

**APPROVED**



# TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes  
Monday, May 16, 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: Rick Goodrich, Robert Sullivan, George Raftopoulos, 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 Cinndi Davidson.

## **MINUTES**

May 2, 2016

### **MOTION**

Motion by Mr. Goodrich, seconded by Mr. Sullivan, to approve the minutes as amended. **PASSED** 5-0-1 with Mr. Raftopoulos abstaining because he was not at the meeting.

## **PUBLIC HEARINGS**

- I. **COMPASS POINTE SITE & SUBDIVISION** – Seal Harbor, LLC, owner/applicant; Attar Engineering Inc. agent. Site Plan and Final Subdivision Amendment Application to relocate a sewer pump station. No change of use or to the number of hotel/motel units or dwelling units proposed. The parcel is located off of 45 Post Road and is within the General Business, Residential A and Shoreland Overlay Districts. Tax Map 105, Lot 159.

Applicant Mark Gallagher presented the plan to relocate the subsurface sewer pump station. The Association wants to have curbside pick-up and the dumpster is being removed. There were no questions or comments from members of the public.

### **MOTION**

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

## **DEVELOPMENT REVIEW & WORKSHOPS**

- I. **HOLLIS SUBDIVISION** – IPAGuillemette Living Trust & Nelson and Barbara Welch, owners; Sebago Real Estate Investment LLC, applicant; Corner Post Land Surveying Inc,

1 engineer. Subdivision Pre-Application for a 4 lot/dwelling unit minor subdivision on 9.22  
2 acres of land (8.39 acres Guillemette + .83 acres Welch) off of Crediford Road/ Sanford  
3 Road. The parcel is located in the Rural District and is identified as Tax Map 49, Lot 11.  
4 **Receive Subdivision Pre-Application and schedule a Site Walk**

5  
6 **MOTION**

7 Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to receive the subdivision pre-  
8 application. **PASSED** unanimously.

9  
10 Applicant Paul Hollis presented the plan for a 4 lot subdivision off of Crediford Road. The  
11 subdivision will have on-site wells and septic systems.

12  
13 **MOTION**

14 Motion by Mr. Raftopoulos, seconded by Mr. Sullivan, to schedule a site walk for Monday, May  
15 23 at 5:30 PM. **PASSED** unanimously.

16  
17 **II. COMPASS POINTE SITE & SUBDIVISION** – Seal Harbor, LLC, owner/applicant;  
18 Attar Engineering Inc. agent. Site Plan and Final Subdivision Amendment Application to  
19 relocate a sewer pump station. No change of use or to the number of hotel/motel units or  
20 dwelling units proposed. The parcel is located off of 45 Post Road and is within the  
21 General Business, Residential A and Shoreland Overlay Districts. Tax Map 105, Lot 159.  
22 **Workshop Site Plan and Subdivision compliance and Findings of Fact & Decisions**  
23 **for possible approval**

24  
25 Mr. Livingston reviewed the comments in his memo. The Wells Sanitary District finds the new  
26 location of the pump station acceptable.

27  
28 **MOTION**

29 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find the site plan amendment  
30 compliant. **PASSED** unanimously.

31  
32 **MOTION**

33 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find the subdivision amendment  
34 compliant. **PASSED** unanimously.

35  
36 **MOTION**

37 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve and sign the site plan Findings of  
38 Facts & Decisions. **PASSED** unanimously.

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40 **MOTION**

41 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to approve and sign the subdivision  
42 Findings of Facts & Decisions. **PASSED** unanimously.

43  
44 **MOTION**

45 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve and sign the site  
46 plan/subdivision plan at the end of the meeting. **PASSED** unanimously.

1 **III. PETTINGA SUBDIVISION** – Judith & Peter Pettinga, owners/applicants; Middle  
2 Branch, LLC, surveyor. Minor Subdivision Amendment application proposes to divide  
3 lot “C” in the Phyllis Foster Realty Trust Subdivision into two 2.3+ acre parcels. The  
4 subdivision is located off of Burnt Mill Road and Branch Road and is within the Rural  
5 District. Tax Map 63, Lot 29-A. **Report Results of the Site Walk, workshop**  
6 **completeness, determine a public hearing, workshop compliance if appropriate**  
7

8 Applicants Judy and Peter Pettinga were present. Mr. Livingston reviewed the results of the site  
9 walk which Mr. Hardy and Mr. Anderson attended. Sight distances along Burnt Mill Road are  
10 excellent. There are no wetlands on the property. The existing house has historical significance  
11 and will remain; there is a good location for a potential house on the proposed lot. There are no  
12 special habitat areas on the recently published map.

13  
14 **MOTION**

15 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for a letter from  
16 IF&W. **PASSED** unanimously.

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18 **MOTION**

19 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find that shared driveways are not  
20 required. **PASSED** unanimously.

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22 **MOTION**

23 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find that the proposed driveway off of  
24 Burnt Mill Road is permitted. **PASSED** unanimously.

25  
26 Monumentation was reviewed. A granite bound is required at the corner of Branch Road and  
27 Burnt Mill Road; iron rods are acceptable for the other monumentation.

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29 **MOTION**

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

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33 **MOTION**

34 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for on-site fire  
35 protection since the Town fire pond/hydrant provides adequate protection. **PASSED**  
36 unanimously.

37  
38 **MOTION**

39 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for a  
40 stormwater management plan since there will be no road construction. **PASSED** unanimously.

41  
42 **MOTION**

43 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for a hydrologic  
44 study and groundwater nitrate analysis. **PASSED** unanimously.

45  
46 **MOTION**

47 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to find that performance guarantees for  
48 the proposed lot are not required. **PASSED** unanimously.

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2 **MOTION**

3 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to appoint Mr. Livingston completeness  
4 agent. **PASSED** unanimously.

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6 **MOTION**

7 Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the requirement for a public  
8 hearing. **PASSED** unanimously.

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10 **MOTION**

11 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to continue the workshop to the next  
12 meeting. **PASSED** unanimously.

- 13  
14 **IV. GRANITE RIDGE GRAVEL** – Pepin Wells, LLC/ Stonewood Enterprises, LLC;  
15 owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment  
16 Application to revise the mineral extraction buffer limits and expand the mineral  
17 extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel.  
18 The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map  
19 37, Lot 41. **Report Results of the Site Walk, workshop completeness if appropriate**

20  
21 Mr. Raftopoulos recused himself because of a business relationship with the applicant.  
22 Applicant Matthew Pepin was present. Mr. Livingston reported on the results of tonight’s site  
23 walk which Mr. Hardy, Mr. Sullivan, Mr. Goodrich, Mr. Raftopoulos, Mr. Anderson and 5  
24 abutters attended. The agreement with the abutters is recorded at the Registry and has a June 1  
25 deadline. The consensus was that the owner should be allowed to start the clean-up and  
26 reclamation. There will be a bond and timetable for the reclamation. Mr. Livingston said the  
27 original excavation that happened last year was in violation of the site plan. The Code Office is  
28 allowing the reclamation to proceed for safety reasons because of the steep drop-off. Mr. Pepin  
29 asked if they can enter the site and remove material before final approval since the construction  
30 season is underway. Mr. Livingston said it would be limited to the areas that are in violation and  
31 being reclaimed. The original approval covers a portion of the pit. Mr. Goodrich recommended  
32 working with the applicant since he is making a good faith effort to reclaim the property. The  
33 consensus was that the Planning Board should recommend to the Code Office that the work  
34 should be allowed to continue. The Board will set parameters for the performance guaranty as  
35 part of the final approval, with the details to be worked out by Mr. Livingston, the Town  
36 Manager and the applicant. The applicant provided an updated set of plans tonight.

37  
38 **MOTION**

39 Motion by Mr. Goodrich, seconded by Mr. Sullivan, to continue the workshop to the June 6  
40 meeting. **PASSED** unanimously.

41  
42 Mr. Raftopoulos returned to the Board.

- 43  
44 **V. WATERCREST CONDOMINIUM** - Watercrest Condominium Association, owner;  
45 Lynn Wood, applicant; Thomas Bullard, surveyor. Site Plan Amendment Application  
46 seeking approval for existing Lodging Facility conditions and changes made since the  
47 1997 site plan approval including 11 units and 1.5 acres added to the parcel after 1989  
48 site plan approval; dumpster relocation; additional paved areas; changes to landscaping.

1 The parcel is located off of 1277 Post Road and is within the General Business District.  
2 Tax Map 126, Lot 17. **Workshop compliance and Findings of Fact & Decisions for**  
3 **possible approval**  
4

5 Lynn Wood, President of the Condominium Association, was present. The lodging facility  
6 buffers have been reviewed and approved since they are grandfathered. The multifamily  
7 development buffers can also be grandfathered if the plantings approved in 1989 are followed.  
8

9 **MOTION**

10 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find that the non-conforming buffer is  
11 grandfathered and that planting the required 1989 buffer is sufficient. **PASSED** unanimously.  
12

13 **MOTION**

14 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to note on the plan that the 1989 landscaped  
15 buffer will be installed no later than May 1, 2017. **PASSED** unanimously.  
16

17 **MOTION**

18 Motion by Mr. Goodrich, seconded by Mr. Sullivan, to determine that the parking lot re-striping  
19 shall occur no later than May 1, 2017. **PASSED** unanimously.  
20

21 The Code Office has researched the history of Unit 135. Two motel units had been merged into  
22 one cottage and never received site plan approval for the change of use. There are building  
23 permits on file from 2004 and 2008 for that unit which recognized it as a housekeeping cottage.  
24 The current application acknowledges the change in use and it is referenced in the use note.  
25

26 **MOTION**

27 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find that a stormwater management plan  
28 is not required since there are no physical changes to the property. **PASSED** unanimously.  
29

30 **MOTION**

31 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to find the application compliant with §145-  
32 75. **PASSED** unanimously.  
33

34 **MOTION**

35 Motion by Mr. Sullivan, seconded by Mr. Goodrich, to approve the Findings of Facts &  
36 Decisions §A-N, to approve the plan and to sign the Findings and site plan at the end of the  
37 meeting. **PASSED** unanimously.  
38

39 **OTHER BUSINESS**  
40

41 ~SRC and CEO site plan reviews and approvals update: The May 10 SRC agenda is in tonight's  
42 packets. The site plan amendment for Fire & Brew is a change in use to reduce the restaurant  
43 area and add a brewery and lunch truck. No physical changes to the property are planned.  
44

45 ~Mr. Livingston inspected the proposed culvert for Quail Run subdivision and found it  
46 satisfactory.  
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48 ~Mr. Livingston approved a modification to the mailbox area driveway at Brackett Estates.

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~Mr. Millian asked about the detention pond at Wonder Mountain near the go-kart track, since the water seems very high. Mr. Livingston said it is operating properly and currently is about 6' deep. The pond fills when it rains and there are two overflow devices. Mr. Millian recommended a fence. Mr. Livingston will contact the owner.

~Construction is about to begin on the car wash at Hannaford Plaza.

**ADJOURN**

**MOTION**

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

MINUTES APPROVED June 6, 2016

ACCEPTED BY:

Robert Sullivan  
Robert Sullivan, Secretary

Cinndi Davidson  
Cinndi Davidson, Recorder