



# TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes  
Monday, September 26, 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: Robert Sullivan, Dennis Hardy, Brian Toomey, and Charles Anderson. Staff present: Mike Livingston, Town Engineer/Planner.

## MINUTES

September 12, 2016

### **MOTION**

Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the minutes as written. **PASSED** unanimously.

## PUBLIC HEARINGS

- I. **BIRCH FARM SUBDIVISION (FKA MEETINGHOUSE ROAD SUB.)** - Richard Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Final 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.

Rick Licht presented the project plans and described the proposal. No comments from the public offered.

### **MOTION**

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

## DEVELOPMENT REVIEW & WORKSHOPS

- I. **BRANCH BROOK ESTATES** – Persis L. Ensor Trustee, owner; Donald Murphy, applicant; Kimball Survey & Design, Inc., agent. Subdivision Pre-Application for a 13 lot/dwelling unit residential cluster major subdivision located on 40 acres of land off of

1 Wire Road with a proposed private street right-of-way to be constructed. The parcel is  
2 located within the Rural, Aquifer Protection, and 250' Shoreland Overlay Districts. Tax  
3 Map 74, Lot 2. **Report results of the Site Walk**  
4

5 The results of the site walk were read by Mike Livingston. The driveways for lots 1 and 2 along  
6 Wire Road appeared to exceed site distance requirements. Lot 13 site distances were reviewed as  
7 well and care is to be given on this driveway location due to the curve and higher speed limit of  
8 Wire Road in this location. The final plans should show a 50 or 75 foot window for the driveway  
9 placement of this lot. The site has well drained soils and is well wooded with nice oak trees. A  
10 low area near lots 3 and 4 would be well suited for stormwater. The proposed road is fairly short.  
11 The large ravine in the back of the site will be part of the Open Space. No part of the  
12 development is proposed in this area or any portion of the Aquifer Protection District. No  
13 additional comments were offered.  
14

15 **II. BIRCH FARM SUBDIVISION (FKA MEETINGHOUSE ROAD SUB.) - Richard**  
16 **Moody & Sons Construction Co, LLC, owner/applicant. Rick Licht, agent. Final**  
17 **Subdivision Application for a 13 lot/dwelling unit major residential cluster subdivision**  
18 **with private road ROW and Open Space. The subdivision to be located off of 1321**  
19 **Meetinghouse Road and is within the Rural District. The parcel is identified as Tax Map**  
20 **77, Lot 22. Workshop draft compliance and Final Findings of Fact & Decisions**  
21

22 Rick Licht and Jon Moody were present. Mike Livingston reviewed the memo prepared. The  
23 sample deed was provided. The Town Attorney reviewed the HOA documents and had minor  
24 review comments. The HOA documents were well written. The cost estimate was provided and  
25 will need to include Monumentation, as-built plan and 10% contingency costs. Various plan and  
26 note changes are recommended to be completed. The next Planning Board meeting is next week  
27 and the revisions are anticipated to be done for that meeting.  
28

29 **MOTION**

30 Motion by Mr. Sullivan, seconded by Mr. Anderson, to not require shared driveways. **PASSED**  
31 **unanimously.**  
32

33 The applicant to provide a light detail on the plan. The Board reviewed monumentation  
34 proposed.  
35

36 **MOTION**

37 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the monumentation proposed as  
38 sufficient. **PASSED** unanimously.  
39

40 The Fire Chief letter was received. The subdivision dwellings shall have sprinkler systems. The  
41 Chief reviewed the road width to ensure the fire truck would not block traffic if it is parked along  
42 the roadway and he found the road width acceptable as the house locations will be set so far back  
43 from the roadway, he doesn't anticipate having to park in the roadway.  
44

45 Mike Livingston reviewed the drainage and found what is proposed to meet the ordinance  
46 requirements.  
47

1 The proposed road width is 22' with a 30' wide gravel base. The Planning Board must review the  
2 road width and determine if it is adequate.

3  
4 **MOTION**

5 Motion by Mr. Sullivan, seconded by Mr. Anderson, to find the 22' wide paved roadway with  
6 30' wide gravel base as proposed to be adequate. **PASSED** unanimously.

7  
8 Note 31 addressed performance guarantees. Some revisions are recommended by the Planning  
9 Office to better accommodate the desired model home prior to base gravel. Mike Livingston read  
10 the recommended note language to the Planning Board as described in the review memo. The  
11 guarantee must be approved by the Town Manager. A cash guarantee is required based on the  
12 area of proposed disturbance at \$3,500 per acre. This cash guarantee must be provided at the  
13 time of the pre-construction meeting or prior to start of construction. No sale of a lot or  
14 occupancy shall be granted until base pavement of the road, drainage and utilities are installed.  
15 If not all items are complete at the time of occupancy the developer can provide the Town a  
16 guarantee to cover those incomplete remaining costs. The town also requires cash escrow for  
17 third party inspections and Monumentation. Mr. Millian thought the note sounded good.

18  
19 Mike reviewed the proposed special conditions of approval.

20  
21 **MOTION**

22 Motion by Mr. Sullivan, seconded by Mr. Anderson, to continue the workshop to the next  
23 meeting. Rick Licht asked if the special condition of approval should incorporate the model unit  
24 provision. Mike said it would be addressed in Note 31. **PASSED** unanimously.

25  
26 **III. BURNT MILL ESTATES-** Burnt Mill Holding Company, LLC; Brad Booth, agent;  
27 Corner Post Land Surveying, surveyor. Final Subdivision Amendment Application to  
28 relocate cluster lot #62 from Storer Lane to Route 9A, adjacent to cluster lot #103. No  
29 changes to the number of lots or dwellings proposed. The area of the subdivision  
30 amendment is located off of Hobbs Farm Road, Route 9A, and Storer Lane, and is within  
31 the Rural and 75' Shoreland Overlay Districts. Tax Map 62, Lot 12 and Map 63, Lot 7.  
32 **Receive Subdivision Amendment Application, determine a site walk**

33  
34 Brad Booth was present.

35  
36 **MOTION**

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

39  
40 Mike Livingston described the proposed amendment. The applicant is proposing to move lot 62  
41 which was approved along Storer Lane to Route 9A near lot 103. Mr. Booth said he is working  
42 with his consultant to revise lot 62 and 103 so lot 103 has sufficient road frontage. The Conley  
43 family really wanted to see lot 62 moved so they decided it could easily be relocated to  
44 accommodate that request.

45  
46 Abutters have not contacted the Planning Office regarding the amendment as of yet.

1 Mr. Sullivan felt the new driveway proposed on Route 9A warranted a site walk. Mr. Anderson  
2 wanted the driveway location to be staked out.

3  
4 **MOTION**

5 Motion by Mr. Sullivan, seconded by Mr. Anderson, to schedule a site walk for Saturday,  
6 November 1<sup>st</sup> at 8:30AM. **PASSED** unanimously.

7  
8 **IV. GRANITE RIDGE GRAVEL** – Pepin Wells, LLC/ Stonewood Enterprises, LLC;  
9 owner/applicant. Corner Post Land Surveying, surveyor. Site Plan Amendment  
10 Application to revise the mineral extraction buffer limits and expand the mineral  
11 extraction area from 3.67 acres to approximately 4.2 +/- acres of the 22.72 acre parcel.  
12 The parcel is located off of Perry Oliver Road and is within the Rural District. Tax Map  
13 37, Lot 41. **Workshop draft compliance and Findings of Fact & Decisions for**  
14 **possible approval**

15  
16 Applicant Matthew Pepin discussed the plans for completing the buffer plantings. Mr. Livingston  
17 recommended changing the date from October 1 to November 1 to complete the plantings.

18  
19 **MOTION**

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

22  
23 The Findings of Facts & Decisions were reviewed.

24  
25 **MOTION**

26 Motion by Mr. Sullivan, seconded by Mr. Anderson, to approve the Findings of Facts with 16  
27 standard conditions of approval and 3 special conditions of approval. **PASSED** unanimously.

28  
29 **MOTION**

30 Motion by Mr. Sullivan, seconded by Mr. Anderson, to authorize the Chairman to sign the  
31 Findings and sign the plans at the end of the meeting. **PASSED** unanimously.

32  
33 **V. THREE BROOKS WEST SUBDIVISION** – Dennis Andrews Efstathiou, owner. The  
34 Three Brooks West Subdivision was approved by the Wells Planning Board on April 7,  
35 2008. Town Subdivision Ordinance §202-9C(6) states “failure to commence substantial  
36 construction of the subdivision within five years of the date of approval and signing of  
37 the plan shall render the plan null and void. This means that due to the fact that no  
38 construction for the subdivision occurred by April 7, 2013, the subdivision must be  
39 determined by the Planning Board to be null and void as of April 7, 2013 and notice shall  
40 be placed at the Registry of Deeds. **Review Certificate Rendering the Subdivision Null**  
41 **& Void**

42  
43 At the last meeting the Board considered declaring the subdivision null and void due to  
44 expiration. The Board reviewed the draft Certificate.

45  
46 **MOTION**

47 Motion by Mr. Sullivan, seconded by Mr. Anderson, to authorize the Chairman to sign the  
48 Certificate in the presence of a notary. **PASSED** unanimously.

1 **OTHER BUSINESS**

2  
3 ~The SRC reviewed a small project for the Congregational Church to reconstruct the steeple and  
4 relocate the handicap access ramp.

5  
6 ~Ocean Mist Subdivision is proposing to relocate a sewer line because of ledge. Mr. Livingston  
7 and the Sewer District approved the new location.

8  
9 ~MMA will conduct a training session in Portland in December for Planning Board and Board of  
10 Appeals members.

11  
12 **ADJOURN**

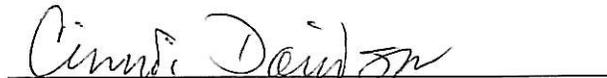
13  
14 **MOTION**

15 Motion by Mr. Sullivan, seconded by Mr. Anderson, to adjourn and sign plans and Findings.  
16 PASSED unanimously.

17  
18 MINUTES APPROVED October 3, 2016

19  
20 ACCEPTED BY:

21   
22 \_\_\_\_\_  
23 Robert Sullivan, Secretary

21   
22 \_\_\_\_\_  
23 Cindi Davidson, Recorder