Yes ☑ No

19. Number of lots or dwelling units exising: 5 LOTS / 2 DWELLINGS and
Number of lots or dwelling units proposed: 6 LOTS / 3 DWELLINGS.

20. Does this development require extension of public infrastructure? ☐ Yes ☑ No
If yes, which type of structure?

☐ roads ☐ storm drainage ☐ sidewalks
☐ water lines ☐ fire protection equipment ☐ sewer
☐ If other, please state

21. Estimated cost for infrastructure improvements: $ N/A

22. Identify method of water supply to the proposed development:

☑ individual wells
☐ central well w/ distribution lines
☐ connection to public water system
☐ If other, please state alternative_____

23. Identify method of sewage disposal to the proposed development:

☑ individual septic tanks
☐ connection to public sewer system
☐ central on site disposal with distribution lines
☐ If other, please state alternative_____

24. Identify method of fire protection for the proposed development: NONE PROPOSED

☐ hydrants connected to the public water system
☐ dry hydrants located on an existing pond or water body
☐ existing fire pond
☐ If other, please state alternative (for example, individual sprinklers)_____

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? ☑ Yes ☐ No
If yes, list them and state the reasons for the request:
CONTOURS

CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.

Signature of Applicant / Judith F Kellogg 4/5/16
Date

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT APPLICATION FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- **To be submitted with a subdivision amendment application form** (*See §202-10*)

Submitted	Not Submitted	Subdivision Amendment form shall be accompanied by
✓		A copy of the approved plan, as well as 11 copies of the proposed revisions.
✓		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
✓		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
		Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

MINOR SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST *(This Checklist MUST be submitted)*

Project Name: _____ **Applicant:** _____

Checklist Prepared By: _____ **Date:** _____
Checklist Reviewed By: _____ **Date:** _____

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

		Response (Please check applicable box)			
Code Section	***I. General***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7B.1	An application for final approval has been submitted within 6 months after the on-site inspection by the Board		✓		
202-7B.2	The application for final approval for a minor subdivision is accompanied by a FEE determined by the Board ($150 per proposed dwelling/lot); the fee for a minor subdivision amendment is $100 base fee plus $150 per lot or dwelling proposed)		✓		
202-7C.1	Minor Subdivision plan submissions shall consist of a reproducible, stable-based transparent original and three copies of one or more maps or drawings		✓ FOR FINAL		
202-7C.1	Plans are drawn to scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 100 acres may be drawn at a scale of not more than 200 feet to the inch.	✓			
202-7C.1	Plan shall be no larger than 24 inches by 36 inches in size.	✓			
202-7C.1	Plans shall have a 2 inch margin border on the left side and 1 inch margin border on the remaining sides.			✓	
202-7C.1	Space shall be provided for endorsement by the Board.	✓			
202-7C.1	Twelve bound copies of all information accompanying the plan and plans not larger than 11 inches by 17 inches shall be submitted.		✓		
202-7C.2.a	Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the Assessor's map and lot numbers	✓			

Code Section	***II. Minor Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7C.2.b	A field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	✓			
202-7C.2.c	A copy of the deed from which the survey was based and a cop of all deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	✓			
202-7C.2.d	A copy of any deed restrictions intended to cover all or part of the lots in the subdivision			✓	
202-7C.2.e	If public sewer is used a written statement from the Wells Sanitary District stating that the district has the capacity to collect and treat the wastewater shall be provided			✓	
202-7C.2.e	If subsurface wastewater disposal systems are used, test pit analyses shall be provided by a licensed site evaluator. A map showing the location of all test pits dug on site shall be submitted.	✓			
202-7C.2.f	If water is to be supplied by KKWWD a written statement from the district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary.			✓	
202-7C.2.f	Where the district's supply line is extended, a written statement from the Fire Chief stating approval of the location of fire hydrants, if any, shall be submitted.			✓	
202-7C.2.g	The date the plan was prepared	✓			
202-7C.2.g	North Point (identified as true or magnetic)	✓			
202-7C.2.g	Graphic Scale	✓			
202-7C.2.g	Names and address of the record owner, subdivider and individual or company who or which prepared the plan and the names of the adjoining property owners	✓			
202-7C.2.h	A copy of the portion of the county soil survey covering the subdivision.	✓			
202-7C.2.i	Contour lines at the intervals specified by the Planning Board, showing elevations in relation to mean sea level				✓
202-7C.2.j	If any portion of the subdivision is in a flood prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.			✓	

Code Section	*II. Minor Subdivision Submission Requirements*	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7C.2.k	A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and the subdivision has an average density of less than 100,000 sq. ft. per dwelling unit.			✓	✓
202-7C.2.l	The location of any wetlands, streams, rivers, brooks, or ponds located within or adjacent (within 75 feet) of the proposed development.			✓	
202-7C.2.m	The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.			✓	

LISTING OF ABUTTERS TO A PROPOSED MINOR SUBDIVISION APPLICATION

Project Name: Minor Subdivision Amendment

Street Address of Project: 433 Branch Road

Map/ Lot # of Project: Map 63; Lot 29-A

Minor Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a **NEW** minor subdivision application.

It is the responsibility of the applicant to notify abutters of a minor subdivision **AMENDMENT** application.

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
Thomas E. Foster	457 Branch Road	63	29-A-1
Barry L. Garland	1051 Burnt Mill Road	63	30
Town of Wells	? Branch Road	56	23
" " "	412 Branch Road	56	15

I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.

Signature of Applicant Judith F Pettengill 4/5/16
Date

Attach extra pages as necessary

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

MINOR SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

This Minor Subdivision Amendment Application Notice to abutters is required to be ***mailed by the applicant*** *to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Minor Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court. " §202-15

Property Owner (of land to be divided): JUDITH & PETER PETTINGA

Owner's Mailing Address: 433 BRANCH ROAD

Applicant's Name: JUDITH & PETER PETTINGA

Applicant's Mailing Address: 433 BRANCH ROAD

Applicant's Signature: Peter Pettinga Judith F. Pettinga

Assessor's Tax Map Number: 63 **Lot Number :** 29 **(of land to be divided)**

Subdivision Location (street address): 433 BRANCH ROAD

Acres to be subdivided: 4.67 **Number of proposed lots or dwelling units:** 1 ADDITIONAL

Zoning District(s): RURAL

Description of Proposal: AMEND MINOR SUBDIVISION TO CREATE ONE LOT.

BK12837PG231

031748

Quitclaim Deed

NO R.E. TRANSFER TAX PAID

FOR CONSIDERATION PAID, We, Judith F. Pettinga and Peter F. Pettinga, as Tenants In Common, of 433 Branch Road, Wells, County of York, and State of Maine, for consideration paid, grant to Judith F. Pettinga and Peter F. Pettinga, of 433 Branch Road, Wells, County of York and State of Maine, with QUITCLAIM COVENANTS, as Joint Tenants with Rights of Survivorship, the following:

SEE ATTACHED EXHIBIT FOR COMPLETE LEGAL DESCRIPTION MADE A PART HEREOF.

Meaning and intending to describe and convey the same premises conveyed to Judith F. Pettinga and Peter F. Pettinga by Deed from Phyllis A. Foster Realty Trust, dated July 9, 1993 and recorded in said Registry of Deeds in Book 6619. Page 314. The purpose of recording this deed is to create Joint Tenancy between wife and husband.

In Witness Whereof, We have hereunto set our hand(s) this 31 day of March, 2003.

Judith F. Pettinga

Judith F. Pettinga

Peter F. Pettinga

Peter F. Pettinga

Exhibit A

A certain lot or parcel of land, with the buildings thereon, situated in Wells, County of York and State of Maine, being more particularly bounded and described as follows:

Lot C as shown on the Minor subdivision Plan, Phyllis A. Foster Realty Trust, Foster Rte. 9A Subdivision drawn by Thomas W. Bullard, dated April, 1989 and recorded in the York County Registry of Deeds in Plan Book 186, Page 4.

RECEIVED YORK S S.
2003 MAY -7 AM 8:52

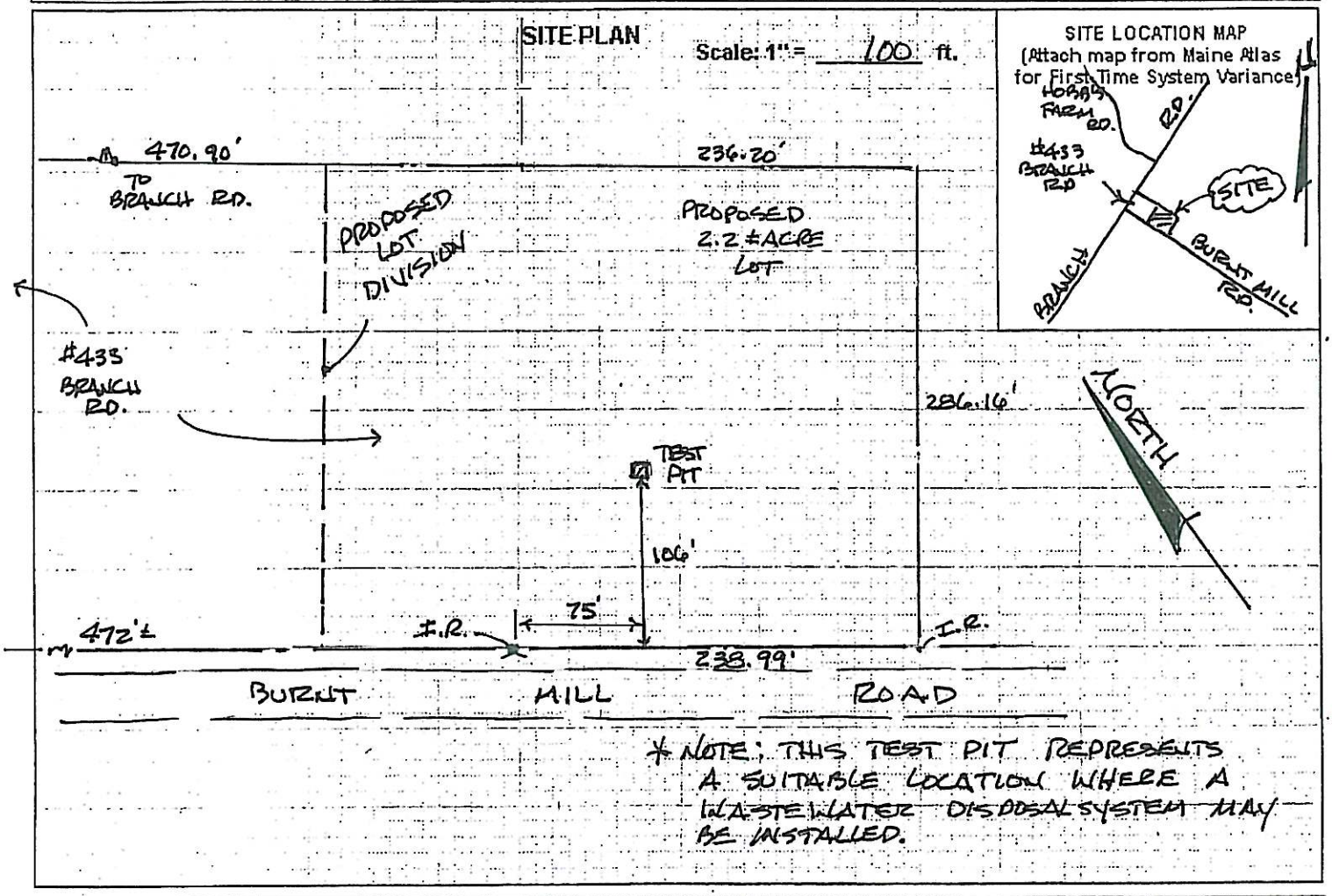
31 Atlas Title

TEST PIT LOG ONLY

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation	Street, Road, Subdivision	Owner or Applicant Name
WELLS	433 BRANCH ROAD	PETER PETTINGA



SOIL PROFILE DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole # TP ■ Test Pit ☐ Boring

1/2" Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0–6	SANDY		DARK	
6–12	LOAM		BROWN	
12–18	&	FRIABLE		
18–24	GRAVEL		YELLOW	
24–30			BROWN	NONE
30–36	VERY GRAVELLY	VERY	DARK	
36–42	LOAMY SAND TO SAND	FRIABLE	YELLOW	
42–48			BROWN	

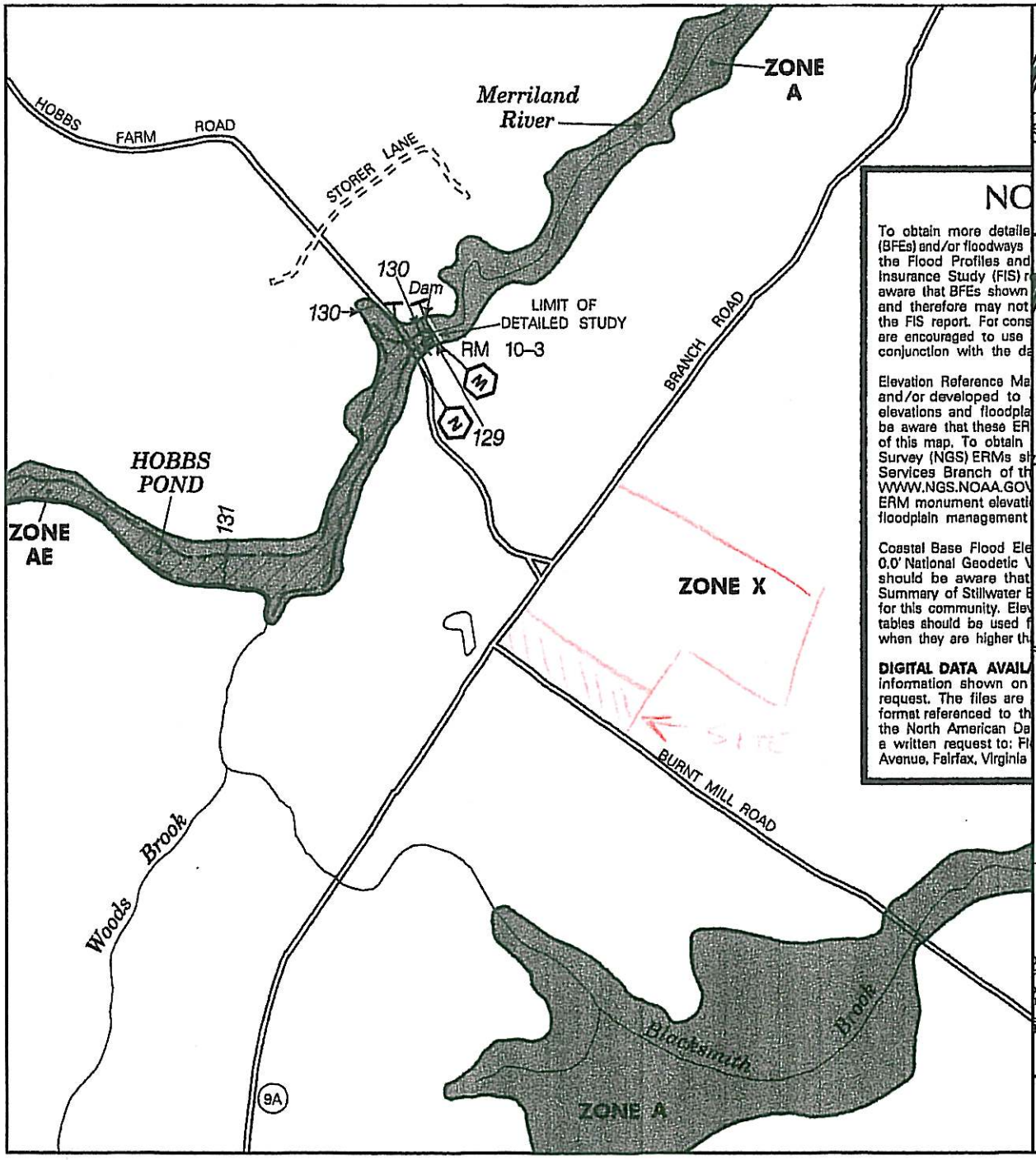
Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	
4	B	2	NONE.	☐ Groundwater ☐ Restrictive Layer ☐ Bedrock

Observation Hole # _____ ☐ Test Pit ☐ Boring

_____" Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0–6				
6–12				
12–18				
18–24				
24–30				
30–36				
36–42				
42–48				

Soil Profile	Classification Condition	Slope Percent	Limiting Factor Depth	
				☐ Groundwater ☐ Restrictive Layer ☐ Bedrock



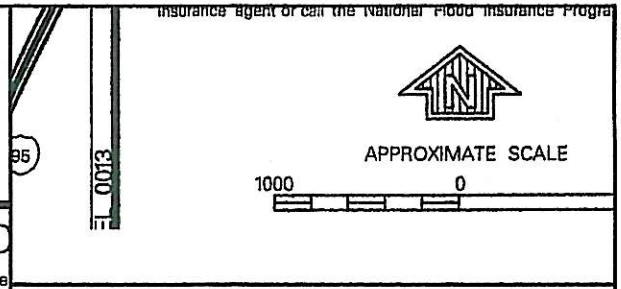
NO

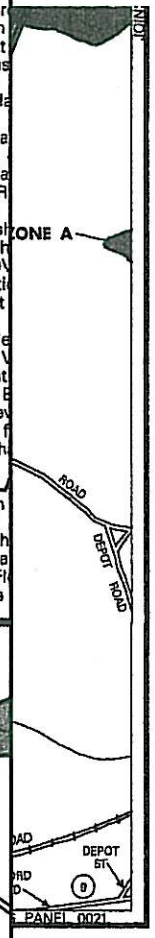
To obtain more detaile
(BFEs) and/or floodways
the Flood Profiles and
Insurance Study (FIS) r
aware that BFEs shown
and therefore may not
the FIS report. For cons
are encouraged to use
conjunction with the da

Elevation Reference Ma
and/or developed to
elevations and floodpla
be aware that these ER
of this map. To obtain
Survey (NGS) ERMs sh
Services Branch of th
WWW.NGS.NOAA.GOV
ERM monument elevati
floodplain management

Coastal Base Flood Ele
0.0' National Geodetic V
should be aware that
Summary of Stillwater E
for this community. Elev
tables should be used f
when they are higher th

DIGITAL DATA AVAIL
information shown on
request. The files are
format referenced to th
the North American Da
a written request to: Fl
Avenue, Fairfax, Virginia





NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
WELLS,
MAINE
YORK COUNTY

PANEL 10 OF 23
(SEE MAP INDEX FOR PANELS NOT PRINTED)

MAP NUMBER
2301580010D

MAP REVISED:
JANUARY 16, 2003

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

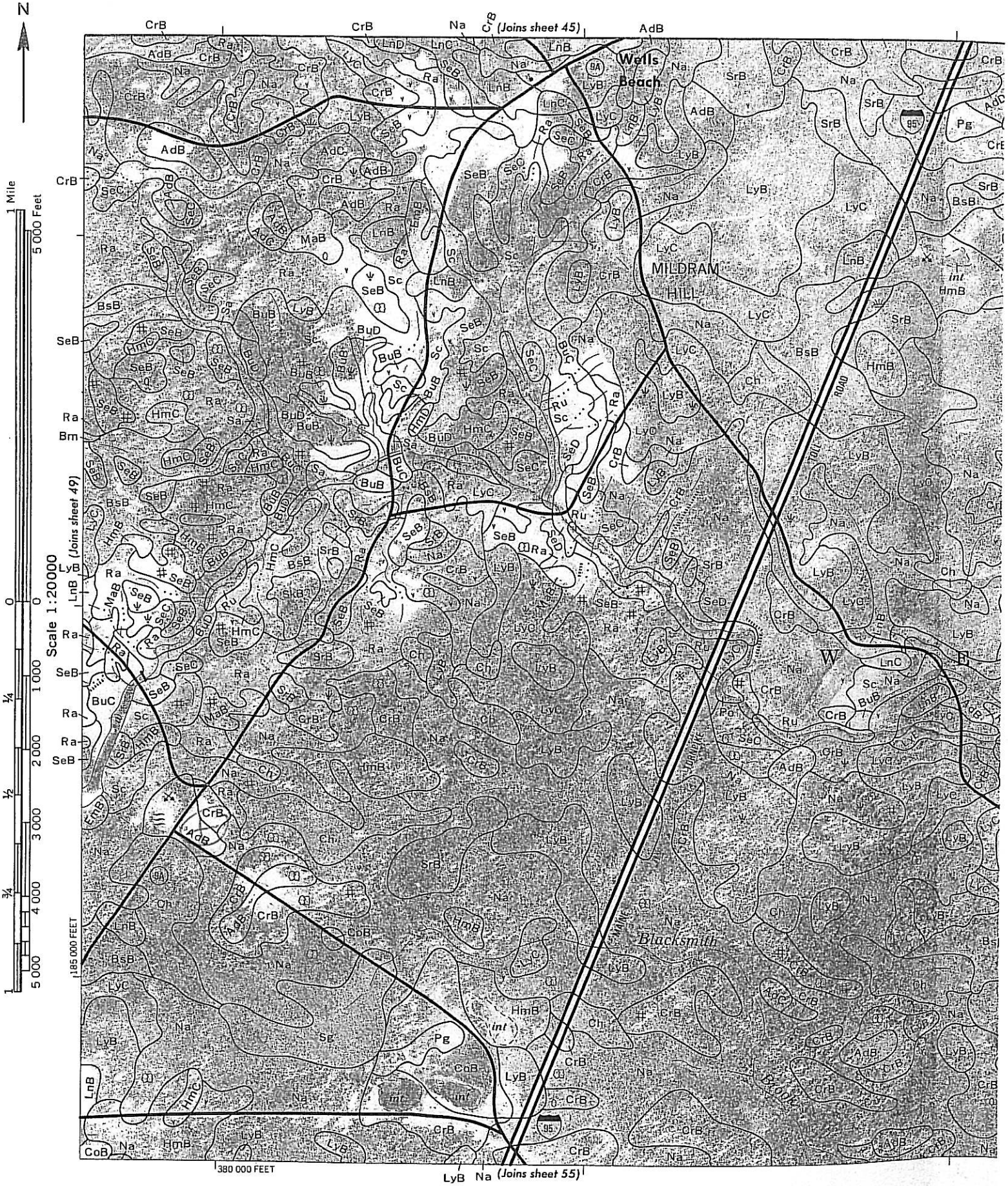

N
(Joins sheet 45)
(Joins sheet 49)
(Joins sheet 55)
Wells Beach
MILDRAM HILL
Blacksmith
W
E
95
9A
1 Mile
5 000 Feet
Scale 1:20000
185 000 FEET
380 000 FEET

TABLE 9.--RECREATIONAL DEVELOPMENT

[Some terms that describe restrictive soil features are defined in the Glossary. See text for definitions of "slight," "moderate," and "severe." Absence of an entry indicates that the soil was not rated]

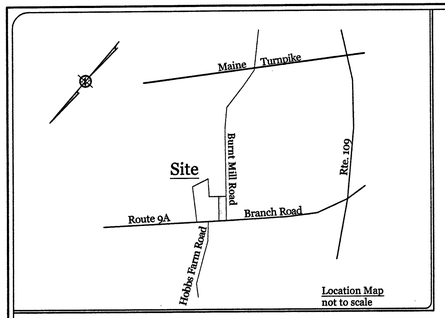
Soil name and map symbol	Camp areas	Picnic areas	Playgrounds	Paths and trails	Golf fairways
AdB: Adams	Moderate: too sandy.	Moderate: too sandy.	Severe: too sandy.	Moderate: too sandy.	Severe: droughty, too sandy.
AdC: Adams	Moderate: slope, too sandy.	Moderate: slope, too sandy.	Severe: slope, too sandy.	Moderate: too sandy.	Severe: droughty, too sandy.
AdD: Adams	Severe: slope.	Severe: slope.	Severe: slope, too sandy.	Moderate: slope, too sandy.	Severe: slope, droughty, too sandy.
AgB#:					
Adams	Moderate: too sandy.	Moderate: too sandy.	Severe: too sandy.	Moderate: too sandy.	Severe: droughty, too sandy.
Urban land.					
AlB: Allagash	Slight	Slight	Moderate: slope.	Slight	Slight.
AlC: Allagash	Moderate: slope.	Moderate: slope.	Severe: slope.	Slight	Moderate: slope.
Ba#. Beaches					
BcB: Becket	Moderate: percs slowly.	Slight	Moderate: percs slowly, slope.	Slight	Slight.
BcC: Becket	Moderate: slope, percs slowly.	Moderate: slope.	Severe: slope.	Slight	Moderate: small stones.
BcD: Becket	Severe: slope.	Severe: slope.	Severe: slope.	Moderate: slope.	Severe: slope.
BeB: Becket	Moderate: percs slowly, large stones.	Slight	Moderate: percs slowly, slope.	Moderate: large stones.	Moderate: large stones, slope.
BeC: Becket	Moderate: percs slowly, slope.	Moderate: slope.	Severe: slope.	Moderate: large stones.	Moderate: large stones.
BeD: Becket	Severe: slope.	Severe: slope.	Severe: slope.	Moderate: large stones.	Severe: slope.
Bm: Biddeford	Severe: wetness, excess humus.	Severe: wetness, excess humus.	Severe: wetness, excess humus.	Severe: wetness, excess humus.	Severe: wetness, excess humus.
BrB#:					
Brayton	Severe: wetness.	Severe: wetness.	Severe: small stones, wetness.	Moderate: wetness.	Moderate: wetness.
Westbury	Moderate: wetness, percs slowly.	Moderate: wetness.	Severe: wetness.	Moderate: wetness.	Moderate: wetness.

See footnote at end of table.

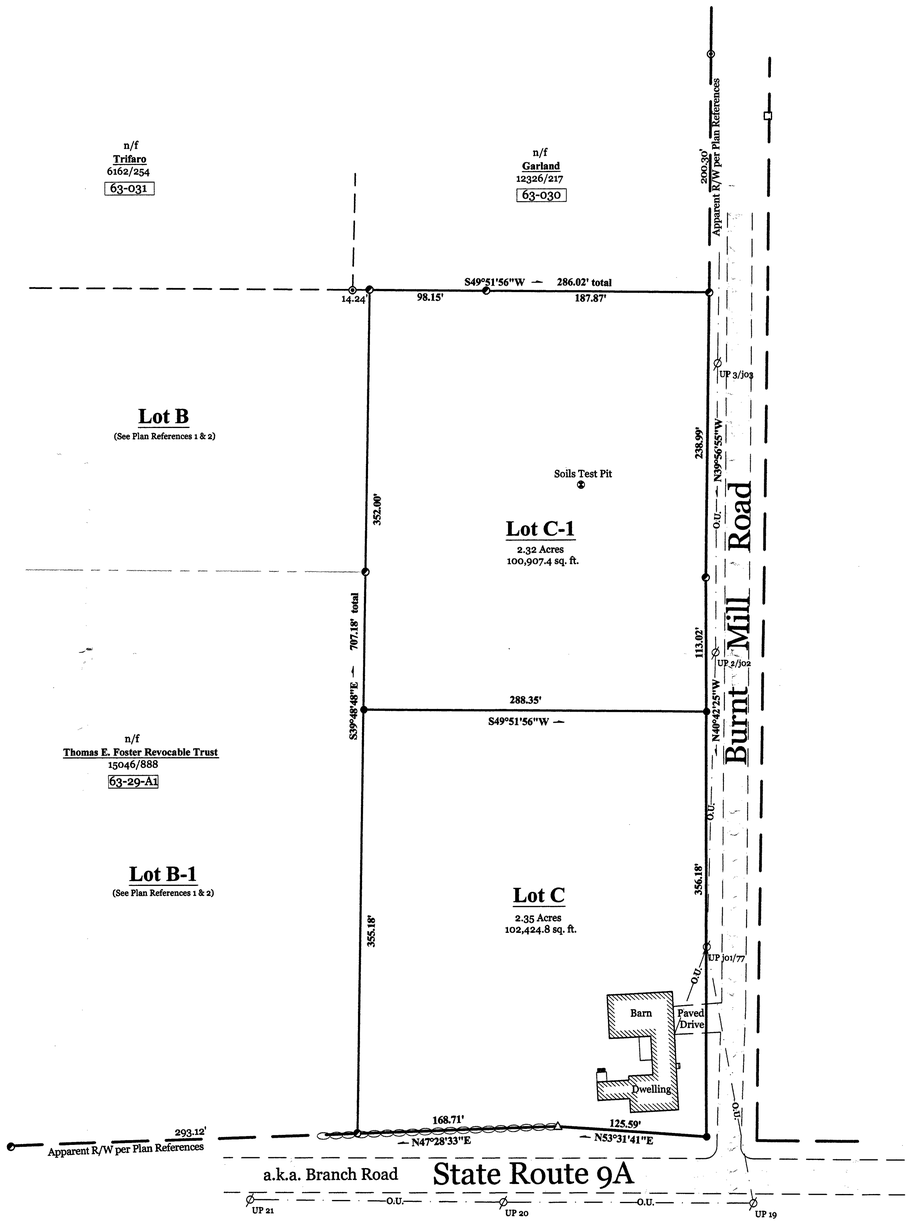
TABLE 9.--RECREATIONAL DEVELOPMENT--Continued

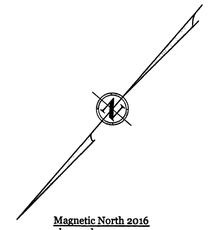
Soil name and map symbol	Camp areas	Picnic areas	Playgrounds	Paths and trails	Golf fairways
sB*:					
Brayton	Severe: wetness.	Severe: wetness.	Severe: small stones, wetness.	Moderate: wetness, large stones.	Moderate: wetness, large stones.
Westbury	Moderate: wetness, large stones.	Moderate: wetness.	Severe: large stones, wetness.	Moderate: large stones, wetness.	Moderate: wetness, large stones.
uB Buxton	Severe: percs slowly.	Moderate: wetness.	Severe: percs slowly.	Slight	Moderate: wetness.
uC Buxton	Severe: percs slowly.	Moderate: slope, wetness.	Severe: slope, percs slowly.	Slight	Moderate: slope, wetness.
uD Buxton	Severe: slope, percs slowly.	Severe: slope.	Severe: slope, percs slowly.	Moderate: slope.	Severe: slope.
h Chocorua	Severe: wetness, excess humus, floods.	Severe: wetness, excess humus.	Severe: wetness, excess humus, floods.	Severe: wetness, excess humus.	Severe: wetness, excess humus, floods.
oB Colton	Moderate: small stones.	Moderate: small stones.	Severe: small stones.	Moderate: small stones.	Moderate: small stones.
oC Colton	Moderate: small stones, slope.	Moderate: small stones, slope.	Severe: slope, small stones.	Moderate: small stones.	Moderate: slope, small stones.
oD Colton	Severe: slope.	Severe: slope.	Severe: slope, small stones.	Moderate: small stones, slope.	Severe: slope.
oE Colton	Severe: slope.	Severe: slope.	Severe: slope, small stones.	Severe: slope.	Severe: slope.
rB Croghan	Moderate: too sandy.	Moderate: too sandy.	Moderate: slope, too sandy, wetness.	Moderate: too sandy.	Severe: too sandy.
uB*:					
Croghan	Moderate: too sandy.	Moderate: too sandy.	Moderate: slope, too sandy, wetness.	Moderate: too sandy.	Severe: too sandy.
Urban land.					
)m*. Dumps					
mB Elmwood	Moderate: percs slowly.	Slight	Moderate: slope, percs slowly, wetness.	Slight	Slight.
mC Elmwood	Moderate: slope, percs slowly.	Moderate: slope.	Severe: slope.	Slight	Moderate: slope.
eB Hermon	Slight	Slight	Moderate: slope, small stones.	Slight	Slight.

See footnote at end of table.



Location Map
not to scale





Magnetic North 2016
observed

n/f
Town of Wells
56-23

Plan References:

1. "Minor Subdivision Plan, Phyliss A. Foster Realty Trust, Foster, Rte. 9A Subdivision, Located In Wells, York County, Maine", dated April 1989 by Thomas W. Bullard, and recorded at the York County Registry of Deeds in Plan Book 186, page 4.
2. "Revision To Subdivision Plan Entitled "Phyllis Foster Realty Trust", Foster Rte. 9A Subdivision", Dated April 1989, Recorded At Y.C.R.D. PB 166, PG. 4, Located At Burnt Mill Road And Branch Road (Maine Rte 9A), Wells, Maine", Revised November 1996, by Thomas W. Bullard, and recorded at the York County Registry of Deeds in Plan Book 230, page 33.
3. "Land Surveyed For The Estate Of Theodore F. Foster Located In Wells, York County, Maine", dated April 1989 by Thomas W. Bullard.
4. "Plan Showing Land Surveyed For The Town Of Wells, Maine", dated January 10, 1977, Last revised March 22, 1977 by Dow & Coulombe, Inc., Engineers & Surveyors, Saco, Maine.

General Notes:

1. The purpose of this plan is to amend a previously approved subdivision noted in Plan References 1 & 2 above, by dividing Lot C into two lots, being Lots C and C-1 shown hereon.
2. Locus parcel is depicted as Lot 29-A on Town of Wells Assessor's Map 63.
3. Total area of locus parcel (prior to division shown hereon), equals 4.67 acres.
4. Reference is made to above noted Plan References 1 & 2 for additional information pertaining to this site.
5. Zoning:
   Rural District:
   Minimum Lot Size: 100,000 sq. ft. (septic); 40,000 sq. ft. (sewer and turnpike east)
   Density: 100,000 sq. ft. (septic); 40,000 sq.ft. (sewer and turnpike east)
   Coverage: 20% or 40,000 sq. ft.
   Minimum Road Frontage: 200' (150' cul de sac)
   Height: 40' / 3 story
   Minimum Building Setbacks: 25' street right of way; 40' highway; 25' lot line
6. This plan is not intended to depict limits or extent of fee title ownership. Opinion of title should be rendered by a title attorney.
7. This office reserves the right to be held harmless to all third party claims.
8. Reference is made to "Contract For Land Surveying Services" between Middle Branch, LLC Professional Land Surveyors and the below listed client(s) for exceptions made from Chapter 90, Part 2, "Technical Standards Of Practice". Said contract shall be considered an integral part of this survey.
9. This office reserves the right to be held harmless for unknown or unobtainable private records which could affect the results of this survey.
10. This survey does not purport to reflect any of the following:
    a. easements other than those that are visible or specifically stated in the referenced documents.
    b. building setback compliance or restrictive covenants.
    d. the location of any underground utilities or structures.
11. This survey has been performed in accordance with Maine Board Of Licensure for Professional Land Surveyors Rules, Chapter 90, Part 2.

Locus Deed Reference:

Judith F. Pettinga and Peter F. Pettinga
to
Judith F. Pettinga and Peter F. Pettinga
dated March 31, 2003 and recorded at the York County Registry of Deeds in Book 12837, page 231.

Legend:

- #5 steel rebar with survey cap #2057 to be set
- Found #5 steel rebar with survey cap #1066
- Found #5 steel rebar with survey cap #2070
- Found stone monument
- Calculated point, nothing found or set
- Approximate abutter line (not surveyed)
- Edge of Pavement
- O.U. Overhead Utilities
- Setback Line
- Stonewall
- 63-29-A Assessor's map and lot number
- UP 46/8 Utility Pole (number noted)

Approved By:
Town of Wells Planning Board

Chair: _____ Date: _____

Graphic Scale:

0' 30' 60' 90' 120' 180' 240' 300'

STATE OF MAINE
YORK COUNTY REGISTRY OF DEEDS
RECEIVED _____, 20____
AT____ hr.____ min. ____ m, AND RECORDED IN
PLAN BOOK _____, PAGE _____
ATTEST _____ REGISTER

This plan is not valid without the signature and embossed seal of the below listed Professional Land Surveyor.

Middle Branch, LLC Professional Land Surveyors

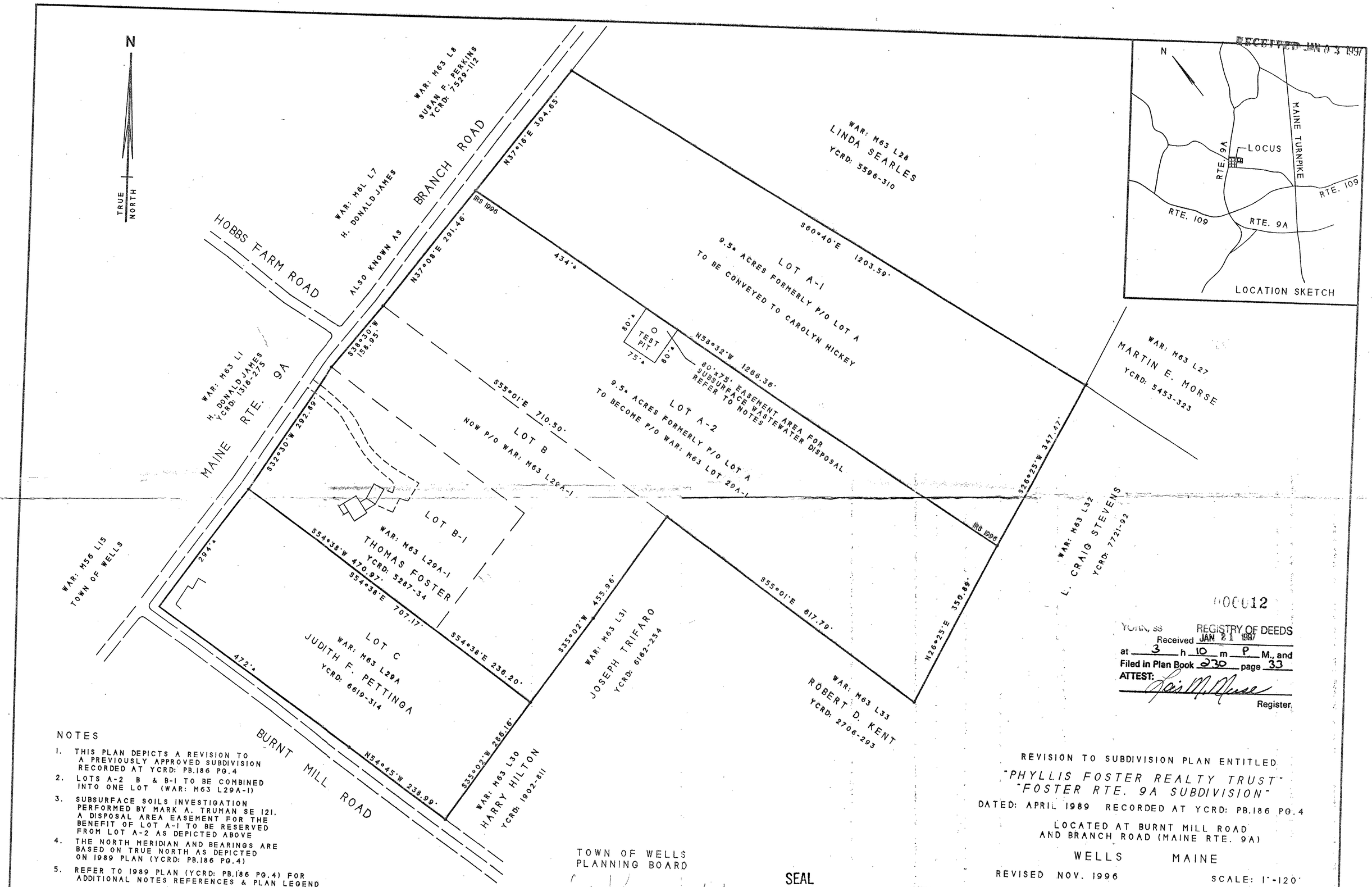
Brad R. Lodge, P.L.S. #2057 (agent) 3-28-16 Date:

STATE OF MAINE
BRAD R. LODGE
NO. 2057
LICENSED
PROFESSIONAL LAND SURVEYOR

Amended Subdivision Plan Of
"Revision To Subdivision Plan Entitled Phyliss Foster Realty Trust"
"Foster Rte. 9A Subdivision"
For
Judith F. Pettinga and Peter F. Pettinga
433 Branch Road, Wells, Maine

MIDDLE BRANCH, LLC
PROFESSIONAL LAND SURVEYORS
1A DEPOT STREET, P.O. BOX 618
ALFRED, MAINE 04002-0618
TEL (207)324-8712 FAX (207)324-6100

Record Owner: Peter F. & Judith F. Pettinga, 433 Branch Road, Wells, Maine 04090	Drawn By:	BRL	Survey Date:	January 9, 2016	
			Plan Date:	March 8, 2016	
	Chkd. By:	DLW / MRL	Scale:	1" = 60'	
Book No.: 418-53	Job No.	2151592	Sheet No.	1 of 1	



RECEIVED JAN 03 1997

NOTES

1. THIS PLAN DEPICTS A REVISION TO A PREVIOUSLY APPROVED SUBDIVISION RECORDED AT YCRD: PB.186 PG.4
2. LOTS A-2 B & B-1 TO BE COMBINED INTO ONE LOT (WAR: M63 L29A-1)
3. SUBSURFACE SOILS INVESTIGATION PERFORMED BY MARK A. TRUMAN SE 121. A DISPOSAL AREA EASEMENT FOR THE BENEFIT OF LOT A-1 TO BE RESERVED FROM LOT A-2 AS DEPICTED ABOVE
4. THE NORTH MERIDIAN AND BEARINGS ARE BASED ON TRUE NORTH AS DEPICTED ON 1989 PLAN (YCRD: PB.186 PG.4)
5. REFER TO 1989 PLAN (YCRD: PB.186 PG.4) FOR ADDITIONAL NOTES REFERENCES & PLAN LEGEND

SUPPLEMENTAL PLAN LEGEND

WAR: MxxLxx - WELLS ASSESSOR'S REFERENCE
• IRS 1996 - IRON ROD SET JUNE 1996 5/8" W/CAP MARKED "PLS 1066"

TOWN OF WELLS
PLANNING BOARD

1/13/97

SEAL

STATE OF MAINE
THOMAS W. BULLARD
NO. 1066
PROFESSIONAL
LAND SURVEYOR

Thomas W. Bullard
DEC. 26, 1996

000012

YORK, ss REGISTRY OF DEEDS
Received JAN 21 1997
at 3 h 10 m P M., and
Filed in Plan Book 230 page 33
ATTEST: Lois M. Muse
Register

REVISION TO SUBDIVISION PLAN ENTITLED
"PHYLLIS FOSTER REALTY TRUST"
"FOSTER RTE. 9A SUBDIVISION"
DATED: APRIL 1989 RECORDED AT YCRD: PB.186 PG.4

LOCATED AT BURNT MILL ROAD
AND BRANCH ROAD (MAINE RTE. 9A)

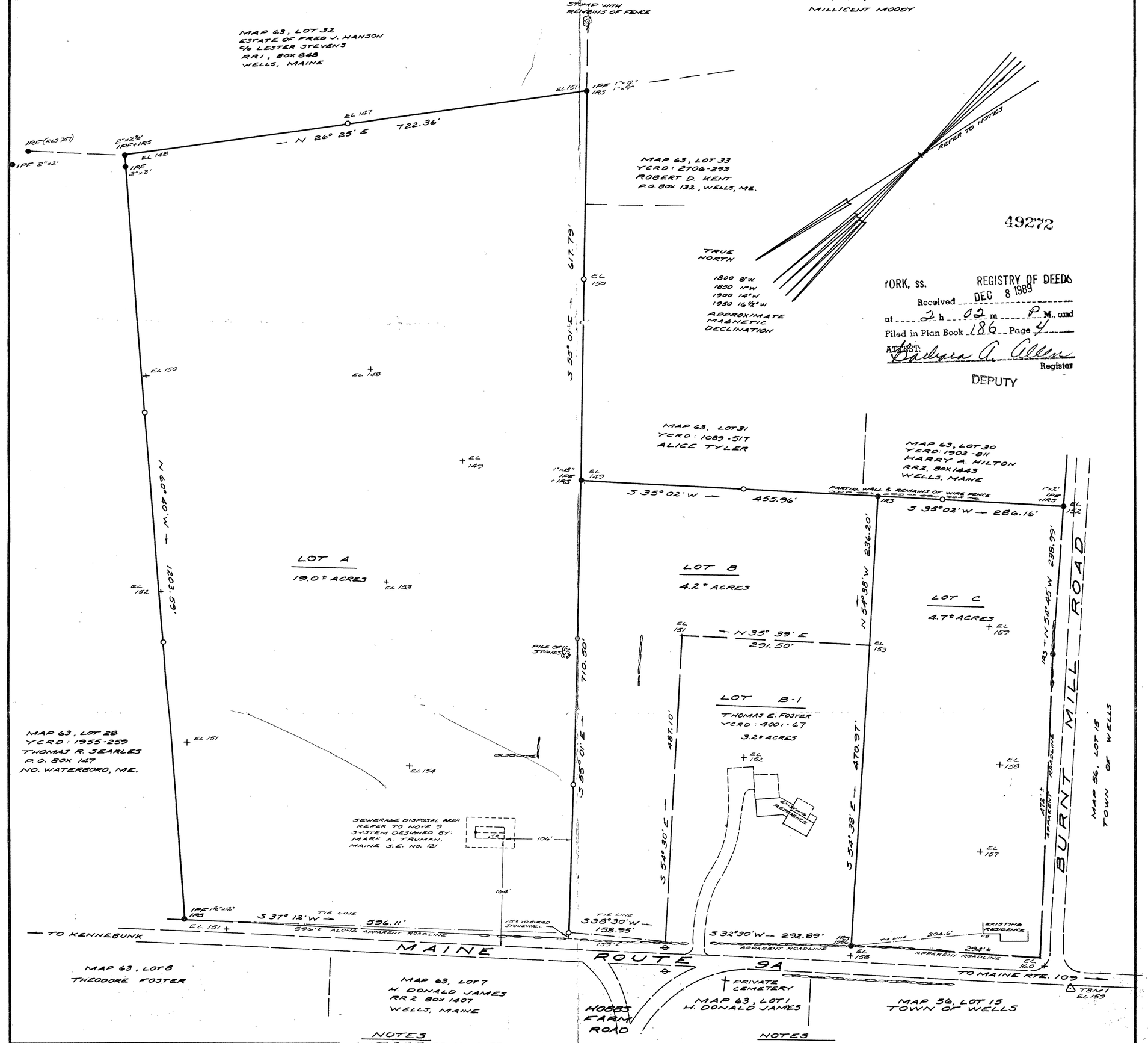
WELLS MAINE

REVISED NOV. 1996 SCALE: 1"=120'

0 SCALE FEET 200

SURVEYED & DRAWN: T.W. BULLARD
283 MAIN STREET SANFORD MAINE

OWNER OF RECORD: PHYLLIS FOSTER REALTY TRUST
C/O THOMAS FOSTER 457 BRANCH RD. WELLS MAINE



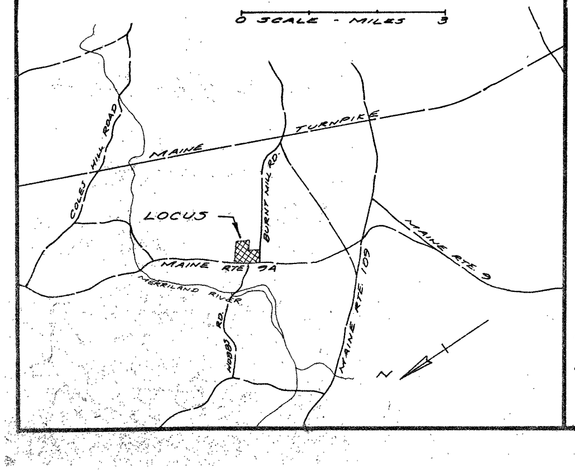
49272

YORK, ss. REGISTRY OF DEEDS
Received DEC 8 1989
at 2 h 02 m P M., and
Filed in Plan Book 186 Page 4
ATTEST: Barbara A. Allen
Register
DEPUTY

WELLS PLANNING BOARD

Lawrence Hall Chairman
Russell T. Smith
Ralph Hardy Jr.
Eric B. Boyle
Martin E. Morse 11-27-89

LOCATION MAP



NOTES

1. LOT B IS TO BE CONVEYED TO THOMAS E FOSTER AND WILL MERGE WITH LOT B-1, BECOMING A SINGLE LOT CONTAINING 7.4± ACRES WITH 425.84 FEET OF ROAD FRONTAGE.
2. THE NORTH MERIDIAN & BEARINGS SHOWN ARE RELATIVE TO TRUE (ASTRONOMIC) NORTH DETERMINED BY SOLAR OBSERVATIONS.
3. VALUES FOR PAST MAGNETIC DECLINATION ARE FROM "STATE TABLES OF MAGNETIC DECLINATION" PUBLISHED BY THE NATIONAL GEOPHYSICAL DATA CENTER, NOAA, 1982.
4. THE NAMES AND ADDRESSES OF ABUTTING OWNERS ARE FROM THE TOWN OF WELLS ASSESSORS RECORDS.
5. THE LOCUS IS LOCATED ENTIRELY WITHIN THE RURAL ZONE AS DEPICTED ON THE ZONING MAP AT THE TOWN OF WELLS CODES OFFICE.
6. THE LOCUS IS NOT LOCATED WITHIN A FLOODWAY AS DEPICTED ON F.E.M.A. FLOOD BOUNDARY & FLOODWAY MAP NO. 230158 0005, DATED JULY 5, 1983.
7. ELEVATIONS SHOWN ARE BASED ON ASSUMED EL=159 AT TBM1.

DEED REFERENCES

4946-98 DECLARATION OF TRUST
3810-9 HENNESSEY TO THEODORE FOSTER
1733-263 ROBT. BEAN TO THEODORE FOSTER
1696-105 C.P. BUCKLEY TO ROBERT BEAN
1090-18 ALFRED FORBES TO CHAS.F. MACDONALD
976-595 BERTHA STETSON TO ALFRED FORBES
691-92 GEO. W. WAKEFIELD TO BERTHA STETSON
508-348 GEO. WAKEFIELD TO GEO. W. WAKEFIELD
147-19 SAMUEL CURTIS TO SAMUEL KINGSBELL
134-210 JAMES LITTLEFIELD TO SAMUEL CURTIS
134-208...210 JAMES LITTLEFIELD 3RD GRANTEE
82-34 ABRAHAM ANNIS TO JAS. LITTLEFIELD 3RD
46-123 JOHN STORER TO ABRAHAM ANNIS

PLAN LEGEND

- ● IRON PIPE FOUND - SIZE AS NOTED
- ● IRON ROD SET - 3/4" ϕ W/AL CAP
- ○ IRON ROD SET ON LINE
- ⊖ UTILITY POLE
- ooooo EXISTING STONEWALL
- + EL XXX ELEVATION POINT

PLAN REFERENCES

1. COUNTY ROAD (RTE. 9A) LAYOUT & PLAN, 1795. RECORDED YORK CO. COMM. RECORDS; V. 13, PGS. 193-196.
2. PLAN OF SURVEY FOR T. FOSTER BY E. COOPER, 1975. RECORDED YCRD; PB. 76, PG. 37.
3. PLAN OF SURVEY FOR T. FOSTER BY T. BULLARD, 1986 THE 1986 PLAN DEPICTS A MAGNETIC MERIDIAN WHICH HAS BEEN SUPERCEDED BY THE TRUE NORTH MERIDIAN.

NOTES

8. VEHICULAR ACCESS TO LOT C IS PRESENTLY BY A DRIVEWAY ONTO BURNT MILL ROAD; SUCH VEHICULAR ACCESS TO LOT C SHALL REMAIN ON BURNT MILL ROAD.
9. THE SEWERAGE DISPOSAL AREA INDICATED ON LOT A IS THE RESERVE AREA FOR A BACK-UP SEWERAGE DISPOSAL SYSTEM, WHICH AREA SHALL BE RESTRICTED SO THAT IT SHALL NOT BE BUILT UPON. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR LOT A, A PRIMARY SEWERAGE DISPOSAL [illegible] LOCATED ON LOT A FOR A SUBSURFACE SEWERAGE DISPOSAL SYSTEM.
10. ON NOVEMBER 13, 1989, THE WELLS PLANNING BOARD WAIVED THE MINOR SUBDIVISION STANDARD REQUIREMENTS FOR MONUMENTS, WATER SUPPLY AND SEWERAGE DISPOSAL.

MINOR SUBDIVISION PLAN
PHYLLIS A. FOSTER REALTY TRUST
FOSTER RTE. 9A SUBDIVISION

LOCATED IN

WELLS, YORK COUNTY, MAINE

APRIL, 1989 SCALE: 1 IN. = 100 FT.

0 SCALE - FEET 500

SURVEYED & DRAWN: THOMAS W. BULLARD
283 MAIN STREET, SANFORD, MAINE

STATE OF MAINE
THOMAS W. BULLARD
No. 1066
REGISTERED LAND SURVEYOR

Thomas W. Bullard

Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

Michael G. Livingston, Town Engineer/Planner	*mlivingston@wellstown.org*
Shannon M. L. Belanger, Planning Assistant	*sbelanger@wellstown.org*

Final Subdivision Application Memo

Date: April 15, 2016

To: Planning Board

From: Planning Office

Re: Millbrooke Farm Subdivision – Phase VI - Map 72, Lot 4B, 12 and 13

Project Description:

Bob Georgitis of Kasprzak Homes/ Kasprzak Landholdings has submitted a Final Subdivision application for a major subdivision to be located off of Willow Way, Gateway Drive and Midway Drive. The subdivision shall consist of 70 dwelling units constructed as 35 duplex buildings on 20.13 acres of land (Multifamily Development) with 60.69 acres as dedicated open space. The subdivision and open space are located on the following parcels: Tax Map 72, Lot 4B, Lot 12 and Lot 13 and total 80.82 acres (80.81 net acres). The parcels are located within the Rural District and 75' Shoreland Overlay District. The parcels shall be connected to public sewer and public water.

§ 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]** **Site Walk was held on 10/17/15. Preliminary Application was submitted on 11/12/15 and approved on 1/4/16. Final Subdivision Application submitted on 1/13/16.**

(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]** **To be determined**

(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 Subdivision Application received on 2/22/2016**

(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 on 3/7/2016**

(6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

(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. **Provided, MDEP Approval # L-24408-87-E-A dated March 2013**

(b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Provided, KKWWD letter dated 1/12/16**

(c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable**

(d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Provided, WSD letter dated 1/25/16**

(e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable**

(f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**

(g) NPDES permit for stormwater discharges. **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 on 3/7/16**

(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. **The Staff Review Committee commented on the application on 1/12/16**

(9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **Note 17 found to be adequate by the Planning Board on 4/4/16.**

(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. One reproducible, stable-based transparent original and three 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:

Recommendations & Conclusions:

1. The Planning Board should consider the following updates and compliance items (202-12):
    a. A meeting was held with the Town Attorney, Applicant, Applicant's Attorney and Town Engineer on 4/12/16.
    b. A subdivision amendment application for the Riverbend Woods Open Space parcel was provided to the Planning Office on 4/13/16 seeking approval for ownership and property line changes
    c. An amendment to the Riverbend Woods By-Laws was submitted to the Planning Office on 4/14/16
        i. Good references to parcels conveyed into Riverbend Woods. Within each deed there are references to the approved plans and conditions noted on the plans.
        ii. Good references to current, possible future, and secondary management responsibilities.
        iii. The Town Attorney has reviewed the amended By-Laws and found them acceptable.
    d. The Planning Board should consider approving the proposed Open Space as suitable per 202-12B and in compliance with the management requirements of 202-12H(4) and 145-48.

2. The Planning Board should consider finding the final application compliant with 202-12.
3. The Planning Board should review the Final Findings of Fact & Decisions with conditions and consider voting to approve and authorize the chairman to sign them. The Planning Board should also vote to approve and sign the subdivision plan.

Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Application for "Millbrooke Farm"

Chapter 202
Subdivision of Land

PROJECT INFORMATION		
General:	**Project Name:**	Millbrooke Farm Subdivision
	# Lots/ Dwellings Proposed:	70 dwelling units on 20.13 acre parcel with 60.69 acre Open Space parcel
	Applicant:	Kasprzak Landholdings, Inc. PO Box 26, N. Waterboro, ME 04061
	Landowner:	Kasprzak Landholdings, Inc. PO Box 26, N. Waterboro, ME 04061
	Location:	Gateway Drive, Midway Drive and Willow Way, Wells, Maine
	Existing Use:	Vacant land
	Proposed Land Use:	A Major Multifamily Development Subdivision consisting of 70 dwelling units (35 two family dwellings/duplexes) and roadways on 20.13 acres and 60.69 acres shall be dedicated Open Space.
	Tax Parcel ID:	Tax Map 72, Lots 4B (developed subdivision area) and Map 72, Lots 12, and 13 to become part of Riverbend Woods Association Open Space parcel (Tax Map and Lot number to be determined)
	Zoning District:	Rural and 75' Shoreland Overlay Districts
	Land Use, Art. VII Performance Standards:	§145-48 Multifamily Development
	Design Engineer:	Sebago Technics, 75 John Roberts Road – Suite 1A, South Portland, ME 04106-6963
	Final Plan Application Submission Date:	January 12, 2016
	Plan Submission Date:	January 12, 2016
Project Description:	Bob Georgitis of Kasprzak Homes/ Kasprzak Landholdings has submitted a Final Subdivision application for a major subdivision to be located off of Willow Way, Gateway Drive and Midway Drive. The subdivision shall consist of 70 dwelling units constructed as 35 duplex buildings (two-family dwelling units) on 20.13 acres of land (Multifamily Development per §145-48) with 60.69 acres to be dedicated open space. The subdivision shall be located on Tax Map 72, Lot 4B and the proposed dedicated Open Space which predominantly consists of Tax Map 72, Lots 12 and Lot 13 shall become part of the Riverbend Woods Association Open Space (Tax Map and Lot number to be determined). The developed area and proposed Open Space for Millbrooke Farm total 80.82 acres (80.81 net acres). The parcels are located within the Rural District and 75' Shoreland Overlay District. The parcels shall be connected to public sewer and public water.	
Approval Dates:	Preliminary Plan Approval:	1/4/2016
	Final Plan Approval:	4/18/2016
Public Hearings:	Preliminary Public Hearing	1/4/2016
	Final Public Hearing	3/7/2016

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PROJECT HISTORY

1. On 9/14/15 the applicant submitted a subdivision pre-application to the Planning Office.
2. On 9/18/15 abutters were mailed notice of the pre-application submission and of the 9/28/15 Planning Board meeting.
3. On 9/24/15 the Planning Office prepared a pre-application memo for the Planning Board.
4. On 9/28/15 the Planning Board received the subdivision pre-application and scheduled a site walk of the property for 10/17/15 at 9:00 AM.
5. On 10/17/15 the Planning Board conducted a site walk.
6. On 10/19/15 the Planning Office prepared a site walk results memo.
7. On 10/19/15 the Planning Board reported the results of the site walk.
8. On 11/16/15 the application submitted the Preliminary Subdivision Application and plans to the Planning Office.
9. On 11/18/15 abutters were mailed notice of the Preliminary Subdivision Application submission and of the 12/7/15 Planning Board meeting.
10. On 12/3/15 the Planning Office prepared a Preliminary Subdivision Application memo.
11. On 12/7/15 the Planning Board received the Preliminary Subdivision Application, reviewed the submission materials and Planning Office comments, and voted to appoint the Town Planner as the completeness agent.
12. On 12/10/15 the applicant met with the Code Enforcement Officer regarding Article VII performance standards.
13. On 12/22/15 the applicant submitted revised plans to the Planning Office for review.
14. On 12/22/15 the Town Planner found the application complete for purposes of scheduling a preliminary public hearing.
15. On 12/23/15 abutters were mailed certified notice of the preliminary public hearing set for 1/4/16.
16. On 12/30/15 the Planning Office prepared Article V, VII and preliminary completeness review checklists.
17. On 12/31/15 the Planning Office prepared draft Preliminary Findings of Fact & Decisions and a memo.
18. On 1/4/16 the Planning Board conducted a preliminary public hearing and workshop. The Planning Board made various determinations and voted to approve and sign the Preliminary Findings of Fact & Decisions.
19. On 1/12/16 the applicant submitted a Final Subdivision Application, plans, cost estimates, Millbrooke Condominium documents, and Riverbend Woods Association document and deeds to the Planning Office for review.
20. On 1/12/16 the Staff Review Committee commented on the Subdivision Application for the Planning Board.
21. On 1/12/16 the Planning Office received a proposed fire hydrant plan per the Fire Chiefs request and the KKWWD approval letter.
22. On 1/13/16 the Planning Office notified the applicant that corrected road name request forms needed to be provided to the Assessing Office and a corrected application form was needed. The Planning Office also notified the applicant that the Forest Management Plan submitted was not confidential as it was a requirement of the 12/7/15 waiver that was granted for trees 24" in dbh or greater.
23. On 1/13/16 the applicant provided a corrected application form to the Planning Office.
24. On 1/14/16 the applicant provided a corrected Road Name request form to the Planning Office.
25. On 1/16/16 the proposed Road Names for Millbrooke Farm Subdivision were approved by the E911 Coordinator.
26. On 1/19/16 the Planning Office emailed the applicant the 1/25/16 Planning Board agenda.
27. On 1/22/16 the Planning Board meeting for 1/25/16 was postponed due to a lack of quorum.
28. On 1/22/16 the Planning Office prepared a Final completeness checklist (202-9) and an Open Space memo for the applicant and Town Attorney.

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PROJECT HISTORY

29. On 1/27/16 the Planning Office received the WSD approval letter for Millbrooke Farm.
30. On 1/29/16 the Planning Office prepared a revised Open Space memo for the applicant and Town Attorney.
31. On 2/1/16 the Town Engineer/Planner prepared a memo for the applicant and Town Attorney regarding Millbrooke Farm and Riverbend Woods Association documents.
32. On 2/1/16 the Planning Office prepared a final completeness checklist (202-9) and emailed to the applicant.
33. On 2/2/16 recommended plan changes were completed and emailed to the applicant along with the 2/1/16 memo regarding the association documents.
34. On 2/2/16 the applicant submitted various letters regarding traffic concerns and if a MDOT permit was needed.
35. On 2/4/16 the Town Attorney was provided various Millbrooke Farm subdivision documents and plans for her review.
36. On 2/4/16 the applicant was emailed the 2/8/16 Planning Board agenda.
37. On 2/4/16 the Planning Office prepared a Memo outlining various items to be addressed regarding Preliminary Conditions of Approval, Open Space, Condominium Documents, and various 202-9 review items.
38. On 2/4/16 the Town Engineer/Planner prepared a erosion and sedimentation control and drainage memo.
39. On 2/8/16 the applicant was emailed the Planning Office memos dated 2-1-16 and 2-4-16.
40. On 2/8/16 the Planning Office notified the applicant that the 2/8/16 Planning Board meeting was postponed due to inclement weather.
41. On 2/9/16 the Planning Office received a letter from the applicant dated 2/8/16 responding to the review comments provided on 2/8/16.
42. On 2/16/16 the applicant submitted revised subdivision plans to the Planning Office for review.
43. On 2/17/16 the Planning Office emailed the applicant the 2/22/16 Planning Board agenda.
44. On 2/18/16 the Planning Office prepared recommended plan changes.
45. On 2/19/16 the Planning Office prepared a reminder memo for the Planning Board packet.
46. On 2/19/16 the Town Engineer/Planner prepared a memo regarding the prior subdivision approval plan notes and a memo responding to the 2/8/16 letter from Kasprzak.
47. On 2/22/16 the Planning Office emailed the applicant the 2/19/16 review memos.
48. On 2/22/16 the Planning Board voted to receive the Final Subdivision Application, determined that the MDOT information provided by the applicant for which the MDOT determination was made was to be provided to the Planning Office, voted to find the application complete and schedule a Final Public Hearing for 3/7/16, and requested an Open Space be provided for the 3/7/16 meeting.
49. On 2/24, 2/25 and 2/26 the Planning Office provided additional information provided by the applicants regarding letters provided dated 1/11/16 and 2/8/16, prior subdivision plan approvals, and a sample unit deed.
50. On 2/25/16 abutters were mailed certified notice of the Final Public Hearing scheduled for 3/7/16.
51. On 3/1/16 the Planning Office emailed the 3/7/16 Planning Board agenda to the applicant.
52. On 3/2/16 the Planning Office inquired with the applicant about revised plans and the requested MDOT information.
53. On 3/2/16 the Planning Office prepared a memo regarding the various public comment letters received for the Final Subdivision Application submission.
54. On 3/3/16 the applicant emailed the Planning Office a draft Open Space plan for review.
55. On 3/4/16 the Planning Office prepared an updated application memo outlining final completeness (202-9) and some compliance (202-12) items to be discussed.
56. On 3/4/16 the Planning Office provided the Open Space plan with some initial comments to the Town Attorney for review.
57. On 3/7/16 the Planning Board conducted a Final Public Hearing and conducted a workshop. The Planning

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PROJECT HISTORY
Board voted to require the connection from Gateway Drive to Midway Drive to be constructed and paved no later than 4/18/16 as required by the Heron Landing Subdivision approval. The Board did not require a traffic study. The workshop was continued for 30 days. 58. On 3/7/16 the applicant provided a revised plan set with markups noting revisions made. 59. On 3/14/16 the Planning Office contacted the applicant regarding the status of the applicant's attorney responding to and discussing the issues with the Town Attorney. 60. On 3/14/16 the applicant's attorney provided a letter to the Planning Office and Town Attorney for review. 61. On 3/24/16 the Town Engineer/Planner prepared a memo responding to the applicant's attorney letter, a memo regarding the Riverbend Woods Association document issues, and sample Certificate of Amendment. These memos were then emailed to the Town Attorney. 62. On 3/24/16 the Planning Office prepared Open Space plan change recommendations and notes and emailed those to the applicant. 63. On 3/25/16 the Planning Office emailed the applicant all materials prepared on 3/24/16. 64. On 3/29/16 the Planning Office emailed the applicant the 4/4/16 Planning Board agenda. 65. On 3/29/16 the Planning Office prepared revised completeness review (202-9) checklist, revised Article V (Land Use) checklists, a revised Article VII (Land Use) Multifamily Development checklist, and a draft compliance checklist (202-12)/ Final Findings of Fact & Decisions document. 66. On 3/30/16 the Planning Office prepared recommended plan changes based on the review of the application for conformance with the compliance standards (202-12), performance guarantees (202-13) and draft Final Findings of Fact & Decisions with conditions of approval. 67. On 3/31/16 the Planning Office prepared revised compliance (202-12)/ Final Findings of Fact & Decisions. 68. On 4/4/16 the Planning Board conducted a workshop and voted to grant a waiver of bound Monumentation for 5 property corners; voted to find all other Monumentation suitable, voted to approve the revised Note 17 language for sheet 2, voted to approve the connection road completion requirement to 4/30/2018; and voted to continue the workshop for 30 days. 69. On 4/12/16 the Town Attorney, Applicant, Applicant's Attorney, and Town Engineer met to discuss the Riverbend Woods Open Space document issues. 70. On 4/13/16 the applicant submitted a subdivision amendment application to the Planning Office for the Riverbend Woods Open Space parcel seeking after-the-fact approval for property line changes and ownership changes. 71. On 4/14/15 the applicant submitted revised Riverbend Woods By-Laws to the Planning Office and Town Attorney for review. 72. On 4/15/16 the Planning Office prepared revised compliance/ Final Findings of Fact & Decisions and a review memo for the Planning Board. 73. On 4/18/16 the Planning Board conducted a workshop and voted to find the Open Space proposed suitable. The Planning Board voted to find the application compliant (202-12) and voted to approve and sign the Findings of Fact & Decisions with conditions of approval. The Planning Board voted to approve and sign the subdivision plan.

§ 202-12. General Standards	Findings & Decisions

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following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.			
In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.			
A.	Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent state and local codes and ordinances.		
B.	Retention of open spaces and natural or historic features. [Amended 6-11-2013]		
	(1)	In any subdivision with no more than five lots or dwellings units, no dedicated open space is required. In any subdivision with at least six lots or dwelling units and no more than 10 lots or dwelling units, there shall be a minimum of 10% or 20,000 square feet, whichever is greater, of the total property net area dedicated as open space. Off site dedication of open space land may be approved by the Planning Board if excess land is provided and the land has a greater benefit to the public than land within the development. In any subdivision with more than 10 lots or dwelling units, there shall be a minimum of 35% of the total property net area dedicated as open space.	This subdivision proposes more than 10 lots/ dwelling units and is required to provide a minimum of 35% Open Space. This subdivision proposes approximately 75% open space or 60.69 acres of the 80.82 acre total land area (80.81 net acres). The 60.69 dedicated acres is proposed to be off-site as it will be conveyed to the Riverbend Woods Association Open Space. **On 4/15/16 the Planning Board must consider approving the proposed off-site dedicated Open Space. Excess Open Space is proposed.**
	(2)	Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable. The configuration of such sites shall be deemed adequate by the Planning Board with regard to scenic or historic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.	See note 15 on sheet 2. The Open Space is to be used for noncommercial recreation or conservation purposes. Open Space plan has been added as sheet 19 and will be recorded.
	(3)	Reserved open space land, acceptable to the Planning Board and subdivider, may be dedicated or conveyed to the municipality, a land trust, or other recognized conservation organization. Such reservation may also be accomplished by incorporation into homeowners' association or condominium association documents or into restrictive deed covenants. (See § **145-49**, residential cluster development standards.)	See note 16. The common open space may be dedicated for acceptance by the municipality.

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§ 202-12. General Standards			Findings & Decisions
	(4)	The Planning Board may require that the development plans include a landscape plan that will show the preservation of any existing trees larger than 24 inches in diameter at breast height, the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally significant areas. Cutting of trees on the northerly borders of lots should be avoided as far as possible, to retain a natural wind buffer.	On 12/7/15 the Planning Board granted a waiver of depicting trees equal to or greater than 24" in diameter at breast height within the Open Space contingent upon the development having a Forest Management Plan by a licensed forester. See note 19 on sheet 2. Trees 24" d.b.h. or larger outside the construction clearing limits shall be preserved except for removal of storm damaged, diseased, unsafe or dead trees. The Open Space will be maintained following the Forest Management Plan for Riverbend Woods Association prepared by Wadsworth Woodlands, Inc.
C.	Blocks. Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway of at least five feet in width. Maintenance obligations of the easement shall be included in the written description of the easement.		Not Applicable. No lots are being created and street intersections are 1,000 linear feet or less apart.
D.	Lots.		
	(1)	All lots shall meet the minimum requirements of Chapter 145, Land Use, for the zoning district in which they are located. The lot configuration should be designed to maximize the use of solar energy on building sites with suitable orientation.	§145-30. Rural District requirements apply to the 70 dwelling units (35 two-family/duplex units) proposed. The 70 dwelling units proposed are also a Multifamily Development and are permitted by §145-48. See the Unit Density Calculation Table on sheet 2. The Total area of parcels 4B, 12 and 13 is 80.82 acres or 80.81 net acres (3,520,250 SF). The subdivision is served by public sewer. Maximum Density on sewer is 40,000 SF per dwelling unit. 3,520,250/ 40,000 = 88 dwelling units permitted. 70 dwelling units are proposed. The proposed developed area is not proposed to be located within the Shoreland Overlay District. The development's open space is partially located within the Shoreland Overlay District however.
	(2)	Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.	No parking signs shall be installed along private roads. See note 11 on sheet 2. Millbrooke Farm Drive, Carding Mill Loop, and Grist Stone Court are roads serving the Multifamily Development. On 1/4/16 the Planning Board found that the 22' wide roadways with concrete curbing to be acceptable
	(3)	Lots with multiple frontages shall be avoided wherever possible. When lots do have frontage on two or more roads, the plan and deed restrictions shall indicate that vehicular access shall be located only on the less traveled way.	The subdivision has frontage off of Willow Way. Vehicular access serving the subdivision shall connect at the intersection of Willow Way and Gateway Drive and connect at the intersection of Midway Drive through the Heron Landing Subdivision.

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§ 202-12. General Standards			Findings & Decisions
	(4)	Wherever possible, side lot lines shall be perpendicular to the street.	
	(5)	The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as to preclude future resubdivision.	See note 15 on sheet 2.
	(6)	Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.	The subdivision shall be served by the public water (KKWWD) and public sewer (WSD).
	(7)	If a lot on one side of a river, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the river, tidal water or road to meet the minimum lot size.	Not applicable.
	(8)	Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	Proposed Lot 4B not odd shaped. Lots 12 and 13 on Map 72 are to become part of the Riverbend Woods Association Open Space which is odd shaped. Lots 12 and 13 are not odd shaped.
	(9)	Lots shall be numbered in accordance with Chapter 201, Article I, Street Naming and Numbering, of the Wells Municipal Code.	Street name approval granted by the E911 Coordinator on 1-16-2016 for Carding Mill Loop, Grist Stone Court, and Millbrooke Farm Drive. Street numbering to be determined by Town Assessing Department.
	(10)	Where the Board finds that safety considerations so require, driveways of adjoining lots shall be combined or joined so as to minimize the number of driveway entrances and maximize the distance between entrance points.	The driveways serving the dwelling units are located off of roadways within a Multifamily Development. No adjoining lots are proposed, this standard does not apply.
	(11)	Proposed lots shall not be permitted to have driveway entrances onto existing arterial or collector streets unless the Planning Board determines that no reasonable alternate exists.	Driveways are prohibited along Willow Way. See note 11 on sheet 2.
E.	Utilities.		
	(1)	Utilities shall be installed underground except as otherwise approved by the Board.	See note 9 on sheet 2.
	(2)	Underground utilities shall be installed prior to the installation of the final gravel base of the road.	See note 9 on sheet 2.
	(3)	The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	See sheets 4 through 11.
F.	Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.		
	(1)	Monuments.	Sheet 2 and 3 identifies all Monumentation proposed and monuments found.
		(a) Stone or concrete monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.	Not applicable. No right of ways proposed to create an intersection.
		(b) Stone or concrete monuments shall be set at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135º or less. New monumentation shall not be required at corner or angle points where there is existing monumentation that complies with this section.	The Planning Board granted a waiver on 4/4/16 as 5 points would require bounds but iron pipes/ rods are proposed. (Two of these points are adjacent to the cemetery and the other three points have existing pipes or bounds within 50 feet.)

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§ 202-12. General Standards			Findings & Decisions
		(c) Stone monuments shall be a minimum of four inches square at the top and four feet in length and set in the ground at final grade level. After they are set, drill holes one-half-inch deep shall locate the point or points described above.	
		(d) Concrete monuments shall be portland cement reinforced with half-inch reinforcement bar. Concrete monuments shall be either four inches square or four inches in diameter and four feet in length and set in the ground at final grade with their top flush to four inches above the final grade.	
		(e) All other subdivision boundary corners and angle points, as well as all lot boundary corners and angle points, shall be marked by suitable monumentation.	On 04/04/16 the Planning Board determined the Monumentation proposed is acceptable.
	(2)	Water supply.	
		(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.	The subdivision shall be served by public water (KKW Water District).
		[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.	A letter from KKWWD dated 10-5-12 was provided with the Heron Landing Subdivision submission. This letter states there is availability to serve the Concept Plan of phase 5, 6, and 7 of the Condominiums at Riverbend Woods. KKWWD granted approval of Millbrooke Farm water design on 1/12/2016.
		[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.	A letter from the Fire Chief dated 4/4/2016 was provided.
		(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.	Not applicable. The subdivision shall be served by public water (KKW Water District).
		[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	
		[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).	
		[3] Fire protection. **[Amended 3-11-2002]**	

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§ 202-12. General Standards		Findings & Decisions
	[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:	
	[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and	
	[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	
	[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	
	[4] The results of the water quality test submitted shall indicate that the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. If the Board has reason to believe, due to previous uses of the property or due to previous or existing uses of neighboring property, that the existing water quality may be threatened by contaminants not tested for in the primary inorganic water analysis, it may require the water to be tested for those contaminants.	
	(c) Prior to the issuance of a building permit for the construction of any principal structure in a subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. This evidence shall consist of:	This is a condition of approval.
	[1] A letter from the Kennebunk, Kennebunkport and Wells Water District indicating availability of service; or	A letter from KKWWD dated 10-5-12 was provided with the Heron Landing Subdivision submission. This letter states there is availability to serve the Concept Plan of phase 5, 6, and 7 of the Condominiums at Riverbend Woods. KKWWD granted approval of Millbrooke Farm water design on 1/12/2016.

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§ 202-12. General Standards	Findings & Decisions
[2] The results of a primary inorganic water analysis performed upon the well to serve the structure indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.	Not Applicable.
(3) Sewage disposal.	
(a) Public system.	The subdivision shall be served by public sewer (Wells Sanitary District).
[1] A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1,000 feet of the proposed subdivision at its nearest point. The Wells Sanitary District shall certify that providing service to the proposed subdivision is within the capacity of the district's collection and treatment system.	A letter from the WSD dated 9-17-12 was provided with the Heron Landing Subdivision submission. This letter states there is availability for 144 units. (Heron Landing has 56 units and Millbrooke Farm proposes 70). 56+70=126.
[2] The district shall review and approve in writing the construction drawings for the sewage system.	WSD public hearing held 1/19/16. Final WSD approval letter of Millbrooke Farm dated 1-25-2016.
(b) Private systems.	Not applicable. The subdivision shall be served by public sewer (Wells Sanitary District).
[1] The developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve areas shall be shown on the plan and restricted so as not to be built upon.	
[2] In no instances shall a disposal area be permitted on soils or on a lot which requires a new system variance from the subsurface wastewater disposal rules.	
(4) Stormwater management. **[Amended 4-27-2007]**	MDEP Approval # L-24408-87-E-A Town Engineer has reviewed stormwater considerations, see memo dated 2/4/2016. Items to be addressed in 2/4/16 MGL memo have been satisfactorily addressed.
(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	Stormwater Management Plan and analysis by Jason Haskell of Sebago Technics as part of the Heron Landing Subdivision Application. Stormwater analysis was based on the full build out of Heron Landing and Millbrooke Farm phases.
(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	Easement depicted on Heron Landing plans.

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		(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.	Stormwater Management Plan and analysis by Jason Haskell of Sebago Technics as part of the Heron Landing Subdivision Application. Stormwater analysis was based on the full build out of Heron Landing and Millbrooke Farm phases.
		(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.	Town Engineer has reviewed stormwater considerations, see memo dated 2/4/2016. Items to be addressed in 2/4/16 MGL memo have been satisfactorily addressed.
		(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.	MDEP Approval # L-24408-87-E-A
		(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.	Not applicable. Site Location Permit.
		(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	Not applicable. Site Location Permit.
		(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.	Not applicable. Not located adjacent to a great pond.
		(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:	Not applicable. Not located in an area of known flooding.

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§ 202-12. General Standards				Findings & Decisions
			[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.	
G.	Streets.			
	(1)	All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.		The proposed streets must comply with the requirements of Chapter 201. On 1/4/16 the Planning Board found that the 22' wide roadways with concrete curbing to be acceptable
	(2)	Any subdivision expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Any street with an average daily traffic of 200 trips per day or more shall have at least two street connections leading to existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Said two street connections' center lines shall be no closer than 400 linear feet apart. Traffic generation rates shall be based on the Traffic Generation Manual, 1988 Edition, Institute of Transportation Engineers. Some typical traffic generation rates are:		The subdivision is expected to generate a daily traffic of over 200 trips per day. Traffic generation is calculated to be 413 trips per day. Based on this, the subdivision proposes two street connections: 1. Willow Way/Gateway Drive intersection; and 2. Midway Drive through the Heron Landing subdivision. The Willow Way/ Gateway Drive intersection is over 400 feet away from the Midway Drive Intersection. Dwellings 1 -18 utilize Millbrooke Farm Drive from Gateway Drive/Willow Way to the Midway Drive (two connections). 18 dwellings x5.9=106.2 trips. Dwellings 61 – 70 utilize Grist Stone Court (10x5.9= 59 trips). Dwellings 51 – 60 utilize Carding Mill Loop (10 x 5.9= 59 trips) Dwellings 19 – 50 utilize Millbrooke Farm Drive after the Midway Drive intersection. (32 x 5.9 = 188.8 trips)
		(a) Single-family house: 10.0 trips per day per unit.		
		(b) Residential condominium: 5.9 trips per day per unit.		70 x 5.9 = 413 trips.
		(c) Motel: 10.2 trips per day per room.		
		(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.		

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§ 202-12. General Standards			Findings & Decisions
	(3)	In any subdivisions located in the Residential A Zoning District or east of U.S. Route 1 provisions shall be made for the interconnection of proposed streets with other subdivisions or adjacent properties if it is determined to be practical and desirable by the Planning Board.	Not Applicable. This subdivision is located in the Rural District and is west of US Route 1.
H.	Land features.		
	(1)	Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas and building excavations. Topsoil shall not be removed from the site until completion of construction and inspection by the Town to assure four inches of topsoil has been spread over all areas to be grassed.	This is a condition of approval.
	(2)	Except for normal thinning, landscaping and cutting trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Board shall require a developer to take the following measures to correct and prevent soil erosion in the proposed subdivision: **[Amended 4-27-2007]**	This is a condition of approval.
		(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
		(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
		(c) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
		(d) Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	
	(3)	To prevent soil erosion of shoreline areas the cutting or removal of vegetation shall only be permitted as regulated in § 145-33 of Chapter 145, Land Use, of the Wells Municipal Code.	This is a condition of approval.
	(4)	Dedication and maintenance of common open space and services.	Riverbend Woods Association documentation and proposed By-Law amendment detailing maintenance of the Open Space was provided and reviewed by the Town Engineer and Town Attorney and found to be adequate.
		(a) All common land shall be owned jointly or in common by the owners of the dwelling units by means of a homeowners' association, by an association which has as its principal purpose the conservation or preservation of land in essentially its natural condition or by the municipality.	The Riverbend Woods Association, proposed owner of the dedicated Open Space for Millbrooke Farm, is a Homeowners' Association. See notes 15 and 16 on sheet 2. Open Space to be managed and owned by Riverbend Woods Association.
		(b) Further subdivision of the common land or its use for other than noncommercial recreation or conservation purposes, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to noncommercial recreational or conservation uses may be erected on the common land.	See note 15 on sheet 2.

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§ 202-12. General Standards			Findings & Decisions
		(c) The common open space shall be shown on the final plan with appropriate notation on the plan to indicate that:	
		[1] It shall not be used for future building lots; and	See note 16 on sheet 2.
		[2] A part or all of the common open space may be dedicated for acceptance by the municipality.	See note 16 on sheet 2.
		(d) If any or all of the common open space and services are to be reserved for use by the residents, the bylaws of the proposed homeowners' association shall specify maintenance responsibilities and shall be submitted to the Board prior to final plan approval.	Riverbend Woods Association documentation and proposed By-Law amendment detailing maintenance of the Open Space was provided and reviewed by the Town Engineer and Town Attorney and found to be adequate.
		(e) Covenants for mandatory membership in the homeowners' association setting forth the owners' rights, interests and privileges in the association and the common property shall be reviewed by the Board and included in the deed for each lot or dwelling.	The Riverbend Woods Association, proposed owner of the dedicated Open Space for Millbrooke Farm, is a Homeowners' Association. See notes 15 and 16 on sheet 2. Open Space to be managed and owned by Riverbend Woods Association.
		(f) The homeowners' association shall have the responsibility of maintaining the common property.	The Riverbend Woods Association, proposed owner of the dedicated Open Space for Millbrooke Farm, is a Homeowners' Association. See notes 15 and 16 on sheet 2. Open Space to be managed and owned by Riverbend Woods Association.
		(g) The association shall levy annual charges against all owners of dwelling units to defray the expenses connected with the maintenance of common property and tax assessments.	Noted within the Riverbend Woods Association By-Laws.
		(h) The developer or subdivider shall maintain control of the common property and be responsible for its maintenance until development sufficient to support the association has taken place.	Noted within the Riverbend Woods Association By-Laws.
	(5)	Construction in flood hazard areas. When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall conform with Chapter 115, Floodplain Management, of the Wells Municipal Code.	No flood zone is present for the parcel per FEMA Map 2301580011D. See note 8 on sheet 2.
	(6)	Impact on groundwater.	
		(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	A hydrogeologic assessment is not required.
		[1] A map showing the basic soils types.	
		[2] The depth of the water table at representative points throughout the subdivision.	
		[3] Drainage conditions throughout the subdivision.	
		[4] Data on the existing groundwater quality, either from test wells in the subdivision or from existing wells on neighboring properties.	

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§ 202-12. General Standards		Findings & Decisions
	[5] An analysis and evaluation of the effect of the subdivision on groundwater resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1,000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within the watershed of a pond, projections of the development's impact on groundwater phosphate concentrations shall also be provided.	
	[6] A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.	
	(b) Projections of groundwater quality shall be made at any wells within the subdivision and at the subdivision boundaries or at a distance of 500 feet from potential contamination sources, whichever is a shorter distance.	No wells proposed within the subdivision. No septic systems proposed within the subdivision.
	(c) Projections of groundwater quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).	
	(d) No subdivision shall increase any contaminant concentration in the groundwater to more than 1/2 of the primary drinking water standards. No subdivision shall increase any contaminant concentration in the groundwater to more than the secondary drinking water standards.	This standard shall be met.
	(e) If groundwater contains contaminants in excess of the primary standards and the subdivision is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.	This standard shall be met.
	(f) If groundwater contains contaminants in excess of the secondary standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.	This standard shall be met.
	(g) Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the final plan and as restrictions in the deeds to the affected lots.	No wells proposed within the subdivision. No septic systems proposed within the subdivision.

§ 202-13. Performance Guaranties. [Amended 4-12-1999]		Findings & Decisions
A.	Types of guaranties.	

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	(1)	With submittal of the application for final plan approval, the applicant shall provide any one or a combination of the following performance guaranties for an amount adequate to cover the total site preparation and construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs:	See note 17. Type/Form of Performance Guarantee to be determined at the pre-construction meeting for Millbrooke Farm. The Performance Guarantee type/form and amount to cover the cost for the connection to Gateway Drive to Midway Drive to be established at the Millbrooke Farm pre-construction meeting or no later than September 1, 2017, whichever occurs first.
		(a) Either a certified check payable to the municipality or a savings account or certificate of deposit naming the municipality as owner for the establishment of an escrow account.	Type/Form of guarantee to be determined by the Town Manager/ Town Planner.
		(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	Type/Form of guarantee to be determined by the Town Manager/ Town Planner.
		(c) An irrevocable letter of credit (See Appendix B for a sample. Note: Appendix B, originally attached to the Subdivision Regulations, has not been reproduced in the Code. Consult the original Town records in the office of the Clerk.) from a financial institution establishing funding for the construction of the subdivision from which the municipality may draw if construction is inadequate, approved by the municipal officers or Town Manager.	Type/Form of guarantee to be determined by the Town Manager/ Town Planner.
		(d) An offer of conditional approval prohibiting the sale of any units or lots until all required improvements serving those units or lots have been constructed to the satisfaction of the Town and in compliance with all ordinances, plans and specifications.	See note 17. The sale or occupancy of dwelling units is prohibited until the street, utilities, and drainage improvements serving the phase in which the unit is located (except surface pavement and landscaping for which a guarantee shall be established) is installed and completed. Planning Board reviewed and determined acceptable on 4/4/2016.
	(2)	The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.	Type/Form and amount of the performance guarantee to be determined by the Town Manager/ Town Planner.
B.	**Contents of guaranty.** The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.		To be determined by the Town Manager/ Town Planner.

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C.	**Escrow account.** If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.	To be determined by the Town Manager/ Town Planner.
D.	**Performance bond.** If the applicant chooses to submit a performance bond, the performance bond shall detail any special conditions, the method for release of the bond or portions of the bond to the applicant and the procedures for collection by the municipality. The bond documents shall specifically reference the subdivision for which approval is sought.	To be determined by the Town Manager/ Town Planner.
E.	**Letter of credit.** If the applicant chooses to submit an irrevocable letter of credit from a bank or other lending institution, at a minimum the letter shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan. The Town Manager or Town Treasurer shall certify the bank or institution as acceptable to the Town. The Town Attorney shall review and, if found acceptable, approve the wording of all letters of credit.	To be determined by the Town Manager/ Town Planner.
F.	**Standard condition of approval**. As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection **K**, the Board shall require the applicant to enter into a binding agreement with the municipality regarding the development of the required improvements and the sale of lots or units in the subdivision until such time as one or more of the allowable performance guaranties have been accepted by the municipality.	To be determined by the Town Manager/ Town Planner.
	(1) The agreement shall prohibit the sale or occupancy of any lot or unit in the subdivision for which the improvements to be covered by the guaranty are required for access to or intended use of the lot until either:	See note 17.
	(a) It is certified by the Board, or its agent, that all of the required improvements have been installed in accordance with these regulations and the regulations of the appropriate utilities; or	
	(b) A performance guaranty, acceptable to the municipality, is submitted in an amount necessary to cover the completion of the required improvements at an amount adjusted for inflation and prorated for the portions of the required improvements already installed.	
	(2) Notice of the agreement and any conditions shall be on the final plan that is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guaranties contained in Subsection **H**.	

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G.	**Phasing of development.** The Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision street which is covered by a performance guaranty. When development is phased, road construction shall commence from an existing public way. The subdivision shall be divided in such a manner that each phase, when aggregated with the previous phase(s), shall meet the standards of these regulations. Final approval of lots in subsequent phases shall be given only upon satisfactory completion of all requirements pertaining to previous phases.	Phasing is proposed. See note 17. The connection from Gateway Drive to Midway Drive shall be completed to base pavement no later than April 30, 2018. The Performance Guarantee type/form and amount to cover the cost for the connection to Gateway Drive to Midway Drive to be established at the Millbrooke Farm pre-construction meeting or no later than September 1, 2017, whichever occurs first. The Planning Board voted on 4/4/16 to require the road connection from Gateway Dr to Midway Dr to be completed by 4/30/2018 to match the Heron Landing completion date requirement of 4/30/2018.
H.	**Release of guaranty**. Prior to the release of any part of the performance guaranty, the Board shall determine to its satisfaction, in part upon the report of the Town Manager and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.	
I.	**Default.** If upon inspection the third party inspector, Municipal Engineer or other qualified individual retained by the municipality finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he or she shall so report in writing to the Code Enforcement Officer, the municipal officers, the Board and the applicant or builder. The municipal officers shall take any steps necessary to preserve the municipality's rights.	
J.	**Private streets.** Where the subdivision streets are to remain private streets, the following words shall appear on the recorded plan: "All streets in this subdivision shall remain private roads to be maintained to Town standards by the developer or the lot owners and shall not be accepted or maintained by the Town."	See note 12 on sheet 2. Note 12 states: "All streets in this subdivision (Millbrooke Farm Drive, Grist Stone Court, and Carding Mill Loop) shall remain private roads to be maintained to Town standards by the developer or the lot owners and shall not be accepted or maintained by the Town."
K.	**Improvements guaranteed.** Performance guaranties shall be tendered for all improvements required to meet the standards of these regulations and for the construction of the public or private streets, stormwater management facilities, public or private sewage collection or disposal facilities and water systems that are shared by multiple dwelling units and erosion and sedimentation control measures, as well as any other improvements required by the Board.	Established of the type, form and conditions of the Performance Guarantee is required at the pre-construction meeting. A performance guarantee in the form and amount to be found suitable by the Town Manager/ Town Engineer shall be established with the Town of Wells to cover the cost of site stabilization at $3,500 per acre of disturbed area at the pre-construction meeting. See special condition #4.

§ 202-2. Purpose, criteria for approval.	Findings & Decisions

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The purposes of these regulations are to assure the comfort, convenience, safety, health and welfare of the people of the Town of Wells, to protect the environment and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the Town of Wells, Maine, the Planning Board shall consider the following criteria and, before granting approval, shall make findings of fact that the provisions of these regulations have been met and that the proposed subdivision will meet the guidelines of 30-A M.R.S.A. § 4404.			
A.	The subdivision:		**The Planning Board finds that these standards shall be met.**
	(1)	Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; and the slope of the land and its effect on effluents;	
	(2)	Has sufficient water available for the reasonably foreseeable needs of the subdivision;	
	(3)	Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;	
	(4)	Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;	
	(5)	Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;	
	(6)	Will provide for adequate solid and sewage waste disposal;	
	(7)	Will not cause an unreasonable burden on the ability of the Town to dispose of solid waste and sewage if municipal services are to be utilized;	
	(8)	Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;	
	(9)	Is in conformance with this chapter, the Comprehensive Plan for the Town and Chapter 145, Land Use, of the Wells Municipal Code, as amended;	
	(10)	Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water; and	
	(11)	Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;	
B.	The subdivider has adequate financial and technical capacity to meet the above-stated standards;		**The Planning Board finds that these standards shall be met.**
C.	If any part of a subdivision is located in a flood-prone area, as indicated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Maps, the subdivider shall determine the one-hundred-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition requiring that principal structures will be constructed with their lowest floor, including the basement, at least one foot above the one-hundred-year flood elevation; and		**Not applicable.**

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D.	The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorous concentration during the construction phase and life of the proposed subdivision.	**Not applicable.**

STANDARD CONDITIONS OF APPROVAL

1. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period. (§202-9C(2))

2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. The evidence shall consist of the results of a primary inorganic water analysis performed upon the well to serve the structure, indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. (§202-12F(2)(b)[4])

3. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed. (§202-11A(5))

4. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with § 202-10A(3). (§202-9C(4))

5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan. (§202-9C(5))

6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void. (§202-9C(6))

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SPECIAL CONDITIONS OF APPROVAL

1. Prior to any construction activity at the site, the applicant/developer and selected contractor shall participate in a pre-construction conference with Town and other regulatory officials to review the project's construction considerations.

2. Prior to any construction on the site, the applicant shall post a performance bond or other suitable financial guarantee. The work included within this bond or financial guaranty shall include the roadway and infrastructure improvements including but not limited to utilities, drainage, lot Monumentation and As-Built Plans of the subdivision. A bond or financial guaranty shall also be established to cover costs for inspection services of the work associated with the roadway improvements and drainage and erosion control measures beyond the limits of the road right of way. The form and amount of this bond or financial guaranty must be acceptable to the Town Manager.

3. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.

4. A site stabilization performance guaranty in the form of cash escrow shall be established with the Town of Wells prior to soil disturbance of Millbrooke Farm based on an amount of $3,500 per acres of disturbed area.

FINDINGS OF FACTS & DECISIONS
Final Subdivision Application for "Millbrooke Farm"

5. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, lot Monumentation and utility related construction work.

6. Prior to the pre-construction conference with the Town of Wells the developer shall provide necessary cash escrow to pay for any outstanding peer review fees or expenses associated with the development review of this application.

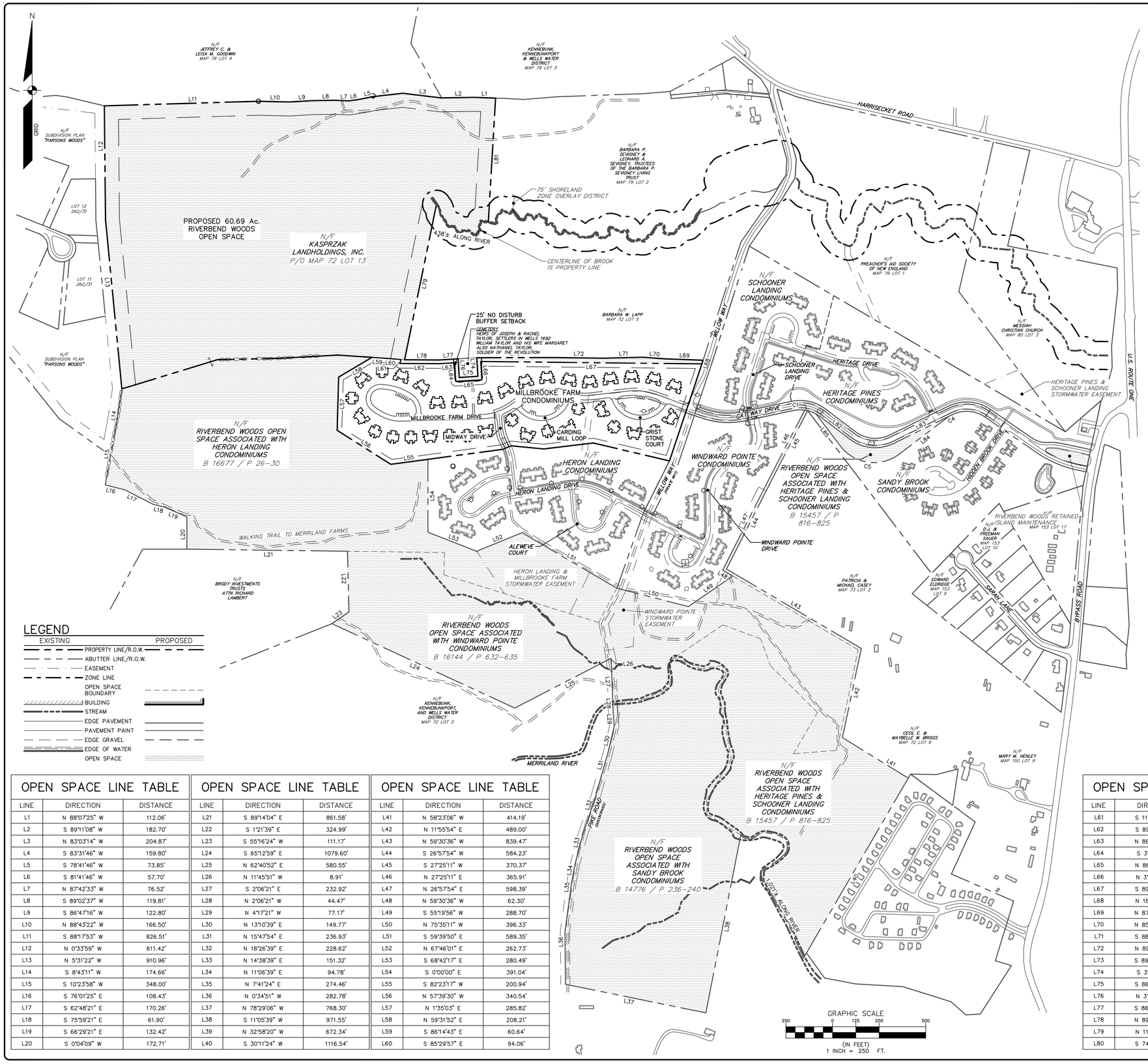
7. Sheet 19 of the Millbrooke Farm Subdivision plan set shall be recorded at the YCRD at a future date which shall coincide with the Town approval of the Riverbend Woods Open Space Amendment Application which was submitted to the Town for review on 4/13/2016.

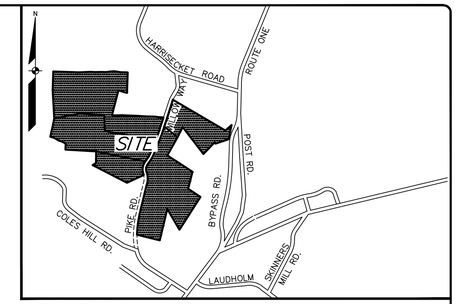
Dated at Wells, Maine this _____ day of _____, 2016

Wells Planning Board

By: _____

DRAFT





LOCATION MAP N.T.S.

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE LAND OWNED BY RIVERBEND WOODS ASSOCIATION, A HOMEOWNERS' ASSOCIATION COMPRISED OF THE FOLLOWING CONDOMINIUMS: SANDY BROOK CONDOMINIUM, HERITAGE PINES CONDOMINIUM, SCHOONER LANDING CONDOMINIUM, WINDWARD POINTE CONDOMINIUM, HERON LANDING CONDOMINIUM, AND MILLBROOKE FARM CONDOMINIUM.
2. THE PROPERTY IS DEDICATED OPEN SPACE REQUIRED TO SATISFY THE DENSITY, OPEN SPACE AND LOT COVERAGE REQUIREMENTS OF THE DEVELOPMENTS DEPICTED ON THE REFERENCE PLANS.
3. THE PROPERTY SHALL BE MANAGED BY RIVERBEND WOODS ASSOCIATION AS DEDICATED OPEN SPACE FOR NONCOMMERCIAL RECREATION AND CONSERVATION PURPOSES.
4. THE PROPERTY IS SUBJECT TO TWO DRAINAGE EASEMENTS.
5. RIVERBEND WOODS ASSOCIATION HAS THE BENEFIT OF LANDSCAPING MAINTENANCE RIGHTS ALONG GATEWAY DRIVE.

REFERENCE DEEDS:

1. SANDY BROOK: CONVEYANCE OF OPEN SPACE WAS RECORDED ON BOOK 14776, PAGES 236-240 ON MARCH 10, 2016.
2. HERITAGE PINES & SCHOONER LANDING: CONVEYANCE OF OPEN SPACE WAS RECORDED ON BOOK 15457, PAGES 816-825 ON JULY 22, 2008.
3. WINDWARD POINTE: CONVEYANCE OF OPEN SPACE WAS RECORDED ON BOOK 16144, PAGES 632-635 ON AUGUST 12, 2011.
4. HERON LANDING: CONVEYANCE OF OPEN SPACE WAS RECORDED ON BOOK 16677, PAGES 26-30 ON AUGUST 19, 2013.
5. MILLBROOKE FARM: CONVEYANCE OF OPEN SPACE WAS RECORDED ON BOOK _____, PAGES _____.

REFERENCE PLANS:

1. SANDY BROOK: SUBDIVISION PLAN RECORDED ON BOOK 660, PAGE 3 ON DECEMBER 29, 2005.
2. HERITAGE PINES & SCHOONER LANDING: SUBDIVISION PLAN RECORDED ON BOOK 321 PAGES 13 & 14 ON JUNE 28, 2007, AND BOOK 328 PAGES 45 & 46 ON APRIL 9, 2008.
3. WINDWARD POINTE: SUBDIVISION PLAN RECORDED ON BOOK 347 PAGE 49 ON FEBRUARY 17, 2011.
4. HERON LANDING: SUBDIVISION PLAN RECORDED ON BOOK 360 PAGES 19 & 20 ON APRIL 30, 2013.
5. MILLBROOKE FARM: SUBDIVISION PLAN RECORDED ON BOOK ____, PAGES _____.

DEVELOPMENT CALCULATIONS TABLE:

PHASE	UNITS	LOT COVERAGE	AREA
MILLBROOKE FARM	70	6.01 AC	20.13 AC
HERON LANDING	56	4.41 AC	14.91 AC
WINDWARD POINTE	44	3.48 AC	12.11 AC
HERITAGE PINES & SCHOONER	64	6.41 AC	20.16 AC
SANDY BROOK	26	2.22 AC	11.78 AC
RIVERBEND WOODS ASSOC.	0	0	176.14 AC
WILLOW WAY EXT. (ROW)	0	0.28 AC	0.66 AC
TOTALS:	260	22.81 AC	255.89 AC

AVERAGE DENSITY: 255.23 AC/ 260 = 0.98 AC PER UNIT = 42,760 SF PER UNIT

AVERAGE LOT COVERAGE: 22.81/ 255.89 AC = 8.9 %

LEGEND

EXISTING		PROPOSED
	PROPERTY LINE/R.O.W.	
	ABUTTER LINE/R.O.W.	
	EASEMENT	
	ZONE LINE	
	OPEN SPACE BOUNDARY	
	BUILDING	
	STREAM	
	EDGE PAVEMENT	
	PAVEMENT PAINT	
	EDGE GRAVEL	
	EDGE OF WATER	
	OPEN SPACE	

OPEN SPACE LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 88°07'25" W	112.06'
L2	S 89°11'08" W	182.70'
L3	N 83°03'14" W	204.87'
L4	S 83°31'46" W	159.80'
L5	S 78°41'46" W	73.85'
L6	S 81°41'46" W	57.70'
L7	N 87°42'33" W	76.52'
L8	S 89°02'37" W	119.81'
L9	S 86°47'16" W	122.80'
L10	N 88°43'22" W	166.50'
L11	S 88°17'53" W	826.51'
L12	N 0°33'59" W	611.42'
L13	N 5°31'22" W	910.96'
L14	S 8°43'11" W	174.66'
L15	S 10°23'58" W	348.00'
L16	S 76°01'25" E	108.43'
L17	S 62°48'21" E	170.26'
L18	S 75°59'21" E	61.90'
L19	S 66°29'21" E	132.42'
L20	S 0°04'09" W	172.71'

OPEN SPACE LINE TABLE

LINE	DIRECTION	DISTANCE
L21	S 89°14'04" E	861.58'
L22	S 1°21'39" E	324.99'
L23	S 55°16'24" W	111.17'
L24	S 65°12'59" E	1079.60'
L25	N 62°40'52" E	580.55'
L26	N 11°45'51" W	8.91'
L27	S 2°06'21" E	232.92'
L28	N 2°06'21" W	44.47'
L29	N 4°17'21" W	77.17'
L30	N 13°10'39" E	149.77'
L31	N 15°47'54" E	236.93'
L32	N 18°26'39" E	228.62'
L33	N 14°38'39" E	151.32'
L34	N 11°06'39" E	94.78'
L35	N 7°41'24" E	274.46'
L36	N 0°34'51" W	282.78'
L37	N 78°29'06" W	768.30'
L38	S 11°05'39" W	971.55'
L39	N 32°58'20" W	672.34'
L40	S 30°11'24" W	1116.54'

OPEN SPACE LINE TABLE

LINE	DIRECTION	DISTANCE
L41	N 58°23'06" W	414.19'
L42	N 11°55'54" E	489.00'
L43	N 59°30'36" W	839.47'
L44	S 26°57'54" W	584.23'
L45	S 27°25'11" W	370.37'
L46	N 27°25'11" E	365.91'
L47	N 26°57'54" E	598.39'
L48	N 59°30'36" W	62.30'
L49	S 55°19'56" W	288.70'
L50	N 75°35'11" W	396.33'
L51	S 59°39'50" E	589.35'
L52	N 67°46'01" E	262.73'
L53	S 68°42'17" E	280.49'
L54	S 0°00'00" E	391.04'
L55	S 82°23'17" W	200.94'
L56	N 57°39'30" W	340.54'
L57	N 1°35'03" E	285.82'
L58	N 59°31'52" E	208.21'
L59	S 86°14'43" E	60.64'
L60	S 85°29'57" E	94.06'

OPEN SPACE LINE TABLE

LINE	DIRECTION	DISTANCE
L61	S 11°35'45" W	21.90'
L62	S 89°41'56" E	210.05'
L63	N 86°34'45" E	82.97'
L64	S 3°25'43" E	100.06'
L65	N 86°34'17" E	139.99'
L66	N 3°24'37" W	98.59'
L67	S 89°22'39" E	1185.95'
L68	N 18°28'21" E	20.86'
L69	N 87°59'41" W	199.87'
L70	N 85°54'41" W	122.84'
L71	S 88°40'19" W	209.75'
L72	N 89°19'41" W	268.11'
L73	S 89°54'02" W	413.67'
L74	S 3°24'37" E	100.04'
L75	S 86°34'17" W	100.00'
L76	N 3°25'43" W	100.05'
L77	S 86°34'45" W	102.32'
L78	N 89°41'56" W	185.01'
L79	N 11°35'45" E	842.25'
L80	S 74°46'09" E	290.45'

OPEN SPACE LINE TABLE

LINE	DIRECTION	DISTANCE
L81	N 3°21'12" E	655.98'
L82	S 52°46'30" E	201.70'
L83	N 63°46'58" E	348.86'
L84	S 52°45'44" W	320.40'
L85	N 37°14'16" W	217.45'

OPEN SPACE CURVE TABLE

CURVE	LENGTH	RADIUS	CRD. BEARING	CRD. DIST.
C1	15.67'	175.00'	N 79°20'12" W	15.67'
C2	25.61'	175.00'	N 56°58'00" W	25.58'
C3	249.14'	225.00'	S 84°29'46" E	236.60'
C4	33.66'	175.00'	S 58°16'21" W	33.61'
C5	353.43'	225.00'	S 82°14'16" E	318.20'

DESIGNED	CHECKED
CCA	OAM

REV.	BY:	DATE:	STATUS
D	CCA	04-11-16	REVISED PER TOWN REVIEW
C	CCA	04-01-16	REVISED PER TOWN REVIEW
B	CCA	03-03-16	ISSUED TO TOWN FOR REVIEW
A	CCA	03-02-16	ISSUED TO CLIENT FOR REVIEW

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OPEN SPACE PLAN
OF:
RIVERBEND WOODS CONDOMINIUMS
WELLS, MAINE

FOR RECORD OWNER:
KASPRZAK LANDHOLDINGS, INC. & RIVERBEND WOODS
P.O. BOX 26
NORTH WATERBORO, MAINE 04061

04426-PHSE-OPEN SPACE.dwg, TAB:OS

PROJECT NO.	SCALE
04426	1" = 250'

Wells Fire Department

1563B Post Road
Wells, Maine 04090

Office (207) 646-7912
FAX (207) 645-0597
TDD (207) 646-7892

Daniel M. Moore
Fire Chief

April 4, 2016

Mike G. Livingston, PE
Town Engineer/ Planner
208 Sanford Road
Wells, Maine 04090

Dear Mr. Livingston,

I have reviewed the plans for the project known as the Millbrooke Farm Condominium Subdivision located at off of Willow Way, Gateway Drive and Midway Drive in Wells, Maine. This is phase VI of the Riverbend Woods Development by Kasprzak off of Bypass Road. The application is described as the following:

> Bob Georgitis of Kasprzak Homes/ Kasprzak Landholdings has submitted a Final Subdivision application for a major subdivision to be located off of Willow Way, Gateway Drive and Midway Drive. The subdivision shall consist of 70 dwelling units constructed as 35 duplex buildings (two-family dwelling units) on 20.13 acres of land (Multifamily Development per §145-48) with 60.69 acres to be dedicated open space. The subdivision shall be located on Tax Map 72, Lot 4B and the proposed dedicated Open Space which predominantly consists of Tax Map 72, Lots 12 and Lot 13 shall become part of the Riverbend Woods Association Open Space (Tax Map and Lot number to be determined)The developed area and proposed Open Space for Millbrooke Farm total 80.82 acres (80.81 net acres). The parcels are located within the Rural District and 75' Shoreland Overlay District. The parcels shall be connected to public sewer and public water.

Fire Department is in approval of the project in accordance with the latest set of plans dated 04-01-2016, sheets 1 to 19, with the following comments offered:

<u>In accordance with Chapter Land Use 145-75 in the Town of Wells Code, the following items pertain:</u>

H. *Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.*

Explosive materials shall be stored in compliance with NFPA standards.

I. *Water quality. All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.*

Water quality standards shall be met.

L. Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.

The proposed subdivision does not alter any existing public water fire hydrant locations near this project. Two private fire hydrants are proposed; one along the south side of Millbrooke Farm Drive between Grist Stone Court and Carding Mill Loop near unit 61; and one on the north side of Millbrooke Farm Drive near unit 24. Consumption needs of this development shall be met, see KKWWD approval letter dated 1/12/2016. Proposed hydrants are labeled on sheet 5 and 7 of the subdivision set. See also the Fire Hydrant Location Plan dated 1/12/16.

N. Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personnel.

This project provides for adequate access for Fire Department equipment and personnel along a proposed 22' wide paved two-way road with concrete curbs. See note 11 on sheet 2. Parking along the proposed private roads is prohibited and signs stating 'no parking' shall be maintained along this road.

<u>In accordance with Chapter Subdivision 202 in the Town of Wells Code, the following items pertain:</u>

Major Subdivision: 202-9 (5) Indication of the type of water supply system(s) to be used in the subdivision. (a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.

A letter from the KKW Water District indicating review and approval of the water system design dated 1/12/16 has been provided.

202-12F(2) Water supply.

(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.

This shall be met.

[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.

A letter from the KKW Water District indicating review and approval of the water system design dated 1/12/16 has been provided. This standard shall be met.

[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.

Sheets 4 to 11 show proposed water utility plans and connections. Two hydrants are proposed, see sheets 5 and 7. The Fire Chief has reviewed the utility plans and finds then acceptable. See also the Fire Hydrant Location Plan dated 1/12/16.

(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.

Not applicable. The subdivision shall be served by public water (KKWWD).

[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.

[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).

[3] Fire protection. ***[Amended 3-11-2002]***

[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:

Not applicable.

[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and

Not applicable.

[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.

Not applicable.

[b] For purposes of this section, the one-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.

Not applicable.

If you have any questions, please contact me.

Sincerely,

Daniel Moore
Fire Chief

Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

Michael G. Livingston, Town Engineer/Planner	*mlivingston@wellstown.org*
Shannon M. L. Belanger, Planning Assistant	*sbelanger@wellstown.org*

Major Subdivision Application Memo

Date: April 14, 2016

To: Planning Board

From: Shannon Belanger

Re: Grants Pasture Subdivision - Map 32, Lot 11

Project Description:

Paul Hollis, of Sebago Real Estate Investment, LLC, has submitted a Final Subdivision application for land currently owned by Gerald Grant. The subdivision proposes a 7 lot/dwelling unit major residential cluster subdivision on 43.5 acres of land with approximately 38.8 acres to be designated as dedicated open space. The subdivision lots shall be served by individual private septic systems and individual private drilled wells. The parcel is located off of North Berwick Road and is within the Rural, 250' Shoreland Overlay, and Resource Protection Districts. The parcel is identified as Tax Map 32, Lot 11.

§ 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]** **Prelim. Approval granted 3-21-16. Final subdivision application submitted on 4-5-16.**

(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]** **To be determined**

(3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **To be determined**

(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. **To be determined**

(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. **To be determined**

(6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

(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. **Not Applicable**

(b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**

(c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as not changes to water supply (private wells) are proposed.**

(d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**

(e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as no changes to subsurface sewage disposal systems are proposed.**

(f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**

(g) NPDES permit for stormwater discharges. **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. **To be determined**

(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.

(9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **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. One reproducible, stable-based transparent original and three 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:

I. The Planning Board should consider receiving the Final Subdivision Plan Application.

a. The Planning Board should consider what conditions of the Preliminary Subdivision Approval have been satisfied:

PRELIMINARY STANDARD CONDITIONS OF APPROVAL:

1. Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received.
2. The developer must, within six months of the approval of the preliminary plan, file with the Planning Board an application for final approval. Failure to do so may result in the Planning Board refusing to entertain such final plan, and the lapse of approval of the preliminary plan. The final plan shall approximate the layout shown on the Preliminary Plan, plus recommendations and requirements made by the Planning Board. **Preliminary Subdivision Approval granted on 3-21-2016. Final Subdivision Application submitted on 4-5-2016.**
3. Prior to the submittal of the final plan application, the following approval shall be obtained in writing if applicable: Maine Dept. of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act; the KKW Water District, if connected to public water; Maine Dept. of Human Services, if a central water supply system is proposed; The Wells Sanitary District, if connected to public sewer; Maine Dept. of Human Services, if a centralized or shared subsurface sewage disposal system if to be utilized; an Army Corps of Engineers dredge and fill permit; NPDES permit for stormwater discharges. **Not applicable.**

PRELIMINARY FOF SPECIAL CONDITIONS OF APPROVAL:

1. The submission of the final subdivision application and plan shall address the following:
   a. Plan change recommendations depicted on the 3/18/16 subdivision plan mark-up; **Plan mark-ups as recommended on 3-18-16 and as described below not yet completed.**

b. Proposed map and lot numbers to be assigned by the Town Assessor's Office and noted on the plan as assigned on the final subdivision plan submission. **Not yet completed.**
c. Street name to be approved by the Assessor's Office and the approved name shall be noted on the final subdivision plan submission. **Grants Pasture Way approved by the E911 Coordinator on 4-5-2016**
d. The final subdivision plan submission shall address Monumentation labelling recommended changes. **Plans depict proposed Monumentation to be considered by the Planning Board**
e. The final boundary plan to be stamped by a licensed land surveyor. **To be done**
f. The Final Subdivision plan submission shall note that the old well house shown on sheet 1 "to be removed and the water line (approx.) shall be abandoned and removed from lots 2 and 4. **Not yet completed**
g. The final subdivision plan submission shall label the test pit and possible reserve system location for lot 5. Applicant's Site Evaluator to review proposed septic boxes. **Not yet completed**
h. The final subdivision plan submission shall label the approximate unforested wetland areas. **Not yet completed**

2. The following items shall be provided by the applicant with the Final Subdivision Application and Plan submission:
   i. The Sample Deed to be provided upon the submission of the final subdivision application and plan. **Not yet completed**
   j. The hydregeologic study shall be provided upon submission of the final subdivision application. **Sweet Associated prepared an evaluation dated 4-5-16. Town Engineer to review.**
   k. The IF&W letter to be provided with the final subdivision application submission. **IF&W letter provided dated 3-20-2016**
   l. A Professional Engineer shall evaluate the Suburban Propane fire pond (M 40, Lot 3-A) and provided a written opinion of capacity and adequacy with the final subdivision application submission, if this subdivision proposes to utilize this fire pond as their source of fire protection. **Not yet completed**

b. The Planning Board should consider the following final completeness review comments:
   i. Test pits data sheets are missing for TP 16 to 21. Limiting factors of the test pits 19 & 20 not noted on sheet 1. Limiting factors are noted on sheet 3.
   ii. Reserve system for Lot 5 missing. (TP's < 24")
   iii. Minimum property line setback of 10' label missing for some septic boxes.

iv. Minimum 100' distance from well locations missing for some septic boxes/reserve boxes.
v. A written statement from the Fire Chief regarding the proposed fire protection is pending. Waiver required if fire pond is to be used.
vi. The graphic scale on sheet 2 to be corrected.
vii. Abutter missing (N/F Richard B & Betty L. Dusseault)
viii. Sheet 2 to correct the 250' Shoreland Overlay Zone label (Not RP 250' Shoreland…)
ix. Proposed underground utilities end at beginning of the cul-de-sac. How will utilities extend to lot 5? Approx. transformer locations needed.
x. The width of North Berwick Road not noted.
i. A construction cost estimate was submitted on 4-5-16. To be reviewed by the Town Engineer. Estimate does not appear to include the cost to repair the intended fire pond/hydrant at Suburban Propane
ii. Flood zone boundaries are not identified on sheet 2 as required.
iii. A stormwater management plan prepared by Lewis Chamberlain of Attar Engineering, Inc dated 4/1/2016 was provided. Town Engineer to review.

c. The Planning Board should vote to continue the workshop to the next meeting or consider appointing the Town Engineer as the completeness agent.
d. The Board should consider if a final public hearing is necessary. If so the Town Engineer could schedule the public hearing once all the items above are addressed by the applicant. If a public hearing is waived, the Planning Board workshop would be continued once the above items are addressed by the applicant.

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
Plans Dated:	4/1/16	Final Plan Revisions Submittal Date:	4/5/16

Chapter 202
Subdivision of Land

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
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. One reproducible, stable-based transparent original and three 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]**		**Y**				Sheet 1 scale is 1” = 40 feet. Sheet 2 scale is 1” = 100 feet and 1” = 200 feet. On 3/21/16 the Planning Board granted a waiver to permit the boundary plan to be at a 1” = 200 foot scale as the property is not more than 100 acres in size.
	(1)	Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	**Y***				Sheet 1, Notes 1 and 2 and Title Block. **Proposed map and lot numbers to be assigned by the Town Assessor’s Office and noted on the plan as assigned on the final subdivision plan submission.**
	(2)	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	**Y***				See sheet 2. **The Final boundary plan to be stamped by a licensed land surveyor.** Final plan by Nathan C. Amsden, PLS #2438.

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
Plans Dated:	4/1/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
	(3)	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y				Note 4 on sheet 1 states the parcel is 43.5 acres in size - 4.6 acres of Resource Protection District totals 38.9 net acres. See note 19 on sheet 1. There are no trees greater than 24" in diameter at breast height in the developed area. Note 19 states: "Trees shall be preserved throughout the Open Space." Sheet 1 labels the limit of disturbance for lots 5 and 7. No disturbance of vegetation to occur beyond the wetland delineation or limit of wetland fill.
	(4)	Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y*				See sheet 1, Note 5. "Sewer service shall be provided by individual private, on-site subsurface wastewater disposal systems." **Test pits are missing for TP 16 to 21. All limiting factors of the test pits not noted on sheet 1.** Limiting factors are noted on sheet 3. **Reserve system for Lot 5 missing. Minimum property line setback of 10' label missing for some septic boxes. Minimum 100' distance from well locations missing for some septic boxes/reserve boxes.**
	(5)	Indication of the type of water supply system(s) to be used in the subdivision.	Y				See sheet 1, Note 5. "Well locations to be within 10 feet of well depicted and to be staked by a Professional Land Surveyor prior to drilling."

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
Plans Dated:	4/1/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
		(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.	Y*				**A written statement from the Fire Chief regarding the proposed fire protection is pending.**
		(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:	Y				
		[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.			NA		The subdivision is not located within such contamination sources.
		[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			NA		Subdivision not served by a central water system. All dwellings in the subdivision to be single family units.
	(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y*				**The graphic scale on sheet 2 to be corrected.** **Abutter missing on sheet 1 (N/F Richard B & Betty L. Dusseault)** Owner, Applicant, Engineer, and Surveyor information noted on the plan.
	(7)	The location of any zoning boundaries affecting the subdivision	Y*				**Sheet 2 to correct the 250' Shoreland Overlay Zone label (Not RP 250' Shoreland…)**

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
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§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
	(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y*				See sheets 3, 4, and 5 for grading and utility plans and details. **Proposed underground utilities end at beginning of the cul-de-sac. How will utilities extend to lot 5? Approx. location of transformers needed.**
	(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y*				**The width of North Berwick Road not noted.** Grants Pasture Way right of way is 50' wide, the paved width of the street is 20' with 5' gravel shoulders.
	(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.	Y*				**The width of North Berwick Road not noted.**
	(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			NA		See note 25. The open space shall be owned an managed by the Grants Pasture HOA. Land is not proposed to be offered to the Municipality. Public use of the Open Space is not proposed.

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
Plans Dated:	4/1/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.	**Y***				A construction cost estimate was submitted on 4-5-16. **To be reviewed by the Town Engineer.** **Estimate does not appear to include the cost to repair the intended fire pond/hydrant at Suburban Propane**
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			**NA**		Only 7 lots/dwellings are proposed.
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			**NA**		Only 7 lots/dwellings are proposed.
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	**Y***				See sheet 1, note 20 and see sheet 2, note 11.__ The majority of the subdivision is located within flood zone C, portions of the rear of the property (Open Space area) are within flood zone A. **Flood zone boundaries are not identified on sheet 2 as required. Approx. location per FEMA Rate Map to be depicted or waiver request needed for the Planning Board to consider.**
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. **[Amended 4-27-2007]**	**Y**				Erosion and sedimentation control notes are noted on sheet 4. Best management practices shall be followed.

Project Name/Tax Map & Lot #:	Grants Pasture Subdivision/ Tax Map 32, Lot 11	District:	R, RP, ShO
Prepared By:	Planning Office	Review Date:	4/14/2016
Plans Dated:	4/1/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. **[Amended 4-27-2007]**	**Y***				A stormwater management plan prepared by Lewis Chamberlain of Attar Engineering, Inc dated 4/1/2016 was provided. **Town Engineer to review.**
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: **[Added 4-27-2007]**			**NA**		Subdivision not located within such areas.
	(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
	(b) A long-term maintenance plan for all phosphorus control measures;					
	(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
	(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					

ATTAR
ENGINEERING, INC
CIVIL · STRUCTURAL · MARINE

Mr. Michael Livingston, Town Engineer
Town of Wells
208 Sanford Road
Wells, Maine 04090

April 1, 2016
Project No.: C167-16

Received 4-5-16

RE: Final Subdivision Application
Grant's Pasture – 7 Lot Residential Cluster Subdivision
North Berwick Road (Route 9)
Tax Map 32, Lot 11

Dear Mr. Livingston:

On behalf of Sebago Real Estate Investment, LLC, I have enclosed a Final Subdivision Application, Plan Set and Stormwater Management Plan for the above referenced project.

Seal Harbor, LLC is proposing to construct a 7 lot residential cluster subdivision on a 43.5 acre parcel of land. The lots will be accessed by a new paved road connected to North Berwick Road. Approximately 38 acres of open space is proposed at the east end of the site.

The applicant respectfully requests the following waiver from the final plan general standards:

- 202-12F(1) - Iron rods (two) to be set at easterly property corners, in lieu of stone or concrete monuments.

Please schedule this project for review at the next available Planning Board Meeting. If additional information is required by the Planning Department, please contact me. Thank you for your assistance.

Sincerely;

Lewis Chamberlain, PE

cc: Sebago Real Estate Investment, LLC

C167-16_WELLS_subfinalapp_cover.doc

1284 State Road, Eliot, ME 03903 · tel (207) 439-6023 · fax (207) 439-2128

TOWN OF WELLS, M

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 64
Website: **www.wellstown.org**

Amendment _____
(Revision involves only modifications to plan- no new lots or road proposed)

New ___x___

For Office Use Only

Fee Paid _____

FINAL SUBDIVISION APPLICATION - §202-9

Received 4-5-2016

1. Project/Subdivision Name: Grant's Pasture

2. Property Owner: GE & RS Grant Living Trust Trustees

   Mailing Address: 823 N. Berwick Rd
   Wells, ME 04090

   Telephone: _____ Fax: _____

   Email Address: _____

3. Applicant/Agent (if different from owner): Sebago Real Estate Investment, LLC

   Mailing Address: 28 Weare Rd
   Seabrook, NH 03874

   Telephone: 603-216-0333 Fax: _____

   Email Address: phollisland@gmail.com

4. Engineer or Surveyor who prepared plan: Attar Engineering, Inc. / Lew Chamberlain, P.E.

   Mailing Address: 1284 State Road
   Eliot, ME 03903

   Telephone: 207-439-6023 Fax: 207-439-2128

   Email Address: lew@attarengineering.com

5. All correspondence should be sent to:
   (specify one of the above) _____

6. Assessor's Tax Map Number: 32 Lot Number: 11 (of land to be divided)

7. Is applicant a Maine-licensed corporation? (Yes) No (if yes, attach copy of license)

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?
Purachase and Sales Agreement

9. What interest does the applicant have in any abutting property?
None

10. Location of Property:
Street Address (approx.) North Berwick Rd
Book 13377 Page 296 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural, Shoreland, Resource Protection

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? Yes (No)

13. Total Acreage: 43.5 Acreage to be developed: Approx. 5

14. Indicate the nature of any restrictive covenants to be place in the deeds:
Homeowners Association

15. Has this land been part of a prior approved subdivision? Yes (No)
Or other divisions within the past 5 Years? Yes (No)
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

16. Identify existing use(s) of land, (farmland, woodlot, etc.)
Field, Woodland

17. Does the parcel include any water bodies? Yes (No)

18. Is any portion of the property within a special flood hazard area as idenitifed by the Federal Emergency Management Agency? (Yes) No

19. Number of lots or dwelling units exising: 0 and
Number of lots or dwelling units proposed: 7.

20. Does this development require extension of public infrastructure? Yes (No)
If yes, which type of structure?

roads	storm drainage	sidewalks
water lines	fire protection equipment	sewer

If other, please state

21. Estimated cost for infrastructure improvements: $ N/A

22. Identify method of water supply to the proposed development:

x individual wells
central well w/ distribution lines
connection to public water system
If other, please state alternative_____

23. Identify method of sewage disposal to the proposed development:

x individual septic tanks
connection to public sewer system
central on site disposal with distribution lines
If other, please state alternative_____

24. Identify method of fire protection for the proposed development:

hydrants connected to the public water system
dry hydrants located on an existing pond or water body
existing fire pond
If other, please state alternative (for example, individual sprinklers) Existing Fire Pond or Residential Sprinkler Systems

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? (Yes) No
If yes, list them and state the reasons for the request:
(See plans for waivers requested and granted)

CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.

(Agent) 4/4/16
Signature of Applicant Date

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- To be submitted with a subdivision amendment application form (*See §202-10*)

Submitted	Not Submitted	Subdivision Amendment form shall be accompanied by
		A copy of the approved plan, as well as 11 copies of the proposed revisions.
		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
		Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: Grant's Pasture **Applicant:** Sebago REI, LLC

Checklist Prepared By: Daysha Dowd **Date:** 4/4/16
Checklist Reviewed By: Lew Chamberlain, P.E. **Date:** 4/4/16

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

		Response (Please check applicable box)			
Code Section	*I. General*	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9A.1	An application for final approval has been submitted within 6 months after approval of the preliminary plan. The final plan approximates the layout shown on the preliminary plan.	X			
202-9A.6.a	Maine Department of Environmental Protection approval under the Site Location of Development Act and the Natural Resources of Protection Act			X	
202-9A.6.b	The KKWWD approval, if the district's water service is to be used			X	
202-9A.6.c	Maine Department of Human Services approval, if the subdivider proposes to provide a central water supply system.			X	
202-9A.6.d	The Wells Sanitary District approval, if the public sewage disposal system is to be used.			X	
202-9A.6.e	Maine Department of Human Services approval, if a centralized or shared subsurface sewage disposal system(s) is to be utilized.			X	
202-9A.6.f	An Army Corps of Engineers dredge and fill permit			X	
202-9A.6.g	NPDES permit for stormwater discharges			X	

Code Section	*II. Final Subdivision Submission Requirements*	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.1	Proposed name of subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	X			
202-9B.2	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	X			
202-9B.3	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	X			
202-9B.4	Indication of type of sewage disposal to be used in the subdivision. A written statement from Wells Sanitary District must be submitted indicating approval of the subdivider's sewage design.	X			
202-9B.5.a	A written statement from KKWWD shall be submitted indicating that the district has reviewed and approval the water system design.			X	
202-9B.5.a	A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.		X		
202-9B.5.b.1	When the subdivision is not served by KKWWD, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination. The results of primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination, shall be submitted.			X	
202-9B.5.b.2	When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two- family dwellings, evidence of adequate groundwater quantity shall be required.			X	
202-9B.6	The date the plan was prepared	X			
202-9B.6	North Point (Identified or Magnetic or True)	X			
202-9B.6	Graphic map scale	X			
202-9B.6	Names and addresses of the record owner, subdivider and individual or company who or which prepared the plan	X			
202-9B.7	The location of any zoning boundaries affecting the subdivision.	X			
202-9B.8	The location and size of existing and proposed sewers, water mains, culverts, and drainageways on or adjacent to the property to be subdivided.	X			

Code Section	*II. Final Subdivision Submission Requirements*	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.9	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.	X			
202-9B.9	Plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground.	X			
202-9B.9	The length of all straight lines, the deflection of angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	X			
202-9B.10	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			X	
202-9B.11	All parcels of land proposed to be dedicated to public use and the conditions of such dedication.			X	
202-9B.11	Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted			X	
202-9B.11	If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			X	
202-9B.12	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots	X			
202-9B.12 202-9B.12.a	A separate list of construction and maintenance items, with both capital and annual operating cost estimates that must be financed by the municipality or quasi-municipal districts. These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.				
202-9B.12.b	The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.				
202-9B.13	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	X			

Code Section	*II. Final Subdivision Submission Requirements*	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.14	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991.	X			
202-9B.15	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site.	X			
202-9B.16	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1.) five or more lots or dwelling units created within any five-year period; or 2.) any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan:			X	
202-9B.16.a	A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006			X	
202-9B.16.b	A long-term maintenance plan for all phosphorus control measures			X	
202-9B.16.c	The contour lines shown on the plan shall be at an interval of no less than five feet	X			
202-9B.16.d	Areas with sustained slopes greater than 25% covering more than one acre shall be delineated			X	

LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: Grant's Pasture

Street Address of Project: North Berwick Road

Map/ Lot # of Project: 32/11

Final Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a **NEW** Final subdivision application.

It is the responsibility of the applicant to notify abutters of a Final Subdivision **AMENDMENT** application.

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
	"See Attached"		

I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.

Signature of Applicant (Agent) 4/4/16 Date

Attach extra pages as necessary

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

This Final Subdivision Amendment Application Notice to abutters is required to be ***mailed by the applicant*** *to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Final Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court. " §202-15

Property Owner (of land to be divided): GE & RS Grant Living Trust Trustees

Owner's Mailing Address: 823 No. Berwick Road, Wells, ME 04090

Applicant's Name: Sebago Real Estate Investment, LLC.

Applicant's Mailing Address: 28 Weare Road, Seabrook, NH 03874

Applicant's Signature: _____ (Agent)

Assessor's Tax Map Number: 32 **Lot Number :** 11 **(of land to be divided)**

Subdivision Location (street address): North Berwick Road

Acres to be subdivided: Approx. 5 **Number of proposed lots or dwelling units:** 7

Zoning District(s): R, RP, Shoreland Overlay

Description of Proposal: Seven Lot Residential Cluster Subdivision

List of Abutters

Project: Grants Pasture, Wells, Maine

Location: Map 32 Lot 11

Map	Lot	Property Owner	Mailing Address
0032	004	Grant, GE + RS Trustees Grant GE + RS Living Trust	823 North Berwick Road Wells, ME 04090
0032	004-A	Grant, GE + RS Trustees Grant GE + RS Living Trust	823 North Berwick Road Wells, ME 04090
0032	006	Stephen T. Lavigne Denise E. Lavigne	801 North Berwick Road Wells, ME 04090
0032	009	Robert E. Tobey Janet L. Tobey	804 North Berwick Road Wells, ME 04090
0032	010	Josephine F. Matthews	2 Monument SQ Portland, ME 04101
0032	012	Raymond Cahoon Ruth Cahoon	PO Box 625 No Berwick, ME 03906
0032	012-B	Geoffrey Cousineau Shannon Cousineau	Po Box 1829 Well, ME 03906
0032	012-C	Robert M. Missud Melissa A. Hussey	68 Fieldside Lane Wells, ME 04090
0032	013	York Building & Design Center Inc	764 US Route 1, Suite 11 York, ME 03909
0034	020	Joseph T Murach Mathew Murach, Jr.	90 Jericho Rd Pelham, NH 03096
0041	001- EXE	Town of Wells	208 Sanford Rd Wells, ME 04090

Assessors Office, Town of Wells
P.O. Box 398, Wells ME 04090-0398
(207) 646-6081, Fax: (207) 646-2935

ROAD NAME REQUEST FORM

In order to comply with the Enhanced E911 requirement that street names be as clear and distrinct as possible for emergency dispath, it is necessary to have new street names approved by the E911 Coordinator prior to subdivision approval. Extra steps and charges may be eliminated during the approval process if the street names don't have to be changed mid-stream.

Please use on form for each street under consideration, and allow a few days for this process. List at lease three names to be considered. They should not look like or sound like existing street names. For the present time, the list of street names (actual and reserved) are availabel in the Assessor's Office. In the near future, we will have a list on our website for your convenience. www.wellstown.org

NAME OF PROPOSED SUBDIVISION: Grant's Pasture

LOCATION OF PROPOSED SUBDIVISION : North Berwick Road (RT. 9)

MAP(s)/LOT(s)#: 32/11

Desired Road Names to be Considered:

1. Grant's Pasture Way
2. _____
3. _____
4. _____
5. _____

Contact Name of Development: Paul Hollis

Contact Phone: 603-216-0333 Email: phollisland@gmail.com

Office Use Only

STREET NAME APPROVED: _____

Date: _____ Signature: _____
Keeley Lambert, E911 Coordinator

Interactive Corporate Services

MAINE

Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Fri Apr 01 2016 10:17:34. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
SEBAGO REAL ESTATE INVESTMENT, LLC	20153314DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
03/02/2015	N/A	MAINE

Other Names **(A=Assumed ; F=Former)**

NONE

Clerk/Registered Agent

PATRICK D THORNTON
361 US ROUTE 1
FALMOUTH, ME 04105

Back to previous screen | New Search

Click on a link to obtain additional information.

List of Filings — View list of filings

Obtain additional information:

Certificate of Existence (more info) — Short Form without amendments ($30.00) | Long Form with amendments ($30.00)

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files.
If you encounter problems, visit the troubleshooting page.

If you encounter technical difficulties while using these services, please contact the Webmaster. If you are unable to find the information you need through the resources provided on this web site, please contact the Bureau's Reporting and Information Section at 207-624-7752 or e-mail or visit our Feedback page.

© Department of the Secretary of State

Opinion of Cost - Grant's Pasture
Wells, Maine

4/1/2016
exclusions: blasting / building construction / landscaping

Item	Quantity	Unit	Unit Price	Price
Clear	0.2	AC	$4,500	$900
Stump & Grub	0.2	AC	$3,000	$600
Common Excavation	600	CY	$3	$1,800
Common Borrow	670	CY	$9	$6,030
Subbase Gravel	1,100	CY	$13	$14,300
Base Gravel	180	CY	$17	$3,060
Bituminous Pavement	300	TON	$55	$16,500
Asphalt Curb	0	LF	$20	$0
Pavement Markings/Stop Sign	1	LS	$500.00	$500
Sewer Manhole	0	EA	$3,500	$0
8" PVC Gravity	0	LF	$35	$0
8" PVC Water Main	0	LF	$40	$0
4" PVC Water Main	0	LF	$35	$0
1" Water Services	0	EA	$2,000	$0
Fire Hydrant	0	EA	$2,500	$0
UG Elec. / Telephone / Cable TV	400	LF	$25	$10,000
12" HDPE	0	LF	$21	$0
15" HDPE	150	LF	$25	$3,750
Catch Basin / Drain Manhole	0	EA	$3,000	$0
Underdrained Ponds	0	SF	$5	$0
Rip Rap Protection	250	SY	$18	$4,500
Level Spreader	1	LS	$1,000	$1,000
Topsoil, Seed, Mulch	10.0	MSF	$150	$1,500
Siltation Fence	500	LF	$3	$1,500
Stabilized Construction Entrance	1	EA	$800	$800
Subtotal 1				**$66,740**
Contingency (10% of Subtotal 1)				$6,674
Total				**$73,414**

Assessors Office, Town of Wells
P.O. Box 398, Wells ME 04090-0398
(207) 646-6081, Fax: (207) 646-2935

ROAD NAME REQUEST FORM

In order to comply with the Enhanced E911 requirement that street names be as clear and distrinct as possible for emergency dispath, it is necessary to have new street names approved by the E911 Coordinator prior to subdivision approval. Extra steps and charges may be eliminated during the approval process if the street names don't have to be changed mid-stream.

Please use on form for each street under consideration, and allow a few days for this process. List at lease three names to be considered. They should not look like or sound like existing street names. For the present time, the list of street names (actual and reserved) are availabel in the Assessor's Office. In the near future, we will have a list on our website for your convenience. www.wellstown.org

NAME OF PROPOSED SUBDIVISION: Grants Pasture

LOCATION OF PROPOSED SUBDIVISION : Rt 9 -

MAP(s)/LOT(s)#: Map 32 / 11 Lot

Desired Road Names to be Considered:

1. Grants Pasture Way 1st choice
2. Pasture way 2nd choice
3.
4.
5.

Contatct Name of Development: Paul C. Hollis

Contact Phone: 207-2160333 Email: PHollisLand@gmail.com

Office Use Only

STREET NAME APPROVED: Grants Pasture Way

Date: 4-5-16 Signature: Keeley Lambert
Keeley Lambert, E911 Coordinator

12/19/07
Final Subdivision/ Amendment Application Form

(1/2)

PAUL R. LEPAGE
Governor

CHANDLER E. WOODCOCK
Commissioner

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Wildlife Division – Region A
358 Shaker Rd.
Gray, ME 04039
Phone: (207) – 657-2345 x 110
Fax: (207) – 657-2980
Scott.Lindsay@maine.gov

March 20, 2016

Lew Chamberlain
Attar Engineering
1284 State Rd.
Eliot, ME 03903

RE: Wells, Grant's Pasture

Dear Lew,

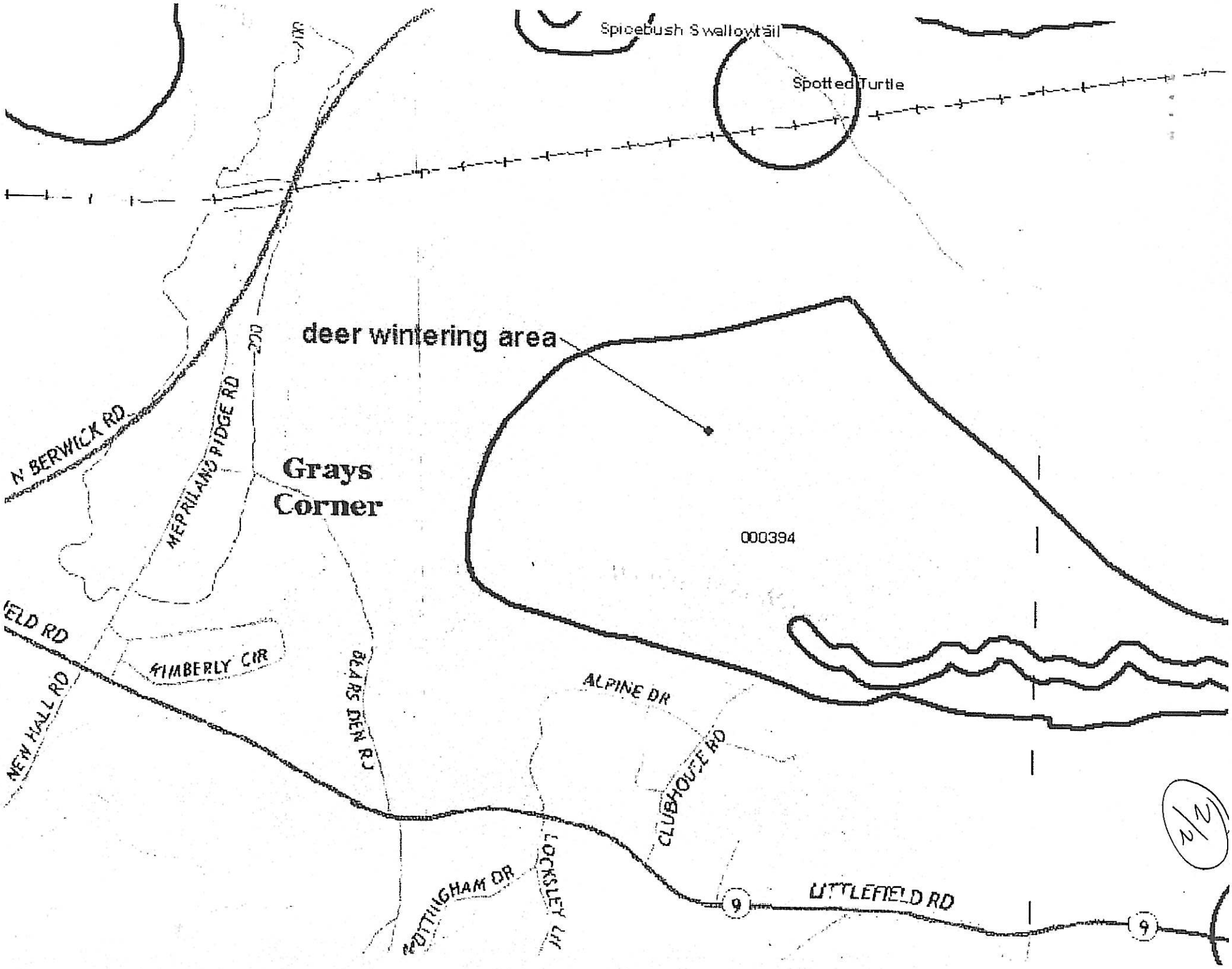
You contacted me with a request for any information on known wildlife habitats occurring at the site of the proposed Grant's Pasture residential subdivision on Route 9 in Wells. Based upon a review of current mapped wildlife habitats in this vicinity, there are no significant or essential wildlife habitats nor any known occurrences of rare, threatened or endangered wildlife habitats on this +/- 43 acre parcel. The eastern ½ of this parcel does occur with a mapped Deer Wintering Area (DWA). Upon review of the site plan, it appears as though a significant part of this property will remain undeveloped, including that portion within the DWA. This DWA is privately owned and is under no obligation to be managed as a DWA, as Wells is an organized town. There is no recent survey data pertaining to this DWA. In this part of the state, it is rare that wintering conditions become severe enough for deer to depend on DWA's for more than a few weeks, but even small DWA's such as this can be populated with deer during winters of above average snowfall if conforming softwood cover is present.

It is my opinion that this development as proposed will not have unreasonable impact on deer or other wildlife species or habitats. The open space component of this development will allow that portion of it occurring within the DWA to remain forested, so long as this is recorded in the deed.

Sincerely,

Scott Lindsay

Scott Lindsay
Regional Wildlife Biologist


Spicebush Swallowtail
Spotted Turtle
deer wintering area
Grays Corner
000394
N BERWICK RD
MERRILAND RIDGE RD
KIMBERLY CIR
NEW HALL RD
ALPINE DR
CLUBHOUSE RD
LOCKSLEY CIR
NOTTINGHAM DR
LITTLEFIELD RD
9
2/2

Sweet Associates
HYDROGEOLOGY | SITE EVALUATIONS

155 Gray Road
Falmouth, Maine 04105
207.797.2110
fax: 207.878.2364
email: sweet@maine.rr.com
www.sweetassociates.com

April 5, 2016

GROUNDWATER IMPACT STUDY
GRANT'S PASTURE SUBDIVISION
823 NORTH BERWICK ROAD, WELLS, MAINE

INTRODUCTION:

The purpose of this study is to make an assessment of the hydrogeologic conditions of the above-mentioned site and estimate the groundwater quality impact caused by the proposed on-site subsurface wastewater disposal systems for seven four-bedroom houses. The proposed development is located on the east side of North Berwick Road (Route 9) at the northeast corner of its intersection with Fieldside Lane. Data used for this project includes a site plan provided by Attar Engineering, Inc. of Eliot, Maine, soil test pits done by Joseph Noel, L.S.E. #221, and published regional maps and literature.

DISPOSAL FIELDS AND WATER WELLS:

The proposed disposal fields are individual and designed for four-bedroom houses. Water for this project will be provided by individual on-site drilled bedrock wells. Existing wells within 200 feet of the subdivision boundary at surrounding properties are depicted on the attached site plan.

SURFICIAL GEOLOGY AND TOPOGRAPHY:

The site is located on the *U.S.G.S. North Berwick 7.5 Minute Series* (Appendix A). The site slopes downward to the southeast. The *Surficial Geology Map of the North Berwick Quadrangle* (Appendix A) shows that the area of the site proposed for development is underlain by deposits of coarse gravel and sand with some till and silt. The near surface material was confirmed by the test pit logs provided by Joseph Noel. The *Significant Sand and Gravel Aquifer Map of the North Berwick Quadrangle* (Appendix A) shows that the western portion of the site falls within a Significant Sand and Gravel Aquifer.

HYDROGEOLOGY:

Precipitation falling on this site enters the open pore spaces on the upper soil horizon, and percolates vertically downward until the water table is encountered. Thereupon, flow is both horizontal and downhill. Two factors of importance in determining the amount of recharge of precipitation into the soil on this site are the groundwater slope or gradient and soil texture. The groundwater seepage velocity is used to calculate the extent of groundwater impact downgradient of the disposal field sites and has been calculated utilizing the following equation:

$$v = Ki/n$$

where,

v	= groundwater seepage velocity (ft/day)
K	= hydraulic conductivity (ft/day)
i	= hydraulic gradient (ft/ft)
n	= effective porosity (dimensionless)

The hydraulic gradient, hydraulic conductivity and the effective porosity are assumed to be the same for all seven lots. The hydraulic conductivity is conservatively estimated at 8 feet per day and the hydraulic gradient is estimated at 2.5 percent.

CONTAMINATION POTENTIAL:

It is assumed that the worst potential for contamination is the nitrate-nitrogen (NO_3-N) released from wastewater disposal fields. NO_3-N is known to cause methemoglobinemia in infants and is a suspected cause of stomach cancer. The average NO_3-N concentration value of untreated septic tank effluent entering a disposal field is assumed to be 40 milligrams per liter (mg/L). The Federal and State Drinking Water Limit for NO_3-N in public water supplies is 10 mg/L. Because the town of Wells has adopted a limit of 5 mg/L, half the Federal and State Drinking water standard, the lower number was used in these calculations.

The primary mechanism of NO_3-N concentration reduction is through dilution in groundwater and surface water. Since groundwater is always slowly flowing beneath a disposal field, the NO_3-N intercepting the water table below a disposal field mixes and dilutes in the groundwater and moves in the direction of groundwater flow in the form of a plume. NO_3-N is more concentrated in the center than near the edges of a plume. A source that emanates a constant quantity of potential contaminants into groundwater will eventually reach a "steady state." The plume can then be characterized with regard to size, shape, and distribution of concentration.

The method of analysis used to assess the impact of the septic systems on groundwater is an analytical model used to simulate individual plumes. Analysis of the results of this model is instructive in assessing the possible shape and size of wastewater plumes. The model was developed by Baetsle (1969) to depict the migration of radionuclides in porous media, which is adapted here to represent the subsurface migration of NO_3-N. It is a three-dimensional transport model of plumes generated by continuous, point sources in a uniform groundwater flow field. Variables employed include seepage velocity (hydraulic conductivity multiplied by hydraulic gradient, divided by effective porosity), nitrate mass, time, and dispersivity. The concentration of NO_3-N is calculated at a downgradient point at a specified time by use of the following equation:

$$C(x,y,z,t) = \left[\frac{CoVo}{8(\pi t)^{1.5}\sqrt{DxDyDz}}\right]\exp\left[-\frac{(x-vt)^2}{4Dxt} - \frac{y^2}{4Dyt} - \frac{z^2}{4Dzt}\right] \quad ;$$

where,

C(x,y,z,t)	=	NO_3-N concentration at specified location and time (mg/L)
x	=	specified distance from source parallel to the direction of groundwater flow (ft)
y	=	specified distance from source perpendicular to the direction of groundwater flow (ft)

z	=	specified vertical distance from source (ft)
Co	=	initial concentration at the source (mg/L)
Vo	=	volume of source (ft^3)
t	=	time elapsed (day)
Dx,Dy,Dz	=	dispersion coefficient along the x,y,z axes (ft^2/day)
v	=	average linear velocity (ft/day).

Assuming that groundwater flow is horizontal, the dispersion coefficient can be calculated as follows:

$$D_{x,y,z} = v_{x,y,z};$$

where $_{x,y,z}$ is dispersivity (ft).

The contaminant velocity of a solute subject to sorption/adsorption is calculated as follows:

$$V_p = v/R_d;$$

where V_p is the contaminant velocity (ft/day) and R_d is the retardation factor (unitless). The retardation factor for NO_3-N is equal to one, however, so the contaminant velocity is equal to the average linear velocity ($V_p = v$). Dispersivity is estimated by an equation based on a weighted least-squares statistical analysis of collected longitudinal dispersivity data versus scale (Xu, Eckstein, 1995). Longitudinal dispersivity can be estimated based on the following calculation:

$$_x = (0.83)[\log_{10}(L_p)]^{2.414};$$

where $_x$ is longitudinal dispersivity (ft), and L_p is the plume length (ft). The plume length is a function of the elapsed time and is calculated by the following equation:

$$L_p = V_p t.$$

It has already been established that for NO_3-N, the contaminant velocity (V_p) is equal to the average linear velocity (v). Thus, $L_p = vt$. The transverse and vertical dispersivities are related to the longitudinal dispersivity, as shown below:

$$_y = {}_x/3$$
$$_z = {}_x/20.$$

This method is used to calculate a downgradient NO_3-N concentration at a specified elapsed time for a single release of NO_3-N. However, by applying the superposition technique, the estimated concentration of NO_3-N downgradient at a specified time can be calculated for reoccurring daily NO_3-N releases to simulate the NO_3-N plume of a septic system (Chang, *et al.* 1998).

In the main equation, CoVo is represented as a daily mass of nitrate-nitrogen loaded into the subsurface wastewater disposal systems. This is estimated by multiplying the design flow volume of effluent by the assumed NO_3-N concentration in the effluent. The simulations were run based on average annual precipitation during drought conditions (60% of average annual precipitation). The NO_3-N concentration of the wastewater is diluted by the rainfall infiltrating the disposal fields during drought conditions. The rainfall is assumed to have a NO_3-N concentration of 0.5 mg/L. The percent of rainfall infiltrating the soils above the disposal fields is estimated based on the soil type and ground surface slope (Maine Department of Environmental Protection, 1991).

Parameters and results for the seven disposal fields are displayed in Appendix B. The resulting 5 mg/L NO_3-N concentration plume length for the disposal fields is shown on the site plan. None of the 5 mg/L plumes cross the boundaries of the subdivision. Nitrate concentrations should reach background levels in the wooded wetland area downgradient from the developed area of the subdivision.

CONCLUSION:

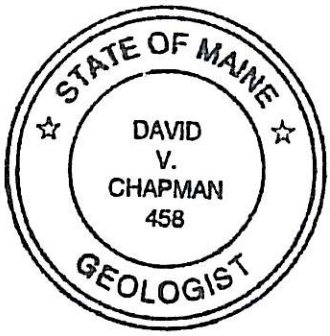
According to the assumptions made for this simulation, the seven subsurface wastewater disposal systems will not result in an increase of NO_3-N concentrations above 5 mg/L in groundwater at the subdivision perimeter property line. No water quality issues are anticipated with existing and proposed water wells.

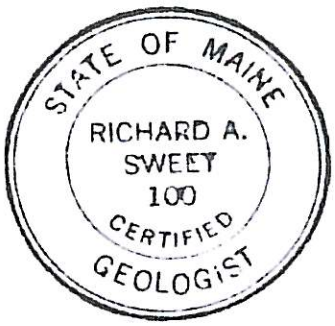
David V. Chapman

David Chapman
Maine Certified Geologist #458

Richard Sweet

Richard Sweet
Maine Certified Geologist #100





REFERENCES

Baetsle, L. H., 1969, *Migration of Radionuclides in Porous Media*, Progress in Nuclear Energy, Series XII, Health Physics, A.M.F. Duhamel (ed.), Pergamon Press, Elmsford, N.Y. pp.707-730.

Chang, Tan-yuch, Winkley, W., Montgomery, J., *Utilizing Baetsle's Equation to Model the Fate and Transport of MTBE in Groundwater*, Proceedings of the Petroleum Hydrocarbons and Organic Chemicals in Ground Water Prevention, Detection, and Remediation Conference, 1998, Houston, TX.

Department of Human Services, *et al.*, Maine Subsurface Waste Water Disposal Rules, 144A CMR 241.

Fetter, C.W., 1994, Applied Hydrogeology, 3rd Edition, Prentice Hall.

Maine Association of Professional Soil Scientists and USDA Soil Conservation Service of Maine, *Soil Series of Maine Soil Interpretations*.

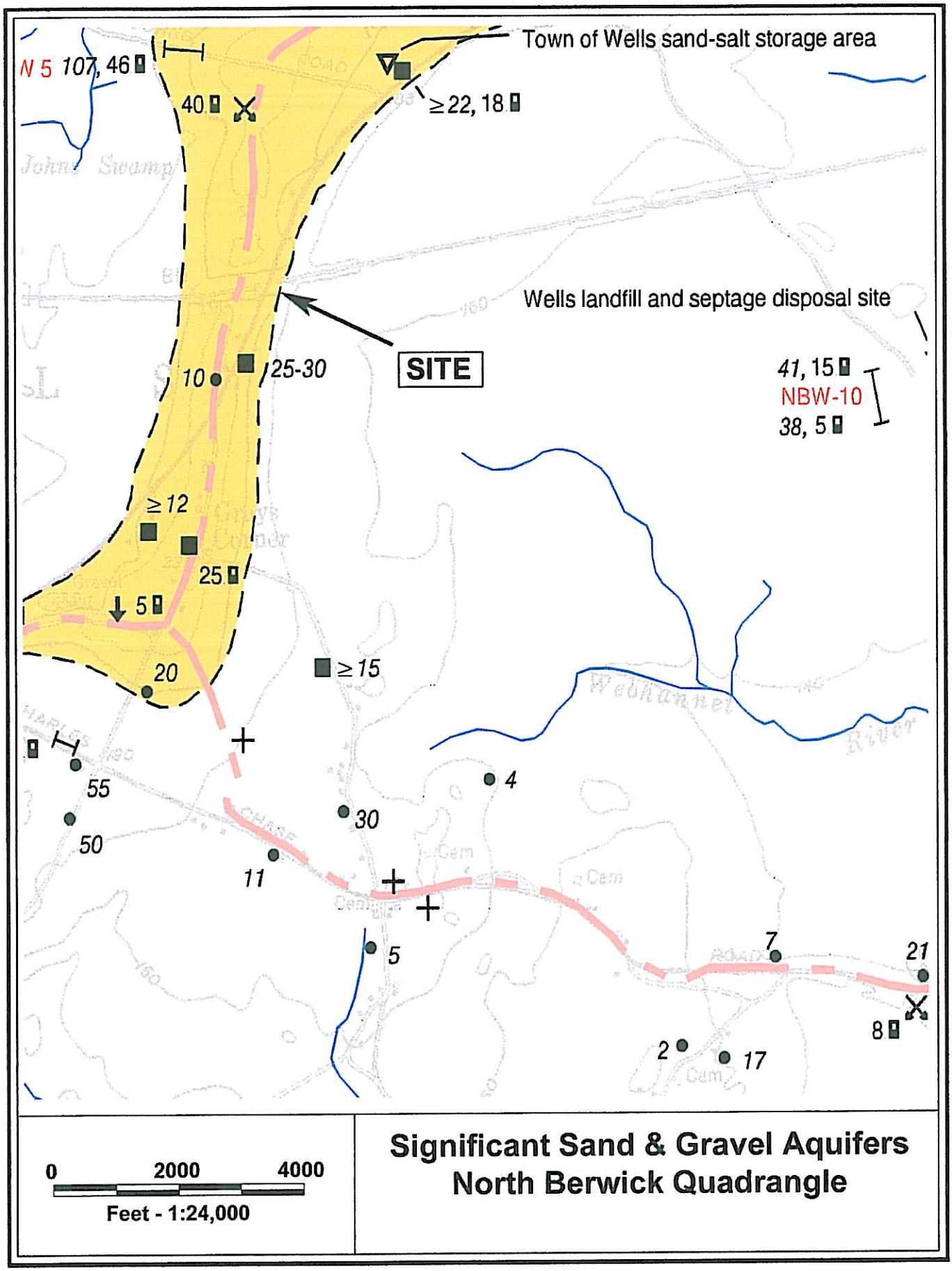
Maine Geological Survey, North Berwick Quadrangle, Maine, Significant Sand and Gravel Aquifers.

Maine Geological Survey, North Berwick Quadrangle, Maine, Surficial Geology.

U.S.G.S., North Berwick Quadrangle (Maine) 7.5' Quadrangle 1:24,000, Topographic Map.

Xu, M. and Y. Eckstein, 1995, *Use of Weighted Least-Squares Method in Evaluation of the Relationship Between Dispersivity and Field Scale*: Ground Water, vol.33, No.6, pp.905-908.

APPENDIX A



Significant Sand & Gravel Aquifers
North Berwick Quadrangle

Significant Sand & Gravel Aquifer Map Unit and Symbol Descriptions

Surficial deposits with good to excellent potential ground-water yield; yields generally greater than 50 gallons per minute to a properly constructed well. Deposits consist primarily of glacial sand and gravel, but can include areas of sandy till and alluvium; yield zones are based on subsurface data where available, and may vary from mapped extent in areas where data are unavailable.

Surficial deposits with moderate to good potential ground-water yield; yields generally greater than 10 gallons per minute to a properly constructed well. Deposits consist primarily of glacial sand and gravel, but can include areas of sandy till and alluvium; yields may exceed 50 gallons per minute in deposits hydraulically connected with surface-water bodies, or in extensive deposits where subsurface data are available.

Areas with moderate to low or no potential ground-water yield (includes areas underlain by till, marine deposits, eolian deposits, alluvium, swamps, thin glacial sand and gravel deposits, or bedrock); yields in surficial deposits generally less than 10 gallons per minute to a properly constructed well.

Drilled overburden well — Drilled bedrock well — Quarry

Dug well — Driven point — Test pit — Bedrock outcrop

50 Depth to bedrock, in feet below land surface

≥13 Penetration depth of boring; ≥ symbol refers to minimum depth to bedrock based on boring depth or refusal

6 Depth to water level in feet below land surface (observed in well, spring, test boring, pit, or seismic line)

Gravel pit (overburden thickness noted in feet, e.g. 5-12')

4 GPM Yield (flow) of well or spring in gallons per minute (GPM)

Spring, with general direction of flow

Observation well (project well if labeled; nonproject well if unlabeled)

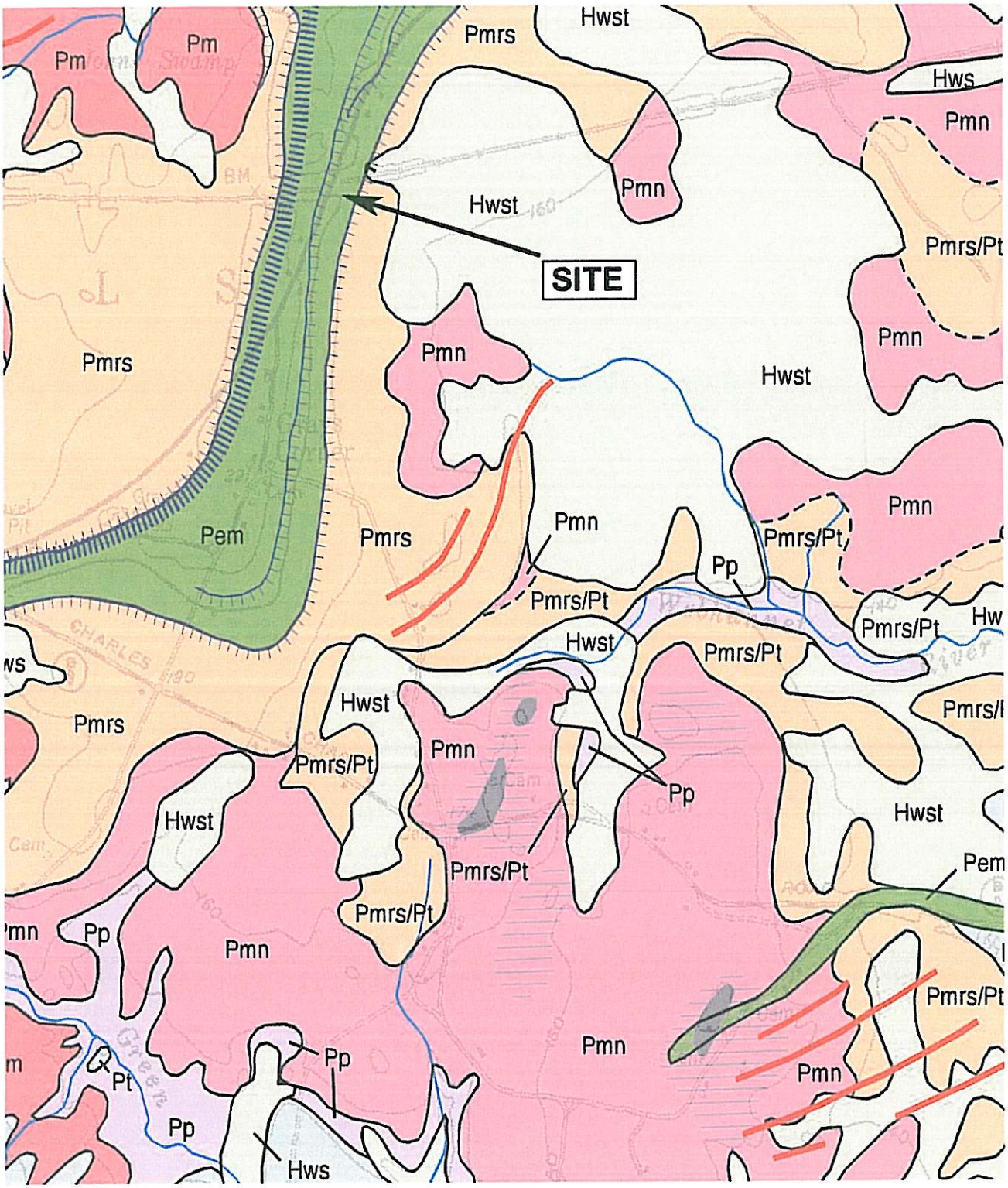
Test boring (project boring if labeled; nonproject boring if unlabeled)

Potential point source of ground-water contamination

Surface-water drainage-basin boundary; surface-water divides generally correspond to ground-water divides. Horizontal direction of ground-water flow generally is away from divides and toward surface-water bodies.

MAP-7 ***131, 23*** Twelve-channel seismic line, with depth to bedrock and depth to water shown at the midpoint of the line, in feet below land surface.

69, 12 MAP-E ***72, 12*** Single-channel seismic line, with depth to bedrock and depth to water shown at each end of the line, in feet below land surface. Unless otherwise indicated, data shown above the line-identifier box refers to the northern end of the seismic line.



0 2000 4000

Feet - 1:24,000

Surficial Geology
North Berwick Quadrangles

Surficial Geology - N. Berwick Quadrangle
Map Unit and Symbol Descriptions

Hws

Wetland, swamp* - Muck, peat, silt, and sand. Poorly drained areas, often with standing water.

Pm

Marine deposits (undifferentiated) - Pp and/or Pmrs deposits mapped in areas of poor access or poor exposure, or where both units occur as areas too small to be mapped separately. Thickness variable within range described for Pp and Pmrs.

Pmn

Marine nearshore deposits - Areas of till that have been reworked by the sea during regressive phase of marine submergence. Till has had finer constituents (silt and sand) removed and redeposited as thin veneer over till. Bedrock commonly at shallow depth. Average thickness probably less than 3 m. Locally, this unit may include marine clay and sand, as well as isolated boulders.

Pmrs

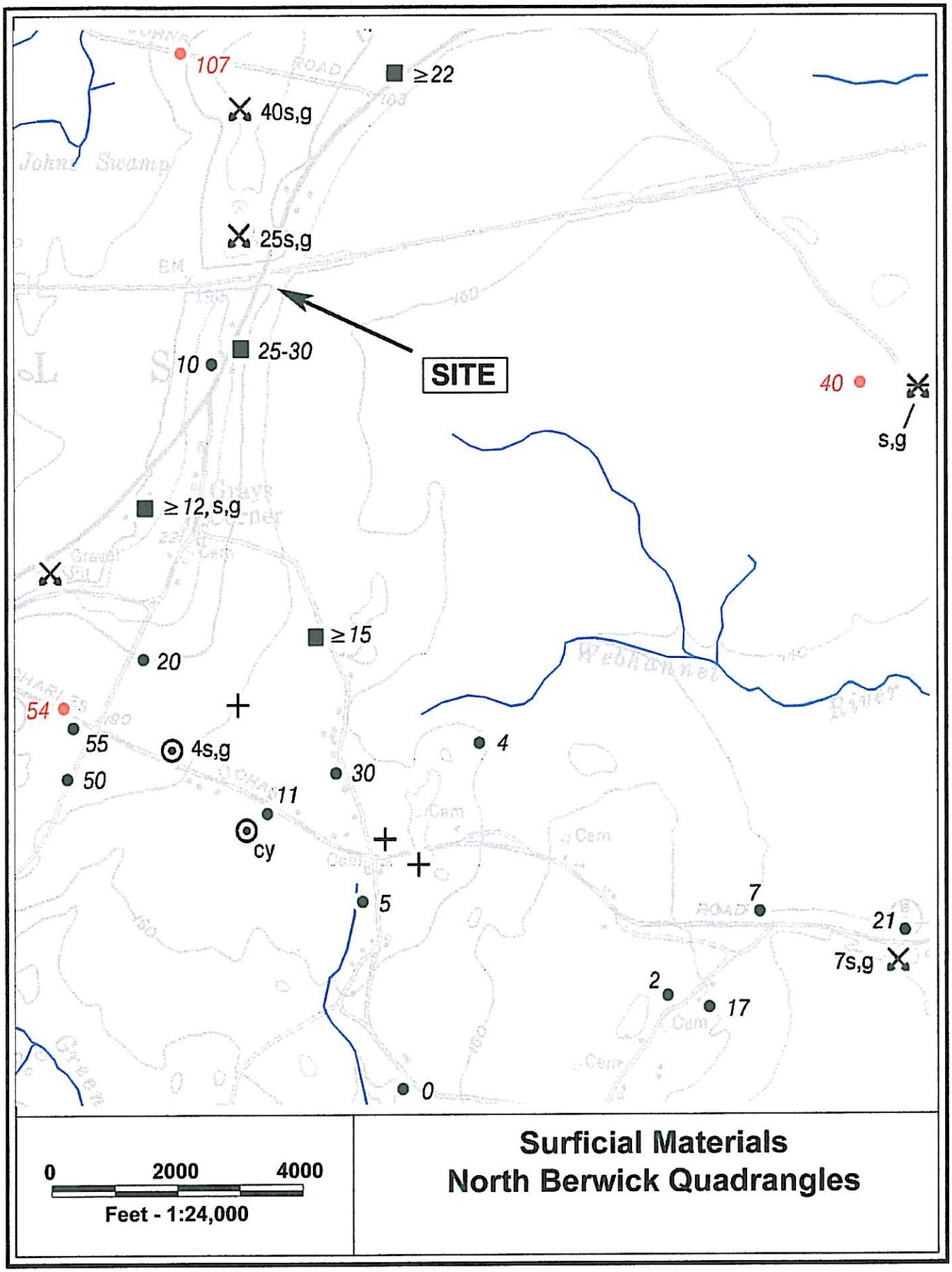
Marine regressive sand deposits - Massive to stratified and cross-stratified, well sorted brown to gray-brown sand. Generally with gradational basal contact to Pp. Thickness between 1 and 5 m. Deposited during regressive phase of marine submergence.

Pem

End moraine - Coarse gravel and sand, some till and silt. Generally occur with glacial marine sediments (Pp, Pmrs) and are complexly interstratified with them. Formed at or near the ice front during retreat of marine-based glacier. Sediments commonly display significant deformation. Commonly 5 to 10 m thick.

Pt

Till - Gray to gray-brown poorly sorted mixture of silt, sand, pebbles, cobbles, and boulders. Forms a blanket deposit over bedrock, and is inferred to underlie younger sediments where not exposed at surface. Thin over topographic highs; thickens in topographic lows. May occur in and over end moraines (Pem, Pemc). Averages 3 to 5 m in thickness.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≥12,s,g
≥15
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21
7s,g
2
17
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0
2000
4000
Feet - 1:24,000
Surficial Materials
North Berwick Quadrangles

Surficial Material Symbol Descriptions

This map shows the textures of surficial sediments in the quadrangle, independent of interpretations regarding their origin. For example, poorly sorted sediments deposited directly from glacial ice are shown here as "diamicton", although they may be genetically classified as "till".

The symbols listed below indicate materials observed in borrow pits and other surface exposures, as well as subsurface data from varius sources. Where more than one textural class is present, materials are separated by commas and listed in decreasing order of abundance (e.g. s, st, cy). Individual materials may occur in distinct layers, or they may be mixed. Hyphens show the ranges of particle sizes present where their relative abundances are uncertain (e.g. st-c). Slash marks indicate superposition of materials; thicknesses are in feet (e.g. 10s/3cy). "E" indicates a significant stratigraphic sequence of interbedded materials. Some bottow pits and other localities may be designated by numbers that refer to descriptions in the quadrangle text. Not all symbols will necessarily be found on the map.

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g Undifferentiated gravel, used as a general term. Can be subdivided by size as follows:

b	Boulder gravel	>256 mm (10")
c	Cobble gravel	64-256 mm (2.5-10")
p	Pebble gravel	2-64 mm (0.1-2.5")

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gs Gravelly sand (this is a special case for sand with lesser amounts of intermixed gravel, i.e. pebbly sand, cobbly sand, or bouldery sand)

sg Sand and gravel (used only to describe slumped face or other site where relative abundances of sand vs. gravel are unknown).

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s Undifferentiated sand, used as a general term. Can be subdivided by size as follows:

vcs	Very coarse sand	(1-2 mm)
cs	Coarse sand	(0.5-1 mm)
ms	Medium sand	(0.25-0.5 mm)
fs	Fine sand	(0.125-0.25 mm)
vfs	Very fine sand	(0.0625-0.125 mm)

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st Silt (0.002-0.0625 mm)

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cy Clay (<0.002 mm)

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og Organic-rich sediment (can be any organic material, including forest litter, wood, shells, etc.)

pt Peat (reserved for actual fibrous peat)

d Undifferentiated diamicton (poorly-sorted sediment in which particle sizes may range from clay to boulders). Used as a general term or subdivided as follows:

dg	Gravelly-matrix diamicton
ds	Sandy-matrix diamicton
dt	Silty-matrix diamicton
dy	Clayey-matrix diamicton

Note: Diamictons of glacial origin may be classified as one of the following varieties of till (shown on the map in parentheses):

t Till, undifferentiated. Usually of late Wisconsinan age (deposited by the last glacial ice sheet).

ta Ablation till. Deposited during retreat of the late Wisconsinan ice sheet. Typically sandy, stony, and not very compact.

tl Lodgement till. Inferred to have been deposited at the base of the late Wisconsinan ice sheet. Usually very compact.

tf Flowtill. Deposited by slumping adjacent to glacial ice.

T Variably weathered till (usually a lodgment facies) of inferred pre-late Wisconsinan age.

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af Artificial fill (e.g. road fills, building sites, dumps)

bd Scattered boulders; interpreted as till where followed by (t)

rk Bedrock (observed in pit floor, boring, or natural exposure)

rs Rottenstone, disintegrated or weathered bedrock, saprolite.

u Unknown (material unidentified)

R Refusal (in test boring or well)

(f) Fossiliferous (used to indicate fossiliferous units within a sequence).

- Bedrock well
- Drilled overburden well
- Dug well
- Driven point
- Bedrock outcrop
- Quarry
- **20fs,st** Observation well with materials data
- **10gs/rk** Test boring with materials data
- **8s-b** Materials data from shovel hole, hand-auger hole, natural exposure, or excavation (other than borrow pit).
- *56* Depth to bedrock from well (≥ is used to indicate minimum depth to bedrock), in feet below land surface
- **s-b** Borrow pit, recently active at time of mapping, with materials data.
- **s-p** Borrow pit, evidently abandoned or in long disuse at time of mapping, with materials data.
- **9** Location of site for which a data sheet is on file at the Maine Geological Survey.
- *56* Depth to bedrock from seismic line, in feet below land surface

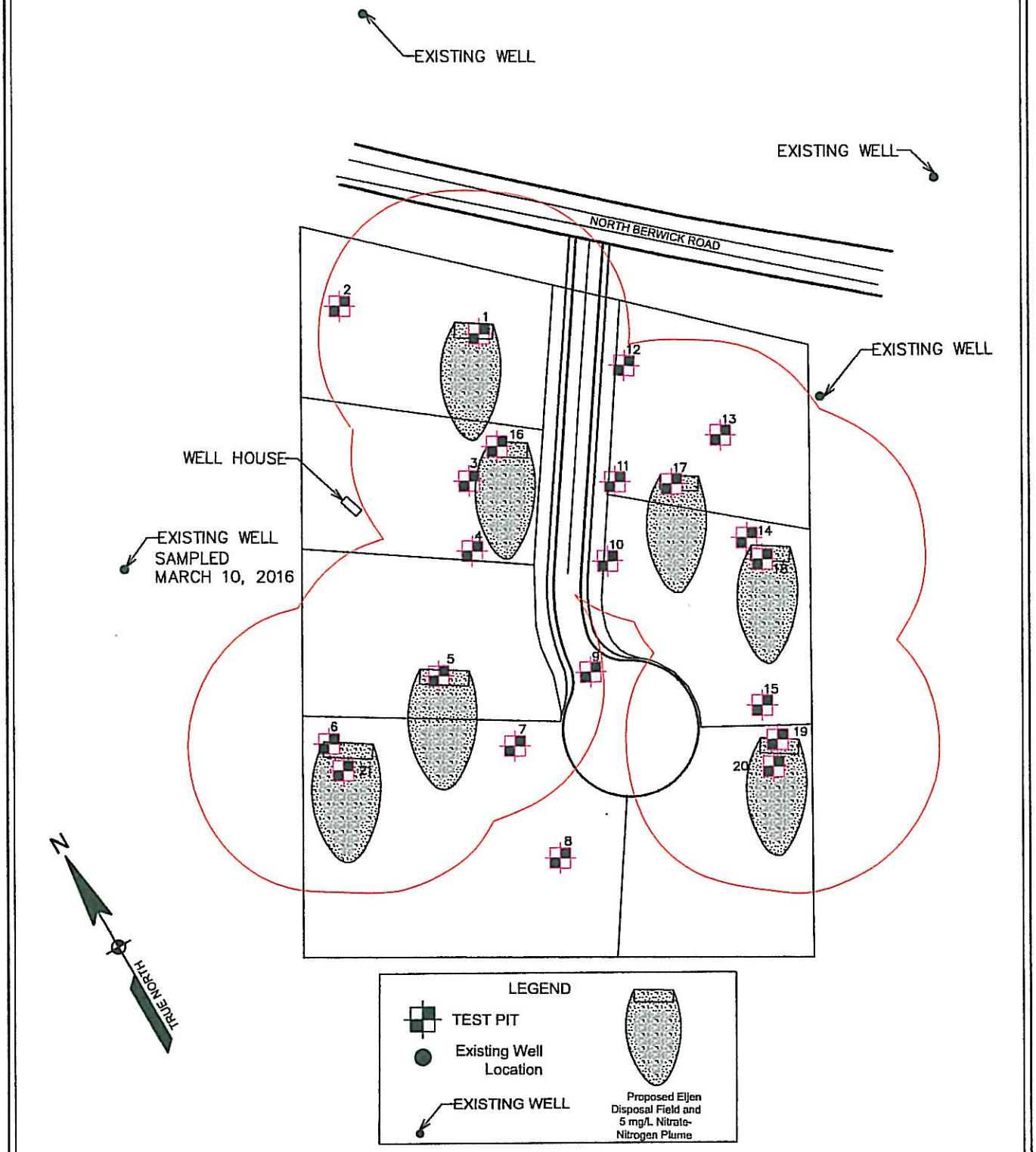
APPENDIX B

Groundwater Impact Study, Nitrates
Model Input Parameters and Solution
Grant's Pasture Subdivision
823 North Berwick Road, Wells, Maine

Annual rainfall (inches):	44
Hydrologic soil group* (above disposal field):	A
% Slope (above disposal field):	5%
% Infiltration* (into disposal field):	21
Assumed rainfall flow into disposal field (gal/day):	15.78
Assumed rainfall flow into disposal field during drought conditions^(gal/day):	9.47
Background NO3-N concentration (mg/L):	0
Assumed effluent NO3-N concentration (mg/L):	40
Assumed effuent flow into disposal field (gal/day):	360
Assumed NO3-N concentration in rainfall (mg/L):	0.5
Hydraulic conductivity of aquifer (ft/day):	8
Hydraulic gradient of aquifer (ft/ft):	0.025
Effective porosity of aquifer:	0.3
Seepage velocity of aquifer (ft/day):	0.67
Retardation factor	1
Half-Life (0 for no decay)	0
Simulation duration to reach NO3-N concentration equilibrium (days)	539
Longitudinal dispersivity at end of simulation duration (ft)	10.14
Lateral dispersivity at end of simulation duration (ft)	3.38
Vertical dispersivity at end of simulation duration (ft)	0.51
Disposal bed length (ft)	28 to 36
Disposal bed width (ft)	11
Length of 5 mg/L plume during drought conditions (ft)	**75**

Notes:
* - from The State of Maine Department of Environmental Protection, 1991, The guidelines for expediating the processing of applications under the site location of development act.
^ - drought conditions equals 60% of average annual rainfall
% - percent
gal/day - gallons per day
ft - feet
mg/L - milligrams per liter
NO3-N - Nitrate-Nitrogen

GROUNDWATER IMPACT STUDY MAP



0 100' 200'

SCALE: 1" = 100'

GRANT'S PASTURE
823 NORTH BERWICK ROAD
WELLS, MAINE

SWEET ASSOCIATES
155 Gray Road - Falmouth, ME
Phone: (207) 797-2110

Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

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Final Major Subdivision Application Memo

Date: April 13, 2016

To: Planning Board

From: Planning Office

Re: Chick Crossing Subdivision Amendment - Map 82, Lot 6

Project Description:

Kimball Survey & Design, Inc has submitted a Final Subdivision Amendment Application on behalf of the property owners, Eric A. and Sherida N. Roubo, for the approved 5 lot/7 dwelling unit major residential subdivision located off of 469 Chick Crossing Road which shall consist of a new 50' wide private ROW with 26' wide gravel road with hammerhead (Roubo Farm Road)which is proposed to serve as access and street frontage for Lot 6-1 and as access to the proposed dwelling unit on Lot 6-5. The existing dwelling and telecommunication tower are approved to be located on lot 6-5 which shall consist of approximately 29.95 acres (25.58 net acres). The existing 30' wide access easement for the tower is approved to remain within the Roubo Farm Road ROW. A new 50' wide private ROW with 18' paved road with 23' gravel base and hammerhead at the end (Charming Way) is approved off of Roubo Farm Road to serve as access and street frontage for Lots 6-2, 6-3, and 6-4. All lots shall be served by private on-site septic systems and individual drilled wells. The subdivision is located within the Rural, Aquifer Protection and 250' Shoreland Overlay Districts. The subdivision has frontage off of Chicks Crossing Road and Day Hill Road and abuts the Branch Brook to the north.

The purpose of this final subdivision amendment application is to modify the well and septic location for lot 1, eliminate a drainage easement on Lot 1 and modify the no-cut area for lot 1, revised the septic and well location for lot 2, and modify the building envelope for the proposed dwelling on lot 5.

§ 202-10. Revisions to approved plans.

A. Procedure. An applicantion for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board to consider receiving the amendment application on 4/18/15**

(1) If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed. **Final plan approval procedures to be followed.**

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional $50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional $50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of $200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Fee and escrow provided. To be determined**

B. Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. **[**Amended 7-23-2002]

C. Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

§ 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] A site walk to be determined**

(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 to be determined**

(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 Subdivision Amendment**

Application to be considered for receipt on 4/18/16

(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. **To be determined**

(6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

(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. **Not Applicable**

(b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**

(c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable private wells are proposed.**

(d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**

(e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as centralized or shared sewage disposal systems are not proposed.**

(f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**

(g) NPDES permit for stormwater discharges. **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. **To be determined**

(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**

(9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **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. One reproducible, stable-based transparent original and three 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:

Recommendations and conclusions:

1. The Planning Board should consider receiving the final subdivision amendment application.
2. The Planning board should consider if a site walk of the property is necessary. (The prior subdivision approval involved 2 site walks with the Planning Board).
3. If a site walk is waived, the Planning Board to consider the following Completeness/Compliance comments:
    a. On 4/18/16 the Planning Board to determine if a revised KKWWD statement regarding the proposed changes to the septic systems for lot 1 and 2 is necessary.
    b. On 4/18/16 the Planning Board to consider reaffirming the granted a waiver and to not require wetland delineation because of the “Limit of No Disturbance” is defined on the plan. The proposed amendment alters this limit of no-disturbance for Lot 1.
    c. The elimination of one of the drainage easements on lot 1 has been reviewed by the Town Engineer and found not to alter the overall drainage. Revisions to the grading on sheet 3 are required. The remaining drainage easement is recommended to be 20 feet in width.
    d. Minor note/ plan changes recommended.
    e. On 4/18/16 the Planning Board to consider if an updated hydrogeologic assessment is needed. The septic relocations do not appear to be significant.
    f. Recommend adding a label to allow a relocation of the Lot 2 turn-tee.
4. The Planning Board to determine if a public hearing is to be scheduled for this amendment application. If so, it should be scheduled for the next available meeting. If not, the workshop to be continued to the 5/2/16 PB meeting.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Article V District Regulations

A. Purpose.

The purpose of the Aquifer Protection District is to protect and maintain the quantity and quality of the Branch Brook aquifer while allowing landowners a reasonable use of their property and a reasonable return from its development potential.

§ 145-31. Aquifer Protection District.			Application Meet Requirements			
			Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:					A major subdivision is approved on Map 82, Lot 6 within the Rural (R), Aquifer Protection (AP) and 250' Shoreland Overlay Districts. Lot 1 is located within the R and AP zones. Lot 2 is located within the R and AP zones. Lot 3 is located within the AP and 250' Shoreland Overlay zones. Lot 4 is located within the AP and 250' Shoreland Overlay zones. Lot 5 is located within the R, AP, and 250' Shoreland Overlay zones.
	(1)	Agriculture, limited to the raising of crops and plants out of doors.			**NA**	
	(2)	Dwelling, one-family. (See also § 145-55.)	**Y**			See note 1 on sheet 2 of 8. This note states: " A duplex or two dwellings may be built on lots 1 and 4 for a total of 7 dwellings units.
	(3)	Dwelling, two-family.	**Y**			A two-family dwelling possible for lot 4.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-31. Aquifer Protection District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(4)	Recreation, passive.			**NA**	
	(5)	Timber harvesting. [See § 145-31G(3).]			**NA**	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:					
	(1)	Mineral extraction. (See § 145-53.)			**NA**	
	(2)	Municipal facility.			**NA**	
	(3)	Public utility facility.			**NA**	
	(4)	Recreation, active.			**NA**	
	(5)	Transmission tower, radio.	**Y**			A transmission tower, radio use has site plan approval on Map 82, Lot 6 (which will be lot 5 of the subdivision). A separate site plan amendment application and plan has been submitted for the changes made to the cell tower approval.
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.		**Y**			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.				**NA**	No nonconforming uses exist or are proposed.
F.	Dimensional requirements:					See note 7 on sheet 2 of 8.
	(1)	Minimum lot size: 100,000 square feet of net area.	**Y**			See note 7 on sheet 2 of 8. All lots exceed 4 acres or 174,240 SF in size.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-31. Aquifer Protection District.					Application Meet Requirements			
					Yes	No	NA	Comments
	(2)	Maximum density: one dwelling unit for each 100,000 square feet of net area.			Y			See note 7 on sheet 2 of 8. Lot 4 is 250,432 SF or 5.75 acres which allows up to two dwelling units as proposed. All lots exceed 4 acres or 174,240 SF in size.
	(3)	Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling, agricultural or timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway to the house shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous frontage.			Y			See note 7 on sheet 2 of 8. Lot 3 has exactly 150.0 feet of frontage on the cul-de-sac. All other lots have over 200 feet of frontage on the proposed private road or on the existing Day Hill Road/ Chick Crossing Road. See note 8 on sheet 2 of 8.
	(4)	Maximum lot coverage: 20% or 2,500 square feet, whichever is the greater.			Y			See note 7 on sheet 2 of 8.
	(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)			Y			See note 7 on sheet 2 of 8.
	(6)	Setbacks.						
		(a)	All structures shall be located at least:					
			[1]	Twenty-five feet from any lot line.	Y			See note 7 on sheet 2 of 8.
			[2]	Twenty-five feet from the boundary of any cemetery.			NA	No known cemeteries on the parcel or abutting the parcel.
			[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			See note 7 on sheet 2 of 8.
			[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			See note 7 on sheet 2 of 8.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-31. Aquifer Protection District.					Application Meet Requirements			
					Yes	No	NA	Comments
				line of Branch Brook.				
			[5]	Two hundred fifty feet from the high-water line of Branch Brook.	Y			See note 7 on sheet 2 of 8 and setback delineated on sheet 2.
		(b)	All subsurface wastewater disposal areas and treatment tanks shall be located at least 400 feet from the high-water line of Branch Brook		Y			See note 7 on sheet 2 of 8. 400' septic setback line shown on sheet 2. The proposed changes to septic system locations shall meet this requirement.
		(c)	Any mineral extraction use shall be located at least 250 feet from the high-water line of Branch Brook.				NA	No such use proposed.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Residential cluster development.					Y			The parcel must comply with 145-33.
G.	Special provisions.							
	(1)	All residential subdivisions containing more than four dwelling units shall be clustered on the site according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that clustering is not practical because of the configuration of the original lot or because of its natural features.					W	A 5 lot/6 dwelling unit residential subdivision is proposed. The development has not been designed according to the standards of 145-48 (Mulitfamily Development) or 145-49 (Residential Cluster Development). The Planning Board granted a waiver of this requirement on 10/20/14 as the development proposes less than 20 lots it found that the cluster development is not practical because of the natural features of the area.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-31. Aquifer Protection District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(2)	At least 60 days before the application of any pesticide classified for restricted use by the Administrator of the United States Environmental Protection Agency, the applicator or landowner shall notify the Code Enforcement Officer of the name of the pesticide to be applied, the application rate and the projected application dates. A copy of this notification shall also be sent to the Kennebunk, Kennebunkport and Wells Water District. The Code Enforcement Officer shall review the notification and consult with the Water District, notifying the applicator or landowner, in writing, if the pesticide or its application rates present a danger to the quality of the groundwater or Branch Brook. If the Code Enforcement Officer does not respond within 30 days from the receipt of the notification, the applicator may apply the pesticide according to the EPA label and the rules of the Maine Pesticide Control Board.	**Y**			See note 9 on sheet 2 of 8.
	(3)	Timber harvesting within 250 feet of the high-water line of Branch Brook shall only be allowed as specified on a harvesting plan prepared by a registered professional forester and approved by the Planning Board. The Planning Board shall obtain review comments on any such plan from the Kennebunk, Kennebunkport and Wells Water District and the York County Soil and Water Conservation District.			**NA**	No such use is proposed.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	04/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Article V District Regulations

A. Purpose.

The purpose of the Rural District is to maintain the open, rural character of the land within the district. Open uses of the land, such as forestry and agricultural uses, should be encouraged and large-scale residential uses discouraged. Residential development should be clustered so that significant areas of the development can be maintained as open space and, where applicable, used to buffer the development from existing Town ways.

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:					A major subdivision is approved on Map 82, Lot 6 within the Rural (R), Aquifer Protection (AP) and 250' Shoreland Overlay Districts. Lot 1 is located within the R and AP zones. Lot 2 is located within the R and AP zones. Lot 3 is located within the AP and 250' Shoreland Overlay zones. Lot 4 is located within the AP and 250' Shoreland Overlay zones. Lot 5 is located within the R, AP, and 250' Shoreland Overlay zones.
	(1)	Animal husbandry.			**NA**	
	(2)	Agriculture.			**NA**	
	(3)	Cemetery having an area less than 20,000 square feet and containing no buildings.			**NA**	No known cemeteries identified on this parcel.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(4)	Dwelling, one-family. (See also § 145-55)	Y*			See note 1 on sheet 2 of8. This note states: " A duplex or two dwellings may be built on lots 1 and 4 for a total of 7 dwellings units.
	(5)	Dwelling, two-family.			NA	
	(6)	Dwelling, multifamily. (See also § 145-48)			NA	
	(7)	Recreation, passive.			NA	
	(8)	Timber harvesting.			NA	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:					No such uses are proposed.
	(1)	Bed and breakfast/small inn (See also § 145-52)			NA	
	(2)	Cemetery larger than 20,000 square feet in area.			NA	
	(3)	Church.			NA	
	(4)	Club.			NA	
	(5)	Congregate care facility, in areas served by public water and sewer. **[Added 6-8-2010]**			NA	
	(6)	Day-care home.			NA	
	(7)	Day-care center/ nursery school.			NA	
	(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. **[Added 4-14-2000; amended 11-5-2002]**			NA	
	(9)	Kennel.			NA	
	(10)	Mineral extraction. (See also § 145-53)			NA	
	(11)	Municipal facility.			NA	

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
	(12)	Museum having a gross floor area less than 5,000 square feet.				NA	
	(13)	Neighborhood convenience store.				NA	
	(14)	Public utility facility.				NA	
	(15)	Recreation, active.				NA	
	(16)	Recreation, low-intensity commercial.				NA	
	(17)	Restaurant (standard) containing fewer than 75 seats.				NA	
	(18)	Sawmill.				NA	
	(19)	School, public and private.				NA	
	(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. **[Added 4-18-1995]**				NA	
	(21)	Tent and recreational vehicle park.				NA	
	(22)	Transmission tower, radio.				NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.			Y			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.					NA	No nonconforming uses exist or are proposed.
F.	Dimensional requirements.			Y			Note 7 has been amended to read: "The locus parcel is located within the Rural, Aquifer Protection and 250' Shoreland Overlay Districts. Dimensional requirements are as follows:"
	(1)	Minimum lot size:					
		(a)	One hundred thousand square feet of net area.	Y			Note 7 has been amended to read: "100,000 SF of net area". All lots exceed 4 acres or 174,240 SF in size.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			**NA**	
	(2)	Maximum density: **[Amended 4-28-1995]**					
		(a)	One dwelling unit for each 100,000 square feet of net area.	**Y**			Note 7 was amended to add: "Maximum Density: 100,000 SF of net area per dwelling. Lots to be served by individual private septic systems." Lot 4 is 5.75 acres or 250,432 SF in size which allows a duplex dwelling or two single family dwellings. All lots exceed 4 acres or 174,240 SF in size.
		(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.			**NA**	Not connected to public sewer.
		(c)	Four housekeeping cottages or seasonal cottages per acre of net area.**[Amended 4-12-2003; 6-13-2006** *Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.*			**NA**	Such cottages do not exist nor are they permitted.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-30. Rural District.					Application Meet Requirements			
					Yes	No	NA	Comments
	(3)	Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.			**Y**			See note 6. Lot 3 has exactly 150.0 feet of frontage on the cul-de-sac. All other lots have over 200 feet of frontage on the proposed private road or on the existing Day Hill Road/ Chick Crossing Road. See note 8 on sheet 2 of 8.
	(4)	Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.			**Y**			See note 7.
	(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)			**Y**			See note 7.
	(6)	Setbacks.						
		(a)	All structures shall be at least:		**Y**			See note 7.
			[1]	Twenty-five feet from any lot line.	**Y**			
			[2]	Twenty-five feet from any lot line abutting any street right-of-way.	**Y**			
			[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			**NA**	
			[4]	Twenty-five feet from the boundary of any cemetery.			**NA**	
		(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.				**NA**	Subdivision does not abut such rivers or brooks.

Project Name/District:	Chicks Crossing Subdivision Amendment - Rural, Aquifer Protection & 250' Shoreland Overlay District - Tax Map 82, Lot 6	Date of Review:	4/13/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site.**[Added 6-13-2006** *Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.*			**NA**	No such uses exist or are proposed on the parcel.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Cluster residential development.				**Y**			The parcel must comply with 145-33.
G.	Special provisions. All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.					**W**	A 5 lot/6 dwelling unit residential subdivision is proposed. The development has not been designed according to the standards of 145-48 (Mulitfamily Development) or 145-49 (Residential Cluster Development). The Planning Board granted a waiver of this requirement on 10/20/14 as the development proposes less than 20 lots it found that the cluster development is not practical because of the natural features of the area.

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

Chapter 202
Subdivision of Land

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
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. One reproducible, stable-based transparent original and three 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]**		Y				Scale is 1” = 100’. Sufficient copies provided.
	(1)	Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	Y				Lots identified with appropriate map and lot numbers.
	(2)	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y				See sheet 2 of 8. Plan is stamped by Isaiah Planted, PLS# 2334. Parcel corners are shown to have Monumentation on sheet 2. Some monuments are proposed to be pins instead of bounds. On 4/6/15 the Planning Board voted to waive the bound monumentation and allow iron pipes at the corners. Proposed Iron Pipes are ok. On 4/6/15 the Planning Board found the proposed Monumentation acceptable. On 8/3/15 the Planning Board found Monumentation proposed to be acceptable. No changes to Monumentation proposed with this amendment application.

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
		location of property lines, existing buildings, watercourses and other essential existing physical features.					
	(3)	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y*				On-site brooks/streams identified on sheet. The stream running from the east through the property to the Branch Brook for which the stream crossing is labeled as an unnamed stream or brook. The applicant requested a waiver of locating all wetlands except at the road crossing. A wetland is located at the road crossing and is identified on sheets 2 and 3. **On 4/18/16 the Planning Board to consider reaffirming the granted a waiver and to not require wetland delineation because of the "Limit of No Disturbance" is defined on the plan. The proposed amendment slightly alters this limit of no-disturbance for Lot 1.**
	(4)	Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y				See note 7 on sheet 2 of 8. Limiting factors for test pits are labelled on sheet 2.
	(5)	Indication of the type of water supply system(s) to be used in the subdivision.	Y				See note 10.
		(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.			NA		

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
		(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:					
		[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.	**Y***				A Groundwater Impact Study prepared by Richard A. Sweet, Certified Geologist #100, of Sweet Associates dated 2/9/2015 has been provided. KKW Water District review comments provided. Planning Board reviewed KKWWD comments at 4/6/15 meeting. A revised KKWWD statement dated 7/31/15 was been provided stating the proposed changes represent a positive alteration from previous submissions but cautions of the potential negative impacts if the project is not constructed in a way that minimizes risk. **On 4/18/16 the Planning Board to determine if a revised KKWWD statement regarding the proposed changes to the septic systems for lot 1 and 2 is necessary.**
		[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			**NA**		A central water system is not proposed.
	(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	**Y**				
	(7)	The location of any zoning boundaries affecting the subdivision	**Y**				The Rural District, Aquifer Protection District and Shoreland Overlay Districts are identified.
	(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	**Y**				See sheet 2 and 3. Culverts along Day Hill Road and Chick Crossing road identified.

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

§ 202-9. Final plan for major subdivision			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
	(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y				See sheet 2 and 3 showing the proposed 50' wide private right-of-way with Monumentation and distances. The gravel access road serving the existing tower to be widened and improved to become Roubo Farm Road, a private road. Road to be widened along the existing gravel access road to a width of 26'. The second private road as frontage and access for lots 2, 3, and 4 shall be 18' wide pavement with 2.5' gravel shoulders with a metal guardrail.
	(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		
	(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			NA		No such dedication proposed.
	(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.	Y				A construction cost estimate was provided on 7/20/15 and included a 10% contingency. See Note 26 on the plan regarding Performance Guarantee requirements. Maintenance and operating cost not applicable due to being less than 20 lots.

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			**NA**		Subdivision does not proposed 20 or more lots.
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			**NA**		Subdivision does not proposed 20 or more lots.
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.			**NA**		See note 14. The property is within flood zone “X” which is not a flood-prone area.
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. **[Amended 4-27-2007]**	**Y**				A soil erosion and sedimentation control plan provided on sheet 7. Best management practices shall be followed. Also sheet 3 provides the DEP requirements for stream crossing.
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. **[Amended 4-27-2007]**	**Y**				A Stormwater Management Report prepared by Lee Allen, PE dated August 2014; Revised January 2015 was provided. Town Engineer reviewed the Stormwater Management Plan and found that the analysis and plan meet the Town requirements. Also see Note 16 on Sheet 2.
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: **[Added 4-27-2007]**			**NA**		Subdivision not located within the watershed of Ell Pond or within 500 feet of Hobbs Pond.

Project Name/Map & Lot #:	Chick Crossing Subdivision Amendment/ Tax Map 82, Lot 6	District:	R, AP, ShO
Prepared By:	Planning Office	Review Date:	04/13/16
Plans Dated:	04/01/16	Final Plan Revisions Submittal Date:	04/05/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
	(b) A long-term maintenance plan for all phosphorus control measures;					
	(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
	(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					

Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for "Chick Crossing"

Chapter 202
Subdivision of Land

PROJECT INFORMATION		
General:	**Project Name:**	Chick Crossing Subdivision
	# Lots/ Dwellings Proposed:	5 lots/ 7 dwelling units
	Applicant:	Eric A. & Sherida N. Roubo, 469 Chick Crossing Road, Wells, ME 04090
	Landowner:	Eric A. & Sherida N. Roubo, 469 Chick Crossing Road, Wells, ME 04090
	Location:	469 Chick Crossing Road, Wells, Maine
	Existing Use:	A Major Subdivision consisting of 5 lots/ 7 dwelling units (two lots to have duplexes or two single family dwellings on the lot) and private roadway. A 190' telecommunications cell tower (Mariner Tower) with access road to remain on lot 6-5 with the existing dwelling unit.
	Proposed Land Use:	A Major Subdivision consisting of 5 lots/ 7 dwelling units (two lots to have duplexes or two single family dwellings on the lot) and private roadway. A 190' telecommunications cell tower (Mariner Tower) with access road to remain on lot 6-5 with the existing dwelling unit.
	Tax Parcel ID:	Tax Map 82, Lot 6 (to become Map 82, lots 6-1 through 6-5)
	Zoning District:	Rural, Aquifer Protection and 250' Shoreland Overlay Districts
	Land Use, Art. VII Performance Standards:	None
	Design Engineer:	Isaiah Plante, Kimball Survey & Design, Inc., 30 Frost Hill Road, York, ME 03909
	Final Plan Application Submission Date:	April 5, 2016
	Plan Submission Date:	April 5, 2016

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Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for "Chick Crossing"

Project Description:	Kimball Survey & Design, Inc has submitted a Final Subdivision Amendment Application on behalf of the property owners, Eric A. and Sherida N. Roubo, for the approved 5 lot/7 dwelling unit major residential subdivision located off of 469 Chick Crossing Road which shall consist of a new 50' wide private ROW with 26' wide gravel road with hammerhead (Roubo Farm Road)which is proposed to serve as access and street frontage for Lot 6-1 and as access to the proposed dwelling unit on Lot 6-5. The existing dwelling and telecommunication tower are approved to be located on lot 6-5 which shall consist of approximately 29.95 acres (25.58 net acres). The existing 30' wide access easement for the tower is approved to remain within the Roubo Farm Road ROW. A new 50' wide private ROW with 18' paved road with 23' gravel base and hammerhead at the end (Charming Way) is approved off of Roubo Farm Road to serve as access and street frontage for Lots 6-2, 6-3, and 6-4. All lots shall be served by private on-site septic systems and individual drilled wells. The subdivision is located within the Rural, Aquifer Protection and 250' Shoreland Overlay Districts. The subdivision has frontage off of Chicks Crossing Road and Day Hill Road and abuts the Branch Brook to the north. The purpose of this final subdivision amendment application is to modify the well and septic location for lot 1, eliminate a drainage easement on Lot 1 and modify the no-cut area for lot 1, revised the septic and well location for lot 2, and modify the building envelope for the proposed dwelling on lot 5.
Approval Dates:	Preliminary Plan Approval: Not Applicable Final Plan Approval: **To be determined**
Public Hearings:	Preliminary Public Hearing: Not Applicable Final Public Hearing: **To be determined**

PROJECT HISTORY
1. On 4/5/16____

§ 202-12. General Standards		**Findings & Decisions**
In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.		
A.	Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent state and local codes and ordinances.	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.** This subdivision shall be in substantial conformance with the Wells Comprehensive Plan and with state and local codes and ordinances.
B.	Retention of open spaces and natural or historic features. [Amended 6-11-2013]	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**

§ 202-12. General Standards			Findings & Decisions
	(1)	In any subdivision with no more than five lots or dwellings units, no dedicated open space is required. In any subdivision with at least six lots or dwelling units and no more than 10 lots or dwelling units, there shall be a minimum of 10% or 20,000 square feet, whichever is greater, of the total property net area dedicated as open space. Off site dedication of open space land may be approved by the Planning Board if excess land is provided and the land has a greater benefit to the public than land within the development. In any subdivision with more than 10 lots or dwelling units, there shall be a minimum of 35% of the total property net area dedicated as open space.	This subdivision proposes more than 5 dwelling units and is required to provide a minimum of 10% Open Space. This subdivision proposes approximately 10% open space or 5.25 acres of the 50.5 acre parcel. See Open Space easement on Lot 1.
	(2)	Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable. The configuration of such sites shall be deemed adequate by the Planning Board with regard to scenic or historic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.	The Open Space easement shall be for preservation and walking. See note 23 on sheet 2.
	(3)	Reserved open space land, acceptable to the Planning Board and subdivider, may be dedicated or conveyed to the municipality, a land trust, or other recognized conservation organization. Such reservation may also be accomplished by incorporation into homeowners' association or condominium association documents or into restrictive deed covenants. (See § **145-49**, residential cluster development standards.)	Reservation proposed as restrictive deed covenants.
	(4)	The Planning Board may require that the development plans include a landscape plan that will show the preservation of any existing trees larger than 24 inches in diameter at breast height, the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally significant areas. Cutting of trees on the northerly borders of lots should be avoided as far as possible, to retain a natural wind buffer.	On1/5/15 the Planning Board granted a waiver on locating trees and wetlands due to the proposed no disturb limits, see Note 20. See "limit of disturbance line" on sheet 2 and 3. **On 4/18/16 the Planning Board to consider reaffirming the granted a waiver and to not require wetland delineation because of the "Limit of No Disturbance" is defined on the plan. The proposed amendment slightly alters this limit of no-disturbance for Lot 1.**
C.	Blocks. Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway of at least five feet in width. Maintenance obligations of the easement shall be included in the written description of the easement.		**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL NOT APPLY.** Streets less than 1,000 feet in length.
D.	Lots.		**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**
	(1)	All lots shall meet the minimum requirements of Chapter 145, Land Use, for the zoning district in which they are located. The lot configuration should be designed to maximize the use of solar energy on building sites with suitable orientation.	§145-30. Rural District requirements apply to the 7 dwelling units proposed. The All lots proposed are at least 100,000 SF in size.

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§ 202-12. General Standards			Findings & Decisions
	(2)	Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.	On-site parking required. No parking allowed along Roubo Farm Road or Charming Way.
	(3)	Lots with multiple frontages shall be avoided wherever possible. When lots do have frontage on two or more roads, the plan and deed restrictions shall indicate that vehicular access shall be located only on the less traveled way.	All lot driveways shall be located off of Roubo Farm Road or Charming Way, except for the existing driveway serving lot 6-5 which is installed off of Chick Crossing Road. Driveway locations can vary from plan; see Note 25 on sheet 2.
	(4)	Wherever possible, side lot lines shall be perpendicular to the street.	Proposed lot lines are perpendicular or radial where possible.
	(5)	The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as to preclude future resubdivision.	Note 11 on sheet 2 prohibits further subdivision unless approved by the Wells Planning Board. Any new lots or dwelling units shall require the review approval of the Wells Planning Board.
	(6)	Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.	Extensions of such utilities in this area are not planned for the foreseeable future. Lots shall be served by private individual septic systems and private individual drilled wells. See Notes 10 and 21 on sheet 2.
	(7)	If a lot on one side of a river, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the river, tidal water or road to meet the minimum lot size.	Not applicable. Lot does not extend to the other side of the Branch Brook or Chicks Brook.
	(8)	Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	Minimum lot sizes (100,000 SF of net area) are met within ratios therefore none of the 5 lots are odd shaped.
	(9)	Lots shall be numbered in accordance with Chapter 201, Article I, Street Naming and Numbering, of the Wells Municipal Code.	Proposed Tax Map and Lot numbers and street names approved by the Town of Wells Assessor's Office.
	(10)	Where the Board finds that safety considerations so require, driveways of adjoining lots shall be combined or joined so as to minimize the number of driveway entrances and maximize the distance between entrance points.	On 4/6/15 the Planning Board determined that shared driveways are not required.
	(11)	Driveway for Lot 1 is restricted to access from Roubo Farm Road. No new driveways are allowed from Chick Crossing Road. The existing driveway serving lot 6-5 which is installed off of Chick Crossing Road shall remain.	Driveway for Lot 1 is restricted to access from Roubo Farm Road. No new driveways are allowed from Chick Crossing Road. The existing driveway serving lot 6-5 which is installed off of Chick Crossing Road shall remain.
E.	Utilities.		**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**
	(1)	Utilities shall be installed underground except as otherwise approved by the Board.	Underground utility requirement waiver granted by the Planning Board on 4/6/15 due to the existing overhead lines in Roubo Farm Road and rip rap side slopes needed to minimize wetland fill. Overhead utilities are allowed.
	(2)	Underground utilities shall be installed prior to the installation of the final gravel base of the road.	See above.

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§ 202-12. General Standards			Findings & Decisions
	(3)	The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	No street lights proposed.
F.	Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.		
	(1)	Monuments.	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.** Sheet 2 identifies all Monumentation proposed and monuments found.
		(a) Stone or concrete monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.	On 4/6/15 and 8/3/15 the Planning Board granted a waiver of not requiring several bounds and determined that the Monumentation shown shall be acceptable.
		(b) Stone or concrete monuments shall be set at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135º or less. New monumentation shall not be required at corner or angle points where there is existing monumentation that complies with this section.	
		(c) Stone monuments shall be a minimum of four inches square at the top and four feet in length and set in the ground at final grade level. After they are set, drill holes one-half-inch deep shall locate the point or points described above.	
		(d) Concrete monuments shall be portland cement reinforced with half-inch reinforcement bar. Concrete monuments shall be either four inches square or four inches in diameter and four feet in length and set in the ground at final grade with their top flush to four inches above the final grade.	
		(e) All other subdivision boundary corners and angle points, as well as all lot boundary corners and angle points, shall be marked by suitable monumentation.	On 4/6/15 and 8/3/15 the Planning Board found that the Monumentation shown is acceptable.
	(2)	Water supply.	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**
		(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.	Subdivision not served by the KKW Water District.
		[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.	
		[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.	

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§ 202-12. General Standards		Findings & Decisions
	(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.	See note 10 on sheet 2. Individual drilled wells proposed.
	[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	Dug wells are prohibited.
	[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).	Not applicable.
	[3] Fire protection. **[Amended 3-11-2002]**	
	[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:	Fire protection for Lots 1-5 to be provided by whole house sprinkler system, see Note 12. The existing dwelling on lot 5 is already constructed and does not have a sprinkler system.
	[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and	Not applicable.
	[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	Not applicable.
	[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	Not applicable.

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§ 202-12. General Standards	Findings & Decisions
[4] The results of the water quality test submitted shall indicate that the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. If the Board has reason to believe, due to previous uses of the property or due to previous or existing uses of neighboring property, that the existing water quality may be threatened by contaminants not tested for in the primary inorganic water analysis, it may require the water to be tested for those contaminants.	This is a condition of approval to be provided prior to the issuance of a building permit. See standard Condition 2 on sheet 2.
(c) Prior to the issuance of a building permit for the construction of any principal structure in a subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. This evidence shall consist of:	This is a condition of approval to be provided prior to the issuance of a building permit. See standard Condition 2 on sheet 2.
[1] A letter from the Kennebunk, Kennebunkport and Wells Water District indicating availability of service; or	Not applicable.
[2] The results of a primary inorganic water analysis performed upon the well to serve the structure indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.	This is a condition of approval to be provided prior to the issuance of a building permit. See standard Condition 2 on sheet 2.
(3) Sewage disposal.	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**
(a) Public system.	Subdivision not served by the Wells Sanitary District.
[1] A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1,000 feet of the proposed subdivision at its nearest point. The Wells Sanitary District shall certify that providing service to the proposed subdivision is within the capacity of the district's collection and treatment system.	
[2] The district shall review and approve in writing the construction drawings for the sewage system.	
(b) Private systems.	Subdivision shall be served by individual subsurface wastewater disposal systems. See note 21 on sheet 2. Deviations for subsurface system placement may be approved by the Town Code Enforcement Officer/ Town Planner up to 10'.
[1] The developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve areas shall be shown on the plan and restricted so as not to be built upon.	Test pits provided for all lots by James Logan, SS#213, SE# 237 dated 7/3/14; revised 10/27/14. Test pits for #2A, 11A, 15A prepared by James Logan, SE/CSS#237/213 dated 3/30/2016.

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§ 202-12. General Standards			Findings & Decisions
		[2] In no instances shall a disposal area be permitted on soils or on a lot which requires a new system variance from the subsurface wastewater disposal rules.	
	(4)	Stormwater management. **[Amended 4-27-2007]**	**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.** Stormwater Management Report for Chick Crossing Subdivision prepared by Lee Allen, PE #9218 dated 8/31/14; and revised January 2015. Town Engineer/Planner Michael Livingston, PE has reviewed the stormwater management report. Minor comments on drainage have been addressed and found to meet Town requirements. **The elimination of one of the drainage easements on lot 1 has been reviewed by the Town Engineer and found not to alter the overall drainage. Revisions to the grading on sheet 3 are required. The remaining drainage easement is recommended to be 20 feet in width. Minor note/ plan changes recommended.**
		(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	Most drain-ways are located in the "No Disturb" areas. Drainage easements have been provided elsewhere on Lot 1. Stormwater system designed by Lee Allen, PE **The elimination of one of the drainage easements on lot 1 has been reviewed by the Town Engineer and found not to alter the overall drainage. Revisions to the grading on sheet 3 are required. The remaining drainage easement is recommended to be 20 feet in width. Minor note/ plan changes recommended.**
		(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	Drainage easements depicted on plans. **The elimination of one of the drainage easements on lot 1 has been reviewed by the Town Engineer and found not to alter the overall drainage. Revisions to the grading on sheet 3 are required. The remaining drainage easement is recommended to be 20 feet in width. Minor note/ plan changes recommended.**
		(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.	Drainage analysis provided by Lee Allen, PE, reviewed by Town Engineer. **The elimination of one of the drainage easements on lot 1 has been reviewed by the Town Engineer and found not to be altered by the amendment**
		(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.	Provided by Lee Allen, PE, reviewed by Town Engineer.

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§ 202-12. General Standards			Findings & Decisions
		(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.	Not Applicable
		(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.	Not Applicable.
		(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	LID techniques required on each lot, see Note 16.
		(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.	Not Applicable.
		(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:	Stream crossing analyzed by Lee Allen, PE for 100 year events.

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§ 202-12. General Standards				Findings & Decisions
			[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.	
G.	Streets.			**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**
	(1)	All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.		The proposed streets must comply with the requirements of Chapter 201. Roubo Farm Road and Charming Way are proposed to be private roads that will not be accepted or maintained by the Town of Wells. See note 24 on sheet 2.
	(2)	Any subdivision expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Any street with an average daily traffic of 200 trips per day or more shall have at least two street connections leading to existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Said two street connections' center lines shall be no closer than 400 linear feet apart. Traffic generation rates shall be based on the Traffic Generation Manual, 1988 Edition, Institute of Transportation Engineers. Some typical traffic generation rates are:		The subdivision is expected to generate a daily traffic of 60 new trips per day or more onto Chick Crossing Road.
		(a) Single-family house: 10.0 trips per day per unit.		6 x 10.0 = 60.00 new trips per day for the subdivision
		(b) Residential condominium: 5.9 trips per day per unit.		
		(c) Motel: 10.2 trips per day per room.		
		(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.		
	(3)	In any subdivisions located in the Residential A Zoning District or east of U.S. Route 1 provisions shall be made for the interconnection of proposed streets with other subdivisions or adjacent properties if it is determined to be practical and desirable by the Planning Board.		Not Applicable.
H.	Land features.			**BASED ON THE FOLLOWING THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.**

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§ 202-12. General Standards			Findings & Decisions
	(1)	Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas and building excavations. Topsoil shall not be removed from the site until completion of construction and inspection by the Town to assure four inches of topsoil has been spread over all areas to be grassed.	This is a condition of approval.
	(2)	Except for normal thinning, landscaping and cutting trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Board shall require a developer to take the following measures to correct and prevent soil erosion in the proposed subdivision: **[Amended 4-27-2007]**	This is a condition of approval.
		(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
		(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
		(c) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	None proposed, see no disturb limits and Note 20.
		(d) Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	
	(3)	To prevent soil erosion of shoreline areas the cutting or removal of vegetation shall only be permitted as regulated in § 145-33 of Chapter 145, Land Use, of the Wells Municipal Code.	This is a condition of approval.
	(4)	Dedication and maintenance of common open space and services.	Chick Crossing sample deed and Declaration documents were reviewed by the Town Engineer/ Planner and Town Attorney for compliance with these standards. Special Condition #5 of original subdivision approval has been satisfied.
		(a) All common land shall be owned jointly or in common by the owners of the dwelling units by means of a homeowners' association, by an association which has as its principal purpose the conservation or preservation of land in essentially its natural condition or by the municipality.	See Note 23.
		(b) Further subdivision of the common land or its use for other than noncommercial recreation or conservation purposes, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to noncommercial recreational or conservation uses may be erected on the common land.	See note 11 and Note 23.
		(c) The common open space shall be shown on the final plan with appropriate notation on the plan to indicate that:	See Note 23.
		[1] It shall not be used for future building lots; and	
		[2] A part or all of the common open space may be dedicated for acceptance by the municipality.	

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§ 202-12. General Standards			Findings & Decisions
		(d) If any or all of the common open space and services are to be reserved for use by the residents, the bylaws of the proposed homeowners' association shall specify maintenance responsibilities and shall be submitted to the Board prior to final plan approval.	See Note 23 and Declaration documents
		(e) Covenants for mandatory membership in the homeowners' association setting forth the owners' rights, interests and privileges in the association and the common property shall be reviewed by the Board and included in the deed for each lot or dwelling.	See Note 23 and Declaration documents
		(f) The homeowners' association shall have the responsibility of maintaining the common property.	See Note 23 and Declaration documents
		(g) The association shall levy annual charges against all owners of dwelling units to defray the expenses connected with the maintenance of common property and tax assessments.	See Note 23 and Declaration documents
		(h) The developer or subdivider shall maintain control of the common property and be responsible for its maintenance until development sufficient to support the association has taken place.	See Note 23 and Declaration documents
	(5)	Construction in flood hazard areas. When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall conform with Chapter 115, Floodplain Management, of the Wells Municipal Code.	Not Applicable, no flood zone on property.
	(6)	Impact on groundwater.	
		(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	A hydrogeologic assessment was prepared by Sweet Associates, Richard A. Sweet Certified Geologist #100 , dated 2/9/15. Reviewed by KK&WWD, letter dated 4-2-15. See revised KK&WWD letter dated 7/31/2015. **<u>On 4/18/16 the Planning Board to determine if a revised KKWWD statement regarding the proposed changes to the septic systems for lot 1 and 2 is necessary.</u>**
		[1] A map showing the basic soils types.	
		[2] The depth of the water table at representative points throughout the subdivision.	
		[3] Drainage conditions throughout the subdivision.	
		[4] Data on the existing groundwater quality, either from test wells in the subdivision or from existing wells on neighboring properties.	

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§ 202-12. General Standards		Findings & Decisions
	[5] An analysis and evaluation of the effect of the subdivision on groundwater resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1,000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within the watershed of a pond, projections of the development's impact on groundwater phosphate concentrations shall also be provided.	
	[6] A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.	
	(b) Projections of groundwater quality shall be made at any wells within the subdivision and at the subdivision boundaries or at a distance of 500 feet from potential contamination sources, whichever is a shorter distance.	
	(c) Projections of groundwater quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).	
	(d) No subdivision shall increase any contaminant concentration in the groundwater to more than 1/2 of the primary drinking water standards. No subdivision shall increase any contaminant concentration in the groundwater to more than the secondary drinking water standards.	
	(e) If groundwater contains contaminants in excess of the primary standards and the subdivision is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.	
	(f) If groundwater contains contaminants in excess of the secondary standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.	
	(g) Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the final plan and as restrictions in the deeds to the affected lots.	

§ 202-13. Performance Guaranties. [Amended 4-12-1999]		Findings & Decisions
A.	Types of guaranties.	

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	(1)	With submittal of the application for final plan approval, the applicant shall provide any one or a combination of the following performance guaranties for an amount adequate to cover the total site preparation and construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs:	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
		(a) Either a certified check payable to the municipality or a savings account or certificate of deposit naming the municipality as owner for the establishment of an escrow account.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
		(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
		(c) An irrevocable letter of credit (See Appendix B for a sample. Note: Appendix B, originally attached to the Subdivision Regulations, has not been reproduced in the Code. Consult the original Town records in the office of the Clerk.) from a financial institution establishing funding for the construction of the subdivision from which the municipality may draw if construction is inadequate, approved by the municipal officers or Town Manager.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
		(d) An offer of conditional approval prohibiting the sale of any units or lots until all required improvements serving those units or lots have been constructed to the satisfaction of the Town and in compliance with all ordinances, plans and specifications.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
	(2)	The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
B.	**Contents of guaranty.** The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.		See notes 22 and 26 on sheet 2 regarding the required performance guarantees.

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C.	**Escrow account.** If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
D.	**Performance bond.** If the applicant chooses to submit a performance bond, the performance bond shall detail any special conditions, the method for release of the bond or portions of the bond to the applicant and the procedures for collection by the municipality. The bond documents shall specifically reference the subdivision for which approval is sought.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
E.	**Letter of credit.** If the applicant chooses to submit an irrevocable letter of credit from a bank or other lending institution, at a minimum the letter shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan. The Town Manager or Town Treasurer shall certify the bank or institution as acceptable to the Town. The Town Attorney shall review and, if found acceptable, approve the wording of all letters of credit.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
F.	**Standard condition of approval**. As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection **K**, the Board shall require the applicant to enter into a binding agreement with the municipality regarding the development of the required improvements and the sale of lots or units in the subdivision until such time as one or more of the allowable performance guaranties have been accepted by the municipality.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees. No conveyances or occupancy permits shall be granted unit the road is completed to the level of base course of pavement and drainage systems and utilities are complete for each phase covered by the performance guarantee.
	(1) The agreement shall prohibit the sale or occupancy of any lot or unit in the subdivision for which the improvements to be covered by the guaranty are required for access to or intended use of the lot until either:	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
	(a) It is certified by the Board, or its agent, that all of the required improvements have been installed in accordance with these regulations and the regulations of the appropriate utilities; or	
	(b) A performance guaranty, acceptable to the municipality, is submitted in an amount necessary to cover the completion of the required improvements at an amount adjusted for inflation and prorated for the portions of the required improvements already installed.	
	(2) Notice of the agreement and any conditions shall be on the final plan that is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guaranties contained in Subsection **H**.	

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G.	**Phasing of development.** The Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision street which is covered by a performance guaranty. When development is phased, road construction shall commence from an existing public way. The subdivision shall be divided in such a manner that each phase, when aggregated with the previous phase(s), shall meet the standards of these regulations. Final approval of lots in subsequent phases shall be given only upon satisfactory completion of all requirements pertaining to previous phases.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees. No phasing proposed.
H.	**Release of guaranty**. Prior to the release of any part of the performance guaranty, the Board shall determine to its satisfaction, in part upon the report of the Town Manager and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.	
I.	**Default.** If upon inspection the third party inspector, Municipal Engineer or other qualified individual retained by the municipality finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he or she shall so report in writing to the Code Enforcement Officer, the municipal officers, the Board and the applicant or builder. The municipal officers shall take any steps necessary to preserve the municipality's rights.	
J.	**Private streets.** Where the subdivision streets are to remain private streets, the following words shall appear on the recorded plan: "All streets in this subdivision shall remain private roads to be maintained to Town standards by the developer or the lot owners and shall not be accepted or maintained by the Town."	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.
K.	**Improvements guaranteed.** Performance guaranties shall be tendered for all improvements required to meet the standards of these regulations and for the construction of the public or private streets, stormwater management facilities, public or private sewage collection or disposal facilities and water systems that are shared by multiple dwelling units and erosion and sedimentation control measures, as well as any other improvements required by the Board.	See notes 22 and 26 on sheet 2 regarding the required performance guarantees.

§ 202-2. Purpose, criteria for approval.		**Findings & Decisions**
The purposes of these regulations are to assure the comfort, convenience, safety, health and welfare of the people of the Town of Wells, to protect the environment and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the Town of Wells, Maine, the Planning Board shall consider the following criteria and, before granting approval, shall make findings of fact that the provisions of these regulations have been met and that the proposed subdivision will meet the guidelines of 30-A M.R.S.A. § 4404.		
A.	The subdivision:	**The Planning Board finds that these standards shall be met through compliance with §202-12.**

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	(1)	Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; and the slope of the land and its effect on effluents;	
	(2)	Has sufficient water available for the reasonably foreseeable needs of the subdivision;	
	(3)	Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;	
	(4)	Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;	
	(5)	Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;	
	(6)	Will provide for adequate solid and sewage waste disposal;	
	(7)	Will not cause an unreasonable burden on the ability of the Town to dispose of solid waste and sewage if municipal services are to be utilized;	
	(8)	Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;	
	(9)	Is in conformance with this chapter, the Comprehensive Plan for the Town and Chapter 145, Land Use, of the Wells Municipal Code, as amended;	
	(10)	Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water; and	
	(11)	Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;	
B.	The subdivider has adequate financial and technical capacity to meet the above-stated standards;		**The Planning Board finds that these standards shall be met through compliance with §202-13.**
C.	If any part of a subdivision is located in a flood-prone area, as indicated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Maps, the subdivider shall determine the one-hundred-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition requiring that principal structures will be constructed with their lowest floor, including the basement, at least one foot above the one-hundred-year flood elevation; and		**Not applicable; no flood zone on property.**
D.	The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorous concentration during the construction phase and life of the proposed subdivision.		**Not applicable; the proposed subdivision does not impact a great pond.**

STANDARD CONDITIONS OF APPROVAL

1. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period. (§202-9C(2))

DRAFT

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for "Chick Crossing"

2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. The evidence shall consist of the results of a primary inorganic water analysis performed upon the well to serve the structure, indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. (§202-12F(2)(b)[4])

3. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed. (§202-11A(5))

4. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with § 202-10A(3). (§202-9C(4))

5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan. (§202-9C(5))

6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void. (§202-9C(6))

SPECIAL CONDITIONS OF APPROVAL

1. All prior conditions and special conditions of approval shall remain in effect. The approval of this subdivision amendment in no way negates compliance with conditions of approval requirements.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Planning Board

By: _____
Charles Millian, Chairman

DRAFT

KIMBALL
SURVEY & DESIGN, INC.

April 1, 2016

Mike Livingston, P.E
Town of Wells
208 Sanford Road
Wells, Maine 04090

RE: Subdivision of 469 Chick Crossing Road Wells, Maine
Map 86 Parcel 6

Dear Mike:

On behalf of Eric Roubo, applicant, we are submitting a revised plan of the Chick Crossing Subdivision. The plan set has been revised to accommodate the specific house layouts desired for Lots 1, 2, & 5. The following is a summary of the changes.

- Lot 1 – The actual house layout has been placed and the septic and well locations have been modified to accommodate the house size and location. A reserve septic system has been shown utilizing TP 2A. The drainage easement bisecting the lot has been eliminated as it is unnecessary and was complicating the building site. The no cut zone has been adjusted slightly to allow clearing of trees near the house.
- Lot 2 – The proposed building site and septic location have been revised to decrease the length of the proposed driveway. The proposed septic utilizes a new test pit, TP11A.
- Lot 5 – The proposed building envelope and building site have been revised to allow a view of the existing farm field. A new test pit, TP15A has been dug to allow a new septic area closer to the relocated building site.
- Note 29 was added to explain the purpose of this amended plan.

We would like to meet with the Planning Board and Staff at the next schedule meeting to request approval of the amended subdivision plan.

Isaiah E. Plante, PLS
Isaiah E. Plante
Kimball Survey & Design, Inc.

30 FROST HILL ROAD, YORK, MAINE 03909 · 207-351-0226 · ISAIAH@KIMBALLLANDSURVEYING.COM

TOWN OF WELLS, MAINE

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-2935
Website: www.wellstown.org

Amendment ✓
(Revision involves the creation of more than 4 lots/dwellings and/or a new road)

New _____

For Office Use Only

Fee Paid _____

FINAL SUBDIVISION APPLICATION - §202-09

Received 4-5-16

1. Project/Subdivision Name: Chick Crossing Subdivision

2. Property Owner: Eric A. & Sherida N. Roubo

   Mailing Address: 469 Chick Crossing Road
   Wells, ME

   Telephone: 207-351-7571

   Email Address: eroubo@gmail.com

3. Applicant/Agent (if different from owner):_____

   Mailing Address: _____

   _____

   Telephone: _____ Fax:_____

   Email Address: _____

4. Engineer or Surveyor who prepared plan: Kimball Survey & Design, Inc.

   Mailing Address: 30 Frost Hill Road
   York, Maine 03909

   Telephone: 207-351-0226 Fax: N/A

   Email Address: Isaiah@kimballlandsurveying.com

5. All correspondence should be sent to:
   (specify one of the above) Surveyor

6. Assessor's Tax Map Number: 82 Lot Number: 6 (of land to be divided)

7. Is applicant a Maine-licensed corporation? ☐ Yes x No (if yes, attach copy of license)

8. What legal interest does the applicant have in the property to be developed (ownership, - ption, purchase & sales contract, etc.)?
ownership

9. What interest does the applicant have in any abutting property?
none

10. Location of Property:
Street Address (approx.) 469 Chick Crossing Road
Book 16804 Page 811 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural & Auquifer Protection District

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? ☐ Yes x No

13. Total Acreage: 50± Acreage to be developed: 25±

14. Indicate the nature of any restrictive covenants to be place in the deeds:
none at this time

15. Has this land been part of a prior approved subdivision? X Yes ☐ No
Or other divisions within the past 5 Years? x Yes ☐ No
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:
Lot F as shown on sheet 2 of 8 P/O parcel 6 April 2013

16. Identify existing use(s) of land, (farmland, woodlot, etc.)
existing single family residential with farmland and woodlot

17. Does the parcel include any water bodies? ☐ Yes x No

18. Is any portion of the property within a special flood hazard area as idenitifed by the Federal Emergency Management Agency? ☐ Yes x No

19. Number of lots or dwelling units exising: 1 and
Number of lots or dwelling units proposed: 5 (including existing farm house).

20. Does this development require extension of public infrastructure? ☐ Yes x No
If yes, which type of structure?

☐ roads ☐ storm drainage ☐ sidewalks
☐ water lines ☐ fire protection equipment ☐ sewer
☐ If other, please state

21. Estimated cost for infrastructure improvements: $320,000_____

22. Identify method of water supply to the proposed development:

x individual wells ☐ connection to public water system
☐ central well w/ distribution lines ☐ If other, please state alternative_____

23. Identify method of sewage disposal to the proposed development:

x individual septic tanks ☐ central on site disposal with distribution lines
☐ connection to public sewer system ☐ If other, please state alternative_____

24. Identify method of fire protection for the proposed development:

☐ hydrants connected to the public water system
☐ dry hydrants located on an existing pond or water body
☐ existing fire pond
x If other, please state alternative (for example, individual sprinklers)
All new homes to be sprinkelered

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? x Yes ☐ No
If yes, list them and state the reasons for the request:

202-8B2.U wetland delineation has been limited to the area of stream crossing. No other wetlands are to be impacted. All lots are ovesized and proved adequate building envelopes.

202-8B2.f location of trees greater 24" dbh. The area to be developed is 23 acres and has numerous large diameter trees. No major clearing is proposed other that that necessary for development.

CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.

_____ 4/1/16
Signature of Applicant Date

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- To be submitted with a subdivision amendment application form (***See §202-10***)

Submitted	Not Submitted	Subdivision Amendment form shall be accompanied by
X		A copy of the approved plan, as well as 11 copies of the proposed revisions.
X		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
X		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
	N/A	Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: Chick Crossing Subdivision **Applicant:** Eric Roubo

Checklist Prepared By: Isaiah Plant, PLS **Date:** 4/1/16
Checklist Reviewed By: _____ **Date:** _____

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

		Response (Please check applicable box)			
Code Section	***I. General***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9A.1	An application for final approval has been submitted within 6 months after approval of the preliminary plan. The final plan approximates the layout shown on the preliminary plan.	X			
202-9A.6.a	Maine Department of Environmental Protection approval under the Site Location of Development Act and the Natural Resources of Protection Act			X	
202-9A.6.b	The KKWWD approval, if the district's water service is to be used			X	
202-9A.6.c	Maine Department of Human Services approval, if the subdivider proposes to provide a central water supply system.			X	
202-9A.6.d	The Wells Sanitary District approval, if the public sewage disposal system is to be used.			X	
202-9A.6.e	Maine Department of Human Services approval, if a centralized or shared subsurface sewage disposal system(s) is to be utilized.			X	
202-9A.6.f	An Army Corps of Engineers dredge and fill permit			X	
202-9A.6.g	NPDES permit for stormwater discharges			X	

Code Section	***II. Final Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.1	Proposed name of subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	X			
202-9B.2	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	X			
202-9B.3	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	X			
202-9B.4	Indication of type of sewage disposal to be used in the subdivision. A written statement from Wells Sanitary District must be submitted indicating approval of the subdivider's sewage design.	X			
202-9B.5.a	A written statement from KKWWD shall be submitted indicating that the district has reviewed and approval the water system design.			X	
202-9B.5.a	A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.	X			
202-9B.5.b.1	When the subdivision is not served by KKWWD, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination. The results of primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination, shall be submitted.	X			
202-9B.5.b.2	When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two- family dwellings, evidence of adequate groundwater quantity shall be required.			X	
202-9B.6	The date the plan was prepared	X			
202-9B.6	North Point (Identified or Magnetic or True)	X			
202-9B.6	Graphic map scale	X			
202-9B.6	Names and addresses of the record owner, subdivider and individual or company who or which prepared the plan	X			
202-9B.7	The location of any zoning boundaries affecting the subdivision.	X			
202-9B.8	The location and size of existing and proposed sewers, water mains, culverts, and drainageways on or adjacent to the property to be subdivided.	X			

Code Section	***II. Final Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.9	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.				
202-9B.9	Plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground.				
202-9B.9	The length of all straight lines, the deflection of angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.				
202-9B.10	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.				
202-9B.11	All parcels of land proposed to be dedicated to public use and the conditions of such dedication.				
202-9B.11	Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted				
202-9B.11	If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.				
202-9B.12	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots				
202-9B.12 202-9B.12.a	A separate list of construction and maintenance items, with both capital and annual operating cost estimates that must be financed by the municipality or quasi-municipal districts. These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.				
202-9B.12.b	The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.				
202-9B.13	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.				

Code Section	***II. Final Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.14	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991.	X			
202-9B.15	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site.	X			
202-9B.16	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1.) five or more lots or dwelling units created within any five-year period; or 2.) any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan:			X	
202-9B.16.a	A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006			X	
202-9B.16.b	A long-term maintenance plan for all phosphorus control measures			X	
202-9B.16.c	The contour lines shown on the plan shall be at an interval of no less than five feet	X			
202-9B.16.d	Areas with sustained slopes greater than 25% covering more than one acre shall be delineated			X	

Town, City, Plantation	Street, Road Subdivision	Owner's Name
WELLS	ROUBO FARM ROAD	ROUBO, ERIC

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 2A ■ Test Pit ☐ Boring
____ " Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	LOAMY		DK. BROWN	
10	SAND		DARK YELLOWISH BROWN	FEW, FAINT
20	FINE &	FRIABLE		
30	MEDIUM SANDS		OLIVE BROWN	COMMON, FAINT
40				
50				

FOR WASTEWATER DISPOSAL → Soil Classification: Profile 5, Condition C; Slope __ %; Limiting Factor 15"; ☒ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

FOR SOILS MAPPING → Soil Series Name: CROGHAN; Drainage Class: MWD; Hydrologic Group: B

Observation Hole TP IIA ■ Test Pit ☐ Boring
____ " Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	SANDY LOAM		DARK BROWN	
10	LOAMY SAND		DARK YELLOWISH BROWN	
20	FINE &	FRIABLE		
30	MEDIUM SANDS		LT. OLIVE BROWN	FEW, FAINT
40			OLIVE BROWN	COMMON, FAINT & SATURATED
50				

Soil Classification: Profile 5, Condition C; Slope __ %; Limiting Factor 25"; ☒ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

Soil Series Name: CROGHAN; Drainage Class: MWD; Hydrologic Group: B

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 15A ■ Test Pit ☐ Boring
____ " Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0	SANDY LOAM		DARK BROWN	
10	LOAMY SAND	FRIABLE	DARK YELLOWISH BROWN	
20	FINE &			
30	MEDIUM SANDS		MIXED YELLOWISH BROWN	FEW, FAINT
40				COMMON, FAINT
50				

FOR WASTEWATER DISPOSAL → Soil Classification: Profile 5, Condition C; Slope __ %; Limiting Factor 32; ☒ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

FOR SOILS MAPPING → Soil Series Name: CROGHAN; Drainage Class: MWD; Hydrologic Group: B

Observation Hole ____ ■ Test Pit ☐ Boring
____ " Depth of Organic Horizon Above Mineral Soil

Depth below mineral soil surface (inches)	Texture	Consistency	Color	Mottling
0				
10				
20				
30				
40				
50				

Soil Classification: Profile __ Condition __; Slope __ %; Limiting Factor __; ☐ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

Soil Series Name: __ Drainage Class: __ Hydrologic Group: __

James Logan — Soil Evaluator / Soil Scientist Signature

237/213 — SE/CSS #

3/30/16 — Date

JAMES LOGAN, CSS/LSE – LONGVIEW PARTNERS, LLC – 6 SECOND STREET BUXTON, ME 04093 – 207-693-8799

YORK ss REGISTRY OF DEEDS

RECEIVED _____ 20___

AT_____H_____M_____M., AND

RECORDED IN BOOK _____PAGE _____

ATTEST:

_____ REGISTER

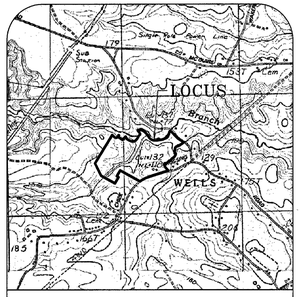
AREA SUMMARY TABLE

TOTAL LOT AREA	50.35 Ac.
AREA OF LOTS 1,2,3,4	23.40 Ac.
TOTAL AREA OF LOT 5	26.95 Ac.
AREA OF ROUBO FARM ROAD	1.37 Ac.
NET AREA OF LOT 5	25.58 Ac.
10% OPEN SPACE REQUIRED	5.04 Ac.
OPEN SPACE EASEMENT ON LOT 1	5.25 Ac.

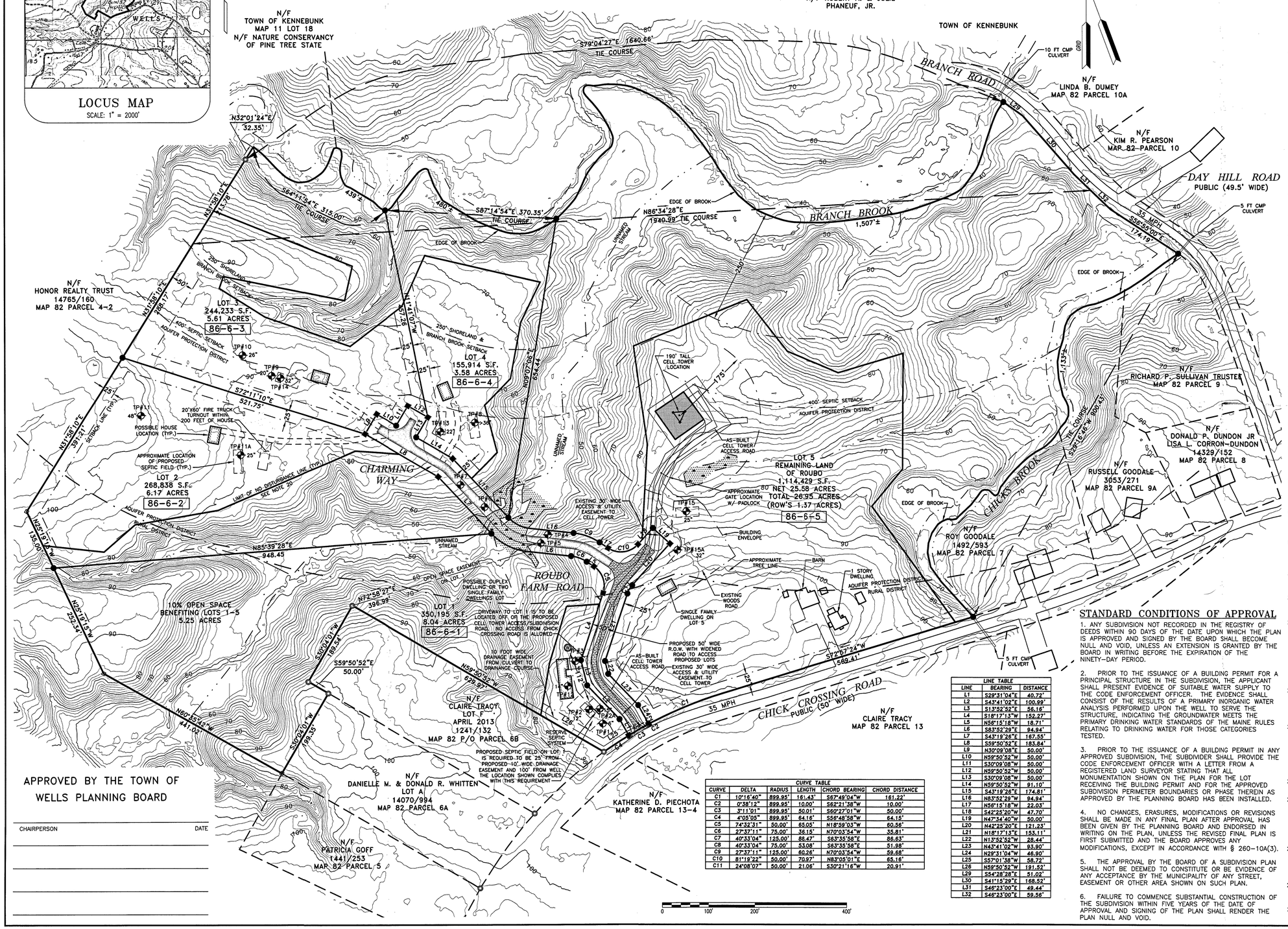
	DRIVEWAY LENGTHS	FRONTAGE
LOT 1	40'±	414'
LOT 2	354'±	351'
LOT 3	130'±	200'
LOT 4	150'±	315'
LOT 5	100'±	174'

LEGEND

- REBAR W/ CAP TO BE SET
- STONE BOUND TO BE SET
- EXISTING IRON PIPE
- EXISTING MONUMENT
- BOUNDARY LINE
- ABUTTER OR RIGHT-OF-WAY LINE
- SETBACK LINE
- N/F NOW OR FORMERLY
- 1234/567 DEED BOOK & PAGE



LOCUS MAP
SCALE: 1" = 2000'



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S29°31'04"E	40.72'
L2	S43°41'02"E	100.99'
L3	S13°52'52"E	56.16'
L4	S18°17'13"W	152.27'
L5	N56°15'18"W	18.71'
L6	S83°52'29"E	94.94'
L7	S43°19'26"E	167.55'
L8	S59°50'52"E	183.84'
L9	N30°09'08"E	50.00'
L10	N59°50'52"W	50.00'
L11	S30°09'08"W	50.00'
L12	N59°50'52"W	50.00'
L13	S30°09'08"W	50.00'
L14	N59°50'52"W	91.10'
L15	S43°19'26"E	174.81'
L16	N83°52'29"W	94.94'
L17	N56°15'18"W	22.03'
L18	S42°25'20"W	47.70'
L19	N47°34'40"W	50.00'
L20	N42°25'20"E	121.23'
L21	N18°17'13"E	153.11'
L22	N13°52'52"W	28.44'
L23	N43°41'02"W	93.90'
L24	N29°31'04"W	46.90'
L25	S57°01'38"W	58.72'
L26	N59°50'52"W	191.52'
L29	S54°28'28"E	51.02'
L30	S41°15'29"E	168.52'
L31	S46°23'00"E	49.44'
L32	S46°23'00"E	59.58'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	10°16'40"	899.95'	161.43'	S67°49'04"W	161.22'
C2	0°38'12"	899.95'	10.00'	S62°21'36"W	10.00'
C3	3°11'01"	899.95'	50.01'	S60°27'01"W	50.00'
C4	4°05'05"	899.95'	64.16'	S56°48'58"W	64.15'
C5	74°32'31"	50.00'	65.05'	N18°59'03"W	60.56'
C6	27°37'11"	75.00'	36.15'	N70°03'54"W	35.81'
C7	40°33'04"	125.00'	88.47'	S63°35'58"E	86.63'
C8	40°33'04"	75.00'	53.08'	S63°35'58"E	51.98'
C9	27°37'11"	125.00'	60.26'	N70°03'54"W	59.68'
C10	81°19'22"	50.00'	70.97'	N83°05'01"E	65.16'
C11	24°08'07"	50.00'	21.06'	S30°21'16"W	20.91'

0 100' 200' 400'

APPROVED BY THE TOWN OF WELLS PLANNING BOARD

CHAIRPERSON DATE

NOTES

1. THE PURPOSE OF THIS PLAN IS CREATE A 5 LOT SUBDIVISION. THE DWELLING ON LOT 5 EXISTS ANOTHER SINGLE FAMILY DWELLING MAY BE BUILT IN THE BUILDING ENVELOPE SHOWN. A DUPLEX OR TWO SINGLE FAMILY HOMES MAY BE BUILT ON LOT 1 FOR A TOTAL MAXIMUM OF 7 DWELLINGS.

2. THE BASIS OF BEARING FOR THIS PLAN IS GRID NORTH.

3. DEED AND PLAN BOOK REFERENCES ARE TO THE YORK COUNTY REGISTRY OF DEEDS.

4. REFERENCE IS MADE TO THE FOLLOWING DEEDS:
   A. A DEED FROM C. TOG FRIEH TO ERIC A. & SHERIDA N. ROUBO DATED APRIL 15, 2014 AND RECORDED IN DEED BOOK 16804, PAGE 811.
   B. DEED BOOK 1241 PAGE 132 YORK COUNTY REGISTRY OF DEEDS. C. DEED BOOK 16584 PAGE 868, YCRD.

5. REFERENCE IS MADE TO THE FOLLOWING PLANS:
   A. "PLAN SHOWING A STANDARD BOUNDARY SURVEY AND PROPOSED LOTS LOCATED ON CHICK CROSSING ROAD & DAY HILL ROAD IN WELLS, MAINE MADE FOR CLAIR TRACY", BY JOHN D. BRUCKLER, PLS REVISED DATED JUNE 23, 2010.

6. THE LOCUS PARCEL IS IDENTIFIED ON THE TOWN OF WELLS ASSESSOR'S MAP 82, PARCEL 6.

7. THE LOCUS PARCEL IS LOCATED IN THE RURAL DISTRICT, AQUIFER PROTECTION DISTRICT, AND 250 FT SHORELAND OVERLAY DISTRICTS. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS:
   MIN. LOT SIZE: 100,000 S.F. OF NET AREA
   MAX. DENSITY: 100,000 S.F. OF NET AREA PER DWELLING.
   LOTS TO BE SERVED BY INDIVIDUAL PRIVATE SEPTIC SYSTEMS.
   MAX. BUILDING HEIGHT: 40 FT, NOT TO EXCEED THREE STORIES
   MIN. FRONTAGE: 200 FT (150 FT ON CUL DE SAC)
   SETBACKS:
   25 FT FROM ANY LOT LINE
   25 FT FROM ANY RIGHT-OF-WAY
   40 FT FROM ANY STATE HIGHWAY
   250 FT FROM THE HIGH-WATER LINE OF BRANCH BROOK
   ALL SUBSURFACE WASTE WATER DISPOSAL AREAS AND TREATMENT TANKS SHALL BE LOCATED ATLEAST 400 FT FROM THE HIGH-WATER LINE OF BRANCH BROOK
   MAX. LOT COVERAGE = 20% OR 4,000 S.F.
   (2,500 S.F. IN AQUIFER PROTECTION DISTRICT)
   WHICHEVER IS GREATER

8. DRIVEWAYS LONGER THAN 150 FT IN LENGTH SHALL HAVE AN ON-SITE VEHICULAR TURNAROUND SUFFICIENT TO PROVIDE ACCESS TO EMERGENCY VEHICLES. DRIVEWAYS WITH ACCESS ONTO EXISTING TOWN ROADS SHALL HAVE AN ON-SITE DRIVEWAY TURNAROUND. NO PARKING ALONG ROUBO FARM ROAD AND CHARMING WAY ALLOWED.

9. USE OF LIMITED OR RESTRICTED HERBICIDES OR PESTICIDES, AS DEFINED BY THE MAINE PESTICIDES CONTROL BOARD OR OTHER STATE REGULATORY AGENCY WITH OVERSIGHT ON THESE MATERIAL, IS PROHIBITED AS A METHOD OF VEGETATIVE CONTROL OR FOR USE AS A METHOD OF LANDSCAPING ENHANCEMENT OR ALTERATION. THIS PROHIBITION IS NOT INTENDED TO PRECLUDE THE USE OF MANURE OR NITROGEN FERTILIZERS IN HOME GARDEN APPLICATIONS, BUT UTILIZING BEST MANAGEMENT PRACTICES IN THAT AREA SHOULD BE ENCOURAGED.

10. WATER SUPPLY TO ALL DWELLINGS TO BE SERVED BY INDIVIDUAL DRILLED WELLS. NO DUG OR DRIVEN POINT WELLS ALLOWED.

11. THE LOTS SHOWN HEREON SHALL NOT BE FURTHER SUBDIVIDED WITHOUT PLANNING BOARD APPROVAL. NO WETLANDS ARE TO BE IMPACTED OTHER THAN THAT NECESSARY TO CONSTRUCT THE STREAM CROSSING.

12. FIRE PROTECTION FOR LOTS 1-5 SHALL BE PROVIDED BY WHOLE HOUSE SPRINKLER SYSTEM. THIS REQUIREMENT DOES NOT APPLY TO THE EXISTING HOUSE ON LOT 5.

13. ELEVATIONS AND CONTOURS ARE BASED ON MAINE OFFICE OF GIS DATA AND SHOULD BE CONSIDERED APPROXIMATE.

14. THE PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP IN THE TOWN OF WELLS, MAINE. YORK COUNTY PANEL 10, COMMUNITY PANEL NUMBER 230158 0010D EFFECTIVE DATE JAN. 16, 2003. ZONE X IS DEFINED AS AN AREA OUTSIDE 500 YEAR FLOODS.

15. A PERMIT BY RULE APPLICATION HAS BEEN SUBMITTED TO THE NDEP AND HAS BEEN APPROVED FOR THE STREAM CROSSING AS PROPOSED.

16. PRIOR TO ISSUING A BUILDING PERMIT ON LOTS 1-5 THE OWNERS MUST PROVIDE A GRADING PLAN DETAILING THE LID'S TO BE IMPLEMENTED. (DOWN SLOPE BUFFER, RAIN GUTTERS TO DRYWELL OR RIP RAP ROOF DRIPLINE)

17. DEVELOPER:
    ERIC ROUBO
    469 CHICKS CROSSING ROAD
    WELLS, MAINE

18. SURVEYING/ENGINEERING:
    KIMBALL SURVEY & DESIGN, INC.
    30 FROST HILL ROAD
    YORK, MAINE 03909

19. SOIL TEST PITS & WETLAND DELINEATION:
    ALBERT FRICK & ASSOCIATES
    95A COUNTY ROAD
    GORHAM, MAINE 04038

20. "LIMIT OF NO DISTURBANCE" TO MEAN NO TREE CUTTING OR CLEARING AND NO DISTURBANCE OF SOILS. THERE ARE WETLANDS LOCATED IN THE AREAS OF NO DISTURBANCE.

21. LOTS TO BE SERVED BY SEPTIC SYSTEMS. THE LOCATIONS DEPICTED MAY BE CHANGED WITH CEO AND PLANNING OFFICE APPROVAL. (DEVIATIONS UP TO 10' ONLY)

22. PERFORMANCE GUARANTEE – LOTS 1, 2, 3, 4 SHALL NOT BE CONVEYED OR ISSUED AN OCCUPANCY PERMIT PRIOR TO: THE COMPLETION OF ALL ROAD CONSTRUCTION UP TO BASE PAVEMENT, INSTALLATION OF ALL UTILITIES AND MONUMENTATION, AND THE COMPLETION OF ALL DRAINAGE RELATED INFRASTRUCTURE; OR THE ESTABLISHMENT OF A CASH ESCROW, BOND OR LETTER OF CREDIT, AS FOUND SUITABLE BY THE TOWN MANAGER AND PLANNING OFFICE, FOR THE COST OF ALL REQUIRED CONSTRUCTION AND IMPROVEMENTS PLUS 10%, PER §202-13.

23. THE DEDICATED OPEN SPACE EASEMENT (5.25 ACRES) ON LOT 1 SHALL PRESERVE THE AREA IN ITS EXISTING CONDITIONS FOR ITS SCENIC AND NATURAL ATTRIBUTES AND ALLOW FOR TRAILS TO BENEFIT LOTS 1, 2, 3, 4, & 5. SUCH DEDICATION SHALL BE BY RESERVATIONS WITHIN THE LOT DEEDS.

24. ROUBO FARM ROAD AND CHARMING WAY SHALL BE A PRIVATE STREET TO BE MAINTAINED BY THE LOT OWNERS OF CHICK CROSSING SUBDIVISION DECLARATION OF RIGHTS, RESTRICTIONS, EASEMENTS AND COVENANTS. ROUBO FARM ROAD AND CHARMING WAY SHALL NOT BE ACCEPTED OR MAINTAINED BY THE TOWN OF WELLS. ROUBO FARM ROAD AND CHARMING WAY ARE TO BE MAINTAINED CLEAR OF SNOW AND ICE IN THE WINTER. MINIMAL SALT TO BE USED DUE TO POTENTIAL WATER QUALITY IMPACTS.

25. DRIVEWAY AND BUILDING LOCATIONS ARE TYPICAL ONLY AND MAY VARY AT THE TIME A BUILDING PERMIT IS SUBMITTED.

26. NO ROAD CONSTRUCTION SHALL START PRIOR TO A PRE-CONSTRUCTION CONFERENCE IS HELD WITH THE TOWN OF WELLS. A SITE STABILIZATION PERFORMANCE GUARANTEE OF $3,500 PER ACRE OF DISTURBED SOIL SHALL BE PROVIDED PRIOR TO CONSTRUCTION. ALL ROAD CONSTRUCTION SHALL BE DONE BY A CONTRACTOR CERTIFIED BY MDEP IN EROSION CONTROL METHODS.

27. HOME HEATING OIL TANKS OR OTHER LIQUID PETROLEUM STORAGE SITED WITHIN THE SUBDIVISION IS REQUIRED TO BE HOUSED IN A DOUBLE WALL TANK OR BE ENCLOSED WITHIN A SECONDARY CONTAINMENT SYSTEM DESIGNED TO HOLD THE ENTIRE CONTENTS OF THE TANK.

28. NOTIFICATION TO THE KKW WATER DISTRICT IS REQUIRED PRIOR TO THE START OF CONSTRUCTION TO ALLOW FOR MONITORING THE PROGRESS ADN OVERALL SITE CONDITIONS DURING CONSTRUCTION.

29. THE PURPOSE OF THIS PLAN IS TO MODIFY THE PREVIOUSLY APPROVED SUBDIVISION RECORDED IN PLAN BOOK 377 PAGE 36

STANDARD CONDITIONS OF APPROVAL

1. ANY SUBDIVISION NOT RECORDED IN THE REGISTRY OF DEEDS WITHIN 90 DAYS OF THE DATE UPON WHICH THE PLAN IS APPROVED AND SIGNED BY THE BOARD SHALL BECOME NULL AND VOID, UNLESS AN EXTENSION IS GRANTED BY THE BOARD IN WRITING BEFORE THE EXPIRATION OF THE NINETY-DAY PERIOD.

2. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR A PRINCIPAL STRUCTURE IN THE SUBDIVISION, THE APPLICANT SHALL PRESENT EVIDENCE OF SUITABLE WATER SUPPLY TO THE CODE ENFORCEMENT OFFICER. THE EVIDENCE SHALL CONSIST OF THE RESULTS OF A PRIMARY INORGANIC WATER ANALYSIS PERFORMED UPON THE WELL TO SERVE THE STRUCTURE, INDICATING THE GROUNDWATER MEETS THE PRIMARY DRINKING WATER STANDARDS OF THE MAINE RULES RELATING TO DRINKING WATER FOR THOSE CATEGORIES TESTED.

3. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT IN ANY APPROVED SUBDIVISION, THE SUBDIVIDER SHALL PROVIDE THE CODE ENFORCEMENT OFFICER WITH A LETTER FROM A REGISTERED LAND SURVEYOR STATING THAT ALL MONUMENTATION SHOWN ON THE PLAN FOR THE LOT RECEIVING THE BUILDING PERMIT AND FOR THE APPROVED SUBDIVISION PERIMETER BOUNDARIES OR PHASE THEREIN AS APPROVED BY THE PLANNING BOARD HAS BEEN INSTALLED.

4. NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS SHALL BE MADE IN ANY FINAL PLAN AFTER APPROVAL HAS BEEN GIVEN BY THE PLANNING BOARD AND ENDORSED IN WRITING ON THE PLAN, UNLESS THE REVISED FINAL PLAN IS FIRST SUBMITTED AND THE BOARD APPROVES ANY MODIFICATIONS, EXCEPT IN ACCORDANCE WITH § 260-10A(3).

5. THE APPROVAL BY THE BOARD OF A SUBDIVISION PLAN SHALL NOT BE DEEMED TO CONSTITUTE OR BE EVIDENCE OF ANY ACCEPTANCE BY THE MUNICIPALITY OF ANY STREET, EASEMENT OR OTHER AREA SHOWN ON SUCH PLAN.

6. FAILURE TO COMMENCE SUBSTANTIAL CONSTRUCTION OF THE SUBDIVISION WITHIN FIVE YEARS OF THE DATE OF APPROVAL AND SIGNING OF THE PLAN SHALL RENDER THE PLAN NULL AND VOID.

REVISION			
NO.	DATE	BY:	DESCRIPTION

STATE OF MAINE ISAIAH E. BALL PLS FRC 2434 PROFESSIONAL LAND SURVEYOR

KIMBALL SURVEY & DESIGN, INC.
30 FROST HILL ROAD
YORK, MAINE 03909
207-351-0226
ISAIAH@KIMBALLSURVEYING.COM
WWW.KIMBALLLANDSURVEYING.COM
PROFESSIONAL LAND SURVEYING

Owner/Prepared for:
Eric Roubo
469 Chick Crossing Road
Wells, Maine

Amended Subdivision Plan
Chick Crossing Subdivision
469 Chick Crossing Road
Wells, Maine

DATE: APRIL 1, 2016

PROJECT NO. 1471 | SCALE: 1" = 100'

CAD FILE: 1471.dwg

SHEET 2 OF 8

Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

Michael G. Livingston, Town Engineer/Planner	*mlivingston@wellstown.org*
Shannon M. L. Belanger, Planning Assistant	*sbelanger@wellstown.org*

Major Subdivision Amendment Application Memo

Date: April 13, 2016

To: Planning Board

From: Planning Office

Re: River Walk Subdivision Amendment - Map 70, Lot 5

Project Description:

Rick Licht has submitted a Final Subdivision Amendment Application on behalf of Bournefield Properties, LLC to amend note 39 on sheet S1.2 of the Riverwalk Subdivision to allow for up to 6,000 SF of impervious area per lot. No other changes are proposed for the major residential cluster subdivision. The major subdivision application consists of a 2 phased development for a total of 35 single family dwelling units on 35 lots designed to meet the residential cluster performance standards of 145-49 and Chapter 202. The subdivision is on Tax Map 70, Lot 5 and is off of Branch Road/ Route 9A. The subdivision totals 94.5 acres; of which 55.86 acres is dedicated as Open Space. All lots are to be served by private on-site septic systems and individual drilled wells. Utilities shall be underground. The roadways are approved to be 24 feet wide pavement on a 30 foot wide gravel base within the required 50 foot wide right of way. A system of trails within the open space areas are also proposed. The development shall include a Homeowner's Association for maintenance and operation of the Open Space and roadways, etc.

§ 202-10. Revisions to approved plans.

A. Procedure. An application for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board scheduled to receive the amendment on 4/18/16**

(1) If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed. **Final plan approval procedures to be followed.**

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional $50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional $50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of $200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **To be determined**

B. Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. **[**Amended 7-23-2002]

C. Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

§ 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] Final Subdivision Amendment Application to be considered for receipt on 4/18/16**

(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] To be determined**

(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 Subdivision Amendment Application to be considered for receipt on 4/18/16**

(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. **To be determined**

(6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

(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. **Maine DEP Site Location permit #L-26395-L3-D-M**

(b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**

(c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as not changes to water supply (private wells) are proposed.**

(d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**

(e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as centralized or shared systems not proposed.**

(f) An Army Corps of Engineers dredge and fill permit. **Army Corp permit approval in writing or a waiver to be requested for such submission prior to final approval.**

(g) NPDES permit for stormwater discharges. **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. **To be determined**

(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.

(9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **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. One reproducible, stable-based transparent original and three 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:

Recommendations and conclusions:

1. The Planning Board to consider receiving the final subdivision amendment application.
2. The Planning Board to consider if a site walk is necessary.
3. If a site walk is not necessary, the Planning Board should consider the proposed revision and the following comments from the Planning Office:
   a. The proposed increase in impervious area per lot will be adequately treated and retained by the stormwater systems and vegetated buffers to meet the Town's requirements and has been approved by MDEP.
   b. The added language to Note 39 gives a good description and distinction between impervious areas, pervious areas and lot coverage.
4. The Planning Board to determine if the final amendment application shall require a public hearing. If so, one should be scheduled for the next available meeting. If not, the workshop should be continued to the 5/2/16 Planning Board meeting for final approval.

LICHT
ENVIRONMENTAL DESIGN, LLC

April 04, 2016 (VIA DELIVERY) JN 13.057

Mike Livingston, Town Engineer
Town of Wells
P.O. Box 398
Wells, Maine 04090

Proposed River Walk Subdivision, Branch Road (Route 9A), Wells
Approved Subdivision Plat – Proposed Amendment
(Assessors Map 70 Lot 5 and Map 63 Lot 4)

Dear Mike and Planning Board Members:

On behalf of Bourne Field Properties, LLC we are pleased to submit a request for a Minor Amendment to the Subdivision Plat for the River Walk project. The Subdivision Plat was approved by the Planning Board on March 2nd, 2015 and recorded in the YCRD in Plan Book 374 Page 50 and Plan Book 375 Page 1 on March 06, 2015. Copies of the approved plan and recording information are attached as required by the Amended Subdivision Checklist.

Enclosed are 12 copies of the following attachments:

1. Planning Board Amended Application Form and Abutter List
2. Copy Subdivision Plat Sheet S1.2 Note 39 (8.5 by 11 inch)
3. Copy of Subdivision Plat Sheets S1.1 and S1.2 Recording Information (8.5 by 11 inch)
3. Copy DEP SLODA Amendment dated 03-06-16
4. Copy (reduced) Plan 3.0 Stormwater Treatment Plan Rev. 02-24-16
5. Copy Treatment Table T.1 rev. 02-24-16
6. One (1) copy of Approved 02-19-15 Subdivision Plat Sheets S1.2 and 1.2

Specifically we are requesting a change to the Subdivision Plat, Sheet S1.2, Note 39 which specifies a maximum amount of impervious and developed areas allowed on each lot. We are requesting a change from 5,000 to 6,000 square feet of impervious area allowable per lot as follows:

The current note reads as follows:

"Individual lot development is limited to a maximum of 5,000 square feet of impervious area (roofs. walks, drives, etc.) and 20,000 square feet of lawn and garden areas or a total of 25,000 square feet of total clearing of trees/vegetation. Lot areas replanted with trees or dense shrubs shall be excluded/deducted from the above figures."

The proposed note (changes noted in red) reads as follows:

""Individual lot development is limited to a maximum of 6,000 square feet of impervious area (roofs, walks, drives, etc.) and 19,000 square feet of lawn and garden areas or a total of 25,000 square feet of total clearing of trees/vegetation. Lot areas replanted with trees or dense shrubs/gardens or use of porous pavers or similar non-pervious surface materials generally associated with Low Impact

Development stormwater techniques shall be excluded/deducted from the above figures. Lot coverage as defined in the Land Use Code (Chapter 145-10) and including but not limited to structures, parking lots. patios, sidewalks, decks and all areas devegetated and not to be re-vegetated is limited to 20% of the lot area or 4,000 square feet, whichever is greater. Refer also to the Site Data Table."

Per communication with the Town Planner we have also added reference to Lot Coverage to clarify the differences in the two terms.

Background:

The impervious area is related to the stormwater management model and final stormwater system design for the project. The original DEP and Town application used an assumption of an average of 5,000 square feet of impervious area per lot and 20,000 square feet of additional landscaped areas for a total of 25,000 square feet of developed areas per lot.. As a modeling technique, this assumption assumes some lots might be under 5,000 square feet of impervious are and some over that level.

The applicants have found that due to individual lot constraints and market conditions a threshold of 6,000 square feet of impervious area per lot would better represent the actual lot development based on market demand to provide quality custom built homes.

Proposed Amendment:

The design team has reviewed the stormwater treatment system for the site (under drained soil filters and buffers) and find that in actuality there is adequate capacity to treat 6,000 square feet of impervious area per lot without any modifications to the approved stormwater system. In other words, the system was designed conservatively.

Attached is a revised Stormwater Treatment Plan, Sheet C3.0 which includes an updated Table T-1 using 6,000 square feet of impervious and 19,000 square feet of landscaped area to maintain 25,000 square feet of developed areas per lot. In summary the proposed treatment levels still exceed the DEP Chapter 500 Stormwater Law thresholds for both the linear and non-linear portion areas of the project.

This information was submitted to the DEP and approved as a Minor Amendment to the Site Law permit. A copy of that permit amendment, dated March 9, 2016 is attached.

Summary:

Based on the above and enclosed analysis it is our opinion that the project amendment if approved, will continue to meet and exceed Town and DEP stormwater effectively mitigating any impacts to the adjacent water bodies. No changes to the engineering or stormwater system design are required to satisfy the proposed amendment. We respectfully request that the Planning Board approve the amendment as proposed. Upon approval, the applicants would also amend the Homeowner's documents as applicable to be consistent with the revised note.

35 Fran Circle, Gray, Maine 04039 • rlicht@securespeed.net • V 207.749.4924 F 207.428.4167

LICHT
ENVIRONMENTAL DESIGN, LLC

We look forward to meeting with the Planning Board at the April 18th meeting and can have a revised mylar plat prepared in advance and delivered to your office for signing. In the meantime please do not hesitate to contact me should you have any questions or comments.

Sincerely,

Frederic (Rick) Licht, PE, LSE
Principal

Encl: As Noted

Cc: (Via Email)
Josh Moody, Bourne Field Properties, LLC
Mike Prisco, Bourne Field Properties, LLC
Bill Walsh, WEA
Silas Canavan, WEA
Leon Blood, Lower Village Survey Company

35 Fran Circle, Gray, Maine 04039 • rlicht@securespeed.net • V 207.749.4924 F 207.428.4167

TOWN OF WELLS, MAINE

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-2935
Website: www.wellstown.org

Amendment _____
(Revision involves only modifications to plan- no new lots or road proposed)

New _____

For Office Use Only

Fee Paid _____

FINAL SUBDIVISION APPLICATION - §202-9
PROPOSED MINOR AMENDMENT

1. Project/Subdivision Name: _____River Walk Subdivision _____

2. Property Owner: ____Bourne Field Properties, LLC

   Mailing Address: ___P.O. Box 366

   ___Moody , Maine 04054

   Telephone: __207.646.6194 Fax:___207.646.4519

   Email Address: josh@rmoodyconstruction.com

3. Applicant/Agent (if different from owner): Frederic (Rick) Licht, PE, LSE

   Mailing Address: __Licht Environmental Design, LLC

   _ 35 Fran Circle, Gray, Maine 04039

   Telephone: __207.749.4924 Fax:___NA

   Email Address: ___rlicht@securespeed.net

4. Engineer or Surveyor who prepared plan: Lower Village Survey Company

   Mailing Address: _ PO Box 2625

   __Kennebunk, Maine 04046

   Telephone: __207.967.3545 Fax __NA_

   Email Address: __info@lowervillagesurvey.com

5. All correspondence should be sent to:
   (specify one of the above) ____Rick Licht (rlicht@securespeed.net)

6. Assessor's Tax Map Number: _70 & 63_____ Lot Number: _5 & 4(of land to be divided)

7. Is applicant a Maine-licensed corporation? X Yes ☐ No (if yes, attach copy of license)

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?
_____Deed –ownership_____
_____

9. What interest does the applicant have in any abutting property?
_____None_____
_____

10. Location of Property:
Street Address (approx.)__936 Branch Road
Book_16979 Page__834-835 ____ (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural R and Shoreland Zone

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? X Yes ☐ No

13. Total Acreage:__94.5 +/-Acreage to be developed: 50+/-

14. Indicate the nature of any restrictive covenants to be place in the deeds:
___(refer to final plan documents and approvals –Stormwater Buffers, Meadow Buffers, Lot development areas, etc.)
_____
_____

15. Has this land been part of a prior approved subdivision? X Yes ☐ No
Or other divisions within the past 5 Years? X Yes ☐ No
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:
_____Project was approved as Major Subdivision, March 2015_____
_____

16. Identify existing use(s) of land, (farmland, woodlot, etc.)
__Farmland and woods – being developed as Phase 1 and 2 of River Walk Subdivision_
_____

17. Does the parcel include any water bodies? X Yes ☐ No

18. Is any portion of the property within a special flood hazard area as idenitifed by the Federal Emergency Management Agency? X Yes ☐ No

19. Number of lots or dwelling units exising: Originally one lot
Number of lots or dwelling units proposed: __35 approved cluster lots 2015..

20. Does this development require extension of public infrastructure? X Yes ☐ No
If yes, which type of structure?

X roads ☐ storm drainage ☐ sidewalks

☐ water lines X fire protection equipment ☐ sewer
☐ If other, please state_____

21. Estimated cost for infrastructure improvements: $__1,450,000 estimated cost

22. Identify method of water supply to the proposed development:

X individual wells ☐ connection to public water system
☐ central well w/ distribution lines ☐ If other, please state alternative_____

23. Identify method of sewage disposal to the proposed development:

X individual septic tanks ☐ central on site disposal with distribution lines
☐ connection to public sewer system ☐ If other, please state alternative_____

24. Identify method of fire protection for the proposed development:

☐ hydrants connected to the public water system
☐ dry hydrants located on an existing pond or water body
☐ existing fire pond
X If other, please state alternative (for example, individual sprinklers)__30,000 gal. Cistern

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? X Yes ☐ No
If yes, list them and state the reasons for the request: (Granted with Final Approvals, 03/02/15)
__1. Waiver of Chapt. 202-9A.6.a DEP Permits – request waiver of requirement that permits be submitted with final plan submission.
__2. Waiver of Chapt 202-9A.6.f –request waiver of requirement that Corps permit be submitted with final plan application.
(Board granted waiver of 202.8.B.2.f. – location of trees greater than 24 inch DBH on April 21, 2014)

_____

CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.

Signature of Applicant 4-1-16 Date

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- To be submitted with a subdivision amendment application form (*See §202-10)*

Submitted	Not Submitted	Subdivision Amendment form shall be accompanied by
✓		A copy of the approved plan, as well as 11 copies of the proposed revisions.
✓		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
✓		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
✓		Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: _____River Walk Subdivision_____

Street Address of Project: ____936 Branch Road, (Route 9A) Wells, ME 04096_____

Map/ Lot # of Project: ___Map 70 Lot 5 and Map 63 Lot 4_____

Final Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a **NEW** Final subdivision application.

It is the responsibility of the applicant to notify abutters of a Final Subdivision **AMENDMENT** application. ✓

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
(By Planning Office)			
	(SEE ATTACHED LIST)		

I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.

Signature of Applicant agent 4-1-16
Date

Attach extra pages as necessary

Abutter List for
936 Branch Rd. (Route 9A), Wells, Maine
Tax Map 070, Lot 5
Tax Map 063, Lot 4
Owner of Record: Bourne Field Properties, LLC

Tax Map 62

Lot 12- Burnt Mill Golf Co. LLC
Attn: William Reid III,
3821 Via Palomino,
Palos Verdes Estates, CA 90274

Tax Map 63

Lot 5- Arthur Conley LLC, 16 Limerock St., Camden, ME 04843
Lot 11- Ocean View Cemetery, PO Box 11, Wells, ME 04090
Lot 11A- David Hardy, 710 Branch Rd., Wells, ME 04090

Tax Map 70

Lot 2- Cherokee Spirit Ret. & Learning Center
Attn: Nancy Wahyaneetah
702 Turmeric Ln.
Durham, NC 27713
Lot 3- Frances A. Kimball, PO Box 3055, Wells, ME 04090
Lot 4- John P. Searles et als-
Attn: L. Searles & L. Cellamare,
836 Branch Rd.
Wells, ME 04090
Lot 5A- Douglas M. Sanna, 876 Branch Rd., Wells, ME 04090
Lot 5B- Janice H. Mildram Revocable Living Trust, 966 Branch Rd., Wells, ME 04090
Lot 6-1- Thomas Young, PO Box 2290, Ogunquit, ME 03907
Lot 7-2A- Michael G. Sprague Jr., PO Box 25, Wells, ME 04090
Lot 7-3- William Creamer, 1027 Coles Hill Rd., Wells, ME 04090
Lot 8- Jason F. Perkins, 875 Branch Road, Wells, ME 04090
Lot 9A- Steven J. Spofford, 14 Mildram Rd., Wells, ME 04090
Lot 18A- John A Raso, 744 Branch Rd., Wells, ME 04090

Tax Map 076

Lot 27- Mary Jane Quake, 879 Meetinghouse Rd., Wells, ME 04090

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

*This Final Subdivision Amendment Application Notice to abutters is required to be **mailed by the applicant** to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Final Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court. " §202-15

Property Owner (of land to be divided): __Bourne Field Properties, LLC

Owner's Mailing Address: _PO Box 366, Moody, Maine 04054

Applicant's Name: ____Bourne Field Properties, LLC

Applicant's Mailing Address: ____PO Box 366 Moody, Maine 04054

Applicant's Signature: _____ .agent

Assessor's Tax Map Number: _70 & 63 Lot Number :__5 & 4 (of land to be divided)

Subdivision Location (street address):__936 Branch Road, Wells Maine

Acres to be subdivided: _94.5+/- Number of proposed lots or dwelling units: _35 (approved March 2015)

Zoning District(s): __Rural (R) and Shoreland Zone

Description of Proposal: ___Minor Amendment to March 2015 Approved Subdivision Plan to Amend Note 39

To change maximum lot impervious areas.

Forested Stormwater Buffers as shown on this Plan. Said buffers shall be permanently pinned in the field by a licensed land surveyor and capped with buffer identification prior to any construction on said lots and Parcel 4. Formal deed covenants and restrictions shall be recorded in the YCRD for the referenced stormwater buffers.

32 – MDIFW recommended stream buffer of 100 feet allows for certain activities including stormwater underdrained soil filters and outlets to be closer than 100 feet. Refer to engineering plan for specific approved activities.

33 – A FEMA Letter Of Map Amendment or Revision (LOMA or LOMR) will be required to adjust the 100 year flood zone. A flood plain elevation and location as shown on FIRM Map #2301580010D shall be done for the entire property prior to a building permit being issued on a lot currently depicted as being in the flood zone or within the proposed flood zone. Principal structures will be constructed with their lowest floor, including the basement, at least one foot above the one hundred-year flood elevation.

34 – Septic system easements to allow for grading and placement of subsurface wastewater disposal system if required on Lots 5, 6, 9, & 19.

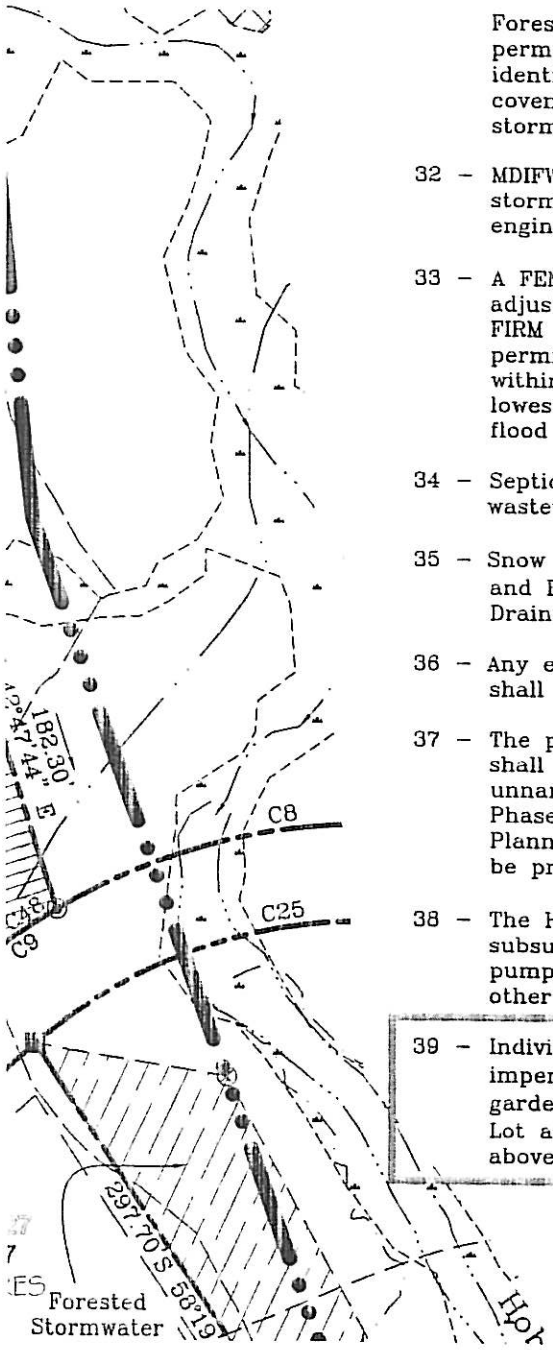
35 – Snow removal/storage shall be along the sides of the roadways (Waters Edge Drive and Farm View Way) and pushed to the end of the cul-de-sac in Phase 2. Under Drained Soil Filters shall not be used for snow storage.

36 – Any easements required for electric, telephone or cable transformers or pedestals shall not constitute an amendment to this plan.

37 – The project Subdivision Approval included a condition that the Developer or HOA shall be responsible for monitoring water temperatures in Hobbs Brook, the unnamed brook, and the Merriland River for a period of 5 years from the start of Phase 1 construction in accordance with a plan and protocol to be reviewed by Planning Staff prior to implementation. Annual reports of temperature data shall be provided to the Planning Office.

38 – The HOA shall maintain a record of the dates of pumping of individual lot owners' subsurface wastewater disposal system septic tanks. Recommended septic tank pumping frequency is every 3 to 5 years depending on use, size of household, and other factors.

39 – Individual lot development is limited to a maximum of 5,000 square feet of impervious area (roofs, walks, drives, etc.) and 20,000 square feet of lawn and garden areas or a total of 25,000 square feet of total clearing of trees/vegetation. Lot areas replanted with trees or dense shrubs shall be excluded/deducted from the above figures.



LOT COVERAGE IN (

LESS 15% FOR ROADS

NET RE

NET RESIDE

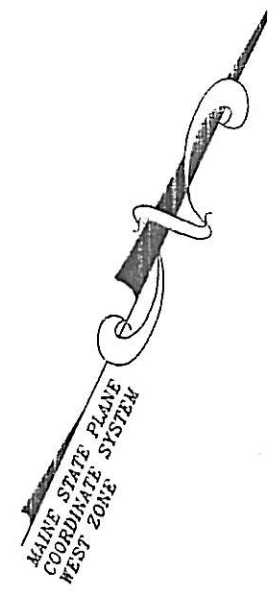
DENSITY BONUS: (

NOTES:

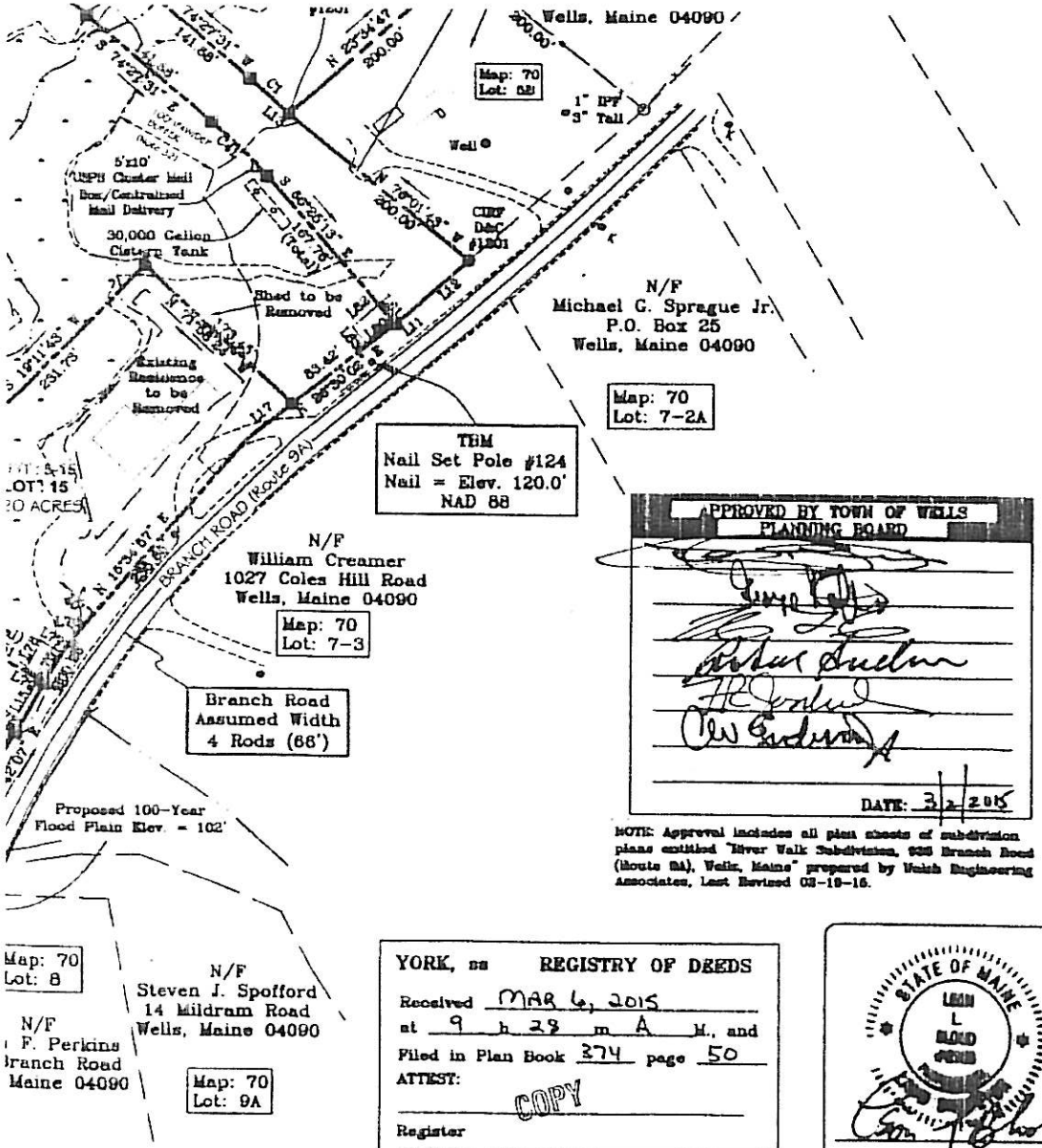
(1). ZONING S.145.49.C(4.) DOUBLE MIN
ABUTTING PROPERTIES AT PERIMET

(2). ZONING S.145.10 WETLANDS AS DE

(3). MAXIMUM LOTS SHOWN ON CONVEN



SUBDIVISION PLAT
SHEET S1.2 (EXISTING NOTE 39)



APPROVED BY TOWN OF WELLS
PLANNING BOARD

DATE: 3/2/2015

NOTE: Approval includes all plan sheets of subdivision plans entitled "River Walk Subdivision, 936 Branch Road (Route 9A), Wells, Maine" prepared by Walsh Engineering Associates, Last Revised 03-19-15.

YORK, ss REGISTRY OF DEEDS

Received MAR 6, 2015
at 9 h 28 m A M., and
Filed in Plan Book 374 page 50
ATTEST: COPY
Register

STATE OF MAINE
LEON L. BLOOD
PROFESSIONAL LAND SURVEYOR

Leon L. Blood – Member

- Timber management under a certified forest management plan prepared by a Licensed Maine Forester and removal of dead and fallen trees from recent storms within the Hobbs Brook and Merriland River.
- Within the 75 ft. Shoreland Zone (SZ) to the Merriland River – Removal of dead, diseased, or dying vegetation as permitted with the Town of Wells SZ Ordinance, and trail construction and maintenance using hand tools.
- Trail construction and maintenance.
- Natural area interpretative signage.
- Construction and maintenance of stormwater management facilities and shrub plantings.
- Future possible gazebo or similar structure is desired by the Homeowner's Association subject to any required permits from the Town of Wells.
- Maintenance of the existing cemetery on-site.
- Fire cistern and central mail box structure.
- Lot coverage in the open space shall not exceed 2% in aggregate.

22 – Approval of this plan incorporates the River Walk Homeowners' Association documents, declarations, restrictions and covenants to be recorded in the YCRD.

23 – All streets in this subdivision shall remain private roads to be maintained to Town standards by the owner or the lot owners and shall not be accepted or maintained by the Town per Town of Wells Chapter 202-13, subject to Homeowners' Association right to seek dedication and acceptance of said streets.

24 – The project permits single family dwellings. No businesses are allowed except home occupations. Accessory dwelling units are permitted subject to the requirements of the Wells Land Use Ordinance.

25 – The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.

26 – This plan has been prepared according to the Standards of Practice adopted by the State of Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
- No written report prepared (See Note 3)

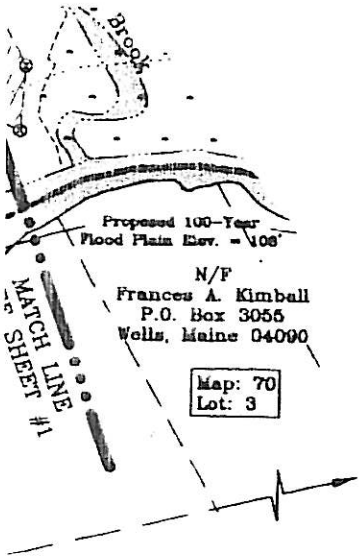
27 – Prior to the issuance of a building permit for any primary residence on any lot, the owner shall provide evidence of a suitable water supply to the Code Enforcement Officer in compliance with Chapter 202-12F.(2)(c).

LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2026, Kennebunkport, ME 04046
Phone: 207-967-2046 e-mail: info@lowervillagesurveyor.com

FINAL SUBDIVISION PLAN OF
RIVER WALK
936 BRANCH ROAD (RT. 9A)
WELLS, MAINE
FOR: BOURNE FIELD PROPERTIES, LLC

DATE: FEB. 19, 2015	UPDATED REV. 2-19-15	FILE #113-20	ROTATION O'Right	FIELD BK 400-36
SUBDIVISION PLAN SHEET 1 OF 2	REVISED 2-19-2015		SHEET S1.1	

LAND SURVEYORS • • FORESTERS • • WETLAND DELI



Cap #2133 To Be Set (Typ.)
ument w/Metal Insert to be Set (Typ.)
d
/Storm Water Buffer Cap (Typ.)

y Line

Setback (Typ.)

enchmark
ea

roved Building Envelope
located on Tax Map 70)

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 76°20'09" W	56.86'
L2	S 15°11'14" E	53.89'
L3	S 77°09'02" W	33.31'
L4	N 77°09'02" E	32.28'
L9	S 74°48'46" W	40.46'
L10	N 76°20'09" E	59.93'
L11	N 26°30'02" E	15.80'
L12	N 23°34'47" E	67.60'
L13	N 76°01'43" W	7.35'
L14	N 04°42'07" E	113.00'
L15	N 04°42'07" E	50.00'
L16	N 04°42'07" E	37.28'
L17	N 26°30'02" E	51.14'
L18	S 83°17'31" E	29.12'
L19	N 37°09'33" E	17.40'
L20	N 83°17'31" W	31.72'
L21	S 08°46'35" E	52.14'
L22	S 25°54'10" E	111.22'
L23	S 58°33'41" E	127.76'
L24	N 48°29'34" E	31.38'
L25	N 58°33'41" W	153.32
L26	N 15°37'10" W	137.45
L27	N 13°43'51" E	65.53'
L28	N 76°16'09" W	28.47'
L29	S 31°57'25" E	133.60'
L30	N 72°36'10" E	44.93'
L31	S 52°21'44" E	80.19'
L32	N 25°59'42" W	78.95'
L33	N 53°43'09" W	84.36'
L34	N 00°04'48" W	50.51'
L35	N 64°36'38" E	74.94'
L36	N 22°57'04" E	55.55'
L37	S 76°07'24" E	64.46'
L38	S 40°55'18" E	17.04'
L39	N 38°17'31" W	100.00'
L40	S 76°07'24" E	18.15'
L41	S 37°09'33" W	10.69
L42	S 56°18'00" E	81.08'
L43	S 39°33'29" W	8.62'
L44	S 89°25'34" W	44.54'

LINE	BEARING	DISTANCE
L45	N 20°58'28" W	53.31'
L46	S 56°40'14" E	108.83'
L47	S 08°54'22" W	48.90'
L48	S 38°33'29" W	133.23'
L49	S 37°09'33" W	64.50'
L50	N 04°15'30" W	84.24'
L51	S 54°12'02" E	55.75
L52	N 35°47'58" E	34.56
L53	N 08°54'22" E	154.08'
L54	S 56°40'14" E	20.32'
L55	N 53°28'08" W	20.00'
L56	S 67°39'54" W	69.95'
L57	N 22°20'08" W	74.73'
L58	N 71°14'32" W	52.73'
L59	N 18°45'28" E	38.00'
L60	S 48°37'25" W	110.14'
L61	S 54°55'02" W	23.35
L62	S 54°55'02" W	84.04'
L63	S 35°04'58" E	20.00'
L64	N 54°55'02" E	78.80'
L65	N 54°55'02" E	31.89'
L66	N 48°37'59" E	108.19
L67	N 15°11'14" W	21.27'
L68	S 27°53'04" E	20.75'
L69	N 48°37'59" E	25.85'
L70	N 04°42'07" E	83.00'
L71	N 04°42'07" E	30.00'
L72	N 85°17'53" W	20.00'
L73	S 04°42'07" W	30.00'
L74	S 85°17'53" E	20.00'
L75	N 04°42'07" E	30.00'
L76	N 04°42'07" E	7.28
L77	N 85°17'53" W	20.00'
L78	S 04°42'07" W	30.00'
L79	S 85°17'53" E	20.00'
L80	N 26°30'02" E	30.04'
L81	N 66°25'13" W	21.53'
L82	S 23°34'47" W	30.00'
L83	S 66°25'13" E	20.00'
L84	S 58°33'41" E	55.59'

C23	606.00'	147.16'	146.85'	N 40°14'10" E
C24	605.00'	146.39'	146.09'	N 28°00'28" E
C25	255.00'	230.54'	223.77'	N 48°54'47" E
C26	425.00'	128.62'	128.03'	N 68°08'58" E
C27	375.00'	86.38'	86.13'	S 64°04'50" E
C28	375.00'	120.00'	119.49'	S 79°50'31" E
C29	375.00'	128.25'	128.02'	S 81°38'59" E
C30	425.00'	104.53'	104.00'	N 78°16'12" E
C31	375.00'	92.09'	91.78'	N 78°16'12" W
C32	425.00'	112.03'	111.68'	N 78°47'30" E
C33	425.00'	168.02'	167.11'	S 83°00'25" E
C34	425.00'	110.39'	109.99'	S 64°55'16" E
C35	375.00'	112.40'	112.07'	S 66°08'58" E
C36	175.00'	121.34'	118.83'	S 04°39'37" E
C37	175.00'	224.19'	217.10'	N 65°50'42" E
C38	225.00	97.57	96.81	S 68°46'31" E
C39	175.00'	13.40'	13.40'	N 78°31'46" E
C40	175.00'	76.80'	76.21'	S 68°16'03" E
C41	475.00'	86.64'	86.59'	S 70°39'28" E
C42	805.00'	7.53'	7.53'	N 56°31'36" E
C43	805.00'	7.52'	7.52'	N 55°59'16" E
C44	75.00'	12.98'	12.98'	S 69°51'46" W
C45	75.00'	68.57'	66.26'	N 38°54'31" E
C46	75.00'	56.05'	54.85'	S 57°03'15" E
C47	225.00'	72.73'	72.41'	S 62°46'19" W
C48	305.00'	43.22'	43.18'	S 28°11'05" W
C49	305.00'	12.18'	12.18'	S 24°09'30" W
C50	805.00'	21.58'	21.58'	N 52°45'54" E
C51	825.00'	169.22'	168.92	S 29°09'32" W
C52	825.00'	21.78'	21.78'	S 36°46'29" W
C53	375.00'	28.51	28.50	S 68°49'46" E

YORK, ss REGISTRY OF DEEDS

Received MAR 6, 2015
at 9 h 28 m A M., and
Filed in Plan Book 375 page 1
ATTEST:
COPY
Register

STATE OF MAINE
LEON L BLOOD #2133
Professional Land Surveyor

Leon L. Blood – Member

LOWER VILLAGE SURVEY Co.

13 Western Avenue Kennebunk Maine

Mailing Address: P.O. Box 2555, Kennebunkport, ME 04046
Phone: 207-207-2545 e-mail: info@lowervillagesurveyco.com

FINAL SUBDIVISION PLAN OF

RIVER WALK

936 BRANCH ROAD (RT. 9A)
WELLS, MAINE
FOR: BOURNE FIELD PROPERTIES, LLC

DATE: FEB. 19, 2015	UPDATED REV. 2-19-15	FILE #112-03	ROTATION 0°Right	FIELD BK 419-54
SUBDIVISION PLAN SHEET 2 OF 2	REVISED 2-19-2015		SHEET S1.2	

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

March 2016

Bourne Field Properties, LLC
PO Box 366
Moody, ME 04054

RE: Site Location of Development Act Minor Revision Application, Wells
DEP #L-26395-L3-D-M

Dear Sir:

Please find enclosed a signed copy of your Department of Environmental Protection land use permit. You will note that the permit includes a description of your project, findings of fact that relate to the approval criteria the Department used in evaluating your project, and conditions that are based on those findings and the particulars of your project. Please take several moments to read your permit carefully, paying particular attention to the conditions of the approval. The Department reviews every application thoroughly and strives to formulate reasonable conditions of approval within the context of the Department's environmental laws. You will also find attached some materials that describe the Department's appeal procedures for your information.

If you have any questions about the permit or thoughts on how the Department processed this application please get in touch with me directly. I can be reached at (207) 523-9807 or at david.cherry@maine.gov.

Sincerely,

David Cherry, Project Manager
Bureau of Land Resources

pc: File

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

BOURNE FIELD PROPERTIES, LLC	) SITE LOCATION OF DEVELOPMENT ACT
Wells, York County	)
IMPERVIOUS LOT COVERAGE	) MINOR REVISION
L-26395-L3-D-M (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. §§ 481 et seq., the Department of Environmental Protection has considered the application of BOURNE FIELD PROPERTIES, LLC with the supporting data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History: In Department Order #L-26395-L3-A-N/ L-26395-TE-B-N, dated February 20, 2015, the Department approved the development of River Walk Subdivision, which is comprised of 35 residential lots and four open-space lots on 94.5 acres of land. In Department Order #L-26395-L3-C-C, dated September 5, 2015, the Department acknowledged compliance with Special Conditions #5 and #15 relating to financial capacity and the homeowners' association. The development is located on Branch Road in the Town of Wells.

B. Summary: The applicant proposes to increase the amount of approved impervious area on each lot from 5,000 square feet to 6,000 square feet. The applicant states that the increased impervious area is needed to accommodate a changing retail market. The applicant submitted stormwater information, titled "Table T-1," prepared by Walsh Engineering Associates, Inc. and dated September 24, 2014, with the most recent revision date of February 24, 2016.

C. Current Use of Site: River Walk is currently under construction with several residential buildings and road and utility infrastructure being built at this time.

2. FINDING:

The applicant states that the increased impervious area can be treated adequately using the existing grass underdrained soil filters and ponds. A Bureau of Land Resources Engineer reviewed the application and confirmed that the proposed increase in impervious area can be accommodated with the stormwater management system originally approved and that no changes to the system's design are needed. The project as revised will meet the Department's Stormwater Management Rules, Chapter 500.

The proposed project is a minor change and will not significantly affect any other issues identified during previous Department reviews of the project site.

Based on its review of the application, the Department finds the requested minor revision to be in accordance with all relevant Departmental standards. All other findings of fact, conclusions and conditions remain as approved in Department Order #L-26395-L3-A-N/ L-26395-TE-B-N, and subsequent Orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 481 et seq.:

A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.

B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.

C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil.

D. The proposed development meets the standards for storm water management in Section 420-D and the standard for erosion and sedimentation control in Section 420-C.

E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.

F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities in the municipality or area served by those services.

G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of BOURNE FIELD PROPERTIES, LLC to increase the amount of lot impervious area as described in Finding 1, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.

2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its

agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

4. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-26395-L3-A-N/L-26395-TE-B-N, and subsequent Orders, and are incorporated herein.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 9TH DAY OF MARCH, 2016.

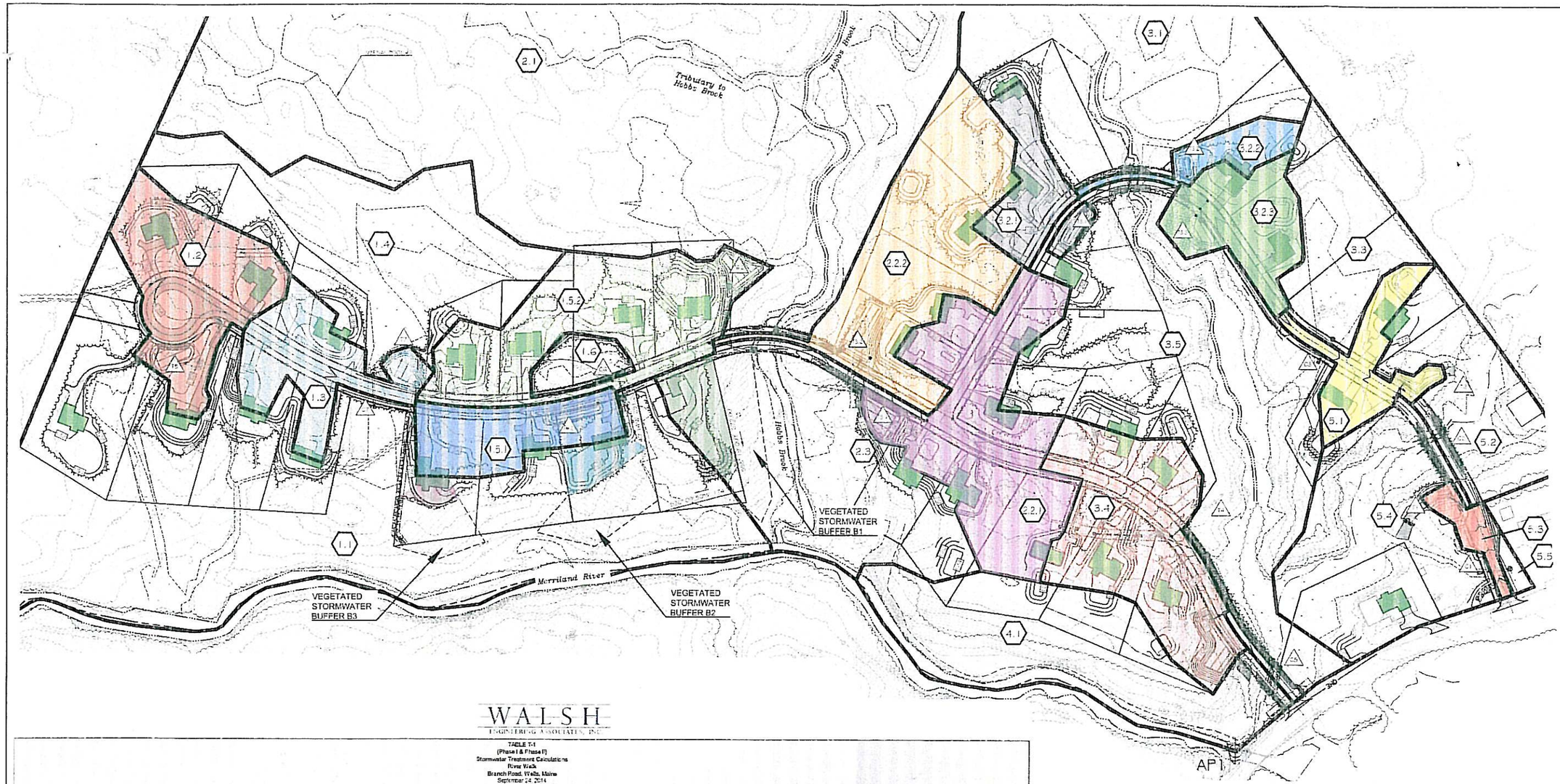
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Mark Berman
For: Paul Mercer, Commissioner

Filed
MAR 9 2016
State of Maine
Board of Environmental Protection

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

DC/L26395DM/ATS#80288



WALSH
ENGINEERING ASSOCIATES, INC.

TABLE T-1
(Phase I & Phase II)
Stormwater Treatment Calculations
River Walk
Branch Road, Wells, Maine
September 24, 2014
Revision 1 - December 4, 2014
Revision 2 - December 23, 2014
Revision 3 - February 24, 2016

Subcat.	Total Area (s.f.)	Treatment BMP	Linear Portion (Roads & ROW): Total New Developed Area: Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	Treated Area: Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	Non Linear Portion (Lots & Private): Total New Developed Area: Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	Treated Area: Houses: (s.f.)	(Impervious s.f.)	Drives & Walks: (s.f.)	(Impervious s.f.)	Landscaped: (s.f.)	(Impervious s.f.)	Pond Area (s.f.)	Total Imp. (s.f.)	Total Landsc. (s.f.)	Total Dev. (s.f.)	Filter Design: Total Treatment Areas: Impervious (IA) (s.f.)	Landscaped (LA) (s.f.)	Filter Area (IA@0.01 - LA@0.03): Required	Provided	Filter Volume (IA@0.03 - LA@0.01): Required	Provided
1.1	571,153		0	4,440	4,440	0	0	0	4,800	20,000	24,800	0.50	270	0.00	0	0.50	9,500	0	270	9,770	9,770	NA	NA	NA	NA	NA	NA
1.2	92,034		13,500	9,220	22,620	10,000	9,220	19,220	9,150	51,510	60,670	0.50	270	0.00	0	0.50	9,500	0	270	9,500	9,770	NA	NA	NA	NA	NA	NA
1.3	77,655		9,000	7,200	16,200	9,000	7,200	16,200	8,145	48,155	56,300	2.00	1,500	3.25	7,375	2.50	47,500	2,100	9,100	51,650	60,750	19,000	60,900	3,800	4,617	3,800	4,617
1.4	142,117	None	0	0	0	0	0	0	113	20,000	20,113	1.75	945	3.00	7,200	2.25	42,200	6,435	8,580	48,635	56,330	17,145	55,305	1,905	2,003	1,905	2,003
1.5	70,790		4,000	6,000	10,000	4,000	6,000	10,000	9,000	31,500	39,500	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
1.6	179,757		10,625	13,625	21,250	10,625	13,625	21,250	11,750	60,500	72,310	4.00	2,160	4.00	9,600	1.50	28,500	3,000	8,070	31,500	39,570	13,010	38,500	1,301	1,472	2,254	3,003
1.7	17,614	None	0	2,400	2,400	0	0	0	0	1,750	1,750	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
2.1	1,143,277	None	0	1,800	1,800	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
2.2.1	158,570		14,750	14,750	29,500	14,750	14,750	29,500	18,660	70,500	89,160	4.00	2,160	6.00	14,400	3.50	60,500	4,900	16,300	79,500	95,800	31,200	85,200	3,221	3,242	5,412	7,600
2.2.2	140,757		5,750	6,625	11,875	5,750	6,625	11,875	1,080	58,200	57,310	2.00	1,080	0.00	0	2.75	52,200	4,000	1,080	56,200	57,200	7,200	61,875	1,204	1,289	2,492	3,167
2.3	192,452		8,175	3,600	9,775	0	0	0	3,215	20,200	23,515	0.75	405	1.50	2,400	0.75	14,200	0	2,805	14,200	17,005	NA	NA	NA	NA	NA	NA
3.1	372,472	None	0	2,400	2,400	0	0	0	225	8,500	8,725	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
3.2.1	34,917		2,250	4,320	6,570	2,250	4,320	6,570	8,010	30,800	39,810	1.50	810	3.00	7,200	1.50	28,500	2,300	8,010	30,800	38,810	10,310	35,100	1,216	1,180	2,011	2,521
3.2.2	22,185		2,625	0	2,625	2,625	0	2,625	375	11,700	11,975	0.50	270	0.00	0	0.50	9,500	2,200	270	11,700	11,970	2,895	11,700	379	428	626	910
3.2.3	50,343		8,750	8,750	17,500	8,750	8,750	17,500	5,610	29,500	35,410	1.50	810	2.00	4,800	1.50	28,500	2,300	5,610	30,800	36,410	14,020	39,600	1,120	1,550	2,297	2,691
3.3	57,639	None	0	1,600	1,600	0	0	0	0	1,900	1,900	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
3.4	150,240		13,845	13,600	27,445	13,845	13,600	27,445	14,160	73,700	87,860	4.00	2,160	5.00	12,000	3.50	60,500	7,200	14,700	73,700	88,400	28,000	87,300	3,146	3,100	5,004	6,308
3.5	326,772	None	9,325	9,510	18,835	0	0	0	3,037	40,000	43,013	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
4.1	151,133	None	1,650	1,560	3,210	0	0	0	0	6,000	6,000	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.1	44,485		7,800	1,800	9,600	7,800	1,800	9,600	5,610	27,351	32,961	1.50	810	2.00	4,800	1.25	23,750	1,001	5,610	27,751	33,361	13,410	29,151	1,254	1,201	2,075	2,107
5.2	87,682	None	2,750	2,400	5,150	0	0	0	256	1,000	1,256	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.3	13,514		0,000	1,325	10,234	0,000	1,325	10,234	0	2,670	2,670	0.00	0	0.00	0	0.00	0	2,670	0	2,670	2,670	16,000	6,995	453	428	703	1,023
5.4	143,145	None	3,675	2,400	6,075	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.5	4,107	None	0	900	900	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	NA	NA	NA	NA	NA	NA
Houses	NA		0	0	0	0	0	0	104,040	0	104,040	35.00	107,100	0.00	0	0.00	0	0	107,100	0	107,100	NA	NA	NA	NA	NA	NA
Totals	4,109,705		122,119	117,000	239,119			184,221	192,926	704,000	896,926	29.5	121,410	32.25	77,400	28.50	523,000	45,335	153,905	548,835	747,645	0	0	21,441	24,079	35,012	48,167

IA = Impervious Area
LA = Landscaped Area
Areas presented in square feet
Volumes presented in cubic feet

Development Type	Total	Treated	% Treated
Linear Impervious Area	122,119		60.7%
Linear Developed Area	239,019	182,926	76.5%
Non Linear Impervious Area	704,000	153,910	21.9%
Non Linear Developed Area	904,926	747,645	82.6%

Assumptions:
Drip/ne filters collect 78% of roof runoff
Filter and buffer treatment volume based on remaining 18% of roof runoff
House Area per Lot 3,600
Paved Area per Lot 2,400 (Driveway, Walkway, Deck, etc.)
Landscaped Area per Lot 10,000

STORMWATER TREATMENT AREAS

- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 1
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 2
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 3
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 3.2
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 3.3
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 4
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 5
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 5.2
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 5.3
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 5.4
- TREATED NON-DEPRESSED TRANSITS SOIL FILTER 5.5
- TREATED IN HOUSEHOLD BUFFER B1
- TREATED IN HOUSEHOLD BUFFER B2
- TREATED IN HOUSEHOLD BUFFER B3
- TREATED IN BUFFER (OUTSIDE TREATMENT AREA CAPTURE PER 4.1.5)

GRAPHIC SCALE
1 inch = 100 ft.

LICHT ENVIRONMENTAL DESIGN, LLC

WALSH ENGINEERING ASSOCIATES, INC.
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ph 207.853.0999 | www.walsheng.com
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Phone: 207-967-2561 email: lohsurveyor@gwi.net

STATE OF MAINE
WILLIAM R. WALSH III
No. 6264
LICENSED PROFESSIONAL ENGINEER
2/24/16

River Walk

936 Branch Road (Route 9A)
Wells, Maine

Prepared For:
Bourne Field Properties, LLC
PO Box 366
Moody, Maine 04054

Rev.	Date	Description	Drawn	Check
1	5/28/14	Town of Wells Preliminary Compliance Submission	AMC	WRW
2	7/28/14	Issued for DEP SLODA Permit	AMC	WRW
3	9/15/14	Revised per DEP Stormwater Review Comments	SWC	WRW
4	9/24/14	Town of Wells Final Subdivision Application Submission	SWC	WRW
5	12/4/14	Revised Stormwater Plan Submission to DEP	SWC	WRW
6	12/9/14	Revised per Town and DEP Staff Review	SWC	WRW
7	12/29/14	Revised per Town and DEP Staff Review	SWC	WRW
8	1/8/15	Revised per Town and DEP Staff Review	SWC	WRW
9	1/16/15	Revised per Town Staff Review	SWC	WRW
10	1/28/15	Revised per Town Staff Review	SWC	WRW
11	2/4/15	Shifted Lot 27 house out of Flood Zone	SWC	WRW
12	2/6/15	Final Plan Set Issued to Town	SWC	WRW
13	2/24/16	SLODA After Revision	SWC	WRW

Sheet Title
Stormwater Treatment Plan

Job No.	250
Date	April 9, 2014
Scale	1" = 100'
Drawn	SWC
Checked	WRW

Sheet No.
D3.0

WALSH
ENGINEERING ASSOCIATES, INC.

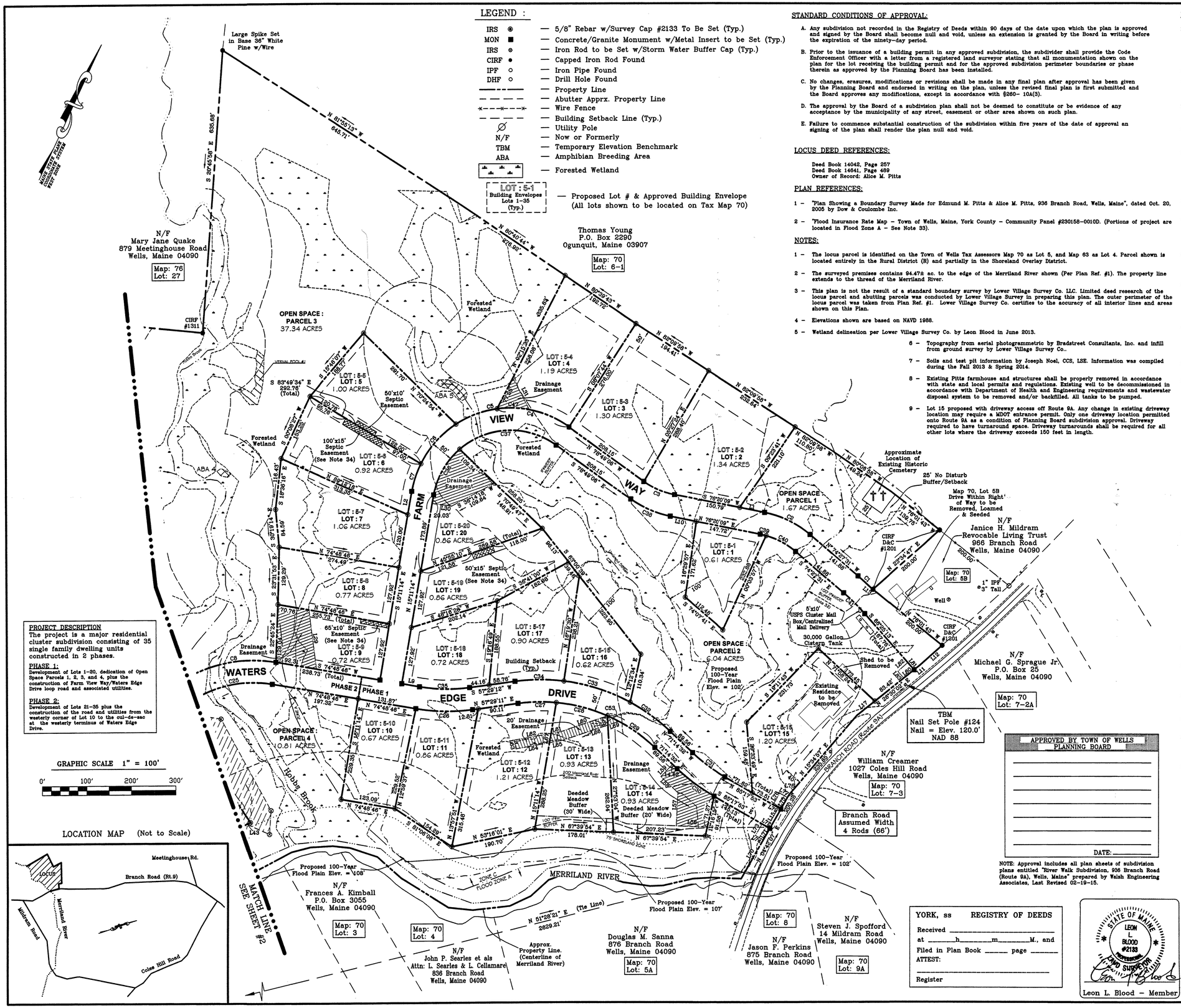
TABLE T-1
(Phase I & Phase II)
Stormwater Treatment Calculations
River Walk
Branch Road, Wells, Maine
September 24, 2014
Revision 1 - December 4, 2014
Revision 2 - December 23, 2014
Revision 3 - February 24, 2016

Subcat.	Total Area (s.f.)	Treatment BMP	Linear Portion (Roads & ROW)						Non Linear Portion (Lots & Ponds)													Total Treatment Areas		Filter Design			
			Total New Developed Area			Treated Area			Total New Developed Area			Treated Area												Filter Area		Filter Volume	
												Houses		Drives & Walks		Landscaped		Pond Area	Total Imp.	Total Lndsc.	Total Dev.			= IA(0.05) + LA(0.02)		= IA(0.083) + LA(0.011)	
			Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	Impervious (s.f.)	Landscaped (s.f.)	Developed (s.f.)	(each)	Impervious (s.f.)	(# lots)	Impervious (s.f.)	(# lots)	Impervious (s.f.)	(s.f.)	(s.f.)	(s.f.)	(s.f.)	Impervious (IA) (s.f.)	Landscaped (LA) (s.f.)	Required	Provided	Required	Provided
1.1	571,158	Buffer 2	0	4,440	4,440	0	0	0	4,809	90,000	94,809	0.50	270	0.00	0	0.50	9,500	0	270	9,500	9,770	NA	NA	NA	NA	NA	NA
		Buffer 3										0.50	270	0.00	0	0.50	9,500	0	270	9,500	9,770	NA	NA	NA	NA	NA	NA
1.2	92,694	T6	10,800	9,226	20,026	10,800	9,226	20,026	9,150	51,680	60,830	2.50	1,350	3.25	7,800	2.50	47,500	4,180	9,150	51,680	60,830	19,950	60,906	2,216	2,596	3,666	4,597
1.3	77,885	T7	9,000	7,200	16,200	9,000	7,200	16,200	8,145	48,185	56,330	1.75	945	3.00	7,200	2.25	42,750	5,435	8,145	48,185	56,330	17,145	55,385	1,965	2,253	3,251	4,075
1.4	192,117	None	0	0	0	0	0	0	113	20,000	20,113	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
1.5.1	50,790	T5.1	5,000	5,000	10,000	5,000	5,000	10,000	8,010	31,500	39,510	1.50	810	3.00	7,200	1.50	28,500	3,000	8,010	31,500	39,510	13,010	36,500	1,381	1,492	2,284	3,000
1.5.2	139,757	T5.2	10,625	10,625	21,250	10,625	10,625	21,250	11,760	80,550	92,310	4.00	2,160	4.00	9,600	4.00	76,000	4,550	11,760	80,550	92,310	22,385	91,175	2,943	3,111	4,867	5,244
1.6	17,614	None	0	2,400	2,400	0	0	0	0	1,750	1,750	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
2.1	1,153,277	None	0	1,800	1,800	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
2.2.1	138,570	T4.1	14,750	14,750	29,500	14,750	14,750	29,500	16,560	70,500	87,060	4.00	2,160	6.00	14,400	3.50	66,500	4,000	16,560	70,500	87,060	31,310	85,250	3,271	3,242	5,412	7,000
2.2.2	140,757	T4.2	6,250	5,625	11,875	6,250	5,625	11,875	1,080	56,250	57,330	2.00	1,080	0.00	0	2.75	52,250	4,000	1,080	56,250	57,330	7,330	61,875	1,604	3,959	2,680	9,187
2.3	182,452	Buffer 1	6,175	3,600	9,775	0	0	0	3,210	20,300	23,510	0.75	405	1.00	2,400	0.75	14,250	0	2,805	14,250	17,055	NA	NA	NA	NA	NA	NA
3.1	352,472	None	0	2,400	2,400	0	0	0	225	5,350	5,575	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
3.2.1	34,917	T3.1	2,250	4,320	6,570	2,250	4,320	6,570	8,010	30,800	38,810	1.50	810	3.00	7,200	1.50	28,500	2,300	8,010	30,800	38,810	10,260	35,120	1,215	1,180	2,011	2,591
3.2.2	22,165	T3.2	2,625	0	2,625	2,625	0	2,625	270	11,700	11,970	0.50	270	0.00	0	0.50	9,500	2,200	270	11,700	11,970	2,895	11,700	379	408	629	919
3.2.3	55,343	T3.3	8,750	8,750	17,500	8,750	8,750	17,500	5,610	30,800	36,410	1.50	810	2.00	4,800	1.50	28,500	2,300	5,610	30,800	36,410	14,360	39,550	1,509	1,550	2,407	2,091
3.3	77,639	None	0	1,800	1,800	0	0	0	0	1,000	1,000	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
3.4	120,240	T1	13,840	13,600	27,440	13,840	13,600	27,440	14,160	73,700	87,860	4.00	2,160	5.00	12,000	3.50	66,500	7,200	14,160	73,700	87,860	28,000	87,300	3,146	3,100	5,205	5,369
3.5	305,772	None	9,325	9,519	18,844	0	0	0	3,013	40,000	43,013	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
4.1	151,133	None	1,690	1,560	3,250	0	0	0	0	6,000	6,000	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.1	44,485	T2	7,800	1,800	9,600	7,800	1,800	9,600	5,610	27,351	32,961	1.50	810	2.00	4,800	1.25	23,750	3,601	5,610	27,351	32,961	13,410	29,151	1,254	1,263	2,075	2,337
5.2	87,682	None	2,755	2,400	5,155	0	0	0	225	1,000	1,225	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.3	13,514	T1	6,909	3,325	10,234	6,909	3,325	10,234	0	2,570	2,570	0.00	0	0.00	0	0.00	0	2,570	0	2,570	2,570	6,909	5,895	463	465	768	1,085
5.4	143,145	None	3,575	2,400	5,975	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
5.5	4,107	None	0	960	960	0	0	0	0	0	0	0.00	0	0.00	0	0.00	0	0	0	0	0	0	0	NA	NA	NA	NA
Houses	NA	Dripline	0	0	0	0	0	0	104,040	0	104,040	35.00	107,100	0.00	0	0.00	0	0	107,100	0	107,100	NA	NA	NA	NA	NA	NA
Totals	4,169,705		122,119	117,500	239,619	98,699	84,221	182,820	204,000	700,986	904,986	26.5	121,410	32.25	77,400	26.50	503,500	45,336.0	198,810.0	548,836.0	747,646.0	0	0	21,344	24,629	35,312	40,9[illegible]

IA = Impervious Area
LA = Landscaped Area
Areas presented in square feet
Volumes presented in cubic feet

Development Type	Total	Treated	% Treated
Linear Impervious Area	122,119	98,500	80.7%
Linear Developed Area	239,619	182,820	76.3%
Non Linear Impervious Area	204,000	198,810	97.5%
Non Linear Developed Area	904,986	747,646	82.6%

Assumptions:
Dripline filters collect 85% of roof runoff
Filter and buffer treatment volume based on remaining 15% of roof runoff
House Area per Lot 3,600
Paved Area per Lot 2,400 (Driveway, Walkway, Deck, etc.)
Landscaped Area per Lot 19,000



LEGEND :

IRS	— 5/8" Rebar w/Survey Cap #2133 To Be Set (Typ.)
MON	— Concrete/Granite Monument w/Metal Insert to be Set (Typ.)
IRS	— Iron Rod to be Set w/Storm Water Buffer Cap (Typ.)
CIRF	— Capped Iron Rod Found
IPF	— Iron Pipe Found
DHF	— Drill Hole Found
	— Property Line
	— Abutter Apprx. Property Line
	— Wire Fence
	— Building Setback Line (Typ.)
	— Utility Pole
N/F	— Now or Formerly
TBM	— Temporary Elevation Benchmark
ABA	— Amphibian Breeding Area
	— Forested Wetland
LOT : 5-1 Building Envelopes Lots 1-35 (Typ.)	— Proposed Lot # & Approved Building Envelope (All lots shown to be located on Tax Map 70)

PROJECT DESCRIPTION
The project is a major residential cluster subdivision consisting of 35 single family dwelling units constructed in 2 phases.

PHASE 1:
Development of Lots 1-20, dedication of Open Space Parcels 1, 2, 3, and 4, plus the construction of Farm View Way/Waters Edge Drive loop road and associated utilities.

PHASE 2:
Development of Lots 21-35 plus the construction of the road and utilities from the westerly corner of Lot 10 to the cul-de-sac at the westerly terminus of Waters Edge Drive.

STANDARD CONDITIONS OF APPROVAL:

A. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period.

B. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed.

C. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with §260- 10A(3).

D. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan.

E. Failure to commence substantial construction of the subdivision within five years of the date of approval an signing of the plan shall render the plan null and void.

LOCUS DEED REFERENCES:

Deed Book 14042, Page 257
Deed Book 14641, Page 489
Owner of Record: Alice M. Pitts

PLAN REFERENCES:

1 – "Plan Showing a Boundary Survey Made for Edmund M. Pitts & Alice M. Pitts, 936 Branch Road, Wells, Maine", dated Oct. 20, 2005 by Dow & Coulombe Inc.

2 – "Flood Insurance Rate Map – Town of Wells, Maine, York County – Community Panel #230158-0010D. (Portions of project are located in Flood Zone A – See Note 33).

NOTES:

1 – The locus parcel is identified on the Town of Wells Tax Assessors Map 70 as Lot 5, and Map 63 as Lot 4. Parcel shown is located entirely in the Rural District (R) and partially in the Shoreland Overlay District.

2 – The surveyed premises contains 94.47± ac. to the edge of the Merriland River shown (Per Plan Ref. #1). The property line extends to the thread of the Merriland River.

3 – This plan is not the result of a standard boundary survey by Lower Village Survey Co. LLC. Limited deed research of the locus parcel and abutting parcels was conducted by Lower Village Survey in preparing this plan. The outer perimeter of the locus parcel was taken from Plan Ref. #1. Lower Village Survey Co. certifies to the accuracy of all interior lines and areas shown on this Plan.

4 – Elevations shown are based on NAVD 1988.

5 – Wetland delineation per Lower Village Survey Co. by Leon Blood in June 2013.

6 – Topography from aerial photogrammetric by Bradstreet Consultants, Inc. and infill from ground survey by Lower Village Survey Co..

7 – Soils and test pit information by Joseph Noel, CCS, LSE. Information was compiled during the Fall 2013 & Spring 2014.

8 – Existing Pitts farmhouse and structures shall be properly removed in accordance with state and local permits and regulations. Existing well to be decommissioned in accordance with Department of Health and Engineering requirements and wastewater disposal system to be removed and/or backfilled. All tanks to be pumped.

9 – Lot 15 proposed with driveway access off Route 9A. Any change in existing driveway location may require a MDOT entrance permit. Only one driveway location permitted onto Route 9A as a condition of Planning Board subdivision approval. Driveway required to have turnaround space. Driveway turnarounds shall be required for all other lots where the driveway exceeds 150 feet in length.

NOTES (Cont.):

10 – Lot grading, proposed unit locations and lawn areas are conceptual only and may be modified in the field based on actual building designs and locations so long as the general design is consistent with the stormwater management plan and any buffers required. The Homeowners' Association (HOA) shall have the right to enter onto any lot to correct drainage or other lot elements which have a net effect on the HOA infrastructure. Parking shall be prohibited on Farm View Way and Waters Edge Drive.

11 – Underground utilities shall be installed prior to final road base gravel installation.

12 – The developer shall schedule a pre-construction meeting with the Town Engineer, Department of Public Works and any other required agencies prior to commencement of construction.

13 – Upon completion of construction of each phase, the developer shall provide the Town of Wells with as-built or recorded drawings of the roadway drainage and utility construction.

14 – The deeds for Lots 13 and 14 shall reference a restricted meadow buffer on the rear of the lots as shown on this Plan. Said buffer shall be maintained as long grass and natural vegetation and shall be mowed a maximum of twice yearly.

15 – Lots shall be serviced by individual drilled wells and subsurface wastewater disposal systems designed and based on 3 bedroom dwellings or 270 gallons per day. If conditions allow, a 4 bedroom system may be designed with CEO/Town Planner approval. Said systems shall be subject to all other permit conditions. Drilled bedrock wells shall be sealed at the top of the weathered, unbroken bedrock zone to prevent overburden groundwater infiltration. Wastewater disposal system leachfields may vary up to 10 feet from locations shown on the Plans with CEO/Planner approval.

15.a– Dug wells shall be prohibited on individual lots. A restriction on the use of dug wells shall be included on the deed for each lot as per Town of Wells Chapter 202-12.F(2).

16 – Underground 30,000 gallon cistern as detailed on the Plan is proposed to meet fire protection requirements for Phase 1 and Phase 2. Final cistern details to be coordinated with the Fire Chief. Maintenance of the cistern shall be the responsibility of the HOA. Upon testing and acceptance by the fire department, an easement shall be provided to the Town of Wells to grant use of the cistern.

17 – Project to permit the maintenance of existing and construction of new walking trails along the Merriland River and Hobbs Brook, subject to Shoreland Zoning and any DEP-NRPA permit requirements and within open space areas as indicated generally and detailed on the plans.

18 – Final design and location of subsurface wastewater disposal (septic) system, leach fields, and well locations shall meet state plumbing code (CMR 10-144 Chapt. 241) setbacks and shall conform to these plans for well and septic system locations within the allocated well and septic exclusion zones as indicated. Final septic system locations may vary up to 10 ft. to accommodate final building siting. Any modification from proposed locations in excess of 10 ft. shall require Planning Board approval.

19 – Project is subject to DEP Site Location of Development/NRPA (DEP # L26395-L3-A-N/TE-B-N) and U.S. Army Corps of Engineers permits (see subdivision plan). No alteration of wetlands other than as shown on these plans is permitted without approval of the DEP, Army Corps of Engineers and the Town of Wells. Permitted Wetland Impacts = 21,676 s.f.

20 – Treelines and grading limits within regulated stream and Shoreland Zoning buffer areas represent the maximum limits of permitted construction disturbance.

21 – Open Space Parcels 1, 2, 3, and 4 total 55.86 acres.

Parcel 1 – to be maintained by the Homeowners' Association (HOA) as common open space subject to the vegetation maintenance outlined in the Homeowners' Assoc. documents, covenants and restrictions. Parcel 1 includes an old family cemetery which shall be restored to improve the appearance, vegetation trimmed, and a fence installed by the owner. A trail may be constructed on Parcel 1 to access the cemetery. The HOA shall maintain the cemetery and trail in working condition. (Lot Coverage is 0%). Parcel 1 includes Stormwater Management BMP's which may be accessed & maintained as required.

Parcels 2, 3, 4 – to be maintained by the Homeowners' Association as common open space subject to the vegetation maintenance outlined in the HOA documents, covenants and restrictions. A Department of Environmental Protection / U.S. Corps of Engineers deed restriction and covenants and restrictions shall be placed on Parcels 3 and 4 and recorded in the York County Registry of Deeds (YCRD) as part of the Wetlands Mitigation Plan. Parcels 2, 3, and 4 includes DEP Stormwater Management BMP's as shown on the approved plans, which may be accessed and maintained by mechanical equipment as required. Parcels 2, 3 and 4 shall allow for the creation of a natural walking and biking trails by the owner and/or HOA. The HOA documents shall allow for the construction of a gazebo or similar small structure by the HOA if desired. (See Open Space notes this sheet). Parcel 2 shall allow for a fire cistern postal box structure. Further subdivision of Open Space parcels is prohibited unless approved by the Planning Board.

21a – Open Space Parcels 1, 2, 3, & 4, Management Uses, and Restrictions:

The following activities and practices shall be permitted in the Open Space Parcels:
- Timber management under a certified forest management plan prepared by a licensed Maine Forester and removal of dead and fallen trees from recent storms within the Hobbs Brook and Merriland River.
- Within the 75 ft. Shoreland Zone (SZ) to the Merriland River – Removal of dead, diseased, or dying vegetation as permitted with the Town of Wells SZ Ordinance, and trail construction and maintenance using hand tools.
- Trail construction and maintenance.
- Natural area interpretive signage.
- Construction and maintenance of stormwater management facilities and shrub plantings.
- Future possible gazebo or similar structure is desired by the Homeowner's Association subject to any required permits from the Town of Wells.
- Maintenance of the existing cemetery on-site.
- Fire cistern and central mail box structure.
- Lot coverage in the open space shall not exceed 2% in aggregate.

22 – Approval of this plan incorporates the River Walk Homeowners' Association documents, declarations, restrictions and covenants to be recorded in the YCRD.

23 – All streets in this subdivision shall remain private roads to be maintained to Town standards by the owner or the lot owners and shall not be accepted or maintained by the Town per Town of Wells Chapter 202-13, subject to Homeowners' Association right to seek dedication and acceptance of said streets.

24 – The project permits single family dwellings. No businesses are allowed except home occupations. Accessory dwelling units are permitted subject to the requirements of the Wells Land Use Ordinance.

25 – The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.

26 – This plan has been prepared according to the Standards of Practice adopted by the State of Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
– No written report prepared (See Note 3)

27 – Prior to the issuance of a building permit for any primary residence on any lot, the owner shall provide evidence of a suitable water supply to the Code Enforcement Officer in compliance with Chapter 202-12F.(2)(c).

APPROVED BY TOWN OF WELLS PLANNING BOARD

DATE: _____

NOTE: Approval includes all plan sheets of subdivision plans entitled "River Walk Subdivision, 936 Branch Road (Route 9A), Wells, Maine" prepared by Walsh Engineering Associates, Last Revised 02-19-15.

YORK, ss REGISTRY OF DEEDS
Received _____
at ____h____m____M., and
Filed in Plan Book ____ page ____
ATTEST: _____
Register

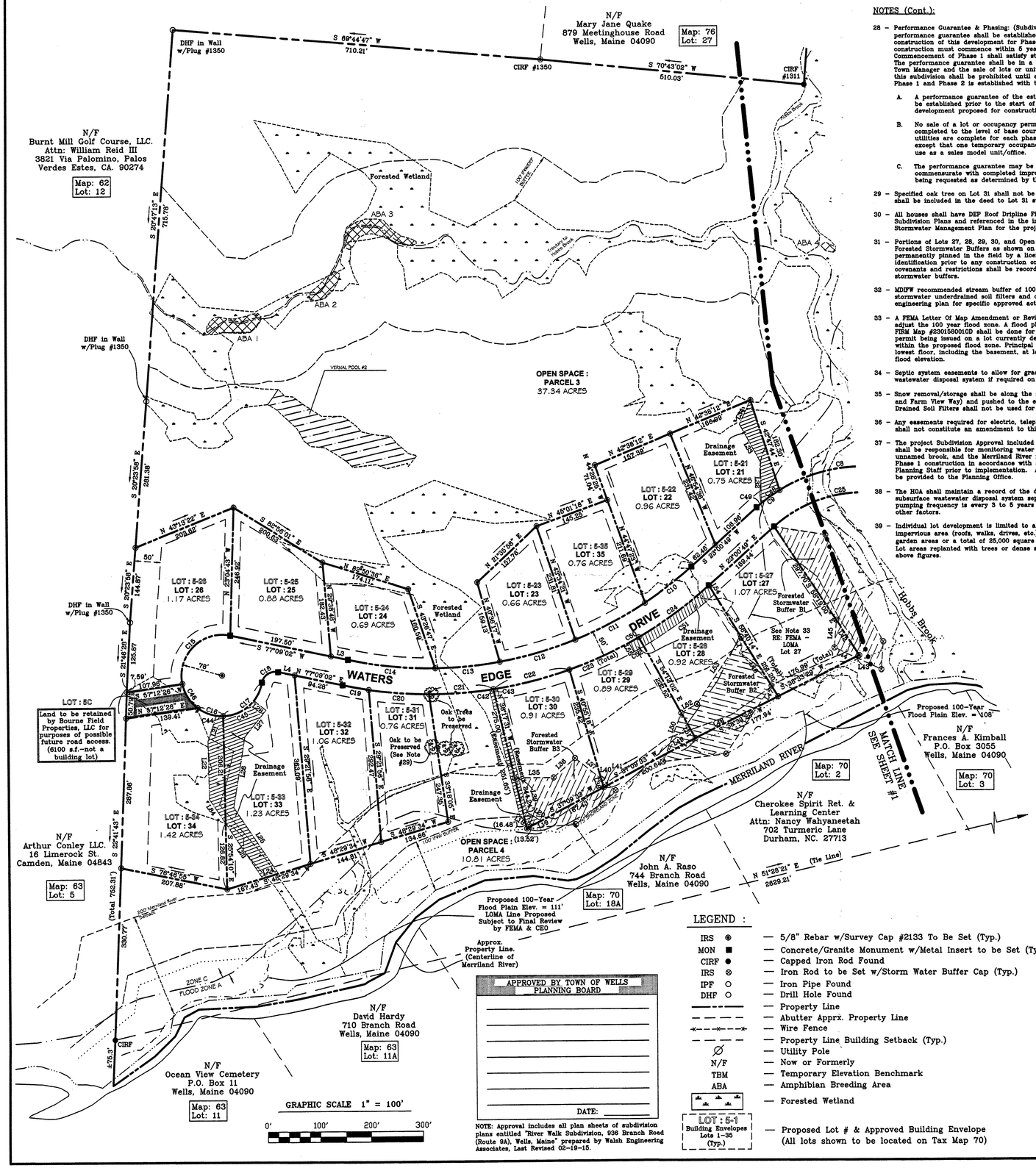
STATE OF MAINE LEON L. BLOOD #2133 LAND SURVEYOR
Leon L. Blood – Member

LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2625, Kennebunkport, ME 04046
Phone: 207-967-3545 e-mail: info@lowervillagesurvey.com

FINAL SUBDIVISION PLAN OF
RIVER WALK
936 BRANCH ROAD (RT. 9A)
WELLS, MAINE
FOR: BOURNE FIELD PROPERTIES, LLC

DATE: FEB. 19, 2015	UPDATES REV. 2-19-15	FILE #113-26	ROTATION 0°Right	FIELD BK 460-54
SUBDIVISION PLAN SHEET 1 OF 2	REVISED 2-19-2015		SHEET S1.1	

LAND SURVEYORS * * FORESTERS * * WETLAND DELINEATORS



NOTES (Cont.):

28 – Performance Guarantee & Phasing: (Subdivision Regulations Chapter 202-13): A performance guarantee shall be established by the applicant/developer prior to construction of this development for Phase 1 and Phase 2 separately. Phase 1 construction must commence within 5 years of Planning Board approval. Commencement of Phase 1 shall satisfy start of construction for the entire project. The performance guarantee shall be in a form and amount found acceptable by the Town Manager and the sale of lots or units or occupancy of any lot or unit within this subdivision shall be prohibited until an acceptable performance guarantee for Phase 1 and Phase 2 is established with the Town of Wells.

A. A performance guarantee of the estimated construction cost +10% shall be established prior to the start of construction for each phase of development proposed for construction.

B. No sale of a lot or occupancy permit shall be granted until the road is completed to the level of base course of pavement and drainage systems and utilities are complete for each phase covered by the performance guarantee, except that one temporary occupancy permit may be granted limited to the use as a sales model unit/office.

C. The performance guarantee may be reduced during construction commensurate with completed improvements for which the release is being requested as determined by the Town Engineer.

29 – Specified oak tree on Lot 31 shall not be removed. A covenant and restriction shall be included in the deed to Lot 31 stating the same.

30 – All houses shall have DEP Roof Dripline Filters installed as detailed on the Subdivision Plans and referenced in the individual lot deeds as part of the DEP Stormwater Management Plan for the project.

31 – Portions of Lots 27, 28, 29, 30, and Open Space Parcel 4 are subject to deeded DEP Forested Stormwater Buffers as shown on this Plan. Said buffers shall be permanently pinned in the field by a licensed land surveyor and capped with buffer identification prior to any construction on said lots and Parcel 4. Formal deed covenants and restrictions shall be recorded in the YCRD for the referenced stormwater buffers.

32 – MDIFW recommended stream buffer of 100 feet allows for certain activities including stormwater underdrained soil filters and outlets to be closer than 100 feet. Refer to engineering plan for specific approved activities.

33 – A FEMA Letter Of Map Amendment or Revision (LOMA or LOMR) will be required to adjust the 100 year flood zone. A flood plain elevation and location as shown on FIRM Map #23015900 1D shall be done for the entire property prior to a building permit being issued on a lot currently depicted as being in the flood zone or within the proposed flood zone. Principal structures will be constructed with their lowest floor, including the basement, at least one foot above the one hundred-year flood elevation.

34 – Septic system easements to allow for grading and placement of subsurface wastewater disposal system if required on Lots 5, 6, 9, & 19.

35 – Snow removal/storage shall be along the sides of the roadways (Waters Edge Drive and Farm View Way) and pushed to the end of the cul-de-sac in Phase 2. Under Drained Soil Filters shall not be used for snow storage.

36 – Any easements required for electric, telephone or cable transformers or pedestals shall not constitute an amendment to this plan.

37 – The project Subdivision Approval included a condition that the Developer or HOA shall be responsible for monitoring water temperatures in Hobbs Brook, the unnamed brook, and the Merriland River for a period of 5 years from the start of Phase 1 construction in accordance with a plan and protocol to be reviewed by Planning Staff prior to implementation. Annual reports of temperature data shall be provided to the Planning Office.

38 – The HOA shall maintain a record of the dates of pumping of individual lot owners' subsurface wastewater disposal system septic tanks. Recommended septic tank pumping frequency is every 3 to 5 years depending on use, size of household, and other factors.

39 – Individual lot development is limited to a maximum of 5,000 square feet of impervious area (roofs, walks, drives, etc.) and 20,000 square feet of lawn and garden areas or a total of 25,000 square feet of total clearing of trees/vegetation. Lot areas replanted with trees or dense shrubs shall be excluded/deducted from the above figures.

SITE DATA TABLE–RIVER WALK

ZONING: RURAL "R" AND SHORELAND OVERLAY DISTRICT – 75' FT TO MERRILAND RIVER
PROPOSED: USE CLUSTER ORDINANCE SECTION 145.49

REQUIREMENT	RURAL ZONE REQUIRED CONVENTIONAL	RURAL ZONE REQUIRED CLUSTER	RURAL ZONE PROVIDED	SHORELAND ZONE (SZ) REQUIRED SHORELAND ZONE	SHORELAND ZONE (SZ) PROVIDED
MIN LOT SIZE (SF)	100,000	20,000	25,700	22,000	N/A
MAX. DENSITY (DU/SF NET AREA)	1/100,000	(SEE NRA BELOW)	(SEE NRA BELOW)	N/A	
FRONTAGE (FT)	200 (150 FT CULDESAC)	50	>100 FT	N/A	
MAX. LOT COVERAGE	20% OR 4,000 SF	20% OR 4,000 SF	<20% OR 4,000 SF	N/A	
MAX. BLDG. HT. (FT)	40 FT. OR 3 STORIES	40 FT. OR 3 STORIES	40 FT OR 3 STORIES	N/A	
MAX IMPERVIOUS AREA–CLUSTER OPEN SPACE	N/A	2%	0%	N/A	
MIN. STRUCTURE SETBACKS:					
A. SETBACK TO ANY LOT LINE	25	15	15	N/A	
B. SETBACK TO LOT LINE ABUTTING STREET ROW	25	20	20		
C. SETBACK TO LOT LINE ABUTTING STATE HIGHWAY (RT 9A)	40	40	40	N/A	
D. SETBACK TO LOT LINE ABUTT. NON–CLUSTER RESID. LOT	25	50(1.)	50(1.)	N/A	
SZ–STRUCTURE & PARKING SETBACK TO MERRILAND RIVER	(SEE SZ)	200	200	200	200
SZ–NO LOTS ALLOWED IN SZ		NO LOTS IN SZ	0	NO LOTS IN SZ	0
OPEN SPACE (CLUSTER ONLY)(MIN. ACREAGE REQUIRED)	N/A	35% OF GROSS AC.	55%	N/A	
TOTAL AREA		33.07	55.56		
AREA OF PARCEL 1			1.67		
AREA OF PARCEL 2			6.04		
AREA OF PARCEL 3			37.34		
AREA OF PARCEL 4			10.51		
LOT COVERAGE IN OPEN SPACE PARCELS		NO REQUIREMENT	2% Max. (See Note 21a)		
GROSS AREA (AC)	94.5	94.5		N/A	
LESS (WETLANDS)(2)	0	0			
LESS 15% FOR ROADS (CLUSTER ONLY) (AC)	0	14.2			
NET RESIDENTIAL AREA (AC)	94.5	80.3			
NET RESIDENTIAL DENSITY (LOTS) (NRA/MIN LOT AREA)	41	34	34	N/A	
DENSITY BONUS: CHAPT. 145–49 (D)(1)			+1 LOT*	*BONUS APPROVED BY PLANNING BOARD 01–20–15	
TOTAL LOTS			35 LOTS		

NOTES:
(1). ZONING S.145.49.C(4.) DOUBLE MIN. SETBACK FROM 25 TO 50 FT FOR NON–CLUSTERED ABUTTING PROPERTIES AT PERIMETER OF PROJECT BOUNDARY.
(2). ZONING S.145.10 WETLANDS AS DEFINED DO NOT EXIST ON–SITE "10 ACRE DEFINITION"
(3). MAXIMUM LOTS SHOWN ON CONVENTIONAL SKETCH IS 35 LOTS.

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	525.00'	37.75'	37.74'	N 72°23'56" W
C2	225.00'	114.69'	113.45'	N 89°03'41" E
C3	175.00'	75.89'	75.29'	S 88°45'31" E
C4	225.00'	171.36'	167.25'	S 79°21'49" W
C5	225.00'	99.51'	98.70'	S 44°52'51" E
C6	225.00'	120.00'	118.58'	S 18°55'35" E
C7	225.00'	66.11'	65.87'	N 06°46'12" E
C8	305.00'	220.37'	215.80'	S 54°06'52" W
C9	305.00'	55.38'	55.30'	S 28°12'53" W
C10	755.00'	113.94'	113.83'	S 27°20'12" W
C11	755.00'	151.82'	151.57'	S 37°25'15" W
C12	755.00'	151.82'	151.57'	S 48°56'32" W
C13	755.00'	125.39'	125.25'	S 59°27'40" W
C14	755.00'	170.40'	170.04'	S 70°41'05" W
C15	78.00'	154.69'	130.56'	S 20°20'05" W
C16	78.00'	52.08'	51.11'	N 83°13'25" E
C17	78.00'	107.02'	98.82'	N 24°47'22" E
C18	25.05'	41.30'	36.78'	N 32°45'55" E
C19	805.00'	52.91'	52.90'	N 75°11'08" E
C20	805.00'	116.08'	115.98'	N 69°15'12" E
C21	805.00'	124.57'	124.45'	N 80°41'21" E
C22	805.00'	151.50'	151.28'	N 50°51'52" E
C23	805.00'	147.16'	146.95'	N 40°14'10" E
C24	805.00'	168.39'	168.09'	N 29°00'22" E
C25	255.00'	230.54'	222.77'	N 48°54'47" E
C26	425.00'	128.52'	128.03'	N 66°08'58" E
C27	375.00'	86.32'	86.13'	S 64°04'50" E
C28	375.00'	120.00'	119.49'	S 79°50'31" E
C29	375.00'	129.25'	128.62'	S 81°06'59" E
C30	425.00'	104.26'	104.00'	N 79°16'12" E
C31	375.00'	92.00'	91.76'	N 79°16'12" W
C32	425.00'	112.00'	111.68'	N 79°47'30" E
C33	425.00'	158.02'	157.11'	S 83°00'26" E
C34	425.00'	110.30'	109.99'	S 64°55'16" E
C35	375.00'	113.40'	112.97'	S 66°08'58" E
C36	175.00'	181.24'	118.83'	S 04°39'37" E
C37	175.00'	234.19'	217.10'	N 62°50'42" E
C38	225.00'	97.57'	96.81'	S 88°45'31" E
C39	175.00'	13.40'	13.40'	N 78°31'46" E
C40	175.00'	75.80'	75.21'	S 88°52'03" E
C41	475.00'	66.64'	66.59'	S 70°26'52" E
C42	805.00'	7.53'	7.53'	N 56°31'26" E
C43	805.00'	7.52'	7.52'	N 55°59'18" E
C44	78.00'	12.98'	12.96'	S 68°51'46" W
C45	78.00'	66.57'	66.38'	N 39°54'51" E
C46	78.00'	56.05'	54.85'	S 57°03'55" E
C47	225.00'	72.73'	72.41'	S 66°48'19" W
C48	305.00'	43.22'	43.18'	S 29°21'25" W
C49	305.00'	12.18'	12.16'	S 24°09'20" W
C50	805.00'	21.53'	21.52'	N 35°45'54" E
C51	825.00'	169.22'	168.92	S 29°08'32" W
C52	825.00'	21.78'	21.78'	S 35°46'29" W
C53	375.00'	28.51	28.50	S 88°48'46" E

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 76°20'09" W	56.86'
L2	S 15°11'14" E	53.89'
L3	S 77°09'02" W	33.31'
L4	N 77°09'02" E	32.28'
L9	S 74°48'46" W	40.46'
L10	N 76°20'09" E	59.93'
L11	N 26°30'02" E	15.80'
L12	N 23°34'47" E	67.60'
L13	N 76°01'44" W	7.35'
L14	N 04°42'07" E	113.00'
L15	N 04°42'07" E	50.00'
L16	N 04°42'07" E	37.28'
L17	N 26°30'02" E	51.14'
L18	S 83°17'31" E	29.12'
L19	N 37°09'33" E	17.40'
L20	N 83°17'31" W	31.72'
L21	S 06°46'35" E	52.14'
L22	S 25°54'10" E	111.22'
L23	S 58°33'41" E	127.76'
L24	N 48°29'34" E	31.38'
L25	N 58°33'41" W	153.32
L26	N 15°37'10" W	137.45
L27	N 13°43'51" E	65.53'
L28	N 76°16'09" W	29.47'
L29	S 31°57'25" E	133.80'
L30	N 72°36'10" E	44.93'
L31	S 52°21'44" E	80.19'
L32	N 25°59'42" W	78.95'
L33	N 53°43'09" W	84.36'
L34	N 00°04'48" W	50.51'
L35	N 54°36'38" E	74.94'
L36	N 22°57'04" E	55.55'
L37	S 76°07'24" E	64.46'
L38	S 40°55'18" E	17.04'
L39	N 38°17'31" W	100.00'
L40	S 76°07'24" E	18.15'
L41	S 37°09'33" W	10.69
L42	S 58°19'00" E	81.08'
L43	S 38°33'29" W	8.62'
L44	S 89°25'34" W	44.54'

LINE	BEARING	DISTANCE
L45	N 20°58'28" W	53.31'
L46	S 56°40'14" E	109.83'
L47	S 08°54'22" W	48.90'
L48	S 38°33'29" W	133.23'
L49	S 37°09'33" W	64.50'
L50	N 04°15'30" W	84.24'
L51	S 54°12'02" E	55.75
L52	N 35°47'58" E	34.56
L53	N 08°54'22" E	154.06'
L54	S 56°40'14" E	20.32'
L55	N 53°28'08" W	20.00'
L56	S 67°39'54" W	69.95'
L57	N 22°20'06" W	74.73'
L58	N 71°14'32" W	52.73'
L59	N 18°45'28" E	38.00'
L60	S 46°37'25" W	110.14'
L61	S 54°55'02" W	23.35
L62	S 54°55'02" W	84.04'
L63	S 35°04'58" E	20.00'
L64	N 54°55'02" E	76.80'
L65	N 54°55'02" E	31.89'
L66	N 46°37'59" E	106.19
L67	N 15°11'14" W	21.27'
L68	S 27°53'04" E	20.75'
L69	N 46°37'59" E	25.85'
L70	N 04°42'07" E	83.00'
L71	N 04°42'07" E	30.00'
L72	N 85°17'53" W	20.00'
L73	S 04°42'07" W	30.00'
L74	S 85°17'53" E	20.00'
L75	N 04°42'07" E	30.00'
L76	N 04°42'07" E	7.28
L77	N 85°17'53" W	20.00'
L78	S 04°42'07" W	30.00'
L79	S 85°17'53" E	20.00'
L80	N 26°30'02" E	30.04'
L81	N 66°25'13" W	21.53'
L82	S 23°34'47" W	30.00'
L83	S 66°25'13" E	20.00'
L84	S 58°33'41" E	55.59'

LEGEND :

IRS	— 5/8" Rebar w/Survey Cap #2133 To Be Set (Typ.)
MON	— Concrete/Granite Monument w/Metal Insert to be Set (Typ.)
CIRF	— Capped Iron Rod Found
IRS	— Iron Rod to be Set w/Storm Water Buffer Cap (Typ.)
IPF	— Iron Pipe Found
DHF	— Drill Hole Found
	— Property Line
	— Abutter Apprx. Property Line
	— Wire Fence
	— Property Line Building Setback (Typ.)
	— Utility Pole
N/F	— Now or Formerly
TBM	— Temporary Elevation Benchmark
ABA	— Amphibian Breeding Area
	— Forested Wetland
LOT : 5-1 Building Envelopes Lots 1–35 (Typ.)	— Proposed Lot # & Approved Building Envelope (All lots shown to be located on Tax Map 70)

APPROVED BY TOWN OF WELLS PLANNING BOARD

DATE: _____

NOTE: Approval includes all plan sheets of subdivision plans entitled "River Walk Subdivision, 936 Branch Road (Route 9A), Wells, Maine" prepared by Walsh Engineering Associates, Last Revised 02–19–15.

YORK, ss REGISTRY OF DEEDS
Received _____
at ____h____m____M., and
Filed in Plan Book ____ page ____
ATTEST:
_____
Register

STATE OF MAINE
LEON L. BLOOD #2133
PROFESSIONAL LAND SURVEYOR

Leon L. Blood – Member

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FINAL SUBDIVISION PLAN OF
RIVER WALK
936 BRANCH ROAD (RT. 9A)
WELLS, MAINE
FOR: BOURNE FIELD PROPERTIES, LLC

DATE: FEB. 19, 2015	UPDATES REV. 2–19–15	FILE #113–26	ROTATION 0'Right	FIELD BK 460–54
SUBDIVISION PLAN SHEET 2 OF 2	REVISED 2–19–2015		SHEET S1.2	

LAND SURVEYORS * * FORESTERS * * WETLAND DELINEATORS

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Site Plan Amendment & Final Subdivision Amendment Application Memo

Date: April 12, 2016

To: Planning Board

From: Planning Office

Re: Compass Pointe – Site Plan & Final Subdivision Amendment #6 Applications - Map 105, Lot 159

Project Description:

Attar Engineering Inc. has submitted a site plan and subdivision amendment application on behalf of Seal Harbor LLC for the previously approved 22 unit hotel/motel Lodging Facility and Multifamily Development subdivision consisting of 6 single dwelling units. Each hotel/motel unit is approved to have two bedrooms and shall be constructed in a duplex or quad style building with attached egress platforms. An accessory pool is also approved on the lot. The Lodging Facility (22 hotel/motel units) and two dwelling units (S-5 and S-6) are located within the General Business District. The applicant also has applied 145-19 that allows zoning district regulations to be extended 100 linear feet to locate 4 single family dwelling units (S-1, S-2, S-3, and S-4) in the RA District on the property. The 6 dwelling units create a Multifamily Development which shall be reviewed under the Minor Subdivision review criteria. All hotel/motel units except 1 shall meet the 470 SF size requirements. 1 of the hotel/motel units (unit 13) shall meet the density requirements of a dwelling unit in the General Business District (not restricted to the 470 SF size). The property is located off of 45 Post Road and is identified as Tax Map 105, Lot 159. The property is also located within a 75' Shoreland Overlay District. The parcel is approximately 5.51 acres in size and is to be served by public sewer and public water.

The amendment applications propose the following changes/modifications:

To relocate the sewer pump station.

§ 145-70. Applicability.

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

A. A new use is proposed on a lot;

B. Resumption of a use which has been discontinued for at least two years is proposed; or

C. An existing use proposes to expand its gross floor area and/or land area.

§ 145-71. Reviewing authority. [Amended 4-19-1997]

A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. **[Amended 4-18-1998]** **The application sought requires Planning Board approval.**

B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

§ 145-72. Applications. [Amended 4-26-1996]

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

§ 145-73. Fees.

A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Application fee to be provided upon submission of the Site Plan Application. Escrow has been provided.**

B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan.

C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000]** **To be determined.**

§ 145-74. Review and approval process.

G. Amendment to approved site plans.

(2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Site Plan Amendment Application to be considered at 10/19/15 Planning Board meeting.**

(3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.

(4) Field changes to approved site plans. **[Added 4-18-1998]** **Not applicable at this time**

H. The Planning Board may require that a performance bond or other suitable financial guaranties be

posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **To be determined.**

I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **To be determined.**

A. Preapplication. **[Amended 4-14-2000]** *

(1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:

(a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 4/8/16 the Code Officer determined the uses are permitted in the zoning districts.**

(b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 4/8/16**

[1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**

[2] Certify that said notices have been sent or delivered.

[3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**

[4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Site Plan Amendment Application to be considered at 4/18/16 Planning Board meeting.**

(c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.

(2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 4/8/16; meeting to be held on 4/18/16.**

(3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met.

(4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

§ 202-10. Revisions to approved plans.

A. Procedure. An applicantion for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Subdivision Amendment Application to be considered at the 4/12/16 Planning Board meeting.**

(1) If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed. **Final plan approval procedures to be followed.**

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional $50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional $50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of $200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Application Fees paid upon submission of the Site and Subdivision Applications. Some escrow has been provided.**

B. Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. **[**Amended 7-23-2002]

C. Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

§ 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] Not applicable**

(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] Public Hearing to be determined**

(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. **To be determined**

(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. **To be determined**

(6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

(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. **Not Applicable**

(b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Email dated 4-16-15 provided. No water connection changes proposed.**

(c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable**

(d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Email dated 4-15-15 provided. Sewer pump station to be relocated. WSD letter regarding the relocation necessary**

(e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable**

(f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**

(g) NPDES permit for stormwater discharges. **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. **To be determined**

(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.

(9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **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. One reproducible, stable-based transparent original and three 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:

Site Plan & Final Subdivision Amendment Recommendations:

1. Planning Board should consider receiving the site plan amendment application.
2. Planning Board should consider receiving the subdivision amendment application.
3. The Planning Board should consider if a site walk is necessary:
    a. The relocation of the sewer pump station generated concerns raised by Compass Pointe condominium owners in the past
    b. If a site walk is waived the Planning Board to consider completeness.
4. Site Plan Completeness (145-77) and Compliance (145-75):
    a. A new email/letter from WSD regarding the sewer pump station relocation is required
5. Subdivision Completeness (202-10) and Compliance (202-12):
    a. A new email/letter from WSD regarding the sewer pump station relocation is required
6. The Planning Board to review the completeness and compliance comments and considerations and determine if a Public Hearing is necessary. If so, one could be scheduled for the 5/2/16 Planning Board meeting.
7. If not, the workshop to be continued to the next Planning Board meeting.

Project Name/District:	Compass Pointe Amd #6/ General Business, Residential A, & 75' Shoreland Overlay Districts - Tax Map 105, Lot 159	Date of Review:	4/12/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

Article X
Site Plan Approval

§ 145-77. Data Requirements [Amended 4-26-1996]			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:							
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:		Y				Plans drawn to a scale of 1" = 40' and 1" = 20'.
	(1)	The name and address of the applicant plus the name of the proposed development.	Y				The owners of record: owner of 5.51 acre lot is Seal Harbor LLC.
	(2)	Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				See note 2, sheet 1.1 for lot coverage maximums. See sheet 5 .
	(3)	Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.	Y*				See "Plan Depicting the Results of a Boundary and Topographic Survey prepared for Paulo A. Carbalho, 61 Post Road, Wells, Maine" by Brad L. Lodge PLS, Middle Branch, LLC Professional Land Surveyors of Alfred, Maine dated 7/25/2012. **Surveyor stamp/ PE stamp to be provided on sheet 2.**
	(4)	All existing and proposed setback dimensions.	Y				The 200 foot setback from the Ogunquit River high-water line is shown on sheet 1.2
	(5)	The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				See note 7 on sheet 1.1.
	(6)	The type, size and location of all incineration devices.			NA		No such devices.
	(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such machinery.
	(8)	The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y				See sheet 2. The sewer pump station as-built location shown on sheet 2 and is proposed to be relocated as shown on sheet 2.

Project Name/District:	Compass Pointe Amd #6/ General Business, Residential A, & 75' Shoreland Overlay Districts - Tax Map 105, Lot 159	Date of Review:	4/12/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]			**Application Meet Requirements**				
			Yes	**No**	**NA**	**Waiver**	**Comments**
	(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	**Y**				See sheet 1.2 and 2. Two foot contours shown. As-built site conditions depicted. Finish Floor elevations and As-Built Finish Floor elevations noted on sheet 2.
	(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	**Y**				Multifamily Development landscape buffer/screen may require fencing. Plan does not currently depict fencing for screening. Note 17, Sheet 1.1 allows the Town Engineer or Code Enforcement Officer to determined screening needs at time of construction. Planning Board found this acceptable on 12/3/12. Retaining walls to be designed and inspected by a licensed professional engineer. No changes to parking proposed with this amendment application.

Project Name/District:	Compass Pointe Amd #6/ General Business, Residential A, & 75' Shoreland Overlay Districts - Tax Map 105, Lot 159	Date of Review:	4/12/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		**Application Meet Requirements**				
		Yes	**No**	**NA**	**Waiver**	**Comments**
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	**Y**				Sheet 1.2 and 2 depict the existing and proposed landscaping and buffers for this property. The landscaped buffer along Route One is provided by the 25' landscaped buffer required by the Multifamily Development performance standards triggered by dwellings S-1, S-2, S-3, S-4, S-5, and S-6. This buffer is proposed to consist of grass and an existing 12" maple tree, an existing 40" chestnut tree and an existing 26" ash tree. On 4/6/15 the Planning Board voted to find that the landscaping components satisfy this code section, 145-52, and the Multifamily Development buffer requirement along Route One. Residential abutters on Map 105, Lots 147, 149, 150, and 151 are within 200 feet of this property (Multifamily Development) and are required to have screening and some are required to have 25 feet of visual screening per 145-48. No such screening is detailed or noted on the plan. Note 17 allows the Town Engineer or CEO to determine landscaping and screening needs at time of construction. **Sheet 2 to add reference to notes 17 and 18 on sheet 1.1 as the pump station location is in close proximity to the 75' stream setback.** The proposed parking spaces shall meet the 60 setback/buffer requirement from Route One. The proposed 3rd story shall meet the 80 foot setback/buffer requirement from Route One.

Project Name/District:	Compass Pointe Amd #6/ General Business, Residential A, & 75' Shoreland Overlay Districts - Tax Map 105, Lot 159	Date of Review:	4/12/16
Prepared By:	Office of Planning & Development	Company Name:	Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]			**Application Meet Requirements**				
			Yes	**No**	**NA**	**Waiver**	**Comments**
	(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	**Y**				Association documents were provided with prior approvals. Town Engineer and Town Attorney reviews were completed with prior approvals. No changes to the Association documents are proposed.
	(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	**Y**				
	(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	**Y**				Applicant/ Developer: Seal Harbor LLC.
	(15)	An appropriate place for the signature(s) of the reviewing authority.	**Y**				
B.	Documentation of right, title or interest in the proposed site.		**Y**				Warranty Deed: Book 16554, Pg 660-661 provided.
C.	An on-site soils investigation report by a Maine Department of Human Services licensed site evaluator (unless the site is to be served by public sewer). The report shall identify the types of soil, location of test pits and proposed location and design for the subsurface disposal system.				**NA**		
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.				**NA**		No such materials.
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.		**Y***				See Wells Sanitary District letter dated 11-13-2012 stating adequate capacity exists to serve this proposed development. Hotel units 23 and 24 are proposed to become dwelling units S-5 and S-6. An email from the WSD was provided on 4-15-15. **A new email/letter from WSD regarding the sewer pump station relocation is required.**
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.		**Y**				See KKW Water District letter dated 11-15-12 stating there is adequate domestic water supply to serve this proposed development. Hotel units 23 and 24 are proposed to become dwelling units S-5 and S-6. An email from the KKWWD was provided on 4-16-15.

Project Name/District:	Compass Pointe Amd #6/ General Business, Residential A, & 75' Shoreland Overlay Districts - Tax Map 105, Lot 159	Date of Review:	4/12/16
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§ 145-77. Data Requirements [Amended 4-26-1996]			**Application Meet Requirements**				
			Yes	**No**	**NA**	**Waiver**	**Comments**
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:		**Y**				Planning Board determined that the Eaton Traffic Engineering Trip Generation Assessment dated 11-16-12 by William Eaton adequately addresses traffic data concerns for the project. No changes in traffic are proposed by the amendments sought.
	(1)	The estimated peak-hour traffic to be generated by the proposal.					
	(2)	Existing traffic counts and volumes on surrounding roads.					
	(3)	Traffic accident data covering a recent three-year period.					
	(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
	(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. **[Amended 4-27-2007]**		**Y**				See the standard conditions of approval notes on sheet 1.1. Best Management Practices shall be followed.
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. **[Added 4-27-2007]**		**Y**				Town Engineer/Planner has reviewed of the stormwater management plan provided by Attar Engineering. The utilization of pervious pavement can eliminate adverse impacts to downstream properties.

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§ 145-77. Data Requirements [Amended 4-26-1996]		**Application Meet Requirements**				
		Yes	**No**	**NA**	**Waiver**	**Comments**
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. **[Added 4-27-2007]**					

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

Chapter 202
Subdivision of Land

§ 202-10. Revisions to approved plans.			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
A.	Procedure. An applicant for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda.		Y				
	(1)	If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.	Y				The plan involves only modifications of the approved plan and does not create additional lots or dwelling units. The modifications involve the relocation of a sewer pump station.
	(2)	The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional $50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional $50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of $200 shall be required to cover the costs of advertising and postal notification.**[Amended 7-23-2002; 4-16-2004]**	Y				Application fee and escrow provided.

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created.**[Amended 7-23-2002]**	Y				Copies of the approved subdivision plan are on file.
C.	Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.					
	(1) Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	Y				Current developer is Seal Harbor LLC
	(2) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y				See "Plan Depicting the Results of a Boundary and Topographic Survey prepared for Paulo A. Carbalho, 61 Post Road, Wells, Maine" by Brad L. Lodge PLS, Middle Branch, LLC Professional Land Surveyors of Alfred, Maine dated 7/25/2012. (Address of this parcel is now 45 Post Road). No changes to monumentation are proposed. Sheet 1.2 labels monumentation. Monumentation for the corners of the remaining land abutting parcel are noted on the plan. Planning Board determined proposed and existing monumentation was suitable at 1/14/13 meeting.
	(3) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y				

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-10. Revisions to approved plans.			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
	(4)	Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y				See Wells Sanitary District letter dated 11-13-2012 stating adequate capacity exists to serve this proposed development. The relocation of the private sewer pump station does not require an updated capacity letter from the Wells Sanitary District. **Correspondence from the Wells Sanitary District prior to relocating the sewer pump station shall be submitted to the Wells Planning and Code Enforcement Offices.**
	(5)	Indication of the type of water supply system(s) to be used in the subdivision.					
		(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.	Y				See KKW Water District letter dated 11-15-12 stating there is adequate domestic water supply to serve this proposed development. A letter dated 1/10/13 from the Wells Fire Chief approving the proposed fire hydrant location has been drafted. No changes to the public water supply serving this parcel proposed.
		(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:			NA		
		[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.			NA		

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-10. Revisions to approved plans.			Application Meet Requirements				
			Yes	No	NA	Waiver	Comments
		[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			NA		Not served by a private central water system,
	(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y				The owner of record information is on sheet 1.1
	(7)	The location of any zoning boundaries affecting the subdivision	Y				The General Business, Residential A and 75' Shoreland Overlay Districts are shown on the plan and dimensional requirements per zone are note on sheet 1.1.
	(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y				
	(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y				A note regarding the existing brook and possible drainage rights of others is shown on Sheet 1.2. Sheet 1.2 depicts 1.79 acres of Open Space (Wetland Area) which is 32.4% of the total area of this parcel. The total area of this parcel is 5.51 acres. Land reservation note requirements shown on sheet 1.2.
	(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		
	(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			NA		No such dedication.

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.			**NA**		The amendments and modifications sought are not significant enough to require new or revised cost estimates.
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			**NA**		
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			**NA**		
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	**Y**				Flood zone at elevation 10 (AE zone) identified on sheet 1.2.
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. **[Amended 4-27-2007]**	**Y**				Best Management Practices are a condition of approval.
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. **[Amended 4-27-2007]**	**Y**				Town Engineer/Planner had reviewed the stormwater management plan provided by Attar Engineering as part of the original approval. The utilization of pervious pavement can eliminate adverse impacts to downstream properties. See revised stormwater management plan dated revised December 11, 2012, by ATTAR Engineering, Inc. See MDEP Stormwater Permit By Rule.

Project Name/Map & Lot #:	Compass Pointe/ Map 105,Lot 159	District:	GB, RA, and 75' ShO
Prepared By:	Office of Planning & Development	Review Date:	4/12/16
Plans Dated:	4/4/16	Final Plan Revisions Submittal Date:	4/5/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: **[Added 4-27-2007]**			**NA**		Not located within such an area.
	(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
	(b) A long-term maintenance plan for all phosphorus control measures;					
	(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
	(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					

Town of Wells, Maine
Planning Board

Article X
Site Plan Approval

PROJECT INFORMATION		
General:	**Project Name:**	Compass Pointe Site and Subdivision Plan Amendment #6
	Applicant:	Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054
	Landowner:	Compass Pointe Acquisition, Inc. 170 Ayer Road, Littleton, MA 01460
	Location:	45 Post Road
	Existing Use:	1 lot with 6 dwelling units (Multifamily Development Minor Subdivision) and 22 hotel/motel units (Lodging Facility) 1 of which (hotel unit 13) meets the density requirements of a dwelling unit due to the size being allowed to be larger than 470 SF
	Proposed Land Use:	1 lot with 6 dwelling units (Multifamily Development Minor Subdivision) and 22 hotel/motel units (Lodging Facility) 1 of which (hotel unit 13) meets the density requirements of a dwelling unit due to the size being allowed to be larger than 470 SF.
	Tax Parcel ID:	Tax Map 105, Lot 159
	Zoning District:	General Business District, Residential A District and 75' Shoreland Overlay District
	Art VII Performance Standard:	Multifamily Development §145-48 and Lodging Facility §145-52
	Design Engineer:	Attar Engineering, Inc. 1284 State Rd, Eliot, ME 03903
	Plan Submission Date:	April 5, 2016

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Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for "Compass Pointe Site Plan"

Project Description:	Attar Engineering Inc. has submitted a site plan and subdivision amendment application on behalf of Seal Harbor LLC for the previously approved 22 unit hotel/motel Lodging Facility and Multifamily Development subdivision consisting of 6 single dwelling units. Each hotel/motel unit is approved to have two bedrooms and shall be constructed in a duplex or quad style building with attached egress platforms. An accessory pool is also approved on the lot. The Lodging Facility (22 hotel/motel units) and two dwelling units (S-5 and S-6) are located within the General Business District. The applicant also has applied 145-19 that allows zoning district regulations to be extended 100 linear feet to locate 4 single family dwelling units (S-1, S-2, S-3, and S-4) in the RA District on the property. The 6 dwelling units create a Multifamily Development which shall be reviewed under the Minor Subdivision review criteria. All hotel/motel units except 1 shall meet the 470 SF size requirements. 1 of the hotel/motel units (unit 13) shall meet the density requirements of a dwelling unit in the General Business District (not restricted to the 470 SF size). The property is located off of 45 Post Road and is identified as Tax Map 105, Lot 159. The property is also located within a 75' Shoreland Overlay District. The parcel is approximately 5.51 acres in size and is to be served by public sewer and public water. The amendment applications propose the following changes/modifications: To relocate the sewer pump station.
Completeness Determination: **Public Hearing:**	**To be determined** **To be determined**
Staff Review Mtg:	none
Approved Site & Subdivision Plan Sheets:	Sheet 2 dated 4/4/16

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Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for "Compass Pointe Site Plan"

PROJECT HISTORY
1. On 4/4/16____

§ 145-75. Criteria and Standards	Comments
The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.	4 single family dwelling units (S-1, S-2, S-3 and S-4) are approved within the RA zone. 2 dwelling units (duplex above the Lodging Office/ Clubhouse) (units S-5 and S-6) are approved within the General Business zone. The project is on a 5.51 acre parcel of land. The net area of the RA District is 100,522 SF and is to be served by public sewer. The net area of the GB District is 120,666 SF and is to be served by public sewer. 22 hotel/ motel units shall remain approved in the GB zone. The net area of the GB District is 120,666 SF and is to be served by public sewer. 1 of the approved hotel/motel units (hotel unit 13) is not to be restricted to the 470 SF size requirements and therefore must meet the density requirement of 20,000 SF per unit. The Lodging Facility is a non-conforming development based on the November 2013 Town Code Changes adopted by Town Meeting. The amendment proposed shall not make this non-conforming development more non-conforming.

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§ 145-75. Criteria and Standards		Comments
A.	**Traffic.** The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not affect access to and from this property, parking or trip generation.
B.	**Dust, fumes, vapors and gases.** Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lot lines.
C.	**Odor.** No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The parcel is prohibited from producing offensive or harmful odors perceptible beyond its lot lines.
D.	**Glare.** No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter previously approved light and glare requirements.

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§ 145-75. Criteria and Standards			Comments
E.	**Stormwater runoff.** Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word "site plan" shall be substituted for "subdivision"). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. **[Amended 4-27-2007]**		**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall have no effect on stormwater runoff or the previously approved stormwater management plan.
F.	**Erosion control.** Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: **[Amended 4-27-2007]**		**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** Standard terms and conditions of the Town of Wells are on sheet 1.1. All construction shall meet these standards. The proposed changes to amend the project phasing shall not alter adherence to these requirements.
	(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
	(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
	(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	

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§ 145-75. Criteria and Standards			Comments
	(4)	Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.	
	(5)	Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.	
	(6)	The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.	
	(7)	During grading operations, methods of dust control shall be employed.	
	(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
	(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
	(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
	(11)	Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	

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§ 145-75. Criteria and Standards		Comments
G.	**Setbacks and screening.** Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter any previously approved requirements with regard to screening or buffering for this Lodging Facility or Multifamily Development subdivision. **Sheet 2 to add reference to notes 17 and 18 on sheet 1.1 as the pump station location is in close proximity to the 75' stream setback.**
H.	**Explosive materials.** No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter the requirements to adhere to NFPA standards.
I.	**Water quality.** All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter the requirements to adhere to water quality standards.

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§ 145-75. Criteria and Standards		Comments
J.	**Preservation of landscape.** Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter the approved landscape of this property. See note 17 and 18 on sheet 1.1.
K.	**Refuse disposal.** The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The property shall be served by a recycling/trash bay located within hotel/motel unit 14.
L.	**Water supply.** The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location shall not alter the KKW Water Districts capacity to serve this parcel.
M.	**Sewage disposal.** The applicant shall provide for the safe disposal of all wastewaters.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location, shall not affect previously approved sanitary system connections or requirements. **A new WSD letter is required.**

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§ 145-75. Criteria and Standards		Comments
N.	**Fire safety.** The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	**BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.** The proposed changes to amend the sewer pump station location, shall not alter the requirements to adhere to fire safety provisions. See Fire Chief letter dated 4-15-2015.

Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
   (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
   (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.

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(c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
(d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
(e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
(f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
(g) During grading operations, methods of dust control shall be employed.
(h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
(i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
(j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
(k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.

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FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for "Compass Pointe Site Plan"

13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
16. See general note 16 for phasing information on sheet 1.1.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this application. The approval of this Subdivision Amendment in no way negates the need for applicant compliance with all previously set Conditions of Approval.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Planning Board

By: _____
Charles Millian, Chairman

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Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Minor Subdivision Amendment #6 Application for "Compass Pointe Subdivision Plan"

Chapter 202
Subdivision of Land

PROJECT INFORMATION		
General:	**Project Name:**	Compass Pointe Site and Subdivision Plan Amendment #5
	# Lots Exist:	1 lot exists with 6 dwelling units proposed and 22 hotel units (1 of which are not restricted to 470 SF in size (hotel unit 13) and shall meet the density of a dwelling unit)
	# Lots Proposed:	No new lot proposed. 1 lot exists with 6 dwelling units proposed and 22 hotel units (1 of which are not restricted to 470 SF in size (hotel unit 13) and shall meet the density of a dwelling unit)
	Applicant:	Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054
	Landowner:	Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054
	Location:	45 Post Road, Wells, Maine
	Existing Use:	Minor Multifamily Development Subdivision consisting of 6 dwelling units and 22 hotel/motel Lodging Facility units on 5.51 acres of land
	Proposed Land Use:	Minor Multifamily Development Subdivision consisting of 6 dwelling units and 22 hotel/motel Lodging Facility units on 5.51 acres of land
	Tax Parcel ID:	Tax Map 105, Lot 159
	Zoning District:	General Business, Residential A and 75' Shoreland Overlay Districts
	Art VII Performance Guarantee:	Multifamily Development §145-48 and Lodging Facility §145-52
	Design Engineer:	Attar Engineering Inc. 1284 State Road, Eliot, ME 03903
	Final Plan Application Submission Date:	April 5, 2016
	Plan Submission Date:	April 5, 2016

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Town of Wells, Maine
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Minor Subdivision Amendment #6 Application for "Compass Pointe Subdivision Plan"

Project Description:	Attar Engineering Inc. has submitted a site plan and subdivision amendment application on behalf of Seal Harbor LLC for the previously approved 22 unit hotel/motel Lodging Facility and Multifamily Development subdivision consisting of 6 single dwelling units. Each hotel/motel unit is approved to have two bedrooms and shall be constructed in a duplex or quad style building with attached egress platforms. An accessory pool is also approved on the lot. The Lodging Facility (22 hotel/motel units) and two dwelling units (S-5 and S-6) are located within the General Business District. The applicant also has applied 145-19 that allows zoning district regulations to be extended 100 linear feet to locate 4 single family dwelling units (S-1, S-2, S-3, and S-4) in the RA District on the property. The 6 dwelling units create a Multifamily Development which shall be reviewed under the Minor Subdivision review criteria. All hotel/motel units except 1 shall meet the 470 SF size requirements. 1 of the hotel/motel units (unit 13) shall meet the density requirements of a dwelling unit in the General Business District (not restricted to the 470 SF size). The property is located off of 45 Post Road and is identified as Tax Map 105, Lot 159. The property is also located within a 75' Shoreland Overlay District. The parcel is approximately 5.51 acres in size and is to be served by public sewer and public water. The amendment applications propose the following changes/modifications: To relocate the sewer pump station.	
Approval Dates:	**Preliminary Plan Approval:** **Final Plan Approval:**	Not Applicable **To be determined**
Public Hearings:	**Preliminary Public Hearing** **Final Public Hearing**	Not Applicable **To be determined**
Approved Site & Subdivision Plan Sheets:	Sheet 2 dated 4/4/16	

PROJECT HISTORY
1. On 4/4/16_____

§ 202-12. General Standards		**Comments**
In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.		
A.	Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent state and local codes and ordinances.	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.**
B.	Retention of open spaces and natural or historic features. [Amended 6-11-2013]	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**

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§ 202-12. General Standards			Comments
	(1)	In any subdivision with no more than five lots or dwellings units, no dedicated open space is required. In any subdivision with at least six lots or dwelling units and no more than 10 lots or dwelling units, there shall be a minimum of 10% or 20,000 square feet, whichever is greater, of the total property net area dedicated as open space. Off site dedication of open space land may be approved by the Planning Board if excess land is provided and the land has a greater benefit to the public than land within the development. In any subdivision with more than 10 lots or dwelling units, there shall be a minimum of 35% of the total property net area dedicated as open space.	The proposed changes to amend the sewer pump station location, shall not affect previously approved open space. The site and subdivision plan defines Open Space as the wetland area for this subdivision to be 1.79 acres in size or 32.4% of the 5.51 acre parcel. See sheet 1.2.
	(2)	Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable. The configuration of such sites shall be deemed adequate by the Planning Board with regard to scenic or historic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.	The proposed changes to amend the sewer pump station location, shall not affect previously approved open space.
	(3)	Reserved open space land, acceptable to the Planning Board and subdivider, may be dedicated or conveyed to the municipality, a land trust, or other recognized conservation organization. Such reservation may also be accomplished by incorporation into homeowners' association or condominium association documents or into restrictive deed covenants. (See § **145-49**, residential cluster development standards.)	Open space not proposed to be dedicated to the municipality.
	(4)	The Planning Board may require that the development plans include a landscape plan that will show the preservation of any existing trees larger than 24 inches in diameter at breast height, the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally significant areas. Cutting of trees on the northerly borders of lots should be avoided as far as possible, to retain a natural wind buffer.	The proposed changes to amend the sewer pump station location, shall not affect previously approved open space. See notes 17 and 18 regarding screening and tree cutting limitations.
C.	Blocks. Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway of at least five feet in width. Maintenance obligations of the easement shall be included in the written description of the easement.		**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL NOT APPLY BASED ON THE FOLLOWING.** A street is not proposed for this subdivision.

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§ 202-12. General Standards			Comments
D.	Lots.		**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
	(1)	All lots shall meet the minimum requirements of Chapter 145, Land Use, for the zoning district in which they are located. The lot configuration should be designed to maximize the use of solar energy on building sites with suitable orientation.	The Land Use requirements for the General Business, Residential A, and Shoreland Overlay Districts shall be met.
	(2)	Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.	
	(3)	Lots with multiple frontages shall be avoided wherever possible. When lots do have frontage on two or more roads, the plan and deed restrictions shall indicate that vehicular access shall be located only on the less traveled way.	Lot does not have multiple frontages
	(4)	Wherever possible, side lot lines shall be perpendicular to the street.	The parcel side lot lines are existing.
	(5)	The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as to preclude future resubdivision.	The proposed changes to amend the sewer pump station location, shall not affect previously approved density calculations.
	(6)	Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.	The parcel is to be served by public sewer and public water.
	(7)	If a lot on one side of a river, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the river, tidal water or road to meet the minimum lot size.	
	(8)	Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	The parcel shape, length and width are existing.
	(9)	Lots shall be numbered in accordance with Chapter 201, Article I, Street Naming and Numbering, of the Wells Municipal Code.	
	(10)	Where the Board finds that safety considerations so require, driveways of adjoining lots shall be combined or joined so as to minimize the number of driveway entrances and maximize the distance between entrance points.	The proposed changes to amend the sewer pump station location, shall not affect previously approved entrances/ exits.
	(11)	Proposed lots shall not be permitted to have driveway entrances onto existing arterial or collector streets unless the Planning Board determines that no reasonable alternate exists.	The proposed changes to amend the sewer pump station location, shall not affect previously approved entrances/ exits.
E.	Utilities.		**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**

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§ 202-12. General Standards			Comments
	(1)	Utilities shall be installed underground except as otherwise approved by the Board.	The proposed changes to amend the sewer pump station location, shall not affect previously approved utility requirements.
	(2)	Underground utilities shall be installed prior to the installation of the final gravel base of the road.	The proposed changes to amend the sewer pump station location, shall not affect previously approved utility requirements.
	(3)	The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	The proposed changes to amend the sewer pump station location, shall not affect previously approved utility requirements.
F.	Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.		
	(1)	Monuments.	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
		(a) Stone or concrete monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.	The proposed changes to amend the sewer pump station location, shall not affect previously approved Monumentation requirements.
		(b) Stone or concrete monuments shall be set at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135º or less. New monumentation shall not be required at corner or angle points where there is existing monumentation that complies with this section.	The proposed changes to amend the sewer pump station location, shall not affect previously approved Monumentation requirements.
		(c) Stone monuments shall be a minimum of four inches square at the top and four feet in length and set in the ground at final grade level. After they are set, drill holes one-half-inch deep shall locate the point or points described above.	
		(d) Concrete monuments shall be portland cement reinforced with half-inch reinforcement bar. Concrete monuments shall be either four inches square or four inches in diameter and four feet in length and set in the ground at final grade with their top flush to four inches above the final grade.	
		(e) All other subdivision boundary corners and angle points, as well as all lot boundary corners and angle points, shall be marked by suitable monumentation.	The proposed changes to amend the sewer pump station location, shall not affect previously approved Monumentation requirements.
	(2)	Water supply.	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
		(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.	

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§ 202-12. General Standards	Comments
[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.	The proposed changes to amend the sewer pump station location, shall not affect previously approved water connections or requirements.
[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.	The proposed changes to amend the sewer pump station location, shall not affect previously approved fire chief requirements. See Fire Chief letter dated 4-15-2015.
(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.	Parcel served by public water.
[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	Parcel served by public water.
[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).	Parcel served by public water.
[3] Fire protection. **[Amended 3-11-2002]**	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:	The proposed changes to amend the sewer pump station location, shall not affect previously approved fire protection requirements.

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§ 202-12. General Standards		Comments
	[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and	
	[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	
	[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	
	[4] The results of the water quality test submitted shall indicate that the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. If the Board has reason to believe, due to previous uses of the property or due to previous or existing uses of neighboring property, that the existing water quality may be threatened by contaminants not tested for in the primary inorganic water analysis, it may require the water to be tested for those contaminants.	This is a condition of approval.
	(c) Prior to the issuance of a building permit for the construction of any principal structure in a subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. This evidence shall consist of:	This is a condition of approval.
	[1] A letter from the Kennebunk, Kennebunkport and Wells Water District indicating availability of service; or	This is a condition of approval.
	[2] The results of a primary inorganic water analysis performed upon the well to serve the structure indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.	
	(3) Sewage disposal.	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
	(a) Public system.	

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§ 202-12. General Standards			Comments
		[1] A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1,000 feet of the proposed subdivision at its nearest point. The Wells Sanitary District shall certify that providing service to the proposed subdivision is within the capacity of the district's collection and treatment system.	The proposed changes to amend the sewer pump station location, shall not affect previously approved sanitary system connections or requirements. **A revised WSD letter is required.**
		[2] The district shall review and approve in writing the construction drawings for the sewage system.	The proposed changes to amend the sewer pump station location, shall not affect previously approved sanitary system connections or requirements.
		(b) Private systems.	Parcel to be served by the Wells Sanitary District.
		[1] The developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve areas shall be shown on the plan and restricted so as not to be built upon.	
		[2] In no instances shall a disposal area be permitted on soils or on a lot which requires a new system variance from the subsurface wastewater disposal rules.	
	(4)	Stormwater management. **[Amended 4-27-2007]**	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
		(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	The proposed changes to amend the sewer pump station location, shall not affect previously approved stormwater management system.
		(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	The proposed changes to amend the sewer pump station location, shall not affect previously approved stormwater management system.
		(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.	The proposed changes to amend the sewer pump station location, shall not affect previously approved stormwater management system.

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§ 202-12. General Standards			Comments
		(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.	
		(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.	
		(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.	See MDEP Stormwater Permit By Rule.
		(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	The proposed changes to amend the sewer pump station location, shall not affect previously approved stormwater management system.
		(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.	
		(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:	The proposed changes to amend the sewer pump station location, shall not affect previously approved waivers for hydrologic analyses.

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§ 202-12. General Standards				Comments
			[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.	
G.	Streets.			**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
	(1)		All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.	The proposed changes to amend the sewer pump station location, shall not affect previously approved street and road requirements or traffic generation.
	(2)		Any subdivision expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Any street with an average daily traffic of 200 trips per day or more shall have at least two street connections leading to existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Said two street connections' center lines shall be no closer than 400 linear feet apart. Traffic generation rates shall be based on the Traffic Generation Manual, 1988 Edition, Institute of Transportation Engineers. Some typical traffic generation rates are:	The proposed changes to amend the sewer pump station location, shall not affect previously approved street and road requirements or traffic generation.
			(a) Single-family house: 10.0 trips per day per unit.	
			(b) Residential condominium: 5.9 trips per day per unit.	
			(c) Motel: 10.2 trips per day per room.	
			(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.	

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§ 202-12. General Standards			Comments
	(3)	In any subdivisions located in the Residential A Zoning District or east of U.S. Route 1 provisions shall be made for the interconnection of proposed streets with other subdivisions or adjacent properties if it is determined to be practical and desirable by the Planning Board.	No streets proposed.
H.	Land features.		**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.**
	(1)	Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas and building excavations. Topsoil shall not be removed from the site until completion of construction and inspection by the Town to assure four inches of topsoil has been spread over all areas to be grassed.	This is a condition of approval.
	(2)	Except for normal thinning, landscaping and cutting trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Board shall require a developer to take the following measures to correct and prevent soil erosion in the proposed subdivision: **[Amended 4-27-2007]**	This is a condition of approval. See notes 17 and 18 on sheet 1.1.
		(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	This is a condition of approval.
		(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	This is a condition of approval.
		(c) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	This is a condition of approval.
		(d) Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	This is a condition of approval.
	(3)	To prevent soil erosion of shoreline areas the cutting or removal of vegetation shall only be permitted as regulated in § 145-33 of Chapter 145, Land Use, of the Wells Municipal Code.	This is a condition of approval.
	(4)	Dedication and maintenance of common open space and services.	The proposed changes to amend the sewer pump station location, shall not affect previously approved common and open space requirements.
		(a) All common land shall be owned jointly or in common by the owners of the dwelling units by means of a homeowners' association, by an association which has as its principal purpose the conservation or preservation of land in essentially its natural condition or by the municipality.	See section 3.2-B of the Declaration of Condominium documents.

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§ 202-12. General Standards			Comments
		(b) Further subdivision of the common land or its use for other than noncommercial recreation or conservation purposes, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to noncommercial recreational or conservation uses may be erected on the common land.	See section 3.2-B of the Declaration of Condominium documents.
		(c) The common open space shall be shown on the final plan with appropriate notation on the plan to indicate that:	Open space is noted on sheet 1.2. Sheet 1.2 notes address these requirements.
		[1] It shall not be used for future building lots; and	
		[2] A part or all of the common open space may be dedicated for acceptance by the municipality.	
		(d) If any or all of the common open space and services are to be reserved for use by the residents, the bylaws of the proposed homeowners' association shall specify maintenance responsibilities and shall be submitted to the Board prior to final plan approval.	See section 3.2-B of the Declaration of Condominium documents.
		(e) Covenants for mandatory membership in the homeowners' association setting forth the owners' rights, interests and privileges in the association and the common property shall be reviewed by the Board and included in the deed for each lot or dwelling.	
		(f) The homeowners' association shall have the responsibility of maintaining the common property.	
		(g) The association shall levy annual charges against all owners of dwelling units to defray the expenses connected with the maintenance of common property and tax assessments.	
		(h) The developer or subdivider shall maintain control of the common property and be responsible for its maintenance until development sufficient to support the association has taken place.	
	(5)	Construction in flood hazard areas. When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency, the plan shall conform with Chapter 116, Floodplain Management, of the Wells Municipal Code.	Flood zone at elevation 10 (AE zone) identified on sheet 1.2. No development is proposed within this flood zone. The plan shall conform to Chapter 116 of the Wells Code.
	(6)	Impact on groundwater.	
		(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	Per §202-7B(k) a hydrogeologic assessment was not required.
		[1] A map showing the basic soils types.	
		[2] The depth of the water table at representative points throughout the subdivision.	
		[3] Drainage conditions throughout the subdivision.	

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§ 202-12. General Standards			Comments
		[4] Data on the existing groundwater quality, either from test wells in the subdivision or from existing wells on neighboring properties.	
		[5] An analysis and evaluation of the effect of the subdivision on groundwater resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1,000 feet from potential contamination sources, whichever is a shorter distance. For subdivisions within the watershed of a pond, projections of the development's impact on groundwater phosphate concentrations shall also be provided.	
		[6] A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.	
	(b) Projections of groundwater quality shall be made at any wells within the subdivision and at the subdivision boundaries or at a distance of 500 feet from potential contamination sources, whichever is a shorter distance.		Per §202-7B(k) a hydrogeologic assessment was not required.
	(c) Projections of groundwater quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).		Per §202-7B(k) a hydrogeologic assessment was not required.
	(d) No subdivision shall increase any contaminant concentration in the groundwater to more than 1/2 of the primary drinking water standards. No subdivision shall increase any contaminant concentration in the groundwater to more than the secondary drinking water standards.		Per §202-7B(k) a hydrogeologic assessment was not required.
	(e) If groundwater contains contaminants in excess of the primary standards and the subdivision is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.		Subdivision not served by on-site groundwater.
	(f) If groundwater contains contaminants in excess of the secondary standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.		Per §202-7B(k) a hydrogeologic assessment was not required.
	(g) Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the final plan and as restrictions in the deeds to the affected lots.		Parcel to be served by public sewer and public water.

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§ 202-13. Performance Guaranties. [Amended 4-12-1999]			**Comments**
A.	Types of guaranties.		
	(1)	With submittal of the application for final plan approval, the applicant shall provide any one or a combination of the following performance guaranties for an amount adequate to cover the total site preparation and construction costs of all required improvements, taking into account the time span of the construction schedule and the inflation rate for construction costs:	**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.** The proposed changes to amend the sewer pump station location, shall not affect previously approved performance guarantee requirements. A $7,500.00 escrow deposit for Compass Pointe was established by the applicant on 5/14/2013 and remains.
		(a) Either a certified check payable to the municipality or a savings account or certificate of deposit naming the municipality as owner for the establishment of an escrow account.	
		(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	
		(c) An irrevocable letter of credit (See Appendix B for a sample. Note: Appendix B, originally attached to the Subdivision Regulations, has not been reproduced in the Code. Consult the original Town records in the office of the Clerk.) from a financial institution establishing funding for the construction of the subdivision from which the municipality may draw if construction is inadequate, approved by the municipal officers or Town Manager.	
		(d) An offer of conditional approval prohibiting the sale of any units or lots until all required improvements serving those units or lots have been constructed to the satisfaction of the Town and in compliance with all ordinances, plans and specifications.	

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	(2)	The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.	The proposed changes to amend the sewer pump station location, shall not affect previously approved performance guarantee requirements. A $7,500.00 escrow deposit for Compass Pointe was established by the applicant on 5/14/2013 and remains.
B.	**Contents of guaranty.** The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.		The proposed changes to amend the sewer pump station location, shall not affect previously approved performance guarantee requirements. A $7,500.00 escrow deposit for Compass Pointe was established by the applicant on 5/14/2013 and remains.
C.	**Escrow account.** If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.		The proposed changes to amend the sewer pump station location, shall not affect previously approved performance guarantee requirements. A $7,500.00 escrow deposit for Compass Pointe was established by the applicant on 5/14/2013 and remains.

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D.	**Performance bond.** If the applicant chooses to submit a performance bond, the performance bond shall detail any special conditions, the method for release of the bond or portions of the bond to the applicant and the procedures for collection by the municipality. The bond documents shall specifically reference the subdivision for which approval is sought.			
E.	**Letter of credit.** If the applicant chooses to submit an irrevocable letter of credit from a bank or other lending institution, at a minimum the letter shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan. The Town Manager or Town Treasurer shall certify the bank or institution as acceptable to the Town. The Town Attorney shall review and, if found acceptable, approve the wording of all letters of credit.			
F.	**Standard condition of approval**. As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection **K**, the Board shall require the applicant to enter into a binding agreement with the municipality regarding the development of the required improvements and the sale of lots or units in the subdivision until such time as one or more of the allowable performance guaranties have been accepted by the municipality.			**THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.** The proposed changes to amend the sewer pump station location, shall not affect previously approved performance guarantee requirements.
	(1)	The agreement shall prohibit the sale or occupancy of any lot or unit in the subdivision for which the improvements to be covered by the guaranty are required for access to or intended use of the lot until either:		
		(a)	It is certified by the Board, or its agent, that all of the required improvements have been installed in accordance with these regulations and the regulations of the appropriate utilities; or	
		(b)	A performance guaranty, acceptable to the municipality, is submitted in an amount necessary to cover the completion of the required improvements at an amount adjusted for inflation and prorated for the portions of the required improvements already installed.	

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	(2)	Notice of the agreement and any conditions shall be on the final plan that is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guaranties contained in Subsection **H**.	
G.	**Phasing of development.** The Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision street which is covered by a performance guaranty. When development is phased, road construction shall commence from an existing public way. The subdivision shall be divided in such a manner that each phase, when aggregated with the previous phase(s), shall meet the standards of these regulations. Final approval of lots in subsequent phases shall be given only upon satisfactory completion of all requirements pertaining to previous phases.		On 11/2/15 the Planning Board approved changes to note 16 on sheet 1.1 with regard to project phasing.
H.	**Release of guaranty**. Prior to the release of any part of the performance guaranty, the Board shall determine to its satisfaction, in part upon the report of the Town Manager and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.		This shall be a condition of approval.
I.	**Default.** If upon inspection the third party inspector, Municipal Engineer or other qualified individual retained by the municipality finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he or she shall so report in writing to the Code Enforcement Officer, the municipal officers, the Board and the applicant or builder. The municipal officers shall take any steps necessary to preserve the municipality's rights.		This shall be a condition of approval.
J.	**Private streets.** Where the subdivision streets are to remain private streets, the following words shall appear on the recorded plan: "All streets in this subdivision shall remain private roads to be maintained to Town standards by the developer or the lot owners and shall not be accepted or maintained by the Town."		Note on sheet 1.1 as a standard condition of approval.

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K.	**Improvements guaranteed.** Performance guaranties shall be tendered for all improvements required to meet the standards of these regulations and for the construction of the public or private streets, stormwater management facilities, public or private sewage collection or disposal facilities and water systems that are shared by multiple dwelling units and erosion and sedimentation control measures, as well as any other improvements required by the Board.	This shall be a condition of approval.

STANDARD CONDITIONS OF APPROVAL

1. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period.
2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. The evidence shall consist of the results of a primary inorganic water analysis performed upon the well to serve the structure, indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.
3. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed.
4. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with § 260-10A(3).
5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan.
6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this application. The approval of this Subdivision Amendment in no way negates the need for applicant compliance with all previously set Conditions of Approval.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Planning Board

By: _____

DRAFT

Charles Millian, Chairman

DRAFT

ATTAR
ENGINEERING, INC
CIVIL · STRUCTURAL · MARINE

Mr. Michael Livingston, Town Engineer
Town of Wells
208 Sanford Road
Wells, Maine 04090

April 4, 2016
Project No.: C024-16

RE: Compass Pointe
Amendment #6 – Site Plan Amendment / Minor Subdivision Amendment
Tax Map 105, Lot 159
45 Post Road

Dear Mr. Livingston:

On behalf of Seal Harbor, LLC, I have enclosed a Site Plan Amendment Application, Preliminary Major Subdivision Amendment Application, Final Major Subdivision Amendment and revised Plan Sheet 2 for the above referenced project.

The applicant, Seal Harbor, LLC, is requesting approval to relocate the sewer pump station.

Please schedule this project for review at the next available Planning Board Meeting. If additional information is required by the Planning Department, please contact me. Thank you for your assistance.

Sincerely;

Lewis Chamberlain, PE

cc: Seal Harbor, LLC

C024-16_WELLS_AMD6_cover.doc

1284 State Road, Eliot, ME 03903 · tel (207) 439-6023 · fax (207) 439-2128

TOWN OF WELLS, MAINE

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-2935
Website: **www.wellstown.org**

Amendment X
(Revision involves creation of less than 4 lots/dwellings and no new roads)

New _____

For Office Use Only

Fees Paid ✓

MINOR SUBDIVISION APPLICATION - §202-7

Received 4-5-16

1. Project/Subdivision Name: Compass Pointe

2. Property Owner: Seal Harbor, LLC

   Mailing Address: 412 Post Road, - Suite 1, P.O. Box 360

   Moody, ME 04054

   Telephone: (978) 742-9911 Fax: (978) 742-9117

   Email Address: mgsealharbor@gmail.com

3. Applicant/Agent (if different from owner): _____

   Mailing Address: _____

   _____

   Telephone: _____ Fax: _____

   Email Address: _____

4. Engineer or Surveyor who prepared plan: Attar Engineering, Inc., Lewis Chamberlain, P.E.

   Mailing Address: 1284 State Road

   Eliot, ME 03903

   Telephone: (207) 439-6023 Fax: (207) 439-2128

   Email Address: lew@attarengineering.com

5. All correspondence should be sent to:
   (specify one of the above) Attar Engineering, Inc.

6. Assessor's Tax Map Number: 105 Lot Number: 159 (of land to be divided)

7. Is applicant a Maine-licensed corporation? X Yes ☐ No (if yes, attach copy of license)

THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT APPLICATION FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.

- **To be submitted with a subdivision amendment application form** (*See §202-10)*

Submitted	Not Submitted	Subdivision Amendment form shall be accompanied by
X		A copy of the approved plan, as well as 11 copies of the proposed revisions.
X		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
X		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
	X	Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

- Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.

- The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?
Ownership

9. What interest does the applicant have in any abutting property?
None

10. Location of Property:
Street Address (approx.) 45 Post Road
Book 16150 Page 620 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: (GB), Residential A & Shoreland Overlay

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? X Yes ☐ No

13. Total Acreage: 5.51 acres Acreage to be developed: _____

14. Indicate the nature of any restrictive covenants to be place in the deeds:
Condominium Docements

15. Has this land been part of a prior approved subdivision? X Yes ☐ No
Or other divisions within the past 5 Years? X Yes ☐ No
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

16. Identify existing use(s) of land, (farmland, woodlot, etc.)
Condominium-Hotel/ Single Family Dwellings

17. Does the parcel include any water bodies? X Yes ☐ No

18. Is any portion of the property within a special flood hazard area as idenitifed by the Federal Emergency Management Agency? X Yes ☐ No

19. Number of lots or dwelling units exising: 1 Lot, 6 Dwelling Unis, 22 Condo-Hotel and
Number of lots or dwelling units proposed: 1 Lot, 6 Dwelling Units, 22 Condo-Hotel.

20. Does this development require extension of public infrastructure? ☐ Yes X No
If yes, which type of structure?

☐ roads ☐ storm drainage ☐ sidewalks
☐ water lines ☐ fire protection equipment ☐ sewer

☐ If other, please state_____

21. Estimated cost for infrastructure improvements: $_____N/A_____

22. Identify method of water supply to the proposed development:

☐ individual wells
☐ central well w/ distribution lines
X connection to public water system
☐ If other, please state alternative_____

23. Identify method of sewage disposal to the proposed development:

☐ individual septic tanks
X connection to public sewer system
☐ central on site disposal with distribution lines
☐ If other, please state alternative_____

24. Identify method of fire protection for the proposed development:

X hydrants connected to the public water system
☐ dry hydrants located on an existing pond or water body
☐ existing fire pond
☐ If other, please state alternative (for example, individual sprinklers)_____

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? ☐ Yes X No
If yes, list them and state the reasons for the request:

_____
_____
_____
_____

CERTIFICATION: To the best of my knowledge, all the information submitted on this subdivision plan and with my application is true and correct.

Agent _____ 4/4/16
Signature of Applicant Date

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

MINOR SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST *(This Checklist MUST be submitted)*

Project Name: Compass Pointe **Applicant:** Seal Harbor, LLC

Checklist Prepared By: Daysha Dowd **Date:** 4/4/16
Checklist Reviewed By: Lewis Chamberlain **Date:** 4/4/16

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

		Response (Please check applicable box)			
Code Section	***I. General***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7B.1	An application for final approval has been submitted within 6 months after the on-site inspection by the Board	X			
202-7B.2	The application for final approval for a minor subdivision is accompanied by a FEE determined by the Board ($150 per proposed dwelling/lot); the fee for a minor subdivision amendment is $100 base fee plus $150 per lot or dwelling proposed)	X			
202-7C.1	Minor Subdivision plan submissions shall consist of a reproducible, stable-based transparent original and three copies of one or more maps or drawings	X			
202-7C.1	Plans are drawn to scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 100 acres may be drawn at a scale of not more than 200 feet to the inch.	X			
202-7C.1	Plan shall be no larger than 24 inches by 36 inches in size.	X			
202-7C.1	Plans shall have a 2 inch margin border on the left side and 1 inch margin border on the remaining sides.	X			
202-7C.1	Space shall be provided for endorsement by the Board.	X			
202-7C.1	Twelve bound copies of all information accompanying the plan and plans not larger than 11 inches by 17 inches shall be submitted.	X			
202-7C.2.a	Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the Assessor's map and lot numbers	X			

Code Section	***II. Minor Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7C.2.b	A field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	X			
202-7C.2.c	A copy of the deed from which the survey was based and a cop of all deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	X			
202-7C.2.d	A copy of any deed restrictions intended to cover all or part of the lots in the subdivision	**X (prev.)**			
202-7C.2.e	If public sewer is used a written statement from the Wells Sanitary District stating that the district has the capacity to collect and treat the wastewater shall be provided	X (prev.)			
202-7C.2.e	If subsurface wastewater disposal systems are used, test pit analyses shall be provided by a licensed site evaluator. A map showing the location of all test pits dug on site shall be submitted.			X	
202-7C.2.f	If water is to be supplied by KKWWD a written statement from the district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary.	X (prev.)			
202-7C.2.f	Where the district's supply line is extended, a written statement from the Fire Chief stating approval of the location of fire hydrants, if any, shall be submitted.			X	
202-7C.2.g	The date the plan was prepared	X			
202-7C.2.g	North Point (identified as true or magnetic)	X			
202-7C.2.g	Graphic Scale	**X**			
202-7C.2.g	Names and address of the record owner, subdivider and individual or company who or which prepared the plan and the names of the adjoining property owners	X			
202-7C.2.h	A copy of the portion of the county soil survey covering the subdivision.	**X**			
202-7C.2.i	Contour lines at the intervals specified by the Planning Board, showing elevations in relation to mean sea level	X			
202-7C.2.j	If any portion of the subdivision is in a flood prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	X			

Code Section	***II. Minor Subdivision Submission Requirements***	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-7C.2.k	A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and the subdivision has an average density of less than 100,000 sq. ft. per dwelling unit.			X	
202-7C.2.l	The location of any wetlands, streams, rivers, brooks, or ponds located within or adjacent (within 75 feet) of the proposed development.	X			
202-7C.2.m	The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.	X			

LISTING OF ABUTTERS TO A PROPOSED MINOR SUBDIVISION APPLICATION

Project Name: Compass Pointe

Street Address of Project: 45 Post Road

Map/ Lot # of Project: Map 105 Lot 159

Minor Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a **NEW** minor subdivision application.

It is the responsibility of the applicant to notify abutters of a minor subdivision **AMENDMENT** application.

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
	"see attached"		

I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.

Signature of Applicant — Agent — Date: 4/4/16

Attach extra pages as necessary

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

MINOR SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

This Minor Subdivision Amendment Application Notice to abutters is required to be ***mailed by the applicant*** *to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Minor Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court. " §202-15

Property Owner (of land to be divided): Compass Pointe Acquisition, Inc.

Owner's Mailing Address: P.O. Box 2857, Acton, MA 01720

Applicant's Name: Seal Harbor, LLC

Applicant's Mailing Address: 412 Post Road, Sutie 1, - P.O. Box 360, Moody, ME 04054

Applicant's Signature: _____, Agent

Assessor's Tax Map Number: 105 **Lot Number :** 159 **(of land to be divided)**

Subdivision Location (street address): 45 Post Road

Acres to be subdivided: 5.51 **Number of proposed lots or dwelling units:** 1 Lot, 6 Dwelling Units and 22 Condo-Hotel Units.

Zoning District(s): General Business (GB), Residential (A), Shoreland Overlay

Description of Proposal: Relocate Sewer Pump Station

TOWN OF WELLS, MAINE

208 Sanford Road, P.O. Box 398
Wells, Maine, 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

New	____
Amendment (follow 145-74A)	X

For office use only	
Fees Paid	✓

SITE PLAN APPLICATION – §145-74B/C/D/G

Received 4-5-2016

1. Project/Business Name: Compass Pointe
2. Street Address (of project): 45 Post Road
3. Assessor's Tax Map Number(s): 105 Lot Number(s) : 159
4. Property Owner: Seal Harbor, LLC

   Mailing Address: 412 Post Road – Suite 1, P.O. Box 360

   Moody, ME 04054

   Telephone: (978) 742-9911 Fax: (978) 742-9117

   Email Address: mgsealharbor@gmail.com
5. Applicant (if different from owner): _____

   Mailing Address: _____

   _____

   Telephone: _____ Fax _____

   Email Address: _____
6. Agent (Engineer, Surveyor, etc): Lewis Chamberlain, P.E. Attar Engineering, Inc.

   Mailing Address: 1284 State Road

   Eliot, ME 03903

   Telephone: (207) 439-6023 Fax: (207) 439-2128)

   Email Address: lew@attarengineering.com
7. All correspondence should be sent to:
   (specify one of the above) Lewis Chamberlain, P.E. Attar Engineering, Inc.
8. Zoning District(s): General Business (GB) , Residential A (RA)
9. Shoreland Overlay District(s): Yes

10. Land Use(s): Existing : 1 Lot, 6 Dwelling Units, 22 Condominium-Hotel

Proposed: 1 Lot, 6 Dwelling Unis, 22 Condominium-Hotel

11. What legal interest does applicant have in the property?

Ownership X Option _____ Purchase & Sales Contract _____ Other _____

Documentation of right, title or interest must accompany the application

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body? Yes X No_____

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes X No_____

14. Does the parcel include any water bodies? Yes X No_____

15. Acreage of parcel: 5.51 Acreage to be Developed: _____

16. EXISTING a) Total Gross Floor Area of All Structures: 3,900 b) Total Lot Coverage: **4%**

c) Total Square Footage of area considered covered ("not green and growing"): 10,300
(This includes structures, overhangs, paved or gravel surfaces, etc.)

10% RA;

17. PROPOSED a) Total Gross Floor Area of All Structure : no change.

b) Total Lot Coverage: 36% GB;

c) Total Square Footage of area considered covered ("not green and growing"): 53,460
(This includes structures, overhangs, paved or gravel surfaces, etc.)

18. Number of Existing Parking Spaces: ~5 Total Number of Parking Spaces as proposed: 62

19. Estimated Traffic Generation at peak hour: Existing 1 trips As proposed : **16**
One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).

20. Description of proposal: **Revise Project Phasing.**

CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.

_____ ,Agent 4/4/16

Signature of Applicant Date

- See the Land Use Ordinance, Chapter 145 of the Town Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Wells Town Code is online at

www.wellstown.org . Follow link to the 'Document Center' then 'Town Code.' Section 145-74B, C, D, G details the Site Plan and Site Plan Amendment procedures.

- This application must be accompanied by the application fee and all information required by Chapter 145-75 and 77, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.

- The site plan checklist is provided to assist in gathering and presenting an application. The applicant is responsible for presenting information showing that all Land Use Ordinance standards will be met. The reviewing authority may require additional information to determine completeness and compliance.

- The Code Enforcement Officer will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).

- Contact the Planning Department at (207) 646-5187 with questions.

- **Amendments to Approved Plans:** "Upon reciept of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in 145-74A. **Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in 145-74A. (The Planning Office is responsible for notifying abutters of the site plan amendment application).**

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: Compass Pointe **Applicant:** Seal Harbor, LLC
Checklist Prepared By: Daysha Dowd **Date:** 4/4/16
Checklist Reviewed By: Lewis Chamberlain, P.E. **Date:** 4/4/16

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Site Plan Approval in Article 10 of Chapter 145 of the Land Use Ordinance.

		Response (Please check applicable box)			
Code Section	***I. General***	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145-72	Completed Application form	X			
145-73	FEE $150 SRC, $150 AMENDMENT, $300 PB or $.10 sq. ft. whichever is greater	X			
145-77.B	Documentation of right, title or interest in property	X			
145-77.C	Site evaluation and system design if subsurface wastewater disposal system is to be utilized			X	
145-77.D	Amount and type of materials to be stored outside of buildings			X	
145-77.E	Statement of capacity and approval for connection from Wells Sanitary District if public sewage is to be utilized	X (prev.)			
145-77.F	Statement of capacity and approval from KKW Water District if public water is to be utilized	X (prev.)			
145-77.G	Traffic study (if required by PB)	Trip Gen. (prev.)			
145-77.H	Soil erosion and sedimentation plan	X			
145-77.I	Stormwater Management Plan, prepared by a professional engineer	X (prev.)			
MRSA	Condominium documents	X (prev.)			
MRSA	Agreement for enforcement of handicapped parking	X			
145.74.B.1 145-74.C.5 145-74.D.2 145-74A.1	List of abutters and certification abutters were mailed notification of application per the appropriate section of Land Use Code.	X			
	II. Perimeter or Boundary Survey				
145-77.A.3	North point	X			
145-77.A.3	Graphic scale	X			
145-77.A.3	Parcel corners	X			
145-77.A.3	Date of Survey	X			
145-77.A.3	Total acreage of the property	X			
145-77.A.3	Seal and signature of Surveyor	X			

Code Section	III. Site Plan Data Requirements	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145.77.A	Scale of plan, 1"=40' or less (1"=20' preferred)	X			
145-77.A.1	Name of development and name and address of applicant	X			
145-77.A.2	Total floor area, ground coverage, and location of all existing and proposed buildings	X			
145-77.A.4	All existing and proposed setback dimensions	X			
145-77.A.5	Location, size and direction and intensity of outdoor lighting	X			
145-77.A.5	Locations, size and design of signage	X			
145-77.A.6	Type, size and location of all incineration devices			X	
145-77.A.7	Type, size and location of machinery that produces noise			X	
145-77.A.8	Location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses, and all utilities above or below ground.	X			
145-77.A.9	Existing contours and proposed finish grade elevations	X			
145-77.A.10	Location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, and parking space areas and the layouts thereof, together with the dimensions of parking spaces, driveway or aisle width, etc.	X			
145-77.A.11	Landscaped areas, fencing and size and type of plant material upon the premises	X			
145-77.A.12	Location of existing and proposed rights of way, easements	X			
145-77.A.13	The locations, names and widths of existing and proposed streets abutting or within the proposed project	X			
145-77.A.14	Property lot lines of all properties abutting and across the street from proposed development	X			
145-77.A.15	Appropriate space for signature(s) of reviewing authority	X			
	Zoning and Shoreland Overlay district(s) in which property is located	X			
	Speed limits on abutting streets	X			
	Sight distances along existing streets from entrances and exits	X			
	Locations of access and exit of properties across abutting streets	X			
	Location or type of refuse facilities and appropriate fencing	X			
	Standard Conditions of Approval Notes and Erosion Control Notes per 145-75.F	X			
	Location of Fire Hydrants or distance to nearest Fire Hydrants	X			
	Snow Storage Areas or form of snow removal	X			
	Description of proposed and existing uses, sq. ft. of use area(s), and required parking calculations	X			
	Location of on-site fuel tanks and protective material for tanks	X			

Code Section	III. Site Plan Data Requirements	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
	Required Street frontage distance	X			
	Building Height	X			
	Knox Box area	X			
	Seal and signature of designing engineer or person who prepared the plan	X			

LISTING OF ABUTTERS TO A PROPOSED SITE PLAN PREAPPLICATION, APPLICATION OR AMENDMENT

Project Name: Compass Pointe

Street Address of Project: 45 Post Road

Map/ Lot# of Project: Map 105, Lot 159

This form is used to list the names, addresses, and tax map/lot numbers of all properties which abut a property on which a new site plan or a site plan amendment is proposed. The definition of ABUTTER is "A person who owns adjacent land or land across a street right-of-way from the subject lot". Notification of abutters is a requirement for all site plan preapplications and site plan amendments; re-notification also may be required for site plan applications if sufficient time has lapsed between the preapplication abutter notification and the time that a site plan application is submitted. Abutter information shall be obtained from the Town Tax Assessor's records.

New Site Plan Application Notice to abutters is required to be mailed by the Applicant.

Site Plan **Amendment** Application Notice to abutters is required to be mailed by the Planning Office.

Use additional sheets if necessary.

Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project

Name	Address	Tax Map	Lot
	"see attached"		

I hereby certify that the abutter information provided with this pre-application or application is complete and accurate as of this date, and represents all abutters to the subject property as defined by the Town of Wells.

,Agent 4/4/16

Signature of Applicant Date

List of Abutters

Project: Post Road ~ Wells, Maine

Location: Map 105 Lot 159

Map	Lot	Property Owner	Mailing Address
105	2	JM Seacoast, LLC.	84 Groves Rd Yarmouth, ME 04096
105	3	Matt & Britt, LLC	P.O. Box 1223 Wells, ME 04090
105	4, 4C	Holiday House – Condo (Main)	P.O. Box 2266 Ogunquit, ME 03907
105	6	Majestic Regency Motel, LLC	10 Patriot's Way Rye, NH 03870
105	158	William R. & Shirley M. Brown	P.O. Box 146 Moody, ME 04054
105	157	Carolyn Pappalardo	64 Thiells Mt. Ivy Rd. Pamona, NY 10970
105	155	Wells- Moody Campground Association Attn: Carol A. Bears, Treasurer	284 Hobart Hill Road Hebron, NH 03241
105	151	James A. Bolognese Jr. & Margaret A. Carolan Bolognese	57 Prescott Ave. Chelsea, MA 02150
105	150	Patrick C. Devery	90E Brookline St, Unit 2 Boston, MA 02118
105	149	Leonard T. & Barbara Bisson	7 Greenside Lane Acton, MA 01720
105	147	EXE/ Rachel Carson – US Wildlife	300 Westgate Center Dr. Hadley, MA 01035
102	5	Seventeen Post Road, LLC 17 Post Road, LLC	60 Lamplighter Lane Shrewsbury, MA 01545

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

SITE PLAN APPLICATION NOTICE TO ABUTTERS

*This Site Plan Application Notice to Abutters is required to be **mailed by the Applicant** to abutters per §145-74B(1); §145-74C(5); and §145-74(2). The Site Plan Preapplication and Amendment Application Notice to Abutters is mailed by the Planning Office per §145-74A(1) & 145-74G(2).*

To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Site Plan Application with the Town of Wells Planning Office. The Site Plan Application and proposed plans are currently available for public inspection at the Wells Planning Office.

The Wells Code Enforcement Officer will determine the appropriate reviewing authority (Code Officer, Staff Review Committee, or Planning Board) to review and possibly approve this application. All Staff Review Committee and Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Reviewing Authority at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit www.wellstown.org and click on the 'Meeting Calendar' to view the upcoming meeting agendas.

Any decision made by the Code Officer, Staff Review Committee or Planning Board may be appealed within 30 days of that decision. Please refer to §145-78 of the Land Use Code for Appeal procedure requirements.

Applicant's Name: Seal Harbor, LLC **Applicant's Signed Initials:** LSC

Applicant's Mailing Address: 412 Post Road – Suite 1, P.O. Box 360

Street Address of Project: **45 Post Road**

Zoning and Shoreland Overlay District(s): General Business (GB), Residential A (RA), Shoreland Overlay District

Property Assessor's Tax Map(s): **105** **Lot(s):** **159**

Description of Proposal: **Relocate sewer pump station.**

TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

Michael Huston, Director of Planning & Development	*mhuston@wellstown.org*	*(207) 646-5113 x 211*
Shannon Morey, Planning Assistant	*smorey@wellstown.org*	*(207) 646-5113 x 237*

AGREEMENT TO ENFORCE HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY

This Agreement is entered into this 4th day of April, 2016, by and between the Town of Wells (the "Town") and (the "Owner") to enforce handicapped parking regulations and laws applicable to the handicapped parking spaces in the parking lot located at Compass Pointe (the "Premises") as follows:

1. Owner hereby authorizes and permits the Wells Police Department and/or any deputized volunteer parking enforcement specialist if the Police Department establishes a volunteer parking enforcement program as authorized by Title 30-A, M.R.S.A. section 472 and 3009(D), to enter upon the Premises for the purpose of ensuring that parking spaces designated for the handicapped are used appropriately by handicapped persons. It shall be Owner's responsibility to clearly mark handicapped parking spaces by signs painted on the pavement and/or vertical standing signs such that the signs are visible under all weather conditions.

2. Owner and Town hereby agree that any vehicle or motorcycle, parked in a space, which does not bear a special registration plate or placard issued under Title 29 M.R.S.A. section 252, 252-A, or 252-C or a similar plate or placard issued by another state, shall be ticketed and cited for a forfeiture of not less than $50.00, all as more fully set forth in Title 30-A M.R.S.A. section 3009(D) and the Town of Wells municipal Code Chapter 159.

3. The Town and its Police Department shall have the right but not the obligation to respond to any complaints about improper use of designated handicapped spaces on the Premises, whether initiated by Owner, its agents or others, and to monitor use of designated handicapped parking spaces, using personnel and other resources, as determined appropriate by the Wells Police Department. Nothing in this Agreement shall require or obligate the Town or its Police Department to allocate any particular level of personnel or resources to the enforcement of handicapped parking regulations or laws applicable to the Premises.

4. This agreement shall remain in full force and effect for five years, provided that either party may revoke the Agreement with 10 days written notice to the other party.

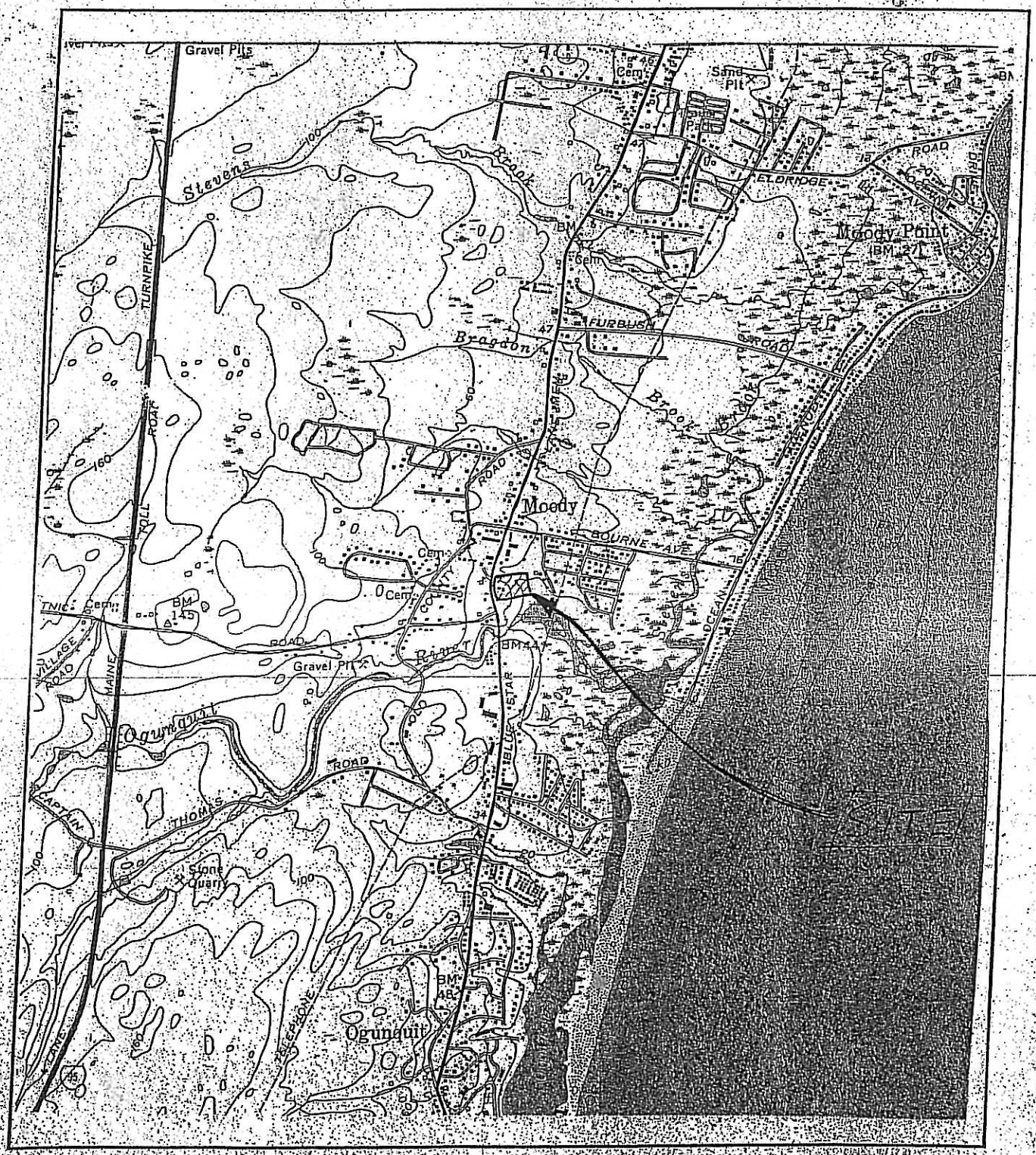
_____, Agent
Owner/Applicant

_____
Jonathan Carter, Town Manager
Town of Wells

These Standard Conditions of Approval must be included on every submitted site plan.

Standard Conditions of Approval

1. Site plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
   (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
   (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
   (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
   (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
   (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
   (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
   (g) During grading operations, methods of dust control shall be employed.
   (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
   (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
   (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
   (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.

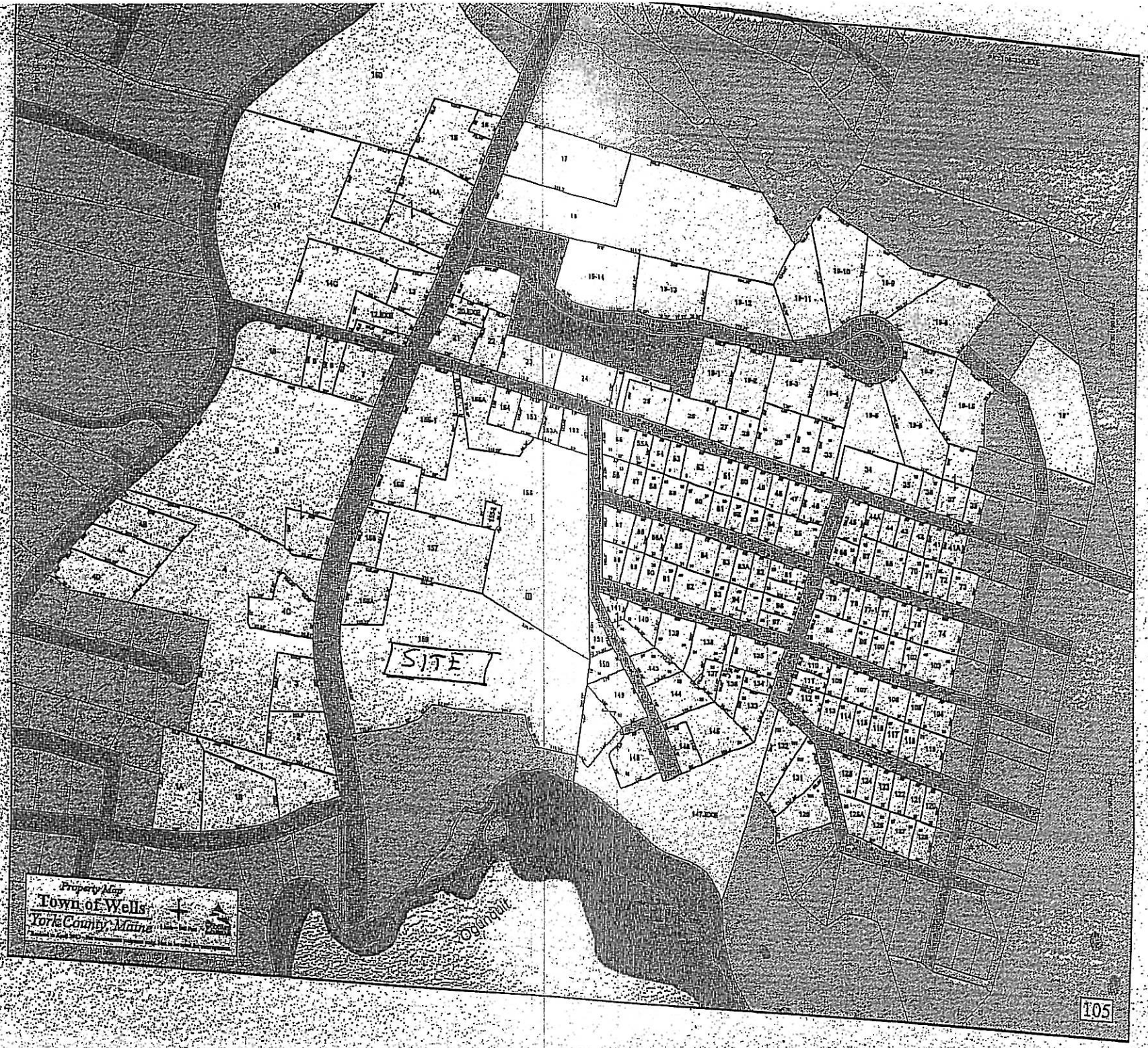


ATTAR
ENGINEERING, INC.
CIVIL · STRUCTURAL · MARINE

LOCATION MAP
COMPASS POINTE, WELLS, MAINE
USGS 7.5' SERIES – WELLS QUAD.
APPROX. SCALE: 1" = 2000'
PROJECT NO. C024-12

ATTAR
ENGINEERING, INC.
CIVIL · STRUCTURAL · MARINE
1284 STATE ROAD, ELIOT ME 03903

SOILS MAP
COMPASS POINTE
SOIL SURVEY OF YORK COUNTY, MAINE
APPROX. SCALE: 1:20,000
PROJECT NO. C024-12


SITE
Property Map
Town of Wells
York County, Maine
Ogunquit

Doc# 2013012661
Bk 16554 Pg 702 - 704
Received York SS
03/20/2013 9:35AM
Debra L. Anderson
Register of Deeds

WARRANTY DEED

I, **PAULO A. CARVALHO**, whose mailing address is P.O. Box 604, Wiscasset, Maine 04578, for consideration paid, grant to **SEAL HARBOR, LLC**, a Maine Limited Liability Company, whose mailing address is 170 Ayer Road, Littleton, MA 01460, with **WARRANTY COVENANTS**, the land and improvements thereon situated in the Town of Wells, County of York and State of Maine, described as follows:

A certain lot or parcel of land with the buildings thereon, situated on the easterly sideline of U.S. Route One, a.k.a. Post Road, in the Town of Wells, County of York and State of Maine, being more particularly bounded and described as follows:

Beginning on the easterly sideline of U.S. Route One, at a found #5 steel rebar with survey cap #1040 marking the northwesterly corner of land described in the deed from Norseman, Inc. to Lafayette Plantation, LLC, dated May 22,2002 and recorded at the York County Registry of Deeds in Book 11648, page 13;

Thence the following four (4) bearings and distances along said U.S. Route One: N01°48'47"E, a distance of one hundred thirty-three and seventy-two hundredths (133.72') feet to a set #5 steel rebar with survey cap #2057;

S87°13'03"E, a distance of five and ninety-one hundredths (5.91') feet to a set #5 steel rebar with survey cap #2057;

Northerly along a curve deflecting to the right having a radius of seven hundred twenty-one and seventy-seven hundredths (721.77') feet, an arc distance of two hundred ten and sixty-three hundredths (210.63') feet to a set #5 steel rebar with survey cap #2057 at the southwesterly corner of other land conveyed or to be conveyed by the herein grantors. Said curve having a chord bearing and distance of N 11°08'38"E - two hundred nine and eighty-nine hundredths (209.89') feet;

Thence, S 79°08'41"E along said other land conveyed or to be conveyed by the herein grantors, a distance of one hundred twenty-two and twenty-two hundredths (122.22') feet to a set #5 steel rebar with survey cap #2057;

Thence, N 31°03'20"E continuing along said other land conveyed or to be conveyed by the herein grantors, a distance of one hundred forty-seven and thirty-eight hundredths (147.38') feet to a set #5 steel rebar with survey cap #2057 at land described in a Certificate and Abstract of Will to Carolyn Pappalardo, dated March 31,1982 and recorded at said registry in Book 2908, page 213;

Thence, S 64°30'00"E along said land of Pappalardo, a distance of two hundred sixty-two and forty-six hundredths (262.46') feet to a found granite monument at land of Wells-Moody Campground Condominium as shown on a plan recorded at said registry in Condominium File 198, page 1;

Thence, S 51°57'57"E along said Wells- Moody Condominium, a distance of three hundred thirty-nine and ninety hundredths (339.90') feet to a found granite monument at land described in the deed from Janice M. Page, Trustee to Janice M. Page, dated June 10,2009 and recorded at said registry in Book 15684, page 766;

Maine R.E. Transfer Tax Paid

Thence, S 25°06'23"W along said land of Page, and land described in the deed from New Bedford Institution For Savings to Leonard T. Bisson, Jr. and Barbara A. Bisson, dated March 18, 1993 and recorded at said registry in Book 6466, page 235, a distance of two hundred sixty-four and fifty-seven hundredths (264.57') feet to a set #5 steel rebar with survey cap #2057 at land described in the deed from Joseph D. Littlefield to the United States Of America, dated December 9, 1975 and recorded at said registry in Book 2108, page 174;

Thence, N 81°16'43"W along said land of the United States Of America, a distance of one hundred eighteen and seventy-four hundredths (118.74') feet to a found 1" iron pipe at said land of Lafayette Plantation, LLC;

Thence the following seven (7) bearings and distances along said land of Lafayette Plantation:

N 10°36'02"W, a distance of fifty-seven and twenty-one hundredths (57.21') feet to a found 1" iron pipe with survey cap (not legible);

N 01°46'26"W, a distance of thirty-two and twenty-two hundredth (32.22') feet to a 1" iron pipe with survey cap (not legible);

N 80°11'13"W, a distance of two hundred nine and ninety-three hundredths (209.93') feet to a found #5 steel rebar with survey cap #1040;

N 55°03'24"W, a distance of fifty-two and eighty-eight hundredths (52.88') feet to a found #5 steel rebar with survey cap #1040;

S 55°33'32"W, a distance of sixty-seven and forty-six hundredths (67.46') feet to a found 1" iron pipe with survey cap (not legible);

S 78°25'30"W, a distance of sixty-seven and thirty-five hundredths (67.35') feet to a found #5 steel rebar with survey cap #1040;

S 89°25'39"W, a distance of one hundred thirty-eight and forty hundredths (138.40') feet to the point of beginning.

Containing 5.51 acres.

Being a portion of land described in the deed from Joseph M. Villani to the herein grantors, dated August 16, 2011 and recorded at the York County Registry of Deeds in Book 16150, page 620.

The above described parcel benefits from a sight distance easement over said other land conveyed or to be conveyed by the herein grantors, being more particularly bounded and described as follows:

Beginning on the easterly sideline of U.S. Route One at a #5 steel rebar with survey cap #2057 marking the northwesterly corner of the above described parcel;

Thence, northerly along said sideline of U.S. Route One, along a curve deflecting to the right having a radius of seven hundred twenty-one and seventy-seven hundredths (721.77') feet, an arc distance of one hundred seventeen and forty-nine hundredths (117.49') feet to a point of tangency. Said curve having a chord bearing and distance of N24°09'59"E - one hundred seventeen and thirty-six hundredths (117.36') feet;

Thence, N 32°50'28"E continuing along said sideline of U.S. Route One, a distance of twenty-four and three hundredths (24.03') feet;

Thence, S 17°02'48"W across other land conveyed or to be conveyed by the herein grantors, a distance of one hundred thirty-seven and twenty-nine hundredths (137.29') feet to the northerly line of the above described parcel;

Thence, N 79°08'41"W along said northerly line of the above described parcel, a distance of twenty-one and twenty-one hundredths (21.21') feet to the point of beginning. The herein described easement is for purposes of allowing the clearing of existing trees and brush which would hinder the view of vehicles entering and exiting the premises.

For reference see deed of Joseph M. Villani to Joseph M. Villani and Paulo A. Carvalho dated August 16, 2011 recorded in York County Registry of Deeds in Book 16150 at Page 620.

Joseph M. Villani is deceased and Paulo A. Carvalho holds title as the surviving joint tenant. Reference is made to deed of Joseph M. Villani to Joseph M. Villani and Paulo A. Carvalho dated August 16, 2011 and recorded in the York County Registry of Deeds in Book 16150 at Page 620.

Witness my hand and seal this 19 day of March, 2013.

Witness

Paulo A. Carvalho

Paulo A. Carvalho

State of Maine
York, ss.

March 19, 2013

Personally appeared the above named Paulo A. Carvalho and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public Attorney at Law
Joseph G. Carleton, Jr.

End of Document

LAW OFFICES OF
JOSEPH G. CARLETON, JR.
P.O. Box 369
Wells, Maine 04090

COMPASS POINTE

45 POST ROAD (U.S. ROUTE 1) WELLS, MAINE

GENERAL NOTES

1. THIS SITE PLAN SHOWS THE LAYOUT FOR THE PROPOSED COMPASS POINTE DEVELOPMENT LOCATED AT 45 POST ROAD. THE DEVELOPMENT CONSISTS OF 6 DWELLING UNITS, 22 CONDOMINIUM-HOTEL (C-H) UNITS, A CLUBHOUSE, AND ASSOCIATED PARKING, DRIVEWAY AND UTILITY IMPROVEMENTS.

2. DEVELOPMENT WILL OCCUR ON THE TOWN OF WELLS TAX MAP 105 LOT 159 IN BOTH THE GENERAL BUSINESS (GB) DISTRICT AND THE RESIDENTIAL-A (RA) DISTRICT. THE LOT IS 5.51 ACRES IN AREA.

DISTRICT REQUIREMENTS FOR THE GENERAL BUSINESS (GB) DISTRICT ARE AS FOLLOWS:
LOT SIZE: 20,000 S.F. IF SERVED BY PUBLIC SEWER; 40,000 S.F. IF NOT SERVED BY PUBLIC SEWER.
SETBACKS: 15' FROM ANY LOT LINE
25' FROM ANY LOT LINE ABUTTING A STREET RIGHT-OF-WAY
40' FROM ANY LOT LINE ABUTTING A STATE HIGHWAY RIGHT-OF-WAY
MAXIMUM LOT COVERAGE: 65%
MAXIMUM BUILDING HEIGHT: 34' MAXIMUM AND NOT TO EXCEED 3 STORIES
MINIMUM STREET FRONTAGE: 100 FEET OR 75 FEET FOR FRONTAGE ENTIRELY ON A CUL-DE-SAC

DISTRICT REQUIREMENTS FOR THE RESIDENTIAL A (RA) DISTRICT ARE AS FOLLOWS:
LOT SIZE: 20,000 S.F. IF SERVED BY PUBLIC SEWER; 40,000 S.F. IF NOT SERVED BY PUBLIC SEWER OR IF LOCATED WEST OF THE MAINE TURNPIKE.
SETBACKS: 15' FROM ANY LOT LINE
25' FROM ANY LOT LINE ABUTTING A STREET RIGHT-OF-WAY
40' FROM ANY LOT LINE ABUTTING A STATE HIGHWAY RIGHT-OF-WAY
MAXIMUM LOT COVERAGE: 40%
MAXIMUM BUILDING HEIGHT: 30' MAXIMUM AND NOT TO EXCEED 3 STORIES
MINIMUM STREET FRONTAGE ON LOT SERVED BY PUBLIC SEWER: 100 FEET OR 75 FEET IF FRONTAGE IS ENTIRELY ON A CUL-DE-SAC.

APPROXIMATELY 340' OF STREET FRONTAGE EXISTS ON POST ROAD FOR THE PROPOSED PROJECT.

3. THE LODGING FACILITY UNITS ON THIS PLAN (UNITS 1-22) SHALL NOT EXCEED 470 S.F. IN FLOOR AREA. A PORCH, ENCLOSED PORCH OR DECK NOT EXCEEDING 160 S.F. MAY BE ATTACHED TO EACH LODGING UNIT AND SHALL NOT BE INCLUDED IN THE FLOOR AREA OF THE LODGING UNIT UNLESS THE PORCH IS HEATED OR INSULATED. THESE LODGING FACILITY UNITS ARE ALSO CONSIDERED "HOTEL/MOTEL" UNITS AS DEFINED BY THE WELLS TOWN CODE AND ARE RENTED TO TRANSIENT GUESTS FOR A PERIOD USUALLY NOT EXCEEDING 28 DAYS. 1 OF THE 22 LODGING FACILITY UNITS (UNIT 13) SHALL NOT BE RESTRICTED IN FLOOR AREA (ALLOWED BY WELLS TOWN CODE SECTION 145-52.A). AS IT MEETS THE DENSITY REQUIREMENT AS DWELLING UNITS (SEE TABLE, THIS SHEET).

4. THE DWELLING UNITS ON THIS PLAN (UNITS S-1 TO S-6) ARE CONSIDERED A MULTI-FAMILY DEVELOPMENT. THESE UNITS SHALL BE SEPARATED BY 30' (MIN) AND A 25' BUFFER TO ADJOINING PROPERTIES SHALL BE MAINTAINED AS REQUIRED BY WELLS TOWN CODE SECTION 145-48.

5. WATER SERVICE SHALL BE PROVIDED TO THE SITE BY KENNEBUNK, KENNEBUNKPORT AND WELLS WATER DISTRICT. SEWER SERVICE SHALL BE PROVIDED TO THE SITE BY WELLS SANITARY DISTRICT. WATER AND SEWER IMPROVEMENTS SHALL BE INSTALLED IN ACCORDANCE WITH RESPECTIVE DISTRICT REQUIREMENTS.

6. THE CONTRACTOR MUST CONTACT DIG SAFE AND ALL LOCAL UTILITIES PRIOR TO THE START OF CONSTRUCTION TO VERIFY THE LOCATION OF EXISTING SUBSURFACE UTILITIES AND CONDITIONS. LOCATING AND PROTECTING ANY UNDERGROUND OR ABOVE GROUND UTILITY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

7. BUILDING MOUNTED LIGHT FIXTURES SHALL BE LOCATED AT THE ENTRANCE TO EACH HOTEL UNIT AND THE ENTRANCES TO THE OFFICE AND CLUBHOUSE. ALL EXTERIOR LIGHTING SHALL BE SHIELDED OR HAVE AN INTENSITY THAT MINIMIZES SPILLAGE OF LIGHT ONTO ABUTTING PROPERTIES AND RIGHTS OF WAY.

8. PROPOSED SIGNS SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 145, SECTION 40 FROM THE TOWN CODE OF WELLS, MAINE. PROPOSED SIGNS SHALL BE NON-ILLUMINATED.

9. WETLAND DELINEATION WAS PERFORMED BY KENNETH A. WOOD IN JUNE OF 2012. WETLAND FLAGS WERE SURVEY LOCATED BY MIDDLE BRANCH, LLC. PROFESSIONAL LAND SURVEYORS.

10. SEE DETAIL ON SHEET 5 FOR NON-VEGETATED SURFACE COVERAGE.

11. A KNOX BOX SHALL BE INSTALLED AT THE MAIN ENTRANCE OF THE LODGING OFFICE/CLUBHOUSE (COORDINATE LOCATION WITH FIRE CHIEF).

12. EXISTING, OFF-SITE, STRUCTURES SHOWN ON THIS PLAN ARE IN APPROXIMATE LOCATIONS.

13. MINOR VARIATIONS FROM THE APPROVED SITE PLAN TO BUILDING ENVELOPES, UTILITIES AND OTHER SITE FEATURES MAY BE APPROVED AT THE DISCRETION OF THE TOWN PLANNER/ENGINEER OR CODE ENFORCEMENT OFFICER. MINOR VARIATIONS WOULD INCLUDE: BUILDING HORIZONTAL VARIATIONS OF 5', MORE OR LESS, BUILDING VERTICAL VARIATIONS OF 1', MORE OR LESS, EXPANSION OF EGRESS PLATFORMS, STAIRS AND LANDINGS WITHIN BUILDING ENVELOPES AND NOTED HATCHED AREAS (ESP) REDUCTIONS IN BUILDING ENVELOPES.

14. SNOW STORAGE AREAS ARE DEPICTED ON THE PLANS. IF THE DESIGNATED SNOW STORAGE AREAS ARE INADEQUATE DUE TO LARGE OR MULTIPLE STORM EVENTS, EXCESS SNOW MAY NEED TO BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY. DRIVEWAYS, PARKING AREAS, SIDEWALKS AND FIRE LANES SHALL BE KEPT CLEAR OF SNOW.

15. THIS PROJECT IS SUBJECT TO A MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION (MDEP) PERMIT BY RULE. INSPECTION AND MAINTENANCE OF THE STORMWATER INFRASTRUCTURE IS REQUIRED AS A CONDITION OF THE PERMIT. THESE REQUIREMENTS ARE STATED IN THE "OPERATION AND MAINTENANCE PROGRAM - STORMWATER MANAGEMENT (MP)" SECTION OF THE STORMWATER MANAGEMENT PLAN - COMPASS POINTE, PREPARED BY ATTAR ENGINEERING, INC., DATED 11/16/12.

DENSITY CALCULATION (AFTER RELOCATION OF ZONING LINE)

GROSS PROJECT AREA = 5.51 ACRES (239,988 S.F.)
GROSS/NET AREA IN GB ZONE = 120,666 S.F.
GROSS AREA IN RA ZONE = 119,322 S.F.
NET AREA IN RA ZONE (REMOVE 18,800 S.F. OF TOTAL AREA) = 100,522 S.F.

RA ZONE
100,522 S.F. NET AREA / 20,000 S.F. PER UNIT = 5 DWELLING UNITS ALLOWED
4 DWELLING UNITS ARE PROPOSED

GB ZONE
NET AREA = 120,666 S.F.
ONE HOTEL/MOTEL UNIT WITH UNLIMITED FLOOR AREA + TWO DWELLING UNITS:
3 X 20,000 S.F. = 60,000 S.F.
UNITS AT DENSITY OF 20 HOTEL/MOTEL UNITS PER ACRE:
(120,666 - 60,000 / 43560 S.F./ACRE) = 1.392 ACRE
(1.392 ACRES X 20 UNITS/ACRE) = 27 HOTEL/MOTEL UNITS (21 PROPOSED)

PARKING CALCULATION:

22 (2-BR) HOTEL/MOTEL UNITS (1.1 SPACE/BEDROOM)	= 48.4 SPACES	
6 DWELLING UNITS	= 12 SPACES	
TOTAL REQUIRED	= 61 SPACES	

61 SPACES ARE REQUIRED. 62 SPACES HAVE BEEN PROVIDED. 3 SPACES ARE SPECIFIED AS ADA COMPLIANT, MEETING THE 42 MIN REQUIREMENT (4.9%).

GENERAL NOTES (CONT.)

16. THE PROJECT CONSTRUCTION SHALL BE PHASED AS FOLLOWS:

PHASE 1 (UNITS 1 - 12)

- ACCESS ROAD LOOP TO BE COMPLETED TO GRAVEL SUBBASE PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY UNIT IN THIS PHASE.
- ALL DRAINAGE STRUCTURES INCLUDING LEVEL SPREADER OUTFALL SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY UNIT IN THIS PHASE.
- THE TEMPORARY OFFICE HAS BEEN ESTABLISHED IN UNIT 9. THE TEMPORARY OFFICE CAN BE RELOCATED ONE TIME FROM UNIT 9 TO THE TEMPORARY CONSTRUCTION MANAGEMENT TRAILER LOCATED IN THE BUILDING ENVELOPE FOR THE STRUCTURE LABELED AS "1/2/3/4" OR INTO ONE OF THE UNITS LABELED AS 13, 14, 15, 16, 17 OR 18. THE OFFICE SHALL BE MAINTAINED IN THE DESIGNATED UNIT OR THE TEMPORARY CONSTRUCTION MANAGEMENT TRAILER UNTIL THE OFFICE IN THE CLUBHOUSE IS COMPLETED. THE DESIGNATED UNIT SHALL BE A LOWER FLOOR UNIT AND THE ONLY USE ALLOWED IS AS A TEMPORARY OFFICE. THE OFFICE/CLUBHOUSE SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF THE FIFTEENTH OCCUPANCY PERMIT IN THE PROJECT.
- FINAL GRADING, LOAM, AND SEEDING SHALL BE COMPLETED PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR THE LAST UNIT OF THIS PHASE.

PHASE 2 (UNITS 13 - 18, S-5, S-6, CLUBHOUSE)

- ACCESS ROAD LOOP TO BE PAVED PRIOR TO ISSUANCE OF THE EIGHTH OCCUPANCY PERMIT FOR THE PROJECT.
- FINAL GRADING, LOAM, AND SEEDING SHALL BE COMPLETED PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR THE LAST UNIT OF THIS PHASE.
- FIRE HYDRANT TO BE INSTALLED AND ACCESS EASEMENT TO THE TOWN RECORDED PRIOR TO THE OCCUPANCY PERMIT FOR THE LAST UNIT IN THIS PHASE.

PHASE 3 (UNITS 19-22, S-1, S-2, S-3 AND S-4)

- REMAINDER OF ACCESS ROAD SHALL BE COMPLETED TO BASE GRAVEL PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY UNIT IN THIS PHASE.
- REMAINDER OF PAVING (POROUS) SHALL BE COMPLETED PRIOR TO ISSUANCE OF THE FINAL OCCUPANCY PERMIT IN THIS PHASE.
- FINAL GRADING, LOAM, AND SEEDING SHALL BE COMPLETED PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR THE LAST UNIT OF THIS PHASE.

17. ADDITIONAL SCREENING, OTHER THAN THAT PROVIDED BY EXISTING VEGETATION, MAY BE REQUIRED TO COMPLY WITH WELLS TOWN CODE SECTION 145-45(C). THE LOCATION AND TYPE OF SUCH ADDITIONAL SCREENING SHALL BE DETERMINED BY THE TOWN ENGINEER, CODE ENFORCEMENT OFFICER, OR BOTH, AT THE TIME OF CONSTRUCTION.

18. TREE CUTTING WITHIN THE 75' STREAM SETBACK SHALL BE LIMITED TO THOSE TREE LIMBS AND DEAD TREES THAT PRESENT A HAZARD TO ADJACENT, PROPOSED UNITS, OR ANY VEGETATION THAT INHIBITS VEHICULAR SIGHT DISTANCE (SEE SHEET 1.2). ANY SOIL DISTURBANCE CAUSED BY TREE CUTTING IN THE 75' STREAM SETBACK SHALL BE PROMPTLY STABILIZED AND RE-ESTABLISHED TO EXISTING CONDITION. TREE CUTTING WITHIN THE 75' SHORELAND OVERLAY ZONE SHALL BE LIMITED TO CUTTING ALLOWED BY WELLS TOWN CODE SECTION 145-33 (SHORELAND OVERLAY DISTRICT).

19. ON-SITE UTILITIES SHALL BE INSTALLED UNDERGROUND.

20. PRIOR TO ANY SITE CONSTRUCTION OR CLEARING, A DEMOLITION PERMIT FOR THE EXISTING HOUSE ON THIS PROPERTY MUST BE ISSUED BY THE WELLS CODE ENFORCEMENT OFFICE OR THE MAIN PORTION OF THE HOUSE MUST BE RELOCATED TO A SITE APPROVED BY THE CODE ENFORCEMENT OFFICE.

REFERENCES

1. "PLAN DEPICTING THE RESULTS OF A BOUNDARY AND TOPOGRAPHIC SURVEY - PREPARED FOR PAULO CARVALHO - 51 POST ROAD, WELLS, MAINE." PREPARED BY MIDDLE BRANCH, LLC PROFESSIONAL LAND SURVEYORS. PLAN DATED JULY 25, 2012.

2. "FLOOD INSURANCE RATE MAP TOWN OF WELLS, MAINE, YORK COUNTY" MAP NUMBER 23015C0150, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, REVISED JANUARY 18, 2003.

3. "SITE AND SUBDIVISION PLAN, COMPASS POINTE, 61 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC. PREPARED BY ATTAR ENGINEERING, INC. SHEETS 1.1 AND 1.2, DATED 11/16/12, REVISION 3 DATED 1/8/13. SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 1/14/13. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 359, PAGE 21-22.

4. "SITE AND SUBDIVISION PLAN-AMENDMENT #1A, COMPASS POINTE, 61 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC. PREPARED BY ATTAR ENGINEERING, INC. SHEETS 1.1 AND 1.2, DATED 1/14/14. SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 1/27/14. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 368, PAGE 2-3.

5. "SITE AND SUBDIVISION PLAN-AMENDMENT #2, COMPASS POINTE, 61 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC. PREPARED BY ATTAR ENGINEERING, INC. SHEETS 1.1 AND 1.2, DATED 7/3/14. SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 7/7/14. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 370, PAGE 3-4.

6. SITE AND SUBDIVISION PLAN-AMENDMENT #3, COMPASS POINTE, 61 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC. PREPARED BY ATTAR ENGINEERING, INC. SHEETS 1.1 AND 1.2, DATED 12/18/14. SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 1/5/15. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 373, PAGE 4-6.

7. SITE AND SUBDIVISION PLAN-AMENDMENT #4, COMPASS POINTE, 61 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC. PREPARED BY ATTAR ENGINEERING, INC. SHEETS 1.1 AND 1.2 AND 2. ALL DATED 4/1/15. REVISED 4/20/15. SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 4/20/15. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 375, PAGE 44-46.

TOWN OF WELLS PLANNING BOARD	DATE
[illegible]	11/2/15
[illegible]	
[illegible]	11/2/2015
[illegible]	
[illegible]	4/21/2015

00/452

YORK ss REGISTRY OF DEEDS
RECEIVED [illegible] 20[illegible]
AT [illegible] M. AND
RECORDED IN BOOK [illegible] PAGE [illegible]
ATTEST: [illegible]
REGISTER

TOWN OF WELLS STANDARD CONDITIONS OF APPROVAL

1. SITE PLAN APPROVAL SHALL EXPIRE WITHIN TEN YEARS OF THE DATE ON WHICH THE SITE PLAN IS SIGNED IF ALL ASPECTS OF THE SITE PLAN APPROVAL ARE NOT FULLY COMPLETED AND ESTABLISHED. [§145-74(F)]
2. APPROVAL IS CONDITIONED UPON COMPLIANCE BY THE APPLICANT WITH THE PLANS AND SPECIFICATIONS WHICH HAVE BEEN RECEIVED BY THE TOWN IN CONNECTION WITH THIS DEVELOPMENT PROPOSAL.
3. ANY APPROVAL MAY INCLUDE A PHASING PLAN WHICH WOULD ALLOW THE ISSUANCE OF BUILDING PERMITS FOR A MULTI-BUILDING PROJECT TO BE PHASED ACCORDING TO A PROPOSED TIME SCHEDULE. [§145-74(E)]
4. CONDITIONS OF APPROVAL OR NOTES WRITTEN ON THE FACE OF THE SITE PLAN MAY BE AMENDED ONLY BY THE REVIEWING AUTHORITY THAT APPROVED THE SITE PLAN. [§145-74(C)(1)(D)]
5. FAILURE TO COMPLY WITH ANY CONDITIONS OF APPROVAL SHALL BE CONSTRUED TO BE A VIOLATION OF ARTICLE X OF THE LAND USE ORDINANCE AND SHALL BE GROUNDS FOR REVOKING THE APPROVED DEVELOPMENT PLAN, INITIATING LEGAL PROCEEDINGS TO ENJOIN CONSTRUCTION DEVELOPMENT OR ANY SPECIFIC ACTIVITY VIOLATING THE CONDITIONS OF PLAN APPROVAL OR APPLYING THE LEGAL PENALTIES DETAILED IN §145-84. [§145-79A]
6. WHENEVER SEDIMENTATION IS CAUSED BY STRIPPING VEGETATION, REGRADING OR OTHER DEVELOPMENT, IT SHALL BE THE RESPONSIBILITY OF THE OWNER TO IMMEDIATELY INSTALL SEDIMENTATION CONTROL DEVICES ON HIS LOT AND TO REMOVE SEDIMENT FROM ALL ADJOINING SURFACES, DRAINAGE SYSTEMS AND WATERCOURSES AND TO REPAIR ANY DRAINAGE, AT HIS EXPENSE, AS QUICKLY AS POSSIBLE. ANY LANDOWNER THAT FAILS TO DO SO WITHIN TWO WEEKS AFTER OFFICIAL WRITTEN NOTIFICATION BY THE CODE ENFORCEMENT OFFICER SHALL BE PENALIZED AS SET FORTH IN §145-84. [§145-79B]
7. EROSION OF SOIL AND SEDIMENTATION OF WATERCOURSES AND WATER BODIES SHALL BE MINIMIZED BY EMPLOYING THE FOLLOWING BEST-MANAGEMENT PRACTICES [§145-75F]:
   A. STRIPPING OF VEGETATION, SOIL REMOVAL AND REGRADING OR OTHER DEVELOPMENT SHALL BE ACCOMPLISHED IN SUCH A WAY AS TO MINIMIZE EROSION.
   B. THE DURATION OF EXPOSURE OF THE DISTURBED AREA SHALL BE KEPT TO A PRACTICAL MINIMUM.
   C. TEMPORARY VEGETATION AND/OR MULCHING SHALL BE USED TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT.
   D. PERMANENT (FINAL) VEGETATION AND MECHANICAL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE STANDARDS OF THE YORK COUNTY SOIL AND WATER CONSERVATION DISTRICT OR THE MAINE SOIL AND WATER CONSERVATION COMMISSION SHALL BE INSTALLED AS SOON AS PRACTICABLE AFTER CONSTRUCTION ENDS.
   E. UNTIL A DISTURBED AREA IS STABILIZED, SEDIMENT IN RUNOFF WATER SHALL BE TRAPPED BY THE USE OF DEBRIS BASINS, SILT TRAPS OR OTHER ACCEPTABLE METHODS AS DETERMINED BY THE REVIEWING AUTHORITY.
   F. THE TOP OF A CUT OR THE BOTTOM OF A FILL SECTION WHICH ALTERS THE EXISTING GRADE BY MORE THAN TWO FEET SHALL NOT BE CLOSER THAN 10 FEET TO AN ADJOINING LOT.
   G. DURING GRADING OPERATIONS, METHODS OF DUST CONTROL SHALL BE EMPLOYED.
   H. THE PROPOSED SITE PLAN SHALL PREVENT SOIL EROSION AND SEDIMENTATION FROM ENTERING WATERBODIES, WETLANDS, AND ADJACENT PROPERTIES.
   I. THE PROCEDURES OUTLINED IN THE EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE IMPLEMENTED DURING THE SITE PREPARATION, CONSTRUCTION, AND CLEAN-UP STAGES.
   J. CUTTING OR REMOVAL OF VEGETATION ALONG WATERBODIES SHALL NOT INCREASE WATER TEMPERATURE OR RESULT IN SHORELINE EROSION OR SEDIMENTATION.
   K. TOPSOIL SHALL BE CONSIDERED PART OF THE SITE PLAN AND SHALL NOT BE REMOVED FROM THE SITE EXCEPT FOR SURPLUS TOPSOIL FROM ROADS, PARKING AREAS, AND BUILDING EXCAVATIONS.
8. THE PROPERTY SHOWN ON THIS PLAN MAY BE DEVELOPED AND USED ONLY AS DEPICTED ON THIS APPROVED PLAN. ALL ELEMENTS AND FEATURES OF THE PLAN AND ALL REPRESENTATIONS MADE BY THE APPLICANT IN THE RECORD OF THE PLANNING BOARD AND/OR STAFF REVIEW COMMITTEE PROCEEDINGS ARE CONDITIONS OF THE APPROVAL. NO CHANGE FROM THE CONDITIONS OF APPROVAL IS PERMITTED UNLESS AN AMENDED PLAN IS FIRST SUBMITTED TO AND APPROVED BY THE PLANNING BOARD AND/OR STAFF REVIEW COMMITTEE.
9. APPROVAL OF THE APPLICATION OR AMENDMENT APPLICATION DOES NOT RELIEVE THE APPLICANT FROM THE RESPONSIBILITY TO OBTAIN BUILDING PERMITS PRIOR TO CONSTRUCTION AND USE PERMITS PRIOR TO OCCUPANCY.
10. IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT DIG SAFE PRIOR TO CONSTRUCTION.
11. IT IS THE OWNER/OWNERS ASSOCIATION/APPLICANT/DEVELOPER'S RESPONSIBILITY, NOT THE TOWN CODE OFFICE OR TOWN PLANNING OFFICE, TO CONTACT THE TOWN CLERK'S OFFICE TO APPLY FOR AND MAINTAIN ANY AND ALL BUSINESS LICENSE(S) FOR THE USE(S) CONDUCTED ON THIS SUBDIVISION/SITE PLAN PARCEL(S).
12. APPROVAL OF ANY PROPOSED FIELD CHANGES SHALL BE OBTAINED PRIOR TO CONSTRUCTION. SAID APPROVALS SHALL BE IN WRITING. THE CODE ENFORCEMENT OFFICE SHALL CONSULT WITH THE OFFICE OF PLANNING AND DEVELOPMENT PRIOR TO APPROVING ANY FIELD CHANGE.
13. PRIOR TO THE POURING OF A BUILDING FOOTING/FOUNDATION, THE LOCATION OF EACH COTTAGE AND/OR BUILDING TO BE CONSTRUCTED SHALL BE LOCATED ON THE FACE OF THE EARTH AND SHALL BE MARKED WITH SURVEYOR PINS OR STAKES. THE DEVELOPER SHALL RECEIVE APPROVAL OF EACH COTTAGE AND/OR BUILDING LOCATION FROM THE CODE ENFORCEMENT OFFICE PRIOR TO THE COMMENCEMENT OF FOOTING/FOUNDATION EXCAVATION.
14. IF THE PROPERTY WILL BE CONVERTED TO A CONDOMINIUM FORM OF OWNERSHIP, THE PROPOSED CONDOMINIUM DOCUMENTS MUST BE PRESENTED TO THE TOWN FOR REVIEW AND APPROVAL BY THE TOWN ATTORNEY. NO USE PERMIT SHALL BE ISSUED UNTIL THE TOWN ATTORNEY HAS INDICATED APPROVAL OF THE CONDOMINIUM DOCUMENTS.
15. UPON COMPLETION OF CONSTRUCTION, THE APPLICANT SHALL PROVIDE TO THE TOWN RECORD AS-BUILT DRAWINGS OF THE ROADWAY, DRAINAGE, AND UTILITY RELATED CONSTRUCTION WORK.
16. THE TOWN OF WELLS, MAINE MAY EMPLOY THE SERVICES OF AN ENGINEERING FIRM TO ASSIST IN THE INSPECTION OF ROADS AND OTHER INFRASTRUCTURE IF, IN THE OPINION OF THE CODE ENFORCEMENT OFFICE, THE WORK NECESSARY TO INSURE COMPLIANCE WITH TOWN ORDINANCES OR THE REQUIREMENTS OF T-45 APPROVAL ARE BEYOND THOSE CAPACITIES AVAILABLE BY STAFF. THE COST OF SUCH ADDITIONAL SERVICES WILL BE BORN BY THE DEVELOPER.
17. SEE GENERAL NOTE 16 FOR PHASING INFORMATION.

INDEX OF SHEETS

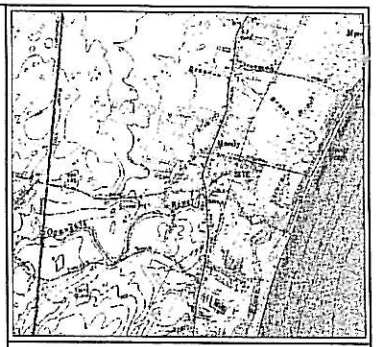
1.1 SITE AND SUBDIVISION PLAN (COVER SHEET)
1.2 SITE PLAN
2. GRADING PLAN
3. DETAILS PLAN
4. DETAILS PLAN
5. COVERAGE PLAN
6. BOUNDARY AND TOPOGRAPHIC SURVEY

APPLICANT:
SEAL HARBOR, LLC.
170 AYER RD.
LITTLETON, MA 01460

OWNER OF RECORD (TM 105, LOT 159)
SEAL HARBOR, LLC
170 AYER RD.
LITTLETON, MA 01460

NO	DESCRIPTION	DATE
	REVISIONS	

STATE OF MAINE — LEWIS CHAMBERLAIN No. 5762 — LICENSED PROFESSIONAL ENGINEER



SITE LOCATION MAP
APPROXIMATE SCALE 1" = 2000'

LODGING OFFICE HOURS OF OPERATION

A. 16 UNITS OR FEWER THAT HAVE OBTAINED CERTIFICATES OF OCCUPANCY FROM THE CODE OFFICE. OFFICE HOURS SHALL BE: SUMMER (APRIL 1 TO NOVEMBER 20): FRIDAY, SATURDAY & SUNDAY 8:00 AM TO 4:30 PM. WINTER (NOVEMBER 21 TO MARCH 30): FRIDAY 2:30 PM TO 8:30 PM AND SATURDAY 10:00 AM TO 6:30 PM. OFFICE HOURS CAN BE REDUCED TO SATURDAYS ONLY 10:00 AM TO 4:30 PM UNTIL JUNE 1, 2015

B. 16 OR MORE UNITS THAT HAVE OBTAINED CERTIFICATES OF OCCUPANCY FROM THE CODE OFFICE. YEAR ROUND OFFICE HOURS SHALL BE: FRIDAY, SATURDAY & SUNDAY 8:00 AM TO 4:30 PM.

- THE DEVELOPER/CONDOMINIUM ASSOCIATION SHALL MAINTAIN A YEAR ROUND OFFICE IN ACCORDANCE WITH CHAPTER 150 AND 145-53 OF THE TOWN OF WELLS ORDINANCES. OFFICE HOURS SHALL BE POSTED AT THE ENTRANCE TO THE OFFICE ALONG WITH INSTRUCTIONS FOR REACHING THE INNKEEPER/MANAGER AFTER HOURS. A PHONE SHALL BE PROVIDED AT THE OFFICE ENTRANCE FOR REACHING THE INNKEEPER/MANAGER AFTER HOURS. THE DEVELOPER/CONDOMINIUM ASSOCIATION RESERVES THE RIGHT TO EXPAND THE OFFICE HOURS AS NEEDED, BUT SUCH CHANGES SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE WELLS CODE ENFORCEMENT AND PLANNING OFFICES.

- THE OFFICE SHALL BE STAFFED DURING HOURS OF OPERATION.

TOWN OF WELLS SUBDIVISION STANDARD CONDITIONS OF APPROVAL

1. ANY SUBDIVISION NOT RECORDED IN THE REGISTRY OF DEEDS WITHIN 90 DAYS OF THE DATE UPON WHICH THE PLAN IS APPROVED AND SIGNED BY THE BOARD SHALL BECOME NULL AND VOID, UNLESS AN EXTENSION IS GRANTED BY THE BOARD IN WRITING BEFORE THE EXPIRATION OF THE NINETY-DAY PERIOD.
2. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR A PRINCIPAL STRUCTURE IN THE SUBDIVISION, THE APPLICANT SHALL PRESENT EVIDENCE OF SUITABLE WATER SUPPLY TO THE CODE ENFORCEMENT OFFICER. THE EVIDENCE SHALL CONSIST OF THE RESULTS OF A PRIMARY BACTERIAL WATER ANALYSIS PERFORMED UPON THE WELL TO SERVE THE STRUCTURE, INDICATING THE GROUNDWATER MEETS THE PRIMARY DRINKING WATER STANDARDS OF THE MAINE RULES RELATING TO DRINKING WATER FOR THOSE CATEGORIES TESTED.
3. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT IN ANY APPROVED SUBDIVISION, THE SUBDIVIDER SHALL PROVIDE THE CODE ENFORCEMENT OFFICER WITH A LETTER FROM A REGISTERED LAND SURVEYOR STATING THAT ALL MONUMENTATION SHOWN ON THE PLAN FOR THE LOT RECEIVING THE BUILDING PERMIT AND FOR THE APPROVED SUBDIVISION PERIMETER BOUNDARIES OR PHASE THEREIN, AS APPROVED BY THE PLANNING BOARD HAS BEEN INSTALLED.
4. NO CHANGES, ERASURES, MODIFICATIONS OR REVISIONS SHALL BE MADE IN ANY FINAL PLAN AFTER APPROVAL HAS BEEN GIVEN BY THE PLANNING BOARD AND ENDORSED IN WRITING ON THE PLAN, UNLESS THE REVISED FINAL PLAN IS FIRST SUBMITTED AND THE BOARD APPROVES ANY MODIFICATIONS, EXCEPT IN ACCORDANCE WITH § 26C-104(3).
5. THE APPROVAL BY THE BOARD OF A SUBDIVISION PLAN SHALL NOT BE DEEMED TO CONSTITUTE OR BE EVIDENCE OF ANY ACCEPTANCE BY THE MUNICIPALITY OF ANY STREET, EASEMENT OR OTHER AREA SHOWN ON SUCH PLAN.
6. FAILURE TO COMMENCE SUBSTANTIAL CONSTRUCTION OF THE SUBDIVISION WITHIN FIVE YEARS OF THE DATE OF APPROVAL AND SIGNING OF THE PLAN SHALL RENDER THE PLAN NULL AND VOID.

AMENDMENT INFORMATION

THIS PLAN REPRESENTS THE FIFTH AMENDMENT TO A SITE AND SUBDIVISION PLAN PREVIOUSLY APPROVED BY THE WELLS PLANNING BOARD. THE PREVIOUS APPROVAL DATES ARE AS FOLLOWS:
1/14/13 - ORIGINAL SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD)
1/27/14 - AMENDMENT 1 AND 1A APPROVAL SIGNATURE (PLANNING BOARD)
7/7/14 - AMENDMENT 2 APPROVAL SIGNATURE (PLANNING BOARD)
1/5/15 - AMENDMENT 3 APPROVAL SIGNATURE (PLANNING BOARD)
4/20/15 - AMENDMENT 4 APPROVAL SIGNATURE (PLANNING BOARD)

THE CHANGES PROPOSED FOR THE FIFTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:
1. REVISE PROJECT PHASING. (*)

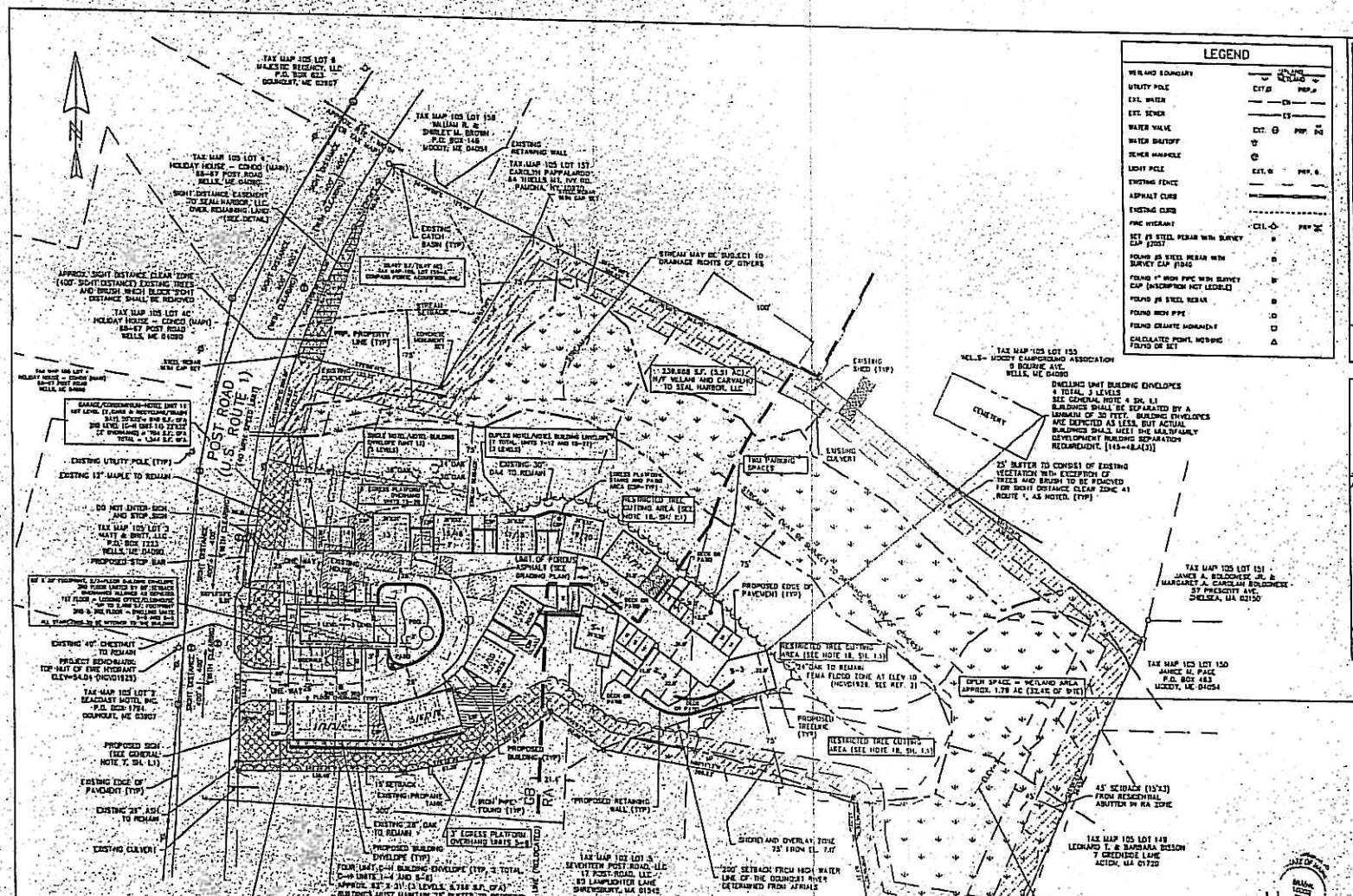
AMENDMENT 5 REVISES PLAN SHEET 1.1 ONLY. NO REVISIONS TO ANY OTHER PROJECT PLANS ARE PROPOSED BY AMENDMENT 5.

SITE AND SUBDIVISION PLAN
AMENDMENT #5
COMPASS POINTE
45 POST ROAD, WELLS, ME

FOR: SEAL HARBOR, LLC.
170 AYER RD.
LITTLETON, MA 01460

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE
1284 STATE ROAD - ELIOT, MAINE 03903
PHONE: (207)439-6023 FAX: (207)439-2128

SCALE: 1" = 40'	APPROVED BY:	DRAWN BY: EAB
DATE: 10/20/15	10/20/15	REVISION: DATE - 1 -
JOB NO: C024-15	CAD FILE: CP_SITE AMENDMENT 5	SHEET 1.1



LEGEND

WETLAND BOUNDARY	
UTILITY POLE	EXT. PROP.
EXT. WATER	
EXT. SEWER	
WATER VALVE	EXT. PROP.
WATER SHUTOFF	
SEWER MANHOLE	
LIGHT POLE	EXT. PROP.
EXISTING FENCE	
ASPHALT CURB	
EXISTING CURB	
FIRE HYDRANT	EXT. PROP.
SET #5 STEEL REBAR WITH SURVEY CAP #2057	
FOUND #5 STEEL REBAR WITH SURVEY CAP #1040	
FOUND 1" IRON PIPE WITH SURVEY CAP (DESCRIPTION NOT LEGIBLE)	
FOUND #5 STEEL REBAR	
FOUND IRON PIPE	
FOUND GRANITE MONUMENT	
CALCULATED POINT, NOTHING FOUND OR SET	

SITE LOCATION MAP

APPROXIMATE SCALE 1" = 2000'

SIGHT DISTANCE EASEMENT DETAIL

(SCALE: 1"=10')

AMENDMENT INFORMATION

THIS PLAN REPRESENTS THE FOURTH AMENDMENT TO A SITE AND SUBDIVISION PLAN PREVIOUSLY APPROVED BY THE WELLS PLANNING BOARD. THE PREVIOUS APPROVAL DATES ARE AS FOLLOWS:

1/14/13 - ORIGINAL SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD)
1/27/14 - AMENDMENT 1 AND 1A APPROVAL SIGNATURE (PLANNING BOARD)
1/7/15 - AMENDMENT 2 APPROVAL SIGNATURE (PLANNING BOARD)
1/13/15 - AMENDMENT 3 APPROVAL SIGNATURE (PLANNING BOARD)

THE "CHANGES" PROPOSED FOR THE FOURTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:

1. CONVERT CONDOMINIUM-HOTEL UNITS 23 AND 24 TO DWELLING UNITS 5-9 AND 5-8.
2. REVISE FLOOR ELEVATION OF UNIT 5-4.
3. REVISE PROJECT ADDRESS.
4. REVISE THE CLUBHOUSE FROM 2 LEVELS TO 2/3 LEVELS (3 LEVEL SECTION TO WEST) 50' LOT LINE SETBACK FROM POST ROAD RIGHT-OF-WAY, ALL STAIRCASES TO BE INTERIOR TO THE BUILDING.

000160

YORK SS REGISTRY OF DEEDS
RECEIVED AT 8:00 AM 20.15
AT 9 H 17 M 25 H, AND
RECORDED IN BOOK 475 PAGE 67
ATTEST: Debra L. Anderson
REGISTER

TOWN OF WELLS PLANNING BOARD

	DATE
	4/20/15
	4/20/2015
	4/20/2015

SURVEYOR'S STATEMENT

CERTIFICATION IS MADE ONLY TO BOUNDARY INFORMATION AND LOCATION OF CURRENTLY EXISTING SITE FEATURES SHOWN HEREON: SHORELAND ZONE, FEMA FLOOD ZONE, SETBACK REQUIREMENTS AND ALL OTHER INFORMATION SHOWN ON THIS PLAN IS BY OTHERS.

WOLF BRANCH, LLC, PROFESSIONAL LAND SURVEYORS

BRIAN R. LOCKE, P.L.S. #2057 (AGENT) DATE

STATE OF MAINE BRIAN R. LOCKE 2057 LICENSED PROFESSIONAL LAND SURVEYOR

LEWIS CHAMBERLAIN JR. 5752 LICENSED PROFESSIONAL ENGINEER

NO.	DESCRIPTION	DATE
A	TOWN COMMENTS	4/20/15

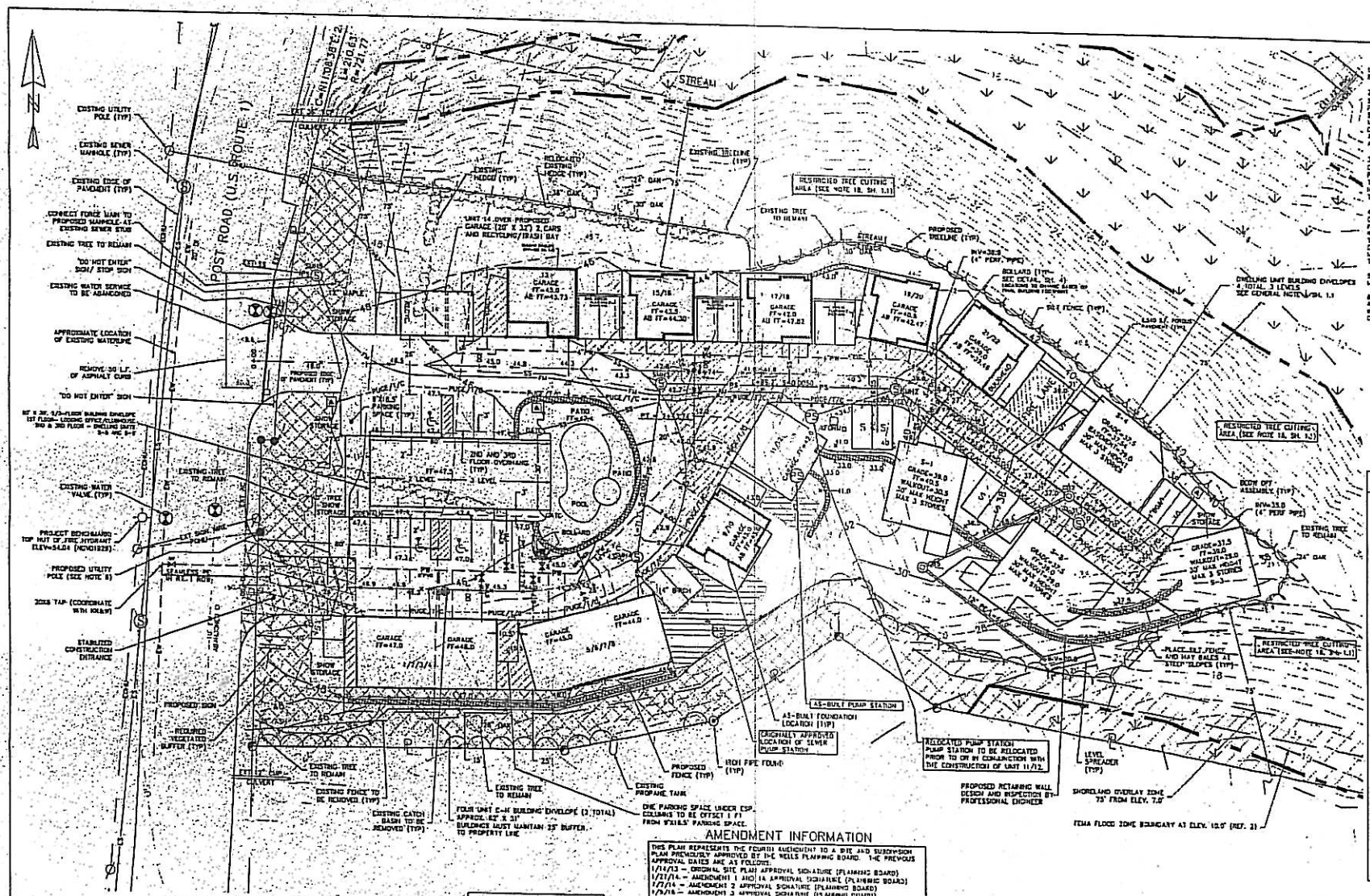
REVISIONS

SITE AND SUBDIVISION PLAN AMENDMENT #4 COMPASS POINTE 45 POST ROAD, WELLS, ME

FOR:
SEAL HARBOR, LLC.
170 AYER RD.
LITTLETON, MA 01460

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE
1284 STATE ROAD - ELIOT, MAINE 03903
PHONE: (207)439-6073 FAX: (207)439-2128

SCALE: 1" = 40'	APPROVED BY:	DRAWN BY: EAB
DATE: 4/1/15	DATE: 4/20/15	REVISION 1 DATE A : 4/20/15
JOB NO: C034-15	DWG FILE: CP_SPE WORKING #8	SHEET 1.2



GENERAL NOTES

1. EXISTING TOPOGRAPHY WAS TAKEN FROM REFERENCE 1. THE PROJECT DATUM IS NGVD 1929.
2. ALL SEWER LINES TO BE 8" PVC (SDR 35). ALL SEWER FORCE MAINS TO BE 2" PVC DR 11 POLYETHYLENE. ALL OTHER ASPECTS OF THE SEWER SYSTEM INCLUDING MANHOLES AND CONSTRUCTION METHODS SHALL MEET CURRENT WELLS SANITARY DISTRICT STANDARDS. ALL SEWER LINES, MANHOLES AND PUMP STATIONS SHALL BE TESTED IN ACCORDANCE WITH CURRENT WSD REQUIREMENTS.
3. ALL STORM DRAINS SHALL BE ADS N-12 (HDPE) OR APPROVED EQUAL (UNLESS NOTED OTHERWISE). PROPER TRENCHING AND BACKFILLING ARE VITAL TO THE LONG TERM PERFORMANCE AND DURABILITY OF HDPE CULVERT INSTALLATIONS. SEE HDPE CULVERT TRENCH DETAIL.
4. 4", 6" AND 8" PVC WATER MAINS SHALL BE C-900, DR-18, CLASS 150. ALL OTHER VALVES, FITTINGS AND CONNECTIONS SHALL MEET CURRENT KWW STANDARDS. ALL WATER LINES SHALL BE TESTED AND DISINFECTED IN ACCORDANCE WITH CURRENT KWW STANDARDS. MATERIALS SPECIFIED MAY BE SUBSTITUTED WITH EQUAL MATERIALS WITH THE APPROVAL OF KWW.
5. A MINIMUM OF 5.0' OF COVER SHALL BE MAINTAINED OVER ALL WATER LINES.
6. PROPOSED OVERHEAD/UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. CENTRAL MAINE POWER WILL PREPARE THE ELECTRICAL PLAN FOR CONSTRUCTION.

LEGEND

EXISTING CONTOUR	
FINAL CONTOUR	EXT
WETLAND BOUNDARY	WETLAND
UTILITY POLE	EXT PRP
EXT. WATER	EW
EXT. SEWER	ES
EXT. OVERHEAD UTIL.	EOHU
EXT. UNDERGROUND UTIL.	EUE
PRP. WATER	PW
PRP. SEWER	PS
PRP. FORCE MAIN	FM
PRP. UTILITY	PVCE/T/C
WATER VALVE	EXT. PRP.
WATER SHUTOFF	
SEWER MANHOLE	
LIGHT POLE	EXT PRP
SILTATION FENCE	
PROPOSED FENCE	
EXISTING FENCE	
ASPHALT CURB	
EXISTING CURB	
PROPOSED GUARDRAIL	
BOLLARD	
FIRE HYDRANT	EXT. PRP.
LANDSCAPED AREA	LA
FORDJS PAVEMENT	

TOWN OF WELLS PLANNING BOARD

	DATE
	7/7/15
	7/21/2015
	7/21/2015

000161

YORK SS REGISTRY OF DEEDS RECEIVED JULY 28 — 2015 AT 2:43 P.M. & 15 AND RECORDED IN BOOK 17175 PAGE 76 ATTEST: [signature] REGISTER

SEWER SCHEDULE

SMH 1 RIM=37.2 INV OUT=33.3	SMH 4 RIM=43.1 INV IN (2.33)=38.0 INV OUT=37.8
SMH 2 RIM=40.0 INV IN (2)=31.8* INV OUT=31.7	SMH 5 RIM=48.3* INV IN(FM)=43.3* INV OUT=43.2*
SMH 3 RIM=42.9 INV IN (SS)=36.4 INV IN=32.4 INV OUT=32.3	PUMP STATION RIM=43.0 INV IN=31.4* INV OUT(FM)=36.5*

*APPROXIMATE ELEVATION, VERIFY IN FIELD.

AMENDMENT INFORMATION

THIS PLAN REPRESENTS THE FOURTH AMENDMENT TO A SITE AND SUBDIVISION PLAN PREVIOUSLY APPROVED BY THE WELLS PLANNING BOARD. THE PREVIOUS APPROVAL DATES ARE AS FOLLOWS:

1/14/13 – ORIGINAL SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD)
1/21/14 – AMENDMENT 1 AND 1A APPROVAL SIGNATURE (PLANNING BOARD)
1/21/14 – AMENDMENT 2 APPROVAL SIGNATURE (PLANNING BOARD)
1/5/16 – AMENDMENT 3 APPROVAL SIGNATURE (PLANNING BOARD)

THE CHANGES PROPOSED FOR THE FOURTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:

1. CONVERT CONDOMINIUM-HOTEL UNITS 23 AND 24 TO DWELLING UNITS 5-5 AND 5-6.
2. REVISE FLOOR ELEVATION OF UNIT 5-6.
3. REVISE PROJECT ADDRESS.
4. REVISE THE DWELLINGS FROM 2 LEVELS TO 2/3 LEVELS (3 LEVEL REGION TO MEET 50' LOT LINE SETBACK FROM POST ROAD RIGHT-OF-WAY, ALL STAIRCASES TO BE INTERIOR TO THE BUILDING)

DRAINAGE SCHEDULE

CB 2 RIM=37.2 INV IN=34.7 (4" PERF. PIPE (2)) INV OUT=33.0	CB 3 RIM=30.5 INV IN=27.0 INV OUT=26.9

GRAPHIC SCALE: 20 0 20 40 80 (FEET)

NO.	DESCRIPTION	DATE
A	TOWN COMMENTS	4/10/15

REVISIONS

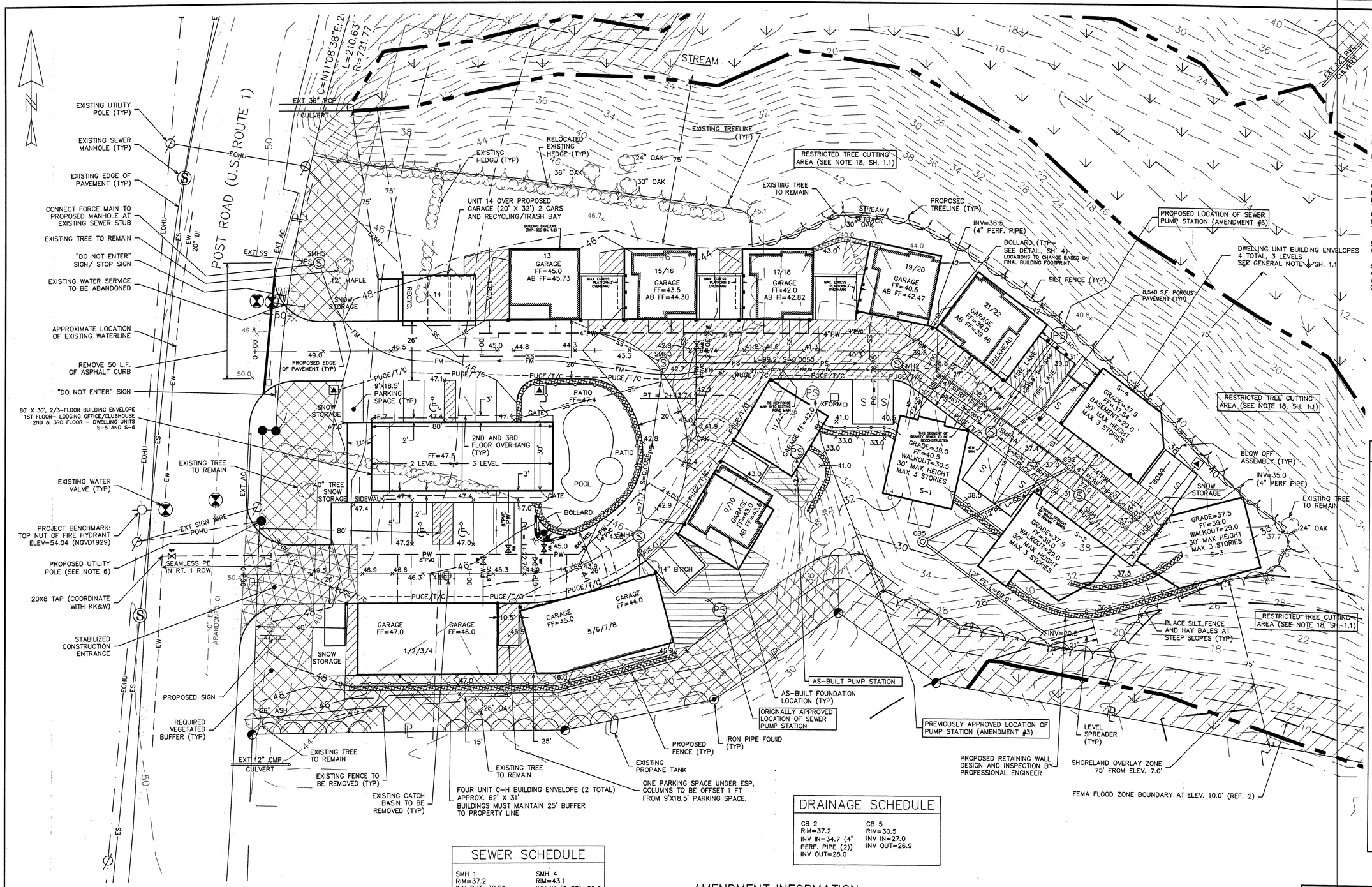
STATE OF MAINE — LEWIS CHAMBERLAIN — MA 8382 — PROFESSIONAL ENGINEER

GRADING AND UTILITY PLAN
COMPASS POINTE (AMD #4)
45 POST ROAD, WELLS, ME

FOR: SEAL HARBOR, LLC.
170 AYER RD.
LITTLETON, MA 01460

ATTAR ENGINEERING, INC.
CIVIL • STRUCTURAL • MARINE
1284 STATE ROAD – ELIOT, MAINE 03903
PHONE: (207)439-6023 FAX: (207)439-2128

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY: EAB
DATE: 4/1/15	1/2/15	REVISION - DATE A - 4/20/15
JOB NO: C014-15	CAD FILE: CP_GRD AMENDMENT 4	SHEET 2



GENERAL NOTES

1. EXISTING TOPOGRAPHY WAS TAKEN FROM REFERENCE 1. THE PROJECT DATUM IS NGVD 1929.

2. ALL SEWER LINES TO BE 8" PVC (SDR 35). ALL SEWER FORCE MAINS TO BE 2" PVC CTS POLYETHYLENE. ALL OTHER ASPECTS OF THE SEWER SYSTEM INCLUDING MANHOLES AND CONSTRUCTION METHODS SHALL MEET CURRENT WELLS SANITARY DISTRICT STANDARDS. ALL SEWER LINES, MANHOLES AND PUMP STATIONS SHALL BE TESTED IN ACCORDANCE WITH CURRENT WSD REQUIREMENTS.

3. ALL STORM DRAINS SHALL BE ADS N-12 (HDPE) OR APPROVED EQUAL (UNLESS NOTED OTHERWISE). PROPER TRENCHING AND BACKFILLING ARE VITAL TO THE LONG TERM PERFORMANCE AND DURABILITY OF HDPE CULVERT INSTALLATIONS. SEE HDPE CULVERT TRENCH DETAIL.

4. 4", 6" AND 8" PVC WATER MAINS SHALL BE C-900, DR-18, CLASS 150. ALL OTHER VALVES, FITTINGS AND CONNECTIONS SHALL MEET CURRENT KKW STANDARDS. ALL WATER LINES SHALL BE TESTED AND DISINFECTED IN ACCORDANCE WITH CURRENT KKW STANDARDS. MATERIALS SPECIFIED MAY BE SUBSTITUTED WITH EQUAL MATERIALS WITH THE APPROVAL OF KKW.

5. A MINIMUM OF 5.0' OF COVER SHALL BE MAINTAINED OVER ALL WATER LINES.

6. PROPOSED OVERHEAD/UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. CENTRAL MAINE POWER WILL PREPARE THE ELECTRICAL PLAN FOR CONSTRUCTION.

LEGEND

EXISTING CONTOUR	XXX
FINAL CONTOUR	XXX
WETLAND BOUNDARY	UPLAND / WETLAND
UTILITY POLE	EXT. / PRP.
EXT. WATER	EW
EXT. SEWER	ES
EXT. OVERHEAD UTIL.	EOHU
EXT. UNDERGROUND UTIL.	EUE
PRP. WATER	PW
PRP. SEWER	PS
PRP. FORCE MAIN	FM
PRP. UTILITY	PUGE/T/C
WATER VALVE	EXT. / PRP.
WATER SHUTOFF	
SEWER MANHOLE	
LIGHT POLE	EXT. / PRP.
SILTATION FENCE	
PROPOSED FENCE	
EXISTING FENCE	
ASPHALT CURB	
EXISTING CURB	
PROPOSED GUARDRAIL	
BOLLARD	
FIRE HYDRANT	EXT. / PRP.
LANDSCAPED AREA.	LA
POROUS PAVEMENT	

DRAINAGE SCHEDULE

CB 2	CB 5
RIM=37.2	RIM=30.5
INV IN=34.7 (4" PERF. PIPE (2))	INV IN=27.0
INV OUT=28.0	INV OUT=26.9

SEWER SCHEDULE

SMH 1 RIM=37.2 INV OUT=32.2*	SMH 4 RIM=43.1 INV IN (2 SS)=36.0 INV OUT=32.8
SMH 1A RIM=38.5 INV IN (SMH 2)=31.5 INV IN (SMH 1)=31.5 INV OUT=31.4	SMH 5 RIM=49.3 INV IN(FM)=43.3 INV OUT=43.2
SMH 2 RIM=40.0 INV IN=31.8 INV OUT=31.7*	PUMP STATION RIM=41.0 INV IN=31.2 INV OUT(FM)=33.7
SMH 3 RIM=42.9 INV IN (SS)=36.4 INV IN=32.4 INV OUT=32.3	

*THESE ARE DESIGN ELEVATIONS. THESE INVERTS SHALL BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.

AMENDMENT INFORMATION

THIS PLAN REPRESENTS THE SIXTH AMENDMENT TO A SITE AND SUBDIVISION PLAN PREVIOUSLY APPROVED BY THE WELLS PLANNING BOARD. THE PREVIOUS APPROVAL DATES ARE AS FOLLOWS:
1/14/13 – ORIGINAL SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD)
1/27/14 – AMENDMENT 1 AND 1A APPROVAL SIGNATURE (PLANNING BOARD)
7/7/14 – AMENDMENT 2 APPROVAL SIGNATURE (PLANNING BOARD)
1/5/15 – AMENDMENT 3 APPROVAL SIGNATURE (PLANNING BOARD)
4/20/15 – AMENDMENT 4 APPROVAL SIGNATURE (PLANNING BOARD)
11/2/15 – AMENDMENT 5 APPROVAL SIGNATURE (PLANNING BOARD)

THE CHANGES PROPOSED FOR THE FIFTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:
1. RELOCATE SEWER PUMP STATION.

AMENDMENT 6 REVISES PLAN SHEET 2 ONLY. NO REVISIONS TO ANY OTHER PROJECT PLANS ARE PROPOSED BY AMENDMENT 6.

GRAPHIC SCALE
20 0 20 40 60 (FEET)

TOWN OF WELLS PLANNING BOARD	DATE

YORK ss REGISTRY OF DEEDS
RECEIVED_____ 20___
AT_____h_____m_____M, AND
RECORDED IN BOOK_____, PAGE_____
ATTEST:
REGISTER

NO.	DESCRIPTION	DATE
	REVISIONS	

STATE OF MAINE
LEWIS CHAMBERLAIN No. 9762
LICENSED
PROFESSIONAL ENGINEER

GRADING AND UTILITY PLAN
COMPASS POINTE (AMD #6)
45 POST ROAD, WELLS, ME

FOR: SEAL HARBOR, LLC.
170 AYER RD.
LITTLETON, MA 01460

ATTAR ENGINEERING, INC.
CIVIL ◆ STRUCTURAL ◆ MARINE
1284 STATE ROAD – ELIOT, MAINE 03903
PHONE: (207)439-6023 FAX: (207)439-2128

SCALE: 1" = 20'	APPROVED:	DRAWN BY: EAB
DATE: 4/4/16	4/4/16	REVISION : DATE – : –
JOB NO: C024-16	CAD FILE: CP_GRD AMENDMENT 6	SHEET 2

TOWN OF WELLS, MAINE
STAFF REVIEW COMMITTEE

Meeting Agenda
Tuesday, April 12, 2016, 9:00 AM

Wells Activity Center

113 Sanford Road, Wells

MINUTES
March 1, 2016

DEVELOPMENT REVIEW & WORKSHOP

I. **PINEDEROSA WEST CAMPGROUND –** Baston Properties, LLC, owner/applicant. Post Road Surveying Inc, agent. Site Plan Amendment Application seeking after the fact approval to reduce the parcel acreage from 150.9 acres to 26.86 acres; to allow gravel parking for the RV sites instead of grass parking; to allow up to 1,500 SF of structure to be built for a bath house, maintenance shed and/or other minor structure(s); and to add a well pump house. The amendment is to rectify an illegal lot division which created a 19± acre parcel with no street frontage. The site plan use shall remain a Tent and Recreational Vehicle Park consisting of 84 RV sites. The parcel is served by on-site septic and an on-site drilled well. The parcel is located within the Rural District and is off of Hiltons Lane. Tax Map 11, Lot 25. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

II. **ARMSTRONG FENCE –** Steve & Lisa Duplisea, owner/applicant; Geoffrey Aleva, Civil Consultants, agent. Site Plan Amendment Application to eliminate the previously approved 40' x 100' 2-story office building and 32' x 38' garage and instead construct a 1,792 SF Business Office use (2-story building) and a 1,536 SF Business Contractor/ Business Wholesale/ Warehousing (1-story building), an accessory outdoor storage area/ display area, and associated parking. The parcel is located within the Light Industrial District and is off of 632 North Berwick Road. Tax Map 40, Lot 3-4. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

III. **JOSHUA'S RESTAURANT –** Joshua Mather, owner/applicant. Harvey Wells, architect. Site Plan Amendment Application to construct a 228 SF building addition and a 48 SF walk-in cooler; construct a 416 SF covered outdoor dining area for 16 additional seats for the Standard Restaurant use (new total of 93 seats), and expand the entry footprint by 120 SF for ADA accessibility. The parcel is located within the General Business District and is off of 1637 Post Road. Tax Map 135, Lot 15. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

IV. **COAST TO COAST CATERING –** Lyons Enterprises, owner; Daniel Crook, applicant. Site Plan Amendment to install a 10' x 12' walk-in cooler for the existing 1,550 SF Business Contractor Use building; and to obtain after the fact approval for 9 gravel parking spaces and a paved walkway installed without site plan approval. The parcel is located within the Residential Commercial District and is off of 835 Sanford Road. Tax Map 49, Lot 29-1. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

V. **SEACOAST MOTEL -** Jmseacoast, LLC, owner/applicant. Site Plan Amendment Application to install a fence, eliminate the Hotel/Motel dumpster and install a 10' x 12' shed. No change proposed to the existing Hotel/Motel use which consists of 15 one-bedroom units. The parcel is located within the General Business District and is off of 40 Post Road. Tax map 105, Lot 2. **Comment on Site Plan Amendment Application for the Planning Board**

OTHER BUSINESS

ADJOURN