



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Agenda
Monday, February 27, 2017, 7:00 PM
Littlefield Meeting Room, Town Hall
208 Sanford Road

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

EXECUTIVE SESSION AT 6:00 PM – 6:50PM : CONSULTATIONS WITH THE TOWN ATTORNEY PURSUANT TO 1 M.R.S.A. §405(6)(E)

about the Boards' legal rights and duties regarding various proposed retroactive amendments to Chapter 145 (Land Use) of the Town Code, under both Sections 2.12.4 and 11.05(3)(b) of the Town Charter, regarding marijuana, enacting performance standards for and limiting the districts in which medical marijuana cultivation and processing facilities can be located, and clarifying that the definition of "agriculture" excludes marijuana.

CALL TO ORDER & DETERMINATION OF QUORUM FOR JOINT MEETING

JOINT PUBLIC HEARINGS & WORKSHOPS

I. JOINT PUBLIC HEARING BETWEEN THE BOARD OF SELECTMEN, PLANNING BOARD AND ZONING BOARD OF APPEALS TO CONSIDER AN AMENDMENT TO CHAPTER 145-10, PURSUANT TO §2.12(4) OF THE TOWN CHARTER, TO RETROACTIVELY AMEND THE DEFINITION OF "AGRICULTURE" TO EXCLUDE MARIJUANA GROWING, PRODUCTION, TESTING OR PROCESSING.

1. Open to public comment
2. Close to public comment
3. Workshop
 1. Boards to review and discuss proposed ordinance amendment and informational materials
 2. Zoning Board of Appeals to consider voting on if they concur that immediate action is required to amend the definition of "Agriculture" in the Land Use Ordinance as proposed.
 3. Planning Board to consider voting on if they concur that immediate action is required to amend the definition of "Agriculture" in the Land Use Ordinance as proposed.
 4. Board of Selectmen to consider the actions of the other Boards and consider voting to enact the proposed ordinance amendment as proposed.

DOCUMENTS:

[JOINT PH INFORMATION RE MARIJUANA 02-10-17.PDF](#)
[ORDINANCE TO AMEND DEF OF AGRICULTURE 2-15-17.PDF](#)

II. JOINT PUBLIC HEARING BETWEEN THE BOARD OF SELECTMEN AND PLANNING BOARD TO CONSIDER AN ORDINANCE AMENDMENT TO CHAPTER 145 (LAND USE) TO RETROACTIVELY REGULATE MEDICAL MARIJUANA CULTIVATION AND

PRODUCTION FACILITIES TO ALLOW ONLY WITHIN THE LIGHT INDUSTRIAL DISTRICT; TO ADOPT AND AMEND DEFINITIONS RELATED TO MARIJUANA; AND TO ADOPT PERFORMANCE STANDARDS FOR SAID FACILITIES.

1. [Open to public comment](#)
2. [Close to public comment](#)
3. [Workshop](#)
 1. Planning Board to review and discuss the proposed ordinance amendments.
 2. Planning Board to consider voting to make a recommendation to the Board of Selectmen to place the proposed amendments on the June 13, 2017 annual Town Meeting as written or with revisions.
 3. Board of Selectmen to review and discuss the proposed ordinance amendments and the Planning Board's recommendations.
 4. Board of Selectmen to consider voting to place the proposed amendments on the June 13, 2017 annual Town Meeting warrant as written or to revise the proposed amendments and continue the workshop to a future meeting.

DOCUMENTS:

[JOINT PH INFORMATION RE MARIJUANA 02-10-17.PDF](#)
[RETROACTIVE ORDINANCE MEDICAL MARIJUANA 2-15-17.PDF](#)

CALL TO ORDER & DETERMINATION OF QUORUM

MINUTES

I. JANUARY 23, 2017 DRAFT MEETING MINUTES

DOCUMENTS:

[PB MIN 01-23-17.PDF](#)

PUBLIC HEARING(S)

I. PRECISION TRANSMISSION

David R. Roy, owner/ applicant; Sebago Technics, agent. Site Plan Amendment Application to amend the prior site plan approval and construct a 4,050 SF building for Business Retail/ Service use and to increase lot coverage of the property. Existing uses to remain. The property is located within the Residential Commercial District and is located off of 809 Sanford Road. Tax Map 49, Lot 29-14.

DOCUMENTS:

[PB MEMO RE PRECISION TRANSMISSION AMEND PH 02-22-17.PDF](#)
[DLYONS EMAILS RE PRECISION TRANSMISSION BOUNDARY 02-15-17.PDF](#)

DEVELOPMENT REVIEW & WORKSHOPS

I. PRECISION TRANSMISSION

David R. Roy, owner/ applicant; Sebago Technics, agent. Site Plan Amendment Application to amend the prior site plan approval and construct a 4,050 SF building for Business Retail/ Service use and to increase lot coverage of the

property. Existing uses to remain. The property is located within the Residential Commercial District and is located off of 809 Sanford Road. Tax Map 49, Lot 29-14. **Workshop comments from Public Hearing and draft compliance/Findings of Fact & Decisions for possible approval**

DOCUMENTS:

[PRECISION TRANSMISSION AMEND APP MEMO 02-22-17.PDF](#)
[PRECISION TRANSMISSION AMD DRAFT COMPLIANCE AND FOF 02-22-17.PDF](#)
[PRECISION TRANSMISSION REV 02-09-17.PDF](#)
[PRECISION TRANSMISSION EMAIL FROM WAYNE VETRE RE FIRE SAFETY 02-10-17.PDF](#)
[DLYONS EMAILS RE PRECISION TRANSMISSION BOUNDARY 02-15-17.PDF](#)

II. HIDDEN COVE BREWERY

Fire & Brew Inc. owner; Richard Varano, applicant; Site Plan Amendment Application to construct a new 3,800 SF building for Business Wholesale use, to eliminate the Fast-Food Restaurant use and adjust the Standard Restaurant seating. The property is located off of 73 Mile Road within the General Business and 250' Shoreland Overlay District. Tax Map 121, Lot 14. **Workshop draft compliance/ Findings of Fact & Decisions for possible approval**

DOCUMENTS:

[HIDDEN COVE BREWERY AMEND APP MEMO 02-24-17.PDF](#)
[HIDDEN COVE LETTER 02-10-17.PDF](#)
[HIDDEN COVE BREWERY DRAFT FOF 02-24-17.PDF](#)
[HIDDEN COVE KKWWD EMAIL RE NEW LETTER HIDDEN COVE 02-23-17.PDF](#)
[HIDDEN COVE MARKUP 2-23-17.PDF](#)
[HIDDEN COVE FINAL REV 2-27-2017.PDF](#)

III. BRANCH BROOK ESTATES

Persis Ensor, Trustee of the Persis L. Ensor Revocable Trust, owner; Dogwood Circle, LLC, applicant; Kimball Survey & Design; surveyor; Nonesuch River Engineering, engineer. Final Subdivision Application for a 13 lot/dwelling unit residential cluster subdivision with designated Open Space and a private roadway with cul-de-sac. The parcel is located off of Wire Road and is within the Rural, Aquifer Protection and Shoreland Overlay Districts. Tax Map 74, Lot 2. **Receive Final Subdivision Application, workshop completeness, determine Final Public Hearing**

DOCUMENTS:

[BRANCH BROOK ESTATES FINAL SUB MEMO 02-07-17.PDF](#)
[BRANCH BROOK FINAL COMPLETENESS DRAFT 02-07-17.PDF](#)
[BRANCH BROOK ESTATES FINAL APP SUBMISSION 01-31-17.PDF](#)
[16007-FINAL-APP-COMPLETE.PDF](#)
[16007-PLAN-PROFILE-1-27-17.PDF](#)

IV. COULSON FARM SUBDIVISION

Sebago Real Estate Investment, LLC, owner/applicant. Attar Engineer Inc.

engineer; Corner Post Survey, surveyor. Final Subdivision Application for an 11 lot/dwelling unit residential cluster development with Open Space and a private roadway. The parcel is located off of 227 Branch Road and is within the Residential A, Resource Protection and Shoreland Overlay Districts. Tax Map 56, Lot 25. **Consider receiving the Final Subdivision Application and workshop final completeness**

DOCUMENTS:

[COULSON FARM FINAL SUB MEMO 02-23-17.PDF](#)
[COULSON FARM MGL PLAN REVIEW COMMENTS 02-24-17.PDF](#)
[COULSON FINAL COMPLETENESS DRAFT 02-24-17.PDF](#)
[PHOLLIS SUBMISSION ON 02-08-17.PDF](#)
[COULSON FARM DRAFT DEEDS 01-31-17.PDF](#)
[COULSON FARM FINAL PLAN DRAFT 01-31-17.PDF](#)
[COULSON FARM FINAL SUB APPLICATION SUBMISION 01-31-17.PDF](#)

V. DOLLAR GENERAL

LSM Inc. c/o Harold Boucher, owner; Zaremba Program Development, LLC, applicant; Nobis Engineering, agent. Site Plan Application for a 9,100 Business Retail building and associated parking to be located on a 2.06 acre parcel to be divided off of Map 144, Lot 1. Property is currently identified as being located off of 2060 Post Road and is within the General Business District. Tax Map 144, Lot 1. **Workshop draft completeness**

DOCUMENTS:

[DOLLAR GENERAL SITE PLAN APP MEMO 02-24-17.PDF](#)
[DOLLAR GENERAL BUILDING DESIGN MEMO 02-23-17.PDF](#)
[DOLLAR GENERAL ART V \(145-24\) MORATORIUM REVIEW 02-23-17.PDF](#)
[DRAINAGE MEMO 2-23-17.PDF](#)
[DOLLARGENERALCAPACITY-WSD.PDF](#)
[WATER AVAILABILITY_DOLLAR_GENERAL.PDF](#)
[WELLS ME - SELLER CONSENT LETTER REVISED - 02.07.17.PDF](#)
[J1167106 VRAP LSI 2060 POST ROAD WELLS ME.PDF](#)
[04_WELLSDOLLARGENTRAFFICRESP.PDF](#)
[03_SITE LIGHT POLE SPECIFICATIONS.PDF](#)
[05_2017-02-03 STORMWATER MANAGEMENT REPORT.PDF](#)
[06_2017-02-03 WELLS DG SITE PLAN SUBMITTAL SET.PDF](#)
[08_A2_EXTERIOR ELEVATIONS.PDF](#)

VI. SPRINGER LLC

David Springer, owner. Site Plan Amendment for as-built conditions of the existing Agriculture use building, parking, landscaping, fencing, and other site features. No change in use proposed; approval as a medical marijuana caregiving facility under the DHHS medical marijuana program. Parcel is located off of 14 Willie Hill Road and is within the Light Industrial District. Tax Map 40, Lot 3-14. **Receive Site Plan Amendment Application, determine if a site walk is necessary, Workshop draft completeness, determine if a public hearing is necessary, workshop draft compliance/ Findings of Fact & Decisions**

DOCUMENTS:

[SPRINGER LLC AMD MEMO 02-24-17.PDF](#)

RE AGRICULTURAL USE.PDF
SPRINGER LLC AMD ART V (145-28) LIGHT INDUSTRIAL DIST
CHECKLIST 02-22-17.PDF
SPRINGER LLC AMD ART VI (145-35 TO 145-47) TOWN REGS
CHECKLST 02-24-17.PDF
SPRINGER LLC AMD COMPLETENESS DRAFT 02-23-17.PDF
SPRINGER LLC AMD COMPLIANCE AND FOF DRAFT 02-22-17.PDF
SPRINGER AMD DRAFT PLAN 02-23-17.PDF
SPRINGER AMD DRAFT PLAN 01-30-17.PDF
SPRINGER AMD SUBMISSION APPLICATION 01-30-17.PDF

OTHER BUSINESS

I. WORKSHOP PRELIMINARY DRAFT OF RECREATIONAL MARIJUANA ORDINANCES AND SCHEDULE A PUBLIC HEARING FOR 3-20-17

DOCUMENTS:

[ORDINANCE TO PROHIBIT RETAIL MARIJUANA 2-15-17.PDF](#)

II. WORKSHOP DRAFT OF DESIGN STANDARDS ORDINANCE FOR ROUTE 1 AND CONTINUE WORKSHOP TO 3-6-17

DOCUMENTS:

[MGL MEMO RE DESIGN STANDARDS ORDINANCE CHANGES 02-10-
17.PDF](#)

III. WORKSHOP DRAFT OF PROPOSED ORDINANCE AMENDMENT TO CHANGE REFERENCES IN §145-62, §145-46 AND §145-55 FROM “USE PERMIT” TO AND “OCCUPANCY PERMIT” AND SCHEDULE A PUBLIC HEARING FOR 3-20-17

DOCUMENTS:

[ORDINANCE CHG MGL MEMO RE USE PERMITS FOR PB 02-9-17.PDF](#)
[CHAPTER 145 USE PERMITS.PDF](#)

IV. WORKSHOP DRAFT OF RESIDENTIAL COMMERCIAL DISTRICT ORDINANCE CHANGE TO ALLOW OUTSIDE BUSINESS USES WEST OF I-95 AND SCHEDULE A PUBLIC HEARING FOR 3-20-17

DOCUMENTS:

[ORDINANCE RC ZONE ENCLOSED STRUC DRAFT 02-21-17.PDF](#)

V. STAFF REVIEW COMMITTEE AGENDA

DOCUMENTS:

[01-31-17 SRC AGENDA.PDF](#)