

An Ordinance to Amend Chapter 202 (Subdivision of Land) of the Town of Wells to Revise Application Submittal Procedures and Add Review Restrictions on Subdivisions and Subdividers in Default of Approvals

NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed-out~~.
Other sections of the Ordinance are unchanged.

The Town of Wells hereby ordains and enacts “An Ordinance to Amend Chapter 202 (Subdivision of Land) of the Town of Wells to Revise Application Submittal Procedures and Add Review Restrictions on Subdivisions and Subdividers in Default of Approvals” to read as follows:

Part 1: § 202-5, entitled “administrative procedure” is hereby amended as follows:

§ 202-5. Administrative procedure.

B. Agenda. In order to avoid unnecessary delays in processing applications for subdivision review, the Board Planning Office shall prepare an agenda for each regularly scheduled meeting. Applicants shall request to be placed on the Board's agenda at least ~~40~~ 14 days in advance of a regularly scheduled meeting by ~~contacting the Code Enforcement Officer~~ submitting an application and plan or updated submission materials to the Planning Office. ~~Applicants who attend a meeting but who are not on the Board's agenda may be heard but only after all agenda items have been completed, and then only if a majority of the Board so votes.~~ The Board shall not accept more than two preapplication sketch plans ~~in~~ at any ~~month~~ meeting.

C. If any portion of a proposed subdivision crosses a municipal boundary, the Planning Board shall meet with the Planning Board from the adjoining municipality to discuss the application.

D. If a subdivider is in default of a previously approved subdivision or site plan in the Town of Wells, the Planning Board may refuse to review an application. The Planning Board shall conduct a review of any such defaults, determine the default (s) and may suspend or the application's review or deny the application until the defaults are resolved.

E. If a subdivider is determined to be in default of approvals and the Town has used performance guaranty funds to resolve the default, the subdivider may be determined to not have technical capacity and the Planning Board may require oversight by an experienced and Maine licensed professional engineer for any future subdivision amendments or new subdivision applications.

Part 2: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

Given under our hands this ____ day of _____, 2024.

THE SELECT BOARD OF THE TOWN OF WELLS:

John MacLeod III

Scott DeFelice

Kathleen Chase

Timothy Roche

James N. Smith