



# TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

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Meeting Agenda

Tuesday, April 12, 2016, 9:00 AM

## Wells Activity Center

113 Sanford Road, Wells

### MINUTES

#### I. FEBRUARY 2, 2016 DRAFT MEETING MINUTES

Documents: [SRC MIN 02-02-16.PDF](#)

### DEVELOPMENT REVIEW & WORKSHOPS

#### I. PINEDEROSA WEST CAMPGROUND

Baston Properties, LLC, owner/applicant; Post Road Surveying Inc, agent. Site Plan Amendment Application seeking after the fact approval to reduce the parcel acreage from 150.9 acres to 26.86 acres; to allow gravel parking for the RV sites instead of grass parking; to allow up to 1,500 SF of structure to be built for a bath house, maintenance shed and/or other minor structure(s); and to add a well pump house. The amendment is to rectify an illegal lot division which created a 19+ acre parcel with no street frontage. The site plan use shall remain a Tent and Recreational Vehicle Park consisting of 84 RV sites. The parcel is served by on-site septic and an on-site drilled well. The parcel is located within the Rural District and is off of Hiltons Lane. Tax Map 11, Lot 25. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

Documents: [PINEDEROSA WEST AMEND APP MEMO 04-08-16.PDF](#), [PINEDEROSA WEST AMD ART V \(145-30\) RURAL DIST CHECKLIST 04-06-16.PDF](#), [PINEDEROSA WEST AMD ART VI \(145-35 TO 145-47\)04-06-16.PDF](#), [PINEDEROSA WEST AMD DRAFT COMPLETNEESS 04-07-16.PDF](#), [PINEDEROSA WEST AMD SITE PLAN NOTES 04-08-16.PDF](#), [PINEDEROSA WEST SITE PLAN DRAFT 03-07-16.PDF](#), [PINEDEROSA WEST SITE PLAN AMEND APP SUBMISSION 03-07-16.PDF](#), [PINEDEROSA WEST SHT 1 SIGNED 07-09-07.PDF](#)

#### II. ARMSTRONG FENCE

Steve & Lisa Duplisea, owner/applicant; Geoffrey Aleva, Civil Consultants, agent. Site Plan Amendment Application to eliminate the previously approved 40' x 100' 2-story office building and 32' x 38' garage and instead construct a 1,792 SF Business Office use (2-story building) and a 1,536 SF Business Contractor/ Business Wholesale/ Warehousing (1-story building), an accessory outdoor storage area/ display area, and associated parking. The parcel is located within the Light Industrial District and is off of 632 North Berwick Road. Tax Map 40, Lot 3-4. **Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft**

**Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

Documents: ARMSTRONG AMEND APP MEMO 04-08-16.PDF, ARMSTRONG FENCE AMD ART V (145-28) LIGHT INDUSTRIAL DIST CHECKLIST 04-07-16.PDF, ARMSTRONG FENCE AMD ART VI (145-35 TO 145-47) TOWN REGS CHECKLST 03-30-16.PDF, ARMSTRONG FENCE AMD ART VII PERFORMANCE STANDARDS NA 04-07-16.PDF, ARMSTRONG FENCE AMD COMPLETENESS DRAFT 03-30-16.PDF, ARMSTRONG FENCE SITE PLAN AMEND SUBMISSION 03-09-16.PDF, ARMSTRONG FENCE DRAFT PLAN L1 03-09-16.PDF, ARMSTRONG FENCE DRAFT PLAN L2 03-09-16.PDF

**III. JOSHUA'S RESTAURANT**

Joshua Mather, owner/applicant. Harvey Wells, architect. Site Plan Amendment Application to construct a 228 SF building addition and a 48 SF walk-in cooler; construct a 416 SF covered outdoor dining area for 16 additional seats for the Standard Restaurant use (new total of 93 seats), and expand the entry footprint by 120 SF for ADA accessibility. The parcel is located within the General Business District and is off of 1637 Post Road. Tax Map 135, Lot 15.

**Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

Documents: JOSHUAS RESTAURANT AMD MEMO 04-08-16.PDF, JOSHUAS RESTAURANT AMD SITE PLAN ART V (145-26) GEN BUS 04-07-16.PDF, JOSHUAS RESTAURANT AMD ART VI (145-35 TO 145-47) TOWN REGS 04-07-16.PDF, JOSHUAS RESTAURANT AMD ART VII PERFORMANCE STANDARDS NA 04-07-16.PDF, JOSHUAS RESTAURANT AMD DRAFT COMPLETENESS 04-07-16.PDF, JOSHUAS RESTAURANT AMD PLAN MARKUP 04-07-16.PDF

**IV. COAST 2 COAST**

Lyons Enterprises, owner; Daniel Crook, applicant. Site Plan Amendment to install a 10' x 12' walk-in cooler for the existing 1,550 SF Business Contractor Use building; and to obtain after the fact approval for 9 gravel parking spaces and a paved walkway installed without site plan approval. The parcel is located within the Residential Commercial District and is off of 835 Sanford Road. Tax Map 49, Lot 29-1.

**Receive Site Plan Amendment Application, Workshop Articles V, VI, VII and draft completeness**

Documents: COAST 2 COAST AMEND APP MEMO 04-05-16.PDF, COAST 2 COAST ART V (145-24) RES COMM CHECKLIST 04-05-16.PDF, COAST 2 COAST ART VI (145-35 TO 145-47) TOWN REGS 04-05-16.PDF, COAST 2 COAST ART VII PERFORMANCE STANDARDS NA 04-05-16.PDF, COAST 2 COAST DRAFT COMPLETENESS 04-05-16.PDF, 0049-029-1 DEED.PDF, MDOT TAKING 0049-029-1.PDF, COAST 2 COAST DRAFT PLAN 04-04-16.PDF, COAST 2 COAST AMEND APP SUBMISSION 03-17-16.PDF

**V. SEACOAST MOTEL**

Jmseacoast, LLC, owner/applicant. Site Plan Amendment Application to install a fence, eliminate the Hotel/Motel dumpster and install a 10' x 12' shed. No change proposed to the existing Hotel/Motel use which consists of 15 one-bedroom units. The parcel is located within the General Business District and is off of 40 Post Road. Tax map 105, Lot 2.

**Comment on Site Plan Amendment Application for the Planning Board**

Documents: SEACOAST MOTEL AMEND MEMO 04-08-16.PDF, SEACOAST MOTEL AMD ART VII (145-52) LODGING FACILITIES 04-08-16.PDF, SEACOAST MOTEL SITE PLAN AMD DRAFT 03-28-16.PDF, SEACOAST MOTEL AMD SUBMISSION 03-28-16.PDF

**OTHER BUSINESS**

**ADJOURN**



# TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

Meeting Minutes  
Tuesday, February 2, 2016, 9:00 AM  
Littlefield Meeting Room, Town Hall  
208 Sanford Road, Wells

The meeting was called to order by Town Engineer/Planner Mike Livingston. Members present: Highway Department Commissioner Terry Oliver, Police Lt. Gerry Congdon, Fire Chief Dan Moore, Assistant Code Enforcement Officer Jim Genereux, Planning Assistant Shannon Belanger, Meeting Recorder Cinndi Davidson.

## MINUTES

January 12, 2016

### **MOTION**

Motion by Mr. Genereux, seconded by Lt. Congdon, to accept the minutes as submitted.  
**PASSED 5-0.**

## DEVELOPMENT REVIEW AND WORKSHOP

- I. BURNT MILL ESTATES SITE PLAN** - Burnt Mill Holding Company, LLC, owner, William Bradley Booth, applicant; Hart Howerton & Corner Post Land Surveying, Inc, engineer/surveyor. Site Plan Application for permitted uses within portions of the Burnt Mill Estates Subdivision open space including an 18-hole Golf Course and Driving Range(Low-intensity commercial recreation use); a Kids Club, a Fitness Club with pool, a Golf Clubhouse with Event Barn, and Maintenance Buildings, sheds, restrooms and associated parking (Club use); and a Standard Restaurant use with the Golf Clubhouse are proposed. Parcels are located within the Rural & 75' Shoreland Overlay Districts and are off or in the vicinity of Hobbs Farm Road. Tax Map 62, Lots 12, and 13 and Map 63, Lot 7. **Comment on Site Plan for the Planning Board**

Brad Booth, applicant, and Jim Greer of Pinkham & Greer presented the plan for the second part of the Burnt Mills Subdivision which includes the golf course, club house, kids' club, fitness club and event barn.

Lt. Congdon was concerned about foot traffic on Hobbs Farm Road to get to the driving range. Mr. Booth said there is a crossing for cart and foot traffic. There will also be a crossing at Route 9A and Storer Lane. Mr. Oliver suggested crosswalk lights like the ones in front of the post office. The lights are triggered by either a light beam or a push button. Mr. Booth expects traffic

to slow down once the area becomes developed. Mr. Genereux has given Code Office recommendations on parking to the Planning Board.

Chief Moore questioned some of the snow storage areas and recommended extending the hammerheads to pile up the snow at the ends of the roads. Open space areas are also available. The pond is directly behind the clubhouse and event hall. Chief Moore said it should be certified for ISO requirements by an engineer; this should reduce the insurance premiums for the homeowners. The Chief has contacted the Fire Marshall's Office about the capacity of the 15,000 gallon tank. Mr. Booth said it is secondary storage for the public water supply. The clubhouse and event hall will be sprinklered off the system for the whole village. The public buildings will have Knox boxes. Chief Moore recommended putting them on the maintenance buildings and other buildings that will be locked. The Kids' Club will be a building, and managed by the Association. Some of the propane tanks will be buried; surface tanks should be protected with bollards or boulders. Restrooms on the golf course will be located at the 9<sup>th</sup> and 15<sup>th</sup> holes; the Chief asked about access for emergency vehicles. Ambulances and police cars can drive across the fairways.

The Committee's comments and recommendations will be submitted to the Planning Board.

- II. WIRE ROAD SUBDIVISION** – Highpine Properties, LLC, owner/applicant. Attar Engineering, Inc. agent. Preliminary Subdivision Application for a major subdivision consisting of 40 lots/ single family dwelling units on 100 acres of land (Residential Cluster Development) with private roadways and infrastructure. The parcel is located off of Wire Road and is within the Rural District. Tax Map 75, Lot 1. **Comment of Preliminary Subdivision Application for the Planning Board**

Dave MacKenzie of Highpine Properties and Lew Chamberlain of Attar Engineering presented a preliminary subdivision application for a 40 lot cluster subdivision. Approximately 74% of the acreage will be preserved as open space. There will be a common septic system and individual wells. The DEP permitting process has been started. Two new curb cuts will require entrance permits. Traffic will be below the threshold for a traffic movement permit. The applicant owns the 500 acre parcel to the rear and a ROW will connect the two parcels. Drainage will go into a detention/treatment/fire pond. One abutter's driveway appears to be encroaching on the lot line; the surveyor will check this. The significant vernal pools have been mapped and there are no wetlands.

Chief Moore asked if the pond will be certified. It will be lined with either clay or a pond liner since DEP wants the ground water and runoff water separated. The Chief also asked if a second dry hydrant can be installed along Wire Road. Access for fire trucks is limited there and an emergency might require shutting down one lane of the road. The road between Lots 26 and 27 is only a paper road leading to the rear parcel. Mr. MacKenzie said it will be gated and locked to keep 4-wheelers out. Chief Moore recommended a Knox box in case they need emergency access. Snow storage will be in the open space. There will be signage at the pond "Skate at your own risk" and the Homeowners Association should monitor the thickness of the ice.

The Committee's comments and recommendations will be submitted to the Planning Board.

**ADJOURN**

**MOTION**

Motion by Chief Moore, seconded by Mr. Genereux, to adjourn. **PASSED** unanimously.

RESPECTFULLY SUBMITTED:

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Cinndi Davidson, Meeting Recorder

ACCEPTED BY:

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Michael G. Livingston, PE, Town Engineer/Planner



## Planning & Development

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon M. L. Belanger, Planning Assistant</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

### Site Plan Amendment Application Memo

Date: April 8, 2016

To: Staff Review Committee

From: Planning Office

Re: Pinederosa West Campground – Site Plan Amendment Application - Map 11, Lot 25

Baston Properties, LLC, owner/applicant. Post Road Surveying Inc, agent. Site Plan Amendment Application seeking after the fact approval to reduce the parcel acreage from 150.9 acres to 26.86 acres; to allow gravel parking for the RV sites instead of grass parking; to allow up to 1,500 SF of structure to be built for a bath house, maintenance shed and/or other minor structure(s); and to add a well pump house. The amendment is to rectify an illegal lot division which created a 19± acre parcel with no street frontage. The site plan use shall remain a Tent and Recreational Vehicle Park consisting of 84 park model RV sites. The parcel is served by on-site septic and an on-site drilled well. The parcel is located within the Rural District and is off of Hiltons Lane. Tax Map 11, Lot 25.

#### **§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **YES - up to 1500 SF proposed, change in land area proposed**

#### **§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. *Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. [Amended 4-18-1998] The amendments sought requires Staff Review committee approval.*
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

#### **§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

#### **§ 145-73. Fees.**

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing,

shall be paid at the time an application is filed. **Applicant submitted an application fee and escrow.**

- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan.
- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000]**

**§ 145-74. Review and approval process.**

- G. Amendment to approved site plans.
  - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Procedure for site plan pre-application and application shall be followed.** \*
  - (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.
  - (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**
- H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **Not applicable**
- I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **Not applicable**
- A. **Preapplication. [Amended 4-14-2000] \***

(1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:

- (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 3/9/16 the Code Officer determined the uses are permitted.**
- (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 3/10/16**

[1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**

- [2] Certify that said notices have been sent or delivered.
  - [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
  - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 4/12/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 3/10/16; meeting is on 4/12/16**
  - (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
  - (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

### **Recommendations and Conclusion:**

- 1. The Staff Review Committee should consider receiving the site plan amendment application.
- 2. The SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
  - a. Waiver of plan scale to be considered from 1" = 40 feet to 1" = 60 feet
  - b. Minor plan revisions recommended:
    - i. Labels referencing notes
    - ii. Traffic direction arrows
    - iii. Depict "forested" wetlands per 2007 site plan
    - iv. Depict existing dumpster area
    - v. Depict ADA parking and signage
  - c. Minor note revisions and additional notes recommended:
    - i. Parking total
    - ii. Easement for the dumpster
    - iii. Deadline for conveyances to be made
  - d. Waiver of property contours based on the following:
    - i. Project is already constructed
- 3. The SRC should review and comment on the application for the applicant
- 4. The SRC should vote to continue the workshop to the next meeting (4/26)

**Town of Wells , Maine Review Checklist**  
**Page 1 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

The purpose of the Rural District is to maintain the open, rural character of the land within the district. Open uses of the land, such as forestry and agricultural uses, should be encouraged and large-scale residential uses discouraged. Residential development should be clustered so that significant areas of the development can be maintained as open space and, where applicable, used to buffer the development from existing Town ways.

<b>§ 145-30. Rural District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				No such use exists or is proposed on the parcel.
	(1) Animal husbandry.			<b>NA</b>	
	(2) Agriculture.			<b>NA</b>	
	(3) Cemetery having an area less than 20,000 square feet and containing no buildings.			<b>NA</b>	
	(4) Dwelling, one-family. (See also § 145-55)			<b>NA</b>	
	(5) Dwelling, two-family.			<b>NA</b>	
	(6) Dwelling, multifamily. (See also § 145-48)			<b>NA</b>	
	(7) Recreation, passive.			<b>NA</b>	
	(8) Timber harvesting.			<b>NA</b>	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
	(1) Bed and breakfast/small inn (See also § 145-52)			<b>NA</b>	
	(2) Cemetery larger than 20,000 square feet in area.			<b>NA</b>	
	(3) Church.			<b>NA</b>	
	(4) Club.			<b>NA</b>	
	(5) Congregate care facility, in areas served by public water and sewer. <b>[Added 6-8-2010]</b>			<b>NA</b>	

**Town of Wells , Maine Review Checklist**  
**Page 2 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(6)	Day-care home.			<b>NA</b>	
(7)	Day-care center/ nursery school.			<b>NA</b>	
(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. <b>[Added 4-14-2000; amended 11-5-2002]</b>			<b>NA</b>	
(9)	Kennel.			<b>NA</b>	
(10)	Mineral extraction. (See also § 145-53)			<b>NA</b>	
(11)	Municipal facility.			<b>NA</b>	
(12)	Museum having a gross floor area less than 5,000 square feet.			<b>NA</b>	
(13)	Neighborhood convenience store.			<b>NA</b>	
(14)	Public utility facility.			<b>NA</b>	
(15)	Recreation, active.			<b>NA</b>	
(16)	Recreation, low-intensity commercial.			<b>NA</b>	
(17)	Restaurant (standard) containing fewer than 75 seats.			<b>NA</b>	
(18)	Sawmill.			<b>NA</b>	
(19)	School, public and private.			<b>NA</b>	
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. <b>[Added 4-18-1995]</b>			<b>NA</b>	
(21)	Tent and recreational vehicle park.	<b>Y</b>			84 site park model RV Park exists. RV park model sites average 40' in width x 50' in depth (2,000 SF) per 145-50B
(22)	Transmission tower, radio.			<b>NA</b>	

**Town of Wells , Maine Review Checklist**  
**Page 3 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 4 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 5 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 6 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 7 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 8 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 9 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 10 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 11 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 12 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 13 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 14 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 15 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 16 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 17 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 18 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 19 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 20 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 21 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 22 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 23 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 24 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells , Maine Review Checklist**  
**Page 25 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
	incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.				
(1)	Bed and breakfast/small inn (See also § 145-52)			<b>NA</b>	
(2)	Cemetery larger than 20,000 square feet in area.			<b>NA</b>	
(3)	Church.			<b>NA</b>	
(4)	Club.			<b>NA</b>	
(5)	Congregate care facility, in areas served by public water and sewer. <b>[Added 6-8-2010]</b>			<b>NA</b>	
(6)	Day-care home.			<b>NA</b>	
(7)	Day-care center/ nursery school.			<b>NA</b>	
(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. <b>[Added 4-14-2000; amended 11-5-2002]</b>			<b>NA</b>	
(9)	Kennel.			<b>NA</b>	
(10)	Mineral extraction. (See also § 145-53)			<b>NA</b>	
(11)	Municipal facility.			<b>NA</b>	
(12)	Museum having a gross floor area less than 5,000 square feet.			<b>NA</b>	
(13)	Neighborhood convenience store.			<b>NA</b>	
(14)	Public utility facility.			<b>NA</b>	
(15)	Recreation, active.			<b>NA</b>	
(16)	Recreation, low-intensity commercial.			<b>NA</b>	
(17)	Restaurant (standard) containing fewer than 75 seats.			<b>NA</b>	

**Town of Wells , Maine Review Checklist**  
**Page 26 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(18)	Sawmill.			<b>NA</b>		
(19)	School, public and private.			<b>NA</b>		
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. <b>[Added 4-18-1995]</b>			<b>NA</b>		
(21)	Tent and recreational vehicle park.	<b>Y</b>			84 site park model RV Park exists. RV park model sites average 40' in width x 50' in depth (2,000 SF) per 145-50B	
(22)	Transmission tower, radio.			<b>NA</b>		
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in § 145-51 are accessory uses.	<b>Y</b>			Accessory uses approved in 2007 consist of a 69' x 49' pool with apron; a 16' x 24' laundry building, and a dumpster area (off-site).  Accessory uses proposed with the amendment application now include: a 68' x 45' pool with apron; a 24' x 16' laundry building; a 10' x 10' well pump house, and another building(s) up to 1,500 SF. See note 1F.	
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.			<b>NA</b>		
F.	Dimensional requirements.					
(1)	Minimum lot size:					
(a)	One hundred thousand square feet of net area.	<b>Y</b>			Parcel is proposed to go from 150.9 acres to 26.86 acres (1,130,691 SF net area (less 50' wide ROW area))	
(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			<b>NA</b>		
(2)	Maximum density: <b>[Amended 4-28-1995]</b>					
(a)	One dwelling unit for each 100,000 square feet of net area.			<b>NA</b>	No dwellings located on this parcel.	
(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.			<b>NA</b>	No dwellings located on this parcel.	

**Town of Wells , Maine Review Checklist**  
**Page 27 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-12-2003; 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No cottage units exist or are permitted on this parcel.
(3)		Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.	Y*			The plan identifies 93.52' + 107.16' = 200.68' of street frontage for Map 11, Lot 25 along Hiltons Lane.  The divided parcel (Map 11, Lot 25B) is proposed to have 203.21' of street frontage on the 50' wide ROW across Lot 11, Lot 25. (road name to be determined). <b>See recommended Note 5.</b>
(4)		Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.	Y*			Proposed lot coverage is noted to be 209,192 SF or 18.5% of the <b>1,130,691 SF parcel (net area)</b> . Maximum lot coverage is noted to be 20%.  <b>See recommended note 1F revision.</b>
(5)		Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)	Y*			<b>See recommended note 1F revision.</b>
(6)		Setbacks.				See note 4 referencing to prior site plan approval. (See note 4 on prior approved plan). <b>See recommended note 1F revision.</b>
	(a)	All structures shall be at least:				
	[1]	Twenty-five feet from any lot line.	Y			Setback depicted on the site plan.

**Town of Wells , Maine Review Checklist**  
**Page 28 of 28**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-30. Rural District.</b>				<b>Application Meet Requirements</b>			
				Yes	No	NA	Comments
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			<u>See recommended note 5.</u>
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			NA	
		[4]	Twenty-five feet from the boundary of any cemetery.	Y*			<u>Setback/no disturb line from existing cemetery to be noted.</u>
		(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.			NA	Parcel does not abut such rivers or brooks.
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. <b>[Added 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted on the parcel.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Cluster residential development.				Y			
G.	Special provisions. All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.					NA	A residential subdivision is not proposed on this parcel.

**Town of Wells, Maine Review Checklist**  
**Page 1 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25  
Prepared By: Office of Planning & Development

Date of Review: 04-06-16  
Company Name: Town of Wells

**Article VI**

Town-Wide Regulations

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	All uses shall conform to the provisions of this chapter.	Y			
B.	All lots (except lots being merged with an abutting parcel) and structures shall comply with dimensional requirements specified for the district in which they are located, except those considered nonconforming. Where a single lot of record contains more than one principal structure, the lot may not be divided in a way which would create a parcel or parcels which do not conform to the requirements of this chapter for lot size, setbacks or street frontage. <b>[Amended 4-19-1997]</b>	Y			
C.	A residential lot with a dwelling unit may be used for keeping noncommercial domestic poultry and domestic livestock in conformance with Article V District Regulations. Structures used exclusively for the housing of such domestic poultry or livestock with a ceiling height below 6.5 feet or footprint area 50 square feet or less shall not require a building permit. Domestic poultry and livestock shall be contained within the lot boundaries.			NA	
D.	No manufactured home which was manufactured before June 15, 1976, may be brought into the Town of Wells unless suitable evidence is provided to the Code Enforcement Officer that the manufactured home does not contain aluminum electrical wiring, that the manufactured home contains two exterior exits and that the roof is constructed to support a live load of 30 pounds per square foot. <b>[Amended 4-16-1999]</b>			NA	
E.	Land within the lines of a street right-of-way on which a lot abuts shall not be considered as part of such lot for the purposes of meeting the lot area requirements of this chapter, even though the fee to the land may be in the same ownership as the lot.	Y			
F.	No part of a setback area, open space or off-street parking or loading space required by this chapter shall be included as part of any other setback area, open space or off-street parking or loading space similarly required for any other structure or use except as explicitly provided for within this chapter.	Y			
G.	Multiple principal and accessory uses, which may be located within multiple buildings, shall be permitted on a lot.	Y			

**Town of Wells, Maine Review Checklist**

**Page 2 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

H.	Any lot created after January 1, 1994, shall have frontage on a street which existed prior to January 1, 1994, or on a street which is constructed to the standards required by Chapter 201, Articles II and III of the Wells Municipal Code.	Y			
I.	No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter 115, Floodplain Management, § 115-6, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space. <b>[Amended 11-6-2001]</b>	Y			
J.	Maximum building height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills and similar uninhabitable structures. However, except chimneys which do not exceed the height limit by more than 10 feet, such structures require a lot line setback no less than the minimum required in the district plus the height by which they exceed the prescribed height limitations.	Y			
K.	Lot area used to meet the density requirements of a use on a lot shall not be used to meet the density requirement of any other use.	Y			
L.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot that contains 5,000 square feet or less, as long as the following minimum setbacks are met:			NA	Parcel exceeds 5,000 SF.
	(1) Twenty-five feet from the boundary of any cemetery or any street right-of-way.				
	(2) Forty feet from the right-of-way of any state highway.				
	(3) The full required setback from any seawall, water body or wetland, according to § 145-33.				
	(4) Five feet from other lot line.				
M.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use on a residential lot shall be considered legally nonconforming if it was in existence at its current location prior to January 26, 1998. <b>[Added 4-18-1998]</b>			NA	No such structures exist.
N.	The construction, renovation, alteration, maintenance and/or operation of a building, structure or any other type of facility for use in whole or in part as a gambling casino is prohibited in all zoning districts within the Town of Wells. No building permit or certificate of occupancy shall issue for a gambling casino. <b>[Added 11-5-2002]</b>			NA	

**Town of Wells, Maine Review Checklist**  
**Page 3 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

O.	Lots abutting multiple street rights-of-way are permitted to reduce the minimum setback from a lot line abutting any street right-of-way to the minimum setback from a lot line as required for the district in which they are located if the following are met: <b>[Added 6-12-2012]</b>			<b>NA</b>	Parcel does have multiple street frontages.
(1)	Contiguous street frontage for the lot exists on more than one street right-of-way;				
(2)	The minimum setback from any lot line abutting a street right-of-way is met from the street right-of-way that is most compliant with street frontage requirements;				
(3)	If the lot has equal and/or greater than the street frontage requirement on two abutting street rights-of-way, the lot owner may choose which right-of-way shall meet the minimum setback of a lot line abutting a street right-of-way; and				
(4)	The setback reduction shall not be permitted to apply to the setback from any lot line abutting a right-of-way of any state highway.				
<b>§ 145-36. Timber harvesting. [Amended 4-19-1997]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			<b>NA</b>	
<b>§ 145-37. Yard sales.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		<b>Y</b>			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				
B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. <b>[Amended 4-28-1995]</b>				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				

**Town of Wells, Maine Review Checklist**

**Page 4 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. <b>[Amended 4-28-1995]</b>				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. <b>[Amended 4-28-1995]</b>				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. <b>[Amended 4-28-1995]</b>				
G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. <b>[Amended 4-28-1995]</b>				
<b>§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.	<b>Y*</b>			<p>A visual screen is required for residential abutters (Map 11, Lot 24 and Map 11, Lot 25B). <b><u>Buffer note 1E to be labelled on the plan in several locations.</u></b></p> <p>See reference Plan 1, Sheet 1 for the previously approved tree line.</p> <p>No Park sites or facilities exist or are proposed to be within view of any dwelling unit located within 200 feet of the parks boundary. The only existing dwelling unit within 200 feet of the RV Park proposed lot line is Map 11, Lot 24. See note 1F recommended note addition: <b><u>Any new structures shall meet the standards of 145-50 and 145-30, see recommended revisions to Note 1F.</u></b></p>
B.	In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.			<b>NA</b>	

**Town of Wells, Maine Review Checklist**  
**Page 5 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>							<b>Application Meet Requirements</b>			
							<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Off-street parking may be provided out of doors or within a building. Off-street parking shall be considered to be an accessory use when provided to serve any permitted or nonconforming use. In the calculation of the number of parking spaces required, any fractional number of spaces shall be rounded to the next highest whole number for each use existing or proposed on the property. <b>[Amended 4-16-1999]</b>						Y			On-street parking is prohibited.
B.	Land may not be used and a building may not be occupied until off-street parking and/or loading facilities are provided.						Y			
C.	Design standards. <b>[Amended 4-28-1995]</b>									
(1)	All parking areas containing three or more parking spaces, except those serving one- or two-family dwellings, shall be designed according to the following criteria:									
		<b>Parking Angle (degrees)</b>	<b>Stall Width, feet</b>	<b>Skew Width, feet</b>	<b>Stall Depth, feet</b>	<b>Aisle Width, feet</b>				
		90	9	na	18.5	26	Y			All parking shall meet the 9' x 18.5' dimension.  Each RV site shall have 2 parking spaces. The proposed common bathhouse, maintenance shed, and or other minor structures up to a total of 1500 SF in area may include up to 2 parking spaces to be located on the parcel. See Reference Plan 1, sheet 1, note 6.
		60	8.5	10.5	19	16 one way			NA	
		45	8.5	12.75	17.5	12 one way			NA	
		30	8.5	17	17.5	12 one way			NA	
		180	24	na	9	13 one way			NA	

**Town of Wells, Maine Review Checklist**  
**Page 6 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(2)	Every business, commercial, institutional, public and nonprofit use shall provide a minimum of 4% of the total parking spaces for vehicles with handicapped registration plates, but in no case less than one space. Handicapped spaces shall be designed according to ANSI Standard A117.1-1986.	Y*		A total of 168 parking spaces (2 per site, 84 sites) exists. 2 spaces exist at the Laundry Building and 2 spaces are proposed for the proposed building(s) up to 1500 SF. A total of 172 parking spaces are proposed.  <b><u>See recommended note 6 and 1 space at the laundry building. Another space may be required at the future bathhouse.</u></b>	
	(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.	Y*		<b><u>ADA compliant signs for the handicap parking are required.</u></b>	
D.	The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection F below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists. <b>[Amended 4-26-1996; 4-19-1997; 11-2-2010; 11-5-2013; 6-10-2014]</b>					
		<b>Use</b>	<b>Required Parking Spaces</b>			
		Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window		<b>NA</b>	
		Bowling alley	3 1/4 per lane		<b>NA</b>	
		Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space		<b>NA</b>	
		Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business		<b>NA</b>	
		Day care	1 per 400 square feet of floor area used for child care, plus 3		<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 7 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			<b>NA</b>	
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Lodging facility	1 1/10 for each sleeping room			<b>NA</b>	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business			<b>NA</b>	
	Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>	
	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>	
	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			<b>NA</b>	
	Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			<b>NA</b>	
	Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
	Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
	High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 8 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Tent and recreational vehicle parks	See § 145-50C		<b>Y</b>		84 RV sites x 2 spaces = 168 for the RV sites required. 2 spaces approved at the Laundry Building. 2 spaces proposed for the future (up to) 1,500 SF bathhouse/maintenance shed/ other minor structures.  172 spaces proposed.
	Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			<b>NA</b>	
	Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			<b>NA</b>	
	(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.			<b>NA</b>	
	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.	<b>Y</b>			Not required by the Planning Board. None proposed.
E.		Required off-street parking in all districts as determined in § 145-39D shall be located on the same lot as the use it serves unless no reasonable on-site location exists and all of the following off-site requirements are satisfied: <b>[Amended 6-10-2014]</b>	<b>Y</b>			Off-street parking provided. No off-site parking proposed.
	(1)	The off-site parking location is less than 1,000 feet from the boundary line of the property where the use it serves is located;				
	(2)	The off-site parking location is established by a recorded easement, or a license or lease agreement, to benefit the property where the use it serves is located;				
	(3)	The off-site parking location shall be located within a district in which a commercial parking lot is a permitted use; and				
	(4)	A site plan approval or a site plan amendment is obtained from the Planning Board for each property.				

**Town of Wells, Maine Review Checklist**

**Page 9 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

F.	Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.	Y*			<b><u>Is any of the facility plowed in the winter?</u></b>
G.	Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.			NA	Parcel is not within the Shoreland Overlay District.
H.	Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	Y*			<b><u>Town Engineer to review stormwater runoff considerations.</u></b> The changes proposed have an insignificant effect on the existing stormwater conditions.
I.	All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	Y*			Areas that could be used for parking shall be on gravel. Grass parking spaces limit associated sites to a May 1 to Oct 31 season. <b><u>See recommended not change to 1B.</u></b>
j.	In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. <b>[Added 4-12-2003]</b>			NA	
<b>§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			See reference Plan 1, Sheet 1, note 12

**Town of Wells, Maine Review Checklist**  
**Page 10 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-41. Light and glare. [Amended 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	Y			See reference Plan 1, Sheet 1, Note 13. No new lighting is proposed.
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:	Y			See reference Plan 1, Sheet 1, note 12
(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				
(2)	No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				

**Town of Wells, Maine Review Checklist**  
**Page 11 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
<p>Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.</p>	<b>Y</b>			<p>Best Management Practices are a standard condition of approval.</p>
<b>§ 145-43. Stormwater management. [Amended 4-27-2007]</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
<p>Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.</p>	<b>Y</b>			<p>The changes proposed have an insignificant effect on the existing stormwater conditions.</p>
<b>Chapter 202-12F, General Standards</b>				
<b>(4) Stormwater management. [Amended 4-27-2007]</b>				
<p>(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.</p>	<b>Y</b>			
<p>(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.</p>			<b>NA</b>	

**Town of Wells, Maine Review Checklist**  
**Page 12 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.</p>			<b>NA</b>	
<p>(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.</p>			<b>NA</b>	
<p>(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.</p>			<b>NA</b>	
<p>(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.</p>			<b>NA</b>	
<p>(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.</p>	<b>Y</b>			
<p>(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.</p>			<b>NA</b>	
<p>(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:</p>			<b>NA</b>	

**Town of Wells, Maine Review Checklist**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.</p>						NA	
<p><b>§ 145-44. Vision obstructions at intersections.</b></p>				<b>Application Meet Requirements</b>			
				Yes	No	NA	Comments
<p>All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.</p>				Y			<p>See Reference Plan 1, sheet 1. Site distances onto Hiltons Lane are sufficient with 350' feet in both directions provided. Hiltons Lane speed limit is noted to be 35 MPH.</p>
<p><b>§ 145-45. Noise.</b></p>				<b>Application Meet Requirements</b>			
				Yes	No	NA	Comments
A.	<p>Purpose. Excessive sound and vibrations are serious hazards to the public health, welfare, safety and quality of life. It is the policy of the Town of Wells to prevent excessive stationary sound and vibration, which may jeopardize the health, welfare or safety of its residents or degrade the quality of life. This ordinance shall apply to the control of all stationary sound and vibration originating in the Town of Wells. This ordinance is not designed to impede any person's First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of the commercial or industrial sectors of the Town of Wells. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only. <b>[Amended 6-14-2011]</b></p>			Y			<p>Sound pressure levels were not provided. If noise is of concern the owner of the parcel will measure noise levels as outlined.</p>

**Town of Wells, Maine Review Checklist**  
**Page 14 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

B.	Violation. It is unlawful, and a violation of the Wells Code to make, emit, continue, or cause to be made, emitted or continued, any excessive, unnecessary or unreasonable noise beyond the boundaries of a person's property in excess of the noise levels established in the Wells Code. Where multiple residences or businesses exist within the confines of a structure, the limits of one's occupancy rights shall be considered the boundary for purposes of measuring noise. <b>[Amended 4-16-1999; 6-14-2011]</b>	Y			
C.	Maximum noise level. The maximum permissible noise level produced by any activity (existing or future) on a lot shall not exceed the following limits: <b>[Amended 6-14-2011]</b>	Y			
(1)	Music, amplified or acoustic, not otherwise exempt, that is plainly audible and excessive, unnecessary or unreasonable at a point, not on the property where the music originates, but at the location where the complaint is made.				
(2)	Other noise levels, not otherwise exempt, plainly audible and excessive, unnecessary or unreasonable at the location where the complaint is made.				
D.	Exemptions. The following shall be exempt from the standards of 145-45(C): <b>[Amended 6-14-2011]</b>	Y			
(1)	Natural phenomena.				
(2)	Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour during daytime hours, provided that at no time shall such duration exceed fifteen (15) minutes.				
(3)	Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.				
(4)	Warning devices required by the Occupational Safety and Health Administration or other state or federal governmental safety regulations.				
(5)	Farming equipment or farming activity.				
(6)	Timber harvesting and milling during daytime hours.				
(7)	Noise from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.				

**Town of Wells, Maine Review Checklist**  
**Page 15 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(8)	Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) operated during daytime hours as per the Ordinance or site plan approval, whichever is more restrictive.				
	(9)	Emergency maintenance, construction or repair work.				
	(10)	Noise created by refuse and solid waste collection during daytime hours.				
	(11)	Noise created by any municipal-sponsored events, municipal beach cleaning, school sporting events, parades and Town-approved fireworks displays.				
	(12)	Noises created by plows, trucks and other equipment used in the removal of snow.				
	(13)	Noise from any aircraft operated in conformity with, or pursuant to, Federal law, Federal air regulations, and air traffic control instruction, including any aircraft operating under technical difficulties, any kinds of distress, or under emergency orders of air traffic control.				
	(14)	Noise from trains operating in conformity with or pursuant to all applicable State and Federal laws and regulations.				
	(15)	Emergency or extraordinary situations.				
	(16)	A business may use an outside sound system to notify patrons waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				
	(17)	Noise from the operation of air conditioning or refrigeration units, which are part of the normal operation of a business or businesses located on the premises and which are necessary and normal to the operation of said business, and which air conditioning or refrigeration units are regularly serviced and kept in good repair.				
	(18)	Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.				
E.		The removal or disabling of any noise-suppression device on any equipment is prohibited. Any noise-suppression device on equipment shall be maintained in good working order.	Y			
F.		Enforcement. Notwithstanding § 145-63 of this chapter, this section may be enforced by any of the following methods:				
	(1)	A violation of this section may be considered a land use violation and the enforcement procedures in § 145-63 may be invoked by the Code Enforcement Officer.				

**Town of Wells, Maine Review Checklist**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(2) A violation of this section may be treated as a civil violation as defined by 17-A M.R.S.A. § 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. § 17 and Rule 80H of the Maine Rules of Civil Procedure.				
	(3) A violation of this section may also be considered the creation of a loud and unreasonable noise as prohibited by 17-A M.R.S.A. § 501 (Offenses Against the Public Order: Disorderly Conduct), provided that neither the Town of Wells nor any of its employees may initiate proceedings alleging a violation of both the Town ordinance and the state statute against the same person or persons for the same incident. <b>[Amended 4-16-1999]</b>				
	(4) With regard to a business with a Special Entertainment Permit issued under the authority of the Town of Wells, the municipal police and/or a Code Enforcement Officer for the Town of Wells shall have the authority to order that business to cease operation of the violation immediately upon a second visit to the premises within a two hour period, or a third visit within a 24-hour period beginning with the time of the first visit to investigate a noise complaint, when a police officer or a Code Enforcement Officer has on the previous visit(s) heard plainly audible noise in violation of this ordinance, and has reported that to the owner of the property or the person responsible for the excessive or unreasonable noise. The on-duty Municipal Police Supervisor shall accompany a police officer or Code Enforcement Officer responding to subsequent second and/or third noise complaints and shall have the authority to immediately cease operations of the violation source. The Special Entertainment may not resume within a 12 hour period thereafter. <b>[Added 6-14-2011]</b>				
<b>§ 145-46. Utility distribution lines.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.			NA	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. <b>[Amended 6-4-1996]</b>			NA	
<b>§ 145-47. Utility transmission lines.</b>		<b>Application Meet Requirements</b>			

**Town of Wells, Maine Review Checklist**  
**Page 17 of 18**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

		Yes	No	NA	Comments
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.			NA	
B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.			NA	
C.	Dimensional requirements.			NA	
(1)	Utility transmission lines must meet setback requirements from lot lines and water bodies to the greatest extent practical by the configuration of the utility corridor in which they are located and by the constraints of topography. With the exception of the setback from lot lines, the dimensional requirements of Article V do not apply to utility transmission lines. All aboveground portions of utility transmission lines shall comply with the setback requirements of Article V and § 145-35J.				
(2)	In all zoning districts where the setback for structures is greater than 10 feet from any lot line, the setback for the underground portion of a subsurface transmission line may be reduced to 10 feet from any lot lines.				
(3)	Subsurface and aerial utility transmission lines may be placed within the setbacks from any lot line abutting a street right-of-way provided no portion of a utility transmission line is placed between ground level and a height of 20 feet above the center line of the street within said setback. <b>[Amended 6-4-1996]</b>				
<b>§ 145-47.1. Public Transportation Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
Public transportation shelters may be placed within the ordinarily required setbacks as set forth in Article V.				NA	
<b>§ 145-47.2. School Bus Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	

Town of Wells, Maine Review Checklist

Page 18 of 18

Project Name/District: Pinederosa West Campground - Rural District - Tax Map  
11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

A single school bus shelter which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot following staff review for traffic safety and road maintenance impact.			<b>NA</b>	
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**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 1 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article X**  
**Site Plan Approval**

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:	Y*				Scale is 1" = 60 feet. <b><u>Staff Review Committee to consider granting a waiver to permit a smaller plan scale that required.</u></b> Prior site plan approval was 1" = 80'.
(1)	The name and address of the applicant plus the name of the proposed development.	Y*				<b><u>Owner/applicant mailing address not noted on the site plan.</u></b>
(2)	Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				The proposed parcel is to be 26.86 acres. Net area of the property is 1,130,691 SF. The proposed lot coverage is 209,192 SF or 18.5%. See note 2.
(3)	Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.	Y				The amended site plan has been prepared and stamped by James S. Wright, PLS of Post Road Surveying, dated 3/6/2016.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 2 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(4)	All existing and proposed setback dimensions.	Y*				25' setback from the proposed property lines and Hiltons Lane is noted on the site plan. <b><u>A 25' setback/no disturb area to be labelled on the site plan ref. Note 1E.</u></b>  <b><u>The proposed lot line along the entry drive effects the ability to utilize the previously approved dumpster location. Dumpsters are required to meet setback requirements. See recommended note 7.</u></b>  The proposed common bathhouse, maintenance shed, and or other minor structures up to a total of 1500 SF in area shall meet setback requirements.
(5)	The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y*				The <b><u>new sign</u></b> location along Hiltons Lane is noted. See reference Plan 1, sheet 1, note 12 and 13. No new lighting is proposed.
(6)	The type, size and location of all incineration devices.			NA		No such devices proposed.
(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such devised indicated on the plan.
(8)	The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y*				The existing fire pond and dry hydrant are noted. Existing culverts, utilities, and detention ponds are noted. <b><u>The plan does not note all forested wetland areas per the 2007 site plan.</u></b>
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.				W	See reference plan 1, sheets 4 and 5 for property contour information. No grade changes are proposed. Based on the proposed parcel area change to 26.86 acres, lot coverage is now proposed to be 18.5%. <b><u>Staff Review Committee to consider granting a waiver of requiring parcel contours to be depicted on the amended site plan on 4/12/16</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 3 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	Y*				<p>Each RV site shall have 2 parking spaces. The proposed common bathhouse, maintenance shed, and or other minor structures up to a total of 1500 SF in area may include up to 2 parking spaces to be located on the parcel. See Reference Plan 1, sheet 1, note 6.</p> <p><b><u>The handicap parking spaces and ADA signs to be labelled on the plan.</u></b></p>
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y				<p>A visual screen is required for residential abutters (Map 11, Lot 24 and Map 11, Lot 25B). <b><u>The approximate existing tree line is recommended to be depicted on the site plan for these abutters. SRC to consider if the existing vegetation serves as an adequate visual screen for these abutters. See Note 1E</u></b></p> <p>See reference Plan 1, Sheet 1 for the previously approved tree line. <b><u>See proposed note 1E revision which states a minimum 25 foot vegetated buffer shall be maintained from the property line.</u></b></p> <p>No Park sites or facilities exist or are proposed to be within view of any dwelling unit located within 200 feet of the parks boundary. The only existing dwelling unit within 200 feet of the RV Park proposed lot line is Map 11, Lot 24. See note 1F recommended note addition: <b><u>Any new structures shall meet the standards of 145-50.</u></b></p>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 4 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y*				Proposed 50' wide ROW (Road Name to be determined) 19,189 SF in area to be retained by Osbourne LLC over Map 11, Lot 25 to satisfy the street frontage requirements for Map 11, Lot 25B.  <b><u>Copies of existing deeds provided. See recommended Note 8. Proposed conveyances to be completed within 1 year.</u></b>
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y*				Hiltons Lane is labeled and identified. 33 width shown.  The 50' wide private street ROW road name to be determined.
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				Abutters noted.
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				Signature block provided.
B.	Documentation of right, title or interest in the proposed site.	Y				Deeds provided Book 15105, Page 999-1000 and Book 15401 Page 453-461.
C.	An on-site soils investigation report by a Maine Department of Human Services licensed site evaluator (unless the site is to be served by public sewer). The report shall identify the types of soil, location of test pits and proposed location and design for the subsurface disposal system.			NA		<b><u>Proposed note 1G proposed to permit the installation of a septic system for the proposed Bathhouse/ Maintenance Shed/ other minor structures with future CEO approval and as-built plan.</u></b>
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.			NA		Site plan does not depict any areas for outside storage. <b><u>If such areas exist they must be depicted on the plan.</u></b>
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.			NA		Not served by public sewer (WSD).

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 5 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.			NA		Not served by public water (KKWWD).
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:	Y				The proposed amendments do not alter traffic generation. The Staff Review Committee cannot require a traffic study.
(1)	The estimated peak-hour traffic to be generated by the proposal.					
(2)	Existing traffic counts and volumes on surrounding roads.					
(3)	Traffic accident data covering a recent three-year period.					
(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. [Amended 4-27-2007]	Y				Best Management Practices are a standard condition of approval.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 6 of 6**

Project Name/District: Pinederosa West Campground - Rural District - Tax Map 11, Lot 25

Date of Review: 04-06-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. <b>[Added 4-27-2007]</b>			NA		The changes proposed have an insignificant effect on the existing stormwater conditions. Town Engineer has reviewed and found that any changes in surface runoff is mitigated by the large natural wooded buffers surrounding the site.
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. <b>[Added 4-27-2007]</b>					
	<b>Chapter 201, Article IV. Sidewalk Development.</b>			NA		

**Notes:**

1. See Article V, VI, VII review comments.
2. See recommended site plan changes and notes.

## NOTES

1.) This plan was prepared to amend the previous site plan (reference plan 1) dated 7/9/2007 as follows:

- A. The 84 site park model RV Park shall be located on a 26.86 acre  $\pm$  (gross lot area) parcel of land as depicted heron (Tax Map 11, Lot 25)
- B. Each RV site shall have two parking spaces each which can be gravel (up to 350 SF). Any grass spaces are seasonally restricted to May 1 through Oct 31.
- C. A well pump house (10' x 10') has been added.
- D. Each RV site can have up to 880 SF of lot coverage for the RV, RV enclosure, RV deck, shed (max. 80 SF), or patio areas (non-vegetated areas).
- E. A minimum 25 foot vegetated buffer shall be maintained from the RV Park property line.
- F. The owner may add a common bathhouse, maintenance shed, and/or other minor structure up to a total of 1,500 SF in the locations approved by the code enforcement officer at the time of a building permit, as-built to be provided after construction. The minor structures shall meet the performance standards of 145-50 and dimensional requirements of 145-30.
- G. The owner may add an associated septic system and up to two parking spaces (400 SF for item F above).
- H. This amendment also approved several other minor site changes: sign location, new RV site numbers, and items noted on Reference Plan 3.

No new RV sites are proposed.....

2.) The property.....

3.) As part of this work.....

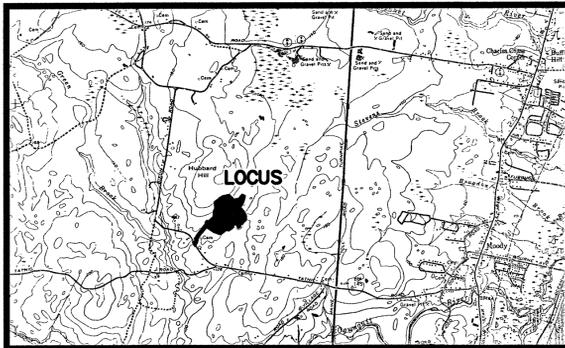
4.) For additional boundary.....

5.) Areas part of Map 11, Lot 25, not separate lots; no structures allowed.

6.) A total of 172 parking spaces are proposed. Handicap accessible parking shall be required at common facilities and shall have ADA compliant signage.

7.) An easement shall be established for the dumpster area and access. The dumpster shall be 25 feet from the property line and maintain a 6' tall fence enclosure or suitable vegetated visual screen.

8.) The proposed lot lines, right-of-way and easements to be recorded within 1 year of the approval of this site plan amendment date.



LOCATION PLAN NTS

Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with the development proposed.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, including legal proceedings to enforce construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-84. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all exposed surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-84. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-79F]:
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact the Town Clerk's Office to apply for and maintain any and all business licenses (if the use) conducted on this subdivision/site plan parcel(s).
10. Approval of any proposed field changes shall be obtained prior to construction. Solid approvals shall be in writing. The Code Enforcement Officer shall consult with the Office of Planning and Development prior to approving any field change.
11. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Officer prior to the commencement of footing/foundation excavation.
12. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
13. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
14. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure. In the opinion of the Code Enforcement Officer, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
15. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.

REFERENCE PLANS:

1. SITE PLAN, PINEDEROSA CAMPGROUND, HILTONS LANE, WELLS, MAINE BY ATTAR ENGINEERING DATED MARCH 19, 2007 LAST REVISED 6/27/2007, AND APPROVED BY THE TOWN OF WELLS PLANNING BOARD ON JULY 9, 2007.
2. STANDARD BOUNDARY SURVEY PLAN PREPARED FOR DAWN S. & GREGORY W. BASTON, HILTONS LANE, WELLS ~ MAINE BY POST ROAD SURVEYING DATED 12/01/1996, LAST REVISED 2/28/2008 - NOT RECORDED.
3. AS-BUILT PLAN PINEDEROSA WEST CAMPGROUND, PREPARED FOR BASTON PROPERTIES, LLC, HILTONS LANE WELLS MAINE BY POSTROAD SURVEYING DATED 12/16/2009. COPY ON FILE WITH THE TOWN OF WELLS.

LEGEND

- UTILITY POLE
- WELL
- STONE WALL
- N/F LAND, NOW OR FORMERLY, OF YORK COUNTY REGISTRY OF DEEDS
- Y.C.R.D. 7654/321
- VOLUME OF RECORDED DOCUMENT /PAGE OF RECORDED DOCUMENT
- CABLE POST
- CPB ELECTRIC METER BOARD
- ETP ELECTRIC TRANSFORMER PAD
- EMH ELECTRIC MANHOLE
- OPH CORRUGATED PLASTIC PIPE
- SMR SEWER MANHOLE ACCESS RIM
- WSH WATER SHUTOFF
- DMH DRAIN MANHOLE
- CB CATCH BASIN

N/F GREGORY W. BASTON  
Y.C.R.D. 16961/534,  
5816/103, 7152/230 &  
7152/232  
TAX MAP 11, LOT 25A

N/F JAMES A. HOGG, JR.  
Y.C.R.D. 16813/938  
TAX MAP 11, LOT 24

N/F OSBORNE FARM, LLC  
Y.C.R.D. 15401/453  
TAX MAP 11, LOT 25B

N/F OSBORNE FARM, LLC  
Y.C.R.D. 15401/453  
TAX MAP 11, LOT 25B

LAND OF BASTON PROPERTIES, LLC  
PART OF Y.C.R.D. 14840/439,  
14840/441, 15105/999  
SEE 15401/453

N/F OSBORNE FARM, LLC  
Y.C.R.D. 15401/453  
TAX MAP 11, LOT 25C

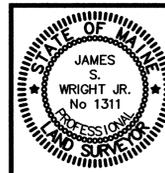
N/F OSBORNE FARM, LLC  
Y.C.R.D. 15401/453  
TAX MAP 11, LOT 25D

NOTES:

1. THIS PLAN WAS PREPARED TO AMEND THE PREVIOUS APPROVED SITE PLAN (REFERENCE PLAN 1) DATED 7/09/2007 AS FOLLOWS:
  - A. THE RV PARK SHALL BE LOCATED ON A 26.86 ACRE (GROSS LOT AREA) PARCEL OF LAND AS DEPICTED HEREON (TAX MAP 11, LOT 25)
  - B. EACH RV SITE SHALL HAVE TWO PARKING SPACES EACH WHICH CAN BE GRAVEL (UP TO 350 SQ. FT.)
  - C. EACH RV SITE CAN HAVE A SHED UP TO 80 SQ. FT.
  - D. EACH RV SITE CAN HAVE UP TO 400 SQ. FT. OF LOT COVERAGE FOR THE RV, RV DECK OR PATIO AREAS.
  - E. A MINIMUM 25 FOOT VEGETATED BUFFER SHALL BE MAINTAINED FROM THE PROPERTY LINE TO ANY RV SITE.
  - F. THE OWNER MAY ADD A COMMON BATHHOUSE, MAINTENANCE SHED AND / OR OTHER MINOR STRUCTURES UP TO A TOTAL OF 1,500 SQ. FT. IN LOCATIONS APPROVED BY THE CODE ENFORCEMENT OFFICER AT THE TIME OF A BUILDING PERMIT. AS-BUILT TO BE PROVIDED AFTER CONSTRUCTION.
  - G. THE OWNER MAY ADD AN ASSOCIATED SEPTIC SYSTEM AND UP TO TWO PARKING SPACES (400 SQ. FT. FOR ITEM F ABOVE).
2. NO NEW RV SITES ARE PROPOSED AND ALL OTHER CONDITIONS OF THE PREVIOUS APPROVAL SHALL REMAIN IN EFFECT UNLESS OTHERWISE SPECIFIED OR DEPICTED ON THIS PLAN.
3. THE PROPERTY IS LOCATED IN THE RURAL ZONE, MAXIMUM LOT COVERAGE IS 20% OF NET AREA (GROSS LOT AREA MINUS 50' R-O-W = 1,130,691 SQ. FT.). PROPOSED LOT COVERAGE IS 208,192 SQ. FT. OR 18.5%.
4. AS PART OF THIS WORK, POST ROAD SURVEYING HAS NOT VERIFIED OR LOCATED UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO: POWER LINES, CABLE LINES, WATER LINES OR SEWER LINES. PRIOR TO CONSTRUCTION ACTIVITY OR EXCAVATION IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR LAND OWNER TO CONTACT DIG SAFE.
5. FOR ADDITIONAL BOUNDARY LINE DETAILS AND INFORMATION, SEE REFERENCE PLAN 2.

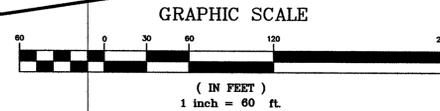
N/F LILLIAN K. STEVENS,  
TRUSTEE  
Y.C.R.D. 15105/996  
TAX MAP 11, LOT 26

APPROVED BY THE TOWN OF WELLS  
STAFF REVIEW COMMITTEE  
DATE: \_\_\_\_\_



Post Road Surveying  
P.O. Box 1557  
Wells, Maine 04090  
Tel. 207-646-4246  
Fax 207-646-4242

DRAWN: J. WRIGHT	SCALE: 1" = 60'	DATE: 3/08/2016
CALC: J. WRIGHT	APPROVED: <i>J. Wright</i>	
N.B.# SEE FILE	SHEET 1 OF 1	PROJECT: 0815001 2016 AMENDMENT.DWG



FIRST AMENDMENT  
"PINEDEROSA WEST CAMPGROUND"  
PREPARED FOR  
BASTON PROPERTIES, LLC  
HILTONS LANE  
WELLS ~ MAINE



**TOWN OF WELLS**  
**208 Sanford Road, Wells, Maine 04090**  
Phone: (207) 646-5187, Fax: (207) 646-2935  
Website: [www.wellstown.org](http://www.wellstown.org)

New \_\_\_\_\_

Amendment **X**  
(follow 145-74A)

For office use only  
Fees Paid \_\_\_\_\_

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**SITE PLAN APPLICATION – §145-74B/C/D/G**

1. Project/Business Name: Pinederosa West Campground

2. Street Address (of project): 580 Hiltons Lane

3. Assessor's Tax Map Number(s): 11 Lot Number(s) : 25

4. Property Owner: Baston Properties, LLC

Mailing Address: P.O. Box 653, Ogunquit, ME 03907-0653

Telephone: 207-450-3309

Fax: \_\_\_\_\_

Email Address: [info@pinederosa.com](mailto:info@pinederosa.com)

5. Applicant (if different from owner): Same as owner

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

6. Agent (Engineer, Surveyor, etc): Post Road Surveying, Inc.

Mailing Address: P.O. Box 1557, Wells, ME 04090

\_\_\_\_\_

Telephone: 207-646-4246 Fax: 207-646-4242

Email Address: [postroad2@myfairpoint.net](mailto:postroad2@myfairpoint.net)

7. All correspondence should be sent to:  
(specify one of the above) Agent, Post Road Surveying Inc.

8. Zoning District(s): Rural

9. Shoreland Overlay District(s): None

10. Land Use(s): Existing : 84 site RV Campground

Proposed: No Change

11. What legal interest does applicant have in the property?

Ownership  Option \_\_\_\_\_ Purchase & Sales Contract \_\_\_\_\_ Other \_\_\_\_\_  
*Documentation of right, title or interest must accompany the application*

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body?  
Yes \_\_\_\_\_ No

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes \_\_\_\_\_ No   
(see Town of Wells FIRM Panel 19)

14. Does the parcel include any water bodies? Yes \_\_\_\_\_ No

15. Acreage of parcel: Currently 19 acre+/-, Proposed 26.86 acres Acreage to be Developed: None

16. EXISTING a) Total Gross Floor Area of All Structures: 7,115 b) Total Lot Coverage: **7,115**  
(assumes a shed of 80 sq ft on each site)  
c) Total Square Footage of area considered covered ("not green and growing"): **207,292**  
(This includes structures, overhangs, paved or gravel surfaces, etc.)

17. PROPOSED a) Total Gross Floor Area of All Structure : **1,500 sq. ft. See provisions on Amended Plan** b) Total Lot Coverage: **8,615**

c) Total Square Footage of area considered covered ("not green and growing"): **209,192**  
(This includes structures, overhangs, paved or gravel surfaces, etc.)

18. Number of Existing Parking Spaces: 170 Total Number of Parking Spaces as proposed: 2  
(bathhouse)

19. Estimated Traffic Generation at peak hour: **(NA, No change from prior approved plan and no new RV sites are proposed)** Existing \_\_\_\_\_ trips As proposed : \_\_\_\_\_  
*One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).*

20. Description of proposal: This amendment proposes to add about 7.9 acres of land to the existing RV Park. By doing so the project area becomes better defined and potential coverage issues are resolved. No new sites are proposed. The only structural addition to the prior approved plan is an allowance for a bath house, maintenance shed and associated parking (2 spaces)

**CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.**

Signature of Applicant Agent



Date 3/08/2016

- ◆ See the Land Use Ordinance, Chapter 145 of the Town Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Wells Town Code is online at [www.wellstown.org](http://www.wellstown.org) . Follow link to the 'Document Center' then 'Town Code.' Section 145-74B, C, D, G details the Site Plan and Site Plan Amendment procedures.
- ◆ This application must be accompanied by the application fee and all information required by Chapter 145-75 and 77, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.
- ◆ The site plan checklist is provided to assist in gathering and presenting an application. The applicant is responsible for presenting information showing that all Land Use Ordinance standards will be met. The reviewing authority may require additional information to determine completeness and compliance.
- ◆ The Code Enforcement Officer will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).
- ◆ Contact the Planning Department at (207) 646-5187 with questions.
- ◆ **Amendments to Approved Plans:** "Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in 145-74A. **Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in 145-74A. (The Planning Office is responsible for notifying abutters of the site plan amendment application).**



# TOWN OF WELLS

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST

*(This Checklist MUST be submitted)*

**Project Name: Pinederosa West RV Campground Applicant: Baston Properties LLC**

**Checklist Prepared By: J. Wright Date: 3/06/2016**

**Checklist Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_**

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Site Plan Approval in Article 10 of Chapter 145 of the Land Use Ordinance.

### Response (Please check applicable box)

<b>Code Section</b>	<b>I. General</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145-72	Completed Application form	✓			
145-73	FEE \$150 SRC, \$150 AMENDMENT, \$300 PB or \$.10 sq. ft. whichever is greater	✓			
145-77.B	Documentation of right, title or interest in property	✓			
145-77.C	Site evaluation and system design if subsurface wastewater disposal system is to be utilized			✓	
145-77.D	Amount and type of materials to be stored outside of buildings			✓	
145-77.E	Statement of capacity and approval for connection from Wells Sanitary District if public sewage is to be utilized			✓	
145-77.F	Statement of capacity and approval from KKW Water District if public water is to be utilized			✓	
145-77.G	Traffic study (if required by PB)			✓	
145-77.H	Soil erosion and sedimentation plan			✓	
145-77.I	Stormwater Management Plan, prepared by a professional engineer			✓	
MRSA	Condominium documents			✓	
MRSA	Agreement for enforcement of handicapped parking			✓	
145-74.B.1 145-74.C.5 145-74.D.2 145-74A.1	List of abutters and certification abutters were mailed notification of application per the appropriate section of Land Use Code.	List of abutters provided			
	<b>II. Perimeter or Boundary Survey</b>				
145-77.A.3	North point	✓			
145-77.A.3	Graphic scale	✓			
145-77.A.3	Parcel corners	✓			
145-77.A.3	Date of Survey	✓			
145-77.A.3	Total acreage of the property	✓			
145-77.A.3	Seal and signature of Surveyor	✓			

<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145.77.A	Scale of plan, 1"=40' or less (1"=20' preferred)	1" = 60'			
145-77.A.1	Name of development and name and address of applicant	✓			
145-77.A.2	Total floor area, ground coverage, and location of all existing and proposed buildings	✓		✓	
145-77.A.4	All existing and proposed setback dimensions	✓			
145-77.A.5	Location, size and direction and intensity of outdoor lighting	None		✓	
145-77.A.5	Locations, size and design of signage			✓ existing	
145-77.A.6	Type, size and location of all incineration devices			✓	
145-77.A.7	Type, size and location of machinery that produces noise			✓	
145-77.A.8	Location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses, and all utilities above or below ground.	✓			
145-77.A.9	Existing contours and proposed finish grade elevations			✓	
145-77.A.10	Location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, and parking space areas and the layouts thereof, together with the dimensions of parking spaces, driveway or aisle width, etc.	n/a existing no changes			
145-77.A.11	Landscaped areas, fencing and size and type of plant material upon the premises			✓	
145-77.A.12	Location of existing and proposed rights of way, easements	✓			
145-77.A.13	The locations, names and widths of existing and proposed streets abutting or within the proposed project	n/a			
145-77.A.14	Property lot lines of all properties abutting and across the street from proposed development	n/a			
145-77.A.15	Appropriate space for signature(s) of reviewing authority	✓			
	Zoning and Shoreland Overlay district(s) in which property is located	✓			
	Speed limits on abutting streets	n/a			
	Sight distances along existing streets from entrances and exits	n/a			
	Locations of access and exit of properties across abutting streets	n/a			
	Location or type of refuse facilities and appropriate fencing	n/a			
	Standard Conditions of Approval Notes and Erosion Control Notes per 145-75.F	n/a no construction			
	Location of Fire Hydrants or distance to nearest Fire Hydrants	✓			
	Snow Storage Areas or form of snow removal	n/a			
	Description of proposed and existing uses, sq. ft. of use area(s), and required parking calculations	✓			

	Location of on-site fuel tanks and protective material for tanks	<b>none</b>			
<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
	Required Street frontage distance	✓			
	Building Height	n/a			
	Knox Box area	n/a			
	Seal and signature of designing engineer or person who prepared the plan	no engineering			

**LISTING OF ABUTTERS TO A PROPOSED  
SITE PLAN PREAPPLICATION, APPLICATION OR AMENDMENT**

Project Name: Pinederosa West RV Campground

Street Address of Project: 580 Hiltons Lane

Map/ Lot# of Project: Map 11, Lot 25

This form is used to list the names, addresses, and tax map/lot numbers of all properties which abut a property on which a new site plan or a site plan amendment is proposed. The definition of ABUTTER is "A person who owns adjacent land or land across a street right-of-way from the subject lot". Notification of abutters is a requirement for all site plan preapplications and site plan amendments; re-notification also may be required for site plan applications if sufficient time has lapsed between the preapplication abutter notification and the time that a site plan application is submitted. Abutter information shall be obtained from the Town Tax Assessor's records.

New Site Plan Application Notice to abutters is required to be mailed by the Applicant.

Site Plan Amendment Application Notice to abutters is required to be mailed by the Planning Office.

Use additional sheets if necessary.

**Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project**

<b>Name</b>	<b>Address</b>	<b>Tax Map</b>	<b>Lot</b>
Gregory W. Baston	P.O. Box 653, Ogunquit, Me 03907-0653	11	25A
James A. Hogg, Jr.	2 Kristie Lane, Plaistow, NH 03865	11	24
Lillian K. Stevens, Trustee	600 Hiltons Lane, Wells, ME 04090	11	26
Osborne Farm, LLC	P.O. Box 653, Ogunquit, Me 03907-0653	11	25B
Alicia M. Hasiak	4638 Weybridge, Sarasota, FL 34235	11	10

**I hereby certify that the abutter information provided with this pre-application or application is complete and accurate as of this date, and represents all abutters to the subject property as defined by the Town of Wells.**

Signature of Applicant Agent



Date 3/08/2016



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### SITE PLAN APPLICATION NOTICE TO ABUTTERS

*This Site Plan Application Notice to Abutters is required to be **mailed by the Applicant** to abutters per §145-74B(1); §145-74C(5); and §145-74(2). The Site Plan Preapplication and Amendment Application Notice to Abutters is mailed by the Planning Office per §145-74A(1) & 145-74G(2).*

#### To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Site Plan Application with the Town of Wells Planning Office. The Site Plan Application and proposed plans are currently available for public inspection at the Wells Planning Office.

The Wells Code Enforcement Officer will determine the appropriate reviewing authority (Code Officer, Staff Review Committee, or Planning Board) to review and possibly approve this application. All Staff Review Committee and Planning Board meetings are open to the public for informational purposes. Only Planning Board **PUBLIC HEARINGS**, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Reviewing Authority at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit [www.wellstown.org](http://www.wellstown.org) and click on the 'Meeting Calendar' to view the upcoming meeting agendas.

Any decision made by the Code Officer, Staff Review Committee or Planning Board may be appealed within 30 days of that decision. Please refer to §145-78 of the Land Use Code for Appeal procedure requirements.

**Applicant's Name:** Baston Properties, LLC

**Applicant's Signed Initials:** GWB

**Applicant's Mailing Address:** P.O. Box 653, Ogunquit, ME 03907-0653

**Street Address of Project:** 580 Hiltons Lane

**Zoning and Shoreland Overlay District(s):** Rural

**Property Assessor's Tax Map(s):** 11 Lot(s): 25

**Description of Proposal:** This amendment proposes to add about 7.9 acres of land to the existing RV Park. By doing so the project area becomes better defined and potential coverage issues are resolved. No new sites are proposed. The only structural addition to the prior approved plan is an allowance for a bath house, maintenance shed and associated parking (2 spaces)



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## AGREEMENT TO ENFORCE HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Town of Wells (the "Town") and (the "Owner") to enforce handicapped parking regulations and laws applicable to the handicapped parking spaces in the parking lot located at \_\_\_\_\_ (the "Premises") as follows:

1. Owner hereby authorizes and permits the Wells Police Department and/or any deputized volunteer parking enforcement specialist if the Police Department establishes a volunteer parking enforcement program as authorized by Title 30-A, M.R.S.A. section 472 and 3009(D), to enter upon the Premises for the purpose of ensuring that parking spaces designated for the handicapped are used appropriately by handicapped persons. It shall be Owner's responsibility to clearly mark handicapped parking spaces by signs painted on the pavement and/or vertical standing signs such that the signs are visible under all weather conditions.
2. Owner and Town hereby agree that any vehicle or motorcycle, parked in a space, which does not bear a special registration plate or placard issued under Title 29 M.R.S.A. section 252, 252-A, or 252-C or a similar plate or placard issued by another state, shall be ticketed and cited for a forfeiture of not less than \$50.00, all as more fully set forth in Title 30-A M.R.S.A. section 3009(D) and the Town of Wells municipal Code Chapter 159.
3. The Town and its Police Department shall have the right but not the obligation to respond to any complaints about improper use of designated handicapped spaces on the Premises, whether initiated by Owner, its agents or others, and to monitor use of designated handicapped parking spaces, using personnel and other resources, as determined appropriate by the Wells Police Department. Nothing in this Agreement shall require or obligate the Town or its Police Department to allocate any particular level of personnel or resources to the enforcement of handicapped parking regulations or laws applicable to the Premises.
4. This agreement shall remain in full force and effect for five years, provided that either party may revoke the Agreement with 10 days written notice to the other party.

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Owner/Applicant

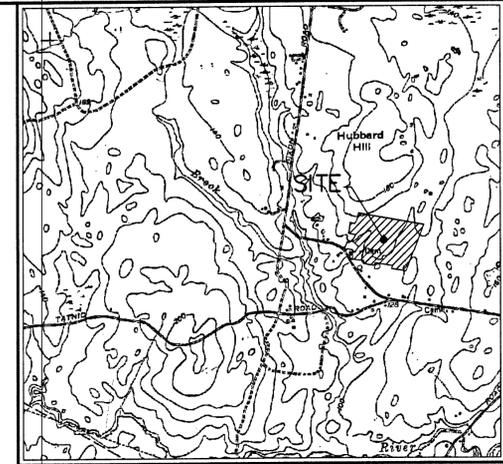
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Jonathan Carter, Town Manager  
Town of Wells

*The following Standard Conditions of Approval must be included on every submitted site plan.*

## Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [S145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [S145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in S145-64. [S145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in S145-64. [S145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [S145-75F]:
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.



LOCATION MAP  
APPROX. SCALE: 1" = 2000'

GENERAL NOTES

- THIS PLAN SET PROVIDES DETAILS FOR THE APPROVAL AND CONSTRUCTION OF PINDEROSA CAMPGROUND, A PROPOSED 84 SITE SEASONAL RV CAMPGROUND LOCATED IN WELLS, MAINE.
- THE PARCEL BEING DEVELOPED IS IDENTIFIED ON THE TOWN OF WELLS TAX ASSESSOR'S MAP 11 LOT 25. THE TOTAL LOT AREA IS 150.9 ACRES. THE TOTAL AREA TO BE DEVELOPED IS APPROXIMATELY 830,500 S.F. (19.1 ACRES). THE SITE IS LOCATED IN THE RURAL (R) DISTRICT.
- MAXIMUM LOT COVERAGE IN THE RURAL ZONE IS 20%. PROPOSED LOT COVERAGE IS 138,410 S.F. (3.18 ACRES). PROPOSED COVERAGE OF DEVELOPED AREA = 138,410 / 830,500 S.F. = 16.67%. EACH SITE MAY ADD A MAXIMUM 8' X 10' SHED. IF EVERY SITE ADDS A SHED, THE PROPOSED LOT COVERAGE SHALL BE 138,410 S.F. + 84\*80 S.F. = 145,130 S.F. (3.33 ACRES), CREATING 17.47% (145,130 S.F./830,500 S.F.) COVERAGE.
- ALL SETBACKS FROM PROPERTY LINE ARE 25'.
- EXISTING PROPERTY LINE INFORMATION WAS TAKEN FROM REFERENCE 1, REFERENCE 2 AND REFERENCE 3. ON SITE WETLANDS WERE DELINEATED BY MICHAEL MARIANO, C.W.S.
- REQUIRED PARKING IS 2 SPACES PER RV SITE LOCATED WITHIN 200' OF THE SITE. TWO PARKING SPACES SHALL BE PROVIDED ON EACH RV SITE. THE PARKING SPACES SHALL BE GRASS PARKING SPACES AS SPECIFIED ON THE GRASS PARKING CROSS SECTION DETAIL ON SHEET 4.
- THE COMMON FACILITIES AREA CONTAIN A SWIMMING POOL, A DUMPSTER AND A LAUNDRY FACILITY. THE MANAGEMENT BUILDING SHALL NOT EXCEED 800 SQUARE FEET. OTHER RECREATION FACILITIES MAY BE PROVIDED IN THIS AREA.
- WATER AND WASTEWATER SHALL BE PROVIDED BY ON SITE SYSTEMS. SEE THE HHE-200 FORMS PREPARED BY MICHAEL MARIANO, CSE, FOR THE DESIGN OF THE FIVE NON-ENGINEERED WASTEWATER SYSTEMS. SYSTEM NUMBERING ON THESE PLANS AGREE WITH THE NUMBERING SYSTEM SHOWN ON THE HHE-200 FORMS. CONSTRUCTION OF THE WASTEWATER DISPOSAL FIELDS AND INSTALLATION OF THE SEPTIC SYSTEM COMPONENTS SHALL BE OBSERVED BY MICHAEL MARIANO, CSE.
- SEPTIC SERVICE SHALL BE PROVIDED BY ON SITE WELL(S).
- OPERATION OF THE PARK TO BE LIMITED TO APRIL 15 - OCTOBER 31.
- NO RIGID ENCLOSED ADDITION SHALL BE AFFIXED TO A RECREATIONAL VEHICLE OTHER THAN A RECREATIONAL VEHICLE ACCESSORY ENCLOSURE AS DEFINED IN THE WELLS TOWN ORDINANCE SECTION 145-50.
- PROPOSED SIGN SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 145, SECTION 40 FROM THE TOWN CODE OF WELLS, MAINE.
- ANY EXTERIOR LIGHTING SHALL BE NO HIGHER THAN 12 FEET ABOVE GRADE AND SHALL BE SHIELDED SO THAT NO LIGHT OR GLARE IS VISIBLE FROM ADJACENT PROPERTIES.
- A KNOX BOX SHALL BE PLACED AT THE ENTRANCE OF THE PARK IN ACCORDANCE WITH THE WELLS FIRE DEPARTMENT.
- WAIVERS REQUESTED/GRANTED:  
A. SECTION 145-59I - GRASS PARKING IN LIEU OF ASPHALT, GRAVEL OR CRUSHED STONE.  
B. SECTION 145-77A - SITE PLAN DRAWN AT 1"=80' IN LIEU OF 1"=40', GRADING PLANS DRAWN AT 1"=50' IN LIEU OF 1"=40'.
- ADDITIONAL PERMITS REQUIRED  
A. MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION (STORMWATER LAW)  
B. MAINE DEPARTMENT OF HUMAN SERVICES (PUBLIC DRINKING WATER SYSTEM).
- EACH RV SITE SHALL HAVE A SEWER STANDPIPE CONNECTION, A FRESHWATER CONNECTION AND AN ELECTRICAL AND COMMUNICATIONS CONNECTION.

REFERENCES

- "WORKSHEET OF AMENDED SITE PLAN, PINDEROSA WEST CAMPGROUND, HILTONS LANE - WELLS, MAINE, PREPARED FOR DAWN S. & GREGORY W. BASTON, P.O. BOX 653 OGUNQUIT, MAINE 03907." PREPARED BY POST ROAD SURVEYING. UNDATED.
- "STANDARD BOUNDARY SURVEY PLAN PREPARED FOR DAWN S. & GREGORY W. BASTON, MERRIFERD LANE - WELLS, MAINE" BY POST ROAD SURVEYING DATED 12/01/96, LAST REVISED 6/05/2000. RECORDED AT THE Y.C.R.D. IN PLAN BOOK 256, PAGE 15.
- "STANDARD BOUNDARY SURVEY PLAN PREPARED FOR DAWN S. & GREGORY W. BASTON, HILTONS LANE - WELLS, MAINE" BY POST ROAD SURVEYING DATED 12/01/96, LAST REVISED 3/20/2007.

LEGEND	
WETLAND BOUNDARY	--- UPLAND WETLAND ---
WETLAND SETBACK	---
PROPERTY LINE	---
TREELINE	---
EDGE OF GRAVEL	---
SHOULDER	---
STONEWALL	---
UTILITY POLE	⊕
WELL EXCLUSION AREA	---

DEVELOPER/APPLICANT: BASTON PROPERTIES, LLC  
P.O. BOX 653  
OGUNQUIT, MAINE 03907

OWNER OF RECORD: BASTON PROPERTIES, LLC  
P.O. BOX 653  
OGUNQUIT, MAINE 03907

SITE PLAN  
PINDEROSA CAMPGROUND  
HILTONS LANE, WELLS, MAINE

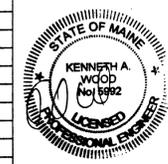
FOR: BASTON PROPERTIES, LLC  
P.O. BOX 653  
OGUNQUIT, MAINE 03907

ATTAR ENGINEERING, INC.  
CIVIL • STRUCTURAL • MARINE  
1284 STATE ROAD - ELLOT, MAINE 03903  
PHONE: (207)439-6023 FAX: (207)439-2128

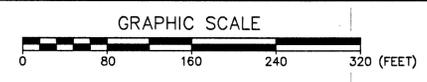
SCALE: 1" = 80'  
DATE: 3/19/07

APPROVED BY: *[Signature]*  
DRAWN BY: EAB  
REVISION: DATE  
D: 6/27/07

JOB NO: C072-07 CAD FILE: PINDEROSA SITE SHEET 1 OF 12



TOWN OF WELLS PLANNING BOARD		DATE
<i>[Signature]</i>		7/9/07
<i>[Signature]</i>		7/9/07
<i>[Signature]</i>		7/13/07
<i>[Signature]</i>		7/9/07
<input checked="" type="checkbox"/> APPROVED		



- INDEX OF SHEET
- SITE PLAN
  - SITE DEVELOPMENT PLAN
  - SITE DEVELOPMENT PLAN
  - GRADING PLAN
  - GRADING PLAN
  - SITE DETAILS
  - SITE DETAILS
  - SITE DETAILS
  - EXISTING CONDITIONS PLAN
  - DEVELOPED CONDITIONS PLAN
  - TREATMENT PLAN
  - BOUNDARY PLAN

11-25

RECEIVED JUN 9 2007



## Planning & Development

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon M. L. Belanger, Planning Assistant</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

### Site Plan Amendment Application Memo

Date: April 8, 2016

To: Staff Review Committee

From: Planning Office

Re: Armstrong Fence – Site Plan Amendment Application - Map 40, Lot 3-4

Steve and Lisa Duplisea, owner/applicant has submitted a site plan amendment application prepared by Civil Consultants to eliminate the previously approved 40' x 100' 2-story office and 32' x 48' garage and instead construct a 2-story 1,792 SF Office and a 1-story 1,536 SF Business Contractor/ Business Wholesale/ Warehousing building with associated outdoor equipment and material storage areas and a product display area. The property is located off of 632 North Berwick Road and is within the Light Industrial District. Tax Map 40, Lot 3-4. The parcel is part of the Berwick Road Business Park Subdivision.

#### **§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot; **YES - Business Office, Contractor, Wholesale and Warehousing uses are proposed. Prior site plan approval expired.**
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area.

#### **§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. **Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. [Amended 4-18-1998] The amendments sought requires Staff Review committee approval.**
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

#### **§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

#### **§ 145-73. Fees.**

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Applicant submitted an application fee and escrow.**
- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed

site plan and advertising of any public hearing regarding the site plan.

- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000]**

**§ 145-74. Review and approval process.**

- G. Amendment to approved site plans.

- (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in

Subsection A. **Procedure for site plan pre-application and application shall be followed.** \*

- (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.

- (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**

- H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **Not applicable**

- I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **Not applicable**

- A. **Preapplication.** **[Amended 4-14-2000]** \*

- (1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:

- (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 3/9/16 the Code Officer determined the uses are permitted.**

- (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 3/11/16**

[1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**

[2] Certify that said notices have been sent or delivered.

[3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer,

indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**

- [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 4/12/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 3/11/16; meeting is on 4/12/16**
- (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
- (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

### **Recommendations and Conclusion:**

1. The Staff Review Committee should consider receiving the site plan amendment application.
2. The SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
  - a. Is the applicant's intent to allow two businesses to use the building(s) or just one?
  - b. The SRC to consider granting a waiver for an updated boundary survey. The waiver could be granted due to the following:
    - i. The parcel is lot 4 of the Berwick Road Business Park Subdivision
    - ii. Some as-built locations and elevations to be provided
    - iii. Plan easement references to be noted
  - c. Will the proposed sign have lighting?
  - d. Will there be any outside HVAC or generator equipment?
  - e. A copy of the septic design is needed
  - f. The aisle width for the parking needs to be 26'
  - g. Will there be a dumpster on-site?
  - h. Copies of the deed and easements are required
  - i. Minor note revisions and plan changes are recommended to satisfy the zoning requirements
3. The SRC to consider the following:
  - a. The landscaped buffer area along Route 9 requires trees every 30 feet apart
  - b. Parking to be adjusted depending on the uses and number of businesses proposed.
  - c. Is a loading bay or garage entrance proposed?
  - d. Any exterior fuel tanks proposed?
4. The SRC to offer comments during the round table.
5. The SRC to vote to continue the workshop to the next meeting (4/26).

**Town of Wells , Maine Review Checklist**  
**Page 1 of 4**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

The purpose of the Light Industrial District is to provide areas for a wide range of light industrial and large-scale business uses which are clean and nonpolluting.

<b>§ 145-28. Light Industrial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
(1)	Agriculture, limited to the raising of crops and plants out of doors.			<b>NA</b>	
(2)	Recreation, passive.			<b>NA</b>	
(3)	Timber harvesting.			<b>NA</b>	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer: <b>[Amended 4-28-1995]</b>				
(1)	Agriculture, including wholesale greenhouses.			<b>NA</b>	
(2)	Business, contractor.	<b>Y</b>			The 1,536 SF 1-story storage building is proposed to be Business Contractor/ Business Wholesale and Warehouse use.  Outdoor equipment and material storage areas are identified on the plan and are considered part of the Business Contractor use per the definition of Business Contractor in 145-10. (3,848 SF area and 1,200 SF area = 5,048 SF). <b>Unclear what the display area (1,275 SF) is for? For display of wholesale goods/ services? Business Retail (sale to ultimate consumer) not permitted in the LI District).</b>

**Town of Wells , Maine Review Checklist**  
**Page 2 of 4**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-28. Light Industrial District.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(3)	Business, office.	Y			The 1,792 SF 2-story office building is proposed to be Business Office use.	
(4)	Business, service.			NA		
(5)	Business, wholesale.	Y			The 1,536 SF 1-story storage building is proposed to be Business Contractor/ Business Wholesale and Warehouse use. <b><u>Unclear what the display area (1,275 SF) is for? For display of wholesale goods/ services? Business Retail (sale to ultimate consumer) not permitted in the LI District.</u></b>	
(6)	Manufacturing.			NA		
(7)	Motor vehicle rental.			NA		
(8)	Municipal facility.			NA		
(9)	Parking lot, commercial.			NA		
(10)	Public transportation shelter. <b>[Added 11-6-2007]</b>			NA		
(11)	Public utility facility.			NA		
(12)	Research and development facility.			NA		
(13)	Recycling facility.			NA		
(14)	Restaurant, standard.			NA		
(15)	Restaurant, fast-food.			NA		
(16)	School, vocational-technical.			NA		
(17)	Transmission tower, radio.			NA		
(18)	Transportation facility.			NA		
(19)	Truck terminal.			NA		
(20)	Warehousing.	Y			The 1,536 SF 1-story storage building is proposed to be Business Contractor/ Business Wholesale and Warehouse use.	
(21)	Self-storage facility. <b>[Added 5-20-2003]</b>			NA		

**Town of Wells , Maine Review Checklist**  
**Page 3 of 4**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-28. Light Industrial District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses, as regulated in § 145-51, are permitted as accessory uses.	Y			
E.	Uses prohibited. Except as permitted in § 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections C, D and E are prohibited within this district.			NA	
F.	Dimensional requirements:				
	(1) Minimum lot size: 40,000 square feet of net area.	Y*			<b><u>Minimum lot size to be noted on sheet L1. Parcel lot size to be noted on the plan (88,024 SF)</u></b>
	(2) Maximum density: none.			NA	
	(3) Minimum street frontage per lot: 100 feet.	Y			See note 7. Minimum street frontage noted to be 100 feet. 200.3' provided.
	(4) Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2,500 square feet, whichever is greater.	Y			See note 7. Maximum lot coverage noted (65%). Proposed lot coverage is 37%
	(5) Maximum building height: 45 feet, not to exceed three stories. (See § 145-35l.)	Y*			See note 7. Maximum building height noted is 45', <b><u>not to exceed 3 stories.</u></b>
	(6) Setbacks. All structures shall be located at least: <b>[Amended 4-12-2003]</b>	Y			See note 7.
	(a) Twenty-five feet from any lot line except a railroad right-of-way line, if the structure is used for a use related to the railroad.			NA	Parcel does not abut a railroad ROW
	(b) Twenty-five feet from the boundary of any cemetery.			NA	Parcel does not abut a known cemetery
	(c) Forty feet from any lot line abutting any street right-of-way.	Y			See note 7.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, and 145-33, Shoreland Overlay District.				NA	

**Town of Wells , Maine Review Checklist**  
**Page 4 of 4**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-28. Light Industrial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
G.	Special provisions.				
(1)	All liquid waste, other than wastewater as defined in the State of Maine Subsurface Wastewater Disposal Rules, shall be delivered to and disposed of by the Wells Sanitary District or by a licensed disposal facility.	Y			No such liquid waste proposed.
(2)	After January 1, 1996, all recycling facility operators, except the Town of Wells, who began operations at their current site after the effective date of this subsection shall provide one of the performance guaranties required in § 145-56. <b>[Amended 4-28-1995]</b>			NA	A recycling facility is not proposed.
(3)	If a use listed in § <b>145-28C</b> is established on a property, one associated live/work unit may also be constructed with a site plan approval. The live/work unit can only be occupied when the associated permitted use is also occupied. The owner or key employee of the permitted use must also be the occupant of the live/work unit. No subletting is allowed. The live/work unit must have a smaller gross floor area than the gross floor area in which the permitted use is conducted. Only one live/work unit shall be allowed per permitted use. Each live/work unit shall require a minimum of 20,000 square feet of net lot area. <b>[Added 6-9-2015]</b>			NA	No such use proposed.

**Town of Wells , Maine Review Checklist**

**Page 1 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article VI**

Town-Wide Regulations

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	All uses shall conform to the provisions of this chapter.	Y			
B.	All lots (except lots being merged with an abutting parcel) and structures shall comply with dimensional requirements specified for the district in which they are located, except those considered nonconforming. Where a single lot of record contains more than one principal structure, the lot may not be divided in a way which would create a parcel or parcels which do not conform to the requirements of this chapter for lot size, setbacks or street frontage. <b>[Amended 4-19-1997]</b>	Y			
C.	The keeping of any animal for personal use or enjoyment other than normal household pets shall require site plan approval and shall only be permitted on lots larger than 100,000 square feet.			NA	
D.	No manufactured home which was manufactured before June 15, 1976, may be brought into the Town of Wells unless suitable evidence is provided to the Code Enforcement Officer that the manufactured home does not contain aluminum electrical wiring, that the manufactured home contains two exterior exits and that the roof is constructed to support a live load of 30 pounds per square foot. <b>[Amended 4-16-1999]</b>			NA	
E.	Land within the lines of a street right-of-way on which a lot abuts shall not be considered as part of such lot for the purposes of meeting the lot area requirements of this chapter, even though the fee to the land may be in the same ownership as the lot.	Y			
F.	No part of a setback area, open space or off-street parking or loading space required by this chapter shall be included as part of any other setback area, open space or off-street parking or loading space similarly required for any other structure or use except as explicitly provided for within this chapter.	Y			
G.	Multiple principal and accessory uses, which may be located within multiple buildings, shall be permitted on a lot.	Y			
H.	Any lot created after January 1, 1994, shall have frontage on a street which existed prior to January 1, 1994, or on a street which is constructed to the standards required by Chapter 201, Articles II and III of the Wells Municipal Code.	Y			

**Town of Wells , Maine Review Checklist**

**Page 2 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-35. General regulations.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
I.	No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter 115, Floodplain Management, § 115-6, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space. <b>[Amended 11-6-2001]</b>	Y			
J.	Maximum building height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills and similar uninhabitable structures. However, except chimneys which do not exceed the height limit by more than 10 feet, such structures require a lot line setback no less than the minimum required in the district plus the height by which they exceed the prescribed height limitations.	Y			
K.	Lot area used to meet the density requirements of a use on a lot shall not be used to meet the density requirement of any other use.	Y			
L.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot that contains 5,000 square feet or less, as long as the following minimum setbacks are met:			NA	Parcel does not have a residential use.
	(1) Twenty-five feet from the boundary of any cemetery or any street right-of-way.				
	(2) Forty feet from the right-of-way of any state highway.				
	(3) The full required setback from any seawall, water body or wetland, according to § 145-33.				
	(4) Five feet from other lot line.				
M.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use on a residential lot shall be considered legally nonconforming if it was in existence at its current location prior to January 26, 1998. <b>[Added 4-18-1998]</b>			NA	Parcel does not have a residential use.

**Town of Wells , Maine Review Checklist**

**Page 3 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

N.	The construction, renovation, alteration, maintenance and/or operation of a building, structure or any other type of facility for use in whole or in part as a gambling casino is prohibited in all zoning districts within the Town of Wells. No building permit or certificate of occupancy shall issue for a gambling casino. <b>[Added 11-5-2002]</b>			NA	
<b>§ 145-36. Timber harvesting. [Amended 4-19-1997]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			NA	
<b>§ 145-37. Yard sales.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		Y			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				
B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. <b>[Amended 4-28-1995]</b>				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				
D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. <b>[Amended 4-28-1995]</b>				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. <b>[Amended 4-28-1995]</b>				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. <b>[Amended 4-28-1995]</b>				

**Town of Wells , Maine Review Checklist**

**Page 4 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. <b>[Amended 4-28-1995]</b>				
<b>§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.	Y*			<p>This commercial property abuts other commercial properties. A visual screen along abutting lot lines of residential uses is not necessary.</p> <p>A 40' landscaped buffer strip along Route 9 is shown on sheet L1. 3 shade trees must be planted along Route 9 to comply with the prior site plan approval. See 145-38B. <b><u>SRC to review the landscaping proposed/ recommended changes and determine if this buffer is sufficient.</u></b></p> <p><b><u>Is a dumpster proposed? If so it must be identified on the plan, it must meet setbacks, and must be enclosed by 6' tall solid screening (fence or vegetation).</u></b></p>
B.	In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.	Y			A 40' landscaped buffer along Route 9 is required. Sheet L1 identifies the first 40' of the property from Route 9 shall consist of the landscaped planting areas, 4 existing shade trees, <b><u>must add 3</u></b> evergreen and/or shade tree plantings. All plantings shall meet the 2 inch diameter at breast height requirement and shall be less than 30 feet apart.

**Town of Wells , Maine Review Checklist**

**Page 5 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>							<b>Application Meet Requirements</b>			
							<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Off-street parking may be provided out of doors or within a building. Off-street parking shall be considered to be an accessory use when provided to serve any permitted or nonconforming use. In the calculation of the number of parking spaces required, any fractional number of spaces shall be rounded to the next highest whole number for each use existing or proposed on the property. <b>[Amended 4-16-1999]</b>						Y			On-street parking is prohibited.
B.	Land may not be used and a building may not be occupied until off-street parking and/or loading facilities are provided.						Y			
C.	Design standards. <b>[Amended 4-28-1995]</b>									
(1)	All parking areas containing three or more parking spaces, except those serving one- or two-family dwellings, shall be designed according to the following criteria:									
		<b>Parking Angle (degrees)</b>	<b>Stall Width, feet</b>	<b>Skew Width, feet</b>	<b>Stall Depth, feet</b>	<b>Aisle Width, feet</b>				
		90	9	na	18.5	26	Y*		Spaces are shown to be 9' x 18.5' in dimension. The aisle width requirement for 90 degree spaces is 26'. <b><u>The site plan to be revised to provide the 26' wide aisle.</u></b>	
		60	8.5	10.5	19	16 one way		NA		
		45	8.5	12.75	17.5	12 one way		NA		
		30	8.5	17	17.5	12 one way		NA		
		180	24	na	9	13 one way		NA		
(2)	Every business, commercial, institutional, public and nonprofit use shall provide a minimum of 4% of the total parking spaces for vehicles with handicapped registration plates, but in no case less than one space. Handicapped spaces shall be designed according to ANSI Standard A117.1-1986.						Y*			<b><u>A total of 10 parking spaces are required. Based on 10 spaces, 1 of the 10 must be handicap accessible.</u></b> 1 ADA compliant space is proposed.
(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.						Y			An ADA compliant sign is noted and detailed on sheet L2.

**Town of Wells , Maine Review Checklist**

**Page 6 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
D.	The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection F below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists. If the reviewing authority permits the provision of less than the required number of spaces, the applicant shall show that the required number of spaces can be provided on the lot. <b>[Amended 4-26-1996; 4-19-1997; 11-2-2010]</b>					<b><u>A total of 10 parking spaces are required.</u></b>
	<b>Use</b>	<b>Required Parking Spaces</b>				
	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window			<b>NA</b>	
	Bowling alley	3 1/4 per lane			<b>NA</b>	
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y*</b>			Gross floor area of the Business Contractor/ Warehousing use is 1,536 SF which requires 2 spaces, <b><u>but no less than 3</u></b>
	Day care	1 per 400 square feet of floor area used for child care, plus 3			<b>NA</b>	
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			<b>NA</b>	
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>	

**Town of Wells , Maine Review Checklist**

**Page 7 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
	Lodging facility	1 1/10 for each sleeping room available to the traveling public			<b>NA</b>	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y*</b>			Gross floor area of the Business Contractor/ Warehousing use is 1,536 SF which requires 2 spaces, <b>but no less than 3</b>
	Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>	
	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>	
	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business	<b>Y</b>			The 1,792 sf Business Office use requires <b>7 parking spaces. Not 6 (the code requires the calculation to be rounded up, not down)</b>
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			<b>NA</b>	
	Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			<b>NA</b>	
	Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
	Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
	High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	
	Tent and recreational vehicle parks	See § 145-50C			<b>NA</b>	

**Town of Wells , Maine Review Checklist**

**Page 8 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			<b>NA</b>	
		Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			<b>NA</b>	
	(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.				<b>NA</b>	
	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.		<b>Y*</b>			<b><u>Is a loading bay proposed?</u></b>
E.	Required off-street parking in all districts shall be located on the same lot as the use it serves.			<b>Y</b>			On-site parking is proposed.
F.	Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.			<b>Y</b>			Snow storage areas are labelled on the plan.
G.	Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.			<b>Y</b>			Parcel is not within the Shoreland Overlay District.
H.	Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.			<b>Y</b>			<b><u>Stormwater runoff to be by the Town Engineer.</u></b>
I.	All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.			<b>Y</b>			Areas that could be used for parking shall be on pavement.

**Town of Wells , Maine Review Checklist**

**Page 9 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
j.	In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. <b>[Added 4-12-2003]</b>	Y			The proposed building is located at least 110 feet from Route 9. The proposed parking is located at least 60 feet from Route 9.
<b>§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			See note 11 on sheet 1.
<b>§ 145-41. Light and glare. [Amended 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	Y			See note 10 on sheet 1. _Downward shielded building mounted lights labelled on sheet 1.
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:			NA	<b><u>Signage will not be lit or illuminated. Applicant to confirm?</u></b>
(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				

**Town of Wells , Maine Review Checklist**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(2) No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
	(3) Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
	(4) All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				
<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
<p>Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.</p>		<b>Y</b>			<p>Best Management Practices are a standard condition of approval. Standard conditions of approval are noted on site plan and shall be followed with this approval.</p>
<b>§ 145-43. Stormwater management. [Amended 4-27-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
<p>Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.</p>		<b>Y*</b>			<p>A stormwater analysis and management plan has been provided by Civil Consultants dated February 2016, by Neil J. Rapoza, PE.</p> <p><b><u>Town Engineer to review.</u></b></p>

**Town of Wells , Maine Review Checklist**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Chapter 202-12F, General Standards</b>				
(4)	Stormwater management. <b>[Amended 4-27-2007]</b>			
(a)	Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	<b>Y</b>		Existing easements depicted on the site plan.
(b)	Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.	<b>Y</b>		Existing easements depicted on the site plan.

**Town of Wells , Maine Review Checklist**

**Page 12 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>( c ) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.</p>	<p align="center"><b>Y</b></p>			<p>See Stormwater analysis, conclusions on page 3.</p>
<p>(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.</p>	<p align="center"><b>Y*</b></p>			<p><b><u>Town Engineer to review.</u></b></p>
<p>(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.</p>			<p align="center"><b>NA</b></p>	<p>Not Applicable.</p>
<p>(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.</p>			<p align="center"><b>NA</b></p>	<p>Not Applicable.</p>
<p>(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.</p>	<p align="center"><b>Y*</b></p>			<p><b><u>Town Engineer to review.</u></b></p>
<p>(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.</p>			<p align="center"><b>NA</b></p>	<p>Not Applicable.</p>

**Town of Wells , Maine Review Checklist**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:</p>			<p align="center"><b>NA</b></p>	<p>Not Applicable.</p>
<p>[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.</p>				
<p><b>§ 145-44. Vision obstructions at intersections.</b></p>	<p><b>Application Meet Requirements</b></p>			
	<p align="center"><b>Yes</b></p>	<p align="center"><b>No</b></p>	<p align="center"><b>NA</b></p>	<p><b>Comments</b></p>
<p>All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.</p>	<p align="center"><b>Y*</b></p>			<p><b><u>Plan needs to note the speed limit of Route 9 to be 50 MPH.</u></b></p> <p>Site distances are noted and exceed the 500' minimum.</p>

**Town of Wells , Maine Review Checklist**

**Page 14 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Purpose. Excessive sound and vibrations are serious hazards to the public health, welfare, safety and quality of life. It is the policy of the Town of Wells to prevent excessive stationary sound and vibration, which may jeopardize the health, welfare or safety of its residents or degrade the quality of life. This ordinance shall apply to the control of all stationary sound and vibration originating in the Town of Wells. This ordinance is not designed to impede any person's First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of the commercial or industrial sectors of the Town of Wells. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only. <b>[Amended 6-14-2011]</b>	<b>Y</b>			
B.	Violation. It is unlawful, and a violation of the Wells Code to make, emit, continue, or cause to be made, emitted or continued, any excessive, unnecessary or unreasonable noise beyond the boundaries of a person's property in excess of the noise levels established in the Wells Code. Where multiple residences or businesses exist within the confines of a structure, the limits of one's occupancy rights shall be considered the boundary for purposes of measuring noise. <b>[Amended 4-16-1999; 6-14-2011]</b>	<b>Y</b>			
C.	Maximum noise level. The maximum permissible noise level produced by any activity (existing or future) on a lot shall not exceed the following limits: <b>[Amended 6-14-2011]</b>	<b>Y</b>			
	(1) Music, amplified or acoustic, not otherwise exempt, that is plainly audible and excessive, unnecessary or unreasonable at a point, not on the property where the music originates, but at the location where the complaint is made.				
	(2) Other noise levels, not otherwise exempt, plainly audible and excessive, unnecessary or unreasonable at the location where the complaint is made.				
D.	Exemptions. The following shall be exempt from the standards of 145-45(C): <b>[Amended 6-14-2011]</b>	<b>Y</b>			
	(1) Natural phenomena.				

**Town of Wells , Maine Review Checklist**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(2)	Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour during daytime hours, provided that at no time shall such duration exceed fifteen (15) minutes.				
(3)	Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.				
(4)	Warning devices required by the Occupational Safety and Health Administration or other state or federal governmental safety regulations.				
(5)	Farming equipment or farming activity.				
(6)	Timber harvesting and milling during daytime hours.				
(7)	Noise from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.				
(8)	Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) operated during daytime hours as per the Ordinance or site plan approval, whichever is more restrictive.				
(9)	Emergency maintenance, construction or repair work.				
(10)	Noise created by refuse and solid waste collection during daytime hours.				
(11)	Noise created by any municipal-sponsored events, municipal beach cleaning, school sporting events, parades and Town-approved fireworks displays.				
(12)	Noises created by plows, trucks and other equipment used in the removal of snow.				
(13)	Noise from any aircraft operated in conformity with, or pursuant to, Federal law, Federal air regulations, and air traffic control instruction, including any aircraft operating under technical difficulties, any kinds of distress, or under emergency orders of air traffic control.				
(14)	Noise from trains operating in conformity with or pursuant to all applicable State and Federal laws and regulations.				
(15)	Emergency or extraordinary situations.				

**Town of Wells , Maine Review Checklist**

**Page 16 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(16)	A business may use an outside sound system to notify patrons waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				
(17)	Noise from the operation of air conditioning or refrigeration units, which are part of the normal operation of a business or businesses located on the premises and which are necessary and normal to the operation of said business, and which air conditioning or refrigeration units are regularly serviced and kept in good repair.				
(18)	Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.				
E.	The removal or disabling of any noise-suppression devise on any equipment is prohibited. Any noise-suppression devise on equipment shall be maintained in good working order.	<b>Y</b>			
F.	Enforcement. Notwithstanding § 145-63 of this chapter, this section may be enforced by any of the following methods:				
(1)	A violation of this section may be considered a land use violation and the enforcement procedures in § 145-63 may be invoked by the Code Enforcement Officer.				
(2)	A violation of this section may be treated as a civil violation as defined by 17-A M.R.S.A. § 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. § 17 and Rule 80H of the Maine Rules of Civil Procedure.				
(3)	A violation of this section may also be considered the creation of a loud and unreasonable noise as prohibited by 17-A M.R.S.A. § 501 (Offenses Against the Public Order: Disorderly Conduct), provided that neither the Town of Wells nor any of its employees may initiate proceedings alleging a violation of both the Town ordinance and the state statute against the same person or persons for the same incident. <b>[Amended 4-16-1999]</b>				

**Town of Wells , Maine Review Checklist**

**Page 17 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(4)	With regard to a business with a Special Entertainment Permit issued under the authority of the Town of Wells, the municipal police and/or a Code Enforcement Officer for the Town of Wells shall have the authority to order that business to cease operation of the violation immediately upon a second visit to the premises within a two hour period, or a third visit within a 24-hour period beginning with the time of the first visit to investigate a noise complaint, when a police officer or a Code Enforcement Officer has on the previous visit(s) heard plainly audible noise in violation of this ordinance, and has reported that to the owner of the property or the person responsible for the excessive or unreasonable noise. The on-duty Municipal Police Supervisor shall accompany a police officer or Code Enforcement Officer responding to subsequent second and/or third noise complaints and shall have the authority to immediately cease operations of the violation source. The Special Entertainment may not resume within a 12 hour period thereafter. <b>[Added 6-14-2011]</b>				
<b>§ 145-46. Utility distribution lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.			NA	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. <b>[Amended 6-4-1996]</b>			NA	
<b>§ 145-47. Utility transmission lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.			NA	

**Town of Wells , Maine Review Checklist**

**Page 18 of 18**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.			<b>NA</b>	
C.	Dimensional requirements.			<b>NA</b>	
(1)	Utility transmission lines must meet setback requirements from lot lines and water bodies to the greatest extent practical by the configuration of the utility corridor in which they are located and by the constraints of topography. With the exception of the setback from lot lines, the dimensional requirements of Article V do not apply to utility transmission lines. All aboveground portions of utility transmission lines shall comply with the setback requirements of Article V and § 145-35J.				
(2)	In all zoning districts where the setback for structures is greater than 10 feet from any lot line, the setback for the underground portion of a subsurface transmission line may be reduced to 10 feet from any lot lines.				
(3)	Subsurface and aerial utility transmission lines may be placed within the setbacks from any lot line abutting a street right-of-way provided no portion of a utility transmission line is placed between ground level and a height of 20 feet above the center line of the street within said setback. <b>[Amended 6-4-1996]</b>				
<b>§ 145-47.1. Public Transportation Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
	Public transportation shelters may be placed within the ordinarily required setbacks as set forth in Article V.			<b>NA</b>	
<b>§ 145-47.2. School Bus Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	
	A single school bus shelter which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot following staff review for traffic safety and road maintenance impact.			<b>NA</b>	



**Town of Wells , Maine Review Checklist**  
**Page 2 of 2**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Article VII Performance Standards</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 1 of 5**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4 Date of Review: 04/07/16  
 Prepared By: Office of Planning & Development Company Name: Town of Wells

**Article X**  
**Site Plan Approval**

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:	Y				Scale is 1" = 30'
	(1) The name and address of the applicant plus the name of the proposed development.	Y				The name of the applicant/owner is noted on the plan.. The name and address of the development are noted.
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y*				<b><u>The building areas to be noted (1,536 Contractor, Warehousing, Wholesale use) and (1,792 SF Office use). Plan to label 1,536 SF building to be 1-story.</u></b>  <b><u>Proposed lot coverage is 37%. Detail needed (building vs. pavement vs. gravel). Parcel size to be noted.</u></b>
	(3) Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.				W*	A perimeter survey of the parcel prepared by a licensed surveyor was not provided.  The subdivision plan for Berwick Road Business Park, for which this lot is lot #4 within that subdivision, was prepared by Jim Wright, a licensed land surveyor. The subdivision plan was provided and is dated 4/21/2005 and was approved on 6/27/2005 by the Wells Planning Board.  <b><u>On 4/12/16 the Staff Review Committee to consider finding that a boundary survey is not required.</u></b>
	(4) All existing and proposed setback dimensions.	Y				See note 7.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 2 of 5**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(5)	The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y*				See note 10. Downward shielded building mounted lights labelled on sheet 1.  <b><u>Signage will not be lit or illuminated. Applicant to confirm?</u></b>
(6)	The type, size and location of all incineration devices.			NA		No such devices proposed.
(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such machinery proposed near the lot lines. <b><u>Are any generators or AC units proposed?</u></b>
(8)	The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y*				The existing septic tank and pump is identified approximately. See also note 14. <b><u>A copy of the septic design is needed.</u></b>
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	Y				The plan depicts 1 foot proposed contours. (Assumed datum, see note 3 on sheet 1).
(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	Y				<b><u>Spaces to be labelled as 9' x 18.5' in dimension. The aisle width requirement for 90 degree spaces is 26' (pavement width to be increased).</u></b> The ADA sign is labelled on the plan.  A 6' solid fence is shown adjacent to the parking lot and building for the outdoor material and equipment storage area for the Business Contractor use.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 3 of 5**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y*				This commercial property abuts other commercial properties. A visual screen along abutting lot lines of residential uses is not necessary.  A 40' landscaped buffer strip along Route 9 is shown on sheet L1. 3 shade trees must be planted along Route 9 to comply with the prior site plan approval. See 145-38B. <b><u>SRC to review the landscaping proposed/ recommended changes and determine if this buffer is sufficient.</u></b>  <b><u>Is a dumpster proposed? If so it must be identified on the plan, it must meet setbacks, and must be enclosed by 6' tall solid screening (fence or vegetation).</u></b>
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y*				Common drainage and driveway easements labelled on the site plan. <b><u>Deed copies are needed.</u></b>
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Route 9 and Swamp John Road labeled. <b><u>Route 9 width not labelled.</u></b>
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				<b><u>Abutters to be labelled/ corrected on the site plan.</u></b>
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				<b><u>Signature Block correction needed.</u></b>
B.	Documentation of right, title or interest in the proposed site.	Y				<b><u>Deed copies are needed.</u></b>
C.	An on-site soils investigation report by a Maine Department of Human Services licensed site evaluator (unless the site is to be served by public sewer). The report shall identify the types of soil, location of test pits and proposed location and design for the subsurface disposal system.	Y*				The existing septic tank and pump is identified approximately. See also note 14. <b><u>A copy of the septic design is needed.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 4 of 5**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.	Y				Site plan depicts various outdoor storage areas for materials, display and equipment.
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.			NA		Not served by public sewer (WSD).
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.			NA		Property served by private on-site well. <u>Well location was field verified?</u>
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:			NA		The Staff Review Committee cannot require a traffic study.
(1)	The estimated peak-hour traffic to be generated by the proposal.					
(2)	Existing traffic counts and volumes on surrounding roads.					
(3)	Traffic accident data covering a recent three-year period.					
(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. <b>[Amended 4-27-2007]</b>	Y				Best Management Practices are a standard condition of approval. The Standard terms and conditions of the Town of Wells appear on sheet 1 of the prior approvals.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 5 of 5**

Project Name/District: Armstrong Fence - Amendment/ Light Industrial District - Tax Map 40, Lot 3-4

Date of Review: 04/07/16

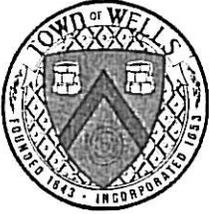
Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. <b>[Added 4-27-2007]</b>	Y*				A stormwater analysis and management plan has been provided by Civil Consultants dated February 2016, by Neil J. Rapoza, PE.  <b><u>Town Engineer to review.</u></b>
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. <b>[Added 4-27-2007]</b>					

**Notes:**

1. See Article V, VI, VII review comments
2. Is the foundation depicted based on as-built conditions?
3. Copies of the deeds needed: lot and easement exchanges.
4. Copy of the septic design needed.
5. Lot coverage breakdown is needed (Building, pavement, gravel)
6. Will there be a dumpster? If not, a note is needed stating refuse to be disposed of by the property owner on a frequent basis.
7. Additional trees are needed along Route 9.
8. Any exterior fuel tanks proposed? If so they must be identified and labeled as above/below ground and size noted.



**TOWN OF WELLS**  
**208 Sanford Road, Wells, Maine 04090**  
Phone: (207) 646-5187, Fax: (207) 646-2935  
Website: [www.wellstown.org](http://www.wellstown.org)

New	_____
Amendment	<input checked="" type="checkbox"/>
(follow 145-74A)	
For office use only	
Fees Paid	<input checked="" type="checkbox"/>

*Received 3/9/2016*

**SITE PLAN APPLICATION – §145-74B/C/D/G**

- Project/Business Name: Armstrong Fence
- Street Address (of project): 632 North Berwick Road
- Assessor's Tax Map Number(s): 004 Lot Number(s) : 003-4
- Property Owner: Steve & Lisa Duplisea  
Mailing Address: 118 Natanis Ridge Circle  
Wells, ME 04090  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: armstrong.fence@yahoo.com
- Applicant (if different from owner): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_
- Agent (Engineer, Surveyor, etc): Geoffrey R. Aleva, PE, CIVIL CONSULTANTS  
Mailing Address: PO Box 100 / 293 Main Street  
South Berwick, ME 03908  
Telephone: 207-384-2550 Fax: 207-348-2112  
Email Address: geoff@civcon.com
- All correspondence should be sent to:  
(specify one of the above) Geoffrey R. Aleva, PE
- Zoning District(s): Light Industrial Zone
- Shoreland Overlay District(s): N/A

10. Land Use(s): Existing : Material storage, unfinished office building and contractor storage

Proposed: SAME, with exterior display area

11. What legal interest does applicant have in the property?

Ownership X Option \_\_\_\_\_ Purchase & Sales Contract \_\_\_\_\_ Other \_\_\_\_\_  
*Documentation of right, title or interest must accompany the application*

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body?  
Yes \_\_\_\_\_ No X

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes \_\_\_\_\_ No X

14. Does the parcel include any water bodies? Yes \_\_\_\_\_ No X

15. Acreage of parcel: 2.02 Acreage to be Developed: 1.30

16. EXISTING a) Total Gross Floor Area of All Structures: 7,968 sf b) Total Lot Coverage: 9%  
*(Previously approved, not yet constructed)*

c) Total Square Footage of area considered covered ("not green and growing"): 36,789  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

17. PROPOSED a) Total Gross Floor Area of All Structure : 3,328 b) Total Lot Coverage: 4%

c) Total Square Footage of area considered covered ("not green and growing"): 36,789  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

18. Number of Existing Parking Spaces: N/A Total Number of Parking Spaces as proposed: 8

19. Estimated Traffic Generation at peak hour: Existing N/A trips As proposed : N/A  
*One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).*

20. Description of proposal: See attached memo.

**CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.**

Steven A. Dupluis  
Signature of Applicant

2/26/16  
Date

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**CIVIL CONSULTANTS MEMORANDUM**

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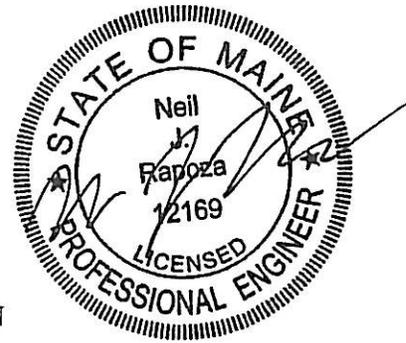
**TO:** Mr. Michael Livingston, PE  
Engineer, Town of Wells

**FROM:** Neil J. Rapoza, PE – Sr. Project Engineer

**SUBJECT:** Armstrong Fence – Site Plan Amendment

**DATE:** 3/9/2016

**PROJECT:** 04-464.02 ARMSTRONG FENCE SITE PLAN



This memorandum is presented to provide a narrative explaining the application for an amendment to an existing approved site plan for the above referenced project. It was indicated in prior conversations with the Town that this would require a staff review.

The Armstrong Fence site was previously approved in 2006. The development included 6,144 sf of garage and storage building area and 6,720 sf of office area. The parking and loading areas required 32,350 sf of pavement. A stormwater detention pond was designed to control runoff to the adjacent wetland.

After the approval of the site plan, the site was cleared to the extents indicated on the plan and the shared driveway was installed and paved. The stormwater detention pond was installed.

The foundation for the southernmost portions of the office/storage building was installed (footprint of approximately 32 ft x 76 ft). No structure has been installed on the foundation.

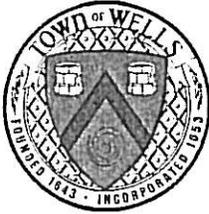
The proposed amendment to the site plan involves the reduction in building area and paved area due to a lack of need by the owner. The limit of the proposed building will be 1,792 sf of office space and 1,536 sf of indoor storage area, a reduction of 74% in total building floor area. New areas of outdoor storage on the existing gravel areas are proposed with a footprint of approximately 4,700 sf.

The original stormwater detention pond has been redesigned to account for the changes in proposed coverage. An area at the end of the shared driveway will be re-graded to allow for snow storage. The pond will also be expanded to include an area previously shown to be filled for a truck turn-around area, as truck and emergency vehicles will now be able to travel through the site without it due to the elimination of building area. Please find the attached stormwater analysis for your review.

J:\AAA\2004\0446402\TOWN\20160224\_MEMO.DOCX



- ◆ See the Land Use Ordinance, Chapter 145 of the Town Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Wells Town Code is online at [www.wellstown.org](http://www.wellstown.org) . Follow link to the 'Document Center' then 'Town Code.' Section 145-74B, C, D, G details the Site Plan and Site Plan Amendment procedures.
  
- ◆ This application must be accompanied by the application fee and all information required by Chapter 145-75 and 77, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.
  
- ◆ The site plan checklist is provided to assist in gathering and presenting an application. The applicant is responsible for presenting information showing that all Land Use Ordinance standards will be met. The reviewing authority may require additional information to determine completeness and compliance.
  
- ◆ The Code Enforcement Officer will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).
  
- ◆ Contact the Planning Department at (207) 646-5187 with questions.
  
- ◆ **Amendments to Approved Plans:** "Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in 145-74A. **Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in 145-74A. (The Planning Office is responsible for notifying abutters of the site plan amendment application).**



# TOWN OF WELLS

208 Sanford Road, Wells, Maine 04090

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Website: [www.wellstown.org](http://www.wellstown.org)

## SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist **MUST** be submitted)

Project Name: Armstrong Fence Site Plan Amendment Applicant: Steve & Lisa Duplisea

Checklist Prepared By: Neil J. Rapoza, PE Date: 2/24/2016

Checklist Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Site Plan Approval in Article 10 of Chapter 145 of the Land Use Ordinance.

### Response (Please check applicable box)

<b>Code Section</b>	<b>I. General</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145-72	Completed Application form	X			
145-73	FEE \$150 SRC, \$150 AMENDMENT, \$300 PB or \$.10 sq. ft. whichever is greater	X			
145-77.B	Documentation of right, title or interest in property	X			
145-77.C	Site evaluation and system design if subsurface wastewater disposal system is to be utilized			X	
145-77.D	Amount and type of materials to be stored outside of buildings	X			
145-77.E	Statement of capacity and approval for connection from Wells Sanitary District if public sewage is to be utilized			X	
145-77.F	Statement of capacity and approval from KKW Water District if public water is to be utilized			X	
145-77.G	Traffic study (if required by PB)			X	
145-77.H	Soil erosion and sedimentation plan	X			
145-77.I	Stormwater Management Plan, prepared by a professional engineer	X			
MRSA	Condominium documents			X	
MRSA	Agreement for enforcement of handicapped parking	X			
145-74.B.1 145-74.C.5 145-74.D.2 145-74A.1	List of abutters and certification abutters were mailed notification of application per the appropriate section of Land Use Code.	X (Town)			
	<b>II. Perimeter or Boundary Survey</b>				
145-77.A.3	North point	X			
145-77.A.3	Graphic scale	X			
145-77.A.3	Parcel corners	X			
145-77.A.3	Date of Survey	X			
145-77.A.3	Total acreage of the property	X			
145-77.A.3	Seal and signature of Surveyor	X			

<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	<b>Submitted By Applicant</b>	<b>To Be Submitted by Applicant</b>	<b>Not Applicable</b>	<b>Applicant Requests Waiver</b>
145.77.A	Scale of plan, 1"=40' or less (1"=20' preferred)	X			
145-77.A.1	Name of development and name and address of applicant	X			
145-77.A.2	Total floor area, ground coverage, and location of all existing and proposed buildings	X			
145-77.A.4	All existing and proposed setback dimensions	X			
145-77.A.5	Location, size and direction and intensity of outdoor lighting				
145-77.A.5	Locations, size and design of signage	X			
145-77.A.6	Type, size and location of all incineration devices			X	
145-77.A.7	Type, size and location of machinery that produces noise			X	
145-77.A.8	Location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses, and all utilities above or below ground.	X			
145-77.A.9	Existing contours and proposed finish grade elevations	X			
145-77.A.10	Location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, and parking space areas and the layouts thereof, together with the dimensions of parking spaces, driveway or aisle width, etc.	X			
145-77.A.11	Landscaped areas, fencing and size and type of plant material upon the premises	X			
145-77.A.12	Location of existing and proposed rights of way, easements	X			
145-77.A.13	The locations, names and widths of existing and proposed streets abutting or within the proposed project	X			
145-77.A.14	Property lot lines of all properties abutting and across the street from proposed development	X			
145-77.A.15	Appropriate space for signature(s) of reviewing authority	X			
	Zoning and Shoreland Overlay district(s) in which property is located	X			
	Speed limits on abutting streets	X			
	Sight distances along existing streets from entrances and exits	X			
	Locations of access and exit of properties across abutting streets	X			
	Location or type of refuse facilities and appropriate fencing	X			
	Standard Conditions of Approval Notes and Erosion Control Notes per 145-75.F	X			
	Location of Fire Hydrants or distance to nearest Fire Hydrants	X			
	Snow Storage Areas or form of snow removal	X			
	Description of proposed and existing uses, sq. ft. of use area(s), and required parking calculations	X			
	Location of on-site fuel tanks and protective material for tanks			X	

<i>Code Section</i>	<i>III. Site Plan Data Requirements</i>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
	Required Street frontage distance	X			
	Building Height	X			
	Knox Box area	X			
	Seal and signature of designing engineer or person who prepared the plan	X			

**LISTING OF ABUTTERS TO A PROPOSED  
SITE PLAN PREAPPLICATION, APPLICATION OR AMENDMENT**

Project Name: Armstrong Fence Company – Site Plan Amendment

Street Address of Project: 632 North Berwick Road

Map/ Lot# of Project: 004 – 003-4

This form is used to list the names, addresses, and tax map/lot numbers of all properties which abut a property on which a new site plan or a site plan amendment is proposed. The definition of ABUTTER is “A person who owns adjacent land or land across a street right-of-way from the subject lot”. Notification of abutters is a requirement for all site plan preapplications and site plan amendments; re-notification also may be required for site plan applications if sufficient time has lapsed between the preapplication abutter notification and the time that a site plan application is submitted. Abutter information shall be obtained from the Town Tax Assessor’s records.

New Site Plan Application Notice to abutters is required to be mailed by the Applicant.

Site Plan Amendment Application Notice to abutters is required to be mailed by the Planning Office.

Use additional sheets if necessary.

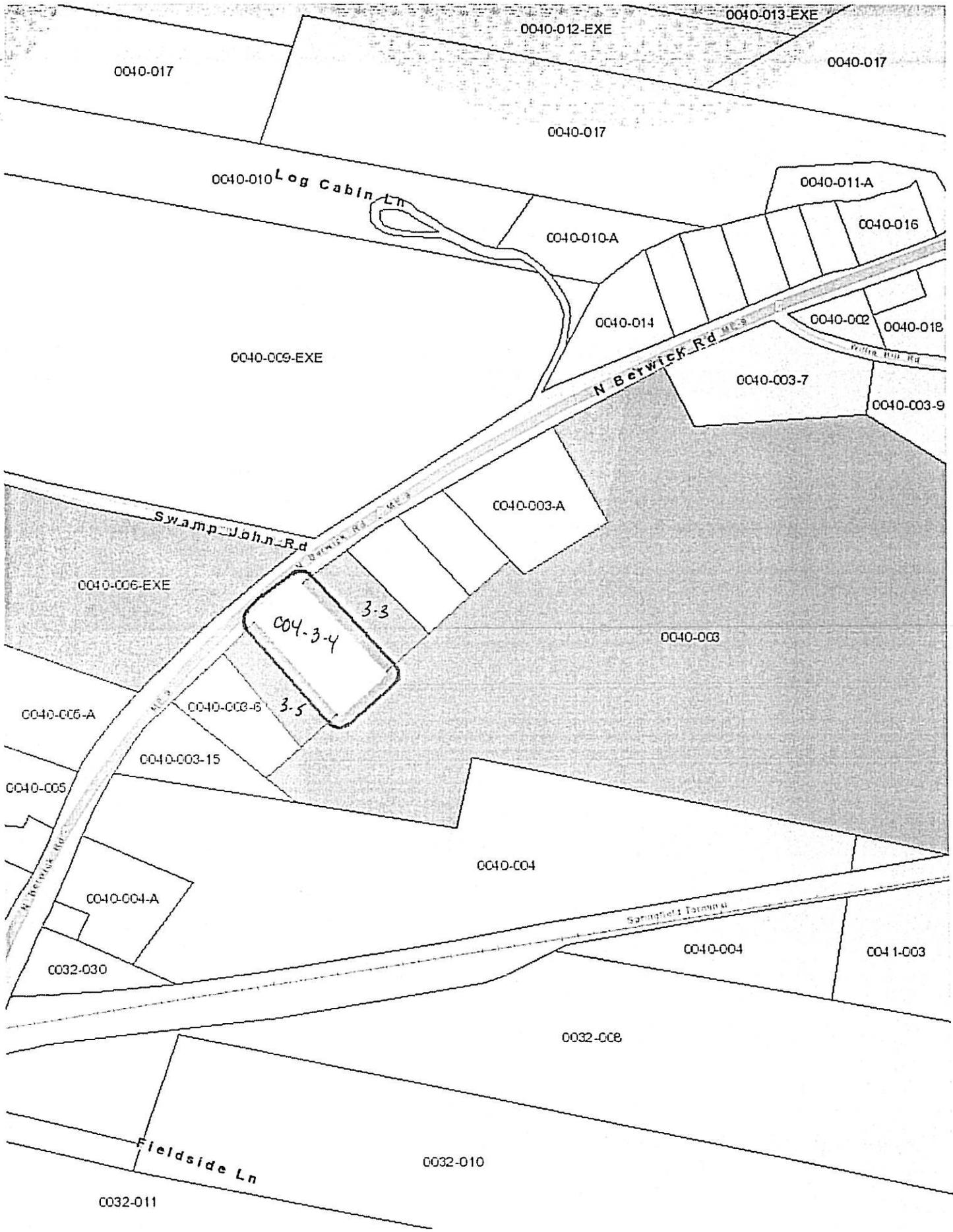
**Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project**

Name	Address	Tax Map	Lot
	<b>SEE ATTACHED</b>		

**I hereby certify that the abutter information provided with this pre-application or application is complete and accurate as of this date, and represents all abutters to the subject property as defined by the Town of Wells.**

  
Signature of Applicant

3/3/16  
Date



0040-012-EXE

0040-013-EXE

0040-017

0040-017

0040-017

0040-010 Log Cabin Ln

0040-011-A

0040-010-A

0040-016

0040-014

0040-002

0040-018

0040-009-EXE

N Berwick Rd ME-3

0040-003-7

0040-003-9

Swamp John Rd

0040-003-A

0040-006-EXE

3-3

004-3-4

0040-003

0040-006-A

0040-003-6

3-5

0040-003-15

0040-005

0040-004

0040-004-A

Springfield Turnpike

0040-004

0041-003

0032-030

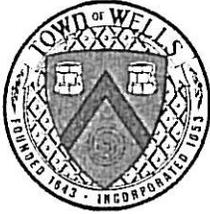
0032-008

Fieldside Ln

0032-010

0032-011

Parcel Number	Camra Number	Property Address	Owner Name	Owner Address	Owner State	Owner City	Owner Zip
0040-003	0040-003	NORTH BERWICK RD	QUILLAND INC	PO BOX 339	ME	WELLS	04090
0040-003-3	0040-003-3	NORTH BERWICK RD	G + C REALTY TRUST	PO BOX 8	ME	MOODY	04054-0016
0040-003-5	0040-003-5	634 NORTH BERWICK RD	A + L REALTY LLC	336 US ROUTE 1	ME	YORK	03909
0040-003	0040-003-7-64	496 NORTH BERWICK RD #64	TREMBLAY, MARIE JOSEE	3313 RUE FRANCOIS- DE VILLARS	QC	QUEBEC	G1C 7P4
0040-003	0040-003-7-95	496 NORTH BERWICK RD #95	FLEBOTTE, SHIRLEY	75 HILL TERRACE	MA	LUDLOW	01056
0040-006-EXE	0040-006-EXE	635 NORTH BERWICK RD	WELLS-OGUNQUIT LITTLE LEAGUE	ATTN DAVID FAZZINA JRPO BOX 974	ME	WELLS	04090



# TOWN OF WELLS

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## SITE PLAN APPLICATION NOTICE TO ABUTTERS

*This Site Plan Application Notice to Abutters is required to be **mailed by the Applicant** to abutters per §145-74B(1); §145-74C(5); and §145-74(2). The Site Plan Preapplication and Amendment Application Notice to Abutters is mailed by the Planning Office per §145-74A(1) & 145-74G(2).*

**To Whom It May Concern:**

A property owner adjacent to or across the street from your property has filed a Site Plan Application with the Town of Wells Planning Office. The Site Plan Application and proposed plans are currently available for public inspection at the Wells Planning Office.

The Wells Code Enforcement Officer will determine the appropriate reviewing authority (Code Officer, Staff Review Committee, or Planning Board) to review and possibly approve this application. All Staff Review Committee and Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Reviewing Authority at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit [www.wellstown.org](http://www.wellstown.org) and click on the 'Meeting Calendar' to view the upcoming meeting agendas.

Any decision made by the Code Officer, Staff Review Committee or Planning Board may be appealed within 30 days of that decision. Please refer to §145-78 of the Land Use Code for Appeal procedure requirements.

Applicant's Name: Steve Duplisea Applicant's Signed Initials: \_\_\_\_\_

Applicant's Mailing Address: 118 Natantis Ridge Circle, Wells, ME 04090

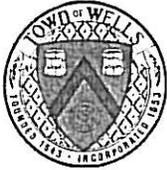
Street Address of Project: 632 North Berwick Road

Zoning and Shoreland Overlay District(s): Light Industrial

Property Assessor's Tax Map(s): 004 Lot(s): 003-4

**Description of Proposal:**

Amendment of previously approved site plan to reduce the building and pavement areas, as well as  
reconfiguring an existing stormwater detention pond.



# TOWN OF WELLS

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Website: [www.wellstown.org](http://www.wellstown.org)

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## AGREEMENT TO ENFORCE HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY

This Agreement is entered into this 26<sup>th</sup> day of February, 2016, by and between the Town of Wells (the "Town") and (the "Owner") to enforce handicapped parking regulations and laws applicable to the handicapped parking spaces in the parking lot located at 632 North Berwick Road (the "Premises") as follows:

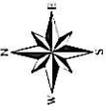
1. Owner hereby authorizes and permits the Wells Police Department and/or any deputized volunteer parking enforcement specialist if the Police Department establishes a volunteer parking enforcement program as authorized by Title 30-A, M.R.S.A. section 472 and 3009(D), to enter upon the Premises for the purpose of ensuring that parking spaces designated for the handicapped are used appropriately by handicapped persons. It shall be Owner's responsibility to clearly mark handicapped parking spaces by signs painted on the pavement and/or vertical standing signs such that the signs are visible under all weather conditions.
2. Owner and Town hereby agree that any vehicle or motorcycle, parked in a space, which does not bear a special registration plate or placard issued under Title 29 M.R.S.A. section 252, 252-A, or 252-C or a similar plate or placard issued by another state, shall be ticketed and cited for a forfeiture of not less than \$50.00, all as more fully set forth in Title 30-A M.R.S.A. section 3009(D) and the Town of Wells municipal Code Chapter 159.
3. The Town and its Police Department shall have the right but not the obligation to respond to any complaints about improper use of designated handicapped spaces on the Premises, whether initiated by Owner, its agents or others, and to monitor use of designated handicapped parking spaces, using personnel and other resources, as determined appropriate by the Wells Police Department. Nothing in this Agreement shall require or obligate the Town or its Police Department to allocate any particular level of personnel or resources to the enforcement of handicapped parking regulations or laws applicable to the Premises.
4. This agreement shall remain in full force and effect for five years, provided that either party may revoke the Agreement with 10 days written notice to the other party.

  
Owner/Applicant

\_\_\_\_\_  
Jonathan Carter, Town Manager  
Town of Wells

### Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.



# Duplisea, 632 North Berwick Road

Wells, ME



March 9, 2016

1 inch = 376 Feet

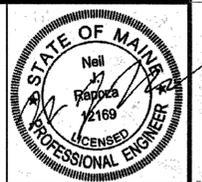
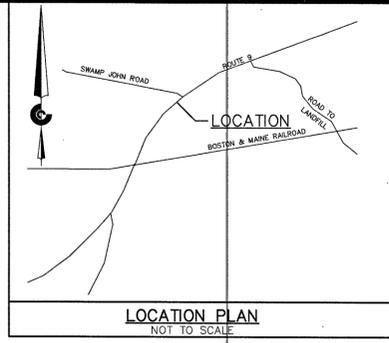
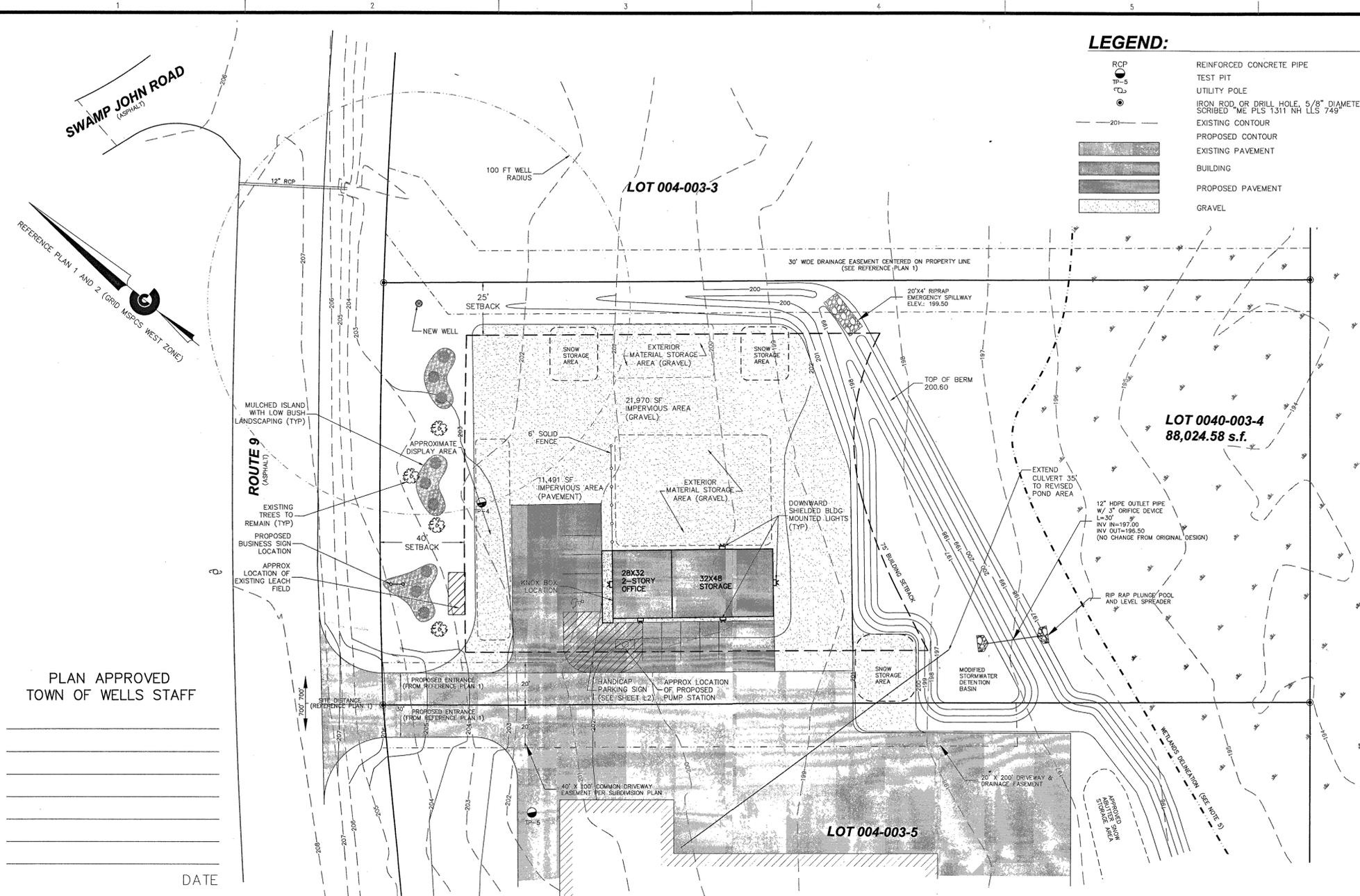


www.cai-tech.com



Street Names
Parcel Lines - Ortho

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



**CIVIL CONSULTANTS**  
**CIVIL CONSULTANTS**  
 Engineers  
 Planners  
 Surveyors  
 P.O. Box 100  
 South Berwick  
 Maine  
 03908  
 207-384-2550  
 www.civcon.com

**PROJECT SCOPE:**

1. THE PROJECT IS A SITE PLAN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN FOR THE DEVELOPMENT OF THE SUBJECT LOT.
2. AN EXISTING FOUNDATION INSTALLED ON THE LOT IS TO REMAIN AND BE UTILIZED FOR THE BUILDING INDICATED ON THIS PLAN. A LARGE 2-STORY GARAGE AND OFFICE AREA SHOWN ON THE PREVIOUSLY APPROVED PLAN HAS BEEN REMOVED AND WILL NOT BE BUILT.
3. THE LOT HAS BEEN PREVIOUSLY CLEARED TO THE LIMITS INDICATED ON THE APPROVED SITE PLAN. THE CLEARED LAND WILL REMAIN OPEN AND UTILIZED AS EXTERIOR MATERIAL STORAGE AND SNOW STORAGE AREA.
4. THE POND THAT CONTROLS FLOW FROM THE LOT AND A PORTION OF THE ADJACENT LOT WILL REMAIN IN THE SAME LOCATION, WITH SLIGHT MODIFICATIONS TO ALLOW FOR AN AREA OF SNOW STORAGE AT THE END OF THE SHARED DRIVEWAY.
5. A DISPLAY AREA IS PROPOSED TO SHOWCASE FENCING MATERIALS AND CONFIGURATIONS.
6. ANY IMPROVEMENTS TO THE LOT IN THE FUTURE THAT ARE NOT INDICATED ON THIS PLAN WILL REQUIRE PLANNING BOARD APPROVAL FOR AN AMENDED SITE PLAN.

**REFERENCE PLANS:**

1. "SUBDIVISION PLAN, BERWICK ROAD BUSINESS PARK, ROUTE 9 AND WILIE HILL ROAD, WELLS ~ MAINE, PREPARED FOR OULAND, INC., DATED SEPTEMBER 3, 1999, LAST REVISED DECEMBER 29, 1999, PREPARED BY POST ROAD SURVEYING, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 253, PAGE 35.
2. "STANDARD BOUNDARY SURVEY OF LAND OF TILCON MINERALS, INC. LOCATED ON ROUTE 9, WELLS, YORK COUNTY, MAINE, MAILING ADDRESS: PIKE INDUSTRIES, P.O. BOX 1030, WELLS, ME 04090", DATED MARCH 19, 1998, PREPARED BY CIVIL CONSULTANTS, RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 244, PAGE 48.
3. "ARMSTRONG FENCE SITE PLAN, PREPARED FOR STEVE DUPLISA, LOT 4 BERWICK ROAD BUSINESS PARK, ROUTE 9, WELLS, YORK COUNTY, MAINE", REVISION DATED 01/03/06, PREPARED BY CIVIL CONSULTANTS, UNRECORDED.

**NOTES:**

1. PLANIMETRIC AND TOPOGRAPHIC DETAIL DEPICTED HEREON IS BASED ON REFERENCE PLAN 1. CIVIL CONSULTANTS OBTAINED A DIGITAL FILE CONTAINING THE ABOVE REFERENCED DRAWING FROM POST ROAD SURVEYING. CIVIL CONSULTANTS HAS NOT PERFORMED FIELD SURVEY WORK AT THIS TIME.
2. NORTH AS DEPICTED HEREON IS BASED ON REFERENCE PLANS 1 AND 2 (GRID MSPCS WEST ZONE).
3. ELEVATIONS DEPICTED HEREON ARE BASED ON REFERENCE PLAN 1 (DATUM ASSUMED).
4. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING REFERENCE PLAN 1. UTILITIES DEPICTED HEREON MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS NEED TO CONTACT DIGSAFE AND FIELD VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
5. WETLAND DELINEATION DEPICTED HEREON IS BASED ON REFERENCE PLAN 1 (IDENTIFIED BY JOSEPH W. NOEL, CERTIFIED SOILS SCIENTIST #209).
6. PROPERTY LINES DEPICTED HEREON ARE BASED ON REFERENCE PLAN 1. MONUMENTATION DEPICTED HEREON IS BASED ON REFERENCE PLAN 1. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY SURVEY OF THE LOCUS PARCEL.
7. ZONING INFORMATION FROM REFERENCE PLAN 1:  
 LIGHT INDUSTRIAL ZONE  
 BUILDING SETBACK FROM ROUTE 9 - 40'  
 BUILDING SETBACK FROM OTHER PROPERTY LINES - 25'  
 MINIMUM FRONTAGE 100' - ACTUAL 200.3'  
 MAXIMUM BUILDING HEIGHT - 45'  
 MAXIMUM LOT COVERAGE 65% - 37% PROPOSED
8. FOR MORE COMPLETE ZONING INFORMATION REFER TO THE TOWN OF WELLS ZONING ORDINANCE.
9. REFER TO NOTES ON REFERENCE PLAN 1 FOR VARIOUS CONDITIONS.
10. THE PROJECT WILL BE CONSTRUCTED IN CONFORMANCE WITH THE YORK COUNTY SOIL AND WATER CONSERVATION DISTRICT BEST MANAGEMENT PRACTICES FOR EROSION AND SEDIMENT CONTROLS.
11. ALL LIGHTING SHALL CONFORM TO CHAPTER 145-41 OF THE WELLS ORDINANCE.
12. ALL SIGNS SHALL CONFORM TO CHAPTER 145-40 OF THE WELLS ORDINANCE.
13. PARKING CALCULATIONS=  
 1,792 s.f. OFFICE SPACE @ 3.5/1,000 s.f. = 6 SPACES  
 1,536 s.f. OF CONTRACTOR/WAREHOUSE/WHOLESALE BUSINESS @ 1,800 s.f. = 2 SPACES  
 TOTAL REQUIRED = 8 SPACES  
 TOTAL PROVIDED = 8 SPACES INCLUDING 1 HANDICAPPED SPACE
14. WATER SUPPLY WILL BE VIA AN ON-SITE WELL LOCATED IN THE NORTH CORNER OF THE PROPERTY. FIRE PROTECTION FOR THIS FACILITY IS PROVIDED BY THE FIRE POND, CREATED FOR THE BERWICK ROAD BUSINESS PARK SUBDIVISION, LOCATED ON WILIE HILL ROAD, APPROXIMATELY 3000 FEET NORTH OF THIS SITE.
15. WASTEWATER DISPOSAL WILL BE VIA AN ON-SITE SUBSURFACE DISPOSAL SYSTEM, LOCATED BETWEEN THE PARKING AREA AND ROUTE 9.

PLAN APPROVED  
 TOWN OF WELLS STAFF

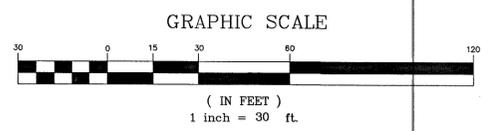
**WELLS STANDARD CONDITIONS OF APPROVAL (2015)**

1. SITE PLAN APPROVAL SECURED UNDER THE PROVISIONS OF THIS CHAPTER SHALL EXPIRE WITHIN 10 YEARS FROM THE DATE ON WHICH THE SITE PLAN IS SIGNED IF ALL ASPECTS OF THE SITE PLAN APPROVAL ARE NOT FULLY COMPLETED AND ESTABLISHED. ANY SITE PLAN APPROVAL MAY INCLUDE A PHASING PLAN ACCORDING TO AN APPROVED TIME SCHEDULE NOT TO EXCEED 10 YEARS FROM THE DATE ON WHICH THE SITE PLAN IS SIGNED. SITE PLAN APPROVAL SHALL EXPIRE IF A USE HAS BEEN ESTABLISHED AND THEN DISCONTINUED FOR TWO YEARS OR MORE. [§145-74F]
2. APPROVAL IS CONDITIONED UPON COMPLIANCE BY THE APPLICANT WITH THE PLANS AND SPECIFICATIONS WHICH HAVE BEEN RECEIVED BY THE TOWN IN CONNECTION WITH THIS DEVELOPMENT PROPOSAL.
3. CONDITIONS OF APPROVAL OR NOTES WRITTEN ON THE FACE OF THE SITE PLAN MAY BE AMENDED ONLY BY THE REVIEWING AUTHORITY THAT APPROVED THE SITE PLAN. [§145-74G(1)(B)]
4. FAILURE TO COMPLY WITH ANY CONDITIONS OF APPROVAL SHALL BE CONSIDERED TO BE A VIOLATION OF ARTICLE X OF THE LAND USE ORDINANCE AND SHALL BE GROUNDS FOR REVOKING THE APPROVED DEVELOPMENT PLAN, INITIATING LEGAL PROCEEDINGS TO ENJOIN CONSTRUCTION DEVELOPMENT OR ANY SPECIFIC ACTIVITY VIOLATING THE CONDITIONS OF PLAN APPROVAL OR APPLYING THE LEGAL PENALTIES DETAILED IN §145-64. [§145-79A]
5. WHENEVER SEDIMENTATION IS CAUSED BY STRIPPING VEGETATION, REGRADING OR OTHER DEVELOPMENT, IT SHALL BE THE RESPONSIBILITY OF THE OWNER TO IMMEDIATELY INSTALL SEDIMENTATION CONTROL DEVICES ON HIS LOT AND TO REMOVE SEDIMENT FROM ALL ADJOINING SURFACES, DRAINAGE SYSTEMS AND WATERCOURSES AND TO REPAIR ANY DRAINAGE, AT HIS EXPENSE, AS QUICKLY AS POSSIBLE. ANY

6. EROSION OF SOIL AND SEDIMENTATION OF WATERCOURSES AND WATER BODIES SHALL BE MINIMIZED BY EMPLOYING THE FOLLOWING BEST-MANAGEMENT PRACTICES [§145-75F]:
  - (a) STRIPPING OF VEGETATION, SOIL REMOVAL AND REGRADING OR OTHER DEVELOPMENT SHALL BE ACCOMPLISHED IN SUCH A WAY AS TO MINIMIZE EROSION.
  - (b) THE DURATION OF EXPOSURE OF THE DISTURBED AREA SHALL BE KEPT TO A PRACTICAL MINIMUM.
  - (c) TEMPORARY VEGETATION AND/OR MULCHING SHALL BE USED TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT.
  - (d) PERMANENT (FINAL) VEGETATION AND MECHANICAL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE STANDARDS OF THE YORK COUNTY SOIL AND WATER CONSERVATION DISTRICT OR THE MAINE SOIL AND WATER CONSERVATION COMMISSION SHALL BE INSTALLED AS SOON AS PRACTICABLE AFTER CONSTRUCTION ENDS.
  - (e) UNTIL A DISTURBED AREA IS STABILIZED, SEDIMENT IN RUNOFF WATER SHALL BE TRAPPED BY THE USE OF DEBRIS BASINS, SILT TRAPS OR OTHER ACCEPTABLE METHODS AS DETERMINED BY THE REVIEWING AUTHORITY.
  - (f) THE TOP OF A CUT OR THE BOTTOM OF A FILL SECTION WHICH ALTERS THE EXISTING GRADE BY MORE THAN TWO FEET SHALL NOT BE CLOSER THAN 10 FEET TO AN ADJOINING LOT.
  - (g) DURING GRADING OPERATIONS, METHODS OF DUST CONTROL SHALL BE EMPLOYED.
  - (h) THE PROPOSED SITE PLAN SHALL PREVENT SOIL EROSION AND SEDIMENTATION FROM ENTERING WATERBODIES, WETLANDS, AND ADJACENT PROPERTIES.
  - (i) THE PROCEDURES OUTLINED IN THE EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE IMPLEMENTED DURING THE SITE PREPARATION, CONSTRUCTION, AND CLEAN-UP STAGES.

- (j) CUTTING OR REMOVAL OF VEGETATION ALONG WATERBODIES SHALL NOT INCREASE WATER TEMPERATURE OR RESULT IN SHORELINE EROSION OR SEDIMENTATION.
  - (k) TOPSOIL SHALL BE CONSIDERED PART OF THE SITE PLAN AND SHALL NOT BE REMOVED FROM THE SITE EXCEPT FOR SURPLUS TOPSOIL FROM ROADS, PARKING AREAS, AND BUILDING EXCAVATIONS.
7. THE PROPERTY SHOWN ON THIS PLAN MAY BE DEVELOPED AND USED ONLY AS DEPICTED ON THIS APPROVED PLAN. ALL ELEMENTS AND FEATURES OF THE PLAN AND ALL REPRESENTATIONS MADE BY THE APPLICANT IN THE RECORD OF THE PLANNING BOARD AND/OR STAFF REVIEW COMMITTEE PROCEEDINGS ARE CONDITIONS OF THE APPROVAL. NO CHANGE FROM THE CONDITIONS OF APPROVAL IS PERMITTED UNLESS AN AMENDED PLAN IS FIRST SUBMITTED TO AND APPROVED BY THE PLANNING BOARD AND/OR STAFF REVIEW COMMITTEE.
  8. APPROVAL OF THE APPLICATION OR AMENDMENT APPLICATION DOES NOT RELIEVE THE APPLICANT FROM THE RESPONSIBILITY TO OBTAIN BUILDING PERMITS PRIOR TO CONSTRUCTION AND USE PERMITS PRIOR TO OCCUPANCY.
  9. IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT DIG SAFE PRIOR TO CONSTRUCTION.
  10. IT IS THE OWNER/HOMEOWNERS ASSOCIATION/APPLICANT/DEVELOPER'S RESPONSIBILITY, NOT THE TOWN CODE OFFICE OR TOWN PLANNING OFFICE, TO CONTACT THE TOWN CLERK'S OFFICE TO APPLY FOR AND MAINTAIN ANY AND ALL BUSINESS LICENSE(S) FOR THE USE(S) CONDUCTED ON THIS SUBDIVISION/SITE PLAN PARCEL(S).
  11. APPROVAL OF ANY PROPOSED FIELD CHANGES SHALL BE OBTAINED PRIOR TO CONSTRUCTION. SAID APPROVALS SHALL BE IN WRITING. THE CODE ENFORCEMENT OFFICE SHALL CONSULT WITH THE OFFICE OF

12. PRIOR TO THE POURING OF A BUILDING FOOTING/FOUNDATION, THE LOCATION OF EACH COTTAGE AND/OR BUILDING TO BE CONSTRUCTED SHALL BE LOCATED ON THE FACE OF THE EARTH AND SHALL BE MARKED WITH SURVEYOR PINS OR STAKES. THE DEVELOPER SHALL RECEIVE APPROVAL OF EACH COTTAGE AND/OR BUILDING LOCATION FROM THE CODE ENFORCEMENT OFFICE PRIOR TO THE COMMENCEMENT OF FOOTING/FOUNDATION EXCAVATION.
13. IF THE PROPERTY WILL BE CONVERTED TO A CONDOMINIUM FORM OF OWNERSHIP, THE PROPOSED CONDOMINIUM DOCUMENTS MUST BE PRESENTED TO THE TOWN FOR REVIEW AND APPROVAL BY THE TOWN ATTORNEY. NO USE PERMIT SHALL BE ISSUED UNTIL THE TOWN ATTORNEY HAS INDICATED APPROVAL OF THE CONDOMINIUM DOCUMENTS.
14. UPON COMPLETION OF CONSTRUCTION, THE APPLICANT SHALL PROVIDE TO THE TOWN RECORD AS-BUILT DRAWINGS OF THE ROADWAY, DRAINAGE, AND UTILITY RELATED CONSTRUCTION WORK.
15. THE TOWN OF WELLS, MAINE MAY EMPLOY THE SERVICES OF AN ENGINEERING FIRM TO ASSIST IN THE INSPECTION OF ROADS AND OTHER INFRASTRUCTURE IF, IN THE OPINION OF THE CODE ENFORCEMENT OFFICE, THE WORK NECESSARY TO INSURE COMPLIANCE WITH TOWN ORDINANCES OR THE REQUIREMENTS OF THIS APPROVAL ARE BEYOND THOSE CAPACITIES AVAILABLE BY STAFF. THE COST OF SUCH ADDITIONAL SERVICES WILL BE BORN BY THE DEVELOPER.
16. ALL COMPONENTS, FEATURES, IMPROVEMENTS AND CONDITIONS OF SITE PLAN APPROVAL SHALL BE FULLY COMPLETED PRIOR TO ANY ISSUANCE OF A CERTIFICATE OF OCCUPANCY.



TAX MAP NO. 004 LOT NO. 3-4

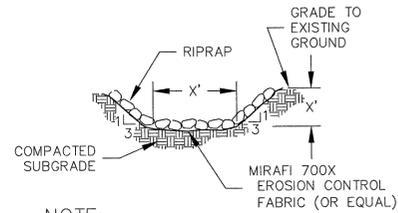
NO.	DATE	INT.	REVISIONS
1			

RECORD OWNER:  
 STEVE & LISA DUPLISA  
 OWNER ADDRESS:  
 118 NATANIS RIDGE CIRCLE  
 WELLS, ME

PREPARED FOR:  
 STEVE DUPLISA  
 118 NATANIS RIDGE CIRCLE, WELLS, ME 04090  
 CLIENT ADDRESS:

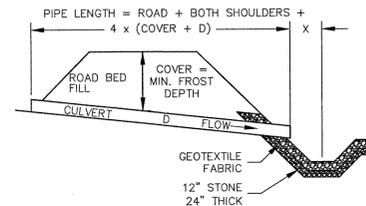
DATE: 3/4/2016  
 DRAWN BY: NJR  
 CHECKED BY: GRA  
 APPROVED BY: NJR

**SITE PLAN**  
 PROJECT NO: 04-464.02  
**L1**  
 SHEET: 1 OF 2



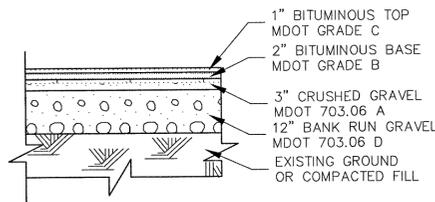
NOTE:  
 1. SWALE SLOPES AT 1%.  
 2. STONE SIZE D50 = 6" MAX. STONE SIZE 9".  
 3. MINIMUM DEPTH OF RIPRAP LAYER = 9".

RIPRAP SWALE DETAIL  
 NOT TO SCALE



PIPE SIZE (INCHES)	X (FEET)	PLUNGE POOL
12"	2'	1 D DEEP
18"	3'	2 D SIDE
24"	5'	4 D LONG
36"	7'	

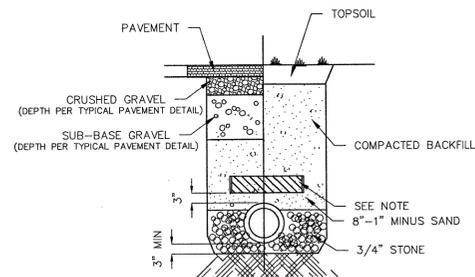
PLUNGE POOL OUTLET PROTECTION DETAIL  
 NOT TO SCALE



TYPICAL PAVEMENT SECTION  
 NOT TO SCALE

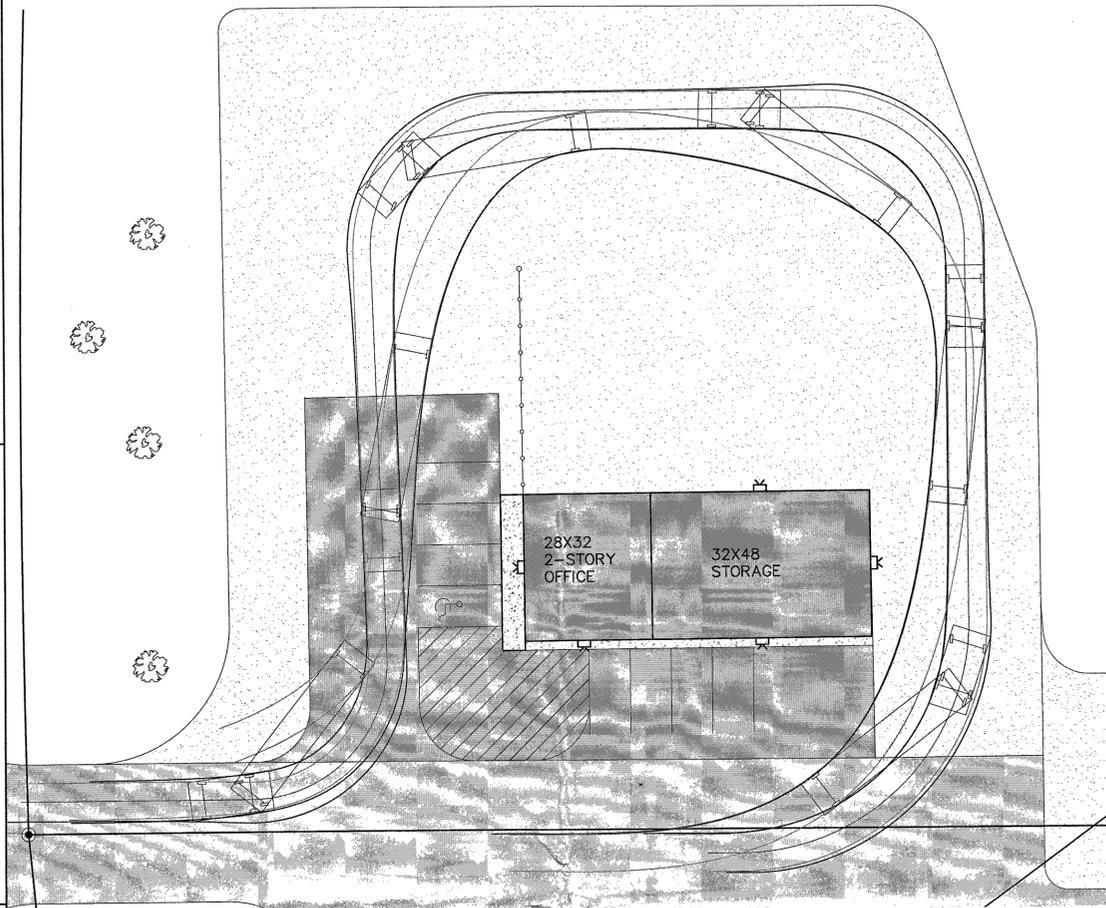


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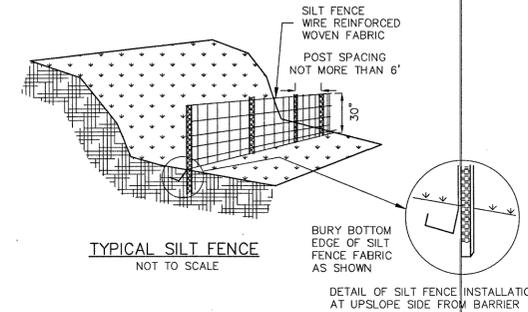


TYPICAL DRAINLINE TRENCH DETAIL  
 NOT TO SCALE

NOTE:  
 2"x2" STYROFOAM INSULATION BOARD SHALL BE PLACED IN AREAS WHERE COVER OVER LINE IS LESS THAN 2.5' OR WHERE SHOWN.



TURNING RADIUS DETAIL  
 SCALE: 1" = 20'



TYPICAL SILT FENCE  
 NOT TO SCALE

EROSION AND SEDIMENT CONTROL PRACTICES

- NO SOIL SHALL BE DISTURBED DURING THE PERIOD OF MARCH 1 THROUGH APRIL 15, NOR DURING ANY OTHER PERIOD WHEN SOILS ARE SATURATED DUE TO RAIN OR SNOW MELT.
  - DISTURBED SOILS SHALL BE STABILIZED WITHIN ONE (1) WEEK FROM THE TIME IT WAS LAST ACTIVELY WORKED USING TEMPORARY OR PERMANENT MEASURES SUCH AS PLACEMENT OF RIPRAP, MULCH OR OTHER EROSION CONTROL BLANKET, OR OTHER COMPARABLE MEASURES.
  - HAY OR STRAW MULCH, WHERE USED, SHALL BE APPLIED AT A RATE OF AT LEAST ONE (1) BALE PER 500 SQUARE FEET (1-2 TONS PER ACRE).
  - IF MULCH IS LIKELY TO BE REMOVED DUE TO TO STEEP SLOPES OR WIND, IT SHALL BE ANCHORED WITH NETTING, PEG OR TWINE, OR OTHER SUITABLE METHOD AND SHALL BE MAINTAINED UNTIL A CATCH OF VEGETATION IS ESTABLISHED OVER THE ENTIRE DISTURBED AREA.
  - IN ADDITION TO PLACEMENT OF RIPRAP, MULCH OR EROSION CONTROL BLANKETS, ADDITIONAL STEPS SHALL BE TAKEN WHERE NECESSARY, IN ORDER TO PREVENT SEDIMENTATION OF THE WATER. EVIDENCE OF SEDIMENTATION INCLUDES VISIBLE GULLY EROSION, DISCOLORATION OF WATER BY SUSPENDED PARTICLES AND SLUMPING OF BANKS, SILT FENCES, STAKED HAY BALES AND OTHER SEDIMENTATION CONTROL MEASURES, WHERE PLANNED FOR, SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF WORK, BUT SHALL ALSO BE INSTALLED WHEREVER NECESSARY DUE TO SEDIMENTATION.
  - MULCH OR OTHER TEMPORARY MEASURES SHALL BE MAINTAINED UNTIL THE SITE IS PERMANENTLY STABILIZED WITH VEGETATION OR OTHER PERMANENT CONTROL MEASURES AFTER WHICH TEMPORARY MEASURES WILL BE REMOVED.
  - PERMANENT REVEGETATION OF ALL DISTURBED AREAS, USING NATIVE PLANT MATERIAL WHEN POSSIBLE, SHALL OCCUR WITHIN 30 DAYS FROM THE TIME THE AREAS WERE LAST ACTIVELY WORKED, OR FOR FALL AND WINTER ACTIVITIES, BY JUNE 15, EXCEPT WHERE PRECLUDED BY THE TYPE OF ACTIVITY (E.G. RIPRAP, ROAD SURFACES, ETC.). THE VEGETATIVE COVER SHALL BE MAINTAINED.
  - DISPOSAL OF COLLECTED DEBRIS MUST BE IN CONFORMANCE WITH MAINE SOLID WASTE LAW, TITLE 38 MRSA SECTION 1301 ET. SEQ.
- LIME AND FERTILIZER APPLICATION RATES SHALL NOT EXCEED THE FOLLOWING:  
 GROUND LIMESTONE: 3 TONS/ACRE (130 LBS./1000 S.F.)  
 FERTILIZER, 10-10-10 OF EQUIVALENT: 600 LBS./ACRE (14 LBS./1000 S.F.)  
 FERTILIZER SHALL NOT BE APPLIED BEFORE START OF THE GROWING SEASON NOR AFTER SEPTEMBER 30. FERTILIZED AREAS SHALL BE MULCHED TO REDUCE OFF-SITE TRANSPORT OF NUTRIENTS UNTIL USED BY VEGETATIVE GROWTH.

SEEDING MIXTURE AND SCHEDULE:

SPREAD TOPSOIL UNIFORMLY 4" DEEP OVER ROADWAY SIDESLOPES AND OTHER AREAS TO BE SEED. THE FOLLOWING SEED MIXTURE SHALL BE USED:

ROADSIDE MIXTURE:	
RED FESCUE	50%
SHEEP FESCUE	25%
RED TOP	5%
WHITE CLOVER	10%
ANNUAL RYE	10%

APPLY LIME AND FERTILIZER AS SPECIFIED UNDER THE EROSION AND SEDIMENTATION CONTROL NOTES. WORK INTO THE TOP (4) INCHES OF SOIL PRIOR TO SEEDING. AFTER SEEDING, APPLY MULCH HAY AS SPECIFIED. ON FLAT AREAS AND NOT EXPOSED TO WIND, THE MULCH WILL BE ANCHORED BY WETTING DOWN. IN OTHER AREAS, JUTE NETTING SHALL BE USED FOR ANCHORAGE. THE ABOVE SEEDING SCHEDULE IS APPLICABLE IF SEEDING DURING THE GROWING SEASON (APRIL 15 TO JUNE 15 AND AUGUST 30 TO SEPTEMBER 30). BETWEEN JUNE 15 AND AUGUST 30, SEEDING WILL BE DELAYED UNTIL AUGUST 30. IF SOIL IS DISTURBED BETWEEN OCTOBER 1 AND NOVEMBER 1, DELAY SEEDING UNTIL NOVEMBER 1. AFTER NOVEMBER 1 AND BEFORE A SNOW COVER FORMS, THE SAME PROCEDURE WILL BE FOLLOWED EXCEPT THE SEED RATE WILL BE DOUBLED. AFTER SNOW COVER AND BEFORE APRIL 15, SEEDING WILL BE DELAYED UNTIL APRIL 15. HAY MULCH WILL BE APPLIED AT A RATE OF 150 LBS./1000 SQUARE FEET. THIS WILL BE ANCHORED BY NON-ASPHALTIC TACKIFIER SPRAYED ON LAWNS AND JUTE NETTING IN DRAINAGE WAYS AND OTHER AREAS.



CIVIL CONSULTANTS  
**CIVIL CONSULTANTS**  
 Engineers  
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 P.O. Box 100  
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 Maine  
 03908  
 207-384-2550  
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NO.	REVISIONS	INT.	DATE
1			

RECORD OWNER:  
 STEVE & LISA DUPLISEA  
 OWNER ADDRESS:  
 118 NATANIS RIDGE CIRCLE  
 WELLS, ME

ARMSTRONG FENCE SITE PLAN AMENDMENT  
 BERWICK ROAD BUSINESS PARK  
 632 NORTH BERWICK ROAD  
 WELLS, MAINE

PREPARED FOR:  
 STEVE DUPLISEA  
 CLIENT ADDRESS:  
 118 NATANIS RIDGE CIRCLE, WELLS, ME 04090

AS NOTED  
 0' 1'  
 DATE: 3/4/2016  
 DRAWN BY: NJR  
 CHECKED BY: GRA  
 APPROVED BY: NJR

AMENDED SITE  
 PLAN DETAILS

PROJECT NO: 04-464.02

L2

SHEET: 2 OF 2

TAX MAP NO. 004 LOT NO. 3-4



## Planning & Development

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon M. L. Belanger, Planning Assistant</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

### Site Plan Amendment Application Memo

Date: April 8, 2016

To: Staff Review Committee

From: Planning Office

Re: Joshua's Restaurant – Site Plan Amendment Application - Map 135, Lot 15

Joshua Mather, the applicant/owner, has submitted a site plan amendment application prepared by Harvey Wells, for the Joshua's Restaurant property located off of 1637 Post Road. The parcel is located within the General Business District and is identified as Tax Map 135, Lot 15. The parcel is approximately 44,280 SF in size and is served by public sewer and public water. The existing use of the property is for a 77 seat standard restaurant with 40 parking spaces and an accessory 22' x 22' storage garage. The applicant proposes to construct a 228 SF kitchen and walk-in cooler addition; construct a new entry/porch and stairs with ADA accessible ramp; construct a 256 SF concrete slab, install an outdoor patio to accommodate 16 additional seats for the Standard Restaurant for a total of 93 seats; and to reconfigure the parking spaces for a new total of 37 spaces.

#### **§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **YES - a 256 building addition is proposed, expanded outdoor seating area proposed, expanded entry proposed, expanded impervious area proposed**

#### **§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. **Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. [Amended 4-18-1998] The amendments sought requires Staff Review committee approval.**
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

#### **§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

§ 145-73. Fees.

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Applicant submitted an application fee and escrow.**
- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan.
- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000]**

§ 145-74. Review and approval process.

- G. Amendment to approved site plans.
  - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Procedure for site plan pre- application and application shall be followed. \***
  - (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.
  - (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**
- H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **Not applicable**
- I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **Not applicable**
- A. **Preapplication. [Amended 4-14-2000] \***
  - (1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:
    - (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 3/25/16 the Code Officer determined the uses are permitted.**
    - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 3/25/16**

- [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**
  - [2] Certify that said notices have been sent or delivered.
  - [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
  - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 4/12/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 3/25/16; meeting is on 4/12/16**
  - (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
  - (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

### **Recommendations and Conclusion:**

1. The Staff Review Committee should consider receiving the site plan amendment application.
2. The SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
  - a. Several plan and note changes were recommended and included in the plans provided in the SRC packets
  - b. A waiver to be considered for an updated boundary survey based on the following:
    - i. The boundary lines are depicted per a 2004 survey by Owen Haskell, no deed changes have been made since.
    - ii. The proposed kitchen/cooler are approximately 18 feet from the property line, 3 feet from the setback
    - iii. Outdoor seating area proposed is internal to the lot
    - iv. If granted, a note should be added to the plan requiring a surveyor to layout the proposed addition (note language to be provided by the Planning Office)
  - c. A fence (6' solid) is proposed along the northerly lot line for the residential abutter. The SRC to consider if the fence proposed is sufficient screening for this abutter.
  - d. Will there be any materials stored outside?
  - e. A letter from the WSD to be provided.
  - f. A waiver for a stormwater management plan to be considered based on the following:
    - i. Lot coverage is increasing by 588 SF

- ii. No adverse impacts due to insignificant area
- 3. The SRC to also consider:
  - a. If the Route 1 buffer that exists remains sufficient.
    - i. It is recommended an existing tree along the northwesterly corner be depicted on the plan
  - b. If the changes to the parking lot provide adequate and safe access
- 4. The SRC to discuss the application and any concerns
- 5. The SRC to vote to continue the workshop to the next SRC meeting (4/26).

Thank you.

**Town of Wells , Maine Review Checklist**  
**Page 1 of 5**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

The purposes of the General Business District is to provide areas for a wide range of business and commercial uses which serve the entire Town and for lodging and related facilities which serve the tourists.

<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				No such use is proposed or exists.
	(1) Agriculture, limited to the raising of crops and plants out of doors.			NA	
	(2) Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
	(3) Dwelling, one-family. (See also ' 145-55.)			NA	
	(4) Dwelling, two-family.			NA	
	(5) Dwelling, multifamily. (See ' 145-48.)			NA	
	(6) Recreation, passive.			NA	
	(7) Timber harvesting.			NA	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
	(1) Agriculture which includes any structures.			NA	
	(2) Bank.			NA	
	(3) Bed-and-breakfast/small inn. (See ' 145-52.)			NA	
	(4) Business, contractor.			NA	
	(5) Business, office.			NA	
	(6) Business, personal service.			NA	
	(7) Business, retail, including the manufacturing of any goods offered for sale on the premises.			NA	
	(8) Business, service.			NA	
	(9) Business, wholesale, having a gross floor area of less than 5000 square feet.			NA	
	(10) Cemetery larger than 20,000 square feet in area.			NA	

**Town of Wells , Maine Review Checklist**  
**Page 2 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-26. General Business District.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(11)	Church.			NA		
(12)	Club.			NA		
(13)	Congregate care facility. <b>[Added 6-8-2011]</b>			NA		
(14)	Day-care home.			NA		
(15)	Day-care center/nursery school.			NA		
(16)	Drug abuse shelter. <b>[Added 6-14-2011]</b>			NA		
(17)	Elderly housing <b>[Amended 4-26-1996]</b>			NA		
(18)	Freestanding residential detoxification program. <b>[Added 6-14-2011]</b>			NA		
(19)	Function hall.			NA		
(20)	Hotel/motel. (See ' 145-52.)			NA		
(21)	Housing, congregate.			NA		
(22)	Life care facility. <b>[Amended 4-26-1996]</b>			NA		
(23)	Medical care facility.			NA		
(24)	Municipal facility.			NA		
(25)	Museum.			NA		
(26)	Neighborhood convenience store.			NA		
(27)	Nursing home. <b>[Amended 4-26-1996]</b>			NA		
(28)	Parking lot, commercial.			NA		
(29)	Private non-medical institution (PNMI). <b>[Added 6-14-2011]</b>			NA		
(30)	Public Transportation Center. <b>[Amended 11-6-2007]</b>			NA		
(31)	Public utility facility.			NA		
(32)	Recreation, active.			NA		
(33)	Recreation, high-intensity commercial.			NA		
(34)	Recreation, low-intensity commercial.					
(35)	Recreation, medium intensity commercial. <b>[Added 6-11-2013]</b>			NA		
(36)	Registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA		
(37)	Restaurant, standard.	Y			A 77 seat standard restaurant exists. 16 seats are proposed for a total of 93 seats. <b><u>See recommended plan changes.</u></b>	
(38)	Restaurant, fast-food.			NA		

**Town of Wells , Maine Review Checklist**  
**Page 3 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
(39)	Sawmill producing less than 100,000 board feet of lumber per year.			<b>NA</b>	
(40)	School, public and private.			<b>NA</b>	
(41)	Tent and recreational vehicle park. (See ' 145-50.)			<b>NA</b>	
(42)	Transportation facility.			<b>NA</b>	
(43)	Stand-alone registered marijuana dispensary. <b>[Added 6-14-2011]</b>			<b>NA</b>	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in ' 145-51 are permitted accessory uses.	<b>Y</b>			An accessory garage exists on the property and is used for storage related to the restaurant use.
E.	Uses prohibited. Except as permitted in ' 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	<b>Y</b>			
F.	Dimensional requirements.				
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	<b>Y</b>			The parcel is 44,280 SF in size and is served by public sewer. <b><u>See recommended plan changes.</u></b>
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.			<b>NA</b>	The parcel is 44,280 SF in size and is served by public sewer. No dwelling exists or is proposed. <b><u>See recommended plan changes.</u></b>
(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			<b>NA</b>	No such use is proposed.

**Town of Wells , Maine Review Checklist**  
**Page 4 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-26. General Business District.				Application Meet Requirements			
				Yes	No	NA	Comments
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-28-1995; 4-12-2003; 6-13-2006]</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such use is permitted or exists.	
	(d)	Twenty hotel/motel units per acre of net area. <b>[Amended 4-28-1995]</b>			NA	No such use is exists or is proposed.	
	(3)	Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y			This parcel has approximately 174.14' of street frontage along Route One. <b><u>See recommended plan changes.</u></b>	
	(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. <b>[Amended 4-14-2000]</b>	Y			Existing lot coverage is 41.3 %. Proposed lot coverage is 42.6%. Maximum lot coverage of 65% noted on the plan. <b><u>See recommended plan changes.</u></b>	
	(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-35I.)	Y			See note 5 <b><u>See recommended plan changes.</u></b>	
	(6)	Setbacks.	Y			See note 5 <b><u>See recommended plan changes.</u></b>	
	(a)	All structures shall be at least:					
	[1]	Fifteen feet from any lot line.	Y*			15' setbacks shown. The existing garage is grandfathered as a non-conforming structure as it does not meet the 15' lot line setback along the southerly lot line of the parcel.	
	[2]	Twenty-five feet from the boundary of any cemetery.	Y			Parcel does not abut any known cemeteries.	
	[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			Parcel does not abut the boundary of any street row.	

**Town of Wells , Maine Review Checklist**  
**Page 5 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-26. General Business District.</b>				<b>Application Meet Requirements</b>			
				Yes	No	NA	Comments
		[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y*			The existing structure on this parcel does not meet this lot line setback from Route One. The structure is nonconforming but is grandfathered as no new construction is proposed to make this nonconformity more nonconforming.
		(b)	All structures and parking lots shall be at least 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.			NA	Parcel is not within 200 feet of such rivers.
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. <b>[Added 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing				Y			145-13 apply
G.	Special provisions. If a person owns parcels of land on the east and west sides of Route 1 within the General Business District, the parcels may be treated as a single lot of land, provided that he grants the Town a conservation easement over a portion of the land on the east side of Route 1. The easement shall cover a land area which, in conjunction with the parcels on the west side of Route 1, is adequate to support the proposed use as regulated in the district. The lot on the west side of Route 1 shall meet the minimum lot size requirement. Any proposed easement shall be reviewed and approved by the Planning Board.					NA	

**Town of Wells , Maine Review Checklist**

**Page 1 of 19**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article VI**

Town-Wide Regulations

<b>§ 145-35. General regulations.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	All uses shall conform to the provisions of this chapter.	Y			
B.	All lots (except lots being merged with an abutting parcel) and structures shall comply with dimensional requirements specified for the district in which they are located, except those considered nonconforming. Where a single lot of record contains more than one principal structure, the lot may not be divided in a way which would create a parcel or parcels which do not conform to the requirements of this chapter for lot size, setbacks or street frontage. <b>[Amended 4-19-1997]</b>	Y			
C.	The keeping of any animal for personal use or enjoyment other than normal household pets shall require site plan approval and shall only be permitted on lots larger than 100,000 square feet.			NA	
D.	No manufactured home which was manufactured before June 15, 1976, may be brought into the Town of Wells unless suitable evidence is provided to the Code Enforcement Officer that the manufactured home does not contain aluminum electrical wiring, that the manufactured home contains two exterior exits and that the roof is constructed to support a live load of 30 pounds per square foot. <b>[Amended 4-16-1999]</b>			NA	
E.	Land within the lines of a street right-of-way on which a lot abuts shall not be considered as part of such lot for the purposes of meeting the lot area requirements of this chapter, even though the fee to the land may be in the same ownership as the lot.	Y			
F.	No part of a setback area, open space or off-street parking or loading space required by this chapter shall be included as part of any other setback area, open space or off-street parking or loading space similarly required for any other structure or use except as explicitly provided for within this chapter.	Y			
G.	Multiple principal and accessory uses, which may be located within multiple buildings, shall be permitted on a lot.	Y			
H.	Any lot created after January 1, 1994, shall have frontage on a street which existed prior to January 1, 1994, or on a street which is constructed to the standards required by Chapter 201, Articles II and III of the Wells Municipal Code.	Y			

**Town of Wells , Maine Review Checklist**

**Page 2 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-35. General regulations.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
I.	No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter 115, Floodplain Management, § 115-6, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space. <b>[Amended 11-6-2001]</b>	Y			
J.	Maximum building height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills and similar uninhabitable structures. However, except chimneys which do not exceed the height limit by more than 10 feet, such structures require a lot line setback no less than the minimum required in the district plus the height by which they exceed the prescribed height limitations.	Y			
K.	Lot area used to meet the density requirements of a use on a lot shall not be used to meet the density requirement of any other use.	Y			
L.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot that contains 5,000 square feet or less, as long as the following minimum setbacks are met:			NA	Parcel does not have a residential use.
	(1) Twenty-five feet from the boundary of any cemetery or any street right-of-way.				
	(2) Forty feet from the right-of-way of any state highway.				
	(3) The full required setback from any seawall, water body or wetland, according to § 145-33.				
	(4) Five feet from other lot line.				
M.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use on a residential lot shall be considered legally nonconforming if it was in existence at its current location prior to January 26, 1998. <b>[Added 4-18-1998]</b>			NA	Parcel does not have a residential use.
N.	The construction, renovation, alteration, maintenance and/or operation of a building, structure or any other type of facility for use in whole or in part as a gambling casino is prohibited in all zoning districts within the Town of Wells. No building permit or certificate of occupancy shall issue for a gambling casino. <b>[Added 11-5-2002]</b>			NA	

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-35. General regulations.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
O.	Lots abutting multiple street rights-of-way are permitted to reduce the minimum setback from a lot line abutting any street right-of-way to the minimum setback from a lot line as required for the district in which they are located if the following are met: <b>[Added 6-12-2012]</b>			<b>NA</b>	The parcel does not have multiple street frontage.
(1)	Contiguous street frontage for the lot exists on more than one street right-of-way;				
(2)	The minimum setback from any lot line abutting a street right-of-way is met from the street right-of-way that is most compliant with street frontage requirements;				
(3)	If the lot has equal and/or greater than the street frontage requirement on two abutting street rights-of-way, the lot owner may choose which right-of-way shall meet the minimum setback of a lot line abutting a street right-of-way; and				
(4)	The setback reduction shall not be permitted to apply to the setback from any lot line abutting a right-of-way of any state highway.				
<b>§ 145-36. Timber harvesting. [Amended 4-19-1997]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			<b>NA</b>	

**Town of Wells , Maine Review Checklist**

**Page 4 of 19**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-37. Yard sales.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		<b>Y</b>			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				
B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. <b>[Amended 4-28-1995]</b>				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				
D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. <b>[Amended 4-28-1995]</b>				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. <b>[Amended 4-28-1995]</b>				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. <b>[Amended 4-28-1995]</b>				
G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. <b>[Amended 4-28-1995]</b>				

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	<p>The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.</p>	Y*			<p>This commercial property abuts other commercial properties to the south and east. A residential abutter is located to the north. An existing 6’ stockade fence exists along the easterly lot line; half way (130’ ±) along the southerly lot line; and 40’ along the northerly lot line. The dumpster/ propane tank; walk-in cooler area is fenced in by a 6’ stockade fence. Existing vegetation exists between the Restaurant and the residential abutter to the north. A 6’ <b><u>solid stockade fence (See recommended plan changes.)</u></b> is proposed along the northerly boundary. <b><u>The Staff Review Committee must determine if the proposed screening for the residential abutter is adequate.</u></b></p> <p>The parcel has a 15’ landscaped buffer defined on the site plan along Route One. This buffer consists of two shade trees and an evergreen tree. <b><u>Aerial imagery shows another big tree at the northeast corner of this parcel. This tree should be added to the buffer along Route 1. SRC to determine if the existing landscaped buffer is sufficient.</u></b></p>
B.	<p>In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.</p>			NA	

**Town of Wells , Maine Review Checklist**

**Page 6 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>							<b>Application Meet Requirements</b>			
							Yes	No	NA	Comments
A.	Off-street parking may be provided out of doors or within a building. Off-street parking shall be considered to be an accessory use when provided to serve any permitted or nonconforming use. In the calculation of the number of parking spaces required, any fractional number of spaces shall be rounded to the next highest whole number for each use existing or proposed on the property. <b>[Amended 4-16-1999]</b>						Y			On-street parking is prohibited.
B.	Land may not be used and a building may not be occupied until off-street parking and/or loading facilities are provided.						Y			
C.	Design standards. <b>[Amended 4-28-1995]</b>									
(1)	All parking areas containing three or more parking spaces, except those serving one- or two-family dwellings, shall be designed according to the following criteria:									
	<b>Parking Angle (degrees)</b>	<b>Stall Width, feet</b>	<b>Skew Width, feet</b>	<b>Stall Depth, feet</b>	<b>Aisle Width, feet</b>					
	90	9	na	18.5	26	Y			All parking is shown to meet the 90 degree parking space dimensional requirements. Spaces are shown to meet the 9' wide by 18.5' depth. A 26' wide two-way traffic aisle is also maintained.	
	60	8.5	10.5	19	16 one way			<b>NA</b>		
	45	8.5	12.75	17.5	12 one way			<b>NA</b>		
	30	8.5	17	17.5	12 one way			<b>NA</b>		
	180	24	na	9	13 one way			<b>NA</b>		
(2)	Every business, commercial, institutional, public and nonprofit use shall provide a minimum of 4% of the total parking spaces for vehicles with handicapped registration plates, but in no case less than one space. Handicapped spaces shall be designed according to ANSI Standard A117.1-1986.						Y			37 parking spaces require 2 handicap accessible parking space; 2 are provided. <b><u>See recommended plan changes.</u></b>
(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.						Y			Handicap accessible parking signs are required for the 2 handicap accessible parking spaces. The plan <b><u>to identify</u></b> such signage. <b><u>See recommended plan changes.</u></b>

**Town of Wells , Maine Review Checklist**

**Page 7 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
D.	The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection E below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists. <b>[Amended 4-26-1996; 4-19-1997; 11-2-2010; 11-5-2013; 6-10-2014]</b>					
	<b>Use</b>	<b>Required Parking Spaces</b>				
	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window			<b>NA</b>	
	Bowling alley	3 1/4 per lane			<b>NA</b>	
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business			<b>NA</b>	
	Day care	1 per 400 square feet of floor area used for child care, plus 3			<b>NA</b>	
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			<b>NA</b>	
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Lodging facility	1 1/10 for each sleeping room			<b>NA</b>	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business			<b>NA</b>	

**Town of Wells , Maine Review Checklist**

**Page 8 of 19**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>	
		Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>	
		Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
		Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
		Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
		Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			<b>NA</b>	
		Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees	<b>Y</b>			See note 4. 73 seats /3 = 31 spaces plus 93 seats /20= 5 spaces. 36 spaces are required. 37 spaces are provided. <b><u>See recommended plan changes.</u></b>
		Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
		Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
		High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	
		Tent and recreational vehicle parks	See § 145-50C			<b>NA</b>	
		Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			<b>NA</b>	

**Town of Wells , Maine Review Checklist**

**Page 9 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			<b>NA</b>	
	(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.				<b>NA</b>	
	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.				<b>NA</b>	No loading bay was previously required.
E.		Required off-street parking in all districts as determined in § 145-39D shall be located on the same lot as the use it serves unless no reasonable on-site location exists and all of the following off-site requirements are satisfied: <b>[Amended 6-10-2014]</b>		<b>Y</b>			Off-street parking provided. No off-site parking proposed.
	(1)	The off-site parking location is less than 1,000 feet from the boundary line of the property where the use it serves is located;					
	(2)	The off-site parking location is established by a recorded easement, or a license or lease agreement, to benefit the property where the use it serves is located;					
	(3)	The off-site parking location shall be located within a district in which a commercial parking lot is a permitted use; and					
	(4)	A site plan approval or a site plan amendment is obtained from the Planning Board for each property.					
F.		Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.		<b>Y</b>			The Site Plan depicts snow storage areas.
G.		Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.				<b>NA</b>	No parking located within the Shoreland Overlay District.

**Town of Wells , Maine Review Checklist**  
**Page 10 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
H.	Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	Y			The proposed gravel area shall minimally impact stormwater runoff. The site plan depicts parcel contours. The parcel is flat.
I.	All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	Y			Areas that could be used for parking shall be on gravel or pavement.
j.	In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. <b>[Added 4-12-2003]</b>			NA	
<b>§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			Signs will be determined in compliance by the Code Enforcement Office prior to being placed. No changes to signage are proposed. <b><u>See recommended plan changes.</u></b>

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-41. Light and glare. [Amended 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	<b>Y</b>			See note 6. <b>See recommended plan changes.</b>
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:	<b>Y</b>			No changes to signage proposed.
(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				
(2)	No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				

**Town of Wells , Maine Review Checklist**  
**Page 12 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>	<b>Application Meet Requirements</b>			
	Yes	No	NA	Comments
Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.	Y			Standard terms and conditions of the Town of Wells appear on the plan. Best Management Practices shall be followed. <b>See recommended plan changes.</b>

<b>§ 145-43. Stormwater management. [Amended 4-27-2007]</b>	<b>Application Meet Requirements</b>			
	Yes	No	NA	Comments
Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.	Y			This parcel was previously developed. The proposed (588 SF) of additional non-vegetated area is not expected to significantly increase stormwater runoff.
<b>Chapter 202-12F, General Standards</b>				
(4) Stormwater management. <b>[Amended 4-27-2007]</b>				
(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.				

**Town of Wells , Maine Review Checklist**  
**Page 13 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map 135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.				
( c ) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.				
(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.				
(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.				
(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.				
(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.				
(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.				
(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:				

**Town of Wells , Maine Review Checklist**

**Page 14 of 19**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the “10% rule.” Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.

<b>§ 145-44. Vision obstructions at intersections.</b>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.	<b>Y</b>			The site plan identifies sufficient site distances onto Route One from the parcel’s entrance/exit. The speed limit of Route One is noted to be 35 MPH.

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Purpose. Excessive sound and vibrations are serious hazards to the public health, welfare, safety and quality of life. It is the policy of the Town of Wells to prevent excessive stationary sound and vibration, which may jeopardize the health, welfare or safety of its residents or degrade the quality of life. This ordinance shall apply to the control of all stationary sound and vibration originating in the Town of Wells. This ordinance is not designed to impede any person’s First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of the commercial or industrial sectors of the Town of Wells. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only. <b>[Amended 6-14-2011]</b>	<b>Y</b>			Sound pressure levels were not provided. If noise is of concern the owner of the parcel will measure noise levels as outlined.
B.	Violation. It is unlawful, and a violation of the Wells Code to make, emit, continue, or cause to be made, emitted or continued, any excessive, unnecessary or unreasonable noise beyond the boundaries of a person’s property in excess of the noise levels established in the Wells Code. Where multiple residences or businesses exist within the confines of a structure, the limits of one’s occupancy rights shall be considered the boundary for purposes of measuring noise. <b>[Amended 4-16-1999; 6-14-2011]</b>	<b>Y</b>			
C.	Maximum noise level. The maximum permissible noise level produced by any activity (existing or future) on a lot shall not exceed the following limits: <b>[Amended 6-14-2011]</b>	<b>Y</b>			
	(1) Music, amplified or acoustic, not otherwise exempt, that is plainly audible and excessive, unnecessary or unreasonable at a point, not on the property where the music originates, but at the location where the complaint is made.				
	(2) Other noise levels, not otherwise exempt, plainly audible and excessive, unnecessary or unreasonable at the location where the complaint is made.				
D.	Exemptions. The following shall be exempt from the standards of 145-45(C): <b>[Amended 6-14-2011]</b>	<b>Y</b>			
	(1) Natural phenomena.				

**Town of Wells , Maine Review Checklist**

**Page 16 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(2)	Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour during daytime hours, provided that at no time shall such duration exceed fifteen (15) minutes.				
(3)	Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.				
(4)	Warning devices required by the Occupational Safety and Health Administration or other state or federal governmental safety regulations.				
(5)	Farming equipment or farming activity.				
(6)	Timber harvesting and milling during daytime hours.				
(7)	Noise from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.				
(8)	Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) operated during daytime hours as per the Ordinance or site plan approval, whichever is more restrictive.				
(9)	Emergency maintenance, construction or repair work.				
(10)	Noise created by refuse and solid waste collection during daytime hours.				
(11)	Noise created by any municipal-sponsored events, municipal beach cleaning, school sporting events, parades and Town-approved fireworks displays.				
(12)	Noises created by plows, trucks and other equipment used in the removal of snow.				
(13)	Noise from any aircraft operated in conformity with, or pursuant to, Federal law, Federal air regulations, and air traffic control instruction, including any aircraft operating under technical difficulties, any kinds of distress, or under emergency orders of air traffic control.				
(14)	Noise from trains operating in conformity with or pursuant to all applicable State and Federal laws and regulations.				
(15)	Emergency or extraordinary situations.				

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(16)	A business may use an outside sound system to notify patrons waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				
(17)	Noise from the operation of air conditioning or refrigeration units, which are part of the normal operation of a business or businesses located on the premises and which are necessary and normal to the operation of said business, and which air conditioning or refrigeration units are regularly serviced and kept in good repair.				
(18)	Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.				
E.	The removal or disabling of any noise-suppression devise on any equipment is prohibited. Any noise-suppression devise on equipment shall be maintained in good working order.	<b>Y</b>			
F.	Enforcement. Notwithstanding § 145-63 of this chapter, this section may be enforced by any of the following methods:				
(1)	A violation of this section may be considered a land use violation and the enforcement procedures in § 145-63 may be invoked by the Code Enforcement Officer.				
(2)	A violation of this section may be treated as a civil violation as defined by 17-A M.R.S.A. § 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. § 17 and Rule 80H of the Maine Rules of Civil Procedure.				
(3)	A violation of this section may also be considered the creation of a loud and unreasonable noise as prohibited by 17-A M.R.S.A. § 501 (Offenses Against the Public Order: Disorderly Conduct), provided that neither the Town of Wells nor any of its employees may initiate proceedings alleging a violation of both the Town ordinance and the state statute against the same person or persons for the same incident. <b>[Amended 4-16-1999]</b>				

**Town of Wells , Maine Review Checklist**

Project Name/District: Joshua’s Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(4)	With regard to a business with a Special Entertainment Permit issued under the authority of the Town of Wells, the municipal police and/or a Code Enforcement Officer for the Town of Wells shall have the authority to order that business to cease operation of the violation immediately upon a second visit to the premises within a two hour period, or a third visit within a 24-hour period beginning with the time of the first visit to investigate a noise complaint, when a police officer or a Code Enforcement Officer has on the previous visit(s) heard plainly audible noise in violation of this ordinance, and has reported that to the owner of the property or the person responsible for the excessive or unreasonable noise. The on-duty Municipal Police Supervisor shall accompany a police officer or Code Enforcement Officer responding to subsequent second and/or third noise complaints and shall have the authority to immediately cease operations of the violation source. The Special Entertainment may not resume within a 12 hour period thereafter. <b>[Added 6-14-2011]</b>				
<b>§ 145-46. Utility distribution lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.			NA	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. <b>[Amended 6-4-1996]</b>			NA	
<b>§ 145-47. Utility transmission lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.			NA	
B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.			NA	

**Town of Wells , Maine Review Checklist**  
**Page 19 of 19**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
C.	Dimensional requirements.			<b>NA</b>	
(1)	Utility transmission lines must meet setback requirements from lot lines and water bodies to the greatest extent practical by the configuration of the utility corridor in which they are located and by the constraints of topography. With the exception of the setback from lot lines, the dimensional requirements of Article V do not apply to utility transmission lines. All aboveground portions of utility transmission lines shall comply with the setback requirements of Article V and § 145-35J.				
(2)	In all zoning districts where the setback for structures is greater than 10 feet from any lot line, the setback for the underground portion of a subsurface transmission line may be reduced to 10 feet from any lot lines.				
(3)	Subsurface and aerial utility transmission lines may be placed within the setbacks from any lot line abutting a street right-of-way provided no portion of a utility transmission line is placed between ground level and a height of 20 feet above the center line of the street within said setback. <b>[Amended 6-4-1996]</b>				
<b>§ 145-47.1. Public Transportation Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Public transportation shelters may be placed within the ordinarily required setbacks as set forth in Article V.				<b>NA</b>	
<b>§ 145-47.2. School Bus Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A single school bus shelter which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot following staff review for traffic safety and road maintenance impact.				<b>NA</b>	



**Town of Wells , Maine Review Checklist**  
**Page 2 of 2**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Article VII Performance Standards</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 1 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article X**  
**Site Plan Approval**

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:	Y				Scale is 1" = 20feet as previously approved.
	(1) The name and address of the applicant plus the name of the proposed development.	Y				<b>See recommended plan changes.</b>
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				See note 2. <b>See recommended plan changes.</b>
	(3) Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.				W	See plan reference notes. <b>Staff Review committee to determine if an updated boundary survey is necessary.</b>
	(4) All existing and proposed setback dimensions.	Y				See note 5. <b>See recommended plan changes.</b>
	(5) The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				<b>See recommended plan changes.</b>
	(6) The type, size and location of all incineration devices.			NA		No such devices proposed.
	(7) The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such devices identified.
	(8) The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y				Existing overhead utility lines identified along Route One to the existing restaurant.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 2 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	Y				1 foot contours of the parcel identified on the plan.
(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	Y*				<p><b><u>See recommended plan changes for parking.</u></b></p> <p>This commercial property abuts other commercial properties to the south and east. A residential abutter is located to the north. An existing 6' stockade fence exists along the easterly lot line; half way (130' ±) along the southerly lot line; and 40' along the northerly lot line. The dumpster/ propane tank; walk-in cooler area is fenced in by a 6' stockade fence. Existing vegetation exists between the Restaurant and the residential abutter to the north. A 6' <b><u>solid stockade fence (See recommended plan changes.)</u></b> is proposed along the northerly boundary. <b><u>The Staff Review Committee must determine if the proposed screening for the residential abutter is adequate.</u></b></p> <p>The parcel has a 15' landscaped buffer defined on the site plan along Route One. This buffer consists of two shade trees and an evergreen tree. <b><u>Aerial imagery shows another big tree at the northeast corner of this parcel. This tree should be added to the buffer along Route 1. SRC to determine if the existing landscaped buffer is sufficient.</u></b></p>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 3 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y				The parcel has a 15' landscaped buffer defined on the site plan along Route One. This buffer consists of two shade trees and other existing vegetation..
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				No such restriction identified.
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Route One road width of 66' noted on the plan.
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				
B.	Documentation of right, title or interest in the proposed site.	Y				Right Title and Interest (Deed) provided.
C.	An on-site soils investigation report by a Maine Department of Human Services licensed site evaluator (unless the site is to be served by public sewer). The report shall identify the types of soil, location of test pits and proposed location and design for the subsurface disposal system.			NA		The parcel is served by public sewer.
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.			NA		No outside storage exists or is proposed. <b><u>Applicant to confirm.</u></b>
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.		N			The parcel is served by the Wells Sanitary District. <b><u>A capacity letter for the 16 additional seats is needed.</u></b>
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.	Y				The parcel is currently served by the KKW Water District. A KKWWD capacity letter dated 3/2/16 was provided stating 16 additional seats could be served.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 4 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:			NA		The Staff Review Committee cannot require traffic data.
(1)	The estimated peak-hour traffic to be generated by the proposal.					
(2)	Existing traffic counts and volumes on surrounding roads.					
(3)	Traffic accident data covering a recent three-year period.					
(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. <b>[Amended 4-27-2007]</b>	Y				See standard condition of approval notes noted on the site plan for Best Management practices. <b><u>See recommended plan changes</u></b>
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. <b>[Added 4-27-2007]</b>				W	<b><u>Applicant requests waiver of submitting a stormwater management plan as only minimal increases in lot coverage is proposed.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 5 of 5**

Project Name/District: Joshua's Restaurant / General Business District - Tax Map  
135, Lot 15

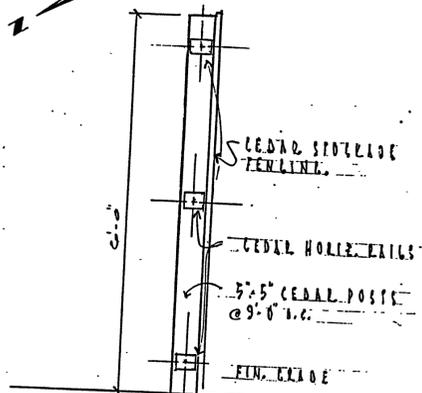
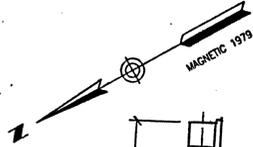
Date of Review: 04-07-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-77. Data Requirements [Amended 4-26-1996]</b>		<b>Application Meet Requirements</b>				
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Waiver</b>	<b>Comments</b>
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. <b>[Added 4-27-2007]</b>					
	<b>Chapter 201, Article IV. Sidewalk Development.</b>					

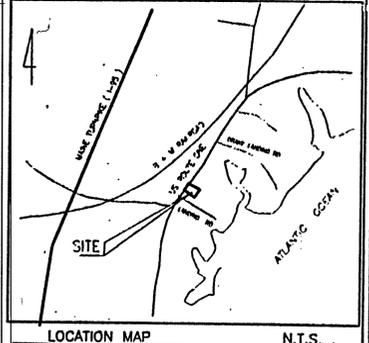
R&B LLC  
 BOOK 16246, PG 229  
 TM 135 LOT 13A



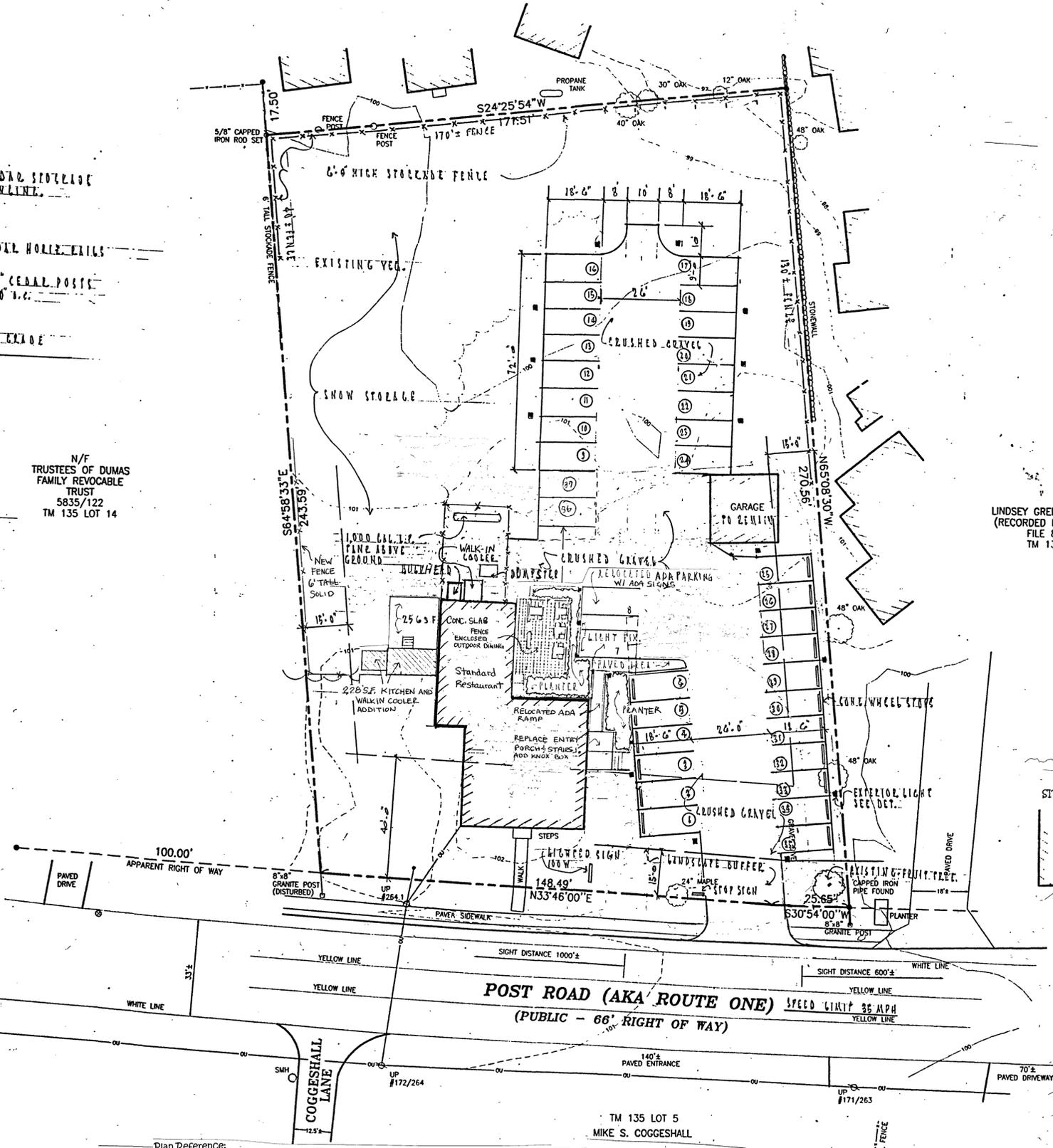
N/F  
 TRUSTEES OF DUMAS  
 FAMILY REVOCABLE  
 TRUST  
 5835/122  
 TM 135 LOT 14

FENCE SECTION  
 32.4.0

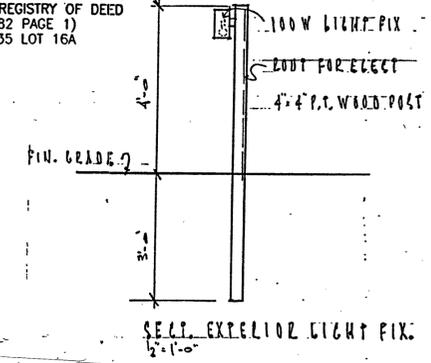
- Standard Conditions of Approval**
1. Site Plan approval under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
  2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
  3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
  4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-84. [§145-79A]
  5. Whenever sedimentation is caused by stripping vegetation, grading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-84. [§145-79B]
  6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
    - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
    - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
    - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
    - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
    - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
    - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
    - (g) During grading operations, methods of dust control shall be employed.
    - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
    - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
    - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
    - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
  7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
  8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
  9. It is the applicant's responsibility to contact Dig Safe prior to construction.
  10. It is the owner/homeowner's Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
  11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Officer shall consult with the Office of Planning and Development prior to approving any field change.
  12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Officer prior to the commencement of footing/foundation excavation.
  13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
  14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
  15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure. In the opinion of the Code Enforcement Officer, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
  16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.



LOCATION MAP N.T.S.



LINSEY GREENE CONDOMINIUMS  
 (RECORDED REGISTRY OF DEED  
 FILE 82 PAGE 1)  
 TM 135 LOT 16A



**SITE PLAN NOTES**

1. Zone: General Business
2. Lot Area: 44,280 S.F.  
 Existing Building Area: 3,164 S.F.  
 Existing Non-Vegetated Area: 15,120 S.F.  
 Total Lot Coverage: 18,284 S.F. or 41.3%
- Proposed Building Area: 3,164 S.F. + 228 S.F. + 104 S.F. = 3,496 S.F.  
 Proposed Non-Vegetated Areas: 15,120 S.F. + 256 S.F. = 15,376 S.F.  
 Total Lot Coverage: 18,872 S.F. or 42.6%
3. Use: 77 seat Standard Restaurant + 16 outside patio seats = 93 seats  
 1 space/3 seats required plus 1 space/20 seats for employees  
 93/3 = 31 parking spaces plus 93/20 = 5. 36 parking spaces are required. 2 of which must be handicap accessible.  
 37 spaces are provided; 2 of which are handicap accessible
4. Parking: 37 spaces are provided; 2 of which are handicap accessible
5. Dimensional Requirements:  
 Minimum Lot Size: 20,000 S.F. on public sewer  
 Maximum Density: 20,000 S.F. on public sewer per dwelling.  
 No dwellings exist or are proposed.  
 Minimum Street Frontage: 100 feet. (174.14 feet provided)  
 Maximum Lot Coverage: 65%. (41.3% proposed)  
 Maximum Building Height: 34 feet, not to exceed 3 stories  
 Structure Setbacks:  
 40 feet from lot line abutting Route One  
 15 feet from any lot line  
 25 feet from lot line abutting right of way  
 25 feet from lot line abutting a cemetery
6. Signage and Lighting shall comply with the requirements of the Land Use Code. Lights shall not produce glare onto abutting lots or right-of-ways.

**JOSHUA'S RESTAURANT**  
 U.S. ROUTE ONE, WELLS, MAINE

Owner: 1774 House LLC  
 PO Box 1266  
 Wells, ME 04090

**LEGEND:**

- 1" IRON PIPE OR ROD FOUND
- ⊙ UTILITY POLE
- ⊙ WATER VALVE
- ⊙ LIGHT FIXTURE
- x-x- FENCE
- STONE WALL
- OU OVERHEAD UTILITIES
- DECIDUOUS TREE

**WELLS STAFF REVIEW COMMITTEE**

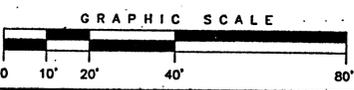
DATE \_\_\_\_\_

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**SITE PLAN**  
 1.20



- Plan Reference:
1. See plan entitled "Boundary and Topographic Survey on 1637 Post Road, Wells, Maine made for Joshua Mather" prepared by Stephen S. Shal, PLS No. 779 of Owen Haskell, Inc. dated February 3, 2004; Certified for Erosion Control by James A. Oppert, PE dated February 9, 2004; most recently revised by Harvey B. Wells, Registered Architect dated July 20, 2007; and most recently approved by the Wells Staff Review Committee on August 21, 2007.
  2. Site Plan Amendment for "Joshua's Restaurant, 1637 Post Road, Wells, Maine" dated 1/14/2015 for Joshua Mather/ 1774 House LLC. Site Plan Approved by the Wells Staff Review Committee on Feb. 10, 2015.

Site Plan  
 Amendment

**JOSHUA'S RESTAURANT**  
 1637 POST ROAD, WELLS, MAINE

Revised: \_\_\_\_\_ Revised by: \_\_\_\_\_

DRAFT  
 4-7-2016



## Planning & Development

208 Sanford Road, Wells, Maine 04090

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### Site Plan Amendment Application Memo

Date: April 5, 2016

To: Staff Review Committee

From: Planning Office

Re: Coast 2 Coast Catering – Site Plan Amendment Application - Map 49, Lot 29-1

Coast 2 Coast Catering has submitted a site plan amendment application to add a 10' x 12' walk-in cooler to the 1,550 SF Business Contractor use building. The amendment application also includes after the fact approval for a paved walk-way in front of the 1,550 SF building and 9 additional gravel parking spaces in the northeast corner of the parcel. No changes are proposed to the existing 3,216 SF rear building which consists of a 1,440 SF Business Office use and a 1,600 SF Business Wholesale use. The property is served by an on-site well and on-site septic systems. The parcel has frontage on Route 109 and Homestead Drive and is within the Residential Commercial District. The parcel is 1.36 acres in size.

#### **§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **YES - new 120 SF in structure proposed, 9 parking spaces and a paved walkway are proposed**

#### **§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. **Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. [Amended 4-18-1998] The amendments sought requires Staff Review committee approval.**
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

#### **§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

#### **§ 145-73. Fees.**

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Applicant submitted the application fee and escrow**

**deposit required.**

- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan.
- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000]**

**§ 145-74. Review and approval process.**

- G. Amendment to approved site plans.
    - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Procedure for site plan pre-application and application shall be followed.** \*
    - (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.
    - (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**
  - H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **Not applicable**
  - I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **Not applicable**
  - A. **Preapplication.** **[Amended 4-14-2000] \***
    - (1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:
      - (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 3/25/16 the Code Officer determined the uses are permitted.**
      - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 3/25/16**
- [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**

- [2] Certify that said notices have been sent or delivered.
  - [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
  - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 4/12/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 3/25/16; meeting is on 4/12/16**
  - (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
  - (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

### **Recommendations and Conclusion:**

- 1. The Staff Review Committee should consider receiving the site plan amendment application.
- 2. The SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
  - a. A 15' vegetated/wooded buffer shall be maintained along Homestead Drive and Route 109. The SRC to determine on 4/12/16 if the existing vegetated/wooded buffer is sufficient for the amendment proposed.
  - b. An existing 5' tall stockade fence with a 6" lattice top along the northeasterly boundary line shall be maintained as a screen for residential abutters. See note 13. Prior site plan approval required a 20' wide wooded buffer along the northeasterly boundary. Aerial imagery shows this 20' wide wooded buffer no longer exists. SRC to consider if the 5.5' tall fencing is sufficient.
  - c. Applicant to confirm if there was a MDOT taking along Route 109. If so, this may affect the 40' setback requirement along Route 109 and the placement of the proposed walk-in cooler.
  - d. On 4/12/16 the SRC to consider granting a waiver of requiring a boundary survey for the amendment application proposed.
  - e. A copy of the parcel deed was not provided with the amendment submission and is needed.
  - f. Concrete pad for pallet storage/ dumpster use identified on aerials. Applicant to confirm what use occurs on this pad. RC zone prohibits all business use and storage from being outside of roofed buildings.
- 3. The following compliance items to be addressed:
  - a. What is the size of the rear building propane tank?

**Town of Wells , Maine Review Checklist**  
**Page 1 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

The purposes of the Residential-Commercial District is to provide areas for the economic use of older residential areas along highways while preserving the character and architectural scale of the areas.

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
	(1) Agriculture, limited to the raising of crops and plants out of doors.			<b>NA</b>	
	(2) Cemetery having an area less than 20,000 square feet and containing no buildings.			<b>NA</b>	
	(3) Dwelling, one-family. (See also ' 145-55.)			<b>NA</b>	
	(4) Dwelling, two-family.			<b>NA</b>	
	(5) Dwelling, multifamily. (See ' 145-48.)			<b>NA</b>	
	(6) Recreation, passive.			<b>NA</b>	
	(7) Timber harvesting.			<b>NA</b>	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
	(1) Bank.			<b>NA</b>	
	(2) Bed-and-breakfast/small inn.			<b>NA</b>	
	(3) Business, contractor.	<b>Y</b>			Existing 1,550 SF building is a business contractor use. A 120 SF walk-in cooler is proposed.
	(4) Business, office.	<b>Y</b>			1,400 SF of business office space is located within existing rear building
	(5) Business, personal service.			<b>NA</b>	
	(6) Business, retail, including the manufacturing of any goods offered for sale on the premises. <b>[Amended 11-7-2000]</b>			<b>NA</b>	
	(7) Business, service.			<b>NA</b>	
	(8) Business, wholesale.	<b>Y</b>			1,600 SF of business wholesale space is located within the existing rear building

**Town of Wells , Maine Review Checklist**  
**Page 2 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(9)	Cemetery larger than 20,000 square feet in area.			NA	
(10)	Church.			NA	
(11)	Club.			NA	
(12)	Congregate care facility. <b>[Added 6-8-2010]</b>			NA	
(13)	Day-care home.			NA	
(14)	Day-care center/nursery school.			NA	
(15)	Drug abuse shelter. (Note: A drug abuse shelter will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	
(16)	Elderly housing			NA	
(17)	Freestanding residential detoxification program. (Note: A freestanding residential detoxification program facility will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	
(18)	Function hall without commercial-type cooking facilities.			NA	
(19)	Housekeeping cottage complex. (See ' 145-52.)			NA	
(20)	Housing, congregate.			NA	
(21)	Medical care facility, excluding hospitals.			NA	
(22)	Municipal facility.			NA	
(23)	Museum.			NA	
(24)	Neighborhood convenience store, excluding sale of motor vehicle fuels and including a restaurant area not exceeding 15 seats.			NA	
(25)	Nursing home.			NA	
(26)	Private non-medical institution (PNMI). <b>[Added 6-14-2011]</b>			NA	
(27)	Public utility facility.			NA	
(28)	Recreation, active.			NA	
(29)	Registered marijuana dispensary. (Note: A registered marijuana dispensary will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	

**Town of Wells , Maine Review Checklist**  
**Page 3 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
(30)	Restaurant, standard, containing 36 seats or fewer and located west of Route 1 and east of the turnpike on Route 109.			NA	
(31)	School, public and private. <b>[Amended 10-6-1998]</b>			NA	
(32)	Seasonal cottage complex. (See ' 145-52.) <b>[Added 4-12-2003]</b>			NA	
(33)	Stand-alone registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in ' 145-51 are permitted accessory uses.	Y			The proposed 10' x 12' shed is accessory to the business contractor use.
E.	Uses prohibited. Except as permitted in ' 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	Y			Uses that exist are permitted in the RC District.
F.	Dimensional requirements.				
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	Y			Parcel is 59,341 SF or 1.36 acres in size and is not served by public sewer or water.
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.			NA	No dwelling exists or is proposed on this lot.
(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	No dwelling exists or is proposed on this lot.
(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-28-1995; 4-12-2003; 6-13-2006]</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted on this lot.

**Town of Wells , Maine Review Checklist**  
**Page 4 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-24. Residential-Commercial District.			Application Meet Requirements			
			Yes	No	NA	Comments
(3)	Minimum street frontage per lot: 100 feet.	Y			Parcel has approximately 200' of street frontage along Route 109.	
(4)	Maximum lot coverage: 60% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater.	Y			Parcel's approved lot coverage is 30.2%. Parcels proposed coverage is 34.6 %.	
(5)	Maximum building height: 30 feet, not to exceed three stories. (See ' 145-35I.)	Y			See note #5.	
(6)	Setbacks. All structures shall be located at least:					
(a)	Fifteen feet from any lot line.	Y			See note 5. Setback line shown on the site plan.	
(b)	Twenty-five feet from the boundary of any cemetery.	Y			No known cemetery exists on or abuts this parcel.	
(c)	Twenty-five feet from any lot line abutting any street right-of-way.	Y			See note 5.	
(d)	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			See note 5. The existing 1550 SF building along Route 109 does not meet 40' setback from Route 109. This building is grandfathered in its existing location. The proposed walk-in cooler shall meet all applicable setback requirements.	
(e)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. <b>[Added 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted.	
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Residential cluster development.		Y			145-13 applies to this parcel.	
G.	Special provisions.					

**Town of Wells , Maine Review Checklist**  
**Page 5 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
(1)	No building shall contain more than 5000 square feet of gross floor area, except that a building located in the section of the Residential-Commercial District running along both sides of Route 109 located west of Route 1 and east of the Maine Turnpike containing a medical clinic may contain more than 5000 square feet of gross floor area, provided that it is located on a lot larger than five acres of land. <b>[Amended 4-16-1999]</b>	Y			See note 18.
(2)	Within any building existing on January 1, 1994, an accessory dwelling unit shall be permitted as regulated in ' 145-55B shall not apply. All other dimensional requirements, except residential density, of the district, including minimum lot size, shall be met.			NA	No dwelling units are located on this lot.
(3)	All business uses and related storage, except for the sale of vegetables, fruits, plants and natural Christmas trees and wreaths, shall be located entirely within an enclosed structure.	Y			See note 19
(4)	Within 500 feet of Route 1, the following architectural requirements shall apply:			NA	This property is not located within 500 feet of Route 1.
	(a) Reconstruction of exterior facades and additions to existing buildings shall be in the architectural style of the original building, and the materials used shall duplicate the original or be similar in appearance to the original materials or materials commonly used in the Town when the building was constructed.				
	(b) New construction shall preserve the character of the district by using external building features which are similar to those buildings in the district constructed in the 18 <sup>th</sup> and 19 <sup>th</sup> centuries. Modern materials which duplicate the appearance of materials used in construction in the 18 <sup>th</sup> and 19 <sup>th</sup> centuries may be used on any buildings.				
	(c) Any new building shall have a gable, hip, saltbox or mansard roof.				
	(d) The siding on new buildings shall be wooden clapboard or wooden shingles or materials which duplicate these in shape, texture and appearance.				
	(e) The roofs on all buildings shall be shingled.				

**Town of Wells , Maine Review Checklist**  
**Page 6 of 6**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		(f)	If visible from U.S. Route 1, glass panes in windows and doors, if larger than nine square feet, shall be divided by construction or application into panes smaller than one square foot.				
	(5)		If a building is located less than 70 feet from a street right-of-way, no parking serving a business shall be located in the area between the building and the street right-of-way.	<b>Y</b>			See note 20.

**Town of Wells, Maine Review Checklist**  
**Page 1 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article VI**

Town-Wide Regulations

§ 145-35. General regulations.		Application Meet Requirements			
		Yes	No	NA	Comments
A.	All uses shall conform to the provisions of this chapter.	Y			
B.	All lots (except lots being merged with an abutting parcel) and structures shall comply with dimensional requirements specified for the district in which they are located, except those considered nonconforming. Where a single lot of record contains more than one principal structure, the lot may not be divided in a way which would create a parcel or parcels which do not conform to the requirements of this chapter for lot size, setbacks or street frontage. <b>[Amended 4-19-1997]</b>	Y			
C.	A residential lot with a dwelling unit may be used for keeping noncommercial domestic poultry and domestic livestock in conformance with Article V District Regulations. Structures used exclusively for the housing of such domestic poultry or livestock with a ceiling height below 6.5 feet or footprint area 50 square feet or less shall not require a building permit. Domestic poultry and livestock shall be contained within the lot boundaries.			NA	
D.	No manufactured home which was manufactured before June 15, 1976, may be brought into the Town of Wells unless suitable evidence is provided to the Code Enforcement Officer that the manufactured home does not contain aluminum electrical wiring, that the manufactured home contains two exterior exits and that the roof is constructed to support a live load of 30 pounds per square foot. <b>[Amended 4-16-1999]</b>			NA	
E.	Land within the lines of a street right-of-way on which a lot abuts shall not be considered as part of such lot for the purposes of meeting the lot area requirements of this chapter, even though the fee to the land may be in the same ownership as the lot.	Y			
F.	No part of a setback area, open space or off-street parking or loading space required by this chapter shall be included as part of any other setback area, open space or off-street parking or loading space similarly required for any other structure or use except as explicitly provided for within this chapter.	Y			
G.	Multiple principal and accessory uses, which may be located within multiple buildings, shall be permitted on a lot.	Y			

**Town of Wells, Maine Review Checklist**  
**Page 2 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

H.	Any lot created after January 1, 1994, shall have frontage on a street which existed prior to January 1, 1994, or on a street which is constructed to the standards required by Chapter 201, Articles II and III of the Wells Municipal Code.	Y			
I.	No floor of a building higher than 30 feet above the average finished grade shall be designed as habitable space. The maximum building height may be increased by the amount required to comply with Chapter 115, Floodplain Management, § 115-6, Development standards, but not to exceed five additional feet provided the building shall not exceed three stories, be covered with a pitched, shingled roof, and be constructed on a foundation used for parking or storage only and not living space. <b>[Amended 11-6-2001]</b>	Y			
J.	Maximum building height requirements do not apply to flagpoles, chimneys, transmission towers, steeples, windmills and similar uninhabitable structures. However, except chimneys which do not exceed the height limit by more than 10 feet, such structures require a lot line setback no less than the minimum required in the district plus the height by which they exceed the prescribed height limitations.	Y			
K.	Lot area used to meet the density requirements of a use on a lot shall not be used to meet the density requirement of any other use.	Y			
L.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot that contains 5,000 square feet or less, as long as the following minimum setbacks are met:			NA	Parcel exceeds 5,000 SF.
	(1) Twenty-five feet from the boundary of any cemetery or any street right-of-way.				
	(2) Forty feet from the right-of-way of any state highway.				
	(3) The full required setback from any seawall, water body or wetland, according to § 145-33.				
	(4) Five feet from other lot line.				
M.	A single, uninhabitable accessory structure of 120 square feet or less in gross area and 15 feet or less in height, such as a utility shed, which is accessory to a residential use on a residential lot shall be considered legally nonconforming if it was in existence at its current location prior to January 26, 1998. <b>[Added 4-18-1998]</b>			NA	No such structures exist.
N.	The construction, renovation, alteration, maintenance and/or operation of a building, structure or any other type of facility for use in whole or in part as a gambling casino is prohibited in all zoning districts within the Town of Wells. No building permit or certificate of occupancy shall issue for a gambling casino. <b>[Added 11-5-2002]</b>			NA	

**Town of Wells, Maine Review Checklist**  
**Page 3 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

O.	Lots abutting multiple street rights-of-way are permitted to reduce the minimum setback from a lot line abutting any street right-of-way to the minimum setback from a lot line as required for the district in which they are located if the following are met: <b>[Added 6-12-2012]</b>			<b>NA</b>	Parcel does have multiple street frontages. However, the minimum setback from Route 109 is not met by the non-conforming 1,550 SF structure location. A setback reduction cannot be applied.
(1)	Contiguous street frontage for the lot exists on more than one street right-of-way;				
(2)	The minimum setback from any lot line abutting a street right-of-way is met from the street right-of-way that is most compliant with street frontage requirements;				
(3)	If the lot has equal and/or greater than the street frontage requirement on two abutting street rights-of-way, the lot owner may choose which right-of-way shall meet the minimum setback of a lot line abutting a street right-of-way; and				
(4)	The setback reduction shall not be permitted to apply to the setback from any lot line abutting a right-of-way of any state highway.				
<b>§ 145-36. Timber harvesting. [Amended 4-19-1997]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			<b>NA</b>	
<b>§ 145-37. Yard sales.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		<b>Y</b>			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				
B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. <b>[Amended 4-28-1995]</b>				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				

**Town of Wells, Maine Review Checklist**  
**Page 4 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. <b>[Amended 4-28-1995]</b>				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. <b>[Amended 4-28-1995]</b>				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. <b>[Amended 4-28-1995]</b>				
G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. <b>[Amended 4-28-1995]</b>				
<b>§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.	Y*			<p>A 15' vegetated/wooded buffer shall be maintained along Homestead Drive and Route 109. <b><u>The SRC to determine on 4/12/16 if the existing vegetated/wooded buffer is sufficient for the amendment proposed.</u></b></p> <p>An existing 5' tall stockade fence with a 6" lattice top along the northeasterly boundary line shall be maintained as a screen for residential abutters. See note 13. <b><u>Prior site plan approval required a 20' wide wooded buffer along the northeasterly boundary. Aerial imagery shows this 20' wide wooded buffer no longer exists. SRC to consider if the 5.5' tall fencing is sufficient.</u></b></p>
B.	In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.			NA	

**Town of Wells, Maine Review Checklist**  
**Page 5 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-39. Off-street parking.</b>							<b>Application Meet Requirements</b>			
							<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Off-street parking may be provided out of doors or within a building. Off-street parking shall be considered to be an accessory use when provided to serve any permitted or nonconforming use. In the calculation of the number of parking spaces required, any fractional number of spaces shall be rounded to the next highest whole number for each use existing or proposed on the property. <b>[Amended 4-16-1999]</b>						Y			On-street parking is prohibited.
B.	Land may not be used and a building may not be occupied until off-street parking and/or loading facilities are provided.						Y			
C.	Design standards. <b>[Amended 4-28-1995]</b>									
(1)	All parking areas containing three or more parking spaces, except those serving one- or two-family dwellings, shall be designed according to the following criteria:									
		<b>Parking Angle (degrees)</b>	<b>Stall Width, feet</b>	<b>Skew Width, feet</b>	<b>Stall Depth, feet</b>	<b>Aisle Width, feet</b>				
		90	9	na	18.5	26	Y		All parking is shown to meet the 90 degree parking space size requirements. Spaces are noted to be 9' x 20' in dimension.	
		60	8.5	10.5	19	16 one way			NA	
		45	8.5	12.75	17.5	12 one way			NA	
		30	8.5	17	17.5	12 one way			NA	
		180	24	na	9	13 one way			NA	
(2)	Every business, commercial, institutional, public and nonprofit use shall provide a minimum of 4% of the total parking spaces for vehicles with handicapped registration plates, but in no case less than one space. Handicapped spaces shall be designed according to ANSI Standard A117.1-1986.						Y			2 handicap accessible parking spaces are shown.  21 spaces are proposed between the 2 businesses. 2 handicap parking spaces are required.
(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.						Y			2 ADA compliant signs for the handicap parking are shown on the plan.

**Town of Wells, Maine Review Checklist**  
**Page 6 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

D.	<p>The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection <b>F</b> below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists.  <b>[Amended 4-26-1996; 4-19-1997; 11-2-2010; 11-5-2013; 6-10-2014]</b></p>								
	<b>Use</b>	<b>Required Parking Spaces</b>							
	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window			<b>NA</b>				
	Bowling alley	3 1/4 per lane			<b>NA</b>				
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space			<b>NA</b>				
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y</b>			1550 + 120 /1000 = 1.67. A minimum of 3 spaces is required. 3 spaces are provided.			
	Day care	1 per 400 square feet of floor area used for child care, plus 3			<b>NA</b>				
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			<b>NA</b>				
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>				
	Lodging facility	1 1/10 for each sleeping room			<b>NA</b>				
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y</b>			1600 /1000 = 2. A minimum of 3 spaces are required. 3 are provided.			
	Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>				
	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>				

**Town of Wells, Maine Review Checklist**  
**Page 7 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business	<b>Y</b>			3.5/1000 x 1440 = 5.04 spaces; 6 spaces are required. 6 are provided.
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			<b>NA</b>	
	Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			<b>NA</b>	
	Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
	Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
	High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	
	Tent and recreational vehicle parks	See § 145-50C			<b>NA</b>	
	Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			<b>NA</b>	
	Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			<b>NA</b>	
(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.				<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 8 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.	Y			A loading/ receiving area is depicted on the site plan for the rear building.
E.		Required off-street parking in all districts as determined in § 145-39D shall be located on the same lot as the use it serves unless no reasonable on-site location exists and all of the following off-site requirements are satisfied: <b>[Amended 6-10-2014]</b>	Y			Off-street parking provided. No off-site parking proposed.
	(1)	The off-site parking location is less than 1,000 feet from the boundary line of the property where the use it serves is located;				
	(2)	The off-site parking location is established by a recorded easement, or a license or lease agreement, to benefit the property where the use it serves is located;				
	(3)	The off-site parking location shall be located within a district in which a commercial parking lot is a permitted use; and				
	(4)	A site plan approval or a site plan amendment is obtained from the Planning Board for each property.				
F.		Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.	Y			Snow storage areas depicted on the plan.
G.		Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.			NA	Parcel is not within the Shoreland Overlay District.
H.		Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	Y			The parcel is relatively flat. The additional lot coverage proposed of 3.4% has in insignificant impact on runoff.
I.		All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	Y			Areas that could be used for parking shall be on pavement or gravel as depicted on the plan.
j.		In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. <b>[Added 4-12-2003]</b>			NA	
<b>§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells, Maine Review Checklist**  
**Page 9 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			Signs will be determined in compliance by the Code Enforcement Office prior to being placed.
<b>§ 145-41. Light and glare. [Amended 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	Y			See note 8.
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:	Y			See note 8.
(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				
(2)	No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				
<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>

**Town of Wells, Maine Review Checklist**  
**Page 10 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.</p>				
<p>Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.</p>	Y			See note 16. Best Management Practices are a standard condition of approval.
<p><b>§ 145-43. Stormwater management. [Amended 4-27-2007]</b></p>	<b>Application Meet Requirements</b>			
	Yes	No	NA	Comments
<p>Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.</p>	Y			The changes proposed have an insignificant effect on the existing stormwater conditions.
<p><b>Chapter 202-12F, General Standards</b></p>				
<p>(4) Stormwater management. <b>[Amended 4-27-2007]</b></p>				
<p>(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.</p>	Y			

**Town of Wells, Maine Review Checklist**  
**Page 11 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.			<b>NA</b>	
(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.			<b>NA</b>	
(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.			<b>NA</b>	
(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.			<b>NA</b>	
(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.			<b>NA</b>	
(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	<b>Y</b>			
(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.			<b>NA</b>	
(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:			<b>NA</b>	

**Town of Wells, Maine Review Checklist**  
**Page 12 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.</p>			NA	
<p><b>§ 145-44. Vision obstructions at intersections.</b></p>	<b>Application Meet Requirements</b>			
	Yes	No	NA	Comments
<p>All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.</p>	Y			<p>Site distances onto Route 109 are sufficient with 800 feet in both directions provided. See note 12. Speed limit of Route 109 is noted to be 40 MPH.</p>

**Town of Wells, Maine Review Checklist**  
**Page 13 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-45. Noise.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
A.	Purpose. Excessive sound and vibrations are serious hazards to the public health, welfare, safety and quality of life. It is the policy of the Town of Wells to prevent excessive stationary sound and vibration, which may jeopardize the health, welfare or safety of its residents or degrade the quality of life. This ordinance shall apply to the control of all stationary sound and vibration originating in the Town of Wells. This ordinance is not designed to impede any person's First Amendment rights of freedom of speech. This ordinance is not designed to impede the growth or economic health of the commercial or industrial sectors of the Town of Wells. This ordinance is designed to prohibit excessive and unreasonable sound and vibrations that are hazards to the public health, welfare, safety and quality of life only. <b>[Amended 6-14-2011]</b>	Y			Sound pressure levels were not provided. If noise is of concern the owner of the parcel will measure noise levels as outlined.
B.	Violation. It is unlawful, and a violation of the Wells Code to make, emit, continue, or cause to be made, emitted or continued, any excessive, unnecessary or unreasonable noise beyond the boundaries of a person's property in excess of the noise levels established in the Wells Code. Where multiple residences or businesses exist within the confines of a structure, the limits of one's occupancy rights shall be considered the boundary for purposes of measuring noise. <b>[Amended 4-16-1999; 6-14-2011]</b>	Y			
C.	Maximum noise level. The maximum permissible noise level produced by any activity (existing or future) on a lot shall not exceed the following limits: <b>[Amended 6-14-2011]</b>	Y			
	(1) Music, amplified or acoustic, not otherwise exempt, that is plainly audible and excessive, unnecessary or unreasonable at a point, not on the property where the music originates, but at the location where the complaint is made.				
	(2) Other noise levels, not otherwise exempt, plainly audible and excessive, unnecessary or unreasonable at the location where the complaint is made.				
D.	Exemptions. The following shall be exempt from the standards of 145-45(C): <b>[Amended 6-14-2011]</b>	Y			
	(1) Natural phenomena.				

**Town of Wells, Maine Review Checklist**  
**Page 14 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(2)	Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour during daytime hours, provided that at no time shall such duration exceed fifteen (15) minutes.				
(3)	Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms not terminating within fifteen (15) minutes after being activated shall be unlawful.				
(4)	Warning devices required by the Occupational Safety and Health Administration or other state or federal governmental safety regulations.				
(5)	Farming equipment or farming activity.				
(6)	Timber harvesting and milling during daytime hours.				
(7)	Noise from domestic power equipment such as, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated during daytime hours.				
(8)	Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) operated during daytime hours as per the Ordinance or site plan approval, whichever is more restrictive.				
(9)	Emergency maintenance, construction or repair work.				
(10)	Noise created by refuse and solid waste collection during daytime hours.				
(11)	Noise created by any municipal-sponsored events, municipal beach cleaning, school sporting events, parades and Town-approved fireworks displays.				
(12)	Noises created by plows, trucks and other equipment used in the removal of snow.				
(13)	Noise from any aircraft operated in conformity with, or pursuant to, Federal law, Federal air regulations, and air traffic control instruction, including any aircraft operating under technical difficulties, any kinds of distress, or under emergency orders of air traffic control.				
(14)	Noise from trains operating in conformity with or pursuant to all applicable State and Federal laws and regulations.				
(15)	Emergency or extraordinary situations.				
(16)	A business may use an outside sound system to notify patrons waiting to pick up an order, obtain a table, or to be able to participate in the activities of the business, provided that such sound does not create an excessive, unnecessary or unreasonable noise.				

**Town of Wells, Maine Review Checklist**  
**Page 15 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(17)	Noise from the operation of air conditioning or refrigeration units, which are part of the normal operation of a business or businesses located on the premises and which are necessary and normal to the operation of said business, and which air conditioning or refrigeration units are regularly serviced and kept in good repair.				
	(18)	Noise from any idling vehicles at a commercial establishment in the process of loading or unloading merchandise for the establishment, or waiting for the opportunity to do the same.				
E.		The removal or disabling of any noise-suppression device on any equipment is prohibited. Any noise-suppression device on equipment shall be maintained in good working order.	Y			
F.		Enforcement. Notwithstanding § 145-63 of this chapter, this section may be enforced by any of the following methods:				
	(1)	A violation of this section may be considered a land use violation and the enforcement procedures in § 145-63 may be invoked by the Code Enforcement Officer.				
	(2)	A violation of this section may be treated as a civil violation as defined by 17-A M.R.S.A. § 4-B and enforced by a law enforcement officer according to the procedures specified in 17-A M.R.S.A. § 17 and Rule 80H of the Maine Rules of Civil Procedure.				
	(3)	A violation of this section may also be considered the creation of a loud and unreasonable noise as prohibited by 17-A M.R.S.A. § 501 (Offenses Against the Public Order: Disorderly Conduct), provided that neither the Town of Wells nor any of its employees may initiate proceedings alleging a violation of both the Town ordinance and the state statute against the same person or persons for the same incident. <b>[Amended 4-16-1999]</b>				

**Town of Wells, Maine Review Checklist**  
**Page 16 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	(4)	With regard to a business with a Special Entertainment Permit issued under the authority of the Town of Wells, the municipal police and/or a Code Enforcement Officer for the Town of Wells shall have the authority to order that business to cease operation of the violation immediately upon a second visit to the premises within a two hour period, or a third visit within a 24-hour period beginning with the time of the first visit to investigate a noise complaint, when a police officer or a Code Enforcement Officer has on the previous visit(s) heard plainly audible noise in violation of this ordinance, and has reported that to the owner of the property or the person responsible for the excessive or unreasonable noise. The on-duty Municipal Police Supervisor shall accompany a police officer or Code Enforcement Officer responding to subsequent second and/or third noise complaints and shall have the authority to immediately cease operations of the violation source. The Special Entertainment may not resume within a 12 hour period thereafter. <b>[Added 6-14-2011]</b>				
<b>§ 145-46. Utility distribution lines.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.				<b>NA</b>	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. <b>[Amended 6-4-1996]</b>				<b>NA</b>	
<b>§ 145-47. Utility transmission lines.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.				<b>NA</b>	
B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.				<b>NA</b>	
C.	Dimensional requirements.				<b>NA</b>	

**Town of Wells, Maine Review Checklist**  
**Page 17 of 17**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(1)	Utility transmission lines must meet setback requirements from lot lines and water bodies to the greatest extent practical by the configuration of the utility corridor in which they are located and by the constraints of topography. With the exception of the setback from lot lines, the dimensional requirements of Article V do not apply to utility transmission lines. All aboveground portions of utility transmission lines shall comply with the setback requirements of Article V and § 145-35J.				
(2)	In all zoning districts where the setback for structures is greater than 10 feet from any lot line, the setback for the underground portion of a subsurface transmission line may be reduced to 10 feet from any lot lines.				
(3)	Subsurface and aerial utility transmission lines may be placed within the setbacks from any lot line abutting a street right-of-way provided no portion of a utility transmission line is placed between ground level and a height of 20 feet above the center line of the street within said setback. <b>[Amended 6-4-1996]</b>				
<b>§ 145-47.1. Public Transportation Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Public transportation shelters may be placed within the ordinarily required setbacks as set forth in Article V.				<b>NA</b>	
<b>§ 145-47.2. School Bus Shelter. [Added 11-6-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	
A single school bus shelter which is accessory to a residential use may be placed within the ordinarily required setbacks as set forth in Article V on any residential lot following staff review for traffic safety and road maintenance impact.				<b>NA</b>	



**Town of Wells , Maine Review Checklist**  
**Page 2 of 2**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Article VII Performance Standards</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		<b>§ 145-59. Elderly housing. [Amended 4-26-1996]</b>			<b>NA</b>	This section does not apply
		<b>§ 145-59.1. Wind energy conversion systems; accessory use. [Added 11-3-2009]</b>			<b>NA</b>	This section does not apply
		<b>§ 145-59.2. Substance abuse treatment programs. [Added 6-14-2011]</b>			<b>NA</b>	This section does not apply

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 1 of 5**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article X**  
**Site Plan Approval**

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:	Y				Scale is 1" = 20 feet.
	(1) The name and address of the applicant plus the name of the proposed development.	Y				Applicant and owner name noted on the plan.
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				Floor areas noted. 1550 SF Business Contractor use with accessory 120 SF walk-in cooler. 3,216 SF building with 1,600 Wholesale Business and 1,440 SF Business Office use.
	(3) Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.	Y*			W	<b><u>On 4/12/16 the SRC to consider granting a waiver of requiring a boundary survey for the amendment application proposed.</u></b>  <b><u>Applicant to confirm if there was a MDOT taking along Route 109. If so, this may affect the 40' setback requirement along Route 109 and the placement of the proposed walk-in cooler.</u></b>
	(4) All existing and proposed setback dimensions.	Y*				See note 5. The existing 1550 SF building does not meet the Route 109 40' setback requirement. The existing building is grandfathered in this non-conformity.  <b><u>The proposed walk-in cooler appears to meet applicable setback requirements. Route 109 ROW to be confirmed (depending on MDOT taking).</u></b>
	(5) The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				Existing lighting locations noted on the plan. See note 8.
	(6) The type, size and location of all incineration devices.			NA		No such devices proposed.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 2 of 5**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such machinery noted.
(8)	The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y*				Property contours noted. Utilities noted. No changes to contours or utilities proposed. <b><u>Was the well installed as depicted on the site plan?</u></b>
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	Y				1 foot contours of the parcel identified on the plan.
(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	Y				All parking is shown to meet the 90 degree parking space size requirements. Spaces are noted to be 9' x 20' in dimension. Sidewalks, walkways, fences, parking lot aisles are noted.
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y*				A 15' vegetated/wooded buffer shall be maintained along Homestead Drive and Route 109. <b><u>The SRC to determine on 4/12/16 if the existing vegetated/wooded buffer is sufficient for the amendment proposed.</u></b>  An existing 5' tall stockade fence with a 6" lattice top along the northeasterly boundary line shall be maintained as a screen for residential abutters. See note 13. <b><u>Prior site plan approval required a 20' wide wooded buffer along the northeasterly boundary. Aerial imagery shows this 20' wide wooded buffer no longer exists. SRC to consider if the 5.5' tall fencing is sufficient.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 3 of 5**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				See reference and deed plan notes. No such ROW or easements identified.
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Homestead Drive and Route 109 noted.
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				Abutters noted.
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				
B.	Documentation of right, title or interest in the proposed site.	Y				The applicant has a written letter from the property owner granting permission to pursue the site plan amendment application.  <b><u>A copy of the parcel deed was not provided with the amendment submission and is needed.</u></b>
C.	An on-site soils investigation report by a Maine Department of Human Services licensed site evaluator (unless the site is to be served by public sewer). The report shall identify the types of soil, location of test pits and proposed location and design for the subsurface disposal system.			NA		The approximate areas of the existing septic systems serving the property are identified on the site plan. No changes to septic service proposed.
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.	Y				No such materials identified on the plan. See note 19.  Concrete pad identified on site plan. RC zone prohibits all business use and storage from being outside of roofed buildings. No dumpster is proposed.
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.			NA		Property not served by WSD.
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.			NA		Property not served by KKWWD.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 4 of 5**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:			NA		The changes proposed have no impact on traffic generation. Traffic information is not required.
(1)	The estimated peak-hour traffic to be generated by the proposal.					
(2)	Existing traffic counts and volumes on surrounding roads.					
(3)	Traffic accident data covering a recent three-year period.					
(4)	The capacity of surrounding roads, municipal facilities, parking and any improvements which may be necessary on such roads and facilities to accommodate anticipated traffic generation.					
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. <b>[Amended 4-27-2007]</b>	Y				See note 16. Best Management Practices are a standard condition of approval.
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. <b>[Added 4-27-2007]</b>			NA		The changes proposed have an insignificant effect on the existing stormwater conditions.

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 5 of 5**

Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-77. Data Requirements [Amended 4-26-1996]</b>		<b>Application Meet Requirements</b>				
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Waiver</b>	<b>Comments</b>
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. <b>[Added 4-27-2007]</b>					
	<b>Chapter 201, Article IV. Sidewalk Development.</b>			<b>NA</b>		

**Notes:**

1. See Article V, VI, VII review comments.

WOODMAN & EDMANDS, P.A.  
ATTORNEYS-AT-LAW

DZ RAH  
SL —  
File

ROBERT B. WOODMAN  
PETER L. EDMANDS  
THOMAS DANYLIK  
JAMES B. SMITH  
JAMES F. MOLLEUR  
MICHAEL J. O'TOOLE

231 MAIN STREET  
P.O. BOX 468  
BIDDEFORD, MAINE 04005-0468  
AREA CODE 207  
284-4581  
FAX 284-2078

November 9, 1995

Lyons Enterprises  
P.O. Box 790  
Sanford, ME 04073-0790

Re: Route 9, Wells, Maine Property

Gentlemen:

Please find enclosed original Warranty Deed from Charles E. Hamlyn and Robert C. Hamlyn to Lyons Enterprises dated August 24, 1994 and recorded in the York County Registry of Deeds in Book 7536, Page 67.

Very sincerely yours,



ROBERT B. WOODMAN

RBW\cic  
Enclosure

**WARRANTY DEED**

We, Charles E. Hamlyn and Robert C. Hamlyn, of Wells, York County, Maine, for consideration paid, grant to Lyons Enterprises, a Maine General Partnership with a principle place of business in Sanford, York County, Maine, with WARRANTY COVENANTS, the land in Wells, York County, Maine, more particularly described as follows:

See Schedule A attached hereto and made a part hereof.

Witness our hands and seals this 24<sup>th</sup> day of August, 1995.

SIGNED, SEALED AND DELIVERED  
IN PRESENCE OF

\_\_\_\_\_

*Charles E. Hamlyn*  
\_\_\_\_\_  
CHARLES E. HAMLYN

\_\_\_\_\_

*Robert C. Hamlyn*  
\_\_\_\_\_  
ROBERT C. HAMLYN

STATE OF MAINE  
YORK, SS.

August 24, 1995

Personally appeared the above named CHARLES E. HAMLYN and ROBERT C. HAMLYN, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

*[Signature]*  
\_\_\_\_\_  
Notary Public  
Paul Cadigan

RECEIVED YORK S.S.  
AUG 30 PM 2:53  
ATTORNEY GENERAL'S OFFICE

MAINE REAL ESTATE TRANSFER TAX PAID

SCHEDULE A

A certain lot or parcel of land together with any improvements thereon and being Lot No. 1 as shown on a "Plan of Property in Wells, Maine made for Charles E. and Robert C. Hamlyn HOMESTEAD ESTATES SUBDIVISION" made by H. I. & E. C. Jordan, Surveyors, and dated February 14, 1986 and duly approved by the Planning Board of the Town of Wells and duly recorded in the York County Registry of Deeds on February 25, 1986 in Plan Book 144, Page 46.

Being the same premises conveyed to Charles E. Hamlyn and Robert C. Hamlyn by Quitclaim Deed With Covenant from Michael R. Todd and Susan R. Todd, Co-Trustees of Wells Realty Trust, dated March 20, 1995 and recorded at said Registry in Book 7370, Page 140.

RECEIVED YORK S.S.  
95 AUG 30 PH 2: 53

ATTEST: *Louis M. Muse*  
REGISTER OF DEEDS

**STATE OF MAINE**  
**DEPARTMENT OF TRANSPORTATION**  
Owner's Offer-Assent

**Property Owner(s):**

**Lyons Enterprises**

**PIN :** 007998.10  
**PROJECT :** NH-7998(10)E  
**TOWN :** Wells  
**PARCEL NO.** 11

**BACKGROUND:**

1. It has been determined that public exigency requires the construction or reconstruction by altering, widening, changing the grade of and/or changing the drainage of a portion of State Highway "6" in the Town of Wells, County of York and State of Maine through a Maine Department of Transportation (the "MaineDOT") project identified by the PIN and Project Number referenced above (the "Project").
2. In connection with the Project, the necessary rights to be acquired have been assigned value, surveyed, and identified on a plan known as Right of Way Map, State Highway "6", Project No. NH-7998(10)X, on file in the Augusta headquarters of MaineDOT, File No. 16-427.
3. Rights in and to a certain parcel of land owned by the above identified Property Owner(s) (the "Property Owner(s)") in said Wells, located on the NORTH side of said highway between Station 21+260± and Station 21+351± are required for construction of the Project (the "Property Rights").
4. MaineDOT will be acquiring the Property Rights by filing a Notice of Layout and Taking (the "Taking") in the York County Registry of Deed on or about 10/5/2010
5. MaineDOT has determined just compensation for acquisition of the Property Rights to be \$1,500.00 (the "Award"), and intends to pay the Award to the Property Owner(s) upon filing of the Taking.

6. The Property Owner(s) does/do hereby acknowledge that Melodie Bowden, Right of Way Agent representing the MaineDOT, met with or wrote to the Property Owner(s) and explained the Property Rights to be acquired, the Award for just compensation resulting from the Taking and construction of the Project, and all construction, changes of location, grade, drainage and slopes as they apply to the Property Owner(s)' land.

**NOW THEREFORE**, the Property Owner(s) and MaineDOT wish to settle all outstanding issues and claims related to the Taking by agreeing to the following terms and conditions:

1. The Award represents full settlement for damages associated with the Project; and
2. If the Taking includes the acquisition of a building, such building will be vacated by the Property Owner(s) or removed from within the right of way limits on or before N/A.

In consideration of the above, the Property Owner(s), for themselves, their heirs and assigns, hereby release and discharge MaineDOT from all claims, demands or causes of action that they have or may have arising from the Taking in connection with the Project.

In witness of the above, the parties have executed this Agreement on the date herein indicated.

Dated: 8-26-10

Property Owner(s):

Daniel Lyons  
Vicki J. Lyons

R/W Form No. N-26

Form AQ-15

Revised 03/29/2010



STATE OF MAINE  
 DEPARTMENT OF TRANSPORTATION  
 16 STATE HOUSE STATION  
 AUGUSTA, MAINE  
 04333-0016

JOHN ELIAS BALDACCI  
 GOVERNOR

DAVID A. COLE  
 COMMISSIONER

Re: **PIN :** 007998.10  
**PROJECT :** NH-7998(10)E  
**TOWN :** Wells  
**PARCEL NO. :** 11

Lyons Enterprises  
 attn: Daniel & Stanley Lyons  
 PO Box 1856  
 Wells, ME 04090-1856

Dear Property Owner:

Today, as the Department's representative, I have explained to you the proposed construction and the effect it will have on your property. I have attempted to answer any questions you had. I have also explained the methods used in preparing our appraisal and the basis for our determination of just compensation for the land and rights to be acquired. I have made you an offer in the amount of \$1,500.00 which represents the just compensation as determined by a qualified appraiser and approved by one of the Department's review appraisers.

The land and/or rights to be acquired from you for this project are as follows:

Valuation Type	Count	Area	Unit
Fee Acquisition	1	541.00	Sq. Feet
Temp. Const. Rights	1	255.00	Sq. Feet
Lawn	1	541.00	Sq. Feet
Tree(s)	1	0.00	Unit

The following is a statement by the Department of Transportation regarding the parcel or parcels of land above referenced:

- A. The highest and best use of the property at the date of taking.  
 Commercial/Industrial
- B. The fair market value of the real property taken as of the date of taking.  
 \$1,500.00
- C. Offering price.  
 \$1,500.00

I have explained your recourse if the State's offer is not acceptable. The booklet "A Land Owner's Guide to the Property Acquisition Process" confirms the procedures available to you. If a copy of this booklet has not previously been given to you, please request one. I have also explained that the property owner or designated representative is responsible for



PRINTED ON RECYCLED PAPER

a copy of this booklet has not previously been given to you, please request one. I have also explained that the property owner or designated representative is responsible for informing any potential purchaser of the impending acquisition of land and/or rights as required by Title 23, M.R.S.A. Section 153-3(4).

A great deal of time has been spent in the effort to design an attractive, safe highway; also to design it in the manner that will cause the least damage to adjoining property; and finally to determine by properly made and carefully reviewed appraisals the just compensation due to the owners. I hope that we have accomplished our objective.

**PROPERTY MARKERS:** Action taken by the 115th Maine Legislature has revised Maine's landmark location law (14 M.R.S.A., Sec. 7554-A). Please be sure to inform me if your property markers do not appear on our plans. The Department does not set property pins, but will re-establish the point of former location of a disrupted pin on request from the owner.

Under certain conditions MaineDOT can reimburse eligible property owners for reasonable cost associated with resetting a property pin on the new right of way line by a Licensed Professional Land Surveyor. If necessary, I will explain the eligibility criteria and application process.

Very truly yours,

Melodie Bowden

- A. The highest and best use of the property at the date of taking.  
Commercial/Industrial
- B. The fair market value of the real property taken as of the date of taking.  
\$1,500.00
- C. Offering price.  
\$1,500.00

I have explained your recourse if the State's offer is not acceptable. The booklet "A Landowner's Guide to the Property Acquisition Process" confirms the procedures available to you. If a copy of this booklet has not previously been given to you, please request one. I have also explained that the property owner or designated representative is responsible for



STA. 21+300.000 BEGIN MODIFIED SHOULDER SLOPES ENTERPRISES MATCH EXISTING PAVEMENT (SEE TYPICAL PARCEL NO. (11))

LAND TAKEN = 541± S.F.  
 TEMP. CONST. RIGHTS = 235± S.F.(1)  
 TOTAL AREA = 1.45± AC.(SURVEY)  
 REM. AREA = 1.44± AC.

STA. 15+030.000 HOMESTEAD ROAD LIMIT OF WORK

ROBERT C. HAMLIN  
 CHARLES E. HAMLIN  
 PARCEL NO. (12)  
 LAND TAKEN = 518± S.F.  
 TEMP. CONST. RIGHTS = 0.06± AC.(1)

ROB  
 CHA  
 PAR  
 LAN  
 TEM  
 TOT  
 REM

21+360  
 +365.8±

21+340  
 +346.0

21+320  
 +330.0

21+300  
 +312.2±

21+300  
 +312.2±

C4A

C3A

EOP 10.00  
 STA. 21+360  
 STA. 15+015

STA. 21+370  
 SHOULDER  
 (SEE TYPICAL)

LITTLEFIELD CONTRACTOR  
 10MM MAPLE L.P.  
 FLOOD W/ 610MM BASE

CONST.  
 0.06± AC

TEMP.  
 255± S.F.

FOR 10.00m RADIUS POINT  
 STA. 21+343.636 RT.  
 STA. 15+015.876 RT.

203.6± m (668'±)

CONC WINDOOR

LANDSCAPE TIMBER

CONCRETE BLOCK

LAWN

2400MM BUSH  
 1520MM BUSH  
 1800MM BUSH  
 1800MM BUSH

835  
 25 mm ASH

835  
 RANCH COMM.

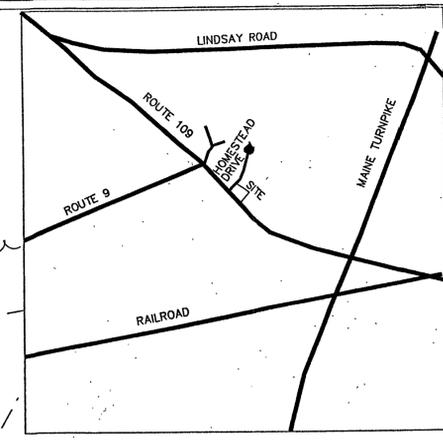
SHRUB  
 SHRUB  
 SHRUB

- NOTES:
- THE PURPOSE OF THIS SITE PLAN AMENDMENT IS TO ADD A 10' X 12' WALK-IN COOLER FOR THE EXISTING 1,550 SF BUSINESS CONTRACTOR USE. THE COOLER IS ACCESSORY TO THIS BUSINESS CONTRACTOR USE. THE AMENDMENT ALSO DEPICTS ADDITIONAL LOT COVERAGE ADDED WITHOUT SITE PLAN APPROVAL TO ACCOMMODATE AN ADDITIONAL 9 PARKING SPACES AND A WALKWAY. THE 1,440 SF OFFICE AND 1,600 WHOLESALE BUSINESS USES REMAIN UNCHANGED WITHIN THE 4,936 GROSS SF BUILDING.
  - SEE PRIOR APPROVED SITE PLANS DATED 2010 AND 2004 FOR ADDITIONAL NOTES AND DETAILS.
  - THE LOT AREA PER REFERENCE PLAN 2 IS 1.36 ACRES (59,341 SF).
  - THE PROPERTY IS SERVED BY A PRIVATE SEPTIC SYSTEM AND DRILLED WELL.
  - THE LOT IS LOCATED WITHIN THE RESIDENTIAL COMMERCIAL DISTRICT.
- |                       |         |
|-----------------------|---------|
| MAX. LOT COVERAGE:    | 60%     |
| MAX. BUILDING HEIGHT: | 30 FEET |
| LOT LINE SETBACK:     | 15 FEET |
| ROUTE 109/9 SETBACK:  | 40 FEET |
| STREET ROW SETBACK:   | 25 FEET |
| CEMETERY SETBACK:     | 25 FEET |
- EXISTING LOT COVERAGE:
 

BUILDINGS -	4,009 SF (FOOTPRINT)
PAVEMENT -	12,617 SF
GRAVEL -	1,341 SF
<b>TOTAL:</b>	<b>17,967 SF / 59,341 = 30.2%</b>
  - PROPOSED LOT COVERAGE:
 

BUILDINGS -	4,766 SF (FOOTPRINT)
PAVEMENT -	12,497 SF (LESS 120 SF COOLER)
GRAVEL -	1,341 SF (EMERGENCY ACCESS)
<b>TOTAL:</b>	<b>+1,782 SF (ADD. PARKING SPACES)</b> <b>20,506 SF / 59,341 = 34.6%</b>
  - PARKING SPACES:
 

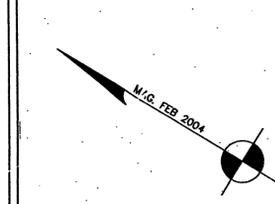
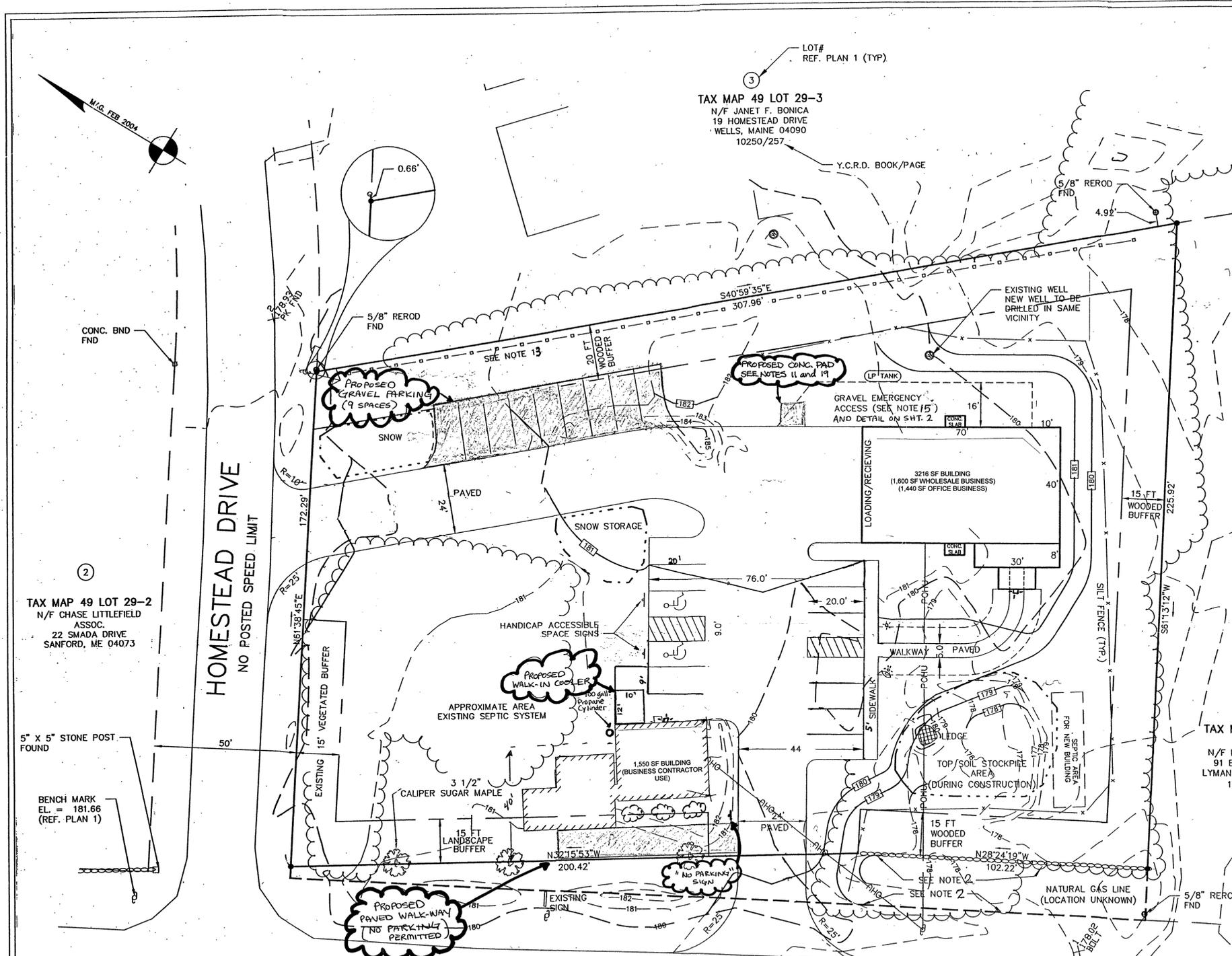
3.5 / 1,000 SF X 1,440 (BUSINESS OFFICE) = 5.04	6 SPACES REQUIRED
1 / 1,000 SF X 1,600 (WHOLESALE BUSINESS) = 2	MIN. 3 SPACES REQUIRED
1 / 1,000 SF X (1550 + 120) (BUSINESS CONTRACTOR) = 1.67	MIN. 3 SPACES REQUIRED
<b>TOTAL OF 12 SPACES REQUIRED</b>	
  - EXISTING PAVED SPACES + 9 PROPOSED GRAVEL SPACES = 21 SPACES PROVIDED
  - ON-SITE LIGHTING SHALL BE LOW LEVEL AND DOWNWARD DIRECTIONAL LIGHTING SHALL NOT PRODUCE GLARE ONTO ADJUTING LOTS OR STREETS.
  - EXISTING SIGNAGE TO REMAIN. SIGN SHALL BE DETERMINED IN COMPLIANCE WITH THE TOWN CODE PRIOR TO BEING PLACED.
  - WOOD, VEGETATED, AND LANDSCAPE BUFFERS SHALL CONSIST OF EXISTING TREES, BRUSH, AND VEGETATION WITHIN THE DESIGNATED AREAS ON THE PLAN. SHADE TREES SUCH AS SUGAR MAPLES SHALL BE INSTALLED AND MAINTAINED WITHIN THE LANDSCAPE BUFFER ALONG ROUTE 109/9.
  - NO DUMPSTER IS PROPOSED. USES ON THE PARCEL ARE RESPONSIBLE FOR DISPOSING OF REFUSE ON A WEEKLY BASIS OR AS NEEDED.
  - SIGHT DISTANCES AT THE ROUTE 109/9 ENTRANCE EXCEED 800 FEET IN BOTH DIRECTIONS.
  - A SOLID WOOD FENCE, 5' TALL PLUS 6 INCHES + OF LATTICE AT THE TOP SHALL BE INSTALLED AND MAINTAINED ALONG THE NORTHEASTERLY PROPERTY LINE.
  - NEAREST FIRE HYDRANTS ARE LOCATED EASTERLY AT THE CORNER OF ROUTE 109 AND CHAPEL ROAD AND AT SPENCER DRIVE.
  - FINAL LOCATION OF EMERGENCY VEHICLE ACCESS ROAD TO BE APPROVED BY THE FIRE CHIEF AND OWNER. BUSINESS CONTRACTOR USE SHALL PROVIDE A KNOX BOX TO BE INSTALLED IN A LOCATION APPROVED BY THE FIRE DEPARTMENT. ALL BUSINESS USES ARE RECOMMENDED TO INSTALL KNOX BOXES.
  - SEE FINDINGS OF FACT & DECISIONS FOR CONDITIONS OF APPROVAL AND SOIL AND SEDIMENTATION EROSION CONTROL BEST MANAGEMENT PRACTICES.
  - EXPLOSIVE MATERIALS AND FUELS SHALL BE STORED IN COMPLIANCE WITH NFPA STANDARDS.
  - NO BUILDING SHALL CONTAIN MORE THAN 5,000 SF OF GROSS FLOOR AREA.
  - ALL BUSINESS USES AND RELATED STORAGE, EXCEPT FOR THE SALE OF VEGETABLES, FRUITES, PLANTS AND NATURAL CHRISTMAS TREES AND WREATHS, SHALL BE LOCATED ENTIRELY WITHIN AN ENCLOSED STRUCTURE.
  - NO PARKING IS PERMITTED IN THE AREA BETWEEN THE BUSINESS CONTRACTOR BUILDING AND ROUTE 109/9 AS THE BUILDING IS LESS THAN 70 FEET FROM ROUTE 109/9.



- REFERENCE PLANS:
- HOMESTEAD ESTATES SUBDIVISION, DATED 2/14/1986; BY HI & EC JORDAN, RECORDED YCRD IN PLAN BOOK 144, PAGE 46.
  - PLAN OF PROPOSED RELOCATION STATE HIGHWAY "A-SPUR," DATED OCTOBER 1935; BY STATE HIGHWAY COMMISSION; RECORDED YCRD IN PLAN BOOK 16, PAGE 23 AND 24.
  - PLAN SHOWING A STANDARD BOUNDARY SURVEY AND SITE SURVEY FOR MCF COMMUNICATIONS, INC, DATED 8/11/1999, BY CORNER POST LAND SURVEYING, INC, RECORDED YCRD IN PLAN BOOK 251, PAGE 31.
  - SITE PLAN AND BOUNDARY SURVEY FOR LYONS COFFEE SERVICE DATED 3/9/2004; REVISED 11/8/04; APPROVED BY THE WELLS PLANNING BOARD 11/8/04, PREPARED BY ANDERSON LIVINGSTON ENGINEERS, INC.
  - SITE PLAN FOR MOUNTAIN CATERERS DATED 4/14/2010; REVISED 5/4/2010; APPROVED BY THE WELLS STAFF REVIEW COMMITTEE 5/11/2010, PREPARED BY LYONS COFFEE.

- REFERENCE DEEDS:
- CHARLES E. HAMLYN & ROBERT C. HAMLYN TO LYONS ENTERPRISES; DATED 8/24/1995; RECORDED YCRD BOOK 7536, PAGE 67.

TAX MAP 49 LOT 29-14  
N/F DAVID R. ROY  
91 BIRCH ACRES  
LYMAN, MAINE 04002  
13374/001



CONC. BND FND

TAX MAP 49 LOT 29-2  
N/F CHASE LITTLEFIELD ASSOC.  
22 SMADA DRIVE  
SANFORD, ME 04073

5" X 5" STONE POST FOUND

BENCH MARK  
EL. = 181.66  
(REF. PLAN 1)

HOMESTEAD DRIVE  
NO POSTED SPEED LIMIT

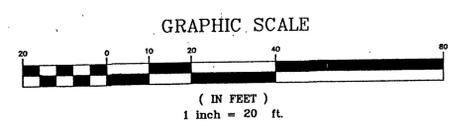
ROUTE 109/9  
(SANFORD ROAD - WIDTH VARIES) POSTED SPEED LIMIT: 40 MPH

WELLS STAFF REVIEW COMMITTEE  
DATE APPROVED \_\_\_\_\_

TAX MAP 49 LOT 37  
N/F ERIC W. MOCLEOD  
P.O. BOX 976  
WELLS, MAINE 04090

LEGEND:

SYMBOL	ABBREV.	DESCRIPTION
(circle with dot)	FND	FOUND
(circle with slash)	N/F	NOW OR FORMERLY
(circle with P/S)	P/S	PILE OF STONES
(circle with IP)	IP	IRON PIPE
(circle with RR)	RR	REINFORCING ROD
(circle with RR)	RR	RAILROAD SPIKE
(square with CB)	CB	CONCRETE BOUND
(square with GB)	GB	GRANITE BOUND
(circle with DH)	DH	DRILL HOLE
(circle with UTY)	UTY	UTILITY POLE
(circle with OVR)	OVR	OVER HEAD UTILITIES
(circle with 3.4)	3.4"	3.4" IP SET
(circle with STN)	STN	STONEWALL
(circle with TR)	TR	TREELINE
(circle with PAV)	PAV	PROPOSED PAVEMENT



TAX MAP 49 LOT 36  
N/F DAVID GARREY  
814 SANFORD ROAD  
WELLS, MAINE 04090

**SITE PLAN AMENDMENT**  
**COAST 2 COAST CATERING**  
**835 SANFORD ROAD**  
**WELLS, MAINE 04090**

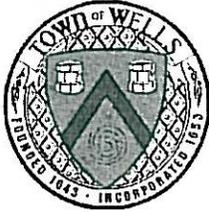
OWNER: LYONS ENTERPRISES  
PO BOX 186  
WELLS, ME 04090

APPLICANT: COAST 2 COAST  
DANIEL CROOK  
157 CLEARVIEW DR  
ARUNDEL, ME 04046

DATE: 3/17/2016  
REV: 4/4/2016

PLAN SCALE: 1" = 20 FEET

FILE NO.: 6301  
PLAN NO.: 2045.040301



**TOWN OF WELLS**  
**208 Sanford Road, Wells, Maine 04090**  
 Phone: (207) 646-5187, Fax: (207) 646-2935  
 Website: www.wellstown.org

New	<input type="checkbox"/>
Amendment	<input checked="" type="checkbox"/>
(follow 145-74A)	
For office use only	
Fees Paid	<input checked="" type="checkbox"/>

Received 3-17-2010

**SITE PLAN APPLICATION – §145-74B/C/D/G**

1. Project/Business Name: Coast 2 Coast Caterers  
 2. Street Address (of project): 835 Sanford Rd  
 3. Assessor's Tax Map Number(s): 49 Lot Number(s): ~~49~~ lot 29-1  
 4. Property Owner: ~~Dan~~ Lyons Enterprises  
 Mailing Address: PO Box 1856 Wells

Telephone: 207 294 1401 Fax: \_\_\_\_\_

Email Address: dan@kataklincoffee.com

5. Applicant (if different from owner): Daniel Crook  
 Mailing Address: 157 Clearview dr Arundel ME  
04046

Telephone: 207 229 1423 Fax: \_\_\_\_\_

Email Address: danieldeSail@msn.com

6. Agent (Engineer, Surveyor, etc): MA

Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

7. All correspondence should be sent to: Dan Crook 157 Clearview dr Arundel ME  
*(specify one of the above)* 04046

8. Zoning District(s): RC

9. Shoreland Overlay District(s): NO

10. Land Use(s): Existing : Business Contractor  
Proposed: 12x10' walkin cooler on existing space outside building

11. What legal interest does applicant have in the property?  
Ownership  Option  Purchase & Sales Contract  Other  lease  
*Documentation of right, title or interest must accompany the application*

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body?  
Yes  No

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes  No

14. Does the parcel include any water bodies? Yes  No

15. Acreage of parcel: 1.45 Acreage to be Developed: None

16. EXISTING a) Total Gross Floor Area of All Structures: ~~1552~~ 1552 b) Total Lot Coverage: 30%

c) Total Square Footage of area considered covered ("not green and growing"): 12x10' paved driveway  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

17. PROPOSED a) Total Gross Floor Area of All Structure: ~~1552~~ 1672 b) Total Lot Coverage: ~~30%~~ 30%

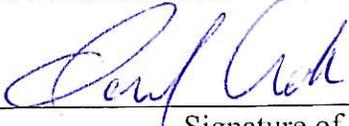
c) Total Square Footage of area considered covered ("not green and growing"): 30%  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

18. Number of Existing Parking Spaces: 12 Total Number of Parking Spaces as proposed: Same

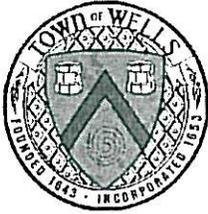
19. Estimated Traffic Generation at peak hour: Existing N/A trips As proposed : \_\_\_\_\_  
*One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).*

20. Description of proposal: Place a walkin cooler, dimensions 12x10', on paved area on property. This is an outside unit.

**CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.**

 Signature of Applicant 3/15/16 Date

- ◆ See the Land Use Ordinance, Chapter 145 of the Town Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Wells Town Code is online at [www.wellstown.org](http://www.wellstown.org) . Follow link to the 'Document Center' then 'Town Code.' Section 145-74B, C, D, G details the Site Plan and Site Plan Amendment procedures.
  
- ◆ This application must be accompanied by the application fee and all information required by Chapter 145-75 and 77, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.
  
- ◆ The site plan checklist is provided to assist in gathering and presenting an application. The applicant is responsible for presenting information showing that all Land Use Ordinance standards will be met. The reviewing authority may require additional information to determine completeness and compliance.
  
- ◆ The Code Enforcement Officer will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).
  
- ◆ Contact the Planning Department at (207) 646-5187 with questions.
  
- ◆ **Amendments to Approved Plans:** "Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in 145-74A. **Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in 145-74A. (The Planning Office is responsible for notifying abutters of the site plan amendment application).**



# TOWN OF WELLS

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST

(This Checklist MUST be submitted)

Project Name: Coast 2 Coast Caterers Applicant: Dan Crook  
 Checklist Prepared By: Dan Crook Date: 3/17/16  
 Checklist Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Site Plan Approval in Article 10 of Chapter 145 of the Land Use Ordinance.

### Response (Please check applicable box)

Code Section	I. General	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145-72	Completed Application form	✓			
145-73	FEE \$150 SRC, \$150 AMENDMENT, \$300 PB or \$.10 sq. ft. whichever is greater	✓			
145-77.B	Documentation of right, title or interest in property	✓			
145-77.C	Site evaluation and system design if subsurface wastewater disposal system is to be utilized			✓	
145-77.D	Amount and type of materials to be stored outside of buildings	✓			
145-77.E	Statement of capacity and approval for connection from Wells Sanitary District if public sewage is to be utilized			✓	
145-77.F	Statement of capacity and approval from KKW Water District if public water is to be utilized			✓	
145-77.G	Traffic study (if required by PB)			✓	
145-77.H	Soil erosion and sedimentation plan			✓	
145-77.I	Stormwater Management Plan, prepared by a professional engineer			✓	
MRSA	Condominium documents				
MRSA	Agreement for enforcement of handicapped parking			✓	
145-74.B.1 145-74.C.5 145-74.D.2 145-74A.1	List of abutters and certification abutters were mailed notification of application per the appropriate section of Land Use Code.		Town of Wells to handle		
	<b>II. Perimeter or Boundary Survey</b>				
145-77.A.3	North point			✓	
145-77.A.3	Graphic scale			✓	
145-77.A.3	Parcel corners			✓	
145-77.A.3	Date of Survey			✓	
145-77.A.3	Total acreage of the property			✓	
145-77.A.3	Seal and signature of Surveyor			✓	

<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145.77.A	Scale of plan, 1"=40' or less (1"=20' preferred)				
145-77.A.1	Name of development and name and address of applicant	✓			
145-77.A.2	Total floor area, ground coverage, and location of all existing and proposed buildings	✓			
145-77.A.4	All existing and proposed setback dimensions			✓	
145-77.A.5	Location, size and direction and intensity of outdoor lighting			✓	
145-77.A.5	Locations, size and design of signage			✓	
145-77.A.6	Type, size and location of all incineration devices			✓	
145-77.A.7	Type, size and location of machinery that produces noise	✓			
145-77.A.8	Location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses, and all utilities above or below ground.			✓	
145-77.A.9	Existing contours and proposed finish grade elevations			✓	
145-77.A.10	Location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, and parking space areas and the layouts thereof, together with the dimensions of parking spaces, driveway or aisle width, etc.			✓	
145-77.A.11	Landscaped areas, fencing and size and type of plant material upon the premises			✓	
145-77.A.12	Location of existing and proposed rights of way, easements			✓	
145-77.A.13	The locations, names and widths of existing and proposed streets abutting or within the proposed project			✓	
145-77.A.14	Property lot lines of all properties abutting and across the street from proposed development			✓	
145-77.A.15	Appropriate space for signature(s) of reviewing authority			✓	
	Zoning and Shoreland Overlay district(s) in which property is located			✓	
	Speed limits on abutting streets			✓	
	Sight distances along existing streets from entrances and exits			✓	
	Locations of access and exit of properties across abutting streets			✓	
	Location or type of refuse facilities and appropriate fencing			✓	
	Standard Conditions of Approval Notes and Erosion Control Notes per 145-75.F			✓	
	Location of Fire Hydrants or distance to nearest Fire Hydrants			✓	
	Snow Storage Areas or form of snow removal			✓	
	Description of proposed and existing uses, sq. ft. of use area(s), and required parking calculations	✓			
	Location of on-site fuel tanks and protective material for tanks			✓	

<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
	Required Street frontage distance			✓	
	Building Height			✓	
	Knox Box area			✓	
	Seal and signature of designing engineer or person who prepared the plan			✓	

3/17/16

Lyons Enterprises  
PO Box 1956  
Wells ME 04090

Town of Wells  
Code Enforcement  
Wells ME 04090

To Whom It May Concern:

I hereby give Daniel Crook of Coast To Coast Caterers permission to install a 10' x 12' walk-in cooler at the rear of the building at 835 Sanford Rd, subject to Town approval.

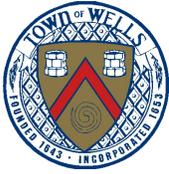
Sincerely,  
Daniel Lyons

Daniel A. Lyons

## Town of Wells Site plan Application

Food products will be stored in Walkin  
as well as water/soda.  
Alan

The compressor for the refrigeration unit  
will be inside cooler, (contained)



**Planning & Development**  
**208 Sanford Road, Wells, Maine 04090**

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon M. L. Belanger, Planning Assistant</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

**Site Plan Amendment Application Memo**

Date: April 8, 2016

To: Staff Review Committee

From: Planning Office

Re: Seacoast Motel – Site Plan Amendment Application - Map 105, Lot 2

**Project Description:**

Jmseacoast, LLC/ Joshua Mokarzel, owner of Seacoast Motel has submitted a site plan amendment application for the existing Lodging Facility which consists of 15 one-bedroom hotel/motel units within a two-story building. The amendment application involves erecting a fence, eliminating the dumpster, and installing a 10' x 12' shed. The property is located off of 40 Post Road and is within the General Business District. The parcel is approximately .59 acres in size and is served by public sewer and public water. Tax Map 105, Lot 2.

**§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **Yes, a 10' x 12' storage shed is proposed**

**§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. **Editor's Note: The Reviewing Authority Chart is included at the end of this chapter. [Amended 4-18-1998] The application sought requires Planning Board approval.**
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

**§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

**§ 145-73. Fees.**

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Application fee provided upon submission of the Site Plan Application. Escrow has been provided.**
- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan.
- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000] To be determined.**

**§ 145-74. Review and approval process.**

- G. Amendment to approved site plans.
  - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Site Plan Amendment Application submitted on 3/28/16, workshopped by the SRC on 4/12/16, to be considered for receipt by the Planning Board on 4/18/16**
  - (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.
  - (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**
- H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **To be determined.**
- I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **To be determined.**
- A. **Preapplication. [Amended 4-14-2000] \***
  - (1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters

to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:

- (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 4/1/16 the Code Officer determined the uses are permitted in the GB Zone.**
  - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed on 4/1/16 of Site Plan Amendment Application.**
    - [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**
    - [2] Certify that said notices have been sent or delivered.
    - [3]
      1. If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
    - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Site Plan Amendment to be workshopped by the SRC on 4/12/16, to be considered for receipt by the Planning Board on 4/18/16**
  - (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 4/1/16**
  - (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met.
  - (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

#### **Site Plan Amendment Recommendations:**

1. The Staff Review Committee should comment on the application for the Planning Board.
  - a. The committee can provide the applicant guidance with regard to the buffer requirements;
  - b. The elimination of dumpster if proposed. How will refuse be handled?

**Town of Wells , Maine Review Checklist**  
**Page 1 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article VII**  
**Performance Standards**

<b>§ 145-52. Lodging Facilities. [Amended 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Any lodging unit in a bed-and-breakfast or a hotel/motel that exceeds 470 square feet or a housekeeping or seasonal cottage that exceeds 600 square feet shall meet the density requirements for a dwelling unit located in the same district. <b>[Amended 11-5-2013]</b>	Y			See note 2
	(1) A porch or deck may be attached to each lodging unit and shall not be included in the footprint of the lodging unit unless the porch is heated and/or insulated.	Y			See note 2
	(2) Any lodging unit existing on January 1, 1994, required to comply with any state or federal regulations for handicapped accessibility, may be enlarged beyond the maximum allowed footprint, provided that the expansion is the minimum area required to comply with the regulations.	Y*			Hotel units pre-date 1994. Handicapped accessibility to be reviewed by CEO for compliance as necessary.
B.	Kitchen facilities are permitted in the individual units in housekeeping cottage complexes and in hotel/motels.	Y			See note 2
C.	All motels, hotels and housekeeping cottages shall be connected to the public water and public sewer systems.	Y			See note 2
D.	All lodging units, other than the unit occupied by the resident manager, shall be available to the traveling public and shall not be reserved for the exclusive use of the owner, his family and his friends.	Y			

**Town of Wells , Maine Review Checklist**

**Page 2 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-52. Lodging Facilities. [Amended 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
E.	Lodging facility office. All lodging facilities constructed after May 1, 2007, regardless of the number of units, shall maintain an office on the licensed premises or within 150 feet of the lodging facility's site boundaries. Except as otherwise provided in § 150-83B(2), all lodging facilities constructed prior to May 1, 2007 having 10 or more units shall maintain an office on the licensed premises or within 150 feet of the lodging facility's site boundaries. Except as otherwise provided in § 150-83B(2), if a lodging facility constructed prior to May 1, 2007 has less than 10 units, the Selectmen may waive the office requirement if the Selectmen find: (1) that adequate provision has been made to enable the public to reach an innkeeper and/or rental manager after hours; and (2) that there is public telephone access either on-site, or, within 150 feet of the lodging facility's site boundaries. If granted, such a waiver shall be filed with the lodging facility's business license and shall remain in effect so long as all of the conditions upon which it was granted continue to be satisfied. This subsection does not apply to a seasonal cottage complex that is created by the conversion of a housekeeping cottage complex to a seasonal cottage complex, provided that a housekeeping cottage complex that had an office prior to conversion shall maintain the office. <b>[Amended 4-27-2007]</b>	Y			An office is noted on the site plan. See note 17.
F.	Any nonconforming lodging facility that seeks site plan approval or an amendment to an approved site plan shall conform to the requirements of Subsections <b>D</b> and E(1).	Y			
G.	Seasonal cottage facility.			<b>NA</b>	No such use exists on this lot nor is such a use permitted or proposed.
	(1) Kitchen facilities are permitted in the individual units of seasonal cottages.				
	(2) All seasonal cottages shall be connected to the public water and public sewer systems.				
	(3) All seasonal cottage units shall be available to the traveling public, but may be occupied by a single individual or group for a time period of up to six months.				
	(4) All seasonal cottages in a seasonal cottage complex shall be closed and water service to the units turned off between November 1 and April 30 of the following year.				

**Town of Wells , Maine Review Checklist**  
**Page 3 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-52. Lodging Facilities. [Amended 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
H.	Housekeeping cottage complex conversion to seasonal cottage complex.			<b>NA</b>	No such use exists on this lot nor is such a use permitted or proposed.
	(1) As of January 1, 2003 no seasonal cottage complexes exist.				
	(2) A housekeeping cottage complex existing on January 1, 2003, may be converted to a seasonal cottage complex by applying to the Staff Review Committee for a change of use, following the procedures and requirements of Article X, Site Plan Approval.				
	(a) A note shall be added to the plan that states "All units shall be closed and water service to the units shall be turned off from November 1 through April 30 of the following year."				
	(b) If the complex is held in a condominium form of ownership, a copy of the condominium documents must be supplied, a current list of owners and a letter from the board of directors requesting the change of use.				
	(3) Construction of new seasonal cottages or other buildings or additions to seasonal cottages, buildings or other structures begun after the conversion of a housekeeping cottage complex to a seasonal cottage complex must comply with the requirements of ' 145-52H, Seasonal cottage facility.				
I.	Hotel/motels shall meet the following criteria: <b>[Added 11-5-2013]</b>				
	(1) A minimum lot size: three acres of net area.	<b>Y*</b>			The parcel is grandfathered in that it has only .59 acres of net land area. The existing Lodging Facility was approved in 1985 to have 15 one bedroom units on .59 acres. No change to land area or the number of units is proposed or permitted at this time.
	(2) A minimum of 20 hotel/motel units in a single building.	<b>Y*</b>			The existing Lodging Facility was approved in 1985 to have 15 one bedroom units on .59 acres. No change to land area or the number of units is proposed or permitted at this time.
	(3) A minimum buffer between any street right-of-way which meets or exceeds the following:				

**Town of Wells , Maine Review Checklist**  
**Page 4 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-52. Lodging Facilities. [Amended 4-12-2003]</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		(a)	For a one-story building, a minimum setback of 40 feet;	<b>Y</b>			The existing building is not one-story.  The proposed shed is 1-story and shall meet the 40' setback requirement from Route 1.
		(b)	For a two-story building, a minimum setback of 60 feet;	<b>Y</b>			The existing building is two-story and shall meet this 60 foot setback.
		(c)	For a three-story building, a minimum setback of 80 feet;			<b>NA</b>	
		(d)	The buffer shall consist of trees, shrubs, plantings, grass, and mulch areas;	<b>Y</b>			On 3/16/15 the Planning Board found the existing landscaped buffer to be sufficient. No change proposed to the buffer for Route 1.
		(e)	Non-vegetated features such as access roads, walkways, and trolley stops may be allowed in the buffer;	<b>Y</b>			
		(f)	Two handicap-accessible parking spaces may be allowed in the buffer; and	<b>Y*</b>			The previously approved parking from 1985 depicts 8 parking spaces within what is now the 60 foot setback that was adopted by the Town in November 2013.  The development, after the 1985 site plan approval, reconfigured the parking due to the pool construction without site plan approval. The currently, unapproved parking layout has 16 spaces within the 60 foot setback that is now required.  The proposed parking for the parcel is located within the 60 foot buffer/setback from Route One. 13 spaces exist within this 60 setback.  On 3/16/15 the Planning Board found the proposed parking depicted on the site plan amendment to be adequate.  No change proposed to the Route 1 buffer.

**Town of Wells , Maine Review Checklist**  
**Page 5 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-52. Lodging Facilities. [Amended 4-12-2003]			Application Meet Requirements			
			Yes	No	NA	Comments
	(g)	The buffer shall be approved by the Planning Board.	Y			On 3/16/15 the Planning Board found the proposed parking, buffer and landscaping depicted on the site plan amendment to be adequate. No change proposed to the Route 1 buffer.
	(4)	There shall be a buffer strip of at least 25 feet in width adjacent to all lot lines of natural or planted vegetation.		N		<p>The 1985 site plan approved the hotel building to be located approximately 15 feet from the lot lines.</p> <p>The pool and pool shed were constructed after the 1985 site plan without site plan approval. The pool and pool shed obtained a building permit and are shown to meet the 15' lot line setback as required at that time.</p> <p>The hotel building, Pool, pool shed and parking do not meet the 25 foot wide natural vegetation requirement and are grandfathered. On 3/16/15 the Planning Board found the proposed buffer depicted on the site plan amendment to be adequate.</p> <p><b><u>The proposed shed is proposed to be located within the 25' buffer from the parcel's northerly lot line.</u></b></p>
	(a)	The buffer shall create a visual screen to existing residential uses.		N		<p>The previously approved screen for the southerly residential abutter is grandfathered and is not proposed to change.</p> <p><b><u>The northerly lot line is required to have a visual screen for the residential abutter to the north. A 6' tall fence is recommended.</u></b></p>
	(b)	An access road may be allowed to cross the buffer.	Y			The hotel entrance and exit are previously approved as depicted. No new access road proposed.

**Town of Wells , Maine Review Checklist**  
**Page 6 of 7**

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-52. Lodging Facilities. [Amended 4-12-2003]				Application Meet Requirements			
				Yes	No	NA	Comments
	(c)	The buffer shall be approved by the Planning Board.			N		<b><u>The Planning Board is required to review and consider the buffer.</u></b>
	(5)	A hotel/motel office shall be provided.		Y			
	(6)	Three-story buildings shall enclose all stairways.				NA	No three-story buildings exist or are proposed.
	(7)	All facilities shall be connected to public water and public sewer systems.		Y			See note 2  <b><u>Will the shed be connected to water or sewer?</u></b>
	(8)	All buildings shall be constructed with sprinkler systems.		Y*			The buildings on the parcel are not constructed with sprinkler systems. The buildings are grandfathered in this non-conformity.  <b><u>Is the proposed shed required to be sprinklered?</u></b>
	(9)	Kitchen facilities are permitted in the hotel/motel units.		Y			
	(10)	Only gas fireplaces shall be permitted.		Y			
	(11)	Only one manager's dwelling unit may be permitted.				NA	No such unit is permitted as density does not allow a dwelling unit with 15 hotel units on .59 acres of land.
	(12)	The hotel/motel unit deck or enclosed porch shall not be insulated or climate controlled.		Y			
J.	Bed-and-breakfast/small inns shall meet the following criteria: <b>[Added 11-5-2013]</b>					NA	No such use exists or is proposed.
	(1)	The dwelling unit, bed-and-breakfast/small inn room units, and common facilities shall be located within one building, except for accessory structures.					
	(2)	The minimum lot size and minimum density shall meet the dimensional requirements of the zoning district for which the lot is located plus an additional 4,000 square feet per bed-and-breakfast/small inn room unit.					

**Town of Wells , Maine Review Checklist**

**Page 7 of 7**

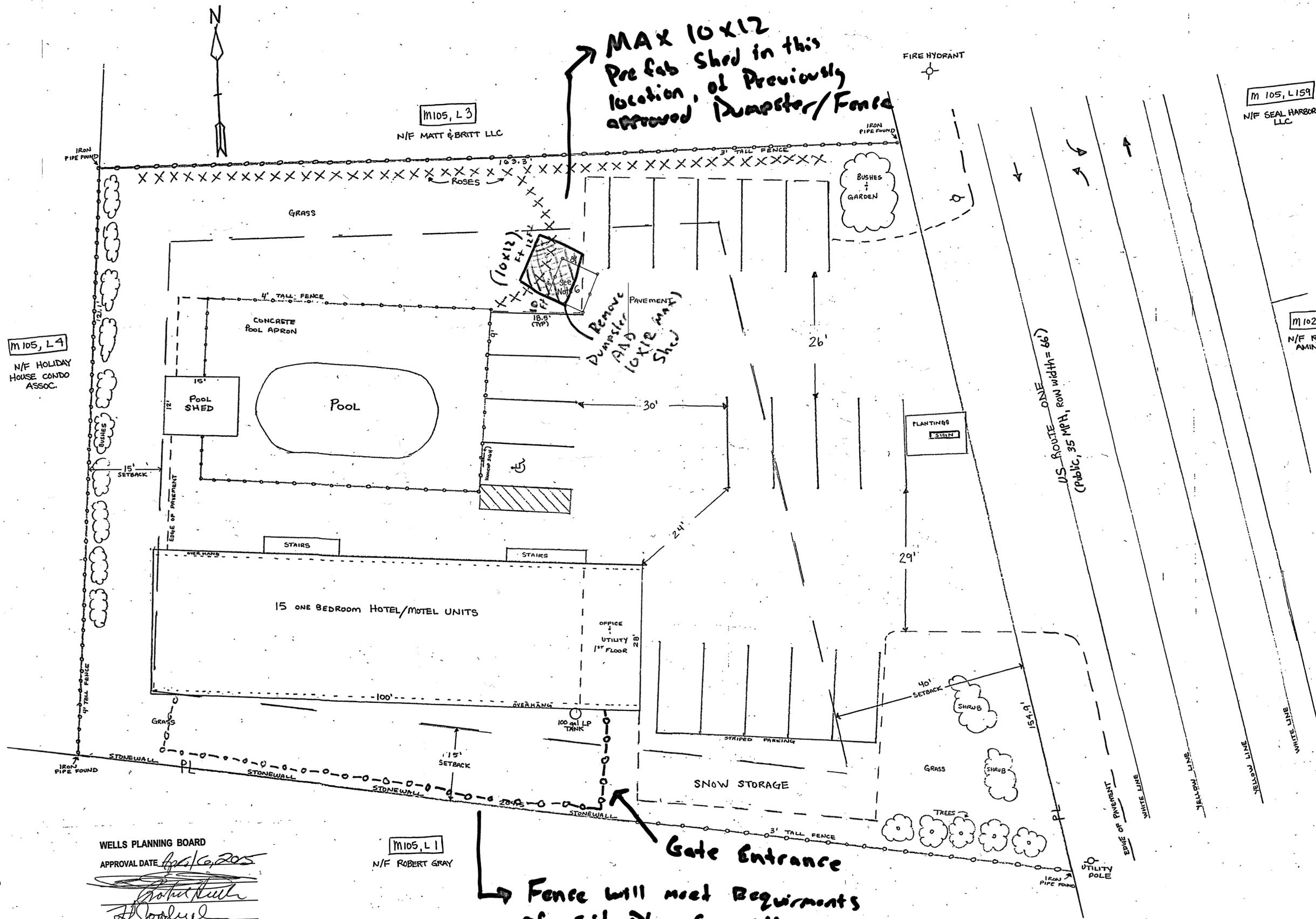
Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 04/08/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-52. Lodging Facilities. [Amended 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(3)	A bed-and-breakfast/small inn office shall be provided.				



- NOTES**
- The purpose of the site plan amendment is to amend and update the previous Site Plan approval dated 11/6/1985 (see Plan References 1) to depict the as-built conditions of the site including the Hotel Building size of 28' x 100', a pool and pool shed constructed after site plan approval and a parking lot reconfiguration. The parcel is located at 40 Post Road, in the General Business Zone and is identified as Tax Map 105, Lot 2.
  - The existing uses on the property are as follows:
    - Hotel/Motel: 15 one-bedroom units, each not exceeding 470 SF in unit gross SF. Some units may have an attached porch or deck sized 160 SF or less.
      - The hotel units are permitted to kitchen facilities per 145-52.
      - The hotel units shall be connected to public sewer and public water.
      - The hotel building is 28' x 100' in dimension or 5,600 SF in gross area.
  - Signage shall be located on existing signposts. Signage shall conform to 145-40. Sign lighting shall comply with the Land Use Code.
  - All outdoor lighting shall be standard non-glare lighting and shielded to prevent glare onto abutting properties or streets.
  - There are 18 parking spaces designated on the parcel. These spaces shall meet the requirements of the Land Use Code. One space is designated as handicap accessible and shall be painted and have appropriate signage.
    - Lodging Unit requires 1.1 spaces per sleeping room or 1.1 x 15 = 17 spaces are required. 18 spaces are provided.
  - A dumpster shall be located on the parcel as depicted. The dumpster shall meet lot line setback and building separation requirements (6' from buildings). The dumpster shall be screened by a solid 6' tall fence or similar vegetation. The dumpster shall be located on a firm surface and shall not exceed 64 SF in non-vegetated area. The dumpster shall be located to comply with these requirements no later than Oct. 1, 2015.
  - Setbacks are 15' from abutting lot lines, 40' from Route One, 25' from abutting cemeteries, and 25' from abutting right-of-ways.
    - The pool and pool shed appear to have been constructed to meet lot line setbacks.
    - The Code Enforcement Office may require the submission of a boundary survey prior to the issuance of a building permit to determine if the Motel building was constructed to meet setback requirements. If the building does not meet setback requirements a miscoded building appeal may be required.
    - Per 145-52.3(b) the two-story hotel building shall meet a 60 foot setback from Route One.
  - Building Height shall not exceed 34' or three stories.
  - Minimum Street Frontage: 100 feet. 154.9' of Street Frontage is noted to exist.
  - Existing landscaping, trees and fences are grandfathered and shall be maintained to satisfy 145-38 and 145-52 for screening and landscape buffering requirements.
  - Property is served by public sewer and public water.
  - Lot area is approximately 0.59 acres or 25,700 SF in size.
    - Lot coverage is approximately 16,028 SF in non-vegetated area for a total of 62.3%
    - Maximum allowed coverage in the General Business District is 65%.
  - The parking lot spaces shall be painted as depicted on this plan no later than Oct. 1, 2015 and shall be maintained to be clearly visible.
  - The property is nonconforming with current density requirements of the General Business District. The existing hotel/motel use would, under current standards of 20 units per acre, permit only 11 hotel units.
  - The property does not meet emergency vehicle access requirements but is existing and grandfathered.
  - The existing hotel/motel use does not meet all the current performance standards of 145-52, Lodging Facilities, therefore is a nonconforming development.
  - Seacoast Motel shall maintain the existing office on the premises. Minimum office hours shall be 7 days a week for 12 hours per day. The facility manager's contact information shall be posted at the office when the office is closed.
    - Per the 1985 Site Plan approval, occupancy of the units shall be seasonal. Seasonal occupancy shall mean that no occupancy of any unit shall occur during the months of January and February.
    - Motel units shall be rented to and occupied by transient guests for a period of time not to exceed 28 days.
  - See the Findings of Fact & Decisions for the standard and special conditions of approval for this property.
  - Best Management Practices for soil erosion and sedimentation control shall be followed.
  - Sight distances onto Route One shall meet the 350+ visibility in the northerly and southerly directions.
  - The property does not have a sprinkler system. A Fire Hydrant is located adjacent to the northeasterly property corner of this lot, along the west side of Route One.

**SITE PLAN AMENDMENT**  
**SEACOAST MOTEL**  
 40 POST ROAD  
 WELLS, MAINE 04090

SCALE: 1" = 10'      DATE: 3/12/2015  
 ZONE: GENERAL BUSINESS      LOT SIZE: 0.59 ACRES

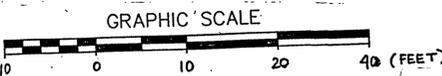
TAX MAP 105, LOT 2  
 Revision: 3/31/2015, update notes  
 Revision: 4/8/2015 dumpster

Property Owner/ Applicant: Seacoast Motel, Inc.  
 Karen Maxwell  
 PO Box 1794  
 Ogunquit, ME 03907-1794

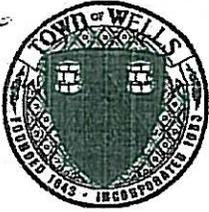
WELLS PLANNING BOARD  
 APPROVAL DATE: 4/25/2015  
 [Signatures]

M105, L1  
 N/F ROBERT GRAY

Gate Entrance  
 Fence will meet Requirements  
 of Site Plan Committee  
 Max 100 Ft long, 20 ft wide



0105-002



**TOWN OF WELLS**  
**208 Sanford Road, Wells, Maine 04090**  
 Phone: (207) 646-5187, Fax: (207) 646-2935  
 Website: [www.wellstown.org](http://www.wellstown.org)

New	_____
Amendment	<input checked="" type="checkbox"/>
(follow 145-74A)	
For office use only	
Fees Paid	<input checked="" type="checkbox"/>

Received 3-28-2016

**SITE PLAN APPLICATION – §145-74B/C/D/G**

- Project/Business Name: Dumpster Removal, Shed addition, Fence addition -
- Street Address (of project): 40 Post Road, Wells ME 04090 <sup>Sea Coast Motel</sup>
- Assessor's Tax Map Number(s): 165 Lot Number(s): 2
- Property Owner: JM Seacoast LLC  
 Mailing Address: 84 Groves Rd  
Yarmouth, ME 04096  
 Telephone: (207) 210-8513 Fax: N/A  
 Email Address: Joshua.Mokarzel@gmail.com
- Applicant (if different from owner): N/A  
 Mailing Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_
- Agent (Engineer, Surveyor, etc): N/A  
 Mailing Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_
- All correspondence should be sent to: Property Owner  
 (specify one of the above)
- Zoning District(s): General Business District
- Shoreland Overlay District(s): N/A

10. Land Use(s): Existing: 1.5 unit Motel  
Proposed: 15 unit Motel

11. What legal interest does applicant have in the property?

Ownership  Option \_\_\_\_\_ Purchase & Sales Contract \_\_\_\_\_ Other \_\_\_\_\_  
*Documentation of right, title or interest must accompany the application*

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body?  
Yes \_\_\_\_\_ No

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes \_\_\_\_\_ No

14. Does the parcel include any water bodies? Yes \_\_\_\_\_ No

15. Acreage of parcel: 0.59 Acreage to be Developed: 120 sq ft (Prefab Shed)

16. EXISTING a) Total Gross Floor Area of All Structures: 5691 SF b) Total Lot Coverage: \_\_\_\_\_

1st floor... 2,200 SF  
2nd floor... 2,200 SF  
Balcony... 600 SF  
Pool... 575 SF  
Pool Shed... 96 SF

c) Total Square Footage of area considered covered ("not green and growing"): \_\_\_\_\_  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

17. PROPOSED a) Total Gross Floor Area of All Structure: 6081 SF b) Total Lot Coverage: \_\_\_\_\_

(Add 120 SF for 10x12 Prefab shed)

(add 120 SF) for Prefab Shed. Max 16x12  
c) Total Square Footage of area considered covered ("not green and growing"): \_\_\_\_\_  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

18. Number of Existing Parking Spaces: 14 Total Number of Parking Spaces as proposed: 18

19. Estimated Traffic Generation at peak hour: Existing \_\_\_\_\_ trips As proposed: No Change  
*One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).*

20. Description of proposal: Permanently remove 8x8 dumpster and fence and replace with maximum 10x12 Prefab shed (refer to note 6 for the site plan that was approved on April 6th, 2015.) The prefab shed would be within the setback in the same location as the currently approved dumpster and fence.

(... Continued on Page 2)

**CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.**

[Signature]  
Signature of Applicant

3/28/16  
Date

10. Land Use(s): Existing : \_\_\_\_\_

Proposed: \_\_\_\_\_

11. What legal interest does applicant have in the property?

Ownership \_\_\_\_ Option \_\_\_\_ Purchase & Sales Contract \_\_\_\_ Other \_\_\_\_

*Documentation of right, title or interest must accompany the application*

12. Is any part of parcel within 250 feet of high water mark of a pond, stream, or tidal water body?  
Yes \_\_\_\_\_ No \_\_\_\_\_

13. Is any part of parcel within a special flood hazard area as identified by FEMA? Yes \_\_\_\_ No \_\_\_\_

14. Does the parcel include any water bodies? Yes \_\_\_\_\_ No \_\_\_\_\_

15. Acreage of parcel: \_\_\_\_\_ Acreage to be Developed: \_\_\_\_\_

16. EXISTING a) Total Gross Floor Area of All Structures: \_\_\_\_\_ b) Total Lot Coverage: \_\_\_\_\_

c) Total Square Footage of area considered covered ("not green and growing"): \_\_\_\_\_  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

17. PROPOSED a) Total Gross Floor Area of All Structure : \_\_\_\_\_ b) Total Lot Coverage: \_\_\_\_\_

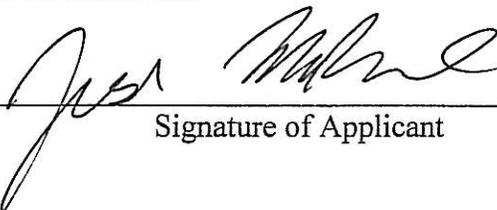
c) Total Square Footage of area considered covered ("not green and growing"): \_\_\_\_\_  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

18. Number of Existing Parking Spaces: \_\_\_\_\_ Total Number of Parking Spaces as proposed: \_\_\_\_\_

19. Estimated Traffic Generation at peak hour: Existing \_\_\_\_ trips As proposed : \_\_\_\_\_  
*One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'. It is the responsibility of the applicant to seek a Traffic Movement Permit from Maine DOT if one is necessary (over 100 trips per peak hour).*

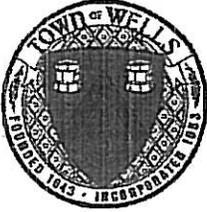
20. Description of proposal: Enclose rear grassy area by a fence up to 100 ft long and 20 ft wide of a material and height approved by the site plan committee. Purpose to restrict access to the rear of the motel. Entrance/exit will be by one gate in the rear of the office and utility portion of the motel.

**CERTIFICATION. To the best of my knowledge, all information submitted with this site plan application is true and correct.**

  
\_\_\_\_\_  
Signature of Applicant

3/28/16  
Date

- ◆ See the Land Use Ordinance, Chapter 145 of the Town Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Wells Town Code is online at [www.wellstown.org](http://www.wellstown.org). Follow link to the 'Document Center' then 'Town Code.' Section 145-74B, C, D, G details the Site Plan and Site Plan Amendment procedures.
  
- ◆ This application must be accompanied by the application fee and all information required by Chapter 145-75 and 77, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.
  
- ◆ The site plan checklist is provided to assist in gathering and presenting an application. The applicant is responsible for presenting information showing that all Land Use Ordinance standards will be met. The reviewing authority may require additional information to determine completeness and compliance.
  
- ◆ The Code Enforcement Officer will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).
  
- ◆ Contact the Planning Department at (207) 646-5187 with questions.
  
- ◆ **Amendments to Approved Plans:** "Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in 145-74A. **Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in 145-74A. (The Planning Office is responsible for notifying abutters of the site plan amendment application).**



**TOWN OF WELLS**  
 208 Sanford Road, Wells, Maine 04090  
 Phone: (207) 646-5187, Fax: (207) 646-2935  
 Website: [www.wellstown.org](http://www.wellstown.org)

**SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST**  
*(This Checklist MUST be submitted)*

**Project Name:** \_\_\_\_\_ **Applicant:** \_\_\_\_\_  
**Checklist Prepared By:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Checklist Reviewed By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Site Plan Approval in Article 10 of Chapter 145 of the Land Use Ordinance.

**Response (Please check applicable box)**

<i>Code Section</i>	<i>I. General</i>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
145-72	Completed Application form				
145-73	FEE \$150 SRC, \$150 AMENDMENT, \$300 PB or \$.10 sq. ft. whichever is greater				
145-77.B	Documentation of right, title or interest in property				
145-77.C	Site evaluation and system design if subsurface wastewater disposal system is to be utilized				
145-77.D	Amount and type of materials to be stored outside of buildings				
145-77.E	Statement of capacity and approval for connection from Wells Sanitary District if public sewage is to be utilized				
145-77.F	Statement of capacity and approval from KKW Water District if public water is to be utilized				
145-77.G	Traffic study (if required by PB)				
145-77.H	Soil erosion and sedimentation plan				
145-77.I	Stormwater Management Plan, prepared by a professional engineer				
MRSA	Condominium documents				
MRSA	Agreement for enforcement of handicapped parking				
145-74.B.1 145-74.C.5 145-74.D.2 145-74A.1	List of abutters and certification abutters were mailed notification of application per the appropriate section of Land Use Code.				
	<b><i>II. Perimeter or Boundary Survey</i></b>				
145-77.A.3	North point				
145-77.A.3	Graphic scale				
145-77.A.3	Parcel corners				
145-77.A.3	Date of Survey				
145-77.A.3	Total acreage of the property				
145-77.A.3	Seal and signature of Surveyor				

<b>Code Section</b>	<b>III. Site Plan Data Requirements</b>	<b>Submitted By Applicant</b>	<b>To Be Submitted by Applicant</b>	<b>Not Applicable</b>	<b>Applicant Requests Waiver</b>
145.77.A	Scale of plan, 1"=40' or less (1"=20' preferred)				
145-77.A.1	Name of development and name and address of applicant				
145-77.A.2	Total floor area, ground coverage, and location of all existing and proposed buildings				
145-77.A.4	All existing and proposed setback dimensions				
145-77.A.5	Location, size and direction and intensity of outdoor lighting				
145-77.A.5	Locations, size and design of signage				
145-77.A.6	Type, size and location of all incineration devices				
145-77.A.7	Type, size and location of machinery that produces noise				
145-77.A.8	Location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses, and all utilities above or below ground.				
145-77.A.9	Existing contours and proposed finish grade elevations				
145-77.A.10	Location, type and size of all curbs, sidewalks, driveways, fences, retaining walls, and parking space areas and the layouts thereof; together with the dimensions of parking spaces, driveway or aisle width, etc.				
145-77.A.11	Landscaped areas, fencing and size and type of plant material upon the premises				
145-77.A.12	Location of existing and proposed rights of way, easements				
145-77.A.13	The locations, names and widths of existing and proposed streets abutting or within the proposed project				
145-77.A.14	Property lot lines of all properties abutting and across the street from proposed development				
145-77.A.15	Appropriate space for signature(s) of reviewing authority				
	Zoning and Shoreland Overlay district(s) in which property is located				
	Speed limits on abutting streets				
	Sight distances along existing streets from entrances and exits				
	Locations of access and exit of properties across abutting streets				
	Location or type of refuse facilities and appropriate fencing				
	Standard Conditions of Approval Notes and Erosion Control Notes per 145-75.F				
	Location of Fire Hydrants or distance to nearest Fire Hydrants				
	Snow Storage Areas or form of snow removal				
	Description of proposed and existing uses, sq. ft. of use area(s), and required parking calculations				
	Location of on-site fuel tanks and protective material for tanks				

<i>Code Section</i>	<i>III. Site Plan Data Requirements</i>	Submitted By Applicant	To Be Submitted by Applicant	Not Applicable	Applicant Requests Waiver
	Required Street frontage distance				
	Building Height				
	Knox Box area				
	Seal and signature of designing engineer or person who prepared the plan				

**LISTING OF ABUTTERS TO A PROPOSED  
SITE PLAN PREAPPLICATION, APPLICATION OR AMENDMENT**

Project Name: Dumpster Removal, Shed addition, fence addition - Seacoast Motel  
 Street Address of Project: 40 Post Rd Wells ME 04090  
 Map/Lot# of Project: 105 / 002

This form is used to list the names, addresses, and tax map/lot numbers of all properties which abut a property on which a new site plan or a site plan amendment is proposed. The definition of ABUTTER is "A person who owns adjacent land or land across a street right-of-way from the subject lot". Notification of abutters is a requirement for all site plan preapplications and site plan amendments; re-notification also may be required for site plan applications if sufficient time has lapsed between the preapplication abutter notification and the time that a site plan application is submitted. Abutter information shall be obtained from the Town Tax Assessor's records.

New Site Plan Application Notice to abutters is required to be mailed by the Applicant.

Site Plan Amendment Application Notice to abutters is required to be mailed by the Planning Office.

Use additional sheets if necessary.

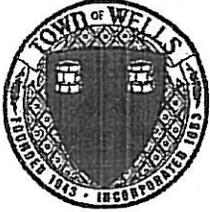
**Names, Addresses, and Tax Map & Lot Numbers of Abutters to Proposed Project**

Name	Address	Tax Map	Lot
M/M Robert Gray	32 Post Rd	105	001
Matt and Britt LLC	Po Box 1223 Wells, ME 04090	105	003
Holiday House Ponds Assoc.	Po Box 2266 Ogunquit, ME 03907	105	004
Seal Harbor LLC	170 Ayer Rd Littleton, MA 01460	105	159
LaFayette Plantation	Po Box 639 Wells, ME 04090	102	005

**I hereby certify that the abutter information provided with this pre-application or application is complete and accurate as of this date, and represents all abutters to the subject property as defined by the Town of Wells.**

  
 Signature of Applicant

3/28/16  
 Date



# TOWN OF WELLS

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-2935

Website: [www.wellstown.org](http://www.wellstown.org)

## SITE PLAN APPLICATION NOTICE TO ABUTTERS

*This Site Plan Application Notice to Abutters is required to be **mailed by the Applicant** to abutters per §145-74B(1); §145-74C(5); and §145-74(2). The Site Plan Preapplication and Amendment Application Notice to Abutters is mailed by the Planning Office per §145-74A(1) & 145-74G(2).*

### To Whom It May Concern:

A property owner adjacent to or across the street from your property has filed a Site Plan Application with the Town of Wells Planning Office. The Site Plan Application and proposed plans are currently available for public inspection at the Wells Planning Office.

The Wells Code Enforcement Officer will determine the appropriate reviewing authority (Code Officer, Staff Review Committee, or Planning Board) to review and possibly approve this application. All Staff Review Committee and Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Reviewing Authority at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit [www.wellstown.org](http://www.wellstown.org) and click on the 'Meeting Calendar' to view the upcoming meeting agendas.

Any decision made by the Code Officer, Staff Review Committee or Planning Board may be appealed within 30 days of that decision. Please refer to §145-78 of the Land Use Code for Appeal procedure requirements.

Applicant's Name: \_\_\_\_\_ Applicant's Signed Initials: \_\_\_\_\_

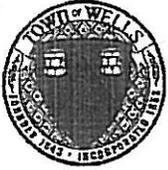
Applicant's Mailing Address: \_\_\_\_\_

Street Address of Project: \_\_\_\_\_

Zoning and Shoreland Overlay District(s): \_\_\_\_\_

Property Assessor's Tax Map(s): \_\_\_\_\_ Lot(s): \_\_\_\_\_

Description of Proposal:  
\_\_\_\_\_  
\_\_\_\_\_



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## AGREEMENT TO ENFORCE HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Town of Wells (the "Town") and (the "Owner") to enforce handicapped parking regulations and laws applicable to the handicapped parking spaces in the parking lot located at \_\_\_\_\_ (the "Premises") as follows:

1. Owner hereby authorizes and permits the Wells Police Department and/or any deputized volunteer parking enforcement specialist if the Police Department establishes a volunteer parking enforcement program as authorized by Title 30-A, M.R.S.A. section 472 and 3009(D), to enter upon the Premises for the purpose of ensuring that parking spaces designated for the handicapped are used appropriately by handicapped persons. It shall be Owner's responsibility to clearly mark handicapped parking spaces by signs painted on the pavement and/or vertical standing signs such that the signs are visible under all weather conditions.
2. Owner and Town hereby agree that any vehicle or motorcycle, parked in a space, which does not bear a special registration plate or placard issued under Title 29 M.R.S.A. section 252, 252-A, or 252-C or a similar plate or placard issued by another state, shall be ticketed and cited for a forfeiture of not less than \$50.00, all as more fully set forth in Title 30-A M.R.S.A. section 3009(D) and the Town of Wells municipal Code Chapter 159.
3. The Town and its Police Department shall have the right but not the obligation to respond to any complaints about improper use of designated handicapped spaces on the Premises, whether initiated by Owner, its agents or others, and to monitor use of designated handicapped parking spaces, using personnel and other resources, as determined appropriate by the Wells Police Department. Nothing in this Agreement shall require or obligate the Town or its Police Department to allocate any particular level of personnel or resources to the enforcement of handicapped parking regulations or laws applicable to the Premises.
4. This agreement shall remain in full force and effect for five years, provided that either party may revoke the Agreement with 10 days written notice to the other party.

\_\_\_\_\_  
Owner/Applicant

\_\_\_\_\_  
Jonathan Carter, Town Manager  
Town of Wells

The following Standard Conditions of Approval must be included on every submitted site plan.

### Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.



BK 17011 PGS 359 - 360  
INSTR # 2015015977  
RECEIVED YORK SS

05/04/2015 12:28:20 PM  
DEBRA ANDERSON  
REGISTER OF DEEDS

WARRANTY DEED

SEACOAST MOTEL, INC., a Maine corporation having its principal place of business in Wells, York County, Maine, for consideration paid, grants to JMSeacoast LLC, a Maine limited liability company, whose mailing address is 84 Groves Road, Yarmouth, ME 04096, with warranty covenants, the following real estate:

A certain lot or parcel of land, situated in Wells, in the County of York and State of Maine and lying on the Northwesterly side of U. S. Highway Route One, said lot or parcel of land being more particularly bounded and described as follows:

BEGINNING at an iron pipe in the ground in the Northwesterly sideline of said U.S. Highway Route One, and at land, now or formerly, of Mervyn Cooper, said point also being the Northeasterly corner of the lot or parcel herein conveyed; running thence from said point of beginning South 06° 39' 38" West by and along the Northwesterly sideline of said U.S. Route One, 154.9 feet, more or less, to an iron pipe at land, now or formerly, of Arthur Smith; running thence North 64° 08' 39" West by and along said land of Smith 204.5 feet, more or less, to an iron pipe at land, now or formerly, of Peter Blanchard; running thence North 22° 12' 58" East by and along said land of Blanchard, 121.1 feet, more or less, to an iron pipe set in the ground at land, now or formerly, of said Mervyn Cooper; running thence South 73° 06' 04" East by and along said land of Cooper 163.3 feet, more or less, to the iron pipe at the point of beginning.

The above-description is taken from Plan entitled "Land on Route One, Wells, Maine, belonging to William J. Smith" by A. W. I. Engineering Co. dated June 1985, duly recorded in the York Registry of Deeds in Plan Book 142, Page 1.

Being all and the same premises conveyed to the Grantor hereby by deed of Michael R. Bolduc and Sherri Adams-Bolduc dated October 1, 2001, and recorded in the York County Registry of Deeds in Book 11000, Page 186.

In witness whereof, SEACOAST MOTEL, INC. has caused this instrument to be executed by Karen M. Maxwell, its President, this 29th day of April, 2015.

SEACOAST MOTEL, INC.

By: Karen M. Maxwell  
Karen M. Maxwell, its President

MAINE R.E. TRANSFER TAX PAID

State of Maine  
York, ss.

April 29, 2015

Personally appeared before me the above named Karen M. Maxwell, President of Seacoast Motel, Inc., and acknowledged the foregoing instrument to be her free act and deed in said capacity and the free act and deed of said corporation.



David J. Jones, Bar No. 710  
Maine Attorney at Law

RTA → WARREN CARRIER & BUCHANAN 57 KEX CHANGE ST FTLD, ME 041

RECEIVED  
MAY 1 2015  
NOTARY PUBLIC  
07101 0012