



TOWN OF WELLS, MAINE PLANNING BOARD

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

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

I. SEPTEMBER 26, 2016 DRAFT MEETING MINUTES

DOCUMENTS:

[PB MIN 09-26-16.PDF](#)

II. OCTOBER 17, 2016 DRAFT MEETING MINUTES

DOCUMENTS:

[PB MIN 10-17-16.PDF](#)

PUBLIC HEARING(S)

I. 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.

DOCUMENTS:

[PB MEMO RE OGUNQUIT RIVER INN PH 11-04-16.PDF](#)

DEVELOPMENT REVIEW & WORKSHOPS

I. DOLLAR GENERAL

LSM Inc. owner; Zaremba Program Development, LLC, applicant; Nobis Engineering, agent. Site Plan Pre-Application for a 9,100 Business Retail building and associated parking to be located on a 1.02 acre parcel. Property is located off of 2060 Post Road and is within the General Business District. Tax Map 144, Lot 1. **Report the results of the Site Walk**

DOCUMENTS:

[DOLLAR GENERAL MGL SITE WALK MEMO 10-24-16.PDF](#)
[DOLLAR GENERAL BHOULIHAN COMMENT EMAIL 10-23-16.PDF](#)
[DOLLAR GENERAL RFURMAN COMMENT 10-18-16.PDF](#)
[DOLLAR GENERAL J BUCKNAM EMAIL RE TRAFFIC AND PARKING](#)

II. 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. **Workshop comments from public, draft compliance and sign lighting**

DOCUMENTS:

[OGUNQUIT RIVER INN AMEND APP MEMO 11-03-16.PDF](#)
[OGUNQUIT RIVER AMD EMAIL RAMIN RE LIGHTING 10-17-16.PDF](#)
[PRELIM SITE.PDF](#)
[VIPER_SMALL_LED_SPEC_SHEET.PDF](#)

III. WESLEY BY THE SEA SUBDIVISION AMENDMENT

Preacher's Aid Society of New England, owner; Stephen Bushey, agent. Subdivision Amendment Application to reflect As-Built conditions of the subdivision and changes made to the drainage including drainage easements and wooded buffers. The subdivision is located off of Charles Wesley Court off of Harriseckett Road and Willow Way. The subdivision is located within the Rural and 75' Shoreland Overlay Districts. Tax Map 79, Lots 1-1 to 1-14. **Receive Subdivision Amendment Application, review memo, and schedule a Site Walk if determined to be necessary**

DOCUMENTS:

[WESLEY BY THE SEA AMEND MEMO 11-03-16.PDF](#)
[WESLEY BY THE SEA AMENDMENT SUBMISSION 10-12-16.PDF](#)
[WESLEY BY THE SEA DRAFT PLAN SUBMISSION 10-12-16.PDF](#)

IV. SEA ORCHARD SUBDIVISION AMENDMENT

Thomas & Ruth Bergen, owner. Robert Libby, BH2M, applicant/agent. Subdivision Amendment Application for a 15' wide access easement on lot 5 for the use of lot 6. The parcels are located off of Autumn Lane off of Route One. The parcels are located within the Residential A District and are identified as Tax Map 135, Lots 9-5 and 9-6. **Receive Subdivision Amendment Application, review memo, and schedule a Site Walk if determined to be necessary**

DOCUMENTS:

[SEA ORCHARD AMD 3 MEMO 10-26-16.PDF](#)
[SEA ORCHARD AMD SUBMISSION 10-21-16.PDF](#)
[SEA ORCHARD AMD 3 DRAFT PLAN 10-21-16.PDF](#)

V. BURNT MILL ESTATES AMENDMENT

Burnt Mill Holding Company, LLC; Brad Booth, agent; Corner Post Land Surveying, surveyor. Final Subdivision Amendment Application to relocate cluster lot #62 from Storer Lane to Route 9A, adjacent to cluster lot #103 and add a driveway onto Route 9A. No change to the number of lots or dwellings proposed. The area of the subdivision amendment is located off of Hobbs Farm Road, Route 9A and Storer Lane and is within the Rural and 75' Shoreland Overlay Districts

22, and Stone Lane, and is within the Rural and Residential Overlay Districts. Tax Map 62, Lot 12 and Map 63, Lot 7. **Workshop compliance and Findings of Fact & Decisions for possible approval**

DOCUMENTS:

BURNT MILL AMEND MEMO 10-27-16.PDF
BURNT MILL AMEND FINAL COMPLETENESS DRAFT 10-27-16.PDF
BURNT MILL AMEND DRAFT COMPLIANCE AND FINAL FOF 10-27-16.PDF
MURNT MILL AMEND ART VII (145-49) RESIDENTIAL CLUSTER CHECKLIST 10-27-16.PDF
BURNT MILL DRAFT PLAN 11-01-16.PDF

VI. BRACKETT ESTATES SUBDIVISION AMENDMENT

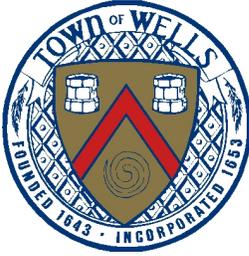
Jefferson Homes, Inc. owner; Thomas Harman, Civil Consultants, applicant/agent. Subdivision Amendment Application to adjust the lot line between lots 5-24 and 5-25. No other changes proposed to the existing subdivision. Parcels located off of Brackett Lane and are located within the Residential A District. Tax Map 25, Lot 5-24 and 5-25. **Receive Subdivision Amendment Application, determine a site walk if necessary, workshop completeness, determine a public hearing if necessary, workshop compliance and Findings of Fact & Decisions for possible approval**

DOCUMENTS:

BRACKETT ESTATES AMD 3 FINAL AMEND MEMO 11-01-16.PDF
BRACKETT ESTATES AMD 3 DRAFT COMPLETENESS 10-25-16.PDF
BRACKETT ESTATES AMD 3 COMPLIANCE AND DRAFT FOF 11-01-16.PDF
BRACKETT ESTATES AMD 3 SUB AMEND SUBMISSION 10-20-16.PDF
BRACKETT ESTATES AMD 3 DRAFT PLAN 10-31-16.PDF

OTHER BUSINESS

I. SRC & CEO SITE PLAN REVIEW AND APPROVALS UPDATE



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, September 26, 2016, 7:00 P.M.
Wells Town Hall
208 Sanford Road

CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 P.M. Members present: Robert Sullivan, Dennis Hardy, Brian Toomey, and Charles Anderson. Staff present: Mike Livingston, Town Engineer/Planner.

MINUTES

September 12, 2016

MOTION

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

PUBLIC HEARINGS

- I. BIRCH FARM SUBDIVISION (FKA MEETINGHOUSE ROAD SUB.)** - Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Final 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.

Rick Licht presented the project plans and described the proposal. No comments from the public offered.

MOTION

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

DEVELOPMENT REVIEW & WORKSHOPS

- I. BRANCH BROOK ESTATES** – Persis L. Ensor Trustee, owner; Donald Murphy, applicant; Kimball Survey & Design, Inc., agent. Subdivision Pre-Application for a 13 lot/dwelling unit residential cluster major subdivision located on 40 acres of land off of

Wire Road with a proposed private street right-of-way to be constructed. The parcel is located within the Rural, Aquifer Protection, and 250' Shoreland Overlay Districts. Tax Map 74, Lot 2. **Report results of the Site Walk**

The results of the site walk were read by Mike Livingston. The driveways for lots 1 and 2 along Wire Road appeared to exceed site distance requirements. Lot 13 site distances were reviewed as well and care is to be given on this driveway location due to the curve and higher speed limit of Wire Road in this location. The final plans should show a 50 or 75 foot window for the driveway placement of this lot. The site has well drained soils and is well wooded with nice oak trees. A low area near lots 3 and 4 would be well suited for stormwater. The proposed road is fairly short. The large ravine in the back of the site will be part of the Open Space. No part of the development is proposed in this area or any portion of the Aquifer Protection District. No additional comments were offered.

II. BIRCH FARM SUBDIVISION (FKA MEETINGHOUSE ROAD SUB.) - Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Final 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. **Workshop draft compliance and Final Findings of Fact & Decisions**

Rick Licht and Jon Moody were present. Mike Livingston reviewed the memo prepared. The sample deed was provided. The Town Attorney reviewed the HOA documents and had minor review comments. The HOA documents were well written. The cost estimate was provided and will need to include Monumentation, as-built plan and 10% contingency costs. Various plan and note changes are recommended to be completed. The next Planning Board meeting is next week and the revisions are anticipated to be done for that meeting.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to not require shared driveways. **PASSED** unanimously.

The applicant to provide a light detail on the plan. The Board reviewed monumentation proposed.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the monumentation proposed as sufficient. **PASSED** unanimously.

The Fire Chief letter was received. The subdivision dwellings shall have sprinkler systems. The Chief reviewed the road width to ensure the fire truck would not block traffic if it is parked along the roadway and he found the road width acceptable as the house locations will be set so far back from the roadway, he doesn't anticipate having to park in the roadway.

Mike Livingston reviewed the drainage and found what is proposed to meet the ordinance requirements.

The proposed road width is 22' with a 30' wide gravel base. The Planning Board must review the road width and determine if it is adequate.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the 22' wide paved roadway with 30' wide gravel base as proposed to be adequate. **PASSED** unanimously.

Note 31 addressed performance guarantees. Some revisions are recommended by the Planning Office to better accommodate the desired model home prior to base gravel. Mike Livingston read the recommended note language to the Planning Board as described in the review memo. The guarantee must be approved by the Town Manager. A cash guarantee is required based on the area of proposed disturbance at \$3,500 per acre. This cash guarantee must be provided at the time of the pre-construction meeting or prior to start of construction. No sale of a lot or occupancy shall be granted until base pavement of the road, drainage and utilities are installed. If not all items are complete at the time of occupancy the developer can provide the Town a guarantee to cover those incomplete remaining costs. The town also requires cash escrow for third party inspections and Monumentation. Mr. Millian thought the note sounded good.

Mike reviewed the proposed special conditions of approval.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to continue the workshop to the next meeting. Rick Licht asked if the special condition of approval should incorporate the model unit provision. Mike said it would be addressed in Note 31. **PASSED** unanimously.

III. BURNT MILL ESTATES- Burnt Mill Holding Company, LLC; Brad Booth, agent; Corner Post Land Surveying, surveyor. Final Subdivision Amendment Application to relocate cluster lot #62 from Storer Lane to Route 9A, adjacent to cluster lot #103. No changes to the number of lots or dwellings proposed. The area of the subdivision amendment is located off of Hobbs Farm Road, Route 9A, and Storer Lane, and is within the Rural and 75' Shoreland Overlay Districts. Tax Map 62, Lot 12 and Map 63, Lot 7. **Receive Subdivision Amendment Application, determine a site walk**

Brad Booth was present.

MOTION

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

Mike Livingston described the proposed amendment. The applicant is proposing to move lot 62 which was approved along Storer Lane to Route 9A near lot 103. Mr. Booth said he is working with his consultant to revise lot 62 and 103 so lot 103 has sufficient road frontage. The Conley family really wanted to see lot 62 moved so they decided it could easily be relocated to accommodate that request.

Abutters have not contacted the Planning Office regarding the amendment as of yet.

Mr. Sullivan felt the new driveway proposed on Route 9A warranted a site walk. Mr. Anderson wanted the driveway location to be staked out.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to schedule a site walk for Saturday, November 1st at 8:30AM. **PASSED** unanimously.

- IV. GRANITE RIDGE GRAVEL** – Pepin Wells, LLC/ Stonewood Enterprises, LLC; owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment Application to revise the mineral extraction buffer limits and expand the mineral extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel. The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map 37, Lot 41. **Workshop draft compliance and Findings of Fact & Decisions for possible approval**

Applicant Matthew Pepin discussed the plans for completing the buffer plantings. Mr. Livingston recommended changing the date from October 1 to November 1 to complete the plantings.

MOTION

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

The Findings of Facts & Decisions were reviewed.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Findings of Facts with 16 standard conditions of approval and 3 special conditions of approval. **PASSED** unanimously.

MOTION

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

- V. THREE BROOKS WEST SUBDIVISION** – Dennis Andrews Efstathiou, owner. The Three Brooks West Subdivision was approved by the Wells Planning Board on April 7, 2008. Town Subdivision Ordinance §202-9C(6) states “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. This means that due to the fact that no construction for the subdivision occurred by April 7, 2013, the subdivision must be determined by the Planning Board to be null and void as of April 7, 2013 and notice shall be placed at the Registry of Deeds. **Review Certificate Rendering the Subdivision Null & Void**

At the last meeting the Board considered declaring the subdivision null and void due to expiration. The Board reviewed the draft Certificate.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to authorize the Chairman to sign the Certificate in the presence of a notary. **PASSED** unanimously.

OTHER BUSINESS

~The SRC reviewed a small project for the Congregational Church to reconstruct the steeple and relocate the handicap access ramp.

~Ocean Mist Subdivision is proposing to relocate a sewer line because of ledge. Mr. Livingston and the Sewer District approved the new location.

~MMA will conduct a training session in Portland in December for Planning Board and Board of Appeals members.

ADJOURN

MOTION

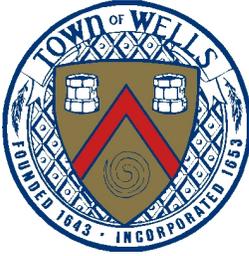
Motion by Mr. Sullivan, seconded by Mr. Anderson, to adjourn and sign plans and Findings. PASSED unanimously.

MINUTES APPROVED _____, 2016

ACCEPTED BY:

Robert Sullivan, Secretary

Cinndi Davidson, Recorder



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, October 17, 2016, 7:00 P.M.
Wells Town Hall
208 Sanford Road

CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 P.M. Members present: Dennis Hardy, Brian Toomey, George Raftopoulos and Charles Anderson. All members are voting tonight. Staff present: Mike Livingston, Town Engineer/Planner and Cinni Davidson, Meeting Recorder.

MINUTES

October 3, 2016

MOTION

Motion by Mr. Toomey, seconded by Mr. Hardy, to accept the minutes as written. **PASSED** 3-0-2 with Mr. Raftopoulos and Mr. Anderson abstaining.

DEVELOPMENT REVIEW & WORKSHOPS

- I. DOLLAR GENERAL** – LSM Inc. owner; Zaremba Program Development, LLC, applicant; Nobis Engineering, agent. Site Plan Pre-Application for a 9,100 Business Retail building and associated parking to be located on a 1.02 acre parcel. Property is located off of 2060 Post Road and is within the General Business District. Tax Map 144, Lot 1. **Receive Site Plan Pre-Application and schedule a Site Walk**

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to receive the site plan pre-application. **PASSED** unanimously.

Todd Hamula, developer, and Chris Nadeau, engineer, presented the plan to build a retail store with 30 associated parking spaces. There will be a boundary line adjustment for the two lots. This will be a general merchandise store carrying name-brand merchandise and food items. The developer will attempt to meet architectural standards consistent with the appearance of the Town.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to schedule a site walk for Saturday, October 22 at 8:30 AM. **PASSED** unanimously.

- II. HIDDEN COVE BREWERY** – Fire & Brew Inc. owner; Richard Varano, applicant; Site Plan Pre-Application to construct a 4,000 SF building for Business Wholesale use, to eliminate the Fast-Food Restaurant use and adjust the Standard Restaurant seating. No change to existing building proposed. The property is located off of 73 Mile Road within the General Business and 250’ Shoreland Overlay District. Tax Map 121, Lot 14. **Report results of Site Walk**

Applicant Dick Varano was present. Mr. Livingston reported on the October 15 site walk which Mr. Hardy and Mr. Toomey attended. No existing drainage or erosion problems were visible. There is a possible closed drain manhole at the southwest corner of the Sea Marsh condo property. Abutter concerns included: odor, traffic, noise, drainage and limited parking. The applicant is having a survey done and will submit a final site plan application.

- III. WELLS PARKS & RECREATION PARKING LOT** – Town of Wells, owner/applicant. Site Plan Pre-Application to construct a municipal use parking lot to consist of approximately 100 parking spaces and some “pickle-ball-courts.” The property is located within the Rural District and Residential A District. The property is off of Branch Road and Burnt Mill Road. Tax Map 56, Lot 23-EXE. **Report results of Site Walk**

Tina LeBlanc, Director of Wells Parks & Recreation, was present. Mr. Livingston reported on the October 15 site walk which Mr. Hardy attended. Sight distances were excellent. Trees will be preserved along Burnt Mill Road unless they are damaged or diseased. The entrance will be moved to avoid two existing oak trees. There is extensive vegetation screening the abutter. Abutter concerns include the project cost and the need for additional parking.

- IV. BURNT MILL ESTATES-** Burnt Mill Holding Company, LLC; Brad Booth, agent; Corner Post Land Surveying, surveyor. Final Subdivision Amendment Application to relocate cluster lot #62 from Storer Lane to Route 9A, adjacent to cluster lot #103 and add a driveway onto Route 9A. No change to the number of lots or dwellings proposed. The area of the subdivision amendment is located off of Hobbs Farm Road, Route 9A, and Storer Lane, and is within the Rural and 75’ Shoreland Overlay Districts. Tax Map 62, Lot 12 and Map 63, Lot 7. **Workshop completeness and draft compliance**

Applicant Brad Booth was present. This amendment is to relocate Lot #62 from Storer Lane to Route 9A and add a driveway onto 9A. Sight distances are good. A note will be added to the plan about retaining trees in the driveway area.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Hardy, to find the proposed monumentation suitable. **PASSED** unanimously.

There was an ordinance change last June permitting lots smaller than 40,000 sq. ft. to increase lot coverage from 20% to 40%.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to allow 40% lot coverage. **PASSED** unanimously.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to allow the driveway for Lot 62 off of Route 9A. **PASSED** unanimously.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to allow a shared driveway for Lots 102 and 103. **PASSED** unanimously.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to find that the 50' wide no cut buffer for Lots 62 and 103 is still adequate, even with the lot line changes. **PASSED** unanimously.

Some recommended minor plan changes have been made, and notes have been added regarding the well and septic locations for Lot 62. The consensus was that the performance guarantee and project phasing notes are acceptable.

MOTION

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

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Hardy, to waive the public hearing. **PASSED** unanimously.

MOTION

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

- V. **PINE HEIGHTS SUBDIVISION** – Stephen & Carmella Locke and Richard & Polly Oteri, owners; Stephen & Carmella Locke, applicants; Corner Post Land Surveying Inc, agent. Final Subdivision Amendment Application for a lot line adjustment between lots 23-4 and 23-3 in order to make lot 23-3 conform to setback requirements. No other changes proposed to the 16 lot subdivision. Subdivision is located off of Chick Crossing Road/ Pine Hill Cemetery Road/ Turtle Cove Lane and is within the Rural District. Tax Map 83, Lot 23-63 and 23-4. **Receive Subdivision Amendment Application, consider if a site walk is necessary, consider workshopping completeness, compliance and draft Findings of Fact & Decisions of possible approval**

Mike Todd of Corner Post Land Surveying represented the applicants.

MOTION

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

The applicants propose a lot line adjustment to make Lot 23-3 conform to the setback requirements. This change is internal to the two lots and the abutters agree to the change.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to waive the site walk. **PASSED** unanimously.

MOTION

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

MOTION

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

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to waive the requirement for a Stormwater Management Plan. **PASSED** unanimously.

MOTION

Motion by Mr. Anderson, seconded by Mr. Toomey, to waive the requirement for a Soil Erosion and Sedimentation Control Plan. **PASSED** unanimously.

MOTION

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

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to find that the lot line change meets §202-12D(4). **PASSED** unanimously.

The Findings of Facts & Decisions with the conditions of approval in §202-12, §202-13 and §202-2 were reviewed.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to approve the Findings of Facts & Decisions with 6 standard conditions of approval and 1 special condition of approval, to approve the plan and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

- VI. WIRE ROAD SUBDIVISION** – Highpine Properties, LLC, owner/applicant. Attar Engineering, agent. Final Subdivision Amendment Application to revised plan requirements to allow construction of 3 model homes and to permit temporary lot staking to obtain building permits. No other changes are proposed to the 40 lot/dwelling unit major residential cluster subdivision. Subdivision is located off of Wire Road within the Rural District. Tax Map 75, Lot 1. **Receive Subdivision Amendment Application,**

consider if a site walk is necessary, consider workshopping completeness, compliance and draft Findings of Fact & Decisions of possible approval

Lew Chamberlain of Attar Engineering represented the applicant.

MOTION

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

The applicant would like to build 3 model homes and use temporary staking rather than final monumentation to get building permits. Mr. Livingston and the Code Office have reviewed the proposed notes and have no objections. The lots can't be sold until base pavement is installed. Temporary staking is acceptable while utilities and infrastructure are being installed. Permanent monumentation would have to be installed before the lots are sold. The model homes will be at the easterly entrance to Brendan's Way.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to waive the site walk. **PASSED** unanimously.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Hardy, to find the application complete. **PASSED** unanimously.

MOTION

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

MOTION

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

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to find the exceptions for the model units are acceptable. **PASSED** unanimously.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to find that the performance standards in §202-13 shall remain met. **PASSED** unanimously.

The Findings of Facts & Decisions §202-12, §202-13 and §202-2 were reviewed.

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to approve the Findings of Facts & Decisions with 6 standard conditions of approval and 1 special condition of approval, to approve the plan and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

OTHER BUSINESS

~A change of use for the former Lyons Coffee property was approved at the October 12 Staff Review Committee.

~SMPDC is holding a workshop in Sanford this Thursday for Planning Board and ZBA members.

ADJOURN

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Hardy, to adjourn and sign plans and Findings. PASSED unanimously.

MINUTES APPROVED _____, 2016

ACCEPTED BY:

Robert Sullivan, Secretary

Cinndi Davidson, Recorder



TOWN OF WELLS, MAINE PLANNING BOARD

To: Town of Wells Planning Board
From: Planning Office
Date: November 4, 2016
Re: Ogunquit River Inn - Public Hearing - Tax Map 102, Lot 5

The Planning Board is scheduled to conduct a public hearing for the lighting changes proposed at Ogunquit River Inn. The Planning Office has not received any written comments regarding the project. A few inquiries have been made at the Planning Office counter regarding the status of addressing the lighting complaints.

Thank you.



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 Walk Results Memo

Date: October 24, 2016
To: Planning Board
From: Planning Office
Re: Dollar General – Tax Map 144, Lot 1

Site Walk Date: October 22, 2016 Time: 8:30 AM
Conditions: 45°, Overcast, Drizzle

Planning Board Members: Charles Anderson, Brian Toomey, and George Raftopoulos

Town Staff: Mike Livingston, Town Engineer/Planner

Applicant Consultant: Chris Nadeau, Nobis Engineering

Abutters/Public: approximately 12 people

Comments:

- Entrance location and building corners marked.
- Area of the proposed building and parking is fairly clear from previous development.
- Sight distances are excellent at the proposed entrance. To be measured and noted on the site plan.
- Several trees exist along the Route 1 frontage. Locations, types and sizes should be noted on the site plan.
- Two healthy maples exist along Route 1 and should be preserved.
- Two significant trees exist near the northerly lot line as well as a maple tree on the property southerly lot line. Locations, types, and sizes should be noted on the site plan.
- An existing culvert crosses the proposed building footprint. Drainage shall be rerouted around the building.
- A detention pond will be designed, most likely west of the proposed building.
- An eight foot tall fence is being considered along the northerly property line.
- An architectural rendering was provided by the consultant.

- Wetlands marked with blue flagging. Soil scientist and delineation to be noted on the site plan.
- Rear of the lot is wooded.
- The remaining land south of the proposed lot is vacant except for an abandoned building.
- Deliveries will include one big truck per week and several smaller trucks during the week.
- Comments from the public included the following:
 - Concerns on impact to traffic movements (turning) from middle lane.
 - Concerns on traffic impact to Drakes Island Road intersection.
 - Concerns on the use of the parking lot for beach goers.
 - Can the number of parking spaces be reduced?
 - What will the hours of operation be?
 - How is the history of contaminated soils being addressed?
 - How is the lot being divided?
 - Concerns on upstream and downstream drainage impacts.
 - Concern from northerly abutter on lighting.
 - Concerns on signage lighting and electronic signs.

From: Barbara Houlihan <houlihan.barbara@gmail.com>
Sent: Sunday, October 23, 2016 10:46 AM
To: Shannon Belanger
Cc: john.ardini@gmail.com
Subject: Oct 22, 2016 Site Walk for Dollar General Rte 1

Hi Shannon,
I attended the site walk on Oct 22nd at 8:30 for the proposed Dollar General on Rte 1. It was very informative.

My concern with the current proposal is parking and the unintended consequences for Drakes Island.

The engineer said Dollar General would only need about 15 parking spaces however the Town of Wells is requiring Dollar General to build 30 parking spaces.

I am concerned that an unintended consequence of the Town of Wells mandating twice as much parking as is needed is people will use the extra parking spaces at Dollar General as overflow parking for Drakes Island Beach. Drakes Island Beach parking lots fill-up quickly during the summer. As a result, drivers drop-off passengers and park cars elsewhere. These drop-offs are not paying parking lot fees to maintain the Beach and its facilities. They also cause traffic and safety problems on Drakes Island.

Please consider this concern as part of the approval process.

Thank you,
Barbara Houlihan
9 Bittersweet Lane
Wells, Me

Becky & Rocky Furman
260 Island Beach Road
Wells, ME 09040

October 18, 2016

Our Town, Our Rules and Our Town's Pride!

Dear Jodine,

It has come to my attention that Dollar General is in the process of applying for a permit to construct a store on Route 1 in our Town.

I trust in considering the permit that you bring into consideration the following:

Town of Wells, Maine Comprehensive Plan Update

Submitted To:

Comprehensive Plan Improvement Task Force
Wells, Maine

Submitted by:

Southern Maine Regional Planning Commission
21 Braden Street, Suite 304
Springvale, Maine 04083

February 24, 2005

In Cooperation with:

Town of Wells Planning Department

Part 2 – Policies and Implementation Strategies

Chapter 1 The Vision for Wells

The Comprehensive Plan's Vision for Wells describes the overall features of what the citizens of Wells want their Town to be like. The Vision defines the overall character of the Town in terms of its natural, social and built environment.

THE VISION FOR WELLS

Wells is a terrific community with great people and a great environment. The vision for Wells is to preserve and promote Wells' small-town historic traditional rural New England seacoast community character, appearance and values for a better quality of life.

If quality is conformance to a standard, then continually improving quality means continually setting and achieving higher standards for excellence in planning, design, development, service and operations. Citizens drive standards: their aspirations, expectations, their goals and policies.

Setting standards will enable Wells to:

- Retain and improving the quality of life.
- Promote economic opportunity.
- Promote health and safety.
- Promote educational opportunity.
- Promote environmental protection.

Vision Benefits

There are several benefits from this vision for Wells including:

1. Retaining Small Town Character and A Better Quality of Life.

The first benefit is retaining and promoting a better environment for business and living. Wells' economic base is tourism. Its attraction for tourist and residents alike is its historic and traditional New England seacoast and rural environment, character and appearance. This character and appearance is derived from Wells' architecture and rural environment. The architecture reflects the New England Colonial and Victorian styled wood homes, buildings, barns or barn-like buildings painted in colonial colors that give Wells its unique character herein referred to as Traditional New England Style or the Wells Maine Style. This architectural Style also influences the design of signs, graphics, street lighting, paving and the other "built" features in the Town.

Similarly, the Traditional New England Style reflects the Town's unique setting on the seacoast/marine estuary and in the upland rural forested area. Tourists and residents alike are attracted to this town character and appearance. Thus, the vision is to preserve and enhance the traditional New England style small town character and appearance for everyone's benefit.

Thank you,
Best Wishes,



John R. Furman, Jr.

CC:

Jonathan L. Carter – Town Manager

Karl Ekstedt – Chairman, Board of Selectmen

Michael G. Livingston – Town Planner

Charles C. Millian – Chairman, Planning Board

DOLLAR GENERAL

We Sell
CIGARETTES



Source: The Motley Fool

From: Jef Bucknam <bucknam@maine.rr.com>
Sent: Wednesday, October 26, 2016 12:33 PM
To: Shannon Belanger
Cc: John Ardini
Subject: Dollar General traffic and parking

My husband and I attended the site walk last Saturday for the proposed Dollar General. We have concerns about the traffic entrance/exit so close to the DI Rd entrance. This is a VERY busy spot during the summer. A traffic light at Rt 1 and DI Rd would help with traffic flow especially during the summer season.

We would hope that the planning board would encourage a more "coastal" appearance for this building...in keeping with improved appearance of new commercial construction on Rt 1...Cumberland Farms.

The number of proposed parking spaces for the Dollar General is a concern as their reps indicated that they would not need 30 parking spaces and this extra parking space may be used as overflow parking for DI beach. This presents added drop-off traffic to our beach along with more traffic and safety issues in a residential neighborhood.

One further concern is the possible continued contamination at the abutting lot. I was under the impression that this had been mitigated some time ago. There was an indication that Dollar General was not purchasing the entire lot. They wanted to combine part of their parcel with the contaminated parcel. The town should insist that this be cleaned up before the "new" lot is accepted.

Thank you for your time in considering these issues.

Junellen and David Bucknam
19 Island Beach Rd



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: November 3, 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 received 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 to review comments from the public hearing.
2. The Planning Board to review additional information provided: Lighting plan by SLA.
 - a. New lighting fixtures to be installed
 - i. Downward shielded
 - ii. Low intensity
 - b. Photometric plan of site with proposed fixtures
 - i. Depicts 8 pole lights in parking lot and 4 building lights
 - ii. Plan depicts 0.0 horizontal foot-candles at property lines and Route One
 - iii. Plan does not depict existing sign emissions
 - c. Planning Board should consider approving the proposed lighting as being in conformance with 145-75D. Glare.
3. The Planning Board to review additional information and email concerning the existing internally lit sign.
 - a. The site walk held at night on 7-20-2015 observed significant light from both the pole lights and the sign; see 7-30-15 site walk results memo attached.
 - b. The applicant has provided information that a dimmer switch on the sign can be installed.
4. The Planning Board should consider how to proceed with the reduction of light from the sign to meet the requirements of 145-41 and 145-75, see attached code sections
 - a. 145-41 states, "Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers."
 - b. 145-75 states, "No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way...."

- c. Neither section provides definitive lighting measurements to regulate.
- d. How to proceed option:
 - Require the applicant to install the dimmer on the sign, conduct another night time site visit to determine a “reasonable” level of sign illumination, document the dimmer setting at that level, and have another meeting to approve the site plan amendment with appropriate conditions.

Thank you.

From: Ryan Amin <ryankamin@gmail.com>
Sent: Monday, October 17, 2016 9:43 AM
To: Mike Livingston
Cc: Shannon Belanger
Subject: Re: Ogunquit River Inn
Attachments: Dimmer.pdf

Hi Mike,

Thank you for your comments. We received your last letter indicating the questions on the LED sign. We believe the amount of glare that comes from our establishment has greatly been diminished by removing the 12+ globe lamp posts as required by the board. The site walk was also done when these posts were installed.

I was not aware that during the site walk, the planning board determined that the LED sign produced glare as well. Based on your suggestions we contacted our sign company, and was able to obtain the best way to dim the lights. Instead of removing some of the LED modules, the company recommended that we install a dimmer switch on the sign and provided a recommendation on the type of part required which we believe we can source locally and hire an electrician to install upon final approval from the board.

However, there are some questions that come to mind with this approach. Specifically, to what point must we dim the current LED lights? Since the glare was determined by a site walk from the planning board, will the planning board team be back on site to investigate and determine at what level the dimmer can be set at in which a glare is not produced?

This also brings up some questions on other lights we have on route 1 in Wells. As you know, many establishments have a light produced sign, and one can argue that these signs provide a heavy glare on route 1, and often times these lights are in color (ex. Red, yellow, blue, etc). In my opinion there are other business lights that produce a heavier glare on route 1 than the one we have installed. I can provide examples upon request of those signs that produce a stronger glare on route 1 than our current sign.

I believe this is all the information that is needed for a review on November 7th. Let me know if there's additional information I can obtain.

On Tue, Sep 6, 2016 at 11:57 AM, Ryan Amin <ryankamin@gmail.com> wrote:
Hi Mike ? I received a lighting plan and recommendation on fixture based on providing the meeting minutes/memo from our conversations from Swaney Lighting. Is this something you can review and deem if any other details are required or can this be officially submitted with the existing application?

From: Mike Livingston [mailto:mivingston@wellstown.org]
Sent: Tuesday, September 06, 2016 11:36 AM
To: ryankamin@gmail.com
Cc: Shannon Belanger <Sbelanger@wellstown.org>
Subject: Ogunquit River Inn

Hi Ryan:

Do you have any additional information ready to submit to the Planning Board? The previous meeting was on July 11th , almost 60 days ago. The next step was for you to provide a photometric plan so that the application can be deemed complete and a public hearing scheduled. We would need the plan by this Monday in order to schedule a hearing for the Board's meeting on Sept. 26th.

Thanks.

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



Imagery Date: 4/27/2016 43°16'18.49" N 70°35'49.9"

PLAN VIEW

- NOTES:
- 1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
 - 2) CALCULATIONS MAY SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE OR IN THE SITE AREA.
 - 3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES ON A FLAT SITE UNLESS OTHERWISE INDICATED.
 - 4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE AND/OR SITE.
 - 5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
 - 6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIENTATION.
 - 7) CHECK GRAPHIC SCALE. DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY OCCUR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.

Luminaire Schedule (note fixture catalogue numbers are not complete)

Type	Symbol	Qty	Lum. Lumens	LLF	Lum. Watts	Description
S4B	→	7	4739	0.900	71.56	VP-S-30NB-70-4K-T4-BLC
S5	→	1	7768	0.900	71.56	VP-S-30NB-70-4K-T5QM
W4	□	4	1772	0.900	22.2	LNC-9LU-4K-4

Calculation Summary

Label	Avg	Max	Min	Avg/Min	Max/Min
parking	1.12	2.2	0.2	5.60	11.00
site	0.55	2.3	0.0	N.A.	N.A.



HUBBELL LED



BEACON VIPER

OGUNQUIT RIVER INN
WELLS, MAINE
SITE LIGHTING LAYOUT

SCALE NOT TO SCALE
ORI Prelim.AGI



NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF SWANEY LIGHTING ASSOCIATES. NO PART OF THIS DRAWING IS TO BE USED FOR ANY PURPOSE OTHER THAN AS DETAILED INFORMATION CONCERNING THE OPERATION OF UNITS INDICATED. THIS DRAWING IS TO BE USED AS A GUIDE ONLY AND IS NOT TO BE USED AS A BASIS FOR CONTRACTS. THIS DRAWING IS NOT TO BE REPRODUCED OR COPIED, EITHER WHOLLY OR IN PART, WITHOUT THE WRITTEN PERMISSION OF SWANEY LIGHTING ASSOCIATES. ANY VARIATION IN FIXTURE PERFORMANCE FROM THAT SHOWN IN THIS DRAWING IS NOT THE RESPONSIBILITY OF THE MANUFACTURER. ITS USE FOR ANY OTHER PURPOSE IS NOT AUTHORIZED BY SWANEY LIGHTING ASSOCIATES.

VIPER S SERIES

SMALL VIPER LUMINAIRE

Cat.#

Job

Type



Approvals

SPECIFICATIONS

Intended Use:

The Beacon Viper luminaire is available with a wide choice of different LED Wattage configurations and optical distributions designed to replace HID lighting up to 400W MH or HPS.

Construction:

- One piece optical cartridge system consisting of an LED engine, LED lamps, optics, gasket and stainless steel bezel.
- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one piece optical system.
- Two-piece silicone and micro-cellular polyurethane foam gasket ensures a weather-proof seal around each individual LED.

LED/Optics:

- 100V through 277V, 50 Hz to 60 Hz (UNV), or 347V or 480V input.
- Power factor is .92 at full load.
- All electrical components are rated at 50,000 hours at full load and 25°C ambient conditions per MIL- 217F Notice 2.
- Dimming drivers are standard with connections for external dimming equipment available upon request.
- Component-to-component wiring within the luminaire may carry no more than 80% of rated load and is listed by UL for use at 600VAC at 50°C or higher.
- Plug disconnects are listed by UL for use at 600 VAC, 13A or higher. 13A rating applies to primary (AC) side only.

Electrical:

- Fixture electrical compartment shall contain all LED driver components and shall be provided with a push-button terminal block for AC power connections.
- The housing is designed for an optional twist lock photo control receptacle.
- Ambient operating temperature -40°C to 40°C
- Surge protection - 20KA; shuts off at end of life.
- Optional 7-pin ANSI C136.41-2013 twist-lock photo control receptacle available. Compatible with ANSI C136.41 external wireless control devices.
- Lifeshield™ Circuit - protects luminaire from excessive temperature. The device shall activate at a specific, factory-preset temperature, and progressively reduce power over a finite temperature range. A luminaire equipped with the device may be reliably operated in any ambient temperature up to 55°C (131°F). Operation shall be smooth and undetectable to the eye. Thermal circuit is designed to "fail on", allowing the luminaire to revert to full power in the event of an interruption of its power supply, or faulty wiring connection to the drivers. The device shall be able to co-exist with other 0-10V control devices (occupancy sensors, external dimmers, etc.).

Controls/Options:

- Available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the Motion Response system reduces the Wattage to factory preset level, reducing the light level accordingly. When motion is detected by the PIR sensor, the luminaire returns to full Wattage and full light output. Please contact Beacon Products if project requirements vary from standard configuration.
- Available with Energeni for optional set dimming, timed dimming with simple delay, or timed dimming based on hours of operation or time of night (see www.beaconproducts.com/products/energeni).
- Also available with **Beaconconnect** Wireless Control System (see **Beaconconnect** product page for more details www.beaconproducts.com/products/beaconconnect).

Installation:

- Mounting options for horizontal arm, vertical tenon or traditional arm mounting available. Mounting hardware included.

Finish:

- Beacote V polyester powder-coat electrostatically applied and thermocured.
- Beacote V finish consists of a five stage pretreatment regimen with a polymer primer sealer and top coated with a thermoset super TGIC polyester powder coat finish.
- The finish meets the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pounds.

Listings:

- DesignLights Consortium (DLC) qualified, consult DLC website for more details: <http://www.designlights.org/QPL>
- Listed to UL1598 and CSA22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 3G rated for ANSI C136.31 high vibration applications
- IDA approved

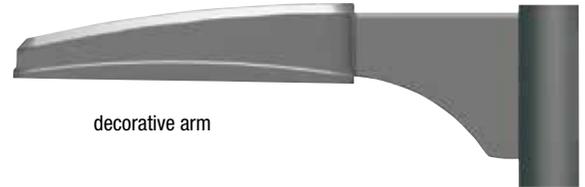
Warranty:

Five year limited warranty (for more information visit: www.hubbellighting.com/resources/warranty).

PRODUCT IMAGE(S)

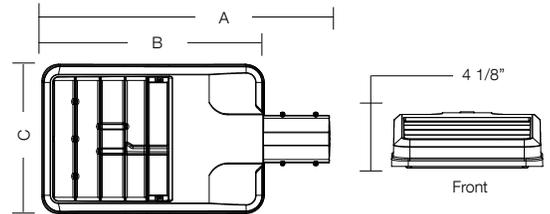


rectangular arm



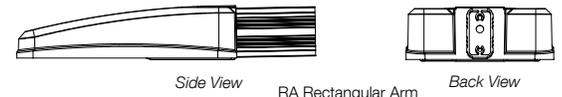
decorative arm

DIMENSIONS



A	B	C	Weight:	EPA
22.75" (578 mm)	16.75" (425 mm)	11.25" (286 mm)	15.0 lbs (6.8 kg)	.67 ft ²

MOUNTING OPTIONS



Side View

RA Rectangular Arm

Back View

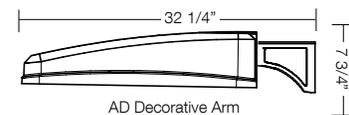


Side View

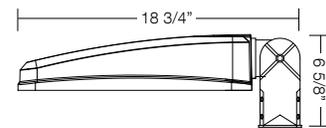
SF2 2-3/8" OD Slip Fitter

Back View

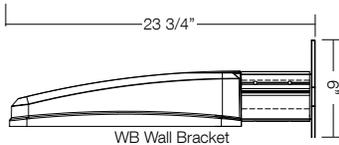
Accepts 2 3/8" OD tenon, min 4" long.



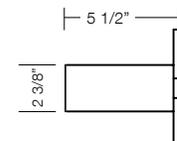
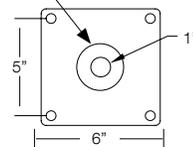
AD Decorative Arm



PK2 2-3/8" Adjustable Knuckle



WB Wall Bracket



CERTIFICATIONS/LISTINGS



*3000K and warmer CCTs only



Beacon Products • 2041 58th Avenue Circle East Bradenton, FL 34203 • Phone: 800-345-4928

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

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ORDERING INFORMATION

ORDERING EXAMPLE: VPS/36NB-80/5K/T4/UNV/PCR-TL/BCW/BLC/RA/BBT

SERIES	ENGINE-WATTS	LED COLOR	VOLTAGE	ELECTRICAL OPTIONS	HOUSE SIDE SHIELD OPTIONS	FINISH
VPS viper-small	24NB-55 55W, LED array 36NB-80 80W, LED array 48NB-110 110W, LED array 60NB-136 136W, LED array	3K 3000K 4K 4000K 5K 5000K	UNV 120-277V 347V 347V 480V 480V	PCR-TL Twist lock receptacle with photo control PCR-SC Twist lock receptacle with shorting cap PCR-U Twist lock receptacle dual power feed 2PF ⁷	HSS-90 house side shield 90° HSS-180 house side shield 180° BLC ³ backlight control	BBT basic black textured BMT black matte textured WHT white textured MBT metallic bronze textured BZT bronze textured DBT dark bronze textured GYS gray smooth DPS dark platinum smooth GNT green textured MST metallic silver textured MTT metallic titanium textured OWI old world iron RAL _____
		OPTICS⁴				
		T1 type I T2 type II T3 type III T4 type IV T5R type V, rectangular T5QM type V, square medium T5W type V, round wide FR front row auto optic				
		SENSOR OPTIONS				
		BMD ^{1,2,5} beaconnect with motion sensor MDD ^{2,5} motion dimming detector				
		MOUNTING OPTIONS				
		RA rectangular arm for round or square pole mount. RPA included. SF2 2 3/8" OD slip-fitter PK2 2 3/8" adjustable knuckle AD Decorative Arm with universal mounting slot				
		CONTROL OPTIONS				
		BCW ^{1,5} beaconnect GENI-XX ⁶ energeni				
		ACCESSORIES				
		WB wall bracket (use with SF2 or PK2), SF2 standard				

MDD ORDERING INFORMATION: When ordering a fixture with the motion detection option (MDD), please specify the appropriate information. These settings are specified in the ordering as shown in the example below.

VPS / 36NB-135 / 5K / T5W / UNV / MDD - 1 to 30 min. - 33% or 50% - ?? / MT



BEACONNECT ORDERING INFORMATION: When ordering a fixture with the Beaconnect lighting control options please specify the appropriate group and sensor information. Please provide dimming schedule information in either the Beaconnect excel spreadsheet or Beaconnect software. For more detailed information please visit www.beaconproducts.com/beaconnect or contact beacon tech support at (800) 345-4928. These settings are specified in the ordering as shown in the example below. (Family) / 24NB-55 / 5K / T3 / UNV / BCW-(Group 1-16)_____(Optional Zone 1-250) /BMD - ____Time Delay(1 to 255) - ____Dimming% (1 to 100) - ____mounting height(1-20ft) / Example: TRV/24NB-55/5K/T3/UNV/BCW-G1 /BMD-30M-50%-10F/DBT for luminaires without sensors in the group omit the BMD ordering logic Example: TRV/24NB-55/5K/T3/UNV/BCW-G1 /DBT

¹ Must specify group and zone information at time of order. See www.beaconproducts.com/controls/beaconnect for further details.
² Specify time delay, dimming level and mounting height.
³ T4 optic only.
⁴ To rotate optics Left or right 90 degrees, specify L or R after the optical distribution example T4L.
⁵ Not available with other control or sensor options.
⁶ When ordering Energeni, specify the routine setting code (example GENI-04). See Energeni brochure and instructions for setting table and options. Not available with sensor options.
⁷ Not available for 347V or 480V input.

CONTROL OPTIONS

BCW^{1,5} beaconnect
GENI-XX⁶ energeni

Catalog Number

Description
(must choose one option below / 1-per site required)

ASM-USB-BCW	Beaconnect Software loaded on USB flash drive* (Windows based only)
ASM-TABLET-BCW	Beaconnect 7" Windows Tablet*

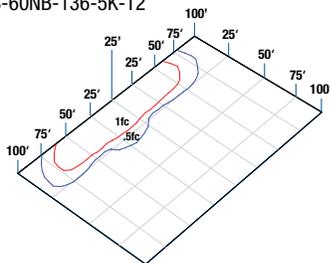
Order Separately



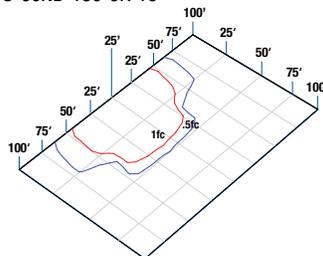
*Includes USB Radio
DesignLights Consortium qualified.
Consult DLC website for more details:
<http://www.designlights.org/QPL>

PHOTOMETRICS

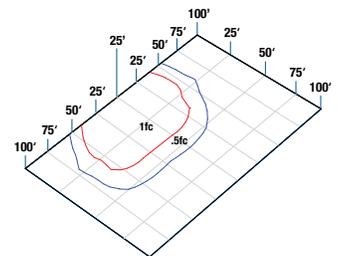
Type II
VP-S-60NB-136-5K-T2



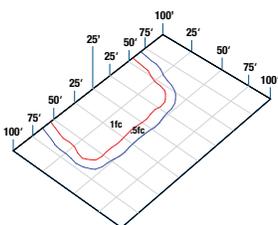
Type III
VP-S-60NB-136-5K-T3



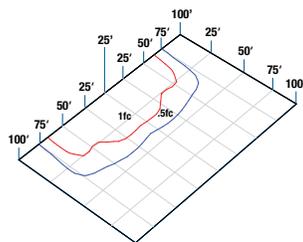
Type IV
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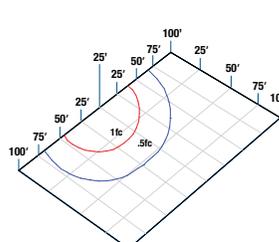
Type V Square Medium
VP-S-60NB-136-5K-T5QM



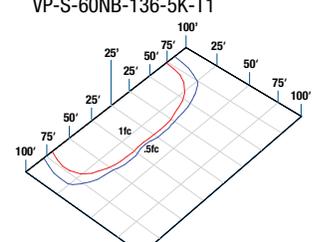
Type V Rectangular
VP-S-60NB-136-5K-T5R



Type V Round Wide
VP-S-60NB-136-5K-T5W



Front Row Auto Optic / Type I
VP-S-60NB-136-5K-FR
VP-S-60NB-136-5K-T1



Beacon Products • 2041 58th Avenue Circle East Bradenton, FL 34203 • Phone: 800-345-4928
Due to our continued efforts to improve our products, product specifications are subject to change without notice.

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PERFORMANCE DATA

# LED'S	DRIVE CURRENT (MILLIAMPS)	SYSTEM WATTS	DISTRIBUTION TYPE	5K (5000K nominal, 70 CRI)					4K (4000K nominal, 70 CRI)					3K (3000K nominal, 70 CRI)				
				LUMENS	LPW ¹	B	U	G	LUMENS	LPW ¹	B	U	G	LUMENS	LPW ¹	B	U	G
24	700 mA	55 W	FR/T1	6339	114	1	0	1	6276	112	1	0	1	5389	97	1	0	1
			T2	5666	102	2	0	2	5610	101	2	0	2	4816	86	1	0	2
			T3	5610	101	1	0	2	5554	100	1	0	2	4784	86	1	0	2
			T4	6171	111	1	0	2	6110	109	1	0	2	5245	94	1	0	2
			T5R	6283	113	3	0	3	6221	111	3	0	3	5341	96	3	0	3
			T5QM	6171	111	3	0	1	6110	109	3	0	1	5245	94	2	0	1
			T5W	6087	109	3	0	1	6027	108	3	0	1	5201	93	3	0	1
36	700 mA	80 W	FR/T1	9515	114	1	0	1	9414	112	1	0	1	8083	96	1	0	1
			T2	8505	101	2	0	3	8415	100	2	0	3	7224	87	2	0	2
			T3	8415	100	2	0	2	8331	99	2	0	2	7175	86	2	0	2
			T4	9256	110	1	0	3	9164	109	1	0	3	7868	94	1	0	3
			T5R	9425	112	3	0	3	9331	111	3	0	3	8011	96	3	0	3
			T5QM	9257	110	3	0	1	9164	109	3	0	1	7868	94	3	0	1
			T5W	9131	109	3	0	2	9040	108	3	0	2	7801	93	3	0	2
48	700 mA	110 W	FR/T1	12679	114	2	0	1	15522	113	2	0	1	10777	97	1	0	1
			T2	11332	102	3	0	3	11220	101	3	0	3	9633	87	2	0	3
			T3	11220	101	2	0	3	11108	100	2	0	3	9567	86	2	0	3
			T4	12342	111	2	0	3	12219	110	2	0	3	10491	95	2	0	3
			T5R	12567	113	4	0	4	12441	112	4	0	4	10682	96	3	0	3
			T5QM	12342	111	3	0	2	12219	111	3	0	2	10491	95	3	0	2
			T5W	12175	110	4	0	2	12053	109	4	0	2	10402	94	4	0	2
60	700 mA	136 W	FR/T1	15848	116	2	0	1	15690	115	2	0	1	13471	98	2	0	1
			T2	14165	103	3	0	3	14025	102	3	0	3	12041	88	3	0	3
			T3	14025	102	3	0	3	13885	101	3	0	3	11959	87	3	0	3
			T4	15427	113	2	0	3	15274	111	2	0	3	13114	96	2	0	3
			T5R	15708	115	4	0	4	15259	111	4	0	4	13352	97	4	0	4
			T5QM	15427	113	4	0	2	15274	111	4	0	2	13314	96	3	0	2
			T5W	15218	111	4	0	2	15066	111	4	0	2	13002	95	4	0	2

¹Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

ELECTRICAL DATA

# OF LEDS	NUMBER OF DRIVERS	DRIVE CURRENT (mA)	INPUT VOLTAGE (V)	SYSTEM POWER (w)	CURRENT (Amps)
24	2	700 mA	120	55	0.5
			277		0.2
			347		0.2
			480		0.1
36	1	700 mA	120	80	0.7
			277		0.3
			347		0.2
			480		0.2
48	1	700 mA	120	110	0.9
			277		0.4
			347		0.3
			480		0.2
60	1	700 mA	120	136	1.1
			277		0.5
			347		0.4
			480		0.3

PROJECTED LUMEN MAINTENANCE

AMBIENT TEMP.	0	25,000	50,000	TM-21-11 60,000	100,000	Calculated L70 (HOURS)
25°C / 77°C	1.00	0.97	0.95	0.95	0.92	>470,000

¹ Projected per IESNA TM-21-11
Data references the extrapolated performance projections for the base model in a 40°C ambient, based on 10,000 hours of LED testing per IESNA LM-80-08.

AMBIENT TEMPERATURE	LUMEN MULTIPLIER	
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	0.98
40°C	104°F	0.98

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

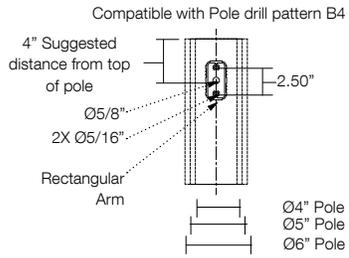


EPA

Config.	EPA
1	.67
2 @ 90°	.95
2 @ 180°	1.34

Config.	EPA
3 @ 120°	1.36
3 @ 90°	1.5
4 @ 90°	1.5

DRILL PATTERN





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 Subdivision Amendment Application Memo

Date: November 3, 2016

To: Planning Board

From: Shannon Belanger

Re: Wesley by the Sea Subdivision Amendment- Map 79, Lot 1-1 to 1-14

Project Description:

Stephen R. Bushey of Stantec has submitted a Subdivision Amendment Application for Wesley by the Sea on behalf of Preachers' Aid Society of New England. The subdivision is located off of Harriseckett Road and Willow Way and has a private road name Charles Wesley Court. The subdivision is located within the Rural and 75' Shoreland Overlay Districts. The subdivision is served by public sewer and water. The subdivision has 17.005 acres of dedicated Open Space. The subdivision consists of 13 residential cluster lots with a total of 22 dwelling units. The subdivision also has one conventional lot for 1 dwelling unit. The amendment application is seeking approval for the following changes: Revisions to stormwater detention ponds; revisions to drainage easements; depiction of as-built conditions; revisions to landscaping (tree preservation areas); revise dimensional requirement of lot coverage from 20% to 40%.

§ 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 11/7/16**

(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] **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 is recommended to be scheduled**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. [Amended 7-9-2002; 4-16-2004] **To be determined**
- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the final plan. **To be determined**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **To be determined**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.* **DEP Permit Amendment PENDING?**

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

Recommendations and conclusions:

1. The Planning Board to consider receiving the subdivision amendment application.
2. Background:
 - a. 23 dwelling unit/ 14 lot subdivision originally approved as “Jesse Lee Village” on 7-14-2008
 - b. Project name change to “Wesley by the Sea” approved as an amendment on 12-6-2010
 - c. Phase 1 construction occurred in 2009
 - d. Phase 2 construction occurred from 2012 through 2016
 - e. Project approved as 22 dwelling units on 13 residential cluster lots located on Charles Wesley Court road and one conventional lot located on Willow Way
 - f. Project is located on 28.26 acres within the Rural and Shoreland Overlay Districts.
 - g. All homes have been constructed but no lots have been conveyed. Dwellings are being leased.
 - h. All homes are connected to public sewer and water
 - i. Lot 4 has a “community building” for the subdivision association
3. Consider scheduling a site walk of the property
 - a. Project has been constructed. Changes are minor but are numerous
 - b. Some changes involve landscaping and buffering
 - c. A site walk is recommended
4. Maine DEP approval is pending
5. The amendment should include consideration of allowing up to 40% lot coverage under the recently adopted ordinance changes.



Stantec Consulting Services Inc.
482 Payne Road Scarborough Court, Scarborough ME 04074-8929

October 12, 2016

Mr. Mike Livingston, Town Planner
Town of Wells, Maine
208 Sanford Road
Wells, ME 04090

**Subject: Wesley by the Sea – Wells, Maine
Record Plan Submission
Letter of Response #1**

Dear Mike:

On behalf of the Preachers Aid Society of New England (PASNE), we have received your memo dated September 22, 2016 with additional items still outstanding from Stantec's letter of 8-26-16. For ease of review, we have repeated the items below that still need to be addressed followed by our update on how we will proceed.

Item 1

As-built drawing (also see 3-11-16 emails and plan markups). The updated plan dated 8-26-16 depicts the majority of the information required. Some utilities are missing and notations are needed as follows:

- *Sewer manholes and main location missing*

Response: Stantec has updated the project Utility Plan and we will include that drawing in the Record Drawing package. A copy of the record Utility Plan accompanies this letter.

- *Water gates and approximate main location missing*

Response: The Utility Plan record sheet contains this information. We have been advised that the water and sewer utilities were installed in substantial conformance to the original plans.

- *Conveyance to the Town has been done and must be noted*

Response: The Record Plan has been updated to include the YCRD information related to the conveyance.



Mr. Mike Livingston
October 12, 2016
Page 2

- *Notation on Willow Way states "proposed" but information appears to be the as-built conditions*

Response: The Record Plan has been updated accordingly.

- *Former invert notation to be removed*

Response: The plan note has been removed from the drawing.

- *Location and type of Monumentation that has been installed. Monumentation per the approved plans is not required until the sale of a lot, but if any have been set, they must be depicted on the as-built plan.*

Response: The Record Plan depicts the property corner conditions as they now are. Monuments will be set only when a prospective lot sale is contemplated, which PASNE is not currently considering.

- *The disclaimer in the lower left corner is not acceptable. The purpose of the as-built plan is to have accurate and complete information. Source of the information and a positional tolerance can be noted.*

Response: We have updated the note in accordance with our internal standards for the preparation of record documents.

- *A professional's stamp is required.*

Response: The accompanying plans now include a stamp and signature.

- *The "reviewed" by box should be removed and be replaced with a title, "As-Built Drawing of Wesley by the Sea Subdivision".*

Response: The plans have been adjusted per this comment.

We understand that a Subdivision Plan Amendment is required thus this submission includes a completed application form and the updated second Amended Subdivision Plans. The amended plans simply identify the realignment of the proposed drainage easements associated with a pipe run across the Units 16-19 lot areas as well as the easement associated with Bio-cell #4, which has been slightly reconfigured. The plan also includes the boundaries of the wooded buffers that are established for the benefit of the water quality treatment zones on the site. No other lot or boundary changes have been made.



Mr. Mike Livingston
October 12, 2016
Page 3

We trust this information and the accompanying updated plans meet the standards of §145-74 G (4) with respect to as-built site plans. We look forward to your acceptance of these materials and consideration by the Planning Board. We also await the final release of any remaining performance guarantee. The Town will be copied on the submission to be made to the MeDEP regarding the minor changes to the stormwater management systems on the site. If you have any questions regarding these materials, please contact this office.

Regards,

STANTEC CONSULTING SERVICES INC.

Stephen R. Bushey, P.E.
Associate
Phone: (207) 887-3478
Fax: (207) 883-3376
stephen.bushey@stantec.com

Attachment

c: Rick Drawert, PASNE

V:\1953\inactive\fs\1\2560.03 Construction Admin\Admin\Record Plan Submission\lrr_lorl_livingston_record-plans_20161012.docx



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

1. Project/Subdivision Name: Wesley by the Sea
2. Property Owner: Preacher's Aid Society of New England
Mailing Address: 51 Charles Wesley Court
Wells, ME 04090
Telephone: 207.467.3246 Fax: _____
Email Address: rickdrawert@gmail.com
3. Applicant/Agent (if different from owner): _____
Mailing Address: _____

Telephone: _____ Fax: _____
Email Address: _____
4. Engineer or Surveyor who prepared plan: Stephen R. Bushey, PE - Stantec
Mailing Address: 482 Payne Road
Scarborough, ME 04074
Telephone: 207.887.3478 Fax: 207.883.3376
Email Address: stephen.bushey@stantec.com
5. All correspondence should be sent to:
(specify one of the above) Stantec
6. Assessor's Tax Map Number: 79 Lot Number: 1-14 (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.)?

Ownership

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

None

10. Location of Property:

Street Address (approx.) Harriseckett Road
Book 15235 Page 845 (From County Registry of Deeds)

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

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: 28.46 Acreage to be developed: 7.6 acres

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

Buffers for stormwater management

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:
N/A

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

Housing

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: 21 units and
Number of lots or dwelling units proposed: 0

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: \$ Previously Completed

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

individual wells
central well w/ distribution lines

connection to public water system
If other, please state alternative _____

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

individual septic tanks
connection to public sewer system

central on site disposal with distribution lines
If other, please state alternative _____

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

hydrants connected to the public water system
dry hydrants located on an existing pond or water body
existing fire pond

If other, please state alternative (for example, individual sprinklers) _____

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

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

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


Signature of Applicant

10/12/16
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
X		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
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.
		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: Wesley by the Sea **Applicant:** Preacher's Aid Society of New England

Checklist Prepared By: Stephen Bushey, PE **Date:** 10.12.2016

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

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

Response (Please check applicable box)

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

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

Code Section	II. Final Subdivision Submission Requirements	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-9B.9	The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.	X			
202-9B.9	Plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line and boundary line to be readily determined and be reproduced upon the ground.	X			
202-9B.9	The length of all straight lines, the deflection of angle radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.	X			
202-9B.10	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			X	
202-9B.11	All parcels of land proposed to be dedicated to public use and the conditions of such dedication.	X			
202-9B.11	Written offers of cession to the municipality of all public open spaces shown on the plan and copies of agreements or other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted	X			
202-9B.11	If land is to be offered to the municipality, written evidence that the municipal officers are satisfied with the legal sufficiency of the written offer of cession shall be included.	X			
202-9B.12	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots	On file with Town			
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.	On file with Town			
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.	On file with Town			
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.	On file with Town			
202-9B.16	If any portion of the proposed subdivision is located in the direct watershed of Ell Pond or within 500 feet of the upland edge of Hobbs Pond and meets the following criteria: 1.) five or more lots or dwelling units created within any five-year period; or 2.) any combination of 800 linear feet of new or upgraded driveways and/or streets, then the following shall be submitted or indicated on the plan:			X	
202-9B.16.a	A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006			X	
202-9B.16.b	A long-term maintenance plan for all phosphorus control measures			X	
202-9B.16.c	The contour lines shown on the plan shall be at an interval of no less than five feet	X			
202-9B.16.d	Areas with sustained slopes greater than 25% covering more than one acre shall be delineated	X			

LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: Wesley by the Sea

Street Address of Project: 51 Charles Wesley Court

Map/ Lot # of Project: Map 79 / Lots 1-14

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

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

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

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

Name	Address	Tax Map	Lot
See attached list			

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



 Signature of Applicant

10/12/16

 Date

Attach extra pages as necessary

**PREACHERS AID SOCIETY OF NEW ENGLAND
ABUTTER'S LIST**

Parcel Number	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
0072-005	BARBARA W LAPP	590 OCEAN AVE	LAWRENCE	NY	11559
0072-010	PHILIP A BELLOMO	26 WHEELRIGHT CT	WELLS	ME	04090
0072-011	ADRIENNE ANGELO	21 SCHOONER WAY	WELLS	ME	04090
0079-001 Lots 1-14	PREACHERS AID SOCIETY OF NEW ENGLAND	51 CHARLES WESLEY CT	WELLS	ME	04090
0079-002	B P + L A SEVIGNEY TRUSTEES SEVIGNEY LIVING TRUST	16 DORFIELD LN	WELLS	ME	04090
0079-006-B	JAMES & LAUREN HOLMES	50 SYLVAN AVE	MILLER PLACE	NY	11764-1932
0079-006-C	MARK & REBECCA JAGO	65 HARRISECKETT RD	WELLS	ME	04090
0079-006-C-1	TARA WROBEL	35 HARRISECKETT RD	WELLS	ME	04090
0079-007-A	STEVEN CLUFF	235 HARRISECKETT RD	WELLS	ME	04090
0080-003-A	MESSIAH CHRISTIAN CHURCH INC	2700 POST 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): Preacher's Aid Society of New England

Owner's Mailing Address: 51 Charles Wesley Court, Wells, ME 04090

Applicant's Name: Preacher's Aid Society of New England

Applicant's Mailing Address: 51 Charles Wesley Court, Wells, ME 04090

Applicant's Signature: _____

Assessor's Tax Map Number: 79 **Lot Number :** 1-14 **(of land to be divided)**

Subdivision Location (street address): Wesley Court

Acres to be subdivided: 28.46 **Number of proposed lots or dwelling units:** 21

Zoning District(s): Rural

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 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: _____ N/A _____

LOCATION OF PROPOSED SUBDIVISION : _____

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

Desired Road Names to be Considered:

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

Contact Name of Development: _____

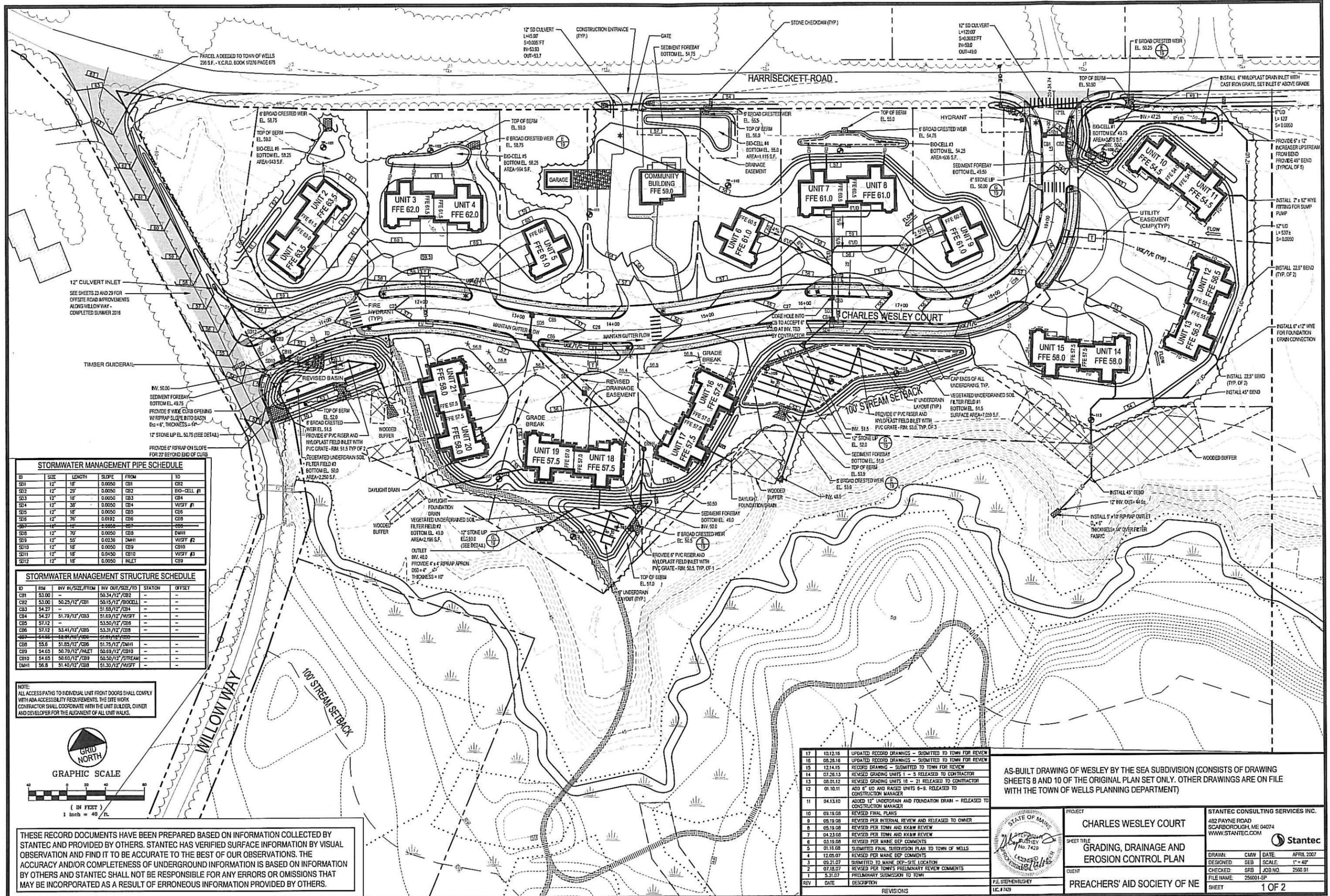
Contact Phone: _____ Email: _____

Office Use Only

STREET NAME APPROVED: _____

Date: _____ Signature: _____

Keeley Lambert, E911 Coordinator



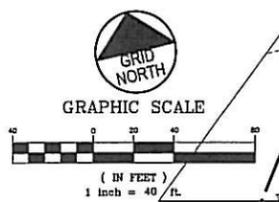
STORMWATER MANAGEMENT PIPE SCHEDULE

ID	SIZE	LENGTH	SLOPE	FROM	TO
SD1	12"	18'	0.0050	CB1	CB2
SD2	12"	25'	0.0050	CB2	BIO-CELL #1
SD3	12"	18'	0.0050	CB3	CB4
SD4	12"	30'	0.0050	CB4	W/ST #1
SD5	12"	18'	0.0050	CB5	CB6
SD6	12"	76'	0.0192	CB6	CB8
SD7	12"	76'	0.0056	CB7	CB8
SD8	12"	70'	0.0050	CB8	DMH1
SD9	12"	55'	0.0236	DMH1	W/ST #2
SD10	12"	18'	0.0050	CB9	CB10
SD11	12"	18'	0.0450	CB10	W/ST #3
SD12	12"	18'	0.0050	INLET	CB9

STORMWATER MANAGEMENT STRUCTURE SCHEDULE

ID	RM	INV IN/SIZE/FROM	INV OUT/SIZE/TO	STATION	OFFSET
CB1	53.00	-	50.34/12"/CB2	-	-
CB2	53.00	50.25/12"/CB1	50.15/12"/BIOCELL	-	-
CB3	54.27	51.63/12"/CB4	-	-	-
CB4	54.77	51.79/12"/CB3	51.63/12"/W/ST	-	-
CB5	57.12	-	53.50/12"/CB6	-	-
CB6	57.12	53.41/12"/CB5	53.31/12"/CB8	-	-
CB7	54.66	54.01/12"/CB8	51.91/12"/CB9	-	-
CB8	55.6	51.85/12"/CB6	51.75/12"/DMH1	-	-
CB9	54.65	50.79/12"/INLET	50.69/12"/CB10	-	-
CB10	54.65	50.60/12"/CB9	50.50/12"/STREAM	-	-
DMH1	56.6	51.40/12"/CB8	51.30/12"/W/ST	-	-

NOTE:
ALL ACCESS PATHS TO INDIVIDUAL UNIT FRONT DOORS SHALL COMPLY WITH ADA ACCESSIBILITY REQUIREMENTS. THE SITE WORK CONTRACTOR SHALL COORDINATE WITH THE UNIT BUILDER, OWNER AND DEVELOPER FOR THE ALIGNMENT OF ALL UNIT WALKS.



THESE RECORD DOCUMENTS HAVE BEEN PREPARED BASED ON INFORMATION COLLECTED BY STANTEC AND PROVIDED BY OTHERS. STANTEC HAS VERIFIED SURFACE INFORMATION BY VISUAL OBSERVATION AND FIND IT TO BE ACCURATE TO THE BEST OF OUR OBSERVATIONS. THE ACCURACY AND/OR COMPLETENESS OF UNDERGROUND INFORMATION IS BASED ON INFORMATION BY OTHERS AND STANTEC SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE INCORPORATED AS A RESULT OF ERRONEOUS INFORMATION PROVIDED BY OTHERS.

REV	DATE	DESCRIPTION
17	10.12.16	UPDATED RECORD DRAWINGS - SUBMITTED TO TOWN FOR REVIEW
16	08.26.16	UPDATED RECORD DRAWINGS - SUBMITTED TO TOWN FOR REVIEW
15	12.14.15	RECORD DRAWING - SUBMITTED TO TOWN FOR REVIEW
14	07.26.13	REVISED GRADING UNITS 1 - 5 RELEASED TO CONTRACTOR
13	08.01.12	REVISED GRADING UNITS 16 - 21 RELEASED TO CONTRACTOR
12	01.10.11	ADD 6" UD AND RAISED UNITS 6-9. RELEASED TO CONSTRUCTION MANAGER
11	04.13.10	ADDED 12" UNDERDRAIN AND FOUNDATION DRAIN - RELEASED TO CONSTRUCTION MANAGER
10	09.18.08	REVISED FINAL PLANS
9	08.19.08	REVISED PER INTERNAL REVIEW AND RELEASED TO OWNER
8	05.19.08	REVISED PER TOWN AND K&AW REVIEW
7	04.23.08	REVISED PER TOWN AND K&AW REVIEW
6	03.19.08	REVISED PER MAINE DEP COMMENTS
5	01.16.08	SUBMITTED FINAL SUBDIVISION PLAN TO TOWN OF WELLS
4	12.05.07	REVISED PER MAINE DEP COMMENTS
3	09.21.07	SUBMITTED TO MAINE DEP-SITE LOCATION
2	07.18.07	REVISED PER TOWN'S PRELIMINARY REVIEW COMMENTS
1	5.31.07	PRELIMINARY SUBMISSION TO TOWN

AS-BUILT DRAWING OF WESLEY BY THE SEA SUBDIVISION (CONSISTS OF DRAWING SHEETS 8 AND 10 OF THE ORIGINAL PLAN SET ONLY. OTHER DRAWINGS ARE ON FILE WITH THE TOWN OF WELLS PLANNING DEPARTMENT)

PROJECT: CHARLES WESLEY COURT

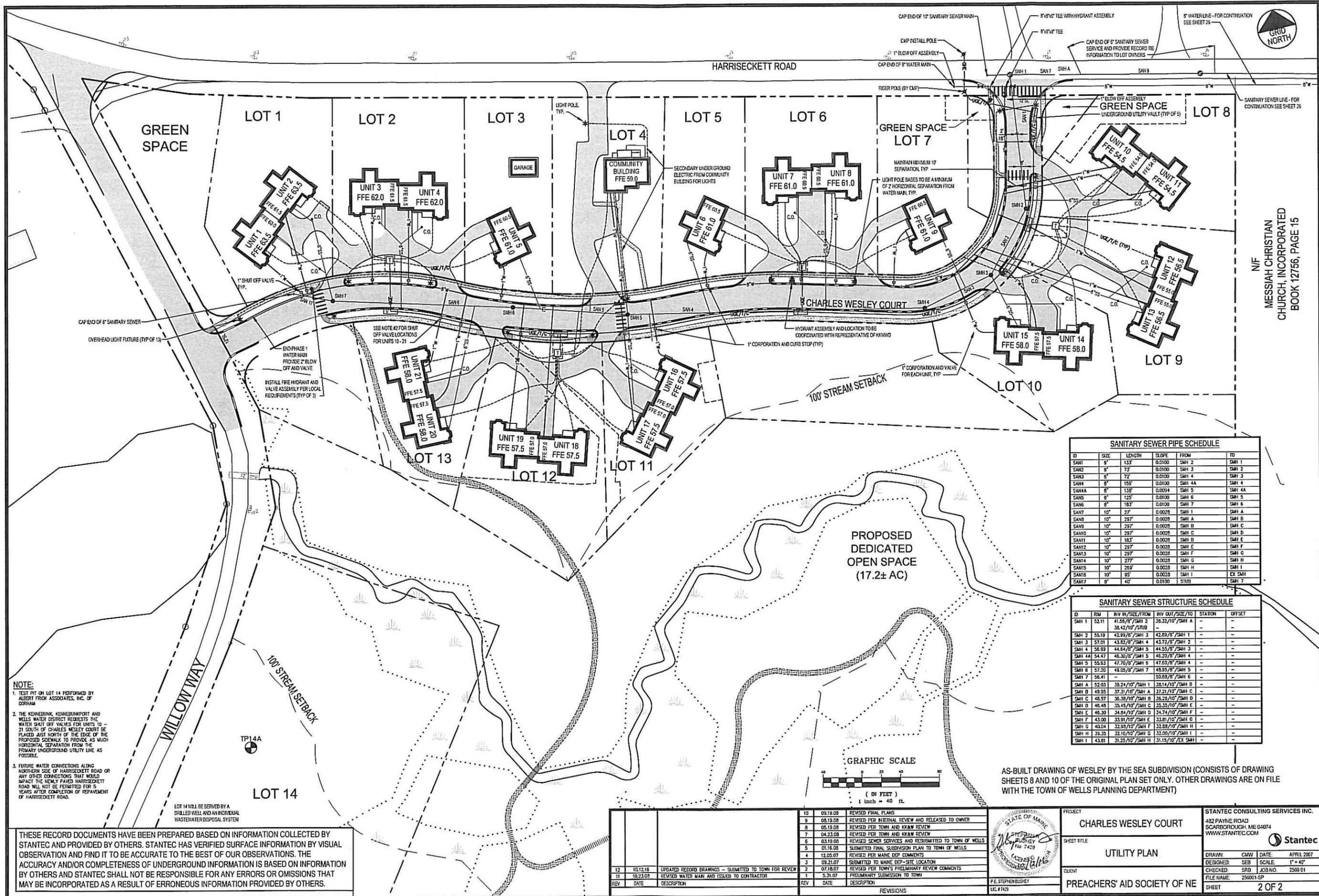
SHEET TITLE: GRADING, DRAINAGE AND EROSION CONTROL PLAN

CLIENT: PREACHERS' AID SOCIETY OF NE

STANTEC CONSULTING SERVICES INC.
482 PAYNE ROAD
SCARBOROUGH, ME 04074
WWW.STANTEC.COM

Stantec

DRAWN: CMW DATE: APRIL 2007
DESIGNED: SEB SCALE: 1" = 40'
CHECKED: SRB JOB NO: 2560 91
FILE NAME: 256001-SP
SHEET: 1 OF 2



N/F
MESSIAH CHRISTIAN
CHURCH, INCORPORATED
BOOK 12756, PAGE 15

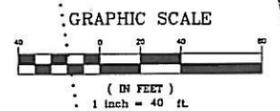
NOTE:
 1. TEST PIT ON LOT 14 PERFORMED BY ALBERT FRICK ASSOCIATES, INC. OF CORVAM
 2. THE KENNEBUNK, KENNEBUNKPORT AND WELLS WATER DISTRICT REQUESTS THE WATER SHUT OFF VALVES FOR UNITS 10 - 21 SOUTH OF CHARLES WESLEY COURT BE PLACED JUST NORTH OF THE EDGE OF THE PROPOSED SIDEWALK TO PROVIDE AS MUCH HORIZONTAL SEPARATION FROM THE PRIMARY UNDERGROUND UTILITY LINE AS POSSIBLE.
 3. FUTURE WATER CONNECTIONS ALONG NORTHERN SIDE OF HARRISECKETT ROAD OR ANY OTHER CONNECTIONS THAT WOULD IMPACT THE NEWLY PAVED HARRISECKETT ROAD WILL NOT BE PERMITTED FOR 5 YEARS AFTER COMPLETION OF REPAVEMENT OF HARRISECKETT ROAD.
 LOT 14 WILL BE SERVED BY A DRILLED WELL AND AN INDIVIDUAL WASTEWATER DISPOSAL SYSTEM

SANITARY SEWER PIPE SCHEDULE

ID	SIZE	LENGTH	SLOPE	FROM	TO
SAH1	8"	133'	0.0100	SMH 2	SMH 1
SAH2	8"	73'	0.0100	SMH 3	SMH 2
SAH3	8"	72'	0.0100	SMH 4	SMH 3
SAH4	8"	156'	0.0100	SMH 4A	SMH 4
SAH4A	8"	138'	0.0094	SMH 5	SMH 4A
SAH5	8"	125'	0.0100	SMH 6	SMH 5
SAH6	8"	183'	0.0100	SMH 7	SMH 6
SAH7	10"	27'	0.0028	SMH 1	SMH A
SAH8	10"	297'	0.0028	SMH A	SMH B
SAH9	10"	297'	0.0028	SMH B	SMH C
SAH10	10"	297'	0.0028	SMH C	SMH D
SAH11	10"	183'	0.0028	SMH D	SMH E
SAH12	10"	297'	0.0028	SMH E	SMH F
SAH13	10"	297'	0.0028	SMH F	SMH G
SAH14	10"	277'	0.0028	SMH G	SMH H
SAH15	10"	269'	0.0028	SMH H	EX-SMH I
SAH16	10"	95'	0.0028	SMH I	EX-SMH I
SAH17	8"	40'	0.0100	STUB	SMH 7

SANITARY SEWER STRUCTURE SCHEDULE

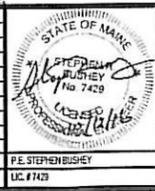
ID	RM	INV IN/SIZE/10'	INV OUT/SIZE/10'	STATION	OFFSET
SMH 1	52.11	41.55/8"/SMH 2	38.32/10"/SMH A	-	-
SMH 2	55.19	42.89/8"/SMH 3	42.89/8"/SMH 1	-	-
SMH 3	57.01	43.82/8"/SMH 4	43.72/8"/SMH 2	-	-
SMH 4	58.59	44.64/8"/SMH 5	44.55/8"/SMH 3	-	-
SMH 4A	54.47	46.30/8"/SMH 5	46.20/8"/SMH 4	-	-
SMH 5	55.93	47.70/8"/SMH 6	47.60/8"/SMH 5	-	-
SMH 6	57.20	48.05/8"/SMH 7	48.95/8"/SMH 5	-	-
SMH 7	56.41	-	50.88/8"/SMH 6	-	-
SMH A	52.03	38.24/10"/SMH 1	38.14/10"/SMH B	-	-
SMH B	49.95	37.31/10"/SMH A	37.21/10"/SMH C	-	-
SMH C	48.57	36.39/10"/SMH B	36.28/10"/SMH D	-	-
SMH D	46.48	35.45/10"/SMH C	35.35/10"/SMH E	-	-
SMH E	46.30	34.84/10"/SMH D	34.74/10"/SMH F	-	-
SMH F	43.00	33.91/10"/SMH E	33.81/10"/SMH G	-	-
SMH G	40.04	32.88/10"/SMH F	32.88/10"/SMH H	-	-
SMH H	39.35	32.10/10"/SMH G	32.00/10"/SMH I	-	-
SMH I	43.81	31.25/10"/SMH H	31.15/10"/EX-SMH I	-	-



AS-BUILT DRAWING OF WESLEY BY THE SEA SUBDIVISION (CONSISTS OF DRAWING SHEETS 8 AND 10 OF THE ORIGINAL PLAN SET ONLY. OTHER DRAWINGS ARE ON FILE WITH THE TOWN OF WELLS PLANNING DEPARTMENT)

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REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
10	09.19.09	REVISED FINAL PLANS	10	09.19.09	REVISED FINAL PLANS
9	08.19.09	REVISED PER INTERNAL REVIEW AND RELEASED TO OWNER	9	08.19.09	REVISED PER INTERNAL REVIEW AND RELEASED TO OWNER
8	05.19.09	REVISED PER TOWN AND KWAW REVIEW	8	05.19.09	REVISED PER TOWN AND KWAW REVIEW
7	04.23.09	REVISED PER TOWN AND KWAW REVIEW	7	04.23.09	REVISED PER TOWN AND KWAW REVIEW
6	03.19.09	REVISED SEWER SERVICES AND REDESIGNED TO TOWN OF WELLS	6	03.19.09	REVISED SEWER SERVICES AND REDESIGNED TO TOWN OF WELLS
5	01.16.09	SUBMITTED FINAL SUBDIVISION PLAN TO TOWN OF WELLS	5	01.16.09	SUBMITTED FINAL SUBDIVISION PLAN TO TOWN OF WELLS
4	12.05.07	REVISED PER MAINE DEP COMMENTS	4	12.05.07	REVISED PER MAINE DEP COMMENTS
3	09.21.07	SUBMITTED TO MAINE DEP-SITE LOCATION	3	09.21.07	SUBMITTED TO MAINE DEP-SITE LOCATION
2	07.18.07	REVISED PER TOWN'S PRELIMINARY REVIEW COMMENTS	2	07.18.07	REVISED PER TOWN'S PRELIMINARY REVIEW COMMENTS
1	5.31.07	PRELIMINARY SUBMISSION TO TOWN	1	5.31.07	PRELIMINARY SUBMISSION TO TOWN



PROJECT	CHARLES WESLEY COURT	STANTEC CONSULTING SERVICES INC.	482 PAYNE ROAD SCARBOROUGH, ME 04074 WWW.STANTEC.COM
SHEET TITLE	UTILITY PLAN	DESIGNED	CMW
CUSTOMER	PREACHERS' AID SOCIETY OF NE	SCALE	1" = 40'
		CHECKED	SRB
		FILE NAME	256001.SP
		DATE	APRIL 2007
		JOB NO.	2560 01
		SHEET	2 OF 2



CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C29	39.27	25.00	35.36	N 37°15'00" W
C30	32.32	90.00	31.14	N 72°2'00" E
C31	112.09	90.00	104.97	S 89°51'45" W
C32	6.94	543.00	6.94	N 75°49'00" W
C33	10.00	543.00	10.00	N 78°48'00" W
C34	36.36	543.00	36.36	N 79°14'45" W
C35	74.71	543.00	74.71	N 85°4'45" W
C36	131.81	517.00	131.81	N 89°51'45" W
C37	113.31	517.00	113.08	N 81°10'00" W
C38	91.59	517.00	91.47	N 69°44'45" W
C39	12.23	517.00	12.23	N 64°4'30" W
C40	30.75	300.00	30.74	N 66°20'00" W
C41	10.00	300.00	10.00	N 70°15'30" W
C42	85.13	300.00	85.04	N 78°15'45" W
C43	83.63	300.00	83.55	S 83°33'00" W
C44	39.27	25.00	35.36	S 67°25'15" W
C45	39.27	25.00	35.36	N 22°34'45" E
C46	90.84	250.00	90.14	N 84°58'00" E
C47	92.71	250.00	92.18	S 74°15'45" E
C48	56.62	567.00	56.60	S 65°15'30" E
C49	18.16	567.00	18.16	S 75°27'00" E
C50	10.00	567.00	10.00	S 78°51'15" E
C51	28.70	567.00	28.70	S 78°49'30" E
C52	86.25	567.00	86.17	S 84°38'00" E
C53	25.42	483.00	25.42	S 87°21'00" E
C54	92.15	483.00	92.02	S 87°41'00" E
C55	30.57	140.00	30.51	S 81°35'00" E
C56	106.15	140.00	103.83	N 70°28'15" E
C57	57.45	140.00	57.05	N 38°57'45" E
C58	20.04	140.00	20.04	N 38°57'45" E
C59	10.36	140.00	10.36	N 14°32'15" E
C60	39.27	25.00	35.36	N 57°45'00" E
C61	16.00	567.00	16.00	S 69°35'45" E
C62	37.53	567.00	37.52	S 72°38'00" E

LOT NO.	NO. OF UNITS	AREA (SQ. FT.)
1	7	20,819
2	7	24,867
3	1	19,860
4	1	22,211
5	1	19,728
6	7	17,929
7	1	24,311
8	7	28,618
9	7	18,134
10	7	18,085
11	7	28,744
12	7	18,152
13	1	10,627
TOTAL	23	286,148

LINE	LENGTH	BEARING
L1	62.88	N 10°20'00" E
L2	105.48	S 71°19'45" E
L3	116.27	N 1°14'57" E

LINE	LENGTH	BEARING
D1	20.00	S 30°01'00" E
D2	20.00	N 59°29'00" E
D3	68.14	S 22°51'45" E
D4	30.00	N 12°44'45" E
D5	89.98	S 77°15'15" E
D6	73.09	N 50°29'00" E
D7	33.87	S 28°49'45" W
D8	124.15	N 73°28'15" W
D9	15.53	N 81°11'00" W
D10	5.63	N 81°11'00" W
D11	20.13	S 11°26'30" W
D12	22.55	S 53°02'00" W
D13	23.19	N 11°29'30" E
D14	48.43	S 1°25'45" E
D15	90.21	N 34°55'45" W
D16	51.22	N 34°34'30" E
D17	1.09	S 45°49'45" E
D18	70.43	S 37°43'30" E
D19	14.87	N 62°45'45" E
D20	70.63	S 62°45'45" E
D21	46.49	S 16°57'30" W
D22	18.00	N 87°54'30" W
D23	40.72	S 02°05'30" W
D24	18.00	N 87°54'30" W
D25	18.32	S 02°05'30" W
D26	40.72	S 02°05'30" W
D27	15.00	S 77°15'15" E
D28	50.47	S 17°44'30" W
D29	25.51	N 77°18'24" W
D30	28.34	N 74°54'45" W
D31	50.00	N 73°21'45" W
D32	26.00	N 14°27'15" E
D33	63.02	S 77°15'15" E

NOTES:

- THE NAME OF THE SUBDIVISION IS WESLEY BY THE SEA (FORMERLY KNOWN AS JESSE LEE VILLAGE).
- THE RECORD OWNER OF THE PROPERTY IS PREACHERS' AID SOCIETY OF NEW ENGLAND, P.O. BOX 3386, 18 MAIN STREET EXTENSION, PLYMOUTH, MA 02361-3386 IN ACCORDANCE WITH THE DEEDS RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS IN BOOK 15235 PAGE 845.
- THE APPLICANT IS PREACHERS' AID SOCIETY OF NEW ENGLAND, P.O. BOX 3386, 18 MAIN STREET EXTENSION, PLYMOUTH, MA 02361-3386.
- THE ENGINEER FOR THE PROJECT PREPARATION IS DALLAHO-HOFFMAN ASSOCIATES, INC., 778 MAIN STREET, SUITE 8, SOUTH PORTLAND, MAINE 04106.
- THE PROPERTY IS LOCATED ON THE TOWN OF WELLS TAX MAP 79 LOT 1.
- PLAN REFERENCES:
 - A PLAN SHOWING A BOUNDARY SURVEY FOR PREACHERS' AID SOCIETY OF NEW ENGLAND, PARCEL LOCATED AT HARRISECKETT ROAD, WELLS, MAINE, BY DOW & COLLAMORE, INC. DATED MAY 6, 2007. (SEE SHEET 3 OF PLANS)
- THE PROPERTY IS LOCATED IN THE RURAL DISTRICT.
- THIS PLAN IS SHEET 5 OF 30 FROM THE FINAL SUBDIVISION PLANS FOR THE WESLEY BY THE SEA SUBDIVISION OFF HARRISECKETT ROAD IN WELLS, MAINE, BY DALLAHO-HOFFMAN ASSOCIATES, INC. DATED SEPTEMBER 2007.
- EXTENDED BOUNDARY INFORMATION IS BASED SOLELY UPON THE PLAN REFERENCED IN NOTE 6A. INTERIOR LOT LINES AND BEARINGS WERE CALCULATED BY DALLAHO-HOFFMAN ASSOCIATES, INC. AND VERIFIED BY DOW & COLLAMORE, INC.

CURVE	LENGTH	RADIUS	DELTA	TANGENT	PC STA.	PT STA.
C29	39.27	25.00	42°17'15"	126.60	10+46.38	10+85.65
C30	32.32	90.00	27°37'30"	126.11	10+46.38	10+79.06
C31	112.09	90.00	111°51'45"	126.11	10+79.06	10+166.25
C32	6.94	543.00	11°52'30"	111.91	10+166.25	10+173.19
C33	10.00	543.00	11°52'30"	111.91	10+173.19	10+183.19

RESIDENTIAL CLUSTER DEVELOPMENT (SECTION 145-49 AMENDED 11.07.06)	STANDARD LOT
MINIMUM LOT AREA (1-FAMILY/2-FAMILY)	10,000 S.F./15,000 S.F.
MINIMUM FRONT SETBACK	20 FT.
MINIMUM SIDE SETBACK	15 FT.
MINIMUM REAR SETBACK	30 FT.
MINIMUM FRONTAGE	50 FT.

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- 100' STREAM SETBACK
- WETLANDS
- BUILDING SETBACK
- PROPOSED IRON ROD WITH CAP TO BE SET (DOW & COLLAMORE, INC.)
- PROPOSED GRANITE MONUMENT TO BE SET (DOW & COLLAMORE, INC.)
- FOUND IRON ROD WITH CAP #1201 UNLESS OTHERWISE NOTED
- IRON ROD SET WITH CAP #1293 MAY 2007
- FOUND 3/4" IRON PIPE UNLESS OTHERWISE NOTED

APPROVAL-TOWN OF WELLS PLANNING BOARD

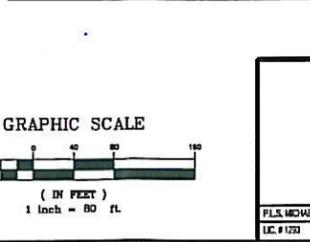
DATE _____

CHAIRPERSON _____

THE NET DENSITY COMPUTATIONS ARE AS FOLLOWS:

- COMPUTE NET AREA (LOT SIZE - WETLANDS = NET AREA)
28,484 AC - 6.83 AC = 21,654 AC
- NET DENSITY DEDUCTIONS (SUBTRACT REQUIRED OPEN SPACE (300) AND ROADS (150))
21,654 AC - (4,270 AC + 8,962 AC) = 7,422 AC
- COMPUTE NET DENSITY BASED ON TWO-FAMILY LOT SIZE OF 15,000 SF
7,402 AC x 43,860 SF/AC / 15,000 SF/LOT = 22 UNITS
- ADD DENSITY BONUS PER CODE SECTION 145-49 (D)
FOR 145-49 (D) (1) ADD 10% DENSITY BONUS
FOR 145-49 (D) (2) ADD 5% DENSITY BONUS
22 UNITS x 1.15 = 25 UNITS

NET ALLOWED DENSITY = 25 UNITS
PROPOSED DENSITY = 23 UNITS



REV	DATE	DESCRIPTION
14	10.12.18	REVISED DRAINAGE EASEMENTS AND SUBMITTED TO TOWN FOR APPROVAL
13	10.19.18	REVISED PROJECT NAME AND SUBMITTED TO TOWN FOR APPROVAL
12	09.18.28	REVISED FINAL PLANS
11	08.19.28	REVISED PER INTERNAL REVIEW AND RELEASED TO OWNER
10	08.18.28	REVISED PER TOWN AND IK&W REVIEW
9	04.23.28	REVISED PER TOWN AND IK&W REVIEW
8	04.09.28	REVISED PER TOWN AND IK&W REVIEW
7	03.19.28	REVISED PER MAINE DEP COMMENTS
6	01.16.28	SUBMITTED FINAL SUBDIVISION PLAN TO TOWN OF WELLS
5	12.05.27	REVISED PER MAINE DEP COMMENTS
4	11.14.27	REVISED PER DOW & COLLAMORE, INC. COMMENTS
3	10.25.27	REVISED PER DOW & COLLAMORE, INC. COMMENTS
2	09.21.27	SUBMITTED TO MAINE DEP-SITE LOCATION
1	5.31.27	PRELIMINARY SUBMISSION TO TOWN



PROJECT
WESLEY BY THE SEA
(FORMERLY KNOWN AS JESSE LEE VILLAGE)
LOCATED AT HARRISECKETT ROAD, WELLS, MAINE

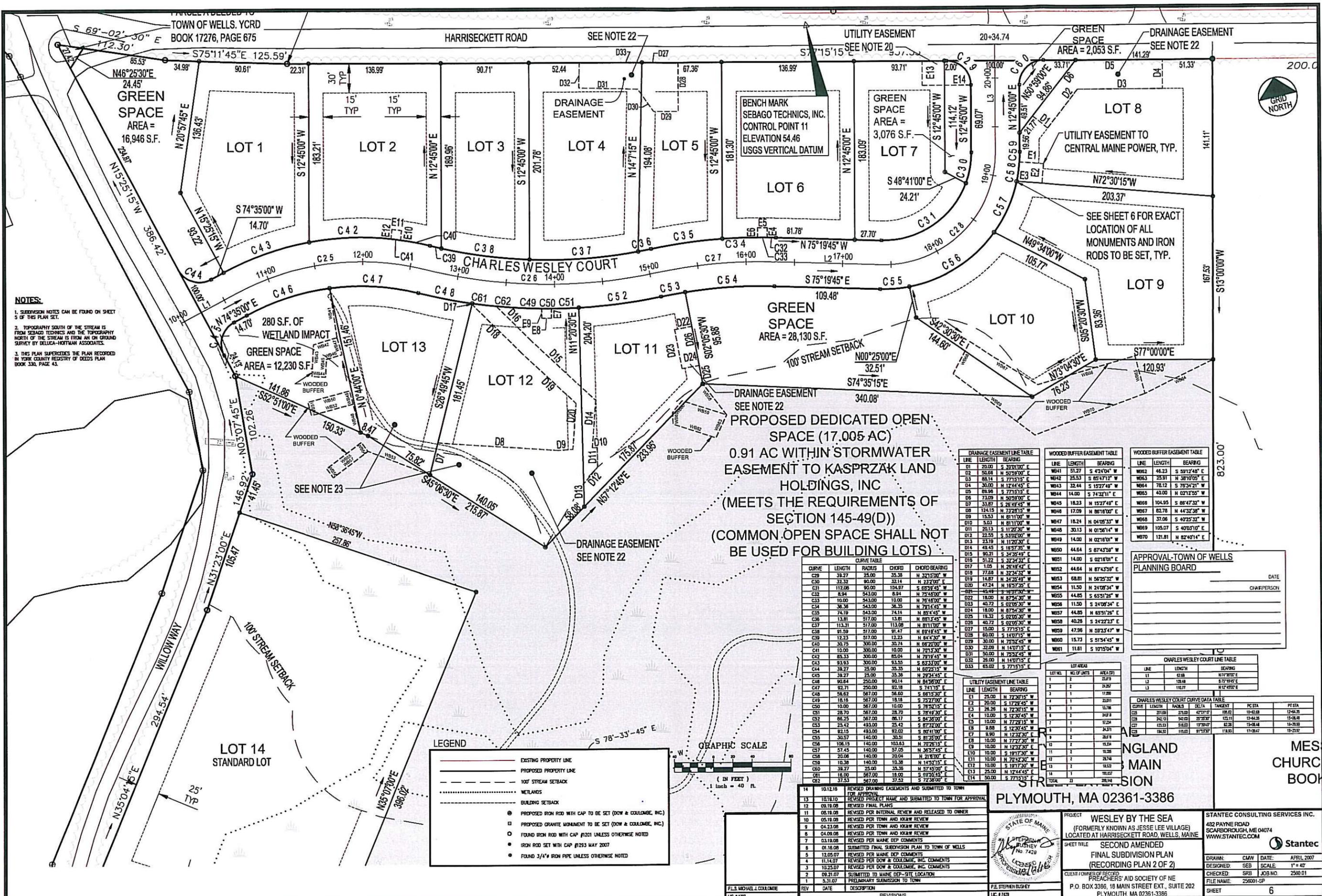
SHEET TITLE
SECOND AMENDED
FINAL SUBDIVISION PLAN
(RECORDING PLAN 1 OF 2)

CLIENT / OWNER / PREPARED BY
PREACHERS' AID SOCIETY OF NEW ENGLAND
P.O. BOX 3386, 18 MAIN STREET EXT., SUITE 202
PLYMOUTH, MA 02361-3386

STANTEC CONSULTING SERVICES INC.
482 PAYNE ROAD
SCARBOROUGH, ME 04074
WWW.STANTEC.COM

Stantec

DRAWN: CMW **DATE:** APRIL 2007
DESIGNED: SEB **SCALE:** 1" = 60'
CHECKED: SRB **JOB NO.:** 2500.01
FILE NAME: 250001-SP
SHEET 5

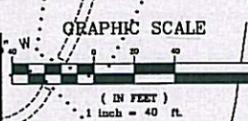


NOTES:

- SUBDIVISION NOTES CAN BE FOUND ON SHEET 5 OF THIS PLAN SET.
- TOPOGRAPHY SOUTH OF THE STREAM IS FROM SEBAGO TECHINCS AND THE TOPOGRAPHY NORTH OF THE STREAM IS FROM AN ON-GROUND SURVEY BY DELUCA-HOFFMAN ASSOCIATES.
- THIS PLAN SUPERSEDES THE PLAN RECORDED IN YORK COUNTY REGISTER OF DEEDS PLAN BOOK 330, PAGE 43.

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- 100' STREAM SETBACK
- WETLANDS
- BUILDING SETBACK
- PROPOSED IRON ROD WITH CAP TO BE SET (DOW & COLLAMORE, INC.)
- PROPOSED GRANITE MONUMENT TO BE SET (DOW & COLLAMORE, INC.)
- FOUND IRON ROD WITH CAP #1201 UNLESS OTHERWISE NOTED
- IRON ROD SET WITH CAP #1293 MAY 2007
- FOUND 3/4" IRON PIPE UNLESS OTHERWISE NOTED



PROPOSED DEDICATED OPEN SPACE (17.005 AC)
0.91 AC WITHIN STORMWATER EASEMENT TO KASPRZAK LAND HOLDINGS, INC
(MEETS THE REQUIREMENTS OF SECTION 145-49(D))
(COMMON OPEN SPACE SHALL NOT BE USED FOR BUILDING LOTS)

CURVE TABLE

CURVE	LENGTH	DELTA	CHORD	CHORD BEARING
C01	39.27	25.00	35.36	N 37°15'00" W
C02	32.32	90.00	32.14	N 23°20'00" E
C03	112.08	90.00	104.97	S 63°54'45" W
C04	8.94	543.00	8.94	N 75°48'00" W
C05	10.00	343.00	10.00	N 76°48'00" W
C06	36.36	543.00	36.36	N 76°48'00" W
C07	74.72	543.00	74.72	N 82°44'45" W
C08	13.81	517.00	13.81	N 88°14'45" W
C09	113.31	517.00	113.08	N 88°14'45" W
C10	91.59	517.00	91.47	N 88°14'45" W
C11	12.23	517.00	12.23	N 84°43'00" W
C12	39.27	300.00	39.27	N 82°44'45" W
C13	10.00	300.00	10.00	N 79°15'00" W
C14	85.33	300.00	85.04	N 79°15'00" W
C15	93.93	300.00	93.55	S 83°30'00" W
C16	39.27	25.00	35.36	N 67°21'15" W
C17	39.27	25.00	35.36	N 29°24'45" E
C18	90.64	250.00	90.14	N 84°56'00" E
C19	92.71	250.00	92.18	S 74°11'15" E
C20	56.62	567.00	56.60	S 66°15'30" E
C21	18.18	567.00	18.18	S 75°27'00" E
C22	10.00	567.00	10.00	S 79°24'15" E
C23	28.70	567.00	28.70	S 79°24'15" E
C24	66.25	567.00	66.17	S 84°38'00" E
C25	25.42	493.00	25.42	S 87°33'00" E
C26	82.15	493.00	82.02	S 87°41'00" E
C27	30.57	140.00	30.51	S 81°35'00" E
C28	106.19	140.00	103.63	N 72°29'15" E
C29	57.45	140.00	57.05	N 36°24'45" E
C30	20.08	140.00	20.04	N 21°03'00" E
C31	10.38	140.00	10.38	N 14°21'15" E
C32	39.27	25.00	35.36	N 37°45'00" E
C33	18.18	567.00	18.18	S 81°25'15" E
C34	10.00	567.00	10.00	S 72°38'00" E

DRAINAGE EASEMENT LINE TABLE

LINE	LENGTH	BEARING
D01	20.00	S 37°10'00" E
D02	50.68	N 50°59'00" E
D03	88.14	S 77°51'15" E
D04	30.00	N 12°44'45" E
D05	89.58	N 12°51'45" E
D06	73.09	N 20°50'00" E
D07	33.87	S 26°45'45" E
D08	124.15	N 23°28'15" E
D09	15.53	N 81°11'00" W
D10	3.03	N 81°11'00" W
D11	20.13	S 11°25'30" W
D12	22.55	S 53°02'00" W
D13	23.19	N 11°20'30" W
D14	48.45	S 16°37'35" W
D15	90.21	S 34°35'45" W
D16	51.22	S 32°43'24" W
D17	1.05	N 26°14'45" E
D18	77.68	N 37°34'30" E
D19	14.87	N 34°39'45" E
D20	47.24	N 16°37'35" E
D21	46.49	S 10°31'30" W
D22	18.00	N 87°54'30" W
D23	40.72	S 02°05'30" W
D24	18.00	N 87°54'30" W
D25	19.32	S 02°05'30" W
D26	40.72	S 02°05'30" W
D27	15.00	S 77°51'15" E
D28	60.00	S 14°20'15" E
D29	30.00	N 25°24'45" W
D30	32.08	N 14°20'15" E
D31	50.00	N 25°24'45" W
D32	28.00	N 14°20'15" E
D33	63.02	S 77°51'15" E

WOODED BUFFER EASEMENT TABLE

LINE	LENGTH	BEARING
WB01	46.23	S 42°40'4" W
WB02	25.51	N 38°10'00" E
WB03	78.12	S 76°34'21" W
WB04	40.00	N 02°12'05" W
WB05	104.93	S 88°47'32" W
WB06	82.78	N 44°32'38" W
WB07	37.08	S 40°25'32" W
WB08	105.07	S 40°03'10" E
WB09	44.64	S 67°43'09" W
WB10	14.00	S 02°18'01" E
WB11	44.64	N 67°43'09" E
WB12	68.81	N 56°25'32" W
WB13	11.50	N 24°08'34" W
WB14	44.85	S 65°31'26" W
WB15	11.50	S 24°08'34" E
WB16	44.85	N 65°31'26" E
WB17	40.28	S 24°22'27" E
WB18	47.98	N 58°23'47" W
WB19	15.73	S 51°54'45" W
WB20	11.61	S 10°15'04" W

CHARLES WESLEY COURT LINE TABLE

LINE	LENGTH	BEARING
L1	42.88	N 14°20'15" E
L2	128.48	S 12°19'15" E
L3	110.77	N 12°45'00" E

CHARLES WESLEY COURT CURVE DATA TABLE

CURVE	LENGTH	DELTA	CHORD	PC STA	PT STA
C01	39.27	25.00	35.36	12+42.88	12+82.15
C02	32.32	90.00	32.14	12+82.15	12+94.47
C03	112.08	90.00	104.97	12+94.47	13+06.44
C04	8.94	543.00	8.94	13+06.44	13+15.38
C05	10.00	343.00	10.00	13+15.38	13+25.38
C06	36.36	543.00	36.36	13+25.38	13+61.74
C07	74.72	543.00	74.72	13+61.74	14+36.46
C08	13.81	517.00	13.81	14+36.46	14+50.27
C09	113.31	517.00	113.08	14+50.27	15+63.35
C10	91.59	517.00	91.47	15+63.35	16+54.82
C11	12.23	517.00	12.23	16+54.82	16+67.05
C12	39.27	300.00	39.27	16+67.05	16+106.32
C13	10.00	300.00	10.00	16+106.32	16+116.32
C14	85.33	300.00	85.04	16+116.32	16+201.65
C15	93.93	300.00	93.55	16+201.65	16+295.60
C16	39.27	25.00	35.36	16+295.60	16+330.96
C17	39.27	25.00	35.36	16+330.96	16+366.32
C18	90.64	250.00	90.14	16+366.32	16+456.46
C19	92.71	250.00	92.18	16+456.46	16+549.15
C20	56.62	567.00	56.60	16+549.15	17+116.15
C21	18.18	567.00	18.18	17+116.15	17+134.33
C22	10.00	567.00	10.00	17+134.33	17+144.33
C23	28.70	567.00	28.70	17+144.33	17+173.03
C24	66.25	567.00	66.17	17+173.03	17+239.20
C25	25.42	493.00	25.42	17+239.20	17+264.62
C26	82.15	493.00	82.02	17+264.62	17+346.64
C27	30.57	140.00	30.51	17+346.64	17+377.15
C28	106.19	140.00	103.63	17+377.15	17+480.78
C29	57.45	140.00	57.05	17+480.78	17+537.83
C30	20.08	140.00	20.04	17+537.83	17+557.87
C31	10.38	140.00	10.38	17+557.87	17+568.25
C32	39.27	25.00	35.36	17+568.25	17+603.61
C33	18.18	567.00	18.18	17+603.61	17+621.79
C34	10.00	567.00	10.00	17+621.79	17+631.79

UTILITY EASEMENT LINE TABLE

LINE	LENGTH	BEARING
E1	25.00	N 72°30'15" W
E2	20.00	S 12°20'45" W
E3	26.26	N 74°30'15" W
E4	10.00	S 12°30'45" W
E5	10.00	N 72°30'15" W
E6	8.88	N 12°30'45" W
E7	8.90	N 12°32'30" W
E8	10.00	N 72°30'15" W
E9	10.00	N 12°30'45" W
E10	10.00	S 19°17'30" W
E11	10.00	N 72°30'15" W
E12	10.00	S 19°17'30" W
E13	25.00	N 12°44'45" E
E14	50.00	S 77°51'15" E

LOT AREA

LOT NO.	NO. OF LOTS	AREA (SQ)
1	2	24.83
2	2	24.83
3	1	17.86
4	1	23.91
5	1	11.76
6	2	24.83
7	1	11.24
8	1	24.31
9	1	24.71
10	2	18.26
11	1	23.78
12	1	18.53
13	1	18.53
14	1	18.53
TOTAL	23	284.14

APPROVAL - TOWN OF WELLS PLANNING BOARD

DATE: _____

CHAIRPERSON: _____

ENGLAND MAIN DIVISION

MESSENGER CHURCH BOOK

PLYMOUTH, MA 02361-3386

STATE OF MAINE

STEPHEN BUSHEY

REGISTERED PROFESSIONAL SURVEYOR

NO. 7428

PROJECT: WESLEY BY THE SEA
 (FORMERLY KNOWN AS JESSE LEE VILLAGE)
 LOCATED AT HARRISECKETT ROAD, WELLS, MAINE

SHEET TITLE: SECOND AMENDED FINAL SUBDIVISION PLAN (RECORDING PLAN 2 OF 2)

CLIENT/TOWN OF RECORD: PREACHERS' AID SOCIETY OF NE

P.O. BOX 3386, 18 MAIN STREET EXT., SUITE 202 PLYMOUTH, MA 02361-3386

STANTEC CONSULTING SERVICES INC.

482 PAYNE ROAD
 SCARBOROUGH, ME 04074
 WWW.STANTEC.COM

Stantec

DRAWN: CMW DATE: APRIL 2007
DESIGNED: SEB SCALE: 1" = 40'
CHECKED: SRB JOB NO. 2580.01
FILE NAME: 258001-SP
SHEET 6

REVISIONS

REV	DATE	DESCRIPTION
14	10/12/10	REVISED DRAINAGE EASEMENTS AND SUBMITTED TO TOWN FOR APPROVAL
13	10/18/10	REVISED PROJECT NAME AND SUBMITTED TO TOWN FOR APPROVAL
12	09/18/08	REVISED FINAL PLANS
11	08/18/08	REVISED PER INTERNAL REVIEW AND RELEASED TO OWNER
10	05/18/08	REVISED PER TOWN AND JK&AW REVIEW
9	04/23/08	REVISED PER TOWN AND JK&AW REVIEW
8	04/08/08	REVISED PER TOWN AND JK&AW REVIEW
7	03/18/08	REVISED PER MAINE DEP COMMENTS
6	01/18/08	SUBMITTED FINAL SUBDIVISION PLAN TO TOWN OF WELLS
5	12/05/07	REVISED PER MAINE DEP COMMENTS
4	11/14/07	REVISED PER DOW & COLLAMORE, INC. COMMENTS
3	10/25/07	REVISED PER DOW & COLLAMORE, INC. COMMENTS
2	09/21/07	SUBMITTED TO MAINE DEP - SITE LOCATION
1	5/3/07	PRELIMINARY SUBMISSION TO TOWN

FILE: MICHAEL J. COLLAMORE
 LIC #133

P.E. STEPHEN BUSHEY
 LIC #7428



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

Memo

Date: October 26, 2016

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Sea Orchard Subdivision Amendment – Tax Map 135, Lots 9-5 and 9-6

Project Description:

BH2M has submitted a subdivision amendment application to the Sea Orchard Subdivision on behalf of Thomas and Ruth Bergen, owners of lot 9-5 and 9-6. The amendment is seeking approval for a 15' wide access easement created over lot 9-5 for lot 9-6 to use. The lots are located off of Autumn Lane and are within the Residential A District. Tax Map 135, Lots 9-5 and 9-6.

Plan Review Comments:

- Plan should consist of lots 5 and 6, not the entire subdivision. The amendment should be limited to the area of revision.
- Abutting Map and Lot numbers to be added to the plan
- As-built information needs to be depicted on the plan: Autumn Lane, Transformer location, walkway and patio (lot coverage), wetland limits, etc
- Lot coverage calculation for lot 6 is needed (maximum allowed lot coverage is 40%)
- Buffer plantings for lots 5 and 6 need to be depicted (Landscaping requirement of subdivision approval). See planting treatment letters from Landscape Architect dated 12-4-2012 and 7-30-2013 identifying plantings for lots 5 and 6 to be satisfied. Plantings changed per 2016 aerial images.
- Notes to be updated and revised on the plan
- RA zone requirements to be added to the plan

Issues:

- Wetland fill appears to have exceeded permit requirements, see notes 20 and 21 on subdivision plan. Fill on Lot 6 and Common Land.
- Shed does not meet setbacks on lot 6 and encroaches onto the Open Space of the subdivision
- Transformer location/easement to be updated
- Lot coverage on Lot 6 is very close or over the RA zone maximum of 40%

- Plantings have been altered since the 2012 inspection by the landscape architect. Plantings are required per 2005 subdivision approval and are owned and regulated by the Homeowner's Association. Open Space suitable for buffer, not expanded yard area.
- Resolutions will involve the Homeowners' Association.

Recommendations:

1. The Planning Board should consider receiving the subdivision amendment application.
2. The Planning Board should discuss the issues and review comments with the applicant.
3. The Planning Board should consider scheduling a site walk of the property to view the concerns outlined in this memo.



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street, Gorham, Maine 04038
207 839-2771

LESTER S. BERRY
WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

Oct. 21, 2016

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

Re: Amended Subdivision
Sea Orchard Subdivision
Lots 5 and 6
Sea Orchard Drive

Dear Mike;

On behalf of the applicant, Thomas and Ruth Bergen, we are submitting the Amended Subdivision Application for revisions to lot 5 in the above referenced project. The amendment to the plan was completed per your office's request to show a 15' access easement along lot 5 for the use by lot 6.

Enclosed please find 12 copies of the project plan, application and deeds for the two lots per Shannon's request.

We look forward to presenting this project at the first available planning board meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter E. Pelkey", written over a printed name and title.

Walter E. Pelkey
Project Manager

cc: J. Bergen

LOT 5

Doc# 2011023723
Bk 16115 Pg 333 - 334
Received York SS
06/22/2011 11:15AM
Debra L. Anderson
Register of Deeds

(the space above is reserved for recording information)

WARRANTY DEED
JOINT TENANCY
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That DOYLE ENTERPRISES, INC., a Maine corporation with a mailing address of 16 Tiffany Lane, Saco, Maine, 04072, for consideration paid, grant to THOMAS F. BERGIN, JR and RUTH A. BERGIN, both having a mailing address of 128 West Plains Street, Wayland, MA 01778, with *WARRANTY COVENANTS*, AS JOINT TENANTS, the land in Wells, in the County of York and State of Maine, described as follows:

A certain lot or parcel of land, with any improvements thereon, being Lot Five (5) as shown the Final Plan - Sea Orchard Subdivision made for Doyle Enterprises, by Berry, Huff, McDonald, Milligan, Inc. approved by the Town of Wells Planning Board on April 11, 2005 and recorded in the York County Registry of Deeds in Plan Book 300, Page 37, to which plan and the record thereof reference is made for a more particular description of the within conveyed premises.

The Grantor specifically reserves its title to the private road (now called Autumn Lane) as shown on the above referenced plan pursuant to 33 M.R.S.A. Section 460.

The above described premises are conveyed subject to and together with the benefit of a Declaration of Covenants for Sea Orchard, Wells, Maine dated May 17, 2005 and recorded in the York County Registry of Deeds in Book 14464, Page 821. The above described premises are also conveyed subject to and together with the benefit of the terms of a Road Maintenance Declaration dated November 10, 2010, and recorded in the York County Registry of Deeds in Book 16085, Page 769.

Being a portion of the property conveyed to the Grantor by deed of Leo D. Bourgeois, et al., dated May 13, 2005 and recorded in the York County Registry of Deeds in Book 14464, Page 814.

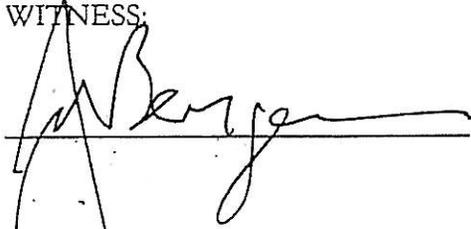
Grantor warrants that it has approved the design of the structures and improvements constructed or to be constructed on the foregoing lot in accordance with the building permit issued by the Town of Wells and the Declaration of Covenants, and that the Grantor has fully complied with the terms of the Performance Guaranty Agreement with the Town of Wells dated May 13, 2003 and recorded in the York County Registry of Deeds in Book 14465, Page 93.

The above described premises are conveyed subject to the terms of a certain easement set forth in deed of Doyle Enterprises, Inc. to Thomas F. Bergin, Jr. et. al. dated May 3, 2011 and recorded in the York Registry of Deeds in Book 16092, Page 722.

MAINE R.E. TRANSFER TAX PAID

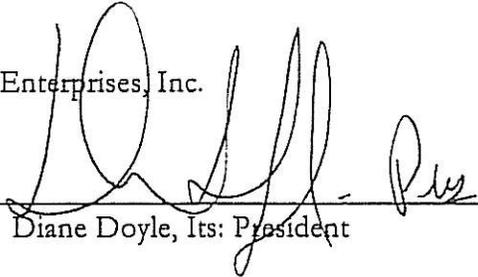
IN WITNESS WHEREOF, Doyle Enterprises, Inc. has caused this instrument to be signed in its name and behalf by Diane Doyle, its President, thereunto duly authorized, this 14 day of June, 2011.

WITNESS:



Doyle Enterprises, Inc.

By:

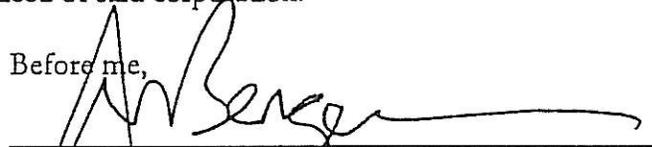

Diane Doyle, Its: President

STATE OF MAINE
York, ss

June 14th, 2011

Personally appeared the above named Diane Doyle, President of said Doyle Enterprises, Inc. and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said corporation.

Before me,


Notary Public/Attorney at Law

Print name:

Jens W. Bergin

#3930

After Recording Return to:
Thomas & Ruth Bergin

ME - BON

205 ↓

Idrive/2310-032/deed

RETURN TO J. W. BERGIN

79 Portland Road

Kennebunk ME
04643

End of Document

LOT 6

WARRANTY DEED
JOINT TENANCY
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **DOYLE ENTERPRISES, INC.**, a Maine corporation with a mailing address of 16 Tiffany Lane, Saco, Maine, 04072, for consideration paid, grant to **THOMAS F. BERGIN, JR. AND RUTH A. BERGIN**, both having a mailing address of 128 West Plain Street, Wayland, MA 01778, with **WARRANTY COVENANTS**, AS JOINT TENANTS, the land in Wells, in the County of York and State of Maine, described as follows:

A certain lot or parcel of land, with any improvements thereon, being Lot Six (6) as shown the Final Plan - Sea Orchard Subdivision made for Doyle Enterprises, by Berry, Huff, McDonald, Milligan, Inc. approved by the Town of Wells Planning Board on April 11, 2005 and recorded in the York County Registry of Deeds in Plan Book 300, Page 37, to which plan and the record thereof reference is made for a more particular description of the within conveyed premises.

The Grantor specifically reserves its title to the private road (now called Autumn Lane) as shown on the above referenced plan pursuant to 33 M.R.S.A. Section 460.

The above described premises are conveyed subject to and together with the benefit of a Declaration of Covenants for Sea Orchard, Wells, Maine dated May 17, 2005 and recorded in the York County Registry of Deeds in Book 14464, Page 821. The above described premises are also conveyed subject to and together with the benefit of the terms of a Road Maintenance Declaration dated November 10, 2010, and recorded in the York County Registry of Deeds in Book 16085, Page 769.

Being a portion of the property conveyed to the Grantor by deed of Leo D. Bourgeois, et al., dated May 13, 2005 and recorded in the York County Registry of Deeds in Book 14464, Page 814.

Grantor warrants that it has approved the design of the structures and improvements constructed or to be constructed on the foregoing lot in accordance with the building permit issued by the Town of Wells and the Declaration of Covenants, and that the Grantor has fully complied with the terms of the Performance Guaranty Agreement with the Town of Wells dated May 13, 2003 and recorded in the York County Registry of Deeds in Book 14465, Page 93.

Also granting herewith a perpetual right of way and easement to be used in common by Doyle Enterprises, Inc., and the within Grantees and their respective, successors and assigns for purposes of ingress and egress on foot or in vehicles to and from lot Six (6) as shown on the Final Plan-Sea Orchard Subdivision made for Doyle Enterprises by Berry, Huff, McDonald, Milligan and recorded in the York Registry of Deeds in Plan Book 300,

MAINE R.E. TRANSFER TAX PAID

PR

Page 37 and for the construction, maintenance, repair and replacement of a driveway (including the right to pave and repave the same) and for the purpose of allowing the placement of snow generated from clearing a reasonable access way to the above described premises in, on, over and under the following described parcel of land together with a right of entry with such machinery and equipment as may be reasonably necessary to accomplish the purposes of this grant.

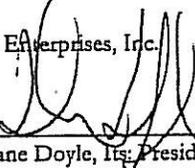
The area encumbered by this easement is a strip of land 15 feet in width lying adjacent to and Northeasterly of the common boundary line between Lot 5 and Lot 6 on said Plan and extending back from Autumn Lane (formerly called Sea Orchard Drive) a distance of Seventy (70) feet. The area encumbered by this easement may be used by the owner of the servient tenant for all purposes not inconsistent with this grant.

IN WITNESS WHEREOF, Doyle Enterprises, Inc. has caused this instrument to be signed in its name and behalf by Diane Doyle, its President, thereunto duly authorized, this 3 day of May, 2011.

WITNESS:



Doyle Enterprises, Inc.

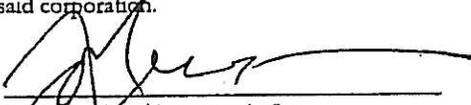
By: 
Diane Doyle, Its: President

STATE OF MAINE
York, ss

May 3, 2011

Personally appeared the above named Diane Doyle, President of said Doyle Enterprises, Inc. and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said corporation.

Before me,



Notary Public/Attorney At Law
JENS W. BERGIN
Print Name
WE Bergin #3930
My Commission Expires

After recording return to:
Tom & Ruth Bergin
128 West Plain St.
Wayland, MA 01778

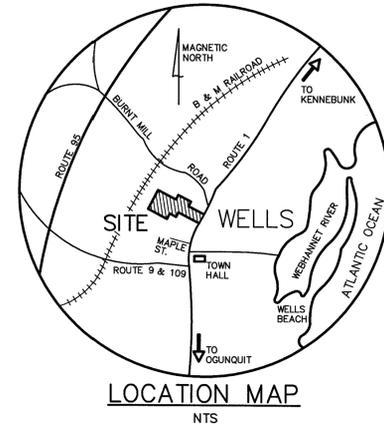
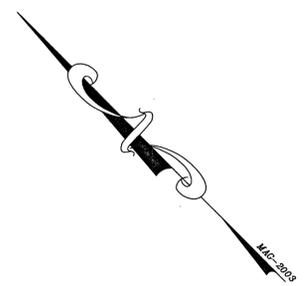
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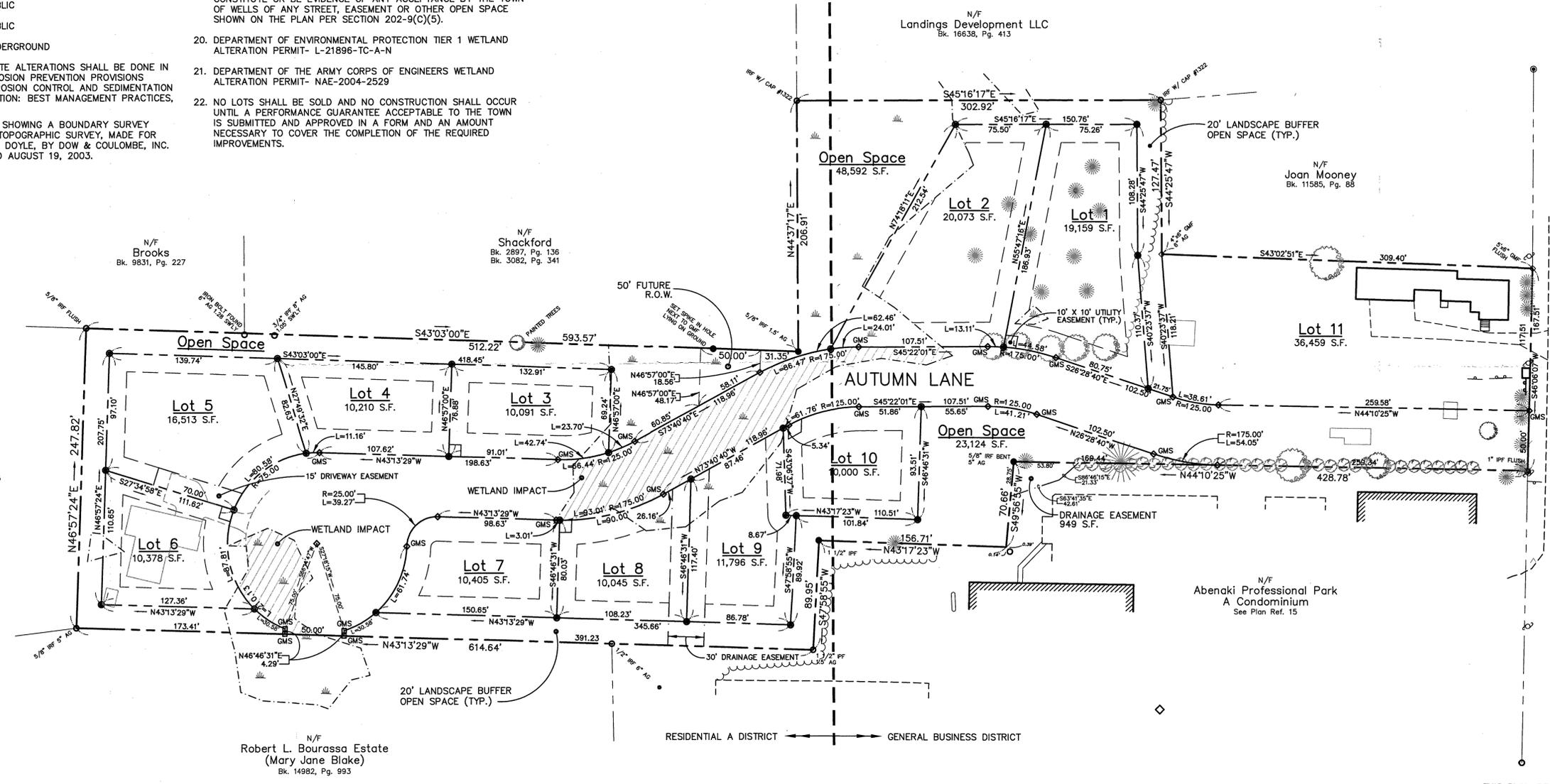
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NOTES:

- SURVEYOR: (INTERIOR) ROBERT C. LIBBY JR., PLS #2190
BH2M
SURVEYOR: (EXTERIOR) DOW & COULOMBE, INC.
- WETLANDS: ALBERT FRICK ASSOCIATES, INC.
95A COUNTY ROAD
GORHAM, MAINE
- DEED REFERENCE: LEO D. BOURGEOIS
BK. 3362, PG. 302
- TAX MAP REFERENCE: MAP 135, LOT 9
- ZONING: GENERAL BUSINESS & RESIDENTIAL A DISTRICT
PROPOSED 10 LOT RESIDENTIAL CLUSTER W/ LOT 11 OUTSALE
- PROJECT AREA: 6.979 AC.
- PROPOSED USE: 11 LOT CLUSTER DEVELOPMENT
- MINIMUM STANDARDS: LOT SIZE - 10,000 S.F.
FRONTAGE - 80'
SETBACKS - FRONT-20'
SIDE AND REAR-15'
- SEWER SERVICE: PUBLIC
- WATER SERVICE: PUBLIC
- ELECTRIC/TELEPHONE: UNDERGROUND
- ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE EROSION PREVENTION PROVISIONS OUTLINED IN THE MAINE EROSION CONTROL AND SEDIMENTATION HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES, MARCH 2003.
- PLAN REFERENCE: PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY, MADE FOR DIANE DOYLE, BY DOW & COULOMBE, INC. DATED AUGUST 19, 2003.
- NET RESIDENTIAL LOT CALCS: AREA - 304,014 S.F.
LESS ROAD - 67,097 S.F.
LESS LOT 11 - 36,459 S.F.
NET - 200,458 S.F.
LOTS - 200,458 / 20,000 = 10.02 LOTS
PROPOSED - 10 CLUSTER LOTS
- OPEN SPACE: AREA = 71,786 S.F.
% OF TOTAL = 23.6%
- WETLAND IMPACT: AREA = 13,924 S.F.
NO FURTHER FILLING OR ALTERATION OF THE WETLANDS SHALL OCCUR WITHOUT THE APPROPRIATE STATE OR LOCAL APPROVALS. DOYLE ENTERPRISES HAS A TIER I PERMIT L-2186-TC-A-N, FROM THE MAINE DEP/ARMY CORP OF ENGINEERS FOR THE AREA OF IMPACT SHOWN ON THIS PLAN.
- DUG WELLS ARE PROHIBITED, PER SECTION 202-12(F)(2).
- OPEN SPACE IS NOT TO BE USED FOR FUTURE BUILDING LOTS AND THAT A PART OR ALL OF THE COMMON SPACE MAY BE DEDICATED FOR ACCEPTANCE BY THE MUNICIPALITY PER SECTION 202-12(H)(4).
- APPROVAL BY THE PLANNING BOARD SHALL NOT BE DEEMED TO CONSTITUTE OR BE EVIDENCE OF ANY ACCEPTANCE BY THE TOWN OF WELLS OF ANY STREET, EASEMENT OR OTHER OPEN SPACE SHOWN ON THE PLAN PER SECTION 202-9(C)(5).
- DEPARTMENT OF ENVIRONMENTAL PROTECTION TIER 1 WETLAND ALTERATION PERMIT- L-21896-TC-A-N
- DEPARTMENT OF THE ARMY CORPS OF ENGINEERS WETLAND ALTERATION PERMIT- NAE-2004-2529
- NO LOTS SHALL BE SOLD AND NO CONSTRUCTION SHALL OCCUR UNTIL A PERFORMANCE GUARANTEE ACCEPTABLE TO THE TOWN IS SUBMITTED AND APPROVED IN A FORM AND AN AMOUNT NECESSARY TO COVER THE COMPLETION OF THE REQUIRED IMPROVEMENTS.



NO.	DATE	REVISION DESCRIPTION
1	10/14/16	Amended Plan to Show E/W Easement on Lot 5



I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

- NO SURVEYORS REPORT
- INTERIOR LOT LINES ONLY

THIS PLAN SUPERSEDES THE PREVIOUSLY RECORDED PLAN TITLED "FINAL PLAN - SEA ORCHARD SUBDIVISION" DATED DECEMBER 2003, BY BH2M AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS, PLAN BOOK 300, PAGE 37. THE PURPOSE OF THIS PLAN IS TO SHOW THE 15' X 70' DRIVEWAY EASEMENT ON LOT 5.

ROBERT C. LIBBY JR. PLS #2190

THIS PLAN REVIEWED AND APPROVED BY THE TOWN OF WELLS PLANNING BOARD.

CHAIR	DATE
DESIGNED W. Pelkey	DATE Oct. 2016
DRAWN Dept	SCALE As Noted
CHECKED R. Libby Jr.	JOB. NO. 16155
SHEET	
1	
REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESSED WRITTEN CONSENT OF BH2M INC. IS PROHIBITED	

BH2M
Barry, Huff, MacDonald, Miffligan, Inc.
Engineers, Surveyors
28 State Street
Concord, Maine 04038
Tel: (207) 859-2771
Fax: (207) 859-8550

FOR
Thomas & Ruth Bergen
9 Wells, Maine

AMENDED
FINAL PLAN
SEA ORCHARD SUBDIVISION
U.S. ROUTE ONE
WELLS, MAINE



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 Subdivision Application Memo

Date: October 27, 2014

To: Planning Board

From: Planning Office

Re: Burnt Mill Subdivision Amendment- Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Project Description:

Burnt Mill Holding Company, LLC, owner; William Bradley Booth, applicant; Hart Howerton, Pinkham & Greer, and Corner Post Land Surveying, Inc, engineers/surveyors. Final Subdivision Amendment application to relocate cluster lot #62 from Storer Lane to Route 9A adjacent to cluster lot #103. The approved major subdivision consists of 174 dwelling units. The dwelling units are designed so a total of 154 single and duplex units shall comply with Residential Cluster Development standards (individual lots a minimum of 20,000 SF in size) and 20 dwelling units shall comply with Multifamily Development standards (20 units on 1 lot). Various roadways, infrastructure, drainage, and neighborhood parks are approved/proposed. The Subdivision parcels are located within the Rural & 75' Shoreland Overlay Districts and are off or in the vicinity of Hobbs Farm Road, Storer Lane, Meetinghouse Road and Branch Road (Route 9A). Tax Map 62, Lots 12, and 13 and Tax Map 63, Lot 7. Subdivision served by on-site/ common septic systems and on-site/common drilled 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 received the amendment on 9/26/16**

(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; no new lots or dwellings proposed.**

(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 waived**

- 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 or 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 9/13/16**
- (2) If a public hearing is deemed necessary by the Board, an additional fee in the amount established by the Board of Selectmen following notice and a public hearing shall be required to cover the costs of advertising and postal notification. **[Amended 7-9-2002; 4-16-2004] Public Hearing was waived**
- (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 application received on 9/26/16**
- (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. **Public Hearing was waived**
- (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. Approved November 25, 2015. Changes proposed to be approved by or determined minor by MDEP.**
 - (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. **Approved 8/4/15. Changes proposed do not affect this approval.**
 - (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. **Approved 8/4/15. Changes proposed do not affect this approval.**
 - (f) An Army Corps of Engineers dredge and fill permit. **Approved 8/11/15. Changes proposed do not affect this approval.**
 - (g) NPDES permit for stormwater discharges. **Changes proposed do not affect this approval.**
 - (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **Public Hearing was waived**
 - (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 Department has reviewed the minor revisions to the plans and found they address previous review comments.
2. The Planning Board should review the revised plans and consider the following:
 - a. Approve and sign the Findings of Fact & Decisions;
 - b. Approve and sign the amended Subdivision Plans.

Town of Wells, Maine
Final Major Subdivision Completeness Review

Page 1 of 6

Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Prepared By: Office of Planning & Development

Plans Dated: 09-12-16; 10-17-16

District: Rural, Shoreland Overlay

Review Date: 10/12/16; 10/27/16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

Chapter 202
Subdivision of Land

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information: [Amended 4-13-1999]	Y				Plan scales vary and are 1" = 200 feet or less.
(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 and location noted. Lot numbers have been added, reviewed and approved by the Town Assessor.
(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*				Plans have been prepared by Dana A. Libby, Corner Post Land Surveying, Inc. dated 10/9/15; rev 9/12/16. Plans shall be stamped and signed prior to Planning Board. Proposed Monumentation shown. Planning Board reviewed the Monumentation proposed and voted to find it suitable on 11/2/15. On 10/17/16 the Planning Board found the Monumentation proposed for relocated lot 62 to be suitable.

Town of Wells, Maine
Final Major Subdivision Completeness Review

Page 2 of 6

Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

District: Rural, Shoreland Overlay

Prepared By: Office of Planning & Development

Review Date: 10/12/16; 10/27/16

Plans Dated: 09-12-16; 10-17-16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

§ 202-9. Final plan for major subdivision	Application Meet Requirements				
	Yes	No	NA	Waiver	Comments
(3) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses and other essential existing physical features.	Y				Existing homes built in the subdivision depicted. Tree lines, stonewalls, wetlands, cemeteries, abutting roadways, etc depicted.
(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 is not served by the Wells Sanitary District. See note 9 on sheet S1. Sheet S2 labels clubhouse septic and the subdivision common septic areas.
(5) Indication of the type of water supply system(s) to be used in the subdivision.	Y				Subdivision is not served by the KKWWD. See note 12, on sheet S1, subdivision served by public water supply well(s)/ individual drilled wells.
(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 is not served by the KKWWD.
(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 located in the vicinity of such potential groundwater contamination.

Town of Wells, Maine
Final Major Subdivision Completeness Review

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Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

District: Rural, Shoreland Overlay

Prepared By: Office of Planning & Development

Review Date: 10/12/16; 10/27/16

Plans Dated: 09-12-16; 10-17-16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	[2] When a proposed subdivision is to be served by a private central water system or contains structures other than one- or two-family dwellings, evidence of adequate groundwater quantity shall be required.	Y				Cluster lots are for 1 or 2 family dwellings. The Multifamily Lot may have 3 to 6 dwelling unit buildings. Sweet Associates provided a hydrogeologic and pump test report dated December 5, 2014.
(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				Subdivision is located within the Rural District.
(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				Water lines are identified off of public water supply well. Sewer lines are identified to a common treatment system and septic field. Culverts, Catch Basins, ponds, and other stormwater systems depicted.
(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 and proposed paved widths are noted on applicable sheets. Existing ROW widths noted on sheet S1. Easements, setbacks, buffers, open space areas shown. See Sheet S11 for Open Space areas. Bearings and distances noted throughout.

Town of Wells, Maine
Final Major Subdivision Completeness Review

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Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

District: Rural, Shoreland Overlay

Prepared By: Office of Planning & Development

Review Date: 10/12/16; 10/27/16

Plans Dated: 09-12-16; 10-17-16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(10)	The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.	Y				The Hobbs Pond dry hydrant to be upgraded or relocated to specifications required by the Town Fire Chief. See note 17 on sheet S2. All lot driveways shall be located within 1 mile from a dry hydrant or dwellings shall be constructed with sprinkler systems. See note 19 on sheet 2. No street lights proposed along Hobbs Farm Road or along any other proposed or existing road.
(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				31.17 acres dedicated to Conservation Easement. Denisty Bonuses granted provided Open Space proposed to meet the criteria outlined in 145-49D (as approved). See notes to be added to Sheet S11. Public access shall be allowed to trails and fairways (during the winter months), see HOA documents and sheet S11.
(12)	A list of construction items with cost estimates that will be completed by the developer prior to the sale of lots and, for subdivisions containing more than 20 lots, a separate list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the municipality or quasi-municipal districts.	Y				Cost estimate provided with a total and includes a 10% contingency.
	(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.	Y				Done.
	(b) The developer shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.	Y				Done. Fiscal Impact Analysis provided.

Town of Wells, Maine
Final Major Subdivision Completeness Review

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Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Prepared By: Office of Planning & Development

Plans Dated: 09-12-16; 10-17-16

District: Rural, Shoreland Overlay

Review Date: 10/12/16; 10/27/16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(13)	If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year flood elevation shall be delineated on the plan.	Y				See note 11 on sheet S1.
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]	Y				
(15)	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. [Amended 4-27-2007]	Y				Stormwater analysis and design prepared by Pinkham & Greer (revised Dec. 19, 2014), Thomas S. Greer, PE #4206. DEP Permit Approval granted #L-21263-87-I-A/ L-21263-TH-J-N dated November 2015. The Town Engineer has reviewed the analysis and found that it meets Town requirements.
(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]	Y				An amended groundwater impact study and nitrate anaylisis was done dated Dec/ 4, 2014 by Sweet Associates, Richard A. Sweet, Maine Certified Geologist #100. Town Engineer reviewed and found acceptable.

Town of Wells, Maine
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Project Name/Tax Map & Lot #: Burnt Mill Estates / Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Prepared By: Office of Planning & Development

Plans Dated: 09-12-16; 10-17-16

District: Rural, Shoreland Overlay

Review Date: 10/12/16; 10/27/16

Final Plan Revisions Submittal Date: 09-13-16; 10/19/16

§ 202-9. Final plan for major subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	(a) A phosphorus impact analysis and control plan conducted using the procedures set forth in MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006. The analysis and control plan shall include all worksheets, engineering calculations, and construction specifications and diagrams for control measures, as required by the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006;					DEP Permit Approval granted #L-21263-87-I-A/ L-21263-TH-J-N dated November 2015.
	(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.					



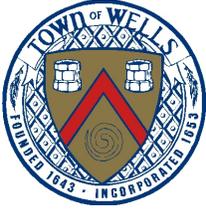
Town of Wells, Maine

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Chapter 202 Subdivision of Land

PROJECT INFORMATION	
General:	<p>Project Name: Burnt Mill Estates</p> <p># Lots/ Dwellings Proposed: 104 lots/ 174 dwelling units</p> <p>Applicant: William Bradley Booth, Booth Golf Design, PO Box 1491, Ogunquit, ME 03907</p> <p>Landowner: Burnt Mill Holding Company, LLC, 222 Hobbs Farm Rd, Wells, ME 04090</p> <p>Location: Hobbs Farm Road, Wells, Maine</p> <p>Existing Use: A Major Subdivision on 362.0 acres of land consisting of 174 dwelling units comprised of: (51) Residential Cluster Development lots for two-family homes (duplexes) totaling 102 dwelling units; (1) Multifamily Development lot for 20 dwelling units; (52) Residential Cluster Development lots for single family homes totaling 52 dwelling units; 70% Open Space; associated infrastructure for roadways and parking; and a 18-hole Golf Course with a Clubhouse, Event Barn, Kid Club, Fitness/Pool Center, and Maintenance buildings. (see separate Site Plan Approval).</p> <p>Proposed Land Use: A Major Subdivision on 362.0 acres of land consisting of 174 dwelling units comprised of: (51) Residential Cluster Development lots for two-family homes (duplexes) totaling 102 dwelling units; (1) Multifamily Development lot for 20 dwelling units; (52) Residential Cluster Development lots for single family homes totaling 52 dwelling units; 70% Open Space; associated infrastructure for roadways and parking; and a 18-hole Golf Course with a Clubhouse, Event Barn, Kid Club, Fitness/Pool Center, and Maintenance buildings. (see separate Site Plan Approval).</p> <p>Tax Parcel ID: Tax Map 62, Lots 8, 12, and 13 and Tax Map 63, Lot 7.</p> <p>Zoning District: Rural and 75' Shoreland Overlay Districts</p> <p>Land Use, Art. VII Performance Standards: 145-49 Residential Cluster and 145-48 Multifamily Development</p> <p>Design Engineer: Hart Howerton, 1280 Massachusetts Ave, Cambridge, MA 02138 Corner Post Land Surveying, Inc. 600 Main St, Springvale, ME 04083 Pinkham & Greer Civil Engineers, 28 Vannah Avenue, Portland, ME 04103</p> <p>Final Plan Application Submission Date: September 13, 2016</p> <p>Plan Submission Date: September 13, 2016</p>



Town of Wells, Maine

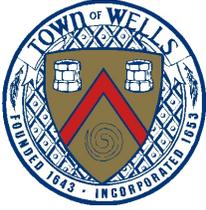
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Project Description:	Burnt Mill Holding Company, LLC, owner; William Bradley Booth, applicant; Hart Howerton, Pinkham & Greer, and Corner Post Land Surveying, Inc, engineers/surveyors. Final Subdivision Amendment application to relocate cluster lot #62 from Storer Lane to Route 9A adjacent to cluster lot #103. The approved major subdivision consists of 174 dwelling units. The dwelling units are designed so a total of 154 single and duplex units shall comply with Residential Cluster Development standards (individual lots a minimum of 20,000 SF in size) and 20 dwelling units shall comply with Multifamily Development standards (20 units on 1 lot). Various roadways, infrastructure, drainage, and neighborhood parks are approved/proposed. The Subdivision parcels are located within the Rural & 75' Shoreland Overlay Districts and are off or in the vicinity of Hobbs Farm Road, Storer Lane, Meetinghouse Road and Branch Road (Route 9A). Tax Map 62, Lots 12, and 13 and Tax Map 63, Lot 7. Subdivision served by on-site/ common septic systems and on-site/common drilled wells.	
Approval Dates:	Preliminary Plan Approval:	Not Applicable
	Final Plan Approval:	11-07-2016
Public Hearings:	Preliminary Public Hearing	Not Applicable
	Final Public Hearing	Waived on 10/17/2016

PROJECT HISTORY

1. On 9/13/16 the applicant submitted a Subdivision Amendment Application to the Planning Office for the above described project.
2. On 9/16/16 the Planning Office mailed notices to abutters of the amendment application and of the 9/26/16 Planning Board meeting.
3. On 9/21/16 the Planning Office prepared a memo for the Planning Board and applicant.
4. On 9/26/16 the Planning Board voted to receive the amendment application and to schedule a site walk for 10/1/2016.
5. On 9/30/16 the Planning Office prepared a memo for the Planning Board reminding of the 10/1/16 site walk.
6. On 10/3/16 the Planning Office prepared a site walk results memo.
7. On 10/3/16 the Planning Board reported the results of the site walk.
8. On 10/12/16 the Planning Office prepared plan mark-ups and recommended plan notes for the applicant to address. The Planning Office also prepared a memo, Article V, VII, completeness and draft compliance review checklists.
9. On 10/17/16 the Planning Board voted to find monumentation suitable, voted to allow an increase in lot coverage to 40% for lots smaller than 40,000 SF in size, voted to permit a shared driveway for lots 102 and 103, voted to permit a driveway for lot 62 onto Route 9A, voted to find the 50' buffer for lots 103 and 62 to remain sufficient, voted to find the application complete, voted to waive a public hearing, voted to find the application compliant. The workshop was then continued.
10. On 10/19/16 the Planning Office received revised subdivision plans.
11. On 10/27/16 the Planning Office prepared updated review checklists, a draft Findings of Fact & Decisions, and a memo for the Planning Board.
12. On 11/7/16 the Planning Board voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the amended subdivision plans.



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§ 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.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.
B.	Retention of open spaces and natural or historic features. [Amended 6-11-2013]	

DRAFT

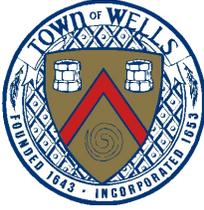


Town of Wells, Maine

Planning Board

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Final Subdivision Amendment Application for “Burnt Mill Estates“
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§ 202-12. General Standards	Findings & Decisions
<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 proposes more than 10 lots/ dwelling units and is required to provide a minimum of 35% Dedicated Open Space. See sheet S1 and S11. Total Dedicated Open space of the 16,322,467 SF (374.94 acre) parcel is 250.3 acres or 66.69%.</p> <p>Multifamily Development Lot totals 2,000,065 SF in area (200,270 SF lot + 1,799,795 SF Open Space) for a dedicated open space percentage of 89.9%. or 16.3% of the 250.3 acres of total dedicated Open Space for the Burnt Mill Estates Subdivision.</p> <p>Residential Cluster Development land area totals (16,332,487 -2,000,065 =) 14,332,422 SF in area. Sheet S11 states the cluster development has 156.18 (6,803,200 SF of dedicated open space) which equals 59.66% open space. When adding the conservation easement dedicated open space (31.17 acres or 1,357,765 SF which is 12.47 % of the 250.3 total dedicated open space) plus the Golf Course dedicated open space (21.38 acres or 931,312 SF which is 8.55% of the 250.3 total dedicated open space) the total dedicated open space for the residential cluster subdivision is 63.4% of the 14,332,422 SF area.</p> <p>The subdivision proposes a total of 250.3 acres to Dedicated Open Space. $10,903,038 / 16,332,487 = 66.69\%$</p> <p>The subdivision also has 3.37 acres of non-dedicated Open Space which include areas around the Clubhouse/ Event Barn, Kids Club, Fitness Center, Maintenance Buidlings, and Golf Course Restrooms, Control & Blower shed, Irrigation Pump House and storm shelters. Limits of Dedicated Open Space are depicted around these structures and are considered to be located within the non-Dedicated Open Space area.</p> <p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



Town of Wells, Maine

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Final Subdivision Amendment Application for “Burnt Mill Estates“
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§ 202-12. General Standards	Findings & Decisions
<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 proposed to the previously approved Open Space. On 12/7/15 the Planning Board determined that the Dedicated Open Space proposed for the Residential Cluster Open Space is suitable. The Planning Board to find that the Burnt Mill Estates Dedicated Open Space is land within or associated the development set aside, dedicated or reserved for public or private use or enjoyment, protection of natural or historic features, and protection for abutting property owners.</p> <p>The Dedicated Open Space areas proposed shall consist of the following: 41.30 acres from the Multifamily Development Lot for which the open space to be used for the Golf Course operations and clubhouse septic field; 31.17 acres dedicated per the Conservation Easement to maintain and protect the wildlife corridor and environmental areas see YCRD Book 14083, Page 624; 156.18 acres from the Residential Cluster Development to be used as the following: Agricultural Land to be dedicated and maintained by the HOA as hay fields or cultivating crops by lot/unit owners or the general public, Golf Course Operations, subdivision common septic fields, linkage to adjoining Open Space, and provides public access to pedestrian trails, golf course fairways in the winter months, and cemeteries; and 21.38 acres of Open Space to be used for Golf Course Operations.</p> <p>On 3/2/15 the Planning Board found that the dedicated Open Space for the Multifamily Development Lot was satisfied.</p> <p>The Non-Dedicated Open Space areas total 3.37 acres and consist of the areas around the Clubhouse, Event Barn, Kids Club, Fitness Center & Pool House, Maintenance Buildings, Restrooms, Storm Shelters, Irrigation Pump House, and Control & Blower shed. Limits of Dedicated Open Space are depicted around these structures and are considered to be located within the non-Dedicated Open Space area.</p> <p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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 § <u>145-49</u>, residential cluster development standards.)</p>	<p>Conservation Easement area (31.17 acres) dedicated YCRD 35/6/2004 Book 14083, page 624. Declaration of Protective Covenants, Reservations, Restrictions, and Easements of Burnt Mill Estates regarding Open Space and Buffer Areas.</p> <p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

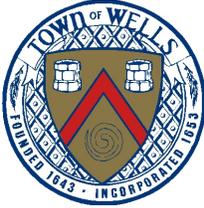


Town of Wells, Maine

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FINDINGS OF FACTS & DECISIONS
Final Subdivision Amendment Application for “Burnt Mill Estates“
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§ 202-12. General Standards	Findings & Decisions
<p>(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.</p>	<p>On 3/2/15 the Planning Board voted to waive the requirement of locating trees greater than 24” in diameter at breast height since most of the trees are in the Open Space and shall be protected. Trees within the Conservation Easement area to be protected. Trees and vegetation within wetlands to be provided. 50’ no cut buffers to be maintained except where noted, 50’ setback to all abutting non-clustered residential lots required. 50’ no cut buffer is extended along the boundaries of Open Space for residential abutters off of Parsonage Way, in the Open Space around the corner of abutting parcel M63, Lot 8, for lot 61 and for lot 19.</p> <p>On 11/16/15 the Planning Board determined that the 50’ wide no cut buffer where noted on the plans satisfies the non-clustered residential abutting lots buffering requirements. On 10/17/16 the Planning Board found the 50’ wide no cut buffer for lots 62 and 103 to remain sufficient.</p> <p>On 2/23/15 the Planning Board found that the screening proposed by the Multifamily Development Lot (54) for the abutting residential cluster lot (55) to be sufficient.</p> <p>On 2/23/15 the Planning Board found the 25’ landscaped buffer along Hobbs Farm Road and along the lots lines for the Multifamily Development Lot (54) to be sufficient. See landscaping plan C.20 which provides a planting list and notes the limits of vegetation to remain.</p> <p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

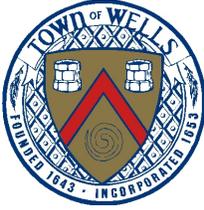


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§ 202-12. General Standards		Findings & Decisions
C.	Blocks. Where street lengths exceed 1,000 feet between intersections with other streets, the Board may require an utility/pedestrian easement, at least 20 feet in width, to provide for underground 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.	<p>A 10' wide pedestrian easement is proposed along easterly side of Hobbs Farm Road from Route 9A to Faxon Drive.</p> <p>A 10' wide pedestrian easement is proposed along the westerly side of Hobbs Farm Road starting at the Merriland River bridge crossing and extending along Hobbs Farm Road to the cross walk across from the Maintenance Building (just passed Lot 54).</p> <p>A 10' wide pedestrian easement continues along the east side of Hobbs Farm Road from the cross walk near the Maintenance Building to the intersection of Meetinghouse Road.</p> <p>Pedestrian Easement included in Burnt Mill Estates HOA documents. Town Attorney and Town Engineer review completed of the HOA documents and have been found to be acceptable. See Town Attorney memo dated 12/4/15.</p> <p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
D.	Lots.	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
	(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.	<p>The Burnt Mill Estates subdivision is located within the Rural District & 75' Shoreland Overlay District. The single family and two-family dwelling units proposed are permitted uses within the Rural District. No development is proposed within the Shoreland Overlay District.</p> <p>Zoning Dimensional requirements are noted on sheet S1 and S2. 154 dwellings shall comply with the Residential Cluster Development standards of §145-49. 20 dwellings on proposed lot 54 shall comply with the Multifamily Development standards of §145-48.</p> <p>Notes on sheet S11 as recommended to address 145-49 Density Bonuses granted.</p> <p>Multifamily Development Open space proposed is 89.9% and is noted on sheet C6.19. Sheet C6.20 notes that prior to the issuance of a building permit the building foundations shall be located by a licenced surveyor by stakes or pins. Other plan mark-ups to be completed.</p>

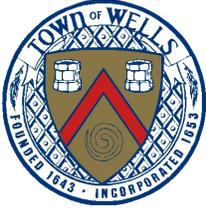


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§ 202-12. General Standards	Findings & Decisions
(2) Lot configuration and area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, parking areas shall be laid out to coincide with building locations to maximize solar energy gain.	All driveways shall be designed to comply with Chapter 201 and must provide an on-site turnaround so vehicles are not backing out on to roadways. Driveways onto Town Roads shall require driveway permits. See note 25 on sheet S2. Lot 103 shall have a driveway off of Hobbs Farm Road via the 30' wide access easement across lot 102. Lot 103 shall not have a driveway onto Route 9A and shall be deed restricted as such. Parking is provided along roadways. Golf Course and Club uses shall obtain separate site plan approval which shall review and address Land Use parking requirements.
(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.	Plan note 25 on sheet S2 notes that driveways shall be located on the less traveled way except for lots 39 and 49 which must be located off of Old Mill Trail.
(4) Wherever possible, side lot lines shall be perpendicular to the street.	All lots are designed to be perpendicular to the proposed and existing streets.
(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 are noted to be for single family dwellings (SF) or two-family dwellings/duplexes (DP). See sheet S1 Density Area Calculation Table which states the number of lots and dwelling units proposed. Future resubdivision shall require Planning Board approval.
(6) Where public utilities could be extended to the subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.	The subdivision is not located within an area planned for public water or public sewer extensions in the foreseeable future.
(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.	The Burnt Mill Estates subdivision shall consist of land currently identified as Tax Map 62 , Lots 8, 12 and 13 and Tax Map 63, Lot 7. These parcels meet the minimum lot size requirements of the Rural District.
(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.	Odd shaped lots are not proposed. Lots 23, 24, 87, and 90 are acceptable due to meeting 20,000 SF size requirement and being less than 3:1 length to width ratio.
(9) Lots shall be numbered in accordance with Chapter 201, Article I, Street Naming and Numbering, of the Wells Municipal Code.	Town Assessor and E911 Coordinator review and assign street names and addresses.
(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.	Lots 102 and 103 continue to share a 30' wide access easement for a shared driveway. Lots 23 and 24 have a 50' wide access easement. Some other shared driveways are proposed conceptually. On 10/17/16 the Planning Board determined that the shared driveways of lots 102 and 103 and the curb cut proposed off Hobbs Farm Rd remain acceptable.

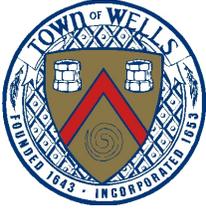


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	(11) Proposed lots shall not be permitted to have driveway entrances onto existing arterial or collector streets unless the Planning Board determines that no reasonable alternate exists.	Driveways for lots 23, 24 and 25 to be located off of James Street. Driveways for lots 1 to 15 and 22, 54 to 56, and 99 to 103 to be located off of Hobbs Farm Road. Driveways for lots 57 and 58 to be located off of Storer Lane. Driveway for lot 62 to be located off of Route 9A. All other driveways to be located off of the less traveled way except for lots 39 and 49 which must be located off of Old Mill Trail . On 10/17/16 the Planning Board determined that the shared driveways for ltos 102 and 103 and the curb cut onto Route 9A as proposed are acceptable.
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.	Road Plan and Profile sheets (P1.0 to P1.18) depict proposed underground utilities and existing overhead utilities.
	(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	Note 27 on sheet 2 requires that utitlies and base course of pavement shall be installed prior to the issuance of a building permit or a satisfactory Perofrmance Guarantee is provided to the Town to complete the utility and road infrasture required.
	(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.	Road Plan and Profile sheets (P1.0 to P1.18) depict proposed underground utilities and existing overhead utilities, water and sewer lines.
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.	Proposed Monummentation found to be suitable by the Wells Planning Board on 10/17/16.
	(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.	Proposed Monummentation found to be suitable by the Wells Planning Board on 10/17/16.
	(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.	Such Monumentation shall meet these standards.

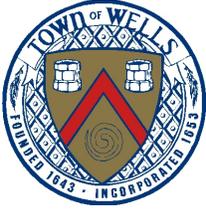


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(d) Concrete monuments shall be portland cement reinforced with half-inch reinforcement bar. Concrete monuments shall be either four inches square or four inches in diameter and four feet in length and set in the ground at final grade with their top flush to four inches above the final grade.	Such Monumentation shall meet these standards.
(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.	Proposed Monumentation found to be suitable by the Wells Planning Board on 10/17/16.
(2) Water supply.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.	Subdivision not served by the KKW Water District.
[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.	
[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.	
(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.	See note 12 on sheet S1. All dwelling units shall be served by privately owned drilled wells. Lots 95-103 and lot 62; and 23-25 shall have individual drilled wells. All other lots and dwellings and the Clubhouse shall utilize a common well(s) which are considered a public water supply. See amended Hydrogeological Study and pump test by Sweet Associates dated 12/5/14. See DHHS Permit PSWID#92341, dated 4/14/2004.
[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.	Note 12 on Sheet S1. Dug wells are prohibited.

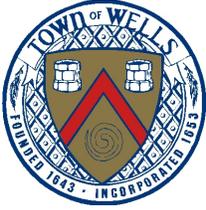


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<p>[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).</p>	<p>See note 12 on sheet S1. All dwelling units shall be served by privately owned drilled wells. Lots 95-103 and lot 62; and 23-25 shall have individual drilled wells. All other lots and dwellings and the Clubhouse shall utilize a common well(s) which are considered a public water supply. See amended Hydrogeological Study and pump test by Sweet Associates dated 12/5/14. See DHHS Permit PSWID#92341, dated 4/14/2004.</p> <p>The water supply system shall comply with the standards of the Maine Rules Relating to Drinking Water.</p>
<p>[3] Fire protection. [Amended 3-11-2002]</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:</p>	<p>See note 17 on sheet S2. The dry hydrant in Hobbs Pond shall be upgraded or relocated by the developer to the specifications of the Wells Fire Chief. The dry hydrant shall be upgraded prior to the issuance of a building permit. The proposed dry hydrant near the Clubhouse shall be installed prior to the issuance of a building permit for a lot exceeding .5 miles (2,640 linear feet) from the Hobbs Farm Road hydrant.</p> <p>An 8” dry hydrant is proposed adjacent to the Clubhouse/Event Hall. The dry hydrant is connected to an existing pond behind the Clubhouse. The useable gallons of this pond is approximately 2.3 million gallons. Details of the pond are found on sheet C7.7. The developer shall grant the Town of Wells an easement to the proposed Clubhouse fire pond and dry hydrant prior to the issuance of a building permit for a lot exceeding .5 miles in distance from the Hobbs Farm dry hydrant.</p> <p>The 3-unit Multifamily Dwellings on lot 54 may be required to be constructed with sprinkler systems.</p>
<p>[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and</p>	<p>Proposed dry hydrant is to be owned by the Burnt Mill Estates subdivision and the existing dry hydrant in Hobbs Pond is located on the Ruth James parcel M63, Lot 1. The Fire Department has the right to use these hydrants for fire protection purposes. The Hobbs Pond dry hydrant may be relocated to the Hobbs Pond Road bridge to the specifications of the Wells Fire Chief.</p>
<p>[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.</p>	<p>A final letter from the Wells Fire Chief dated 12/3/2015 has been provided.</p>

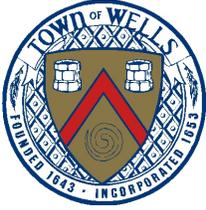


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[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	All driveways serving lots shall be located within 1 mile of the existing and proposed dry hydrants. If a driveway is located outside a 1 mile distance from a dry hydrant, the dwelling shall be constructed with a sprinkler system. See note 19 on sheet S2.
[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.	



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<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>See note 9 on sheet S1. All dwellings shall be served by private subsurface disposal systems. Lots 95-97 shall have individual on-site systems. Lots 100-103 and 62 shall have individual systems located on an easement within the Open Space land. Lots 23-25 shall have individual systems located on easements on lots 23-25. All other lots and dwellings shall pump to a common treatment facility and subsurface system located within the Open Space land north of Old Mill Trail. See amended Hydrogeological Study and pump test by Sweet Associates dated 12/5/14. See DHHS approval letter dated 8/4/2015. All conditions in the DHHS letter shall be met. The proposed Clubhouse shall have an individual system in the Open Space. System locations may vary up to 10 feet with CEO written approval.</p> <p>Test Pits prepared by Mark Hampton, LSE #263 dated 11/17/2014. See sheets C5.1 to C5.9 for septic system locations. See Sheets S1 to S10 for septic easement areas for lots 95-97, 100-103 and 62, and 23-25. Septic areas and test pits previously approved (6/27/2005) for Lots 95-103 and 23-25.</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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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>Stormwater Management Report prepared by Tom Greer, PE of Pinkham & Greer Civil Engineerins dated revised 12-19-2014. See sheets P1.0 to P1.18 for roadway plans and D1.1 to D3.0 for stormwater plans.</p> <p>DEP Permit Approval granted #L-21263-87-I-A/ L-21263-TH-J-N dated November 2015. Easements depicted on Sheets S1 to S10.</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>Stormwater Management Report prepared by Tom Greer, PE of Pinkham & Greer Civil Engineerins dated revised 12-19-2014. See sheets P1.0 to P1.18 for roadway plans and D1.1 to D3.0 for stormwater plans.</p> <p>DEP Permit Approval granted #L-21263-87-I-A/ L-21263-TH-J-N dated November 2015. Easements depicted on Sheets S1 to S10.</p>

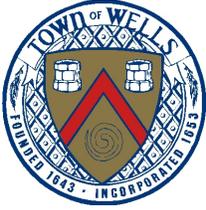


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(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.	Town Engineer has reviewed and found the plan to meet Town requirements.
(e) For subdivisions 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.	DEP Permit Approval granted #L-21263-87-I-A/ L-21263-TH-J-N dated November 2015.
(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.	Not applicable.
(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	Not applicable.
(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.	Not applicable.
(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a “Downstream Analysis” under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:	Not required.

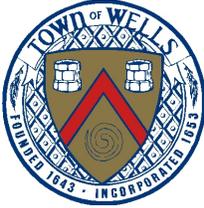


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	<p>[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the “10% rule.” Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.</p>	
G.	Streets.	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.	A temporary fire truck turnaround shall be installed at the intersection of Trail Head Lane prior to the issuance of an occupancy permit for any lot within phase 3 as noted on sheet S2, note 29.
	(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:	Well House Way, Double Eagle Court, Greenview Drive, Trail Head Lane, Cidermill Lane, Little Meadow Court, Bryant Farm Lane, Parkland Drive, and Faxon Drive shall individually not exceed 200 trips per day in traffic generation. Lots 39 and 49 are restricted to have their vehicular access off of Old Mill Trail to ensure Trail Head Lane does not exceed the 200 trip generation.
	(a) Single-family house: 10.0 trips per day per unit.	Storer Lane shall be extended (privately) and connect to the proposed Old Mill Trail road which shall connect to the existing Hobbs Farm Road. An agreement has been reached with the abutters (Arthur Conley, LCC) to be recorded at the YCRD. These connections serve the over 200 trips per day in traffic generated by all units proposed on the northeast side of Hobbs Farm Road. The distance from Storer Lane to Old Mill Trail exceeds 400 linear feet. Hobbs Farm Road further connects to Route 9A and to Meetinghouse Road.
		154 x 10.0 = 1540.00 trips per day for the residential cluster development lots.
	(b) Residential condominium: 5.9 trips per day per unit.	20x 10.0 = 200 trips per day for the multifamily development lot. The entrances serving lot 54 are located 400 linear feet apart along Hobbs Farm Road. See note on sheet 6.19.
	(c) Motel: 10.2 trips per day per room.	

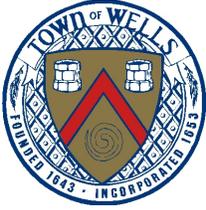


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	(d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.	
(3)	In any subdivisions located in the Residential A Zoning District or east of U.S. Route 1 provisions shall be made for the interconnection of proposed streets with other subdivisions or adjacent properties if it is determined to be practical and desirable by the Planning Board.	Subdivision note located in the RA zone or East of Route One.
H.	Land features.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(1)	Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas and building excavations. Topsoil shall not be removed from the site until completion of construction and inspection by the Town to assure four inches of topsoil has been spread over all areas to be grassed.	This is a condition of approval.
(2)	Except for normal thinning, landscaping and cutting trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Board shall require a developer to take the following measures to correct and prevent soil erosion in the proposed subdivision: [Amended 4-27-2007]	This is a condition of approval.
	(a) The proposed subdivision shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
	(b) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	See applicable sheets in C3, C6 and C7 plan series for Erosion and Sedimentation Control Best Management Practices.
	(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. See notes 23 and 24 on sheet S2.
(4)	Dedication and maintenance of common open space and services.	Burnt Mill Estates HOA documents provided and prepared by Joe Carleton, Attorney. Town Attorney and Town Engineer review completed of the HOA documents and have been found to be acceptable. See Town Attorney memo dated 12/4/15.
	(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.	All common land and private roads to be owned by the HOA.

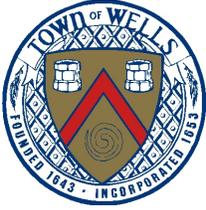


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(b) Further subdivision of the common land or its use for other than noncommercial recreation or conservation purposes, except for easements for underground utilities, shall be prohibited. Structures and buildings accessory to noncommercial recreational 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.	See note 11 on sheet S1. The parcel was identified to partially be located within Flood Zone AE (Elevation 130 to 131) of Flood Insurance Rate Map 2301580010D.
(6) Impact on groundwater.	
(a) When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:	Nitrate plumes done by Sweet Associates in report dated 12/04/2014 entitled “Amended Groundwater Impact Study, Burnt Mill Country Club.” See Sheets D5.1 to C5.9.
[1] A map showing the basic soils types.	
[2] The depth of the water table at representative points throughout the subdivision.	
[3] Drainage conditions throughout the subdivision.	
[4] Data on the existing groundwater quality, either from test wells in the subdivision or from existing wells on neighboring properties.	



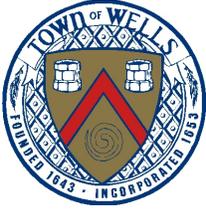
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<p>[5] An analysis and evaluation of the effect of the subdivision on groundwater resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any 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.</p>	DRAFT
<p>[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.</p>	
<p>(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.</p>	
<p>(c) Projections of groundwater quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).</p>	
<p>(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.</p>	
<p>(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.</p>	
<p>(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.</p>	
<p>(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.</p>	
<p>(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.</p>	

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

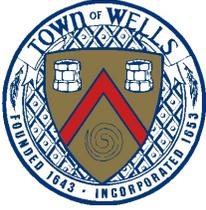


Town of Wells, Maine

Planning Board

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(1)	<p>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>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See note 29 on sheet S2.</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.	To be determined at the pre-construction meeting.
	(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	To be determined at the pre-construction meeting.
	(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.	To be determined at the pre-construction meeting.
	(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.	The sale of lots or units is prohibited until the pre-construction meeting is held and determinations are mutually made by the developer and Town regarding performance guarantees required.
(2)	<p>The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</p>
B.	<p>Contents of guaranty. The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</p>



Town of Wells, Maine

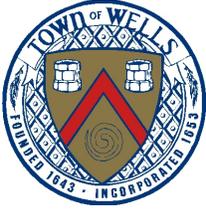
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C.	<p>Escrow account. If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.</p>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</p>
F.	<p>Standard condition of approval. As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection K, the Board shall require the applicant to enter into a binding agreement with the municipality regarding the development of the required improvements and the sale of lots or units in the subdivision until such time as one or more of the allowable performance guaranties have been accepted by the municipality.</p>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>To be determined at the pre-construction meeting.</p>
	<p>(1) The agreement shall prohibit the sale or occupancy of any lot or unit in the subdivision for which the improvements to be covered by the guaranty are required for access to or intended use of the lot until either:</p>	<p>To be determined at the pre-construction meeting.</p>
	<p>(a) It is certified by the Board, or its agent, that all of the required improvements have been installed in accordance with these regulations and the regulations of the appropriate utilities; or</p>	
	<p>(b) A performance guaranty, acceptable to the municipality, is submitted in an amount necessary to cover the completion of the required improvements at an amount adjusted for inflation and prorated for the portions of the required improvements already installed.</p>	
	<p>(2) Notice of the agreement and any conditions shall be on the final plan that is recorded at the Registry of Deeds. Release from the agreement shall follow the procedures for release of the performance guaranties contained in Subsection H.</p>	

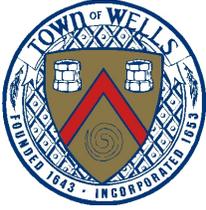


Town of Wells, Maine Planning Board

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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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See note 29 for complete phasing requirements.</p>
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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See proposed note 26.</p>
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>	<p style="text-align: center;">THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Established of the type, form and conditions of the Performance Guarantee is required at the pre-construction meeting.</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>	
<p>A. The subdivision:</p>	<p>The Planning Board finds that these standards shall be met.</p>

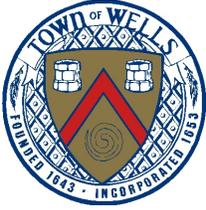


Town of Wells, Maine

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	(1) Will not result in undue water or air pollution. In making this determination, the Board shall at least consider the elevation of the land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; and the slope of the land and its effect on effluents;	
	(2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;	
	(3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;	
	(4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;	
	(5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;	
	(6) Will provide for adequate solid and sewage waste disposal;	
	(7) Will not cause an unreasonable burden on the ability of the Town to dispose of solid waste and sewage if municipal services are to be utilized;	
	(8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;	
	(9) Is in conformance with this chapter, the Comprehensive Plan for the Town and Chapter 145, Land Use, of the Wells Municipal Code, as amended;	
	(10) Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of the body of water or unreasonably affect the shoreline of that body of water; and	
	(11) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;	
B.	The subdivider has adequate financial and technical capacity to meet the above-stated standards;	The Planning Board finds that these standards shall be met.
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	The Planning Board finds that these standards shall be met. Subdivision identified to be partially located within Flood Zone AE. Plans note elevation 130 -131. See note 11 on sheet S1.
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.	The Planning Board finds that these standards shall be met. Hobbs Pond is considered a Great Pond. Planning Board found this requirement to be satisfied on 12/7/15. No homes or septic systems proposed within 500 feet of Hobbs Pond. An Integrated Pest Management (IPM) Plan is required as a condition of the MDEP permit which limits pesticides, herbicides, and fertilizers.



Town of Wells, Maine

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STANDARD CONDITIONS OF APPROVAL

1. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period. (§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. All previous Conditions of Approval shall remain in effect. The approval of this Amended Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.

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

Wells Planning Board

By: _____
Charles Millian, Chairman

Town of Wells , Maine Review Checklist
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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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			See note 10 on sheet 1 and table on sheet S1. See Density Area Calculation Table on sheet S3. Net area is 13,403,315 SF which allows 134 dwelling units. The Planning Board granted a total of 30% in density bonuses which allows 174 dwelling units. 20 units are proposed on the Multifamily Development Lot. 154 are proposed as residential cluster lots.

Town of Wells , Maine Review Checklist

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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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)	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			<p>See note 10 on sheet 1 and table on sheet S1.</p> <p>See Density Area Calculation Table on sheet S1. Net area is 13,403,315 SF which allows 134 dwelling units. The Planning Board granted a total of 30% in density bonuses which allows 174 dwelling units.</p> <p>20 units are proposed on the Multifamily Development Lot. 154 are proposed as residential cluster lots.</p>

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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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
(2)	A cluster development layout shall be submitted indicating a minimum of 35% open space and significant natural features.	Y			<p>See table on sheet S1 and on S11. The residential cluster has 62.46% or 156.18 acres of dedicated Open Space of the total Dedicated Open Space area (250.3 acres).</p> <p>Total development is 16,332,487 SF or 13,403,315 Net SF.</p> <p>Multifamily Development Lot totals 2,000,065 SF in area (200,270 SF lot + 1,799,795 SF Open Space) for a dedicated open space percentage of 89.9%. or 16.3% of the total subdivision dedicated Open Space.</p> <p>Residential Cluster Development land area totals (16,332,487 -2,000,065 =) 14,332,422 SF in area. Sheet S11 states the cluster development has 156.18 (6,803,200 SF of dedicated open space) which equals 59.66% open space. When adding the conservation easement dedicated open space (31.17 acres or 1,357,765 SF) plus the Golf Course dedicated open space (21.38 acres or 931,312 SF) the total dedicated open space for the residential cluster subdivision is 63.4% of the 14,332,422 SF area.</p> <p>The subdivision proposes a total of 250.3 acres to Dedicated Open Space. 10,903,038/ 16,332487 = 66.69%</p>
C.	Dimensional requirements.				

Town of Wells , Maine Review Checklist

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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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: 20px;"> <thead> <tr> <th colspan="2">Served by Public Sewer</th> </tr> <tr> <th>Type of Dwelling</th> <th>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			See note 10 on sheet S1. All cluster lots shall be at least 20,000 SF in area.
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>Setbacks for the residential cluster subdivision lots are noted in note 10 on sheet S1 as: 15' from any abutting lot line and 25' from any lot line abutting a street right of way and 50' from any lot line abutting a non-clustered residential lot per 145-49C(4). 200' setback from Hobbs Pond/ Merriland River on both sides of the river/pond shown.</p> <p>Route 9A setback noted at 40' and Hobbs Farm Road, Meetinghouse Road, and James Street setbacks (roads not within the subdivision) required a 25' setback from the street right of way.</p> <p>Setbacks for the multifamily development lot are also noted in note 10 on sheet S1 as: 25' from the abutting lot line. 25' setback/buffer to be shown on sheet C6.19 and C6.20. Buildings, patios, walkways, etc cannot be located within the 25' setback/buffer for the multifamily development lot.</p>								
(3)	<p>The required street frontage may be reduced to no less than 50 feet.</p>	Y			<p>See note 10. See line tables provided on Sheet S1.</p> <p>All lots meet the street frontage minimum of 50 feet per 145-49.</p>								

Town of Wells , Maine Review Checklist
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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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
(4)	When a lot in a cluster subdivision abuts a nonclustered residential lot, the setback in the cluster subdivision lot shall be twice the required setback along the adjoining lot line. The Planning Board may require additional screening or restrict the removal of vegetation within the setback to provide a buffer between higher and lower density development.	Y			50' from any lot line abutting a non-clustered residential lot per 145-49C(4). See note 25 on sheet S2 for buffering requirements of nonclustered residential abutting lots.
(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.	Y			On 10/17/16 the Planning Board voted to permit the cluster lots smaller than 40,000 SF in area to increase lot coverage from 20% to 40%.
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.	Y			See Density Area Calculation Table on sheet S3. Net area is 13,403,315 SF which allows 134 dwelling units. The Planning Board granted a total of 30% in density bonuses which allows 174 dwelling units. No change to the number of dwelling units proposed with the current amendment application.
(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.				8/25/14 145-49D(1) 10% bonus granted. Planning Board determined on 11-16-15 that satisfactory documentation has been provided and approved. See HOA documents and sheet S11.

Town of Wells , Maine Review Checklist

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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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
(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.	Y			9/22/14 145-49D(2) 5% bonus granted. Planning Board determined on 11-16-15 that satisfactory documentation has been provided and approved. See HOA documents and sheet S11.
(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.			NA	
(4)	An open space cluster plan that accomplishes either of the following:	Y			9/22/14 145-49D(4) 5% bonus granted. Planning Board determined on 11-16-15 that satisfactory documentation has been provided and approved. See HOA documents and sheet S11.
	(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.				

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Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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
	(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.	Y			9/22/14 145-49D(5) 5% bonus granted. Planning Board determined on 11-16-15 that satisfactory documentation has been provided and approved. See HOA documents and sheet S11.
(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%.			NA	
(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%.	Y			9/22/14 145-49D(7) 5% bonus granted. Planning Board determined on 11-16-15 that satisfactory documentation has been provided and approved. See HOA documents and sheet S11.
(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%.			NA	

Town of Wells , Maine Review Checklist
Page 8 of 9

Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

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
(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.			NA	
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.				
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. Finalized HOA documents were provided and reviewed with the prior approval. See note 10. Dedicated open space shall have no more than 2% lot coverage of which structural coverage shall not exceed 600 SF. See recommended changes to sheet 11.
(1)	Prior to the sale of any lots, the open space shall be controlled by one or more of the following methods:				

Town of Wells , Maine Review Checklist

Page 9 of 9

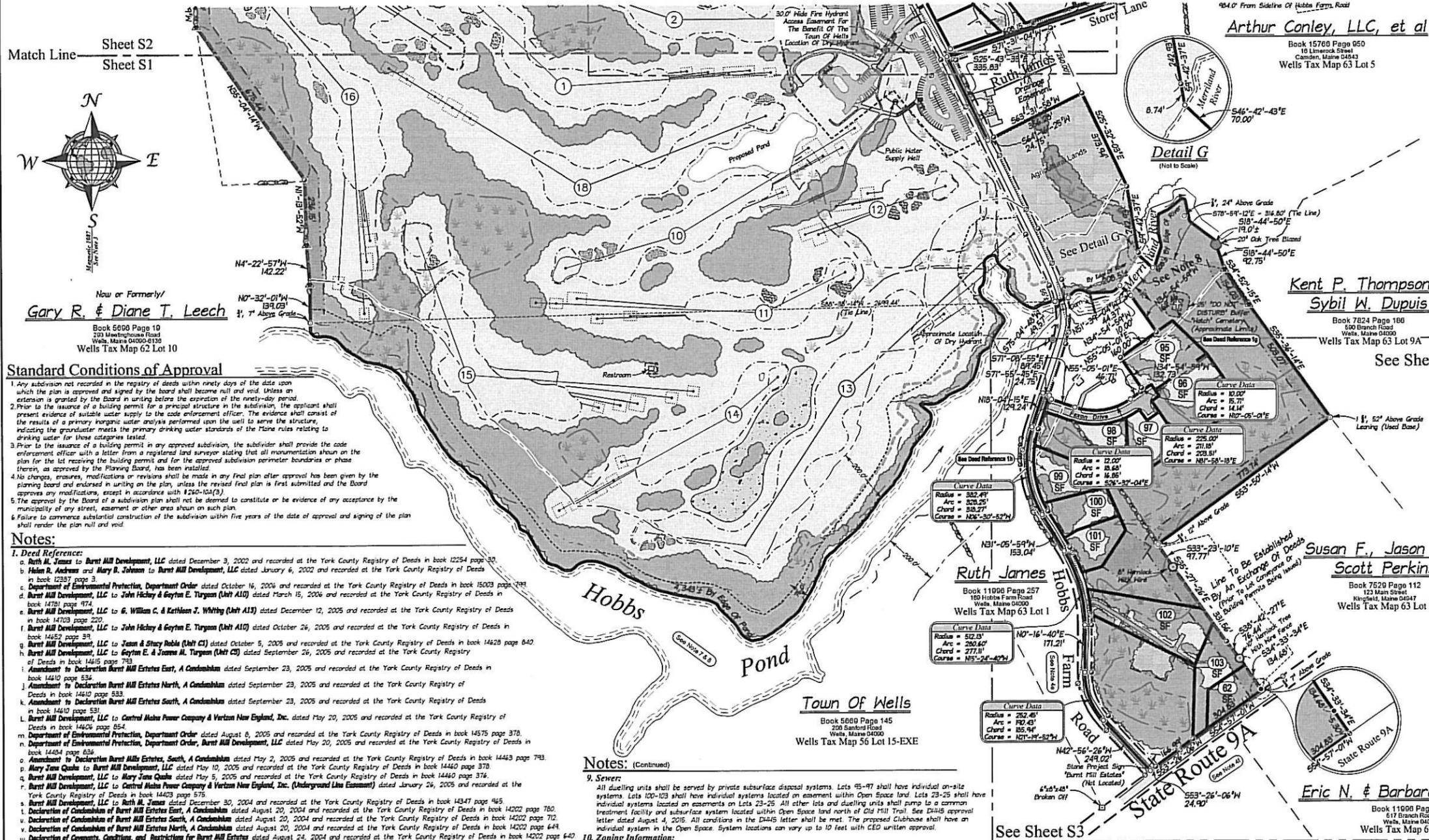
Project Name/District: Burnt Mill Subdivision Amendment - Rural and 75' Shoreland Overlay District - Tax Map 62, Lots 8, 12, and 13 and Map 63, Lot 7

Date of Review: 10-12-16; 10/27/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

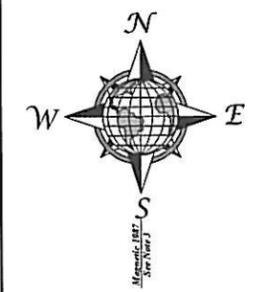
§ 145-49. Residential Cluster Development. [Amended 11-7-2006]		Application Meet Requirements			
		Yes	No	NA	Comments
	(a) Ownership by an association of the owners of the dwelling units within the development;				
	(b) Ownership by an association of the owners of the dwelling units within the development with a conservation easement granted to the Town or recognized conservation organization;				
	(c) Dedication to the Town as public open space; and/or				
	(d) Transfer, with permanent restrictions, to a land trust or other recognized conservation organization.				
(2)	The developer may structure the control of the common open space in one or more of the above methods. The Planning Board shall approve the arrangements for the ownership, control and maintenance of the common open space as part of the subdivision approval. No changes in use or management of the common open space shall be made without the approval of the Planning Board.				
G.	Homeowners' association management of open space. If the open space will be owned and/or managed by the owners within the cluster development, then a homeowners' association shall be created to own and manage the common lands and facilities. Covenants for mandatory membership in the homeowners' association, setting forth the owner's rights, interest and responsibilities, and providing for the assessment of lots or units to fund common expenses shall be required and approved by the Planning Board and shall be included in the deed for each lot. The documents shall also include a management plan for the common open space and facilities.	Y			The open space management provisions shall be documented in the homeowner association documents. Finalized HOA documents were provided and reviewed with the prior approval.



Legend:

- 1/4" Iron Rod Set With Plastic Cap Marked CNR POST LAND SURV PLS 1350"
- △ 1/2" Drill Hole Set In Rock With Plastic Plug Marked "PLS 1350"
- Iron Pipe Found (Dimensions Labeled on Plan)
- Iron Rod Found (Dimensions Labeled on Plan)
- Stone Monument Found (Dimensions Labeled on Plan)
- Concrete Monument Found (Dimensions Labeled on Plan)
- Drill Hole Found
- Corner, Nothing Found or Set
- Stone Wall
- Remains of Wire Fence
- Existing Pavement
- Proposed Pavement
- Gravel
- Utility Pole
- Overhead Telephone and Electric Service Lines
- Approximate Edge Of Water (See Note 8)
- Boundary Line Of Surveyed Premises
- Road Right of Way
- Abutment Line
- Building Setback Line (See Note 10)
- Approximate Upland/Wetland Interface Line (See Note 13)
- Upland Wetland
- Approximate Proposed Tree Growth (Subject To Change)
- Easement/Buffer Area (Type Labeled on Plan)
- Septic Disposal Field & Septic Number
- 100 Year Flood Hazard Zone (See Note 11)
- Limit Of Dedicated Open Space
- 75.0' Shoreland Overlay District Line
- Trail For Public Use
- Fairway & Green
- Sand Hazard
- Tree Position
- ② --- Hole Number
- ① --- Lot Numbers
- --- Existing Structure
- DP --- Duplex
- MF --- Multifamily
- SF --- Single Family

Match Line
Sheet S2
Sheet S1



Now or Formerly/
Gary R. & Diane T. Leech
Book 5696 Page 10
350 Meetinghouse Road
Wells, Maine 04090-0138
Wells Tax Map 62 Lot 10

Standard Conditions of Approval

1. Any subdivision not recorded in the registry of deeds within ninety days of the date upon which the plan is approved and signed by the board shall become null and void. Unless an extension is granted by the Board in writing before the expiration of the ninety-day period.
2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the code enforcement officer. The evidence shall consist of the results of a primary organic 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 these categories listed.
3. Prior to the issuance of a building permit in any approved subdivision, the subdivision 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 thereon, as approved by the Planning Board, has been installed.
4. No changes, amendments, modifications or revisions shall be made in any final plan after approval has been given by the planning board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with §260-104(3).
5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan.
6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void.

Notes:

1. **Deed Reference:**
 - a. **Ruth M. James to Burnt Mill Development, LLC** dated December 3, 2002 and recorded at the York County Registry of Deeds in book 12254 page 80.
 - b. **Helen R. Andrews and Mary B. Johnson to Burnt Mill Development, LLC** dated January 6, 2002 and recorded at the York County Registry of Deeds in book 12337 page 3.
 - c. **Department of Environmental Protection, Department Order** dated October 16, 2004 and recorded at the York County Registry of Deeds in book 15003 page 299.
 - d. **Burnt Mill Development, LLC to John Hickey & Gaylen E. Turgeon (Unit A10)** dated March 15, 2006 and recorded at the York County Registry of Deeds in book 14718 page 177.
 - e. **Burnt Mill Development, LLC to G. William C. & Kathleen J. Whitney (Unit A13)** dated December 10, 2005 and recorded at the York County Registry of Deeds in book 14703 page 220.
 - f. **Burnt Mill Development, LLC to John Hickey & Gaylen E. Turgeon (Unit A10)** dated October 26, 2005 and recorded at the York County Registry of Deeds in book 14652 page 34.
 - g. **Burnt Mill Development, LLC to Jason & Stacy Roble (Unit C1)** dated October 5, 2005 and recorded at the York County Registry of Deeds in book 14628 page 840.
 - h. **Burnt Mill Development, LLC to Gaylen E. & Joanne M. Turgeon (Unit C2)** dated September 26, 2005 and recorded at the York County Registry of Deeds in book 14615 page 793.
 - i. **Amendment to Declaration Burnt Mill Estates East, A Condominium** dated September 23, 2005 and recorded at the York County Registry of Deeds in book 14610 page 539.
 - j. **Amendment to Declaration Burnt Mill Estates North, A Condominium** dated September 23, 2005 and recorded at the York County Registry of Deeds in book 14610 page 533.
 - k. **Amendment to Declaration Burnt Mill Estates South, A Condominium** dated September 23, 2005 and recorded at the York County Registry of Deeds in book 14610 page 531.
 - l. **Burnt Mill Development, LLC to Central Maine Power Company & Verton New England, Inc.** dated May 20, 2005 and recorded at the York County Registry of Deeds in book 14609 page 654.
 - m. **Department of Environmental Protection, Department Order** dated August 6, 2005 and recorded at the York County Registry of Deeds in book 14575 page 378.
 - n. **Department of Environmental Protection, Department Order** dated May 20, 2005 and recorded at the York County Registry of Deeds in book 14484 page 636.
 - o. **Amendment to Declaration Burnt Mill Estates South, A Condominium** dated May 2, 2005 and recorded at the York County Registry of Deeds in book 14463 page 793.
 - p. **Mary Jane Qualls to Burnt Mill Development, LLC** dated May 10, 2005 and recorded at the York County Registry of Deeds in book 14460 page 378.
 - q. **Burnt Mill Development, LLC to Mary Jane Qualls** dated May 5, 2005 and recorded at the York County Registry of Deeds in book 14460 page 374.
 - r. **Burnt Mill Development, LLC to Central Maine Power Company & Verton New England, Inc. (Underground Line Easement)** dated January 26, 2005 and recorded at the York County Registry of Deeds in book 14403 page 575.
 - s. **Burnt Mill Development, LLC to Ruth M. James** dated December 30, 2004 and recorded at the York County Registry of Deeds in book 14347 page 965.
 - t. **Declaration of Condominium of Burnt Mill Estates East, A Condominium** dated August 20, 2004 and recorded at the York County Registry of Deeds in book 14202 page 780.
 - u. **Declaration of Condominium of Burnt Mill Estates South, A Condominium** dated August 20, 2004 and recorded at the York County Registry of Deeds in book 14202 page 712.
 - v. **Declaration of Condominium of Burnt Mill Estates North, A Condominium** dated August 20, 2004 and recorded at the York County Registry of Deeds in book 14202 page 649.
 - w. **Declaration of Covenants, Conditions, and Restrictions for Burnt Mill Estates** dated August 24, 2004 and recorded at the York County Registry of Deeds in book 14202 page 640.
 - x. **Declaration of Protective Covenants, Reservations, Restrictions, and Easements of Burnt Mill Estates Regarding Open Space and Buffer Areas** dated August 24, 2004 and recorded at the York County Registry of Deeds in book 14202 page 624.
 - y. **Department of Environmental Protection, Department Order** dated February 3, 2004 and recorded at the York County Registry of Deeds in book 13950 page 60.
 - z. **Donald James to Central Maine Power Company & Verton New England, Inc. (Underground Line Easement)** dated January 26, 2005 and recorded at the York County Registry of Deeds in book 11015 page 203.
2. **Plan Reference:**
 - a. **"Plan Showing A Boundary Survey For Burnt Mill Development"** dated July 10, 2002, surveyed by Corner Post Land Surveying, Inc. This plan is unrecorded.
 - b. **"Final Subdivision Plan of River Walk"** dated February 19, 2005, surveyed by Lower Village Survey Co. and recorded at the York County Registry of Deeds in plan book 375, page 1.
3. **Basis of Bearings:**

The bearings shown hereon are magnetic 1907 and are based on courses taken with a hand held compass along traverse lines.
4. **Road Record:**
 - a. **Parsonage Way**, 50 feet wide. Accepted as a Town Road at the 2000 Annual Town Meeting. See Article 35, Road Acceptances.
 - b. **Meetinghouse Road**, no road record was found, assumed a width of three rods (49.5'). To determine the sideline held 1 1/2 rods (24.75') from the centerline of the traveled way. See Maine Revised Statutes Annotated Title 23, Section 2103 which states "When a highway survey has not been properly recorded, preserved or the termination and boundaries cannot be ascertained, the board of the selection or municipal officers of any municipality may use and control for highway purposes 1 1/2 rods on each side of the center of the traveled portion of such way. When any real estate is damaged by the use and control for highway purposes of such land outside the existing traveled portion and the limits of 1 1/2 rods on each side of the center of the traveled portion, they shall award damages to the owner as provided in subsection 3005."
 - c. **March Street**, 50 feet wide. Accepted as a Town Road on March 10, 1940 at the Annual Town Meeting. See Warrant Article 35, Page 247.
 - d. **Storer Lane**, 45 feet wide and 984 feet long. Accepted as a Town Road on April 28 & 29, 1915 at the Annual Town Meeting.
 - e. **Hobbs Farm Road**, 3 rods (49.50') wide. See acceptance dated April 15, 1917 on file at the Town of Wells, Town Clerk's Office in the Town Record Book. This layout extends from State Route 9A to a point approximately 215 feet northerly of the bridge. Also see layout dated March 27, 1910 on file at the Town of Wells, Town Clerk's Office in the Town Record Book. This layout starts at a point approximately 215 feet northerly of the bridge and runs to the Meetinghouse Road. A section of the Hobbs Farm Road was relocated in 1910. See acceptance dated March 14, 1910 on file at the Town of Wells, Town Clerk's Office in Volume F page 219. This layout is 2 rods (33.00') wide. However, due to its poor description and the inability to locate the relocation on the ground, a width of 3 rods (49.50') was held for the entire length of the Hobbs Farm Road from State Route 9A to the Meetinghouse Road. To determine the sidelines 1 1/2 rods (24.75') was held from the centerline of the traveled way. See Maine Revised Statutes Annotated Title 23, Section 2103 previously quoted in 4b above.
 - f. **State Route 9A**, 3 rods wide (49.50'). See layout dated April 25, 1915 on file at the York County Commissioners Office in Volume B page 193. To determine the sideline 1 1/2 rods (24.75') was held from the centerline of the traveled way. See Maine Revised Statutes Annotated Title 23, Section 2103 previously quoted in 4b above.
5. The "B"SD" "certify" or "certification" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
6. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any underground utility, municipal or public service. For information concerning these utilities or facilities, please contact the appropriate agencies.
7. The location of Hobbs Pond and the approximate limits of tree growth was taken from topographic information supplied by Pinkham & Greer. This information was not field verified and may be subject to change.
8. **River Boundary:**

The property line along Hobbs Pond and the Merriland River is a meandering boundary line and extends to the "thread" of the river. There is a short section of the Merriland River (below the dam) which is divided on both sides by the subject parcel. Because the boundary extends to the thread of the river, this section makes a connection between the abutting parcels and joins them as one contiguous parcel of land. Black's Law Dictionary describes the "thread" as "A middle line; a line running through the middle of a stream or road." No attempt has been made as a part of this survey to locate, establish, or otherwise show the limits of the "thread." Distances along Hobbs Pond and the Merriland River, as shown hereon, were measured along the edge of the water.

Notes: (Continued)

9. **Sewers:**

All dwelling units shall be served by private subsurface disposal systems. Lots 95-97 shall have individual on-site systems. Lots 100-103 shall have individual systems located on easement within Open Space Land. Lots 23-25 shall have individual systems located on easements on Lots 23-25. All other lots and dwelling units shall pump to a common treatment facility and subsurface system located within Open Space Land north of Old Mill Trail. See D445 approval letter dated August 4, 2015. All conditions in the D445 letter shall be met. The proposed clubhouse shall have an individual system in the Open Space. System locations can vary up to 10 feet with CED written approval.
10. **Zoning Information:**

District: (See Also Density Calculation Table)
Minimum Lot Size: 100,000 square feet of net area
Minimum Street Frontage: 200 feet, 150 feet on cul-de-sac of net area
Setback from Street Right of Way: 25 feet
Setback from Route 9A: 40 feet
Lot Line Setback: 25 feet
Maximum Lot Coverage: 20% or 4,000 square feet whichever is the greater.
Maximum Building Height: 40 feet, not to exceed 3 stories
Minimum Cemetery Setback: 25 feet
Hobbs Pond & Merriland River Setback: 200 feet

Cluster Subdivision:
Minimum Lot Size: 20,000 square feet of net area
Minimum Street Frontage: 50 feet
Setback from Street Right of Way (within the cluster): 20 feet
Setback from Street Right of Way: 25 feet
Setback from Hobbs Farm Road: 25 feet
Setback from Meetinghouse Road: 25 feet
Setback from James Street: 25 feet
Setback from Route 9A: 40 feet
Abutting Line Setback: 15 feet
Lot Line Abutting Non-Cluster Residential Lot: 50 feet
Maximum Building Height: 40 feet, not to exceed 3 stories
Maximum Lot Coverage: 20% or 40% on lots smaller than 40,000 square feet in area

Accessory Development:
Abutting Lot Line Setback: 25 feet
30 feet building separation

Shoreland Overlay District:
Minimum Shore Frontage: 200 feet
Minimum Shore Setback: 75 (Merriland River & Hobbs Pond)

Dedicated Open Space:
Lot Coverage Shall Not Exceed: 2% (Structural Coverage Shall Not Exceed 600 Square Feet.)
11. **Flood Zone:**

By graphic plotting only, part of this property was found to be located within Flood Zone(s) AE (Elevation 130 to 131) of the Flood Insurance Rate Map, Community Panel No. 230755000D, which bears an effective date of 01-16-2003 and is not in a Special Flood Hazard Area. No field survey was performed to determine this Hazard Area.
12. **Water:**

All dwelling units shall be served by privately owned drilled wells. Lots 95-103, 62 and 23-25 shall have individual drilled wells. All other lots and dwellings and Clubhouse shall utilize a common well(s) which are considered a public water supply. Dug wells are prohibited. See D445 Permit PHSD #92341, dated April 14, 2004.
13. **Wetlands:**

Helland/Upland interface line was determined by Mark Hampton & Associates per Army Corp 1987 definition. No construction in or filling of wetlands is allowed without review and approval by both the Maine DEP, AGCE Permit #NAE-2006-0249493 dated August 11, 2015 and the Wells Planning Board.
14. **Trails:**

Trails and 10.0' Pedestrian Easement, shown hereon, are for Public Access.
15. A gate with Knox Box will be installed at the end of Storer Lane. The Burnt Mill Estates Homeowner's Association shall maintain Storer Lane from the development to the end of the public road.

Purpose Of Plan
The purpose of this subdivision amendment is to relocate lot 62 from Storer Lane to Route 9A, adjacent to lot 103. No changes are proposed to the development which is described as: (B) Residential Cluster Development lots for two-family homes (duplexes) totaling 102 dwelling units, (1) Multifamily Development lot for 20 dwelling units, (52) Residential Cluster Development lots for single family homes totaling 52 dwelling units; 70% Open Space; associated infrastructure for roadways and parking; and a 18-hole Golf Course with a Clubhouse with Restaurant, Event Barn, Kid Club, Fitness/Pool Center, and Maintenance buildings (See Site Plan for Golf Club uses).

Approved By: _____ Date: _____

Wells Planning Board
This approval includes Sheets S1-S11 and Sheets prepared by Pinkham & Greer and numbered 1-16.

Revisions	Date	By
1. Revised to meet Preliminary Subdivision Requirements.	01-17-15	JNI
2. Revised to final, deleted Sheet S3 and added new Sheets S3-S10.	06-17-15	KAL
3. Revised per Town Planner Comments.	09-08-15	KAL
4. Added Lot 62 & revised Open Space Area.	09-17-16	KAL
5. Revised Note 10 and 12.	10-17-16	KAL

Density Area Calculation

Gross Property Area	18,332,487 (SF), 374.34 (Acres)
Deduct Land Beneath Hobbs Pond	-308,652 (SF)
Deduct Land Beneath Meetinghouse Pond	-23,520 (SF)
Net Property Area	18,000,315 (SF)
Deduct Land Beneath Hobbs Pond	-235,500 (SF)
Net Development Area	15,708,005 (SF)
Deduct 15% For Roads And Parking	-235,500 (SF)
Net Development Area	13,403,315 (SF)
Density Before Bonuses	134 Dwelling Units (100,000 SF Net Area Max Density)
100,000 (SF) Per Dwelling	
Density Bonuses Granted	30%
Over 50% Of Land Preserved As Open Space §145-400(1)	10%
Protects Agriculturally Valuable Lands §145-400(2)	6%
Protects Valuable Wildlife And Environmental Lands §145-400(4)	6%
Protects Public Access §145-400(5)	6%
Linkages To Adjacent Open Spaces §145-400(7)	6%
Density After Bonuses	174 Units
Proposed Units	
Duplex Units (on 62 Cluster Lots)	104
Single Family Units (on 46 Cluster Lots)	48
Multi-Family Units (on 1 Lot)	20
Existing Lots Sold (on 4 Cluster Lots) Single Family Units	4
Open Space	234.02 Acres (Site Sheet S11)
Non Dedicated	3.37 Acres, 1.33%
Dedicated	230.65 Acres, 88.66%

Graphic Scale: 1 in = 200 ft.

Plan Revising Condo Book 379, Page 27
Burnt Mill Estates
Burnt Mill Holding Company, LLC
222 Hobbs Farm Road, Wells, Maine 04090
of Property Located On
State Route 9A, Meetinghouse Road & Hobbs Farm Road
Wells - Maine

Scale: 1 in. = 200ft.
October 19, 2015

Survey File Name: "2015186.Ldw"
CAD File Name: "2015186-Sub Rev.dwg"
Drawn By: KAL
Job Number: 2015073

YORK, ss REGISTRY OF DEEDS

Received: _____ of _____ ss _____
Filed in Plan Book _____ Page _____

ATTEST: _____

Corner Post Land Surveying, Inc.
600 Main Street, Springvale, Maine 04083
Voice: (207) 324-2119 Fax: (207) 400-3948
Email: cps@mainesurveyors.com

I hereby certify that this boundary survey conforms to the Plans Board of License for Professional Land Surveyors, Chapter 65, Standards of Practice.

Dana A. Libby
Dana A. Libby
Professional Land Surveyor 0350

10-31-2016

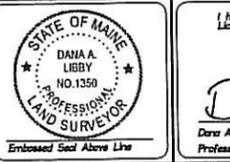
Plan Revising Condo Book 379, Page 28
Burnt Mill Estates
 Burnt Mill Holding Company, LLC
 222 Hobbs Farm Road, Wells, Maine 04090
 of Property Located On
 State Route 9A, Meetinghouse Road & Hobbs Farm Road
 Wells - Maine

Survey File Name: 20181214
 CAD File Name: 20181214-Sub-Plan-Rev
 Drawn By: RAL
 Job Number: 20181214

Scale: 1 in. = 200 ft.
 October 19, 2015

YORK, ss REGISTRY OF DEEDS
 Received: _____
 Filed in Plan Book _____ Page _____
 ATTEST: _____

Corner Post Land Surveying, Inc.
 600 Main Street, Springville, Maine 04083
 Phone: (207) 324-2119 Fax: (207) 490-3940
 Email: cpls@mainesurveyors.com



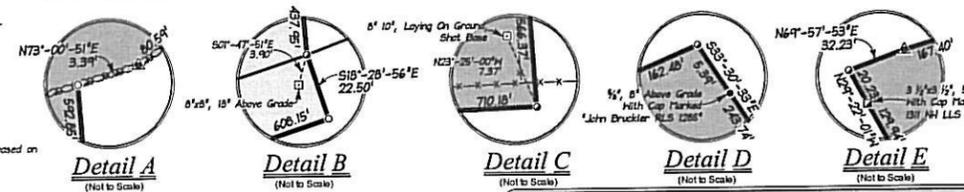
I hereby certify that this boundary survey conforms to the Maine Board of Licensure for Professional Land Surveyors, Chapter 40, Standards of Practice.

Dana A. Libby
 Dana A. Libby
 Professional Land Surveyor 1350
 12-31-2016

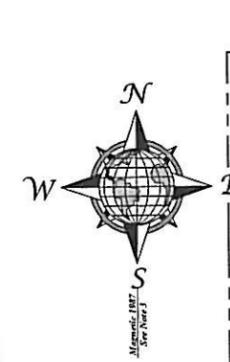
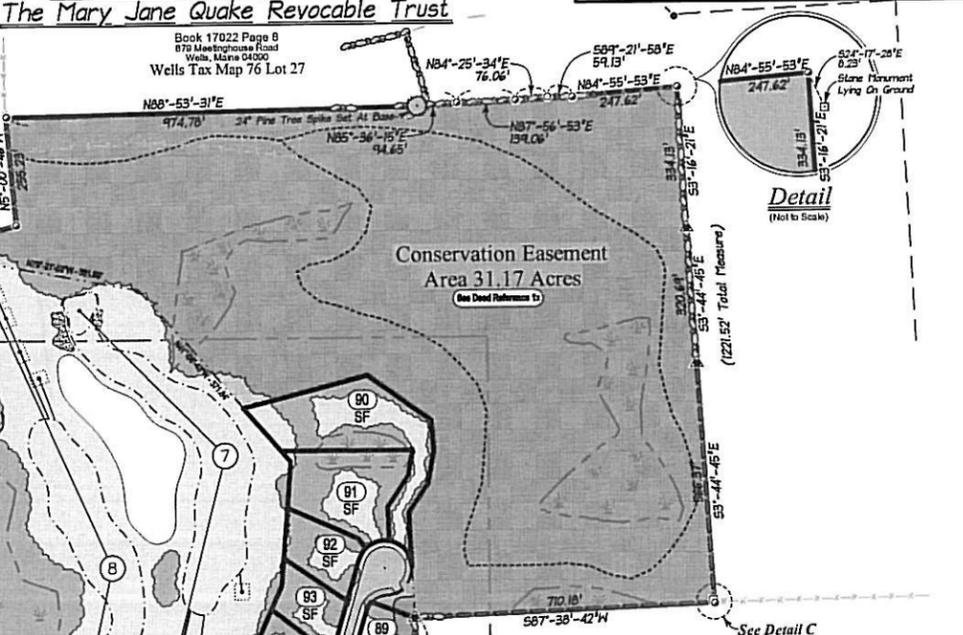
Abutters Table (Now or Formerly)

Lot	Owner	Address	Area
6371-1	Walter H. and Suzanne H. Lafler	11 James Street, Wells, ME 04090	5002.39
6371-2	The Caron Family Revocable Trust	31 James Street, Wells, ME 04090	17018.633
6371-3	Xavier J. & Elizabeth A. Hutter	37 James Street, Wells, ME 04090	9733.735
6371-4	P.J. & C.M. Rowland Trustee/Rowland Realty Trust	83 Duck Pond Road, Canton, ME 04018	12420.468
6371-5	The Dodgeon Family Revocable Trust	390 Prospect Street, Manchester, NH 03104	16715.919
6371-6	William B. Winslow	P.O. Box 141, Wells, ME 04090	9185.213
6371-7	Tracy Charles	72 Parsonage Way, Wells, ME 04090	10349.240
6371-8	Michael & Tami Gower	79 Parsonage Way, Wells, ME 04090	16312.900
6371-9	Craig W. & Deborah G. Shwing	85 Parsonage Way, Wells, ME 04090	9231.58
6371-10	Blank Of America	P.O. Box 1170, Stone Hill, CT 03083	17016.321
6371-11	Arthur Conley, LLC, et al	18 Limerock Street, Camden, ME 04843	13706.910
6371-12	William Gambell	16 Limerock Street, Camden, ME 04843	1923.836

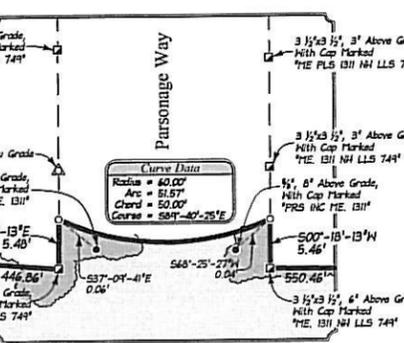
- Notes: (Continued)**
- DEP Permits: See the following Department of Environmental Protection permit for Burnt Mill Estates dated October 16, 2004: Subplan L-2023-07-1-A Amended Approval November 25, 2015; NRPA L-2023-TH-J-N Amended Approval November 25, 2015.
 - The dry hydrant in Hobbs Pond is to be upgraded or relocated by the developer to the specifications of the Wells Fire Chief. Dry hydrant to be upgraded prior to issuance of a building permit. The proposed dry hydrant near the Clubhouse shall be installed prior to the issuance of a building permit for a lot exceeding 5 miles from the Hobbs Farm Road Hydrant.
 - The developer is responsible for the repair and maintenance of the Burnt Mill Dam. The Home Owner's association will take over this responsibility as required. The dam controls the water for fire protection.
 - Building more than a mile from a driveway to a dry hydrant will require a sprinkler system. Commercial buildings may require a sprinkler system based on size and use.
 - The end of each road is to be clear of snow. No snow can be left on the pavement.
 - No parking signs will be installed on all east-west roads and turn arounds. Parking along the roadways is prohibited.
 - The footprints of the buildings and driveways are diagrammatic only. The duplex lots, as shown, exceed the current ordinance requirements for lot coverage. When the homes are built they need to conform to the ordinance in force at the time.
 - Agricultural Land in the Open Space shall comply with § 145-33D.
 - Clearing of vegetation within the 75' Shoreland Overlay District shall comply with § 145-33E.
 - All driveways onto Town roads must have on-site turnarounds and shall require driveway permits. Driveways shall be located on less travelled ways except driveways for lots 38 and 49 shall be off of Old Mill Trail. Lot 103 driveway to be located off of Hobbs Farm Road and the 30' access easement and shall be dead restricted.
 - Except for existing Hobbs Farm Road and Storer Lane, all roads shall be privately owned and maintained.
 - Transformer location may vary. A change in utility easements do not require an amendment to the subdivision approval.
 - Buffer Restrictions:
 - Minimum Buffer: The project lies on a very steep and rocky hillside, including the cutting of the overstory where it is shown on the golf course. The buffers around the wetlands and along the Meetinghouse/Hobbs Pond are to remain in their natural state. Production access is allowed, but no alteration.
 - Cluster Housing Buffer: This buffer, located around the perimeter of the housing is to remain 50 feet in width and remain vegetated. No structures are allowed in the buffer. Drainage facilities and their maintenance are allowed in the buffer. Access roads, driveway, drainage facilities, and utilities are shown on the drawings as permitted within the buffer.
 - The following buffer restrictions are approved as part of the November 16, 2015 approval by the Planning Board:
 - Lot 1 and 2: The no out buffer is reduced to 25' while maintaining the 50' structure setback.
 - Lot 1 to 18: The buffer can be altered to provide drainage to and construct Undersaturated Soil Filters, #s 8, 10, and 11 as shown on the drawings. The wooded vegetation remaining is to remain undisturbed.
 - Lot 19 to 24: The buffer can be altered to provide drainage to and construct Undersaturated Soil Filters, #s 12, 13, 14, and 15 as shown on the drawings. The wooded vegetation remaining is to remain undisturbed.
 - Lot 25 to 31: The buffer can be altered to provide drainage to and construct Undersaturated Soil Filters, #s 16, 17, 18, 19, 20, 21, 22, 23, and 24 as shown on the drawings. The wooded vegetation remaining is to remain undisturbed.
 - Lot 24, 25, and 26: The no out buffer is 25'. The remaining 25' can be converted to lawn. No structures within the 50' buffer.
 - Lot 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



Purpose Of Plan
 The purpose of this subdivision amendment is to relocate lot 62 from Storer Lane to Route 9A, adjacent to lot 103. No changes are proposed to the development which is described as: A Major Subdivision on 362.0 acres of land consisting of 174 dwelling units comprised of: (B1) Residential Cluster Development lots for two-family homes (duplexes) totaling 102 dwelling units; (1) Multifamily Development lot for 20 dwelling units; (S2) Residential Cluster Development lots for single family homes totaling 52 dwelling units; 70% Open Space; associated infrastructure for roadways and parking; and a 18-hole Golf Course with a Clubhouse with Restaurant, Event Barn, Kid Club, Fitness/Pool Center, and Maintenance buildings (See Site Plan for Golf Club uses).



Bourne Field Properties, LLC
 Book 10070 Page 834
 930 Branch Road (RT. 9A)
 Wells, Maine 04090
 Wells Tax Map 70 Lot 5
 "River Walk"
 (See Plan Reference 3d)



Arthur Conley, LLC, et al
 Book 15700 Page 650
 10 Limerock Street
 Camden, Maine 04843
 Wells Tax Map 63 Lot 5

Approved By: _____ Date: _____

Wells Planning Board



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 Subdivision Amendment Application Memo

Date: November 1, 2016

To: Planning Board

From: Planning Office

Re: Brackett Estates Subdivision Amendment #3 - Map 25, Lot 5-1 through 5-27

Tom Harmon of Civil Consultants has submitted a final amendment application to the previously approved 27 lot subdivision on behalf of the owner of Jefferson Homes Inc. The subdivision consists of 26 lots designed in accordance with the cluster subdivision town regulations; 1 conventional lot with fronting off of Loop Road; and 1 conventional lot exists fronting off of Loop Road and was considered the out sale parcel of the original subdivision approval. The subdivision is located in the Residential A District and is off of Loop Road. The property is approximately 58.26 acres and on Tax Map 25, lots 5-1 through 5-27. A small cemetery is located on the property on the north east corner of proposed conventional lot 23. Lots are served by individual private wastewater disposal systems and individual wells. There is 34.99 acres of open space. The amendment proposes adjust the lot line between lots 5-24 and 5-25 and transfer 3,587 SF of land area equally between the two lots. Lots 5-24 and 5-25 land areas to remain as previously approved.

§ 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 Amendment Application on 11/7/16**

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

§ 202-9. Final plan for major subdivision.

A. Procedure.

- (1) The subdivider shall, within six months after the approval of the preliminary plan, file with the Board an application for approval of the final plan at least 10 days prior to a scheduled meeting of the Board. If the application for the final plan is not submitted within six months after preliminary plan approval, the Board may refuse without prejudice to act on the final plan and require resubmission of the preliminary plan. The final plan shall approximate the layout shown on the preliminary plan, plus any recommendations made by the Board. [Amended 7-11-1996] **A site walk is 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. **To be determined**
- (5) Within 30 days after receiving any application, the Board shall notify the applicant in writing either that the application is complete or, if it is incomplete, the specific additional material needed to complete the application. The Board shall determine whether to hold a public hearing on the final plan application. **To be determined**
- (6) Prior to submittal of the final plan application, the following approvals shall be obtained in writing, where appropriate:
 - (a) Maine Department of Environmental Protection, under the Site Location of Development Act and the Natural Resources Protection Act. *Editor's Note: See 38 M.R.S.A § 481 et seq. and 38 M.R.S.A. § 480-A et seq., respectively.*
 - (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**
 - (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**
 - (f) An Army Corps of Engineers dredge and fill permit. **Not Applicable**
 - (g) NPDES permit for stormwater discharges. **Not Applicable**
- (7) A public hearing may be held by the Planning Board within 30 days after the issuance of a receipt for the submittal of a complete application. This hearing shall be advertised in a newspaper of local circulation at least two times, the date of the first publication to be at least seven days before the hearing, and the notice of the hearing shall be posted in at least three prominent places at least seven days prior to the hearing. When a subdivision is located within 500 feet of a municipal boundary and a public hearing is to be held, the Planning Board shall notify the Clerk and the Planning Board of the adjacent municipality involved at least 10 days prior to the hearing. **To be determined**
 - (8) Upon receipt of an application for a subdivision containing 20 lots or dwelling units or more, the Planning Board shall notify the Road Commissioner, School Superintendent, Police Chief and Fire Chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways and the size and construction characteristics of any multifamily, commercial or industrial buildings. The Planning Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision.
 - (9) Before the Board grants approval of the final plan, the subdivider shall meet the performance guaranty requirements contained in § 202-13. **To be determined**
 - (10) The Board, within 30 days from the public hearing or within 60 days of the official submittal date if no hearing is held, shall make findings of fact and conclusions relative to the standards contained in 30-A M.R.S.A. § 4404, Subsection 3 and in these regulations. If the Board finds that all standards of the statute and these regulations have been met, it shall approve the final plan. If the Board finds that any of the standards of the statute and these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for any denial or conditions shall be stated in the records of the Board. **To be determined**
- B. Submissions. The final plan shall consist of one or more maps or drawings drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 75 acres may be drawn at a scale of not more than 200 feet to the inch. Plans shall be no larger than 24 inches by 36 inches in size and shall have a margin of two inches outside of the border line on the left side for binding and a one-inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Board. One reproducible, stable-based transparent original and three copies of the plan shall be submitted. In addition, the applicant shall submit 11 copies of the final plan, reduced to a size of 11 inches by 17 inches, and all accompanying information to the Office of Planning and Development no less than 10 days prior to the meeting. The application for approval of the final plan shall include the following information:

Recommendations and conclusions:

1. On 11/7/16 the Planning Board should consider receiving the Final Subdivision Amendment Application.
2. The Planning Board should consider if a site walk is necessary. If a site walk is not necessary the Planning Board should consider workshopping the application for completeness.
3. The completeness checklist is attached. Some minor changes are recommended for the applicant to address. It is recommended the Planning Board find the application complete.
 - a. The Planning Board to consider granting a waiver and finding a stormwater management plan not applicable
 - b. The Planning Board to consider finding the monumentation proposed suitable
4. The Planning Board should determine if a public hearing is necessary or consider waiving the hearing.
5. If the public hearing is waived, the Planning Board should consider finding the application compliant.
6. If found compliant, the Planning Board should consider approving and signing the Findings of Fact & Decisions and plans.

Thank you.

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

Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

Prepared By: Office of Planning & Development

Plans Dated: 10/14/16; 10/31/16

District: RA

Review Date: 11-01-16

Final Plan Revisions Submittal Date: 10/31/16

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 and dwelling units. Final plan approval procedures shall 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
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Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

Prepared By: Office of Planning & Development

Plans Dated: 10/14/16; 10/31/16

District: RA

Review Date: 11-01-16

Final Plan Revisions Submittal Date: 10/31/16

§ 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				Plan provides reference plans notes. Previously approved Planning Board plans recorded at the YCRD Book 384, Pages 9.
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 stamped by Christopher H. Mende, PLS 1302. Monumentation identified 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				Acreage of the lots noted. A 3,587 SF area of land to be equally transferred between lots 24 and 25. Lot 5-24 to remain 29,981 SF in size. Lot 5-25 to remain 37089 SF in size. See note 6 referencing all prior approvals for all notes and restrictions that apply to this subdivision.
	(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. See note 6. No changes to septic system locations proposed.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

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Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

Prepared By: Office of Planning & Development

Plans Dated: 10/14/16; 10/31/16

District: RA

Review Date: 11-01-16

Final Plan Revisions Submittal Date: 10/31/16

§ 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 identifies well exclusion zones within the subdivision. Existing and proposed wells are noted. See note 6 and note 9.
	(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				Date and north point noted. Scale is 1" = 50'. Owner and applicant names noted. Civil Consultants as surveyor noted.
(7)	The location of any zoning boundaries affecting the subdivision	Y				Plan notes that the subdivision is located within the Residential A District.

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

Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

Prepared By: Office of Planning & Development

Plans Dated: 10/14/16; 10/31/16

District: RA

Review Date: 11-01-16

Final Plan Revisions Submittal Date: 10/31/16

§ 202-10. Revisions to approved plans.		Application Meet Requirements				Comments
		Yes	No	NA	Waiver	
(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				Subdivision not served by public sewer. See note 6. No changes to septic system locations proposed. No changes to drainage ways or culverts proposed.
(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				Plan labels street names. 50' width of Brackett Lane noted.
(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		No such improvements 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.			NA		No change to Open Space 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		Cost estimates already provided for the subdivision original approval. Changes proposed do not required the resubmission of cost estimates.

Town of Wells, Maine
Final Amendment Subdivision Completeness Review

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Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

Prepared By: Office of Planning & Development

Plans Dated: 10/14/16; 10/31/16

District: RA

Review Date: 11-01-16

Final Plan Revisions Submittal Date: 10/31/16

§ 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.	Y				See note 7.
(14)	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]	Y				See note 8.
(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	Town engineer considers the proposed changes to be insignificant in relation to stormwater impacts. <u>The Planning Board to consider granting a waiver finding revised stormwater management plans are 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 areas.

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Project Name/Tax Map & Lot #: Brackett Estates Subdivision Amendment #2 / Tax Map 25, Lots 5-24 and 5-25

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§ 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.					



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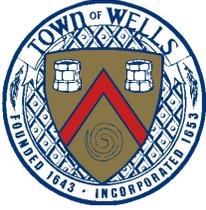
Planning Board

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Chapter 202 Subdivision of Land

PROJECT INFORMATION		
General:	Project Name: # Lots/ Dwellings Proposed: Applicant: Landowner: Location: Existing Use: Proposed Land Use: Tax Parcel ID: Zoning District: Land Use, Art. VII Performance Standards: Design Engineer: Final Plan Application Submission Date: Plan Submission Date:	Brackett Estates Subdivision 27 lots/ dwellings exists; no new lots or dwellings proposed Thomas Harmon, Civil Consultants, PO BOX 100, S. Berwick, 03908 Jefferson Homes Inc, PO Box 629, Stratham, NH 03885 Karen Renee Henderson, 63 Brackett Lane, Wells, ME 04090 Brackett Lane, Wells, Maine Residential Cluster Major Subdivision Residential Cluster Major Subdivision Tax Map 25, Lot 5-24 and 5-25 Residential A 145-49 Residential Cluster Development Tom Harmon, PE, Civil Consultants, PO BOX 100, S. Berwick, 03908 October 20, 2016 October 20, 2016
Project Description:	<p>Tom Harmon of Civil Consultants has submitted a final amendment application to the previously approved 27 lot subdivision on behalf of the owner of Jefferson Homes Inc. The subdivision consists of 26 lots designed in accordance with the cluster subdivision town regulations; 1 conventional lot with fronting off of Loop Road; and 1 conventional lot exists fronting off of Loop Road and was considered the out sale parcel of the original subdivision approval. The subdivision is located in the Residential A District and is off of Loop Road. The property is approximately 58.26 acres and on Tax Map 25, lots 5-1 through 5-27. A small cemetery is located on the property on the north east corner of proposed conventional lot 23. Lots are served by individual private wastewater disposal systems and individual wells. There is 34.99 acres of open space. The amendment proposes adjust the lot line between lots 5-24 and 5-25 and transfer 3,587 SF of land area equally between the two lots. Lots 5-24 and 5-25 land areas to remain as previously approved.</p>	
Approval Dates:	Preliminary Plan Approval: Final Plan Approval:	Not Applicable 11/07/16
Public Hearings:	Preliminary Public Hearing Final Public Hearing	Not Applicable Waived

PROJECT HISTORY
1. On 10/20/16 the applicant submitted a final subdivision amendment application for the above described



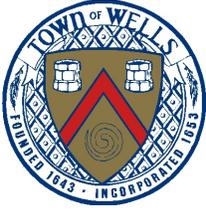
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PROJECT HISTORY
<p>amendment.</p> <ol style="list-style-type: none"> 2. On 10/20/16 abutters were mailed notice of the subdivision amendment application and of the 11/7/16 Planning Board meeting. 3. On 10/25/16 the Planning Office prepared recommended plan changes for the applicant to address. 4. On 10/31/16 the applicant submitted revised plans to the Planning Office for review. 5. On 11/1/16 a draft completeness (202-10) checklist and draft compliance/ Findings of Fact & Decisions was prepared with a memo for the 11/7/16 Planning Board meeting. 6. On 11/7/16 the Planning Board voted to receive the amendment application, voted to waive a site walk, found the application complete (202-10), voted to waive the public hearing, found the application compliant (202-12), voted to approve and sign the Findings of Fact & Decisions, and voted to sign and approved the subdivision plans at the end of the meeting.

§ 202-12. General Standards	Findings & Decisions
<p>In reviewing applications for a subdivision, the Board shall consider the following general standards and make findings that each has been met prior to the approval of a final plan. In all instances the burden of proof shall be upon the applicant.</p>	
<p>A. Conformance with Comprehensive Plan. All proposed subdivisions shall be in conformity with the Comprehensive Plan of the municipality and with the provisions of all pertinent state and local codes and ordinances.</p>	<p>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>The total area of the subdivision is 58.26 acres; 34.99 acres is approved to be open space per 2009 approval. No change to the acreage of Open Space proposed.</p>



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§ 202-12. General Standards	Findings & Decisions
<p>(2) Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation purposes, such as a playground or a play field, should be relatively level and dry. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable. The configuration of such sites shall be deemed adequate by the Planning Board with regard to scenic or historic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.</p>	<p>The common mail box and driveway is located within the Open Space adjacent to lot 5-27 and shall be used by the Homeowner's of Brackett Estate Subdivision. The location is suitable for such common facilities. No changes to Open Space areas 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>The changes proposed do not alter the approved Homeowner's Association documents for the subdivision.</p>
<p>(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.</p>	<p>No changes are proposed that impact any trees larger than 24" in diameter.</p>
<p>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.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>D. Lots.</p>	<p>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>(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.</p>	<p>See note 4 for Residential A and Residential Cluster Development zoning information and requirements.</p>
<p>(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.</p>	<p>Individual driveways are approved for all 27 lots. On-site driveway turnarounds are required per Chapter 201.</p>
<p>(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.</p>	<p>See note 16 on 2009 approved subdivision plan for lot access restrictions.</p>



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§ 202-12. General Standards	Findings & Decisions
(4) Wherever possible, side lot lines shall be perpendicular to the street.	The lot line changes proposed to lots 5-24 and 5-25 shall meet this standard.
(5) The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as to preclude future resubdivision.	The lot line changes proposed to lots 5-24 and 5-25 shall not create lot sizes that are more than twice the required minimum lot size. The changes to lots 5-24 and 5-25 shall not alter previously approved lot sizes.
(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 are proposed with this amendment application.
(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.	No such lots are proposed.
(8) Odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited. The ratio of lot length to width shall not be more than three to one.	The lot line changes proposed to lots 5-24 and 5-25 shall meet this standard.
(9) Lots shall be numbered in accordance with Chapter 201, Article I, Street Naming and Numbering, of the Wells Municipal Code.	No changes to lot numbering proposed.
(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 serving residential lots 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.	See note 16 on 2009 approved subdivision plan for lot access restrictions.
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.	No changes to utilities are proposed with this amendment application.
(2) Underground utilities shall be installed prior to the installation of the final gravel base of the road.	No changes to utilities are proposed with this amendment application.
(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 are proposed with this amendment application.
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.	Any monuments necessary under this provision shall be installed prior to the sale of any lots per the special condition of approval of the 2009 subdivision approval. Monumentation depicted and labelled. THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.

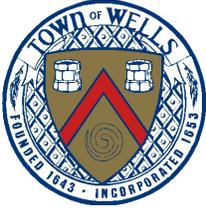


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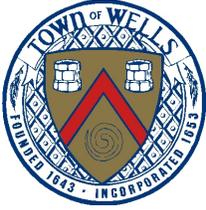
§ 202-12. General Standards	Findings & Decisions
(a) Stone or concrete monuments shall be set at all street intersections and points of curvature, but no further than 750 feet apart along street lines without curves or intersections.	
(b) Stone or concrete monuments shall be set at all corners and angle 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.	
(2) Water supply.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(a) When a subdivision is to be served by the Kennebunk, Kennebunkport and Wells Water District, the complete supply system, including fire hydrants, shall be installed at the expense of the subdivider.	Subdivision not served by the KKW Water District.
[1] The subdivider shall provide a written statement from the Water District that adequate water for both domestic and fire-fighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The subdivider shall be responsible for paying the costs of system improvements necessary to serve the subdivision.	
[2] The size and location of mains, gate valves, hydrants and service connections shall be reviewed and approved in writing by the Water District and the Fire Chief.	
(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.	Subdivision is approved to require all lots to provide individual drilled wells. See note 8 on the 2009 subdivision plan. Existing and proposed well locations are depicted and labelled. See note 13 on prior approved plans.



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§ 202-12. General Standards	Findings & Decisions
[1] Dug wells shall be permitted only if it is demonstrated to be not economically feasible to develop other groundwater sources and shall be constructed so as to prevent infiltration of surface water into the well. Unless otherwise permitted by the Board, the subdivider shall prohibit dug wells by deed restrictions and a note on the plan.	Dug wells are prohibited.
[2] If a central water supply system is provided by the subdivider, the location and protection of the source and the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-144 A.C.M.R. 231).	A central water supply system is not proposed.
[3] Fire protection. [Amended 3-11-2002]	Fire protection will be provided by individual sprinkler units for each residence. Note 15 on the 2009 subdivision plan states this. THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
[a] The subdivider shall construct dry hydrants connected to ponds or water storage tanks, provide fire hydrants connected to a public water source or implement an alternative program approved by the Fire Chief to provide for adequate water for fire-fighting purposes within the subdivision. An easement shall be granted to the municipality providing access to the hydrants or other improvements where necessary. If a subdivision has fewer than 10 lots or dwelling units or any combination of lots and dwelling units, the Board, may waive the requirement for an adequate on-site water supply only upon submittal of evidence that:	
[i] There is a fire pond, fire hydrant connected to public water, or another water source within one mile of the subdivision that the subdivider has obtained the legal right to use for fire protection purposes; and	
[ii] The Fire Chief has determined that the proposed water source has sufficient capacity to serve the needs of the subdivision and any other subdivisions currently using or relying on the water source for fire protection.	
[b] For purposes of this section, the 1-mile distance is measured from the pond, water source or fire hydrant to the driveway of the subdivision residence located farthest from the water supply along routes that fire trucks can safely travel year round.	

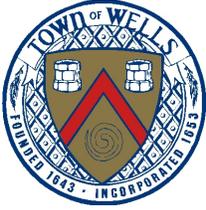


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§ 202-12. General Standards	Findings & Decisions
[4] The results of the water quality test submitted shall indicate that the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested. If the Board has reason to believe, due to previous uses of the property or due to previous or existing uses of neighboring property, that the existing water quality may be threatened by contaminants not tested for in the primary inorganic water analysis, it may require the water to be tested for those contaminants.	The CEO shall determine this at the Building Permit stage.
(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:	The CEO shall determine this at the Building Permit stage.
[1] A letter from the Kennebunk, Kennebunkport and Wells Water District indicating availability of service; or	
[2] The results of a primary inorganic water analysis performed upon the well to serve the structure indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.	
(3) Sewage disposal.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(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 is approved to require all lots to provide on-site individual waste water fields with well exclusion zones.
[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.	See notes 5 and 6 on 2009 approved subdivision plan. Subdivision plan depicts Test Pit locations. Test pit logs provided and reviewed. A letter was submitted regarding the septic box areas being suitable. No changes to septic areas proposed with this amendment. Septic systems shall meet the required 10 foot setback from a property line.
[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.	See notes 5 and 6 on 2009 approved subdivision plan.

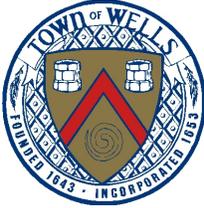


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§ 202-12. General Standards	Findings & Decisions
(4) Stormwater management. [Amended 4-27-2007]	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(a) Where a subdivision is traversed by a stream, river or surface water drainage way, or 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.	Plan Sheet 8 of 2009 approval details an erosion control plan, and a stormwater management plan has been submitted. <u>A waiver of a revised stormwater management plan is recommended granted by the Planning Board on 11/7/16.</u>
(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.	
(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.	

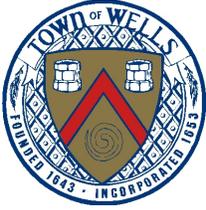


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§ 202-12. General Standards		Findings & Decisions
	(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of 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.	No changes to the streets as previously approved are proposed.



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§ 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>No changes to trip generation proposed.</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>(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>This standard was found not to apply by the Planning Board as part of the 2009 subdivision approval.</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>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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>THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</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>	

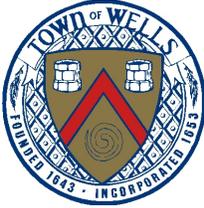


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Final Subdivision Amendment #3 Application for “Brackett Estates“
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§ 202-12. General Standards	Findings & Decisions
(d) Topsoil shall be considered part of the subdivision and shall not be removed 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.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN NOT APPLICABLE.
(4) Dedication and maintenance of common open space and services.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET. No changes proposed to the Open Space area. No changes to the previously reviewed Homeowner’s Association documents for the subdivision 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.	

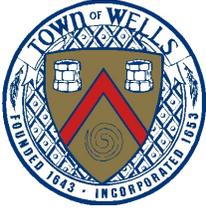


Town of Wells, Maine

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§ 202-12. General Standards	Findings & Decisions
(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.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
(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:	
[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.	
(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.	



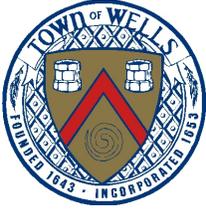
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§ 202-12. General Standards	Findings & Decisions
(f) If groundwater contains contaminants in excess of the secondary standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.	
(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:	A Cash Performance Guarantee for construction remains in place in the amount of \$23,069.00.
(a) Either a certified check payable to the municipality or a savings account or certificate of deposit naming the municipality as owner for the establishment of an escrow account.	
(b) A performance bond payable to the municipality issued by a surety company approved by the municipal officers or Town Manager.	
(c) An irrevocable letter of credit (See Appendix B for a sample. Note: Appendix B, originally attached to the Subdivision Regulations, has not been reproduced in the Code. Consult the original Town records in the office of the Clerk.) from a financial institution establishing funding for the construction of the subdivision from which the municipality may draw if construction is inadequate, approved by the municipal officers or Town Manager.	
(d) An offer of conditional approval prohibiting the sale of any units or lots until all required improvements serving those units or lots have been constructed to the satisfaction of the Town and in compliance with all ordinances, plans and specifications.	

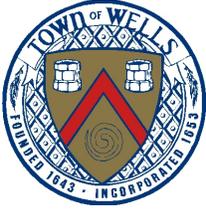


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(2)	<p>The conditions and amount of the performance guaranty shall be determined by the Board with the advice of the Town Planner, Road Commissioner, municipal officers and/or Town Attorney. If an offer of conditional approval is made by the applicant, pursuant to Subsection A(1)(d), the applicant shall be required, in addition, to present a cash escrow, performance bond or irrevocable letter of credit, as described in Subsections A(1)(a) through (c) above, to cover the cost of restoring the site to a stable condition, should the applicant create erosion or sedimentation problems for an unreasonable duration during site preparation or during the construction of roads and/or utilities or other required improvements.</p>	<p>A Cash Performance Guarantee for construction remains in place in the amount of \$23,069.00.</p>
B.	<p>Contents of guaranty. The performance guaranty shall contain a construction schedule, cost estimates for each major phase of construction, taking into account inflation, provisions for inspections of each phase of construction, provisions for the release of part or all of the performance guaranty to the developer and a date after which the applicant will be in default, and the municipality shall have access to the funds to finish construction. The Board may require the services of a third party inspector, to be paid for at the expense of the applicant upon recommendation of the Town Manager.</p>	
C.	<p>Escrow account. If the applicant chooses to establish an escrow account, a cash contribution to the account shall be made by either a certified check made out to the municipality, the direct deposit into a savings account or the purchase of a certificate of deposit. For any account opened by the applicant, the municipality shall be named as owner or co-owner, and the consent of the municipality shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the municipality has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required improvements. The Town Attorney and Town Treasurer shall review and have final authorization on the establishment of escrow accounts.</p>	<p>A Cash Performance Guarantee for construction remains in place in the amount of \$23,069.00.</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>	

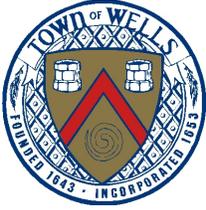


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F.	Standard condition of approval.	As a standard condition of approval for all applications for which a performance guaranty is required pursuant to Subsection K , the Board shall require the applicant to enter into a binding agreement with the municipality 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.	A Cash Performance Guarantee for construction remains in place in the amount of \$23,069.00.
	(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.	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.	The subdivision has approval to be constructed in two phases. A Cash Performance Guarantee for construction remains in place in the amount of \$23,069.00.
H.	Release of guaranty.	Prior to the release of any part of the performance guaranty, the Board shall determine to its satisfaction, in part upon the report of the Town Manager and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.	
I.	Default.	If upon inspection the third party inspector, Municipal Engineer or other qualified individual retained by the municipality finds that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he or she shall so report in writing to the Code Enforcement Officer, the municipal officers, the Board and the applicant or builder. The municipal officers shall take any steps necessary to preserve the municipality's rights.	



Town of Wells, Maine Planning Board

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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 7 on the approved 2009 subdivision plan.
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 THIS STANDARD SHALL REMAIN 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;	



Town of Wells, Maine

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	(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 THIS STANDARD SHALL REMAIN 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	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.
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.	THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.

STANDARD CONDITIONS OF APPROVAL

1. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period.
2. Prior to the issuance of a building permit for a principal structure in the subdivision, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. The evidence shall consist of the results of a primary inorganic water analysis performed upon the well to serve the structure, indicating the groundwater meets the primary drinking water standards of the Maine Rules Relating to Drinking Water for those categories tested.
3. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed.
4. No changes, erasures, modifications or revisions shall be made in any final plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with § 260-10A(3).
5. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan.
6. Failure to commence substantial construction of the subdivision within five years of the date of approval and signing of the plan shall render the plan null and void.



Town of Wells, Maine Planning Board

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SPECIAL CONDITIONS OF APPROVAL

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

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

Wells Planning Board

By: _____
Charles Millian, Chairman

DRAFT



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

Received
10-20-16

1. Project/Subdivision Name: Brackett Estates

2. Property Owner: Jefferson Homes, Inc.

Mailing Address: PO Box 629
Stratham, NH 03869

Telephone: 603-658-5550 Fax: 603-234-0771 Cell 603-234-0771 (Dave)

Email Address: dave@jeffersonhomesinc.com

3. Applicant/Agent (if different from owner Civil Consultants, Thomas W. Harmon, PE)

Mailing Address: 293 Main Street, PO Box 100
South Berwick, ME 03908

Telephone: 207-384-2550 Fax: 207-384-2112

Email Address: tharmon@civcon.com

4. Engineer or Surveyor who prepared plan: Thomas W. Harmon, PE

Mailing Address: 293 Main Street, PO Box 100
South Berwick, ME 03908

Telephone: 207-384-2550 Fax: 207-384-2112

Email Address: tharmon@civcon.com

5. All correspondence should be sent to:
(specify one of the above) Civil Consultants, Thomas W. Harmon, PE

6. Assessor's Tax Map Number: 25 Lot Number(s): 5-24, 5-25 (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.)?
Ownership/deed

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

Ownership/Deed

10. Location of Property:

Street Address (approx.) Loop Road

Book 17265 Page 607-610 (From County Registry of Deeds)

Book 17162 Page 28-29 (Henderson)

11. Current Zoning and Shoreland Overlay of property: Residential A (RA)

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: 58.26 Acreage to be developed: Lot line adjustment

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

See coventants and restrictions recorded in YCRD book 15971 page 84. First amendment 16201 page 498.

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.)

Subdivison

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

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

19. Number of lots or dwelling units existing: 29 and
Number of lots or dwelling units proposed: 29.

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: \$ _____

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

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

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

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

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

- 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) Individual sprinklers

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

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

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



Signature of Applicant

October 19, 2016

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).

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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.

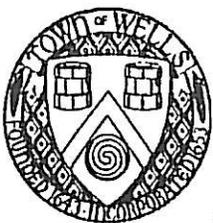
- ◆ To be submitted with a subdivision amendment application form (See §202-10)

12/19/07

Final Subdivision/ Amendment Application Form

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

**FINAL SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS REVIEW
CHECKLIST**

(This Checklist MUST be submitted)

Project Name: Brackett Estates **Applicant:** Jefferson Homes, Inc.

Checklist Prepared By: Civil Consultants **Date:** 10/19/2016

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				

LISTING OF ABUTTERS TO A PROPOSED FINAL SUBDIVISION APPLICATION

Project Name: _____

Street Address of Project: _____

Map/ Lot # of Project: _____

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
	Please see attached list as obtained from Wells Town Records 10/13/2016. rld		

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

Signature of Applicant

Date

LIST OF ABUTTERS

Brackett Estates
Jefferson Homes
Wells, ME
October 13, 2016

<i>MAP</i>	<i>LOT</i>	<i>NAME & MAILING ADDRESS</i>
25	5-25	Karen Henderson 42 Elm Lane Wells, ME 04090
25	5-24	Jefferson Homes PO Box 629 Stratham, NH 03869
25	5-26	Gibbs Family Revocable Trust 55 Brackett Lane Wells, ME 04090
25	3B	Louise Caiazzo PO Box 766 Wells, ME 04090
25	5-20	William Brackett Jr Attn Barbara Zabel 106 Squirrel Tree Lane Mt. Laurel, NJ 08054
25	5-20	William Brackett Jr Attn Barbara Zabel 106 Squirrel Tree Lane Mt. Laurel, NJ 08054
		Town of Wells 208 Sanford Road Wells, ME 04090

J:\aaa 2014 1417101 20161013-ABUTTERS.doc



**CIVIL
CONSULTANTS**

P.O. Box 100 South Berwick, Maine 05908 207-384-2550

Attach extra pages as necessary



TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

Website: www.wellstown.org

FINAL SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

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

To Whom It May Concern:

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

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

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

Property Owner (of land to be divided): _____

Owner's Mailing Address: _____

Applicant's Name: _____

Applicant's Mailing Address: _____

Applicant's Signature: _____

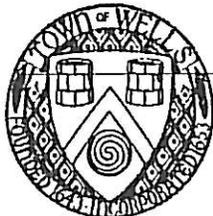
Assessor's Tax Map Number: _____ **Lot Number :** _____ (of land to be divided)

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 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: **ROAD FORM NOT APPLICABLE**

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

Joe Attisano

From: Dave Lauze [dave@jeffersonhomesinc.com]
Sent: Wednesday, October 12, 2016 11:54 AM
To: joe@civcon.com
Subject: Fwd: Lot 24/25

Use this please

Sent from my iPhone

Begin forwarded message:

From: Karen Henderson <krhenders9@gmail.com>
Date: October 12, 2016 at 11:04:28 AM EDT
To: Dave Lauze <dave@jeffersonhomesinc.com>
Cc: Denise Madden <Denise@jeffersonhomesinc.com>
Subject: Re: Lot 24/25

Hi Dave,

I am in agreement with the lot line adjustments.

Thanks

Karen

On Tue, Oct 11, 2016 at 7:15 PM, Dave Lauze <dave@jeffersonhomesinc.com> wrote:
Karen, here is the new plot plan with the lot line adjustment. The dark line is the new property line and the dotted lines are the existing line. Are you home during the day at some time so I can get you to sign the plan showing your agreement? I'll make the time work for me. Thanks. Any questions let me know. This is definitely a better lot line. Thanks

Sent from my iPhone

Begin forwarded message:

From: Joe Attisano <joe@civcon.com>
Date: October 11, 2016 at 11:41:02 AM EDT
To: 'Dave Lauze' <dave@jeffersonhomesinc.com>
Subject: RE: Lot 24/25

Hi Dave,

Here's the plan.

Joe Attisano



BK 17162 PGS 28 - 29 01/04/2016 10:44:41 AM
INSTR # 2016000028 DEBRA ANDERSON
RECEIVED YORK SS REGISTER OF DEEDS

WARRANT DEED

KNOW ALL BY THESE PRESENTS, THAT MAINE BRACKETT HOMES, LLC,
a New Hampshire limited liability company, of 92 Portsmouth Avenue, Exeter, NH 03833,

for consideration paid,

GRANTS TO KAREN RENEE HENDERSON of 42 Elm Lane, Wells, ME *WJH*
with WARRANTY COVENANTS the following parcel of land with the improvements thereon:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 30th
of December, 2015.

Maine R E Transfer Tax Paid

[Signature]
WITNESS

MAINE BRACKETT HOMES, LLC
BY: *[Signature]*
Dave W. Lauze, Manager
Duly Authorized

STATE OF MAINE
COUNTY OF YORK, ss.

December 30th, 2015

Personally appeared the above-named Dave W. Lauze, Manager of Maine Brackett
Homes, LLC and acknowledged the foregoing instrument to be his free act and deed in his said
capacity.

Before me,
[Signature]
Notary Public/Attorney at Law
Print Name: _____
Comm. Exp.: _____
Connie Jo Minervino
Notary Public, Maine
My Commission Exp.
12/29/2021

2P
Atlantic Coast Title Co.
76 Atlantic Place
S. Portland, ME 04106

EXHIBIT A

A Certain lot or parcel of land situated on the southeasterly side of Loop Road in Wells, Maine, and being "**LOT 25**" as shown on Subdivision Plan, Brackett Estates, Loop Road, Wells, Maine," dated June 27, 2007, last revised March 24, 2009, recorded in the York County Registry of Deeds in Plan Book 337, Pages 14 and 15.

SUBJECT TO all matters shown or referenced on said Plan.

SUBJECT TO and TOGETHER WITH all matters set forth in "Declaration of Covenants, Conditions and Restrictions Pertaining to Brackett Estates; Establishment of Association and Maintenance Responsibilities" dated December 29, 2009, recorded in the York County Registry of Deeds ("YCRD") in Book 15971, Page 84, as amended by First Amendment dated November 1, 2011, recorded in YCRD Book 16201, Page 498 (**which amendment clarifies the obligation of lot owners to leave the stormwater buffers in their original state and recites the restriction on the Restricted Buffer Area to remain in its undeveloped state perpetually**) and Second Amendment dated March 27, 2012, recorded in YCRD Book 16302, Page 770.

SUBJECT TO a certain Department of Environmental Protection "Stormwater Management Law Natural Resource Protection Act Significant Vernal Pool Water Quality Certification Findings of Fact and Order" in the matter of William Brackett and Brackett Estates dated August 20, 2009, recorded in YCRD Book 15718, Page 252.

Being a portion of the property conveyed to MAINE BRACKETT HOMES, LLC by deed of WILLIAM R. BRACKETT, JR. BARBARA ZABEL, and GAIL M. CETTEI, duly appointed and acting Co-Personal Representatives of the ESTATE OF WILLIAM R. BRACKETT, dated October 20, 2015 and recorded in the York County Registry of Deeds in Book 17130, Page 459 and re-recorded at Book 17154, Page 851 to add Exhibit A to the deed which was inadvertently missing when it was first recorded.

ATTENTION REGISTER OF DEEDS
AFTER RECORDING RETURN TO:

Space above this line for Registry Use Only

DEED OF SALE BY PERSONAL REPRESENTATIVES

KNOW ALL BY THESE PRESENTS, THAT WE, WILLIAM R. BRACKETT, JR. BARBARA ZABEL, and GAIL M. CETTEI, duly appointed and acting Co-Personal Representatives of the ESTATE OF WILLIAM R. BRACKETT, deceased testate September 13, 2004, as shown by the probate records of Cumberland County, Maine, Docket No. 2005-0030 (all persons succeeding to an interest in said property having been given notice at least ten days prior to the sale pursuant to 18-A M.R.S.A. §3-711), by the power conferred by the Probate Code and every other power,

for consideration paid

GRANT TO JEFFERSON HOMES, INC. of 92 Portsmouth Avenue, Exeter, NH 03833

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN

IN WITNESS WHEREOF, the said WILLIAM R. BRACKETT, JR., BARBARA ZABEL, and GAIL M. CETTEI as Co-Personal Representatives of the Estate of William R. Brackett, have executed this instrument this 11 day of may, 2016.

MAINE REAL ESTATE
TRANSFER TAX PAID

ESTATE OF WILLIAM R. BRACKETT

BY [Signature]
WILLIAM R. BRACKETT, JR.
PERSONAL REPRESENTATIVE

[Signature: Ron J. Sege]
WITNESS

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, ss.

may 11, 2016

Personally appeared the above-named WILLIAM R. BRACKETT, JR., Co-Personal Representative of the ESTATE OF WILLIAM R. BRACKETT, and acknowledged the foregoing instrument to be his free act an deed in his said capacity.

Before me,

[Signature: Dominic Vrevich]
Notary Public/Attorney at Law
Print Name: Dominic Vrevich
Comm.Exp.: 2/20/20



ATTENTION REGISTER OF DEEDS
AFTER RECORDING RETURN TO:

Space above this line for Registry Use Only

DEED OF SALE BY PERSONAL REPRESENTATIVES

KNOW ALL BY THESE PRESENTS, THAT WE, WILLIAM R. BRACKETT, JR. BARBARA ZABEL, and GAIL M. CETTEI, duly appointed and acting Co-Personal Representatives of the ESTATE OF WILLIAM R. BRACKETT, deceased testate September 13, 2004, as shown by the probate records of Cumberland County, Maine, Docket No. 2005-0030 (all persons succeeding to an interest in said property having been given notice at least ten days prior to the sale pursuant to 18-A M.R.S.A. §3-711), by the power conferred by the Probate Code and every other power,

for consideration paid

GRANT TO JEFFERSON HOMES, INC. of 92 Portsmouth Avenue, Exeter, NH 03833

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN

IN WITNESS WHEREOF, the said WILLIAM R. BRACKETT, JR., BARBARA ZABEL, and GAIL M. CETTEI as Co-Personal Representatives of the Estate of William R. Brackett, have executed this instrument this 11 day of may, 2016.

Ron J. Sege
WITNESS

ESTATE OF WILLIAM R. BRACKETT
BY [Signature]
WILLIAM R. BRACKETT, JR.
PERSONAL REPRESENTATIVE

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, ss.

may 11, 2016

Personally appeared the above-named WILLIAM R. BRACKETT, JR., Co-Personal Representative of the ETATE OF WILLIAM R. BRACKETT, and acknowledged the foregoing instrument to be his free act an deed in his said capacity.

Before me,
[Signature]
Notary Public/Attorney at Law
Print Name: Dominic M. Vrevich
Comm. Exp.: 2/20/20



Mark Spill

WITNESS

BY:

Barbara Zabel

BARBARA ZABEL

PERSONAL REPRESENTATIVE

WITNESS

BY: Gail Cetti
GAIL M. CETTEI
PERSONAL REPRESENTATIVE

EXHIBIT A

A certain lot or parcel of land situated on the southeasterly side of Loop Road in Wells, Maine, and being "LOT 5," "LOT 8," "LOT 11," "LOT 18" and "LOT 24" as shown on Subdivision Plan, Brackett Estates, Loop Road, Wells, Maine," dated June 27, 2007, last revised March 24, 2009, recorded in the York County Registry of Deeds in Plan Book 337, Pages 14 and 15.

SUBJECT TO all matters shown or referenced on said Plan.

SUBJECT TO and TOGETHER WITH all matters set forth in "Declaration of Covenants, Conditions and Restrictions Pertaining to Brackett Estates; Establishment of Association and Maintenance Responsibilities" dated December 29, 2009, recorded in the York County Registry of Deeds ("YCRD") in Book 15971, Page 84, as amended by First Amendment dated November 1, 2011, recorded in YCRD Book 16201, Page 498 **(which amendment clarifies the obligation of lot owners to leave the stormwater buffers in their original state and recites the restriction on the Restricted Buffer Area to remain in its undeveloped state perpetually)** and Second Amendment dated March 27, 2012, recorded in YCRD Book 16302, Page 770.

SUBJECT TO a certain Department of Environmental Protection "Stormwater Management Law Natural Resource Protection Act Significant Vernal Pool Water Quality Certification Findings of Fact and Order" in the matter of William Brackett and Brackett Estates dated August 20, 2009, recorded in YCRD Book 15718, Page 252.

Being a portion of the property conveyed to William R. Brackett by deed of Frank H. Andrews et al. dated September 3, 1966, recorded in the York County Registry of Deeds in Book 1738, Page

