



TOWN OF WELLS, MAINE PLANNING BOARD

Meeting Minutes
Monday, June 5, 2023, 7:00 P.M.
Wells Town Hall
208 Sanford Road

7:00 PM CALL TO ORDER & DETERMINATION OF QUORUM

Chairman Chuck Millian called the meeting to order at 7:00 PM. Members present: Brenda Durand, Steve Koeninger, Joshua Lagasse, Paul Baratta

Excused: Richard DeBold, Brian Toomey

Staff present: Town Planner/Engineer Mike Livingston, Meeting Recorder Cinni Davidson

MINUTES

May 15, 2023

MOTION

Motion by Mr. Koeninger, seconded by Mr. Lagasse, to accept the minutes as written. Passed unanimously.

PUBLIC HEARING

- I. MARTINEZ ZONING DISTRICT BOUNDARY CHANGE AMENDMENT –**
Greg Martinez/ Manuel Martinez Real Estate Trust, applicant. Request to change the zoning district boundaries of Lots 2-A, 3-A and 3-B on Map 120 from Residential A (RA) to General Business (GB), which is the current abutting district per 145-6 of the Land Use Code.

Rob McSorley of Sebago Technics represented the applicant. There is a request to rezone the tent/RV park from RA to GB which is the current abutting district.

Public comments were solicited.

~ Expansion of the campground is not a concern. If the expansion of GB is permitted, what could it become in the future with perhaps a different owner—retail, restaurants, strip mall? It should transition to Rural instead of GB.

1 If the rezoning is permitted, there are no plans for further development. The owner would keep it
2 rural. The critical area is a 200 ft. setback from the river and would not be rezoned.

3
4 ~A survey of abutting property was begun by Corner Post Land Surveying, which was recently
5 purchased by Sebago Technics. Sebago is now working for both this abutter and the applicant. Is
6 that a conflict? Rezoning to GB would allow many other permitted uses other than an RV park.
7 This should be changed to a Rural District. The Comprehensive Plan now being updated should
8 be amended.

9
10 ~Some aspects of this proposal are inconsistent with the Comprehensive Plan. The residents
11 want the Town to keep the rural character.

12
13 ~Switching to GB would allow greater density and a store in the RV Park. What is the plan for
14 an entrance and exit? There is enough traffic on Buzzell Road now; traffic should stay on Steeple
15 Way.

16
17 Mr. Livingston said the number of RV sites is the same regardless of the zone. Lot coverage
18 restrictions are 20% in the Rural Zone, 40% in RA and 65% in GB.

19
20 The entrance and exit will stay on Steeple Way.

21
22 ~Don't rezone to GB. Expanding the GB Zone would erode the residential character of the
23 neighborhood. The sale of land to CVS was an unpleasant change for the residents. The
24 businesses should stay along Route One.

25
26 **MOTION**

27 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to close the public hearing. Passed
28 unanimously.

29
30 **DEVELOPMENT REVIEW & WORKSHOPS**

- 31
32 **I. BRAGDON MEADOWS SUBDIVISION** – Home Innovations, Inc. owner; Big
33 Ledge, LLC applicant. Subdivision Pre-Application for an 11 lot/dwelling unit
34 Residential Cluster Development on 24.97 acres with Open Space. Subdivision is
35 located off Bragdon Road and is within the Rural and 75' Shoreland Overlay District.
36 Tax Map 30, Lot 16. **Receive Subdivision Pre-Application and schedule a site walk**

37
38 **MOTION**

39 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to receive the subdivision pre-application.
40 Passed unanimously.

41
42 Kendra Ramsell of Sebago Technics and Jason Labonte, owner, presented the plan for an 11 lot
43 residential subdivision with individual driveways and 16 acres of open space. The existing
44 mobile home park is not part of the subdivision. The Shoreland Overlay District borders West
45 Brook and there is a 200 ft. setback from the high water mark of the brook.

1 **MOTION**

2 Motion by Mr. Lagasse, seconded by Mr. Koeninger, to schedule a site walk for Thursday, June
3 22 at 6:45 PM. Passed unanimously.

4
5 Lots 2 and 4 are required to have their driveways off the less travelled way to minimize curb cuts
6 onto Bragdon Road.

- 7
8 **II. 88 BURNT MILL ROAD SUBDIVISION** – Gilcrest Development, Inc./ Kevin Hill,
9 owner/applicant; Attar Engineering, Inc. engineer. Subdivision Pre-Application for 6
10 single family dwelling units proposed on 3.51 acres of land (Multifamily
11 Development). The property is located off 88 Burnt Mill Road and is within the
12 Residential A and General Business Districts. Tax Map 139, Lot 6. **Report results of**
13 **the site walk**

14
15 Mike Sudak of Attar Engineering represented the applicant. Mr. Livingston reported on the May
16 24 site walk which Mr. Baratta, Ms. Durand, Mr. Lagasse and Mr. Toomey attended. A fence to
17 provide buffering along Theresa Lane was discussed. The abutters were concerned about
18 drainage and stormwater runoff due to minimal grade changes. Sewer service is available in
19 Burnt Mill Road. Water service may be either from private wells or by extending the KKWWD
20 line from Burnt Mill Road. The Autumn Lane option may not be feasible. On-site fire protection
21 will be determined.

- 22
23 **III. MARTINEZ ZONING DISTRICT BOUNDARY CHANGE AMENDMENT** –
24 Greg Martinez/ Manuel Martinez Real Estate Trust, applicant. Request to change the
25 zoning district boundaries of Lots 2-A, 3-A and 3-B on Map 120 from Residential A
26 (RA) to General Business (GB), which is the current abutting district per 145-6 of the
27 Land Use Code. **Workshop comments offered by the public and make**
28 **recommendations for the Select Board**

29
30 Applicant Greg Martinez and Rob McSorley of Sebago Technics were present. Mr. Livingston
31 reviewed the comments from the public hearing and the Planning Board's role in the zoning
32 change process. Members of the public were concerned about the proposed change from RA to
33 GB, vs. changing from RA to Rural. The Planning Board will make a recommendation to the
34 Selectmen, who will then decide if the zoning change should be on the November ballot. Mr.
35 Koeninger was opposed to changing this to GB. Tents/ RV Parks are not allowed in RA, so the
36 owners need a zone change to make any changes with the RV Park. GB would allow many more
37 uses that are currently prohibited. Changing RA to Rural would allow the RV Park to expand.
38 Mr. Livingston's memo outlined the 6 criteria in the ordinance for the Planning Board and
39 Selectmen to consider.

40
41 **MOTION**

42 Motion by Mr. Koeninger, seconded by Mr. Baratta, to recommend a change from RA to Rural,
43 vs. RA to GB, to the Selectmen. Passed unanimously.

44
45 The applicants asked to table this and give them time to review it. The members of the public
46 who spoke tonight do not abut the area with proposed changes. They abut the existing area of
47 the park.

1 **MOTION**

2 Motion by Mr. Koeninger, seconded by Mr. Baratta, to rescind the previous motion and table this
3 for 30 days while the applicant addresses lot coverage and revises the plan. Passed
4 unanimously.

5
6 **IV. THE WOODS** – Walter Wormwood, owner; Home Innovations, LLC, applicant; Dana
7 Libby, agent. Minor Subdivision Application for two lots/ single family dwellings. The
8 property is located off Bragdon Road within the Rural District. Tax Map 30, Lot 17-2
9 and 17-5. **Receive Minor Subdivision Application, workshop completeness,**
10 **determine possible public hearing, and workshop compliance**

11 **MOTION**

12
13 Motion by Mr. Koeninger, seconded by Mr. Baratta, to receive the minor subdivision
14 application. Passed unanimously.

15
16 Kendra Russell of Sebago Technics and Jason Labonte, applicant, presented the plan for two
17 single family dwellings with street frontage off of Bragdon Road. The Board conducted a site
18 walk on April 22, 2023. The well on one lot may impact the wetland. The Board may accept a
19 Beginning with Habitat map and waive the IF&W letter. No sensitive species were found.

20 **MOTION**

21
22 Motion by Mr. Koeninger, seconded by Mr. Baratta, to waive the IF&W letter. Passed
23 unanimously.

24 **MOTION**

25
26 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to find the application complete. Passed
27 unanimously.

28 **MOTION**

29
30 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to waive the public hearing. Passed
31 unanimously.

32
33 Compliance items were reviewed.

34 **MOTION**

35
36 Motion by Mr. Koeninger, seconded by Mr. Lagasse, that shared driveways are not required.
37 Passed unanimously.

38 **MOTION**

39
40 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to allow the driveways to be located off the
41 Town road. Passed unanimously.

42 **MOTION**

43
44 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to allow overhead utilities. Passed
45 unanimously.

46 **MOTION**

47
48 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to find the monumentation suitable. Passed
unanimously.

1
2 On-site fire protection was discussed. A waiver is requested since there will be only two
3 dwellings and an existing dry hydrant is at West Brook ½ mile away.

4
5 **MOTION**

6 Motion by Mr. Koeninger, seconded by Mr. Baratta, to request a letter from the Fire Chief.
7 Passed unanimously.

8
9 **MOTION**

10 Motion by Mr. Koeninger, seconded by Mr. Baratta, to continue the workshop for 30 days.
11 Passed unanimously.

- 12
13 **V. SEAHORSE RESORT** – Post Road Cottages, LLC, owner/applicant; Henry Hess of
14 Sebago Technics, agent. Site Plan Application seeking approval to renovate and
15 upgrade all existing Motel units. The existing Restaurant to be converted to the
16 Lodging Facility Office and Market for motel guests. A new 42 seat Standard
17 Restaurant building to be constructed for motel guests. The single family dwelling unit
18 to be renovated. The property is located off 1677 Post Road and is within the General
19 Business District. Tax Map 135, Lot 13. **Workshop compliance/ Findings of Fact &**
20 **Decisions for possible approval**

21
22 The applicant requested a 60 day extension for MDEP and ACOE permit approvals.

- 23
24 **VI. BURNT MILL ESTATES** – Burnt Mill Holding Company, LLC, owner; Sebago
25 Technics, Inc., applicant/engineer. Final Subdivision Amendment Application to
26 eliminate the 18-hole Golf Course and driving range (Low-Intensity Commercial
27 Recreation use) and associated Clubhouse with 74 seat Restaurant, Event Barn, Kid
28 Club, Fitness/Pool Center, restrooms, storm shelters, sheds and Maintenance buildings
29 (Club use). No change proposed to the 174 dwelling units on 362 acres of land. The
30 property is located off Hobbs Farm Road, Storer Lane, James Street and Parsonage
31 Way. The property is within the Rural and 75' Shoreland Overlay Districts. Tax Map
32 62A, Lot 1. **Workshop Open Space and draft compliance/ Findings of Fact &**
33 **Decisions for possible approval**

34
35 Craig Burgess and Matt Orr of Sebago Technics represented the applicant. Mr. Livingston
36 reviewed the status of pending items.

37
38 Lot 6/7 drainage easement language is pending.

39
40 Pedestrian trail/walkway will be labelled on sheet S2.

41
42 MDEP Permit and Drainage Improvements for Little Meadow Court: construction cost estimates
43 need to be updated. The abutters approve the new drainage plan.

44
45 Lot Monumentation: corners need to be set prior to issuing building permits. Cost estimates to
46 be provided. The Board has asked for the number of sq. yds. of pavement. Deadline for
47 installation is October 1.

1 Performance Guarantees and Phasing: \$107,473 is needed based on the amounts known. Other
2 estimates to be determined.

3
4 Open Space: The Planning Board has to review the proposed open space revisions and trails. The
5 HOA will be responsible for trail maintenance, but the Town can maintain them if the
6 subdivision approval is violated. The trails will now be open to the public year-round.

7
8 **VII. UPS WELLS FACILITY EXPANSION – BT-NEWYO LLC, owner/ applicant.**
9 Prime Engineering, agent. Site Plan Amendment Application seeking approval for 91
10 new parking spaces and approximately 2,326 SF in new building areas for the exiting
11 Truck Terminal & Business Service business use. Changes to site stormwater
12 management and lot coverage proposed. The property is located within the Light
13 Industrial District and is off 40 Tivoli Drive. Tax Map 50, Lot 27E. **Workshop**
14 **compliance/ Findings of Fact & Decisions for possible approval**

15
16 Mr. Koeninger recused himself. Robert Martin of Prime Engineering represented the applicant.
17 Mr. Livingston reviewed the compliance items. DEP approval was received last week. The
18 stormwater comments have been addressed.

19
20 **MOTION**

21 Motion by Ms. Durand, seconded by Mr. Lagasse, to find the application compliant. Passed 4-0-
22 1 with Mr. Koeninger abstaining.

23
24 Draft Findings of Facts & Decisions for the amendment were in the packets.

25
26 **MOTION**

27 Motion by Ms. Durand, seconded by Mr. Baratta, to approve the site plan and Findings. Passed
28 4-0-1 with Mr. Koeninger abstaining.

29
30 Mr. Martin will email the plans to the Planning Office to be plotted. Board members will come
31 in and sign them.

32
33 Mr. Koeninger returned to the Board.

34
35 **OTHER BUSINESS**

- 36
37 **I. Application Extensions to be Considered:**
38 a. Chick Crossing Subdivision
39 b. Dells Downeast Subdivision
40 c. Anchor Inn Site Plan Amendment
41 d. The Beaches Site Plan
42 e. Seahorse Resort

43
44 **MOTION**

45 Motion by Mr. Koeninger, seconded by Mr. Lagasse, to grant 60 day extensions. Passed
46 unanimously.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

ADJOURN

MOTION

Motion by Mr. Koeninger, seconded by Mr. Baratta, to adjourn. Passed unanimously.

MINUTES APPROVED June 26, 2023

ACCEPTED BY:

Richard DeBold Cinndi Davidson
Richard DeBold, Secretary Cinndi Davidson, Recorder