



# TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes  
Monday, July 25, 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: George Raftopoulos, Dennis Hardy, Brian Toomey, 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 Cinndi Davidson.

## MINUTES

July 11, 2016

### **MOTION**

Motion by Mr. Anderson, seconded by Mr. Raftopoulos, to approve the minutes as written.  
**PASSED 4-0-2** with Mr. Sullivan and Mr. Hardy abstaining.

## PUBLIC HEARING

- I. **GRANITE RIDGE GRAVEL** – Pepin Wells, LLC/ Stonewood Enterprises, LLC; owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment Application to revise the mineral extraction buffer limits and expand the mineral extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel. The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map 37, Lot 41.

Mr. Raftopoulos recused himself.

Applicant Matthew Pepin presented the company's plan to expand the mineral extraction area and revise the buffer line. They plan to bring in a jaw crusher and remove about 1,000 yds. of material to build the road on site for a future subdivision development.

Public comment was solicited. The abutters and applicant had agreed to a 100' buffer which has been removed. The large trees have been removed and saplings planted. There are concerns about noise, additional disturbance on the site and the impact on wildlife. There is a whip-poor-will in an area scheduled to be cleared; it is expected to migrate by August. The owner plans to

PB Min 07-25-16

1 have the site cleaned up this fall. The Code Office received some e-mails about operating  
2 equipment before 7 AM, which the owner resolved.

3  
4 **MOTION**

5 Motion by Mr. Sullivan, seconded by Mr. Anderson, to close the public hearing. **PASSED**  
6 unanimously by those voting. Mr. Raftopoulos returned to the Board.

7  
8 **DEVELOPMENT REVIEW & WORKSHOPS**

- 9  
10 **I. SHERWOOD FOREST** – Richard B. Seiden, owner; Verrill Dana, LLP, agent, John  
11 Swan of Owen Haskell, engineer. Final Subdivision Amendment to adjust the lot line  
12 shared by lots 23-A-6 and 23-A-8 within the existing subdivision. The properties are  
13 located off of Locksley Lane and are within the Residential A District. Tax Map 25, Lots  
14 23-A-6 and 23-A-8. **Workshop compliance/ Findings of Fact & Decisions for possible**  
15 **approval**

16  
17 Spencer Thibodeau of Verrill Dana represented the applicant. Mr. Livingston discussed the  
18 items in his memo. The well location has been added to the plan, and monumentation will be set  
19 within 90 days of approval. The Findings of Facts & Decisions §202-12 A-H, §202-13 and §202-  
20 2 were reviewed.

21  
22 **MOTION**

23 Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Findings of Facts &  
24 Decisions with 6 standard conditions of approval and 2 special conditions of approval, to  
25 approve the plan, and sign the plans and Findings at the end of the meeting. **PASSED**  
26 unanimously.

- 27  
28 **II. COULSON FARM SUBDIVISION** – Sebago Real Estate Investment LLC, applicant;  
29 David & Patricia Coulson, owners. Corner Post Land Surveying, surveyor. Subdivision  
30 Pre-Application for a 11 lot/dwelling unit residential cluster major subdivision with  
31 private roadway and open space. Parcel is located within the Residential A, 250'  
32 Shoreland Overlay, and Resource Protection Districts. Parcel is located off of 227 Branch  
33 Road and is identified as Tax Map 56, Lot 25. **Receive Subdivision Pre-Application**  
34 **and schedule a site walk**

35  
36 **MOTION**

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

39  
40 Applicant Paul Hollis discussed the plan for an 11 lot residential cluster subdivision. The  
41 existing house on the property has been sold and 13 acres remain for the subdivision. There will  
42 be individual wells and septic systems. There will be a 60' ROW and 850' roadway ending in a  
43 cul-de-sac. Approximately 50% of the property will be left as open space. There is ledge on the  
44 property and Mr. Hollis said he will do whatever blasting is needed. He agreed to test the  
45 abutters' wells before the blasting and consult with a hydrogeologist.

46  
47 Mr. Livingston reviewed the comments in his memo. The homeowners' association will be  
48 responsible for managing and maintaining the private road and open space.



1 Mr. Raftopoulos returned to the Board.

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

10 Howard Hall, applicant, and Ken Wood of Attar Engineering were present. StoneHill  
11 Environmental provided a peer review of the hydrogeologic study and concurred with the  
12 analysis done by the applicant's engineer.

13  
14 **MOTION**

15 Motion by Mr. Sullivan, seconded by Mr. Anderson, to accept the third party hydrogeologic  
16 review of the water supply. **PASSED** unanimously.

17  
18 Sample deeds referring to HOA membership and driveway locations are pending. A sample  
19 conveyance to the Town for access to the fire pond is still pending.

20  
21 E-mails were received from an abutter concerning screening and the fence height. There is a 50'  
22 no cut zone requirement for a cluster subdivision. Photos taken last winter show thick  
23 vegetation. Mr. Hall said that locating the fence 50' from the property line would cut into the  
24 subdivision's open space. He would agree to an 8' high fence located 5' from the line. The  
25 Board wanted to keep the fence as close to the property line as possible and preserve the 50' no  
26 cut zone.

27  
28 **MOTION**

29 Motion by Mr. Hardy, seconded by Mr. Sullivan, to require an 8' solid fence (either wood or  
30 vinyl) located 5' from the property line as shown on the plan. **PASSED** unanimously.

31  
32 The 25' no cut buffer on the south side was considered. The fire pond will be on that side. The  
33 abutter has lawn and driveway on that side. No fence is proposed.

34  
35 **MOTION**

36 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to approve the 25' no cut buffer.  
37 **PASSED** unanimously.

38  
39 Coverage in the open space was discussed. A small structure such as a garden shed is allowed.  
40 Performance guaranties and phasing were considered. Mr. Wood read the proposed Note 12.

41  
42 **MOTION**

43 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to approve Note 12. **PASSED**  
44 unanimously.

45  
46 **MOTION**

47 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to allow phasing. **PASSED** unanimously.  
48

1 **MOTION**

2 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to continue the workshop for 60 days.  
3 **PASSED** unanimously.

4  
5 **V. ELMWOOD RESORT** - Elmwood Condominium Association, owner; Scott DeFelice,  
6 applicant. Site Plan Amendment Application to construct a new entry for the pool  
7 building and for after-the-fact approval of various changes made since the 1990 site plan  
8 approval. The property is located off of 1351 Post Road and is within the General  
9 Business and 75' Shoreland Overlay Districts. Tax Map 129, Lot 35. **Workshop**  
10 **completeness and determine a Public Hearing**

11  
12 The applicant was not present. Mr. Livingston reviewed the status of the application.

13  
14 **MOTION**

15 Motion by Mr. Sullivan, seconded by Mr. Raftopoulos, to waive the requirement for a public  
16 hearing and continue the workshop for 60 days. **PASSED** unanimously.

17  
18 **OTHER BUSINESS**

19  
20 ~Sunrise Terrace Subdivision-Null & Void

21  
22 Tim Darling was present. The Board approved the subdivision in 2009 and the escrow fund was  
23 recently refunded to the applicant. The Board is now being asked to consider if the subdivision  
24 is null and void, as substantial construction has not taken place within 5 years of approval. Mr.  
25 Darling discussed the construction that was done on the sewer line and relocating the ROW. Mr.  
26 Livingston said the code requires a "substantial start" but doesn't define it. Mr. Livingston will  
27 do a site walk with Mr. Darling and report back to the Board. Mr. Millian said there has been  
28 activity on the site, and the Town should work with the estate toward completion of the project.

29  
30 ~The SRC agenda for July 19 was reviewed.

31  
32 ~An ordinance change proposed for the November ballot deals with residential/ commercial  
33 outdoor sales. The Planning Board will workshop it and make a recommendation to the  
34 Selectmen.

35  
36 **ADJOURN**

37  
38 **MOTION**

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

41  
42 MINUTES APPROVED August 8, 2016

43  
44 ACCEPTED BY:

45  
46   
47 \_\_\_\_\_  
48 Robert Sullivan, Secretary

45  
46   
47 \_\_\_\_\_  
48 Cindi Davidson, Recorder