

APPROVED



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, April 18, 2016, 7:00 P.M.
Wells Activity Center
113 Sanford Road

CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chairman George Raftopoulos called the meeting to order at 7:00 P.M. Members present: Robert Sullivan, Dennis Hardy 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

April 4, 2016

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the minutes as written. **PASSED** 2-0-2. Mr. Hardy and Mr. Raftopoulos abstained because they were not at the meeting.

DEVELOPMENT REVIEW & WORKSHOPS

- I. **MEETINGHOUSE ROAD SUBDIVISION** – Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Subdivision Pre-Application for a 13 lot/dwelling unit major residential cluster subdivision with private road ROW and Open Space. The subdivision to be located off of 1321 Meetinghouse Road and is within the Rural District. The parcel is identified as Tax Map 77, Lot 22. **Receive Subdivision Pre-Application and schedule a site walk**

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the subdivision pre-application. **PASSED** unanimously. Mr. Raftopoulos stated for the record that he is working with the applicant on a private project.

Rick Licht of Licht Environmental Design and applicant John Moody presented the plan for a 13 lot residential cluster subdivision near the intersection of Branch Road and Meetinghouse Road. A private road built to Town standards and ending in a cul-de-sac is proposed. The lots will be served by private wells and septic systems. There will be 22.5 acres of dedicated open space. Joe Noel has done a study of the vernal pools. The road was designed to avoid wetlands. Mr. Licht asked the Board to consider if the driveway for Lot 13 could come off Meetinghouse Road rather

1 than the private road to avoid the wetlands. Mr. Livingston noted that there is a house opposite
2 the intersection of the proposed road and Meetinghouse Road. The Board should note during the
3 site walk if there is a potential problem with headlights, and what screening should be required.
4

5 **MOTION**

6 Motion by Mr. Sullivan, seconded by Mr. Anderson, to schedule a site walk for Monday, April
7 25 at 5:30 PM. **PASSED** unanimously.
8

- 9 **II. PETTINGA SUBDIVISION** – Judith & Peter Pettinga, owners/applicants; Middle
10 Branch, LLC, surveyor. Minor Subdivision Amendment application proposes to divide
11 lot “C” in the Phyllis Foster Realty Trust Subdivision into two 2.3+ acre parcels. The
12 subdivision is located off of Burnt Mill Road and Branch Road and is within the Rural
13 District. Tax Map 63, Lot 29-A. **Receive Minor Subdivision Amendment Application**
14 **and schedule a site walk**
15

16 The applicant was not present.
17

18 **MOTION**

19 Motion by Mr. Sullivan, seconded by Mr. Anderson, to table this item to the end of the meeting.
20 **PASSED** unanimously.
21

- 22 **III. MILLBROOK FARM** – Kasprzak Landholdings, Inc. owner; Kasprzak Homes/ Robert
23 Georgitis, applicant; Sebago Technics, agent. Final Subdivision Application consisting of
24 70 dwelling units located within 35 duplex (two-family) buildings on land totaling 80.82
25 acres of which 60.69 acres to be dedicated as open space (Multifamily Development).
26 The major subdivision proposes roadways and shall be connected to public water and
27 public sewer. The subdivision is located within the Rural and 75’ Shoreland Overlay
28 Districts and is located off of Willow Way/ Gateway Drive and Midway Drive. Tax Map
29 72, Lots 4B, 12 and 13. **Workshop draft compliance and Final Findings of Fact &**
30 **Decisions for possible approval**
31

32 Bob Georgitis of Kasprzak Landholdings was present. Mr. Livingston reported on the results of
33 the meeting with the Town Attorney and applicant’s attorney to discuss the open space. An
34 amendment to the by-laws has been prepared and approved by all parties.
35

36 **MOTION**

37 Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the proposed open space
38 according to §202-12B, §202-12H(4) and §145-48. **PASSED** unanimously.
39

40 **MOTION**

41 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application compliant. **PASSED**
42 unanimously.
43

44 The Findings of Facts & Decisions were reviewed.
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1 Conformance with Comprehensive Plan
2 **MOTION**
3 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
4 **PASSED** unanimously.
5
6 Retention of open spaces and natural or historic features.
7 **MOTION**
8 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
9 **PASSED** unanimously.
10
11 Blocks
12 **MOTION**
13 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard does not apply.
14 **PASSED** unanimously.
15
16 Lots
17 **MOTION**
18 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
19 **PASSED** unanimously.
20
21 Utilities
22 **MOTION**
23 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
24 **PASSED** unanimously.
25
26 Required improvements (monuments, water supply, sewage disposal, stormwater management)
27 **MOTION**
28 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
29 **PASSED** unanimously.
30
31 Streets
32 **MOTION**
33 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
34 **PASSED** unanimously.
35
36 Land features
37 **MOTION**
38 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standard has been met.
39 **PASSED** unanimously.
40
41 §202-13 A-K Performance Guaranties
42 **MOTION**
43 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standards have been met.
44 **PASSED** unanimously.
45
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1 §202-2 A & B Purpose, criteria for approval

2 **MOTION**

3 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that the standards have been met.
4 **PASSED** unanimously.

5
6 §202-2 C & D do not apply to this application.

7 **MOTION**

8 Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Findings of Facts &
9 Decisions with 6 standard conditions of approval and 7 special conditions of approval, to
10 approve the plans, and sign the plans and Findings at the end of the meeting. **PASSED**
11 unanimously.

12
13 **IV. GRANTS PASTURE** – Gerald & Raylene Grant Living Trust, owners; Sebago Real
14 Estate Investment, LLC/ Paul Hollis, applicant; Attar Engineering, Inc. engineer. Final
15 Subdivision Application for a 7 lot/dwelling unit residential cluster major subdivision on
16 47 acres of land with 38.8 acres of open space proposed. Parcel is located off of North
17 Berwick Road and is within the Rural, 250' Shoreland Overlay, and Resource Protection
18 Districts. Tax Map 32, Lot 11. **Receive the Final Subdivision Application, workshop**
19 **completeness and determine a Final Public Hearing if appropriate**

20
21 Paul Hollis of Sebago Real Estate Investment LLC was present. Mr. Livingston reviewed the
22 status of the preliminary conditions of approval. The old well house and water line will be
23 removed as part of the road construction.

24
25 The final compliance items were reviewed. Mr. Hollis has met with Suburban Propane and the
26 fire pond will be repaired. The required capacity is 30,000 gallons. Mr. Hollis will be meeting
27 with the Fire Chief.

28
29 Completeness items were reviewed. Many of the missing items were provided on the latest set of
30 revised plans.

31
32 **MOTION**

33 Motion by Mr. Sullivan, seconded by Mr. Anderson, to appoint Mr. Livingston completeness
34 agent. **PASSED** unanimously.

35
36 Mr. Hollis requested a waiver of the final public hearing. The consensus of the Board was that a
37 public hearing should be held because of the size of this project.

38
39 **MOTION**

40 Motion by Mr. Hardy, seconded by Mr. Anderson, to hold a public hearing.

41
42 **MOTION**

43 Motion by Mr. Sullivan, seconded by Mr. Anderson, not to grant a waiver of the final public
44 hearing. **PASSED** unanimously.

1 V. **CHICK CROSSING SUBDIVISION** – Eric & Sherida Roubo, owners/applicants. Final
2 Subdivision Amendment Application to modify Lots 1 and 2 septic and well locations,
3 modify the building envelope of Lot, and eliminate a drainage easement on Lot 1. The
4 subdivision is located off of 469 Chick Crossing Road and is within the Rural, Aquifer
5 Protection District and 250' Shoreland Overlay District. Tax Map 82, Lot 6. **Receive the**
6 **Final Subdivision Amendment Application, determine if a site walk is needed,**
7 **workshop draft completeness**
8

9 Applicant Eric Roubo was present.

10 **MOTION**

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

13
14 Mr. Livingston reviewed the comments in his memo. After the subdivision was approved , the
15 owner decided that the drainage easement and septic location encumbered Lot 1. The applicant
16 wants to switch the locations of the well and septic, and eliminate the drainage easement. A
17 culvert will be eliminated and there will be some regrading. The cutting limit will be changed
18 slightly on Lot 1. Mr. Anderson asked if the Fire Chief's concerns have been addressed. Mr.
19 Livingston said they were resolved during the original approval by paving a steep stretch of road
20 and adding a guard rail.

21
22 **MOTION**

23 Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the site walk. **PASSED**
24 unanimously.

25
26 The septic systems for Lots 1 & 2 are at a distance from Branch Brook. The consensus of the
27 Board was that Mr. Livingston should notify the KKWWD about the proposed change.

28
29 **MOTION**

30 Motion by Mr. Sullivan, seconded by Mr. Anderson, to reaffirm the waiver for delineating the
31 wetland because of the "Limit of No Disturbance." There will be a change of about 5' in one
32 small area. **PASSED** unanimously.

33
34 **MOTION**

35 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find that an updated hydrogeologic
36 assessment is not needed. **PASSED** unanimously.

37
38 The turn-T on Lot 2 will be relocated if the Fire Chief approves. A note has been added to the
39 plan.

40
41 **MOTION**

42 Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the public hearing. **PASSED**
43 unanimously.

44
45 **MOTION**

46 Motion by Mr. Sullivan, seconded by Mr. Anderson, to continue the workshop to May 2 for final
47 approval. **PASSED** unanimously.

1 VI. RIVERWALK SUBDIVISION - Bourne Field Properties, LLC, owner, Rick Licht,
2 applicant, Lower Village Survey Co, surveyor. Final Subdivision Amendment
3 Application to amend note 39 to allow for 6,000 SF of impervious area per lot instated of
4 5,000 SF of impervious area per lot. The subdivision is located off of Branch Road and is
5 within the Rural and 75' Shoreland Overlay Districts. Tax Map 70, Lot 5. Receive the
6 Final Subdivision Amendment Application, determine if a site walk is needed,
7 workshop draft completeness and compliance, determine if a public hearing is
8 needed
9

10 Mr. Raftopoulos noted that he is doing business with the applicant and will recuse himself in the
11 future.

12
13 Rick Licht of Licht Environmental Design and John Moody of Bourne Field Properties were
14 present.

15
16 MOTION

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

19
20 This application is to amend the language of Note 39 regarding pervious and impervious areas
21 and lot coverage. The applicant has found that the 5,000 sq. ft. limitation on impervious area is
22 hard to work with. The proposal is to change the 5,000 sq. ft. to 6,000 sq. ft. DEP has approved
23 the change. Mr. Hardy asked if the roads and drainage system will change. Stormwater will be
24 adequately treated.

25
26 MOTION

27 Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the site walk. **PASSED**
28 unanimously.

29
30 MOTION

31 Motion by Mr. Sullivan, seconded by Mr. Anderson, to schedule a public hearing for May 2.
32 **PASSED** unanimously.

33
34 VII. COMPASS POINTE SITE & SUBDIVISION – Seal Harbor, LLC, owner/applicant;
35 Attar Engineering Inc. agent. Site Plan and Final Subdivision Amendment Application to
36 relocate a sewer pump station. No change of use or to the number of hotel/motel units or
37 dwelling units proposed. The parcel is located off of 45 Post Road and is within the
38 General Business, Residential A and Shoreland Overlay Districts. Tax Map 105, Lot 159.
39 Receive the Site Plan Amendment and Final Subdivision Amendment Application,
40 determine if a site walk is needed, workshop draft completeness and compliance,
41 determine if a public hearing is needed
42

43 Applicant Mark Gallagher was present.

44
45 MOTION

46 Motion by Mr. Sullivan, seconded by Mr. Anderson, to receive the site plan amendment
47 application. **PASSED** unanimously.

1 **MOTION**

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

4
5 Mr. Livingston said this amendment proposes to relocate the sewer pump station away from the
6 CMP lines. It will be 30' underground at the end of the Fire Department's turn-around and there
7 will be no noise. A site walk was considered. Mr. Anderson said this is the Board's last
8 opportunity for a site walk. Mr. Sullivan said a public hearing is a more formal opportunity for
9 the public, and the same people would be notified.

10
11 **MOTION**

12 Motion by Mr. Sullivan, seconded by Mr. Hardy, to waive the site walk. **PASSED** 3-1 with Mr.
13 Anderson opposed.

14
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16 **MOTION**

17 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the application complete. **PASSED**
18 unanimously.

19
20 A new letter from the WSD is needed for compliance. Ken Wood of Attar Engineering has met
21 with the new superintendent of the Sewer District.

22
23 **MOTION**

24 Motion by Mr. Sullivan, seconded by Mr. Anderson, to appoint Mr. Livingston completeness
25 agent and schedule a public hearing for May 2. **PASSED** unanimously.

26
27 **VIII. PETTINGA SUBDIVISION** – Judith & Peter Pettinga, owners/applicants; Middle
28 Branch, LLC, surveyor. Minor Subdivision Amendment application proposes to divide
29 lot "C" in the Phyllis Foster Realty Trust Subdivision into two 2.3+ acre parcels. The
30 subdivision is located off of Burnt Mill Road and Branch Road and is within the Rural
31 District. Tax Map 63, Lot 29-A. **Receive Minor Subdivision Amendment Application**
32 **and schedule a site walk**

33
34 **MOTION**

35 Motion by Mr. Anderson, seconded by Mr. Sullivan, to reschedule this item to the next meeting
36 since the applicant was not present. **PASSED** unanimously.

37
38 **OTHER BUSINESS**

39
40 ~The Staff Review Committee met on April 12. Four site plan amendment applications were
41 received and workshopped. One site plan amendment application was reviewed for the Planning
42 Board.

43
44 **ADJOURN**

45
46 **MOTION**

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

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MINUTES APPROVED May 2, 2016

ACCEPTED BY:


Robert Sullivan, Secretary


Cinni Davidson, Recorder