



# TOWN OF WELLS, MAINE

## COMPREHENSIVE PLAN UPDATE COMMITTEE

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Meeting Minutes  
Thursday, May 18, 2023, 6:00 P.M.  
Town Hall  
208 Sanford Road

### **6:00 PM CALL TO ORDER & DETERMINATION OF QUORUM**

A quorum being present, the meeting was called to order at 6:00 p.m. on Thursday, May 18, 2023, from the Littlefield Room at Town Hall.

Those present were Committee Members Chris Chase, Carol DesJardins, Linda Grenfell, David MacKenzie, Jonathan Moody, Jason Vennard, Martin Morse, James Smith, and Hunter Edwards. Also in attendance were Mike Livingston, Town Engineer; Jodine Adams, Code Enforcement Officer; and John McLeod, Selectman Liaison.

Steve Whitman represented Resilience Planning and Design.

### **ELECTION OF OFFICERS**

Chris Chase asked if the Town is supposed to be taking our notes; it's being taped so do we have a recording secretary that's available for future meetings. Mike explained Cinndi Davidson is available to be the recording secretary starting at the next meeting.

#### **MOTION**

Dave MacKenzie made a motion for Chris Chase to be Chairman. Jason Vennard seconded the motion.

#### **MOTION**

Jim Smith made a motion to elect Dave MacKenzie as Chairman. Dave MacKenzie declined. Motion failed.

#### **MOTION**

Linda Grenfell made a motion to elect Jim Smith as Chairman. Jim said his motion failed as there was no second. Chris explained he assumed Jim would second the motion. Motion failed.

Chris asked for a vote to be taken on the chairman position. 6 were in favor of Chris Chase as Chairman, Jim Smith opposed, Linda Grenfell abstained. Motion **PASSED**.

1  
2 **MOTION**

3 Martin Morse made a motion for Jason Vennard to be Vice Chairman. Dave MacKenzie  
4 seconded the motion.

5  
6 No other motions made.

7  
8 Chris asked for a vote to be taken on Jason Vennard as Vice Chairman. All were in favor. Motion  
9 **PASSED.**

10  
11 **MINUTES**

12 June 9, 2022, meeting minutes.

13 **MOTION**

14 Linda made a motion to approve the minutes as written. Martin Morse seconded the motion. All  
15 were in favor. Motion PASSED.

16  
17 Martin Morse thanked Carol for volunteering as recording secretary.

18  
19 **OPEN TO THE PUBLIC**

20  
21 Jason Vennard stated he wanted to take a second to defend myself against the e-mail accusation  
22 that came to all members regarding attendance. It took Mr. Vennard by surprise because he  
23 didn't recall missing any meetings and when you review the minutes, he missed one meeting in  
24 2022. He was present all other meetings, so he is not sure where Mr. Smith is getting his  
25 information. Mr. Vennard didn't appreciate his character and ability to attend these meetings  
26 questioned. The lack of facts used makes Mr. Vennard question all of the information Mr. Smith  
27 has brought before this board. Mr. Vennard welcomed Mr. Smith to review all the meeting  
28 minutes where attendance is shown. Mr. Vennard also pointed out that Mr. Moody was also  
29 present at all but one meeting in 2022. He stated that possibly Mr. Smith was misled by the fact  
30 that a lot of us were doing zoom meetings at that time, which Mr. Smith was in fact in favor of  
31 most of the time. Mr. Vennard stated he is taken back by it all and is not sure what Mr. Smith's  
32 motivation is behind it, but he just wanted to set the record straight in a public forum.

33  
34 Mr. Smith explained that he went to the minutes. He purposely did not name any names in the e-  
35 mail. He is not questioning anybody's character whatsoever, it's a process thing. Mr. Vennard  
36 said it was apparent. Mr. Chase said he can see this conversation could develop into something,  
37 so we should move on. Mr. Smith asked to close it up. Mr. Chase said he would like this point to  
38 be closed and thanks everyone for this opinion.

39  
40 Ms. Grenfell stated we must follow the rules, the town charter and the town attorney. She said it  
41 is clear in the Chapter 12 rules that when we agreed to attend these meetings, to be a member.  
42 She worked hard to get to every meeting as everyone else did.

43  
44 Mr. Chase called point of order. Mr. Chase said if you have a complaint about how this board is  
45 run or you have a complaint on this board, you need to go to the selectman. We have no authority

1 on this board to throw anybody off the committee. We have a town charter, and we have to  
2 follow the whole charter not just the sections we choose to follow. Mr. Chase said there will be  
3 no more discussion on attendance. If you want to discuss attendance and problems with the  
4 attendance of members of this committee, you can ask to be placed on the Selectmen's agenda.  
5 We will not discuss people's personalities or anything personal.

6  
7 Mr. Smith asked to speak. Mr. Chase warned if attendance is brought up he will throw Mr. Smith  
8 out. He does have that authority. Mr. Chase said there is no more discussion on attendance.

9  
10 Mr. Smith said he was going to speak to Mr. Chase's tone. Mr. Chase said he is not changing  
11 who he is. Mr. Chase asked for Steve Whitman or Mike Livingston to start discussion the State  
12 of Maine's review comments on the Comprehensive Plan Update.

### 13 14 CPUC BUSINESS

15  
16 Mike Livingston explained that the State came up with 13 points to be addressed within the plan.  
17 To become complete and be consistent with state law items they are well spelled out in the cover  
18 letter that state provided. The next task for the committee is to go through each of those  
19 comments and decide how to appropriately address them. The state also provided letters from  
20 various other departments with comments on how they could be addressed. They were specific  
21 with page to page changes and other comments are a little broader. The committee may need to  
22 discuss making changes.

23  
24 Tonight's meeting isn't to start going through the State's comments but instead to give guidance  
25 to the committee as far as the approach to take. The committee should discuss how you want to  
26 approach the comments and to address them, and then at the next meeting go through actually  
27 looking at textual changes. Future meetings should also be discussed. Setting up a schedule for  
28 the future meetings goals should be discussed. If the goal is still to get this on the November  
29 ballot then the committee would have to do a couple of meetings a month versus just one month.

30  
31 Mike Livingston produced a memo to detail the deadlines. The Town warrant has to be finalized  
32 in the beginning of or by mid-September. Based on Chapter 12 the committee has to produce a  
33 clean version of the proposed changes to the 2005 Comprehensive Plan and a strike out with  
34 underlines version so that the public can review those 30 days prior to this committee's  
35 scheduled public hearing. Once the committee makes the final draft changes, that strike out with  
36 underlines version has to be created and has to be available to the public in various ways. The  
37 Town can put the versions on the website as well as have hard copies at the Library and Town  
38 Clerk's Office. Public comments from the public hearing may generate more changes. Any  
39 changes would be sent to the Board of Selectman for their determination on whether to put it on  
40 the November ballot.

41  
42 This sequence of events would have to be met in order to meet that November ballot timeline. It  
43 gets tight with the possible meetings on June 15th to the 29th to work through the final plan  
44 changes, finalize those plan changes, and create the final documents early July.

45  
46 Mike asked if the committee wants the Town to produce hard copies of the draft plan right now  
47 for all the committee members. Many members have been keeping track of their own changes  
48 but for these final draft versions it might be productive to have hard copies.

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Mr. Morse stated he tried a month ago to reconcile the State review with what he had, and he couldn't do it. He needs a hard copy of what went to the state. He needs a months' time to go back over his notes. He also wants a copy of all the inventory. Mr. Morse doesn't think November is a realistic date. Mr. Morse recalled that Mr. Smith wrote a letter to the state, which was his right, but the only thing he agreed with Mr. Smith on was that the committee rushed. Almost a year ago we were under the impression that the state might review the plan quickly and we could vote on it last November but that didn't happen. Mr. Morse doesn't want to rush again.

Mike said it is a large document with a lot of information so that is understandable.

Ms. Grenfell thanked Martin and agreed with him. She would like a hard copy. She has found it hard to try to tabulate. She also agrees that we did rush that last meeting. She would like more time. Having 2 meetings a month and trying to do all the reading in the busiest season is asking a lot. She said we have 10 members, and she would like to see a full comprehensive plan committee.

Chris asked how many people want a hard copy of the plan. All members raised their hands. Mr. Morse asked for his binder before the Memorial Day weekend. Mike said it may be possible.

Carol asked if the recommendations from the state were just for clarification or wording but not changing the meaning of content. Carol asked if it would be possible to input some of the wording changes before the next meeting. Steve said he could look at it and would need to go through the 4 questions with Mike and Jodine. Track changes could be made for the June meeting. There are 13 changes and only 4 were items that need a bit more work. There are some suggested changes that could make the document better that the committee could look at as well.

Chris Chase said today's packet wasn't available until Tuesday after 11am. Mr. Chase thought the committee would have a week but ideally two weeks' notice. Martin Morse and Ms. Grenfell agreed, as must advance notice the better.

Mr. MacKenzie asked if we should be aiming for the November ballot or if more time is needed. Mr. MacLeod said the committee should make that decision and if more time is needed the committee should take that time.

Mr. Whitman said of the 13 items identified by the state to be missing, really only 4 that will take some time to sort out. The rest are suggested policies and strategies the committee should review. Steve has reviewed the document and can insert the changes into the document for the committee to review. Mr. Livingston said clean copies of what went to the state can be made for next week and for the next meeting the tracked changes incorporating the states comments could be reviewed.

Mr. Morse asked if the missing information involved maps. Mr. Whitman said none of the missing comments involved maps. There were some additional items from other agencies that included maps. The committee could decide to review those additional items and decide if they should incorporate them into the document. The additional items are only advisory and suggestions. Mr. Livingston said one of the additional comments was to identify the brook trout habitats within certain brooks. Map 3 of the map set that was provided does identify the

1 significant brooks. The specific brooks could be labelled on that map as trout habitat. It would be  
2 an easy change to address. Mrs. Grenfell said they provided a map in their memo on page 10. It  
3 referred to wild trout and the stocking of brook trout.

4  
5 Mr. Morse thought the committee didn't need to do anything more. Mr. Whitman said only the  
6 13 items need to be addressed; there are other things that could be done but those are not  
7 required for compliance. Mr. Whitman said the committee can spend additional time and money  
8 to pursue addressing the other items, but the committee cannot include everything in the plan.

9  
10 Mr. Livingston said one of the recommendations was to have a 100 foot no disturb buffer from  
11 the brooks and this recommendation goes beyond what the Town currently requires. Mr.  
12 MacLeod asked if the no-cut would follow the Shoreland Overlay point system. Mr. Livingston  
13 said it would and explained the grid point system. Mr. MacLeod said these protections are  
14 already in place and followed by the Town. Mrs. Grenfell asked how invasives are handled. Mr.  
15 Livingston and Mr. MacLeod said invasives can be removed.

16  
17 Mr. Chase asked if the committee should discuss the timeframe. Mr. Chase asked if anyone  
18 wants it on the November Town Meeting. He called for a straw poll. Mr. Edward, Mrs. Grenfell,  
19 Mr. Smith, Mr. Moody, Mr. Vennard, Mr. Morse, and Mr. MacKenzie wanted to plan for June  
20 Town Meeting. Mrs. Desjardins wanted November. Mr. Whitman has a new contract, and the  
21 Select Board authorized more funding to complete this plan update.

22  
23 Mr. Chase said the agenda items have been covered. Mr. Livingston said the public outreach item  
24 could be discussed. The committee will have to hold a required public hearing. What other  
25 options does the committee want to put out to the public. November tax bills could include  
26 flyers. Mr. Chase would rather a spring tax bill include a flyer. Spending funds on flyers for  
27 November isn't what he wants to see.

28  
29 Mrs. Grenfell said the plan is 300 pages and understands it is a lot to ask the community to read.  
30 She suggests that the plan could be ready over the winter. Mr. Chase said the plan wouldn't be  
31 ready in its final form by March at the latest.

32  
33 Mr. Morse asked if the plan changes could go back to the State in time. He thought they had 60  
34 or 90 days to get changes back to the State. Mrs. Grenfell agreed. Mr. Whitman said the state  
35 gave a deadline to address the 13 items by August 18<sup>th</sup>. The first 13 items are the priority.

36  
37 Mr. Smith asked if the State might be open to extending more time to address the 13 items. Mr.  
38 Whitman said it might be something the State would consider. Mr. Vennard would like to see  
39 the committee prioritize the 13 items and get those done in the next 3 meetings to stay on track with  
40 the deadline of August 18<sup>th</sup> so the schedule can accommodate the time the State will need to  
41 respond to the changes.

42  
43 Mr. Whitman said the 13 items have to be addressed to be in compliance with the Growth  
44 Management Act. Mr. Livingston said if the Comprehensive Plan is in compliance with the  
45 Growth Management Act that allows the Town to have differential zoning. If it doesn't comply  
46 then there is a question if the Town can have multiple zones versus just one zone.

1 Mr. Morse some of the items could be troublesome. Item 12 states: “direct 75% of the new  
2 municipal growth related capital investments into designated growth areas.” The voters of Wells  
3 decide where the money gets spent. Mr. Morse said item 12 could be fixed by just changing  
4 terminology. Mr. Chase agreed but certain language is important to use.

5  
6 Mr. Chase asked what the 13 missing items the State identified are based on since the 2005  
7 Comprehensive Plan passed. Mr. Chase said nothing was removed from the 2005 plan. The state  
8 is asking us to add new things. Mr. Livingston explained an in depth analysis of the State Law  
9 from 2005 to today would need to be done to determine that answer. Mrs. Grenfell thinks  
10 examining the 13 items to that level may not be helpful to the process we are in.

11  
12 Mr. Morse said item 2: “Are there point sources of discharges to the community.” Mr. Livingston  
13 said that usually refers to a pollution source like direct sewage discharge or a combined sewage  
14 overflow which are common in bigger municipalities. Wells doesn’t have any direct point source  
15 discharges so this item can be addressed.

16  
17 Mr. Whitman can put suggestions together to address the 13 items for the committee to review.

18  
19 Item 1 was reviewed. The State is recommending the plan gets revisited every 5 years. Item 13  
20 seems similar to item 1. The response to address the comments could be the same to both.

21  
22 Mrs. Grenfell asked about the evaluation measures item. Are there resources to help with that?  
23 Mr. Smith said it may be suggesting procedures. Mr. Hunter said he reads it to be asking for a  
24 description of the process by which the community will do the reevaluation, not a laying out of  
25 the measure and evaluations that need to happen. There are varying degrees that could be laid  
26 out. Mr. Morse said item D is a easy calculation to quantify. The others aren’t so easy. Mr.  
27 Whitman said the evaluation measures are shown at the very end of the packet. It lists 4 items  
28 there.

29  
30 Mrs. Grenfell asked about item 11. Tracking new development should be easy to do. Mr.  
31 Livingston said we already do this in the annual report, all site and subdivision plans are listed.  
32 The Code Office training and support item can be addressed.

33  
34 A few of the missing items are already addressed in our Town Code. The responses to these items  
35 should refer to the Town Code or other capacity designations to the State. The terminology of  
36 “continue to” should be used for these items we currently already do and follow. Mrs. Grenfell  
37 suggested referring to code sections or other items that show we already meet that standard.

38  
39 Meeting with neighboring Towns is recommended. The Town does on occasion meet with  
40 neighboring communities. Mr. Whitman said chapter 16 does speak to that recommendation.

41  
42 The Town does make great strides to conserve our lands. Using “continue to” should be used  
43 there as well.

44  
45 Items 4, 5, and 6 need to be addressed. Mr. Livingston said item 6 could be addressed with a  
46 “continue to” and said the town’s program is very progressive and generous in buying up  
47 conservation land. The Conservation Commission does a great job of finding land now. Mr.  
48 Whitman agrees.

1 The population projection is in the appendix. The population projections for residential units  
2 were provided. The others may still need to be addressed. Mr. Livingston said building permit  
3 data was given. Ms. Adams said a map was done showing the areas.

4  
5 Mr. Whitman said the State said the plan was of a good quality. The missing items are minor.

6  
7 Item 5 will dictate development based on zoning designations and available infrastructure. A few  
8 sentences could address this item. Mr. Whitman will work with Ms. Adams to use proper  
9 wording and language.

10  
11 Item 10 will rely on information from Ms. Adams.

12  
13 Mr. Livingston said a lot of the other comments are easily addressed. The correct agency  
14 references will be done. Part 5, page 28 comments could be difficult to address. The plan cannot  
15 create a new chapter but possibly renaming the title could work.

16  
17 Mr. Whitman will incorporate the discussion from tonight into the document.

18  
19 The Route One Corridor Study has already been initiated by the Town. Various developments  
20 have also completed traffic studies as well. Traffic is a real issue and is a part of the plan.

21  
22 Mr. Livingston will prepare a new timeline memo. The Comprehensive Plan binder will be ready  
23 for committee members before Memorial Day.

24  
25 Mr. Edwards said other agency letters need to be addressed as well. Mr. Whiteman said the  
26 committee can update those after the 13 items are prioritized first.

27  
28 **OPEN TO THE PUBLIC**

29  
30 No one from the public was present.

31  
32 **ADJOURN**

33 **MOTION**

34 Motion made by Mr. Vennard to adjourn, seconded by Mr. Morse. Motion approved.

35  
36 Meeting adjourned at 7:42 pm.

37  
38 MINUTES APPROVED June 15, 2023

39  
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41  
42 ACCEPTED BY:

43  
44   
45  
46 Shannon Belanger, Recording Secretary

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Chris Chase, Chairman