APPROVED

TOWN OF WELLS, MAINE
PLANNING BOARD

Meeting Minutes
Monday, August 8, 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: Dennis Hardy, Brian Toomey, 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

July 25, 2016

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the minutes as written. **PASSED** 5-0-1 with Mr. Cole abstaining.

PUBLIC HEARING

I. **MEETINGHOUSE ROAD SUBDIVISION** – Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Preliminary Subdivision 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.

John Moody, applicant, and Rick Licht of Licht Environmental Design LLC presented the plan for a 13 lot residential cluster subdivision with a private road. The wetlands have been mapped and the vernal pools are not significant. The ACE permit has been issued and the DEP permit is pending. The lots will have individual wells and septic systems. Lot 13 is the only lot with the driveway off Meetinghouse Road rather than off the private road. The utility lines will be underground from Meetinghouse Road. The requirement is 35% open space; this project will have about 57% open space.

Public comment was solicited. There was a question about plants and animals on the property. Previous studies in this area found no rare or endangered species and there was no indication for a formal study. Joe Noel's study didn't disclose anything significant.

MOTION

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

DEVELOPMENT REVIEW & WORKSHOPS

I. **COULSON FARM SUBDIVISION** – Sebago Real Estate Investment LLC, applicant; David & Patricia Coulson, owners. Corner Post Land Surveying, surveyor. Subdivision Pre-Application for a 11 lot/dwelling unit residential cluster major subdivision with private roadway and open space. Parcel is located within the Residential A, 250' Shoreland Overlay, and Resource Protection Districts. Parcel is located off of 227 Branch Road and is identified as Tax Map 56, Lot 25. **Report results of Site Walk**

Applicant Paul Hollis was present. Mr. Livingston reported on the site walk which Mr. Anderson, Mr. Hardy and Mr. Raftopoulos attended. Abutters have expressed concerns about blasting. Mr. Hollis has said that he will handle all the blasting; there will be a pre-blast survey and blasting monitoring and insurance. Some branches need to be trimmed for better sight distance on Route 9A. Mr. Hollis will be meeting with the Fire Chief to discuss a fire pond or other fire protection. The existing skating pond at the Recreation Center is about ½ mile away.

II. **MEETINGHOUSE ROAD SUBDIVISION** – Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Preliminary Subdivision 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. **Workshop Preliminary Findings of Fact & Decisions for possible approval**

The recommendations in Mr. Livingston's memo were discussed. Abutters had been concerned about headlights coming from the new road. The entrance road has been shifted 20-25' so it lines up with the property line and no house is directly opposite the road. Buffering and screening for the abutters were considered. Part of the area will be left as a field. Mr. Licht said the open space will be no less than 50'; forest management practices will be permitted and there will be a trail system maintained by the HOA. The road name approval and map/lot numbers will be obtained from the Assessor's office prior to final approval. The Findings of Facts & Decisions §202-8 with 3 standard conditions of approval and 1 special condition of approval were reviewed.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Preliminary Findings and sign them at the end of the meeting. **PASSED** unanimously. The applicant has 6 months to submit a final application.

III. **ELMWOOD RESORT** - Elmwood Condominium Association, owner; Scott DeFelice, applicant. Site Plan Amendment Application to construct a new entry for the pool building and for after-the-fact approval of various changes made since the 1990 site plan approval. The property is located off of 1351 Post Road and is within the General Business and 75' Shoreland Overlay Districts. Tax Map 129, Lot 35. **Workshop compliance and Findings of Fact & Decisions for possible approval**

The applicant is revising the plan. A 60 day extension was granted at the last meeting.

IV. **BRACKETT ESTATES SUBDIVISION** – Jefferson Homes, Inc. owner; Civil Consultants, agent/engineer. Final Subdivision Amendment Application to amend the septic system locations of lots 5-6, 5-9, and 5-24 and to amend the well locations of lot 5-6 and 5-10. The existing major residential cluster development subdivision is located off of Loop Road/ Brackett Lane and Rose Way. The subdivision is located within the Residential A District and is identified as Map 25, Lot 5-1 to 5-29. **Receive Subdivision Amendment Application, determine if a site walk is appropriate, workshop completeness, determine if a public hearing is required, workshop compliance/ draft Findings of Fact & Decisions is appropriate**

Mr. Cole is an abutter and recused himself.

MOTION

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

Tom Harmon of Civil Consultants represented the applicant. This application is to amend some well and septic system locations where ledge was found in the previously approved areas. Mr. Livingston has seen the lots and the subdivision is in its final phase.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to waive the requirement for a site walk. **PASSED** unanimously by those voting.

MOTION

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

The developer still owns the lots and the proposed changes are internal to the subdivision.

MOTION

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

The Findings of Facts & Decisions with §202-12A-H, §202-13, §202-2, 6 standard conditions of approval and 1 special condition of approval were reviewed.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Findings as written and sign the plans and Findings at the end of the meeting. **PASSED** unanimously by those voting.
Mr. Cole returned to the Board.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to take the next item out of order. **PASSED** unanimously.

OTHER BUSINESS

~Sunrise Terrace Subdivision-Null & Void workshop

Applicant Tim Darling was present. Mr. Livingston noted that a substantial amount of work was done even before the subdivision was approved, as the owner had plans for future development. There has been additional construction since the approval: two manholes, the sewer line and the model home. A portion of the road has been paved. Mr. Livingston considers the work done since approval as "substantial." There are some stockpiles of material on site for the future road base. Mr. Livingston and Mr. Darling concurred that about 20-25% of the construction was completed in the past 5 years. Mr. Livingston said if the Board agrees with "substantial commencement" the subdivision would be grandfathered forever.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Cole, to find that the applicant has made a substantial start on this project. **PASSED** unanimously.

ORDINANCE CHANGE PROPOSAL

This change was proposed by a property owner who repairs vehicles. He would like to be able to sell the vehicles abandoned by his clients and recover his payment. In the RC zone those vehicles would have to be in an enclosed structure. There are only 4 service facilities in the RC zone that existed on January 1, 2016 and would be affected by this change. The Selectmen have sent this to the Planning Board for review, and decided that this change is worthy of being a ballot item in November. The consensus was to remove the date and allow any new businesses in the area to take advantage of the change. Another comment was to eliminate the requirement for an enclosed structure and replace it with screening and landscaped buffering. The Board agreed with the wording changes proposed by Mr. Livingston.

MOTION

Motion by Mr. Sullivan, seconded by Mr. Anderson, to forward the language as amended to the Selectmen for their August 16 meeting and to conduct a public hearing at the August 22 Planning Board meeting. **PASSED** unanimously.

OTHER BUSINESS

~The August 2 SRC agenda is in tonight's packets.

ADJOURN

MOTION

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

MINUTES APPROVED August 22, 2016

ACCEPTED BY:

Robert Sullivan, Secretary

Cinndi Davidson, Recorder