



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Agenda
Monday, July 11, 2016, 7:00 PM
Littlefield Meeting Room, Town Hall
208 Sanford Road

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

I. JUNE 20, 2016 DRAFT MEETING MINUTES

DOCUMENTS:

[PB MIN 06-20-16.PDF](#)

PUBLIC HEARING(S)

DEVELOPMENT REVIEW & WORKSHOPS

I. BRANCH HEIGHTS SUBDIVISION

Dan & Greer Higgins, owners; Frank Emery, surveyor. Final Subdivision Amendment to revise the wetland and septic location for lot 1 within the existing subdivision. Parcel is located within the Rural District and is located off of 100 Higgins Drive. Tax Map 874, Lot 6-1. **Receive Final Subdivision Amendment Application, determine if a site walk is necessary, workshop completeness if appropriate, determine if a public hearing is necessary, workshop compliance/ Findings of Fact & Decisions if appropriate**

DOCUMENTS:

[BRANCH HEIGHTS AMD 2 MEMO 07-08-16.PDF](#)
[BRANCH HEIGHTS AMD 2 COMPLETENESS 07-07-16.PDF](#)
[BRANCH HEIGHTS COMPLIANCE AND FOF DRAFT 07-08-16.PDF](#)
[BRANCH HEIGHTS SUB AMEND APP 06-20-16.PDF](#)
[BRANCH HEIGHTS LOT 1 SEPTIC DESIGN 06-13-16.PDF](#)
[BRANCH HEIGHTS RIGHT TITLE.PDF](#)
[BRANCH HEIGHTS AMD 2 REV PLAN 07-08-16.PDF](#)

II. LAUDHOLM OCEANSIDE SUBDIVISION

Charles Katis, owner; Arundel Homes, applicant; John Bruckler, surveyor. Final Subdivision Amendment to adjust the lot line shared by lots 2-9 and 2-10 within the existing subdivision. The properties are located off of Skinner Mill Road and are within the Rural District. Tax Map 148, Lots 2-9 and 2-10. **Receive Final Subdivision Amendment Application, determine if a site walk is necessary, workshop completeness if appropriate, determine if a public hearing is necessary, workshop compliance/ Findings of Fact & Decisions if appropriate**

DOCUMENTS:

DOCUMENTS:

LAUDHOLM OCEANSIDE AMD MEMO 07-08-16.PDF
LAUDHOLM OCEANSIDE AMD ART V (145-30) RURAL DIST
CHECKLIST 07-08-16.PDF
LAUDHOLM OCEANSIDE DRAFT COMPLETENESS 07-08-16.PDF
LAUDHOLM OCEANSIDE DRAFT COMPLIANCE AND FOF 07-07-
16.PDF
LAUDHOLM OCEANSIDE SUB AMEND APP 06-28-16.PDF
LAUDHOLM OCEANSIDE SUB PLAN AMD 06-28-16.PDF
LAUDHOLM OCEANSIDE SECT 2 SIGNED 4-12-78.PDF
LAUDHOLM OCEANSIDE DEEDS.PDF
DEST.LETTER.SKINNER MILL ROAD.PDF
SKINNERMILLPARCEL.PDF
RAINFALL COMPARISON.PDF
RE PHOTOS OF 23 SKINNER MILL RD. EMAIL 07-07-16.PDF
PIC 1.PDF
PIC 2.PDF
PIC 3.PDF
PIC 4.PDF
PIC 5.PDF

III. SHERWOOD FOREST SUBDIVISION

- I. Richard B. Seiden, owner; Verrill Dana, LLP, agent, John Swan of Owen Haskell, engineer. Final Subdivision Amendment to adjust the lot line shared by lots 23-A-6 and 23-A-8 within the existing subdivision. The properties are located off of Locksley Lane and are within the Residential A District. Tax Map 25, Lots 23-A-6 and 23-A-8. **Receive Final Subdivision Amendment Application, determine if a site walk is necessary, workshop completeness if appropriate, determine if a public hearing is necessary, workshop compliance/ Findings of Fact & Decisions if appropriate**

DOCUMENTS:

SHERWOOD FOREST AMD MEMO 07-08-16.PDF
SHERWOOD FOREST DRAFT COMPLETENESS 07-07-16.PDF
SHERWOOD FOREST DRAFT COMPLIANCE AND FOF 07-07-16.PDF
SHERWOOD FOREST ART V (145-21) RES A DIST CHECKLIST 07-07-
16.PDF
SEIDEN V BERRIGAN AGREEMENT 06-26-15.PDF
SHERWOOD FOREST RIGHT TITLE 06-23-16.PDF
SHERWOOD FOREST SUB AMD SUBMISSION 06-24-16.PDF
SHERWOOD FOREST SUB AMD PLAN DRAFT 06-24-16.PDF

IV. RIVER WALK SUBDIVISION

- I. Bourne Field Properties, LLC, owner; Rick Licht, applicant; Lower Village Survey Company, surveyor. Final Subdivision Amendment to amend the location of the septic for lot 3 within the existing subdivision. The parcel is located off of Farm View Way which is off of Branch Road and is located within the Rural District. Tax Map 70, Lot 5-3. **Receive Final Subdivision Amendment Application, determine if a site walk is necessary, workshop completeness if appropriate, determine if a public hearing is necessary, workshop compliance/**

**determine if a public hearing is necessary, workshop completeness,
Findings of Fact & Decisions if appropriate**

DOCUMENTS:

RIVER WALK FINAL AMD 2 APP MEMO 07-08-16.PDF
RIVERWALK SUB AMEND 2 SUBMISSION 06-24-16.PDF
RIVERWALK SUB AMEND CERTIFICATE OF AMENDMENT DRAFT 07-07-16.PDF
RIVERWALK SUBDIVISION AMD PLAN 06-28-16.PDF

V. OGUNQUIT RIVER INN

Ryan Amin, owner/applicant. Site Plan Amendment seeking approval for additional lighting in the hotel parking lot. No changes are proposed to the existing Lodging Facility which consists of 80 hotel/motel units. The property is located off of 17 Post Road and is within the General Business and Shoreland Overlay Districts. Tax Map 102, Lot 5. **Review proposed lighting details and lighting locations, make recommendations to applicant**

DOCUMENTS:

OGUNQUIT RIVER INN AMEND APP MEMO 07-07-16.PDF
2015 APPROVED LIGHT LOCATIONS.PDF
OGUNQUIT RIVER INN LIGHTING HISTORY 07-07-16.PDF
OGUNQUIT RIVER INN MRKUP 070716.PDF

VI. 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.

Workshop completeness, determine a Public Hearing

DOCUMENTS:

GRANITE RIDGE GRAVEL AMEND APP MEMO 07-08-16.PDF
GRANITE RIDGE GRAVEL AMD 2 ART VI (145-35 TO 145-47) TOWN REGS 07-08-16.PDF
GRANITE RIDGE GRAVEL AMD 2 ARTICLE VII - MINERAL EXTRACTION 07-08-16.PDF
GRANITE RIDGE AMD 2 DRAFT COMPLETENESS 07-08-16.PDF
GRANITE RIDGE SHT1 MARKUP070816.PDF
GRANITE RIDGE SHT2 MARKUP070816.PDF

VII. MEETINGHOUSE ROAD SUBDIVISION

Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Preliminary Subdivision 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. **Receive Preliminary Subdivision Application and workshop completeness**

DOCUMENTS:

MEETINGHOUSE ROAD PREL MEMO 07-08-16.PDF
MEETINGHOUSE ROAD SUB ART V (145-30) RURAL DIST CHECKLIST
07-08-16.PDF
MEETINGHOUSE ROAD VII (145-49) RESIDENTIAL CLUSTER07-08-
16.PDF
MEETINGHOUSE ROAD DRAFT PRELIM COMPLETNEESS 07-08-
16.PDF
MEETINGHOUSE ROAD BYLAWS DRAFT 06-28-16.PDF
MEETINHOUSE ROAD RARE BOTANICAL FEATURE LTTR 05-21-
15.PDF
MEETINGHOUSE ROAD HISTORIC PRES LETTER 12-23-15.PDF
MEETINGHOUSE ROAD TEST PIT JOEL NOEL 05-18-16.PDF
MEETINHOUSE ROAD TEST PITS 06-28-16.PDF
MEETINGHOUSE ROAD SOILS 06-28-16.PDF
MEETINGHOUSE ROAD DEED.PDF
MEETINGHOUSE ROAD PRELIM SUB APP 06-28-16.PDF
MEETINHOUSE ROAD LOCUS MAPS 06-28-16.PDF
MEETINGHOUSE ROAD PRELIM SUB SUBMISSION 06-28-16.PDF

OTHER BUSINESS



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, June 20, 2016, 7:00 P.M.
Wells Town Hall, 2nd Floor
208 Sanford Road

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

Chairman Chuck Millian called the meeting to order at 7:00 P.M. Members present: Robert Sullivan, Dennis Hardy, Rick Goodrich 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

June 6, 2016

MOTION

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

PUBLIC HEARINGS

- I. HUBBARD FARM SUBDIVISION (FKA HOLLIS SUBDIVISION) –**
IPAGuillemette Living Trust & Nelson and Barbara Welch, owners; Sebago Real Estate Investment LLC, applicant; Corner Post Land Surveying Inc, engineer. Minor Subdivision 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.

Applicant Paul Hollis described the plan for a 4 lot minor subdivision on two parcels off of Crediford Road and Route 109. There are no wetlands or vernal pools on the property. The subdivision will have private wells and septic systems. There were no questions from members of the public.

MOTION

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

II. WIRE ROAD SUBDIVISION - Highpine Properties, LLC, owner/applicant. Attar Engineering, Inc. agent. Final Subdivision Application for a major subdivision consisting of 40 lots/ single family dwelling units on 100 acres of land (Residential Cluster Development) with private roadways and infrastructure. The parcel is located off of Wire Road and is within the Rural District. Tax Map 75, Lot 1.

Lew Chamberlain of Attar Engineering represented the applicant. This is a 40 lot cluster subdivision on 100 acres of land. There will be individual private wells and a central septic system with 4 fields. A hydrogeologic study concluded that the proposed wells and septic system meet the requirements. There will be about 74 acres of open space with a 50' no cut buffer on the north side and a 25' no cut buffer on the south side. The detention pond is along the south side. Along Wire Road there will be a 25' limited cut buffer, allowing for the removal of dead trees.

Public comment was solicited, and there were several questions about the water study. Mr. Chamberlain said the engineer researched the rainfall in this area and estimated how much gets into the bedrock. The estimated daily use by the houses is less than the recharge. There is a history of wells going dry in the area, and abutters were concerned about water quality, quantity and any remediation. Mr. Livingston discussed the Town review of subdivisions, which includes the available water volume and any possible contamination. There are two groundwater sources for wells, water above the ledge and the bedrock aquifer. The professional water study was conservative and based on best engineering practices. Mr. Hardy asked about a bond to protect the abutters. Mr. Livingston said the Board has never done a bond for this; the Board relies on peer reviews when there is a concern. There was a recommendation for a baseline study of the abutters' wells in case there is a problem later.

Buffering for the abutters was discussed. The Board had recommended a stockade fence. An abutter asked for a vinyl fence for easier maintenance. The HOA would be responsible for maintenance as part of the subdivision approval. If the fence isn't maintained it would be a violation of the approval. There was a request to move the fence toward the subdivision lots and away from the property line to provide better screening from headlights.

MOTION

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

DEVELOPMENT REVIEW & WORKSHOPS

III. GRAND TRAIL PLACE II – The Daniel Chase Family Real Estate Trust, owner/applicant; BH2M, agent. Subdivision Pre-Application to create a major residential cluster development subdivision consisting of 35 lots/dwelling units, Open Space, and private roadways. The parcel to be divided is located off of Lindsey Road, Grand Trail Drive, Sanford Road and Branch Road. The parcel located within the Residential A and Rural Districts. Tax Map 56, Lot 6. **Report results of Site Walk**

Walter Pelkey of BH2M represented the applicant. Mr. Livingston reported on the June 18 site walk which Mr. Hardy, Mr. Sullivan and Mr. Raftopoulos attended. The property had been timbered in the past but there is a good stand of trees. Lots 1, 2 and 3 have been completely cleared; buffering for the non-clustered residential lots is required. There was a wetland and some rock/ledge near the Route 9A entrance. Septic and well separations will be difficult because of the lot sizes and reserve septic areas may be necessary. A hydrogeologic evaluation will be required.

IV. HUBBARD FARM SUBDIVISION (FKA HOLLIS SUBDIVISION) –
IPAGuillemette Living Trust & Nelson and Barbara Welch, owners; Sebago Real Estate Investment LLC, applicant; Corner Post Land Surveying Inc, engineer. Minor Subdivision 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. **Workshop compliance and Findings of Fact & Decisions for possible approval**

Mr. Livingston reviewed the recommendations in his memo. The board needs to make a determination about driveways. Since the speed limit on that road is 35 MPH the required sight distance is 350' in each direction. Trimming some branches and other vegetation will meet the requirement for all driveways.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to determine that shared driveways are not required. **PASSED** unanimously.

The existing utility poles are across Crediford Road. If the homes on lots 3 & 4 are more than 150' from the road they would require another utility pole and underground utility connections. Note 22 would allow overhead utilities for homes less than 150' from the road.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to grant the waiver for overhead utilities. **PASSED** unanimously.

The surveyor has marked all the corners; one corner falls at the base of a live tree so he set a rod there.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to grant the waiver for that monument. **PASSED** unanimously.

Performance guaranties for the monumentation and the no parking signs were discussed. These will be covered by conditions and the consensus was to wait for the Findings of Facts. Mr. Hardy was concerned about the long-standing parking at the side of the road and asked Mr. Hollis if more vegetation could be planted. Mr. Hollis has discussed this with MDOT; a combination of signs and bushes is being considered. The Town prohibits parking along that road. If the future homeowners have problems, enforcement is an issue for the Wells Police.

MOTION

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

Streets

This standard does not apply.

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

MOTION

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

The subdivider has adequate financial and technical capacity to meet the above-stated standards.

MOTION

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

MOTION

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

- V. WIRE ROAD SUBDIVISION** - Highpine Properties, LLC, owner/applicant. Attar Engineering, Inc. agent. Final Subdivision Application for a major subdivision consisting of 40 lots/ single family dwelling units on 100 acres of land (Residential Cluster Development) with private roadways and infrastructure. The parcel is located off of Wire Road and is within the Rural District. Tax Map 75, Lot 1. **Workshop public hearing and compliance items**

Dave MacKenzie of Highpine Properties and Lew Chamberlain of Attar Engineering were present. Comments from the public hearing were discussed. The applicant has supplied a hydrogeologic assessment of the capacity of the existing aquifers. There is no history of the Board requesting a bond for the water supply. It would be difficult to determine the number of wells that should be bonded and how long to hold the bond. The project probably won't be built out for a number of years. Mr. Chamberlain has discussed the concerns with the hydrogeologists. The septic system is far from the abutters' wells. Mr. MacKenzie said there will be no blasting on the site. Mr. Hardy asked for a specific proposal from an expert. Mr. Chamberlain will bring his consultant to a Board meeting. Mr. Livingston said the well drillers association has an extensive data base that can be accessed. Mr. Sullivan asked about obtaining a peer review; Mr. MacKenzie and Mr. Chamberlain agreed. Mr. Livingston will get an estimate for a second opinion.

The abutter to the north was concerned about the buffer and type of fence and its location. Putting the fence in the common area would locate it 40' from the property line. The 50' setback is also a no-cut buffer. Mr. Chamberlain walked the property last winter and took pictures; the vegetation was so dense between the entrance and the abutter's property line that he couldn't see the house. Mr. MacKenzie said that the houses on 20,000 sq. ft. lots will block headlights and there will be three houses on the corner. Mr. Livingston said the fence should be in the common land to maximize the separation, with the association responsible for its maintenance. The ordinance for cluster subdivisions reads that there must be a 50' landscaped buffer/building setback. This leaves screening up to the Board's discretion. Mr. MacKenzie wanted the fence in the open area where it can't disturb tree roots. Mr. Millian agreed that the three homes and the 50' no-cut buffer will block most of the lights. The fence will be 6' natural cedar. Mr. Hardy asked if 8' would be preferable, but 2 additional feet wouldn't make much difference. Mr. Millian asked Mr. Livingston to contact the abutter regarding the fence height and location. The applicant has crafted a note to cover the no-cut buffer along Wire Road. The Board usually grants a waiver of not identifying trees greater than 24" in the open space since there will be no cutting.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the requirement to locate all trees greater than 24". **PASSED** unanimously.

Ownership of the open space is still being discussed and can be left as an option in the approval. Mr. MacKenzie said the owner is conveying an adjacent parcel to the Town and the open space may be conveyed, too. Mr. Livingston said the ownership of the common septic areas would stay with the association.

MOTION

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

Four of the lots will have frontage on two private roads. The ordinance requires the driveways to be on the least travelled road, but in this case either road is acceptable.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to allow the driveways on either road. **PASSED** unanimously.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Goodrich, to determine that shared driveways are not required. **PASSED** unanimously.

MOTION

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

The association will maintain the fire pond and the dry hydrant on the property. The applicant is proposing a second dry hydrant in the Wire Road ROW that the Town would maintain.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to continue the workshop for 60 days.
PASSED unanimously.

OTHER BUSINESS

~SRC discussed the Hubbard Farm subdivision and Wire Road subdivision, a change of use for the Coastal House to a furniture store, and site plan amendments for Shaw's and Hannaford. The construction at Hannaford Plaza along Route One is for the car wash.

~Mr. Goodrich is moving out of Town. His resignation was accepted with regret.

~Welcome new member Brian Toomey.

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



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

Final Subdivision Amendment Application Memo

Date: July 8, 2016
To: Planning Board
From: Shannon Belanger
Re: Branch Heights Subdivision Amendment – Map 84, Lot 6-1

Project Description:

The applicant has submitted a subdivision amendment application to amend the delineation of wetland and septic system location for Map 84, Lot 6.1. The parcel is located within the previously approved major residential cluster development subdivision called Branch Heights off of Higgins Drive and is located within the Rural District. The parcel is served by private well and septic system and the home was built with a sprinkler system for fire protection. No changes to the number of lots or dwellings units are proposed and no alteration of previously approved open space is proposed.

§ 202-10. Revisions to approved plans.

A. Procedure. An application for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board to receive Amendment Application on 7/11/16**

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

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$50 be deposited as necessary whenever the balance of the

account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Fee and escrow provided. Public Hearing to be determined.**

- B.** Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002] **Yes**
- 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] **Site Walk to be determined**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. [Amended 7-9-2002; 4-16-2004] **To be determined**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Planning Board scheduled to receive the application on 7/11/16**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **Not Applicable**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**

- (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as not changes to water supply (private wells) are proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as no changes to subsurface sewage disposal systems are proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Not Applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **To be determined**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision. **Not Applicable**
- (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board should consider receiving the Subdivision Amendment Application.
2. The Planning Board should consider if a site walk is necessary. All abutters have been notified and no concerns have been raised. Branch Heights Subdivision abutters have written a letter of support for the amendment.
3. The Planning Board should consider the following completeness (202-10) items:
 - a. Consider granting a waiver for property contours.
 - b. Consider granting a waiver for a soil erosion and sedimentation control plan. Existing, approved lot.
 - c. Consider granting a waiver for a stormwater management plan. Existing, approved lot.
 - d. Minor plan changes recommended:
 - i. Test pit information to be noted
 - ii. Abutting well to be depicted or note added
 - iii. Plan to label abutting Open Space
 - iv. Recommended notes/labels
 - e. Consider finding the application complete.
4. The Planning Board should consider if a public hearing is necessary.
 - a. Abutters have written support for the amendment
5. If a site walk and public hearing are found to not be necessary and revised plans addressing the recommended changes have been provided, the Planning Board should consider the following for compliance/ Findings of Fact & Decisions.
 - a. Find the Monumentation as recommended is suitable
 - b. Find that an updated Nitrate Assessment is not necessary
6. If all items above are satisfactorily addressed the Planning Board should consider finding the application compliant (202-12), vote to approve and sign the Findings of Fact & Decisions and plan.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 1 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

Chapter 202
Subdivision of Land

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
A.	Procedure. An applicant for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda.	Y				
(1)	If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.	Y				The revision involves only modifications so procedures for final plan approval shall be followed 202-9A
(2)	The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004]	Y				

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

Page 2 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002]	Y				A copy of the deed for lot 6.1 was provided.
C.	Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.					
	(1) Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	Y				
	(2) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y				Plan is prepared by Frank Emery, III PLS and is stamped. Monumentation is set and described on the plan.
	(3) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y				Lot 6.1 is 1.15 acres. Wetland delineation amended by Longview Partners, LLC dated 6-7-2016. <u>Applicant requests a waiver of showing property contours.</u>
	(4) Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y				Plan depicts septic system test pit location. <u>Proposed test pit and depth to limiting factor to be labelled on the plan.</u> <u>Abutting well needs to be depicted or note stating the well is greater than 100 feet from the proposed septic system.</u>

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

Page 3 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(5)	Indication of the type of water supply system(s) to be used in the subdivision.	Y				Plan depicts existing drilled well location.
	(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.	Y				Prior subdivision approval required all lots to be constructed with sprinkler systems. No change is proposed to fire protection.
	(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:					
	[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.	Y				Prior subdivision approval required satisfactory water tests prior to the issuance of a building permit.
	[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			NA		
(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y				
(7)	The location of any zoning boundaries affecting the subdivision	Y				Plan notes the parcel is within the Rural Zone.
(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y				

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

Page 4 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y*				<u>Plan to label the abutting open space parcel.</u>
(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.	Y				No changes to Higgins Drive or any public improvements are proposed.
(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.	Y				<u>Plan to label the abutting open space parcel.</u> Plan notes the KKWWD Conservation Easement Book 14966, Pg. 762.
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.			NA		Proposed changes to lot 6.1 do not require construction estimates or updated annual operating estimates unless the Planning Board determines otherwise.
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			NA		

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 5 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			NA		
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.			NA		No portion of this lot or subdivision is identified to be located within a flood-prone area.
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]				w	<u>Applicant requests a waiver of providing an updated soil erosion and sedimentation control plan.</u>
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. [Amended 4-27-2007]				w	<u>Applicant requests a waiver of providing an updated stormwater management plan.</u>
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: [Added 4-27-2007]			NA		

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 6 of 6

Project Name/Tax Map & Lot #: Branch Heights Subdivision Amendment #2 / Tax Map 84, Lot 6.1

Prepared By: Office of Planning & Development

Plans Dated: 6/25/16

District: R

Review Date: 07-06-16

Final Plan Revisions Submittal Date: 6/30/16

§ 202-10. Revisions to approved plans.	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
(b) A long-term maintenance plan for all phosphorus control measures;					
(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 1 of 17

Chapter 202 Subdivision of Land

PROJECT INFORMATION																															
General:	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Project Name:</td> <td>Branch Heights</td> </tr> <tr> <td># Lots/ Dwellings Proposed:</td> <td>0 lots proposed within the existing 15 lot cluster development major subdivision with 15 dwelling units</td> </tr> <tr> <td>Applicant:</td> <td>Daniel Higgins, 201 Higgins Drive, Wells, ME 04090</td> </tr> <tr> <td>Landowner:</td> <td>Daniel Higgins, 201 Higgins Drive, Wells, ME 04090</td> </tr> <tr> <td>Location:</td> <td>Higgins Drive, Wells, ME</td> </tr> <tr> <td>Existing Use:</td> <td>15 lot cluster development major subdivision with 15 dwelling units</td> </tr> <tr> <td>Proposed Land Use:</td> <td>15 lot cluster development major subdivision with 15 dwelling units</td> </tr> <tr> <td>Tax Parcel ID:</td> <td>Tax Map 84, Lot 6.11</td> </tr> <tr> <td>Zoning District:</td> <td>Rural District</td> </tr> <tr> <td>Land Use, Art. VII</td> <td></td> </tr> <tr> <td>Performance Standards:</td> <td>Residential Cluster Development 145-49</td> </tr> <tr> <td>Design Engineer:</td> <td>Frank Emery, III, PLS PO Box 3038, Wells, ME 04090</td> </tr> <tr> <td>Final Plan Application</td> <td></td> </tr> <tr> <td>Submission Date:</td> <td>June 20, 2016</td> </tr> <tr> <td>Plan Submission Date:</td> <td>June 20, 2016</td> </tr> </table>	Project Name:	Branch Heights	# Lots/ Dwellings Proposed:	0 lots proposed within the existing 15 lot cluster development major subdivision with 15 dwelling units	Applicant:	Daniel Higgins, 201 Higgins Drive, Wells, ME 04090	Landowner:	Daniel Higgins, 201 Higgins Drive, Wells, ME 04090	Location:	Higgins Drive, Wells, ME	Existing Use:	15 lot cluster development major subdivision with 15 dwelling units	Proposed Land Use:	15 lot cluster development major subdivision with 15 dwelling units	Tax Parcel ID:	Tax Map 84, Lot 6.11	Zoning District:	Rural District	Land Use, Art. VII		Performance Standards:	Residential Cluster Development 145-49	Design Engineer:	Frank Emery, III, PLS PO Box 3038, Wells, ME 04090	Final Plan Application		Submission Date:	June 20, 2016	Plan Submission Date:	June 20, 2016
Project Name:	Branch Heights																														
# Lots/ Dwellings Proposed:	0 lots proposed within the existing 15 lot cluster development major subdivision with 15 dwelling units																														
Applicant:	Daniel Higgins, 201 Higgins Drive, Wells, ME 04090																														
Landowner:	Daniel Higgins, 201 Higgins Drive, Wells, ME 04090																														
Location:	Higgins Drive, Wells, ME																														
Existing Use:	15 lot cluster development major subdivision with 15 dwelling units																														
Proposed Land Use:	15 lot cluster development major subdivision with 15 dwelling units																														
Tax Parcel ID:	Tax Map 84, Lot 6.11																														
Zoning District:	Rural District																														
Land Use, Art. VII																															
Performance Standards:	Residential Cluster Development 145-49																														
Design Engineer:	Frank Emery, III, PLS PO Box 3038, Wells, ME 04090																														
Final Plan Application																															
Submission Date:	June 20, 2016																														
Plan Submission Date:	June 20, 2016																														
Project Description:	<p>The applicant has submitted a subdivision amendment application to amend the delineation of wetland and septic system location for Map 84, Lot 6.1. The parcel is located within the previously approved major residential cluster development subdivision called Branch Heights off of Higgins Drive and is located within the Rural District. The parcel is served by private well and septic system and the home was built with a sprinkler system for fire protection. No changes to the number of lots or dwellings units are proposed and no alteration of previously approved open space is proposed.</p>																														
Approval Dates:	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Preliminary Plan Approval:</td> <td>Not Applicable</td> </tr> <tr> <td>Final Plan Approval:</td> <td>7/11/16</td> </tr> </table>	Preliminary Plan Approval:	Not Applicable	Final Plan Approval:	7/11/16																										
Preliminary Plan Approval:	Not Applicable																														
Final Plan Approval:	7/11/16																														
Public Hearings:	<table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Preliminary Public Hearing</td> <td>Not Applicable</td> </tr> <tr> <td>Final Public Hearing</td> <td>Waived by Planning Board on 7/11/16</td> </tr> </table>	Preliminary Public Hearing	Not Applicable	Final Public Hearing	Waived by Planning Board on 7/11/16																										
Preliminary Public Hearing	Not Applicable																														
Final Public Hearing	Waived by Planning Board on 7/11/16																														

PROJECT HISTORY
<ol style="list-style-type: none"> 1. On 6/20/16 the applicant submitted a final subdivision amendment application for the above described application. 2. On 6/23/16 abutters were mailed notification of the amendment application and of the 7/11/16 Planning Board agenda. 3. On 7/6/16 the Planning Office prepared a final completeness checklists (202-10) and plan markup for the applicant. 4. On 7/7/16 the Planning Office prepared a final compliance (202-12)/ Findings of Fact & Decisions and memo for the applicant and Planning Board. 5. On 7/8/16 the Planning Office was contacted by the applicant. Plan revisions to be completed and shall address all recommended changes suggested on 7/7/16.



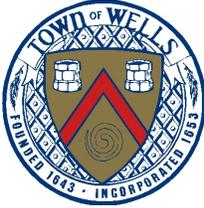
Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 2 of 17

PROJECT HISTORY
<p>6. On 7/11/16 the Planning Office received the revised plans for the Planning Board meeting.</p> <p>7. On 7/11/16 the Planning Board voted to receive the final subdivision amendment application, voted to waive the site walk, made various determinations, voted to find the application complete, voted to waive a public hearing, voted to find the application compliant, voted to approve and sign the Findings of Fact & Decisions, and voted to approve and sign the subdivision plan.</p>

§ 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>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.</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 amendment proposes no changes to the existing Open Space which consists of approximately 29.4 acres of the 53.07 total area.</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>No change to Open Space proposed.</p>
<p>(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.)</p>	<p>KKWWD Conservation Easement Book 14966, Page 762 noted on the plan. No changes to Open Space proposed.</p>



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 3 of 17

§ 202-12. General Standards	Findings & Decisions
(4) The Planning Board may require that the development plans include a landscape plan that will show the preservation of any existing trees larger than 24 inches in diameter at breast height, the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally significant areas. Cutting of trees on the northerly borders of lots should be avoided as far as possible, to retain a natural wind buffer.	Trees greater than 24” in diameter at breast height are not identified for lot 1. No changes to vegetation proposed.
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 REMAIN MET.
D. Lots.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(1) All lots shall meet the minimum requirements of Chapter 145, Land Use, for the zoning district in which they are located. The lot configuration should be designed to maximize the use of solar energy on building sites with suitable orientation.	§145-30. Rural District requirements apply to the 15 single family dwelling units that exist. The 15 single family lots are also a Residential Cluster Development and are permitted by §145-49 to be a minimum of 20,000 SF in size if not served by public sewer. All lots proposed are at least 20,000 SF in size. No changes to lot 1 size proposed. See note 3 on subdivision plan.
(2) Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.	No changes to driveway locations proposed.
(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.	No changes to lot frontages proposed. Lot 1 has street frontage off of Higgins Drive.
(4) Wherever possible, side lot lines shall be perpendicular to the street.	No changes to lot lines proposed.
(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.	No lot or Open Space can be further subdivisions. See reference plan 2.
(6) Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.	No changes to utilities proposed.
(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.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 4 of 17

§ 202-12. General Standards		Findings & Decisions
	(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.	No changes to driveways proposed.
	(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.	No changes to driveways proposed.
E.	Utilities.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
	(1) Utilities shall be installed underground except as otherwise approved by the Board.	All lots served by underground utilities. No changes proposed to utilities.
	(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	Higgins Drive has been constructed and installed.
	(3) The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	No changes proposed to utilities.
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.
	(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.	No changes to Monumentation proposed. The required Monumentation is identified to be installed for lot 1. Bound to be installed/confirmed at westerly corner of lot 2. 2005 approved subdivision plan called for a bound.
	(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.	No changes to Monumentation proposed.
	(2) Water supply.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights”
Page 5 of 17

§ 202-12. General Standards	Findings & Decisions
(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 utilizes individual drilled wells for the all 15 lots.
[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	Dug wells are prohibited, see reference plan 2.
[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:	All dwellings in this subdivision are to be constructed with residential sprinkler systems. No change to fire protection proposed.
[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and	Not applicable.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Final Subdivision Amendment Application for “Branch Heights” Page 6 of 17

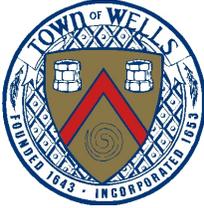
§ 202-12. General Standards	Findings & Decisions
[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	All dwellings in this subdivision are to be constructed with residential sprinkler systems. No change to fire protection proposed.
[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	Not applicable.
[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.
[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.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(a) Public system.	Subdivision not served by the Wells Sanitary District.
[1] A sanitary sewer system shall be installed at the expense of the subdivider when there is a public sanitary sewer line located within 1,000 feet of the proposed subdivision at its nearest point. The Wells Sanitary District shall certify that providing service to the proposed subdivision is within the capacity of the district's collection and treatment system.	
[2] The district shall review and approve in writing the construction drawings for the sewage system.	
(b) Private systems.	Subdivision shall be served by individual subsurface wastewater disposal systems. See note 12 on sheet 1. Minor deviations in subsurface system placement shall be approved by the Town Code Officer (\pm 10 feet). See note 8.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 7 of 17

§ 202-12. General Standards		Findings & Decisions
	[1] The developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24 inches of the surface, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve areas shall be shown on the plan and restricted so as not to be built upon.	Test pits provided for lot 1 by Jim Logan SE#237 of Longview Partners, LLC.
	[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.
	(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.	No changes to stormwater management proposed. Wetland delineations prepared by Jim Logan of Longview Partners, LLC dated 6-7-16.
	(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	
	(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.	
	(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.	
	(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.	
	(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 8 of 17

§ 202-12. General Standards		Findings & Decisions
	(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.	
	(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.	
	(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a “Downstream Analysis” under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:	
	[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the “10% rule.” Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.	
G.	Streets.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(1)	All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.	The proposed streets must comply with the requirements of Chapter 201. No changes to Higgins Drive proposed.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 9 of 17

§ 202-12. General Standards	Findings & Decisions
<p>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:</p>	
<p>(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:</p>	<p>The subdivision is not expected to generate a daily traffic of 200 trips per day or more. Traffic generation is calculated to be 150 trips per day. No changes in trip generation proposed.</p>
<p>(a) Single-family house: 10.0 trips per day per unit.</p>	<p>15 x 10.0 = 150.00 trips per day for the subdivision</p>
<p>(b) Residential condominium: 5.9 trips per day per unit.</p>	
<p>(c) Motel: 10.2 trips per day per room.</p>	
<p>(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.</p>	
<p>(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.</p>	<p>Such interconnections are not possible.</p>
<p>H. Land features.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>(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.</p>	<p>This is a condition of approval.</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 10 of 17

§ 202-12. General Standards	Findings & Decisions
(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.	No changes to dedication and maintenance of the Open Space 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.	
(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.	



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 11 of 17

§ 202-12. General Standards	Findings & Decisions
(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 FIRM. See note 7.
(6) Impact on groundwater.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	In 2005 the Planning Board required a Nitrate Impact Study which was peer reviewed. On 7/11/16 the Planning Board found that the revised septic system location does not require an updated statement on Nitrate Impacts. The abutting well location is identified / noted on the subdivision plan.
[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.	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 12 of 17

§ 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:	The amendment proposed to lot 1 requires no performance guarantee.
(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.	

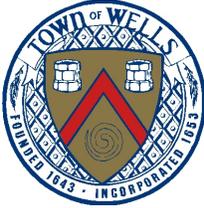


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights”
Page 13 of 17

	(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.	
(2)	The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.	The amendment proposed to lot 1 requires no performance guarantee.
B.	Contents of guaranty. The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.	The amendment proposed to lot 1 requires no performance guarantee.
C.	Escrow account. If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.	The amendment proposed to lot 1 requires no performance guarantee.
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.	The amendment proposed to lot 1 requires no performance guarantee.
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.	The amendment proposed to lot 1 requires no performance guarantee.



Town of Wells, Maine

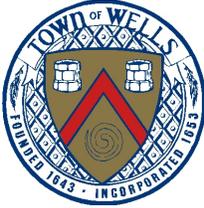
Planning Board

FINDINGS OF FACTS & DECISIONS

Final Subdivision Amendment Application for “Branch Heights“

Page 14 of 17

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>	The amendment proposed to lot 1 requires no performance guarantee.
	(1) The agreement shall prohibit the sale or occupancy of any lot or unit in the subdivision for which the improvements to be covered by the guaranty are required for access to or intended use of the lot until either:	
	(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>	The amendment proposed to lot 1 requires no performance guarantee.
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>	See note on reference plan 2.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Branch Heights“
Page 15 of 17

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>	
----	--	--

§ 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>		
A.	The subdivision:	The Planning Board finds that these standards shall be met.
(1)	Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; and the slope of the land and its effect on effluents;	
(2)	Has sufficient water available for the reasonably foreseeable needs of the subdivision;	
(3)	Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;	
(4)	Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;	
(5)	Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;	
(6)	Will provide for adequate solid and sewage waste disposal;	
(7)	Will not cause an unreasonable burden on the ability of the Town to dispose of solid waste and sewage if municipal services are to be utilized;	
(8)	Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;	
(9)	Is in conformance with this chapter, the Comprehensive Plan for the Town and Chapter 145, Land Use, of the Wells Municipal Code, as amended;	
(10)	Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water; and	
(11)	Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS Final Subdivision Amendment Application for “Branch Heights” Page 16 of 17

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))

SPECIAL CONDITIONS OF APPROVAL

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

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 Subdivision Amendment Application for "Branch Heights"
Page 17 of 17



TOWN OF WELLS, MAINE

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

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

For Office Use Only
Fee Paid

Received 6-20-16

FINAL SUBDIVISION APPLICATION - §202-9

1. Project/Subdivision Name: Branch Hgts

2. Property Owner: Daniel + Green Higgins

Mailing Address: 201 Higgins Dr
Wells, Me. 04090

Telephone: 207-337-2136 Fax: _____

Email Address: Partconstruction2003@yahoo.com

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

Mailing Address: _____

Telephone: _____ Fax: _____

Email Address: _____

4. Engineer or Surveyor who prepared plan: Frank Emery

Mailing Address: P.O. Box 3038
Wells, Me 04090

Telephone: _____ Fax: _____

Email Address: 207-646-4508

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

6. Assessor's Tax Map Number: 84 Lot Number: 61 (of land to be divided)

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

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

OWNER

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

None

10. Location of Property:

Street Address (approx.) 100 Higgins Dr
Book _____ Page _____ (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: _____

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

13. Total Acreage: 1.18 Acreage to be developed: 3060'

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

All ready in place.

15. Has this land been part of a prior approved subdivision? Yes No
Or other divisions within the past 5 Years? Yes No

If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

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

VACANT

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

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

19. Number of lots or dwelling units existing: _____ and
Number of lots or dwelling units proposed: _____

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

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

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

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

- individual wells connection to public water system
 central well w/ distribution lines If other, please state alternative _____

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

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

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

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

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? Yes No

If yes, list them and state the reasons for the request:

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

David Higgins
Signature of Applicant

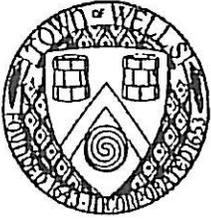
6/20/16
Date

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website www.wellstown.org. Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

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

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

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



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: _____ Applicant: _____

Checklist Prepared By: _____ Date: _____

Checklist Reviewed By: _____ Date: _____

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

Response (Please check applicable box)

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

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

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

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



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

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

To Whom It May Concern:

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

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

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

Property Owner (of land to be divided): _____

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: Revision to Wetland + Septic location on lot 1 Branch Hgts - 100 Higgins Dr.



Assessors Office, Town of Wells

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

ROAD NAME REQUEST FORM

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

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

NAME OF PROPOSED SUBDIVISION: _____

LOCATION OF PROPOSED SUBDIVISION : _____

MAP(s)/LOT(s)#: _____

Desired Road Names to be Considered:

1. _____
2. _____
3. _____
4. _____
5. _____

Contact Name of Development: _____

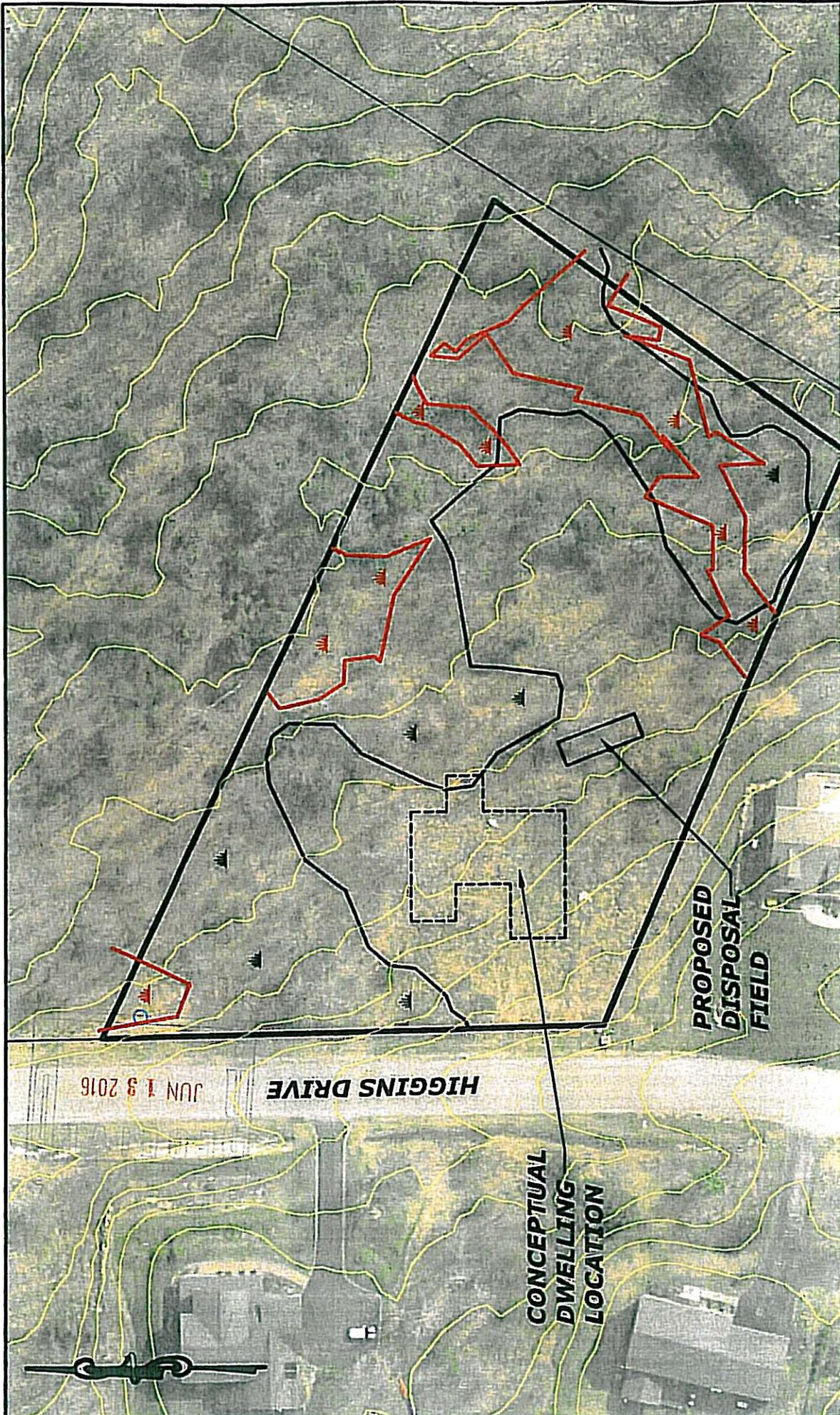
Contact Phone: _____ Email: _____

Office Use Only

STREET NAME APPROVED: _____

Date: _____ Signature: _____

Keeley Lambert, E911 Coordinator

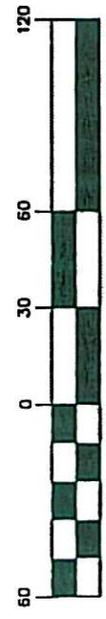


LONGVIEW
PARTNERS, LLC
 ENVIRONMENTAL PERMITTING SPECIALISTS

COMPOSITE PLAN
 PREPARED FOR
PORT CONSTRUCTION
HIGGINS DRIVE
LOT 1
WELLS, MAINE

DRAWN BY: 6-7-16
 SCALE: 1" = 60'
 CHECKED: JL
 PLAN DATE: 6-7-16

GRAPHIC SCALE



(IN FEET)

1 inch = 60 ft.

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div of Environmental Health, 11 SHS
(207) 287-5672 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	WELLS	Town/City	Permit # _____
Street or Road	HIGGINS DRIVE	Date Permit Issued	Fee: \$ _____ Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	LOT 1, BRANCH HEIGHTS	Local Plumbing Inspector Signature _____	
OWNER/APPLICANT INFORMATION		WELLS PERMIT # 09500	
Name (last, first, MI)	Owner	Date Permit Issued:	\$ _____
PORT CONSTRUCTION		Date: 6/13/2016 \$ 2165 <input type="checkbox"/> Double Fee Charged FEE Charged	
Mailing Address of Owner/Applicant	PO BOX 1205	Local Plumbing Inspector Signature _____ L.P.I. # _____	
	WELLS, ME 04090	Municipal Tax Map # 84 Lot # 6-1	
Daytime Tel. #	207-646-3401	CAUTION: INSPECTION REQUIRED	
OWNER OR APPLICANT STATEMENT		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.	
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.		(1st) date approved _____	
Signature of Owner or Applicant: <i>David Higgins</i> Date: 6/13/16		Local Plumbing Inspector Signature _____ (2nd) date approved _____	

PERMIT INFORMATION		
TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENTS
1. First Time System 2. Replacement System Type replaced: _____ Year installed: _____ 3. Expanded System a. <25% Expansion b. >25% Expansion 4. Experimental System 5. Seasonal Conversion	1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit	1. Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 3. Alternative Toilet, specify: _____ 4. Non-engineered Treatment Tank (only) 5. Holding Tank, _____ gallons 6. Non-engineered Disposal Field (only) 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 9. Engineered Treatment Tank (only) 10. Engineered Disposal Field (only) 11. Pre-treatment, specify: _____ 12. Miscellaneous Components
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE	TYPE OF WATER SUPPLY
1.15 +/- SQ. FT. ACRES	1. Single Family Dwelling Unit, No. of Bedrooms: 4 2. Multiple Family Dwelling, No. of Units: _____ 3. Other: _____ (specify) Current Use Seasonal Year Round Undeveloped	1. Drilled Well 2. Dug Well 3. Private 4. Public 5. Other
SHORELAND ZONING		
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANKS	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
1. Concrete a. Regular b. Low Profile 2. Plastic 3. Other: _____ CAPACITY: 1000 GAL.	1. Stone Bed 2. Stone Trench 3. Proprietary Device a. cluster array c. Linear b. regular load d. H-20 load 4. Other: _____ SIZE: 1296 sq. ft. lin. ft. 27 ELJEN GSF UNITS	1. No 2. Yes 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. _____ tanks in series c. increase in tank capacity d. Filter on Tank Outlet	360 gallons per day BASED ON: 1. Table 4A (dwelling unit(s)) 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities -SINGLE FAMILY DWELLING- 4 BEDROOMS @ 90 GPD EACH
SOIL DATA & DESIGN CLASS	DISPOSAL FIELD SIZING	EFFLUENT/EJECTOR PUMP	LATITUDE AND LONGITUDE
PROFILE CONDITION 5 / AIII/C at Observation Hole # TP A Depth 28 " of Most Limiting Soil Factor	1. Medium--2.6 sq. ft. / gpd 2. Medium--Large 3.3 sq. ft. / gpd 3. Large--4.1 sq. ft. / gpd 4. Extra Large--5.0 sq. ft. / gpd	1. Not Required <input checked="" type="checkbox"/> SEE NOTE PAGE 3 2. May Be Required 3. Required Specify only for engineered systems: DOSE: _____ gallons	3. Section 4G (meter readings) ATTACH WATER METER DATA at center of disposal area Lat. 43 d 22 m 31 s Lon. 70 d 35 m 26 s if g.p.s, state margin of error: _____

SITE EVALUATOR STATEMENT		
I certify that on 6/8/16 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).		
Signature: <i>James Logan</i> Site Evaluator Signature	237 SE #	6/13/16 Date
JAMES LOGAN Site Evaluator Name Printed	207-693-8799 Telephone Number	longviewpartners213@gmail.com E-mail Address

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
 Division of Health Engineering
 (207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

WELLS

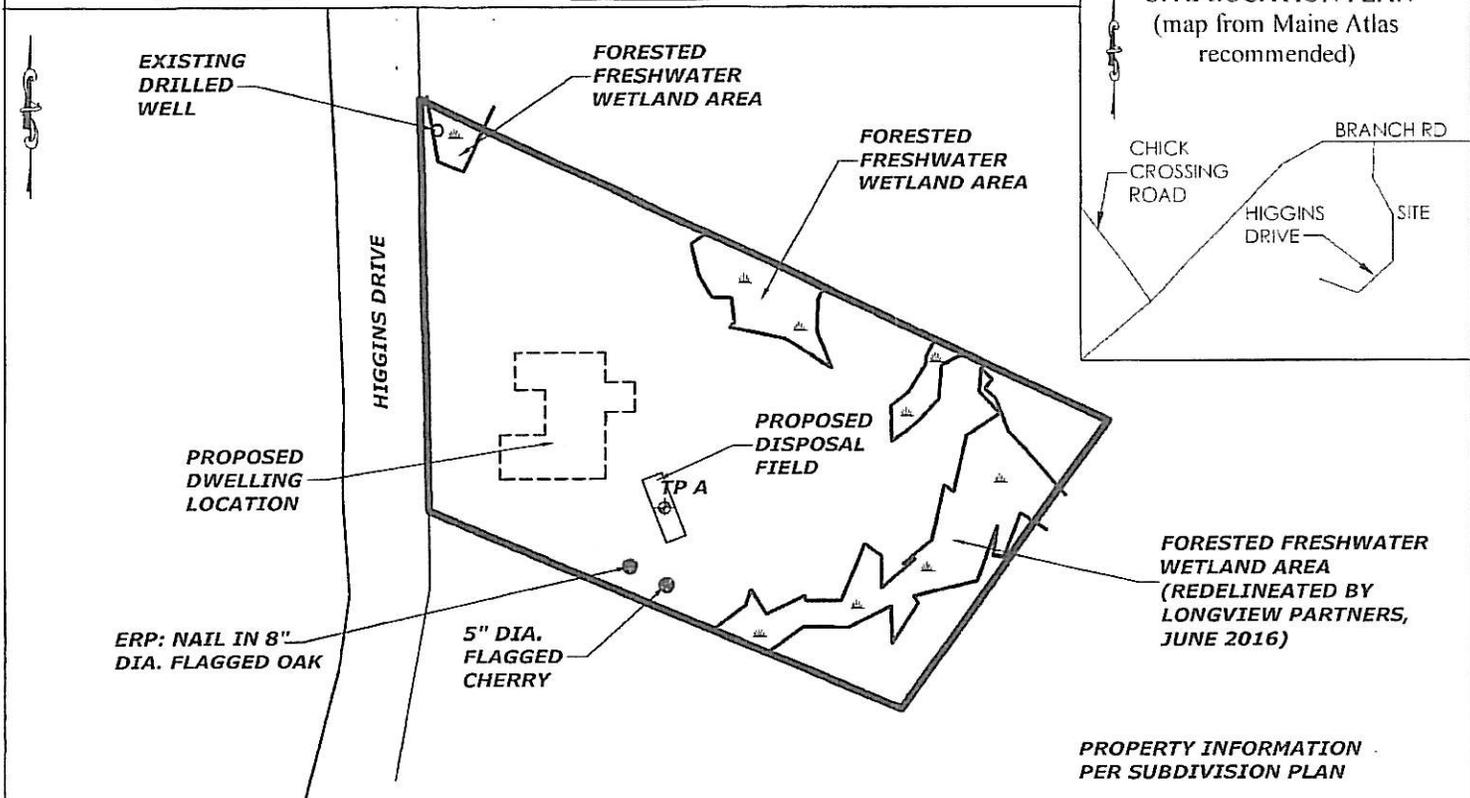
LOT 1, HIGGINS DRIVE

PORT CONSTRUCTION

SITE PLAN

Scale 1" = 100 ft. or as shown

SITE LOCATION PLAN
 (map from Maine Atlas recommended)



PROPERTY INFORMATION
 PER SUBDIVISION PLAN

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

Observation Hole TPA Test Pit Boring
 " Depth of Organic Horizon Above Mineral Soil

Observation Hole _____ Test Pit Boring
 " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
LOAMY SAND		DARK BROWN	
	FRIABLE	DARK YELLOWISH BROWN	
		MIXED DARK YELLOWISH BROWN	FEW FAINT
FINE & MEDIUM SANDS		OLIVE BROWN	COMMON DISTINCT
REFUSAL (BEDROCK)			

Texture	Consistency	Color	Mottling

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water
5 AIII/C	3-5 %	28 "	<input type="checkbox"/> Restrictive Layer
Profile Condition			<input checked="" type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

Soil Classification	Slope	Limiting Factor	<input type="checkbox"/> Ground Water
Profile Condition	%	"	<input type="checkbox"/> Restrictive Layer
			<input type="checkbox"/> Bedrock
			<input type="checkbox"/> Pit Depth

James [Signature]
 Site Evaluator Signature

237
 SE #

6/13/16
 Date

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
 Division of Health Engineering
 (207) 287-5672 Fax: (207) 287-3165

Town, City, Plantation

Street, Road, Subdivision

Owner's Name

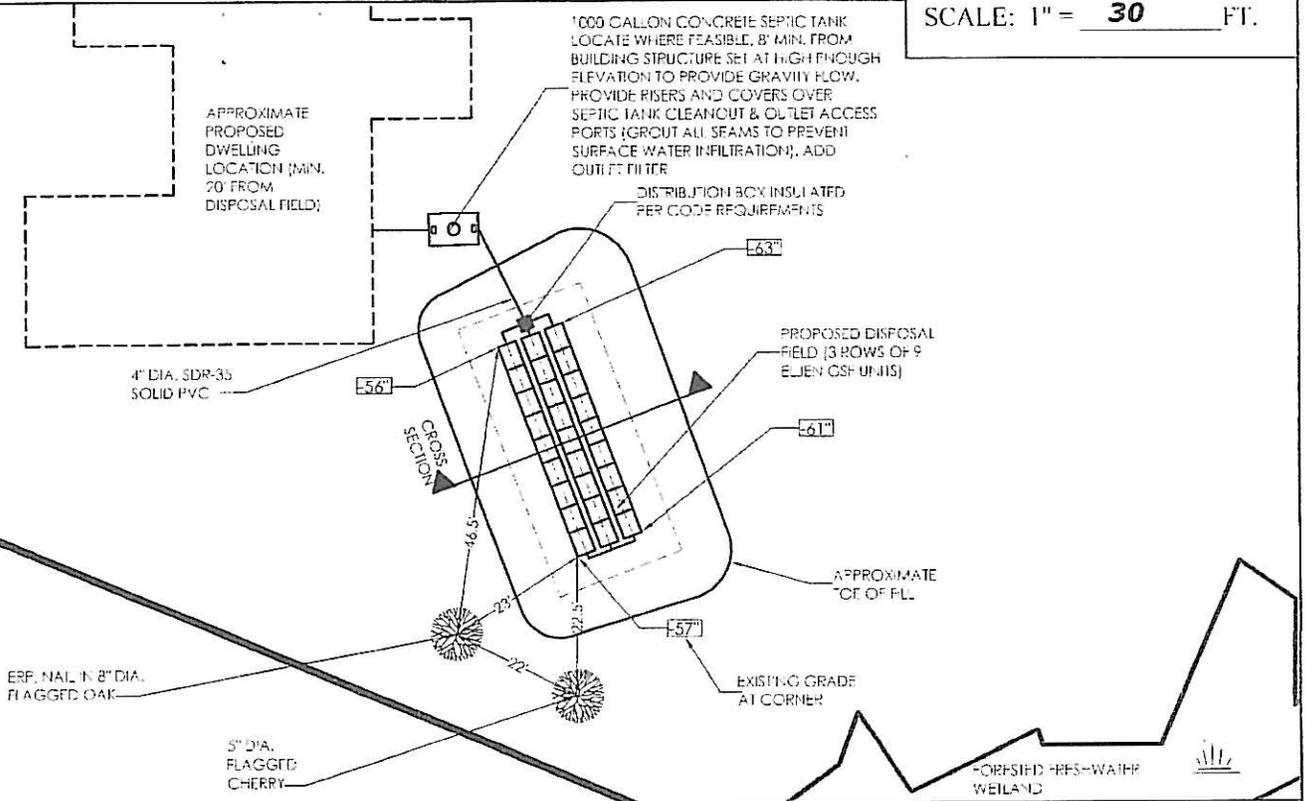
WELLS

LOT 1, HIGGINS DRIVE

PORT CONSTRUCTION

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE: 1" = **30** FT.



FILL REQUIREMENTS

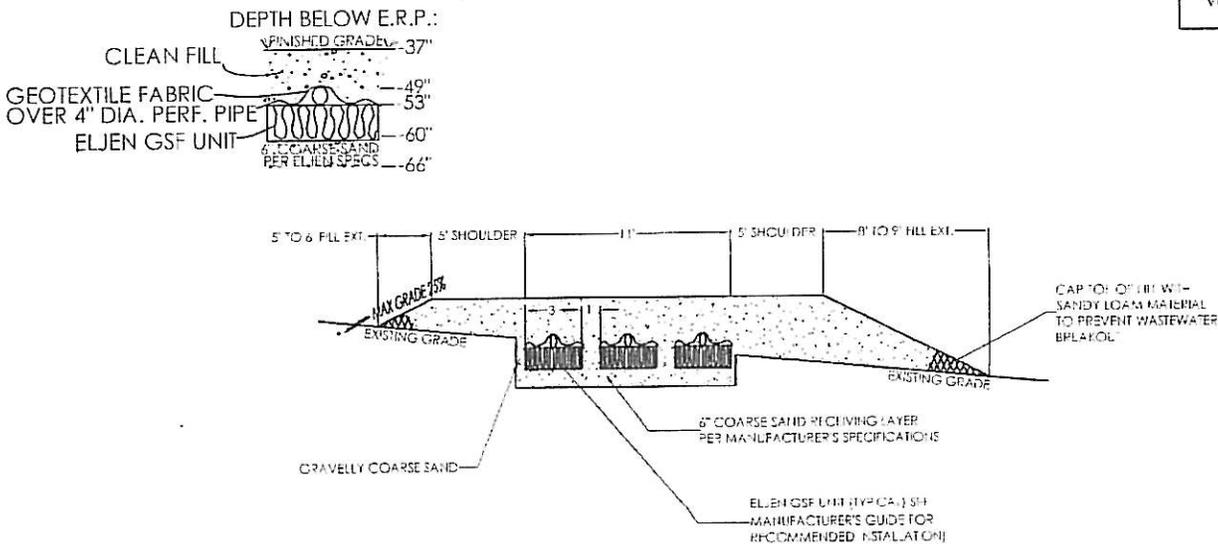
CONSTRUCTION ELEVATIONS

ELEVATION REFERENCE POINT

Depth of Fill (Upslope)	19"- 20"	Finished Grade Elevation	-37"	Location & Description:	NAIL 15" ABOVE BASE OF 8" DIA. FLAGGED OAK
		Top of Distribution Pipe or Proprietary Device	-49"	Reference Elevation:	00"
Depth of Fill (Downslope)	24"- 26"	Bottom of Disposal Area	-66"		

DISPOSAL AREA CROSS SECTION

Scale
 Horizontal 1" = **10** ft
 Vertical 1" = **5** ft

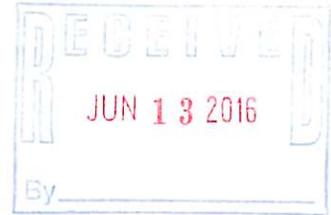


James L. ...
 Site Evaluator Signature

237 SE # **6/13/16** Date

After recording return to:

Daniel T. Rush, P.A.
124 Fletcher Street
Kennebunk, Maine 04043



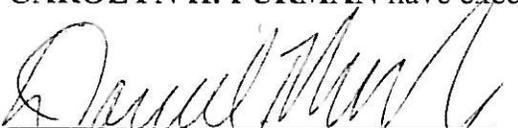
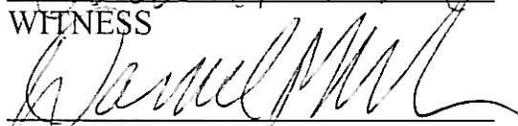
Space Above This Line For Recording Data

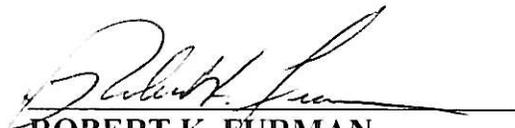
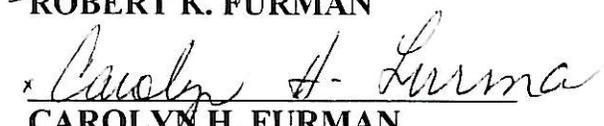
WARRANTY DEED
(Maine short form)

We, **ROBERT K. FURMAN and CAROLYN H. FURMAN**, of Rocky Hill, Hartford County, Connecticut, for consideration paid, GRANT TO **DANIEL L. HIGGINS and GREER S. HIGGINS**, whose mailing address is 201 Higgins Drive, Wells, Maine 04090, with **WARRANTY COVENANTS, AS JOINT TENANTS**, the premises located at Wells, York County, Maine, bounded and described as follows:

SEE "EXHIBIT A" ATTACHED HERETO
AND INCORPORATED HEREIN

IN WITNESS WHEREOF, the said **ROBERT K. FURMAN and CAROLYN H. FURMAN** have executed this instrument this 3rd day of June, 2016.


WITNESS

WITNESS


ROBERT K. FURMAN

CAROLYN H. FURMAN

STATE OF MAINE
COUNTY OF YORK

June 3, 2016

Then personally appeared the above-named **ROBERT K. FURMAN and CAROLYN H. FURMAN** and acknowledged the foregoing instrument to be their free act and deed.

Before me,


Notary Public/Attorney-at-Law
Print Name: DANIEL T. RUSH

EXHIBIT A - WARRANTY DEED
ROBERT K. FURMAN AND CAROLYN H. FURMAN
TO
DANIEL L. HIGGINS AND GREER S. HIGGINS

A certain lot or parcel of land with any improvements thereon situated in the Town of Wells, County of York and State of Maine, and being further shown and delineated as **Lot No. 1** on the Plan entitled "Final Plan Branch Heights Subdivision Wells, Maine for Daniel L. Higgins" dated January 2005 and recorded in Plan Book 298, Page 32, York Registry.

Also conveyed herewith is a right of way for ingress and egress and an easement for the installation, maintenance, and repair of utilities, in common with others, on, over and across **Higgins Drive**, as shown on said plan.

Said lot is conveyed subject to and with the benefit of the covenants, restrictions and affirmative rights set forth in an Easement Deed from Daniel L. Higgins to the Kennebunk, Kennebunkport and Wells Water District dated February 14, 2005 and recorded in Book 14376, Page 6, York Registry and utility easement reserved to Daniel L. Higgins in a deed to Levesque dated September 10, 2003 and recorded in Book 13600, Page 315, York Registry.

The above-conveyed lot is subject to all of the terms, conditions, restrictions and easements as set forth on the above-noted Plan.

The above-conveyed lot is also subject to the Declaration of Covenants and Restrictions executed by Daniel L. Higgins dated February 14, 2005 and recorded in said Registry in Book 14376, Page 16; Amendment thereto dated May 3, 2006 and recorded in said Registry in Book 14826, Page 274; Second Amendment thereto dated September 27, 2006 recorded in Book 14966, Page 765, York Registry; and Third Amendment thereto dated January 17, 2007 recorded in Book 15067, Page 47, York Registry and further amendments thereto duly authorized from time to time.

Being the same premises as described in the deed of Branch Heights Development LLC to Robert K. Furman and Carolyn H. Furman dated August 15, 2008 and recorded in Book 15474, Page 637, York Registry.



**MAINE REVENUE SERVICES
REAL ESTATE TRANSFER TAX
DECLARATION**
TITLE 36, M.R.S.A. SECTIONS §§4641-4641N

1. County
YORK

2. Municipality/Township
WELLS

BOOK/PAGE—REGISTRY USE ONLY

3. GRANTEE/
PURCHASER

3a) Name LAST or BUSINESS, FIRST, MI
HIGGINS, DANIEL L.

3c) Name, LAST or BUSINESS, FIRST, MI
HIGGINS, GREER S.

3e) Mailing Address
201 HIGGINS DRIVE

3f) City
WELLS

3b) SSN or Federal ID
X 004-98-8035

3d) SSN or Federal ID
X 005-96-8899

3g) State
ME

3h) Zip Code
04090

4. GRANTOR/
SELLER

4a) Name, LAST or BUSINESS, FIRST, MI
FURMAN, ROBERT K.

4c) Name, LAST or BUSINESS, FIRST, MI
FURMAN, CAROLYN H.

4e) Mailing Address
P.O. BOX 229

4f) City
ROCKY HILL

4b) SSN or Federal ID
040-42-7534

4d) SSN or Federal ID
238-80-8859

4g) State
CT

4h) Zip Code
06067

5. PROPERTY

5a) Map	Block	Lot	Sub-Lot
84		6	1

5c) Physical Location
HIGGINS DRIVE

5b) Type of property—Enter the code number that best describes the property being sold. (See instructions)→

Check any that apply:

No tax maps exist 5d) Acreage

Multiple parcels

Portion of parcel

6. TRANSFER TAX

6a) Purchase Price (If the transfer is a gift, enter "0") 6a 120000 .00

6b) Fair Market Value (enter a value **only** if you entered "0" in 6a) or if 6a) was of nominal value) 6b .00

6c) Exemption claim - Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.

7. DATE OF TRANSFER (MM-DD-YYYY)
06-03-2016

8. WARNING TO BUYER—If the property is classified as Farmland, Open Space, Tree Growth, or Working Water-front a substantial financial penalty could be triggered by development, subdivision, partition or change in use.

CLASSIFIED

9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:

10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:

Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

Consideration for the property is less than \$50,000

Foreclosure Sale

11. OATH

Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below:

Grantee [Signature] Date 6/3/16 Grantor [Signature] Date 6/3/16

Grantee [Signature] Date 6/3/16 Grantor [Signature] Date 6/3/16

12. PREPARER

Name of Preparer Daniel T. Rush, P.A. Phone Number (207) 985-9850

Mailing Address 124 Fletcher Street, Kennebunk, ME 04043 E-Mail Address closings@rushlaw.us

Fax Number (207) 985-9029



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

Final Subdivision Amendment Application Memo

Date: July 8, 2016

To: Planning Board

From: Shannon Belanger

Re: Laudholm Oceanside Subdivision Amendment - Map 148, Lot 2-9 & Map 151, Lot 2-10

Project Description:

A Final Subdivision Amendment Application has been submitted by the applicant on behalf of the landowner of Map 148, Lot 2-9 of the Laudholm Oceanside Subdivision. The subdivision amendment proposes to alter the lot line between Map 148, Lot 2-9 and Map 151, Lot 2-10 and convey 89 SF from lot 2-9 to lot 2-10 and 89 SF from lot 2-10 to lot 2-9 due to a mislocated well installed for lot 2-10 on lot 2-9.. The subdivision is located within the Rural District and the lots are located off of Skinners Mill Road. The lots are served by private on-site septic systems and wells.

§ 202-10. Revisions to approved plans.

A. Procedure. An application for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board to receive Amendment Application on 7/11/16**

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

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant

and require that an additional \$50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Fee and escrow provided. Public Hearing to be determined.**

- B.** Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002] **A copy of the Laudholm Oceanside subdivision plan was provided.**
- 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] **Site Walk to be determined**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. [Amended 7-9-2002; 4-16-2004] **To be determined**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Planning Board scheduled to receive the application on 7/11/16**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **Not Applicable**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**

- (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as not changes to water supply (private wells) are proposed.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable, no shared system.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Not Applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **To be determined**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision. **Not Applicable**
- (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board should consider receiving the Subdivision Amendment Application.
2. The Planning Board should consider the following completeness (202-10) items:
 - a. Consider granting a waiver for a soil erosion and sedimentation control plan. Existing, approved lot. Best Management Practices reviewed as part of the building permit.
 - b. Consider granting a waiver for a stormwater management plan. Existing, approved lot.
 - c. Determine if the driveway location is required to be shown and what details on the culvert are to be noted on the plan, see recommended note 13.
 - d. Minor plan changes recommended:
 - i. Notes to be added
 - ii. Zoning details to be added/corrected
 - iii. Abutters to be corrected
 - iv. Applicant and all record owners (2-9 & 2-10) to be noted
 - v. Title Block corrections to be done
 - e. Consider finding the application complete.
3. The Planning Board should consider if a site walk is necessary. Abutters have called with questions and concerns about lot 2-9 (see attached emails and pictures)
 - a. The lot is an existing nonconforming lot of record.
 - b. Lot line adjustment due to mislocated well is between lots 2-9 and 2-10 only; no other lots impacted.
4. The Planning Board should consider if a public hearing is necessary.
 - a. Calls and emails from abutters have been received (attached)
 - b. Any abutters concerns could be raised/addressed at the site walk (if one is scheduled)
 - c. Lot line adjustment due to mislocated well is between lots 2-9 and 2-10 only
5. If a site walk and public hearing are found to not be necessary and revised plans addressing the recommended changes have been provided, the Planning Board should consider the following for compliance/ Findings of Fact & Decisions.
 - a. Find the proposed lot line between lots 2-9 and 2-10 is acceptable as no longer being perpendicular to the street
 - b. Find the Monumentation as recommended is suitable
 - c. Find recommended notes 13 and 14 acceptable
6. If all items above are satisfactorily addressed the Planning Board should consider finding the application compliant (202-12), vote to approve and sign the Findings of Fact & Decisions and plan.

Town of Wells , Maine Review Checklist
Page 1 of 5

Project Name/District: Laudholm Oceanside Subdivision Amendment - Rural District - Tax Map 148, Lot 2-9 & 2-10

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

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

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
	(1) Animal husbandry.			NA	
	(2) Agriculture.			NA	
	(3) Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
	(4) Dwelling, one-family. (See also § 145-55)	Y			Lots 9 and 10 for single family homes
	(5) Dwelling, two-family.			NA	
	(6) Dwelling, multifamily. (See also § 145-48)			NA	
	(7) Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015^[1]			NA	
	(8) Livestock, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
	(9) Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl . [Added 6-9-2015]			NA	
	(10) Poultry, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
	(11) Recreation, passive.			NA	
	(12) Timber harvesting.			NA	

Town of Wells , Maine Review Checklist
Page 2 of 5

Project Name/District: Laudholm Oceanside Subdivision Amendment - Rural District - Tax Map 148, Lot 2-9 & 2-10

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Bed and breakfast/small inn (See also § 145-52)			NA	
(2)	Cemetery larger than 20,000 square feet in area.			NA	
(3)	Church.			NA	
(4)	Club.			NA	
(5)	Congregate care facility, in areas served by public water and sewer. [Added 6-8-2010]			NA	
(6)	Day-care home.			NA	
(7)	Day-care center/ nursery school.			NA	
(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. [Added 4-14-2000; amended 11-5-2002]			NA	
(9)	Kennel.			NA	
(10)	Mineral extraction. (See also § 145-53)			NA	
(11)	Municipal facility.			NA	
(12)	Museum having a gross floor area less than 5,000 square feet.			NA	
(13)	Neighborhood convenience store.			NA	
(14)	Public utility facility.			NA	
(15)	Recreation, active.			NA	
(16)	Recreation, low-intensity commercial.			NA	
(17)	Restaurant (standard) containing fewer than 75 seats.			NA	
(18)	Sawmill.			NA	

Town of Wells , Maine Review Checklist
Page 3 of 5

Project Name/District: Laudholm Oceanside Subdivision Amendment - Rural District - Tax Map 148, Lot 2-9 & 2-10

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
(19)	School, public and private.				NA	
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. [Added 4-18-1995]				NA	
(21)	Tent and recreational vehicle park.				NA	
(22)	Transmission tower, radio.				NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.		Y			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.				NA	
F.	Dimensional requirements.					<u>Rural District Dimensional requirement notes to be added to the plan. Subdivision is within the Rural District not the RA District.</u>
(1)	Minimum lot size:					
	(a)	One hundred thousand square feet of net area.	Y			Lot 9 is 1.040 acres. <u>Lot 10 acreage not noted (Laudholm Oceanside plan note 1.17 acres).</u> The lot conveyances of 89 SF between lot 9 and 10 maintain the lot sizes of 9 and 10. These lots are considered lots of record and are grandfathered in their lot sizes (less than 100,000 SF).
	(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			NA	Lots not served by public sewer.
(2)	Maximum density: [Amended 4-28-1995]					
	(a)	One dwelling unit for each 100,000 square feet of net area.	Y			Lot 9 is 1.040 acres. <u>Lot 10 acreage not noted (Laudholm Oceanside plan note 1.17 acres).</u> The lot conveyances of 89 SF between lot 9 and 10 maintain the lot sizes of 9 and 10. These lots are considered lots of record and are grandfathered in their lot sizes (less than 100,000 SF).

Town of Wells , Maine Review Checklist
Page 4 of 5

Project Name/District: Laudholm Oceanside Subdivision Amendment - Rural District - Tax Map 148, Lot 2-9 & 2-10

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.			NA	Lots not served by public sewer.
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-12-2003; 6-13-2006 <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No cottage units exist or are permitted on this parcel.
(3)		Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.	Y			No change is street frontage proposed. Lot 9 shall maintain 192.56' of street frontage. Lot 10 shall maintain 200' + of street frontage.
(4)		Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.	Y*			<u>To be noted.</u>
(5)		Maximum building height: 40 feet, not to exceed three stories. (See § 145-35l.)	Y*			<u>To be noted.</u>
(6)		Setbacks.				<u>To be corrected</u>
	(a)	All structures shall be at least:				
	[1]	Twenty-five feet from any lot line.	Y*			<u>Setback to be corrected from 15' to 25' and noted</u>

Town of Wells , Maine Review Checklist
Page 5 of 5

Project Name/District: Laudholm Oceanside Subdivision Amendment - Rural District - Tax Map 148, Lot 2-9 & 2-10

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			Setback from Skinners Mill Rd depicted.
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			NA	
		[4]	Twenty-five feet from the boundary of any cemetery.			NA	Parcels do not abut any known cemeteries.
		(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.			NA	Parcel does not abut such rivers or brooks.
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. [Added 6-13-2006 <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted on the parcel.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Cluster residential development.				Y			See 145-14 requirements
G.	Special provisions. All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.					NA	A residential subdivision exists and was approved in 1978. No new lots or dwellings proposed.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 1 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

Chapter 202
Subdivision of Land

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
A.	Procedure. An applicant for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda.	Y				
(1)	If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.	Y				The revision involves no creation of additional lots or dwelling units. A lot line adjustment is proposed between lots 9 & 10 only.
(2)	The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004]	Y				Application fee and escrow provided.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 2 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002]	Y				Laudholm Oceanside 1978 subdivision plan provided. See Subdivision Amendment note #1.
C.	Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.					
(1)	Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	Y*				<u>Name of the Subdivision to be added. Fahey record owner to be added. Map and lot number corrections to be addressed on the plan.</u>
(2)	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y*				<u>What Monumentation is proposed for the 89 SF conveyances between lots 9 and 10?</u> Existing Monumentation for lot 9 noted. <u>Iron rods at new boundary points recommended.</u> Plan prepared and stamped by John D. Bruckler, PLS dated 6-21-16.
(3)	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y*				<u>Lot 10 acreage (1.17) to be noted.</u> Lot 9 is 1.040 acres. Parcel sizes shall remain as originally approved. Parcels are lots of record and are grandfathered as being less than 100,000 SF as they are served by on-site septic systems in the Rural zone.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 3 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(4)	Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y*				<u>Plan shall note the lots are served by on-site septic systems and wells, see recommended note 11.</u>
(5)	Indication of the type of water supply system(s) to be used in the subdivision.	Y*				<u>Plan shall note the lots are served by on-site septic systems and wells.</u>
	(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.			NA		Subdivision not served by public water.
	(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:					
	[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.			NA		Subdivision not within vicinity of such areas.
	[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			NA		Not served by a private central water system.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 4 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y*				Plan date, Magnetic North Point, scale, <u>record owner Fahey to be added, Arundel Homes applicant to be noted</u>
(7)	The location of any zoning boundaries affecting the subdivision	Y*				<u>Subdivision is located within the Rural District. 250' Shoreland Overlay zone to be labelled on the plan.</u>
(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y*				Wetland delineation prepared by Al Frick Assoc, see note 7. 30' wide drainage easement noted. <u>A note is recommended to address the size and installation requirements of the proposed culvert for the driveway crossing of the seasonal brook noted on the plan.</u>
(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y*				Existing dwelling on lot 10 approximately located. <u>Laudholm Oceanside "Common Area" abutting lot not labelled. Abutters Map and Lot #s to be corrected.</u> Skinners Mill Rd, Laudholm Farm Rd, and Back Pasture Rd labelled.
(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

Page 5 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			NA		No such dedication proposed.
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.			NA		Existing Subdivision, no new lots proposed.
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			NA		Existing Subdivision, no new lots proposed.
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			NA		Existing Subdivision, no new lots proposed.
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.		N			<u>Plan does not indicate that there is no flood zone affecting lots 9 and 10; see recommended note 12.</u>
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]					Existing, approved lot, Best Management Practices are reviewed as part of the building permit. <u>Planning Board to consider if a soil erosion and sedimentation control plan are necessary.</u>

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 6 of 6

Project Name/Tax Map & Lot #: Laudholm Oceanside Subdivision Amendment / Tax Map 147, Lot 2-9 and Map 151, Lot 2-10

Prepared By: Office of Planning & Development

Plans Dated: 6/21/16

District: R

Review Date: 07-08-16

Final Plan Revisions Submittal Date: 6/28/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. [Amended 4-27-2007]					Existing approved lot. <u>Planning Board to consider if a stormwater management plan is necessary.</u>
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: [Added 4-27-2007]			NA		No located within such areas. No new lots/dwellings proposed.
	(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
	(b) A long-term maintenance plan for all phosphorus control measures;					
	(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
	(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					



Town of Wells, Maine

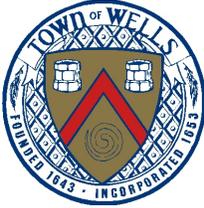
Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 1 of 16

Chapter 202 Subdivision of Land

PROJECT INFORMATION																															
General:	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Project Name:</td> <td>Laudholm Ocean Subdivision</td> </tr> <tr> <td># Lots/ Dwellings Proposed:</td> <td>0 lots/dwellings proposed; 11 lots/dwellings exist</td> </tr> <tr> <td>Applicant:</td> <td>Arudnel Homes, 1144 Portland Rd, Arundel, ME</td> </tr> <tr> <td>Landowner:</td> <td>Charles Katis, PO Box 1329, Kennebunkport, ME 04046 (lot 9) Carol Fahey, 39 Skinner Mill Rd, Wells, ME 04090 (lot 10)</td> </tr> <tr> <td>Location:</td> <td>Skinner Mill Road, Wells, Maine</td> </tr> <tr> <td>Existing Use:</td> <td>Single Family Dwelling Units within an existing 11 lot subdivision</td> </tr> <tr> <td>Proposed Land Use:</td> <td>Single Family Dwelling Units within an existing 11 lot subdivision</td> </tr> <tr> <td>Tax Parcel ID:</td> <td>Tax Map 148, Lot 2-9 and Tax Map 151, Lot 2-10</td> </tr> <tr> <td>Zoning District:</td> <td>Rural District</td> </tr> <tr> <td>Land Use, Art. VII</td> <td></td> </tr> <tr> <td>Performance Standards:</td> <td>None</td> </tr> <tr> <td>Design Engineer:</td> <td>John D. Bruckler, PO Box 931, Biddeford, ME 04005</td> </tr> <tr> <td>Final Plan Application</td> <td></td> </tr> <tr> <td>Submission Date:</td> <td>June 28, 2016</td> </tr> <tr> <td>Plan Submission Date:</td> <td>June 28, 2016</td> </tr> </table>	Project Name:	Laudholm Ocean Subdivision	# Lots/ Dwellings Proposed:	0 lots/dwellings proposed; 11 lots/dwellings exist	Applicant:	Arudnel Homes, 1144 Portland Rd, Arundel, ME	Landowner:	Charles Katis, PO Box 1329, Kennebunkport, ME 04046 (lot 9) Carol Fahey, 39 Skinner Mill Rd, Wells, ME 04090 (lot 10)	Location:	Skinner Mill Road, Wells, Maine	Existing Use:	Single Family Dwelling Units within an existing 11 lot subdivision	Proposed Land Use:	Single Family Dwelling Units within an existing 11 lot subdivision	Tax Parcel ID:	Tax Map 148, Lot 2-9 and Tax Map 151, Lot 2-10	Zoning District:	Rural District	Land Use, Art. VII		Performance Standards:	None	Design Engineer:	John D. Bruckler, PO Box 931, Biddeford, ME 04005	Final Plan Application		Submission Date:	June 28, 2016	Plan Submission Date:	June 28, 2016
Project Name:	Laudholm Ocean Subdivision																														
# Lots/ Dwellings Proposed:	0 lots/dwellings proposed; 11 lots/dwellings exist																														
Applicant:	Arudnel Homes, 1144 Portland Rd, Arundel, ME																														
Landowner:	Charles Katis, PO Box 1329, Kennebunkport, ME 04046 (lot 9) Carol Fahey, 39 Skinner Mill Rd, Wells, ME 04090 (lot 10)																														
Location:	Skinner Mill Road, Wells, Maine																														
Existing Use:	Single Family Dwelling Units within an existing 11 lot subdivision																														
Proposed Land Use:	Single Family Dwelling Units within an existing 11 lot subdivision																														
Tax Parcel ID:	Tax Map 148, Lot 2-9 and Tax Map 151, Lot 2-10																														
Zoning District:	Rural District																														
Land Use, Art. VII																															
Performance Standards:	None																														
Design Engineer:	John D. Bruckler, PO Box 931, Biddeford, ME 04005																														
Final Plan Application																															
Submission Date:	June 28, 2016																														
Plan Submission Date:	June 28, 2016																														
Project Description:	<p>A Final Subdivision Amendment Application has been submitted by the applicant on behalf of the landowner of Map 148, Lot 2-9 of the Laudholm Oceanside Subdivision. The subdivision amendment proposes to alter the lot line between Map 148, Lot 2-9 and Map 151, Lot 2-10 and convey 89 SF from lot 2-9 to lot 2-10 and 89 SF from lot 2-10 to lot 2-9 due to a mislocated well installed for lot 2-10 on lot 2-9.. The subdivision is located within the Rural District and the lots are located off of Skinners Mill Road. The lots are served by private on-site septic systems and wells.</p>																														
Approval Dates:	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Preliminary Plan Approval:</td> <td>Not Applicable</td> </tr> <tr> <td>Final Plan Approval:</td> <td>To be determined</td> </tr> </table>	Preliminary Plan Approval:	Not Applicable	Final Plan Approval:	To be determined																										
Preliminary Plan Approval:	Not Applicable																														
Final Plan Approval:	To be determined																														
Public Hearings:	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Preliminary Public Hearing</td> <td>Not Applicable</td> </tr> <tr> <td>Final Public Hearing</td> <td>To be determined</td> </tr> </table>	Preliminary Public Hearing	Not Applicable	Final Public Hearing	To be determined																										
Preliminary Public Hearing	Not Applicable																														
Final Public Hearing	To be determined																														

PROJECT HISTORY
<ol style="list-style-type: none"> 1. On 6/28/16 the applicant submitted a final subdivision amendment application for the above described project to the Planning Office. 2. On 6/29/16 abutters were mailed notice of the amendment application and of the 7/11/16 Planning Board agenda. 3. On 7/8/16 the Planning Office prepared draft completeness (202-10) and draft compliance (202-12)/ Findings of Fact & Decisions as well as a plan with recommended revisions to be addressed. 4. On 7/8/16 the Planning Office prepared a memo for the Planning Board. 5. On 7/11/16 the Planning Board voted to receive the subdivision amendment application, and voted to _____



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 2 of 16

§ 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>		
A.	<p>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>	
B.	<p>Retention of open spaces and natural or historic features. [Amended 6-11-2013]</p>	
(1)	<p>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>No change to or creation of open space proposed.</p>
(2)	<p>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>No change to or creation of open space proposed.</p>
(3)	<p>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.)</p>	<p>No change to or creation of open space proposed.</p>
(4)	<p>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.</p>	<p>The subdivision plan depicts an existing “seasonal brook” and edge of wetland areas for lot 2-9.</p>



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 3 of 16

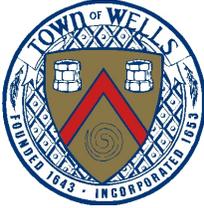
§ 202-12. General Standards		Findings & Decisions
C.	Blocks. Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground utility crossings and/or a pedestrian pathway of at 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 existing lots within the subdivision. The proposed changes to lots 2-9 and 2-10 shall be in compliance with the Land Use Code requirements. <u>See recommended notes and corrections to be added to address the Rural Zone dimensional requirements.</u>
	(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.	<u>Planning Board to determine if the driveway location is necessary to be shown.</u>
	(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.	Lots 2-9 and 2-10 have street frontage off of Skinners Mill Road. No changes to street frontage proposed.
	(4) Wherever possible, side lot lines shall be perpendicular to the street.	<u>Planning Board to review the proposed lot line and determine if the proposed change meets this requirement.</u>
	(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.	Lots 2-9 and 2-10 are not more than twice the required minimum lot size.
	(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.	No changes to utilities proposed. Lots are served by onsite septic and wells. <u>See recommended note 11.</u>
	(7) If a lot on one side of a river, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the river, tidal water or road to meet the minimum lot size.	Not applicable.
	(8) Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	Lots are not proposed to be odd shaped.
	(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.	Shared driveways were not required as part of the 1978 subdivision approval. Shared driveways are not proposed.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 4 of 16

§ 202-12. General Standards		Findings & Decisions
	(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.	No changes to driveways proposed.
E.	Utilities.	
	(1) Utilities shall be installed underground except as otherwise approved by the Board.	No changes to utilities proposed. Lots served by existing overhead utilities.
	(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	No changes to utilities proposed. Lots served by existing overhead utilities.
	(3) The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	No changes to utilities proposed.
F.	Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.	
	(1) Monuments.	<u>Planning Board to review the Monumentation proposed.</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>Iron Rods to be set at new lot corners. Plan to label proposed monuments more clearly.</u>
	(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>Planning Board to review the Monumentation proposed.</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.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 5 of 16

§ 202-12. General Standards	Findings & Decisions
[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.	No change to existing water supply proposed. Lots served by private wells. Well for lot 2-10 depicted.
[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	
[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).	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:	No change in fire protection proposed. Subdivision was approved originally in 1978 and is grandfathered in that it has no on-site fire protection. No changes proposed that trigger the requirement for installing fire protection at this time. The existing fire hydrant on Laudholm Farm Road is less than 2,000 linear feet from lots 2-9 and 2-10.
[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	The existing fire hydrant on Laudholm Farm Road is less than 2,000 linear feet from lots 2-9 and 2-10.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 6 of 16

§ 202-12. General Standards	Findings & Decisions
[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	
[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	The existing fire hydrant on Laudholm Farm Road is less than 2,000 linear feet from lots 2-9 and 2-10.
[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.
[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.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 7 of 16

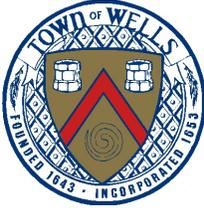
§ 202-12. General Standards	Findings & Decisions
<p>[1] The developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine licensed site evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, 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.</p>	<p>No changes in septic system locations proposed.</p>
<p>[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.</p>	
<p>(4) Stormwater management. [Amended 4-27-2007]</p>	<p><u>Planning Board to consider a waiver or finding a stormwater management plan not necessary.</u></p>
<p>(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.</p>	
<p>(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.</p>	
<p>(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.</p>	
<p>(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.</p>	
<p>(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.</p>	
<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>	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 8 of 16

§ 202-12. General Standards		Findings & Decisions
	<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>(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>[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.	
	<p>(1) All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.</p>	<p>The proposed streets must comply with the requirements of Chapter 201. No changes to the road are proposed.</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 9 of 16

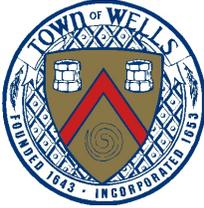
§ 202-12. General Standards	Findings & Decisions
<p>(2) Any subdivision expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which 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:</p> <p>(a) Single-family house: 10.0 trips per day per unit.</p> <p>(b) Residential condominium: 5.9 trips per day per unit.</p> <p>(c) Motel: 10.2 trips per day per room.</p> <p>(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.</p>	<p>No changes is trip generation of the subdivision proposed.</p>
<p>(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.</p>	<p>No changes to the roadways or street connections proposed.</p>
<p>H. Land features.</p>	
<p>(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.</p>	<p>This is a condition of approval.</p>
<p>(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]</p>	<p>This is a condition of approval.</p>
<p>(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.</p>	
<p>(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.</p>	
<p>(c) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.</p>	
<p>(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.</p>	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 10 of 16

§ 202-12. General Standards	Findings & Decisions
(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.	No changes to common open space and services 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.	DRAFT
(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.	
(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. <u>See recommended note 12.</u>
(6) Impact on groundwater.	Planning Board to determine such information is not necessary. No changes to septic systems proposed.
(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	
[1] A map showing the basic soils types.	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 11 of 16

§ 202-12. General Standards	Findings & Decisions
[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.	
(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.	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 12 of 16

§ 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>What guarantee to be considered for the installation of the proposed Monumentation? See recommended note.</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.	
	(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.	
	(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.	
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.	

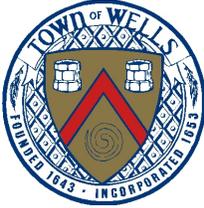


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 13 of 16

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>	
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>	
	(1)	<p>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>	
	(a)	<p>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>	
	(b)	<p>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>	
	(2)	<p>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>	



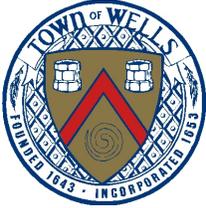
Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 14 of 16

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>	
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>	No changes to the existing public street proposed.
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>	

	§ 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>	
A.	The subdivision:	The Planning Board finds that these standards shall be met.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Laudholm Oceanside”
Page 15 of 16

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

- 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))



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Final Subdivision Amendment Application for "Laudholm Oceanside" Page 16 of 16

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, ME

208 Sanford Road, PO Box 398

Wells, Maine, 04090

Phone: 207-646-5187, Fax: 646-5188

Website: www.wellstown.org

Amendment <input checked="" type="checkbox"/>	NO LOTS
(Revision involves creation of less than 4 lots/dwellings and no new roads)	
New	_____

For Office Use Only	
Fees Paid	<input checked="" type="checkbox"/>

FINAL MINOR SUBDIVISION APPLICATION - §202-710

Received
6-28-16

1. Project/Subdivision Name: Laudholm Ocean side

2. Property Owner: Charles KATIS

Mailing Address: PO Box 1329

Kennebunkport, Me 04848

Telephone: 207-967-0019 Fax: _____

Email Address: CKATIS@ESTATESONTHEBEACH.COM

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

Mailing Address: 1144 Portland Rd.

Arundel Maine

Telephone: 985-4122 Fax: 207-985-4199

Email Address: arundelhomes@roadrunner.com

4. Engineer or Surveyor who prepared plan: John Brucker, PLS 1285

Mailing Address: PO Box 931

Biddeford Maine

Telephone: 207-324-6886 Fax: _____

Email Address: johnbrucker@metrocast.net

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

6. Assessor's Tax Map Number: 148 Lot Number: 2-9 (of land to be divided)

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

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

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

NONE

10. Location of Property:

Street Address (approx.) SKINNER MILL ROAD
Book 36009 Page 149 (From County Registry of Deeds)

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

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

13. Total Acreage: 1.04 Acreage to be developed: .15

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

NA

15. Has this land been part of a prior approved subdivision? Yes No

Or other divisions within the past 5 Years? Yes No

If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

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

HOUSE LOT

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

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

19. Number of lots or dwelling units existing: _____ and
Number of lots or dwelling units proposed: _____

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

roads

storm drainage

sidewalks

water lines

fire protection equipment

sewer

If other, please state _____

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

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

Submitted Not Submitted Subdivision Amendment form shall be accompanied by

45

X by Planning		A copy of the approved plan, as well as 11 copies of the proposed revisions.
✓		Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
✓		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
by Planning		Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

Memorandum

June 28, 2016
Noon

To: Wells, ME
Town of Wells, ME
Planning Dept./Board
From: Charles W. Katis

Re: Land Swap Approval
Per plan as submitted
by Arundel Homes for
Mr. Catlino.

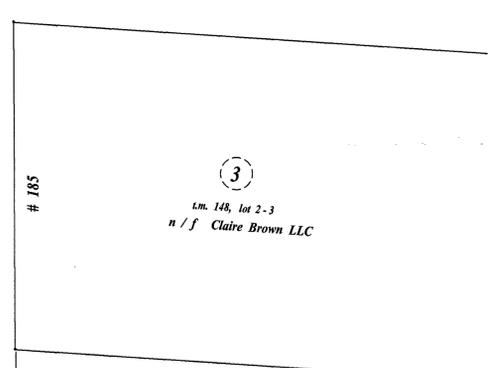
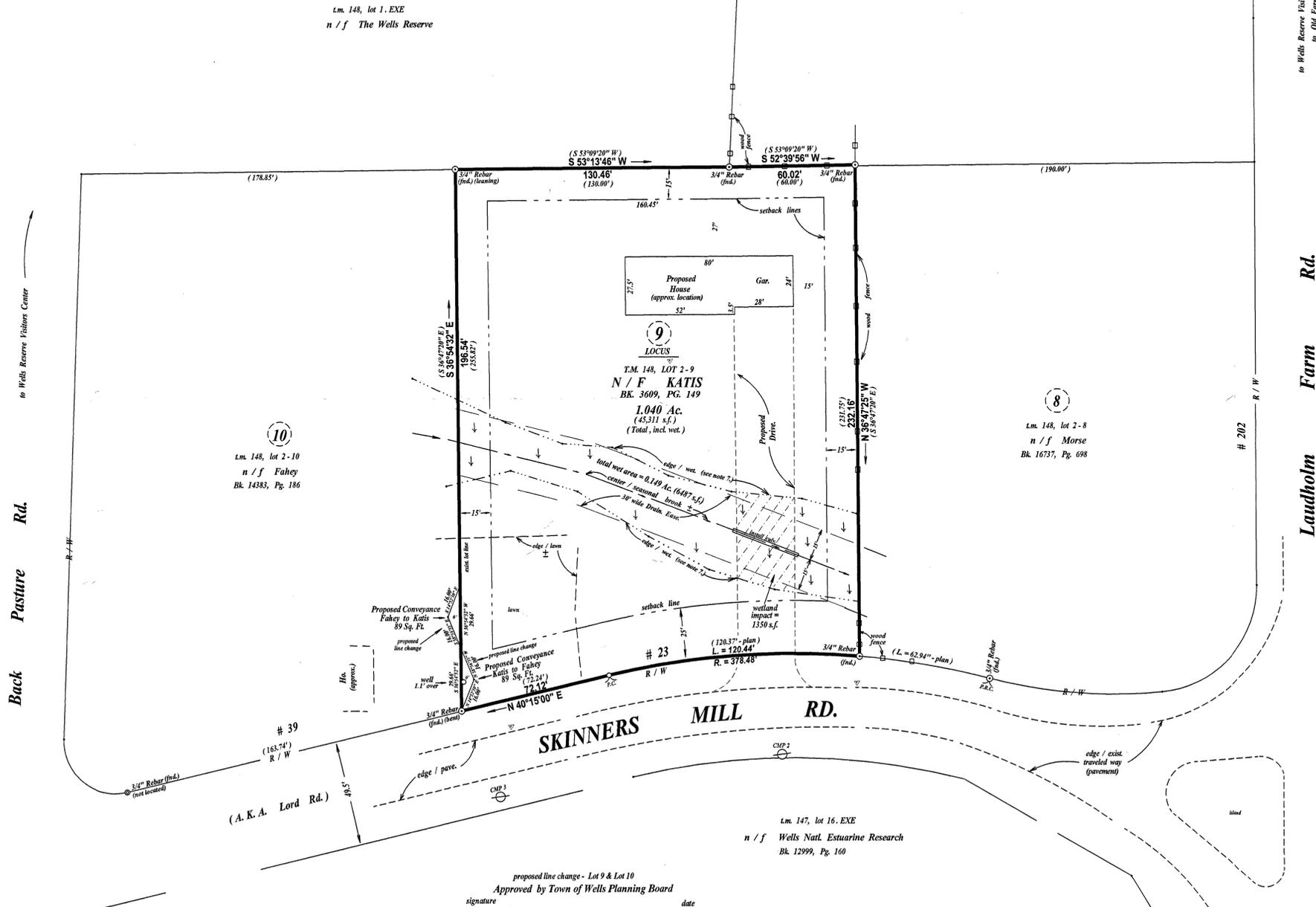
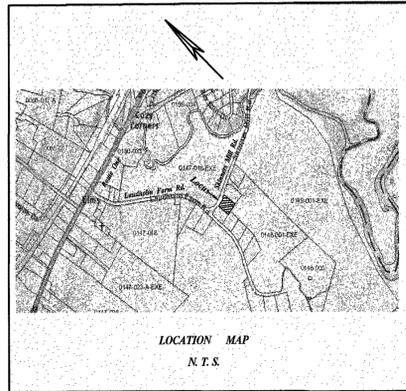
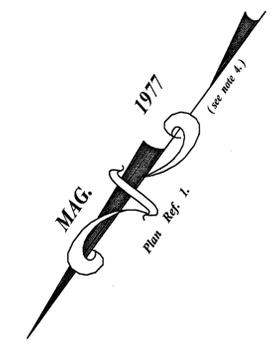
To whom it may concern,
I am authorizing the Town of Wells
planning board to review and
approve the plan as submitted, to
authorize a minor/small land swap
involving 23 Skinner Mill Road and
the abutter Carol Fahey. Charles W. Katis
Charles W. Katis

LEGEND

- Iron Pin Found
- Granite or Concrete Monument Found
- Iron Rod Set (proposed - 5/8" rebar w/ cap, pls 1285)
- Granite or Concrete Monument Set
- Utility Pole
- n / f Now or Formerly
- f / y Formerly
- l.m. Tax Map Reference (see note 3.)
- ± More or Less (approximate location)
- - - Edge of Existing Traveled Way
- R / W Apparent Right of Way (see note 5.)
- - - Remains of Old Wire Fence
- Old Stone Wall
- - - Abutter Line (approx. location) or former lot line
- - - Trestle (approx.)
- - - Water Main (approx.)
- - - s Sanitary Sewer Line (approx.)
- - - o.u. Overhead or Underground Utility
- ▽ Transit Point (nail)
- - - Setback Lines
- - - Edge of Wetlands (see note 7.)
- - - Wood Fence
- - - center of Seasonal Brook
- Wetlands
- Well (encroachment)

NOTES:

1. PLAN REF.: "Plan Showing Laudholm Oceanside - Section No. 2, Wells, Maine", prepared by Dow & Coulombe, Rodney Chalbourne, PLS 1125, dated Mar. 27, 1978 and recorded at the Y.C.R.D. in Plan Bk. 93, Pg. 8.
2. DEED REF.: John R. Taylor to Valerie J. Katis and Charles W. Katis, Jr., dated Jun. 24, 1985 and recorded at the Y.C.R.D. in Bk. 3609, Pg. 149.
3. TAX MAP REF.: Map 148, Lot 2-9 ZONE = RA (residential A)
4. BASIS OF BEARINGS: Magnetic North, 1977, based on Plan Ref. 1 and oriented to 3/4" Rebars found.
5. Apparent Right of Way for Skimmers Mill Rd., so called, is based on Plan Ref. 1 and oriented to 3/4" Rebars found along southeasterly sideline of said Rd. Right of Way width = 3 R. (49.5 Ft.)
6. All bearings or distances shown in parenthesis are from Plan Ref. 1.
7. Wetland delineations performed by Al Frick Assoc., Gorham, ME, 5/23/16.
8. Lot numbers shown in dashed circles refer to Plan Ref. 1.
9. TOTAL LOCUS AREA = 1.040 Acres (45,311 Sq. Ft.)
TOTAL WETLAND AREA = 0.149 Acre (6487 Sq. Ft.)



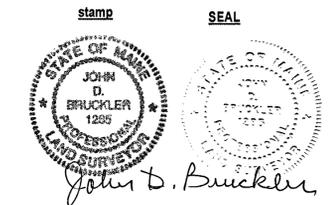
For Use By Y.C.R.D.
YORK, ss REGISTRY OF DEEDS
Received _____
_____ h _____ m _____ M., and
Filed in Plan Book _____ page
ATTEST: _____
Register

Prepared By:
JOHN BRUCKLER, PLS 1285
P.O. Box 931
Biddeford, ME 04005
207-324-6886

Site Plan Showing
A STANDARD BOUNDARY SURVEY, Proposed House Location
and
Proposed Line Change
Located At
23 SKINNERS MILL ROAD
In
WELLS, MAINE
Land Of
Charles Katis Jr. (record owner)
29 Pingree Farm Rd., Georgetown, MA 01833
Made For
George Carlino (Grantee)

SCALE: 1" = 30' Job No. 16529 DATE: May 16, 2016
REV: 6/21/16-line change REV: 6/18/16-well Rev: 5/25/16-Prop location

To the best of my knowledge and belief, this plan conforms to the Maine State Board of Licensure for Professional Land Surveyors current Standards of Practice.
Exceptions: no written report, no new deed description



proposed line change - Lot 9 & Lot 10
Approved by Town of Wells Planning Board
signature _____ date _____

Lm. 147, lot 16. EXE
n / f Wells Natl. Estuarine Research
Bk. 12999, Pg. 160

39
(163.74')
R / W
(A.K.A. Lord Rd.)

11
Lm. 148, lot 2-11
n / f Johnson

10
Lm. 148, lot 2-10
n / f Fahey
Bk. 14383, Pg. 186

8
Lm. 148, lot 2-8
n / f Morse
Bk. 16737, Pg. 698

9
LOCUS
T.M. 148, LOT 2-9
N / F KATIS
BK. 3609, PG. 149
1.040 Ac.
(45,311 sq. ft.)
(Total, incl. wet.)

7
Lm. 148, lot 2-7
n / f Wydra
Bk. 15946, Pg. 54

Lm. 148, lot 1. EXE
n / f The Wells Reserve

Lm. 148, lot 1. EXE
n / f The Wells Reserve

to Wells Reserve Visitors Center
to Old Farm Ln.

to Wells Reserve Visitors Center
to Old Farm Ln.

to Wells Reserve Visitors Center
to Old Farm Ln.

29696

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS,

That I, JOHN R. TAYLOR of Sandwich, in the County of Carroll and State of New Hampshire,

in consideration of One Dollar and other valuable consideration, paid by VALERIE J. KATIS and CHARLES W. KATIS, JR., of 12 Foster Street, Saugus, Massachusetts 01906,

the receipt whereof I do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL and CONVEY unto the said VALERIE J. KATIS and CHARLES W. KATIS, JR., as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, a one-sixth interest in the following described real estate which was the property of the said MARION LORD TAYLOR, to wit:

A certain lot or parcel of land situated in the Town of Wells, County of York and State of Maine, depicted as LOT NO. 9 on a plan duly recorded in the York Registry of Deeds in Plan Book 93, Page 8, which plan bears the following title, legend and identification: "Plan Showing Laudholm Oceanside - Section 2 - Wells, Maine - A Subdivision by: C. Rogers Lord, Marion Lord Taylor & Mary Lord Kline - Scale: 1 in. = 100 ft. - March 27, 1978 - Dow & Coulombe Inc. - Engineers & Surveyors - Saco, Maine"; said LOT NO. 9 lying on the Easterly side of the Laudholm Farm Road and identified on said plan as containing 1.04 acres.

The above referenced LOT NO. 9 is hereby conveyed subject to a drainage easement 30 feet wide running diagonally across the northerly portion of said lot, all as more fully set forth and delineated on the plan hereinabove referenced.

TITLE REFERENCES: Reference is made to the following instruments recorded in the York County Registry of Deeds, viz:

1. Estate of George C. Lord, see York County Probate Docket No. 56080;
2. Estate of Robert W. Lord, see York County Probate Docket No. 54277;
3. Estate of Marion R. Lord, see York County Probate Docket No. 54229;
4. Municipal Quit-Claim Deed from the Inhabitants of the Town of Wells to George C. Lord, et als, dated December 5, 1945 and recorded in the York Registry of Deeds in Book 1040, Page 232;
5. Quit-Claim Deed from Charles E. Lord to George C. Lord, Charles R. Lord and Marion Lord Taylor, dated November 9, 1931 and recorded in the York Registry of Deeds in Book 826, Page 540;
6. Estate of Charles Rogers Lord, see York County Probate Docket No. 25677-A;
7. Estate of Marion Lord Taylor, see York County Probate Docket No. 26777-A; and
8. For the authority of Evelyn F. Aeschbach, see Letters Testamentary of Succeeding Trusteeship dated June 4, 1982 and duly recorded in the York Registry of Deeds.

Together with a right of way pertinent to the above described premises for the occupants of any dwelling on such premises to pass and repass on foot only, over and along the

MAINE REAL ESTATE TRANSFER TAX PAID

Laudholm Farm Road (also known as the Beach Road) which crosses remaining land of the grantors to the Laudholm Beach Road. And, insofar as the grantors have any power to convey, a right of way to pass from the Laudholm Beach Road over and along any established right of way to the Atlantic Ocean. (This right of way does not include the right to enter upon the "Beach Lot" so-called, owned by the grantors and adjacent to the Atlantic Ocean.

As part and parcel of the consideration hereof, the Grantees herein, for themselves, their heirs and assigns, hereby covenant and agree with the Grantor(s), their successors, heirs or assigns, (or their duly authorized agent for that purpose) to take, use and occupy the premises herein conveyed subject to the following restrictions and conditions:

1. Said premises shall be used for residential purposes only and shall be occupied by not more than one residential unit. No business whatsoever or commercial enterprise shall be allowed, except, however, a professional occupation may be carried on in connection with the occupation of said home as a residence so long as the residential occupation of said home is the primary use of same and said professional occupational use of said home is part time and incidental in character to the maintenance of a full time office at some other location.
2. A residential unit shall include no buildings or structures other than the following, viz: One detached building house designed as a residence for one family; one garage for private use constructed either as an integral part of the dwelling or as a detached building and adapted for the storage of not more than three (3) automobiles; suitable garden structures including a greenhouse; and such additional structures as shall from time to time be used in connection with single family dwelling houses situated in similar neighborhoods. No buildings, fences or other structures of any kind shall be erected, placed or allowed to stand upon said property until the plans, specifications and locations thereof shall have been approved by the Grantors herein, their heirs, executors, administrators, devisees or their duly authorized agent, and such approval shall be in writing.
3. No keeping of poultry, swine, dog kennels or livestock, other than household pets normally housed in a residence, shall be permitted.
4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
5. Any new residential structure shall contain only one kitchen, and at least fourteen hundred (1400) square feet, but not more than thirty-two hundred (3200), square feet of livable area, not including porches, screened, glassed in, or otherwise treated, stoops, garages, carports, or other living terraces.
6. No structure of a temporary character such as, but without limitation thereto, a house trailer, recreational vehicle, mobile home, tent, shack, garage, barn or other outbuilding shall be used as a residence, either temporarily or permanently, on any lot. No house trailer or similar vehicle shall be brought upon or be maintained or be permitted to remain on said property.
7. The exterior walls of any structures built on said premises shall be covered with brick or stone masonry, clapboards, shingles or flush wood siding, and design of said structures shall be in keeping and harmony with other buildings in the neighborhood and shall present the same architectural appearance as is characteristic of other buildings in the immediate vicinity.

8. No fence shall be erected over four (4) feet in height and no trees shall be planted to form any fence over four (4) feet in height. No fence shall be built except a post and rail wooden fence. However, a swimming pool fence may be of any design or material usual and common for fences surrounding swimming pools.

9. The Grantee(s) herein agree to complete all exterior building construction and landscaping within eighteen (18) months from the beginning of construction. Completion, as herein used, includes, but is not limited to porches, steps, decks, platforms, carports and other outside living terraces.

10. No building shall be constructed or altered so that such building, alteration or addition would result in the building or any part of it having a height of more than two and one-half (2-1/2) stories not to exceed twenty-seven (27) feet high exclusive of chimneys. The height of buildings shall be the vertical measurement from average mean grade of the immediately adjoining ground to the highest point of the structure.

11. The erection and use of any structure or the occupation of the land hereby conveyed contrary to these conditions and restrictions, or any part of them, shall be conclusively deemed a nuisance for which the Grantors, their successors and assigns, may have remedy by due process of law or may, at their option, by their agents, enter and remove and abate such nuisance at the expense of the Grantee(s), his (her, their) heirs and assigns, without being responsible for the trespass therefore.

The above mentioned covenants, conditions and restrictions apply to Laudholm Oceanside #2, Subdivision, and do not in any way encumber or affect abutting or adjoining land owned by the Grantors.

TO HAVE AND TO HOLD, the premises herein granted, together with all the privileges and appurtenances thereunto belonging to the said VALERIE J. KATIS and CHARLES W. KATIS, JR., as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, and I do hereby covenant to and with the said VALERIE J. KATIS and CHARLES W. KATIS, JR., as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances, except any and all State and Local land use regulations;

That I have good right to sell and convey the same to the said VALERIE J. KATIS and CHARLES W. KATIS, JR. to hold as aforesaid, and that I and my heirs shall and will WARRANT and DEFEND the same to the said VALERIE J. KATIS and CHARLES W. KATIS, JR., her heirs and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, the said JOHN R. TAYLOR, being a single person, have hereunto set my hand this 27th day of June, in the year of our Lord one thousand nine hundred and eighty-five.

SIGNED AND DELIVERED
IN PRESENCE OF:

Kathleen E. Parsons
John R. Taylor
JOHN R. TAYLOR

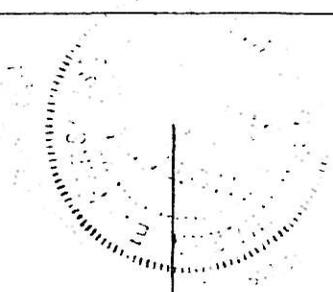
STATE OF New Hampshire
COUNTY OF Rockingham

June 24, 1985

Personally appeared the above named JOHN R. TAYLOR and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Kathleen E. Parsons
Notary Public
KATHLEEN E PARSONS



REAGAN

6

ADAMS

P.A.

ATTORNEYS AT LAW

KEENE, NEW HAMPSHIRE

03043

RECEIVED JUN 20 1985

RECORDED RECEIPT 1985

148-2.2
#44430

02613

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that WE, BRADLEY F. MORSE and CAROLYN A. MORSE, both of Wells, County of York and State of Maine

for One Dollar (\$1.00) and other valuable consideration

GRANT TO GINO PAGLUICA and SHIRLEY ANN PAGLUICA, both of 255 Vernon Street, Manchester, Connecticut 06040

WITH WARRANTY COVENANTS, AS JOINT TENANTS

SEE EXHIBIT A ANNEXED HERETO AND MADE A PART HEREOF.

IN WITNESS WHEREOF, WE the said BRADLEY F. MORSE and CAROLYN A. MORSE, have hereunto executed this instrument this 14 day of January, 1992.

WITNESS:

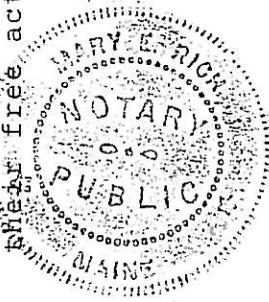
Deborah D. Anderson
Deborah D. Anderson

Bradley F. Morse
BRADLEY F. MORSE
Carolyn A. Morse
CAROLYN A. MORSE

STATE OF MAINE
County of York, ss.

January 14, 1992

Personally appeared the above named Bradley F. Morse and Carolyn A. Morse, and acknowledged the above instrument to be their free act and deed.



Before me,

Mary E. Rich
Notary Public/Attorney at Law

Mary E. Rich

SCHEDULE A

A certain tract or parcel of land, together with the buildings and improvements thereon situate on Lautholm Farm Road in Wells in the County of York and State of Maine, depicted as LOT NO. 2 on a plan duly recorded in the York Registry of Deeds in Plan Book 93, Page 8, which plan bears the following title, legend and identification: "Plan Showing Lautholm Oceanside - Section 2 - Wells, Maine - A Subdivision by: C. Rogers Lord, Marion Lord Taylor & Mary Lord Kline - Scale 1 in. = 100 Ft. - March 27, 1978 - Dow & Coulombe Inc. - Engineers & Surveyors - Saco, Maine"; said LOT NO. 2 lying on the Easterly side of the Lautholm Farm Road and identified on said plan as containing 1.56 acres.

The above described premises is subject to a 15 foot pole and line easement granted to New England Telephone & Telegraph as the same is depicted on these above referenced subdivision plan.

Being the same premises conveyed to the Grantors herein by deed of Maine Coast Builders, Inc., dated June 1, 1989, and recorded in the York County Registry of Deeds in Book 5481, Page 162.

Together with a right of way pertinent to the above described premises for the occupants of any dwelling on such premises to pass and repass on foot only, over and along the Lautholm Farm Road (also known as the Beach Road) which crosses remaining land of these grantors to the Lautholm Beach Road. And, insofar as the grantors have any power to convey, a right of way to pass from the Lautholm Beach Road over and along any established right of way to the Atlantic Ocean. (This right of way does not include the right to enter upon the "Beach Lot" so-called, owned by the grantors and adjacent to the Atlantic Ocean.)

As part and parcel of the consideration hereof, the Grantees herein, for themselves, their heirs and assigns, hereby covenant and agree with the Grantor(s), their successors, heirs or assigns, (or their duly authorized agent for that purpose) to take, use and occupy the premises herein conveyed subject to the following restrictions and conditions.

1. Said premises shall be used for residential purposes only and shall be occupied by not more than one residential unit. No business whatsoever or commercial enterprise shall be allowed, except, however, a professional occupation may be carried on in connection with the occupation of said home as a residence so long as the residential occupation of said home is the primary use of same and said professional occupation use of said home is part time and incidental in character to the maintenance or a full time office at some other location.
2. A residential unit shall include no buildings or structures other than the following, viz: One detached building house designed as a residence for one family; one garage for private use constructed either as an integral part of the dwelling or as a detached building and adapted for the storage of not more than three (3) automobiles; suitable garden structures including a greenhouse; and such additional structures as shall from time to time be used in connection with single family dwelling houses situated in similar neighborhoods. No buildings, fences or other structures of any kind shall be erected, placed or allowed to stand upon said property until the plans, specifications and locations thereof shall have been approved by the Grantors herein, their heirs, executors, administrators, devisees or their duly authorized agent, and such approval shall be in writing.
3. No keeping of poultry, swine, dog kennels or livestock, other than household pets normally housed in a residence, shall be permitted.
4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance

CONTINUED ON NEXT PAGE

to the neighborhood.

5. Any new residential structure shall contain only one kitchen, and at least fourteen hundred (1400) square feet, but not more than thirty-two hundred (3200) square feet of livable area, not including porches, screened, glassed in, or otherwise treated, stoops, garages, carports, or other living terraces.
6. No structure of a temporary character such as, but without limitation thereto, a house trailer, recreational vehicle, mobile home, tent, shack, garage, barn or other outbuilding shall be used as a residence, either temporarily or permanently, on any lot. No house trailer or similar vehicle shall be brought upon or be maintained or be permitted to remain on said property.
7. The exterior walls of any structures built on said premises shall be covered with brick or stone masonry, clapboards, shingles or flush wood siding, and design of such structures shall be in keeping and harmony with other buildings in the neighborhood and shall present the same architectural appearance as is characteristic of other buildings in the immediate vicinity.
8. No fence shall be erected over four (4) feet in height and no trees shall be planted to form any fence over four (4) feet in height. No fence shall be built except a post and rail wooden fence. However, a swimming pool fence may be of any design or material usual and common for fences surrounding swimming pools.
9. The Grantee(s) herein agree to complete all exterior building construction and landscaping within eighteen (18) months from the beginning of construction. Completion, as herein used, includes, but is not limited to porches, steps, decks, platforms, carports and other outside living terraces.
10. No building shall be constructed or altered so that such building, alteration or addition would result in the building or any part of it having a height of more than two and one-half (2-1/2) stories, not to exceed twenty-seven (27) feet high exclusive of chimneys. The height of buildings shall be the vertical measurement from average mean grade of the immediately adjoining ground to the highest point of the structure.
11. The erection and use of any structure or the occupation of the land hereby conveyed contrary to these conditions and restrictions, or any part of them, shall be conclusively deemed a nuisance for which the Grantors, their successors and assigns, may have remedy by due process of law or may, at their option, by their agents, enter and remove and abate such nuisance at the expense of the Grantee(s), his (her, their) heirs and assigns, without being responsible for the trespass therefore.

RECEIVED YORK S.S.

92 JAN 21 AM 10:52

RECORDS SECTION
100 FIVE BLDG



Wells National Estuarine Research Reserve

Research • Education • Stewardship

wellsreserve

July 7, 2016

Michael Livingston, Engineer/Planner
Town of Wells
208 Sanford Road
Wells, ME 04090

Dear Michael:

I am writing in reference to the notification of the subdivision amendment application for Laudholm Oceanside Subdivision located on Skinner Mill Road. I want to make you and the Planning Board aware of some of my concerns with the proposed development of the property and observations over the years.

First of all, I was a bit surprised to read that the applicant answered “no” to the question that the parcel has no water bodies. There is a large drainage swale that bi-sects the property from northeast to southwest. This swale drains a large forested wetland in the Reserve to the northeast, plus drains other property “downstream” of our public access road. During spring run-off, and during wet autumn months, there is continuous movement of water through the swale. When there are big storms, the swale can fill up to an area equal to the wetlands that exist about 30 feet on either side of the center of the swale (the yellow lines on the attached map).

The oversight of the presence of a water body may be due to the fact that the site was investigated for its development suitability only over the past one or two years, which have been exceptionally dry. I have attached a chart that indicates rainfall over the seven years between March and July.

In order for this development to move forward, careful consideration should be made to the size of the culvert (it has to be large enough to handle large storm event run-off) and to the material used to build a crossing. Resilient material would most likely be needed for the access driveway to prevent it from washing out during large storm events.

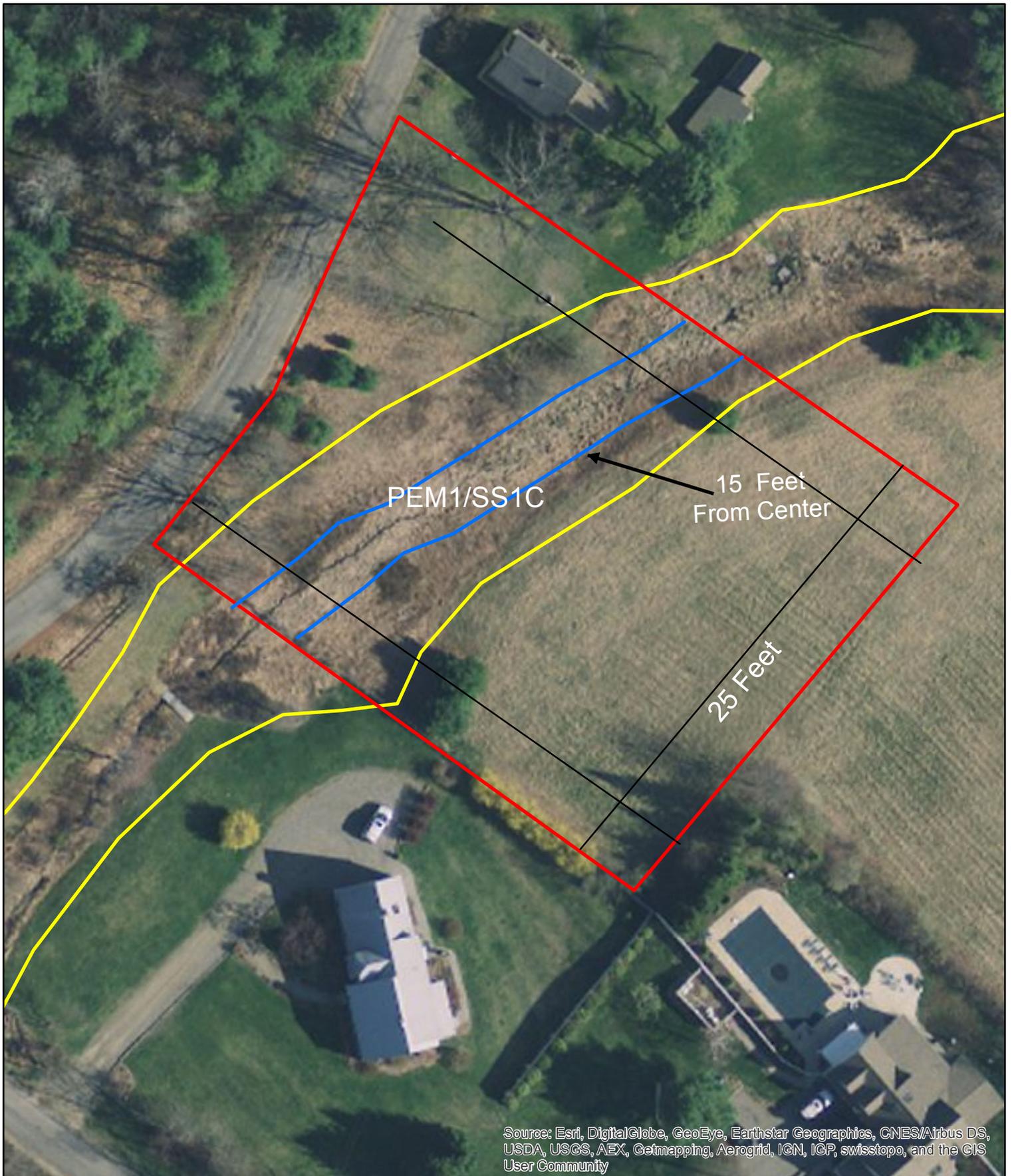
It is my understanding that the properties that adjoin the swale are subject to, according to their warranty deeds, a drainage easement 15 feet on either side of the center of the swale. This is represented by the blue lines on the attached map. There was no mention of that easement in the application.

Thanks for the opportunity to express my concerns and thoughts.

Sincerely,

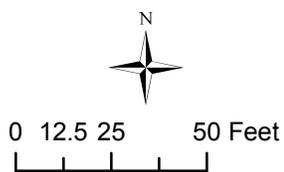
Paul M. Dest
Reserve Director

Two attachments (enclosures)



Legend

-  Wetlands
-  Parcel



Susan Bickford WNERR May 2016
All Boundaries Approximate

RAINFALL RECORDED AT THE WELLS RESERVE'S METEOROLOGICAL STATION

The Wells National Estuarine Research Reserve's weather station is an official National Weather Service station (ID# WEXM1) and is operated and serviced under the standard operating procedures set forth by the National Oceanic and Atmospheric Administration (NOAA). Station checks and data downloads occur monthly and all probes are calibrated annually by Campbell Scientific Instruments Inc.

Below is a table of total rainfall (in inches) for the period of March 1 through July 31 from 2010 to the present. The mean average over the past 6 years comes out to 20.2" for the period. The past two years have fallen below that average. 2010 was impressively wet. 2011 and 2012 were "average" years for rainfall; 2015 was exceptionally dry as is this year so far.

Year	Total Rain in Inches March-July
2010	40"
2011	27"
2012	20"
2013	14"
2014	17
2015	11.5
2016	12.5 (as of July 6th)

Compiled by Jeremy Miller, Research Associate, Wells Reserve
July 7, 2016,

From: Mike Livingston
Sent: Thursday, July 07, 2016 1:33 PM
To: Jan and Holly Wydra
Cc: Shannon Belanger
Subject: RE: Photos of 23 Skinner Mill Rd.

Thank you Holly, we will include your e-mail and photos in the Planning Board review materials.

Michael G. Livingston, PE
Town Engineer/Town Planner
Town of Wells, Maine

From: Jan and Holly Wydra [mailto:jhwydra@gmail.com]
Sent: Thursday, July 07, 2016 12:16 PM
To: Mike Livingston
Subject: Photos of 23 Skinner Mill Rd.

Hello Mike,

Attached, please find photos that were taken by my husband during the Mother's Day storm a few years ago.

As you can see from the photos, the stream swelled well beyond it's natural path, and flooded most of the area surrounding it. We all agree that the stream is indeed a "water body," even though it may seem almost non-existent during the dry seasons. It is, in fact, a running stream in the spring and fall and is capable, as you can see from the photos, of flooding.

Hopefully, these photos, plus the information sent to you by Paul Dest from Laudholm, will demonstrate the concern we all have regarding the development of that particular lot on Skinner Mill Rd.

Please feel free to contact me with any further questions.

Thank you in advance for your consideration.

Holly Wydra
222 Laudholm Farm Rd.
Wells, ME
207-646-6276

6.0 MEGA PIXELS

22



SONY

5.0 MEGA PIXELS

117 min

1M

101 50/778



101-0109

2006 5 14

7:12 AM

BACK / NEXT

VOLUME

SONY

OMEGA PIXELS



116 min

1M

101-51/778

101-0110

2006 5 14

7:13 AM

← BACK/NEXT

VOLUME

SONY

6.0 MEGAPIXELS

115 min

M

101 45/778



101-0104

2006-5-14

7:10AM

BACK/NEXT

VOLUME

SONY

6.0 MEGA PIXELS



114 min

1M

101 48/778

101-0107

2006 5 14

7:12 AM

BACK/NEXT

VOLUME

SONY



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

Final Subdivision Amendment Application Memo

Date: July 8, 2016

To: Planning Board

From: Shannon Belanger

Re: Sherwood Forest Subdivision Amendment - Map 25, Lot 23-A-6 & 23-A-8

Project Description:

A Final Subdivision Amendment Application has been submitted by the application on behalf of the landowner of Lot 23-A-8 of the Sherwood Forest Subdivision. The subdivision amendment proposes to alter the lot line and convey land from lot 23-A-6 to 23-A-8 and to create an easement over lot 23-A-6 for the benefit of lot 23-A-8. The subdivision is located within the Residential A District is the lots are located off of Locksley Lane further identified as being located on Tax Map 25. The lots are served by private on-site septic systems and wells.

§ 202-10. Revisions to approved plans.

- A. Procedure. An application for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board to receive Amendment Application on 7/11/16**

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

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public

hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Fee and escrow provided. Public Hearing to be determined.**

- B.** Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002] **A copy of the 1976 Sherwood Forest subdivision plan was provided.**
- 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] **Site Walk to be determined**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. [Amended 7-9-2002; 4-16-2004] **To be determined**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Planning Board scheduled to receive the application on 7/11/16**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **Not Applicable**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as not changes to water supply (private wells)**

are proposed.

- (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as no changes to subsurface sewage disposal systems are proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Not Applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **To be determined**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision. **Not Applicable**
- (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board should consider receiving the Subdivision Amendment Application.

2. The Planning Board should consider the following completeness (202-10) items:
 - a. Consider granting a waiver for a soil erosion and sedimentation control plan. No soil disturbance is proposed.
 - b. Consider granting a waiver for a stormwater management plan. No construction proposed.
 - c. Minor plan changes recommended:
 - i. Monumentation
 - ii. Well location for lot 6
 - iii. Abutter to be updated for lot 23-A-9
 - iv. Record owners of lot 6 and 8 to be noted
 - v. Notes 5 and 6 to be added
 - vi. North point labelling to be added
 - vii. Minor labels and note revisions
 - d. Consider finding the application complete.
3. The Planning Board should consider if a site walk is necessary. Abutters have called with questions about the amendment but no concerns have been provided in writing.
 - a. No site changes are proposed
 - b. Lot line adjustment is between lots 6 and 8 only.
4. The Planning Board should consider if a public hearing is necessary.
 - a. Calls from abutters have been received as well as from the Berrigans.
 - b. Any abutters concerns could be raised/addressed at the site walk (if one is scheduled)
 - c. The lot line adjustment is between lots 6 and 8 only.
5. If a site walk and public hearing are found to not be necessary and revised plans addressing the recommended changes have been provided, the Planning Board should consider the following for compliance/ Findings of Fact & Decisions.
 - a. Find the proposed lot line between lots 6 and 8 is acceptable as no longer being perpendicular to the street
 - b. Find the Monumentation as recommended is suitable
 - c. Find note 6 acceptable
6. If all items above are satisfactorily addressed the Planning Board should consider finding the application compliant (202-12), vote to approve and sign the Findings of Fact & Decisions and plan.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 1 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

Prepared By: Office of Planning & Development

Plans Dated: 6/15/16

District: RA

Review Date: 07/07/16

Final Plan Revisions Submittal Date: 6/27/16

Chapter 202
Subdivision of Land

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
A.	Procedure. An applicant for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda.	Y				
(1)	If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed, unless the revised plan meets the definition of a minor subdivision. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.	Y				The revision does not involve the creation of additional lots or dwelling units. Final subdivision amendment review 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]	Y				Application fee and escrow provided.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

Page 2 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

District: RA

Prepared By: Office of Planning & Development

Review Date: 07/07/16

Plans Dated: 6/15/16

Final Plan Revisions Submittal Date: 6/27/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions. The applicant shall submit a copy of the approved plan, as well as 11 copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds. The applicant shall provide evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created. [Amended 7-23-2002]	Y				
C.	Scope of review. The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.					
(1)	Proposed name of the subdivision and the name of the municipality in which it is located, plus the Assessor's map and lot numbers.	Y				Subdivision name noted. Assessor Map and Lot numbers noted.
(2)	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y*				Plan prepared and stamped by Randy R. Loubier, PLS of Own Haskell, Inc dated 9/18/15; stamped 6-15-16. <u>Iron Rod to be set at new lot corner between lots 6 and 8. Iron rod to be set at existing southeast corner of Lot 6. A stake found at northeast corner of lot 8. Rod is recommended to be set at this point.</u>
(3)	The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y*				Acreage of each proposed lot size noted. Existing buildings and other essential features identified.
(4)	Indication of the type of sewage disposal to be used in the subdivision. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Wells Sanitary District indicating that the district has reviewed and approved the sewerage design shall be submitted.	Y*				Subdivision not served by public sewer. Existing approx. location of septic system for lot 6 labelled. Lot 6 laundry well location identified. <u>Lot 6 well location missing.</u> Lot 8 well location labelled.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 3 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

Prepared By: Office of Planning & Development

Plans Dated: 6/15/16

District: RA

Review Date: 07/07/16

Final Plan Revisions Submittal Date: 6/27/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(5)	Indication of the type of water supply system(s) to be used in the subdivision.					See note 4. No change to water supply proposed.
	(a) When water is to be supplied by public water supply, a written statement from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that the district has reviewed and approved the water system design. A written statement shall be submitted from the Fire Chief approving all hydrant locations or other fire protection measures deemed necessary.			NA		Subdivision not served by public water.
	(b) The Board makes a finding that adequate groundwater resources to support one- and two-family homes, in both quantity and quality, are available generally throughout the Town of Wells. However:					
	[1] When a proposed subdivision is not served by the Kennebunk, Kennebunkport and Wells Water District, evidence of adequate groundwater quality shall be required for proposed subdivisions in the vicinity of known sources of potential groundwater contamination, such as the Wells landfill, Bragdon septage disposal site and the Spiller sludge disposal site. The results of a primary inorganic water analysis performed upon a well on the parcel to be subdivided or from wells on adjacent parcels, between the parcel to be subdivided and the potential contamination source, shall be submitted.			NA		Subdivision not within vicinity of such areas.
	[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.			NA		Not served by a private central water system and only one and two dwelling units are proposed.
(6)	The date the plan was prepared, North point (identified as magnetic or true), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y*				Plan date, north point (true), plan scale, applicant, record owners , and company who prepared plan noted.
(7)	The location of any zoning boundaries affecting the subdivision	Y*				See note 2. Subdivision is within the Residential A District.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 4 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

Prepared By: Office of Planning & Development

Plans Dated: 6/15/16

District: RA

Review Date: 07/07/16

Final Plan Revisions Submittal Date: 6/27/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(8)	The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y				
(9)	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	Y*				Locksley Lane (public) labelled with road width. Proposed "Exclusive Easement" to benefit Seiden proposed on Berringan parcel.
(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		
(11)	All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.			NA		No such dedication proposed.
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.			NA		

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 5 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

Prepared By: Office of Planning & Development

Plans Dated: 6/15/16

District: RA

Review Date: 07/07/16

Final Plan Revisions Submittal Date: 6/27/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	(a) These lists shall include but not be limited to: schools, including busing; street maintenance and snow removal; police and fire protection; solid waste disposal; recreation facilities; stormwater drainage; wastewater treatment; and water supply.			NA		
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.			NA		
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.		N			<u>Plan does not indicate if there is a flood hazard area or not. Note recommended.</u>
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]				W*	<u>Planning Board to consider finding a soil erosion and sedimentation control plan is not necessary.</u>
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. [Amended 4-27-2007]				W*	<u>Planning Board to consider finding a stormwater management plan is not necessary.</u>
(16)	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan: [Added 4-27-2007]			NA		Not located within such an area. No new lots/dwellings proposed.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review
Page 6 of 6

Project Name/Tax Map & Lot #: Sherwood Forest Subdivision Amendment #1 / Tax Map 25, Lot 23-A-6 and 23-A-8

Prepared By: Office of Planning & Development

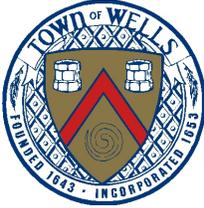
Plans Dated: 6/15/16

District: RA

Review Date: 07/07/16

Final Plan Revisions Submittal Date: 6/27/16

§ 202-10. Revisions to approved plans.	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					
(b) A long-term maintenance plan for all phosphorus control measures;					
(c) The contour lines shown on the plan shall be at an interval of no less than five feet; and					
(d) Areas with sustained slopes greater than 25% covering more than one acre shall be delineated.					



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 1 of 16

Chapter 202 Subdivision of Land

PROJECT INFORMATION	
General:	<p>Project Name: Sherwood Forest Subdivision</p> <p># Lots/ Dwellings Proposed: 0 lots/dwellings proposed; 47 lots/dwellings exist</p> <p>Applicant: Verrill Dana, LLP, One Boston Place, Suite 1600, Boston, MA 02108</p> <p>Landowner: Richard Seiden, 184 Locksley Ln, Wells, ME 04090 (23-A-8) Edward Berrigan, 196 Locksley Ln, Wells, ME 04090 (23-A-6)</p> <p>Location: Locksley Lane, Wells, Maine</p> <p>Existing Use: Single Family Dwelling Units within an existing 47 lot subdivision</p> <p>Proposed Land Use: Single Family Dwelling Units within an existing 47 lot subdivision</p> <p>Tax Parcel ID: Tax Map 25, Lot 23-A-6 and 23-A-8</p> <p>Zoning District: Residential A District</p> <p>Land Use, Art. VII Performance Standards: None</p> <p>Design Engineer: John Swan, Owen Haskell, Inc. 390 US Route 1, Falmouth, ME 04105</p> <p>Final Plan Application Submission Date: June 27, 2016</p> <p>Plan Submission Date: June 27, 2016</p>
Project Description:	<p>A Final Subdivision Amendment Application has been submitted by the application on behalf of the landowner of Lot 23-A-8 of the Sherwood Forest Subdivision. The subdivision amendment proposes to alter the lot line and convey land from lot 23-A-6 to 23-A-8 and to create an easement over lot 23-A-6 for the benefit of lot 23-A-8. The subdivision is located within the Residential A District is the lots are located off of Locksley Lane further identified as being located on Tax Map 25. The lots are served by private on-site septic systems and wells.</p>
Approval Dates:	<p>Preliminary Plan Approval: Not Applicable</p> <p>Final Plan Approval: To be determined</p>
Public Hearings:	<p>Preliminary Public Hearing: Not Applicable</p> <p>Final Public Hearing: To be determined</p>

PROJECT HISTORY
<ol style="list-style-type: none"> 1. On 6/27/16 the applicant submitted a final subdivision amendment application for the above described project to the Planning Office. 2. On 6/29/16 abutters were mailed notice of the amendment application and of the 7/11/16 Planning Board agenda. 3. On 7/7/16 the Planning Office prepared draft completeness (202-10) and draft compliance (202-12)/ Findings of Fact & Decisions as well as a plan with recommended revisions to be addressed. 4. On 7/8/16 the Planning Office prepared a memo for the Planning Board. 5. On 7/11/16 the Planning Board voted to receive the subdivision amendment application, and voted to _____



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 2 of 16

§ 202-12. General Standards	Findings & Decisions
In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.	
A. Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent state and local codes and ordinances.	
B. Retention of open spaces and natural or historic features. [Amended 6-11-2013]	
(1) In any subdivision with no more than five lots or dwellings units, no dedicated open space is required. In any subdivision with at least six lots or dwelling units and no more than 10 lots or dwelling units, there shall be a minimum of 10% or 20,000 square feet, whichever is greater, of the total property net area dedicated as open space. Off site dedication of open space land may be approved by the Planning Board if excess land is provided and the land has a greater benefit to the public than land within the development. In any subdivision with more than 10 lots or dwelling units, there shall be a minimum of 35% of the total property net area dedicated as open space.	No change to or creation of open space proposed.
(2) Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable. The configuration of such sites shall be deemed adequate by the Planning Board with regard to scenic or historic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.	No change to or creation of open space 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.)	No change to or creation of open space 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.	The subdivision lots are developed. No changes proposed to vegetation, contours, etc.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 3 of 16

§ 202-12. General Standards		Findings & Decisions
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.	§145-21. Residential A District requirements apply to the existing lots within the subdivision. The proposed changes to lots 6 and 8 shall be in compliance with the Land Use Code requirements. See note 2. Minimum lot size is 40,000 SF. RA zone dimensional requirements noted. Setback requirements are 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.	Existing driveway locations for lot 6 and 8 shown on the plan. No changes to driveway locations proposed.
	(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.	Lots 6 and 8 have street frontage off of Locksley Lane. No changes to street frontage proposed.
	(4) Wherever possible, side lot lines shall be perpendicular to the street.	<u>Planning Board to review the proposed lot line and determine if the proposed change meets this requirement.</u>
	(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.	Lots 6 and 8 are not more than twice the required minimum lot size.
	(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.	No changes to utilities proposed. See note 4. Lots are served by onsite septic and 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.	Not applicable.
	(8) Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	Lots are not proposed to be odd shaped.
	(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.	No changes to driveways proposed.

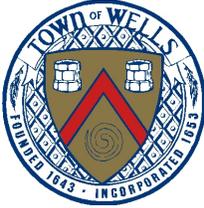


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 4 of 16

§ 202-12. General Standards		Findings & Decisions
	(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.	No changes to driveways proposed.
E.	Utilities.	
	(1) Utilities shall be installed underground except as otherwise approved by the Board.	No changes to utilities proposed. Lots served by existing overhead utilities.
	(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	No changes to utilities proposed. Lots served by existing overhead utilities.
	(3) The size, type and location of streetlights, electric and gas lines, telephone and other utilities shall be shown on the plan and approved by the Board.	No changes to utilities proposed.
F.	Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.	
	(1) Monuments.	<u>Planning Board to review the Monumentation proposed.</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>Iron Rod to be set at new lot corner between lots 6 and 8. Iron rod to be set at existing southeast corner of Lot 6. A stake found at northeast corner of lot 8. Rod is recommended to be set at this point.</u>
	(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>Planning Board to review the Monumentation proposed.</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.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 5 of 16

§ 202-12. General Standards	Findings & Decisions
[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.	No change to existing water supply proposed. Lots served by private wells. <u>Well on lot 6 to be depicted.</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.	
[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:	No change in fire protection proposed. Subdivision was approved originally in 1976 and is grandfathered in that it has no fire protection. No changes proposed that trigger the requirement for installing fire protection at this time. The existing fire pond located on Littlefield Road is less than 1 mile from lots 6 and 8.
[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	The existing fire pond located on Littlefield Road is less than 1 mile from lots 6 and 8.



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 6 of 16

§ 202-12. General Standards	Findings & Decisions
[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	
[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	The existing fire pond located on Littlefield Road is less than 1 mile from lots 6 and 8.
[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.
[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 note 4.

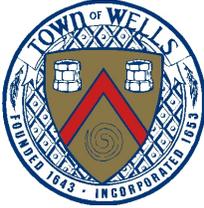


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 7 of 16

§ 202-12. General Standards	Findings & Decisions
<p>[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.</p>	<p>No changes in septic system locations proposed.</p>
<p>[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.</p>	
<p>(4) Stormwater management. [Amended 4-27-2007]</p>	<p>The subdivision is developed. The lot line change and creation of the easement have no changes to stormwater management of this subdivision.</p>
<p>(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.</p>	
<p>(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.</p>	
<p>(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.</p>	
<p>(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.</p>	
<p>(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.</p>	
<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>	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 8 of 16

§ 202-12. General Standards		Findings & Decisions
	<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>(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>[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.	
	<p>(1) All streets in a subdivision shall meet Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code.</p>	<p>The proposed streets must comply with the requirements of Chapter 201. No changes to the road are proposed.</p>



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 9 of 16

§ 202-12. General Standards	Findings & Decisions
<p>(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:</p> <p>(a) Single-family house: 10.0 trips per day per unit.</p> <p>(b) Residential condominium: 5.9 trips per day per unit.</p> <p>(c) Motel: 10.2 trips per day per room.</p> <p>(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.</p>	<p>No changes is trip generation of the subdivision proposed.</p>
<p>(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.</p>	<p>No changes to the roadways or street connections proposed.</p>
<p>H. Land features.</p>	
<p>(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.</p>	<p>This is a condition of approval.</p>
<p>(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]</p>	<p>This is a condition of approval.</p>
<p>(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.</p>	
<p>(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.</p>	
<p>(c) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.</p>	
<p>(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.</p>	



Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 10 of 16

§ 202-12. General Standards	Findings & Decisions
(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.	No changes to common open space and services 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.	
(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 _____. See recommended note 5.
(6) Impact on groundwater.	Planning Board to determine such information is not necessary. No changes to septic systems proposed.
(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	
[1] A map showing the basic soils types.	



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 11 of 16

§ 202-12. General Standards	Findings & Decisions
[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.	
(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.	

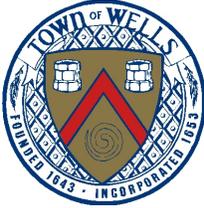


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 12 of 16

§ 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:	<p><u>What guarantee to be considered for the installation of the Monumentation and recording of the easement? See recommended note 6.</u></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.	
	(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.	
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>	

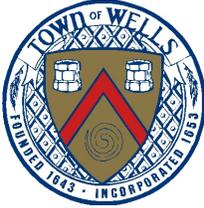


Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 13 of 16

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.
D.	Performance bond.	If the applicant chooses to submit a performance bond, the performance bond shall detail any special conditions, the method for release of the bond or portions of the bond to the applicant and the procedures for collection by the municipality. The bond documents shall specifically reference the subdivision for which approval is sought.
E.	Letter of credit.	If the applicant chooses to submit an irrevocable letter of credit from a bank or other lending institution, at a minimum the letter shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan. The Town Manager or Town Treasurer shall certify the bank or institution as acceptable to the Town. The Town Attorney shall review and, if found acceptable, approve the wording of all letters of credit.
F.	Standard condition of approval.	As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection K , the Board shall require the applicant to enter into a binding agreement with the municipality regarding the development of the required improvements and the sale of lots or units in the subdivision until such time as one or more of the allowable performance guaranties have been accepted by the municipality.
	(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 .



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 14 of 16

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>	
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>	No changes to the existing public street proposed.
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>	

§ 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>	
A. The subdivision:	The Planning Board finds that these standards shall be met.



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Sherwood Forest”
Page 15 of 16

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



Town of Wells, Maine

Planning Board

FINDINGS OF FACTS & DECISIONS

Final Subdivision Amendment Application for "Sherwood Forest"

Page 16 of 16

2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. The evidence shall consist of the results of a primary inorganic water analysis performed upon the well to serve the structure, indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. (§202-12F(2)(b)[4])
3. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed. (§202-11A(5))
4. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with § 202-10A(3). (§202-9C(4))
5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan. (§202-9C(5))
6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void. (§202-9C(6))

SPECIAL CONDITIONS OF APPROVAL

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

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

Wells Planning Board

By: _____
Charles Millian, Chairman

Town of Wells , Maine Review Checklist
Page 1 of 4

Project Name/District: Sherwood Forest Subdivision Amendment/ Residential A District - Tax Map 25, Lots 23-A-6 & 23-A-8

Prepared By: Office of Planning & Development

Date of Review: 07/07/16

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purposes of the Residential A District are to provide areas for medium-density residential development that are or can readily be served by the public water and sanitary sewer systems and to provide areas for concentrations of residential development within the rural portions of the Town along major transportation routes. Nonresidential uses should be limited to agricultural uses, forestry uses, low-intensity noncommercial recreational uses and public uses.

§ 145-21. Residential A District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
(1)	Agriculture, limited to the raising of crops and plants out of doors.			NA	
(2)	Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
(3)	Dwelling, one-family. (See also ' 145-55.)	Y			Lots 6 and 8 have 1 single family dwelling units on each lot. No new dwelling units proposed.
(4)	Dwelling, two-family.			NA	
(5)	Dwelling, multifamily. (See ' 145-48.)			NA	
(6)	Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015⁽¹⁾]			NA	
(7)	Livestock, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
(8)	Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl [Added 6-9-2015]			NA	
(9)	Poultry, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
(10)	Recreation, passive.			NA	
(11)	Timber harvesting.			NA	

Town of Wells , Maine Review Checklist
Page 2 of 4

Project Name/District: Sherwood Forest Subdivision Amendment/ Residential A District - Tax Map 25, Lots 23-A-6 & 23-A-8

Date of Review: 07/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-21. Residential A District.		Application Meet Requirements			
		Yes	No	NA	Comments
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer: [Amended 4-18-1995; 4-26-1996; 6-8-2010]				No such uses are proposed in the RA area of this parcel.
	(1) Animal husbandry on lots larger than 25 acres.			NA	
	(2) Cemetery larger than 20,000 square feet in area.			NA	
	(3) Church.			NA	
	(4) Congregate care facility			NA	
	(5) Day-care home.			NA	
	(6) Elderly housing.			NA	
	(7) Housing, congregate.			NA	
	(8) Life care facility.			NA	
	(9) Medical care facility, excluding hospitals.			NA	
	(10) Municipal facility.			NA	
	(11) Museum not exceeding 5,000 square feet in floor area.			NA	
	(12) Nursing home.			NA	
	(13) Public utility facility.			NA	
	(14) Recreation, active.			NA	
	(15) Recreation, low-intensity commercial.			NA	
	(16) School, public and private.			NA	
	(17) School, vocational-technical served by public water and sewer and located west of Route 1, north of Buzzel Road, east of the turnpike and south of Route 109.			NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.	Y			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	Y			

Town of Wells , Maine Review Checklist
Page 3 of 4

Project Name/District: Sherwood Forest Subdivision Amendment/ Residential A District - Tax Map 25, Lots 23-A-6 & 23-A-8

Date of Review: 07/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-21. Residential A District.		Application Meet Requirements			
		Yes	No	NA	Comments
F.	Dimensional requirements.				
	(1)	Minimum lot size: 20,000 square feet of net area if served by public sewer; 40,000 square feet of net area if not served by public sewer or if located west of the Maine Turnpike.	Y		See note 2. Lot 6 is proposed to be 40,000 SF (.92 acres) and Lot 8 is proposed to be 49,053 SF(1.13 acres). Lots are served by private septic systems.
	(2)	Maximum density:			
	(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.		NA	
	(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer or if located west of the Maine Turnpike.	Y		See note 2.
	(3)	Maximum lot coverage: 40% (20% within the Shoreland Overlay District) or 2,000 square feet, whichever is greater.	Y		See note 2.
	(4)	Minimum street frontage per lot served by public sewer: 100 feet or 75 feet if entirely on a cul-de-sac.		NA	
	(5)	Minimum street frontage per lot not served by public sewer or per lot located west of the Maine Turnpike: 125 feet or 100 feet if entirely on a cul-de-sac.	Y		See note 2.
	(6)	Maximum building height: 30 feet, not to exceed three stories. (See § 145-35l.)	Y		See note 2.
	(7)	Setbacks.			
	(a)	All structures shall be at least:	Y		See note 2.
		[1] Fifteen feet from any lot line.	Y		
		[2] Twenty-five feet from the boundary of any cemetery.	Y		
		[3] Twenty-five feet from any lot line abutting any street right-of-way.	Y		
		[4] Forty feet from any lot line abutting the right-of-way of any state highway.		NA	Lots do not abut a state highway.

Town of Wells , Maine Review Checklist
Page 4 of 4

Project Name/District: Sherwood Forest Subdivision Amendment/ Residential A District - Tax Map 25, Lots 23-A-6 & 23-A-8

Date of Review: 07/07/16

Prepared By: Office of Planning & Development

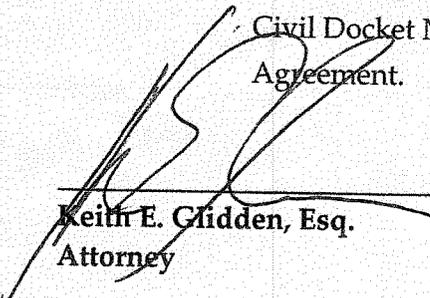
Company Name: Town of Wells

§ 145-21. Residential A District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(b)	All structures and parking lots shall be at least 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.			NA	This parcel is not within 200 feet of any such rivers.
		(c)	All structures and areas of land used for animal husbandry shall be located at least 100 feet from any lot line.			NA	No such use proposed.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing.						NA	

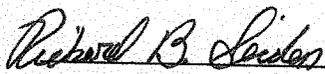
SETTLEMENT AGREEMENT & BILLINGS

Agreement made this 26th day of June, 2015, in by and between Richard B. Seiden and Nancy L. Seiden, Trustees of the Seiden Revocable Joint Trust (dated June 6, 2014) ("Seiden") and Edward A. Berrigan and Christina Berrigan ("Berrigan") as follows:

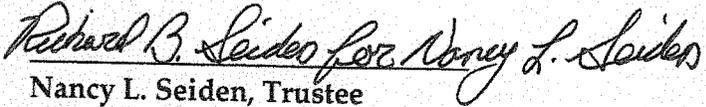
1. Berrigan will convey title to Seiden title in fee simple free and clear of encumbrances to the area shown on *Exhibit A* and an exclusive easement for the exclusive use and occupancy by only Seiden to the area also shown on *Exhibit A*. The intent of this Settlement Agreement is that the remaining Berrigan property shall be 40,000 square feet and shall be conforming to zoning requirements. The row of pine trees demarcating the boundaries shall remain undisturbed, absent mutual agreement.
1. 2. Seiden will pay Berrigan the sum of \$29,500 for the property interests described in Paragraph 1.
2. 3. This Settlement Agreement is subject to approval by the Town of Wells Planning Board of the conveyances described in Paragraph 1 within 120 days. Seiden shall be responsible for obtaining such approval from the Town and any associated costs, including the drafting of deeds. OCT
3. 4. Within 30 days of the Town approval described in Paragraph 3, the parties will finalize the property conveyances described in Paragraph 1 and 2. The parties agree to file a Consent Decree in the pending litigation (York County, Maine, Civil Docket No. ALFSC-RE-14-157), reflecting the terms of this Settlement Agreement.



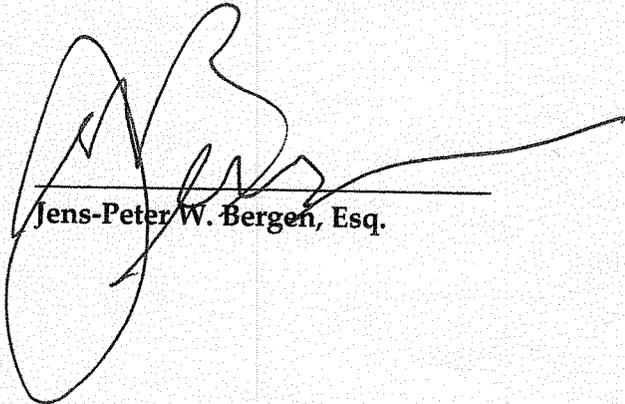
 Keith E. Glidden, Esq.
 Attorney



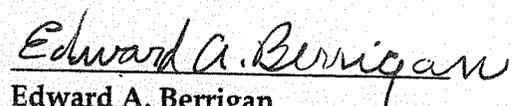
 Richard B. Seiden, Trustee



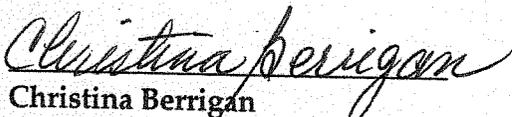
 Nancy L. Seiden, Trustee



 Jens-Peter W. Bergen, Esq.



 Edward A. Berrigan



 Christina Berrigan

Verrill Dana^{LLP}

Attorneys at Law

SPENCER R. THIBODEAU
ASSOCIATE
sthibodeau@verrilldana.com
Direct: 207-253-4416

ONE PORTLAND SQUARE
PORTLAND, MAINE 04112-0586
207-774-4000 • FAX 207-774-7499
www.verrilldana.com

June 23, 2016

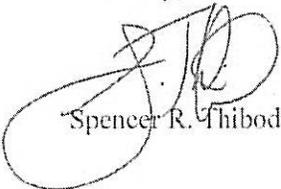
Mr. Richard B. Seiden
184 Locksley Lane
Wells, Maine 04090

Dear Richard:

As part of the subdivision submittal for the amendment application, the Town of Wells has requested that we provide evidence of authorization from the owner of the property located at 184 Locksley Lane, Wells, Maine, giving Verrill Dana, LLP the ability to act as the applicant/agent and to pursue the application on behalf of the owner.

Please sign below where indicated confirming your approval and authorization.

Sincerely,



Spencer R. Thibodeau

SRT/mle

Seen and Agreed to:


Richard B. Seiden

LOT 8



BK 16834 PGS 734 - 735 06/12/2014 12:27:12 PM
INSTR # 2014020923 DEBRA ANDERSON
RECEIVED YORK SS REGISTER OF DEEDS

QUITCLAIM DEED

Richard B. Seiden, with a mailing address of 184 Locksley Lane, Wells, Maine 04090 ("Grantor"), does hereby RELEASE unto *Richard B. Seiden* and *Nancy L. Seiden*, as Co-Trustees of *The Seiden Revocable Joint Trust, dated June 6, 2014*, both with a mailing address of 184 Locksley Lane, Wells, Maine 04090 ("Grantees"), the real property in Wells, County of York, State of Maine, and being more particularly described as follows:

NO R.E. TRANSFER TAX PAID

A certain lot or parcel of land, with the buildings thereon, situated in Wells, County of York and State of Maine, and being Lot No. 8 as shown on a plan entitled "Plan of Sherwood Forest, Route 9B and Hilton Lane, Wells, Maine, December 1975, Plato C. Houliars, Registered Land Surveyor," which Plan is recorded in the York County Registry of Deeds in Plan Book 78, Page 12 and Page 14.

This conveyance is made subject to the following conditions and restrictions:

1. No buildings on lots 3, 5, 13, 15, or 43, either singly or together, except on well drained soils on those lots in said Sherwood Forest as shown on the above-entitled plan.
2. No leaching field for the disposal of sanitary waste shall be constructed or installed on this Lot 8 or any lot in this subdivision except at the approved test site indicated for said lot or lots on the site plan originally dated Juno 12, 1975, since revised and dated December 1975, and recorded as aforesaid.
3. Any driveway built upon the above described premises leading to either a public or private way shall include culverts as may be necessary to maintain the natural flow of drainage of surface water.
4. This conveyance is made subject to the restriction that neither the entire premises hereinabove described and conveyed nor any portion of them shall be used as a trailer park or mobile home park, both so-called, nor for the placement, use or occupancy of any such trailers or mobile homes.

2 -> Nelson Road

This conveyance is subject to the Department of Environmental Protection Staff Order dated November 14, 1975, and recorded in said Registry of Deeds in Book 2110, Page 766, and is subject to the conditions and restrictions set forth on said Plan. This conveyance is also made subject to utility easements.

Reference is hereby made to a Warranty Deed by *Richard A. Grethe* and *Yvonne R. Grethe* to *Richard B. Seiden* dated March 30, 1993 and recorded in the York County Registry of Deeds in Book 8475, Page 222.

In Witness Whereof, the said *Richard B. Seiden* has caused this instrument to be signed and sealed this 6th day of June, 2014.

Witness:

[Signature]
KATHLEEN MATTIA

Richard B. Seiden
Richard B. Seiden, Grantor

STATE OF MAINE
CUMBERLAND COUNTY, ss.

June 6, 2014

Then personally appeared the above-named *Richard B. Seiden* and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Kathleen Mattia
Notary Public/Attorney at Law

(Typed or Printed Name)
My Commission Expires
KATHLEEN M. MATTIA
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXP. FEBRUARY 16, 2017

Kathleen M Mattia

SEAL

Lot 6

Know all Men by these Presents, That

BOIS CONSTRUCTION CO., INC., a Maine corporation with a place of business at Wells, County of York and State of Maine.

in consideration of one dollar and other valuable consideration paid by Edward A. Berrigan and Christina Berrigan, both of Wells in the County of York and State of Maine,

the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey unto the said Edward A. Berrigan and Christina Berrigan, as joint tenants and not as tenants in common, their heirs and assigns forever, the following described real estate:

A certain lot or parcel of land with the buildings thereon, situated in Wells, County of York and State of Maine, and being Lot No. 6 as shown on a Plan entitled "Plan of Sherwood Forest, Route 98 and Hilton Lane, Wells, Maine, December 1975, Plato C. Houliars, Registered Land Surveyor," which Plan is recorded in York County Registry of Deeds in Plan Book 78, Page 12.

Being the same premises conveyed to the grantor hereby by Webhannet Corporation by warranty deed duly recorded in York County Registry of Deeds, and subject to the conditions and restrictions as set forth in said deed.

This conveyance is made subject to Department of Environmental Protection Staff Order dated November 14, 1975 and recorded in said Registry of Deeds in Book 2110, Page 766, and subject to the conditions and restrictions as set forth on said Plan.

This conveyance is made subject to utility easements of record.

This conveyance is also made subject to real estate taxes of the Town of Wells for the tax year commencing April 1, 1977.

2112

29

To Have and to Hold the aforesaid and bargained premises, with all the privileges and appurtenances thereof, to the said Edward A. Berrigan and Christina Berrigan, as joint tenants and not as tenants in common, their

heirs and assigns, to their use and behoof forever. And it does covenant with the said Grantees, their heirs and assigns, that aforesaid, that it has lawfully seized in fee of the premises; that they are free of all incumbrances, except as aforesaid, that it has good right to sell and convey the same to the said Grantees to hold as aforesaid; and that it and its successors heirs and assigns shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, the said BOIS CONSTRUCTION CO., INC. has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Richard J. Bois, its President, thereunto duly authorized,

Signed, Sealed and Delivered in presence of

David A. Harn

BOIS CONSTRUCTION CO., INC.
BY: *Richard J. Bois*
Its President

State of Maine, YORK ss. *September 8, 1977.*
Personally appeared the above named Richard J. Bois, President of said corporation, as aforesaid,

and acknowledged the foregoing instrument to be his free act and deed, in his said capacity and the free act and deed of said corporation.

Before me, *David A. Harn* NOTARY PUBLIC.



STATE OF MAINE, YORK COUNTY, SS.

Received SEP 13 1977 at 2 o'clock 18 m. P. M., and recorded

BOOK 2252 PAGE 138

Received SEP 13 1977 at 2:18 P.M.

and recorded from the original

Register

Verrill Dana_{LLP}

Attorneys at Law

SPENCER R. THIBODEAU
ASSOCIATE
sthibodeau@verrilldana.com
Direct: 207-253-4416

ONE PORTLAND SQUARE
PORTLAND, MAINE 04112-0586
207-774-4000 • FAX 207-774-7499
www.verrilldana.com

June 24, 2016

Via FedEx

Michael G. Livingston, P.E.
Town of Wells
208 Sanford Road
Wells, ME 04090

Re: Application for Subdivision Amendment
Sherwood Forest – Boundary Line Adjustment

Dear Michael:

I appreciate the Town's willingness to review our preliminary submittal. We have made the Town's suggested revisions and enclosed, please find the following documents with respect to the above-referenced matter:

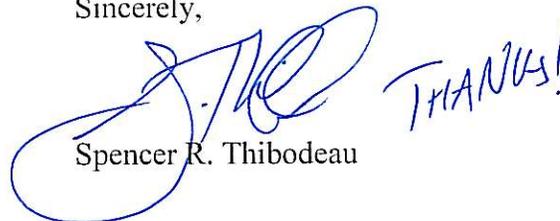
1. Subdivision Amendment Application.
2. Letter of authorization from the land owner evidencing authority for Verrill Dana, LLP to act as applicant/agent.
3. Copy of Quitclaim Deed from Richard B. Seiden to Richard B. Seiden and Nancy L. Seiden, as Co-Trustees of The Seiden Revocable Joint Trust, which deed is dated June 6, 2014 and recorded in the York County Registry of Deeds in Book 16834, Page 734 (Lot 8).
4. Copy of Deed from Bois Construction Co., Inc. to Edward A. Berrigan and Christina Berrigan dated September 8, 1977 and recorded in the York County Registry of Deeds in Book 2252, Page 138 (Lot 6).
5. Six (6) 11" x 17" copies of the amended subdivision plan.
6. Six (6) 24" x 36" copies of the amended subdivision plan.
7. We will provide the Town with a copy of the existing approved plan under separate cover.

Also enclosed is our check in the amount of \$120.00 representing the application fee of \$100 and the \$20 escrow fee, as required.

Michael G. Livingston, P.E.
Town of Wells
June 24, 2016
Page 2

If you have any questions or need anything further, please do not hesitate to give me a call.

Sincerely,



Spencer R. Thibodeau

SRT/mle
Enclosures



TOWN OF WELLS, ME

208 Sanford Road, PO Box 398
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 646-5188
Website: www.wellstown.org

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

For Office Use Only
Fee Paid

FINAL SUBDIVISION APPLICATION - §202-9

Received
6-27-16

1. Project/Subdivision Name: Plan of Sherwood Forest

2. Property Owner: Richard B. Seiden, Trustee

Mailing Address: 184 Locksley Lane
Wells, Maine

Telephone: 978-296-6322 Fax: _____

Email Address: rseiden@RDKEngineer.com/rseiden@maine.rr.com

3. Applicant/Agent (if different from owner): Verrill Dana, LLP (Keith Glidden, Esq.)

Mailing Address: One Boston Place, Suite 1600, Boston, MA 02108

Telephone: (617)-309-2616 Fax: _____

Email Address: kglidden@verrilldana.com

4. Engineer or Surveyor who prepared plan: John Swan

Mailing Address: Owen Haskell, Inc.
390 U.S. Route One, Falmouth, Maine 04105

Telephone: 207-774-0424 Fax: _____

Email Address: jswan@owenhaskell.com

5. All correspondence should be sent to:
(specify one of the above) Keith E. Glidden, Esq.

6. Assessor's Tax Map Number: 23A Lot Number: 6 (of land to be divided)

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

8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?
fee interest and an easement interest under a settlement agreement for a matter pending in York Superior Court ALFSC-RE-14-157

9. What interest does the applicant have in any abutting property?
applicant is fee owner of the abutting property

10. Location of Property:
Street Address (approx.) 196 Locksley Lane
Book 2252 Page 138 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Residential A District

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

13. Total Acreage: 0.11 Acreage to be developed: N/A

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

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

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

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

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

19. Number of lots or dwelling units existing: Boundary adjustment and
Number of lots or dwelling units proposed: N/A

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

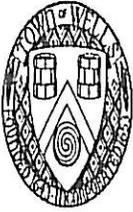
- | | | |
|------------------------------|---------------------------|-----------|
| roads | storm drainage | sidewalks |
| water lines | fire protection equipment | sewer |
| If other, please state _____ | | |

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

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

Submitted Not Submitted Subdivision Amendment form shall be accompanied by

X		A copy of the approved plan, as well as 11 copies of the proposed revisions.
	X	Supporting information to allow the Board to make a determination that the proposed revisions meet the standards of chapter 202 standards and criteria
X		A revised plan indicating that it is the revision of a previously approved and recorded plan and shall show the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
	X	Evidence that all owners of abutting property were notified of the application if new lots or dwelling units are proposed to be created



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: Plan of Sherwood Forest **Applicant:** Richard B. Seiden, Trustee

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

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

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

Response (Please check applicable box)

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

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

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

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



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

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

To Whom It May Concern:

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

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

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

Property Owner (of land to be divided): _____

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: _____



Assessors Office, Town of Wells

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

ROAD NAME REQUEST FORM

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

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

NAME OF PROPOSED SUBDIVISION: _____

LOCATION OF PROPOSED SUBDIVISION : _____

MAP(s)/LOT(s)#: _____

Desired Road Names to be Considered:

1. _____
2. _____
3. _____
4. _____
5. _____

Contact Name of Development: _____

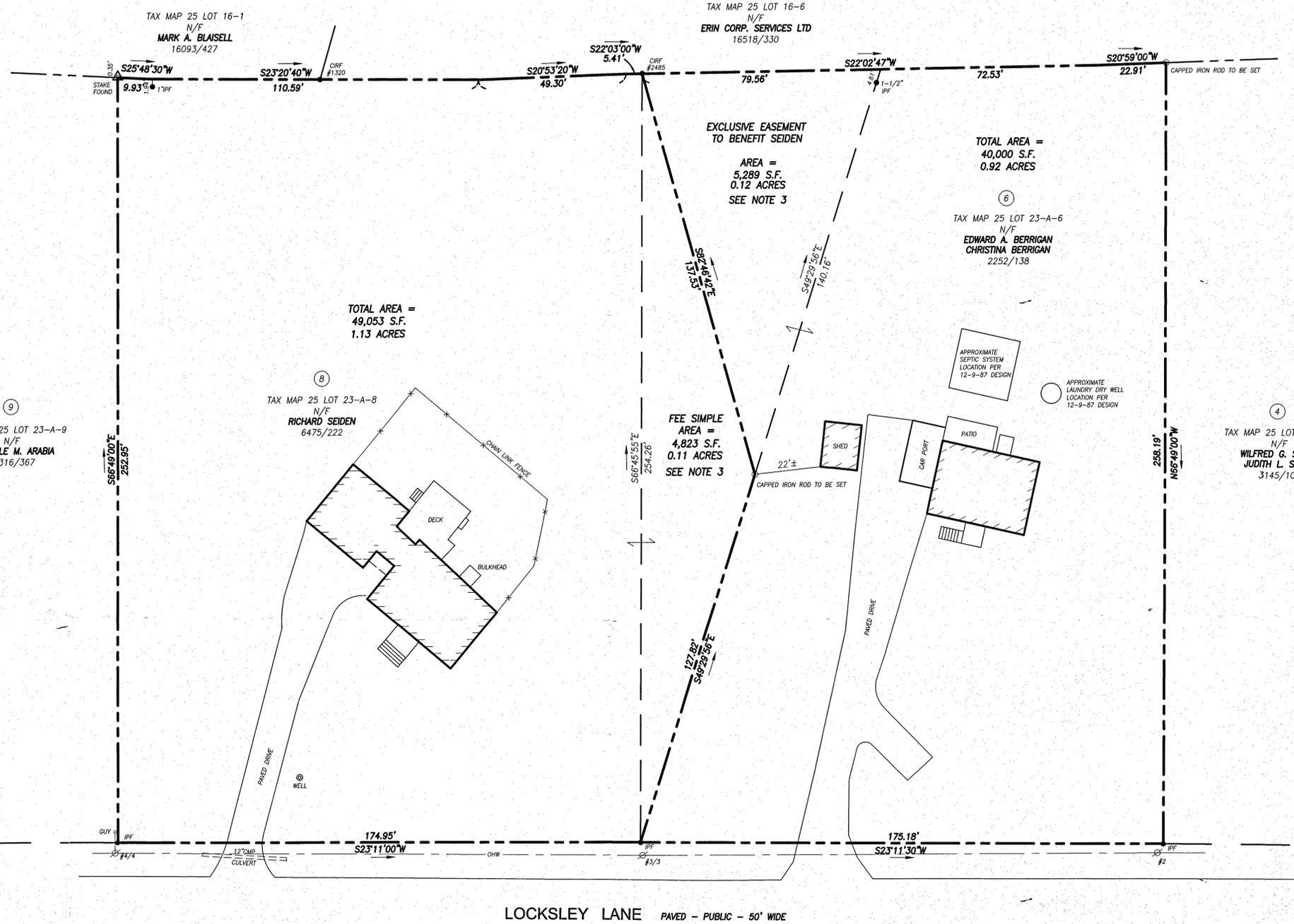
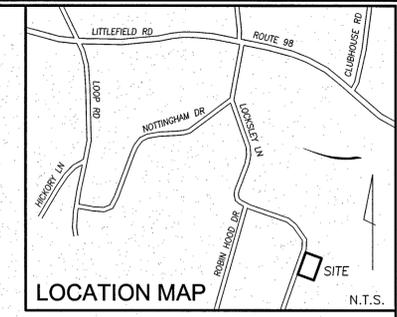
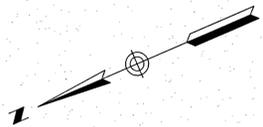
Contact Phone: _____ Email: _____

Office Use Only

STREET NAME APPROVED: _____

Date: _____ Signature: _____

Keeley Lambert, E911 Coordinator



NOTES

1. THE PURPOSE OF THIS PLAN IS TO AMEND PLAN REFERENCE 2, "PLAN OF SHERWOOD FOREST," APPROVED BY THE WELLS PLANNING BOARD ON 1-5-1976, TO CHANGE THE LOT LINE BETWEEN LOTS 6 AND 8 AND ADD AN EASEMENT ACROSS LOT 6.
2. ZONING DIMENSIONAL REQUIREMENTS: RESIDENTIAL A (RA) DISTRICT
 MIN. LOT SIZE 40,000 S.F. NET AREA
 MAX. DENSITY 40,000 S.F. NET AREA PER DWELLING UNIT
 MAX. LOT COVERAGE 40%
 MIN. STREET FRONTAGE 125 FEET
 MAX. BUILDING HEIGHT 30 FEET, NOT TO EXCEED 3 STORIES
 SETBACKS ANY LOT LINE 15 FEET
 LOT LINE ABUTTING BOUNDARY OF CEMETERY 25 FEET
 LOT LINE ABUTTING STREET RIGHT-OF-WAY 25 FEET
3. ONE SINGLE FAMILY RESIDENTIAL DWELLING EXISTS ON EACH LOT 6 AND 8.
4. BOTH LOTS ARE SERVED BY PRIVATE INDIVIDUAL SEPTIC SYSTEMS AND WELLS.

WAIVERS GRANTED:
 202-7B(2)(H): SCS MAP (SOILS)
 202-7B(2)(I): CONTOUR LINES
 202-7B(2)(M): IF&W LETTER

APPROVED BY THE
TOWN OF WELLS PLANNING BOARD

DATE _____

STATE OF MAINE, YORK, ss
 REGISTRY OF DEEDS
 RECEIVED _____
 AT _____ hr. _____ min. _____ m AND RECORDED
 IN PLAN BOOK _____, PAGE _____
 ATTEST: _____ REGISTER

TAX MAP 25 LOT 23-A-10
 N/F
 SUSAN J. WOLOSZYN
 7226/157

TAX MAP 25 LOT 23-A-7
 N/F
 DANIEL B. NEUMANN
 5092/164

TAX MAP 25 LOT 23-A-5
 N/F
 PAUL MCDONOUGH, ET AL
 10174/335

TAX MAP 25 LOT 23-A-3
 N/F
 JAMES E. BROCKWAY, II
 10600/160

PLAN REFERENCES

1. "PLAN OF SHERWOOD FOREST, ROUTE 9B & HILTON LANE, WELLS, MAINE" PREPARED BY PLATO C. FOULIARES DATED DECEMBER 1975, SHEETS 1 AND 3 OF 6, PLANNING BOARD APPROVED JAN. 5, 1976 AND RECORDED IN YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 78, PAGES 12 AND 14.
2. "SUBDIVISION PLAN, LOOP ROAD SUBDIVISION, LOOP ROAD, WELLS, MAINE" BY ATTAR ENGINEERING, INC. DATED AUGUST 23, 2005, JOB NO. C019-06, SHEET 1 OF 3, PLANNING BOARD APPROVED 5/22/06 AND RECORDED IN YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 311, PAGE 13.
3. "STANDARD BOUNDARY SURVEY FOR PROPERTY AT 196 LOCKSLEY LANE, WELLS, YORK COUNTY, MAINE OWNED BY EDWARD A. BERRIGAN, CHRISTINA BERRIGAN" DEC. 5, 2014 BY EASTERLY SURVEYING, INC. RECORDED IN YORK COUNTY REGISTRY OF DEEDS PLAN BOOK 373, PAGE 23.

GENERAL NOTES

1. BEARINGS ARE BASED ON PLAN REFERENCE 1, APPROXIMATELY TRUE NORTH.
2. THE FEATURES SHOWN ON THE BERRIGAN PARCEL ARE TAKEN FROM PLAN REFERENCE 3.
3. THE EXCLUSIVE EASEMENT AND THE FEE SIMPLE AREA SHOWN ARE THE RESULTS OF A SETTLEMENT AGREEMENT BETWEEN RICHARD B. & NANCY L. SEIDEN AND EDWARD A. & CHRISTINE BERRIGAN MADE ON JUNE 26, 2015.

CERTIFICATE

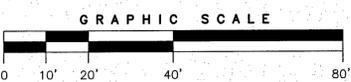
OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

6/15/2016
 DATE _____
 Randy R. Louber, PLS No. 2407



THIS PLAN AMENDS SUBDIVISION
 RECORDED IN YORK COUNTY REGISTRY OF DEEDS
 PLAN BOOK 78, PAGE 12 & 14
SHERWOOD FOREST

REV. 1 6/15/16 MISC. CHANGES PER TOWN COMMENTS		
AMENDED SUBDIVISION		
AT 186 & 196 LOCKSLEY LANE WELLS, ME 04090		
MADE FOR VERRILL DANA, LLP		
ONE BOSTON PLACE, SUITE 1600 BOSTON, MA 02108		
OWEN HASKELL, INC.		
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424		
PROFESSIONAL LAND SURVEYORS		
Drwn By	RRL	Date
Trace By	JLW	SEPT 18, 2015
Check By	JWS	Scale
Book No.	2040	1" = 20'
Job No.	2015-141	Drwg. No.
		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

Major Subdivision Amendment Application Memo

Date: July 8, 2016

To: Planning Board

From: Planning Office

Re: River Walk Subdivision Amendment - Map 70, Lot 5

Project Description:

Rick Licht has submitted a Final Subdivision Amendment Application on behalf of Bournefield Properties, LLC to amend the septic location for lot 3 within the subdivision. The original approved subdivision consists of a 2 phased development for a total of 35 single family dwelling units on 35 lots designed to meet the residential cluster performance standards of 145-49 and Chapter 202. The subdivision is on Tax Map 70, Lot 5 and is off of Branch Road/ Route 9A. The subdivision totals 94.5 acres; of which 55.86 acres is dedicated as Open Space. All lots are to be served by private on-site septic systems and individual drilled wells. Utilities shall be underground. The roadways are approved to be 24 feet wide pavement on a 30 foot wide gravel base within the required 50 foot wide right of way. A system of trails within the open space areas are also proposed. The development shall include a Homeowner's Association for maintenance and operation of the Open Space and roadways, etc.

§ 202-10. Revisions to approved plans.

A. Procedure. An application for a revision to a previously approved plan shall, at least five business days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. **Planning Board to consider receiving the application on 7/11/16**

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

(2) The applicant shall pay a fee established by the Board of Selectmen following notice and a public hearing, to include the applicable per-dwelling-unit fee according to the procedures for a minor subdivision or preliminary plan for a major subdivision. In addition, the applicant shall

pay a fee to be determined by the Board, to be deposited in a special account designated for that application, to be used by the Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$50 beyond the balance after invoices received are paid be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$50 be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a decision on the revision by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee of \$200 shall be required to cover the costs of advertising and postal notification. [Amended 7-23-2002; 4-16-2004] **Escrow 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] **Final Subdivision Amendment Application received on 7/11/16**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. [Amended 7-9-2002; 4-16-2004] **to be determined**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **Yes**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **Final Subdivision Amendment Application to be considered on 7/11/16**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:

- (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. **Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively. Maine DEP Site Location permit #L- 26395- L3- D- M, dated March 9, 2016. No changes proposed to DEP Permit approval.**
 - (b) The Kennebunk, Kennebunkport and Wells Water District, if the district's water service is to be used. **Not Applicable**
 - (c) Maine Department of Human Services, if the subdivider proposes to provide a central water supply system. **Not Applicable as no changes to water supply (private wells) are proposed no centralized system.**
 - (d) The Wells Sanitary District, if the public sewage disposal system is to be used. **Not Applicable**
 - (e) Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized. **Not Applicable as centralized or shared systems not proposed.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Army Corp permit previously approved, no proposed changes.**
 - (g) NPDES permit for stormwater discharges. **Not Applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **To be determined**
- (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision.
- (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § **202-13. To be determined**
- (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement

by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. The Planning Board should consider receiving the amendment application.
2. The Planning Board should consider the proposed septic area relocations and finding the subdivision application complete (202-10) and compliant (202-12).
3. The Planning Board should consider approving the proposed revisions and authorizing the chairman to sign the Certificate of Amendment in the presence of a Notary for recording at the YCRD.



June 24, 2016

(VIA DELIVERY)

JN 13.057

Received 6-24-16

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

**Proposed River Walk Subdivision, Branch Road (Route 9A), Wells
Approved Subdivision -35 Lots
Minor Amendment #2 – Revise Lot 3 Septic System Location
(Assessors Map 70 Lot 5 and Map 63 Lot 4)**

Dear Mike and Planning Board Members:

On behalf of Bourne Field Properties, LLC we are pleased to submit a request for a Minor Amendment to the Subdivision Plat for the River Walk project. The Subdivision Plat was approved by the Planning Board on March 2nd, 2015 and recorded in the YCRD in Plan Book 374 Page 50 and Plan Book 375 Page 1. The project subsequently received a Minor Amendment on May 2nd, 2016 to revise Note 39 regarding lot impervious areas.

Enclosed are 12 copies of the following attachments:

1. Planning Board Amended Application Forms
2. Lot 3 HHE-200 Septic System Design dated 06-15-16
3. Subdivision Plan Sheet 2.6 – Well & Septic Location Plan, approved, dated 02-19-15 (11" by 17")
3. Subdivision Plan Sheet 2.6 – Well & Septic Location Plan, revised 06-23-16.

Amendment Request:

The subdivision plans note 18 and approval conditions require that any adjustment in septic leach field locations of more than 10 feet shall require approval by the Planning Board.

In the final home selection, grading and siting of Lot 3 it was determined that the approved septic leach field location in the front left corner of the lot is not desirable for the proposed house and lot grading. Additional test pits # 137 and 138 were conducted by Joseph Noel, CSS to relocate the proposed primary and reserve leach field location further towards the rear of the lot. The new location will match the grading of the adjacent Lot 4 system to create a more natural grade transition and simply works better with the lot and home layout. The revision will actually provide a greater opportunity for siting a well on this lot as shown on the revised Septic & Well Location Plan, Sheet C2.6 attached.

The revision does not affect any notes or information shown on the Subdivision Plan Sheets S1.1 and S1.2. However should the Planning Board be required to sign a revised Subdivision Plan we would request that that plan be provided to staff prior to the July 11th Planning Board meeting with a simple note in the revision block as to the purpose of the re-signing. It would be our hope that no revision to the recorded plan would be required as this is a minor technical item not affecting the recorded subdivision plan.



We look forward to meeting with the Planning Board at the July 11^h meeting. In the meantime please do not hesitate to contact me should you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Licht". The signature is fluid and cursive.

Frederic (Rick) Licht, PE, LSE
Principal

Encl: As Noted

Cc: (Via Email)
Josh Moody, Bourne Field Properties, LLC
Mike Prisco, Bourne Field Properties, LLC
Silas Canavan, WEA
Joseph Noel, CSS
Leon Blood, Lower Village Survey Company



TOWN OF WELLS, MAINE

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

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

For Office Use Only
Fee Paid

**FINAL SUBDIVISION APPLICATION - §202-9
PROPOSED MINOR AMENDMENT
LOT 3 SEPTIC LOCATION REVISION**

Received
6-24-16

1. Project/Subdivision Name: _____ River Walk Subdivision _____

2. Property Owner: _____ Bourne Field Properties, LLC

Mailing Address: _____ P.O. Box 366
_____ Moody, Maine 04054

Telephone: _____ 207.646.6194 Fax: _____ 207.646.4519

Email Address: _____ josh@rmoodyconstruction.com

3. Applicant/Agent (if different from owner): Frederic (Rick) Licht, PE, LSE

Mailing Address: _____ Licht Environmental Design, LLC
_____ 35 Fran Circle, Gray, Maine 04039

Telephone: _____ 207.749.4924 Fax: _____ NA

Email Address: _____ rlicht@securespeed.net

4. Engineer or Surveyor who prepared plan: Lower Village Survey Company

Mailing Address: _____ PO Box 2625
_____ Kennebunk, Maine 04046

Telephone: _____ 207.967.3545 Fax _____ NA

Email Address: _____ info@lowervillagesurvey.com

5. All correspondence should be sent to:

(specify one of the above) _____ Rick Licht (rlicht@securespeed.net)

6. Assessor's Tax Map Number: _____ 70 & 63 _____ Lot Number: _____ 5 & 4 (of land to be divided)

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

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

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

10. Location of Property:
Street Address (approx.) 936 Branch Road
Book 16979 Page 834-835 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural R and Shoreland Zone

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

13. Total Acreage: 94.5 +/- Acreage to be developed: 50 +/-

14. Indicate the nature of any restrictive covenants to be place in the deeds:
(refer to final plan documents and approvals –Stormwater Buffers, Meadow Buffers, Lot development areas, etc.)

15. Has this land been part of a prior approved subdivision? Yes No
Or other divisions within the past 5 Years? Yes No
If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:
Project was approved as Major Subdivision, March 2015

16. Identify existing use(s) of land, (farmland, woodlot, etc.)
Farmland and woods – being developed as Phase 1 and 2 of River Walk Subdivision

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

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

19. Number of lots or dwelling units existing: Originally one lot
Number of lots or dwelling units proposed: 35 approved cluster lots 2015..

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

- roads

 storm drainage

 sidewalks
 water lines

 fire protection equipment

 sewer
 If other, please state _____

21. Estimated cost for infrastructure improvements: \$__1,450,000 estimated cost

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

- individual wells

 connection to public water system
 central well w/ distribution lines

 If other, please state alternative _____

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

- individual septic tanks

 central on site disposal with distribution lines
 connection to public sewer system

 If other, please state alternative _____

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

- hydrants connected to the public water system
 dry hydrants located on an existing pond or water body
 existing fire pond
 If other, please state alternative (for example, individual sprinklers)__30,000 gal. Cistern

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? Yes No

If yes, list them and state the reasons for the request: (Granted with Final Approvals, 03/02/15)

__1. Waiver of Chapt. 202-9A.6.a DEP Permits – request waiver of requirement that permits be submitted with final plan submission.

__2. Waiver of Chapt 202-9A.6.f –request waiver of requirement that Corps permit be submitted with final plan application.

(Board granted waiver of 202.8.B.2.f. – location of trees greater than 24 inch DBH on April 21, 2014)

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

Kevin J. Hubert agent

 Signature of Applicant

6/24/16

 Date

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website www.wellstown.org . Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

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

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

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

LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: _____ River Walk Subdivision _____

Street Address of Project: _____ 936 Branch Road, (Route 9A) Wells, ME 04096 _____

Map/ Lot # of Project: _____ Map 70 Lot 5 and Map 63 Lot 4 _____

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

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

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

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

Name	Address	Tax Map	Lot
(By Planning Office)			
(SEE ATTACHED ABUTTER LIST)			

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


6.24.16

 Signature of Applicant Date

Attach extra pages as necessary

**Abutter List for
936 Branch Rd. (Route 9A), Wells, Maine
Tax Map 070, Lot 5
Tax Map 063, Lot 4
Owner of Record: Bourne Field Properties, LLC**

Tax Map 62

**Lot 12- Burnt Mill Golf Co. LLC
Attn: William Reid III,
3821 Via Palomino,
Palos Verdes Estates, CA 90274**

Tax Map 63

**Lot 5- Arthur Conley LLC, 16 Limerock St., Camden, ME 04843
Lot 11- Ocean View Cemetery, PO Box 11, Wells, ME 04090
Lot 11A- David Hardy, 710 Branch Rd., Wells, ME 04090**

Tax Map 70

**Lot 2- Cherokee Spirit Ret. & Learning Center
Attn: Nancy Wahyaneetah
702 Turmeric Ln.
Durham, NC 27713
Lot 3- Frances A. Kimball, PO Box 3055, Wells, ME 04090
Lot 4- John P. Searles et als-
Attn: L. Searles & L. Cellamare,
836 Branch Rd.
Wells, ME 04090
Lot 5A- Douglas M. Sanna, 876 Branch Rd., Wells, ME 04090
Lot 5B- Janice H. Mildram Revocable Living Trust, 966 Branch Rd., Wells, ME 04090
Lot 6-1- Thomas Young, PO Box 2290, Ogunquit, ME 03907
Lot 7-2A- Michael G. Sprague Jr., PO Box 25, Wells, ME 04090
Lot 7-3- William Creamer, 1027 Coles Hill Rd., Wells, ME 04090
Lot 8- Jason F. Perkins, 875 Branch Road, Wells, ME 04090
Lot 9A- Steven J. Spofford, 14 Mildram Rd., Wells, ME 04090
Lot 18A- John A Raso, 744 Branch Rd., Wells, ME 04090**

Tax Map 076

Lot 27- Mary Jane Quake, 879 Meetinghouse Rd., Wells, ME 04090



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

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

To Whom It May Concern:

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

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

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

Property Owner (of land to be divided): Bourne Field Properties, LLC

Owner's Mailing Address: PO Box 366, Moody, Maine 04054

Applicant's Name: Bourne Field Properties, LLC

Applicant's Mailing Address: PO Box 366 Moody, Maine 04054

Applicant's Signature: _____

Assessor's Tax Map Number: 70 & 63 Lot Number : 5 & 4 (of land to be divided)

Subdivision Location (street address): 936 Branch Road, Wells Maine

Acres to be subdivided: 94.5+/- Number of proposed lots or dwelling units: 35 (approved March 2015)

Zoning District(s): Rural (R) and Shoreland Zone

Description of Proposal: Minor Amendment to March 2015 Approved Subdivision to revise/amend Lot 3 septic Leachfield/Reserve and location more than 10 ft.

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
 Div. of Environmental Health, 11 SMS
 (207) 287-5672 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	WELLS	Town/City _____	Permit # _____
Street or Road	WATERS EDGE DRIVE	Date Permit Issued ____/____/____	Fee: \$ _____ Double Fee Charged []
Subdivision, Lot #	RIVER WALK, LOT 3	_____	L.P.I. # _____
OWNER/APPLICANT INFORMATION		Local Plumbing Inspector Signature _____	
Name (last, first MI) <input type="checkbox"/> Owner <input type="checkbox"/> Applicant		The Subsurface Wastewater Disposal System <i>shall not</i> be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.	
BOURNE FIELD PROPERTIES, LLC			
Mailing Address of Owner/Applicant	P.O. BOX 366 MOODY, MAINE 04054		
Daytime Tel. #	332-1050 (JOSH MOODY)	Municipal Tax Map # _____	Lot # _____
OWNER OR APPLICANT STATEMENT		CAUTION: INSPECTION REQUIRED	
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application _____ (1st) date approved	
Signature of Owner or Applicant _____ Date _____		Local Plumbing Inspector Signature _____ (2nd) date approved _____	

PERMIT INFORMATION

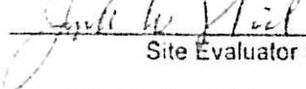
TYPE OF APPLICATION <input checked="" type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type replaced: _____ Year installed: _____ <input type="checkbox"/> 3. Expanded System a. <25% expansion b. >25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	THIS APPLICATION REQUIRES <input checked="" type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	DISPOSAL SYSTEM COMPONENTS <input checked="" type="checkbox"/> 1. Complete Non-engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt. toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input type="checkbox"/> 4. Non-engineered Treatment Tank (only) <input type="checkbox"/> 5. Holding Tank, _____ gallons <input type="checkbox"/> 6. Non-engineered Disposal Field (only) <input type="checkbox"/> 7. Separated Laundry System <input type="checkbox"/> 8. Complete Engineered System (2000 gpd or more) <input type="checkbox"/> 9. Engineered Treatment Tank (only) <input type="checkbox"/> 10. Engineered Disposal Field (only) <input type="checkbox"/> 11. Pre-treatment, specify: _____ <input checked="" type="checkbox"/> 12. Miscellaneous Components 300 gallon pump tank
SIZE OF PROPERTY 1.3 <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES	DISPOSAL SYSTEM TO SERVE <input checked="" type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: <u>3</u> <input type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: _____ <input type="checkbox"/> 3. Other: _____ (specify) Current Use <input type="checkbox"/> Seasonal <input type="checkbox"/> Year Round <input checked="" type="checkbox"/> Undeveloped	TYPE OF WATER SUPPLY <input checked="" type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other
SHORELAND ZONING <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK <input checked="" type="checkbox"/> 1. Concrete 2-compartment <input checked="" type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other CAPACITY: 1000/250 GAL with outlet filter	DISPOSAL FIELD TYPE & SIZE <input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input checked="" type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear <input checked="" type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: <u>1,440</u> <input type="checkbox"/> sq. ft. <input type="checkbox"/> lin. ft.	GARBAGE DISPOSAL UNIT <input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. multi-compartment tank <input type="checkbox"/> b. _____ tanks in series <input type="checkbox"/> c. increase in tank capacity <input type="checkbox"/> d. Filter on Tank Outlet	DESIGN FLOW <u>270</u> gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities refer to back of each page for more info
SOIL DATA & DESIGN CLASS PROFILE CONDITION <u>9 / D</u> at Observation Hole # <u>137</u> Depth <u>11"</u> of Most Limiting Soil Factor	(30) GSF B43 Modules (Eljen In-drains) DISPOSAL FIELD SIZING <input type="checkbox"/> 1. Medium—2.6 sq. ft. / gpd <input type="checkbox"/> 2. Medium—Large 3.3 sq. ft. / gpd <input type="checkbox"/> 3. Large—4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large—5.0 sq. ft. / gpd	EFFLUENT/EJECTOR PUMP <input type="checkbox"/> 1. Not Required <input type="checkbox"/> 2. May Be Required <input checked="" type="checkbox"/> 3. Required Specify only for engineered systems. DOSE: _____ gallons	Do not hook any component of a water softener unit to the wastewater disposal system. <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA LATITUDE AND LONGITUDE at center of disposal area Lat <u>43</u> <u>21</u> <u>44</u> s Lon <u>70</u> <u>36</u> <u>42</u> s # g.p.s. state margin of error <u>30'</u>

SITE EVALUATOR STATEMENT

I certify that on 6/12/16 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

 Site Evaluator Signature	<u>221</u> SE #	<u>6/15/16</u> Date
JOSEPH W. NOEL JWN # 13-45 Site Evaluator Name Printed	207-384-5587 Telephone Number	_____ E-mail Address

Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

THIS FORM IS TO BE COMPLETED BY THE APPLICANT AND SUBMITTED TO THE LOCAL HEALTH DEPARTMENT.

Town, City, Flatsman

Street, Road, Subdivision

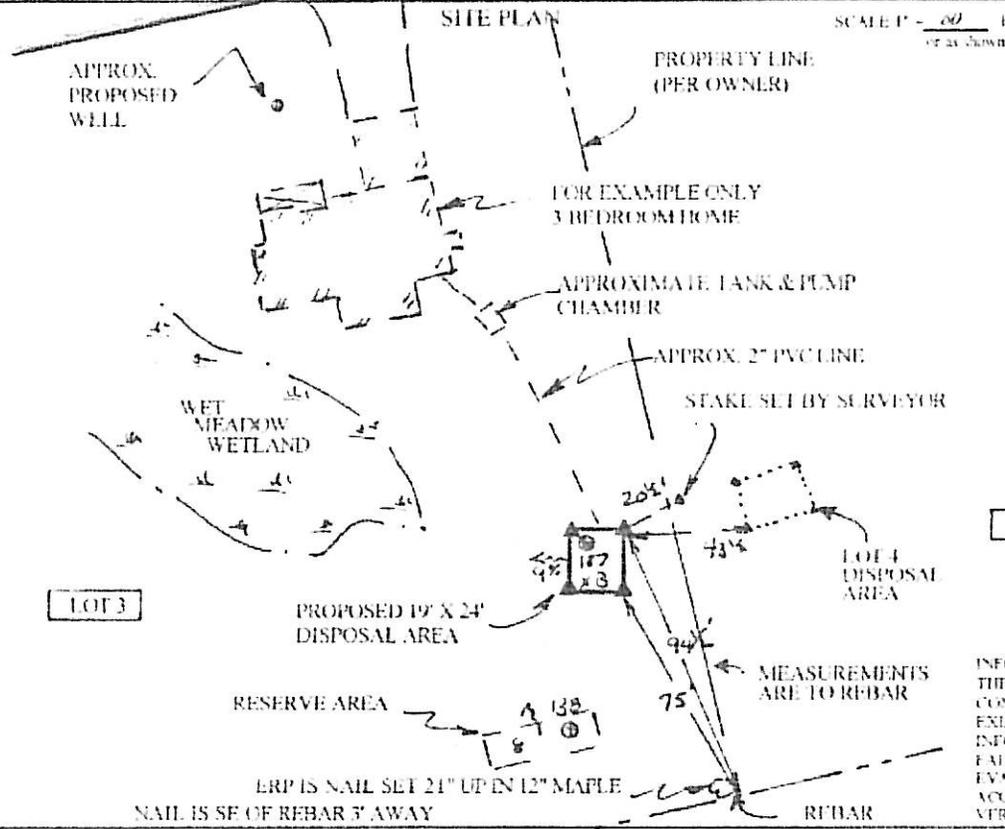
Owner or Applicant Name

WELLS

WATERS EDGE DRIVE, LOT 1, RIVER WALK

BOURNE FIELD PROPERTIES, LLC

SITE LOCATION MAP



INFORMATION PROVIDED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE CONCERNING PROPERTY LINES, WELLS, EXISTING UNDERGROUND UTILITIES, ZONING INFORMATION, ETC. IS ACCEPTED IN GOOD FAITH AS BEING CORRECT BY THE SITE EVALUATOR. THE SITE EVALUATOR ACCEPTS NO RESPONSIBILITY FOR THE VERACITY OF SUCH INFORMATION.

SOIL DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole 137 Test Pit Boring

1 Depth of Organic Horizon Above Mineral Soil - HAND DUG

Texture	Consistency	Color	Mottling
VERY FINE SANDY LOAM	FRIABLE	DARK BROWN	NONE
SILT LOAM	FIRM	OLIVE	DISTINCT
LOE @ 30"			
BORING A HAS SIMILAR SOIL CONDITIONS TO TP 137 (1' - 9') WITH INHIBITING LAYER @ 11'			

Soil Classification: 2 D 1

Slope: 11 %

Containing Perched Layer: Ground water Restrictive Layer Bedrock Pit Depth

Observation Hole 138 Test Pit Boring

1 Depth of Organic Horizon Above Mineral Soil - HAND DUG

Texture	Consistency	Color	Mottling
VERY FINE SANDY LOAM	FRIABLE	DARK BROWN	NONE
SILT LOAM	FIRM	OLIVE	DISTINCT
LOE @ 30"			

Soil Classification: 2 D 1

Slope: 11 %

Containing Perched Layer: Ground water Restrictive Layer Bedrock Pit Depth

John W. Hill
Site Evaluator Signature

221
SE

6/15/16
Date

Page 2 of 4
HHB-200 Rev. 10/02

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

MAINE DEPARTMENT OF CONSTRUCTION
 DIVISION OF PUBLIC WORKS
 1000 WATER STREET, SUITE 200, PORTLAND, ME 04102

Town, City, Plantation
WELLS

Street, Road, Subdivision
WATER'S EDGE DRIVE, LOT 3, RIVER WALK

Owner's Name
BOURNE FIELD PROPERTIES, LLC

DEPTH SECTION DATA

ORIGINAL GROUND ELEVATION FOR DEPTH OF TELL FROM
 EXISTING SURFACE AT EACH CORNER (REFER NORTH TO THE LEFT)

ORIGINAL GROUND	DEPTH OF TELL
A - 50"	30"
B - 50"	30"
C - 69"	49"
D - 69"	49"

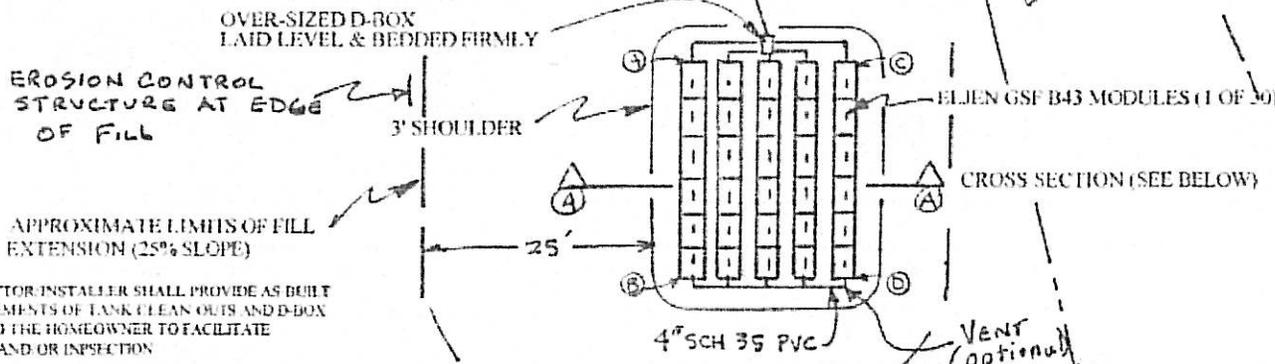
SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE 1" = 20' FT

SEE REVERSE SIDE FOR DETAILS

APPROXIMATE LOCATION OF TWO-COMPARTMENT 1000/250 GALLON TANK, ADD OUTLET FILTER, A 300 GALLON WATERTIGHT PUMP CHAMBER TO FOLLOW TANK - FOLLOW ALL MAINE RULES FOR PUMPING - ADD WATERTIGHT RISERS TO WITHIN 6" OF GRADE ON ALL ACCESS OPENINGS (PER MAINE RULES)

INSTALLER TO BE FAMILIAR WITH ELIEN CORPORATION'S MAINE DESIGN AND INSTALLATION MANUAL REVISED OCTOBER 3, 2014 OFFICE: 207-894-7141



CONTRACTOR/INSTALLER SHALL PROVIDE AS BUILT MEASUREMENTS OF TANK CLEAN OUTS AND D-BOX COVER TO THE HOMEOWNER TO FACILITATE SERVICE AND/OR INSPECTION

BACKFILL REQUIREMENTS	
Depth of Backfill (Upslope)	30"
Depth of Backfill (Downslope)	49"
APPROX. DEPTHS AT CROSS-SECTION (shown below)	

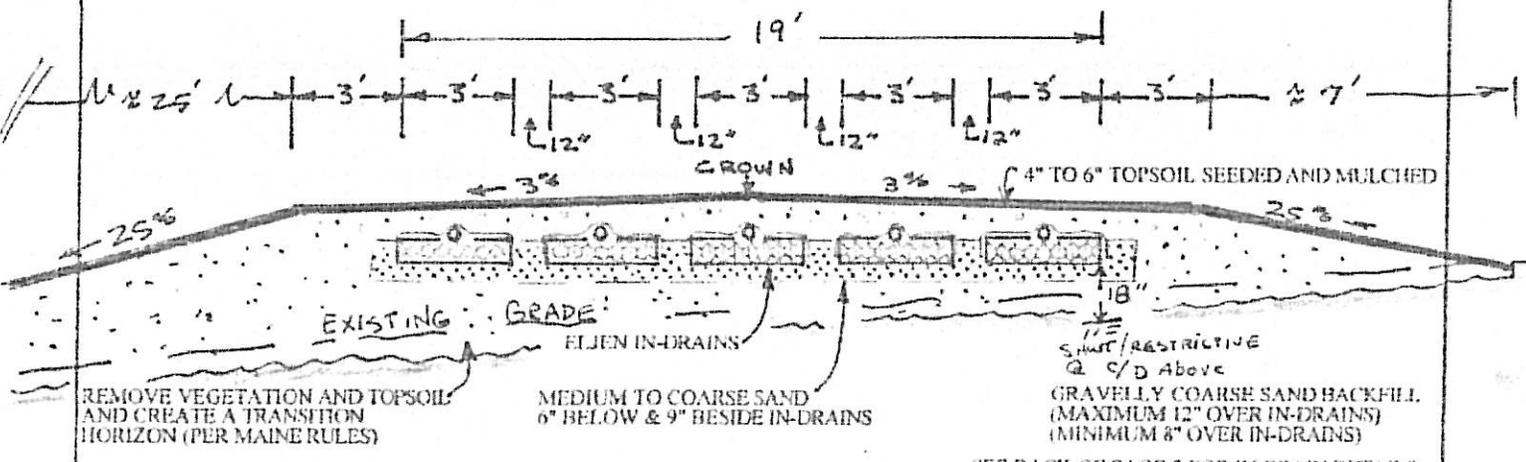
CONSTRUCTION ELEVATIONS	
Finished Grade Elevation	-20"
Top of Distribution Pipe or Disposal Device	-32"
Bottom of Disposal Area (in-drains)	-43"

ELEVATION REFERENCE POINT	
Location & Description	REFER TO PAGE 2
Reference Elevation, N.A.S.	0.0"

DO NOT DRIVE OVER IN-DRAINS WHEN BACKFILLING

DISPOSAL AREA CROSS SECTION SECTION A-A'

SCALE
 VERTICAL: 1" = 5'
 HORIZONTAL: 1" = 5'



REMOVE VEGETATION AND TOPSOIL AND CREATE A TRANSITION HORIZON (PER MAINE RULES)

MEDIUM TO COARSE SAND 6" BELOW & 9" BESIDE IN-DRAINS

GRAVELLY COARSE SAND BACKFILL (MAXIMUM 12" OVER IN-DRAINS) (MINIMUM 8" OVER IN-DRAINS)

SEE BACK OF PAGE 2 FOR IN-DRAIN DETAILS

Joseph W. Hill
 Site Evaluator Signature

221
 SEW

6/15/16
 Date

Page 1 of 3
 HPP-263 Rev. 1002

**CERTIFICATE OF AMENDMENT TO
RIVER WALK SUBIVISION
OFF OF BRANCH ROAD, WELLS, MAINE
PLAN RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS
PLAN BOOK 382, PAGE 35**

Comes now the undersigned and on oath makes the following affidavit, acknowledging that the information contained herein is true to the best of his knowledge:

- 1) My name is Charles Millian, and I am a duly qualified member of the Town Of Wells Planning Board, a position I have held in excess of seventeen years. Currently, I am the Chairman of the Planning Board, a position I have held in excess of twelve years.
- 2) The Planning Board of the Town of Wells, at a regular meeting held on Monday, July 11, 2016 in the Wells Town Offices, at which a quorum was present, heard the report of the Town Engineer/Planner regarding the above referenced Subdivision known as River Walk Subdivision, which has been previously approved by the Wells Planning Board on March 2, 2015; and subsequently amended on May 2, 2016.
- 3) The owner/applicant of the subdivision is Bourne Field Properties, LLC. The subdivision is located off of Branch Road within the Town of Wells, Maine and is currently identified as Tax Map 70, Lots 5-1 through 5-35. The subdivision is located within the Rural and Shoreland Overlay Districts. The subdivision has a Homeowners' Association and is considered a Residential Cluster Development per §145-49.
- 4) The owner/applicant Bourne Field Properties, LLC is requesting to alter the septic location for lot 3 (5-3) within the River Walk Subdivision. A revised 'Septic and Wells Location Plan' (sheet C2.6) prepared by William R. Walsh, III of Walsh Engineering Associates, Inc dated 4/9/2014 and revised 6/23/2016 has been prepared showing the proposed septic system location for test pit 137 and reserve septic system location for test pit138 on lot 3 with the required 100' well exclusion zone. Test Pit evaluation prepared by Joel W. Noel SE#221 dated 6/15/16.
- 5) Based on the review of the Wells Planning Board on July 11, 2016, it was determined that the proposed septic system location changes to the above referenced subdivision are acceptable. The proposed amendment has been found to be in conformance with 30-A M.R.S.A. §4404 and Chapter 202 of the Town of Wells Subdivision of Land Code.
- 6) Upon motion duly made and passed, the Planning Board of the Town of Wells at their scheduled meeting on July 11, 2016 voted to approve the septic system location changes for lot 3 as depicted on the above referenced 'Septic and Wells Location Plan'; and to authorize the Chairman of the Planning Board to execute an affidavit to that effect to be placed in the York County Registry of Deeds within 90 days of approval.

Witness our hands and sealed this ____ day of _____, 2016.

Wells Planning Board

By: _____
Charles Millian
Planning Board Chairman

State of Maine
County of York, ss.

Then personally appeared the above named Charles Millian and acknowledged the foregoing instrument to be his free act and deed, in his capacity as Chairman of the Town of Wells Planning Board.

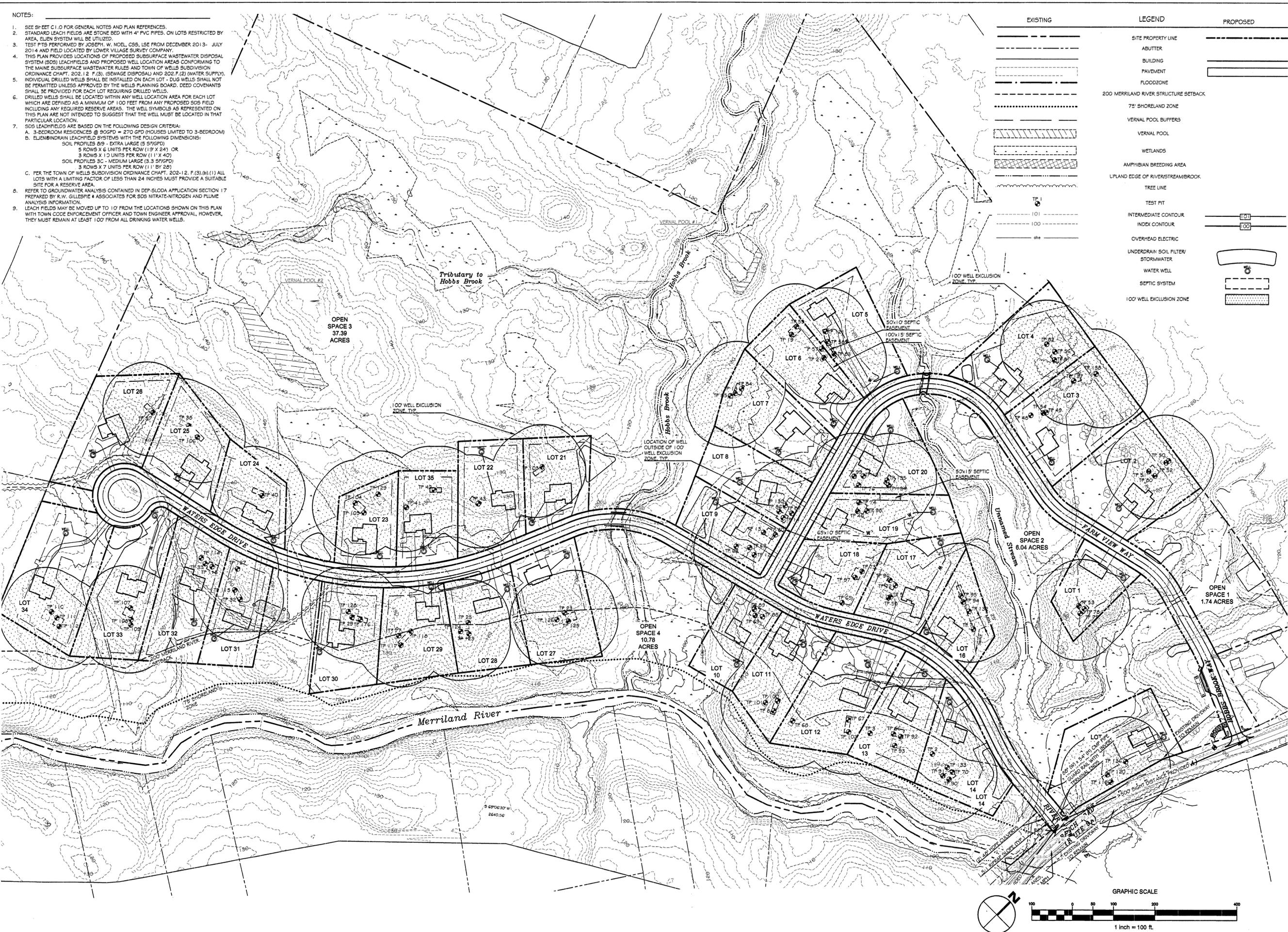
Before me,

Notary Public

My commission expires: _____

- NOTES:
- SEE SHEET C1.0 FOR GENERAL NOTES AND PLAN REFERENCES.
 - STANDARD LEACH FIELDS ARE STONE BED WITH 4" PVC PIPES. ON LOTS RESTRICTED BY AREA, ELIEN SYSTEM WILL BE UTILIZED.
 - TEST PITS PERFORMED BY JOSEPH W. NOEL, CDS, USE FROM DECEMBER 2013- JULY 2014 AND FIELD LOCATED BY LOWER VILLAGE SURVEY COMPANY.
 - THIS PLAN PROVIDES LOCATIONS OF PROPOSED SUBSURFACE WASTEWATER DISPOSAL SYSTEM (SDS) LEACHFIELDS AND PROPOSED WELL LOCATION AREAS CONFORMING TO THE MAINE SUBSURFACE WASTEWATER RULES AND TOWN OF WELLS SUBDIVISION ORDINANCE CHART, 202-12, F.(3), (IS/WAGE DISPOSAL) AND 202-12, F.(2) (WATER SUPPLY). INDIVIDUAL DRILLED WELLS SHALL BE INSTALLED ON EACH LOT - DUG WELLS SHALL NOT BE PERMITTED UNLESS APPROVED BY THE WELLS PLANNING BOARD. DEED COVENANTS SHALL BE PROVIDED FOR EACH LOT REQUIRING DRILLED WELLS.
 - DRILLED WELLS SHALL BE LOCATED WITHIN ANY WELL LOCATION AREA FOR EACH LOT WHICH ARE DEFINED AS A MINIMUM OF 100 FEET FROM ANY PROPOSED SDS FIELD INCLUDING ANY REQUIRED RESERVE AREAS. THE WELL SYMBOLS AS REPRESENTED ON THIS PLAN ARE NOT INTENDED TO SUGGEST THAT THE WELL MUST BE LOCATED IN THAT PARTICULAR LOCATION.
 - SDS LEACHFIELDS ARE BASED ON THE FOLLOWING DESIGN CRITERIA:
 - 3-BEDROOM RESIDENCES @ 90SPD = 270 GPD (HOUSES LIMITED TO 3-BEDROOM)
 - ELIEN DRAIN LEACHFIELD SYSTEMS WITH THE FOLLOWING DIMENSIONS:
 - SOIL PROFILES 09 - EXTRA LARGE (5 SP/FPD)
 - 5 ROWS X 6 UNITS PER ROW (19' X 24')
 - OR
 - 3 ROWS X 10 UNITS PER ROW (11' X 40')
 - SOIL PROFILES 3C - MEDIUM LARGE (3.3 SP/FPD)
 - 5 ROWS X 7 UNITS PER ROW (11' X 28')
 - PER THE TOWN OF WELLS SUBDIVISION ORDINANCE CHART, 202-12, F.(3), (b) (1) ALL LOTS WITH A LIMITING FACTOR OF LESS THAN 24 INCHES MUST PROVIDE A SUITABLE SITE FOR A RESERVE AREA.
 - REFER TO GROUNDWATER ANALYSIS CONTAINED IN DEP SLODA APPLICATION SECTION 17 PREPARED BY R.W. GILLESPIE & ASSOCIATES FOR SDS NITRATE-NITROGEN AND PLUME ANALYSIS INFORMATION.
 - LEACH FIELDS MAY BE MOVED UP TO 10' FROM THE LOCATIONS SHOWN ON THIS PLAN WITH TOWN CODE ENFORCEMENT OFFICERS AND TOWN ENGINEER APPROVAL, HOWEVER, THEY MUST REMAIN AT LEAST 100' FROM ALL DRINKING WATER WELLS.

EXISTING	LEGEND	PROPOSED
	SITE PROPERTY LINE	
	ABUTTER	
	BUILDING	
	PAVEMENT	
	FLOODZONE	
	200 MERRILLAND RIVER STRUCTURE SETBACK	
	75' SHORELAND ZONE	
	VERNAL POOL BUFFERS	
	VERNAL POOL	
	WETLANDS	
	AMPHIBIAN BREEDING AREA	
	UPLAND EDGE OF RIVERSTREAM/BROOK	
	TREE LINE	
	TEST PIT	
	INTERMEDIATE CONTOUR	
	INDEX CONTOUR	
	OVERHEAD ELECTRIC	
	UNDERDRAIN SOIL FILTER/STORMWATER	
	WATER WELL	
	SEPTIC SYSTEM	
	100' WELL EXCLUSION ZONE	



LICHT
ENVIRONMENTAL DESIGN, LLC

WALSH
ENGINEERING ASSOCIATES, INC.
One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com
Copyright © 2015

LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Maine Address: P.O. Box 888, Kennebunkport, ME 04046
Phone: 207-997-2545 e-mail: info@lowervillage.com

STATE OF MAINE
WILLIAM R. WALSH, III
No. 8204
LICENSED PROFESSIONAL SURVEYOR
6/23/16

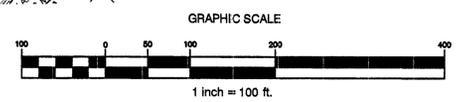
River Walk
936 Branch Road (Route 9A)
Wells, Maine
Prepared For:
Bourne Field Properties, LLC
PO Box 366
Moody, Maine 04054

Rev.	Date	Description	Drawn	Check
1	5/16/14	Town of Wells Preliminary Completion Submittal	AMC	WRW
2	7/16/14	Issued for DEP SLODA Permit	AMC	WRW
3	9/16/14	Revised per DEP Stormwater Review Comments	SWC	WRW
4	9/24/14	Town of Wells Final Submittal Application Submittal	SWC	WRW
5	12/4/14	Revised Stormwater Plan Submittal to DEP	SWC	WRW
6	12/16/14	Revised per Town and DEP Staff Review	SWC	WRW
7	12/29/14	Revised per Town and DEP Staff Review	SWC	WRW
8	1/8/15	Revised per Town and DEP Staff Review	SWC	WRW
9	1/15/15	Revised per Town Staff Review	SWC	WRW
10	1/28/15	Revised per Town Staff Review	SWC	WRW
11	2/10/15	Shaded Lot 27 House out of Flood Zone	SWC	WRW
12	2/18/15	Final Plan Set Issued to Town	SWC	WRW
13	2/24/15	SLODA Water Retention	SWC	WRW
14	6/23/16	Revised Lot 3 Septic Location	SWC	WRW

Sheet Title:
Septic and Well Location Plan

Job No.: 250
Date: April 9, 2014
Scale: 1" = 100'
Drawn: SWC
Checked: WRW

Sheet No.:
C2.6





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 Application Memo

Date: July 7, 2016

To: Planning Board

From: Planning Office

Re: Ogunquit River Inn– Site Plan Amendment Application - Map 102, Lot 5

Ryan Amin, owner, of the Ogunquit River Inn has submitted a site plan amendment application for the property located off of 17 Post Road identified as Tax Map 102, Lot 5. The property is located within the General Business District, Residential A District, the Resource Protection District and the 75' Shoreland Overlay District. The parcel is approximately 4.4 acres in size, and 3.5 acres net area. The parcel has 3 existing 3-story structures that include a total of 80 one bedroom hotel/motel units and 1 dwelling unit/manager's unit. The Lodging Facility has an existing on premise office and associated parking. The parcel is served by public sewer and public water. The buildings are constructed with sprinkler systems. The parcel has 85 parking spaces, 4 of which are handicap accessible. The amendment application is seeking after the fact approval for additional/altered lighting added to the property's parking lot areas.

§ 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 amendments sought requires Planning Board review*
- 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 submitted \$150.00 for an application fee**
- 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 7/7/15 the Code Officer determined the uses are permitted.**
 - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 7/7/15**

- [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 to consider receiving site plan amendment application on 7/20/15**
- (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 7/7/15; meeting was on 7/20/15**
 - (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. **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:

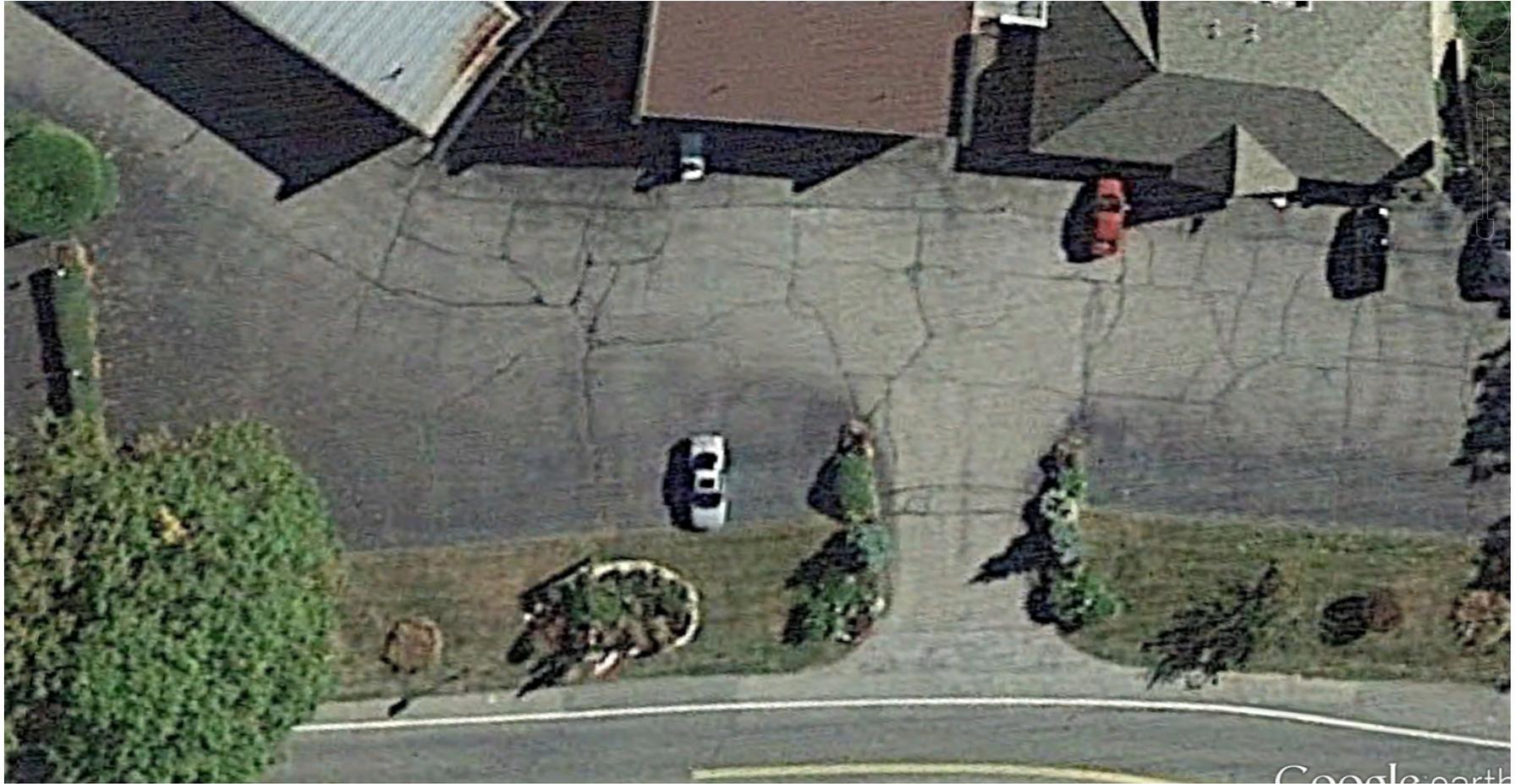
1. The Planning Board last workshopped the lighting proposal of Ogunquit River Inn on August 3, 2015. Attached are the minutes from that Planning Board meeting.
2. The applicant has provided new lighting details for all the light locations not identified on the last approved site plan (see attached).
 - a. The last site plan approval (March 2015) had lights on either side of the entrance/exit (total of 2) plus 3 lights for the parking spaces along Route 1 on the northeast side of the lot. 3 lights were also depicted around the hotel building (to pool area; between the two large hotel buildings; and the south side of the hotel building with the office). Parcel total of 8. (See attached 8 ½" x 11" – approved lighting with yellow highlights)
 - b. After the March 2015 approval new globe lighting was installed without site plan approval (see attached aerial imagery). This prompted a site plan violation warning from the Code Office.
 - c. The applicant now proposes (see attached 12" x 18" color plan sketch):
 - i. To keep 5 of the installed globe lights (2 on either side of entrance/ exit; and the 3 lights within the parking lot.) Light specifications for the globe lights not provided and is needed.
 - ii. To remove 6 globe lights with no replacement proposed.

- iii. To remove and replace 13 globe lights with 4' tall posts with downward directional mounted lights (see attached detail)
 - 1. 1 light location was installed in the Route 1 right-of-way and must be removed. This would result in 12 lights.
 - iv. It is not clear if the 3 other lights around the hotel building (away from Route 1) have been installed or what type of lighting is planned for these locations.
 - d. No information on the sign illumination provided
 - e. A photometric plan for the proposed lighting not provided
 - f. A violation notice was issued by the Code Office on 6/2/16 due to no resolution being pursued.
- 3. The Town Planner could not deem the application complete as voted on 8-3-15 due to the lack of a photometric plan being provided as recommended. The Board should consider the following:
 - a. Based on the newly proposed fixtures with use of 5 globe fixtures, is a photometric plan necessary? The 5 globes and the sign brightness has not been analyzed or resolved.
 - b. If the Board believed enough information has been provided, the application could be considered complete and a public hearing could be scheduled for 7-25-16. Public comments may require additional lighting information.
 - c. If the Board requires additional information prior to setting a public hearing, a timeframe for continuance should be determined.

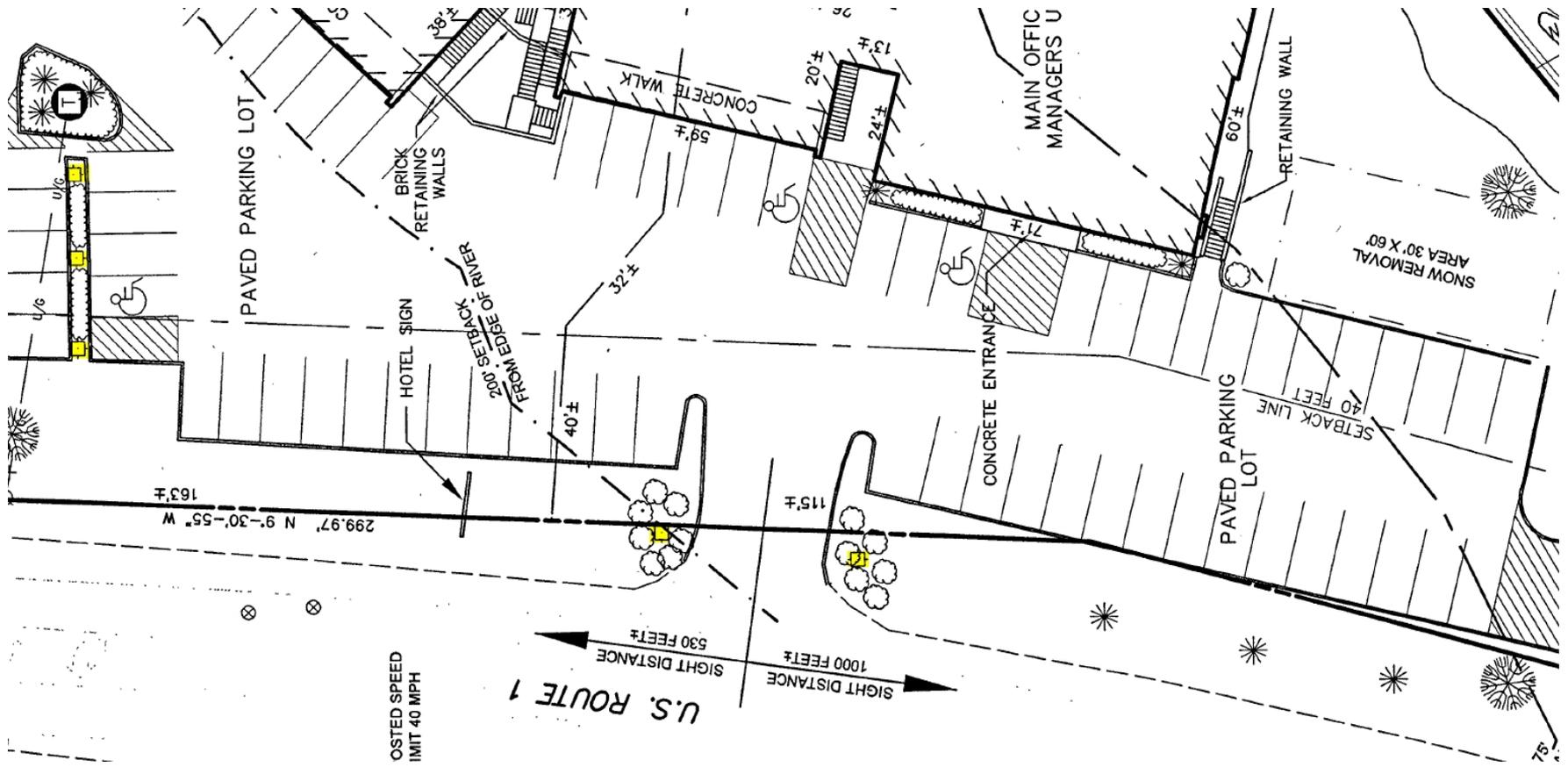
Thank you.



April 7, 2013 Aerial Imagery – Ogunquit River Inn Lighting (no globes)



October 9, 2014 Aerial Imagery – Ogunquit River Inn Lighting (no globes)



March 16, 2015 Approved Ogunquit River Inn Site Plan – Existing Lighting Locations (yellow)

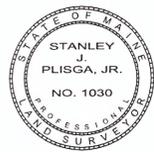


May 7, 2015 Aerial Imagery – Ogunquit River Inn Lighting (globes)

GENERAL NOTES:

- (1) THE PROPERTY LIES PRIMARILY WITHIN THE GB (GENERAL BUSINESS) AND THE RA (RESIDENTIAL A) ZONE WITH A SMALL PORTION OF THE PROPERTY WITHIN THE RESOURCE PROTECTION ZONE ACCORDING TO THE ZONING MAP FOR THE TOWN OF WELLS. THE ZONE BOUNDARY LINE BETWEEN THE GB ZONE AND THE RA ZONE IS 300 FEET FROM THE CENTERLINE OF U.S. ROUTE 1.
- (2) REFERENCE IS MADE TO A SURVEY ENTITLED "NORSEMAN - LAND TITLE SURVEY" BY H. I. AND E. C. JORDAN, DATED FEBRUARY 28, 1991. SAID SURVEY IS FURTHER IDENTIFIED AS PROJECT NO. 5719-30.
- (3) THE PROPERTY SURVEYED IS FURTHER IDENTIFIED AS BEING LOT 5 ON MAP 102 OF THE ASSESSING MAPS OF WELLS.
- (4) THERE IS APPROXIMATELY 72,300 SQUARE FEET OF NON-VEGETATED AREA ON THE PARCEL SURVEYED. THIS AMOUNT TO APPROXIMATELY A 37 % LOT COVERAGE.
- (5) THE PARKING LOTS WERE NOT STRIPPED AT THE TIME OF THE SURVEY, BUT THE PARKING AREA CAN ACCOMMODATE 85 PARKING SPACES, 4 OF WHICH ARE HANDICAP ACCESSIBLE. HANDICAPPED SIGNS TO BE POSTED WITH ACCEPTABLE SIGNAGE. PARKING LOT TO BE STRIPPED NO LATER THAN OCT. 1, 2015. STRIPPING TO BE MAINTAINED. NUMBER OF PARKING SPACES IS GRANDFATHERED. ON-STREET PARKING IS PROHIBITED.
- (6) A PORTION OF THE PROPERTY LIES WITHIN A FLOOD HAZARD AREA AS DENOTED ON THE SURVEY PLAN. FLOOD ZONE A2 FOLLOWS THE 9 FOOT CONTOUR LINE. REFERENCE IS MADE TO THE FLOOD INSURANCE RATE MAP OF THE TOWN OF WELLS. COMMUNITY PANEL NUMBER 230158 0007 C, SHEET 7 OF 8.
- (7) THE VOLUME AND PAGE REFERENCES REFER TO THE DEED RECORDING INFORMATION FROM THE YORK COUNTY REGISTRY OF DEEDS.
- (8) THE MAP AND LOT NUMBER REFERENCED HEREON REFER TO THE TOWN OF WELLS AND THE TOWN OF OGUNQUIT ASSESSING RECORDS.
- (9) NO NEW DRIVEWAYS OR ROADWAY ARE PROPOSED FOR THE SITE.
- (10) THE PROPERTY IS SERVICED BY PUBLIC WATER AND SEWER.
- (11) THE LODGING FACILITY HOURS OF OPERATION WILL BE 8 AM TO 11 PM. YEAR ROUND. NO GUEST CAN OCCUPY A UNIT FOR MORE THAN 14 CONSECUTIVE DAYS IN ONE CALENDAR YEAR.
- (12) THE BUILDINGS ON THE SUBJECT PREMISES HAVE A DRY SPRINKLER SYSTEM.
- (13) THE NET AREA OF THE PARCEL EXCLUDES ALL LAND WITHIN THE PARCEL THAT IS BELOW THE 6 FOOT ELEVATION CONTOUR. THE NET AREA WITHIN THE GENERAL BUSINESS ZONE IS 139,835 SQ. FT. THE NET AREA WITHIN THE RESIDENTIAL "A" ZONE IS 12,930 SQ. FT. THESE AREAS ARE BASED ON THE PROPOSED CHANGE IN THE LOCATION OF THE ZONE BOUNDARY.
- (14) THE PARCEL HAS MORE THAN 200 FEET OF FRONTAGE ON THE OGUNQUIT RIVER.
- (15) THE PROPERTY HAS A TOTAL OF 80 ONE-BEDROOM HOTEL UNITS THAT ARE AVAILABLE FOR THE TRAVELING PUBLIC. ONE DWELLING UNIT EXISTS FOR THE MANAGERS UNIT.
- (16) DIMENSIONAL REQUIREMENTS FOR THE GENERAL BUSINESS DISTRICT (GB):
 MINIMUM LOT SIZE: 20,000 SF OF NET AREA IF SERVED BY PUBLIC SEWER
 MAXIMUM DENSITY: 20 HOTEL/MOTEL UNITS PER ACRE OF NET AREA
 MAXIMUM LOT COVERAGE: 65 % (20% WITHIN THE SHORELAND OVERLAY DISTRICT) OR 2,500 SF, WHICHEVER IS GREATER, EXCEPT THAT THE MAXIMUM LOT COVERAGE SHALL BE 40 % OF THE ENTIRE LOT ON ANY LOT THAT WAS LEGALLY CREATED PRIOR TO JANUARY 1, 1994, IF AT LEAST 75% OF THE LOT IS LOCATED WITHIN THE SHORELAND OVERLAY DISTRICT.
 SETBACKS: 15 FEET FROM ANY LOT LINE, 25 FEET FROM ANY LOT LINE ABUTTING AND STREET RIGHT OF WAY, 40 FEET FROM ANY LOT LINE ABUTTING THE RIGHT OF WAY OF ANY STATE HIGHWAY. ALL STRUCTURES SHALL BE 200 FEET FROM THE HIGH-WATER LINE OF THE OGUNQUIT RIVER.
 MINIMUM STREET FRONTAGE: 100 FEET.
 MAXIMUM BUILDING HEIGHT: 34 FEET.
- (17) DIMENSIONAL REQUIREMENTS FOR THE RESIDENTIAL A DISTRICT (RA):
 MINIMUM LOT SIZE: 20,000 SF OF NET AREA IF SERVED BY PUBLIC SEWER.
 MAXIMUM DENSITY: ONE DWELLING UNIT FOR EACH 20,000 SF OF NET AREA IF SERVED BY PUBLIC SEWER.
 MAXIMUM LOT COVERAGE: 40 % (20% WITHIN THE SHORELAND OVERLAY DISTRICT) OR 2,000 SF, WHICHEVER IS GREATER.
 MINIMUM STREET FRONTAGE PER LOT SERVED BY PUBLIC SEWER: 100 FEET OR 75 FEET IF ENTIRELY ON A CUL-DE-SAC.
 MAXIMUM BUILDING HEIGHT: 30 FEET, NOT TO EXCEED THREE STORIES.
 SETBACKS: 15 FEET FROM ANY LOT LINE, 25 FEET FROM ANY LOT LINE ABUTTING AND STREET RIGHT OF WAY, 40 FEET FROM ANY LOT LINE ABUTTING THE RIGHT OF WAY OF ANY STATE HIGHWAY. ALL STRUCTURES SHALL BE 200 FEET FROM THE HIGH-WATER LINE OF THE OGUNQUIT RIVER.
- (18) THE SUBJECT PREMISES IS DESCRIBED IN A DEED FROM LAFAYETTE PLANTATION, LLC TO 17 POST ROAD, LLC. BY DEED DATED DECEMBER 5, 2014 AND RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN VOLUME 16934, PAGE 917-922.
- (19) THE PARCEL SHALL NOT PRODUCE GLARE ONTO ABUTTING LOTS OR RIGHT OF WAYS.
- (20) SIGNS SHALL COMPLY WITH THE LAND USE CODE.
- (21) REFUSE DISPOSAL: THERE IS A DUMPSTER OF SITE AND 17 POST ROAD, LLC HAS A CONTRACT WITH OCEAN SIDE RUBBISH CO. FOR REMOVAL AND DISPOSAL OF THE REFUSE TWO TIMES A WEEK.
- (22) THE PARCEL SHALL COMPLY WITH BEST MANAGEMENT PRACTICES. SEE ALSO, STANDARD CONDITIONS OF APPROVAL NOTES IN FINDINGS OF FACT.
- (23) CODE ENFORCEMENT OFFICER TO REVIEW HOTEL UNIT AND PORCH SIZE AT THE TIME OF THE INDIVIDUAL BUILDING PERMIT.
- (24) POOL PUMP HOUSE TO BE MOVED TO MEET THE SETBACK REQUIREMENTS BY DEC. 1, 2015 OR MAY STAY IN ITS CURRENT LOCATION IF A MISLOCATED BUILDING APPEAL IS GRANTED BY THE WELLS ZBA BY DEC. 1, 2015.
- (25) THE GROSS SQUARE FOOTAGE AREA IN EACH OF THE BUILDINGS WAS PROVIDED BY THE ASSESSING DEPARTMENT OF THE TOWN OF WELLS.

PREPARED BY:
PLISGA & DAY
 LAND SURVEYORS
 72 MAIN STREET
 BANGOR, MAINE
 DATE: MARCH 2, 2014
 PROJ. NO. 02108 S



SURVEY STANDARD

THIS PLAN WAS PREPARED FROM INFORMATION OBTAINED BY A SURVEY CONFORMING SUBSTANTIALLY TO THE REQUIREMENTS OF TECHNICAL STANDARDS CONTAINED IN CHAPTER 90, PART 2, OF THE RULES OF THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 2001.

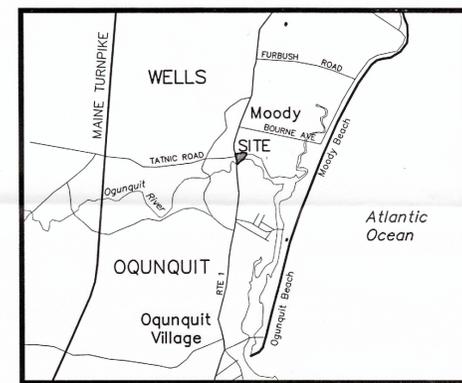
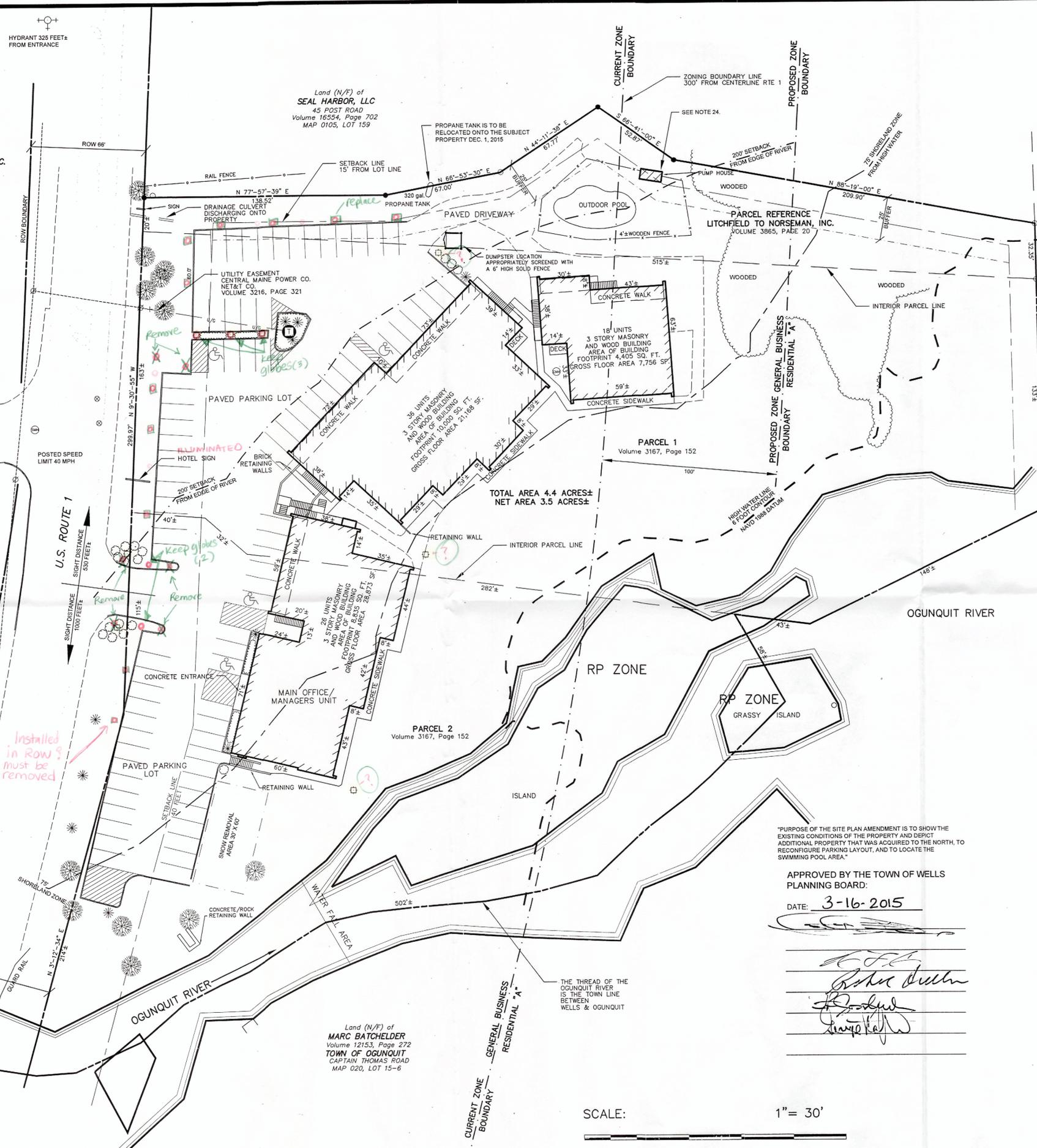
Stanley J. Plisga
 PROFESSIONAL LAND SURVEYOR No. 1030
 (AUTHENTIC COPY WILL HAVE IMPRESSION SEAL)

Land (N/F) of
ROBERT GRAY
 32 POST ROAD
 Volume 4078, Page 108
 MAP 0105, LOT 001

PLAN REFERENCE:
 STATE OF MAINE DEPT. OF TRANSPORTATION
 RIGHT OF WAY MAP
 STATE HIGHWAY "1"
 WELLS, YORK COUNTY, MAINE
 D.O.T. FILE NO. 16-379
 DATED: AUGUST 1999
 SHEETS 1 & 2 OF 34

Land (N/F) of
KAREN RONNLUND
 6 TATNIC ROAD
 Volume 16143, Page 556
 MAP 0105, LOT 012

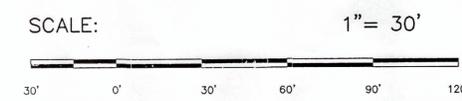
Land (N/F) of
MARC BATCHELDER
 Volume 12153, Page 272
TOWN OF OGUNQUIT
 CAPTAIN THOMAS ROAD
 MAP 020, LOT 15-6



- LEGEND:**
- IRON ROD/BOLT (FOUND)
 - #6 REBAR WITH ID CAP (TO BE SET)
 - IRON PIPE (FOUND)
 - LAMP/LIGHT POLE
 - UTILITY POLE
 - POLE ANCHOR
 - WATER GATE
 - SEWER MANHOLE
 - CATCH BASIN
 - ELECTRIC MANHOLE
 - HYDRANT
 - HARDWOOD TREE
 - SOFTWOOD TREE
 - SCHRUB
 - SOFTWOOD SCHRUB
 - SOFTWOOD HEDGE

"PURPOSE OF THE SITE PLAN AMENDMENT IS TO SHOW THE EXISTING CONDITIONS OF THE PROPERTY AND DEPICT ADDITIONAL PROPERTY THAT WAS ACQUIRED TO THE NORTH, TO RECONFIGURE PARKING LAYOUT, AND TO LOCATE THE SWIMMING POOL AREA."

APPROVED BY THE TOWN OF WELLS
 PLANNING BOARD:
 DATE: 3-16-2015
[Signatures]



SITE PLAN AMENDMENT
 OF THE
17 POST ROAD, LLC PROPERTY
 U.S. ROUTE 1
 WELLS, YORK COUNTY, MAINE
 FOR
17 POST ROAD, LLC - OWNER
 60 LAMPLIGHTER DRIVE
 SHREWSBURY, MA 01545
 DATE: MARCH 2, 2015

7-7-16



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 Application Memo

Date: July 8, 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 2015 due to an abutter complaint.

§ 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 received 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 to workshop the following Article V, VI, VII and completeness review comments from the Planning Office and make the following determinations or discuss for determination after the public hearing:
 - a. Plan changes and recommended note changes to be addressed by the applicant: (Dust control note, Abutter names on sheet 1 are outdated and need to be updated, Reclamation Note 3 to be revised as recommended, Location Map amended, Reclamation grading changes, note 17 revisions, note 4 revisions, etc).
 - b. The acreage of the expanded extraction area is 5.2. Current approval is for 3.67 acres.
 - c. Planning Board to review the buffer requirements. 100' and 25' buffers are depicted on the plan.
 - i. Is the tree line proposed sufficient for abutters 8-17, 8-18, and 8-19, etc.
 - ii. Are the proposed plantings for the southerly abutters sufficient to resolve the buffer disturbance/violation? The proposed replanting plan includes 6 inch to 12 inch saplings. Such saplings could be considered appropriate for reclamation of a gravel pit but for the revegetation of a buffer violation; that should require larger, more mature tree plantings. 6 foot tall trees were originally proposed to remedy the violation.

- iii. Is the existing landscaped buffer along Perry Oliver Road sufficient?
 - iv. Is the stockade fence for abutting lot 8A-2 sufficient? The location, height and length of this fence needs to be updated on the site plan. Based on aerials the fence is not on the lot line.
 - v. Is note 16 sufficient.
 - vi. A cost estimate is needed for the plantings required to restore the 100 foot disturbed buffer areas.
 - d. Planning Board to consider any noise implications from the proposed expanded extraction with areas of reduced buffering. Planning Board to review note 17 on sheet 2.
 - e. Planning Board to review note 13 which restricts truck trip generation.
 - f. The plan must be revised to meet the 100 foot buffer requirements for lots 18-20 and 7A or additional abutter agreements are needed.
 - g. The Planning Board to consider granting a plan scale waiver as the extraction and reclamation areas has increased.
2. If the items above are addressed, or found satisfactory, the Planning Board can schedule a public hearing for 7/25 or consider appointing the Town Engineer as the completeness agent.

Town of Wells , Maine Review Checklist

Page 1 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article VI

Town-Wide Regulations

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	All uses shall conform to the provisions of this chapter.	Y			
B.	All lots (except lots being merged with an abutting parcel) and structures shall comply with dimensional requirements specified for the district in which they are located, except those considered nonconforming. Where a single lot of record contains more than one principal structure, the lot may not be divided in a way which would create a parcel or parcels which do not conform to the requirements of this chapter for lot size, setbacks or street frontage. [Amended 4-19-1997]	Y			
C.	The keeping of any animal for personal use or enjoyment other than normal household pets shall require site plan approval and shall only be permitted on lots larger than 100,000 square feet.			NA	
D.	No manufactured home which was manufactured before June 15, 1976, may be brought into the Town of Wells unless suitable evidence is provided to the Code Enforcement Officer that the manufactured home does not contain aluminum electrical wiring, that the manufactured home contains two exterior exits and that the roof is constructed to support a live load of 30 pounds per square foot. [Amended 4-16-1999]			NA	
E.	Land within the lines of a street right-of-way on which a lot abuts shall not be considered as part of such lot for the purposes of meeting the lot area requirements of this chapter, even though the fee to the land may be in the same ownership as the lot.	Y			
F.	No part of a setback area, open space or off-street parking or loading space required by this chapter shall be included as part of any other setback area, open space or off-street parking or loading space similarly required for any other structure or use except as explicitly provided for within this chapter.	Y			
G.	Multiple principal and accessory uses, which may be located within multiple buildings, shall be permitted on a lot.	Y			
H.	Any lot created after January 1, 1994, shall have frontage on a street which existed prior to January 1, 1994, or on a street which is constructed to the standards required by Chapter 201, Articles II and III of the Wells Municipal Code.	Y			

Town of Wells , Maine Review Checklist

Page 2 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
I.	No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter 115, Floodplain Management, § 115-6, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space. [Amended 11-6-2001]	Y			
J.	Maximum building height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills and similar uninhabitable structures. However, except chimneys which do not exceed the height limit by more than 10 feet, such structures require a lot line setback no less than the minimum required in the district plus the height by which they exceed the prescribed height limitations.	Y			
K.	Lot area used to meet the density requirements of a use on a lot shall not be used to meet the density requirement of any other use.	Y			
L.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot that contains 5,000 square feet or less, as long as the following minimum setbacks are met:			NA	Parcel does not have a residential use.
	(1) Twenty-five feet from the boundary of any cemetery or any street right-of-way.				
	(2) Forty feet from the right-of-way of any state highway.				
	(3) The full required setback from any seawall, water body or wetland, according to § 145-33.				
	(4) Five feet from other lot line.				
M.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use on a residential lot shall be considered legally nonconforming if it was in existence at its current location prior to January 26, 1998. [Added 4-18-1998]			NA	Parcel does not have a residential use.
N.	The construction, renovation, alteration, maintenance and/or operation of a building, structure or any other type of facility for use in whole or in part as a gambling casino is prohibited in all zoning districts within the Town of Wells. No building permit or certificate of occupancy shall issue for a gambling casino. [Added 11-5-2002]			NA	

Town of Wells , Maine Review Checklist

Page 3 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
O.	Lots abutting multiple street rights-of-way are permitted to reduce the minimum setback from a lot line abutting any street right-of-way to the minimum setback from a lot line as required for the district in which they are located if the following are met: [Added 6-12-2012]			NA	Parcel does not have multiple frontages
(1)	Contiguous street frontage for the lot exists on more than one street right-of-way;				
(2)	The minimum setback from any lot line abutting a street right-of-way is met from the street right-of-way that is most compliant with street frontage requirements;				
(3)	If the lot has equal and/or greater than the street frontage requirement on two abutting street rights-of-way, the lot owner may choose which right-of-way shall meet the minimum setback of a lot line abutting a street right-of-way; and				
(4)	The setback reduction shall not be permitted to apply to the setback from any lot line abutting a right-of-way of any state highway.				

§ 145-36. Timber harvesting. [Amended 4-19-1997]		Application Meet Requirements			
		Yes	No	NA	Comments
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			NA	

§ 145-37. Yard sales.		Application Meet Requirements			
		Yes	No	NA	Comments
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		Y			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				

Town of Wells , Maine Review Checklist

Page 4 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. [Amended 4-28-1995]				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				
D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. [Amended 4-28-1995]				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. [Amended 4-28-1995]				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. [Amended 4-28-1995]				
G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. [Amended 4-28-1995]				
§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]		Application Meet Requirements			
		Yes	No	NA	Comments

Town of Wells , Maine Review Checklist
Page 5 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

A.	<p>The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.</p>	Y*			<p>This commercial parcel abuts residential parcels and therefore the code requires this mineral extraction use to provide visual screening. <u>See 145-53 for screening and setback requirements for this mineral extraction use.</u></p> <p>A 6' tall stockade fence is noted as along lot 8A-2. <u>Based on aerials the fence location is not on the lot line as previously approved.</u> Approximate location depicted on Sht. 2.</p> <p><u>Planning Board to review buffers and screening proposed.</u></p> <p>The required 100' buffer line and proposed 25' buffer line are shown and shall be maintained . <u>See Note 16, Sht. 2.</u></p> <p><u>Planning Board to review the landscaped buffer along Perry Oliver Road.</u></p>
B.	<p>In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.</p>			NA	
<p>§ 145-39. Off-street parking.</p>		Application Meet Requirements			
		Yes	No	NA	Comments
A.	<p>Off-street parking may be provided out of doors or within a building. Off-street parking shall be considered to be an accessory use when provided to serve any permitted or nonconforming use. In the calculation of the number of parking spaces required, any fractional number of spaces shall be rounded to the next highest whole number for each use existing or proposed on the property. [Amended 4-16-1999]</p>	Y			<p>On-street parking is prohibited.</p>
B.	<p>Land may not be used and a building may not be occupied until off-street parking and/or loading facilities are provided.</p>	Y			

Town of Wells , Maine Review Checklist

Page 6 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

C. Design standards. [Amended 4-28-1995]										
(1)	All parking areas containing three or more parking spaces, except those serving one- or two-family dwellings, shall be designed according to the following criteria:							NA	The plan does not depict parking spaces. The CEO has reviewed the plan and does not require that the parking spaces for this use be designated on the site plan. Parking for this lot and associated uses shall be off-street. See note 8, Sht. 2.	
	Parking Angle (degrees)	Stall Width, feet	Skew Width, feet	Stall Depth, feet	Aisle Width, feet					
	90	9	na	18.5	26			NA		
	60	8.5	10.5	19	16 one way			NA		
	45	8.5	12.75	17.5	12 one way			NA		
	30	8.5	17	17.5	12 one way			NA		
	180	24	na	9	13 one way			NA		
(2)	Every business, commercial, institutional, public and nonprofit use shall provide a minimum of 4% of the total parking spaces for vehicles with handicapped registration plates, but in no case less than one space. Handicapped spaces shall be designed according to ANSI Standard A117.1-1986.							NA		
(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.							NA		
D.	The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection F below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists. If the reviewing authority permits the provision of less than the required number of spaces, the applicant shall show that the required number of spaces can be provided on the lot. [Amended 4-26-1996; 4-19-1997; 11-2-2010]									
	Use		Required Parking Spaces							

Town of Wells , Maine Review Checklist

Page 7 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window			NA	
	Bowling alley	3 1/4 per lane			NA	
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space			NA	
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business			NA	
	Day care	1 per 400 square feet of floor area used for child care, plus 3			NA	
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			NA	
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			NA	
	Lodging facility	1 1/10 for each sleeping room available to the traveling public			NA	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business			NA	
	Marina	1 per slip or mooring, excluding guest moorings			NA	
	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			NA	
	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			NA	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business			NA	
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			NA	

Town of Wells , Maine Review Checklist

Page 8 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

		Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			NA	
		Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			NA	
		Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			NA	
		Elementary, junior high	3 per classroom and other rooms used by students			NA	
		High school	3 per classroom and other rooms used by students, plus 1 per 5 students			NA	
		Tent and recreational vehicle parks	See § 145-50C			NA	
		Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			NA	
		Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			NA	
	(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.					The plan does not depict parking spaces. The CEO has reviewed the plan and does not require that the parking spaces for this use be designated on the site plan. Parking for this lot and associated uses shall be off-street. See Note 8, Sht. 2.
	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.					NA No loading bay is depicted on the plan.
E.	Required off-street parking in all districts shall be located on the same lot as the use it serves.			Y			
F.	Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.						

Town of Wells , Maine Review Checklist

Page 9 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

G.	Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.	Y			Parcel is not located within the Shoreland Overlay District.
H.	Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	Y			
I.	All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	Y			Areas that could be used for parking shall be on gravel.
j.	In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. [Added 4-12-2003]			NA	
§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			See Note 9, Sht. 2.
§ 145-41. Light and glare. [Amended 6-8-2010]		Application Meet Requirements			
		Yes	No	NA	Comments
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	Y			See Note 11, Sht. 2.
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:	Y			Any signs shall comply with these lighting requirements.

Town of Wells , Maine Review Checklist

Page 10 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				
--	-----	--	--	--	--	--

Town of Wells , Maine Review Checklist

Page 11 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(2)	No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				
§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]		Application Meet Requirements			
		Yes	No	NA	Comments
Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters 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. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.		Y			Best Management Practices are a standard condition of approval. These notes to be referenced on the site plan (See Findings of Fact & Decisions).

Town of Wells , Maine Review Checklist

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-43. Stormwater management. [Amended 4-27-2007]	Application Meet Requirements			
	Yes	No	NA	Comments
Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.				A waiver of this requirement was granted by the Planning Board on 6-6-16. The original site plan approval waived stormwater runoff as the site was internally drained and the wetland buffer that was provided.
Chapter 202-12F, General Standards				
(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.				
(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.				
(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.				
(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.				

Town of Wells , Maine Review Checklist

Page 13 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<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>(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>(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>[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>				

Town of Wells , Maine Review Checklist

Page 14 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-44. Vision obstructions at intersections.		Application Meet Requirements			
		Yes	No	NA	Comments
All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.		Y			Sight Distances at entrance added to Sht. 2. To be maintained.
§ 145-45. Noise.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Purpose. Excessive sound and vibrations are serious hazards to the public health, welfare, safety and quality of life. It is the policy of the Town of Wells to prevent excessive stationary sound and vibration, which may jeopardize the health, welfare or safety of its residents or degrade the quality of life. This ordinance shall apply to the control of all stationary sound and vibration originating in the Town of Wells. This ordinance is not designed to impede any person's First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of the commercial or industrial sectors of the Town of Wells. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only. [Amended 6-14-2011]	Y			
B.	Violation. It is unlawful, and a violation of the Wells Code to make, emit, continue, or cause to be made, emitted or continued, any excessive, unnecessary or unreasonable noise beyond the boundaries of a person's property in excess of the noise levels established in the Wells Code. Where multiple residences or businesses exist within the confines of a structure, the limits of one's occupancy rights shall be considered the boundary for purposes of measuring noise. [Amended 4-16-1999; 6-14-2011]	Y			
C.	Maximum noise level. The maximum permissible noise level produced by any activity (existing or future) on a lot shall not exceed the following limits: [Amended 6-14-2011]	Y			
(1)	Music, amplified or acoustic, not otherwise exempt, that is plainly audible and excessive, unnecessary or unreasonable at a point, not on the property where the music originates, but at the location where the complaint is made.				
(2)	Other noise levels, not otherwise exempt, plainly audible and excessive, unnecessary or unreasonable at the location where the complaint is made.				

Town of Wells , Maine Review Checklist

Page 15 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

D.	Exemptions. The following shall be exempt from the standards of 145-45(C): [Amended 6-14-2011]	Y			
(1)	Natural phenomena.				
(2)	Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour during daytime hours, provided that at no time shall such duration exceed fifteen (15) minutes.				
(3)	Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.				
(4)	Warning devices required by the Occupational Safety and Health Administration or other state or federal governmental safety regulations.				
(5)	Farming equipment or farming activity.				
(6)	Timber harvesting and milling during daytime hours.				
(7)	Noise from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.				
(8)	Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) operated during daytime hours as per the Ordinance or site plan approval, whichever is more restrictive.				
(9)	Emergency maintenance, construction or repair work.				
(10)	Noise created by refuse and solid waste collection during daytime hours.				
(11)	Noise created by any municipal-sponsored events, municipal beach cleaning, school sporting events, parades and Town-approved fireworks displays.				
(12)	Noises created by plows, trucks and other equipment used in the removal of snow.				
(13)	Noise from any aircraft operated in conformity with, or pursuant to, Federal law, Federal air regulations, and air traffic control instruction, including any aircraft operating under technical difficulties, any kinds of distress, or under emergency orders of air traffic control.				
(14)	Noise from trains operating in conformity with or pursuant to all applicable State and Federal laws and regulations.				
(15)	Emergency or extraordinary situations.				

Town of Wells , Maine Review Checklist

Page 16 of 18

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

		waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				
	(16)	A business may use an outside sound system to notify patrons waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				
	(17)	Noise from the operation of air conditioning or refrigeration units, which are part of the normal operation of a business or businesses located on the premises and which are necessary and normal to the operation of said business, and which air conditioning or refrigeration units are regularly serviced and kept in good repair.				
	(18)	Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.				
E.		The removal or disabling of any noise-suppression devise on any equipment is prohibited. Any noise-suppression devise on equipment shall be maintained in good working order.	Y			
F.		Enforcement. Notwithstanding § 145-63 of this chapter, this section may be enforced by any of the following methods:	Y			
	(1)	A violation of this section may be considered a land use violation and the enforcement procedures in § 145-63 may be invoked by the Code Enforcement Officer.				
	(2)	A violation of this section may be treated as a civil violation as defined by 17-A M.R.S.A. § 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. § 17 and Rule 80H of the Maine Rules of Civil Procedure.				
	(3)	A violation of this section may also be considered the creation of a loud and unreasonable noise as prohibited by 17-A M.R.S.A. § 501 (Offenses Against the Public Order: Disorderly Conduct), provided that neither the Town of Wells nor any of its employees may initiate proceedings alleging a violation of both the Town ordinance and the state statute against the same person or persons for the same incident. [Amended 4-16-1999]				

Town of Wells , Maine Review Checklist

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(4) With regard to a business with a Special Entertainment Permit issued under the authority of the Town of Wells, the municipal police and/or a Code Enforcement Officer for the Town of Wells shall have the authority to order that business to cease operation of the violation immediately upon a second visit to the premises within a two hour period, or a third visit within a 24-hour period beginning with the time of the first visit to investigate a noise complaint, when a police officer or a Code Enforcement Officer has on the previous visit(s) heard plainly audible noise in violation of this ordinance, and has reported that to the owner of the property or the person responsible for the excessive or unreasonable noise. The on-duty Municipal Police Supervisor shall accompany a police officer or Code Enforcement Officer responding to subsequent second and/or third noise complaints and shall have the authority to immediately cease operations of the violation source. The Special Entertainment may not resume within a 12 hour period thereafter. [Added 6-14-2011]				
§ 145-46. Utility distribution lines.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.			NA	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. [Amended 6-4-1996]			NA	
§ 145-47. Utility transmission lines.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.			NA	
B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.			NA	
C.	Dimensional requirements.			NA	

Town of Wells , Maine Review Checklist

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(1)	Utility transmission lines must meet setback requirements from lot lines and water bodies to the greatest extent practical by the configuration of the utility corridor in which they are located and by the constraints of topography. With the exception of the setback from lot lines, the dimensional requirements of Article V do not apply to utility transmission lines. All aboveground portions of utility transmission lines shall comply with the setback requirements of Article V and § 145-35J.				
(2)	In all zoning districts where the setback for structures is greater than 10 feet from any lot line, the setback for the underground portion of a subsurface transmission line may be reduced to 10 feet from any lot lines.				
(3)	Subsurface and aerial utility transmission lines may be placed within the setbacks from any lot line abutting a street right-of-way provided no portion of a utility transmission line is placed between ground level and a height of 20 feet above the center line of the street within said setback. [Amended 6-4-1996]				
§ 145-47.1. Public Transportation Shelter. [Added 11-6-2007]		Application Meet Requirements			
		Yes	No	NA	Comments
Public transportation shelters may be placed within the ordinarily required setbacks as set forth in Article V.				NA	
§ 145-47.2. School Bus Shelter. [Added 11-6-2007]		Application Meet Requirements			
		Yes	No	NA	
A single school bus shelter which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot following staff review for traffic safety and road maintenance impact.				NA	

Town of Wells, Maine Review Checklist
Page 1 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article VII
Performance Standards

§ 145-53. Mineral Extraction.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Prior to April 24, 1994, any mineral extraction use which is not operating under the control of an approved site plan shall:			NA	Site plan originally approved for this property after April 24, 1994.
	(1) Submit to the Code Enforcement Officer either:				
	(a) A plan prepared by a surveyor or professional engineer licensed by the State of Maine showing the boundaries of the lot, the limits of the area of the existing operation and existing topography of the subject site within 100 feet of any excavation or storage area at two-foot contours (contour information shall not be required for stored materials); or				
	(b) A file containing the following information: [1] Tax map and lot number of the lot; [2] A copy of the deed of the lot; [3] A sketch of the lot showing the approximately size and location of the mineral extraction use; and [4] A series of photographs showing the area of the mineral extraction use, its entrance(s) from the public road(s) and all working faces. The area included in each photograph shall be identified on the sketch of the lot; or				
	(2) Discontinue mineral extraction operations. [Amended 4-28-1995]				
B.	Any mineral extraction use legally operating on April 24, 1993, may:			NA	Mineral Extraction not legally operating on this parcel until site plan approval granted by the Planning Board in 2007. Portion of land purchased in 2012 did have prior mineral extraction.
	(1) Continue to operate according to an approved site plan;				

Town of Wells, Maine Review Checklist
Page 2 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-53. Mineral Extraction.		Application Meet Requirements			
		Yes	No	NA	Comments
(2)	Continue to operate and expand the use by one acre in area without an approved site plan, provided that the use has complied with the requirements of Subsection A(1)(a). Any increase in area of more than one acre may only be done according to an approved site plan. The Planning Board shall recognize the legal nonconforming status of those portions of a site on which the mineral extraction use was present and on those portions may not impose any conditions which would exceed the requirements in effect when the use was established; or				
(3)	Remove up to 500 cubic yards of material in any two-year period from the lot without having obtained an approved site plan and without paving the entrance road as required in Subsection D(3), provided that the use has complied with the requirements of Subsection A(1)(b). No more than 500 cubic yards may be removed from any lot in any two-year period unless mineral extraction is a permitted use in the district in which the lot is located and an approved site plan has been obtained for the expanded use. [Amended 4-28-1995]				
C.	Up to 100 cubic yards of material may be removed annually from a parcel of land for use on another parcel of land in the same ownership without having obtained site plan approval and without paving this entrance road as required in Subsection D(3).			NA	
D.	All mineral extraction uses shall comply with the performance standards listed below. Any legally existing mineral extraction use which does not conform to these performance standards may continue to operate but may not increase the nonconformities.	Y			This parcel must comply with these standards.

Town of Wells, Maine Review Checklist
Page 3 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-53. Mineral Extraction.		Application Meet Requirements			
		Yes	No	NA	Comments
(1)	A vegetative buffer strip at least 100 feet in width shall be maintained along all lot boundaries, including the boundaries of cemeteries located on the lot on which the mineral extraction use is located. No existing vegetation shall be removed, except that a strip not to exceed 50 feet in width may be cleared for an access road, which shall cross the buffer strip at an angle of between 75E and 90E. Natural vegetation may be removed if the buffer is landscaped according to an approved site plan. The buffer strips between two mineral extraction uses may be removed upon the written agreement of both lot owners and recording of the agreement in the Registry of Deeds and referencing the recorded agreement on their respective site plans. Additional the width of any buffer strip, except those adjacent to streets, may be reduced to not less than 25 feet if the abutting property owner(s) agree(s) to the reduction in writing and said agreement is recorded in the Registry of Deeds. For security reasons, buildings accessory to the mineral extraction use shall be allowed, with the approval of the Planning Board, in the buffer strip along their street frontage as long as they are located at least 100 feet from any site lot line and are visible from the street. [Amended 11-6-2001]	Y*			The 100' buffer strip is shown on the site plan, <u>minor revision needed.</u> Abutters 8-17, 8-18, 8-19 have agreed to reduce buffer to 25 feet per Agreement recorded at YCRD Book 17172, page 649. See sheet 2. See reference deed 5. <u>Several abutters were impacted by cutting which occurred within the required 100 foot vegetated buffer. A replanting plan is noted on the plan which includes 6 inch to 12 inch saplings. This plan could be considered for standard reclamation of a gravel pit but revegetation of the buffer violation should require larger, more mature tree plantings. The applicant originally proposed 6 foot tall trees.</u>
(2)	Any topsoil or subsoil suitable for the purposes of revegetation shall be stripped from the location of the extraction operation(s) and stockpiled for use in restoring the location after the extraction operation has ceased. Such stockpiles shall be protected from erosion using practices recommended by the York County Soil and Water Conservation District. Any topsoil in excess of that needed to restore the site may be removed from the site upon completion of the required site restoration work.	Y			See sheet 2. Best Management Practices are a condition of approval. Standard condition of approval notes (16) referenced (see Findings of Fact & Decisions). See also reclamation notes, Sht. 2.
(3)	The entrance road(s) shall be treated to minimize the generation of dust or mud. Any entrance road constructed after April 24, 1993, shall be paved a distance of at least 100 feet from the edge of the street which provides vehicular access to the operation.	Y*			The first 100 feet of the access road is paved. <u>Recommend that a dust control note be added.</u>

Town of Wells, Maine Review Checklist
Page 4 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-53. Mineral Extraction.		Application Meet Requirements			
		Yes	No	NA	Comments
(4)	No equipment, stumps, debris, junk or other material shall be permitted on the site except those directly related to the mineral extraction use. The temporary storage of loam, clay, sand, gravel or stone from off the premises shall be permitted as an accessory use to a mineral extraction use. The storage of concrete without steel or iron showing and the storage of asphalt for recycling may be allowed with Planning Board and Department of Environmental Protection approval. Any temporary structures erected for use as part of a mineral extraction use shall be removed within 60 days after the cessation of operation. [Amended 4-28-1995]	Y			The accumulated debris (e.g., stumps, slash, soils, etc.) from past clearing and earthwork activities that has been left in piles at the site shall be removed and the disturbed areas stabilized with vegetation. See notes on sheet 2. No storage of concrete or asphalt proposed. No temporary structure proposed to be erected.
(5)	The lowest point of any sand and gravel excavation shall be at least five feet above the seasonal high water table, defined as the highest point of the water table during the wettest month of the year. The operator of the operation shall, at the request of the Code Enforcement Officer, dig a test pit at least five feet deep to demonstrate compliance with this standard. Any area of an excavation site that was mined below five feet above the seasonal high water table before April 24, 1993, shall be deemed nonconforming and may not be expanded either horizontally or vertically. [Amended 4-28-1995]	Y			The 201-foot contour is being held by groundwater monitoring so elevation 206 (i.e., 5-feet above the seasonal groundwater level) is to be held as the limit of the lowest point of excavation. See notes on sheet 2.
(6)	Vehicular access to any mineral extraction site shall be limited during all inactive periods and nonworking hours by gates, fences, berms, wooded buffer areas or any other functional barriers.	Y			A gate is shown at the site entrance on the plan. This gate shall have a knock box installed.
(7)	Any mineral extraction use shall employ erosion and sedimentation control measures as necessary to protect water bodies, tributary streams and wetlands from sedimentation and adjacent lots from erosion and sedimentation. Said erosion and sedimentation control measures shall be in accordance with the practices recommended by the York County Soil and Water Conservation District.	Y			See sheet 2. Best Management Practices are a condition of approval. Standard condition of approval notes (16) referenced (see Findings of Fact & Decisions). See Reclamation Notes, Sht. 2.
(8)	The following regulations shall apply to all sites:				
	(a) No fuels, antifreeze, lubricants or hydraulic fluids shall be stored within any excavation area. They may be stored on site only if they are stored within a containment structure which would hold and prevent any of the fluid from entering the ground.	Y			See sheet 2. Note 13

Town of Wells, Maine Review Checklist
Page 5 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-53. Mineral Extraction.			Application Meet Requirements			
			Yes	No	NA	Comments
		(b) Any refilling or draining of any fluids (e.g., fuel, hydraulic fluid, brake fluid or antifreeze) or repair of equipment on an extraction site shall take place only over an impermeable surface from which any spilled fluids can be collected and removed from the site. Said surface or container shall have a capacity of at least 20 gallons.	Y			See sheet 2. Note 13
		(c) Every extraction use shall have a plan, and the ability to implement the plan, for the containment and cleanup of any fuel or fluid spill on site.	Y			See sheet 2. Note 13
	(9)	Any site, except rock and stone quarries, upon which a mineral extraction use is located shall be restored so that no grades exceed a slope of three horizontal to one vertical within two years of the cessation of any extraction at any site or at any one or more locations within a site. The sites shall be revegetated using the topsoil available on site according to the practices recommended by the York County Soil and Water Conservation District.	Y*			<u>See Sht. 2 grading with recommended additions and reclamation notes.</u>
	(10)	The Planning Board shall, as part of its review process, consider the potential noise impacts of a proposed mineral extraction use. In situations where residential development may be impacted by the mineral extraction use, the Board may require a noise study. Enlarged buffers, noise barriers, limitation on hours of operation or any other physical improvement or operational procedure that would reduce the sound-pressure levels to the standards required in ' 145-45 may be required.	Y*			<u>The mineral extraction is operated year round. The Planning Board to consider what noise considerations to be addressed due to the expanded area for extraction and crushing described in Note 17, Sht. 2.</u> The hours of operation are noted on sheet 2 to be 7am to 5:00pm Monday through Friday; 7am to noon on Saturdays; all year. No Federal Holidays or Sundays.
E.		Discontinuance of a mineral extraction use is defined as the excavation and removal from the premises of less than 500 cubic yards of material in any twenty-four month period for mineral extraction uses operating under the requirements of Subsection B(1) and (2) or the removal of less than 20 cubic yards of material in any two-year period for mineral extraction uses operating under the requirements of Subsection B(3). The owner/operator shall provide the Code Enforcement Officer receipts or other documents substantiating the cubic yardage of material which has been hauled off the premises in the previous 24 months so that he may determine if the mineral extraction use has or has not been discontinued. If a mineral extraction use has been discontinued, it may not resume operation without having obtained site plan approval and met the standards of this section.	Y			Planning Board amendment approval is being sought.

Town of Wells, Maine Review Checklist

Page 6 of 6

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16, 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-53. Mineral Extraction.		Application Meet Requirements			
		Yes	No	NA	Comments
F.	<p>A performance guaranty, the form and amount of which are acceptable to the Town Manager, shall be given to the Town before the issuance of a use permit for any mineral extraction use approved by the Planning Board. The performance bond shall be of sufficient size to rehabilitate the mineral extraction site in accordance with the restoration plan approved by the Planning Board. If a mineral extraction use is discontinued (as defined in Subsection E its approval shall expire, and the Town, after providing the owner and/or operator written notice of its intent, shall use the posted security to restore the site of the mineral extraction use in accordance with Subsections D(7) and (9).</p>	Y			<p><u>See Notes 4, 5,6 and 7 on Sht. 2.</u></p> <p>Disturbed area: 5.2 acres x \$3,500/acre= \$18,200</p> <p>Buffer Restoration area: 1.4 acres x \$4,500/acre = \$6,300</p> <p>Buffer Restoration deadline of 10-01-2016</p> <p>Gravel Pit restoration deadline of 10-01-2018</p>

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 1 of 4

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41 Date of Review: 06-01-16,0 7-08-16
 Prepared By: Office of Planning & Development Company Name: Town of Wells

Article X
Site Plan Approval

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:				W*	Site plan is at a scale of 1" = 60 feet. Planning Board approved this scale in 2007 and 2013. <u>Planning Board to consider granting a new waiver. The extraction and reclamation areas increased.</u>
(1)	The name and address of the applicant plus the name of the proposed development.	Y				Site plan prepared by Sebago Technics. Owner and applicant noted.
(2)	Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				No structural coverage proposed. The existing gravel road would count toward the lot coverage of the 22.72 acre parcel. Lot coverage is not to exceed the 20% maximum as required for the Rural District. No new coverage is proposed.
(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.				W*	The prior site plan approval was prepared and stamped by Corner Post Land Surveying, Inc. The current site plan amendment references the plan done by Dana Libby and Parker Ridge Subdivision. A revised boundary plan showing the acquired 5.19 acre parcel has not been provided. This boundary is shown on the Parker Ridge Subdivision plan. The Planning Board granted a waiver on 6/6/16. <u>See Note 16, Sht. 2.</u>
(4)	All existing and proposed setback dimensions.	Y*				The dimensional requirements of the Rural District are noted on Sht.2. <u>The 100' buffer required for the mineral extraction use on this also to be corrected near Lot 37-8-19 as recommended.</u> Also see note 16, Sht.2.
(5)	The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.			NA		The site plan does not note any lighting locations. None proposed, see Notes 9 & 11, Sht. 2.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 2 of 4

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16,0 7-08-16

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
(6)	The type, size and location of all incineration devices.			NA		No such devices exist or are proposed.
(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.	Y*				See Note 17, Sht. 2. Planning Board to consider noise impacts and location near residential lot lines. Public input at public hearing needed.
(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				Such existing features shown as applicable.
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	Y*				2 foot Contour intervals and reclamation plan requirements shown on sheet 2. See plan mark ups for recommended minor changes.
(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*				Parking spaces are not required to be depicted. See Note 8, Sht. 2.
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y				A 100' vegetated buffer shall be maintained as depicted on sheet 1 and 2, except in areas noted to be reduced.
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				See deeds provided: Book 16347, Page 462-464, and Book 14230, Page 142
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Perry Oliver Road and Minuteman Drive depicted. Speed limit of Perry Oliver Road noted to be 35 MPH. Sight distances noted at entrance, Sht. 2.
(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.		N			Correct Map and lot #'s added to Sht. 2. Abutter names to be updated on Sht. 1 (Third time marked-up for correction)
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				Planning Board signature block added to Sht. 2
B.	Documentation of right, title or interest in the proposed site.	Y				Book 16347, Page 462-464 and Book 14230, Page 142

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 3 of 4

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map 37, Lot 41

Date of Review: 06-01-16,0 7-08-16

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		No subsurface wastewater disposal system is proposed.
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.			NA		No such storage proposed or permitted.
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.			NA		Parcel is not served by public sewer.
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.			NA		Parcel is not served by public water.
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:				W*	The Planning Board to determine what traffic considerations the proposed year round mineral extraction use to comply with. <u>The Planning Board to consider Note 13 which limits the site to 40 truck trips per day and Operation hours included in Note 4</u>
(1)	The estimated peak-hour traffic to be generated by the proposal.					
(2)	Existing traffic counts and volumes on surrounding roads.					
(3)	Traffic accident data covering a recent three-year period.					
(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					

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

Project Name/District: Granite Ridge Gravel - Amd #2/ Rural District - Tax Map
37, Lot 41

Date of Review: 06-01-16,0 7-08-16

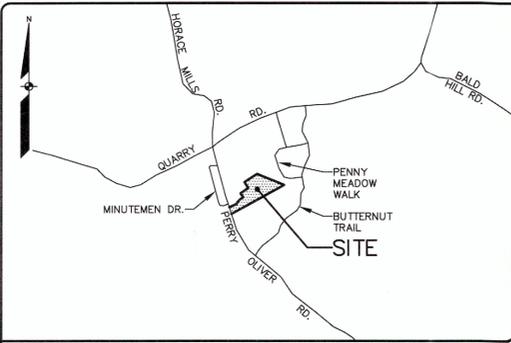
Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
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				Best Management Practices are a standard condition of approval. See note 15 on sheet 2. Also see Reclamation Note 2, Sht. 2.
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]				W*	A waiver of providing a stormwater management approved by the Planning Board on 6/6/16. This waiver was previously granted for the 2007 and 2013 site plan approval as the site is internally drained.
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]					

Notes:

1. See Article VI and VII review comments.



LOCATION MAP N.T.S.

REFERENCE DEEDS

- GARY K. CROCKER AND CAROL M. CROCKER TO PEPIN WELLS, LLC AND STONEWOOD ENTERPRISES, LLC; DATED 9-16-04; RECORDED YCRD IN BOOK 14230, PAGE 142.
- STONEWOOD ENTERPRISES, LLC AND PEPIN WELLS, LLC TO SCOTT GORDON PERRY AND TERESA M. PERRY; DATED 3-4-05; RECORDED YCRD IN BOOK 14393, PAGE 152.
- PARKER DEVELOPMENT, LLC TO STONEWOOD ENTERPRISES, LLC AND PEPIN WELLS, LLC; DATED 6-14-12; RECORDED YCRD IN BOOK 16347, PAGE 462.
- AGREEMENT BETWEEN PEPIN WELLS, LLC; STONEWOOD ENTERPRISES, LLC; PARKER DEVELOPMENT, LLC, AND KAREN BASTON; DATED 5-23-12; RECORDED YCRD IN BOOL 16332, PAGE 30.
- AGREEMENT BETWEEN PEPIN WELLS, LLC; STONEWOOD ENTERPRISES, LLC; DAVID R. FLETCHER & LISA A. FLETCHER; JOSEPH C. CONNOR & CAREY L. CONNER; AND TODD E. BAYHA; DATED 1-5-16 RECORDED YCRD IN BOOK 17172, PAGE 649.

GENERAL NOTES

- THE PURPOSE OF THIS PLAN IS TO AMEND THE PREVIOUSLY APPROVE MINERAL EXTRACTION USE AS FOLLOWS:
 - REVEGETATION OF DISTURBANCE INTO THE 100 FOOT BUFFER;
 - REVISION TO A 25 FOOT BUFFER ALONG LOTS 8-17, 8-18 AND 8-19 PER AGREEMENTS WITH THE LOT OWNERS. SEE REFERENCE DEED #5;
 - EXPANSION OF THE AREA TO BE EXCAVATED INTO LAND ACQUIRED IN REFERENCE DEED #3.
- PROPERTY INFORMATION:

TAX MAP 37, LOT 41
 TOTAL LAND AREA = 22.72 ACRES
 EXISTING USE: MINERAL EXTRACTION
 PROPOSED USE: MINERAL EXTRACTION
 OWNER: PEPIN WELLS, LLC AND STONEWOOD ENTERPRISES, LLC
 APPLICANT: PEPIN WELLS, LLC

TOPOGRAPHY BASED ON NAVD 1988, REF. PLAN #3 AND FIELD LOCATION. BOUNDARY LINES DEPICTED PER REF. PLAN #1 AND 3. PROPERTY CORNER AND LINE MONUMENTATION DEPICTED ON REF. PLAN #1 AND 3.
- ZONING DIMENSIONAL REQUIREMENTS FOR RURAL DISTRICT:

MIN. LOT SIZE 100,000 SF OF NET AREA (22.72 ACRES EXIST)

MAX. DENSITY 100,000 SF OF NET AREA (NO DWELLINGS EXIST/PROPOSED)

MIN. STREET FRONTAGE 200 FEET (215.25 FEET PROVIDED)

MIN. STREET SETBACK 25 FEET

MIN. LOT LINE SETBACK 25 FEET

MAX. LOT COVERAGE 20%

MAX. BUILDING HEIGHT 40 FEET, NOT TO EXCEED 3 STORIES

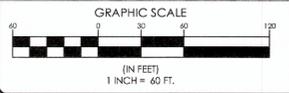
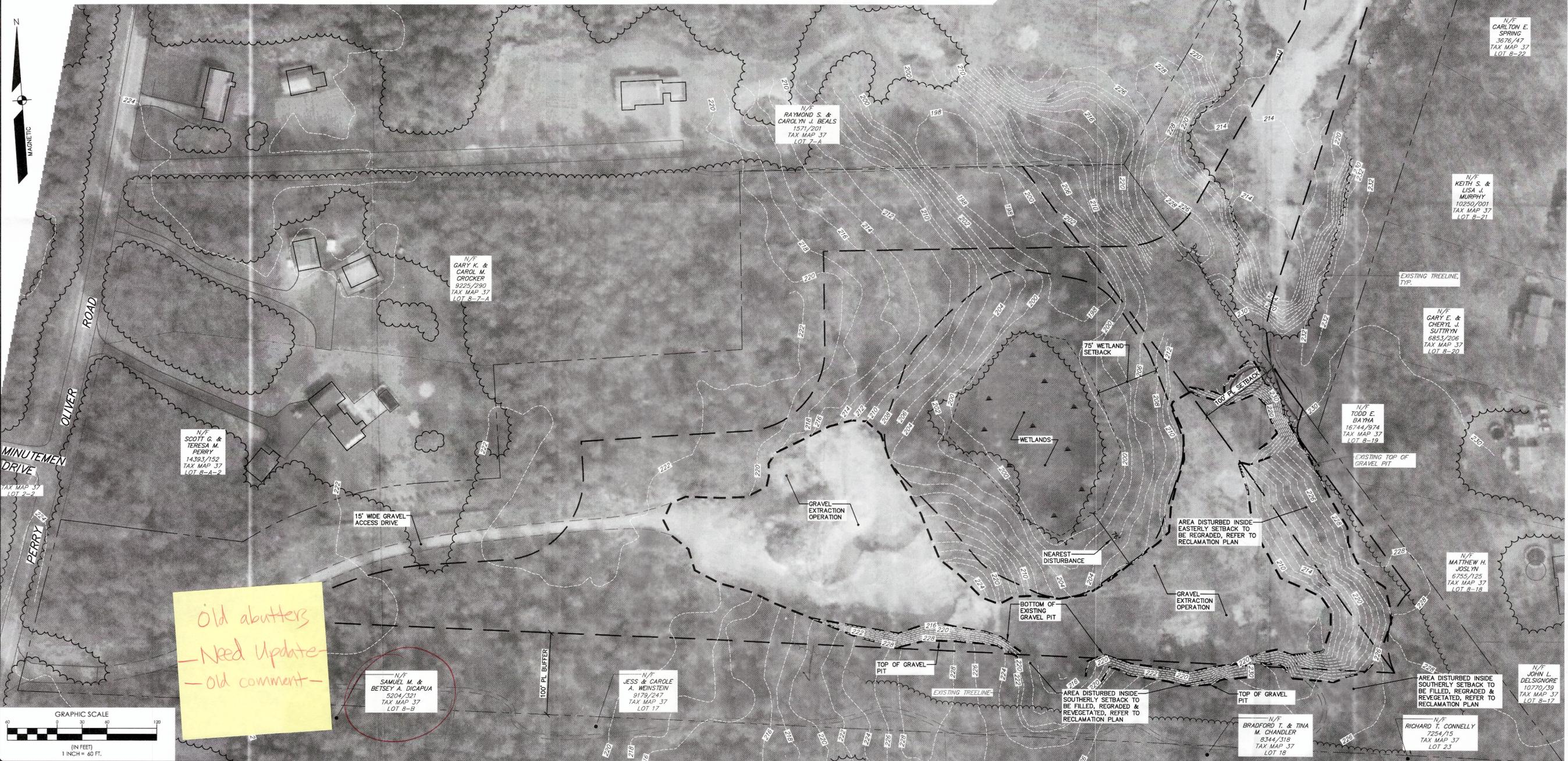
PROPERTY NOT SERVED BY PUBLIC SEWER (WSD) OR PUBLIC WATER (KRWMD).
- PERFORMANCE STANDARDS OF §145-53, MINERAL EXTRACTION:
 - MIN. NATURAL VEGETATED BUFFER STRIP OF 100 FEET
 - MIN. NATURAL VEGETATED BUFFER STRIP WITH REDUCTION AGREED UPON WITH ABUTTERS OF LOTS 8-17, 8-18 AND 8-19 OF MAP 37 TO 25 FEET.
 - BUFFER ELIMINATION ALLOWED BETWEEN PERMITTED MINERAL EXTRACTION USES WITH WRITTEN AGREEMENTS AND APPROVED SITE PLANS.
 - TOPSOIL TO BE RETAINED FOR RECLAMATION VEGETATION.
 - NO DUST OR MUD TO BE TRACKED ONTO ROADWAYS. ENTRANCE TREATMENT, SWEEPING AND WATERING MAY BE REQUIRED.
 - THE LOWEST ELEVATION OF THE EXCAVATED AREA SHALL BE 206, GREATER THAN 5 FEET ABOVE THE SEASONAL HIGH WATER TABLE.
 - OPERATIONAL HOURS LIMITED TO 7:00 AM TO 5:00 PM MONDAY THROUGH FRIDAY; 7 AM TO NOON ON SATURDAY, AND NO FEDERAL HOLIDAYS OR SUNDAYS.
 - RESTORATION TO OCCUR PER SITE PLAN AND NOTES.
 - A PERFORMANCE GUARANTEE SHALL BE ESTABLISHED WITH THE TOWN OF WELLS AS CASH ESCROW OR BANK LETTER OF CREDIT AT \$3,500.00 PER ACRE OF DISTURBED AREA AND \$4,500.00/ ACRE FOR PLANTINGS TO RESTORE THE 100 FOOT WIDE BUFFER WHERE DISTURBED.
- THE TOTAL AREA OF PROPOSED MINERAL EXTRACTION IS APPROXIMATELY 5.2 ACRES, WITH 1.4 ACRES OF BUFFER AREA TO BE REVEGETATED.
- BUFFER RESTORATION TO BE COMPLETED NO LATER THAN OCTOBER 1, 2016.
- MINERAL EXTRACTION AND RECLAMATION TO BE COMPLETED NO LATER THAN OCTOBER 1, 2018.
- NO DESIGNATED PARKING REQUIRED. ALL PARKING TO BE ON-SITE.
- IF SIGNAGE IS INSTALLED; IT SHALL BE IN COMPLIANCE WITH THE LAND USE ORDINANCE. PRIOR TO INSTALLATION IT SHALL OBTAIN A PERMIT.
- ALL REFUSE GENERATED ON THE PROPERTY SHALL BE DISPOSED OF BY THE PROPERTY OWNER IN A TIMELY MANNER. NO DUMPSTER IS PROPOSED.
- ALL EXTERIOR LIGHTING SHALL BE DIRECTIONAL AND NOT PRODUCE GLARE ONTO ABUTTING LIGHTS OR STREETS.
- NO PAVEMENT RECYCLING IS PERMITTED. TEMPORARY STUMP GRINDING IS ALLOWED FOR THE PRODUCTION OF MULCH FOR THIS PROPERTY'S RECLAMATION PURPOSES.
- THERE SHALL BE NO MORE THAN 40 TRUCK TRIPS PER DAY.
- ALL FUELS SHALL BE CONTAINED AND STORED IN COMPLIANCE WITH NFPA STANDARDS.
- SOIL EROSION AND SEDIMENTATION CONTROL. BEST MANAGEMENT PRACTICES ARE A CONDITION OF APPROVAL. SEE FINDINGS OF FACT & DECISIONS ASSOCIATED WITH THIS SITE PLAN APPROVAL FOR ALL CONDITIONS OF APPROVAL.
- ALL BUFFER LIMITS: 100 FOOT, 25 FOOT AND 75 FOOT, SHALL BE MARKED BY A PROFESSIONAL LAND SURVEYOR AND WRITTEN CERTIFICATION PROVIDED TO THE CODE ENFORCEMENT OFFICE PRIOR TO CONTINUED EXCAVATION OR RECLAMATION. LIMITS TO BE MAINTAINED AT ALL TIMES.
- R. PEPIN AND SONS, INC. WILL BE OPERATING A PEGSON LAW TYPE CRUSHING UNIT ONSITE FOR THE PROCESSING OF GRAVEL MATERIALS ON A LIMITED BASIS. OPERATIONS SHALL BE RESTRICTED FROM 9:00 A.M. - 5:00 P.M. (MONDAY - FRIDAY) AND NOT ON ANY FEDERAL HOLIDAYS. NO OTHER CRUSHING OR SCREENING EQUIPMENT SHALL BE PERMITTED FOR USE ON THE SITE.

REFERENCE PLANS

- PARKER RIDGE SUBDIVISION; DATED 5-5-2012, BY LOWER VILLAGE SURVEY CO.; RECORDED AT THE YCRD IN PLAN BOOK 355, PAGE 16.
- GRAVEL PIT RECLAMATION PLAN; DATED 2-17-2011; BY PAUL P. GADBOIS; ON FILE WITH THE TOWN OF WELLS; SHEETS 1, 2, AND 3.
- SITE PLAN; DATED 5-2-2007, BY DANA D. LUBBY, CORNER POST LAND SURVEYING; ON FILE WITH THE TOWN OF WELLS; SHEETS S1 AND S2.
- SITE PLAN AMENDMENT #1; DATED OCTOBER 2013; ON FILE WITH THE TOWN OF WELLS; SHEETS S1 AND S2.

LEGEND

EXISTING	DESCRIPTION
---	PROPERTY LINE/R.O.W.
---	ABUTTER LINE/R.O.W.
---	SETBACK
---	BUILDING
---	EDGE WETLAND
---	WETLANDS
---	EDGE PAVEMENT
---	EDGE GRAVEL
---	CONTOURS



PROGRESS PRINT

NOT FOR CONSTRUCTION

DESIGNED	CHECKED
CAB	CAB
D	CAB 06-20-16 REVISED PER TOWN COMMENTS
C	CAB 06-10-16 REVISED PER TOWN COMMENTS
B	CAB 05-13-16 REVISED PER TOWN COMMENTS
A	CAB 04-14-16 ISSUED FOR PRELIMINARY REVIEW
REV:	DATE: STATUS:

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SEBAGO TECHNICS, INC. ANY ALTERATIONS AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SEBAGO TECHNICS, INC.

SEBAGO
TECHNICS

75 John Richards Rd.
South Portland, ME 04106
Tel. 207-200-2100

250 Sedge Rd.
Lewiston, ME 04240
Tel. 207-783-5656

WWW.SEBAGOTECHNICS.COM

AS-BUILT GRAVEL PIT PLAN

PROJECT NO. 16148 SCALE 1"=60'

OF: GRANITE RIDGE
PERRY OLIVER ROAD
WELLS, MAINE

FOR: PEPIN WELLS, LLC
P.O. BOX 1167
SANFORD, MAINE 04073

161485.dwg, TAG SITE

SHEET 1 OF 2



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

Major Preliminary Subdivision Application Memo

Date: July 8, 2016

To: Planning Board

From: Planning Office

Re: Meetinghouse Road Subdivision - Map 77, Lot 22

Project Description:

Rick Licht of Licht Environmental Design, LLC has submitted a Preliminary Subdivision Application on behalf of the property owner, Richard Moody & Sons Construction Co, LLC for a 13 lot/dwelling unit major residential cluster development subdivision off of 1321 Meetinghouse Road, one 5.8 'out parcel' was conveyed within the last 5 years (not part of the subdivision). The subdivision proposed a 50' wide private right of way with 22.5 acres of dedicated Open Space. The subdivision is located within the Rural District and is identified as Tax Map 77, Lot 22. Lots to be served by private septic systems and drilled wells.

§ 202-8. Preliminary plan for major subdivision.

A. Procedure.

- (1) Within six months after the on-site inspection by the Board, the subdivider shall submit an application for approval of a preliminary 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 preliminary plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Board. **[Amended 7-11-1996] To be determined**
- (2) All applications for preliminary plan approval for a major subdivision shall be accompanied by an application fee in the amount established by the Board of Selectmen following notice and a public hearing. In addition, the applicant shall pay a fee of \$25 per lot or dwelling unit, to be deposited in a special account designated for that subdivision application, to be used by the Planning 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 \$10 per lot or dwelling unit be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$10 per lot or dwelling unit 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 final decision on the subdivision application by the Board shall be returned to the applicant. **[Amended 5-16-1996;**

7-9-2002; 4-16-2004] To be determined

- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the preliminary plan. **To be determined**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **To be determined**
- (5) Within 20 days of the Board meeting at which the application is received, the Board shall notify by certified mail all owners of abutting property and the Town Clerk and Planning Board of any municipality that abuts or includes any portion of the proposed subdivision that an application for subdivision approval has been submitted. The notice shall include the location of the proposed subdivision and a general description of the proposed development. The notice shall be mailed no less than seven days prior to the Board commencing review of the plan. [**Amended 7-9-2002] To be determined**
- (6) If the subdivision is located in more than one municipality, the Board shall have a joint meeting with the Planning Board of the adjacent municipality to discuss the plan. **To be determined**
- (7) Within 30 days of receipt of a preliminary plan application form and fee, the Board shall notify the applicant in writing whether or not the application is complete and what, if any, additional submissions are required for a complete application. **To be determined**
- (8) Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. Within 30 days of determining a complete application has been submitted, the Board shall hold a public hearing on the preliminary plan application 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. A copy of the notice shall be mailed to the applicant and the owners of abutting property. **To be determined**
- (9) The Board shall, 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, make findings of fact on the application and approve, approve with conditions or deny the preliminary plan. The Board shall specify in writing its findings of fact and reasons for any conditions or denial. **To be determined**
- (10) When granting approval to a preliminary plan, the Board shall state the conditions of such approval, if any, with respect to: **To be determined**
 - (a) The specific changes which it will required in the final plan;
 - (b) The character and extent of the required improvements for which waivers may have been requested and which in the Board's opinion may be waived without jeopardy to the public health, safety and general welfare; and
 - (c) The amount of all performance guaranties which it will require as prerequisite to the approval of the final plan.
- (11) Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received. **To be determined**

B. Submissions.

- (1) Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:

- (a) Existing subdivisions adjacent to the proposed subdivision.
 - (b) Locations and names of existing and proposed streets.
 - (c) Boundaries and designations of zoning districts.
 - (d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.
- (2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: **To be determined**

Recommendations and conclusions:

1. The Planning Board to consider the following:
 - a. Receive the Preliminary Subdivision Application
 - b. Various plan changes and information to be addressed on the subdivision plan:
 - i. Parcel size excluding outsale lot
 - ii. Cluster lot sizes to be noted
 - iii. Cluster density calculation to be amended
 - iv. Cluster setback labels and notes
 - v. Outsale lot to be labelled "Not part of the subdivision"
 - vi. Require sprinkler systems for all homes
 - vii. Flood zone per FIRM
 - viii. Wetland delineation done by?
 - c. Planning Board to consider approving the lots to reduce:
 1. Setbacks per 145-49
 2. Street frontage per 145-49
 - d. Planning Board to consider what no-cut buffer or screening requirement shall apply to all the non-clustered residential abutting lots and if the septic systems for lots 1, 2, and 3 are permitted within the buffer
 - e. HOA document revisions and edits recommended by the Town Engineer. Planning Board to consider requiring Town Attorney review upon the submission of the final subdivision application.
 - f. Applicant to submit a road name request form to the Town Assessing Office / E911 Coordinator
 - g. Applicant to obtain proposed map and lot numbers approval from the Assessor Office.
 - h. A letter from IF&W not provided

- i. Planning Board to consider a waiver of identifying trees greater than 24" in diameter at breast height.
 - j. Additional test pits/ reserve areas needed (lot 1)
- 2. Planning Board to consider continuing the workshop or appoint the Town Engineer as the completeness agent to set a public hearing once deemed complete.

Town of Wells , Maine Review Checklist
Page 1 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

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

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
	(1) Animal husbandry.			NA	
	(2) Agriculture.			NA	
	(3) Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
	(4) Dwelling, one-family. (See also § 145-55)	Y			13 single family dwelling units/lots are proposed
	(5) Dwelling, two-family.			NA	
	(6) Dwelling, multifamily. (See also § 145-48)			NA	
	(7) Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015^[1]			NA	
	(8) Livestock, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
	(9) Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl . [Added 6-9-2015]			NA	
	(10) Poultry, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
	(11) Recreation, passive.			NA	
	(12) Timber harvesting.			NA	

Town of Wells , Maine Review Checklist
Page 2 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Bed and breakfast/small inn (See also § 145-52)			NA	
(2)	Cemetery larger than 20,000 square feet in area.			NA	
(3)	Church.			NA	
(4)	Club.			NA	
(5)	Congregate care facility, in areas served by public water and sewer. [Added 6-8-2010]			NA	
(6)	Day-care home.			NA	
(7)	Day-care center/ nursery school.			NA	
(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. [Added 4-14-2000; amended 11-5-2002]			NA	
(9)	Kennel.			NA	
(10)	Mineral extraction. (See also § 145-53)			NA	
(11)	Municipal facility.			NA	
(12)	Museum having a gross floor area less than 5,000 square feet.			NA	
(13)	Neighborhood convenience store.			NA	
(14)	Public utility facility.			NA	
(15)	Recreation, active.			NA	
(16)	Recreation, low-intensity commercial.			NA	
(17)	Restaurant (standard) containing fewer than 75 seats.			NA	
(18)	Sawmill.			NA	

Town of Wells , Maine Review Checklist
Page 3 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
(19)	School, public and private.				NA	
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. [Added 4-18-1995]				NA	
(21)	Tent and recreational vehicle park.				NA	
(22)	Transmission tower, radio.				NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.		Y			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.				NA	No nonconforming uses exist or are proposed.
F.	Dimensional requirements.					
(1)	Minimum lot size:					
	(a)	One hundred thousand square feet of net area.	Y*			<p><u>Parcel lot size note noted correctly (see note 2 on sheet S1.1). Must account for the outsale lot (not part of the subdivision).</u></p> <p><u>Site Data Table notes the area to be 40 acres? (Town Assessor has the parcel size as 45.16 acres. The 'outparcel' described to have been 'broken off' into a separate 5.77 acre parcel. 45.16- 5.77 = 39.39 acres of remaining land.)</u> Parcel size exceeds 100,000 SF of net area.</p> <p>See 145-49 checklist for minimum lot size requirements of proposed residential cluster lots. See Site Data Table on sheet S1.1 notes 20,000 SF minimum lot size required. <u>Cluster lot areas not noted.</u></p>

Town of Wells , Maine Review Checklist
Page 4 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			NA	Parcel not served by public sewer. See note 14.
(2)	Maximum density: [Amended 4-28-1995]					
	(a)	One dwelling unit for each 100,000 square feet of net area.	Y*			See Site Data Table on Sheet S1.1. 40 acres = 17 conventional lots. 40 acres less 15% road deduction (6 acres) = 34 acres or 14 lots. Not 15 as noted in the table. 13 lots/dwellings are proposed.
	(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.			NA	Parcel not served by public sewer.
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-12-2003; 6-13-2006] <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No cottage units exist or are permitted on this parcel.
(3)	Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.		Y			The parcel has over 200 feet of street frontage along Meetinghouse Road. Per 145-49 all residential cluster lots are permitted to have a minimum street frontage requirement of 50'. See Site Data Table on Sheet S1.1.

Town of Wells , Maine Review Checklist
Page 5 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
(4)	Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.	Y*			See Site Data Table on Sheet S1.1. <u>Table to refer to 145-49. Lots smaller than 40,000 SF in area are permitted to have lot coverage increased to 40% by the Planning Board.</u>
(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)	Y			See Site Data Table on Sheet S1.1.
(6)	Setbacks.				See Site Data Table on Sheet S1.1. <u>Per 145-49 setback reductions are permitted by the Planning Board.</u>
(a)	All structures shall be at least:				
[1]	Twenty-five feet from any lot line.	Y			Per 145-49 a 15' lot line setback is permitted Non-clustered residential abutters require a 50' lot line setback
[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			Per 145-49 a 20' lot line setback is permitted from the road within the development. A 25' lot line setback from Meetinghouse Road is required.
[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			NA	Parcel does not abut a state highway.
[4]	Twenty-five feet from the boundary of any cemetery.			NA	Parcel does not abut a known cemetery
(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.			NA	Parcel does not abut such rivers or brooks.

Town of Wells , Maine Review Checklist
Page 6 of 6

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

Town of Wells , Maine Review Checklist
Page 1 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article VII
Performance Standards

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]		Application Meet Requirements			
		Yes	No	NA	Comments
The purpose of this section is to allow, by Planning Board approval, the clustering of one- and two-family dwelling units. Clustering shall provide a more efficient use of land resulting in the preservation of natural land forms, wetlands, wildlife and waterfowl habitats, significant vegetation and agricultural lands, other natural resources, and historic sites. Notwithstanding other provisions of this chapter, the Planning Board may modify the dimensional requirements of this chapter as specified in this section to permit the clustering of one- and two-family homes. Such modifications shall not be construed as the granting of a variance to relieve hardship.					
A.	Permitted locations. Residential cluster development shall be permitted in all zoning districts where residential development is allowed. All areas of a cluster subdivision located within the Aquifer Protection District or the Shoreland Overlay District shall be dedicated as undeveloped open space.	Y			The subdivision is located within the Rural District.
B.	Density. The maximum density of dwelling units permitted shall be the same as permitted in the district(s) in which the cluster development is located, unless density bonuses are granted in accordance with § 145-49D. To determine maximum density the following steps shall be taken:	Y			Boundary Survey of the parcel prepared by Debrah L. Briggs, PLS #2374 of Lower Village Survey Co. dated 6-4-2015. <u>Town Assessor has the parcel size as 45.16 acres. The 'outparcel' described to have been 'broken off' into a separate 5.77 acre parcel. 45.16- 5.77 = 39.39 acres of remaining land. Site Data Table on Sheet S1.1 notes 40 acres. Accurate acreage required to be noted.</u>
(1)	In order to determine the maximum number of dwelling units permitted on a tract of land the net residential acreage shall be determined by calculating net area and subtracting 15% of the area of the lot to account for roads and parking.	Y*			See the Site Data Table on sheet S1.1. <u>40 acres(?) x .15 = 6 acres. 34 acres permits a max. density of 14 dwelling units/lots.</u> 13 lots/dwellings are proposed.
(2)	A cluster development layout shall be submitted indicating a minimum of 35% open space and significant natural features.	Y*			<u>40 acres(?) x .35 = 14 acres Open Space required.</u> 22.5 acres of Open Space are proposed (56%).
C.	Dimensional requirements.				

Town of Wells , Maine Review Checklist
Page 2 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]		Application Meet Requirements											
		Yes	No	NA	Comments								
(1)	<p>The minimum lot sizes may be reduced to 20,000 square feet in any district where clustering is allowed, if not serviced by public sewer, or may be reduced to the following if on public sewer:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th colspan="2" style="text-align: center;">Served by Public Sewer</th> </tr> <tr> <th style="text-align: left;">Type of Dwelling</th> <th style="text-align: left;">RA, GB and RC Districts (square feet)</th> </tr> </thead> <tbody> <tr> <td>One-family Dwelling</td> <td>10,000</td> </tr> <tr> <td>Two-family Dwelling</td> <td>15,000</td> </tr> </tbody> </table>	Served by Public Sewer		Type of Dwelling	RA, GB and RC Districts (square feet)	One-family Dwelling	10,000	Two-family Dwelling	15,000	Y*			<p>All lots may be reduced to 20,000 SF and are not served by public sewer. Subdivision is located within the Rural District. <u>Lot areas to be added to sheet S1.1.</u></p>
Served by Public Sewer													
Type of Dwelling	RA, GB and RC Districts (square feet)												
One-family Dwelling	10,000												
Two-family Dwelling	15,000												
(2)	<p>The required setbacks from lot lines and from street rights-of-way within the cluster development may be reduced, but no structure shall be located within 15 feet of any lot line or within 20 feet of any street right-of-way within the cluster development.</p>	Y*			<p>See Site Data Table on Sheet S1.1.</p> <p><u>Lots have a 25' setback from Meetinghouse Road (not 40') and a 20' setback from the lot line abutting the road (to be named) within the subdivision.</u></p> <p><u>The Planning Board to consider approving this reduction in setbacks.</u></p>								
(3)	<p>The required street frontage may be reduced to no less than 50 feet.</p>	Y			<p>See Site Data Table on Sheet S1.1 as well as curve and line data tables. Proposed lots appear to have 79' or more of street frontage.</p> <p><u>The Planning Board to consider approving this reduction in street frontage.</u></p>								
(4)	<p>When a lot in a cluster subdivision abuts a nonclustered residential lot, the setback in the cluster subdivision lot shall be twice the required setback along the adjoining lot line. The Planning Board may require additional screening or restrict the removal of vegetation within the setback to provide a buffer between higher and lower density development.</p>	Y*			<p>25' x 2= 50 foot setback/buffer for all non-clustered residential abutters. This 50' setback is labelled on sheet S1.1.</p> <p><u>The Planning Board to determine what no-cut buffer or screening requirements shall apply for nonclustered residential abutters.</u></p> <p><u>Septic systems for proposed lots 1, 2, and 3 are proposed within the 50' buffer.</u></p>								

Town of Wells , Maine Review Checklist
Page 3 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-49. Residential Cluster Development. [Amended 11-7-2006]		Application Meet Requirements			
		Yes	No	NA	Comments
(5)	The maximum lot coverage of 20% in the Rural District may be allowed by the Planning Board to be increased to 40% on lots smaller than 40,000 square feet in area.				See Site Data Table on Sheet S1.1. <u>Table to refer to 145-49. Lots smaller than 40,000 SF in area are permitted to have lot coverage increased to 40% by the Planning Board. All lots appear to be over 40,000 SF however.</u>
D.	Innovative open space bonus. At least 35% of the total parcel acreage in a cluster subdivision must be designated as open space and protected as such in perpetuity. At the discretion of the Planning Board the applicant may earn density bonuses in addition to the maximum density permitted in § 145-49B. The applicant may seek application of more than one density bonus as set forth below, and the total density bonus earned shall be cumulative. However, in no case shall the total density bonus allow the overall subdivision density to exceed the maximum density allowed in § 145-49B above by more than 25% in the rural areas and 50% in the growth areas as set forth in the Comprehensive Plan. Bonuses shall be allotted in whole lot increments only and shall not be rounded up. Density calculations, including all awarded open space bonuses, shall be shown on the subdivision plan.			NA	"No 'Innovative Open Space Bonus' Allotments (IAW 145-49D) are requested.
(1)	An open space cluster plan that provides at least 50% of the total parcel acreage as open space, protected as such in perpetuity, may be awarded a density bonus of 10%. The purposes for which proposed open space areas will be used shall be fully documented by the applicant.				
(2)	An open space cluster plan that protects agriculturally valuable lands and provides for their use as such in perpetuity may be awarded a 5% density bonus. The open space land preserved for agricultural use must consist of at least 3.5 acres, and be land that has been historically farmed, or contain good soils for farming, and be reasonably accessible to receive a bonus. The instrument designating the land as agriculture use, acceptable to the Planning Board, may reasonably restrict the type or intensity of farming to occur to prevent nuisances. This provision only requires that permission be reasonably available so that validity of the bonus is not affected if agricultural uses are not pursued at any particular time.				

Town of Wells , Maine Review Checklist
Page 4 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

Town of Wells , Maine Review Checklist
Page 5 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

Town of Wells , Maine Review Checklist
Page 6 of 7

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

Date of Review: 07-08-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

Town of Wells , Maine Review Checklist

Page 7 of 7

Project Name/District:	<u>Meetinghouse Road Subdivision - Rural District - Tax Map 77, Lot 22</u>	Date of Review:	<u>07-08-16</u>
Prepared By:	<u>Office of Planning & Development</u>	Company Name:	<u>Town of Wells</u>

Town of Wells, Maine
Preliminary Major Subdivision Plan Completeness Review
Page 1 of 4

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22
 Prepared By: Planning Office
 Plans Dated: 06/24/16

District: Rural
 Review Date: 07/08/16
 Prelim. Plan Revisions Submittal Date: 6/28/16

Chapter 202
Subdivision of Land

§ 202- 8. Preliminary Plan for Major Subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions:					
	(1) Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:	Y				See cover sheet.
	(a) Existing subdivisions adjacent to the proposed subdivision.			NA		None
	(b) Locations and names of existing and proposed streets.	Y*				Meetinghouse Road labelled. Proposed Road name not labelled on the plan. Town Assessor to review road name once provided by the applicant.
	(c) Boundaries and designations of zoning districts.	Y				The subdivision is located within the Rural District. See Sheet S1.1, Note 1.
	(d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.	Y*				Outsale lot noted. Reference to be added and label stating "Not Part of Subdivision" is recommended on sheet S1.1.
	(2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: [Amended 4-12-1999]	Y				Plan scale is 1" = 100 feet on sheet S1.1. Scale is 1" = 40 feet for C3.1 & C3.2

Town of Wells, Maine
Preliminary Major Subdivision Plan Completeness Review
Page 2 of 4

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22
 Prepared By: Planning Office
 Plans Dated: 06/24/16

District: Rural
 Review Date: 07/08/16
 Prelim. Plan Revisions Submittal Date: 6/28/16

§ 202- 8. Preliminary Plan for Major Subdivision	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(a) The proposed name of the subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	Y*				Subdivision name and Map and Lot noted. <u>Proposed Map and Lot numbers to be assigned by the Town Assessor and labelled on the plan. (Map 77, Lot 22-1, 22-2, 22-3 etc)</u>
(b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y*				Boundary Survey of the parcel prepared by Debrah L. Briggs, PLS #2374 of Lower Village Survey Co. dated 6-4-2015. Sheet S1.1: lot lines depicted, <u>proposed lot areas not noted, total land area not correct (must exclude outsale lot), proposed monuments not depicted.</u>
(c) A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	Y				Deeds provided, no existing restrictions.
(d) A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.	Y*				Draft HOA documents provided. <u>Revisions are needed, not complete.</u>
(e) Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.	Y				2 foot contours are provided, NAVD 1988.
(f) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan.		N		<u>W</u>	Existing and proposed lot lines depicted. Wetlands depicted. <u>Total land area not correct.</u> <u>A waiver of identifying trees greater than 24" inches at breast height to be considered by the Planning Board.</u>
(g) 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 letter from the Wells Sanitary District indicating that there is adequate capacity within the district's system to transport and treat the sewage shall be submitted.			NA		

Town of Wells, Maine
Preliminary Major Subdivision Plan Completeness Review
Page 3 of 4

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22
 Prepared By: Planning Office
 Plans Dated: 06/24/16

District: Rural
 Review Date: 07/08/16
 Prelim. Plan Revisions Submittal Date: 6/28/16

§ 202- 8. Preliminary Plan for Major Subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	[2] When sewage disposal is to be accomplished by subsurface sewage 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*				Private septic systems proposed. See sheet S1.1, notes 14 and 16. Test pit logs provided and septic boxes shown on sheet S1.1. <u>Reserve areas required or boxes to be relocated.</u> <u>Lot 1 appears to require additional test pits and reserve area.</u>
	(h) Indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by public water supply, a letter from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that there is adequate supply and pressure for the subdivision.	Y*				Private wells are proposed. See Sheet S1.1 notes 14 and 15. <u>A note stating all homes shall have residential sprinkler systems is recommended to be added on sheet S1.1.</u> Sprinkler systems noted to be required on Sheet C1.0.
	(i) The date the plan was prepared, North point (identified as true or magnetic), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y				Grid North, Sheet S1.1, note 3. Record owner/applicant noted.
	(j) The names and addresses of owners of record of adjacent property, including any property directly across an existing public street from the subdivision.	Y				See sheet S1.1.
	(k) The location of any zoning boundaries affecting the subdivision.	Y				Rural District noted, Sheet S1.1 note 1.
	(l) The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y				See sheets C2.0, C3.1, C3.2 and C4.0.
	(m) The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.	Y				<u>Proposed street name pending.</u>
	(n) The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		None proposed.
	(o) The proposed lot lines with approximate dimensions and lot areas.	Y*				<u>Proposed lot areas not noted.</u>
	(p) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.			NA		No such dedication proposed.

Town of Wells, Maine
Preliminary Major Subdivision Plan Completeness Review
Page 4 of 4

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22
 Prepared By: Planning Office
 Plans Dated: 06/24/16

District: Rural
 Review Date: 07/08/16
 Prelim. Plan Revisions Submittal Date: 6/28/16

§ 202- 8. Preliminary Plan for Major Subdivision	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(q) The location of any open space to be preserved and an indication of its improvement and management.	Y*				Open space depicted, 22.5 acres or 56% Open space proposed. <u>Ownership/management by HOA to be noted on sheet S1.1.</u>
(r) A copy of that portion of the county soil survey covering the subdivision. When the medium-intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a report by a registered soil scientist indicating the suitability of soil conditions for those uses.	Y				Provided.
(s) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year-flood elevation shall be delineated on the plan.			NA		<u>Plan must note no Flood Zones per FEMA Rate Map _____.</u>
(t) 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:			NA		
[1] Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by the Maine Geological Survey, 1985, Map Nos. 2 and 4; or					Not in a gravel aquifer.
[2] The subdivision has an average density of less than 100,000 square feet per dwelling unit.					Average Density greater than 100,000 SF per dwelling.
(u) The location of any wetlands, streams, rivers, brooks or ponds located within or adjacent (within 75 feet) to the proposed subdivision.	Y*				Wetlands delineated. <u>Wetland Delineation done by? To be noted on sheet S1.1.</u>
(v) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.	Y*				Vernal pools noted on Sheet C1.0. None of special significance. Forested freshwater wetlands depicted. <u>An IF&W letter not provided.</u> A letter from the Dept. of Agriculture, Conservation, & Forestry was provided dated 5-21-15.

BYLAWS

MEETINGHOUSE ROAD SUBDIVISION HOMEOWNERS' ASSOCIATION

ARTICLE 1

NAME, LOCATION AND FISCAL YEAR

SECTION 1. NAME: The name of the Non-Profit Corporation is Meetinghouse Road Subdivision Homeowners' Association (hereafter referred to as the "Association").

SECTION 2. LOCATION: The principal office of the Association shall be located at the Meetinghouse Road Subdivision, Wells, Maine

SECTION 3. FISCAL YEAR: The Fiscal Year of the Association shall end on June 30th.

SECTION 4. DEVELOPERS: The Developers shall mean Richard Moody & Sons Construction Co. LLC, acting collectively, his/her/their heirs, successors and assigns.

ARTICLE II

PURPOSES

The purpose of the Association shall be:

To provide for the proper administration and financing of the maintenance of the roadway and culverts within the subdivision until such time as they are accepted by the Town of York.

ARTICLE III

MEMBERSHIP

SECTION 1. Each owner of a lot within the Meetinghouse Road Subdivision as recorded at the York County Registry of Deeds at Plan Book_____, Page_____, shall, by acceptance of the deed to a Lot, become and remain a member of Meetinghouse Road Subdivision Homeowners' Association. The Developer shall remain a "member" and have all the incidents of ownership for each lot within Meetinghouse Road Subdivision which it owns until transfer of title.

SECTION 2. An owner shall remain a member in good standing upon payment of annual dues. Only members in good standing shall be eligible to vote.

SECTION 3. Membership shall terminate when a person ceases to be the owner of a lot within the Meetinghouse Road Subdivision

SECTION 4. The owners of each lot shall be entitled to cast one (1) vote at Association meetings. A person who owns more than one lot shall be entitled to as many votes as they have lots.

ARTICLE IV

OFFICERS

SECTION 1. The Officers of the Association shall consist of the President, Secretary, and Treasurer.

SECTION 2. The Officers shall be elected at the annual meeting of the Association and shall serve a term of two (2) years.

SECTION 3. In the case of the termination or absence of an Officer, the next highest Officer, listed in order of Article IV, Section 1 shall act pro tem until the next regular meeting of the Association.

SECTION 4. It shall be the duty of the President, or the next highest Officer listed in order of Article IV, Section 1, to preside at all meetings, to sign contracts, checks and

other instruments including co-signing with the Treasurer any checks or drafts over \$500.00 and to run the day-to-day business of the Association. The President shall also be an ex-officio member of all Committees of the Association.

SECTION 5. The Secretary shall keep records of all meetings of the Association, maintain a current record of all members in good standing, issue meeting notices and handle such correspondence as the Officers shall direct.

SECTION 6. The Treasurer shall collect dues for the Association, have custody of its funds, open bank accounts, issue checks and make such expenditures as are authorized by the Officers. The Treasurer shall keep a record of all money received and expended, present a report of the fiscal status of the Association at each meeting, and prepare an annual budget in conjunction with the Officers to be presented at the annual meeting of the Association. The Treasurer shall prepare, upon request by any lot owner, a statement concerning the lot owner's financial standing within the Association and give a general accounting of the financial standing of the Association.

SECTION 7. The Association shall indemnify the Officers of individual personal liability for those actions which occur or decisions which they make on behalf of the Association.

ARTICLE V

MEETINGS

SECTION 1. An annual meeting of members in good standing of the Association shall be held on the first Monday in June at a place within the Town of Wells designated by the President.

- SECTION 2.** A quorum for the transaction of business shall not be less than thirty percent (30%) of the members in good standing, personally present or represented by written proxy or absentee ballot. All matters to come before the membership shall be determined by a majority vote of those members present.
- SECTION 3.** Special meetings of the members may be called by the President. The President shall call a special meeting upon receipt of a petition signed by fifty percent (50%) of the members in good standing.
- SECTION 4.** Written notice of any meeting shall be given to each member in good standing by the Secretary at least seven (7) days before such meeting by mailing or delivering it to the member's address as it appears in the records of the Association. The notice shall specify the time, place and purpose of the meeting. No capital expenditures may be considered at any meeting unless notice thereof is given, except that the annual meeting shall always consider and establish dues and expenses for the next fiscal year.
- SECTION 5.** The order for business at all meetings of the Association and any Committees shall follow the Maine Moderator's Rules of Order.

ARTICLE VI

DUES AND ASSESSMENTS

- SECTION 1.** The Treasurer shall cause to be prepared an estimated annual budget for the fiscal year of the Association. Such budget shall take into account the estimated expenses and cash requirements for the year including road maintenance, repairs, supplies, services, insurance and other expenses related to the maintenance of the roadway and culvert. The annual assessment shall initially be \$200 per lot due and payable no later than August 1 of each year. Such

proposed budget shall be approved by the members at the annual meeting by a majority and shall remain in effect until a subsequent budget is approved by the members.

SECTION 2. Road maintenance shall be shared on an equal, proportionate basis; provided, however, the Developers shall not be liable for sharing such expenses for lots in its ownership. Only upon transfer out of the Developers' names shall a lot owner be liable for a proportionate share of the road maintenance costs. Any lot owner who is having construction work done on their lot shall be solely liable for any damage caused to the road by construction vehicles performing services of such lot owner's property.

SECTION 3. Each lot owner shall promptly pay his share of assessments without set-off or deduction. Each member is liable to the Association and a lien shall arise against his lot for his entire share of the assessment at the commencement of the fiscal period, i.e., July 1 of each year.. Each member shall pay his share of the maintenance charges within thirty (30) days of notice of assessment, but in any event no later than August 1 unless otherwise agreed upon by vote of the members. Any member who fails to pay or refuses to pay to the Association when due his share of the assessments shall pay interest at the rate of 14% per annum on the unpaid balance. Assessments, as well as all interest, cost of collection, which will include reasonable attorney's fees, shall constitute a lien on the lot of a non-paying owner. The Association shall exercise and enforce any and all rights and remedies under these Bylaws, or otherwise as available by law or in equity, for the collection of all unpaid amounts.

SECTION 4. Special assessments in excess of dues may be assessed only by a vote of seventy-five percent (75%) of all members in good standing at a meeting called specifically for that purpose.

SECTION 5. No member shall be relieved of his obligation to pay assessments for expenses by abandoning or not using his lot.

ARTICLE VII

COMMITTEES

SECTION 1. The President may appoint members and designate the Chairperson of such temporary Committees as may be necessary to conduct the affairs of the Association.

ARTICLE VIII

PERSONALLY LIABLE

SECTION 1. Notwithstanding the foregoing, all lot owners shall remain personally responsible for the proper maintenance and operation of the common road. The sole purpose for the creation of this Association is to provide the owners with an entity, which will facilitate the operation, maintenance and repair of the common road, and associated drainage.

ARTICLE IX

AMENDMENTS

SECTION 1. Amendments to these Bylaws may be proposed by any member of the Association. Such proposals shall be submitted in writing to the Secretary at least thirty (30) days prior to the annual meeting; provided, however, Articles VIII and VI Section 2, regarding the Developers' contribution, may not be amended.

SECTION 2. Proposed amendments shall be voted upon at the next annual meeting of the Association. A vote of seventy-five percent (75%) of the members shall be required for passage of an amendment.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

PAUL R. LEPAGE
GOVERNOR

WALTER E. WHITCOMB
COMMISSIONER

May 21, 2015

Rick Licht
Licht Environmental Design, LLC
35 Fran Circle
Gray, ME 04039

Re: Rare and exemplary botanical features in proximity to: Project # J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine

Dear Mr. Licht:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received May 20, 2015 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Wells, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

Letter to Rick Licht
Comments RE: Meetinghouse Road, Wells
May 21, 2015
Page 2 of 2

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$150.00 for two hours of our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

Rare and Exemplary Botanical Features within 4 miles of
Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Beach Plum						
	E	S1	G4	1897-06-19	15	Rocky coastal (non-forested, upland)
	E	S1	G4	1954-06-22	14	Rocky coastal (non-forested, upland)
	E	S1	G4	1933-06-23	2	Rocky coastal (non-forested, upland)
Clammy Azalea						
	E	S1	G5	1898-09-21	3	Hardwood to mixed forest (forest, upland), Forested wetland
Coastal Dune-marsh Ecosystem						
	<null>	S3	GNR	2010-08-24	6	Tidal wetland (non-forested, wetland), Rocky coastal (non-forested, upland)
Dioecious Sedge						
	SC	S3	G4	1858-06	10	Non-tidal rivershore (non-forested, seasonally wet), Open wetland, not coastal nor rivershore (non-forested, wetland)
Dwarf Dandelion						
	T	S1	G5	1916-08	2	Rocky coastal (non-forested, upland), Dry barrens (partly forested, upland)
Dwarf Glasswort						
	SC	S1	G5	2000-08-21	5	Tidal wetland (non-forested, wetland)
	SC	S1	G5	1941-09-05	3	Tidal wetland (non-forested, wetland)
	SC	S1	G5	2008	10	Tidal wetland (non-forested, wetland)
Dwarf Shrub Bog						
	<null>	S5	G5	2001-07-20	25	Open wetland, not coastal nor rivershore (non-forested, wetland), Coastal non-tidal wetland (non-forested, wetland)
Fern-leaved False Foxglove						
	SC	S3	G5	1898-09-12	20	Dry barrens (partly forested, upland), Hardwood to mixed forest (forest, upland)
Flowering Dogwood						

Rare and Exemplary Botanical Features within 4 miles of
 Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Freshwater Tidal Marsh	E	S1	G5	2000-01-13	4	Hardwood to mixed forest (forest, upland)
Georgia bulrush	<null>	S2	G-?	2009	11	Tidal wetland (non-forested, wetland)
Great Rhododendron	SC	SU	G5	2007-08-22	1	<null>
Hairy Boneset	T	S1	G5	1955-07	5	Conifer forest (forest, upland), Hardwood to mixed forest (forest, upland)
Hairy Bush-clover	SC	S1	G5T5	1870	1	Hardwood to mixed forest (forest, upland)
Indian Grass	SC	S1	G5T5	2007-06-06	3	Hardwood to mixed forest (forest, upland)
Marsh Milkwort	E	S1	G5T5?	1936-07-23	1	Dry barrens (partly forested, upland), Hardwood to mixed forest (forest, upland)
Muhlenberg Sedge	E	S1	G5	2007-09-14	11	Non-tidal rivershore (non-forested, seasonally wet)
Northern Blazing Star	PE	SH	G5T4	1901-09-03	2	Dry barrens (partly forested, upland), Open wetland, not coastal nor rivershore (non-forested, wetland)
	E	S1	G5	1939-07-20	3	Dry barrens (partly forested, upland)
	T	S1	G5?T3	2010-10-14	6	Dry barrens (partly forested, upland)
	T	S1	G5?T3	1934-08-27	4	Dry barrens (partly forested, upland)
	T	S1	G5?T3	1976-09	8	Dry barrens (partly forested, upland)

**Rare and Exemplary Botanical Features within 4 miles of
Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine**

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Pale Green Orchis	T	S1	G5?T3	1916-08-10	3	Dry barrens (partly forested, upland)
	T	S1	G5?T3	2010	2	Dry barrens (partly forested, upland)
	T	S1	G5?T3	2007-06-15	1	Dry barrens (partly forested, upland)
Pitch Pine - Heath Barren	SC	S2	G4T4Q	1987-07-06	31	Non-tidal rivershore (non-forested, seasonally wet), Open wetland, not coastal nor rivershore (non-forested, wetland)
	SC	S2	G4T4Q	1998-06-02	38	Non-tidal rivershore (non-forested, seasonally wet), Open wetland, not coastal nor rivershore (non-forested, wetland)
	SC	S2	G4T4Q	2006-07-12	35	Non-tidal rivershore (non-forested, seasonally wet), Open wetland, not coastal nor rivershore (non-forested, wetland)
Pitch Pine - Scrub Oak Barren	<null>	S1	G3G5	2013-06-25	5	Dry barrens (partly forested, upland)
Prairie Wedge-grass	<null>	S2	G2	2006-06-09	11	Conifer forest (forest, upland), Dry barrens (partly forested, upland)
Pygmyweed	PE	SH	G5	1898-07-18	4	Dry barrens (partly forested, upland)
Raised Level Bog Ecosystem	SC	S2S3	G5	2006-09-19	27	Open water (non-forested, wetland)
Red Maple Swamp	<null>	S4	GNR	2005	9	Forested wetland, Open wetland, not coastal nor rivershore (non-forested, wetland)
Salt-hay Saltmarsh	<null>	S5	G3G5	2002-07-24	3	Forested wetland
	<null>	S5	G3G5	2006-06-09	4	Forested wetland

Rare and Exemplary Botanical Features within 4 miles of
 Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
	<null>	S3	G5	2010-10-13	10	Tidal wetland (non-forested, wetland)
Saltmarsh False-foxglove						
	SC	S3	G5	1982	8	Tidal wetland (non-forested, wetland)
	SC	S3	G5	2010-10-13	23	Tidal wetland (non-forested, wetland)
	SC	S3	G5	1916-08	7	Tidal wetland (non-forested, wetland)
Sandplain Grassland						
	<null>	S1	GNR	2011	1	Dry barrens (partly forested, upland)
Sassafras						
	SC	S2	G5	2006-07-13	2	Hardwood to mixed forest (forest, upland), Old field/roadside (non-forested, wetland or upland)
Scarlet Oak						
	E	S1	G5	1916-08	3	Hardwood to mixed forest (forest, upland)
	E	S1	G5	1937-06	6	Hardwood to mixed forest (forest, upland)
	E	S1	G5	1916-08	4	Hardwood to mixed forest (forest, upland)
Slender Blue Flag						
	T	S2	G4G5	2006-07-14	16	Tidal wetland (non-forested, wetland)
	T	S2	G4G5	2006-07-12	15	Tidal wetland (non-forested, wetland)
Slender Pinweed						
	PE	SX	G5	1879	2	Dry barrens (partly forested, upland)
Small Reed-grass						
	SC	S3	G5	1995	7	Old field/roadside (non-forested, wetland or upland)
	SC	S3	G5	1998-06-03	5	Old field/roadside (non-forested, wetland or upland)
	SC	S3	G5	1995	4	Old field/roadside (non-forested, wetland or upland)

**Rare and Exemplary Botanical Features within 4 miles of
Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine**

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
	SC	S3	G5	1998-06-03	6	Old field/roadside (non-forested, wetland or upland)
	SC	S3	G5	1995	8	Old field/roadside (non-forested, wetland or upland)
Smooth Winterberry Holly						
	SC	S3	G5	1916-08-10	10	Forested wetland
	SC	S3	G5	1999-10	26	Forested wetland
Spicebush						
	SC	S3	G5	1936-07-24	16	Forested wetland
	SC	S3	G5	1955-05-04	15	Forested wetland
	SC	S3	G5	2009-07-13	4	Forested wetland
Spongy Arrowhead						
	SC	S3	G5T4	2006-09-19	47	Tidal wetland (non-forested, wetland)
Sweet Pepper-bush						
	SC	S2	G5	1936-07	7	Hardwood to mixed forest (forest, upland),Forested wetland
	SC	S2	G5	1916-08	11	Hardwood to mixed forest (forest, upland),Forested wetland
Tidal Marsh Estuary Ecosystem						
<null>		S3	GNR	2010-10-14	3	Tidal wetland (non-forested, wetland)
Unicorn Root						
	PE	SX	G5	1879	2	Dry barrens (partly forested, upland)
Upright Bindweed						
	T	S2	G4G5	1996-06-18	6	Dry barrens (partly forested, upland),Old field/roadside (non-forested, wetland or upland)
	T	S2	G4G5	2007-06-15	3	Dry barrens (partly forested, upland),Old field/roadside (non-forested, wetland or upland)
Variable Sedge						

**Rare and Exemplary Botanical Features within 4 miles of
Project: #J15.077, 1321 and 1371 Meetinghouse Road, Wells, Maine**

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
White-topped Aster	E	S1	G3	1881-06	3	Dry barrens (partly forested, upland), Hardwood to mixed forest (forest, upland)
	E	S1	G5	1916-08-10	4	Dry barrens (partly forested, upland)
	E	S1	G5	2010-08-08	1	Dry barrens (partly forested, upland)
White Vervain	PE	SH	G5	1898-07	3	Hardwood to mixed forest (forest, upland), Open wetland, not coastal nor rivershore (non-forested, wetland)
Wild Garlic	SC	S2	G5	2005-07-07	8	Forested wetland, Hardwood to mixed forest (forest, upland)
Wild Indigo	E	S1	G5	1877	3	Dry barrens (partly forested, upland), Hardwood to mixed forest (forest, upland)

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- SNR** Not yet ranked.
- SNA** Rank not applicable.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines State Rarity Ranks for animals.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

- E** ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

ELEMENT OCCURRENCE RANKS - EO RANKS

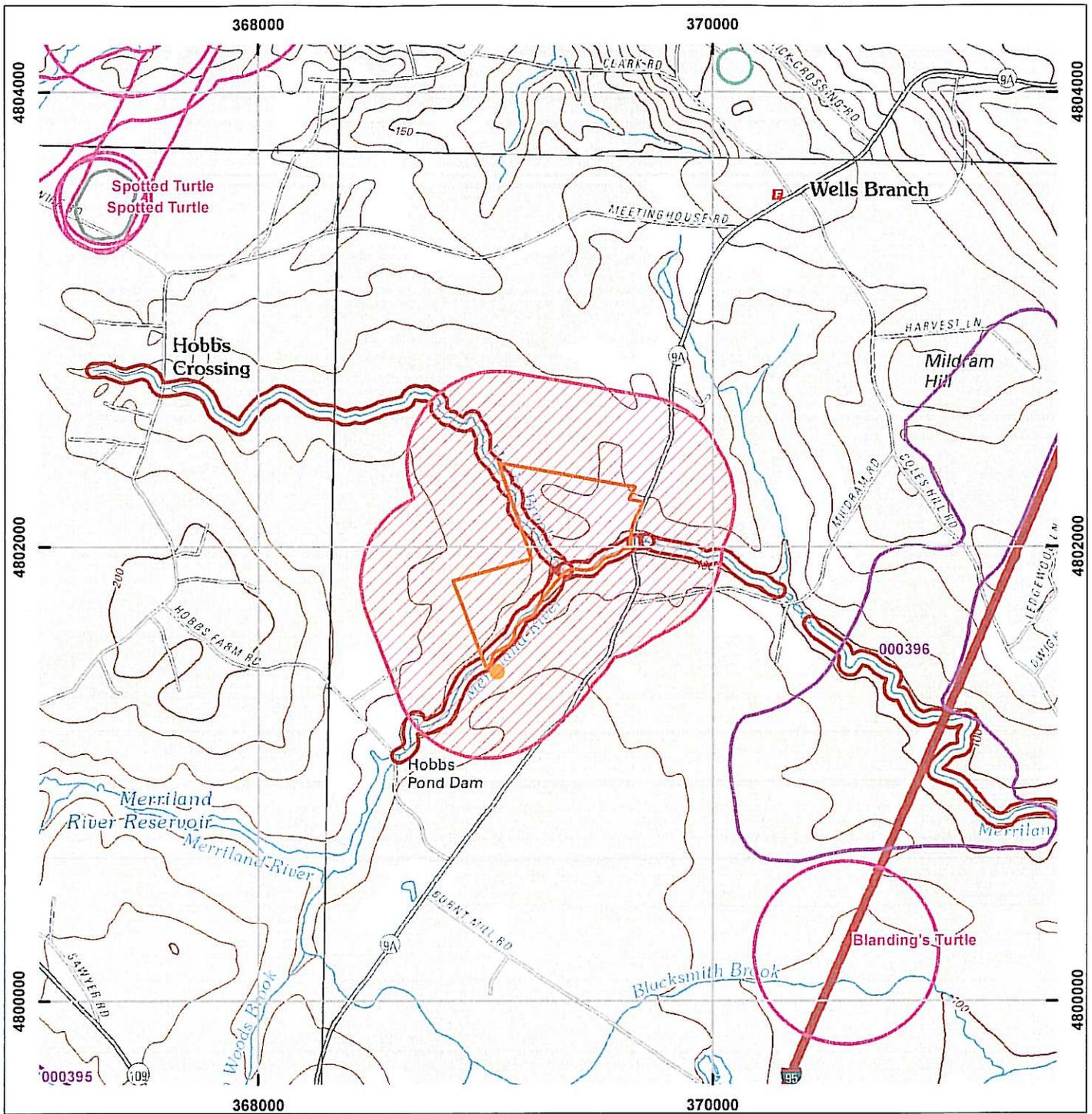
Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size:** Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition:** For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context:** Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A**, **B**, **C**, or **D**, where **A** indicates an **excellent** example of the community or population and **D** indicates a **poor** example of the community or population. A rank of **E** indicates that the community or population is **extant** but there is not enough data to assign a quality rank. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: **Element Occurrence Ranks** are determined by the Maine Natural Areas Program for rare plants and rare and exemplary natural communities and ecosystems. The Maine Department of Inland Fisheries and Wildlife determines Element Occurrence ranks for animals.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/dacf/mnap>

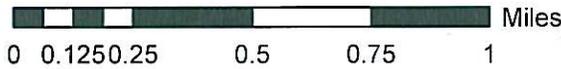


Environmental Review of Fish and Wildlife Observations and Priority Habitats

Project Name: Moody Construction Property Assessment, Wells (Version 1)



Maine Department of
Inland Fisheries and Wildlife



Projection: UTM, NAD83, Zone 19N

Date: 8/27/2013

ProjectPoints	Deer Winter Area	Roseate Tern
ProjectLines	LURC p-fw	Piping Plover/Least Tern
ProjectPolys	Cooperative DWAs	Aquatic ETSc (2.5 mi review)
ProjectSearchAreas	Seabird Nesting Islands	Rare Mussels (5 mi review)
	Shorebird Areas	A and B List Ponds
	Inland Waterfowl/Wading Bird	Arctic Charr Habitat
	Shoreland Zoning_lwwh	E. Brook Trout Joint Venture Subwatershed Classification
	Tidal Waterfowl/Wading Bird	Redfin Pickerel/Swamp Darter Habitats (buffer100ft)
	Significant Vernal Pools	Special Concern-occupied habitats(100ft buffer)
	Environmental Review Polygons	Wild Lake Trout Habitats





MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

PAUL R. LEPAGE
GOVERNOR

KIRK F. MOHNEY
DIRECTOR

December 23, 2015

Mr. Jon Moody
Richard Moody and Sons Construction
899 Post Road
Wells, ME 04090

RE: Meetinghouse Road subdivision project, Wells, MHPC 0629-15

Dear Mr. Moody:

We have received and reviewed Power Engineers Phase I prehistoric archaeological survey for the Meetinghouse Road subdivision project. It is acceptable in all respects, and we concur with the findings (no prehistoric archaeological sites present).

Ms. Robin Reed, our review co-ordinator, asks me to remind you that we apparently have not yet received the historic archaeological or architectural information requested in her June 18, 2015 email for this project (copy enclosed). Please contact her about this matter if you wish.

Sincerely,

Arthur Spiess, PhD
Senior Archaeologist

arthur.spiess@maine.gov

cc: Stuart Eldridge

SOIL PROFILE/CLASSIFICATION INFORMATION

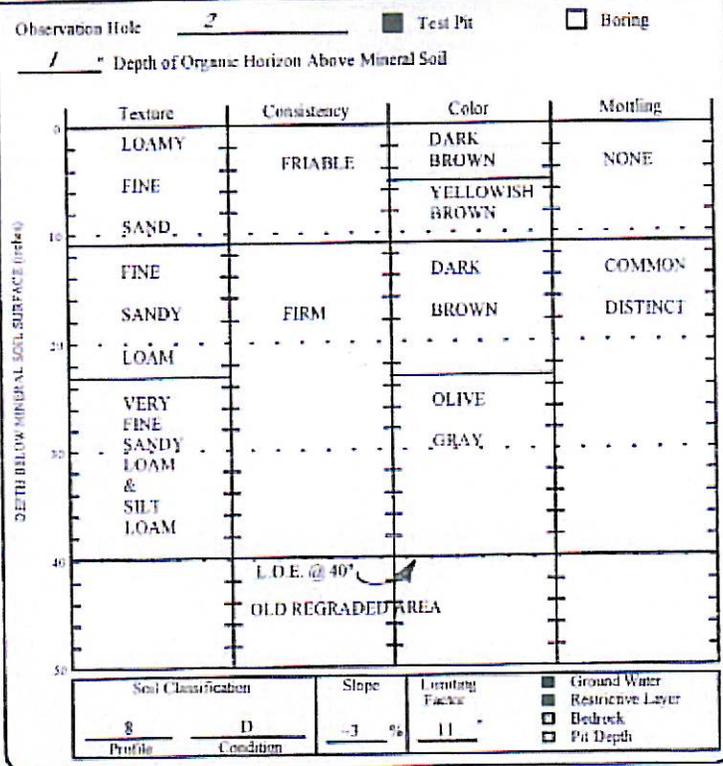
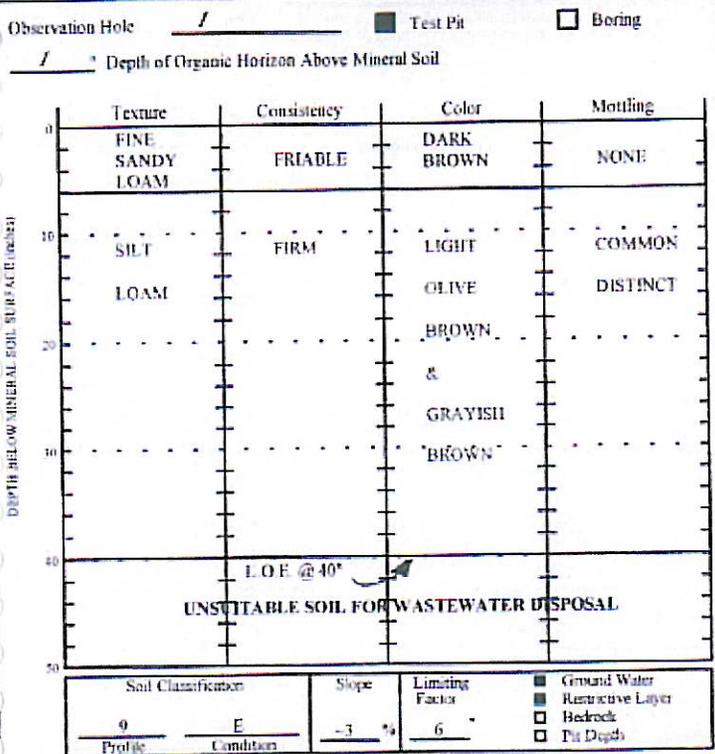
Project Name:

Applicant Name:

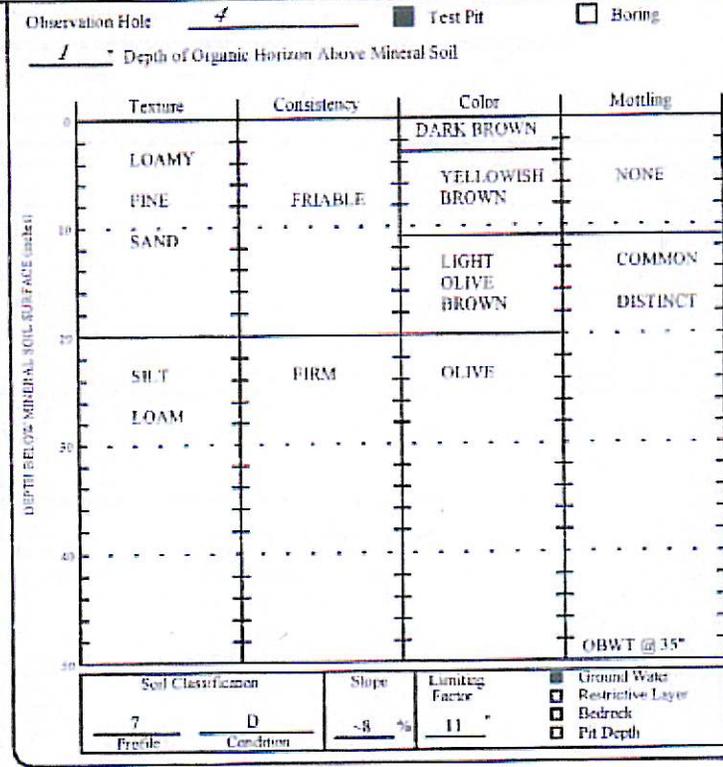
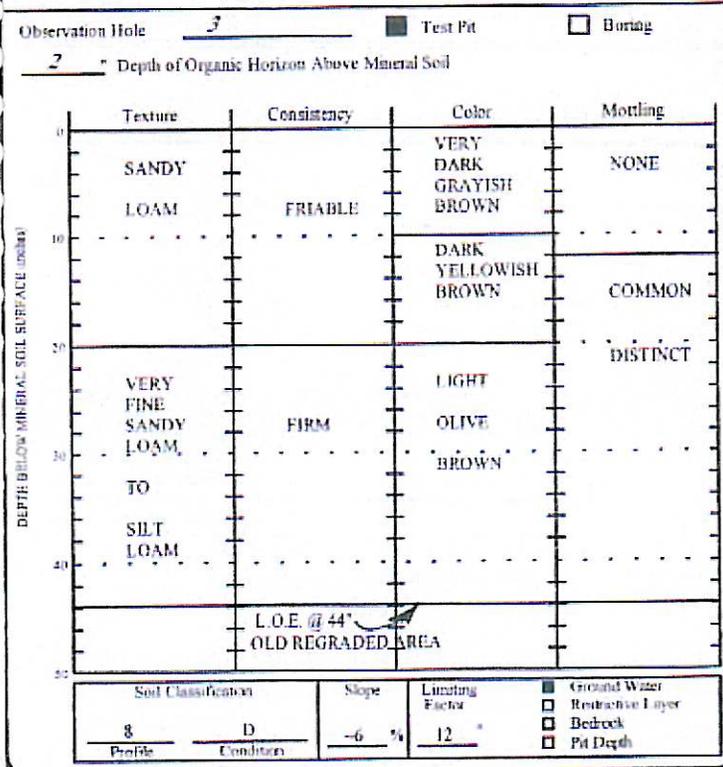
Project Location (municipality)

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.



John W. Hill
Signature

221 209
SEM SS0

5/18/16
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

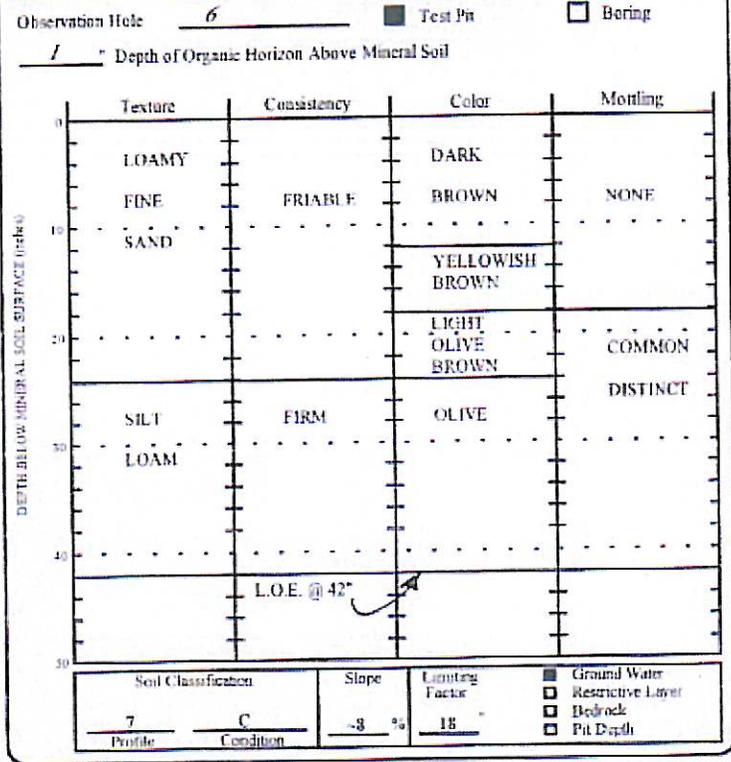
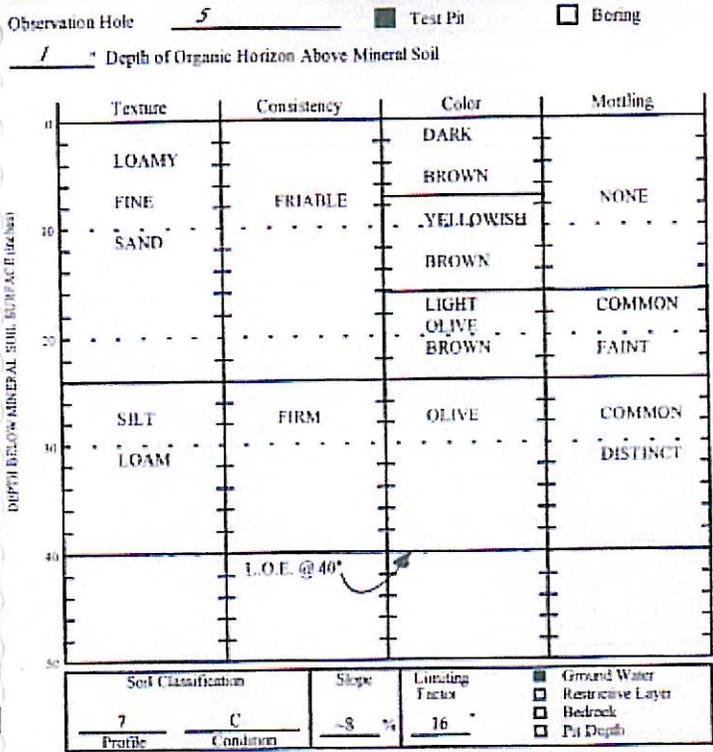
Project Name:

Applicant Name:

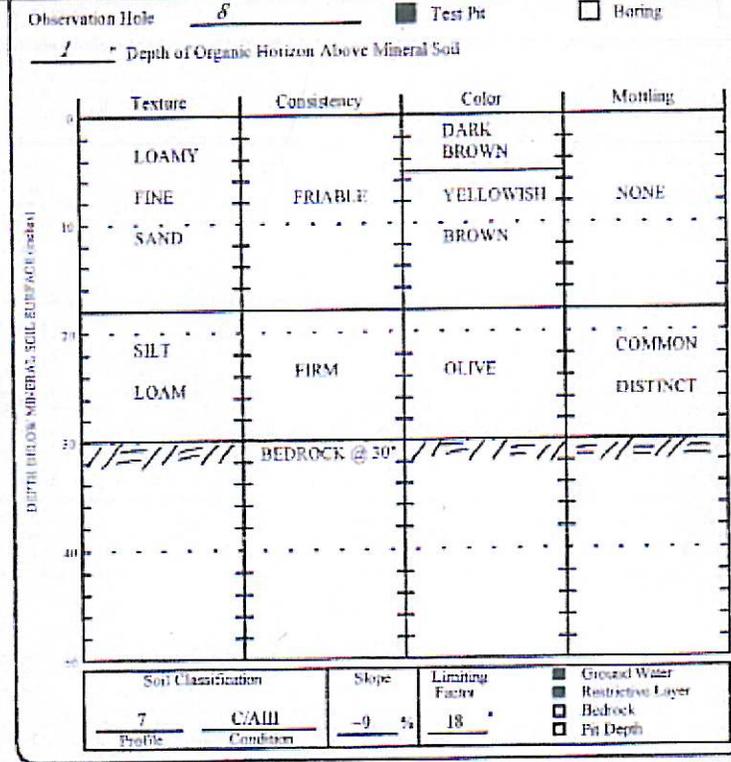
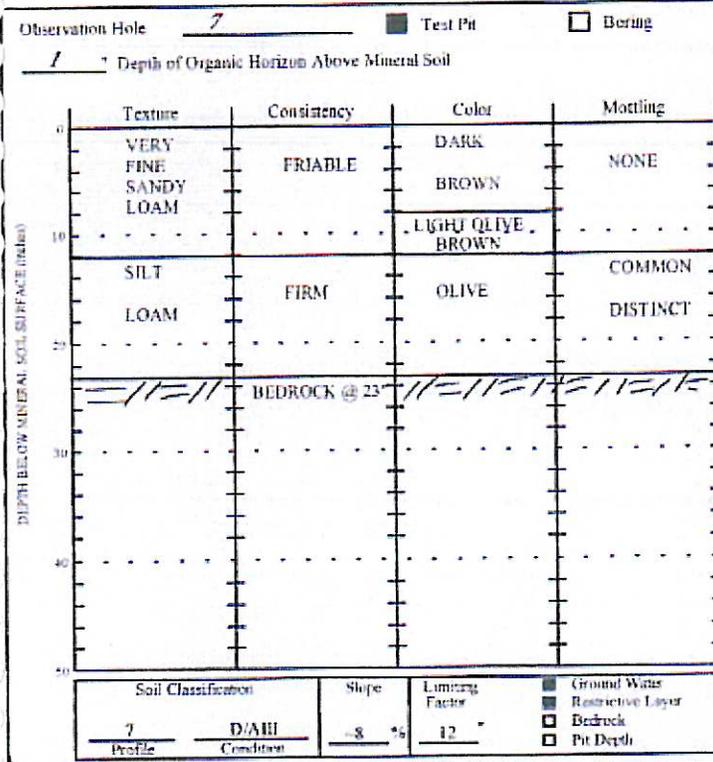
Project Location (municipality)

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.



John W. Hill
Signature

221 209
SE # SS#

5/18/16
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

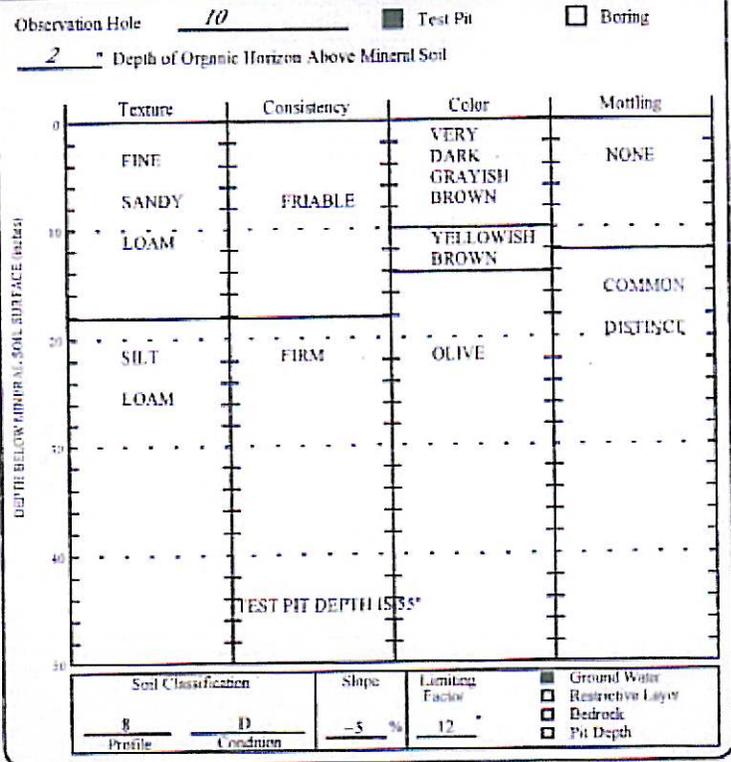
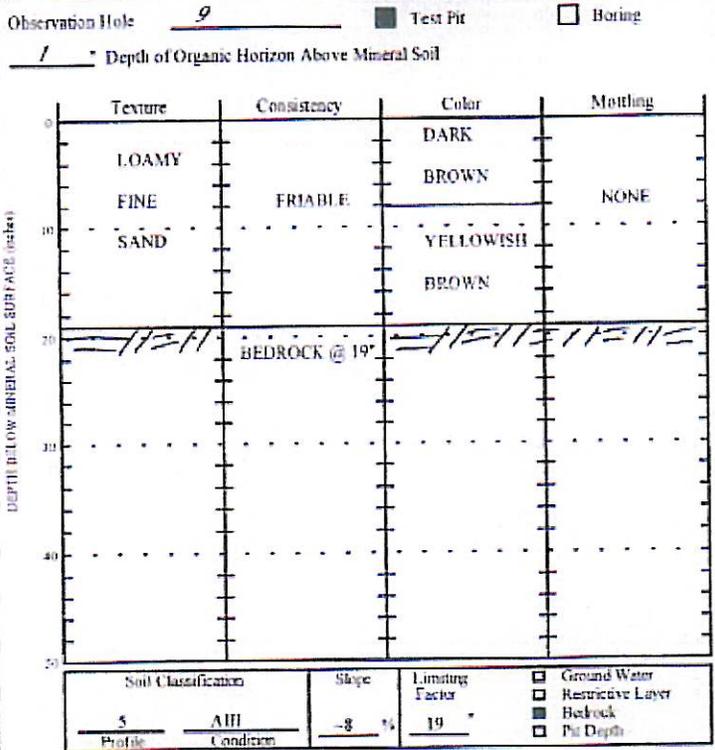
Project Name:

Applicant Name:

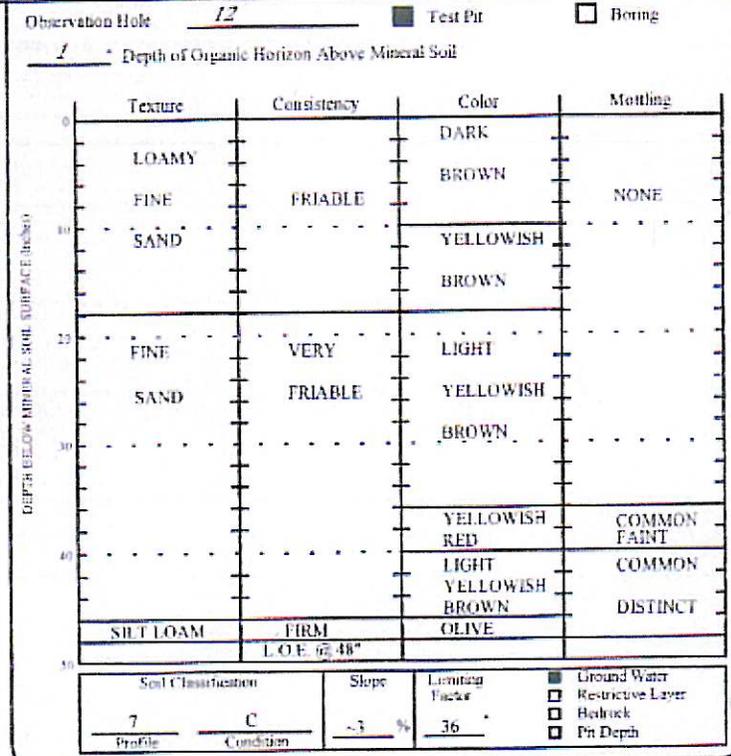
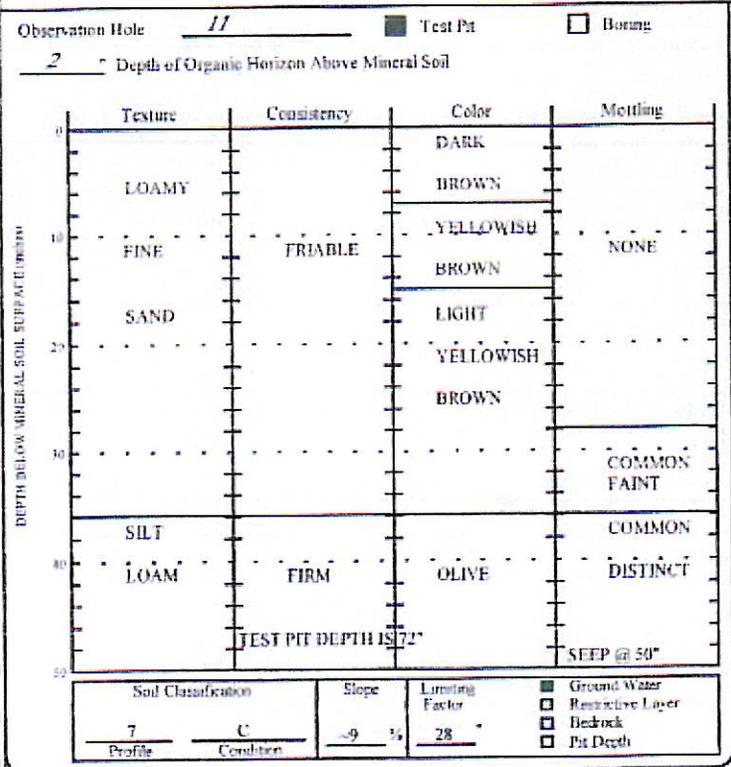
Project Location (municipality):

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.



John W. Hill
Signature

221 209
SE# SS#

5/18/16
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

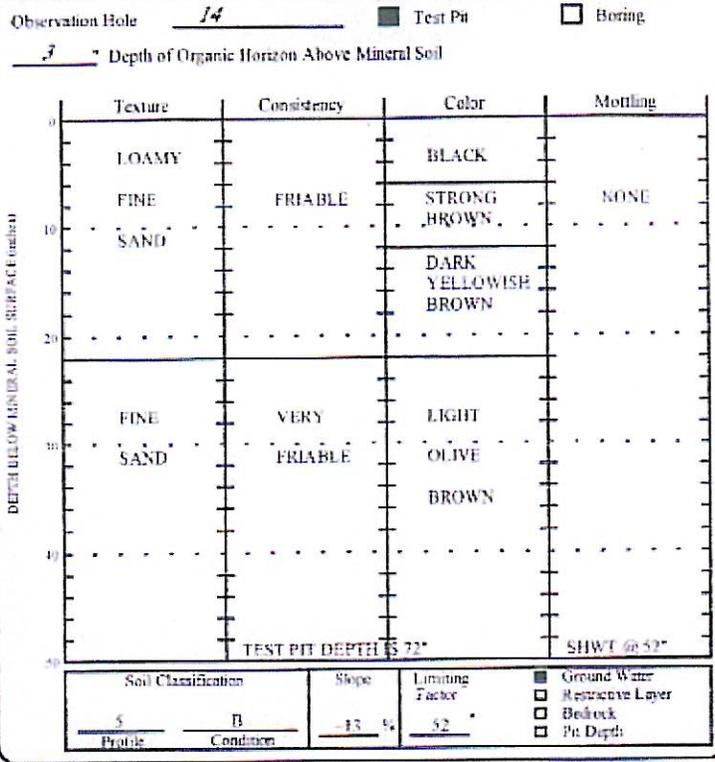
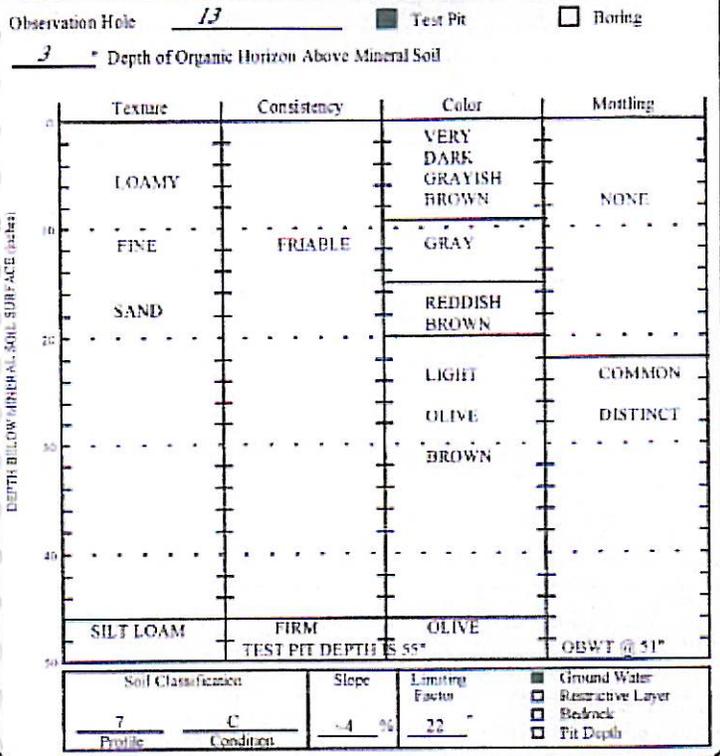
Project Name:

Applicant Name:

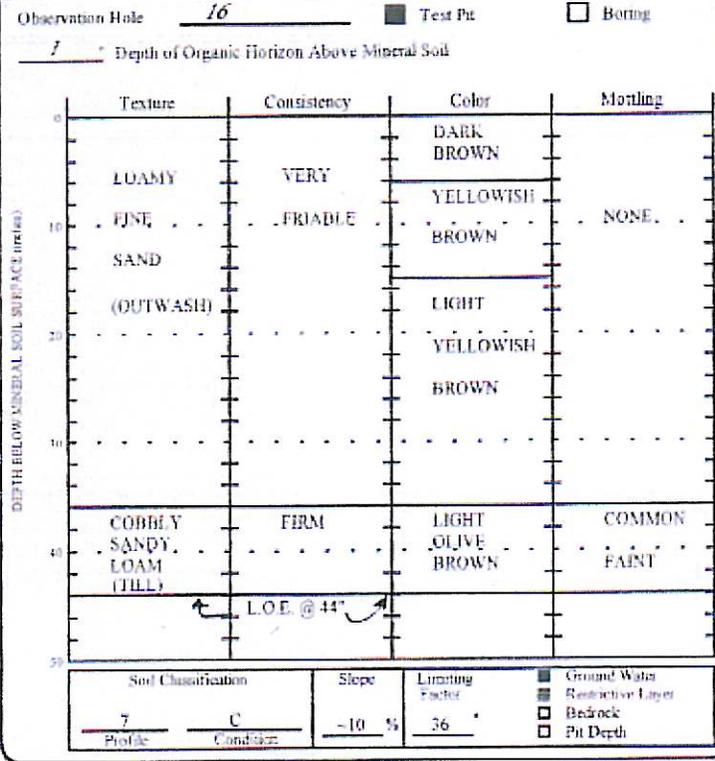
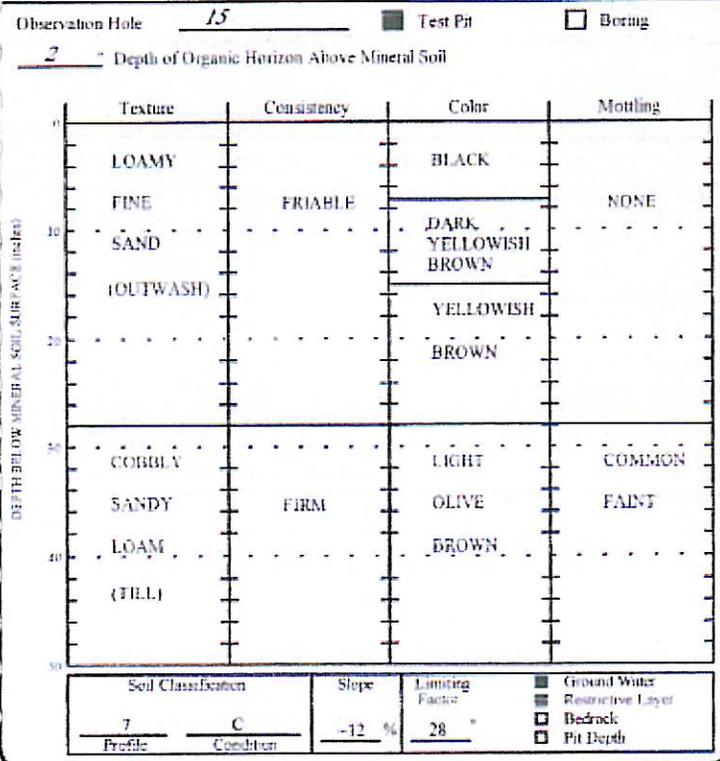
Project Location (municipality):

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.



John W. Hill
Signature

221 209
SE# SS#

5/18/16
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

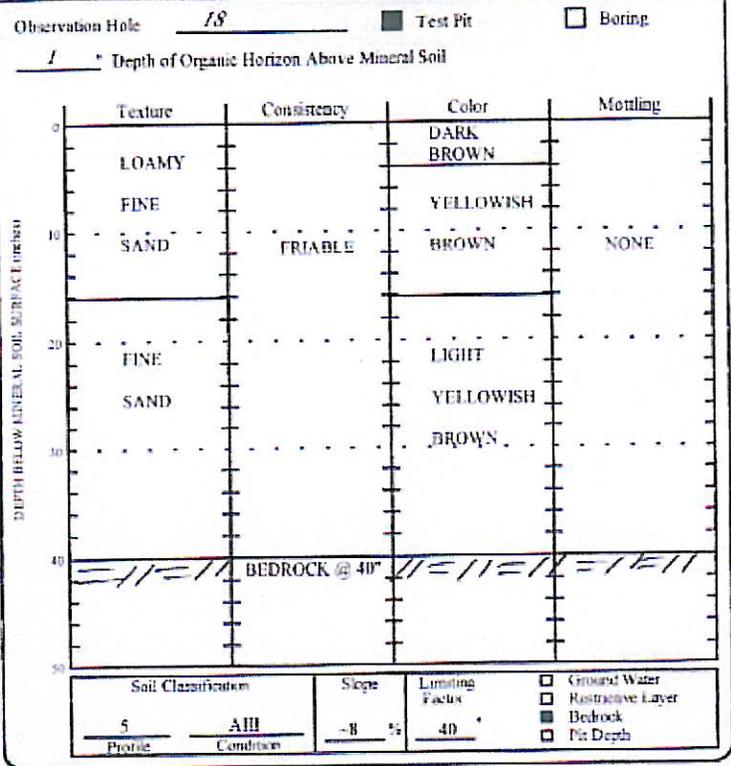
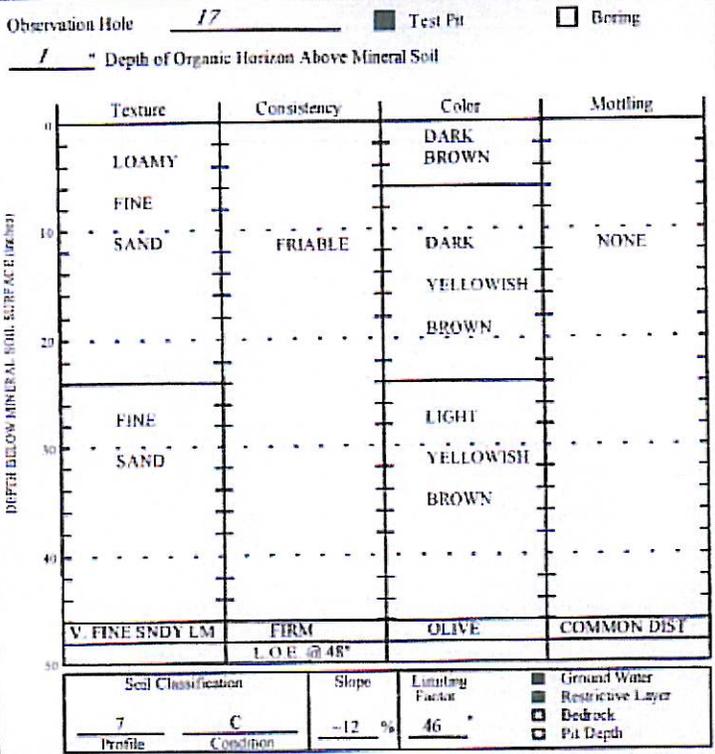
Project Name:

Applicant Name

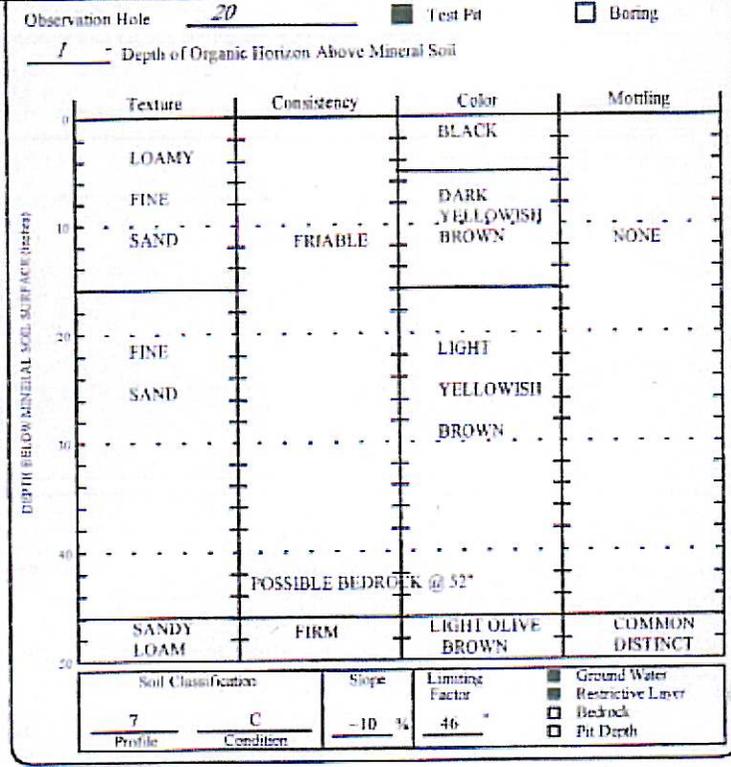
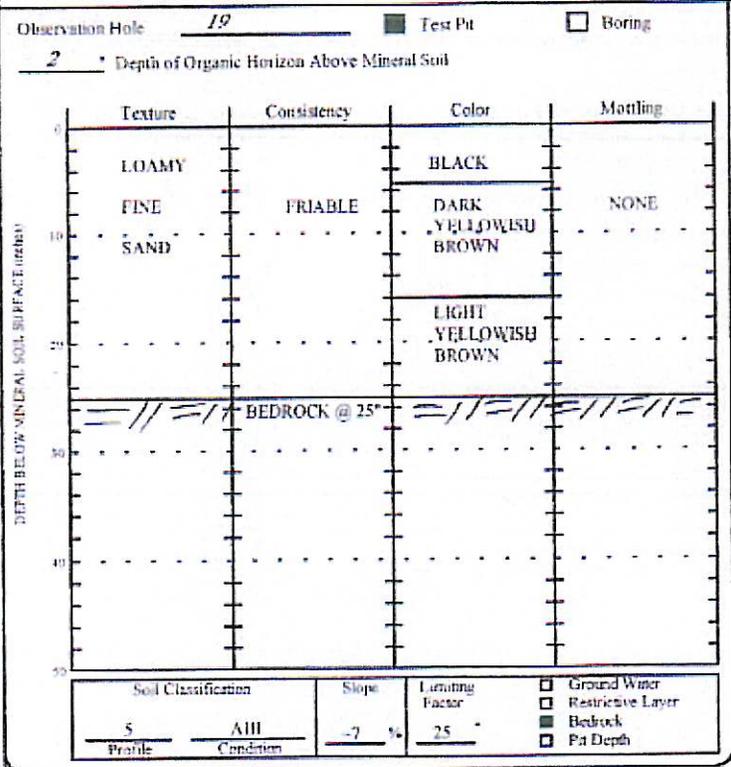
Project Location (municipality)

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.



John W. Hill
Signature

221 209
SE # SS#

5/18/16
Date

SOIL PROFILE/CLASSIFICATION INFORMATION

Project Name:

Applicant Name:

Project Location (municipality):

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD

Observation Hole 21 Test Pit Boring

Observation Hole 22 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
LOAMY		VERY DARK BROWN	
FINE SAND	FRIABLE	DARK YELLOWISH BROWN	NONE
FINE SAND		YELLOWISH BROWN	
BEDROCK @ 36"			

Soil Classification: 5 Profile, AIII Condition
 Slope: -12 %
 Limiting Factor: 36 "

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Texture	Consistency	Color	Mottling
SANDY LOAM	FRIABLE	VERY DARK GRAYISH BROWN	NONE
NATURAL SOIL SURFACE			
LOAMY FINE SAND	FRIABLE	GRAY	NONE
FINE SAND		STRONG BROWN	
FINE SAND		DARK YELLOWISH BROWN	COMMON DISTINCT
SILT LOAM	FIRM	OLIVE	

Soil Classification: 7 Profile, C Condition
 Slope: -12 %
 Limiting Factor: 24 "

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Backhoe excavated test pits were conducted on May 17, 2016.

Observation Hole 23 Test Pit Boring

Observation Hole 24 Test Pit Boring

1 " Depth of Organic Horizon Above Mineral Soil

1 " Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
LOAMY FINE SAND	FRIABLE	DARK BROWN	NONE
FINE SAND		YELLOWISH BROWN	
FINE SAND	VERY FRIABLE	LIGHT YELLOWISH BROWN	
L.O.E. @ 48"			

Soil Classification: 5 Profile, B Condition
 Slope: -12 %
 Limiting Factor: 48 "

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Texture	Consistency	Color	Mottling
LOAMY FINE SAND	FRIABLE	DARK BROWN	NONE
FINE SAND		DARK YELLOWISH BROWN	
FINE SAND		LIGHT OLIVE BROWN	COMMON DISTINCT
SILT LOAM	FIRM	OLIVE	

Soil Classification: 7 Profile, C Condition
 Slope: -10 %
 Limiting Factor: 18 "

Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Joseph W. Hill
 Signature

221 209
 SE # SS#

5/18/16
 Date

SOIL PROFILE/CLASSIFICATION INFORMATION

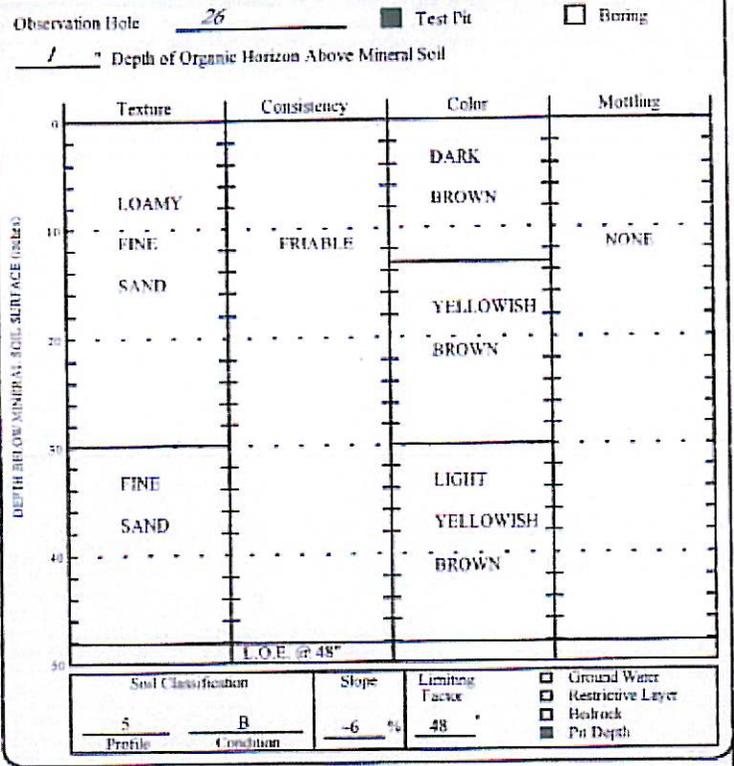
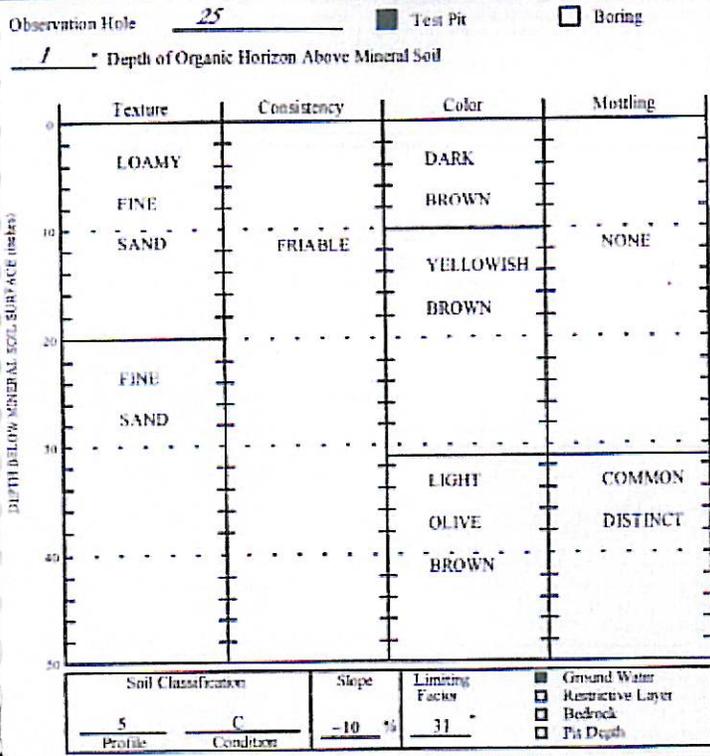
Project Name:

Applicant Name:

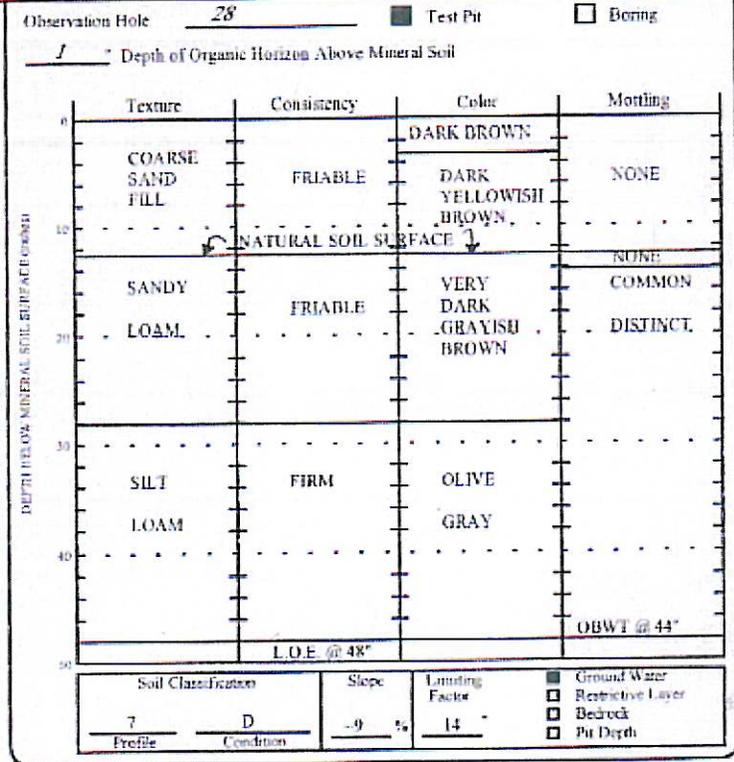
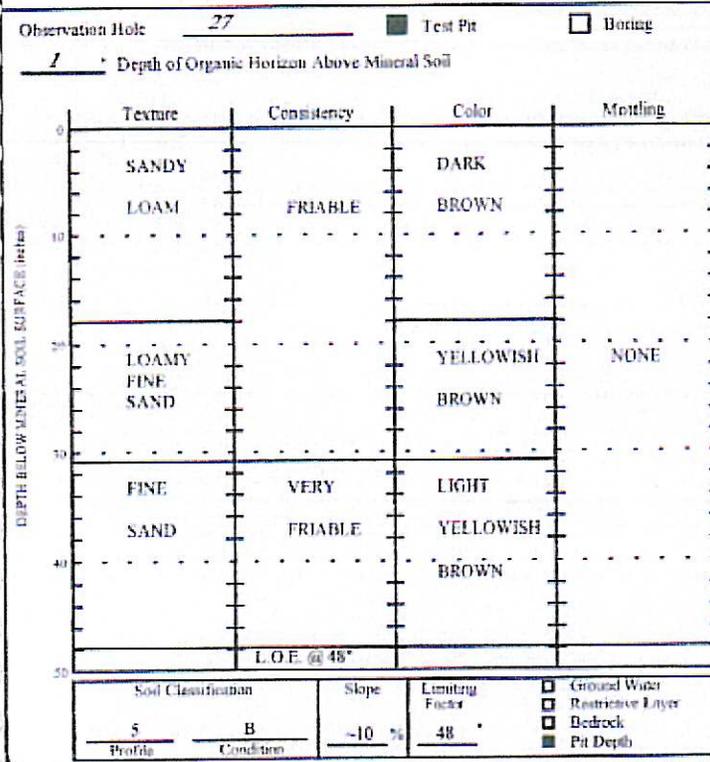
Project Location (municipality):

RICHARD MOODY & SONS CONSTRUCTION CO., LLC

1321 MEETINGHOUSE ROAD



Backhoe excavated test pits were conducted on May 17, 2016.

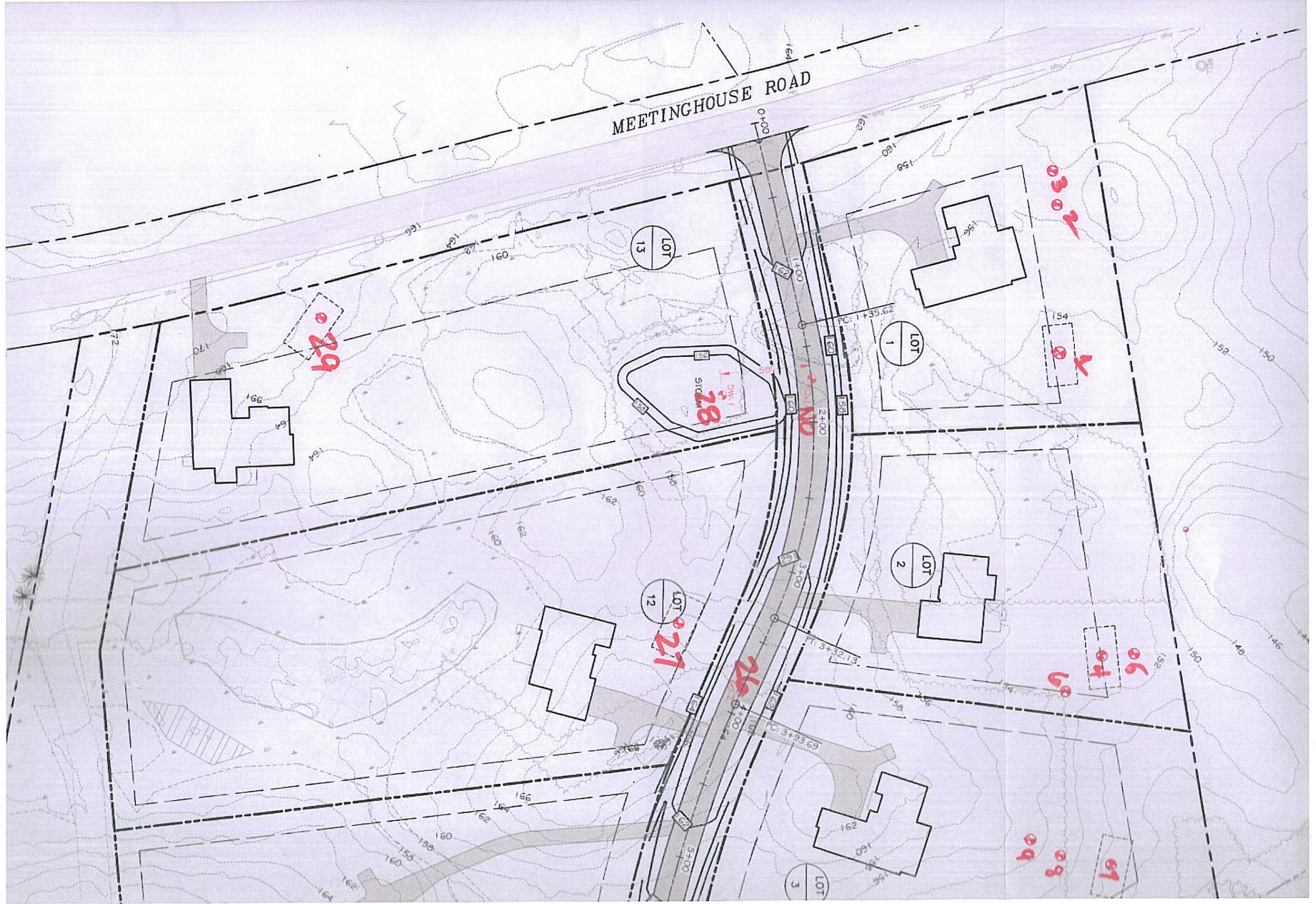


Josh W. Hill
Signature

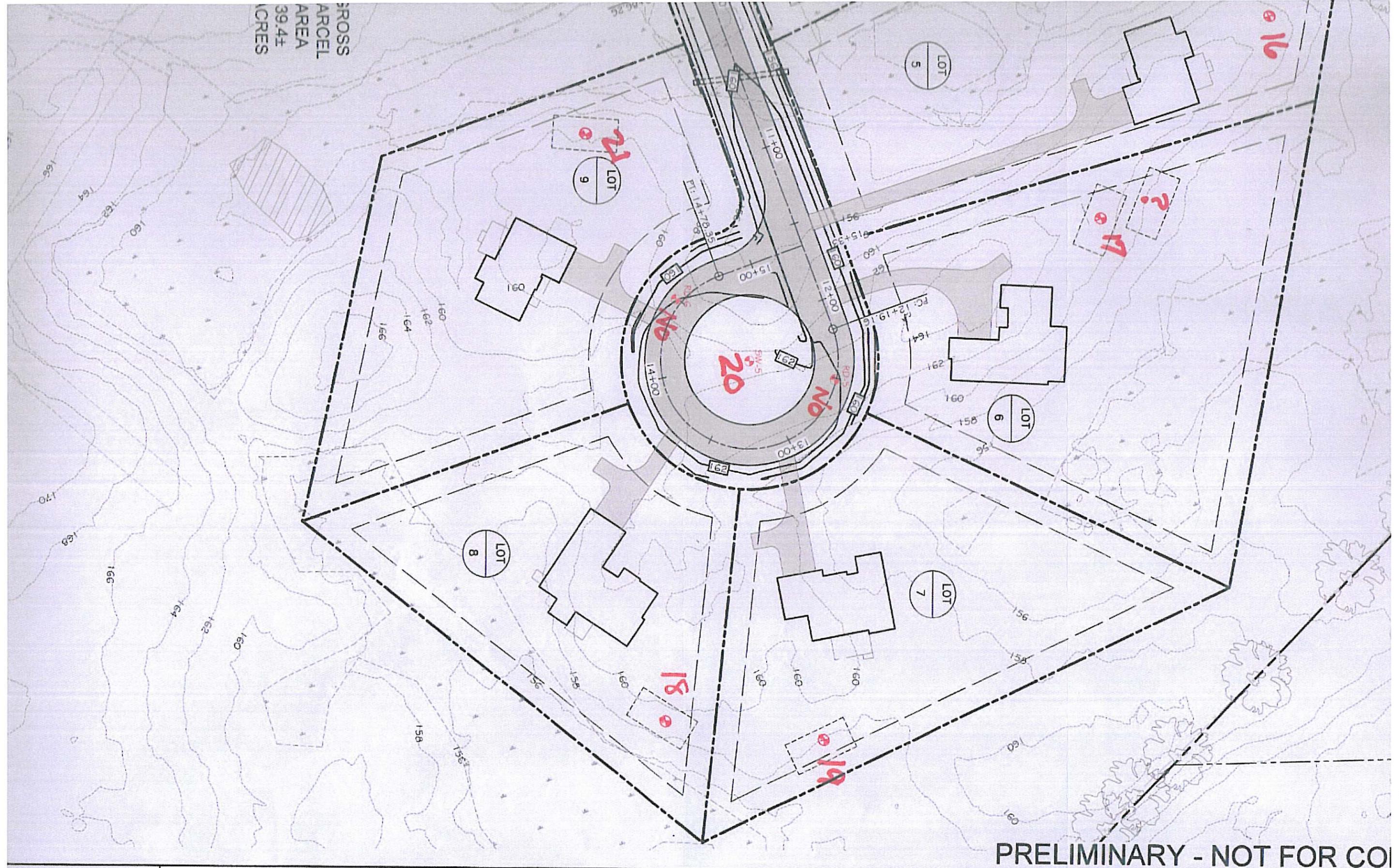
271 209
SE # SS#

5/18/16
Date

MEETINGHOUSE ROAD



GROSS
ARCEL
AREA
39.4±
ACRES



PRELIMINARY - NOT FOR CONSTRUCTION

Meetinghouse Road Subdivision

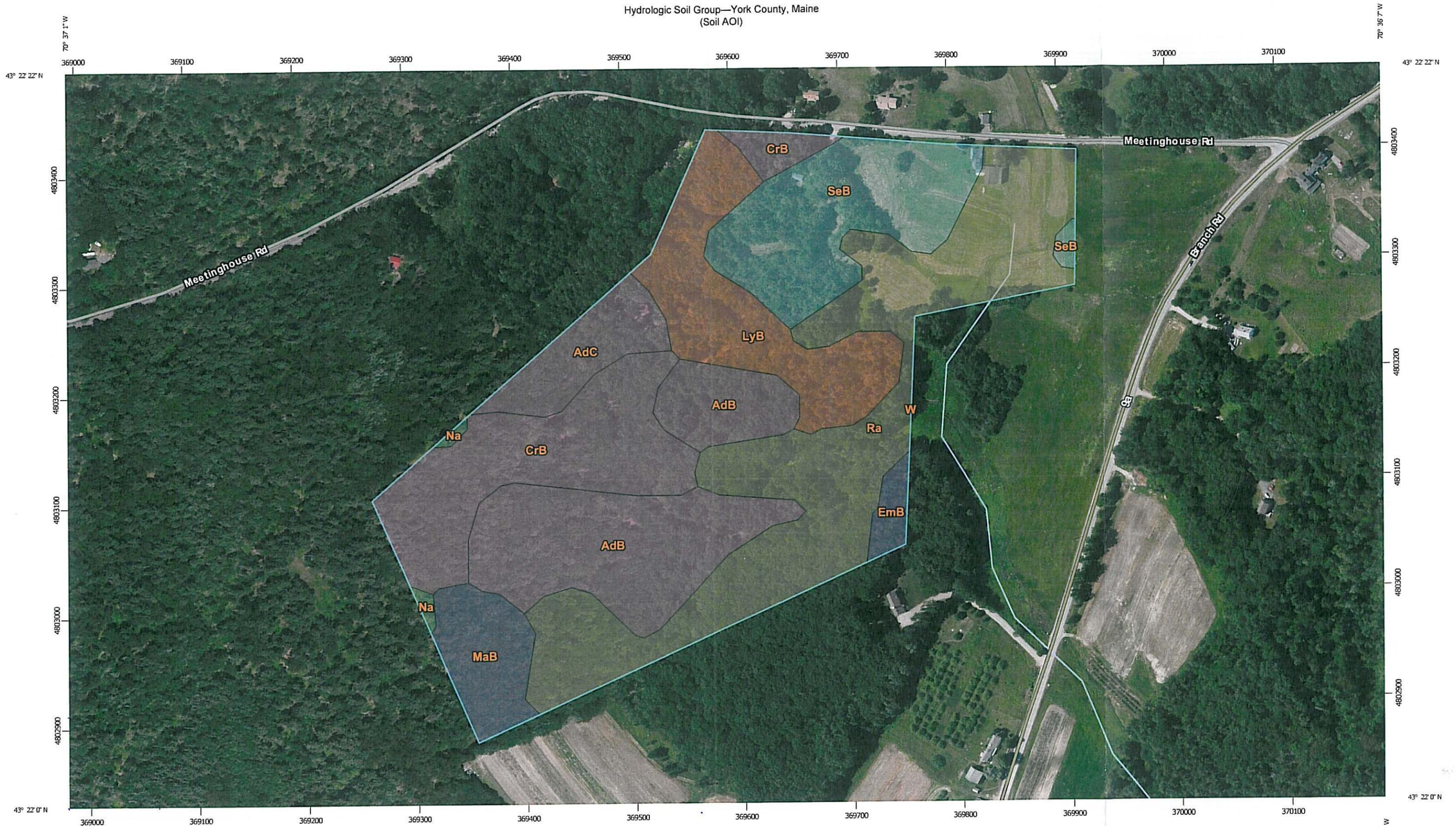
Meetinghouse Road
Wells, Maine

Rev.	Date	Description
1	4/5/76	Submit Sketch

LOWERY
13 Western Ave.
Wells, Maine 04092
Phone: 207-553-2111

ENGINEER
One Karen Dr., S.
Wells, Maine 04092
ph: 207 553 9

Hydrologic Soil Group—York County, Maine
(Soil AOI)



Map Scale: 1:3,240 if printed on B landscape (17" x 11") sheet.

Meters: 0 45 90 180 270
Feet: 0 150 300 600 900

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

Hydrologic Soil Group—York County, Maine
(Soil AOI)

MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
- Soils
 - Soil Rating Polygons
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
 - Soil Rating Lines
 - A
 - A/D
 - B
 - B/D
 - C
 - C/D
 - D
 - Not rated or not available
 - Soil Rating Points
 - A
 - A/D
 - B
 - B/D
- Water Features
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- C
 - C/D
 - D
 - Not rated or not available

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: York County, Maine
Survey Area Data: Version 13, Sep 12, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 20, 2010—Jul 18, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — York County, Maine (ME031)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AdB	Adams loamy sand, 0 to 8 percent slopes	A	8.4	18.1%
AdC	Adams loamy sand, 8 to 15 percent slopes	A	2.3	4.9%
CrB	Croghan loamy sand, 0 to 8 percent slopes	A	7.2	15.6%
EmB	Elmwood fine sandy loam, 0 to 8 percent slopes	B	0.6	1.2%
LyB	Lyman-Rock outcrop complex, 3 to 8 percent slopes	D	5.6	12.1%
MaB	Madawaska fine sandy loam, 0 to 8 percent slopes	B	2.4	5.1%
Na	Naumburg sand	A/D	0.2	0.4%
Ra	Raynham silt loam	C/D	13.6	29.3%
SeB	Scio silt loam, 3 to 8 percent slopes	C	6.3	13.4%
W	Water bodies		0.0	0.0%
Totals for Area of Interest			46.5	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher



WARRANTY DEED
Maine Statutory Short Form

KNOW ALL BY THESE PRESENTS, that **Richard Moody & Sons Construction Co., LLC**, a Maine limited liability company with a principal place of business in the Town of Wells and State of Maine, for consideration paid, **GRANTS** to **Jonathan R. Moody and Sarah B. Moody** whose address is 1371 Meetinghouse Road, Wells, with **WARRANTY COVENANTS**, as joint tenants, all of the Grantor's interest in real property commonly known as 1371 Meetinghouse Road, and located in the Town of Wells, County of York and State of Maine, described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Meaning and intending to convey a portion of the same premises set forth in a deed from Richard C. Bragdon to Richard Moody & Sons Construction Co., LLC dated July 10, 2015 and recorded in the York County Registry of Deeds in Book 17055, Page 835.

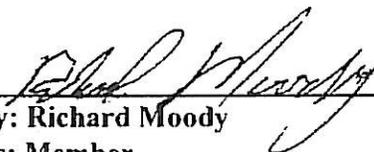
IN WITNESS WHEREOF, the said Richard Moody & Sons Construction Co., LLC has caused these presents to be signed and its corporate seal by Richard Moody, its Member thereunto duly authorized this 24th day of March, 2016.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

**Richard Moody & Sons Construction
Co., LLC**



WITNESS
Marcus P Buzolchuck



By: Richard Moody
Its: Member

**STATE OF MAINE
COUNTY OF YORK, ss.**

March 24, 2016

Then personally appeared the above named Richard Moody and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Richard Moody & Sons Construction Co., LLC, before me



Jerome J. Gamache, Notary Public
My commission expires June 23, 20250

Seal

Maine R E Transfer Tax Paid

ap → Ainsworth Helix

EXHIBIT A

A certain lot or parcel of land with buildings and improvements situated in the Town of Wells, County of York, State of Maine, lying on the southerly side of, and adjoining Meetinghouse Road, bounded and described as follows:

BEGINNING on the southerly sideline of Meetinghouse Road at a 5/8 inch rebar with survey cap #2374 set at land of The Marie A. Weeks Living Trust as described in deed recorded in the York County Registry of Deeds in Deed Book 14326, Page 118, and deed recorded in Deed Book 17032, Page 467;

THENCE, by the southerly sideline of Meetinghouse Road the following two (2) courses and distances;

- 1) North 86°-58'-11" West a distance of 321.68 feet to a point;**
- 2) North 85°-37'-59" West a distance of 178.01 to a 5/8 inch rebar with survey cap #2374 set at remaining land of the Grantor;**

THENCE, South 09°-39'-42" West across land of the Grantor a distance of 554.00 feet to a 5/8 rebar with survey cap #2374 set at said land of The Marie A. Weeks Living Trust as described in Deed Book 14326, Page 118, and Deed Book 17032, Page 467;

THENCE, by said Marie A. Weeks Living Trust the following three (3) courses and distances:

- 1) North 78°-13'-26" East a distance of 450.07 feet to a point;**
- 2) North 81°-39'-27" East a distance of 143.05 feet to a 5/8 inch rebar with survey cap #2374 set at the base of a fence post wire found near a drainage ditch;**
- 3) North 01°-21'-37" East, in part along the centerline of said drainage ditch, a distance of 403.09 feet to the point of beginning.**

ALL bearings used in this description are based on grid north per Maine State Plane Coordinate System, West Zone.

REFERENCE is made to a plan entitled, "Standard Boundary Survey With Proposed House, 1321 and 1371 Meetinghouse Road, Wells, Maine, Owned by Richard Moody and Sons Construction Co., LLC", dated July 23, 2015, by Lower Village Survey Company.



BK 17055 PGS 835 - 837 07/14/2015 10:44:22 AM
 INSTR # 2015027080 DEBRA ANDERSON
 RECEIVED YORK SS REGISTER OF DEEDS

WARRANTY DEED

KNOW ALL By THESE PRESENT that **RICHARD C. BRAGDON**, with a mailing address of 1371 Meetinghouse Road, Wells, Maine 04090, for consideration paid, *Grants* to **RICHARD MOODY & SONS CONSTRUCTION CO., LLC**, a Maine Limited Liability Company with a mailing address of PO Box 366, Moody, Maine 04054, with *Warranty Covenants*, a certain parcel of land, together with the improvements thereon, situated on the southerly side of and adjoining Meetinghouse Road, in the Town of Wells, County of York and State of Maine, bounded and described as follows:

BEGINNING at a 5/8" rebar with survey cap #2374 set in the apparent southerly sideline of Meetinghouse Road at the northwesterly corner of land now or formerly of Marie A. Weeks and Stanley A. Weeks, Trustees of the Marie A. Weeks Living Trust described in deed recorded in York County Registry of Deeds in Book 14326, Page 118. Said rebar at the point of beginning is located on a tie course of South 55° 10' 35" East a distance of 126.24 feet from a 5/8" rebar with survey cap #1314 found at the southeasterly corner of other land of Richard C. Bragdon located on the northerly side of Meetinghouse Road and at the southwesterly corner of land conveyed by said Bragdon to Kelly Clarrage Roche by deed dated April 10, 2003, recorded in York County Registry of Deeds in Book 12731, Page 308.

THENCE, running along Meetinghouse Road the following seven (7) courses and distances:

- North 86° 58' 11" West a distance of 321.68 feet;
- North 85° 37' 59" West a distance of 265.62 feet;
- North 86° 50' 13" West a distance of 106.45 feet;
- North 84° 34' 41" West a distance of 187.33 feet;
- North 85° 33' 55" West a distance of 139.41 feet;
- North 84° 32' 26" West a distance of 107.59 feet;

North 82° 04' 36" West a distance of 55.63 feet to a 5/8" rebar with survey cap #2374 set at the northeasterly corner of land now or formerly of Julie Downing and Lawrence R. Downing, Trustees of the Julie G. Downing Living Trust, described in deed recorded in said Registry in Book 11905, Page 320;

3 PR → AINSWORTH THELIN & RAFTICE P.A. 7 OCEAN ST. S. PTAD ME 05106
 MAINE R.E. TRANSFER TAX PAID.

THENCE, turning and running by said Downing land, partially along a stone wall, then generally in line with remains of barbed wire fence, the following three (3) courses and distances:

South 29° 17' 53" West a distance of 426.04 feet to a 5/8" rebar with survey cap #2374 set;

South 43° 25' 30" West a distance of 1020.53 feet to a 8" x 8" stone monument found 16" tall (leaning);

South 23° 51' 32" East a distance of 784.97 feet to a 5/8" rebar with survey cap #2374 set in a stone wall at land now or formerly of William F. Spiller and Anna T. Spiller described in deed recorded in said Registry in Book 6925, Page 311;

THENCE, turning and running North 69° 28' 56" East, in line with a stone wall and remains of barbed wire fence, by said Spiller land, a distance of 416.12 feet to a 4" x 4" stone post found 8" tall at the westerly corner of land now or formerly of Richard D. Brady and Christine Brady described in deed recorded in said Registry in Book 16386, Page 339;

THENCE, turning and running North 63° 05' 37" East, in line with remains of barbed wire fence, by said Brady land and by land now or formerly of Paul E. Huffman and Diane L. Pease described in deed recorded in said Registry in Book 16940, Page 551, a distance of 985.55 feet to a 4" x 4" stone post found 8" tall at land now or formerly of The Marie A. Weeks Living Trust referred to above;

THENCE, turning and running by said Weeks land the following four (4) courses and distances:

North 32° 18' 44" West a distance of 681.57 feet to a maple tree with found with barbed wire fence remains forming a corner in said fence;

North 78° 13' 26" East, along wire fence and remains of wire fence found in trees and stumps, a distance of 732.60 feet;

North 81° 39' 27" East, along remains of wire fence found in the ground, a distance of 143.05 feet to a 5/8" rebar with survey cap #2374 set at the base of fence post with wire fence remains found lying down near a corner in a drainage ditch;

North 01° 27' 37" East, generally along the center of said ditch, a distance of 403.09 feet to the point of beginning.

CONTAINING 45.16 acres.

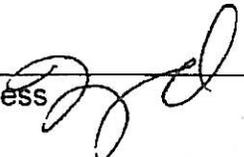
The above-described parcel is conveyed **SUBJECT TO** apparent prescriptive easement for overhead utility lines and utility pole serving the residence at 1321 Meetinghouse Road as shown on the plan hereinafter referred to.

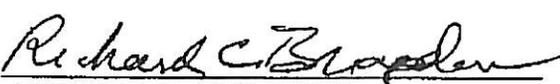
ALL BEARINGS contained herein are based on Grid North per Maine State Plane Coordinate System West Zone.

The description contained herein was derived from "Standard Boundary Survey, 1321 & 1371 Meetinghouse Road, Wells, Maine, Owned by Richard C. Bragdon, Prepared for Jon Moody" dated June 4, 2015, by Lower Village Survey Co., LLC, to be recorded in York County Registry of Deeds.

Being the first parcel described in deed from Freda A. Pearson, Personal Representative of the Estate of Gertrude L. Bragdon, to the Grantor recorded in Book 7457, Page 59. Reference is also made to an exchange of deeds between Richard C. Bragdon and Marie A. Weeks and Stanley A. Weeks, Trustees of The Marie A. Weeks Living Trust dated June 5, 2015, confirming their common boundaries, recorded in said Registry in Book 17032, Page 465, and Book 17032, Page 467.

IN WITNESS WHEREOF, RICHARD C. BRAGDON has caused this instrument to be signed this 10 day of July, 2015.

Witness 

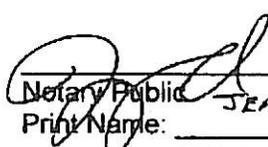

RICHARD C. BRAGDON

STATE OF MAINE
County of YORK

July 10, 2015

Then personally appeared the above-named, RICHARD C. BRAGDON and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Notary Public
Print Name: JEROME J. GAMAQUE
Commission Expires JUNE 23, 2020



TOWN OF WELLS,

208 Sanford Road, PO Box 39
Wells, Maine, 04090
Phone: 207-646-5187, Fax: 6
Website: www.wellstown.or

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

New

For Office Use Only

Fee Paid _____

PRELIMINARY SUBDIVISION APPLICATION - §202-8

1. Project/Subdivision Name: Meetinghouse Road Cluster Subdivision Received 6-28-16
2. Property Owner: R Moody & Sons Construction Co., LLC
- Mailing Address: 899 Post Road
Wells, ME 04090
- Telephone: 207-646-6194 Fax: 207-646-4519
- Email Address: jon@rmoodyconstruction.com
3. Applicant/Agent (if different from owner): Frederic (Rick) Licht, PE, LSE
- Mailing Address: Licht Environmental Design, LLC, 35 Fran Circle
Gray, Maine 04039
- Telephone: 207-749-4924 Fax: NA
- Email Address: rlicht@securespeed.us
4. Engineer or Surveyor who prepared plan: Silas Canavan, Walsh Engineering Assoc.
- Mailing Address: 1 Karen Drive, Suite 2A
Westbrook, ME 04092
- Telephone: 207-553-9898 Fax: 207-692-2273
- Email Address: Silas@walsh-eng.com
5. All correspondence should be sent to: _____ Agent
(specify one of the above)
6. Assessor's Tax Map Number: 77 Lot Number: 22 (of land to be divided)
7. Is applicant a Maine-licensed corporation? Yes No (if yes, attach copy of license)
8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?
Owner

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

None

10. Location of Property: 1321 Meetinghouse Road

Street Address (approx.)

Book 17055 Page 835 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural (R) no shoreland

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

13. Total Acreage: 39.4 Acreage to be developed: 14

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

Deeds to reference HOA documents and any specific easements located on specific lots.

15. Has this land been part of a prior approved subdivision? Yes X No
Or other divisions within the past 5 Years? X Yes No

If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

Former Richard Bragdon Farmstead at 1371 Meetinghouse Road

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

Single family Mobile Home & Woodland (Cut in recent years) and Fields

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

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

19. Number of lots or dwelling units existing: 1 and
Number of lots or dwelling units proposed: 13

20. Does this development require extension of public infrastructure? Yes X No

If yes, which type of structure?

roads

storm drainage

sidewalks

water lines

fire protection equipment

sewer

If other, please state

21. Estimated cost for infrastructure improvements: \$ 350,000

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

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

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

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

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

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

25. Does the applicant intend to request waivers of any of the subdivision submission requirements? Yes No

If yes, list them and state the reasons for the request:

Waiver requested for the location of trees 24" and larger at breast height.

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

[Handwritten Signature]
Signature of Applicant

06.24.16
Date

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website www.wellstown.org. Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

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

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

12/19/07

Preliminary Subdivision/ Amendment Application Form

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

Project Name: Meetinghouse Road Cluster Subdivision **Applicant:** R. Moody & Sons Construction Co.

Checklist Prepared By: Wanda Emery **Date:** 5/18/2016

Checklist Reviewed By: F.J.L. **Date:** 6.24.16

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

Code Section	I. General	Response (Please check applicable box)			
		Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-8A.1	An application for preliminary approval has been submitted within 6 months after the on-site inspection by the Planning Board	X			
202-8A.2	The application for Preliminary approval for a major subdivision is accompanied by a FEE determined by the Board (\$300 base fee; plus \$120 per lot/dwelling for the first 10 proposed; plus \$100 per lot /dwelling for 11-49 proposed; plus \$80 per lot/dwelling for excess of 50)	X			
202-8B.1.a	Location map showing existing subdivisions adjacent to the proposed subdivision	X			
202-8B.1.a	Location map showing locations and names of existing and proposed streets.	X			
202-8B.1.a	Location map showing boundaries and designations of zoning districts.	X			
202-8B.1.a	Location map showing an outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.	X			
202-8B.2	3 copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot.	X			
202-8B.2	Drawn to scale of not more than 100 feet to an inch. Subdivisions containing more than 100 acres can be drawn at a scale of not more than 200 feet to the inch.	X			
202-8B.2 <i>12</i>	11 copies of plans reduced to a size of 11" x 17" and all accompanying information assembled into a booklet	X			

Code Section	II. Preliminary Subdivision Submission Requirements	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-8B2.a	Proposed name of subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	X			
202-8B2.b	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	X			
202-8B2.c	A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	X			
202-8B2.d	A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision	X			
202-8B2.e	Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.	X			
202-8B2.f	The number of acres within the proposed subdivision, location of property lines, existing buildings watercourses, vegetative cover type and other essential existing physical features.	X			
202-8B2.f	The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan				X
202-8B2.g	If public sewer is used a written statement from the Wells Sanitary District stating that the district has the capacity to collect and treat the wastewater shall be provided			X	
202-8B2.g	If subsurface wastewater disposal systems are used, test pit analyses shall be provided by a licensed site evaluator. A map showing the location of all test pits dug on site shall be submitted.	X			
202-8B2.h	If water is to be supplied by KKWWD a written statement from the district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary.			X	
202-8B2.i	Date plan was prepared	X			
202-8B2.i	North point (true or magnetic)	X			
202-8B2.i	Graphic scale	X			
202-8B2.i	Names and addresses of record owner, subdivider and individual or company who or which prepared the plan.	X			
202-8B2.j	Names and addresses of owners of record of adjacent property, including property directly across an existing public street from the subdivision.	X			
202-8B2.k	The location of any zoning boundaries	X			

<i>Code Section</i>	<i>II. Preliminary Subdivision Submission Requirements</i>	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-8B2.l	Location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided	X			
202-8B2.m	Locations, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision	X			
202-8B2.n	Width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision	X			
202-8B2.o	Proposed lot lines with approximate dimensions and lot areas	X			
202-8B2.p	Parcels of land proposed to be dedicated to public use			X	
202-8B2.q	Location of any open space to be preserved	X			
202-8B2.r	Copy of the county soil survey covering the subdivision	X			
202-8B2.s	Boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan	X			
202-8B2.t	Hydrogeologic Assessment required when any part of the subdivision is located over a sand and gravel aquifer			X	
202-8B2.t	Hydrogeologic Assessment required when the subdivision has an average density of less than 100,000 sq. ft. pre dwelling unit.			X	
202-8B2.u	Location of any wetlands, streams, rivers, brooks, or ponds located within or adjacent within 75 feet to the proposed subdivision	X			
202-8B2.v	Location of any significant wildlife or fisheries as located by the DIF&W	X			

LISTING OF ABUTTERS TO A PROPOSED PRELIMINARY SUBDIVISION APPLICATION

Project Name: Meetinghouse Road Cluster Subdivision

Street Address of Project: 1321 Meetinghouse Road

Map/ Lot # of Project: 77/22

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

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

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

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

Name	Address	Tax Map	Lot
	Planner Sends Abutter Notice		

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

X to be provided by Planning
 Signature of Applicant OFFICE (PL) Date _____

Attach extra pages as necessary



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

PRELIMINARY SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

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

To Whom It May Concern:

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

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

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

Property Owner (of land to be divided): R Moody & Sons Construction Co

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

Applicant's Name: R Moody & Sons Construction Co

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

Applicant's Signature: *Jew Hunt, agent*

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

Subdivision Location (street address): 1321 Meetinghouse Road

Acres to be subdivided: 39.4 Number of proposed lots or dwelling units: 13

Zoning District(s): Rural

Description of Proposal: Proposed 13 Lot Cluster Subdivision with approximately 22 acres of open space.



Assessors Office, Town of Wells

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

ROAD NAME REQUEST FORM

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

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

NAME OF PROPOSED SUBDIVISION: Meetinghouse Road Cluster Subdivision

LOCATION OF PROPOSED SUBDIVISION : Meetinghouse Road

MAP(s)/LOT(s)#: 77/22

Desired Road Names to be Considered:

1. _____
2. _____
3. _____
4. _____
5. _____

Contact Name of Development: _____

Contact Phone: _____ Email: _____

Office Use Only

STREET NAME APPROVED: _____

Date: _____ Signature: _____

Keeley Lambert, E911 Coordinator

From: [JON MOODY](#)
To: [rick licht](#)
Subject: Re: Meetinghouse Road DEEDS and Authorization Email
Date: Wednesday, April 13, 2016 1:20:10 PM

To Whom It May Concern,
Rick Licht of Licht Environmental Design has permission to act on behalf of Richard Moody & Sons Construction for the purpose of planning and permitting the Meetinghouse Road Subdivision located at 1321 Meetinghouse Road in Wells.
Thank you,

Jon Moody

Richard Moody & Sons Construction
899 Post Road
Wells, Maine 04090

(o) 207.646.6194
(m) 207.251.1241
www.Rmoodyconstruction.com

On Apr 13, 2016, at 1:05 PM, rick licht <rlicht@securespeed.net> wrote:

Jon/Leon:

<!--[if !supportLists]-->1. <!--[endif]--> Jon – please send me an email authorizing me to act as your agent for signing application forms and matters dealing with the subdivision application.

<!--[if !supportLists]-->2. <!--[endif]--> Leon/Jon – still do not have the deed from Moody Construction into Jon Moody, et al; (I DO have the deed from Bragdon to Moody Construction for the overall 45 acres, just need Jons deed)

Please forward as soon as you can

Thanks

Rick

From: Shannon Belanger [<mailto:Sbelanger@wellstown.org>]
Sent: Wednesday, April 13, 2016 12:35 PM
To: rick licht
Cc: Mike Livingston
Subject: Meetinghouse Road

Hi Rick,

In review of the Meetinghouse Road subdivision pre-application I cannot find a copy of the property deed(s) or form of right title and interest. I see nothing from the property owner giving you permission has their agent. I also do not see the recorded deed for the 5.77 acre 'out parcel.'

We will need copies of all of these items as soon as possible. Thank you,

Shannon L.M. Belanger
Planning Assistant
Website Administrator
Town of Wells, Maine
sbelanger@wellstown.org
(207) 646-5187

Confidentiality notice: the email message contained herein is intended only for the individual to whom, or entity to which, it is addressed as shown at the beginning of the message and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or if the employee or agent responsible for delivering the message is not an employee or agent of the intended recipient, you are hereby notified that any review, dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify us immediately by return email and permanently delete this message and your reply to the extent it includes this message. Thank you for your cooperation. Town of Wells



EXHIBIT 0 – REQUEST FOR WAIVERS

The following waiver is hereby requested for consideration from the Planning Board:

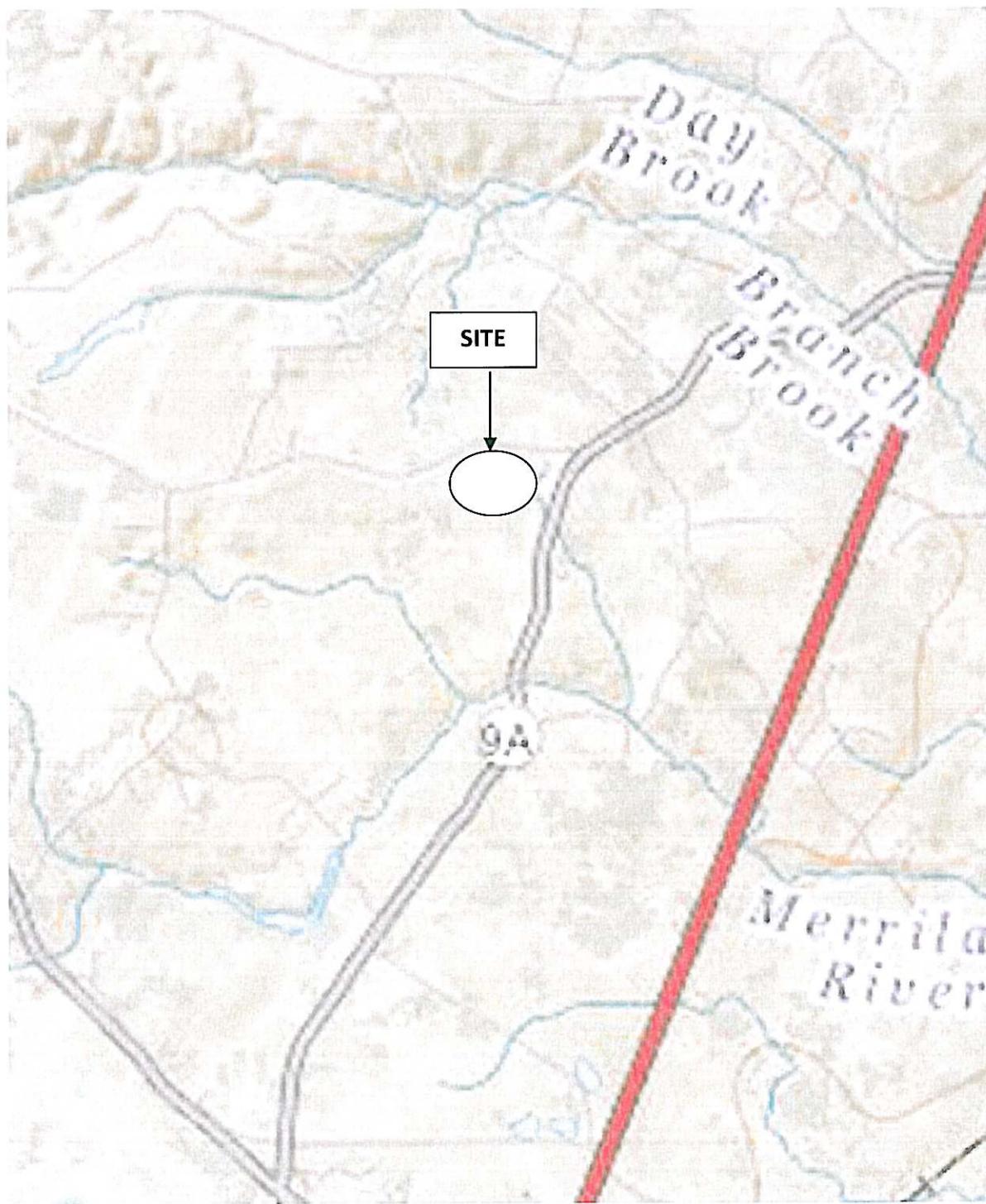
- 1. Wells Subdivision Ordinance Chapter 202.8.B.(2)(f)** – Location of all trees greater than 24-inch diameter breast height (dbh)

Basis of Waiver Request:

- A.** The project is mostly wooded containing a mix of large white and red pine, hemlock, oak, maple, ash, birch and other species. The site has seen harvesting and thinning in recent years. The larger trees are located at the property boundaries and or at the frontage along Meetinghouse Road. The significant trees on the boundary are already located and shown on the plans. The larger oak and maple trees along Meetinghouse Road are shown generally and do not anticipate being impacted by the development.

Based on the above we respectfully request that the requirement that all trees greater than 24-inch dbh be waived by the Planning Board.

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



▪ PREPARED FOR:
1321 Meetinghouse Rd.
Wells ME 04090

▪ TITLE:

USGS Locus Map



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

**Exhibit
1**



June 28, 2016

JN 15.077

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

**Proposed Meetinghouse Road Cluster Subdivision
Preliminary Major Subdivision Submission
(Assessors Map 77 Parcel 22)**

Dear Mike and Members of the Planning Board:

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

- Cover Letter
- Application Form and Fee
- Abutter Notification Form
- Exhibit 1 - U.S.G.S. Quad Locus Map
- Exhibit 2 - Assessors Map
- Exhibit 3 - Right, Title and Interest
- Exhibit 4 – USDA Soils and Test Pits
- Exhibit 5 – Zoning Map
- Exhibit 6 – NRA Table
- Exhibit 7 – Draft HOA documents
- Exhibit 8 – Agency Letters and Maps
- Subdivision Plans “Meeting House Subdivision” prepared by Walsh Engineering Associates, dated 06-24-16 and including Preliminary Subdivision Plan Sheet S1.1 prepared by Lower Village Survey Company.

1. Introduction:

The applicants are proposing the development of a 13-lot residential single family subdivision on the former property of Richard Bragdon located at 1321 Meetinghouse Road. The project is proposed as a 13-lot cluster single-family subdivision in accordance with the Town of Wells Land Use Code, Chapter 145-49 and Chapter 202 Subdivision Regulations. The project will qualify as a major subdivision under the Chapter 202 Ordinance. The project was presented to the Planning Board for Sketch Plan review in April and May of this year and a site walk was held on April 26, 2016.

Our project team consists of:

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

2. Existing Conditions:

The property is located on the southerly side of Meetinghouse Road and westerly of Branch Road (Route 9A), *Exhibits 1 and 2*. The former Bragdon farmstead has been broken off from the original 45+/- acre parcel, formerly of Richard Bragdon, to create a 5.77 acre out parcel. The remaining 39.4 acres are proposed for development as a 13-lot subdivision. The property includes an existing trailer and driveway which will be removed. The property has been deeded to the applicant, Richard Moody & Sons Construction Company, LLC and deeds are contained in *Exhibit 3*.

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

The site is serviced by overhead electric and cable utilities and will require on-site wells and subsurface wastewater disposal systems.

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

Site soils as mapped by the Natural Resource Conservation Service (NRCS) are generally outwash tills and vary from Adams fine sandy loam, Croghan sandy loam and Naumburg sands which predominate the central and southwestern areas of the site to Raynham and Scio silt loams located in the northern and eastern areas. The soils appear very suitable for the proposed development. On-site soil tests have been performed by Joseph Noel, CSS to verify specific areas for subsurface wastewater disposal and road and infrastructure design. Refer to *Exhibit 4* for the USDA Soils Map and soils test pit logs.

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



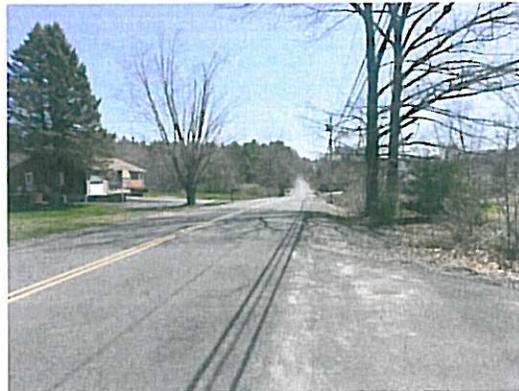
View across street from new roadway 1



New road sightlines to south 1



Lot 13 Sightlines to south 1



New Roadway Sightlines to North 1



Lot 13 Sightlines to north 2

The above photos document the sight lines at both the proposed site entrance to Meetinghouse Road and the Lot 13 proposed driveway. The first photo is a view looking across from the propose site entrance to a the well buffered lot across the street and open field.

Lots will be serviced by individual wells and subsurface wastewater disposal systems. Test pits on each lot were conducted by Joseph Noel, CSS and the approximate locations of leach fields and well exclusion zones are shown on Plan Sheet C2.0. The generous size of most lots allow for ample room to maintain septic and well sites on each lot. Electric and cable utilities will be provided via a new underground service.

As noted above there are several minor wetland crossings as well as minor lot fills, which are estimated to create approximately 10,062 s.f. of wetland impacts - requiring the filing of a DEP/US Army Corps of Engineers Natural Resources Protection Act (NRPA) Tier 1 wetland permit application. All road crossings will include culverts meeting the Corps and DEP requirements with buried inverts. The NRPA Application will be filed within a week of this submission. Additionally, 100 foot limited buffers are shown on the plans for the three (3) vernal pools identified onsite. A Field Determination Report filed by Chris Coppi, Maine DEP, dated 07-01-15 is also contained in *Exhibit 8* clarifying that there are no regulated streams onsite. That determination also provides a finding that the potential vernal pool # 10 as shown on the plans in the open space behind Lot 9 is not a DEP regulated vernal pool.

The Maine Natural Areas Program, Maine Department of Inland Fisheries and Wildlife and Maine Historic Preservation Commission (MHPC) have all been contacted for a review of their respective databases for any significant mapped resource areas. The data base searches were all negative and copies of their responses and maps are contained in *Exhibit 8*. However the MHPC recommended that a Phase 1 archaeological study be performed due to the proximity to the Spiller archaeological site. A study was commissioned with Power Engineers of Freeport and that study submitted to the MHPC. The MHPC responded in a letter dated December 23, 2015 that they concurred with the study's negative findings for any archaeological sites. That letter is contained in *Exhibit 8*. The MHPC did request information on the former Bragdon farmhouse which is not under consideration as part of this subdivision review. The applicant is following up on that request.

The project will create approximately 0.75 acres of impervious area and less than 5 acres of developed area. The applicant will develop the roadway and market/develop the lots separately. Therefore a DEP Chapter 500 stormwater permit is not required. The project will be designed to meet the Town of Wells Stormwater Standards and will include BMP's such as lot buffers, drip edges, vegetated swales and detention facilities. The location of the proposed buffers on the perimeter of many lots as well as the intended location of detention basins is shown on the Subdivision Plans. Drainage easements are shown on the plans where drainage facilities encroach onto individual lots.

4. Summary:

In summary the proposed cluster subdivision is being proposed on a 39.4 acre parcel in accordance with Land Use Code Chapter 145-49 and would provide 13 lots all exceeding minimum lot area requirements. The development would create a 1,500 lineal foot subdivision roadway and cul-de-sac and 22.5 acres of preserved open space.



We look forward to meeting with the Board at the July 11^h Planning Board meeting to discuss the Preliminary Subdivision application. In the meantime, should you have any questions or comments on the project please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Licht', written in a cursive style.

Frederic (Rick) Licht, PE, LSE
Principal

Encl: As noted

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