



TOWN OF WELLS, MAINE PLANNING BOARD

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

CALL TO ORDER AND DETERMINATION OF QUORUM

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

MINUTES

February 22, 2016

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to approve the minutes as written.
PASSED 4-0-1 with Mr. Millian abstaining since he was not at the meeting.

PUBLIC HEARINGS

- I. **BURNT MILL ESTATES SITE PLAN** - Burnt Mill Holding Company, LLC, owner, William Bradley Booth, applicant; Hart Howerton & Corner Post Land Surveying, Inc, engineer/surveyor. Site Plan Application for permitted uses within portions of the Burnt Mill Estates Subdivision open space including an 18-hole Golf Course and Driving Range (Low-intensity commercial recreation use); a Kids Club, a Fitness Club with pool, a Golf Clubhouse with Event Barn, and Maintenance Buildings, sheds, restrooms and associated parking (Club use); and a Standard Restaurant use with the Golf Clubhouse are proposed. Parcels are located within the Rural & 75' Shoreland Overlay Districts and are off or in the vicinity of Hobbs Farm Road. Tax Map 62, Lots 12, and 13 and Map 63, Lot 7.

Brad Booth, applicant, and Tom Greer of Pinkham & Greer were present. Mr. Greer described the four areas of the project: #1 the club house, parking, and an event barn, #2 the kids' club, #3 the pool club and fitness center for residents and members, and #4 the maintenance facility with a small employee parking lot.

Mr. Livingston said the Planning Office received phone calls from Storer Lane residents with concerns about additional traffic and the absence of Storer Lane turn-around. Public comments

1 were solicited. There was a question about the restaurant at the golf course. The plan is for a 74
2 seat restaurant which will mainly serve the residents and club members. It might eventually be
3 open to the public.
4

5 **MOTION**

6 Motion by Mr. Goodrich, seconded by Mr. Raftopoulos, to close the public hearing. **PASSED**
7 unanimously.
8

9 **II. MILLBROOK FARM** – Kasprzak Landholdings, Inc. owner; Kasprzak Homes/ Robert
10 Georgitis, applicant; Sebago Technics, agent. Final Subdivision Application consisting of
11 70 dwelling units located within 35 duplex (two-family) buildings on land totaling 80.82
12 acres of which 60.69 acres to be dedicated as open space (Multifamily Development).
13 The major subdivision proposes roadways and shall be connected to public water and
14 public sewer. The subdivision is located within the Rural and 75' Shoreland Overlay
15 Districts and is located off of Willow Way/ Gateway Drive and Midway Drive. Tax Map
16 72, Lots 4B, 12 and 13.
17

18 Bob Georgitis of Kasprzak Landholdings and Owens McCullough of Sebago Technics were
19 present. Mr. Georgitis described the plan to construct 35 duplexes off of Gateway Drive. This is
20 the final phase of condominiums at Riverbend Woods. The plan is to start construction this year
21 and build the 3 phases at 2 years per phase. There is a requirement with Heron Landing to
22 complete paving that road by April 2018.
23

24 Public comments were solicited. There were concerns about traffic created by Heron Landing
25 and Millbrooke Farm, and a request to complete the connection from Gateway Drive to Midway
26 Drive as part of Phase 1. It would give Heron Landing another way of ingress and egress. The
27 estimated traffic rate was questioned, and residents have noticed increased traffic in summer.
28 There was a question about the amount of open space for each phase of the project. Safety along
29 Willow Way was a concern with the anticipated increase in traffic, since there is no guard rail
30 where the road drops off by the water. Willow Way is a Town road and safety concerns should
31 be brought to the Board of Selectmen and Road Commissioner. Some residents thought Willow
32 Way had been discontinued. Mr. Georgitis reviewed the open space on the plans. Up to 115
33 acres have been transferred to the Riverbend Woods Association. Willow Way has been
34 discontinued from the end as far as Pike Road and the rest is a Town road. The culvert may have
35 been replaced after a storm and it would be difficult to anchor a guard rail across it. Traffic
36 figures were based on the ITE manual and the estimate is .34 trips per peak hour. The utilities
37 have to be built as part of the road bed. DOT decisions are collective; they are not made by one
38 individual.
39

40 **MOTION**

41 Motion by Mr. Raftopoulos, seconded by Mr. Goodrich, to close the public hearing. **PASSED**
42 unanimously.
43

44 **III. PROPOSED ZONING ORDINANCE CHANGES FOR THE JUNE TOWN**
45 **MEETING**
46

1
2 **MOTION**

3 Motion by Mr. Goodrich, seconded by Mr. Raftopoulos, to close the public hearing. **PASSED**
4 unanimously.

- 5
6 4. **Reviewing Authority Chart** – An Ordinance to Amend Chapter 145 (Land Use)
7 of the Code of the Town of Wells to Revise Reviewing Authority Chart
8 references, to Amend the site plan expiration for discontinued use, to Add the
9 Planner to the Review and Approval Process, and to Amend Attachment 1, (the
10 Chart) to include the review of Minor Alterations, addition of Planner review, and
11 address land area versus lot coverage changes.
12
13

14 This change would add the Town Planner in addition to the Code Enforcement Officer to review
15 and approve minor site plan changes. If a use has been established for a commercial property and
16 then discontinued for 2 years, the site plan approval expires. This change would lengthen the
17 time period to 5 years. There were no questions or comments from members of the public.
18

19 **MOTION**

20 Motion by Mr. Goodrich, seconded by Mr. Sullivan, to close the public hearing. **PASSED**
21 unanimously.
22

23 **DEVELOPMENT REVIEW & WORKSHOPS**

- 24
25 I. **BURNT MILL ESTATES SITE PLAN** - Burnt Mill Holding Company, LLC, owner,
26 William Bradley Booth, applicant; Hart Howerton & Corner Post Land Surveying, Inc,
27 engineer/surveyor. Site Plan Application for permitted uses within portions of the Burnt
28 Mill Estates Subdivision open space including an 18-hole Golf Course and Driving
29 Range (Low-intensity commercial recreation use); a Kids Club, a Fitness Club with pool,
30 a Golf Clubhouse with Event Barn, and Maintenance Buildings, sheds, restrooms and
31 associated parking (Club use); and a Standard Restaurant use with the Golf Clubhouse
32 are proposed. Parcels are located within the Rural & 75' Shoreland Overlay Districts and
33 are off or in the vicinity of Hobbs Farm Road. Tax Map 62, Lots 12, and 13 and Map 63,
34 Lot 7. **Workshop draft compliance**
35

36 The recommendations in Mr. Livingston's memo were reviewed. Items 2.a.i.-vi. all deal with
37 landscaping in various areas of the project. The consensus was that the proposed landscaping is
38 satisfactory and one vote could be taken.
39

40 **MOTION**

41 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find the proposed landscaping
42 acceptable. **PASSED** unanimously.
43

44 **MOTION**

45 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find that the proposed screening for
46 the residential abutter next to the Fitness Club is acceptable. **PASSED** unanimously.
47

48 **MOTION**

1 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find that the proposed landscape buffer
2 for the driving range and the tree line are acceptable. **PASSED** unanimously.

3
4 The Planning Office has received the Fire Chief's letter. There is a recommendation to modify
5 Standard Condition of Approval #16 because of the project size and phasing; it would allow the
6 applicant to obtain certificates of occupancy before all the components are completed. The
7 phases were reviewed and no motion was necessary. Plan markups were reviewed.

8
9 **MOTION**

10 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to continue the workshop for 30 days.
11 **PASSED** unanimously.

12
13 **II. MILLBROOK FARM** – Kasprzak Landholdings, Inc. owner; Kasprzak Homes/ Robert
14 Georgitis, applicant; Sebago Technics, agent. Final Subdivision Application consisting of
15 70 dwelling units located within 35 duplex (two-family) buildings on land totaling 80.82
16 acres of which 60.69 acres to be dedicated as open space (Multifamily Development).
17 The major subdivision proposes roadways and shall be connected to public water and
18 public sewer. The subdivision is located within the Rural and 75' Shoreland Overlay
19 Districts and is located off of Willow Way/ Gateway Drive and Midway Drive. Tax Map
20 72, Lots 4B, 12 and 13. **Workshop draft compliance**

21
22 The recommendations in Mr. Livingston's memo were reviewed. The ordinance allows the
23 Planning Board to decide when the secondary access road should be constructed, and usually this
24 is tied to the occupancy permits. Mr. Georgitis said the road is open and being maintained and
25 plowed, but they haven't done the utilities and the paving yet. They don't want residents and
26 delivery trucks going into the construction site. There is a requirement to complete the road by 5
27 years from the recording of the Heron Landing plan; the completion date is April 2018. Mr.
28 Millian said the road is passable and the Board can't force the developer to do anything else now.
29 Mr. Georgitis said all the roads have a base coat and they plan to do the surface of Heron
30 Landing Drive this spring.

31
32 **MOTION**

33 Motion by Mr. Goodrich, seconded by Mr. Raftopoulos, to require the road to be constructed and
34 paved by April 18, 2018 as required in the Heron Landing approval. **PASSED** unanimously.
35 Traffic was discussed. The Board can ask for additional data or a study and determine the study
36 scope. MDOT does not require a traffic movement permit. The MDOT traffic engineer advised
37 Mr. Livingston that the demographic information provided by the applicant was satisfactory.
38 The Planning Office has received an opinion from the Town Attorney requesting more
39 information about ownership of the open space. Mr. Georgitis said Kasprzak retains control of
40 the open space and manages it until the project is completed. Ownership is in the name of the
41 association. Management of the open space is turned over to the association at the 75%
42 threshold. The boards of the associations would be involved in any decision to build a pedestrian
43 bridge across the river.

44
45 Proposed phasing of Millbrooke Farm was discussed. The first 10 units will be constructed at the
46 front of the parcel, the next 10 units in the middle and the remaining units at the rear. The base
47 pavement of the road will have to be in place before any unit is conveyed and an occupancy
48 permit is issued. Phasing will be tied to the performance guarantee.

1
2 **MOTION**

3 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to continue the workshop for 30 days.
4 **PASSED** unanimously.
5

6 **III. MOODY BEACH RV CAMPGROUND** – MHC Moody Beach, LLC, owner; Jason
7 Russo, applicant; Kirk Ball, PE agent. Site Plan Pre-Application to amend the site plan
8 for 71 RV sites, eliminate location of previously approved/ unconstructed RV sites, and
9 depict existing conditions of the property. The property is located within the General
10 Business & Rural Districts and is located off of 266 Post Road. Tax Map 19, Lot 8.
11 **Report results of Site Walk**
12

13 Jason Russo, owner’s representative, and Kirk Ball of Acheron International were present. Mr.
14 Livingston reviewed the results of the site walk which Mr. Anderson, Mr. Goodrich, Mr.
15 Sullivan and several abutters from The Forest attended. Sites 6, 7 and 8 are being relocated
16 farther away from The Forest. Some pedestrians use the woods road between the campground
17 and The Forest. Music sound levels were discussed, but the sound may be coming from events
18 at Seaglass Village and not from the campground. With the tree clearing at Wonder Mountain
19 several condominium units at The Forest are visible; vegetated screening or a fence were
20 considered if those units are within 200’ of the property line. Coverage in the Rural Zone is
21 capped at 20%. Providing a detail as-built plan to document the existing lot coverage was
22 discussed. There is no security fence between Wonder Mountain and the campground, and one
23 was discussed at the site walk. The Board doesn’t require one and can’t make Wonder Mountain
24 install one.
25

26 **IV. ELMWOOD RESORT** – Elmwood Condominium Association, owner; Scott DeFelice,
27 applicant. Site Plan Amendment Application to construct a new entry for the pool
28 building and for after-the-fact approval of various changes made since the 1990 site plan
29 approval. The property is located off of 1351 Post Road and is within the General
30 Business and 75’ Shoreland Overlay Districts. Tax Map 129, Lot 35. **Report results of**
31 **Site Walk**
32

33 Manager Scott DeFelice was present. Mr. Livingston reported on the site walk which Mr.
34 Sullivan and Mr. Anderson attended. The facility was well maintained and has good screening
35 along the property lines. The two steps will be removed to make room for the new entry to the
36 pool building. The changes made since the 1990 site plan approval were noted. The applicant
37 will continue working with the Planning Office on this application.
38

39 **V. SEAGLASS VILLAGE** – Village Developers, LLC, owners/ applicants. Attar
40 Engineering, Inc. agent. Site Plan Amendment #9 to eliminate the 60’ x 120’ all-purpose
41 court and replace with grass parking and remove 2 grass parking spaces near the office.
42 No other changes are proposed to this Lodging Facility. The property is located off of
43 Route One and Old County Road and is within the General Business, Rural and 75’
44 Shoreland Overlay Districts. The parcel is identified as Tax Map 19, Lot 31. **Workshop**
45 **Compliance and Findings of Fact & Decisions for possible approval**
46

47 Lew Chamberlain of Attar Engineering represented the applicant. The applicant proposes to
48 eliminate the all-purpose court and replace it with seasonal grass parking.

1
2 **MOTION**

3 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find the application compliant.
4 **PASSED** unanimously.
5

6 **MOTION**

7 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to approve the draft Findings of Facts &
8 Decisions with 16 standard conditions of approval and one special condition of approval, to
9 approve the site plan amendment, and to sign the plans and Findings at the end of the meeting.
10 **PASSED** unanimously.
11

- 12 **VI. WATERCREST CONDOMINIUMS** – Watercrest Condominium Association, owner;
13 Lynn Wood, applicant; Thomas Bullard, surveyor. Site Plan Amendment Application
14 seeking approval for existing Lodging Facility conditions and changes made since the
15 1997 site plan approval including 11 units and 1.5 acres added to the parcel after 1989
16 site plan approval; dumpster relocation; additional paved areas; changes to landscaping.
17 The parcel is located off of 1277 Post Road and is within the General Business District.
18 Tax Map 126, Lot 17. **Consider granting an extension**
19

20 The applicant has requested additional time to work on the site plan and note changes.
21

22 **MOTION**

23 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to grant a 60 day extension. **PASSED**
24 unanimously.
25

26 **VII. PROPOSED ZONING ORDINANCE CHANGES FOR THE JUNE TOWN**
27 **MEETING**

- 28 1. **Building Height** – An Ordinance to Amend Chapter 145 (Land Use) of the Code
29 of the Town of Wells to Revise the Maximum Building Height in the General
30 Business District for Municipal Facilities and Public Schools. **Review and**
31 **comment for Board of Selectmen**
32 2. **Code References Corrected** – An Ordinance to Amend Chapter 1 (General
33 Provisions), Chapter 91 (Building Construction), Chapter 116 (Floodplain
34 Management), Chapter 132 (Historic Preservation), Chapter 145 (Land Use),
35 Chapter 201 (Streets and Sidewalks), and Chapter 202 (Subdivision of Land) to
36 Revise all outdated references to Chapter 260 which is now Chapter 202, Chapter
37 174 which no longer exists, and Chapter 115 which is now Chapter 116. **Review**
38 **and comment for Board of Selectmen**
39 3. **Residential Cluster Developments** - An Ordinance to Amend Chapter 145 (Land
40 Use) of the Code of the Town of Wells to Revise the Performance Standards of
41 Residential Cluster Developments to allow an increase in lot coverage in the
42 Rural District from 20% to 40%, to no longer require the submission of a standard
43 nonclustered subdivision layout, and to Clarify that areas of a cluster subdivision
44 within an Aquifer Protection or Shoreland Overlay District shall be dedicated as
45 undeveloped Open Space. **Review and comment for Board of Selectmen**
46 4. **Reviewing Authority Chart** – An Ordinance to Amend Chapter 145 (Land Use)
47 of the Code of the Town of Wells to Revise Reviewing Authority Chart
48 references, to Amend the site plan expiration for discontinued use, to Add the

1 Planner to the Review and Approval Process, and to Amend Attachment 1, (the
2 Chart) to include the review of Minor Alterations, addition of Planner review, and
3 address land area versus lot coverage changes. **Review and comment for Board**
4 **of Selectmen**
5

6 The Board of Selectmen will hold a public hearing on the changes at their March 15 meeting.
7

8 **MOTION**

9 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to recommend approval of these changes
10 to the Selectmen. **PASSED** unanimously.
11

12 **OTHER BUSINESS**

13
14 ~SRC & CEO site plan reviews and approvals update:

15
16 Frills LLC field change: The Code Enforcement Officer and Town Planner approved a field
17 change to relocate some shrubs and trees.
18

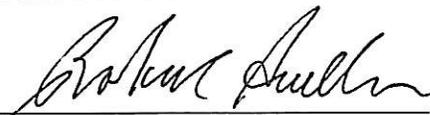
19 **ADJOURN**

20
21 **MOTION**

22 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to adjourn and sign plans and Findings.
23 **PASSED** unanimously.
24

25
26 MINUTES APPROVED March 21, 2016
27

28 ACCEPTED BY:

29
30 
31 _____
32 Robert Sullivan, Secretary

30 
31 _____
32 Cinni Davidson, Recorder