

APPROVED



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, March 21, 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, Pierce Cole and Charles Anderson. There is a quorum and all members are voting tonight. Staff present: Mike Livingston, Town Engineer/Planner and Meeting Recorder Cinndi Davidson.

MINUTES

March 7, 2016

MOTION

Motion by Mr. Raftopoulos, seconded by Mr. Anderson, to approve the minutes as written.
PASSED 5-0-1 with Mr. Cole abstaining since he was not at the meeting.

PUBLIC HEARINGS

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

Lew Chamberlain of Attar Engineering represented the applicant. This is an application for a 40 lot cluster subdivision on 100 acres of land off of Wire Road. There will be 70 acres reserved for open space. The lots will have individual wells and be served by a central septic system with 4 fields. Utilities will be underground. The stormwater plan review is underway. Buffering will be provided along Wire Road and for the residential abutter.

Public comments were solicited. There was a question about buffering for noise and headlights along Wire Road, and how the construction will be phased. Mr. Chamberlain reviewed the plan for buffering. The developer intends to start road construction later this summer. Ten houses will be built at a time. Mr. Millian said that construction cannot start before 7 AM. Additional buffering can be added if necessary. Mr. Goodrich said the abutters have a choice of vegetation or a stockade fence.

1 There was a question about the impact of 40 new wells on the water supply in the neighborhood,
2 and about the study for the septic system. Mr. Chamberlain discussed the results of the
3 hydrogeologic study. The aquifer was tested and the developer chose to have individual wells.
4 Plumes from the septic systems will end in the wetlands.

5
6 **MOTION**

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

9
10 **II. AVITA NURSING HOME & MEDICAL CLINIC** – Roy & Patricia Garvin; Penny
11 Freeman; and Shane & Pamela Maxon owners. Sandy River II, Inc. applicant; Sebago
12 Technics, agent. Site Plan Amendment Application to divide off 3.00 acres of the 10.7
13 acre parcel. Nursing Home/Medical Clinic to remain on 7.05 acres. The properties are
14 located off of 84 Sanford Road and Route One and are within the General Business and
15 Residential-Commercial Districts. Tax Map 129, Lot 16A, and Tax Map 134, Lot 18 and
16 73.

17
18 Mr. Cole recused himself. Will Conway of Sebago Technics represented the applicant. The
19 applicant had purchased approximately 10 acres and required only 7 acres to construct the
20 medical facility. The extra 3 acres will be divided off and sold as undeveloped land which
21 requires the construction of a private road for street frontage.

22
23 There were no questions or comments from members of the public.

24
25 **MOTION**

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

28
29 Mr. Cole returned to the Board.

30
31 **III. GRANTS PASTURE** – Gerald & Raylene Grant Living Trust, owners; Sebago Real
32 Estate Investment, LLC/ Paul Hollis, applicant; Attar Engineering, Inc. engineer.
33 Preliminary Subdivision Application for a 7 lot/dwelling unit residential cluster major
34 subdivision on 47 acres of land with 38.8 acres of open space proposed. Parcel is located
35 off of North Berwick Road and is within the Rural, 250' Shoreland Overlay, and
36 Resource Protection Districts. Tax Map 32, Lot 11.

37
38 Paul Hollis, applicant, and Lew Chamberlain of Attar Engineering were present. The proposal is
39 for a 7 unit residential cluster subdivision on a 47 acre parcel. The lots will have individual wells
40 and septic systems. A no cut buffer on the north side of the property will provide screening for
41 the residential abutter.

42
43 There were no questions or comments from members of the public.

44
45 **MOTION**

46 Motion by Mr. Raftopoulos, seconded by Mr. Cole, to close the public hearing. **PASSED**
47 unanimously.

1 **DEVELOPMENT REVIEW & WORKSHOPS**

- 2
- 3 I. **WIRE ROAD SUBDIVISION** – Highpine Properties, LLC, owner/applicant. Attar
4 Engineering, Inc. agent. Preliminary Subdivision Application for a major subdivision
5 consisting of 40 lots/ single family dwelling units on 100 acres of land (Residential
6 Cluster Development) with private roadways and infrastructure. The parcel is located off
7 of Wire Road and is within the Rural District. Tax Map 75, Lot 1. **Workshop public**
8 **comments and review Preliminary Findings of Fact & Decisions for possible**
9 **approval**

10

11 The recommendations in Mr. Livingston’s memo were reviewed. Residential cluster lots may
12 have 20’ setbacks from subdivision ROWs and 15’ setbacks from lot lines.

13

14 **MOTION**

15 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to allow the reduced setbacks. **PASSED**
16 unanimously.

17

18 Residential cluster lots may have 50’ of street frontage.

19

20 **MOTION**

21 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to allow the reduced street frontage.
22 **PASSED** unanimously.

23

24 The no cut buffers and sideline screening were discussed. The board may choose to do another
25 site walk focusing on these areas. Mr. Chamberlain and the applicant will work with the abutters
26 and resolve the question of fencing vs. vegetation prior to the final submission. Mr. Chamberlain
27 said a house to be built at the corner will block headlights from shining into one abutter’s house.
28 Tree cutting was discussed. Some pines may have to be removed. Hardwoods in the buffer area
29 will be preserved. Dead and dying trees in the buffer may be removed.

30

31 IF&W will review the vernal pool and turtle habitat studies. DEP was satisfied with the results of
32 the turtle habitat study. Mr. Livingston said there is no strong indicator to require a third party
33 review.

34

35 **MOTION**

36 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to find that a third party review is not
37 necessary. **PASSED** unanimously.

38

39 The draft Findings of Facts & Decisions were reviewed.

40

41 **MOTION**

42 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to approve the draft Preliminary Findings
43 with 3 standard conditions of approval and 1 special condition of approval. **PASSED**
44 unanimously.

- 45
- 46 II. **AVITA NURSING HOME & MEDICAL CLINIC** – Roy & Patricia Garvin; Penny
47 Freeman; and Shane & Pamela Maxon owners. Sandy River II, Inc. applicant; Sebago
48 Technics, agent. Site Plan Amendment Application to divide off 3.00 acres of the 10.7

1 acre parcel. Nursing Home/Medical Clinic to remain on 7.05 acres. The properties are
2 located off of 84 Sanford Road and Route One and are within the General Business and
3 Residential-Commercial Districts. Tax Map 129, Lot 16A, and Tax Map 134, Lot 18 and
4 73. **Workshop public comments and Findings of Fact & Decisions for possible**
5 **approval**

6
7 Mr. Cole recused himself. The recommendations in Mr. Livingston's memo were reviewed.

8
9 **MOTION**

10 Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to find that the previously approved
11 landscape buffering and screening remain acceptable. **PASSED** unanimously.

12
13 **MOTION**

14 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find the application compliant.
15 **PASSED** unanimously.

16
17 The draft Findings of Facts & Decisions were reviewed.

18
19 **MOTION**

20 Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to approve the draft Findings with 16
21 standard conditions of approval and 3 special conditions of approval, to approve the application
22 and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

23
24 Mr. Cole returned to the Board.

25
26 **III. GRANTS PASTURE** – Gerald & Raylene Grant Living Trust, owners; Sebago Real
27 Estate Investment, LLC/ Paul Hollis, applicant; Attar Engineering, Inc. engineer.
28 Preliminary Subdivision Application for a 7 lot/dwelling unit residential cluster major
29 subdivision on 47 acres of land with 38.8 acres of open space proposed. Parcel is located
30 off of North Berwick Road and is within the Rural, 250' Shoreland Overlay, and
31 Resource Protection Districts. Tax Map 32, Lot 11. **Workshop public comments and**
32 **review Preliminary Findings of Fact & Decisions for possible approval**

33
34 The recommendations in Mr. Livingston's memo were reviewed.

35
36 **MOTION**

37 Motion by Mr. Cole, seconded by Mr. Sullivan, to grant a waiver allowing the boundary plan to
38 have a 1" = 200' scale. **PASSED** unanimously.

39 All significant wetlands are in the open space and the development will be opposite the area used
40 as a deer wintering yard. The IF&W letter is pending.

41
42 **MOTION**

43 Motion by Mr. Sullivan, seconded by Mr. Anderson, to allow the IF&W letter to be included
44 with the final submission. **PASSED** unanimously.

45
46 The draft Findings of Facts & Decisions were reviewed.

1 **MOTION**

2 Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to approve the draft Preliminary Findings
3 with 3 standard conditions of approval and 2 special conditions of approval. **PASSED**
4 unanimously.

5
6 **IV. BURNT MILL ESTATES SITE PLAN** - Burnt Mill Holding Company, LLC, owner,
7 William Bradley Booth, applicant; Hart Howerton & Corner Post Land Surveying, Inc,
8 engineer/surveyor. Site Plan Application for permitted uses within portions of the Burnt
9 Mill Estates Subdivision open space including an 18-hole Golf Course and Driving
10 Range (Low-intensity commercial recreation use); a Kids Club, a Fitness Club with pool,
11 a Golf Clubhouse with Event Barn, and Maintenance Buildings, sheds, restrooms and
12 associated parking (Club use); and a Standard Restaurant use with the Golf Clubhouse
13 are proposed. Parcels are located within the Rural & 75' Shoreland Overlay Districts and
14 are off or in the vicinity of Hobbs Farm Road. Tax Map 62, Lots 12, and 13 and Map 63,
15 Lot 7. **Workshop compliance and Findings of Fact & Decisions for possible approval**

16
17 Brad Booth, applicant, and Tom Greer of Pinkham & Greer were present. The recommendations
18 in Mr. Livingston's memo were reviewed.

19
20 **MOTION**

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

23
24 The draft Findings of Facts & Decisions were reviewed.

25
26 **MOTION**

27 Motion by Mr. Raftopoulos, seconded by Mr. Cole, to approve the draft Findings with 16
28 standard conditions of approval and 7 special conditions of approval, to approve the application
29 and sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

30
31 **V. SPRINGER LLC** – David Springer, owner. Civil Consultants, engineer. Site Plan
32 Amendment Application to construct a 40' x 140' structure instead of the previously
33 approved 60' x 60' structure. Use to remain indoor Agriculture for the cultivation of
34 medical marijuana by Caregivers as regulated by the State of Maine. The property is
35 located off of 14 Willie Hill Road and is located within the Light Industrial District (no
36 Shoreland Overlay or Resource Protection based on survey located wetland from prior
37 site plan approval). Tax Map 40, Lot 3-14. **Receive Site Plan Amendment Application,**
38 **Determine if a Site Walk is necessary, and Workshop completeness if appropriate**

39
40 **MOTION**

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

43
44 Applicant David Springer presented his plan to enlarge the previously approved indoor
45 agricultural use building for the cultivation of medical marijuana. The cultivation would be done
46 by the caregivers and the building would not be a dispensary. The Planning Board had
47 previously approved the building for contractor use. The Town Attorney has provided a legal
48 opinion and the Code Enforcement Officer has approved the change of use. The Planning Board

1 conducted a site walk in 2012, which Mr. Anderson and Mr. Raftopoulos attended, as part of
2 the original site plan review and approval.

3
4 **MOTION**

5 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for another site
6 walk. **PASSED** unanimously.

7
8 The property is located in the Light Industrial Zone and there are no residential abutters. Mr.
9 Sullivan recommended postponing a decision on buffering until after the public hearing. The
10 CEO recommends a minimum of 6 parking spaces; the applicant is proposing 9 regular spaces
11 and 1 handicap space.

12
13 **MOTION**

14 Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the proposed parking is adequate for
15 the use. **PASSED** unanimously.

16
17 **MOTION**

18 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to find that a loading bay is not necessary.
19 **PASSED** unanimously.

20
21 Mr. Goodrich asked about a security camera. Mr. Springer said there will be one mounted on a
22 pole.

23
24 During the 2012 review the Board waived the requirement for a stormwater management plan.

25
26 **MOTION**

27 Motion by Mr. Cole, seconded by Mr. Raftopoulos, to waive the stormwater management plan.
28 **PASSED** unanimously.

29
30 **MOTION**

31 Motion by Mr. Anderson, seconded by Mr. Raftopoulos, to waive the requirement for an updated
32 boundary survey. **PASSED** unanimously.

33
34 The design of the new septic system will be submitted with the building permit application.
35 This is a low traffic use; the consensus of the Board was that a traffic study is not necessary.

36
37 **MOTION**

38 Motion by Mr. Raftopoulos, seconded by Mr. Cole, to appoint the Town Planner as completeness
39 agent and schedule a public hearing for April 4, 2016. **PASSED** unanimously.

40
41 **OTHER BUSINESS**

42
43 ~Comprehensive Plan Update Survey.

44
45 Mr. Livingston discussed the distribution of the survey. Paper copies are being mailed to
46 residents with Wells and Moody addresses or post office boxes. There will be an insert with
47 information about the survey when the tax bills are mailed next month. The survey can also be

1 completed by accessing the Town's web site. Paper copies and drop off boxes are located at
2 Town Hall, the Senior Center and the Library.

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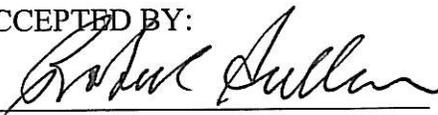
ADJOURN

MOTION

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

MINUTES APPROVED April 4, 2016

ACCEPTED BY:


Robert Sullivan, Secretary


Cinni Davidson, Recorder