



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Agenda
Monday, May 16, 2016, 7:00 PM
Littlefield Meeting Room, 2nd Floor, Town Hall
208 Sanford Road

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

I. MAY 2, 2016 DRAFT MEETING MINUTES

DOCUMENTS: [PB MIN 05-02-16.PDF](#)

PUBLIC HEARING(S)

I. 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.

DOCUMENTS: [PB MEMO RE COMPASS POINT AMD 6 PH 05-11-16.PDF](#)

DEVELOPMENT REVIEW & WORKSHOPS

I. HOLLIS SUBDIVISION

IPA Guillemette Living Trust & Nelson and Barbara Welch, owners; Sebago Real Estate Investment LLC, applicant; Corner Post Land Surveying Inc, engineer. Subdivision Pre-Application for a 4 lot/dwelling unit minor subdivision on 9.22 acres of land (8.39 acres Guillemette + .83 acres Welch) off of Crediford Road/ Sanford Road. The parcel is located in the Rural District and is identified as Tax Map 49, Lot 11. **Receive Subdivision Pre-Application and schedule a Site Walk**

DOCUMENTS: [HOLLIS SUBDIVISION PRE-APP MEMO 05-10-16.PDF](#), [HOLLIS SUB SKETCH PLAN 05-02-16.PDF](#), [HOLLIS SUB PURCHASE AND SALE GUILLEMETTE 05-02-16.PDF](#), [HOLLIS SUBDIVISION PRE-APPLICATION SUBMISSION 05-02-16.PDF](#), [HOLLIS SUB PURCHASE AND SALE WELCH 05-05-16.PDF](#)

II. 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. **Workshop Site Plan and Subdivision compliance and Findings of Fact & Decisions for possible approval**

DOCUMENTS: [COMPASS POINTE SITE AND SUB AMEND 6 MEMO 05-11-16.PDF](#), [COMPASS POINTE AMD 6 SITE PLAN DRAFT COMPLIANCE FOR 5-10-16.PDF](#), [COMPASS POINTE AMD 6 DRAFT SUBDIVISION COMPLIANCE](#)

[10-10-16.PDF](#), [COMPLIANCE AND DRAFT SUBDIVISION COMPLIANCE AND FOF 05-11-16.PDF](#), [TRASH REVISIONS.PDF](#), [COMPASS POINE AMD 6 SHT 1.1 05-11-16.PDF](#), [COMPASS POINE AMD 6 SHT 1.2 05-11-16.PDF](#), [COMPASS POINE AMD 6 SHT 2 05-11-16.PDF](#)

III. 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. **Report Results of the Site Walk, workshop completeness, determine a public hearing, workshop compliance if appropriate**

DOCUMENTS:[PETTINGA SUBD MGL SITE WALK MEMO 5-11-16.PDF](#), [PETTINGA AMD COMPLIANCE AND DRAFT FOF 05-13-16.PDF](#), [PETTINGA AMD COMPLETENESS CHECKLIS 05-13-16.PDF](#), [PETTINGA MINOR AMD APP MEMO 05-13-16.PDF](#), [PETTINGA RECOMMENDED NOTES DRAFT 05-10-16.DOCX](#), [PETTINGA051116.PDF](#)

IV. GRANITE RIDGE GRAVEL

Pepin Wells, LLC/ Stonewood Enterprises, LLC; owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment Application to revise the mineral extraction buffer limits and expand the mineral extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel. The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map 37, Lot 41. **Report Results of the Site Walk, workshop completeness if appropriate**

DOCUMENTS:[GRANITE RIDGE GRAVEL AMEND APP MEMO 05-11-16.PDF](#)

V. WATERCREST CONDOMINIUMS

Watercrest Condominium Association, owner; Lynn Wood, applicant; Thomas Bullard, surveyor. Site Plan Amendment Application seeking approval for existing Lodging Facility conditions and changes made since the 1997 site plan approval including 11 units and 1.5 acres added to the parcel after 1989 site plan approval; dumpster relocation; additional paved areas; changes to landscaping. The parcel is located off of 1277 Post Road and is within the General Business District. Tax Map 126, Lot 17. **Workshop compliance and Findings of Fact & Decisions for possible approval**

DOCUMENTS:[WATER CREST AMEND APP MEMO 05-11-16.PDF](#), [WATERCREST DRAFT COMPLETENESS 05-11-16.PDF](#), [WATERCREST DRAFT COMPLIANCE AND FOF 05-16-16.PDF](#), [WATERCREST PLAN 6 DRAFT.PDF](#), [WATERCREST PLAN 5 DRAFT.PDF](#), [WATERCREST PLAN 4 DRAFT.PDF](#), [WATERCREST PLAN 3 DRAFT.PDF](#), [WATERCREST PLAN 2 DRAFT.PDF](#), [WATERCREST PLAN 1 DRAFT.PDF](#)

OTHER BUSINESS

ADJOURN



TOWN OF WELLS, MAINE

PLANNING BOARD

Meeting Minutes
Monday, May 2, 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, Dennis Hardy and Charles Anderson. There is a quorum and all members are voting tonight. Staff present: Mike Livingston, Town Engineer/Planner and Meeting Recorder Cinni Davidson.

MINUTES

April 18, 2016

MOTION

Motion by Mr. Anderson, seconded by Mr. Sullivan, to approve the minutes as written. **PASSED** 3-0-2. Mr. Millian and Mr. Goodrich abstained because they were not at the meeting.

PUBLIC HEARINGS

- I. GRANTS PASTURE** – 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.

Paul Hollis of Sebago Real Estate Investment LLC presented the plan for a 7 lot major residential cluster subdivision with individual wells and septic systems and a private roadway. Public comment was solicited. One speaker questioned the location of the open space area and wetlands. There will be a path to the open space for the residents. The Planning Office received an e-mail asking to have the vegetated buffer maintained.

MOTION

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

II. RIVERWALK SUBDIVISION - 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

Josh Moody of Bournefield Properties LLC and Rick Licht of Licht Environmental Design LLC were present. Mr. Licht presented the plan to amend Note 39 on the approved subdivision plan and allow up to 6,000 sq. ft. of impervious surface on each lot. The total lot size will remain 25,000 sq. ft. and there will be 19,000 sq. ft. of lawn and garden space. The additional space could be used for a patio, driveway, apron around the pool, etc.

Public comment was solicited. The following concerns were discussed:

~Soil erosion polluting the Merriland River and putting the brook trout population at risk. Increasing 35 lots by 1,000 sq. ft. of impervious surface each will mean a loss of 35,000 sq. ft. of vegetated surface.

~Hot water runoff from paved surfaces into the river can kill the trout.

~The developer understands the conditions imposed by the Planning Board. Will the HOA continue to follow to them?

~The Town's standards are out-of-date and the Board shouldn't approve this change. Mr. Licht said the DEP has already approved this plan revision. The stormwater system has excess capacity to deal with more impervious surface. Not all the lots will increase to 6,000 sq. ft. of impervious surface and there won't be 35 longer driveways. The houses will have drip edges to capture stormwater and not degrade the river.

Mr. Goodrich asked for a clarification of the impervious surfaces (driveways, sheds, etc.) and if the developer is planning to use any pervious pavement. Mr. Moody said they are using some for turn-arounds in driveways and extra parking areas. Pavers may be made of grass or crushed stone on a grid system with a well-drained base, which is different from the porous pavement system. Members of the public urged the Board to consider pervious pavers since these are high-end homes and the additional cost is justified.

Mr. Millian asked if the change is to increase the size of the houses or the driveways. Mr. Licht said the houses would be larger and the driveway size won't change. Mr. Hardy asked about the building footprint. Mr. Licht said the building envelopes are on the plan and comply with setbacks, wetland buffers, etc. The footprint size is market-driven and isn't changing. Mr. Hardy said the houses shouldn't be pushed back to the river, and public access for fishing should be maintained. The 250' no-structure setback line is in place. Mr. Moody said the public is using the path now to reach the fishing areas. Mr. Livingston said the documents include the statement that the HOA won't post the land unless the public abuses the trail system.

MOTION

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

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 and Open Space. 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. **Report results of the Site Walk**

John Moody, applicant, and Rick Licht of Licht Environmental Design LLC were present. Mr. Livingston reported on the results of the site walk which Mr. Hardy, Mr. Sullivan, Mr. Anderson and several abutters attended. This is an application for a 13 lot subdivision. Sight distances for the proposed road are good. The entrance location is almost directly across from an existing home and garage, and the applicant will look at relocating the entrance or planting some vegetation for screening. Several homes can be seen from the open space. An archeological study on the site has been completed. Several of the wetlands are manmade. The recommendation is for 2' contours. Mr. Licht said they will probably do 1' contours at the road area. Mr. Licht asked if they should request a waiver for the Lot 13 driveway. Mr. Millian said the Board wouldn't have an issue with it if the sight distances are adequate.

- II. PETTINGA SUBDIVISION** – 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**

Applicants Peter and Judy Pettinga were present.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to receive the subdivision amendment application. **PASSED** unanimously.

Mr. Livingston described this lot as part of an old subdivision. There is an existing home and the lot is large enough to divide for a second single family home. One new lot will be created. It will need a new driveway entrance off of Burnt Mill Road. The test pit has been done. The property abuts two residential lots and Town-owned land.

MOTION

Motion by Mr. Hardy, seconded by Mr. Anderson, to schedule a site walk for 5:30 PM on Monday, May 9. **PASSED** unanimously.

- III. GRANITE RIDGE GRAVEL** – Pepin Wells, LLC/ Stonewood Enterprises, LLC; owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment Application to revise the mineral extraction buffer limits and expand the mineral

extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel. The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map 37, Lot 41. **Receive Site Plan Amendment Application and schedule a site walk**
Applicant Matthew Pepin was present representing R. Pepin Concrete.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the site plan amendment application. **PASSED** unanimously.

Mr. Pepin said that due to a surveying error, mineral was extracted from within the 100' required buffer and beyond the 3.67 acre limitation. This amendment would limit the excavation to 4.2 acres and reduce the buffer from 100' to 25'. The purpose of this amendment is to resolve a site plan violation identified by the Town in August 2015. The excavation will stop at the present location, and the area of the violation will be reclaimed and replanted with vegetation.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to schedule a site walk for Monday May 16 at 5:30 PM, before the Planning Board meeting. **PASSED** unanimously.

- IV. GRANTS PASTURE** – 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. **Workshop comments from public hearing, compliance and Final Findings of Fact & Decisions for possible approval**

The recommendations in Mr. Livingston's memo were reviewed. Mr. Livingston has received the sample deed and made comments for the applicant and his attorney. A special condition was added to the Findings of Facts requiring that the changes be made prior to the pre-construction meeting. Note 23 addresses the fire pond. Unless the requirements are met, the homes will have to be sprinklered. According to Attar Engineering the existing pond holds about 57,000 gallons. The normal threshold is 30,000, but deducting the bottom 18" of sediment and top 2" of ice in winter, the pond volume is only about 15-16,000 gallons. Mr. Hollis said he has been working with the Fire Department on this item, as there are several ponds in the area. Suburban Propane has arranged with Grondin to fix their pond. Mr. Livingston said phase 1 construction is the concrete foundation; for a phase 2 permit the conditions have to be met. If the fire pond isn't fixed the home would need a sprinkler system. The Fire Chief has approved the proposed note on the plan.

There is a 50' setback/buffer requirement, with a 10' no-disturb buffer and 40' of lawn.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the proposed 50' setback and buffers meet the ordinances. **PASSED** unanimously.

The open space area is being reserved for the residents' use.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the open space is suitable. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the revised HOA documents are acceptable. **PASSED** unanimously.

MOTION

Motion by Mr. Anderson, seconded by Mr. Sullivan, to waive the requirement for granite bounds in the open space at the northeasterly and southeasterly corners. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the remaining proposed monumentation is suitable. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to grant a waiver allowing for off-site fire protection subject to meeting the four conditions. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that Note 12 for the performance guarantee for road construction is acceptable. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application compliant with §202-12. **PASSED** unanimously.

The Findings of Facts & Decisions were reviewed.

Conformance with Comprehensive Plan

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met. **PASSED** unanimously.

Retention of open spaces and natural or historic features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met. **PASSED** unanimously.

Blocks

This standard does not apply.

Lots

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met. **PASSED** unanimously.

Utilities

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

Required improvements: monuments, water supply, fire protection, sewage disposal, stormwater management.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

Streets

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

Land features

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

§202-13 Performance Guaranties

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

§202-2 Purpose, criteria for approval.

The subdivision

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standards have been met.
PASSED unanimously.

Financial and technical capacity of the developer

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

Flood-prone areas. One small corner is in the flood zone; this is part of the open space.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
PASSED unanimously.

Great ponds. This section does not apply.

A special condition #5 is added: A sample deed with the recommended changes will be provided prior to the pre-construction meeting.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find approve the Findings of Facts & Decisions with 6 standard conditions of approval and 5 special conditions of approval, to approve the plan and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

- V. RIVERWALK SUBDIVISION** - 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. **Workshop comments from public hearing, compliance and Final Findings of Fact & Decisions for possible approval**

Comments were addressed during the public hearing. Mr. Anderson noted during the site walk that there is a steep grade along the river, so people fishing wouldn't interfere with the residents' privacy. Mr. Livingston didn't expect any abuse of the trail system. If the privilege was abused it would be trespassing and the HOA can call the Police Department. Mr. Hardy thought the trail system would be similar to the trails at the Burnt Mill golf course. Mr. Livingston said that a note on the Burnt Mill plan requires the HOA to maintain public access. Blocking public access would be a violation of the subdivision plan. Mr. Moody said they don't intend to change the river access. Mr. Anderson recommended including language similar to the Burnt Mill note. The two projects abut in some areas but not along the river. The language in Note 40 was reviewed and Mr. Hardy was satisfied that the public's rights are protected.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application compliant. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve and sign the Findings of Facts & Decisions. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve and sign the subdivision plan. **PASSED** unanimously.

- VI. CHICK CROSSING SUBDIVISION** – 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. **Workshop compliance and Final Findings of Fact & Decisions for possible approval**

Isaiah Plante with Kimball Survey & Design represented the applicant. The proposal is to relocate septic systems on two lots of a previously approved subdivision. There is a minor change to the fire truck turn-around on Lot 5. Mr. Livingston contacted KKWWD and they had no concerns.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application complete. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application compliant. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve and sign the Findings of Facts & Decisions. **PASSED** unanimously. The new test pit logs are noted.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve and sign the plans and Mylars at the end of the meeting. **PASSED** unanimously.

- VII. RIVERBEND WOODS ASSOCIATION (Heritage Pines/ Schooner Landing, Windward Pointe & Heron Landing)–** Riverbend Woods Association, owner. Robert Georgitis, applicant; Sebago Technics, engineer. Final Subdivision Amendment Application to amend the previously approved subdivision plans of Heritage Pines/ Schooner Landing, Windward Pointe and Heron Landing to confirm Open Space ownership of Riverbend Woods Association and property lines of the subdivisions and Open Space parcel. The subdivisions are located within the Rural District and Shoreland Overlay Districts. The subdivisions are located off of Willow Way, Gateway Drive and Bypass Road. Tax Map 72, Lots 4A, 6, 10 and 11 (Open Space Map and Lot # to be determined) **Receive Subdivision Amendment Application, make determinations on the necessity for a site walk and public hearing, workshop completeness and compliance and consider amendment for possible approval via Certificate**

Bob Georgitis of Kasprzak Landholdings was present.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the subdivision amendment application. **PASSED** unanimously.

The amendment proposes to change the property lines and reflect the ownership of the open space by Riverbend Woods Association. The Certificate of Amendment will be recorded at the Registry.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Hardy, to find that a site walk is not necessary. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that a public hearing is not necessary. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Certificate of Amendment. **PASSED** unanimously.

- VIII. WATERCREST CONDOMINIUM** - Watercrest Condominium Association, owner; Lynn Wood, applicant; Thomas Bullard, surveyor. Site Plan Amendment Application seeking approval for existing Lodging Facility conditions and changes made since the 1997 site plan approval including 11 units and 1.5 acres added to the parcel after 1989 site plan approval; dumpster relocation; additional paved areas; changes to landscaping. The parcel is located off of 1277 Post Road and is within the General Business District. Tax Map 126, Lot 17. **Workshop completeness and determine a Public Hearing**

Lynn Wood, President of the Condominium Association, was present. This application seeks approval for changes made since the 1997 site plan approval. No physical changes are planned at this time. The property merged with an abutting lot under one ownership and the site plan was not updated. A site walk was done last year.

Completeness items were reviewed. The dumpster location meets the 15' property line setback and is fenced. The 1989 site plan shows a 20' vegetated buffer; today's code requires 25'.

MOTION

Motion by Mr. Goodrich, seconded by Mr. Anderson, to find the dumpster location and screening adequate. **PASSED** unanimously.

The Code requires a landscape buffer along Route One. The trees and granite light posts are grandfathered.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find that the landscape buffer is sufficient and is grandfathered. **PASSED** unanimously.

The lot line buffering and screening with the Darling property were considered. The 1989 plan shows a vegetated buffer and today's Code calls for 25'. A visual screen is required if abutting a residential use. No comment was received from the Darlings. Mr. Sullivan felt the applicant should adhere to the requirement on the 1989 plan. A planting list including junipers, rugosa and bayberry is part of the 1989 approval.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to require the vegetated buffer as shown on the 1989 plan. **PASSED** 4-0-1 with Mr. Goodrich abstaining.

Grass parking was previously approved and serves the seasonal condos (May-October). The year-round dwelling units have paved parking. Parking isn't shown on the 1989 plan and Mr.

Livingston recommended restriping some of the spaces before they open next spring. This will be made a condition of approval.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the requirement for letters from the water and sewer districts, since there is no change of use. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to determine that no additional traffic information is necessary since there is no change of use. **PASSED** unanimously.

Unit 135 consists of two units that were joined and the Code Office is researching building permits. Apparently a wall was taken down to connect them. This unit is acceptable as a housekeeping cottage, but is too large for a motel unit.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application complete for the purpose of scheduling a public hearing. **PASSED** unanimously.

Mr. Livingston said the Board can waive the public hearing since all the changes are internal.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the public hearing. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the requirement for showing contours. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to continue the workshop to the next meeting. **PASSED** unanimously.

OTHER BUSINESS

~ Brochures about the new public safety facility are in tonight's packets. Copies have been mailed to home addresses and post office boxes.

~The next Planning Board meeting will be back at Town Hall if the TV studio is completed.

ADJOURN

MOTION

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

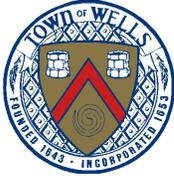
MINUTES APPROVED _____, 2016

ACCEPTED BY:

Robert Sullivan, Secretary

Cinndi Davidson, Recorder

DRAFT



TOWN OF WELLS, MAINE PLANNING BOARD

To: Town of Wells Planning Board
From: Planning Office
Date: May 11, 2016
Re: Compass Pointe Amendment #6 –Final Public Hearing – Tax Map 159, Lot 150

The Planning Office has received no written comments regarding the proposed Compass Pointe application. A phone call in support of the sewer pump station was received by the Planning Office.

If any other comments are submitted prior to the meeting, they will be included in the packet or handed out at the Planning Board meeting.

Thank you.



Planning & Development
208 Sanford Road, Wells, Maine 04090

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Website: www.wellstown.org

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

Subdivision Pre-Application Memo

Date: May 10, 2016

To: Planning Board

From: Planning Office

Re: Hollis Subdivision - Map 49, Lot 11

Project Description:

Paul Hollis has submitted a subdivision pre-application for a minor subdivision to be located off of Crediford Road/ Sanford Road. The pre-application proposes a 4 lot/dwelling unit standard subdivision on 9.22 acres of land (8.39 acres of the Guillemette parcel + .83 acres from the Welch parcel). The 4 lots/dwellings proposed shall have driveways off of Crediford Road. The subdivision is located within the Rural District and would be served by on-site drilled wells and on-site subsurface wastewater disposal systems. The parcel is identified as Tax Map 49, Lot 11.

§ 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] Abutters mailed notice of the pre-application on 5/6/16**

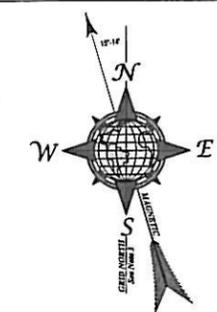
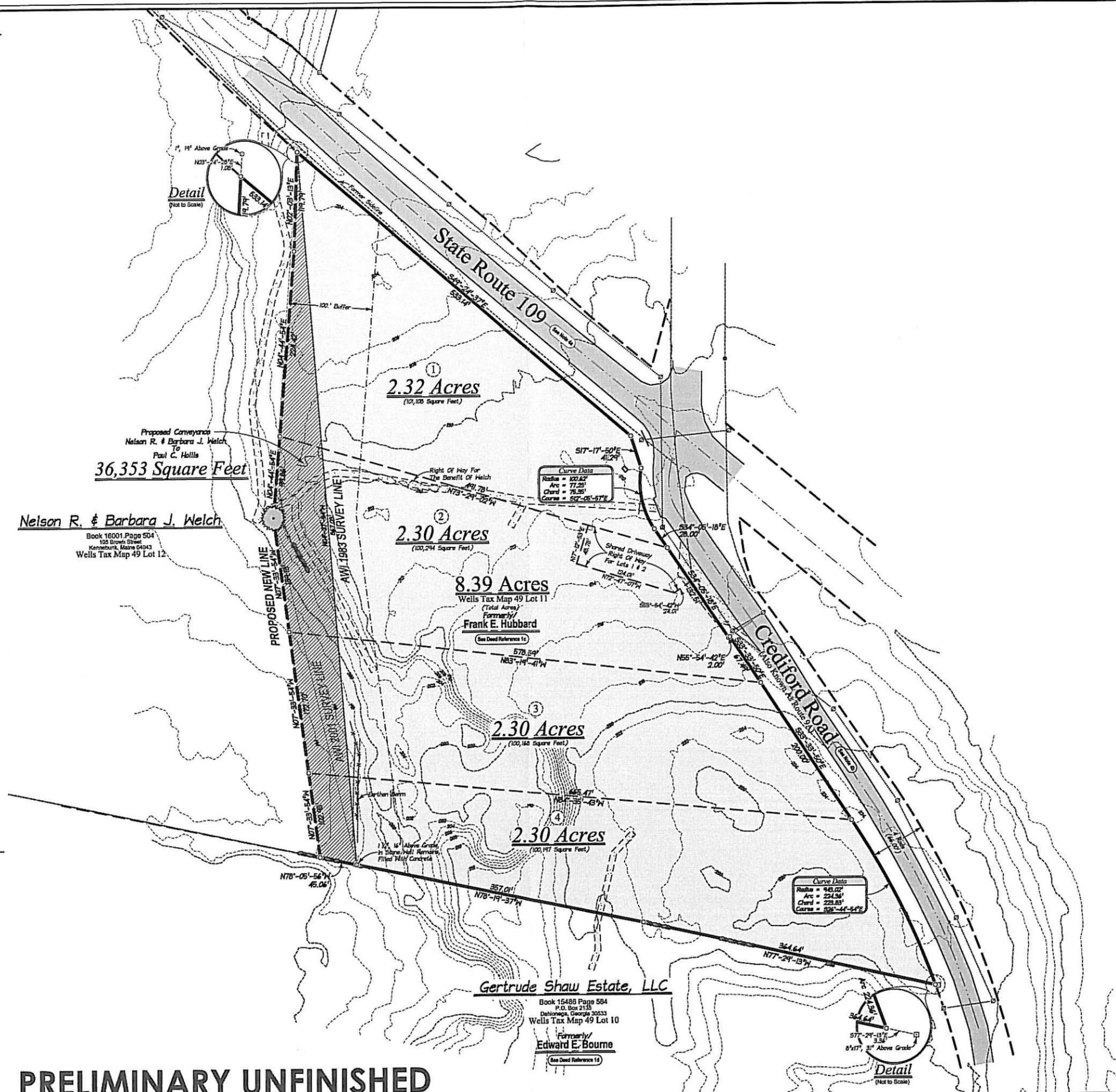
- C. Contour interval and on-site inspection. Within 30 days, the Board shall hold an on-site inspection of the property and determine and inform the applicant in writing of the required contour interval on the preliminary plan, or final plan in the case of a minor subdivision. However no on-site inspections 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 should consider receiving the subdivision pre-application.
- 2. The Planning Board should consider scheduling a site walk of the property.
- 3. The Planning Office offers the following initial comments to be considered:
 - a. Application is a minor subdivision with 4 lots and no road
 - b. No Open Space retention is required. A residential cluster development is not required.
 - c. Lots 3 and 4 do not meet the 3 to 1 length to width ratio of "odd shaped lots"
 - d. Driveways to be approved by MDOT, Route 9A is a state controlled road
 - e. Utilities should be underground from poles on Route 9A
 - f. No fire pond exists within a mile
 - g. Test pits and well restrictions/notes will be required to be submitted and noted on the plan
 - h. Approximate driveway locations and sight distances are required to be noted on the plan
 - i. Lots will need individual Low Impact Development (LIDs) techniques to satisfy stormwater requirements.
 - j. Existing pavement/ curb cuts for the abutting Corner Store and other abutting lots on the east side of Route 9A are required.

Notes:

- 1. Deed Reference:**
 - a. Ida Gallenette to Ida Gallenette, Trustee of the Ida Gallenette Living Trust dated October 24, 2007 and recorded at the York County Registry of Deeds in book 15316 page 703.
 - b. Ester A. & Earle S. Porter to Leo Paul Gallenette & Edward J. Gallenette dated January 5, 1959 and recorded at the York County Registry of Deeds in book 1331 page 520.
 - c. William W. Hubbard to Frank E. Hubbard dated May 1, 1943 and recorded at the York County Registry of Deeds in book 456 page 81.
 - d. James Hatch to Edward E. Bourne dated December 3, 1851 and recorded at the York County Registry of Deeds in book 247 page 330.
- 2. Plan Reference:**
 - a. "Standard Boundary Survey For Leo Paul Gallenette" dated November, 2001 and surveyed by Leroy A. Hillman. This plan is unrecorded.
 - b. "State Of Maine Department Of Transportation Right of Way Map State Highway 7" (Route 109) Federal Aid Project No. NH-7998(10E) Sheet 8 of 26" dated April, 2010 and recorded at the York County Registry of Deeds in plan book 368 page 37.
 - c. "State Of Maine Department Of Transportation Right of Way Map State Highway 7" (Route 109) Federal Aid Project No. NH-7998(10E) Sheet 9 of 26" dated April, 2010 and recorded at the York County Registry of Deeds in plan book 368 page 38.
- 3. Basis of Bearings:**
Bearings shown herein are Grid North and refer to the Maine State Plane Coordinate System, Maine West Zone 405, NAD 83, Zone 1802, North American Datum 1983, Unit Feet. Determined utilizing a Leica GS09 RTK GPS Unit (Real Time Kinematic Global Positioning System).
- 4. Road Record:**
 - a. State Route 109, roads wide (?). See layout dated on file at the York County Commissioners Office in volume page .
 - b. Credford Road, roads wide (?). See layout dated on file at the York County Commissioners Office in volume page .
- 5. Certification:**
The word "certify" or "certification" as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
- 6. Underground Utilities:**
No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any underground utility, municipal or public service. For information concerning these utilities or facilities please contact the appropriate agencies.
- 7. Abutter Lines:**
The abutter lines shown herein are for reference purposes only. Any conflicts between the abutter lines shown herein and existing monumentation should be resolved with a boundary survey, no assumptions should be made based on these abutter lines.



YORK, ss REGISTRY OF DEEDS
Received: _____
at _____ m _____ M, and
Filed in Plan Book _____ Page _____
ATTEST: _____
Register

Copyright © Corner Post Land Surveying, Inc. All rights reserved. No part of this drawing may be reproduced by photocopying, recording, or by any other means, or stored, processed or transmitted in any form or by any computer or other systems without the prior written permission of Corner Post Land Surveying, Inc.

Survey File Name: 2016027.crd
CAD File Name: 2016027.dwg
Drawn By: KAL
Job Number: 2016027

Revisions	Date	By

Plan Showing A
Boundary Survey For
Paul C. Hollis
28 Hair Road
Seabrook, New Hampshire 03874

Property Located On
Credford Road &
State Route 109
In
Wells, Maine

May 2, 2016
Scale: 1 in. = 60 ft.

Corner Post
Land Surveying, Inc.
600 Main Street
Seabrook, Maine 03874
Phone Number: (207) 324-2118

I hereby certify that this boundary survey conforms to the Maine State of Licensure for Professional Land Surveyors, Chapter 45, Standards of Practice.

THIS PLAN IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR

Don A. Libby
Professional Land Surveyor 1950
6-2-2016

SHEET 1

- Legend:**
- — 3/4" Iron Rod Set With Plastic Cap Marked "CNR POST LAND SURV PLS 1950"
 - — Stone Monument Found (Dimensions Labeled on Plan)
 - — Iron Pipe Found (Dimensions Labeled on Plan)
 - — Iron Rod Found (Dimensions Labeled on Plan)
 - — Corner, Nothing Found or Set
 - — Utility Pole
 - — Overhead Utility Lines
 - — Stone Wall
 - — Pavement
 - — Gravel
 - — Boundary Line Of Surveyed Premises
 - — Abutter Line (See Note 7)
 - — Right Of Way Line
 - — Remains of Wire Fence
 - — Contour Lines (10' Interval)
 - — Contour Lines (2' Interval)



PRELIMINARY UNFINISHED

PURCHASE AND SALE AGREEMENT - LAND ONLY
("days" means business days unless otherwise noted, see paragraph 20)

February 26, 2016
Offer Date

2/27/16 Effective Date
Effective Date is defined in Paragraph 20 of this Agreement.

1. PARTIES: This Agreement is made between Sebago Real Estate Investments, LLC ("Buyer") and Estate of Ida Guillemette, Elaine Marby PR ("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (all part of; If "part of" see para. 22 for explanation) the property situated in municipality of Wells, County of York, State of Maine, located at Map 49 Lot 11 Sanford Rd and described in deed(s) recorded at said County's Registry of Deeds Book(s) 15316, Page(s) 703.

3. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$ 130,000.00. Buyer has delivered; or will deliver to the Agency within _____ days of the Effective Date, a deposit of earnest money in the amount \$ 500.00. Buyer agrees that an additional deposit of earnest money in the amount of \$ see #26 will be delivered _____. If Buyer fails to deliver the initial or deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. This right to terminate ends once Buyer has delivered said deposit (s). The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

4. ESCROW AGENT/ACCEPTANCE: Coldwell Banker Residential Brokerage ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until February 27, 2016 (date) 5 AM PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

5. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on June 30, 2016 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or this Agreement shall become null and void in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

6. DEED: The property shall be conveyed by a Personal Representative deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

7. POSSESSION: Possession of premises shall be given to Buyer immediately at closing unless otherwise agreed in writing.

8. RISK OF LOSS: Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

9. PRORATIONS: The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) _____ . Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

10. DUE DILIGENCE: Buyer is encouraged to seek information from professionals regarding any specific issue or concern. Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer:

Revised 2016 Page 1 of 4 - P&S-LO Buyer(s) Initials PCW Seller(s) Initials EM MT

11. FINANCING: This Agreement:

is not subject to a financing contingency. Buyer shall provide proof of the funds within 5 days.

is subject to financing as follows:

- a. This Agreement is subject to Buyer obtaining a _____ loan of _____ % of the purchase price, at an interest rate not to exceed _____ % and amortized over a period of _____ years. Buyer is under a good faith obligation to seek and obtain financing on these terms.
- b. Buyer to provide Seller with letter from lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested within _____ days from the Effective Date of the Agreement. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
- c. Buyer hereby authorizes, instructs and directs its lender to communicate the status of the Buyer's loan application to Seller, Seller's licensee and Buyer's licensee.
- d. After (b) is met, if the lender notifies Buyer that it is unable or unwilling to provide said financing, Buyer is obligated to provide Seller with written documentation of the loan denial. Any failure by Buyer to provide Seller with the loan denial within two days of receipt by Buyer of such notice from lender shall be a default under this Agreement. After notifying Seller, Buyer shall have _____ days to provide Seller with a letter from another lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
- e. Buyer agrees to pay no more than _____ points. Seller agrees to pay up to \$ _____ toward Buyer's actual pre-pays, points and/or closing costs, but no more than allowable by Buyer's lender.
- f. Buyer's ability to obtain financing is is not subject to the sale of another property. See addendum Yes No.
- g. Buyer may choose to pay cash instead of obtaining financing. If so, Buyer shall notify Seller in writing including providing proof of funds and the Agreement shall no longer be subject to financing, and Seller's right to terminate pursuant to the provisions of this paragraph shall be void.

12. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

Leo Bourgeault (002361) of Coldwell Banker Residential Brokerage (1039)
 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

 Licensee MLS ID Agency MLS ID
 is a Seller Agent Buyer Agent Disc Dual Agent Transaction Broker

If this transaction involves Disclosed Dual Agency, the Buyer and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Buyer and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

13. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Seller's Property Disclosure Form.

14. DEFAULT/RETURN OF EARNEST MONEY: In the event of default by the Buyer, Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

15. MEDIATION: Earnest money disputes within the jurisdictional limit of small claims court will be handled in that forum. All other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement (other than requests for injunctive relief) shall be submitted to mediation in accordance with generally accepted mediation practices. Buyer and Seller are bound to mediate in good faith and to each pay half of the mediation fees. If a party fails to submit a dispute or claim to mediation prior to initiating litigation (other than requests for injunctive relief), then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who failed to first submit the dispute or claim to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

16. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

17. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

18. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy, with the same binding effect as if the signatures were on one instrument. Original, faxed or other electronically transmitted signatures are binding.

19. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their Licensee. Only withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing.

20. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.

CONTINGENCY	YES	NO	FULL RESOLUTION	OBTAINED BY	TO BE PAID FOR BY
1. SURVEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>35</u> days	<u>Buyer</u>	<u>Buyer</u>
Purpose: <u>To determine that lot consists of enough land to divide into 3 building lots</u>					
2. SOILS TEST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>30</u> days	<u>Buyer</u>	<u>Buyer</u>
Purpose: <u>to determine that Soils will support Septic systems</u>					
3. SEPTIC SYSTEM DESIGN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
4. LOCAL PERMITS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
5. HAZARDOUS WASTE REPORTS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
6. UTILITIES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
7. WATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
8. SUB-DIVISION APPROVAL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	within <u>120</u> days	<u>Buyer</u>	<u>Buyer</u>
Purpose: <u>town approval of three lot subdivision</u>					
9. DEP/LURC APPROVALS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
10. ZONING VARIANCE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
11. HABITAT REVIEW/WATERFOWL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
12. REGISTERED FARMLAND	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
13. MDOT DRIVEWAY/ENTRANCE PERMIT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
14. DEED RESTRICTION	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
15. TAX STATUS*	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
16. BUILD PACKAGE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					
17. OTHER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	within _____ days	_____	_____
Purpose: _____					

*If the land is enrolled in the Maine Tree Growth Tax program, Seller agrees to provide Buyer with the current Forest Management and Harvest Plan within _____ days. Yes No

Further specifications regarding any of the above:

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. Seller agrees to cooperate with Buyer and shall give Buyer and Buyer's agents and consultants reasonable access to the property in order to undertake the above investigations. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, this contingency is waived by Buyer. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

21. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the entire closing disclosure and/or settlement statement to release a copy of the closing disclosure and/or settlement statement to the parties and their licensees prior to, at and after the closing.

22. OTHER CONDITIONS: Buyer to give additional earnest money of \$2000 after good Soils test and survey as determined by Buyer another \$2500 upon preliminary subdivision approval by the town of Wells for a total of \$5000. Buyer and Seller agree that money is nonrefundable and should transaction not close all earnest money will be released to Seller.

23. GENERAL PROVISIONS:

- a. A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- b. Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- c. Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due. If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- d. Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.
- e. Whenever this Agreement provides for earnest money to be returned or released, agency acting as escrow agent must comply with Maine Real Estate Commission rules which may require written notices or obtaining written releases from both parties.

24. ADDENDA: Yes Explain: _____ No

Buyer's Mailing address is 28 Lewis Ave Rd. So. Abbeville, NH 03874

Kaeffke (Manager)
 BUYER _____ DATE _____ BUYER _____ DATE _____
 Sebago Real Estate Investments LLC

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is _____

Elaine Marby Pr. 2-27-16 PR
 SELLER Estate of Ida Guillemette _____ DATE _____ SELLER Elaine Marby PR _____ DATE _____

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) _____ (time) _____ AM _____ PM.

SELLER _____ DATE _____ SELLER _____ DATE _____

The Buyer hereby accepts the counter offer set forth above.

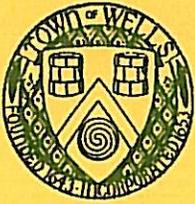
BUYER _____ DATE _____ BUYER _____ DATE _____

EXTENSION:

The time for the performance of this Agreement is extended until _____ DATE _____

SELLER _____ DATE _____ SELLER _____ DATE _____

BUYER _____ DATE _____ BUYER _____ DATE _____



TOWN OF WELLS, MAINE PLANNING BOARD

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

Received 5-2-16

SUBDIVISION PRE-APPLICATION - §202-6

1. Property Owner (of land to be divided): FRANÇOIS Guillemette Living TRUST NELSON R. WELCH
BARBARA T. WELCH
- Mailing Address: 2 Hughes St. Sanford, ME 04073 105 Brown St. Kennebunk, ME.
TEL # 985-4827
- Telephone: 207-2160333 (Agent) Fax: _____
- Email Address: PtollisLano@gmail.com
2. Applicant (if different from owner): Sebago Real Estate Investment LLC.
- Mailing Address: 28 WEAVER Rd.
SOABROOK, NH 03874
- Telephone: 207-2160333 Fax: _____
- Email Address: PtollisLano@gmail.com
LAND
3. Agent (Engineer, Surveyor, etc): CONCEPT Surveying Inc.
- Mailing Address: 600 MAIN ST. SPRINGVILLE, MAINE 04083
- Telephone: 207-324-2119 Fax: _____
- Email Address: DANA@MAINESURVEYORS.COM
Guillemette WELCH-
4. Assessor's Tax Map Number: 49 Lot Number: 11 (of land to be divided) MAP 49 LOT 12
5. Subdivision Location (street address): CRESFORD Rd AND Route 109
6. Acres to be subdivided: ~~4.22~~ 9.22 ACRES IN TOTAL Number of proposed lots or dwelling units: 4
7. Zoning District(s): R (Rural) 100,000 sqft per lot
8. Shoreland Overlay District(s): N/A

9. Existing Land Use: Raw Land - 1350' Frontage on Two Streets

10. Description of proposed subdivision or amendment:

Taking 8.39 Acres of THE Guillemette Property and
0.83 Acres of Water Property gives us a combined
9.22 Acres or (4) 100,000 sq foot lots

All Driveways will be off Madison St. (or 9A)
As it is called. All lots meet the required
zoning in acreage and road frontage.

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

Paul Haller

Signature of Applicant

5/2/16

Date

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. (see §202-6)

Submitted Not Submitted Preapplication form shall be accompanied by

		A copy of right, title and interest in the property.
		A copy of the parcel deed(s)
		12 reduced copies of any existing subdivision plan(s) that this application proposes to amend
		12 copies of a sketch plan which 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.
		A sketch plan superimposed on or accompanied by a copy of the Assessor's map(s) on which the land is located.
		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.
		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
		A minimum escrow deposit of \$20.00 to cover any postage or copying costs associated with the pre-application notification and initial workshop requirements. Checks must be made payable to the "Town of Wells."

◆ 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), and the Streets and Sidewalks Ordinance (Chapter 201).

9. Existing Land Use: RAW LAND

10. Description of proposed subdivision or amendment: ~~7~~ 9.22
TO DIVIDE ~~7~~ ACRES (8.77 ACRES OF
GUILMETTE PROPERTY AND .84 ACRES OF ABUTTING WELCH
PROPERTY FOR A COMBINED 9.61 ACRES

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

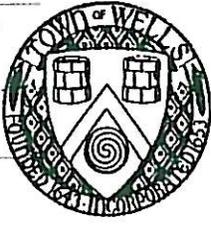
 Signature of Applicant _____ Date

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. (see §202-6)

Submitted	Not Submitted	Preapplication form shall be accompanied by
		A copy of right, title and interest in the property.
		A copy of the parcel deed(s)
		12 reduced copies of any existing subdivision plan(s) that this application proposes to amend
		12 copies of a sketch plan which 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.
		A sketch plan superimposed on or accompanied by a copy of the Assessor's map(s) on which the land is located.
		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.
		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
		A minimum escrow deposit of \$20.00 to cover any postage or copying costs associated with the pre-application notification and initial workshop requirements. Checks must be made payable to the "Town of Wells."

- ◆ 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), and the Streets and Sidewalks Ordinance (Chapter 201).

1) Subdivision Report: \$1,000.00
 2) Land Use Fee: \$100.00
 3) Planning Board Fee: \$100.00
 4) Assessor's Fee: \$100.00
 5) Public Hearing Fee: \$100.00
 6) Final Plat Fee: \$100.00
 7) Recordation Fee: \$100.00
 8) Notary Fee: \$100.00
 9) Survey Fee: \$100.00
 10) Engineering Fee: \$100.00
 11) Legal Fee: \$100.00
 12) Other: \$100.00



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): _____
Owner's Mailing Address: _____
Applicant's Name: _____
Applicant's Mailing Address: _____
Applicant's Signature: _____
Assessor's Tax Map Number: _____ **Lot Number :** _____ (of land to be divided)
Subdivision Location (street address): _____
Acres to be subdivided: _____ **Number of proposed lots or dwelling units:** _____
Zoning District(s): _____
Description of Proposal: _____

1) Subdivision Report: \$1,000.00
 2) Land Use Fee: \$100.00
 3) Planning Board Fee: \$100.00
 4) Assessor's Fee: \$100.00
 5) Public Hearing Fee: \$100.00
 6) Final Plat Fee: \$100.00
 7) Recordation Fee: \$100.00
 8) Notary Fee: \$100.00
 9) Survey Fee: \$100.00
 10) Engineering Fee: \$100.00
 11) Legal Fee: \$100.00
 12) Other: \$100.00

PURCHASE AND SALE AGREEMENT - LAND ONLY

May 5, 2016

The use of days in this agreement refers to calendar days from the effective date.

1. **PARTIES:** This Agreement is made between Nelson R. and Barbara J. Welch of 105 Brown St. Kennebunk, Maine 04043 (hereinafter called the sellers) and Sebago Real Estate Investment L.L.C. of 28 Weare Road, Seabrook, N.H. 03874. (herein after referred to as the buyer).

DESCRIPTION: Subject to the terms and conditions herein after set forth. Seller agrees to sell and Buyer agrees to buy (abutting land of **36,353 sq. ft. only, (hereinafter referred to as the parcel)** which is part of a 30 acre plus lot owned by Sellers and identified on Town of Wells, Maine Assessors map as Tax Map 49 Lot 12, the parcel situated in the municipality of WELLS,, Maine, County of YORK State of MAINE, land identified at YORK COUNTY REGISTRY OF DEEDS in Book 16001 Page 504. Said parcel is shown on the attached plan dated May 2, 2016 for Paul C. Hollis .prepared by Corner Post Land Surveying, Inc., and Dana A. Libby, a Maine licensed surveyor (License #1350)

2. **CONSIDERATION:** For such Deed and conveyance Buyer is to pay the sum of **PRICE \$ 30,000.00**

This Purchase and Sale Agreement is subject to the following conditions:

3. **EARNEST MONEY/ACCEPTANCE:** This offer shall be valid until **MAY, 6, 2016 (date) _AM 5 _PM. A Deposit of \$300.00 has been paid as a refundable deposit at signing and \$29,700.00 remaining due, will be paid at closing.**

4. **TITLE AND CLOSING:** A deed, conveying good and merchantable title for the attached parcel will be part of a proposed 4 Lot subdivision as shown on the attached plan and said deed will be in accordance with the Standards of Title adopted by the Maine Bar Association and delivered to Buyer upon closing.. All transactions shall be closed and Buyer shall pay the balance due and execute all necessary papers on or before **JULY, 29, 2016 (closing date) at a local title company chosen by buyer or another location, if agreed in writing by both parties.** If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 days, from the time Seller is notified of the defect, unless otherwise agreed to by both Buyer and Seller, to remedy the title, after which time, if such defect is not corrected so that there is a merchantable title, **Buyer may, at Buyer's option, withdraw and receive back from seller said earnest money deposit and be relieved from all obligations. Seller hereby agrees to make a good-faith effort to cure any title defect during such period.**

5. **DEED:** The parcel shall be conveyed by a **WARRANTY Deed**, and shall be free and clear of all encumbrances (see addendum) except covenants (Paragraph 21) and conditions of subdivision as per Town of Wells Approved subdivision notes .

6. **POSSESSION:** Possession of premises shall be given to Buyer immediately at the continued current use of the property. closing unless otherwise agreed in writing.

7. **RISK OF LOSS:** Until the closing, the risk of loss or damage to said premises by fire or otherwise, is assumed by Seller. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

8. **PRORATIONS:** The following items, where applicable, shall be prorated as of the date of closing: rent, association fees, (other) _____ None _____. Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing. They shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained. This latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

9. **PROPERTY DISCLOSURE FORM/INSPECTIONS:** Buyer acknowledges receipt of Seller's Property Disclosure Form and is encouraged to seek information from professionals regarding any specific issue or conc

10..FINANCING: N/A

11. AGENCY DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following agency relationships:

NONE of _____ represents _____
Listing Agency Agency

NONE of _____ represents _____
Selling Agency Agenc

12. MEDIATION: Any dispute or claim arising out of or relating to this Agreement or the property addressed in this Agreement shall be submitted to mediation on accordance with the Maine Residential Real Estate Mediation Rules. Buyer and Seller are bound to mediate in good faith and pay their respective mediation fees. If a party does not agree first to go to mediation, then the party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who refused to go to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

13. DEFAULT: In the event of default by the Buyer, Seller may employ all legal and equitable remedies. Including, without limitation termination of this Agreement, and forfeiture by Buyer of the earnest money. In the event of a default by Seller, Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller.

14. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

15. HEIRS/ASSIGNS: This agreement shall extend to and binding upon heirs, personal representatives, successors, and assigns of the Seller and of the Buyer.

16. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts, such as a faxed copy with the same binding effect as if the signatures were on one instrument. Original or faxed signatures are binding.

17. ADDENDA: Yes _____ Explain: SEE ATTACHED ADDENDUM.

18. EFFECTIVE DATE: This Agreement is a binding contract when signed by both Buyer and Seller and when that fact has been communicated to Buyer and Seller or to their agents. Agent is authorized to complete Effective Date on page 1 of this Agreement The use of "by (date)" or "within N/A days" shall refer to calendar days being counted from the Effective Date as noted on Page 1 of the Agreement beginning with the first day after the Effective Date and ending at 5:00 p.m. Eastern Time on the last day counted.

rell

M.W B J W

19. CONFIDENTIALITY: Buyer and Seller understand that the terms of this Agreement are confidential but authorize the disclosure of the information herein to the agents, attorneys, lenders, appraisers, inspectors, and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the parties and their agents to receive a copy of the entire closing statement.

Agent makes no warranties regarding the condition, permitted use or value of Seller's real property. This Agreement is subject to the following contingencies, with results being satisfactory to Buyer.

<u>CONTINGENCY</u>	<u>YES</u>	<u>NO</u>	<u>DAYS FOR COMPLETION</u>	<u>OBTAINED BY</u>	<u>TO BE PAID FOR BY</u>
SURVEY Purpose: _____		<input checked="" type="checkbox"/>			
SOILS TEST Purpose: _____					<input checked="" type="checkbox"/>
LOCAL PERMITS Purpose: _____					<input checked="" type="checkbox"/>
HAZARDOUS WASTE REPORTS Purpose: _____					<input checked="" type="checkbox"/>
SUB-DIVISION APPROVAL Purpose: _____					<input checked="" type="checkbox"/>
DEP/LURC APPROVALS Purpose: Storm water management of Roadways					<input checked="" type="checkbox"/>
ZONING VARIANCE Purpose: _____					N/A
MDOT DRIVEWAY/ ENTRANCE PERMIT Purpose: _____					YES
OTHER Purpose: _____					Building Permits are the Responsibility of buyer or his representative

Further specifications regarding any of the above:

See Conditions

Unless otherwise specified above, all of the above will be obtained and paid for by Buyer. If the result of any inspection or other condition specified herein is unsatisfactory to Buyer, Buyer will declare the Agreement null and void by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any inspection or other condition specified herein is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement. Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an inspection is unsatisfactory within the time period set forth above this contingency is waived. In the absence of inspection(s) mentioned above, Buyer is relying completely upon Buyer's own opinion s to the condition of the property.

(Pell)

21. OTHER CONDITIONS

A copy of this Agreement is to be received by Buyer and Seller and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine. 2016

21.A This sale between buyer and seller is contingent upon buyer at his own expense securing all Federal, State, and Local Approvals necessary for a 4 Lot subdivision on both parcels of land ,with a total acreage of 9.22 acres as shown on attached plan as well as Approved Maine D.O.T. driveway permits for each lot off of Crediford Road.

21.B Buyer at his own expense must test for successful percable soils on each of the proposed lots that meet the standard of the Maine Plumbing Code .

21.C The approved and subsequently recorded plan will show that the parcel to be conveyed to buyer from sellers will be part of a 100 foot "NO DISTURB BUFFER" and remain in its natural state. No structures will be allowed on said parcel but future owners will be allowed to remove dead trees or hanging limbs that are decayed or split and determined to be a threat to life or may cause bodily injury.

21.D Seller and Buyer agree that thru new deed we will eliminate right of way from Crediford Road to sellers parcel as written in the abutting Guillemette deed as stated in Book 15316 Page 703

BUYER

SS# OR TAXPAYER ID#

BUYER

SS# OR TAXPAYER ID#

Buyer's Mailing Address is 28 Weare Road, Seabrook, N.H.03874

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms, and conditions set forth: _____

Signed this MAY 5 day of 2016

Melton R. Welch
SELLER

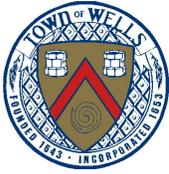
007-36-3816
SS# OR TAXPAYER ID#

Barbara J. Welch
SELLER

005-34-9050
SS# OR TAXPAYER ID#

Seller's Mailing address is 105 Brown St. Kennebunk, Maine.

Offer reviewed and refused on _____, 2016.



Planning & Development

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-7046

Website: www.wellstown.org

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

Site Plan Amendment & Final Subdivision Amendment Application Memo

Date: May 11, 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; eliminate the dumpster bay at unit 14 and add 1 parking space. Refuse disposal shall be accomplished by curbside pick-up.

§ 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 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 received at 4/18/16 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 received 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 was 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 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. **Subdivision Amendment Application received at the 4/18/16 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.

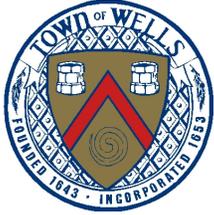
- (1) The subdivider shall, within six months after the approval of the preliminary plan, file with the Board an application for approval of the final plan at least 10 days prior to a scheduled meeting of the Board. If the application for the final plan is not submitted within six months after preliminary 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 held 5/16/16**

- (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. **Town Engineer appointed completeness agent on 4/18/16; public hearing to be held 5/16/16**
- (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 email regarding acceptance of the relocation provided on 4/22/16.**
 - (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. **Public hearing to be held 5/16/16**
- (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.
- (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 any comments received for the public hearing.
2. Amendment application also includes the elimination of the dumpster at unit 14 and installation of 1 parking space. Refuse disposal to be accomplished by curb side pickup. See note 21 on sheet 1.1.
3. The Planning Office received the attached email from the Wells Sanitary District finding the relocation proposed to be acceptable.
4. The Planning Board should consider the following:
 - a. Find the Site Plan Amendment application compliant (145-75)
 - b. Find the Subdivision Amendment application compliant (202-12)
 - c. Vote to approve and sign the Site Plan Findings of Fact & Decisions.
 - d. Vote to approve and sign the Subdivision Findings of Fact & Decisions.
 - e. Vote to approve and sign the site plan/subdivision plan

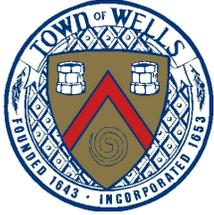


Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Site Plan Amendment #6 Application for "Compass Pointe Site Plan" Page 1 of 12

Article X Site Plan Approval

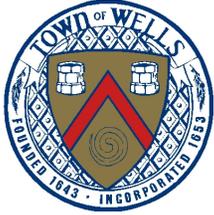
PROJECT INFORMATION		
General:	Project Name:	Compass Pointe Site and Subdivision Plan Amendment #6
	Applicant:	Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054
	Landowner:	Compass Pointe Acquisition, Inc. 170 Ayer Road, Littleton, MA 01460
	Location:	45 Post Road
	Existing Use:	1 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



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Site Plan Amendment #6 Application for "Compass Pointe Site Plan" Page 2 of 12

Project Description:	<p>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.</p> <p>The amendment applications propose the following changes/modifications: To relocate the sewer pump station; eliminate the dumpster bay at unit 14 and add 1 parking space. Refuse disposal shall be accomplished by curbside pick-up.</p>
Completeness Determination:	4/18/16
Public Hearing:	5/16/16
Staff Review Mtg:	none
Approved Site & Subdivision Plan Sheets:	Sheet 2 dated 4/4/16; Rev. 4/14/16; Sheets 1.1, 1.2 and 2 Rev. 5/11/16



Town of Wells, Maine

Planning Board

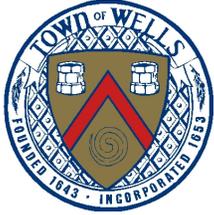
FINDINGS OF FACTS & DECISIONS

Site Plan Amendment #6 Application for "Compass Pointe Site Plan"

Page 3 of 12

PROJECT HISTORY

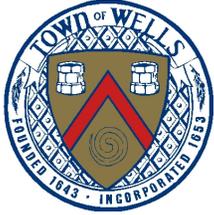
1. On 4/5/16 the applicant's engineer submitted a site and subdivision amendment application for the above described project.
2. On 4/8/16 the Code Officer found the uses that exist are permitted in the zoning districts.
3. On 4/8/16 abutters were mailed notice of the Code Officer use determination and of the 4/18/16 Planning Board meeting.
4. On 4/12/16 the Planning Office prepared draft site plan and subdivision plan completeness review checklists and draft compliance/ Findings of Fact & Decisions. Recommended plan changes and a memo summarizing the review comments were also prepared for the applicant and Planning Board.
5. On 4/14/16 the Planning Office received a revised site/ subdivision plan addressing the Planning Office review comments.
6. On 4/18/16 the Planning Board received the site plan amendment and subdivision amendment applications, voted to waive a site walk, voted to find the site and subdivision plan complete and voted to appoint the Town Engineer/Planner as the completeness agent and to schedule a public hearing.
7. On 4/22/16 the Planning Office received the capacity statement from the Wells Sanitary District, satisfying the completeness requirement of 145-77. The Town Engineer/Planner found the application complete for purposes of scheduling a public hearing for 5/16/16.
8. On 5/9/16 abutters were mailed certified notice of the 5/16/16 Public Hearing.
9. On 5/10/16 the Planning Office prepared updated compliance/ Findings of Fact & Decisions for the site plan amendment and subdivision amendment applications.
10. On 5/11/16 the applicant wished to add the elimination of the dumpster at unit 14, install 1 parking space and propose curbside trash pickup instead.
11. On 5/11/16 the Planning Office updated the review checklists and memo.
12. On 5/16/16 the Planning Board conducted a public hearing, voted to find the site plan and subdivision plan compliant (145-75) and (202-12), voted to approve and sign the Site Plan and Subdivision Findings of Fact & Decisions, and voted to sign the site plan/subdivision plan at the end of the meeting.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Site Plan Amendment #6 Application for “Compass Pointe Site Plan” Page 4 of 12

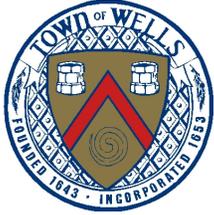
§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	<p>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.</p> <p>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.</p>
<p>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.</p>	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall not affect access to and from this property, parking or trip generation.</p> <p>With the proposed elimination of the dumpster bay at unit 14, 1 additional parking space is proposed.</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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§ 145-75. Criteria and Standards		Comments
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lot lines.</p>
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from producing offensive or harmful odors perceptible beyond its lot lines.</p>
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall not alter previously approved light and glare requirements.</p>
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]	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall have no effect on stormwater runoff or the previously approved stormwater management plan.</p>

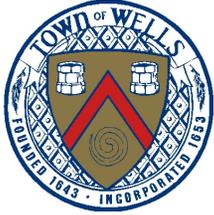


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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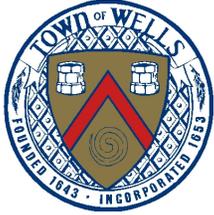
§ 145-75. Criteria and Standards		Comments
F.	<p>Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]</p>	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>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.</p>
(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.	
(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.	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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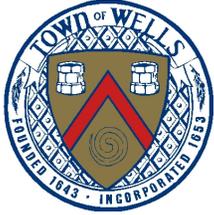
§ 145-75. Criteria and Standards		Comments
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, 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.	
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>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.</p> <p>Sheet 2 note 7 makes reference to notes 17 and 18 on sheet 1.1 as the pump station location is in close proximity to the 75' stream setback.</p>
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall not alter the requirements to adhere to NFPA standards.</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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§ 145-75. Criteria and Standards		Comments
	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.	
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall not alter the requirements to adhere to water quality standards.</p>
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>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.</p>

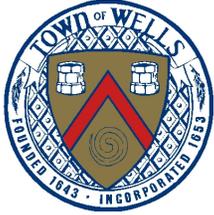


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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§ 145-75. Criteria and Standards		Comments
	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.	
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.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The property shall be served by curbside trash pickup. This amendment application eliminates the recycling/trash bay located within hotel/motel unit 14 and proposes to install 1 parking space in its place.</p>
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location shall not alter the KKW Water Districts capacity to serve this parcel.</p>



Town of Wells, Maine

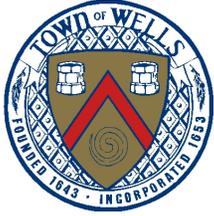
Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment #6 Application for “Compass Pointe Site Plan”
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§ 145-75. Criteria and Standards		Comments
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The proposed changes to amend the sewer pump station location, shall not affect previously approved sanitary system connections or requirements. An email from the Wells Sanitary District Superintendent, Nick Rico was received on 4/22/16 stating the pump station relocation was acceptable.</p>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p>BASED ON THE FOREGOING THE PLANNING BOARD THAT THIS STANDARD SHALL REMAIN MET.</p> <p>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.</p>

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



Town of Wells, Maine

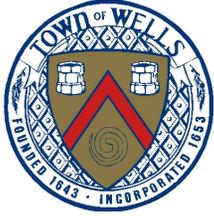
Planning Board

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment #6 Application for "Compass Pointe Site Plan"

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- 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.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Site Plan Amendment #6 Application for "Compass Pointe Site Plan" Page 12 of 12

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



Town of Wells, Maine

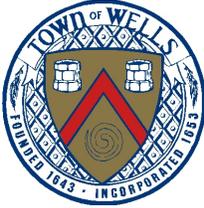
Planning Board

FINDINGS OF FACTS & DECISIONS

Final Minor Subdivision Amendment #6 Application for "Compass Pointe Subdivision Plan"
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Chapter 202 Subdivision of Land

PROJECT INFORMATION	
General:	<p>Project Name: Compass Pointe Site and Subdivision Plan Amendment #5</p> <p># 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)</p> <p># 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)</p> <p>Applicant: Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054</p> <p>Landowner: Seal Harbor, LLC, 412 Post Road, Suite 1, PO Box 360, Moody, ME 04054</p> <p>Location: 45 Post Road, Wells, Maine</p> <p>Existing Use: Minor Multifamily Development Subdivision consisting of 6 dwelling units and 22 hotel/motel Lodging Facility units on 5.51 acres of land</p> <p>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</p> <p>Tax Parcel ID: Tax Map 105, Lot 159</p> <p>Zoning District: General Business, Residential A and 75' Shoreland Overlay Districts</p> <p>Art VII Performance Guarantee: Multifamily Development §145-48 and Lodging Facility §145-52</p> <p>Design Engineer: Attar Engineering Inc. 1284 State Road, Eliot, ME 03903</p> <p>Final Plan Application Submission Date: April 5, 2016</p> <p>Plan Submission Date: April 5, 2016</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS

Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan” Page 2 of 19

Project Description:	<p>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.</p> <p>The amendment applications propose the following changes/modifications: To relocate the sewer pump station; eliminate the dumpster bay at unit 14 and add 1 parking space. Refuse disposal shall be accomplished by curbside pick-up.</p>				
Approval Dates:	<table style="width: 100%; border: none;"> <tr> <td style="border: none;">Preliminary Plan Approval:</td> <td style="border: none;">Not Applicable</td> </tr> <tr> <td style="border: none;">Final Plan Approval:</td> <td style="border: none;">5/16/2016</td> </tr> </table>	Preliminary Plan Approval:	Not Applicable	Final Plan Approval:	5/16/2016
Preliminary Plan Approval:	Not Applicable				
Final Plan Approval:	5/16/2016				
Public Hearings:	<table style="width: 100%; border: none;"> <tr> <td style="border: none;">Preliminary Public Hearing</td> <td style="border: none;">Not Applicable</td> </tr> <tr> <td style="border: none;">Final Public Hearing</td> <td style="border: none;">5/16/2016</td> </tr> </table>	Preliminary Public Hearing	Not Applicable	Final Public Hearing	5/16/2016
Preliminary Public Hearing	Not Applicable				
Final Public Hearing	5/16/2016				
Approved Site & Subdivision Plan Sheets:	Sheet 2 dated 4/4/16; Rev. 4/14/16; Sheets 1.1, 1.2 and 2 Rev. 5/11/16				

PROJECT HISTORY

1. On 4/5/16 the applicant's engineer submitted a site and subdivision amendment application for the above described project.
2. On 4/8/16 the Code Officer found the uses that exist are permitted in the zoning districts.
3. On 4/8/16 abutters were mailed notice of the Code Officer use determination and of the 4/18/16 Planning Board meeting.
4. On 4/12/16 the Planning Office prepared draft site plan and subdivision plan completeness review checklists and draft compliance/ Findings of Fact & Decisions. Recommended plan changes and a memo summarizing the review comments were also prepared for the applicant and Planning Board.
5. On 4/14/16 the Planning Office received a revised site/ subdivision plan addressing the Planning Office review comments.
6. On 4/18/16 the Planning Board received the site plan amendment and subdivision amendment applications, voted to waive a site walk, voted to find the site and subdivision plan complete and voted to appoint the Town Engineer/Planner as the completeness agent and to schedule a public hearing.
7. On 4/22/16 the Planning Office received the capacity statement from the Wells Sanitary District, satisfying the completeness requirement of 145-77. The Town Engineer/Planner found the application complete for purposes of scheduling a public hearing for 5/16/16.
8. On 5/9/16 abutters were mailed certified notice of the 5/16/16 Public Hearing.
9. On 5/10/16 the Planning Office prepared updated compliance/ Findings of Fact & Decisions for the site plan amendment and



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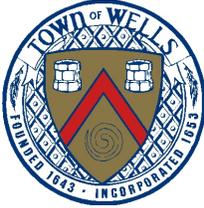
Planning Board

FINDINGS OF FACTS & DECISIONS

Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan“ Page 3 of 19

PROJECT HISTORY
<p>subdivision amendment applications.</p> <p>10. On 5/11/16 the applicant wished to add the elimination of the dumpster at unit 14, install 1 parking space and propose curbside trash pickup instead.</p> <p>11. On 5/11/16 the Planning Office updated the review checklists and memo.</p> <p>12. On 5/16/16 the Planning Board conducted a public hearing, voted to find the site plan and subdivision plan compliant (145-75) and (202-12), voted to approve and sign the Site Plan and Subdivision Findings of Fact & Decisions, and voted to sign the site plan/subdivision plan at the end of the meeting.</p>

§ 202-12. General Standards	Comments
<p>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.</p>	
<p>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.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>B. Retention of open spaces and natural or historic features. [Amended 6-11-2013]</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.</p>
<p>(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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved open space.</p> <p>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.</p>
<p>(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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved open space.</p>



Town of Wells, Maine

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§ 202-12. General Standards		Comments	
	(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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.
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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved density calculations.



Town of Wells, Maine Planning Board

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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan“

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§ 202-12. General Standards		Comments
(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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved entrances/ exits.
E.	Utilities.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.
(1)	Utilities shall be installed underground except as otherwise approved by the Board.	The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.



Town of Wells, Maine

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FINDINGS OF FACTS & DECISIONS

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§ 202-12. General Standards		Comments
	(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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 135° 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.	
	[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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved fire chief requirements. See Fire Chief letter dated 4-15-2015.



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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan” Page 7 of 19

§ 202-12. General Standards	Comments
(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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved fire protection requirements.
[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.	



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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan”
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§ 202-12. General Standards	Comments
[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.	
[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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved sanitary system connections or requirements. An email from the Wells Sanitary District Superintendent, Nick Rico was received on 4/22/16 stating the pump station relocation was acceptable.
[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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved sanitary system connections or requirements.
(b) Private systems.	Parcel to be served by the Wells Sanitary District.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS

Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan“ Page 9 of 19

§ 202-12. General Standards		Comments
	[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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved stormwater management system.
	(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.	



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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan” Page 10 of 19

§ 202-12. General Standards		Comments
	<p>(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.</p>	<p>See MDEP Stormwater Permit By Rule.</p>
	<p>(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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved stormwater management system.</p>
	<p>(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.</p>	
	<p>(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:</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved waivers for hydrologic analyses.</p>

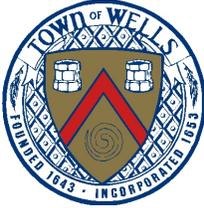


Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS

Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan” Page 11 of 19

§ 202-12. General Standards			Comments
		<p>[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.</p>	
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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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 and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.



Town of Wells, Maine Planning Board

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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan“

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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.	

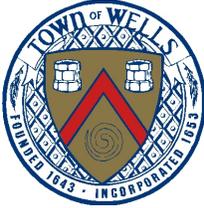


Town of Wells, Maine Planning Board

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Final Minor Subdivision Amendment #6 Application for “Compass Pointe Subdivision Plan” Page 14 of 19

§ 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.



Town of Wells, Maine

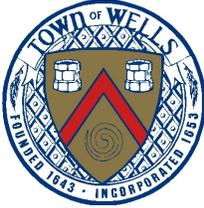
Planning Board

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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:	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.</p> <p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.</p>
	(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.	



Town of Wells, Maine

Planning Board

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(2)	<p>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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.</p>
B.	<p>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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.</p>
C.	<p>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.</p>	<p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, 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.</p>

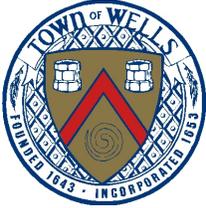


Town of Wells, Maine Planning Board

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D.	<p>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.</p>	
E.	<p>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.</p>	
F.	<p>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.</p>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET BASED ON THE FOLLOWING.</p> <p>The proposed changes to amend the sewer pump station location and eliminate the dumpster and propose 1 parking space and curbside trash pickup, shall not affect previously approved performance guarantee requirements.</p>
	<p>(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:</p>	
	<p>(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</p>	
	<p>(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.</p>	

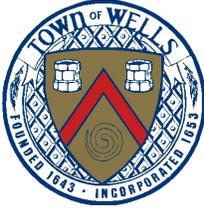


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	<p>(2) Notice of the agreement and any conditions shall be on the final plan that is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guaranties contained in Subsection H.</p>	
<p>G.</p>	<p>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.</p>	<p>On 11/2/15 the Planning Board approved changes to note 16 on sheet 1.1 with regard to project phasing.</p>
<p>H.</p>	<p>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.</p>	<p>This shall be a condition of approval.</p>
<p>I.</p>	<p>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.</p>	<p>This shall be a condition of approval.</p>
<p>J.</p>	<p>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."</p>	<p>Note on sheet 1.1 as a standard condition of approval.</p>



Town of Wells, Maine Planning Board

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<p>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.</p>	<p>This shall be a condition of approval.</p>
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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: _____
Charles Millian, Chairman

45 POST ROAD (U.S.

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 TIDAL 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

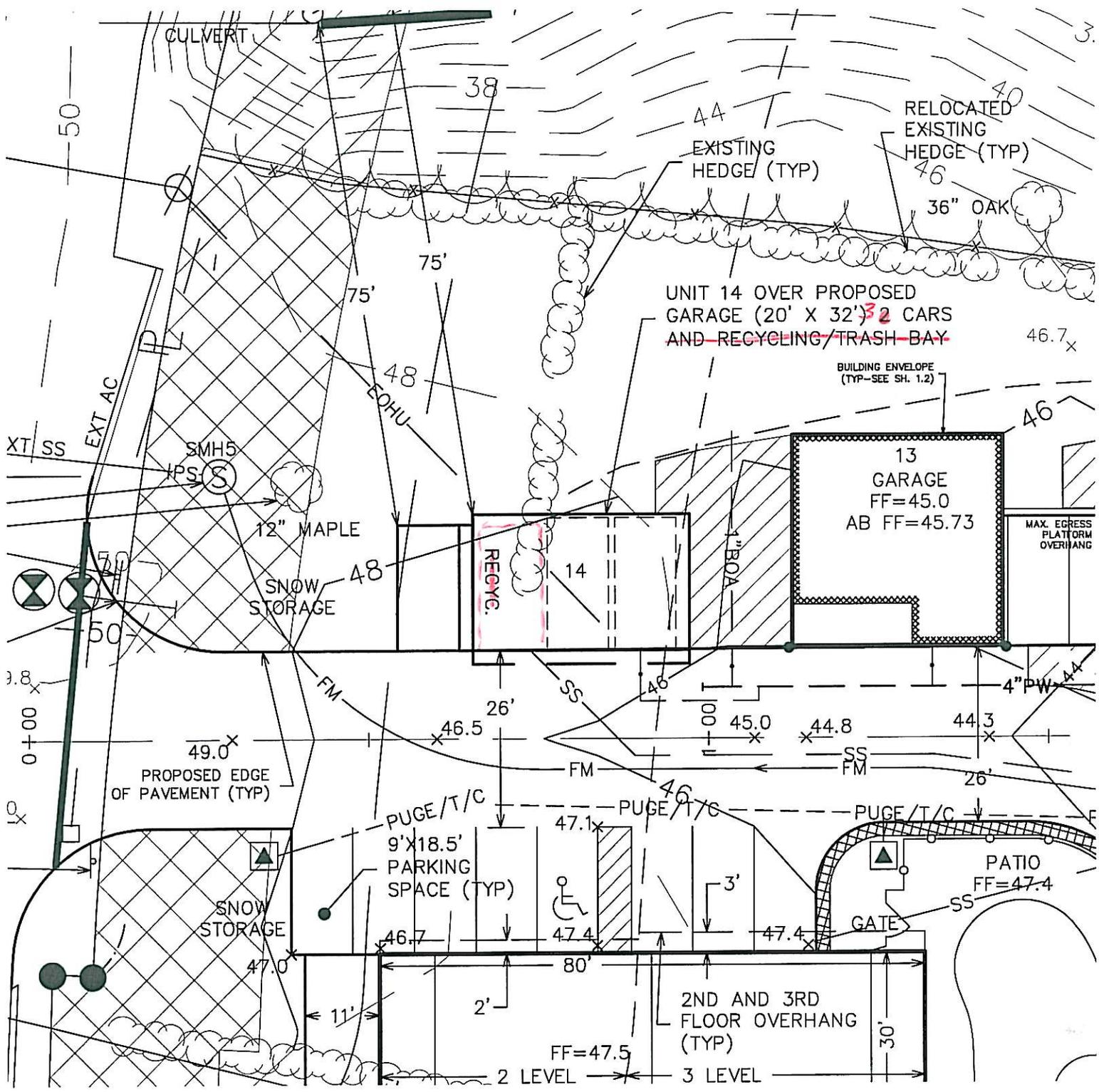
61 SPACES ARE REQUIRED. ⁶³62 SPACES HAVE BEEN PROVIDED. 3 SPACES ARE SPECIFIED AS ADA COMPLIANT, MEETING THE 4% MIN REQUIREMENT (4.9%).

GENERAL NOTES (CONT.)

6. THE PROJECT CONSTRUCTION SHALL BE PHASED AS FOLLOWS:

HASE 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



Sht. 2

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 ABUTTING 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 BMP'S" 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 TIDAL 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. 63 SPACES HAVE BEEN PROVIDED. 3 SPACES ARE SPECIFIED AS ADA COMPLIANT, MEETING THE 4% MIN REQUIREMENT (4.7%).	

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 - 16, 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 17-22, 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 145-48(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

- "PLAN DEPICTING THE RESULTS OF A BOUNDARY AND TOPOGRAPHIC SURVEY - PREPARED FOR PAULO CARVALHO - 61 POST ROAD, WELLS, MAINE." PREPARED BY MIDDLE BRANCH, LLC PROFESSIONAL LAND SURVEYORS. PLAN DATED JULY 25, 2012.
- "FLOOD INSURANCE RATE MAP TOWN OF WELLS, MAINE, YORK COUNTY" MAP NUMBER 2301580019D, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, REVISED JANUARY 16, 2003.
- "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 B 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.

- "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 366, PAGE 2-3.
- "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.
- 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 12/16/14, SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 1/5/15. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 375, PAGE 4-6.
- SITE AND SUBDIVISION PLAN-AMENDMENT #4, COMPASS POINTE, 45 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 46-48.

REFERENCES (CONT.)

- SITE AND SUBDIVISION PLAN-AMENDMENT #5, COMPASS POINTE, 45 POST ROAD, WELLS, MAINE" FOR SEAL HARBOR, LLC, PREPARED BY ATTAR ENGINEERING, INC, SHEET 1.1 DATED 10/20/15, SITE PLAN APPROVAL SIGNATURE (PLANNING BOARD) 11/2/15. THE PLAN IS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS BOOK 380, PAGE 6.

GENERAL NOTES (CONT.)

- AMENDMENT 6 REMOVES THE TRASH / RECYCLING GARAGE BAY IN THE UNIT 14 BUILDING AND REPLACES IT WITH A GARAGE PARKING SPACE. ALL TRASH / RECYCLING REMOVAL FOR THE PROPOSED FACILITY WILL BE BY CONTRACTED CURBSIDE PICKUP OR BY OWNER DELIVERY TO THE WELLS TRANSFER STATION.

TOWN OF WELLS STANDARD CONDITIONS OF APPROVAL

- 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. [§145-74F(1)]
- 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.
- 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. [§145-74F(2)]
- 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)]
- 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]
- 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]
- EROSION OF SOIL AND SEDIMENTATION OF WATERCOURSES AND WATER BODIES SHALL BE MINIMIZED BY EMPLOYING THE FOLLOWING BEST-MANAGEMENT PRACTICES [§145-75F]:
 - STRIPPING OF VEGETATION, SOIL REMOVAL AND REGRADING OR OTHER DEVELOPMENT SHALL BE ACCOMPLISHED IN SUCH A WAY AS TO MINIMIZE EROSION.
 - THE DURATION OF EXPOSURE OF THE DISTURBED AREA SHALL BE KEPT TO A PRACTICAL MINIMUM.
 - TEMPORARY VEGETATION AND/OR MULCHING SHALL BE USED TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT.
 - 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.
 - 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.
 - 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.
 - DURING GRADING OPERATIONS, METHODS OF DUST CONTROL SHALL BE EMPLOYED.
 - THE PROPOSED SITE PLAN SHALL PREVENT SOIL EROSION AND SEDIMENTATION FROM ENTERING WATERBODIES, WETLANDS, AND ADJACENT PROPERTIES.
 - THE PROCEDURES OUTLINED IN THE EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE IMPLEMENTED DURING THE SITE PREPARATION, CONSTRUCTION, AND CLEAN-UP STAGES.
 - CUTTING OR REMOVAL OF VEGETATION ALONG WATERBODIES SHALL NOT INCREASE WATER TEMPERATURE OR RESULT IN SHORELINE EROSION OR SEDIMENTATION.
 - 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.
- 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.
- 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.
- IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT DIG SAFE PRIOR TO CONSTRUCTION.
- 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).
- 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.
- 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.
- 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.
- UPON COMPLETION OF CONSTRUCTION, THE APPLICANT SHALL PROVIDE TO THE TOWN RECORD AS-BUILT DRAWINGS OF THE ROADWAY, DRAINAGE, AND UTILITY RELATED CONSTRUCTION WORK.
- 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.
- SEE GENERAL NOTE 16 FOR PHASING INFORMATION.

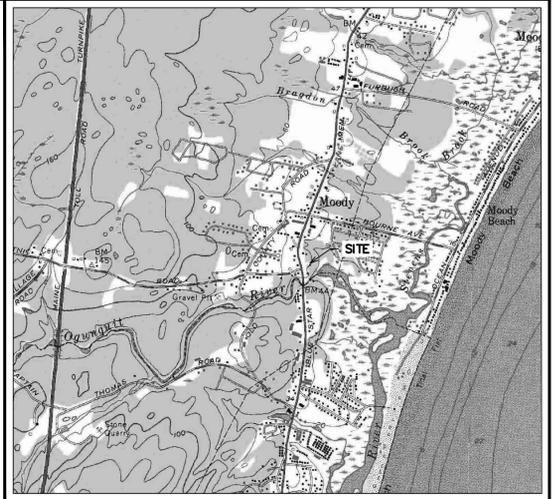
INDEX OF SHEETS

- SITE AND SUBDIVISION PLAN (COVER SHEET)
- SITE PLAN
- GRADING PLAN
- DETAILS PLAN
- 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	



SITE LOCATION MAP
APPROXIMATE SCALE 1" = 2000'

LODGING OFFICE HOURS OF OPERATION

- 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 6:30 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.
- 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 145-52 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

- 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.
- 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.
- 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.
- 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).
- 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.
- 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 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 SIXTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:
1. RELOCATE SEWER PUMP STATION. LOCATION SHALL BE STAKED BY A PROFESSIONAL LAND SURVEY OR PROFESSIONAL ENGINEER.
2. ELIMINATE TRASH BAY IN UNIT 14 AND REPLACE WITH GARAGE PARKING SPACE.
3. ADD GENERAL NOTE 21.

SITE AND SUBDIVISION PLAN AMENDMENT #6 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: 5/12/16		REVISION : DATE - : -
JOB NO: CO24-16	CAD FILE: CP_SITE AMENDMENT 6	SHEET 1.1

TOWN OF WELLS
PLANNING BOARD

DATE

YORK ss REGISTRY OF DEEDS
RECEIVED _____, 20____
AT _____h____m____M, AND
RECORDED IN BOOK _____, PAGE _____
ATTEST: _____

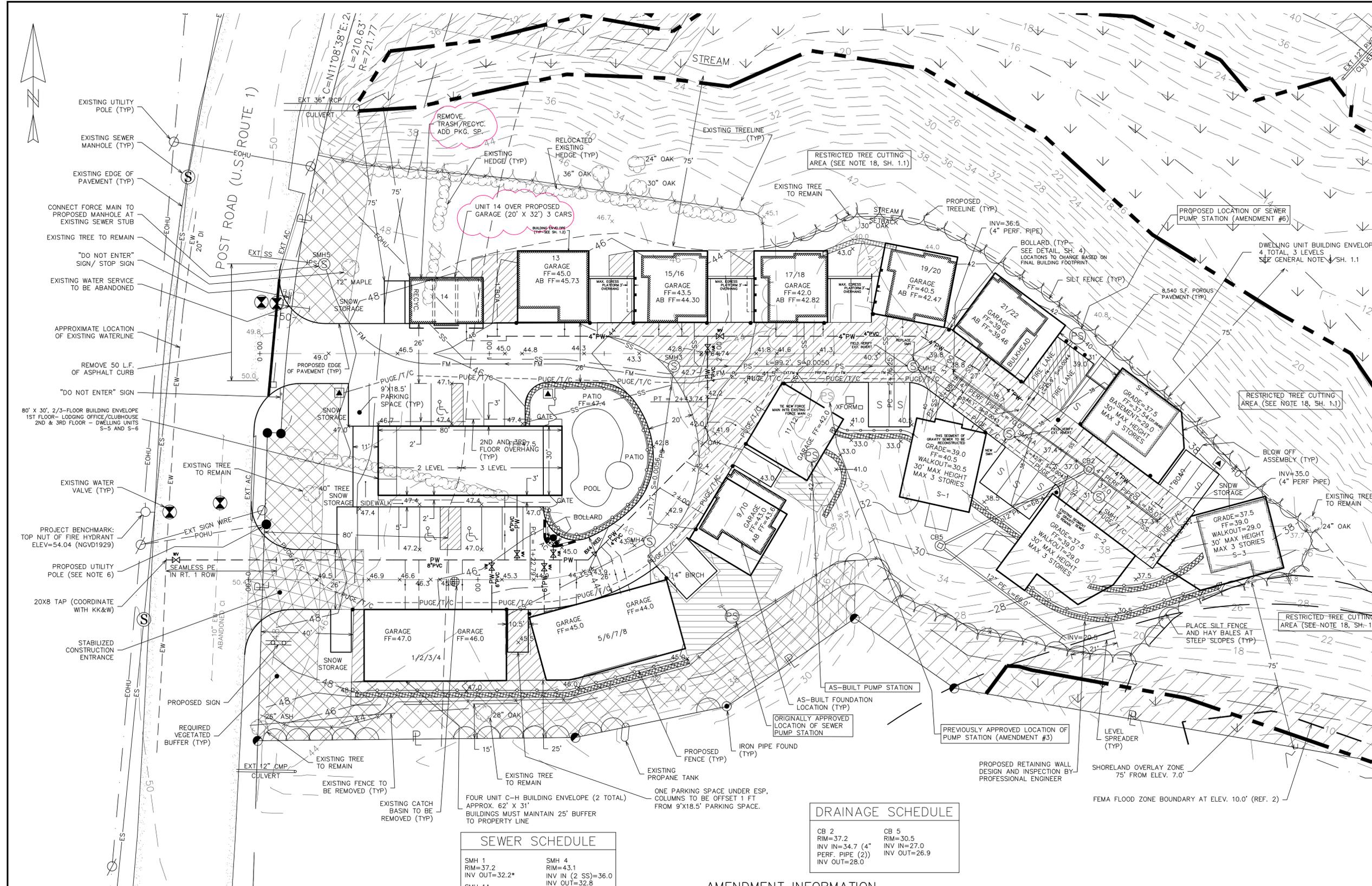
REGISTER

GENERAL NOTES

- EXISTING TOPOGRAPHY WAS TAKEN FROM REFERENCE 1. THE PROJECT DATUM IS NGVD 1929.
- 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.
- 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", 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.
- A MINIMUM OF 5.0' OF COVER SHALL BE MAINTAINED OVER ALL WATER LINES.
- PROPOSED OVERHEAD/UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. CENTRAL MAINE POWER WILL PREPARE THE ELECTRICAL PLAN FOR CONSTRUCTION.
- SEE NOTES 17 AND 18 ON SHEET 1.1 REGARDING REQUIRED VEGETATION AND TREE CUTTING IN THE 75' STREAM SETBACK.

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	PUG/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")	INV IN=27.0
PERF. PIPE (2)	INV OUT=26.9
INV OUT=28.0	

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 SIXTH AMENDMENT ARE SUMMARIZED AS FOLLOWS:
 1. RELOCATE SEWER PUMP STATION. LOCATION SHALL BE STAKED BY A PROFESSIONAL LAND SURVEY OR PROFESSIONAL ENGINEER.
 2. ELIMINATE TRASH BAY IN UNIT 14 AND REPLACE WITH GARAGE PARKING SPACE.
 3. ADD GENERAL NOTE 21.

SEWER SCHEDULE

SMH 1	SMH 4
RIM=37.2	RIM=43.1
INV OUT=32.2*	INV IN (2 SS)=36.0
	INV OUT=32.8
SMH 1A	SMH 5
RIM=38.5	RIM=49.3
INV IN (SMH 2)=31.5	INV IN(FM)=43.3
INV IN (SMH 1)=31.5*	INV OUT=43.2
INV OUT=31.4	
SMH 2	PUMP STATION
RIM=40.0	RIM=41.0
INV IN=31.8**	INV IN=31.2
INV OUT=31.7**	INV OUT(FM)=33.7
SMH 3	
RIM=42.9	
INV IN (SS)=36.4	
INV IN=32.4	
INV OUT=32.3	

*EXISTING SMH 1 INVERT OUT AND EXISTING PIPE INVERT AT NEW SMH 1A TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
 **EXISTING SMH 2 TO BE REPLACED AND EXISTING PIPE INVERT IN FIELD VERIFIED PRIOR TO CONSTRUCTION.

TOWN OF WELLS PLANNING BOARD	DATE

YORK ss REGISTRY OF DEEDS
 RECEIVED _____, 20____
 AT _____, M., AND
 RECORDED IN BOOK _____, PAGE _____
 ATTEST: _____ REGISTER

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'
 DATE: 4/4/16
 APPROVED BY: _____ DRAWN BY: EAB
 REVISION: DATE
 B: 5/12/16
 JOB NO: CO24-16 CAD FILE: CP_GRD AMENDMENT 6 SHEET 2

NO.	DESCRIPTION	DATE
B.	REMOVED TRASH RECYCLING BAY IN UNIT 14 BLDG.	5/12/16
A.	TOWN REVIEW REVISIONS.	4/14/16
NO.	DESCRIPTION	DATE





Wells Planning Office

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: www.wellstown.org

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

Memo

Date: May 11, 2016

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Pettinga Minor Subdivision / Tax Map 63, Lot 29-A
Results of Site Walk

Site Walk Date: May 9, 2016

Conditions: Sunny, 61°

Present:

Planning Board – Dennis Hardy and Charles Anderson

Owner – Peter Pettinga

Town Staff – Mike Livingston

Abutters - none

Comments:

- Sight distances along Burnt Mill Road excellent along proposed lot.
- Nice potential house location.
- Utilities to be underground from exiting poles along Burnt Mill Road.
- No wetlands on property.
- Proposed lot corner location marked with stake.
- Existing house to remain, has historical significance.
- Well and septic locations pointed out by owner.
- Vacant Town lot on opposite side of Burnt Mill Road to become overflow parking for the Recreation Facilities.



Town of Wells, Maine

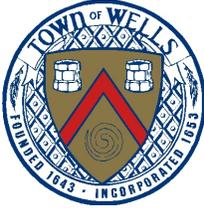
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Pettinga Subdivision”
Page 1 of 17

Chapter 202 Subdivision of Land

PROJECT INFORMATION	
General:	<p>Project Name: Pettinga Subdivision (Phyllis A. Foster Realty Trust) Amendment</p> <p># Lots/ Dwellings Proposed: 1lot/1dwelling proposed; 3 lots/dwellings exist for a total of 4 lots/dwelling units proposed</p> <p>Applicant: Judith & Peter Pettinga, 433 Branch Rd, Wells, ME 04090</p> <p>Landowner: Judith & Peter Pettinga, 433 Branch Rd, Wells, ME 04090</p> <p>Location: 433 Branch Road/ Burnt Mill Road</p> <p>Existing Use: 3 lot Minor Subdivision consisting of 3 single family dwellings</p> <p>Proposed Land Use: 4 lot Minor Subdivision consisting of 4 single family dwellings</p> <p>Tax Parcel ID: Tax Map 63, Lot 29-A and 29-A2</p> <p>Zoning District: Rural District</p> <p>Land Use, Art. VII</p> <p>Performance Standards: None</p> <p>Design Engineer: Middle Branch, LLC, PO Box 618, Alfred, ME 04002</p> <p>Final Plan Application Submission Date: April 5, 2016</p> <p>Plan Submission Date: April 5, 2016</p>
Project Description:	<p>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.</p>
Approval Dates:	<p>Preliminary Plan Approval: Not Applicable</p> <p>Final Plan Approval: <u>To be determined</u></p>
Public Hearings:	<p>Preliminary Public Hearing: Not Applicable</p> <p>Final Public Hearing: <u>To be determined</u></p>

PROJECT HISTORY
<ol style="list-style-type: none"> 1. On 4/5/16 the applicant submitted a minor subdivision amendment application to the Planning office for the above described project. 2. On 4/8/16 the Planning Office mailed abutters notice of the amendment application and of the 4/18/16 Planning Board meeting. 3. On 4/13/16 the Planning Office prepared an Article V Land Use checklist and draft completeness checklist with recommended plan changes and a memo for the applicant to review and address. 4. On 4/14/16 the Planning Office emailed all the review materials to the applicant. 5. On 4/18/16 the applicant was not present at the Planning Board meeting. The Planning Board voted to



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<p>reschedule this project to the next Planning Board meeting.</p> <ol style="list-style-type: none"> 6. On 4/26/16 the Planning Office emailed the 5/2/16 Planning Board agenda to the applicant. The Planning Office called the applicant to confirm receipt of Planning Office emails and understanding of the upcoming Planning Board meetings. 7. On 4/26/16 the Planning Office prepared a memo for the Planning Board meeting. 8. On 5/2/16 the Planning Board received the subdivision amendment application and scheduled a site walk of the property for 5/9/16 at 5:30 PM. 9. On 5/9/16 the Planning Board conducted a site walk of the property. 10. On 5/10/16 the Planning Office contacted the applicant and prepared a draft compliance (202-12)/ Findings of Fact & Decisions checklist. 11. On 5/11/16 the Planning Office prepared a site walk results memo. 12. On 5/12/16 the Planning Office provided the applicant with the compliance review checklist and plan markup comments to be addressed. 13. On [REDACTED] the Planning Office received a revised subdivision plan addressing the recommended plan changes and review comments. 14. On 5/16/16 the Planning Board voted to grant various waivers, voted to find the application complete, voted to waive a public hearing, voted find the application compliant, voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the subdivision plan at the end of the meeting.

§ 202-12. General Standards	Findings & Decisions
<p>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.</p>	
<p>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.</p>	
<p>B. Retention of open spaces and natural or historic features. [Amended 6-11-2013]</p>	
<p>(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.</p>	<p>This subdivision shall consist of 4 lots/dwelling units. Open Space is not required. No Open Space exists or is proposed.</p>



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(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.	This subdivision shall consist of 4 lots/dwelling units. Open Space is not required. No Open Space exists or is proposed.
(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.)	This subdivision shall consist of 4 lots/dwelling units. Open Space is not required. No Open Space exists or is proposed.
(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.	Preservation of trees greater than 24” in diameter at breast height was not required by the Planning Board for the proposed lot, none observed?
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.	
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 4 single family dwelling units. The lots shall be a minimum of 100,000 SF in net area as they are not served by public sewer. The proposed lot is to be 100,907.4 SF in size. See note 5. Maximum lot coverage permitted is 20%. See recommended not changes and plan markups.
(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 driveways exist, 2 are off of Branch Road and 1 is off of Burnt Mill Road. The proposed lot shall have a driveway off of Burnt Mill Road. See recommended note 16.
(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.	3 driveways exist, 2 are off of Branch Road and 1 is off of Burnt Mill Road. No changes are proposed to the existing driveways. The proposed lot shall have a driveway off of Burnt Mill Road.



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(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.	
(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.
(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.	An odd shaped lot is not proposed.
(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.	<u>On 5/16/16 the Planning Board shall consider determining shared driveways are not required.</u>
(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.	3 driveways exist, 2 are off of Branch Road and 1 is off of Burnt Mill Road. No changes are proposed to the existing driveways. The proposed lot shall have a driveway off of Burnt Mill Road. <u>On 5/16/16 the Planning Board shall consider determining that the driveways for the proposed lot is permitted off of Burnt Mill Road.</u>
E. Utilities.	
(1) Utilities shall be installed underground except as otherwise approved by the Board.	<u>See recommended note 17.</u>
(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	No road proposed.
(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.	Existing utility poles and overhead lines identified along Burnt Mill Road
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.	Plan identifies all Monumentation proposed and monuments found. <u>A bound monument is required and recommended for Lot C at the corner of Branch Road and Burnt Mill Road.</u>
(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.	<u>A bound monument is required and recommended for Lot C at the corner of Branch Road and Burnt Mill Road.</u>



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(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 135° 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.	<u>On 5/16/16 the Planning Board must consider determining the Monumentation shown/proposed to be acceptable.</u>
(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.	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.	
(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.	The subdivision lots are served by on-site wells. <u>See recommended note 12.</u>
[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.	<u>See recommended note 12.</u>



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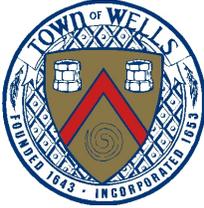
§ 202-12. General Standards	Findings & Decisions
[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 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:	<p>The subdivision is not served by public water. Fire protection exists via the existing town fire pond/hydrant located across the street on Map 56, Lot 15.EXE.</p> <p><u>On 5/16/16 the Planning Board to consider granting a waiver of requiring on-site fire protection based on the existing Town Fire Pond/hydrant that can serve as adequate fire protection.</u></p> <p>A letter from the Wells Fire Chief drafted 5-13-16 was provided.</p>
[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	Fire protection exists via the existing town fire pond/hydrant located across the street on Map 56, Lot 15.EXE. This pond is less than 1 mile away from the proposed lot.
[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.	A letter from the Wells Fire Chief drafted 5-13-16 was provided.
[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.	The existing Town fire pond is less than 1 mile away from the proposed lot.
[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.
(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.



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[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.
(3) Sewage disposal.	
(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 recommended note 13.
[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.	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. <u>Approximate location of existing septic system and well on lot 29-A-2 needs to be depicted.</u> <u>Approximate location of septic systems and wells on abutting lots 30 and 30-1 not identified. See recommended note 13.</u>
[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]	
(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.	A stormwater management system was not prepared or designed by a professional engineer. No swales, culverts, catch basins or other means proposed for channeling surface water. <u>Planning Board may consider granting a waiver of requiring a stormwater management plan.</u> Town Engineer has reviewed and recommends that a stormwater system is not needed.
(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	Town Engineer has reviewed and recommends that a stormwater system is not needed.

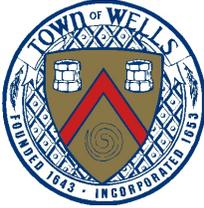


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(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.	Town Engineer has reviewed and recommends that a stormwater system is not needed.
(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.	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.	The development of the 1 lot has insignificant impacts. No LIDs are recommended.
(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:	No history of flooding in this area exists. The subdivision is not located within a flood zone. <u>See recommended note 14.</u>



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	<p>[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.</p>	
G.	Streets.	
	(1) All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.	The subdivision lots have frontage off of existing streets (Branch Road and Burnt Mill Road). No new streets are proposed.
	(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 not expected to generate a daily traffic of 200 trips per day or more. Traffic generation is calculated to be 40 trips per day for all lots in the subdivision.
	(a) Single-family house: 10.0 trips per day per unit.	4 x 10.0 = 40.00 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.	Subdivision is located within the Rural District.
H.	Land features.	

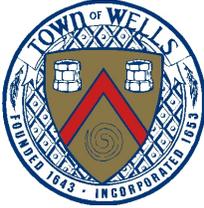


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(1) Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas and building excavations. Topsoil shall not be removed from the site until completion of construction 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.	This subdivision is not required to dedicate land as Open Space. No open space exists or is proposed.
(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.	
(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.	
(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	
[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.	

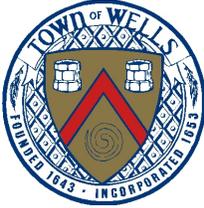


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(e) Covenants for mandatory membership in the homeowners' association setting forth the owners' rights, interests and privileges in the association and the common property shall be reviewed by the Board and included in the deed for each lot or dwelling.	
(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 115, Floodplain Management, of the Wells Municipal Code.	No flood zone is present for the parcel per FEMA Map 2301580010D. See recommended note 14.
(6) Impact on groundwater.	
(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	A groundwater nitrate evaluation is not required. Lots are greater than 100,000 SF in area and are not located in a gravel aquifer.
[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.	
[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.	



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§ 202-12. General Standards	Findings & Decisions
(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.	
(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:	<u>On 5/16/16 the Planning Board to determine that Performance Guarantees for the proposed lot are not required. See recommended note 19.</u>
(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.	Not applicable.
(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	Not applicable.
(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.	Not applicable.

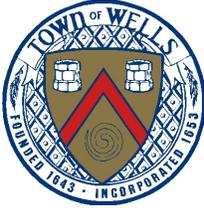


Town of Wells, Maine

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	(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.	<u>See recommended note 19.</u>
(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.	Not applicable.
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.	Not applicable.
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.	Not applicable.
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.	Not applicable.
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.	Not applicable.

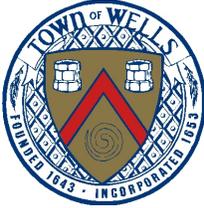


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F.	<p>Standard condition of approval. As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection K, the Board shall require the applicant to enter into a binding agreement with the municipality 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.</p>	Not applicable.
	(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.	
	(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.	<p>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.</p>	Phasing of the subdivision is not proposed.
H.	<p>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.</p>	Not applicable.
I.	<p>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.</p>	
J.	<p>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."</p>	A street is not proposed.



Town of Wells, Maine Planning Board

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K.	<p>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.</p>	Not applicable.
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§ 202-2. Purpose, criteria for approval.	Findings & Decisions
<p>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.</p>	
<p>A. The subdivision:</p>	The Planning Board finds that these standards shall be met.
<p>(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;</p>	
<p>(2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;</p>	
<p>(3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;</p>	
<p>(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;</p>	
<p>(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;</p>	
<p>(6) Will provide for adequate solid and sewage waste disposal;</p>	
<p>(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;</p>	
<p>(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;</p>	
<p>(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;</p>	
<p>(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</p>	



Town of Wells, Maine

Planning Board

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	(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.
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))

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

Wells Planning Board

By: _____
 Charles Millian, Chairman



Town of Wells, Maine

Planning Board

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Town of Wells, Maine
Final Minor Subdivision Plan Completeness Review
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Project Name/Map & Lot #: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A
 Prepared By: Office of Planning & Development
 Plans Dated: 3/8/2016

District: Rural
 Review Date: 4/13/16; 05/13/16
 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) <u>Map and lot numbers to be assigned/confirmed by the Town Assessor's Office</u>
	(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. <u>Notes 7, 8, and 9 are not necessary on the subdivision plan but can remain.</u> <u>Final mylar to have a surveyor stamp and signature.</u>
	(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.

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Final Minor Subdivision Plan Completeness Review
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Project Name/Map & Lot #: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A
 Prepared By: Office of Planning & Development
 Plans Dated: 3/8/2016

District: Rural
 Review Date: 4/13/16; 05/13/16
 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. <u>Approximate location of existing septic system and well on lot 29-A-2 needs to be depicted.</u> <u>Approximate location of septic systems and wells on abutting lots 30 and 30-1 not identified. See recommended note 13.</u>
	(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*				<u>Subdivision plan must note that the proposed lot shall be served by an on-site drilled well. See recommended note 12.</u>
	(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*				<u>Abutters on the north side of Route 9A are missing.</u>

Town of Wells, Maine
Final Minor Subdivision Plan Completeness Review
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Project Name/Map & Lot #: Pettinga Subdivision Amendment/ Tax Map 63, Lot 29-A
 Prepared By: Office of Planning & Development
 Plans Dated: 3/8/2016

District: Rural
 Review Date: 4/13/16; 05/13/16
 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*	<u>Applicant requests a waiver. Planning Board to make a determination after the site walk is held.</u>
	(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*				<u>A note is recommended to be added to the subdivision plan stating the subdivision is not located within a flood zone.</u>
	(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.			NA		No wooded/forested wetland exist on proposed lot.
	(m) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.		N			<u>A letter from IF&W not provided. Applicant may request a waiver.</u>



Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-7046
Website: www.wellstown.org

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

Minor Subdivision Amendment Application Memo

Date: May 11, 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 held on 5/9/16**

(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 received the minor app on 5/2/16**

(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]**
Abutters notified of the application on 4/8/16

(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] PB received the amendment application on 5/2/16**

(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**

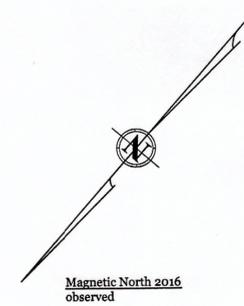
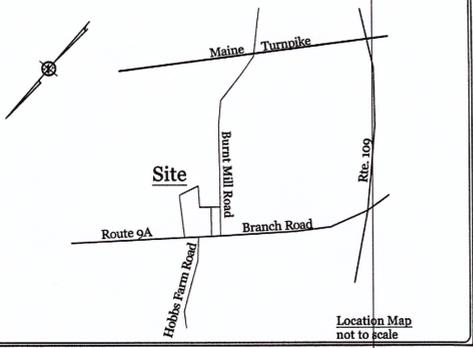
Recommendations:

1. The Planning Board should report the results of the site walk (see memo attached).
2. The Planning Office offers the following completeness and compliance comments:
 - a. Note and plan recommendations to be addressed by the applicant. Board should confirm recommended changes have been completed.
 - b. A letter from IF&W has not been provided, no special habitat areas identified on published maps. A waiver could be considered.
 - c. Sight distances exceed requirements. See recommended note 16.
 - i. The Planning Board to consider finding that shared driveways are not required.

- ii. The Planning Board to consider finding the proposed driveway off of Burnt Mill Road is permitted, see note 16.
 - d. Planning Board to review Monumentation proposed. A bound is required and recommended at the corner of Branch Road and Burnt Mill Road. If the proposed and recommended Monumentation is found acceptable the Planning Board should make a motion to that effect.
 - e. Planning Board to consider granting a waiver of requiring on-site fire protection based on the existing Town Fire Pond/hydrant that can serve as adequate fire protection.
 - f. A draft letter from the Fire Chief dated 5-13-16 has been provided.
 - g. Planning Board may consider granting a waiver of requiring a stormwater management plan.
 - h. Planning Board to find a hydrologic analysis and groundwater nitrate analysis is not required. (Lot is greater than 100,000 SF in area and not in a gravel aquifer).
 - i. The Planning Board to determine that Performance Guarantees for the proposed lot are not required, see recommended note 19.
- 3. If the items above are addressed and determination made, the Planning Board should consider finding the application complete.
- 4. If complete, the Planning Board should determine if a Public Hearing is necessary.
 - a. If yes, the Public Hearing should be scheduled for 6/6/16
 - b. If a hearing is not needed, the Planning Board should consider finding the application compliant.
- 5. If compliant, the Planning Board should consider approving and signing the Findings of Fact & Decisions and plan.

Pettinga Subdivision – Recommended Notes to add to the subdivision plan

12. The proposed Lot C-1 shall be served by an on-site drilled well which shall be located a minimum of 100 feet from any existing or proposed septic system. Dug wells are prohibited.
13. The proposed Lot C-1 shall be served by an on-site septic system which shall be located a minimum of 100 feet from any existing or proposed well.
14. The property is not located within a flood zone per FEMA Rate Map2301500010D, dated Jan. 16, 2013.
15. The existing structures on Lot C do not meet current setback requirements and are nonconforming structures per §145-13 of the Wells Land Use Code.
16. The driveway for proposed Lot C-1 shall be located off of Burnt Mill Road and shall have an on-site driveway turn around.
17. Utilities shall be installed underground.
18. Fire protection for this subdivision exists via the Town fire pond/dry hydrant located on Tax Map 56, Lot 15.EXE (across the street from this subdivision, approximately 1,250 feet.)
19. Prior to the issuance of a building permit for Lot C-1, the Monumentation required for Lot C and C-1 shall be installed by a Professional Land Surveyor.



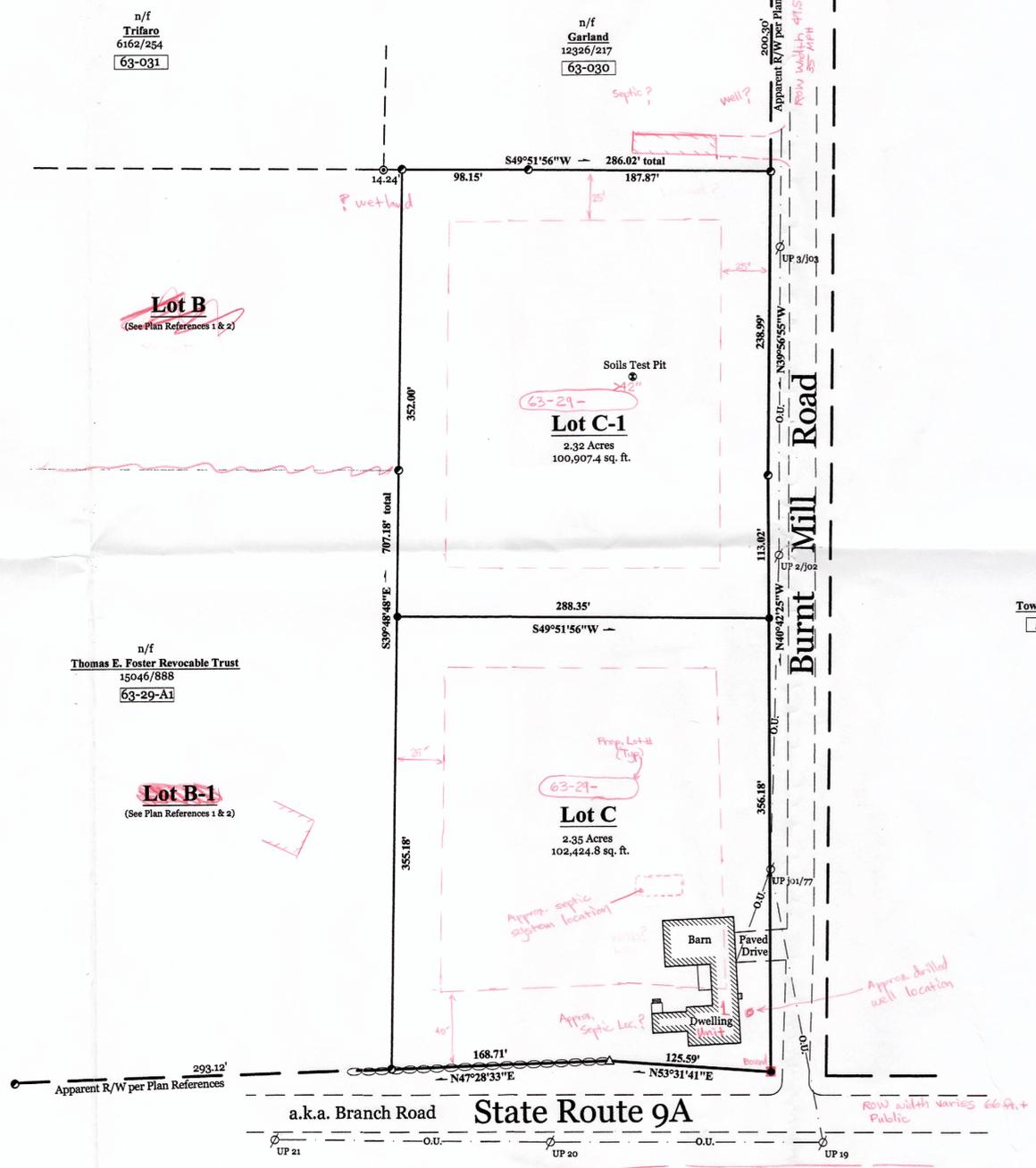
- Plan References:**
1. "Minor Subdivision Plan, Phyllis A. Foster Realty Trust, Foster, Rte. 9A Subdivision, Located In Wells, York County, Maine", dated April 1989 by Thomas W. Bullard, and recorded at the York County Registry of Deeds in Plan Book 186, page 4.
 2. "Revision To Subdivision Plan Entitled "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: *(Not Area)*
 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) *per dwelling unit*
 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; 25' cemetery *Mon. Building*
 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:

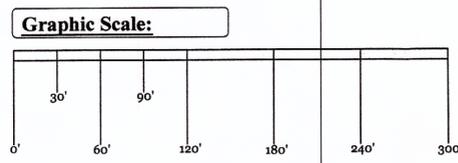
Judith F. Pettinga and Peter F. Pettinga
 to
 Judith F. Pettinga and Peter F. Pettinga
 dated March 31, 2003 and recorded at the York County Registry of Deeds in Book 12837, page 231.

- 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
 - - - Overhead Utilities
 - - - Setback Line
 - - - Stonewall
 - 63-29-A Assessor's map and lot number
 - UP 46/B Utility Pole (number noted)



Approved By:
Town of Wells Planning Board

Chair: _____ Date: _____



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

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

Amended Subdivision Plan Of
"Revision To Subdivision Plan Entitled Phyllis 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 Chkd. By: DLW / MRL	Survey Date: January 9, 2016 Plan Date: March 8, 2016 Scale: 1" = 60'
Book No.: 418-53	Job No. 2151592	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

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

Site Plan Amendment Application Memo

Date: May 11, 2016

To: Planning Board

From: Planning Office

Re: Granite Ridge Gravel – Site Plan Amendment Application - Map 37, Lot 41

Pepin Wells LLC and Stonewood Enterprises, LLC, owners, have submitted a site plan amendment application for the property located off of Perry Oliver Road identified as Tax Map 37, Lot 41, known as Granite Ridge Gravel. The property is located within the Rural District and is 22.72 acres in size. The property has approval for Mineral Extraction use up to 3.67 acres. The amendment application is to resolve the excavation of mineral within the required 100 buffer and excavation of mineral beyond the 3.67 acre limitation. The proposed excavation limit is 4.2 acres with a revised buffer reduced from 100 feet to 25 feet as agreed to by abutters (see agreement dated 2016).

The submission of this amendment application resolves a site plan violation identified by the Town in August 2016 due to an abutter complaint. See attached August memo from Mike Livingston.

§ 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. **YES - Mineral Extraction use proposed to expand**

§ 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 amendments 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 and escrow 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]**

§ 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. **Procedure for site plan pre-application and application shall be followed. ***
 - (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. **Not applicable**
- 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.) **Not applicable**
- 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 4/21/16 the Code Officer determined the uses are permitted.

- (b) If the proposed use is a permitted use on the subject lot: Abutter notification mailed 4/21/16
- [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. **Planning Board recieved site plan amendment application on 5/2/16**
- (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 4/21/16; meeting was on 5/2/16**
- (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. **To be determined**
- (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.

Recommendations and Conclusion:

1. The Planning Board is scheduled to conduct a site walk of the Granite Ridge Gravel property prior to the Planning Board meeting on Monday night at 5:30PM.
2. The results of the Site Walk will be reported at the meeting.
3. The Planning Office awaits plan revisions addressing the initial recommended changes before commencing completeness review.
4. The Planning Board should discuss whether the applicant should be allowed to reclaim the areas adjacent to the buffer area under agreement with the abutters.



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<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: May 11, 2016

To: Planning Board

From: Planning Office

Re: Watercrest Condominiums – Site Plan Amendment Application - Map 126, Lot 17

Lynn Wood, Water Crest Condominium Association President, has submitted a site plan amendment application for the property located off of 1277 Post Road identified as Tax Map 126, Lot 17. The property is located within the General Business District. The property last received site plan approval in 1997 and the current amendment application seeks approval for various changes that have occurred without site plan approval including: depiction of 11 Motel units and 1.5 acres of land added to this development after the 1989 site plan approval; new dumpster location ; landscaped buffer changes; non-vegetated area changes; grass parking now paved, and unit additions/deck additions. The Lodging Facility consists of a building for the Lodging Office and contains 4 dwelling units. 37 hotel/motel units (unit 135 was converted from two hotel units (34 and 35) to 1 housekeeping unit via CEO building permit and did not obtain site plan approval); and 18 housekeeping cottage units on 6.10 acres of land (includes the 1.5 acres added after 1989 approval). The development is served by public sewer and public water. The property has various amenities such as an existing pool with pool shed and hot tub, horseshoe pits, play area, playground, basketball court, shuffleboard and picnic tables.

§ 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. **YES - 11 units and 1.5 acres and various unit changes since last approvals**

§ 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 amendments 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. **Applicant shall submit the required application fee and escrow prior to Planning Board receipt**
- 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]**

§ 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. **Procedure for site plan pre-application and application shall be followed. ***
 - (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. **Not applicable**
- 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.) **Not applicable**
- 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 6/25/15 the Code Officer determined the uses are permitted or were permitted at the time of original approval**
- (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 6/26/15**
- [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. **Planning Board received site plan amendment application on 7/6/15.**
- (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 6/26/15; meeting was on 7/6/15**
- (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. **Site Walk conducted on 7/13/15.**
- (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.

Recommendations and Conclusion:

1. The Planning Board should review the revised site plan, boundary plan, and attach condominium plans as the site plan set. The following comments are offered with regard to Articles V, VI, VII and completeness:
 - a. **Buffer:**
 - i. The property is a Multifamily Development and a Lodging Facility. A 25' vegetated buffer is required around all lot lines.
 1. The development has existed for many years. Many of the motel units exist within the setback/buffer and are grandfathered as nonconforming

The Planning Board determined on 5/2/16 that the lodging facility buffers are grandfathered by the 1989 approved plan if installed. The Planning Board must also determine that the Multifamily Development buffer requirements are non-conforming but grandfathered and that the required 1989 buffer to be planted is sufficient.
 - ii. The 1989 landscaped buffer is noted on the plan to be installed no later than May 1, 2017.

- a. **Parking:**
The Planning Board should determine that the parking lot re-striping shall occur no later than May 1, 2017.

- b. Unit 135: Motel units 34 and 35 as approved on prior site plans were converted into 1 housekeeping unit (now numbered as unit 135). This conversion was done without site plan approval but the unit was given a building permit in 2004 and 2008 and the CEO noted the use to be a cottage. By the CEO granting such a permit the use of this unit is now considered a housekeeping cottage. The current site plan amendment application acknowledges this change in use and conversion from 2 units to 1 unit.

 - c. Stormwater Management:
The Planning Board to consider finding a stormwater management plan not required. This is an existing development. No changes to stormwater are proposed.
2. The Planning Board should then vote to find the application compliant (145-75).
 3. The Planning Board should consider reviewing and approving the Findings of Fact & Decisions.
 4. The Planning Board should consider approving and signing the site plan.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 1 of 6

Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Prepared By: Office of Planning & Development

Date of Review: 10/14/15; 04/27/16; 5/11/16

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				Scale is 1" = 40 feet.
	(1) The name and address of the applicant plus the name of the proposed development.	Y				
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				See recommended plan notes and mark-ups. Existing lot coverage (from 1997 site plan) is 25.6% and proposed lot coverage (as-built conditions) is 36.1%
	(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				Site Plan has been prepared by Thomas Bullard, PLS. Parcel is 6.01 acres.
	(4) All existing and proposed setback dimensions.	Y				See notes 9 and 10. See 145-48 and 145-52 for additional setback/ buffer requirements.
	(5) The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				Light poles are identified throughout the property. See note 11 and 12.
	(6) The type, size and location of all incineration devices.			NA		No such devices proposed.
	(7) The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such machinery exists or is proposed.
	(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				Overhead and underground utility lines are depicted. Utility poles and utility corrals noted.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 2 of 6

Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Prepared By: Office of Planning & Development

Date of Review: 10/14/15; 04/27/16; 5/11/16

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.				W	On 5/2/16 the Planning Board granted a waiver of property contours. No grade changes are proposed. Lot coverage has changed since the 1997 site plan approval from 25.6% to 36.1% (increase of 10.5%).
(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*				<p>All parking space dimensions not noted. One way and two way traffic requirements not shown to be met for parking added after 1997 site plan approval. Handicap parking space dimensions not noted. Signage for handicap parking not noted.</p> <p><u>The amended site plan is seeking approval for various parking spaces installed without site plan approval. Additional parking spaces have been installed/ altered and must be stripped to comply with the space dimensional requirements (see note 14.)</u></p> <p><u>Parking space re-striping is required for spaces that do not comply with dimensional requirements. Such spaces shall be re-striped to meet dimensional requirements no later than May 1, 2017.</u></p> <p>Directional arrows shall be stripped within roadways as roadway widths are very narrow. Widths of roadways are grandfathered.</p> <p>Snow storage areas are noted</p>

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 3 of 6

Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Prepared By: Office of Planning & Development

Date of Review: 10/14/15; 04/27/16; 5/11/16

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				<p>The 1989 site plan approval required the easterly boundary abutting the Darling parcel (Map 126, lot 13B) to have a 15' wide landscaped buffer extending to the emergency exit. This landscaped buffer was not installed and therefore the property is not complying with its prior site plan approval. On 5/2/16 the Planning Board required that the 1989 landscaping shall be installed as required in 1989.</p> <p>The 1996 site plan approval required a landscaped buffer along Route One. The approval also had office parking spaces and lodging unit parking separated along Route One. The office parking area now connects to the lodging unit parking area. The landscaped buffer now differs from the 1996 approval. On 5/2/16 the Planning Board determined that the existing Route One landscaped buffer is sufficient and grandfathered. <u>The landscaped buffer per the 1989 approval shall be installed no later than May 1, 2017.</u></p> <p>The southerly boundary lines abutting the Morse property (Map 126, Lot 18) requires no screening or buffering. A 6' tall chain link fences exists on the Morse property along this boundary.</p> <p><u>The dumpster is seeking approval of its current location which does not comply with prior site plan approvals. The dumpster was installed within the 1989 site plan 20' buffer required for the housekeeping cottage unit expansion approval. The dumpster shall meet the 15' lot line setback but is within the 25' vegetated buffer requirement for Multifamily Developments and Lodging Facilities. The dumpster is screened on all sides by a solid 6' tall fence and vegetation. See easement Bk 1325, Pg 292-293 for Watercrest dumpster access. On 5/2/16 the Planning Board discussed the dumpster and found its location and existing screening to be adequate.</u></p>

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 4 of 6

Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Prepared By: Office of Planning & Development

Date of Review: 10/14/15; 04/27/16; 5/11/16

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(11)	Continued					<p>The property to the west (Map 126, Lot 16) has a 6' tall solid vinyl fence erected along its boundary line. This property has a residential use. The fence is installed on Lot 16 by the owner of lot 16.</p> <p>This parcel is also considered a Multifamily Development per 145-48 as it has 4 dwelling units within the Main Office building off of Route One. <u>On 5/16/16 the Planning Board to determine that the landscaping, buffering, screening requirements of 145-48 remain grandfathered and the 1989 landscaping shall be installed.</u> A 25' wide landscaped buffer is not possible along most boundary lines as the property was developed prior to 1989. Some boundary lines do have a 25' wide buffer area (see 1989 buffer required for the housekeeping cottage approval).</p>
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				<p>Emergency access road rights over Darling property addressed and noted via Book 21, Pg. 58 reference on site plan.</p> <p>Dumpster access rights over existing paved driveway noted (Book 1325, Pg. 292-293)</p>
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Route One identified. Bayley Road intersection noted.
(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*				Lot lines across Route One approximately depicted. Abutters names and Map and Lot numbers noted.
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				Planning Board signature block provided
B.	Documentation of right, title or interest in the proposed site.	Y				Condominium Association documents provided. Letter from Condo president provided.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 5 of 6

Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Date of Review: 10/14/15; 04/27/16; 5/11/16

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
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.	Y				On 5/2/16 the Planning Board reviewed the dumpster location and screening provided and found the location and screening to be suitable. Various utility corrals and picnic tables are depicted throughout the site.
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.				W	On 5/2/16 the Planning Board granted a waiver and did not require a letter from WSD. All lodging and dwelling units have exists for many years.
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.				W	On 5/2/16 the Planning Board granted a waiver and did not require a letter from KKWWD. All lodging and dwelling units have exists for many years.
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:			NA		On 5/2/16 the Planning Board found that additional traffic data is not necessary. All lodging units and dwelling units have existed for many years. No new units are proposed.
(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.					

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
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Project Name/District: Watercrest Condominiums / General Business District - Tax Map 126, Lot 17

Date of Review: 10/14/15; 04/27/16; 5/11/16

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
(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 note 17.
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]			NA		The existing stormwater conditions are not proposed to be altered. No existing stormwater or erosion issues were observed at the site. No runoff impacts expected. <u>On 5/16/16 the Planning Board to find that a stormwater management plan is not required.</u>
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]					
	Chapter 201, Article IV. Sidewalk Development.			NA		



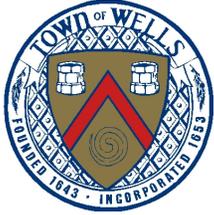
Town of Wells, Maine

Planning Board

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Chapter 145, Article X Site Plan Approval

PROJECT INFORMATION		
General:	Project Name: Applicant: Landowner: Location: Existing Use: Proposed Land Use: Tax Parcel ID: Zoning District: Art VII Performance Standards: Design Engineer/ Surveyor: Plan Submission Date:	Watercrest Condominiums Lynn Wood, Watercrest Condominium President, 390 Fulton St, Medford, MA 02155 Watercrest Condominiums, PO 37, Wells, ME 04090 1277 Post Road, Wells, ME 4 dwelling units, 28 Motel Units, 17 housekeeping cottage units, an Office and various amenities on 4.6 acres of land 4 dwelling units, 37 Motel Units, 18 housekeeping cottage units, and Office and various amenities on 6.10 acres of land (Uses based on acquisition of 1.5 acres with 11 motel units from 20+ years ago and building permits granted to unit 135) Tax Map 126, lot 17 General Business District §145-48. Multifamily Development and §145-52 Lodging Facilities Thomas Bullard, PO Box 776, Sanford, ME 04090 June 19, 2015



Town of Wells, Maine

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FINDINGS OF FACTS & DECISIONS

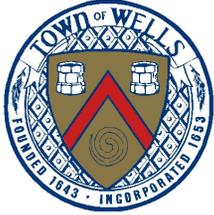
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Project Description:	Lynn Wood, Water Crest Condominium Association President, has submitted a site plan amendment application for the property located off of 1277 Post Road identified as Tax Map 126, Lot 17. The property is located within the General Business District. The property last received site plan approval in 1997 and the current amendment application seeks approval for various changes that have occurred without site plan approval including: depiction of 11 Motel units and 1.5 acres of land added to this development after the 1989 site plan approval; new dumpster location ; landscaped buffer changes; non-vegetated area changes; grass parking now paved, and unit additions/deck additions. The Lodging Facility consists of a building for the Lodging Office and contains 4 dwelling units. 37 hotel/motel units (unit 135 was converted from two hotel units (34 and 35) to 1 housekeeping unit via CEO building permit and did not obtain site plan approval); and 18 housekeeping cottage units on 6.10 acres of land (includes the 1.5 acres added after 1989 approval). The development is served by public sewer and public water. The property has various amenities such as an existing pool with pool shed and hot tub, horseshoe pits, play area, playground, basketball court, shuffleboard and picnic tables.
Completeness Determination:	5/2/2016
Public Hearing:	Not Applicable Planning Board waived a public hearing on 5/2/2016
Staff Review Mtg:	

PROJECT HISTORY

1. On 6/19/15 the applicant submitted a site plan amendment application for the above described property.
2. On 6/25/15 the Code Officer prepared and Article V use determination.
3. On 6/26/15 abutters were mailed notice of the amendment application, use determination and of the 7/6/15 Planning Board meeting.
4. On 6/29/15 the applicant met with the Planning office to discuss the site plan amendment application.
5. On 6/30/15 the Planning Office prepared a site plan amendment application memo outlining the project and concerns.
6. On 7/6/15 the Planning Board voted to receive the site plan amendment application and to schedule a site walk of the property for 7/13/15 at 6PM.
7. On 7/13/15 the Planning Board conducted a site walk of the property.
8. On 7/14/15 the Planning Office prepared a site walk results memo.
9. On 7/20/15 the Planning Board reported the results of the site walk and voted to continue the workshop for 60 days.
10. On 9/12/15 the applicant submitted additional information to the Planning Office for review.



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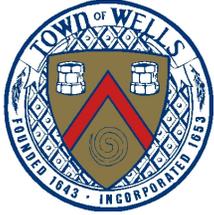
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11. On 10/14/15 the Planning Office prepared the Article V, VI, VII and draft completeness (145-77) review checklists based on the information provided to date.
12. On 10/16/15 the Planning Office prepared a memo for the applicant and Planning Board to consider granting a 30 day extension.
13. On 10/19/15 the applicant met with the Planning Office to discuss the information needed for the site plan amendment.
14. On 10/19/15 the Planning Board voted to grant a 30 day extension.
15. On 12/7/15 the Plannign Board voted to grant a 60 day extension.
16. On 3/2/16 the applicant requested another extension for additional time for their surveyor to complete the site plan.
17. On 3/2/16 the Planning Office prepared a memo regarding the extension request for the Planning Board.
18. On 3/7/16 the Planning Board voted to grant a 60 day extension.
19. On 4/26/16 the applicant submitted a revised survey plan and materials for review to the Planning Office.
20. On 4/27/16 the applicant submitted additional requested information to the Planning Office.
21. On 4/27 and 4/28/16 the Planning Office prepared a site plan for the applicant to address the outstanding issues not addressed by the survey provided.
22. On 4/27 and 4/28/16 the Planning Office prepared updates to the Article V, VI, VII and completeness (145-77) review checklists.
23. On 4/28/16 the Planning Office prepared an application memo for the applicant and Planning Board.
24. On 5/2/16 the Planning Board voted to find the dumpster location and screening adequate; voted to find the Route 1 landscaped buffer sufficient and grandfathered; voted to require the vegetated buffer as shown on the 1989 plan to be installed; voted to waive WSD and KKWWD capacity letters; voted to find the application complete; voted to waive a public hearing; voted to waive property contours, and voted to continue the workshop to the next meeting.
25. On 5/11/16 the Planning Office prepared revisions to the site plan to address the Planning Board decisions and recommendations.
26. On 5/11/16 the Planning Office received a draft Fire Chief safety letter.
27. On 5/11/16 the Planning Office prepared updated Article V, VI, VII and completeness review checklists, prepared a draft compliance (145-75)/ Findings of Fact & Decisions document and a memo for the applicant and Planning Board.
28. On 5/16/16 the Planning Board voted to make various determinations, voted to find the application compliant (145-75), voted to approve and sign the Findings of Fact & Decisions; and voted to approve and sign the site plan at the end of the meeting.

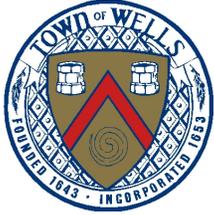
§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	



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§ 145-75. Criteria and Standards	Comments
	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.



Town of Wells, Maine

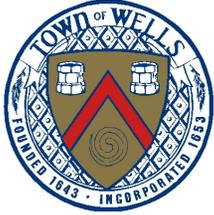
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§ 145-75. Criteria and Standards		Comments
<p>A. Traffic. The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate 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.</p>	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>This parcel has approximately 421' of street frontage along Route One. Parcel does not have multiple street frontages. On-street parking is prohibited. No off-site parking proposed. 90 degree parking spaces must be 9' x 18.5' in dimension for two-way traffic. 60 degree parking spaces must be 8.5' x 19' in dimension with one way traffic. 45 degree parking spaces must be 8.5' x 17.5' in dimension with one way traffic. 4 handicap accessible parking spaces are shown. Handicap signage is noted and shall be installed and maintained. Site distances onto Route One noted to be 350+ feet at each exit. Speed limit of Route One is noted to be 35 MPH.</p> <p><u>The amended site plan is seeking approval for various parking spaces installed without site plan approval. Additional parking spaces have been installed/ altered and must be stripped to comply with the space dimensional requirements (see note 14.)</u> Parking space re-striping is required for spaces that do not comply with dimensional requirements. Such spaces shall be re-striped to meet dimensional requirements no later than May 1, 2017.</p> <p>Directional arrows shall be stripped within roadways as roadway widths are very narrow. Widths of roadways are grandfathered.</p> <p>4 dwellings required 8 parking spaces. This lodging facility has 96 bedrooms. 96 x 1.1 = 106 spaces required for the motel and housekeeping cottage units. 106 spaces are provided via grass, gravel and paved parking. See note 14. Snow storage areas depicted.</p> <p>The plan identifies all gravel and paved areas. The plan identifies all grass parking spaces. The facility is grandfathered to allow grass parking for units that use grass parking before May 1 or after November 1. See note 14e.</p>	

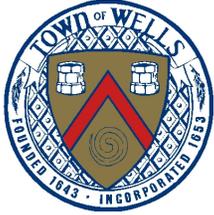


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§ 145-75. Criteria and Standards		Comments
	Traffic continued.	<p>Emergency access road rights over Darling property addressed and noted via Book 21, Pg. 58 reference on site plan. Dumpster access rights over existing paved driveway noted (Book 1325, Pg. 292-293)</p> <p>Route One identified. Bayley Road intersection noted.</p> <p>On 5/2/16 the Planning Board found that additional traffic data is not necessary. All lodging units and dwelling units have existed for many years. No new units are proposed.</p>
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.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lots lines.</p>
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.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from producing such odor at any point beyond its lot lines as measured at ground or habitable elevation.</p>

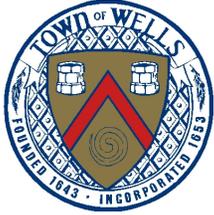


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§ 145-75. Criteria and Standards		Comments
D.	Glare. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Light poles are identified throughout the property. See note 11 and 12. This parcel is prohibited from producing such glare onto abutting lots or street right of ways. All existing and proposed exterior lights shall be downward directional and comply with Land Use lighting provisions.</p> <p>Overhead and underground utility lines are depicted. Utility poles and utility corrals noted.</p>
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]	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The existing stormwater conditions are not proposed to be altered. No existing stormwater or erosion issues were observed at the site. No runoff impacts expected.</p> <p>On 5/16/16 the Planning Board found that a stormwater management plan is not required.</p>
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]	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Best Management Practices are a standard condition of approval. The Standard conditions of the Town of Wells are referenced on the site plan. See note 17.</p>



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§ 145-75. Criteria and Standards		Comments
(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.	
(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.	

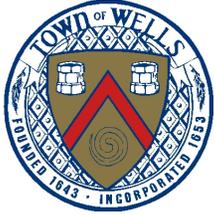


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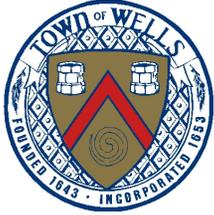
§ 145-75. Criteria and Standards		Comments
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	



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§ 145-75. Criteria and Standards		Comments
G.	<p>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.</p>	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Setback requirements of the General Business District are noted on the plan. See note 9 for dimensional requirements. 15’ setbacks shown. <u>Many existing cottages and motel units were constructed within the lot line setbacks. These units are grandfathered in this non-conformity. No changes are proposed to increase this non-conformity.</u> 40’ setbacks shown. <u>The existing office/ 4 dwellings were constructed within the lot line setbacks. These units are grandfathered in this non-conformity. No changes are proposed to increase this non-conformity.</u></p> <p>See also setback requirements of 145-48 and 145-52. Per 145-52 Route 1 setbacks for 3-story buildings are 80 feet, 2-story buildings are 60 feet and 1-story buildings are 40 feet. The existing 3-story main office building/dwelling units does not meet the 80 foot setback. Units 101 and 102 are grandfathered 2-story housekeeping units. <u>Housekeeping Cottages (HC) were constructed prior to 2006. The cottage units are non-conforming with regard to 145-26F(6)(c) and are grandfathered. No changes are proposed to increase this non-conformity.</u></p> <p>The 1989 site plan approval required the easterly boundary abutting the Darling parcel (Map 126, lot 13B) to have a 15’ wide landscaped buffer extending to the emergency exit. This landscaped buffer was not installed and therefore the property is not complying with its prior site plan approval. On 5/2/16 the Planning Board required that the 1989 landscaping shall be installed as required in 1989.</p>

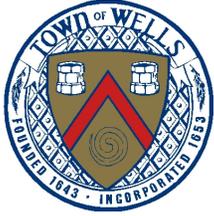


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<p>Setbacks and screening continued.</p>	<p>The 1996 site plan approval required a landscaped buffer along Route One. The approval also had office parking spaces and lodging unit parking separated along Route One. The office parking area now connects to the lodging unit parking area. The landscaped buffer now differs from the 1996 approval. On 5/2/16 the Planning Board determined that the existing Route One landscaped buffer is sufficient and grandfathered. The landscaped buffer per the 1989 approval shall be installed no later than May 1, 2017.</p> <p>The southerly boundary lines abutting the Morse property (Map 126, Lot 18) requires no screening or buffering. A 6' tall chain link fences exists on the Morse property along this boundary.</p> <p><u>The dumpster is seeking approval of its current location which does not comply with prior site plan approvals. The dumpster was installed within the 1989 site plan 20' buffer required for the housekeeping cottage unit expansion approval. The dumpster shall meet the 15' lot line setback but is within the 25' vegetated buffer requirement for Multifamily Developments and Lodging Facilities. The dumpster is screened on all sides by a solid 6' tall fence and vegetation. See easement Bk 1325, Pg 292-293 for Watercrest dumpster access. On 5/2/16 the Planning Board discussed the dumpster and found its location and existing screening to be adequate.</u></p> <p>The property to the west (Map 126, Lot 16) has a 6' tall solid vinyl fence erected along its boundary line. This property has a residential use. The fence is installed on Lot 16 by the owner of lot 16.</p> <p>This parcel is also considered a Multifamily Development per 145-48 as it has 4 dwelling units within the Main Office building off of Route One. On 5/16/16 the Planning Board determined that the landscaping, buffering, screening requirements of 145-48 remain grandfathered and the 1989 landscaping shall be installed. A 25' wide landscaped buffer is not possible along most boundary lines as the property was developed prior to 1989. Some boundary lines do have a 25' wide buffer area (see 1989 buffer required for the housekeeping cottage approval).</p>

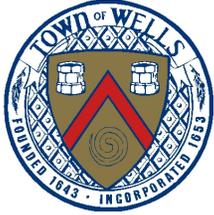


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§ 145-75. Criteria and Standards		Comments
H.	Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Various propane tanks are identified throughout the property. Explosive materials and fuels shall be stored in compliance with NFPA standards.</p>
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.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Water Quality Standards shall be met.</p>
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Prior approved lot coverage was 25.6%</p> <p>Propose lot coverage based on existing conditions is 35.6%</p> <p>No unnecessary disturbance of the landscape is proposed. No tree removal or grade changes are proposed or permitted.</p>

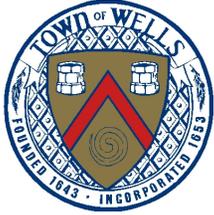


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§ 145-75. Criteria and Standards		Comments
K.	Refuse disposal. The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular 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.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p><u>The dumpster is seeking approval of its current location which does not comply with prior site plan approvals. The dumpster was installed within the 1989 site plan 20' buffer required for the housekeeping cottage unit expansion approval.</u> The dumpster shall meet the 15' lot line setback but is within the 25' vegetated buffer requirement for Multifamily Developments and Lodging Facilities. The dumpster is screened on all sides by a solid 6' tall fence and vegetation. See easement Bk 1325, Pg 292-293 for Watercrest dumpster access. On 5/2/16 the Planning Board discussed the dumpster and found its location and existing screening to be adequate.</p>
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>On 5/2/16 the Planning Board granted a waiver and did not require a letter from KKWWD. All lodging and dwelling units have exists for many years.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>On 5/2/16 the Planning Board granted a waiver and did not require a letter from WSD. All lodging and dwelling units have exists for many years.</p>



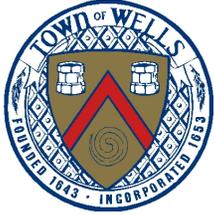
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§ 145-75. Criteria and Standards		Comments
N.	<p>Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.</p>	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The Fire Chief has provided a letter dated 5/11/16 stating Prior to the installation of a Knox Box the Fire Department shall be contacted regarding placement. Knox Boxes are recommended.</p> <p>No parking is to be permitted on Route 1. On-site parking exists and shall be maintained as depicted. Parking along the internal roadways of the condominium is recommended to be prohibited as the roadway widths are narrow. Some roadways lack sufficient turn-arounds but are grandfathered in this non-conformity as these roadways have existed for over 30 years.</p> <p>The nearest fire hydrant location is noted on the site plan.</p> <p>The roadway connecting to the abutters gravel roadway is gated and is recommended to require a Knox Box. This roadway serves as an emergency exit only.</p>

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)]



Town of Wells, Maine

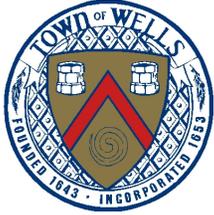
Planning Board

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment Application for "Watercrest Condominiums"

Page 15 of 16

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.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment Application for "Watercrest Condominiums"

Page 16 of 16

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.

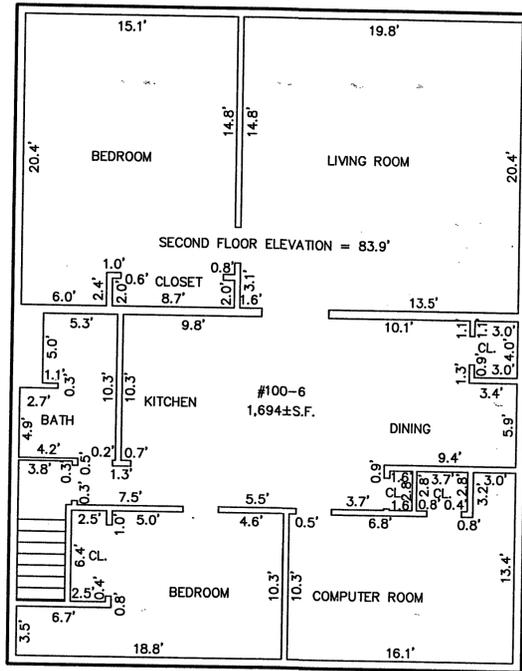
Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.

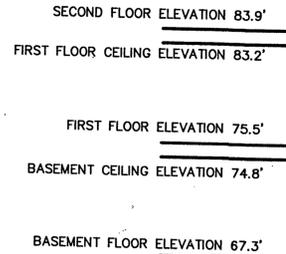
Dated at Wells, Maine this _____ day of _____, 2016

Wells Planning Board

By: _____
Charles Millian, Chairman

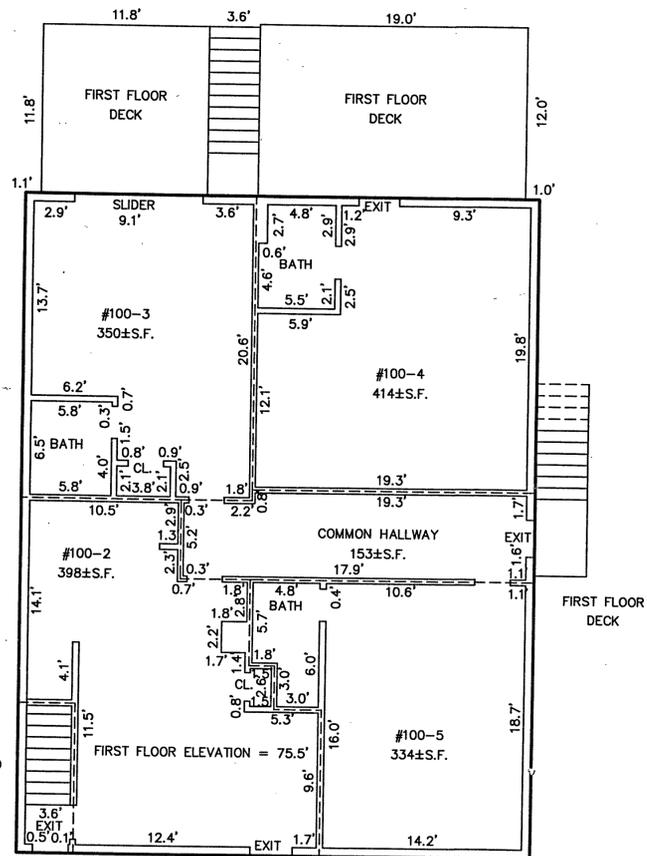


MAIN OFFICE BUILDING
SECOND FLOOR PLAN

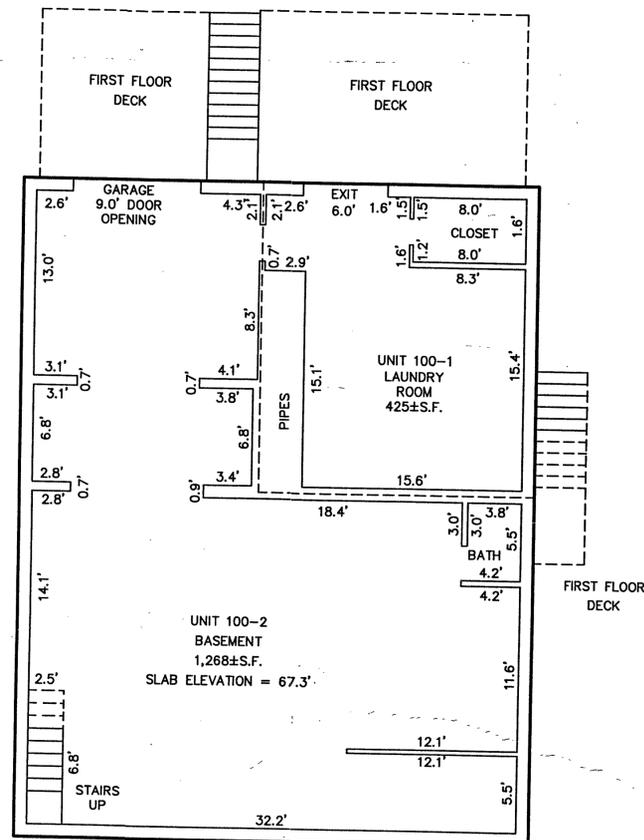


MAIN OFFICE BUILDING
CROSS SECTION: NOT TO SCALE

SEE SHEET 1 OF 4 FOR GENERAL NOTES
AND ENDORSEMENTS



MAIN OFFICE BUILDING
FIRST FLOOR PLAN



MAIN OFFICE BUILDING
BASEMENT PLAN

SEAL

YORK, ss REGISTRY OF DEEDS
Received June 7 2001
at 9:20 A.M. by M. &
Filed in Plan Book 523 page 4
ATTEST: **COPY**
Register

FOR REGISTRY USE ONLY

PROFESSIONAL LAND SURVEYOR DATE

CONDOMINIUM
UNIT
PLAN

1277 POST ROAD
U.S. ROUTE 1
IN
WELLS, MAINE
(YORK COUNTY)

WATERCREST
CONDOMINIUM

OWNED BY:
DONALD A. & GAIL GOODRICH
P.O. BOX 37
1277 ROUTE 1
WELLS, ME 04090

JUNE 4, 2001

REVISIONS:

NO.	DATE	DESC.

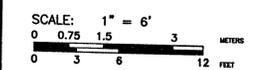
PREPARED FOR:
Mr. KEN GRADY
GRAND COVE LANDING, INC.
464 MAIN STREET
PO BOX 522
WEST DENNIS, MA 02670

BSC GROUP

657 Main Street
W. Yarmouth, Massachusetts
02673

508 778 8919

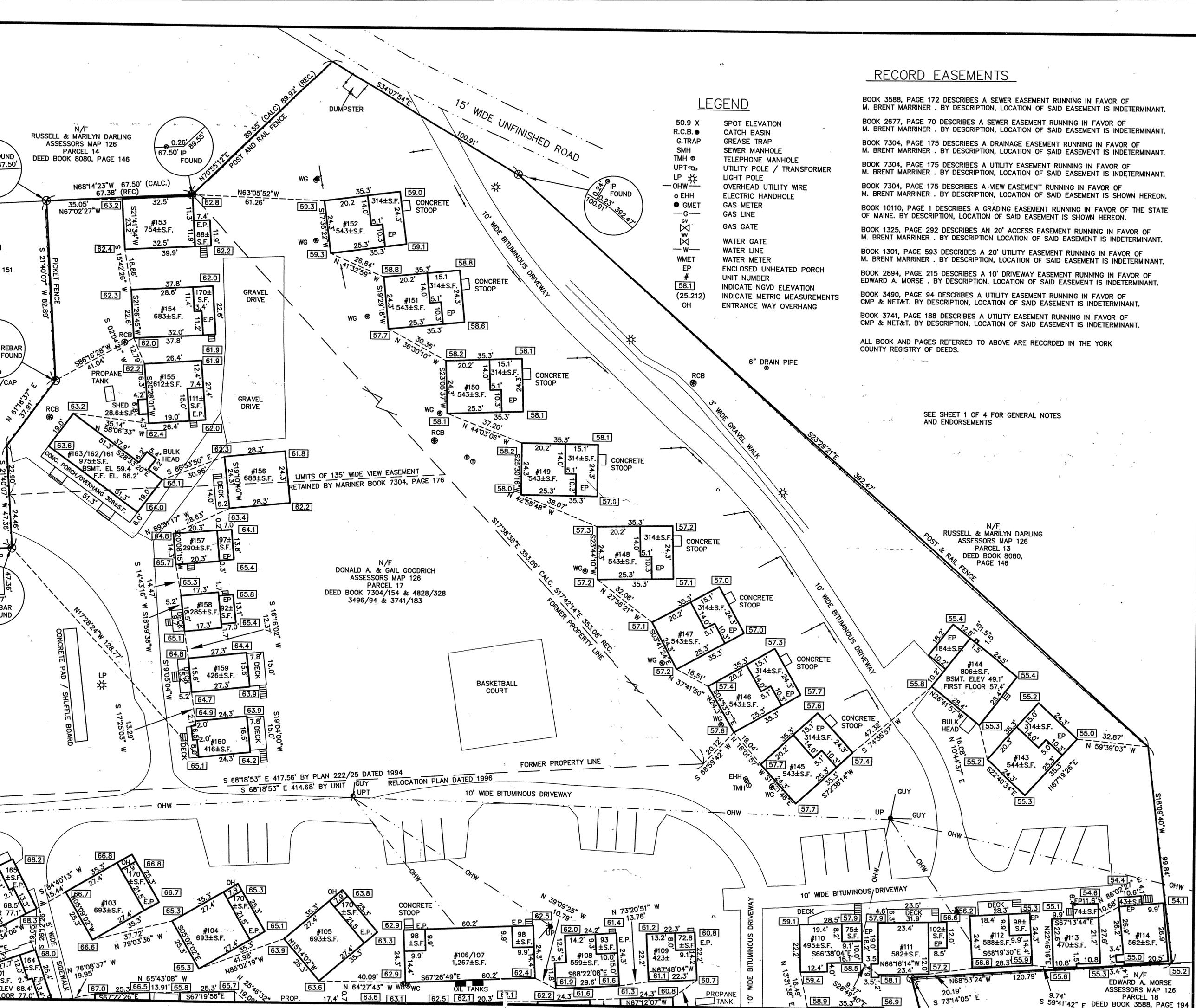
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PROJ. MGR.: C. FIELD
FIELD: D. GAZZOLO / J. McCARTIN
CALC./DESIGN: K. HEALY
DRAWN: K. HEALY
CHECK: C. FIELD
FILE: 8292-EXC.DWG
DWG. NO: 5300-01
JOB. NO: 4-8292.00

John A. McDonald 725-2251
June 6, 2001

P:\Proj\00000000\B292-Exc.DWG - Healy Jun 06 10:34:25 2001 HP650 [Board] 8.03.1999 by The BSC Group



RECORD EASEMENTS

BOOK 3588, PAGE 172 DESCRIBES A SEWER EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 2677, PAGE 70 DESCRIBES A SEWER EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 7304, PAGE 175 DESCRIBES A DRAINAGE EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 7304, PAGE 175 DESCRIBES A UTILITY EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 7304, PAGE 175 DESCRIBES A VIEW EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS SHOWN HEREON.

BOOK 10110, PAGE 1 DESCRIBES A GRADING EASEMENT RUNNING IN FAVOR OF THE STATE OF MAINE . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS SHOWN HEREON.

BOOK 1325, PAGE 292 DESCRIBES AN 20' ACCESS EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 1301, PAGE 593 DESCRIBES A 20' UTILITY EASEMENT RUNNING IN FAVOR OF M. BRENT MARRINER . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 2894, PAGE 215 DESCRIBES A 10' DRIVEWAY EASEMENT RUNNING IN FAVOR OF EDWARD A. MORSE . BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 3490, PAGE 94 DESCRIBES A UTILITY EASEMENT RUNNING IN FAVOR OF CMP & NET&T. BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

BOOK 3741, PAGE 188 DESCRIBES A UTILITY EASEMENT RUNNING IN FAVOR OF CMP & NET&T. BY DESCRIPTION, LOCATION OF SAID EASEMENT IS INDETERMINANT.

ALL BOOK AND PAGES REFERRED TO ABOVE ARE RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS.

SEE SHEET 1 OF 4 FOR GENERAL NOTES AND ENDORSEMENTS

LEGEND

- 50.9 X SPOT ELEVATION
- R.C.B. CATCH BASIN
- G.TRAP GREASE TRAP
- SMH SEWER MANHOLE
- TMH TELEPHONE MANHOLE
- UPT UTILITY POLE / TRANSFORMER
- LP LIGHT POLE
- OHW OVERHEAD UTILITY WIRE
- EHH ELECTRIC HANDHOLE
- GMET GAS METER
- G GAS LINE
- GAS GATE
- WATER GATE
- WATER LINE
- WMET WATER METER
- EP ENCLOSED UNHEATED PORCH
- UNIT NUMBER
- INDICATE NGVD ELEVATION
- INDICATE METRIC MEASUREMENTS
- ENTRANCE WAY OVERHANG

YORK, ss REGISTRY
 Received 3/24/04
 at 9:25 AM
 Filed in Book 523
 ATTEST: **GOP**

FOR REGISTRY
 SEAL

PROFESSIONAL LAND SUR

CONDOMINIUM PLAN
 LAND
 1277 POST
 U.S. ROUTE
 IN
 WELLS, MA
 (YORK COUNTY)
WATERCROSS CONDOMINIUM

OWNED BY
 DONALD A. & GAIL
 P.O. BOX 3
 1277 ROUTE
 WELLS, ME 04994
 JUNE 4, 2004

REVISIONS:
 NO. DATE DESC.

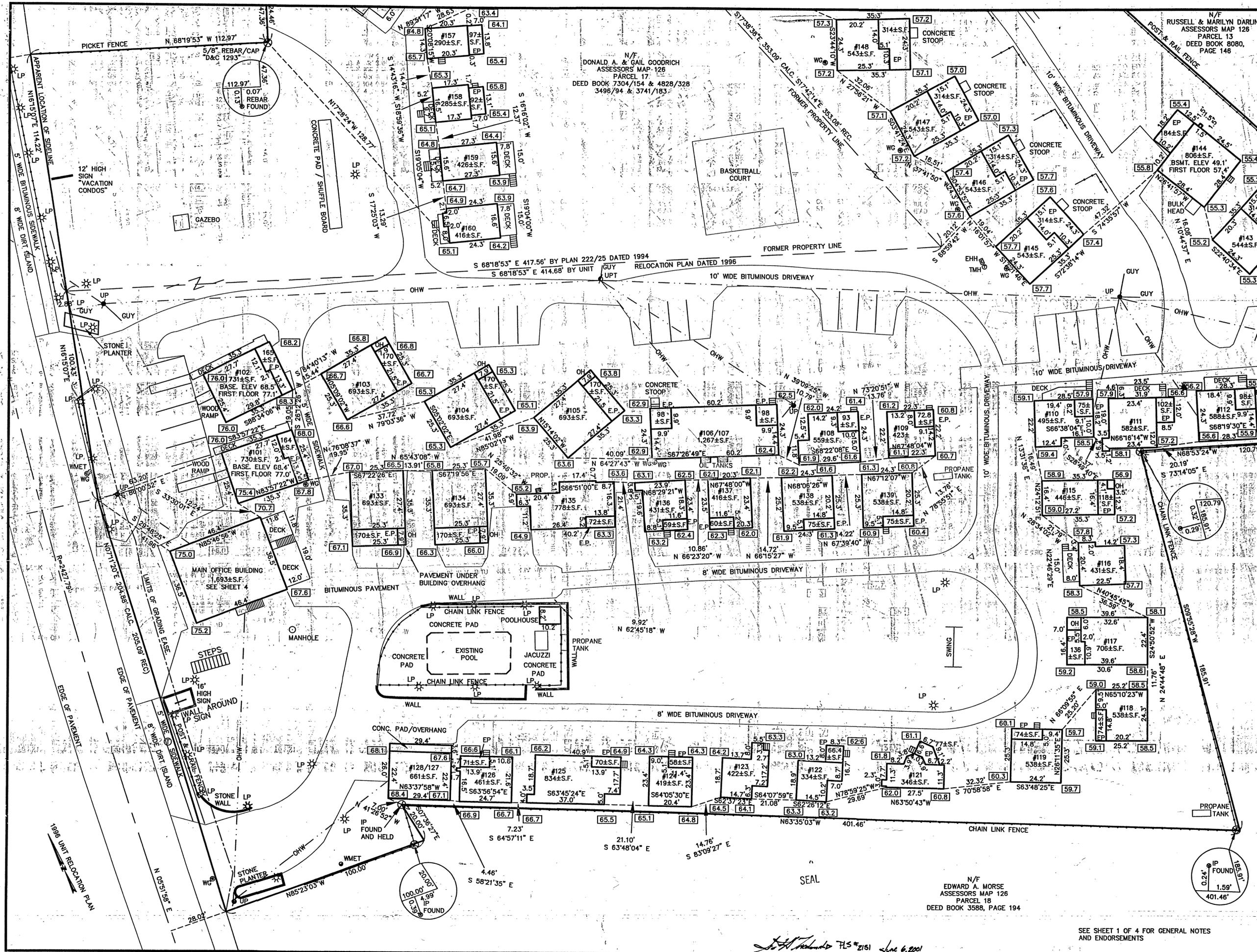
PREPARED FOR
 Mr. KEN GR
 GRAND COVE LAND
 464 MAIN ST
 PO BOX 5
 WEST DENNIS, MA 01996

BSC GROUP
 657 Main Street
 W. Yarmouth, Me
 02673
 508

© 2001 The BSC Group, Inc.

SCALE: 1" = 20'
 0 2.5 5 10 20

PROJ. MGR.: C. FIELD
 FIELD: D. GAZZOLO / J. M.
 CALC./DESIGN: K. HEALY
 DRAWN: K. HEALY
 CHECK: C. FIELD
 FILE: 8292-EXC.DWG
 DWG. NO: 5300-01
 JOB. NO: 4-8292.00



YORK, ss REGISTRY OF DEEDS
 Received JUNE 7 2001
 at 9:30 AM M. and
 Filed in Plan Book 523 page 2
 ATTEST: **COPY** Registrar

FOR REGISTRY USE ONLY
 PROFESSIONAL LAND SURVEYOR DATE

**CONDOMINIUM
 PLAN OF
 LAND**
 1277 POST ROAD
 U.S. ROUTE 1
 IN
 WELLS, MAINE
 (YORK COUNTY)
**WATERCREST
 CONDOMINIUM**
 OWNED BY:
 DONALD A. & GAIL GOODRICH
 P.O. BOX 37
 1277 ROUTE 1
 WELLS, ME 04090
 JUNE 4, 2001

REVISIONS:
 NO. DATE DESC.

 PREPARED FOR:
 Mr. KEN GRADY
 GRAND COVE LANDING, INC.
 464 MAIN STREET
 PO BOX 522
 WEST DENNIS, MA 02670

BSC GROUP
 657 Main Street
 W. Yarmouth, Massachusetts
 02673
 508 778 8919

© 2001 The BSC Group, Inc.
 SCALE: 1" = 20'
 0 2.5 5 10 METERS
 0 10 20 40 FEET
 PROJ. MGR.: C. FIELD
 FIELD: D. GAZZOLO / J. MCCARTIN
 CALC./DESIGN: K. HEALY
 DRAWN: K. HEALY
 CHECK: C. FIELD
 FILE: 8292-EXC.DWG
 DWG. NO: 5300-01
 JOB. NO: 4-8292.00
 Sheet 4 of 6

Handwritten signature and date: J. Healy PLS #2151 June 6, 2001

GENERAL NOTES:

- 1.) NGVD DATUM BASED ON "RM-19 & RM 18" X MARK ON HYDRANT AS SHOWN ON FEMA MAP FOR THE SUBJECT PROPERTY
- 2.) FIELD LOCATIONS AND BUILDING MEASUREMENTS ARE THE RESULT OF A FIELD SURVEY COMPLETED BETWEEN 4/16/01 - 4/20/01 PERFORMED BY THE BSC GROUP, INC.

N/F
RUSSELL & MARILYN DARLING
ASSESSORS MAP 126
PARCEL 14
DEED BOOK 8080, PAGE 146

N/F
BRENT MARRINER et al
ASSESSORS MAP 126
PARCEL 16
DEED BOOK 10076, PAGE 151

P.K. NAIL FOUND
MAINE D.O.T. #1073
STATION (5+925.783)
(10.451m RIGHT)

P.K. NAIL FOUND
MAINE D.O.T. #1075
STATION (5+965.53)
(13.664m LEFT)

P.K. NAIL FOUND
MAINE D.O.T. #1071
STATION (5+772.783)
(11.772m RIGHT)

N/F
EDWARD A. MORSE
ASSESSORS MAP 126
PARCEL 18
DEED BOOK 3588, PAGE 194

N/F
DONALD A. & GAIL GOODRICH
ASSESSORS MAP 126
PARCEL 17
DEED BOOK 7304/154 & 4825/326
265,932± S.F.
6.1± ACRES

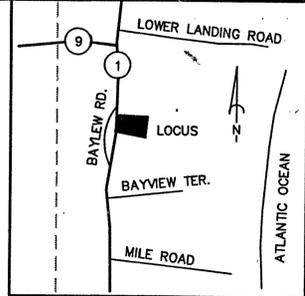
RECORD PLANS

"PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR M. BRENT MARRINER AND DONALD GOODRICH AND ELINOR G. GOODRICH" DATED DECEMBER 12, 1994 PREPARED BY DOW AND COULOMBE, INC. RECORDED IN PLAN BOOK 222, PAGE 25

"PLAN SHOWING RELOCATIONS OF UNITS AT WATERCREST FOR DONALD & ELINOR GOODRICH" DATED MARCH 20, 1996 AND REVISED APRIL 19, 1996 PREPARED BY DOW AND COULOMBE, INC. NOT RECORDED

UNTITLED PLANS & PROFILES OF U.S. ROUTE 1, PREPARED BY THE MAINE STATE HIGHWAY COMMISSION, ABOUT 1930. ON FILE AT THE MAINE STATE HIGHWAY COMMISSION.

"STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, STATE HIGHWAY "1" WELLS, YORK COUNTY," FEDERAL AID PROJECT NO. STP-6705(00)X DATED AUGUST 1999, D.O.T FILE NO. 16-379, SH 29 ON FILE AT THE MAINE STATE HIGHWAY COMMISSION.



LOCUS MAP: NOT TO SCALE.

LEGEND

- 50.9 X SPOT ELEVATION
- R.C.B. ● CATCH BASIN
- G.TRAP GREASE TRAP
- SMH SEWER MANHOLE
- TMH ☉ TELEPHONE MANHOLE
- UPT ☉ UTILITY POLE / TRANSFORMER
- LP ✨ LIGHT POLE
- OHW ✨ OVERHEAD UTILITY WIRE
- EHH ○ ELECTRIC HANDHOLE
- GMET ○ GAS METER
- G GAS LINE
- GAS GATE
- WATER GATE
- WATER LINE
- WATER METER
- EP ENCLOSED UNHEATED PORCH
- # UNIT NUMBER
- (215.222) METRIC STATIONING FOR 1999
- ROUTE 1 LAYOUT BASELINE
- EDGE OF PAVEMENT
- INTERIOR PROPERTY LINE
- EXTERIOR PROPERTY LINE
- ENTRANCE WAY OVERHANG

YORK, ss REGISTRY OF DEEDS
Received JUNE 4 2001
at 9:30 a.m. M., and
Filed in Plan Book 523 page 1
ATTEST: **COPY**
Register

FOR REGISTRY USE ONLY

PROFESSIONAL LAND SURVEYOR DATE

CONDOMINIUM PLAN OF LAND
1277 POST ROAD
U.S. ROUTE 1
IN
WELLS, MAINE
(YORK COUNTY)
WATERCREST CONDOMINIUM
OWNED BY:
DONALD A. & GAIL GOODRICH
P.O. BOX 37
1277 ROUTE 1
WELLS, ME 04090
JUNE 4, 2001

REVISIONS:

NO.	DATE	DESC.

PREPARED FOR:
Mr. KEN GRADY
GRAND COVE LANDING, INC.
464 MAIN STREET
PO BOX 522
WEST DENNIS, MA 02670

BSC GROUP
657 Main Street
W.Yarmouth, Massachusetts
02673
508 778 8919

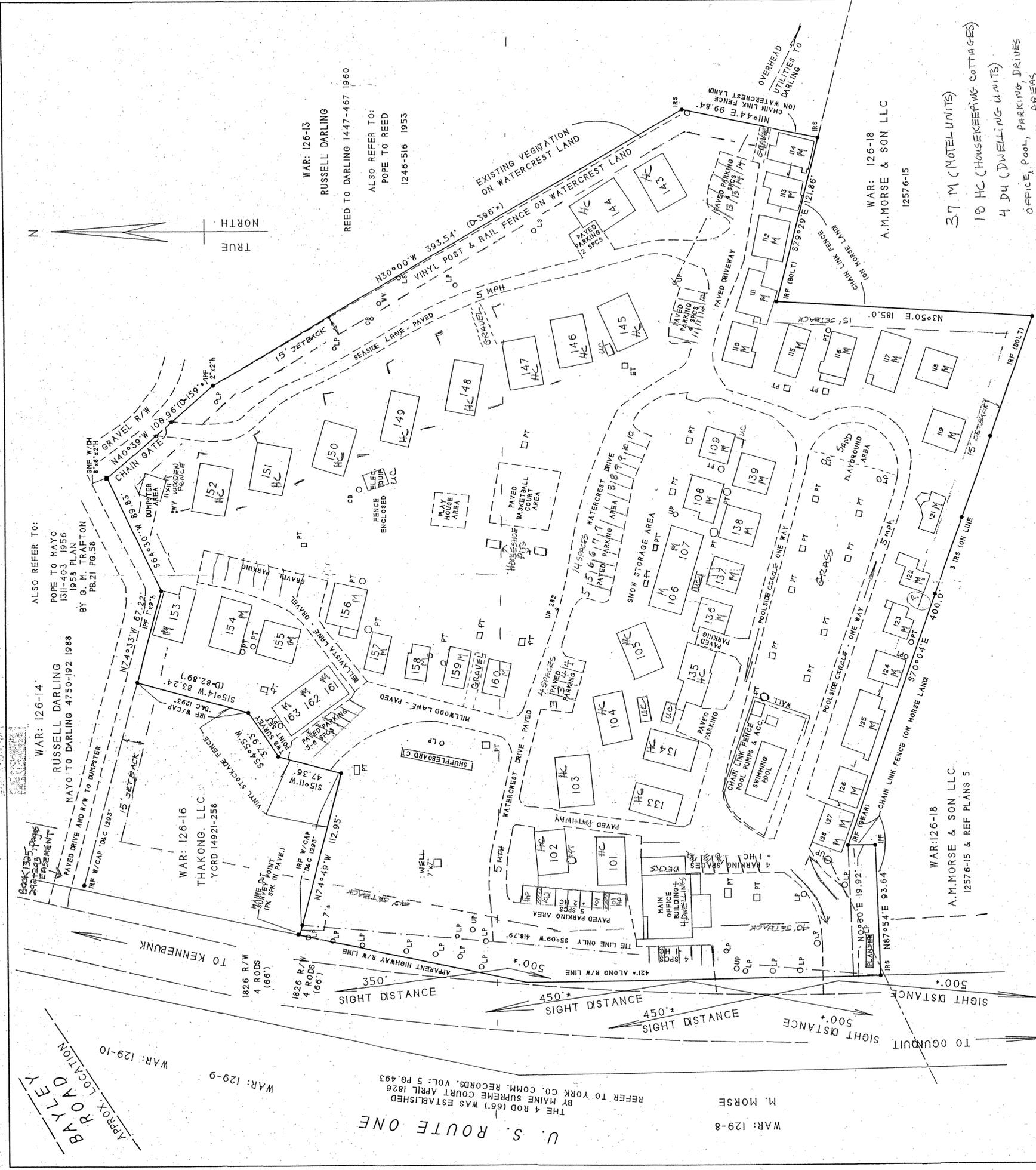
© 2001 The BSC Group, Inc.
SCALE: 1" = 30'
0 3.75 7.5 15 METERS
0 15 30 60 FEET

PROJ. MGR.: C. FIELD
FIELD: D. GAZZOLO / J. McCARTIN
CALC./DESIGN: K. HEALY
DRAWN: K. HEALY
CHECK: C. FIELD
FILE: 8292-EXC.DWG
DWG. NO: 5300-01
JOB. NO: 4-8292.00

I CERTIFY TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF THAT THE LOCATION AND DIMENSIONS OF THE BUILDINGS AS BUILT AND FULLY LISTS THE UNITS CONTAINED THEREIN.

I CERTIFY TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF THAT THIS PLAN SHOWS A SINGLE LOT CONTAINING EXISTING STRUCTURES, AND DOES NOT CONSTITUTE A SUBDIVISION. FURTHERMORE, THAT THIS PLAN CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE MAINE STATE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.

DATE: June 6, 2001
Scot Macdonald
PROFESSIONAL LAND SURVEYOR
FOR THE BSC GROUP, INC.



APPROX LOCATION
 BAILEY ROAD
 WAR: 129-10

U. S. ROUTE ONE
 WAR: 129-8
 M. MORSE
 REFER TO YORK CO. COMM. RECORDS, VOL. 5 PG. 493
 THE 4 ROD (66') WAS ESTABLISHED
 BY MAINE SUPREME COURT APRIL 1826

ALSO REFER TO:
 POPE TO MAYO
 1311-403 1956
 1958 PLAN
 BY G. M. TRAFTON
 PB.21 PG.58

WAR: 126-14
 RUSSELL DARLING
 MAYO TO DARLING 4750-192 1988

WAR: 126-16
 THAKONG, LLC
 YCRD 14921-258

WAR: 126-13
 RUSSELL DARLING
 REED TO DARLING 1447-467 1960
 ALSO REFER TO:
 POPE TO REED
 1246-516 1953

WAR: 126-18
 A.M. MORSE & SON LLC
 12576-15

37 M (HOTEL UNITS)
 18 HC (HOUSEKEEPING COTTAGES)
 4 DU (DWELLING UNITS)
 OFFICE, POOL, PARKING, DRIVES
 RECREATIONAL AREAS

PLAN LEGEND

- GME - GRANITE MONUMENT FOUND - SIZE AS NOTED
- IRP - IRON PIPE FOUND - SIZE AS NOTED
- IR - IRON ROD SET - W/ CAP MARKED "PLS 1066"
- ⊗ UP - UTILITY POLE
- WAR: Mxx Lxx - WELLS ASSESSOR'S REFERENCE
- 4-xx - DIMENSION CITED IN DEED OR REFERENCE PLAN
- LP - LAMP POST
- LS - LAWN SPRINKLER
- CB - CATCHBASIN
- ET - ELECTRIC TRANSFORMER
- PT - PICNIC TABLE
- PT - PROPANE TANK
- - OVERHEAD UTILITIES
- - U.S. - UTILITY CORRELS

REFERENCE PLANS

1. PLAN OF MAYO BY G.M. TRAFTON 1958
 YCRD PB.21 PG.58
2. PLAN OF DARLING BY DOW & COULOMBE 1987
3. PLAN OF MARRINER & GOODRICH BY
 DOW & COULOMBE 1994 YCRD: PB.222 PG.25
- * 4. PLANS OF WATERCREST CONDOMINIUMS 2001
 YCRD CONDO FILE 523
5. PLANS OF MARTIN MORSE & A.M. MORSE & SON
 BY T.W. BULLARD
6. PLAN OF BOUNDARIES PREPARED FOR
 WATERCREST CONDOMINIUM ASSOCIATION
 BY T.W. BULLARD 2007

NOTES

- * 1. THIS PARCEL IS SUBJECT TO EASEMENTS FOR SEWER LINES, WATER LINES AND POWER LINES IN FAVOR OF MARRINER AND DARLING.
- * 2. OVERHEAD UTILITY CABLES AND UNDERGROUND IMPROVEMENTS MAY EXIST AT THIS SITE WHICH ARE NOT SHOWN ON THIS PLAN.
3. BEARINGS SHOWN ARE BASED ON TRUE NORTH DETERMINED BY SOLAR OBSERVATION
4. REFER TO PLAN REF. 6 FOR DEED REFERENCES
5. SToops, DECKS AND PORCHES REFER TO WATERCREST CONDOMINIUMS 2001 YCRD CONDO FILE 523

APPROVED BY THE WELLS
 PLANNING BOARD

WELLS MAINE
 2016
 1"-40'
 0 SCALE FEET 100

SITE PLAN PREPARED FOR
 WATERCREST CONDOMINIUM ASSOCIATION
 LOCATED AT U.S. ROUTE ONE



SURVEYED & DRAWN: T.W. BULLARD
 P.O. BOX 776 SANFORD MAINE 04073
 OWNER OF RECORD WATERCREST CONDOMINIUM ASSOCIATION
 1277 POST ROAD PO BOX 37 WELLS ME 04090

T.W. Bullard
 2/15/2016

