



TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

Meeting Agenda

Tuesday, April 26, 2016, 9:00 AM

Wells Activity Center

113 Sanford Road, Wells

MINUTES

I. APRIL 12, 2016 DRAFT MEETING MINUTES

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. **Workshop completeness, compliance and draft Findings of Fact & Decisions for possible approval**

Documents: [PINEDEROSA WEST AMEND APP MEMO 04-20-16.PDF](#), [SITE PLAN FOF PINDEROSA WEST 4-20-16.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. **Workshop completeness, compliance and draft Findings of Fact & Decisions for possible approval**

Documents: [ARMSTRONG AMEND APP MEMO 04-21-16.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 602

outdoor dining area for 10 additional seats for the Standard Restaurant use (new total of 90 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.

Workshop completeness, compliance and draft Findings of Fact & Decisions for possible approval

Documents: JOSHUAS RESTAURANT AMD MEMO 04-20-16.PDF, JOSHUAS RESTAURANT AMD DRAFT COMPLETENESS 04-20-16.PDF, JOSHUAS RESTAURANT AMD COMPLIANCE AND FOF DRAFT 04-20-16.PDF, JOSHUAS RESTAURANT DRAFT PLAN 04-21-16.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.

Workshop completeness, compliance and draft Findings of Fact & Decisions for possible approval

Documents: COAST 2 COAST AMEND APP MEMO 04-20-16.PDF, COAST 2 COAST DRAFT COMPLETENESS 04-20-16.PDF, COAST 2 COAST DRAFT COMPLIANCE AND FOF 04-20-16.PDF, DEED BK 7536 PG 67.PDF, COAST 2 COAST DRAFT PLAN 04-21-16.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.

Consider Amendment Application for receipt, Workshop completeness and draft compliance and Findings of Fact & Decisions if appropriate

Documents: SEACOAST MOTEL AMEND MEMO 04-21-16.PDF, CABANA PIC 04-21-16.PDF, SEACOAST PLAN DRAFT 04-21-16.PDF, SEACOAST MOTEL COMPLETENESS 04-21-16.PDF, SEACOAST MOTEL DRAFT COMPLIANCE AND FOF 04-21-16.PDF

VI. FIRE & BREW/ HIDDEN COVE BREWERY

Fire & Brew Inc. owner; Richard Varano, applicant. Site Plan Amendment Application to locate a 200 SF Fast-Food Restaurant (Food Truck) on the property; to obtain approval for the Brewery (Business Wholesale/ Business Retail including Manufacturing use) to increase from 540 SF to 4,545 SF; and to reduce the Standard Restaurant seating from 120 seats to 38 seats. The property is locate off of 73 Mile Road and is within the General Business and 250' Shoreland Overlay District. Tax Map 121, Lot 14.

Receive the Site Plan Amendment Application and workshop completeness

Documents: FIRE AND BREW AMEND APP MEMO 04-20-16.PDF, FIRE AND BREW DRAFT PLAN 04-21-16.PDF

OTHER BUSINESS

ADJOURN



Planning & Development

208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 20, 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 received 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 was 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 SRC should review and consider the following:
 - i. SRC to confirm recommended plan changes have been addressed.
 - ii. SRC to consider finding the application complete
 - iii. SRC to consider determining the following:
 - 1. Setbacks and screening requirements have been met by the 25 foot buffer
 - iv. SRC to consider finding the application compliant
 - v. SRC to consider approving and signing the Findings of Fact & Decisions and the site plan



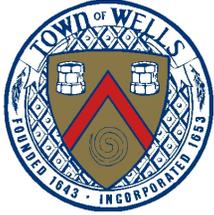
Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Pinderosa West Campground”
Page 1 of 10

Chapter 145, Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Pinderosa West Campground</p> <p>Applicant: Baston Properties, LLC PO Box 653, Ogunquit, ME 03907-0653</p> <p>Landowner: Baston Properties, LLC PO Box 653, Ogunquit, ME 03907-0653</p> <p>Location: 580 Hilton’s Lane</p> <p>Existing Use: 84 site RV park/campground</p> <p>Proposed Land Use: 84 site RV park/campground</p> <p>Tax Parcel ID: Map 11, Lot 25</p> <p>Zoning District: Rural</p> <p>Art VII Performance Standards: 145-50 Tent and RV Parks</p> <p>Consultant: Post Road Surveying, Inc. PO Box 1557, Wells ME 04090</p> <p>Plan Submission Date: March 8, 2016; April 20, 2016</p>
Project Description:	<p>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.</p>
Completeness Determination:	04/26/2016
Public Hearing:	None
Staff Review Mtg:	04/12/2016, 04/26/2016



Town of Wells, Maine

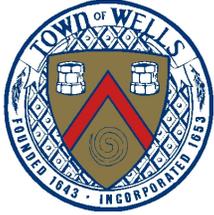
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PROJECT HISTORY

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| <ol style="list-style-type: none"> 1. On 3/08/16 a site plan amendment application was submitted 2. On 3/09/16 the Code Enforcement Officer made the land use determination as an allowed use in the Rural Zone 3. On 3/10/16 abutter notices were mailed 4. On 4/06/16 Article V, VI, VII and X review checklists were prepared by the Planning Office 5. On 4/08/16 a plan markup and recommended notes were prepared by the Planning Office and e-mailed to the applicant’s consultant 6. On 4/12/16 the SRC meeting was held and several waivers and determinations were made 7. On 4/20/16 a draft compliance/Findings of Fact were prepared by the Planning Office 8. On 4/21/16 a revise plan was received 9. On 4/21/16 the review checklists were updated, Findings of Fact updated and memo prepared by the Planning Office 10. On 4/26/16 the SRC reviewed the revised plans, found the application complete and found the application to meet the standards of Articles V, VI and VII 11. On 4/26/16 the SRC determined the application to be compliant and approved the Findings of Fact and signed the plan. |
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§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	

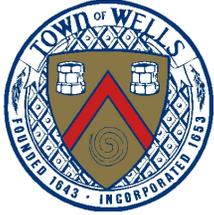


Town of Wells, Maine

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§ 145-75. Criteria and Standards		Comments
A.	Traffic. The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No changes are proposed that would alter the existing traffic of the property.</p> <p>A total of 172 on-site parking spaces are proposed. 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. The handicap parking spaces and ADA signs are labelled on the plan.</p>
B.	Dust, fumes, vapors and gases. Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lots lines.</p>
C.	Odor. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from producing such odor at any point beyond its lot lines as measured at ground or habitable elevation.</p>



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§ 145-75. Criteria and Standards		Comments
D.	Glare. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See note 13 on original approval. This parcel is prohibited from producing such glare onto abutting lots or street right of ways. All existing and proposed exterior lights shall be downward directional and comply with Land Use lighting provisions.</p>
E.	Stormwater runoff. Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. [Amended 4-27-2007]	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>A drainage analysis and design were reviewed and approved as part of the original approval.</p> <p>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.</p>
F.	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Best Management Practices are a standard condition of approval. The Standard terms and conditions of the Town of Wells are on the site plan.</p>
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	

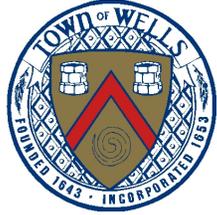


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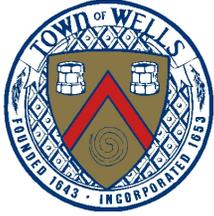
§ 145-75. Criteria and Standards		Comments
(4)	Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.	
(5)	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.	
(6)	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.	
(7)	During grading operations, methods of dust control shall be employed.	
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	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.	



Town of Wells, Maine Staff Review Committee

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§ 145-75. Criteria and Standards		Comments
G.	Setbacks and screening. Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>A visual screen is required for residential abutters.</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 1E requiring a minimum 25 foot vegetated buffer to be maintained from the property line.</p> <p>No change proposed to the existing refuse disposal. An easement has been added to allow on the abutting lot. Vegetated or fenced screening shall be provided, see Note 7.</p>
H.	Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change proposed with regard to storage of fuels.</p>
I.	Water quality. All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change proposed with regard to storage of fuels.</p>

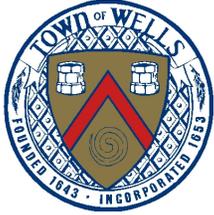


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§ 145-75. Criteria and Standards		Comments
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>A visual screen is required for residential abutters.</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 1E requiring a minimum 25 foot vegetated buffer to be maintained from the property line.</p> <p>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.</p>
K.	Refuse disposal. The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change proposed to the existing refuse disposal. An easement has been added to allow on the abutting lot. Vegetated or fenced screening shall be provided, see Note 7.</p>



Town of Wells, Maine

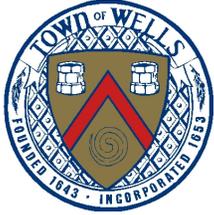
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§ 145-75. Criteria and Standards		Comments
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change to the existing on-site water supply of the property is proposed. See Notes 8,9 and 16 on the original approved plan. The RV Park shall prohibit occupancy of any site and water and electrical services shall be turned off or disconnected.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change to the existing off site sewage disposal of the property is proposed, see Note 8 on the original approved plan.</p> <p>A new septic system may be installed for a bathhouse per Note 1.G on the amendment plan.</p>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No changes are proposed from the original approval. Roads constructed per approved plan. The existing fire pond and dry hydrant are noted.</p>

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)]



Town of Wells, Maine

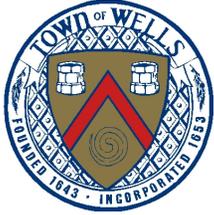
Staff Review Committee

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment Application for "Pinderosa West Campground"

Page 9 of 10

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 STAFF REVIEW COMMITTEE 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 STAFF REVIEW COMMITTEE 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.



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for "Pinderosa West Campground" Page 10 of 10

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.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this approval. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Staff Review Committee

By: _____
Michael G. Livingston, Chairman



Planning & Development

208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 21, 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 continue this application to the next meeting (5/10/16).



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<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 20, 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 received 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 was 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 SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
 - a. SRC to confirm that the plan and note changes as recommended have been addressed
 - b. WSD letter provided (see attached)
 - 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. The SRC to review the existing Route 1 buffer and determine if what exists remains sufficient, existing trees to the north added to plan.
2. The SRC to consider finding the application complete (145-77)
3. The SRC to consider finding the application compliant (145-75)
4. The SRC to consider approving and signing the Findings of Fact & Decisions and site plan.

Thank you.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 1 of 4

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

Date of Review: 04-07-16; 04/20/16

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				<u>An updated address to be noted. Updated title block needed (this is a site plan amendment, not a survey or topographic plan).</u>
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				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.				W	See plan reference notes. On 4/12/16 the Staff Review Committee granted a waiver and did not require the submission of a boundary survey as the proposed addition will require certification from a licensed surveyor during the building permit process to ensure setback requirements are met.
	(4) All existing and proposed setback dimensions.	Y				See note 5.
	(5) The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				See note 6 and plan legend for lighting existing and proposed locations. See light detail.
	(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 4

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

Date of Review: 04-07-16; 04/20/16

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*				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' solid stockade fence is proposed along the northerly boundary. <u>On 4/26/16 the Staff Review Committee must determine if the proposed screening for the residential abutter is adequate.</u>
(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 four shade trees and an evergreen tree. <u>On 4/26/16 the Staff Review Committee must determine if the existing landscaped buffer along Route One remains adequate.</u>
(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.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 3 of 4

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

Date of Review: 04-07-16; 04/20/16

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
(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.
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.	Y				The parcel is served by the Wells Sanitary District. A letter from WSD dated 3/2/16 was provided to the Planning Office regarding the accommodation for the 16 additional seats proposed.
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.
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.					

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

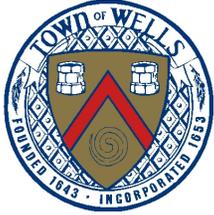
Project Name/District: Joshua's Restaurant / General Business District - Tax Map
135, Lot 15

Date of Review: 04-07-16; 04/20/16

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)	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				See standard condition of approval notes noted on the site plan for Best Management practices.
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. [Added 4-27-2007]				W	On 4/12/16 the Staff Review Committee granted a waiver and did not require the submission of a stormwater management plan for this amendment application.
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. [Added 4-27-2007]					
	Chapter 201, Article IV. Sidewalk Development.	Y				Parcel is located within the sidewalk development area. Sidewalks along Route One have been improved by the Town of Wells in recent years. The proposed addition does not qualify for new sidewalk construction per 201-38.



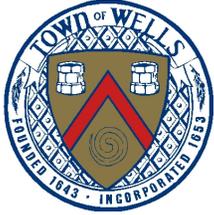
Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Joshua’s Restaurant”
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Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Joshua’s Restaurant</p> <p>Applicant: Joshua Mather, 846 Bald Hill Road, Wells, ME 04090</p> <p>Landowner: 1774 House LLC, PO Box 1266, Wells, ME 04090</p> <p>Location: 1637 Post Road, Wells, ME</p> <p>Existing Use: 77 Seat Standard Restaurant with accessory 22’ x 22’ storage garage and associated parking</p> <p>Proposed Land Use: 93 Seat Standard Restaurant with accessory 22’ x 22’ storage garage and associated parking</p> <p>Tax Parcel ID: Tax Map 135, Lot 15</p> <p>Zoning District: General Business</p> <p>Art VII Performance Standards: None</p> <p>Design Engineer: None</p> <p>Plan Submission Date: March 17, 2016</p>
Project Description:	<p>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.</p>
Completeness Determination:	04/26/2016
Public Hearing:	Not applicable



Town of Wells, Maine Staff Review Committee

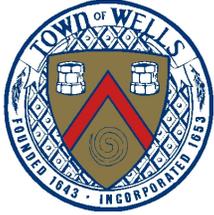
FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Joshua’s Restaurant” Page 2 of 11

Staff Review Mtg:	04/12/2016; 04/26/2016
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PROJECT HISTORY

1. On 3/17/16 the applicant submitted a site plan amendment application for the above described project.
2. On 3/25/16 the Code Enforcement Office found the use proposed to be permitted within the General Business District.
3. On 3/25/16 the Planning Office mailed abutters the Article V determination and notice of the 4/12/16 Staff Review Committee meeting.
4. On 4/7/16 the Planning Office prepared Article V, VI, and VII review checklists and a draft completeness (145-77) review checklist. Recommended plan changes were also drafted for the applicant.
5. On 4/8/16 the Planning Office provided all review comments to the applicant.
6. On 4/12/16 the Staff Review Committee voted to receive the site plan amendment application, voted to waive the requirement of a boundary survey, voted to waive the requirement of a stormwater management plan, and voted to continue the workshop to the next meeting.
7. On 4/19/16 the applicant submitted plan revisions to the Planning Office for review.
8. On 4/20/16 the Planning Office reviewed the revised site plan and recommended the changes recommended on the 4/7/16 draft plan be addressed.
9. On 4/20/16 the Planning Office prepared updated Article V, VI, and completeness review checklists. The Planning Office also prepared a draft compliance (145-75) Findings of Fact & Decisions for the Staff Review Committee and applicant.
10. On 4/20/16 and 4/21/16 the Planning Office received a revised site plan.
11. On 4/26/16 the Staff Review Committee voted to find the landscaped buffer along Route 1 to be sufficient and voted to find the screening for the residential abutter to be sufficient, voted to find the application complete, voted to find the application compliant, voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the site plan at the end of the meeting.

§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	

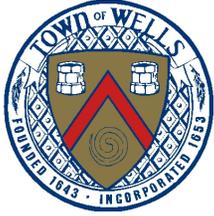


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Joshua’s Restaurant”
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§ 145-75. Criteria and Standards	Comments
	<p>from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>
<p>A. Traffic. The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>	<p>On-street parking is prohibited. 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. See note 4. 93 seats /3 = 31 spaces plus 93 seats /20= 5 spaces. 36 spaces are required. 37 spaces are provided. Handicap accessible parking signs are required for the 2 handicap accessible parking spaces. The plan identifies such signage. Areas that could be used for parking shall be on gravel or pavement. 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.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
<p>B. Dust, fumes, vapors and gases. Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.</p>	<p>The parcel is prohibited from emitting such dust, fumes, vapors or gases at any point beyond its lot lines.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

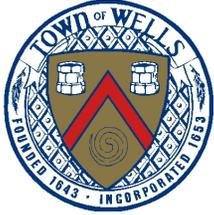


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Joshua’s Restaurant”
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§ 145-75. Criteria and Standards		Comments
C.	Odor. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>The parcel is prohibited from producing offensive or harmful odor perceptible beyond its lot lines.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
D.	Glare. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>See note 6. The parcel shall not produce glare onto abutting lots and streets. The site plan depicts the existing and proposed outdoor lighting detail. 3 new lights are proposed adjacent to the handicap accessible parking spaces.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
E.	Stormwater runoff. Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. [Amended 4-27-2007]	<p>The proposed gravel area shall minimally impact stormwater runoff. The site plan depicts parcel contours. The parcel is flat. This parcel was previously developed. The proposed (588 SF) of additional non-vegetated area is not expected to significantly increase stormwater runoff.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
F.	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]	<p>Standard terms and conditions of the Town of Wells appear on the plan. Best Management Practices shall be followed.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

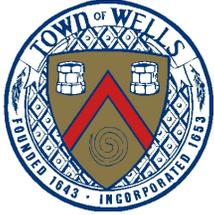


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Joshua’s Restaurant”
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§ 145-75. Criteria and Standards		Comments
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	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.	
(5)	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.	
(6)	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.	
(7)	During grading operations, methods of dust control shall be employed.	
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	

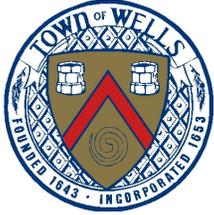


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Joshua’s Restaurant”
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§ 145-75. Criteria and Standards		Comments
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	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.	
G.	<p>Setbacks and screening. Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.</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' solid stockade fence is proposed along the northerly boundary. <u>On 4/26/16 the Staff Review Committee must determine if the proposed screening for the residential abutter is adequate.</u></p> <p>The parcel has a 15' landscaped buffer defined on the site plan along Route One. This buffer consists of four shade trees and an evergreen tree. <u>On 4/26/16 the Staff Review Committee must determine if the existing landscaped buffer along Route One remains adequate.</u></p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

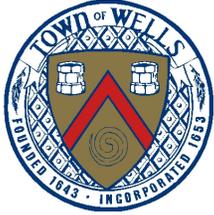


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FINDINGS OF FACTS & DECISIONS
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§ 145-75. Criteria and Standards		Comments
H.	Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>An existing 1,000 gallon above ground propane tank is identified on the site plan. No changes to the propane tank are proposed.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
I.	Water quality. All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	<p>The parcel shall comply with water quality standards.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>Minimal changes to the existing landscape are proposed for the new kitchen addition, walk-in cooler, concrete pad, outdoor seating area and parking changes. Grade changes are not proposed. Planters and landscaping shall remain around the existing building.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

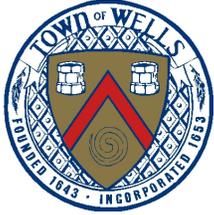


Town of Wells, Maine

Staff Review Committee

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§ 145-75. Criteria and Standards		Comments
K.	Refuse disposal. The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	<p>The parcel is served by an on-site dumpster. This dumpster meets setbacks and is screened by a 6’ tall stockade fence.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>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. The applicant may in the future install a private on-site drilled well. The nearest fire hydrant is identified on the site plan.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>The parcel is served by the Wells Sanitary District. A letter from WSD dated 3/2/16 was provided to the Planning Office regarding the accommodation for the 16 additional seats proposed.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



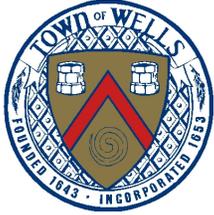
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FINDINGS OF FACTS & DECISIONS
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§ 145-75. Criteria and Standards		Comments
N.	<p>Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personnel.</p>	<p>The changes proposed do not alter the existing and previously approved provisions made to accommodate fire safety. The parcel is within close proximity to an existing fire hydrant off of Route One. The Standard Restaurant is located within close proximity to Route One and its associated parking lot. A Knox Box shall be installed/ maintained on the property in a location found suitable by the Fire Department. The proposed outdoor seating area shall maintain sufficient access for ingress/egress.</p> <p style="text-align: center;">BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

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]:



Town of Wells, Maine

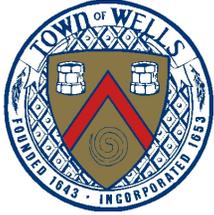
Staff Review Committee

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment Application for "Joshua's Restaurant"

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- (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.



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for "Joshua's Restaurant" Page 11 of 11

16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this amendment application. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.

Dated at Wells, Maine this _____ day of _____, 2016

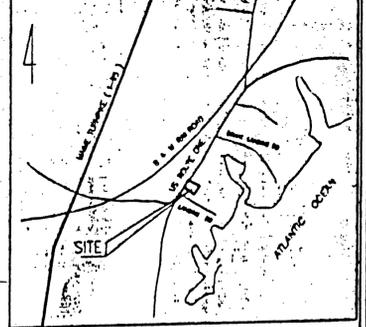
Wells Staff Review Committee

By: _____

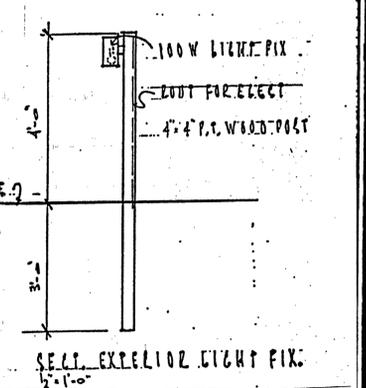
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RBEB LLC
Book 16,246, pg 229
TM 135 Lot 13A

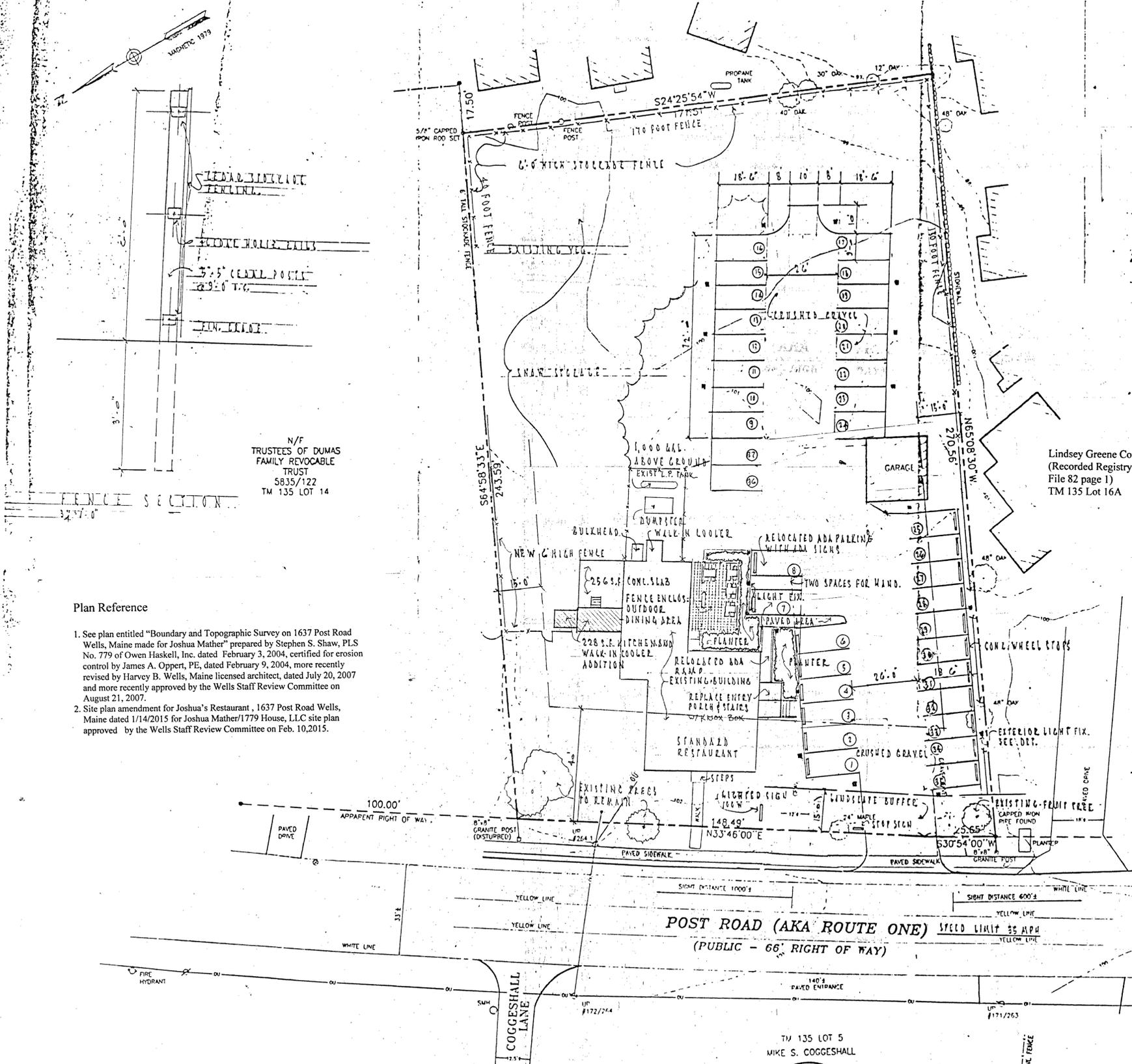
- Standard Conditions of Approval**
1. Site plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing 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. [§145-74(F)]
 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 rules written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74(G)(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 require construction of 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 considered as set forth in §145-84. [§145-79(B)]
 6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-79(F)]:
 - (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 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. 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 if, 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.



LOCATION MAP N.T.S.



SECTION EXCELIOR LIGHT FIX. 1/2" = 1'-0"



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%
3. Proposed building area: 3,164 s.f.+228 s.f.+104 s.f.= 3,496 s.f.
Proposed non vegetated area: 15,120 s.f.+256 s.f.= 15,376 s.f.
Total lot coverage = 18,872 s.f. or (42.6%)
4. Use: 77 seats standard restaurant+16 outside patio seats = 93 seats.
93/3 = 31 parking spaces required plus 1 space/20 seats for employees are required, 2 of which must be 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%. 42.6% 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. Lighting shall not produce glare onto abutting lots or right-of-ways.

Plan Reference

1. See plan entitled "Boundary and Topographic Survey on 1637 Post Road Wells, Maine made for Joshua Mather" prepared by Stephen S. Shaw, PLS No. 779 of Owen Haskell, Inc. dated February 3, 2004, certified for erosion control by James A. Oppert, PE, dated February 9, 2004, more recently revised by Harvey B. Wells, Maine licensed architect, dated July 20, 2007 and more 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/1779 House, LLC site plan approved by the Wells Staff Review Committee on Feb. 10, 2015.

JOSHUA'S RESTAURANT
U.S. ROUTE ONE, WELLS, MAINE
Owner: 1774 House LLC
P.O. Box 1266
Wells, Maine 04090

- LEGEND:**
- LIGHT FIXTURE
 - 1" IRON PIPE OR ROD FOUND
 - UTILITY POLE
 - WATER VALVE
 - X — FENCE
 - — — STONE WALL
 - ○ — OVERHEAD UTILITIES
 - DECIDUOUS TREE

Wells Staff Review Committee

APPROVED: Date: _____

REVISIONS:
REVISED FEB 25, 2016
REVISED JULY 30, 07
REVISED JUNE 26, 04

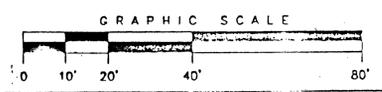
Site Plan Amendment

Revised April 20, 2016
ON
1637 POST ROAD WELLS, MAINE
MADE FOR
Joshua's Restaurant

OWEN HASKELL, INC.
18 CARCO ST., PORTLAND, ME 04101 (207) 774-0424
PROFESSIONAL LAND SURVEYORS

Drawn By	SSS	Date	FEBRUARY 03, 2004	Job No.	2004-009 W-Y
Trace By	RWC	Scale	1" = 20'	Drwp. No.	1
Check By	SSS				
Book No.	977				

SITE PLAN
P. 20



NOTES: See Plan Reference One

1. OWNER OF RECORD: N/F STANLEY B TUFTS AND CICELY K. TUFTS BOOK 2755 PAGE 214
2. THE SURVEYED PREMISES IS SHOWN AS LOT 15 ON TOWN TAX MAP 135 AND CONTAINS 44,280 SQUARE FEET.
3. ELEVATIONS ARE BASED UPON ASSUMED DATUM



Requires certification is for erosion control only



DATE: FEB. 6, 2004

THIS ARCHITECT'S CERTIFICATION COVERS ONLY THE KITCHEN ADDITION, REVISIONS PARKING, FENCING, LIGHTING, OUTDOOR SEATING, ADA PROVISIONS, PLANTING AREAS AND A REVISED FRONT ENTRY PORCH AND STAIRS. ALL OTHER SITE FEATURES ARE EXISTING PER SURVEY.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

FEB 3, 2004
DATE

STEPHEN S. SHAW PLS NO. 779



Planning & Development

208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 20, 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 SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
 - a. Note 13 has been revised to permit fencing or 6' tall evergreen vegetation for screening for abutting lot 29-3
 - b. MDOT land taking reference added to the plan
 - c. A copy of the parcel's deed was provided
2. The SRC should consider finding the application complete (145-77);
3. The SRC should consider finding the application compliant (145-75);
4. The SRC should consider approving and signing the Findings of Fact & Decisions and site plan.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 1 of 4

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

Date of Review: 04/05/16; 04/20/16

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.				W	On 4/12/16 the SRC granted a waiver of requiring a boundary survey for the amendment application proposed. No significant impact due to MDOT taking. Reference to the MDOT taking along Route 109 has been added to the plan, Ref Plan #6.
(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.
(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.
(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.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 2 of 4

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

Date of Review: 04/05/16; 04/20/16

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				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. On 4/12/16 the SRC determined that the existing vegetated/wooded buffer is sufficient for the amendment proposed. 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. On 4/12/16 the SRC found the existing fencing along the northeasterly boundary line to be sufficient. Note 13 revised to permit installation and maintenance of 6' tall evergreen plantings to serve as a visual screen for abutting lot 29-3 as well.
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				See reference deed and reference 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.

Town of Wells , Maine
Article X , 145-77 Data Requirements (Completeness Review)
Page 3 of 4

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

Date of Review: 04/05/16; 04/20/16

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
(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. A copy of the parcel deed provided, Book 7536, pg. 67 and MDOT taking plan 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 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.
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.					

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

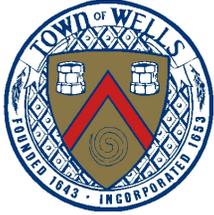
Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 04/05/16; 04/20/16

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
(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				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. [Added 4-27-2007]			NA		The changes proposed have an insignificant effect on the existing stormwater conditions.
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. [Added 4-27-2007]					
	Chapter 201, Article IV. Sidewalk Development.			NA		



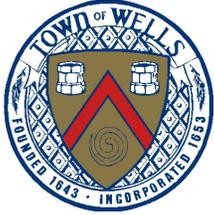
Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
 Page 1 of 12

Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Coast 2 Coast Catering</p> <p>Applicant: Daniel Crook, 157 Clearview Drive, Arundel, ME 04046</p> <p>Landowner: Lyons Enterprises, PO Box 1856, Wells, ME 04090</p> <p>Location: 835 Sanford Rd</p> <p>Existing Use: 1,600 SF Business Wholesale use and 1,440 SF Business Office use within the 3,216 SF Building and 1,550 SF Business Contractor use within the 1,550 SF building</p> <p>Proposed Land Use: 1,600 SF Business Wholesale use and 1,440 SF Business Office use within the 3,216 SF Building and 1,550 SF Business Contractor use within the 1,550 SF building with a 120 SF Walk-in Cooler</p> <p>Tax Parcel ID: Map 49, Lot 29-1</p> <p>Zoning District: Residential Commercial</p> <p>Art VII Performance Standards: None</p> <p>Design Engineer: March 17, 2016</p> <p>Plan Submission Date: March 17, 2016</p>
Project Description:	<p>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 walkway 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.</p>
Completeness Determination:	04/26/2016
Public Hearing:	Not Applicable



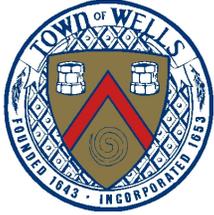
Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
 Page 2 of 12

Staff Review Mtg:	04/12/2016; 04/26/2016
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PROJECT HISTORY
<ol style="list-style-type: none"> 1. On 3/17/16 the applicant submitted a site plan amendment application for the above described project. 2. On 3/25/16 the Code Enforcement Office found the use proposed to be permitted within the Residential Commercial District. 3. On 3/25/16 the Planning Office mailed abutters the Article V determination and notice of the 4/12/16 Staff Review Committee meeting. 4. On 4/5/16 the Planning Office prepared Article V, VI, and VII review checklists and a draft completeness (145-77) review checklist. Recommended plan changes were also drafted for the applicant. 5. On 4/7/16 the Planning Office provided all review comments to the applicant. 6. On 4/12/16 the Staff Review Committee voted to receive the site plan amendment application, voted to waive the requirement of a boundary survey, voted to find the Route 109/ Homestead Drive buffer sufficient, voted to find the screening for the residential abutter sufficient, and voted to continue the workshop to the next meeting. 7. On 4/20/16 the Planning Office reviewed the revised site plan and recommended the changes. 8. On 4/20/16 the Planning Office prepared updated Article VI and completeness review checklists. The Planning Office also prepared a draft compliance (145-75)/ Findings of Fact & Decisions and memo for the Staff Review Committee and applicant. 9. On 4/26/16 the Staff Review Committee voted to find the application complete, voted to find the application compliant, voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the site plan at the end of the meeting.

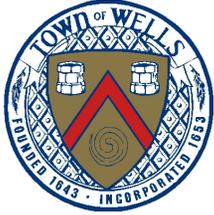
§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for "Coast 2 Coast Catering"
Page 3 of 12

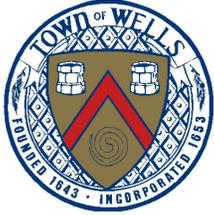
§ 145-75. Criteria and Standards	Comments
	providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
Page 4 of 12

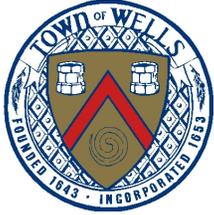
§ 145-75. Criteria and Standards		Comments
A.	<p>Traffic. The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>	<p>Parcel has approximately 200' of street frontage along Route 109. See note 20 on plan: parking is prohibited in the area between the 1,550 SF building and Route 109. 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. On-street parking is prohibited. All parking is shown to meet the 90 degree parking space size requirements. Spaces are noted to be 9' x 20' in dimension. 2 handicap accessible parking spaces are shown. 21 spaces are proposed between the 2 businesses. 2 handicap parking spaces are required. 2 ADA compliant signs for the handicap parking are shown on the plan.</p> <p>$1550 + 120 / 1000 = 1.67$. A minimum of 3 spaces is required. 3 spaces are provided. $1600 / 1000 = 2$. A minimum of 3 spaces are required. 3 are provided. $3.5 / 1000 \times 1440 = 5.04$ spaces; 6 spaces are required. 6 are provided.</p> <p>A loading/ receiving area is depicted on the site plan for the rear building. Snow storage areas depicted on the plan. Areas that could be used for parking shall be on pavement or gravel as depicted on the plan. 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> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
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§ 145-75. Criteria and Standards		Comments
B.	Dust, fumes, vapors and gases. Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	<p>This parcel is prohibited from producing dust, fumes, vapors, or gases at any point beyond its lot lines.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
C.	Odor. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>This parcel is prohibited from producing offensive or harmful odors at any point beyond its lot lines.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
D.	Glare. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>See notes 8 and 9 on the site plan. This parcel is prohibited from producing glare at any point beyond its lot lines.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
E.	Stormwater runoff. Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. [Amended 4-27-2007]	<p>The changes proposed have an insignificant effect on the existing stormwater conditions.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

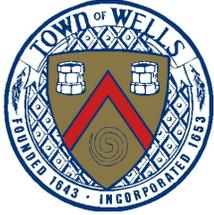


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
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§ 145-75. Criteria and Standards		Comments
F.	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]	See note 16. Best Management Practices are a standard condition of approval. THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	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.	
(5)	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.	
(6)	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.	
(7)	During grading operations, methods of dust control shall be employed.	

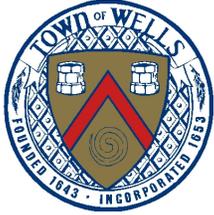


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Page 7 of 12

§ 145-75. Criteria and Standards		Comments
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	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.	

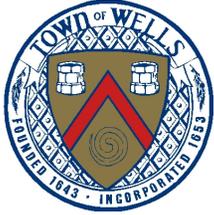


Town of Wells, Maine

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§ 145-75. Criteria and Standards		Comments
G.	Setbacks and screening. Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.	<p>See note 5. Setback lines shown on the site plan. 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.</p> <p>A 15' vegetated/wooded buffer shall be maintained along Homestead Drive and Route 109. On 4/12/16 the SRC determined that the existing vegetated/wooded buffer is sufficient for the amendment proposed.</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. On 4/12/16 the SRC found the existing fencing along the northeasterly boundary line to be sufficient. Note 13 revised to permit installation and maintenance of 6' tall evergreen plantings to serve as a visual screen for abutting lot 29-3 as well.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
H.	Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>One 100 gallon propane cylinder is proposed to service the business contractor use. This tank is shown on the plan and shall meet setback requirements. The 3,216 SF building is connected to natural gas. See note 17.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

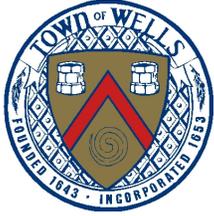


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Coast 2 Coast Catering”
 Page 9 of 12

§ 145-75. Criteria and Standards		Comments
I.	Water quality. All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	<p>Water quality standards shall be met.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>Parcel's approved lot coverage is 30.2%. Parcels proposed coverage is 34.6 %. No grade changes are proposed. 1 foot contours of the parcel identified on the plan.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
K.	Refuse disposal. The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	<p>The uses on the parcel dispose of their own refuse on a weekly or as needed basis. No dumpster is proposed.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



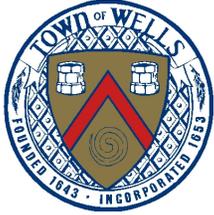
Town of Wells, Maine Staff Review Committee

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§ 145-75. Criteria and Standards		Comments
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>The parcel is served by an on-site drilled well. Property not served by KKWWD. See note 14, the nearest fire hydrants are located at the intersection of Route 109 and Chapel Road and at Spencer Drive.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>The business contractor use is served by an existing private septic system. The Wholesale/office building is served by a separate on-site private septic system. The applicant is required to install and maintain a grease trap. Property not served by WSD.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p>The applicant shall provide a Knox Box as requested by the Fire Department. Installation of said Knox Box shall be recommended by the Fire Department prior to installation. See note 14 for nearest fire hydrant locations. See note 17.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

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.



Town of Wells, Maine

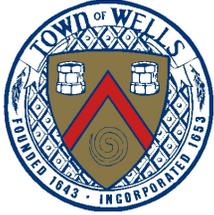
Staff Review Committee

FINDINGS OF FACTS & DECISIONS

Site Plan Amendment Application for "Coast 2 Coast Catering"

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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).



Town of Wells, Maine

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Site Plan Amendment Application for "Coast 2 Coast Catering"

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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.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless amended by this site plan application. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.
2. The Grease Trap shall be maintained per the requirements of the Grease Trap Manufacturer and per the requirements of the Wells Sanitary District. The Grease Trap maintenance history shall be provided to the Code Enforcement Office yearly when the business license is renewed.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Staff Review Committee

By: _____

49-29.1 ✓
#19330 ✓
✓

BK 7536 PG 067

034959

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 24th 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,

Paul Cadigan
Notary Public
Paul Cadigan

MAINE REAL ESTATE TRANSFER TAX PAID

BK 7536 PG 068

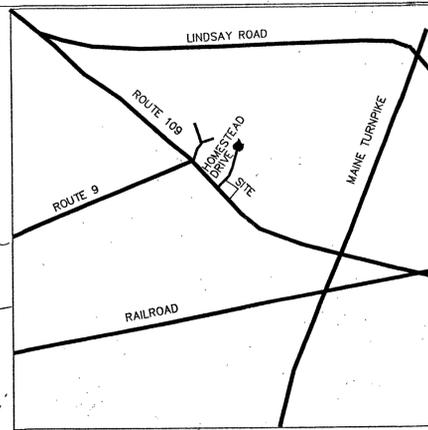
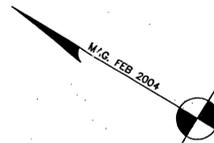
SCHEDULE A

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 PM 2:53

ATTEST: *Lisa M. Meuse*
REGISTER OF DEEDS



- NOTES:**
1. 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 3,216 GROSS SF BUILDING.
 2. SEE PRIOR APPROVED SITE PLANS DATED 2010 AND 2004 FOR ADDITIONAL NOTES AND DETAILS.
 3. THE LOT AREA PER REFERENCE PLAN 2 IS 1.36 ACRES (59,341 SF).
 4. THE PROPERTY IS SERVED BY A PRIVATE SEPTIC SYSTEM AND DRILLED WELL.
 5. 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 |
6. EXISTING LOT COVERAGE:

BUILDINGS -	4,009 SF (FOOTPRINT)
PAVEMENT -	12,617 SF
GRAVEL -	1,341 SF
TOTAL:	17,967 SF / 59,341 = 30.2%
 7. 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
TOTAL:	20,506 SF / 59,341 = 34.6%	TOTAL OF 12 SPACES REQUIRED
 8. ON-SITE LIGHTING SHALL BE LOW LEVEL AND DOWNWARD DIRECTIONAL LIGHTING SHALL NOT PRODUCE GLARE ONTO ABUTTING LOTS OR STREETS.
 9. EXISTING SIGNAGE TO REMAIN. SIGN SHALL BE DETERMINED IN COMPLIANCE WITH THE TOWN CODE PRIOR TO BEING PLACED.
 10. 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.
 11. NO DUMPSTER IS PROPOSED. USES ON THE PARCEL ARE RESPONSIBLE FOR DISPOSING OF REFUSE ON A WEEKLY BASIS OR AS NEEDED.
 12. SIGHT DISTANCES AT THE ROUTE 109/9 ENTRANCE EXCEED 800 FEET IN BOTH DIRECTIONS.
 13. A SOLID WOOD FENCE, 5' TALL PLUS 6 INCHES + OF LATTICE AT THE TOP OR A 6' TALL EVERGREEN VEGETATED SCREEN SHALL BE INSTALLED AND MAINTAINED ALONG THE NORTHEASTERLY PROPERTY LINE TO SERVE AS A VISUAL SCREEN FOR ABUTTING LOT 29-3.
 14. NEAREST FIRE HYDRANTS ARE LOCATED EASTERLY AT THE CORNER OF ROUTE 109 AND CHAPEL ROAD AND AT SPENCER DRIVE.
 15. 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.
 16. SEE FINDINGS OF FACT & DECISIONS FOR CONDITIONS OF APPROVAL AND SOIL AND SEDIMENTATION EROSION CONTROL BEST MANAGEMENT PRACTICES.
 17. EXPLOSIVE MATERIALS AND FUELS SHALL BE STORED IN COMPLIANCE WITH NFPA STANDARDS. THE 3,216 SF BUILDING IS CONNECTED TO NATURAL GAS.
 18. NO BUILDING SHALL CONTAIN MORE THAN 5,000 SF OF GROSS FLOOR AREA.
 19. 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.
 20. 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:**
1. HOMESTEAD ESTATES SUBDIVISION, DATED 2/14/1986; BY HI & EC JORDAN, RECORDED YCRD IN PLAN BOOK 144, PAGE 46.
 2. 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.
 3. 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.
 4. 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.
 5. 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.
 6. STATE OF MAINE DOT PROJECT NH-7998(10)E LAND TAKING (541 SF ±) OF LYONS ENTERPRISES SIGNED 8-26-2010.

- REFERENCE DEEDS:**
1. CHARLES E. HAMLIN & ROBERT C. HAMLIN TO LYONS ENTERPRISES; DATED 8/24/1995; RECORDED YCRD BOOK 7536, PAGE 67.
 2. TAX MAP 49 LOT 29-14 N/F DAVID R. ROY 91 BIRCH ACRES LYMAN, MAINE 04002 13374/001

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)

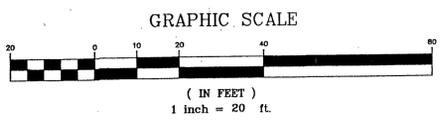
SEE REF. PLAN NOTE 6

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

WELLS STAFF REVIEW COMMITTEE
DATE APPROVED _____

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

TAX MAP 49 LOT 38
N/F DAVID GARREY
814 SANFORD ROAD
WELLS, MAINE 04090



LEGEND:

SYMBOL	ABREV.	DESCRIPTION
○	FND	FOUND
○	N/F	NOW OR FORMERLY
○	P/S	PILE OF STONES
○	IP	IRON PIPE
○	RR	REINFORCING ROD
○	RR	RAILROAD SPIKE
○	CB	CONCRETE BOUND
○	GB	GRANITE BOUND
○	DH	DRILL HOLE
○	U	UTILITY POLE
○	OHE	OVER HEAD UTILITIES
○	3,4"	3,4" IP SET
○	SW	STONEWALL
○	TL	TREELINE
○	PROP	PROPOSED PAVEMENT
○	L	LIGHTING
○	LP	LIGHT POLE

FILE NO.: 6301
PLAN NO.: 2045.040301

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

OWNER: LYONS ENTERPRISES
PO BOX 1856
WELLS, ME 04090

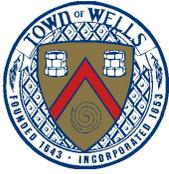
APPLICANT: COAST 2 COAST
DANIEL CROOK
157 CLEARVIEW DR
ARUNDEL, ME 04046

DATE: 3/17/2016
REV: 4/4/2016; 4/20/2016

PLAN SCALE: 1" = 20 FEET

I:\acct\projects\6301\6301\dwg\6301-1.dwg

49-29.1



Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-2935
Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 21, 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 and eliminating the dumpster. 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**

§ 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.

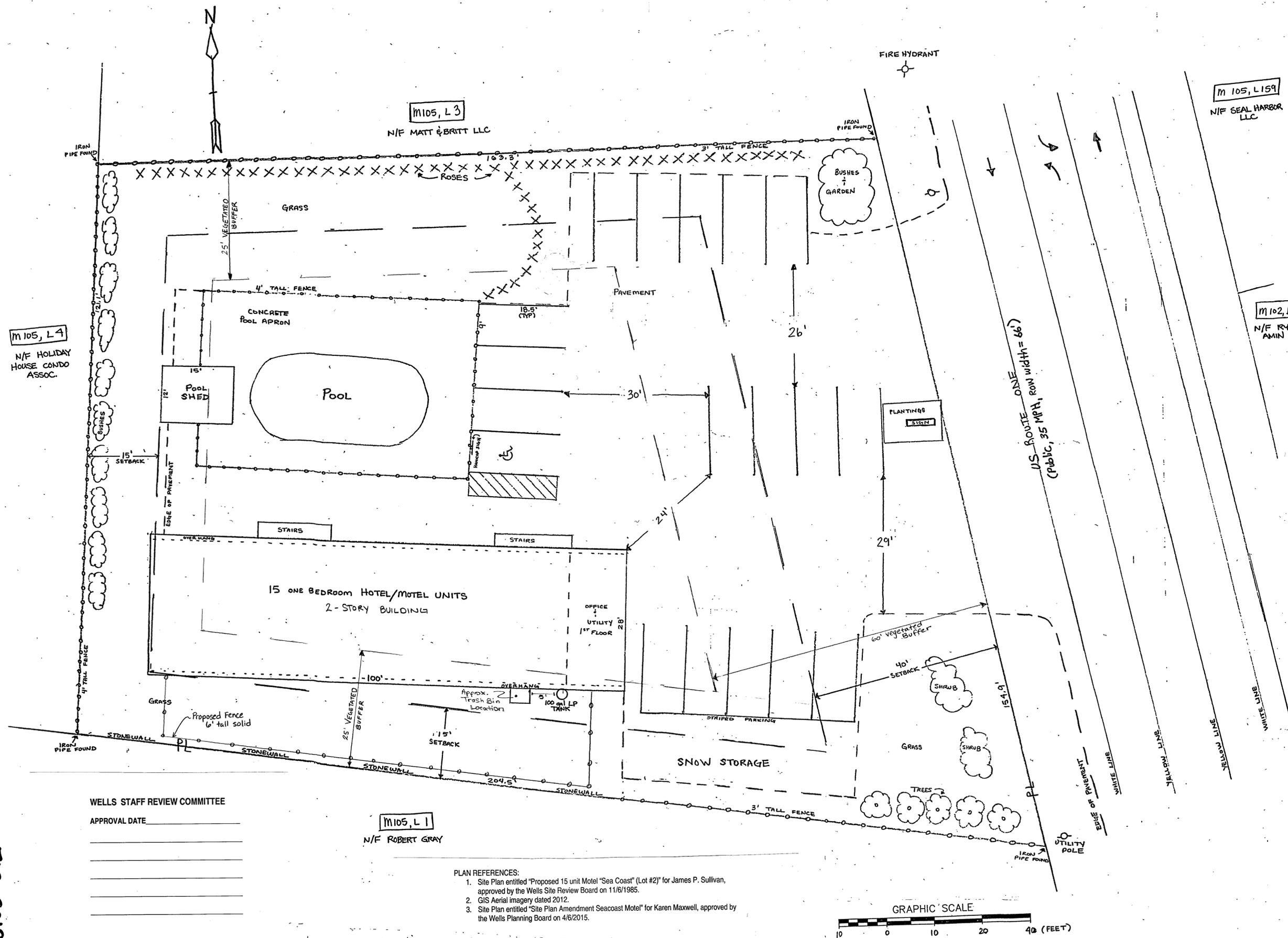
- G. Amendment to approved site plans.
 - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend 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 SRC on 4/26/16**
 - (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 SRC on 4/26/16**
- (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:
 - a. Consider the following update: The options discussed at the previous SRC meeting for a cabana/tent would still result in the creation of a "building" per the Town Land Use Definitions (145-10) and would require a sprinkler per the Lodging Facility standards of 145-52. The proposed structure is no longer proposed.
 - b. Consider receiving the site plan amendment application
 - c. Consider finding that KKWWD and WSD letters are not required as no change is proposed to service connections or use
 - d. Consider finding the application complete
 - e. Consider finding the application compliant
 - f. Consider approving and signing the Findings of Fact & Decisions
 - g. Consider approving and signing the site plan.





NOTES

- The purpose of the site plan amendment is to eliminate the dumpster and locate trash bins in a location near the motel building and erect a fence around the south side of the motel building. 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:
 - 2-story 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. 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.
- Refuse disposal shall be managed via the use on-site trash bins or trash cans. No dumpster is proposed. The property owner shall dispose of refuse in a proper and safe manner regularly. 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 mislocated building appeal may be required.
 - Per 145-521.3(b) the two-story hotel building shall meet a 60 foot setback from Route One.
 - Per 145-521 the Lodging Facility is required to maintain a 60' wide vegetated buffer from Route 1 and a 25' vegetated buffer from lot lines.
- 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 May 15, 2016 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

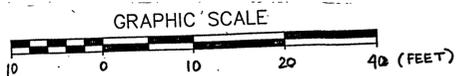
Revision: 3/31/2015, update notes
 Revision: 4/6/2015 dumpster
 Revision: 4/21/2016 remove dumpster, add trash bins, add fence

WELLS STAFF REVIEW COMMITTEE

APPROVAL DATE _____

M105, L1
 N/F ROBERT GRAY

- PLAN REFERENCES:
- Site Plan entitled "Proposed 15 unit Motel "Sea Coast" (Lot #2) for James P. Sullivan, approved by the Wells Site Review Board on 11/6/1985.
 - GIS Aerial imagery dated 2012.
 - Site Plan entitled "Site Plan Amendment Seacoast Motel" for Karen Maxwell, approved by the Wells Planning Board on 4/6/2015.



0105-002

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

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 4/21/16

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" = 10 feet.
	(1) The name and address of the applicant plus the name of the proposed development.	Y				
	(2) Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				See note 2; gross floor area is 5,600 SF. See note 12; Maximum lot coverage is 65%. Proposed coverage is 62.1%
	(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.			NA		Site Plan prepared not based off of a boundary survey. No new construction proposed at this time. The amendment is for after-the-fact approval of a pool and pool shed constructed after the 1985 site plan approval and subsequent parking reconfiguration. Planning Board granted a waiver of the boundary survey on 4/6/15. The proposed amendment application does not increase lot coverage and no new construction is proposed.
	(4) All existing and proposed setback dimensions.	Y				Shown on plan. See note 7.
	(5) The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y				See notes 3 and 4.
	(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				Above and below ground utilities of all existing and proposed infrastructure noted on the plan set.

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

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 4/21/16

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
	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.					
(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.			NA		Parcel contours not depicted on 1985 site plan approval. Parcel contours not depicted on amended site plan. The construction of the pool and pool shed occurred over twenty years ago. No grade changes are currently proposed. On 4/6/15 the Planning Board granted a waiver of requiring parcel contours. The proposed amendment application does not involve any grade changes.
(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 18.5' in dimension. Parking aisle width must be 26' wide as depicted on the amended site plan. Existing and proposed fences shown along the property lot lines.
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y				All such features are identified. On 3/16/15 the Planning Board found the existing landscaping to be sufficient. No changes are proposed to the property landscaping.
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				No such restrictions identified on the 1985 site plan or provided for the current amendment application.
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Route One is identified.

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

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 4/21/16

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
(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 are identified.
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				Staff Review Committee signature block provided.
B.	Documentation of right, title or interest in the proposed site.	Y				
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		
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*				<u>The trash bins/ refuse disposal area to be identified on the plan.</u>
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.	Y				The parcel is served by the Wells Sanitary District. On 3/16/15 the Planning Board granted a waiver of requiring a capacity letter from the Wells Sanitary District as no new hotel units or new use is proposed. <u>SRC to consider finding a WSD letter to not be required as no changes to service or use of the property are proposed.</u>
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 served by the KKW Water District. On 3/16/15 the Planning Board granted a waiver of requiring a capacity letter from the KKW Water District as no new hotel units or new use is proposed. <u>SRC to consider finding a KKWWD letter to not be required as no changes to service or use of the property are proposed.</u>

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

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 4/21/16

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		On 3/16/15 the Planning Board determined that traffic data was not necessary for this amendment application. The site plan amendment application proposes to changes to use, traffic generation or traffic pattern. 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. [Amended 4-27-2007]	Y				See note 19. Such Best Management Practices shall be followed.
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. [Added 4-27-2007]	Y				The proposed elimination of the dumpster and construction of a fence and trash bin has an insignificant effect on stormwater runoff.

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

Project Name/District: Seacoast Motel / General Business District - Tax Map 105, Lot 2

Date of Review: 4/21/16

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
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. [Added 4-27-2007]			NA		



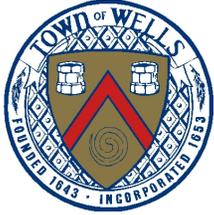
Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Seacoast Motel”
Page 1 of 24

Chapter 145, Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Seacoast Motel</p> <p>Applicant: JMseacoast LLC, 84 Groves Road, Yarmouth, ME 04096</p> <p>Landowner: JMseacoast LLC, 84 Groves Road, Yarmouth, ME 04096</p> <p>Location: 40 Post Road</p> <p>Existing Use: Lodging Facility consisting of 15 one-bedroom hotel/motel units in a two-story building with an office, associated parking, pool and pool shed.</p> <p>Proposed Land Use: Lodging Facility consisting of 15 one-bedroom hotel/motel units in a two-story building with an office, associated parking, pool and pool shed.</p> <p>Tax Parcel ID: Map 105, Lot 2</p> <p>Zoning District: General Business District</p> <p>Art VII Performance Standards: 145-52 Lodging Facilities</p> <p>Design Engineer: None</p> <p>Plan Submission Date: March 28, 2016</p>
Project Description:	<p>Seacoast Motel has submitted a site plan amendment application to eliminate the dumpster, located trash bins on the property, and erect a fence on the south side of the motel building. The existing Lodging Facility consists of 15 one-bedroom hotel/motel units within a two-story building. 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.</p>
Completeness Determination:	04/26/2016
Public Hearing:	Not Applicable
Staff Review Mtg:	4/12/16; 4/26/16



Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Seacoast Motel”
Page 2 of 24

PROJECT HISTORY

1. On 3/28/16 the applicant submitted a site plan amendment application.
2. On 4/1/16 the Code Enforcement Officer found the use proposed to be permitted within the General Business District.
3. On 4/1/16 the Planning Office mailed abutters notice of the use determination and of the 4/12/16 Staff Review Committee meeting.
4. On 4/8/16 the Planning Office prepared a draft Article VII checklist and memo for the application. The proposed “shed” was located within the landscaped buffer. Such impacts to the buffer require Planning Board review and approval.
5. On 4/12/16 the Staff Review Committee commented on the site plan amendment application. The applicant proposed various ideas instead of the shed building such as a tent or cabana. The Staff Review Committee could review the application if impacts to the buffer were avoided. The Code Office would review if the tent or cabana was considered a building. Concerns were raised that Lodging Facility buildings require sprinkler systems.
6. On 4/20/16 the Code Enforcement Office determined the proposed tent/cabana would be considered a building.
7. On 4/21/16 the Planning Office notified the applicant of the Code Office decision.
8. On 4/21/16 a revised site plan was prepared by the Planning Office on behalf of the owner reflecting the elimination of the dumpster, adding trash bins and locating a fence on the property.
9. On 4/21/16 the Planning Office prepared draft completeness and compliance review checklists and a draft Findings of Fact & Decisions.
10. On 4/26/16 the Staff Review Committee voted to receive the site plan amendment application, made various determinations, found the application complete, found the application compliant, voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the site plan.

§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	

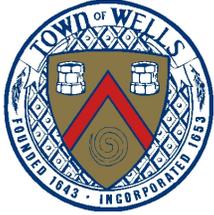


Town of Wells, Maine

Staff Review Committee

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Seacoast Motel”
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§ 145-75. Criteria and Standards		Comments
A.	Traffic. The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.	<p>This parcel has 154.9’ of street frontage along Route One. See site plan note 9. The parcel does not have multiple street frontages. On-street parking is prohibited. All parking is shown to meet the 90 degree parking space dimensional requirements. 18 parking spaces require 1 handicap accessible parking space. A handicap accessible parking space sign is required for handicap parking. A sign is shown on the site plan. 15 one bedroom units require (15 x 1.1 = 16.5) 17 parking spaces. 18 parking spaces shall be maintained as depicted on the site plan. Snow storage areas shown on the plan. Areas that could be used for parking shall be on pavement. The facility is required to close January and February of each year. Route One is noted to have a 35 MPH speed limit in this area. Sufficient sight distances are noted.</p> <p>The Staff Review Committee cannot require traffic data. No changes are proposed to parking, traffic generation or traffic patterns.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
B.	Dust, fumes, vapors and gases. Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	<p>The parcel is prohibited from emitting such dust, fumes, vapors or gases at any point beyond its lot lines.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
C.	Odor. No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>The parcel is prohibited from producing such offensive or harmful odors perceptible beyond its lot lines.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



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D.	Glare. No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	No changes to existing lighting on the property proposed. The property is prohibited from producing such glare onto abutting lots or right of ways. See site plan notes 3 and 4. BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.
E.	Stormwater runoff. Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. [Amended 4-27-2007]	The current amendment application will have an insignificant effect on stormwater runoff. No grade changes, construction or new lot coverage is proposed. BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.
F.	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]	See site plan note 19. Best Management Practices for erosion and sedimentation control shall be followed. See site plan note 18. Conditions of Approval are noted within the Findings of Fact & Decisions, of which these criteria are considered standard conditions of approval. BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	

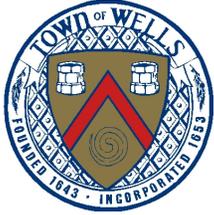


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(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.	
(5)	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.	
(6)	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.	
(7)	During grading operations, methods of dust control shall be employed.	
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	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.	

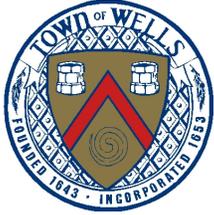


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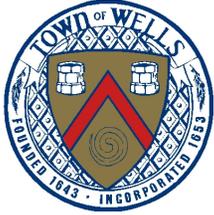


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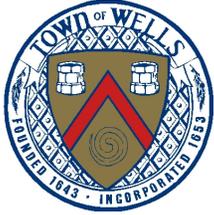


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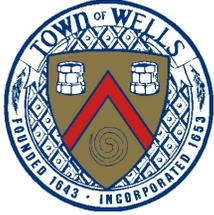


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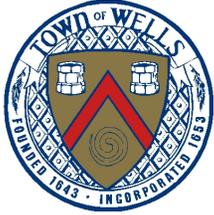


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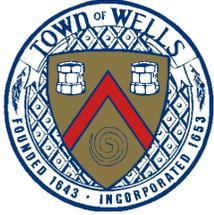


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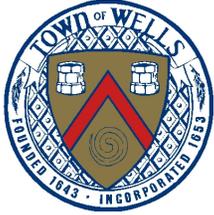


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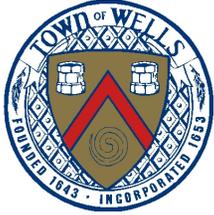


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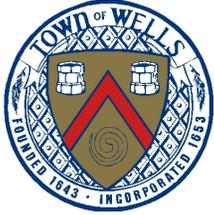


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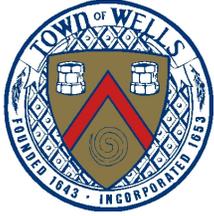


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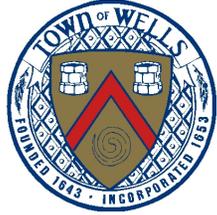


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	storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.	
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	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.	
(5)	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.	
(6)	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.	
(7)	During grading operations, methods of dust control shall be employed.	

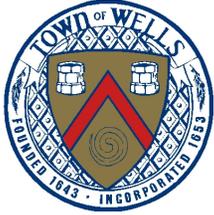


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(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	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.	

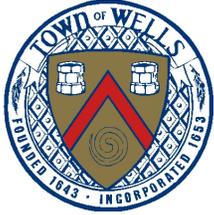


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§ 145-75. Criteria and Standards		Comments
G.	<p>Setbacks and screening. Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.</p>	<p>See site plan note 7. 15’ setbacks shown. See site plan note 7(a) and 7(b). 40’ setback shown. Parcel does not abut any known cemeteries. Parcel is not within 200 feet of the Merriland River, the Webhannet River and the Ogunquit River.</p> <p>The existing building is two-story and shall meet the Lodging Facility 60 foot setback requirement of 145-52I(3).</p> <p>The 60 foot setback per 145-52I(3) is required to consist of trees, shrubs, plantings, grass and mulch. On 3/16/15 the Planning Board found the existing landscaped buffer to be sufficient. The current amendment application proposes no changes to this buffer.</p> <p>145-52I(3) restricts the 60 setback from having parking other than 2 handicap parking spaces. 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. The current amendment application proposes no changes to this parking area.</p> <p>The landscaped buffer requirement per 145-38 along Route One, as depicted on the site plan amendment, has been found to be sufficient by the Planning Board on 3/16/15. This buffer consists of an area of bushes and garden at the northeasterly corner and shrubs and trees along the southeasterly corner. The current amendment application proposes no changes to this buffer.</p>

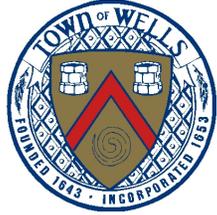


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G.	Setbacks and screening. (continued)	<p>This commercial property abuts other commercial properties to the north and west. Per 145-38 a screen along the north and west lot boundaries is not required. A residential abutter to the south exists. An existing stonewall, 3' tall fence, and row of trees serves as the screen for the residential abutter. The applicant proposes a 6' tall solid fence around the south side of the motel building.</p> <p>145-52I(4) requires a 25' wide buffer strip along all lot lines. The 1985 site plan approved the hotel building to be located approximately 15 feet from the lot lines. 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. 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. The current amendment application proposes no changes to this buffer.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
H.	Explosive materials. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>No change proposed with regard to storage of fuels. One LP tank is identified on the site plan.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

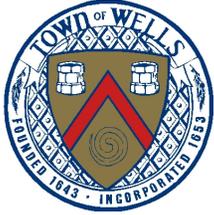


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§ 145-75. Criteria and Standards		Comments
I.	Water quality. All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	<p>Water Quality Standards shall be met.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>Lot coverage is noted to be 62.1%. Maximum lot coverage is 65% in the GB zone. See site plan note 12. No clearing of vegetation is proposed.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
K.	Refuse disposal. The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	<p>The parcel is served by an on-site trash bins. No dumpster is proposed. Refuse disposal is the responsibility of the property owner/manager.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



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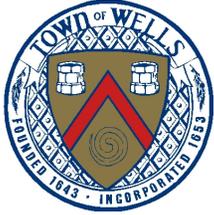
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L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>The parcel is served by the KKW Water District. On 3/16/15 the Planning Board granted a waiver of requiring a capacity letter from the KKW Water District as no new hotel units or new use is proposed. A KKWWDD letter is not required for the current application as no changes to water service are proposed or the use of the property.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>The parcel is served by the Wells Sanitary District. On 3/16/15 the Planning Board granted a waiver of requiring a capacity letter from the Wells Sanitary District as no new hotel units or new use is proposed. A WSD letter is not required for the current application as no changes to sewer service are proposed or the use of the property.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p>The Fire Chief has provided a draft letter dated 4/2/15 stating that adequate provisions have been made for the existing development. No changes are proposed to access or egress areas of the site.</p> <p>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>

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.



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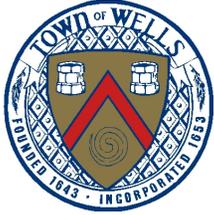
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3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation 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.



Town of Wells, Maine

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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.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this application. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.
2. The parking lot shall be re-stripped to match the layout and dimensions depicted on the site plan no later than May 15, 2016. Said parking stripping shall be maintained to be clearly visible.

Dated at Wells, Maine this _____ day of _____, 2016

Wells Staff Review Committee

By: _____



Planning & Development

208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

<i>Michael G. Livingston, Town Engineer/Planner</i>	mlivingston@wellstown.org
<i>Shannon M. L. Belanger, Planning Assistant</i>	sbelanger@wellstown.org

Site Plan Amendment Application Memo

Date: April 20, 2016

To: Staff Review Committee

From: Planning Office

Re: Fire & Brew/ Hidden Cove Brewery – Site Plan Amendment Application - Map 121, Lot 14

Richard Varano has submitted a site plan amendment application and plan to obtain approval for the Standard Restaurant to go from 120 seats to 38 seats; to obtain approval for 200 SF Fast Food Restaurant use (food truck); and to obtain approval for the brewery to expand into the existing buildings (540 SF to 4,545 SF). The brewery is considered a Business Wholesale/ Business Retail, including manufacturing use). The parcel is located off of 73 Mile Road and is within the General Business and 250' Shoreland Overlay District. The property is served by public sewer and public water and is identified as Tax Map 121, Lot 14. The property is located over 75% within the Shoreland Overlay District and therefore the maximum lot coverage allowed is 40%.

§ 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; **a 200 SF Fast-Food Restaurant use is proposed**
- 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 Business Retail including Manufacturing/ Business Wholesale use is proposed to go from 540 SF to 4,545 SF; Standard Restaurant reduction from 120 seats to 38**

§ 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 deposit.**
- 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 4/14/16 the Code Officer determined the uses are permitted.**
 - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 4/15/16**

- [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 to consider receiving site plan amendment application on 4/26/16**
- (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 4/15/16; meeting to be on 4/26/16**
 - (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 SRC should consider receiving the site plan amendment application.
- 2. The SRC should review and workshop the following and have a round table with the applicant:
 - a. Not all requirements of the 2013 site plan approval have been completed
 - i. Arborvitae plantings (two) are missing near compressor on east side of building
 - ii. Fencing not installed near compressor on east side of building
 - iii. Unclear if Handicap parking space signage installed
 - b. Arborvitae plantings installed in a different location than approved on south property line, existing 6 ft. tall fence
 - c. Additional structures installed behind dumpster and behind the brewery. Are these wood bins? Will these remain? Did these need or were they granted building permits?
 - d. Is the storage pod temporary or will it remain in the parking space?
 - e. The lot coverage must be reviewed to ensure coverage has stayed the same or been reduced (an increase is not permitted, swaps OK).
 - f. Food truck location/ ordering area to be reviewed. Seasonal and temporary so grass can survive? What safety measures are recommended for the ordering area (cones, rope)?
 - g. No parking signs are recommended along Mile Road
 - h. Applicant must contact the KKWWD and WSD to obtain updated capacity letters regarding the changes in use, reduction in flow?

WELLS STAFF REVIEW COMMITTEE

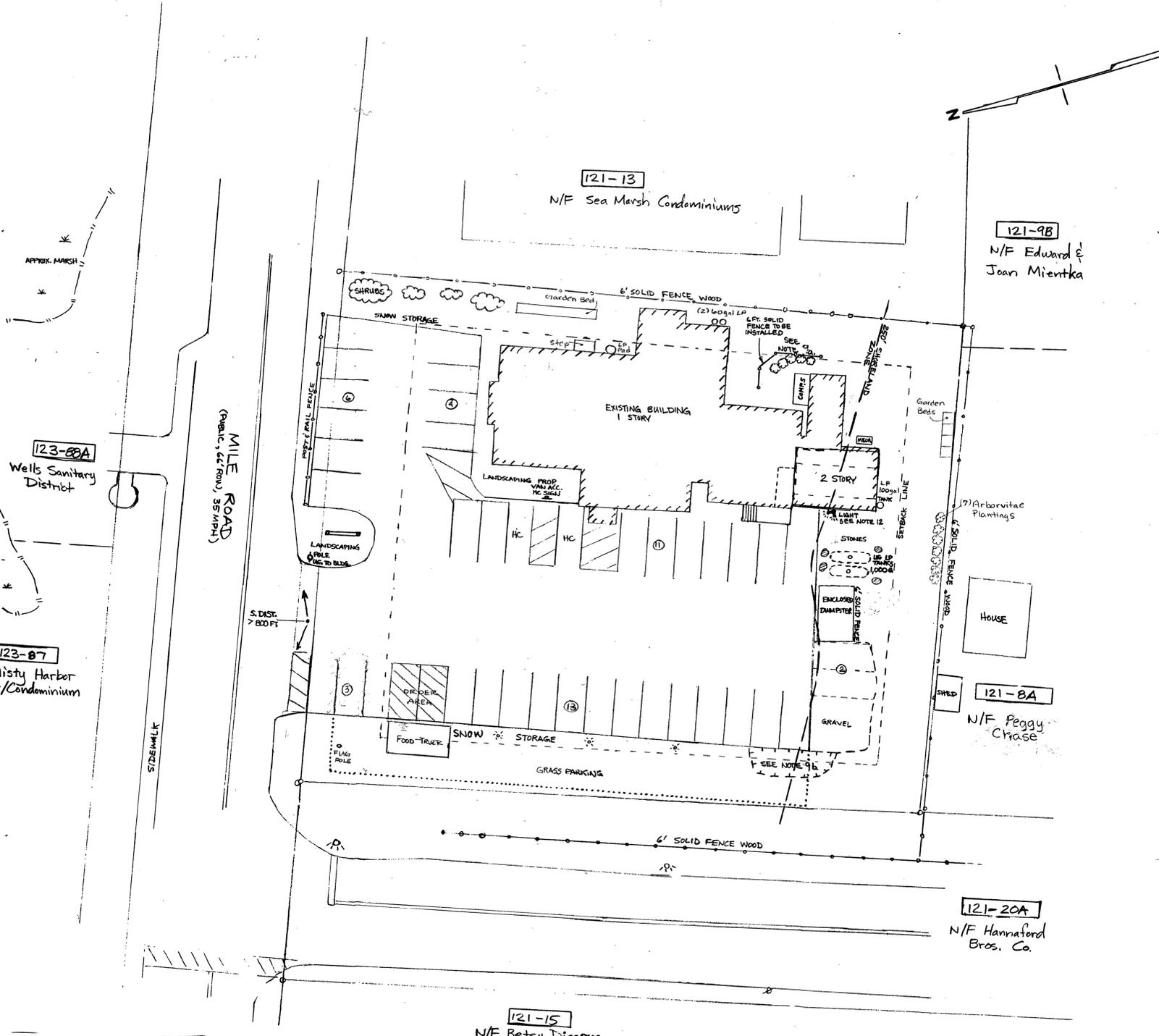
APPROVAL DATE _____

Plan References:

- Standard Boundary Survey for Richard Varano; by Maine Land Surveyors, Inc.; dated 12/13/1989.
- Site Plan of Billy's "2" Go; by Richard Varano; dated 10/7/1999 and amended 3/6/2007.
- Site Plan of Fire & Brew Restaurant and Captain Dick's Brewery by Richard Varano approved by the Wells Staff Review Committee on 6/11/2013.

Standard Conditions of Approval

- 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. [§145-74E]
- 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.
- 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. [§145-74E(1)(3)]
- 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 enforce construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64, [§145-79A]
- 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 §145-64, [§145-79B]
- Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
 - Stripping of vegetation, soil removal and grading or other development shall be accomplished in such a way as to minimize erosion.
 - The duration of exposure of the disturbed area shall be kept to a practical minimum.
 - Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - 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.
 - 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.
 - 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.
 - During grading operations, methods of dust control shall be employed.
 - The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
 - The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
 - Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
 - 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.
- 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.
- Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permit prior to occupancy.
- It is the applicant's responsibility to contact Dig Safe prior to construction.
- It is the owner/homeowner's Association/applciant/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).
- 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.
- 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. 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.
- Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
- 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 Officer, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capabilities available to staff. The cost of such additional services will be born by the developer.
- All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.



NOTES

- The purpose of this amended site plan is to obtain approval for the Standard Restaurant to go from 120 seats to 40 seats; to obtain approval for 200 SF Fast Food Restaurant use (food truck); and to obtain approval for the brewery to expand into the existing buildings (540 SF to 4,545 SF). The brewery is considered a Business Wholesale/ Business Retail, including manufacturing use).
- Owner: Fire & Brew Inc. Applicant: Richard Varano
216 Mile Road, Wells, ME
- Property Information:
73 Mile Road, Wells, ME
Lot Area: 32,992 SF (Ref. Plan 1)
Zoning Districts: General Business & 250' Shoreland Overlay
Served by municipal water and sewer districts.
- Dimensional Requirements:
Min. Lot size.....20,000 SF
Min. Street Frontage.....100 feet (160' ± on Mile Road)
Min. Street ROW Setback.....25 feet
Min. Lot line setback.....15 feet
Maximum Lot Coverage.....40% (> 75% of the property is in Shoreland Overlay)
Max. Building Height.....34 feet
- Existing Uses:
Standard Restaurant, 120 seats (open 3 PM, dinner only)
Business, Wholesale/ Business, Retail (540 SF) (8 AM to 4 PM)
- Proposed Uses:
Standard Restaurant, 40 seats
Business, Wholesale/ Business, Retail including manufacturing (4,545 SF)
- Existing & Proposed Lot Coverage: (grandfathered non-conforming)
Building.....5,385 SF
Pavement.....14,392 SF
Gravel.....1,144 SF
Total 20,921 SF/ 32,992= 63.4 %
- Parking Requirements:
38 seats/ 3 + 38/20 (1 per 20 seats for employees) = 13+ 2 = 15 spaces required for Standard Restaurant use
4,545 x 3.5/1000 = 16 spaces required for the Business Wholesale/Retail with Manufacturing use
200 SF/30= 7 spaces required for the Fast-Food Restaurant use
Total required parking = 38 spaces
* Existing 36 paved spaces (2 handicap) provided + 2 gravel spaces = 38 (grandfathered non-conforming spaces less than 9' x 18.5' and less than a 26' aisle = 13 spaces).
* Additional 15 grass spaces available for employees only (seasonal, May 1st through November 1st).
- Proposed Landscaping: To be completed by September 16, 2013.
a. 5 to 6 arborvitae (5 ft tall min., 3 ft oc) to be planted in two locations
b. Area of existing gravel to be topped off and seeded to establish grass.
- Any fences/ screening/ buffering shall be replaced if removed or damaged.
- All signs shall be in conformance with 145-40. Any sign lighting shall be directional to prevent glare onto abutting streets or abutting properties.
- All lighting shall be directional and/ or shielded to prevent glare onto streets or abutting properties.

Site Plan Amendment

Fire & Brew / Hidden Cove Brewery

73 Mile Road, Wells, ME 04090

Fire & Brew Inc
Richard Varano
73 Mile Road
Wells, ME 04090

Date: 4/18/2016
Scale: 1" = 20 feet

Tax Map 121, Lot 14

121-14