



# TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

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## Meeting Agenda

Tuesday, August 2, 2016, 9:00 AM

Town Hall Meeting Room, Second Floor

208 Sanford Road, Wells

### MINUTES

#### I. JULY 19, 2016 DRAFT MEETING MINUTES

Documents:

[SRC MIN 07-19-16.PDF](#)

### DEVELOPMENT REVIEW & WORKSHOPS

#### I. COAST 2 COAST

Lyons Enterprises, owner; Daniel Crook, applicant. Site Plan Amendment of the 1550 SF Business Contractor use building to add Business Retail use and Neighborhood Convenience Store use (with accessory food truck with enclosed picnic table area for up to 15 seats). The parcel is located within the Residential Commercial District and is off of 835 Sanford Road. Tax Map 49, Lot 29-1. **Receive Site Plan Amendment, Workshop Articles V, VI, VII, completeness and compliance/Findings of Fact & Decisions for possible approval**

Documents:

[COAST 2 COAST AMEND APP MEMO 07-28-16.PDF](#)  
[COAST 2 COAST DRAFT COMPLETENESS 07-28-16.PDF](#)  
[COAST 2 COAST ART V \(145-24\) RES COMM CHECKLIST 07-28-16.PDF](#)  
[COAST 2 COAST ART VI \(145-35 TO 145-47\) TOWN REGS 07-28-16.PDF](#)  
[COAST 2 COAST DRAFT COMPLIANCE AND FOF 07-28-16.PDF](#)  
[COAST 2 COAST DRAFT SITE PLAN 07-28-16.PDF](#)

#### II. MEETINGHOUSE ROAD SUBDIVISION

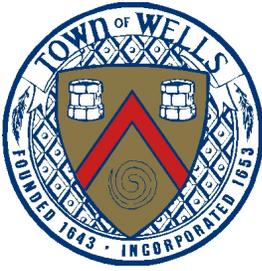
Richard Moody & Sons Construction Co, LLC, owner/applicant Rick Licht, agent. Preliminary Subdivision Application for a 13 lot/dwelling unit major residential cluster subdivision with private road ROW and Open Space. The subdivision to be located off of 1321 Meetinghouse Road and is within the Rural District. The parcel is identified as Tax Map 77, Lot 22. **Comment on Preliminary Subdivision Application for the Planning Board**

Documents:

MEETINGHOUSE ROAD PREL MEMO 07-08-16.PDF  
MEETINGHOUSE ROAD DRAFT PRELIM COMPLETNEESS 07-08-16.PDF  
MEETINGHOUSE ROAD PRELIM SUB APP 06-28-16.PDF  
MEETINGHOUSE ROAD S1-1 PLAN REVISED 7-25-16.PDF

**OTHER BUSINESS**

**ADJOURN**



## TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

Meeting Minutes  
Tuesday, July 19, 2016, 9:00 A.M.  
Wells Town Hall  
208 Sanford Road, Wells

The meeting was called to order by Town Engineer/Planner Mike Livingston. Members present: Highway Department Commissioner Terry Oliver, Police Chief Jo-Ann Putnam, Fire Department Captain Jeff Nawfel, Assistant Code Enforcement Officer Jim Genereux, Planning Assistant Shannon Belanger, Meeting Recorder Cinndi Davidson.

### MINUTES

July 6, 2016

### **MOTION**

Motion by Mr. Oliver, seconded by Mr. Genereux, to accept the minutes as submitted. **PASSED** unanimously.

### DEVELOPMENT REVIEW AND WORKSHOP

- I. **COAST 2 COAST** – Lyons Enterprises, owner; Daniel Crook, applicant. Site Plan Amendment to add Business Retail use to the 1550 SF existing building and to operate a Standard Restaurant use (food truck with tented picnic table area) . The parcel is located within the Residential Commercial District and is off of 835 Sanford Road. Tax Map 49, Lot 29-1. **Consider receiving Site Plan Amendment Application and Workshop**

Applicant Dan Crook described his plan to expand the use of the property to include the retail sale of pre-packaged food and an accessory lunch truck with tables and 15 seats. Standard restaurants are prohibited west of the Turnpike. This is considered a retail use/neighborhood convenience store and up to 15 seats are allowed.

Buffering for the abutter in back, either a fence or vegetation, was discussed at an earlier workshop. Abutters' concerns included increased traffic endangering bicyclists and pedestrians, trash accumulating around the tables, and repairing the fence along the back property line. The dumpster can't go on the concrete pad because it would block the emergency access. A trash barrel by the tables is proposed. The hours of operation initially will be 11 AM-6 PM Mondays-Fridays during the summer.

The recommendations in Mr. Livingston's memo were reviewed. There will be a 15' x 15' tent over the seating area. Parking requirements were considered by the Code Office. The recommendation is for 23 spaces and there are 20 on the plan. If people eat in their cars more parking may be needed. Seasonal parking for 3 cars can be allowed on the grass. If a dumpster is added it will have to be fenced on three sides.

The septic system was discussed. There is one restroom by the back door. Some ADA changes should be made but it does not have to be 100% ADA compliant. There are two septic systems for the property and they don't need to be upgraded. Mr. Crook will provide the Code Office with a copy of the latest inspection report.

Fencing was discussed. The note on the last plan calls for a solid wood fence, 5' tall plus 6" of lattice at the top, or a 6' tall vegetated screen to serve as a visual screen for the residential abutters. Mr. Livingston and Mr. Genereux will inspect the property.

Chief Putnam recommended having the entrance on Route 109 and the exit on Homestead Drive because of the number of accidents in that area. Arrows on the pavement or signage can be added. Captain Nawfel recommended adding a Knox box.

#### **MOTION**

Motion by Mr. Oliver, seconded by Mr. Genereux, to continue the workshop to the August 2 meeting. **PASSED** unanimously.

#### **MOTION**

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

The abutters asked about signage and lighting. The store/restaurant will have daytime operations only at first. Chief Putnam will have the patrol officer check for glare at night.

#### **MOTION**

Motion by Mr. Genereux, seconded by Captain Nawfel, to reopen the workshop. **PASSED** unanimously.

The abutters asked to have the fence repaired. They can see through the openings to Route 109. They authorized Mr. Livingston and Mr. Genereux to come onto their property to do an inspection. The trees were planted by Jo-Ann's Gardens and are supposed to grow together as they grow taller, possibly arbor vitae. Mr. Livingston said they should be at least 6' tall. Large gaps need to be filled in with other plantings. The property owner Mr. Lyons is responsible for repairing the fence.

The abutters asked about the time period for filing an appeal. They have 31 days from the date of site plan approval, and the appeal would go to the ZBA. There is also a 31 day period from the use determination, which is dated July 18.

#### **MOTION**

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

RESPECTFULLY SUBMITTED:

SRC Min 07-19-16

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Cinndi Davidson, Meeting Recorder

ACCEPTED BY:

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Michael G. Livingston, PE, Town Engineer/Planner

DRAFT



## Planning & Development

208 Sanford Road, Wells, Maine 04090

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

### Site Plan Amendment Application Memo

Date: July 28, 2016

To: Staff Review Committee

From: Planning Office

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

#### **Project Description:**

Coast 2 Coast Catering has submitted a site plan amendment application to add business retail and neighborhood convenience store uses to the existing 1,550 SF business contractor use building. An accessory food truck with no more than 15 seats is permitted as part of the neighborhood convenience store use. The 15 seats may be accommodated by an enclosed 15' x 15' structure. The 1,440 SF Office and 1,600 SF Wholesale business uses remain unchanged within the 3,216 SF building. 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; **YES - Business Retail & Neighborhood Convenience Store use 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.

#### **§ 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 7/8/16 the Code Officer determined the uses are permitted. \* on 7/12/16 the special provisions of the RC District identified the restaurant use to not be permitted. A new Article V prepared on 7/18/16 for the Retail and Neighborhood Convenience Store uses.**
    - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 7/11/16. Abutter notification re-mailed on for the 8-2-16 SRC meeting on 7/20/16**

- [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 the application on 8/2/16**
- (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 7/20/16; meeting is on 8/2/16**
  - (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 consider the following for determinations on 8-2-16:
  - a. The proposed Food Truck would be considered accessory to the Neighborhood Convenience Store use as this use permits a Restaurant with up to 15 seats.
  - b. The proposed 15 seats for the Food Truck/ Restaurant may be accommodated inside the 1550 SF building or within an enclosed seating area (plan depicts a 15' x 15' area)
  - c. The proposed parking for the 1550 SF Contractor/ Retail/ Neighborhood Convenience Store use with up to 15 seats is 11 spaces
    - i. CEO written parking recommendation is attached
    - ii. 15 seats for the Restaurant require 5 parking spaces (1 per 3 seats)
    - iii. 1550 SF of Retail Space (3.5 per 1000) requires 6 spaces
    - iv. SRC to consider finding the existing 20 spaces are satisfactory
  - d. A dumpster location is shown on the plan
  - e. Are any additional landscaped buffer requirements to be considered by the SRC for Route 109 or Homestead Drive?
  - f. The SRC should review the screening that exists and is proposed for residential abutters and determine if this is sufficient (see note 13).
  - g. Traffic direction is proposed to be one-way with entrance from Route 109 and exit onto Homestead Drive.
  - h. Waivers on the following to be considered:

- i. Boundary Survey update
- i. Consider finding the application complete
- j. Consider finding the application compliant
- k. Consider approving and signing the site plan and Findings of Fact & Decisions.

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

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

Date of Review: 07/28/16

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/retail/neighborhood convenience store use with accessory 120 SF walk-in cooler, food truck and enclosed seating area. 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 <b>8/2/16</b> 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. No changes proposed that affect 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. Lights on the northeasterly side of the buildings shall not be turned on after 11PM expect when loading or unloading.
(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.

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

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

Date of Review: 07/28/16

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
(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.
(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. Parking lot one-way travel direction, see note 21.
(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. Additional plantings and/or solid fencing shall be installed along the northeasterly property line no later than 9/1/2016 to create a visual screen for lot 29-3.  <b>SRC to review note 13 on 8/2/16.</b>
(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.

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

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

Date of Review: 07/28/16

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
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Homestead Drive and Route 109 noted.
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				Abutters noted.
(15)	An appropriate place for the signature(s) of the reviewing authority.	Y				
B.	Documentation of right, title or interest in the proposed site.	Y				The applicant has a written letter from the property owner granting permission to pursue the site plan amendment application.  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.

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

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

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

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

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

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

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

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

§ 145-24. Residential-Commercial District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
(1)	Agriculture, limited to the raising of crops and plants out of doors.			NA	
(2)	Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
(3)	Dwelling, one-family. (See also ' 145-55.)			NA	
(4)	Dwelling, two-family.			NA	
(5)	Dwelling, multifamily. (See ' 145-48.)			NA	
(6)	Recreation, passive.			NA	
(7)	Timber harvesting.			NA	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Bank.			NA	
(2)	Bed-and-breakfast/small inn.			NA	
(3)	Business, contractor.	Y			Existing 1,550 SF building is a business contractor use. A 120 SF walk-in cooler is proposed. Applicant proposes Business Retail use and Neighborhood Convenience Store use in the 1500 SF building as well.
(4)	Business, office.	Y			1,400 SF of business office space is located within existing rear building
(5)	Business, personal service.			NA	

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

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

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(6)	Business, retail, including the manufacturing of any goods offered for sale on the premises. <b>[Amended 11-7-2000]</b>	Y			Existing 1,550 SF building is a business contractor use. A 120 SF walk-in cooler is proposed. Applicant proposes Business Retail use and Neighborhood Convenience Store use in the 1500 SF building as well.
(7)	Business, service.			NA	
(8)	Business, wholesale.	Y			1,600 SF of business wholesale space is located within the existing rear building
(9)	Cemetery larger than 20,000 square feet in area.			NA	
(10)	Church.			NA	
(11)	Club.			NA	
(12)	Congregate care facility. <b>[Added 6-8-2010]</b>			NA	
(13)	Day-care home.			NA	
(14)	Day-care center/nursery school.			NA	
(15)	Drug abuse shelter. (Note: A drug abuse shelter will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	
(16)	Elderly housing			NA	
(17)	Freestanding residential detoxification program. (Note: A freestanding residential detoxification program facility will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	
(18)	Function hall without commercial-type cooking facilities.			NA	
(19)	Housekeeping cottage complex. (See ' 145-52.)			NA	
(20)	Housing, congregate.			NA	
(21)	Medical care facility, excluding hospitals.			NA	
(22)	Municipal facility.			NA	
(23)	Museum.			NA	

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

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>§ 145-24. Residential-Commercial District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(24)	Neighborhood convenience store, excluding sale of motor vehicle fuels and including a restaurant area not exceeding 15 seats.	Y			Existing 1,550 SF building is a business contractor use. A 120 SF walk-in cooler is proposed. Applicant proposes Business Retail use and Neighborhood Convenience Store use in the 1500 SF building as well.
(25)	Nursing home.			NA	
(26)	Private non-medical institution (PNMI). <b>[Added 6-14-2011]</b>			NA	
(27)	Public utility facility.			NA	
(28)	Recreation, active.			NA	
(29)	Registered marijuana dispensary. (Note: A registered marijuana dispensary will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) <b>[Added 6-14-2011]</b>			NA	
(30)	Restaurant, standard, containing 36 seats or fewer and located west of Route 1 and east of the turnpike on Route 109.			NA	
(31)	School, public and private. <b>[Amended 10-6-1998]</b>			NA	
(32)	Seasonal cottage complex. (See ' 145-52.) <b>[Added 4-12-2003]</b>			NA	
(33)	Stand-alone registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in ' 145-51 are permitted accessory uses.	Y			The proposed 10' x 12' shed is accessory to the business contractor use.  The proposed "food truck" and enclosed seating area are permitted as accessory to the Neighborhood Convenience Store use.
E.	Uses prohibited. Except as permitted in ' 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	Y			Uses that exist are permitted in the RC District.
F.	Dimensional requirements.				
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	Y			Parcel is 59,341 SF or 1.36 acres in size and is not served by public sewer or water.

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§ 145-24. Residential-Commercial District.			Application Meet Requirements			
			Yes	No	NA	Comments
(2)	Maximum density:					
	(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.			NA	No dwelling exists or is proposed on this lot.
	(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	No dwelling exists or is proposed on this lot.
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-28-1995; 4-12-2003; 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted on this lot.
(3)	Minimum street frontage per lot: 100 feet.		Y			Parcel has approximately 200' of street frontage along Route 109.
(4)	Maximum lot coverage: 60% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater.		Y			Parcel's approved lot coverage is 30.2%. Parcels proposed coverage is 34.6 %.
(5)	Maximum building height: 30 feet, not to exceed three stories. (See ' 145-35I.)		Y			See note #5.
(6)	Setbacks. All structures shall be located at least:					
	(a)	Fifteen feet from any lot line.	Y			See note 5. Setback line shown on the site plan.
	(b)	Twenty-five feet from the boundary of any cemetery.	Y			No known cemetery exists on or abuts this parcel.
	(c)	Twenty-five feet from any lot line abutting any street right-of-way.	Y			See note 5.
	(d)	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			See note 5. The existing 1550 SF building along Route 109 does not meet 40' setback from Route 109. This building is grandfathered in its existing location. The proposed walk-in cooler shall meet all applicable setback requirements.

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§ 145-24. Residential-Commercial District.			Application Meet Requirements			
			Yes	No	NA	Comments
(e)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. <b>[Added 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such uses exist or are permitted.	
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Residential cluster development.			Y			145-13 applies to this parcel.
G.	Special provisions.					
(1)	No building shall contain more than 5000 square feet of gross floor area, except that a building located in the section of the Residential-Commercial District running along both sides of Route 109 located west of Route 1 and east of the Maine Turnpike containing a medical clinic may contain more than 5000 square feet of gross floor area, provided that it is located on a lot larger than five acres of land. <b>[Amended 4-16-1999]</b>	Y			See note 18.	
(2)	Within any building existing on January 1, 1994, an accessory dwelling unit shall be permitted as regulated in ' 145-55B shall not apply. All other dimensional requirements, except residential density, of the district, including minimum lot size, shall be met.			NA	No dwelling units are located on this lot.	
(3)	All business uses and related storage, except for the sale of vegetables, fruits, plants and natural Christmas trees and wreaths, shall be located entirely within an enclosed structure.	Y			See note 19	
(4)	Within 500 feet of Route 1, the following architectural requirements shall apply:			NA	This property is not located within 500 feet of Route 1.	

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§ 145-24. Residential-Commercial District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(a)	Reconstruction of exterior facades and additions to existing buildings shall be in the architectural style of the original building, and the materials used shall duplicate the original or be similar in appearance to the original materials or materials commonly used in the Town when the building was constructed.				
	(b)	New construction shall preserve the character of the district by using external building features which are similar to those buildings in the district constructed in the 18 <sup>th</sup> and 19 <sup>th</sup> centuries. Modern materials which duplicate the appearance of materials used in construction in the 18 <sup>th</sup> and 19 <sup>th</sup> centuries may be used on any buildings.				
	(c)	Any new building shall have a gable, hip, saltbox or mansard roof.				
	(d)	The siding on new buildings shall be wooden clapboard or wooden shingles or materials which duplicate these in shape, texture and appearance.				
	(e)	The roofs on all buildings shall be shingled.				
	(f)	If visible from U.S. Route 1, glass panes in windows and doors, if larger than nine square feet, shall be divided by construction or application into panes smaller than one square foot.				
(5)		If a building is located less than 70 feet from a street right-of-way, no parking serving a business shall be located in the area between the building and the street right-of-way.	Y			See note 20.

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**Article VI**

Town-Wide Regulations

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

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

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

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D.	Two off-premises signs within 300 feet of the yard sale are permitted to advertise the yard sale. The signs, no larger than two feet by three feet, may be displayed only between the hours of 7:00 a.m. and sunset on the day(s) of the sale. Signs shall not be attached to utility poles. <b>[Amended 4-28-1995]</b>				
E.	The yard sale shall not begin before sunrise and shall not extend after sunset. <b>[Amended 4-28-1995]</b>				
F.	No items for sale, tables or other display equipment shall be placed closer than 15 feet to the lot line(s) fronting a street. <b>[Amended 4-28-1995]</b>				
G.	Within 24 hours after the close of a yard sale, all unsold items, tables and other display equipment shall be removed from the yard and stored within a building. <b>[Amended 4-28-1995]</b>				
<b>§ 145-38. Landscaping/buffers. [Amended 4-16-1999; 4-12-2003]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The setback areas along lot lines other than those along street rights-of-way on lots in nonresidential districts which abut a residential district shall be landscaped to provide a visual screen between residential and nonresidential uses. Parking lots, outdoor business storage areas and outdoor business uses shall be visually screened from adjacent residential lots. Said visual screening shall consist of a continuous border of shrubbery at least six feet in height and/or solid fencing six feet in height. Notwithstanding the above requirement, all visual screens shall comply with the sight distance requirements of Chapter 201, Articles II and III. The reviewing authority may waive all or part of this requirement for outdoor business uses if such uses are defined as a low-intensity commercial recreation use. Except in the Beach Business District, all business or institutional parking and outdoor storage areas shall be separated from a street right-of-way by a landscaped buffer strip at least 15 feet wide, planted with shade trees a minimum diameter of three inches at breast height (dbh). In the Beach Business District a landscaped strip four feet wide shall be provided between any outdoor business, storage area or parking lot and a street right-of-way.	<b>Y</b>			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. Additional plantings and/or solid fencing shall be installed along the northeasterly property line no later than 9/1/2016 to create a visual screen for lot 29-3.
B.	In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.			<b>NA</b>	

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

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D.	<p>The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection <b>F</b> below. The reviewing authority may permit a reduction in the number of spaces provided, based on documentation from the applicant as to the particular needs of the proposed uses, or may require additional parking based on the characteristics of the particular application for approval. The reviewing authority may also permit a reduction in the number of spaces provided based on the availability of mass transit to a lot and its potential use by pedestrians or cyclists.  <b>[Amended 4-26-1996; 4-19-1997; 11-2-2010; 11-5-2013; 6-10-2014]</b></p>				<p>A total of 20 spaces are required. 20 spaces are proposed (11 paved and 9 gravel).</p>	
	<b>Use</b>	<b>Required Parking Spaces</b>				
	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window			<b>NA</b>	
	Bowling alley	3 1/4 per lane			<b>NA</b>	
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y</b>			3.5/1000 x (1550+120) = 5.8 spaces + 15 seats/3 = 5 for a total of 11 required spaces. (retail/ contractor/ neighborhood convenience store uses)
	Day care	1 per 400 square feet of floor area used for child care, plus 3			<b>NA</b>	
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit			<b>NA</b>	
	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Lodging facility	1 1/10 for each sleeping room			<b>NA</b>	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business	<b>Y</b>			1600 /1000 = 2. A minimum of 3 spaces are required. 3 are provided.
	Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>	

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	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>	
	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business	<b>Y</b>			3.5/1000 x 1400 = 5.04 spaces; 6 spaces are required. 6 are provided.
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business	<b>Y</b>			3.5/1000 x (1550+120) = 5.8 spaces + 15 seats/3 = 5 for a total of 11 required spaces. (retail/ contractor/ neighborhood convenience store uses)
	Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			<b>NA</b>	
	Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
	Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
	High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	
	Tent and recreational vehicle parks	See § 145-50C			<b>NA</b>	
	Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load			<b>NA</b>	
	Shopping Centers	3.5 per 1,000 square feet of retail and business office use. Theaters, restaurants, fast food restaurants will require spaces consistent with this section			<b>NA</b>	

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	(1)	For uses not listed above the number of parking spaces required shall be determined by the reviewing authority. The Code Enforcement Officer shall provide the reviewing authority a written opinion regarding the number of spaces he believes should be provided. The reviewing authority shall take into consideration the Code Enforcement Officer's opinion in making any such determination.				<b>NA</b>
	(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.	<b>Y</b>			A loading/ receiving area is depicted on the site plan for the rear building.
E.		Required off-street parking in all districts as determined in § 145-39D shall be located on the same lot as the use it serves unless no reasonable on-site location exists and all of the following off-site requirements are satisfied: <b>[Amended 6-10-2014]</b>	<b>Y</b>			Off-street parking provided. No off-site parking proposed.
	(1)	The off-site parking location is less than 1,000 feet from the boundary line of the property where the use it serves is located;				
	(2)	The off-site parking location is established by a recorded easement, or a license or lease agreement, to benefit the property where the use it serves is located;				
	(3)	The off-site parking location shall be located within a district in which a commercial parking lot is a permitted use; and				
	(4)	A site plan approval or a site plan amendment is obtained from the Planning Board for each property.				
F.		Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.	<b>Y</b>			Snow storage areas depicted on the plan.
G.		Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.				<b>NA</b> Parcel is not within the Shoreland Overlay District.
H.		Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	<b>Y</b>			The parcel is relatively flat. The additional lot coverage proposed of .8% has in insignificant impact on runoff.
I.		All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	<b>Y</b>			Areas that could be used for parking shall be on pavement or gravel as depicted on the plan.

**Town of Wells, Maine Review Checklist**  
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Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

Date of Review: 07/28/16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

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	(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
	(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				
<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Earthmoving operations associated with development construction activities shall be conducted in a manner to prevent or minimize erosion and sedimentation of surface waters in accordance with the Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices, published by the Maine Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, 1991. Location of structures and streets shall be designed using the existing topography in a manner which avoids slope modifications which could expose areas of soils to erosion or which could jeopardize the slope stability.			Y			See note 16. Best Management Practices are a standard condition of approval.
<b>§ 145-43. Stormwater management. [Amended 4-27-2007]</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Stormwater runoff shall be managed and directed through surface or subsurface drainage systems in accordance with Chapter 202-12F(4) General Standards of the Wells Municipal Code (wherein the word "site plan" shall be substituted for "subdivision"). Stormwater retention practices shall be employed to minimize impacts on neighboring and downstream properties. In areas of aquifer recharge, stormwater infiltration (after separation of leachable harmful substances) shall be required. Where retention/infiltration is unwarranted or unfeasible, off-site improvements to natural or man-made drainage systems may be necessary to increase capacity and prevent erosion at the developer's expense. The natural state of watercourses, swales or floodways shall be maintained.			Y			The changes proposed have an insignificant effect on the existing stormwater conditions.
<b>Chapter 202-12F, General Standards</b>						
(4)	Stormwater management. [Amended 4-27-2007]					

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

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Prepared By: Office of Planning & Development

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(a) Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	<b>Y</b>			
(b) Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.			<b>NA</b>	
(c) The developer shall provide a statement from the designing engineer that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in other properties. The engineer shall certify that peak runoff from the subdivision onto other properties shall not be increased either in volume or duration from the peak runoff characteristics existing prior to development.			<b>NA</b>	
(d) A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.			<b>NA</b>	
(e) For subdivisions that require MDEP review under 38 M.R.S.A. § 481 et seq. (Site Location of Development), a stormwater management plan shall be submitted which complies with the Site Location of Development permit and the requirements of MDEP Chapter 500 Stormwater Regulations.			<b>NA</b>	
(f) For subdivisions that do not require a Site Location of Development permit, but that require a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which complies with the requirements of MDEP Chapter 500 Stormwater Regulations.			<b>NA</b>	
(g) For subdivisions outside of the watershed of a great pond that neither require a Site Location of Development permit, nor a MDEP permit pursuant to 38 M.R.S.A. § 420-D, a stormwater management plan shall be submitted which incorporates the low-impact development techniques set forth in Volume I, Chapter 3 of the Maine Stormwater Best Management Practices Manual, 2006 (LID Techniques) on each individual lot approved by the Planning Board when such LID Techniques are adopted by MDEP. At such time that the MDEP adopts the LID Techniques, the Planning Board shall adopt them for use in approving subdivisions for the Town of Wells.	<b>Y</b>			
(h) For subdivisions located within the watershed of a great pond containing: 1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.			<b>NA</b>	

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

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<p>(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:</p>			NA	
<p>[1] Downstream Analysis Methodology: The criteria used for the downstream analysis is referred to as the "10% rule." Under the 10% rule, a hydrologic and hydraulic analysis for the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm is extended downstream to the point where the site represents 10% of the total drainage area. For example, a ten-acre site would be analyzed to the point downstream with a drainage area of 100 acres. This analysis should compute flow rates and velocities downstream to the location of the 10% rule for present conditions and proposed conditions. If the flow rates and velocities increase by more than 5% and/or if any existing downstream structures are impacted, the designer should redesign and incorporate detention facilities.</p>			NA	
<p><b>§ 145-44. Vision obstructions at intersections.</b></p>	<b>Application Meet Requirements</b>			
	<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
<p>All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of 25 feet or a distance equal to the required building setbacks from the streets, whichever is less, from the intersection, measured along the intersecting lot lines.</p>	Y			<p>Site distances out of Homestead Drive are sufficient with 800 feet in both directions provided. See note 12 and 21. Speed limit of Route 109 is noted to be 40 MPH.</p>

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

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

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

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

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

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Prepared By: Office of Planning & Development

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

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

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

**Town of Wells, Maine Review Checklist**  
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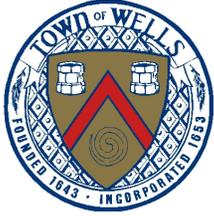
Project Name/District: Coast 2 Coast Catering / Residential Commercial District - Tax Map 49, Lot 29.1

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



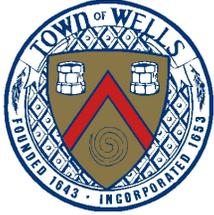
# Town of Wells, Maine

## 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

<b>PROJECT INFORMATION</b>	
<b>General:</b>	<p><b>Project Name:</b> Coast 2 Coast Catering</p> <p><b>Applicant:</b> Daniel Crook, 157 Clearview Drive, Arundel, ME 04046</p> <p><b>Landowner:</b> Lyons Enterprises, PO Box 1856, Wells, ME 04090</p> <p><b>Location:</b> 835 Sanford Rd</p> <p><b>Existing Use:</b> 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><b>Proposed Land Use:</b> 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/ Business Retail/ Neighborhood Convenience Store use within the 1,550 SF building with an accessory 120 SF Walk-in Cooler, Food Truck and enclosed seating area for no more than 15 seats.</p> <p><b>Tax Parcel ID:</b> Map 49, Lot 29-1</p> <p><b>Zoning District:</b> Residential Commercial</p> <p><b>Art VII Performance Standards:</b> None</p> <p><b>Design Engineer:</b></p> <p><b>Plan Submission Date:</b> July 18, 2016</p>
<b>Project Description:</b>	<p>Coast 2 Coast Catering has submitted a site plan amendment application to add business retail and neighborhood convenience store uses to the existing 1,550 SF business contractor use building. An accessory food truck with no more than 15 seats is permitted as part of the neighborhood convenience store use. The 15 seats may be accommodated by an enclosed 15' x 15' structure. The 1,440 SF Office and 1,600 SF Wholesale business uses remain unchanged within the 3,216 SF building. 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>



# Town of Wells, Maine

## Staff Review Committee

### FINDINGS OF FACTS & DECISIONS

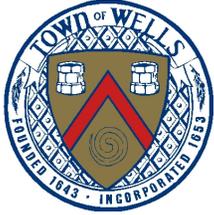
#### Site Plan Amendment Application for “Coast 2 Coast Catering”

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<b>Completeness Determination:</b>	08/02/2016
<b>Public Hearing:</b>	Not Applicable
<b>Staff Review Mtg:</b>	07/19/16; 08/02/16

### PROJECT HISTORY

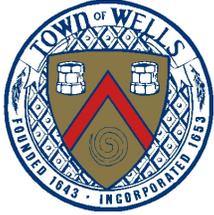
1. On 6/27/16 the applicant submitted a site plan amendment application.
2. On 7/8/16 the Code Enforcement Office prepared and Article V determination finding the uses proposed are permitted in the RC District.
3. On 7/11/16 the Planning Office mailed notices to abutters of the use determination and of the 7/19/16 Staff Review Committee meeting.
4. On 7/12/16 the Planning Office found the restaurant use proposed was not permitted on this parcel. The applicant was contacted and a new use would be proposed.
5. On 7/15/16 the Staff Review Committee conducted a workshop with the applicant regarding the proposed changes. A new Site Plan Amendment Application would be submitted and abutters would be re-notified of the changes.
6. On 7/15/16 the Code Officer prepared a parking space recommendation based on the applicants description of the project at the 7/15/16 SRC meeting.
7. On 7/18/16 the application submitted a site plan amendment application for the above described project.
8. On 7/18/16 the Code Enforcement Office found the use proposed to be permitted within the Residential Commercial District.
9. On 7/20/16 the Planning Office mailed abutters the Article V determination and notice of the 8/2/16 Staff Review Committee meeting.
10. On 7/28/16 the Planning Office prepared Article V, VI, and VII review checklists and a draft completeness (145-77) and compliance (145-75)/ Findings of Fact & Decisions review checklist.
11. On 7/28/16 the Planning Office provided all review comments to the applicant.
12. On 8/2/16 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 proposed screening for the residential abutter sufficient, voted to find the application complete, voted to find the application compliant (145-75), and voted to approve and sign the site plan and Findings of Fact & Decisions.



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for "Coast 2 Coast Catering"**  
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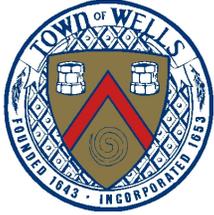
<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall 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”**  
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<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
<p><b>A. Traffic.</b> 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. Parking lot one-way travel direction, see note 21. 2 handicap accessible parking spaces are shown. 20 spaces are proposed. 2 handicap parking spaces are required. ADA compliant signs for the handicap parking are shown on the plan.</p> <p><math>3.5/1000 \times (1550+120) = 5.8 \text{ spaces} + 15 \text{ seats}/3 = 5</math> for a total of 11 required spaces. (Retail/ contractor/ neighborhood convenience store uses). Wholesale use: <math>1600 /1000 = 2</math>. A minimum of 3 spaces are required. 3 are provided. Office use: <math>3.5/1000 \times 1400 = 5.04</math> spaces; 6 spaces are required. 6 are provided. A total of 20 spaces are required. 20 spaces are proposed (11 paved and 9 gravel).</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 from Homestead Drive are sufficient with 800 feet in both directions provided. See note 12 and note 21. Speed limit of Route 109 is noted to be 40 MPH.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>

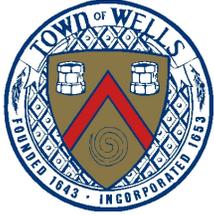


# Town of Wells, Maine

## Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coast 2 Coast Catering”**  
 Page 5 of 12

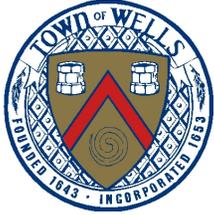
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>B.</b>	<b>Dust, fumes, vapors and gases.</b> Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>C.</b>	<b>Odor.</b> 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>D.</b>	<b>Glare.</b> 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. Lights on the northeasterly side of the buildings shall not be turned on after 11PM except when loading or unloading.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>E.</b>	<b>Stormwater runoff.</b> 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. <b>[Amended 4-27-2007]</b>	<p>The changes proposed have an insignificant effect on the existing stormwater conditions.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>F.</b>	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: <b>[Amended 4-27-2007]</b>	See note 16. Best Management Practices are a standard condition of approval.  <b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b>
(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.	

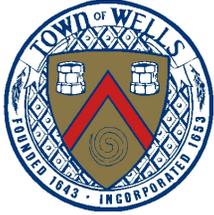


# Town of Wells, Maine

## Staff Review Committee

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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
(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.	

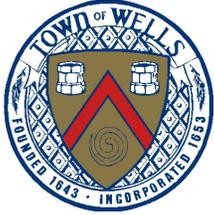


# Town of Wells, Maine

## Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
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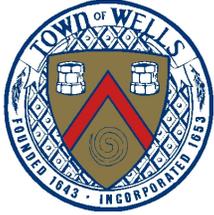
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>G.</b>	<b>Setbacks and screening.</b> Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage 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 <b>8/2/16</b> 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. Additional plantings and/or solid fencing shall be installed along the northeasterly property line no later than 9/1/2016 to create a visual screen for lot 29-3.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>H.</b>	<b>Explosive materials.</b> 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></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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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
I.	<b>Water quality.</b> 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
J.	<b>Preservation of landscape.</b> 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 34.6% Parcels proposed coverage is 35.4 %. No grade changes are proposed. 1 foot contours of the parcel identified on the plan.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
K.	<b>Refuse disposal.</b> 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>If a dumpster is used, it shall be located where depicted on the plan with a vegetated screen. Refuse shall be disposed of properly and on a frequent basis.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>



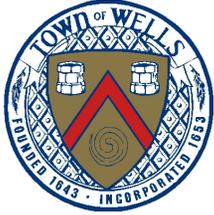
# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coast 2 Coast Catering”**  
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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>L.</b>	<b>Water supply.</b> 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>M.</b>	<b>Sewage disposal.</b> The applicant shall provide for the safe disposal of all wastewaters.	<p>The 1550 SF building 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>N.</b>	<b>Fire safety.</b> 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><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></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

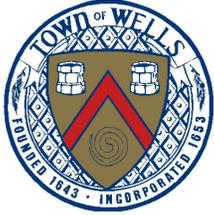
## Staff Review Committee

### 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

## Staff Review Committee

### FINDINGS OF FACTS & DECISIONS

#### 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**

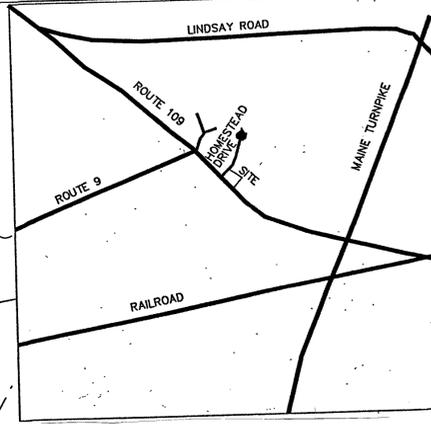
1. All previous Conditions of Approval will remain in effect unless amended by this site plan application. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.

Dated at Wells, Maine this \_\_\_\_\_ day of \_\_\_\_\_, 2016

Wells Staff Review Committee

By: \_\_\_\_\_

NEIGHBORHOOD CONVENIENCE STORE: A business containing less than 2,500 square feet of gross floor area (for the purposes of this definition, gross floor area shall not include any floor area located in an area not defined as a story) intended to serve the day-to-day needs of a residential area primarily with the sale of merchandise, including but not limited to items such as foodstuffs, nonprescription medical supplies, sanitary supplies, newspapers, emergency home repair articles, household cleaners, toiletries, other household items and motor vehicle fuels.



- NOTES:
1. THE PURPOSE OF THIS SITE PLAN AMENDMENT IS TO ADD BUSINESS RETAIL & NEIGHBORHOOD CONVENIENCE STORE USES TO THE EXISTING 1550 SF BUSINESS CONTRACTOR BUILDING. AN ACCESSORY FOOD TRUCK WITH NO MORE THAN 15 SEATS IS PERMITTED AS PART OF THE NEIGHBORHOOD CONVENIENCE STORE USE. THE 15 SEATS MAY BE ACCOMMODATED BY AN ENCLOSED 15' X 15' STRUCTURE. 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 2016, 2010 AND 2004 FOR ADDITIONAL NOTES AND DETAILS.
  3. THE LOT AREA PER REFERENCE PLAN 2 IS 1.38 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 - 4,766 SF (FOOTPRINT) + 120 SF (COOLER)
	PAVEMENT - 12,497 SF (LESS 120 SF COOLER)
	GRAVEL - 1,341 SF (EMERGENCY ACCESS) + 1,782 SF (ADD. PARKING SPACES)
TOTAL:	20,506 SF / 59,341 = 34.6%

PROPOSED LOT COVERAGE:	BUILDINGS - 4,766 SF (FOOTPRINT) + 120 SF (COOLER)
	PAVEMENT - 300 SF (ROOFED SEATING AREA) + 12,497 SF (LESS 120 SF COOLER)
	GRAVEL - 1,341 SF (EMERGENCY ACCESS) + 1,782 SF (ADD. PARKING SPACES) + 250 SF (DUMPSTER AREA)
TOTAL:	21,056 SF / 59,341 = 35.4%

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      |
| 3.5 / 1,000 SF X (1,550 + 120) (BUSINESS CONTRACTOR/RETAIL/CONVENIENCE STORE) = 5.8 + 15 SEATS / 3 = 5 | 11 SPACES REQUIRED          |
| 11 PAVED SPACES + 9 GRAVEL SPACES = 20 SPACES PROVIDED   | TOTAL OF 20 SPACES REQUIRED |

8. ON-SITE LIGHTING SHALL BE LOW LEVEL AND DOWNWARD DIRECTIONAL. LIGHTING SHALL NOT PRODUCE GLARE ONTO ADJUTING LOTS OR STREETS. LIGHTS ON THE NORTHEASTLY SIDE OF THE BUILDINGS SHALL NOT BE TURNED ON AFTER 11:00 PM EXCEPT WHEN LOADING OR UNLOADING.

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. IF A DUMPSTER IS USED, IT SHALL BE LOCATED WHERE DEPICTED WITH A VEGETATED SCREEN. REFUSE SHALL BE DIPOSED OF PROPERLY AND ON A FREQUENT BASIS.

12. SIGHT DISTANCES FROM HOMESTEAD DRIVE ENTRANCE EXCEED 800 FEET IN BOTH DIRECTIONS. (SEE NOTE 21)

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 NORTHEASTLY PROPERTY LINE TO SERVE AS A VISUAL SCREEN FOR ADJUTING LOT 29-3. ADDITIONAL PLANTINGS AND/OR SOLID FENCING SHALL BE INSTALLED ALONG THE NORTHEASTLY PROPERTY LINE NO LATER THAN 9/1/2016 TO CREATE A VISUAL SCREEN.

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 PROVIDED 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.

21. ONE-WAY TRAFFIC FLOW: ENTRANCE AT ROUTE 109, EXIT ONTO HOMESTEAD DRIVE, PAINTED ARROWS AND SIGNAGE TO BE INSTALLED PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT OR NO LATER THAN 9/1/2016, WHICHEVER OCCURS FIRST.

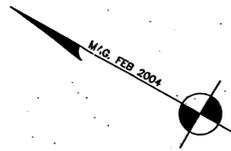
REFERENCE PLANS:

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.
7. SITE PLAN FOR COAST 2 COAST CATERING FOR COAST 2 COAST DATED 4/20/16; APPROVED BY THE WELLS STAFF REVIEW COMMITTEE 4/26/2016.

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

REFERENCE DEEDS:

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



CONC. BND FND

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

5" X 5" STONE POST FOUND

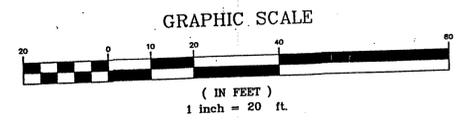
BENCH MARK  
EL. = 181.66  
(REF. PLAN 1)

HOMESTEAD DRIVE  
NO POSTED SPEED LIMIT

SEE REF. PLAN 6

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

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



LEGEND:

SYMBOL	ABREVI.	DESCRIPTION
(Circle with dot)	FND	FOUND
(Circle with slash)	N/F	NOW OR FORMERLY
(Circle with cross)	P/S	PILE OF STONES
(Circle with vertical line)	IP	IRON PIPE
(Circle with horizontal line)	RRD	REINFORCING ROD
(Circle with diagonal line)	RR	RAILROAD SPIKE
(Circle with square)	CB	CONCRETE BOUND
(Circle with diamond)	GB	GRANITE BOUND
(Circle with triangle)	DH	DRILL HOLE
(Circle with circle)	U/P	UTILITY POLE
(Circle with square)	OV.R	OV.R HEAD UTILITIES
(Circle with diamond)	3.4"	3.4" IP SET
(Circle with cross)	STW	STONEWALL
(Circle with triangle)	TL	TREELINE
(Circle with square)	PROP	PROPOSED PAVEMENT
(Circle with lightning bolt)	LIGHTING	LIGHTING
(Circle with star)	L.P.	LIGHT POLE

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

SITE PLAN AMENDMENT  
COAST 2 COAST CATERING

835 SANFORD ROAD  
WELLS, MAINE 04090

OWNER: LYONS ENTERPRISES  
PO BOX 1856  
WELLS, ME 04090

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

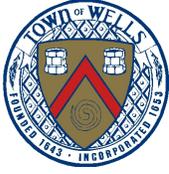
DATE: 7/14/2016  
REV:

PLAN SCALE: 1" = 20 FEET

FILE NO.: 6301  
PLAN NO.: 2045.040301

acct:projects\proj6000\6301\dwg\6301-HST.dwg

29.1



## Planning & Development

208 Sanford Road, Wells, Maine 04090

Phone: (207) 646-5187, Fax: (207) 646-7046

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

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

### Major Preliminary Subdivision Application Memo

Date: July 8, 2016

To: Planning Board

From: Planning Office

Re: Meetinghouse Road Subdivision - Map 77, Lot 22

#### **Project Description:**

Rick Licht of Licht Environmental Design, LLC has submitted a Preliminary Subdivision Application on behalf of the property owner, Richard Moody & Sons Construction Co, LLC for a 13 lot/dwelling unit major residential cluster development subdivision off of 1321 Meetinghouse Road, one 5.8 'out parcel' was conveyed within the last 5 years (not part of the subdivision). The subdivision proposed a 50' wide private right of way with 22.5 acres of dedicated Open Space. The subdivision is located within the Rural District and is identified as Tax Map 77, Lot 22. Lots to be served by private septic systems and drilled wells.

#### **§ 202-8. Preliminary plan for major subdivision.**

##### A. Procedure.

- (1) Within six months after the on-site inspection by the Board, the subdivider shall submit an application for approval of a preliminary plan at least 10 days prior to a scheduled meeting of the Board. Failure to do so shall require resubmission of the sketch plan to the Board. The preliminary plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Board. **[Amended 7-11-1996] To be determined**
- (2) All applications for preliminary plan approval for a major subdivision shall be accompanied by an application fee in the amount established by the Board of Selectmen following notice and a public hearing. In addition, the applicant shall pay a fee of \$25 per lot or dwelling unit, to be deposited in a special account designated for that subdivision application, to be used by the Planning Board for hiring independent consulting services to review the application. If the balance in this special account shall be drawn down by 75%, the Board shall notify the applicant and require that an additional \$10 per lot or dwelling unit be deposited by the applicant. The Board shall continue to notify the applicant and require that an additional \$10 per lot or dwelling unit be deposited as necessary whenever the balance of the account is drawn down by 75% of the original deposit. Any balance in the account remaining after a final decision on the subdivision application by the Board shall be returned to the applicant. **[Amended 5-16-1996;**

**7-9-2002; 4-16-2004] To be determined**

- (3) The subdivider, or his duly authorized representative, shall attend the meeting of the Board to discuss the preliminary plan. **To be determined**
- (4) When the application is received by the Planning Board, it shall give the applicant a dated receipt acknowledging that it has received the application. **To be determined**
- (5) Within 20 days of the Board meeting at which the application is received, the Board shall notify by certified mail all owners of abutting property and the Town Clerk and Planning Board of any municipality that abuts or includes any portion of the proposed subdivision that an application for subdivision approval has been submitted. The notice shall include the location of the proposed subdivision and a general description of the proposed development. The notice shall be mailed no less than seven days prior to the Board commencing review of the plan. **[Amended 7-9-2002] To be determined**
- (6) If the subdivision is located in more than one municipality, the Board shall have a joint meeting with the Planning Board of the adjacent municipality to discuss the plan. **To be determined**
- (7) Within 30 days of receipt of a preliminary plan application form and fee, the Board shall notify the applicant in writing whether or not the application is complete and what, if any, additional submissions are required for a complete application. **To be determined**
- (8) Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the subdivider. Within 30 days of determining a complete application has been submitted, the Board shall hold a public hearing on the preliminary plan application and shall publish notice of the date, time and place of the hearing in a newspaper of general circulation in the municipality at least two times, the date of the first publication to be at least seven days prior to the hearing. A copy of the notice shall be mailed to the applicant and the owners of abutting property. **To be determined**
- (9) The Board shall, within 30 days of a public hearing or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, make findings of fact on the application and approve, approve with conditions or deny the preliminary plan. The Board shall specify in writing its findings of fact and reasons for any conditions or denial. **To be determined**
- (10) When granting approval to a preliminary plan, the Board shall state the conditions of such approval, if any, with respect to: **To be determined**
  - (a) The specific changes which it will required in the final plan;
  - (b) The character and extent of the required improvements for which waivers may have been requested and which in the Board's opinion may be waived without jeopardy to the public health, safety and general welfare; and
  - (c) The amount of all performance guaranties which it will require as prerequisite to the approval of the final plan.
- (11) Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval of the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require additional changes as a result of the further study of the subdivision or as a result of new information received. **To be determined**

**B. Submissions.**

- (1) Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:

- (a) Existing subdivisions adjacent to the proposed subdivision.
  - (b) Locations and names of existing and proposed streets.
  - (c) Boundaries and designations of zoning districts.
  - (d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.
- (2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: **To be determined**

### **Recommendations and conclusions:**

1. The Planning Board to consider the following:
  - a. Receive the Preliminary Subdivision Application
  - b. Various plan changes and information to be addressed on the subdivision plan:
    - i. Parcel size excluding outsale lot
    - ii. Cluster lot sizes to be noted
    - iii. Cluster density calculation to be amended
    - iv. Cluster setback labels and notes
    - v. Outsale lot to be labelled "Not part of the subdivision"
    - vi. Require sprinkler systems for all homes
    - vii. Flood zone per FIRM
    - viii. Wetland delineation done by?
  - c. Planning Board to consider approving the lots to reduce:
    1. Setbacks per 145-49
    2. Street frontage per 145-49
  - d. Planning Board to consider what no-cut buffer or screening requirement shall apply to all the non-clustered residential abutting lots and if the septic systems for lots 1, 2, and 3 are permitted within the buffer
  - e. HOA document revisions and edits recommended by the Town Engineer. Planning Board to consider requiring Town Attorney review upon the submission of the final subdivision application.
  - f. Applicant to submit a road name request form to the Town Assessing Office / E911 Coordinator
  - g. Applicant to obtain proposed map and lot numbers approval from the Assessor Office.
  - h. A letter from IF&W not provided

- i. Planning Board to consider a waiver of identifying trees greater than 24" in diameter at breast height.
  - j. Additional test pits/ reserve areas needed (lot 1)
- 2. Planning Board to consider continuing the workshop or appoint the Town Engineer as the completeness agent to set a public hearing once deemed complete.

**Town of Wells, Maine**  
**Preliminary Major Subdivision Plan Completeness Review**  
**Page 1 of 4**

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22  
 Prepared By: Planning Office  
 Plans Dated: 06/24/16

District: Rural  
 Review Date: 07/08/16  
 Prelim. Plan Revisions Submittal Date: 6/28/16

**Chapter 202**  
**Subdivision of Land**

§ 202- 8. Preliminary Plan for Major Subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
B.	Submissions:					
	(1) Location map. The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties and to allow the Board to locate the subdivision within the municipality. The location map shall show:	Y				See cover sheet.
	(a) Existing subdivisions adjacent to the proposed subdivision.			NA		None
	(b) Locations and names of existing and proposed streets.	Y*				Meetinghouse Road labelled. <b>Proposed Road name not labelled on the plan. Town Assessor to review road name once provided by the applicant.</b>
	(c) Boundaries and designations of zoning districts.	Y				The subdivision is located within the Rural District. See Sheet S1.1, Note 1.
	(d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.	Y*				Outsale lot noted. <b>Reference to be added and label stating "Not Part of Subdivision" is recommended on sheet S1.1.</b>
	(2) Preliminary plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper, with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. The Board may allow plans for subdivisions containing more than 100 acres to be drawn at a scale of not more than 200 feet to the inch provided all necessary detail can easily be read. In addition, the applicant shall submit to the Office of Planning and Development 11 copies of the plan(s) reduced to a size of 11 inches by 17 inches and all accompanying information assembled into a booklet no less than 10 days prior to the meeting. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval: <b>[Amended 4-12-1999]</b>	Y				Plan scale is 1" = 100 feet on sheet S1.1. Scale is 1" = 40 feet for C3.1 & C3.2

**Town of Wells, Maine**  
**Preliminary Major Subdivision Plan Completeness Review**  
**Page 2 of 4**

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22  


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Prepared By: Planning Office  


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Plans Dated: 06/24/16  


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District: Rural  


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Review Date: 07/08/16  


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Prelim. Plan  
Revisions Submittal Date: 6/28/16  


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<b>§ 202- 8. Preliminary Plan for Major Subdivision</b>	<b>Application Meet Requirements</b>				
	Yes	No	NA	Waiver	Comments
(a) The proposed name of the subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	Y*				Subdivision name and Map and Lot noted. <b><u>Proposed Map and Lot numbers to be assigned by the Town Assessor and labelled on the plan. (Map 77, Lot 22-1, 22-2, 22-3 etc)</u></b>
(b) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.	Y*				Boundary Survey of the parcel prepared by Debrah L. Briggs, PLS #2374 of Lower Village Survey Co. dated 6-4-2015.  Sheet S1.1: lot lines depicted, <b><u>proposed lot areas not noted, total land area not correct (must exclude outsale lot), proposed monuments not depicted.</u></b>
(c) A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	Y				Deeds provided, no existing restrictions.
(d) A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.	Y*				Draft HOA documents provided. <b><u>Revisions are needed, not complete.</u></b>
(e) Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.	Y				2 foot contours are provided, NAVD 1988.
(f) The number of acres within the proposed subdivision, location of property lines, existing buildings, watercourses, vegetative cover type and other essential existing physical features. The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan.		N		<u>W</u>	Existing and proposed lot lines depicted. Wetlands depicted. <b><u>Total land area not correct.</u></b>  <b><u>A waiver of identifying trees greater than 24" inches at breast height to be considered by the Planning Board.</u></b>
(g) Indication of the type of sewage disposal to be used in the subdivision.					
[1] When sewage disposal is to be accomplished by connection to the public sewer, a letter from the Wells Sanitary District indicating that there is adequate capacity within the district's system to transport and treat the sewage shall be submitted.			NA		

**Town of Wells, Maine**  
**Preliminary Major Subdivision Plan Completeness Review**  
**Page 3 of 4**

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22  
 Prepared By: Planning Office  
 Plans Dated: 06/24/16

District: Rural  
 Review Date: 07/08/16  
 Prelim. Plan Revisions Submittal Date: 6/28/16

§ 202- 8. Preliminary Plan for Major Subdivision		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
	[2] When sewage disposal is to be accomplished by subsurface sewage disposal systems, test pit analyses prepared by a licensed site evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.	Y*				Private septic systems proposed. See sheet S1.1, notes 14 and 16. Test pit logs provided and septic boxes shown on sheet S1.1. <b><u>Reserve areas required or boxes to be relocated.</u></b>  <b><u>Lot 1 appears to require additional test pits and reserve area.</u></b>
	(h) Indication of the type of water supply system(s) to be used in the subdivision. When water is to be supplied by public water supply, a letter from the Kennebunk, Kennebunkport and Wells Water District shall be submitted indicating that there is adequate supply and pressure for the subdivision.	Y*				Private wells are proposed. See Sheet S1.1 notes 14 and 15. <b><u>A note stating all homes shall have residential sprinkler systems is recommended to be added on sheet S1.1.</u></b> Sprinkler systems noted to be required on Sheet C1.0.
	(i) The date the plan was prepared, North point (identified as true or magnetic), graphic map scale, and names and addresses of the record owner, subdivider and individual or company who or which prepared the plan.	Y				Grid North, Sheet S1.1, note 3.  Record owner/applicant noted.
	(j) The names and addresses of owners of record of adjacent property, including any property directly across an existing public street from the subdivision.	Y				See sheet S1.1.
	(k) The location of any zoning boundaries affecting the subdivision.	Y				Rural District noted, Sheet S1.1 note 1.
	(l) The location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided.	Y				See sheets C2.0, C3.1, C3.2 and C4.0.
	(m) The location, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.	Y				<b><u>Proposed street name pending.</u></b>
	(n) The width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision.			NA		None proposed.
	(o) The proposed lot lines with approximate dimensions and lot areas.	Y*				<b><u>Proposed lot areas not noted.</u></b>
	(p) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.			NA		No such dedication proposed.

**Town of Wells, Maine**  
**Preliminary Major Subdivision Plan Completeness Review**  
**Page 4 of 4**

Project Name/Map & Lot #: Meetinghouse Road Subdivision/ Tax Map 77, Lot 22  
 Prepared By: Planning Office  
 Plans Dated: 06/24/16

District: Rural  
 Review Date: 07/08/16  
 Prelim. Plan Revisions Submittal Date: 6/28/16

<b>§ 202- 8. Preliminary Plan for Major Subdivision</b>	<b>Application Meet Requirements</b>				
	Yes	No	NA	Waiver	Comments
(q) The location of any open space to be preserved and an indication of its improvement and management.	Y*				Open space depicted, 22.5 acres or 56% Open space proposed. <b><u>Ownership/management by HOA to be noted on sheet S1.1.</u></b>
(r) A copy of that portion of the county soil survey covering the subdivision. When the medium-intensity soil survey shows soils which are generally unsuitable for the uses proposed, the Board may require the submittal of a report by a registered soil scientist indicating the suitability of soil conditions for those uses.	Y				Provided.
(s) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the one-hundred-year-flood elevation shall be delineated on the plan.			NA		<b><u>Plan must note no Flood Zones per FEMA Rate Map _____.</u></b>
(t) A hydrogeologic assessment prepared by a certified geologist or registered professional engineer, experienced in hydrogeology, when the subdivision is not served by public sewer and:			NA		
[1] Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by the Maine Geological Survey, 1985, Map Nos. 2 and 4; or					Not in a gravel aquifer.
[2] The subdivision has an average density of less than 100,000 square feet per dwelling unit.					Average Density greater than 100,000 SF per dwelling.
(u) The location of any wetlands, streams, rivers, brooks or ponds located within or adjacent (within 75 feet) to the proposed subdivision.	Y*				Wetlands delineated. <b><u>Wetland Delineation done by? To be noted on sheet S1.1.</u></b>
(v) The location of any significant wildlife or fisheries habitat as located by the Department of Inland Fisheries and Wildlife.	Y*				Vernal pools noted on Sheet C1.0. None of special significance. Forested freshwater wetlands depicted. <b><u>An IF&amp;W letter not provided.</u></b> A letter from the Dept. of Agriculture, Conservation, & Forestry was provided dated 5-21-15.



# TOWN OF WELLS,

208 Sanford Road, PO Box 39  
Wells, Maine, 04090  
Phone: 207-646-5187, Fax: 6  
Website: [www.wellstown.or](http://www.wellstown.or)

Amendment \_\_\_\_\_  
(Revision involves the creation of  
more than 4 lots/dwellings and/or  
a new road)

New

For Office Use Only

Fee Paid \_\_\_\_\_

## PRELIMINARY SUBDIVISION APPLICATION - §202-8

1. Project/Subdivision Name: Meetinghouse Road Cluster Subdivision Received 6-28-16
2. Property Owner: R Moody & Sons Construction Co., LLC
- Mailing Address: 899 Post Road  
Wells, ME 04090
- Telephone: 207-646-6194 Fax: 207-646-4519
- Email Address: jon@rmoodyconstruction.com
3. Applicant/Agent (if different from owner): Frederic (Rick) Licht, PE, LSE
- Mailing Address: Licht Environmental Design, LLC, 35 Fran Circle  
Gray, Maine 04039
- Telephone: 207-749-4924 Fax: NA
- Email Address: rlicht@securespeed.us
4. Engineer or Surveyor who prepared plan: Silas Canavan, Walsh Engineering Assoc.
- Mailing Address: 1 Karen Drive, Suite 2A  
Westbrook, ME 04092
- Telephone: 207-553-9898 Fax: 207-692-2273
- Email Address: Silas@walsh-eng.com
5. All correspondence should be sent to: Agent  
(specify one of the above)
6. Assessor's Tax Map Number: 77 Lot Number: 22 (of land to be divided)
7. Is applicant a Maine-licensed corporation?  Yes No (if yes, attach copy of license)
8. What legal interest does the applicant have in the property to be developed (ownership, option, purchase & sales contract, etc.)?  
Owner

9. What interest does the applicant have in any abutting property?

None

10. Location of Property: 1321 Meetinghouse Road

Street Address (approx.)

Book 17055 Page 835 (From County Registry of Deeds)

11. Current Zoning and Shoreland Overlay of property: Rural (R) no shoreland

12. Is any portion of the property within 250 feet of the high water mark of a pond, river or salt-water body? Yes X No

13. Total Acreage: 39.4 Acreage to be developed: 14

14. Indicate the nature of any restrictive covenants to be placed in the deeds:

Deeds to reference HOA documents and any specific easements located on specific lots.

15. Has this land been part of a prior approved subdivision? Yes X No  
Or other divisions within the past 5 Years? X Yes No

If so, please describe and/or list the Map and Lot numbers of all 'out-sale' lots:

Former Richard Bragdon Farmstead at 1371 Meetinghouse Road

16. Identify existing use(s) of land, (farmland, woodlot, etc.)

Single family Mobile Home & Woodland (Cut in recent years) and Fields

17. Does the parcel include any water bodies? X Yes No

18. Is any portion of the property within a special flood hazard area as identified by the Federal Emergency Management Agency? Yes X No

19. Number of lots or dwelling units existing: 1 and  
Number of lots or dwelling units proposed: 13

20. Does this development require extension of public infrastructure? Yes X No

If yes, which type of structure?

roads

storm drainage

sidewalks

water lines

fire protection equipment

sewer

If other, please state

21. Estimated cost for infrastructure improvements: \$ 350,000

22. Identify method of water supply to the proposed development:

individual wells                       connection to public water system  
central well w/ distribution lines      If other, please state alternative \_\_\_\_\_

23. Identify method of sewage disposal to the proposed development:

individual septic tanks                       central on site disposal with distribution lines  
connection to public sewer system      If other, please state alternative \_\_\_\_\_

24. Identify method of fire protection for the proposed development:

hydrants connected to the public water system  
dry hydrants located on an existing pond or water body  
existing fire pond  
If other, please state alternative (for example, individual sprinklers) Houses Sprinklered

25. Does the applicant intend to request waivers of any of the subdivision submission requirements?       Yes      No

If yes, list them and state the reasons for the request:

Waiver requested for the location of trees 24" and larger at breast height.

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

*[Handwritten Signature]*  
Signature of Applicant

06.24.16  
Date

- ◆ Please contact the Planning Department at (207) 646-5187 regarding the number of copies of materials to be submitted, in what format, and for other questions and information.
- ◆ The entire Wells Town Code is on the town website [www.wellstown.org](http://www.wellstown.org). Please follow the link to the 'Document Center' and then the 'Town Code'. The subdivision ordinance is Chapter 202. Other relevant sections include the Land Use Ordinance (Chapter 145), the Streets and Sidewalks Ordinance (Chapter 201), and the Residential Growth Management Ordinance (Chapter 175).

**THE APPLICANT MUST SUBMIT THE FOLLOWING MATERIALS AND INFORMATION TO THE PLANNING OFFICE WITH THE AMENDMENT FORM IN ORDER FOR THE SUBMISSION TO BE CONSIDERED.**

◆ To be submitted with a subdivision amendment application form (See §202-10)

12/19/07

Preliminary Subdivision/ Amendment Application Form

**PRELIMINARY SUBDIVISION/ AMENDMENT APPLICATION COMPLETENESS  
REVIEW CHECKLIST**  
*(This Checklist MUST be submitted)*

**Project Name:** Meetinghouse Road Cluster Subdivision **Applicant:** R. Moody & Sons Construction Co.

**Checklist Prepared By:** Wanda Emery **Date:** 5/18/2016

**Checklist Reviewed By:** F.J.L. **Date:** 6.24.16

Please use this Checklist as a guide to prepare your Application. Check the appropriate blank boxes. Shaded boxes indicate the action in the heading cannot be taken. The Checklist does not substitute for the requirements for Subdivision Approval in Chapter 202 of the Subdivision of Land Ordinance.

Code Section	I. General	Response (Please check applicable box)			
		Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-8A.1	An application for preliminary approval has been submitted within 6 months after the on-site inspection by the Planning Board	X			
202-8A.2	The application for Preliminary approval for a major subdivision is accompanied by a FEE determined by the Board (\$300 base fee; plus \$120 per lot/dwelling for the first 10 proposed; plus \$100 per lot /dwelling for 11-49 proposed; plus \$80 per lot/dwelling for excess of 50)	X			
202-8B.1.a	Location map showing existing subdivisions adjacent to the proposed subdivision	X			
202-8B.1.a	Location map showing locations and names of existing and proposed streets.	X			
202-8B.1.a	Location map showing boundaries and designations of zoning districts.	X			
202-8B.1.a	Location map showing an outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.	X			
202-8B.2	3 copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot.	X			
202-8B.2	Drawn to scale of not more than 100 feet to an inch. Subdivisions containing more than 100 acres can be drawn at a scale of not more than 200 feet to the inch.	X			
202-8B.2 <i>12</i>	<del>11</del> copies of plans reduced to a size of 11" x 17" and all accompanying information assembled into a booklet	X			

<b>Code Section</b>	<b>II. Preliminary Subdivision Submission Requirements</b>	<b>Submitted By Applicant</b>	<b>To Be Submitted By Applicant</b>	<b>Not Applicable</b>	<b>Applicant Requests Waiver</b>
202-8B2.a	Proposed name of subdivision and the name of the municipality in which it is located, plus the Tax Assessor's map and lot numbers.	X			
202-8B2.b	An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each corner.	X			
202-8B2.c	A copy of the deed from which the survey was based and a copy of all covenants or deed restrictions, easements, rights-of-way or other encumbrances currently affecting the property.	X			
202-8B2.d	A copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision	X			
202-8B2.e	Contour lines at the interval specified by the Planning Board, showing elevations in relation to mean sea level.	X			
202-8B2.f	The number of acres within the proposed subdivision, location of property lines, existing buildings watercourses, vegetative cover type and other essential existing physical features.	X			
202-8B2.f	The location of any trees larger than 24 inches in diameter at breast height shall be shown on the plan				X
202-8B2.g	If public sewer is used a written statement from the Wells Sanitary District stating that the district has the capacity to collect and treat the wastewater shall be provided			X	
202-8B2.g	If subsurface wastewater disposal systems are used, test pit analyses shall be provided by a licensed site evaluator. A map showing the location of all test pits dug on site shall be submitted.	X			
202-8B2.h	If water is to be supplied by KKWWD a written statement from the district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary.			X	
202-8B2.i	Date plan was prepared	X			
202-8B2.i	North point (true or magnetic)	X			
202-8B2.i	Graphic scale	X			
202-8B2.i	Names and addresses of record owner, subdivider and individual or company who or which prepared the plan.	X			
202-8B2.j	Names and addresses of owners of record of adjacent property, including property directly across an existing public street from the subdivision.	X			
202-8B2.k	The location of any zoning boundaries	X			

<i>Code Section</i>	<i>II. Preliminary Subdivision Submission Requirements</i>	Submitted By Applicant	To Be Submitted By Applicant	Not Applicable	Applicant Requests Waiver
202-8B2.l	Location and size of existing and proposed sewers, water mains, culverts and drainageways on or adjacent to the property to be subdivided	X			
202-8B2.m	Locations, names and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision	X			
202-8B2.n	Width and location of any streets or public improvements shown upon the Official Map and the Comprehensive Plan, if any, within the subdivision	X			
202-8B2.o	Proposed lot lines with approximate dimensions and lot areas	X			
202-8B2.p	Parcels of land proposed to be dedicated to public use			X	
202-8B2.q	Location of any open space to be preserved	X			
202-8B2.r	Copy of the county soil survey covering the subdivision	X			
202-8B2.s	Boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan	X			
202-8B2.t	Hydrogeologic Assessment required when any part of the subdivision is located over a sand and gravel aquifer			X	
202-8B2.t	Hydrogeologic Assessment required when the subdivision has an average density of less than 100,000 sq. ft. pre dwelling unit.			X	
202-8B2.u	Location of any wetlands, streams, rivers, brooks, or ponds located within or adjacent within 75 feet to the proposed subdivision	X			
202-8B2.v	Location of any significant wildlife or fisheries as located by the DIF&W	X			

## LISTING OF ABUTTERS TO A PROPOSED PRELIMINARY SUBDIVISION APPLICATION

Project Name: Meetinghouse Road Cluster Subdivision

Street Address of Project: 1321 Meetinghouse Road

Map/ Lot # of Project: 77/22

Subdivision applications are to be accompanied by a current list of names and addresses of abutters to the proposed project. Abutter information shall be obtained by the applicant from the Town Tax Assessor's records. [*Abutter is defined as "A person who owns adjacent land or land across a street right-of-way from the subject lot"*]

It is the responsibility of the Planning Office to notify abutters of a NEW Preliminary subdivision application.

It is the responsibility of the applicant to notify abutters of a Preliminary Subdivision AMENDMENT application.

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

Name	Address	Tax Map	Lot
	Planner Sends Abutter Notice		

**I hereby certify that this is a current and accurate listing of all abutters to this proposed subdivision.**

X to be provided by Planning  
 Signature of Applicant OFFICE (PL) Date \_\_\_\_\_

*Attach extra pages as necessary*



# TOWN OF WELLS, MAINE

P.O. Box 398, Wells, Maine 04090

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

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

## PRELIMINARY SUBDIVISION AMENDMENT APPLICATION ABUTTER NOTIFICATION

*This Preliminary Subdivision Amendment Application Notice to abutters is required to be **mailed by the applicant** to all abutters and to the Wells Planning Department at P.O. Box 398, Wells, ME 04090 per §202-6.*

**To Whom It May Concern:**

A property owner adjacent to or across the street from your property has filed a Preliminary Subdivision Amendment Application with the Town of Wells Planning Office. The Subdivision Application and proposed plans are currently available for public inspection at the Wells Planning Office. This abutter notification is required by the Wells Subdivision of Land Ordinance for all subdivision pre-applications and if new lots or dwellings units would be created through a subdivision amendment.

Planning Board meetings are open to the public for informational purposes. Only Planning Board PUBLIC HEARINGS, of which abutters are mailed certified mail notice, give the opportunity to concerned abutters/Wells residents to speak at a scheduled meeting about this application. Please feel free to mail or email your concerns in writing to the attention of the Planning Office at the address noted above. Copies of the written concerns will be provided to the Planning Board at a scheduled meeting.

For dates and times when this application will be discussed at a scheduled meeting, please call the Planning Office at (207) 646-5187 or visit [www.wellstown.org](http://www.wellstown.org) and click on the 'Meeting Calendar' to view the upcoming meeting agendas. "An aggrieved party may appeal any decision of the Board under [the regulations of chapter 202] to York County Superior Court." §202-15

Property Owner (of land to be divided): R Moody & Sons Construction Co

Owner's Mailing Address: 899 Post Road, Wells, ME 04090

Applicant's Name: R Moody & Sons Construction Co

Applicant's Mailing Address: 899 Post Road, Wells ME 04090

Applicant's Signature: *Jew Hunt, agent*

Assessor's Tax Map Number: 77 Lot Number: 22 (of land to be divided)

Subdivision Location (street address): 1321 Meetinghouse Road

Acres to be subdivided: 39.4 Number of proposed lots or dwelling units: 13

Zoning District(s): Rural

Description of Proposal: Proposed 13 Lot Cluster Subdivision with approximately 22 acres of open space.



# Assessors Office, Town of Wells

P.O. Box 398, Wells ME 04090-0398  
(207) 646-6081, Fax: (207) 646-2935

## ROAD NAME REQUEST FORM

In order to comply with the Enhanced E911 requirement that street names be as clear and distinct as possible for emergency dispath, it is necessary to have new street names approved by the E911 Coordinator prior to subdivision approval. Extra steps and charges may be eliminated during the approval process if the street names don't have to be changed mid-stream.

Please use on form for each street under consideration, and allow a few days for this process. List at lease three names to be considered. They should not look like or sound like existing street names. For the present time, the list of street names (actual and reserved) are availabel in the Assessor's Office. In the near future, we will have a list on our website for your convenience.  
[www.wellstown.org](http://www.wellstown.org)

NAME OF PROPOSED SUBDIVISION: Meetinghouse Road Cluster Subdivision

LOCATION OF PROPOSED SUBDIVISION : Meetinghouse Road

MAP(s)/LOT(s)#: 77/22

Desired Road Names to be Considered:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Contact Name of Development: \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Email: \_\_\_\_\_

***Office Use Only***

STREET NAME APPROVED: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Keeley Lambert, E911 Coordinator

**From:** [JON MOODY](#)  
**To:** [rick licht](#)  
**Subject:** Re: Meetinghouse Road DEEDS and Authorization Email  
**Date:** Wednesday, April 13, 2016 1:20:10 PM

---

To Whom It May Concern,  
Rick Licht of Licht Environmental Design has permission to act on behalf of Richard Moody & Sons Construction for the purpose of planning and permitting the Meetinghouse Road Subdivision located at 1321 Meetinghouse Road in Wells.  
Thank you,

Jon Moody

Richard Moody & Sons Construction  
899 Post Road  
Wells, Maine 04090

(o) 207.646.6194  
(m) 207.251.1241  
[www.Rmoodyconstruction.com](http://www.Rmoodyconstruction.com)

On Apr 13, 2016, at 1:05 PM, rick licht <[rlicht@securespeed.net](mailto:rlicht@securespeed.net)> wrote:

Jon/Leon:

<!--[if !supportLists]-->1. <!--[endif]--> Jon – please send me an email authorizing me to act as your agent for signing application forms and matters dealing with the subdivision application.

<!--[if !supportLists]-->2. <!--[endif]--> Leon/Jon – still do not have the deed from Moody Construction into Jon Moody, et al; ( I DO have the deed from Bragdon to Moody Construction for the overall 45 acres, just need Jons deed)

Please forward as soon as you can

Thanks

Rick

---

**From:** Shannon Belanger [<mailto:Sbelanger@wellstown.org>]  
**Sent:** Wednesday, April 13, 2016 12:35 PM  
**To:** rick licht  
**Cc:** Mike Livingston  
**Subject:** Meetinghouse Road

Hi Rick,

In review of the Meetinghouse Road subdivision pre-application I cannot find a copy of the property deed(s) or form of right title and interest. I see nothing from the property owner giving you permission has their agent. I also do not see the recorded deed for the 5.77 acre 'out parcel.'

We will need copies of all of these items as soon as possible. Thank you,

Shannon L.M. Belanger  
Planning Assistant  
Website Administrator  
Town of Wells, Maine  
[sbelanger@wellstown.org](mailto:sbelanger@wellstown.org)  
(207) 646-5187

Confidentiality notice: the email message contained herein is intended only for the individual to whom, or entity to which, it is addressed as shown at the beginning of the message and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or if the employee or agent responsible for delivering the message is not an employee or agent of the intended recipient, you are hereby notified that any review, dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this message in error, please notify us immediately by return email and permanently delete this message and your reply to the extent it includes this message. Thank you for your cooperation. Town of Wells



## EXHIBIT 0 – REQUEST FOR WAIVERS

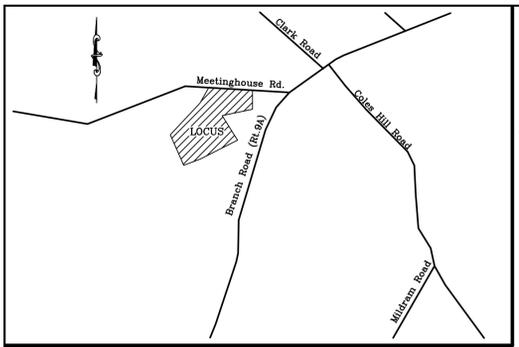
The following waiver is hereby requested for consideration from the Planning Board:

- 1. Wells Subdivision Ordinance Chapter 202.8.B.(2)(f)** – Location of all trees greater than 24-inch diameter breast height (dbh)

Basis of Waiver Request:

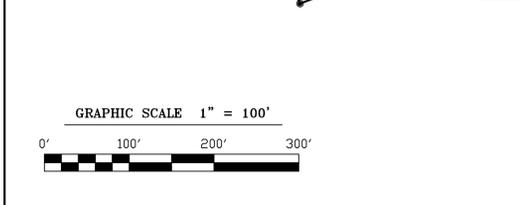
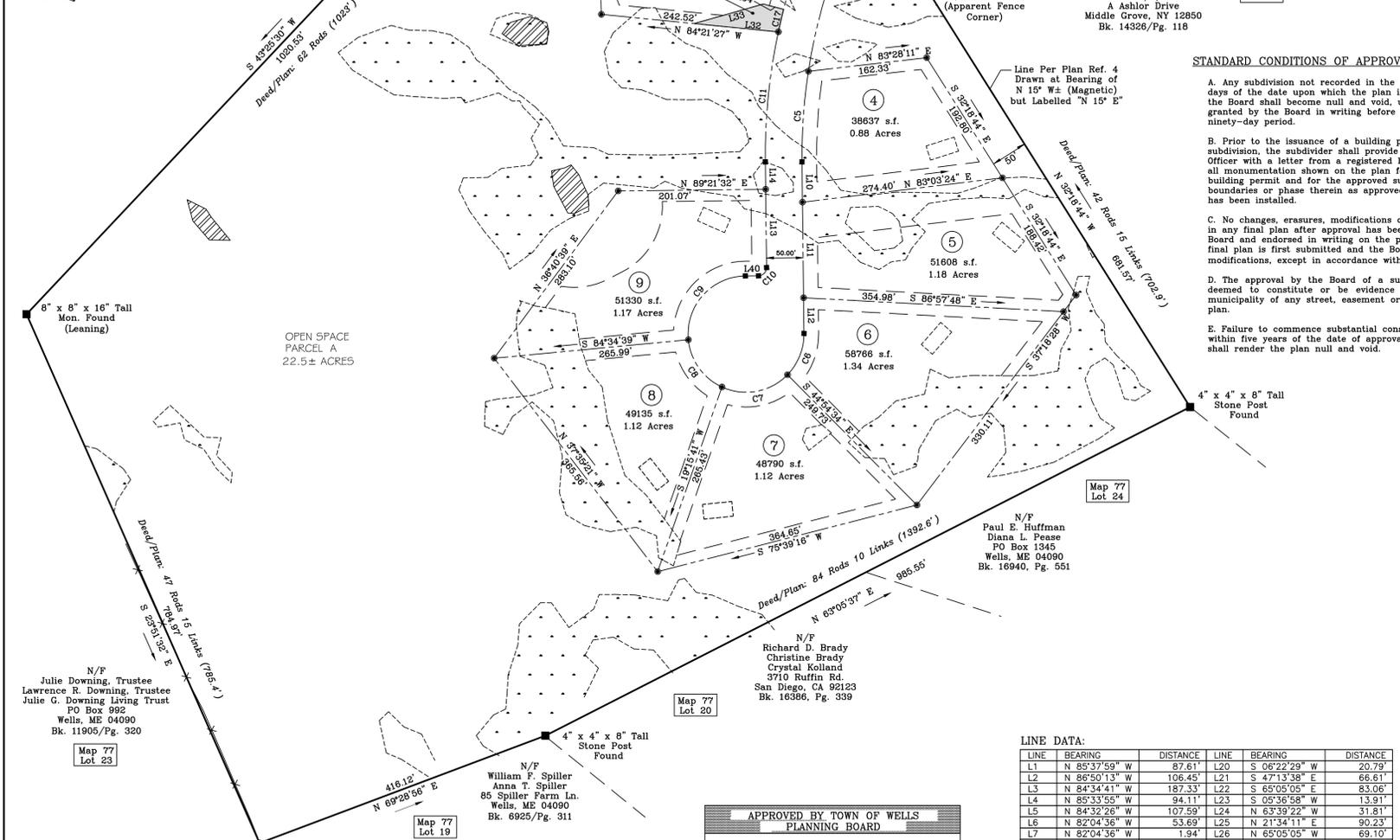
- A.** The project is mostly wooded containing a mix of large white and red pine, hemlock , oak, maple, ash, birch and other species. The site has seen harvesting and thinning in recent years. The larger trees are located at the property boundaries and or at the frontage along Meetinghouse Road. The significant trees on the boundary are already located and shown on the plans. The lager oak and maple trees along Meetinghouse Road are shown generally and do not anticipate being impacted by the development.

Based on the above we respectfully request that the requirement that all trees greater than 24-inch dbh be waived by the Planning Board.



LOCATION MAP (Not to Scale)

- LEGEND :**
- IRS ● — 5/8" Rebar w/Survey Cap #2374 To Be Set (Typ.)
  - CIRF ○ — Capped Iron Rod Found
  - MON ■ — Concrete/Granite Monument w/Metal Insert To Be Set (Typ.)
  - — Property Line
  - - - - — Abutter Approximate Property Line
  - - - - — Proposed Building Envelope
  - - - - — Overhead Utilities
  - - - - — Barbed Wire Fence Remains
  - — Utility Pole
  - N/F — Now or Formerly
  - Bk./Pg. — Deed Book & Page
  - UP — Utility Pole
  - — Proposed Wastewater Disposal Area
  - ▨ — Forested Wetland
  - ▩ — Significant Vernal Pool



APPROVED BY TOWN OF WELLS  
PLANNING BOARD

DATE: \_\_\_\_\_

**LINE DATA:**

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 85°37'59" W	87.61	L20	S 06°22'29" W	20.79
L2	N 86°50'13" W	106.45	L21	S 47°13'38" E	66.61
L3	N 84°34'41" W	187.33	L22	S 65°05'05" E	83.06
L4	N 85°33'55" W	94.11	L23	S 05°36'58" W	13.91
L5	N 84°32'28" W	107.59	L24	N 63°39'22" W	31.81
L6	N 82°04'36" W	53.69	L25	N 21°34'11" E	90.23
L7	N 82°04'36" W	1.94	L26	N 65°05'05" E	69.10
L8	S 05°36'58" W	103.02	L27	N 47°13'38" W	79.86
L9	S 43°08'42" W	61.56	L28	N 06°22'29" E	30.33
L10	S 00°39'51" E	54.75	L29	N 26°19'13" W	236.24
L11	S 00°39'51" E	129.74	L30	S 77°49'34" E	38.33
L12	S 00°39'51" E	48.41	L31	S 26°19'13" E	189.64
L13	S 00°39'51" E	106.24	L32	N 84°21'27" W	115.24
L14	S 00°39'51" E	106.24	L33	N 74°14'37" E	97.85
L15	N 00°39'51" E	36.66	L34	N 75°38'25" W	28.64
L16	N 00°39'51" E	36.66	L35	S 38°43'31" E	173.66
L17	N 43°08'42" E	61.56	L36	S 54°43'33" E	60.81
L18	N 05°36'58" E	102.83	L37	S 09°39'42" W	33.27
L19	N 86°50'13" W	0.56	L38	N 54°43'33" W	79.41
			L39	N 38°43'31" W	152.18
			L40	N 89°20'09" E	18.00

**STANDARD CONDITIONS OF APPROVAL:**

- A. Any subdivision not recorded in the Registry of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall become null and void, unless an extension is granted by the Board in writing before the expiration of the ninety-day period.
- B. Prior to the issuance of a building permit in any approved subdivision, the subdivider shall provide the Code Enforcement Officer with a letter from a registered land surveyor stating that all monumentation shown on the plan for the lot receiving the building permit and for the approved subdivision perimeter boundaries or phase therein as approved by the Planning Board has been installed.
- C. No changes, erasures, modifications or revisions shall be made in any final plan after approval by the Planning Board and endorsed in writing on the plan, unless the revised final plan is first submitted and the Board approves any modifications, except in accordance with §260-10A(9).
- D. The approval by the Board of a subdivision plan shall not be deemed to constitute or be evidence of any acceptance by the municipality of any street, easement or other area shown on such plan.
- E. Failure to commence substantial construction of the subdivision within five years of the date of approval or signing of the plan shall render the plan null and void.

**SITE DATA TABLE—MEETINGHOUSE ROAD SUBDIVISION**

REQUIREMENT	RURAL ZONE		
	REQUIRED CONVENTIONAL	REQUIRED CLUSTER	MIN. PROVIDED
GROSS SUBDIVISION ACREAGE +/-	39.4 ACRES	39.4 ACRES	
MIN LOT SIZE (SF)	100,000	20,000	
MAX DENSITY (DU/SF NET AREA)	1/100,000	(SEE NRA BELOW)	(SEE NRA BELOW)
FRONTAGE (FT)	200	50	>50
ZONING: RURAL "R"			
MIN. STRUCTURE SETBACKS:			
A. SETBACK TO ANY LOT LINE	25	15	05
B. SETBACK TO LOT LINE ABUTTING STREET ROW	25	20	20
C. SETBACK TO LOT LINE ABUTTING STATE HIGHWAY (RT 94)	40	40	NA
D. SETBACK TO LOT LINE ABUT. NON-CLUSTER RESID. LOT	25	50(1)	50(1)
E. SETBACK TO MEETINGHOUSE ROAD (LOCAL ROAD)	N/A	25	25
OPEN SPACE (CLUSTER ONLY)(MIN. ACREAGE REQUIRED)			
	N/A	35% OF GROSS AC.	57%
TOTAL AREA REQUIRED (AC)		13.8 AC.	22.5 AC.
NRA AND DEDUCTS			
GROSS AREA (AC)	39.4		39.4
LESS (WETLANDS)(2)	0		0
LESS 15% FOR ROADS (CLUSTER ONLY) (AC)	0		0
NET RESIDENTIAL AREA (AC)	39.4		33.5
NET RESIDENTIAL AREA (SF)	1,715,646		1,456,824
NET RESIDENTIAL DENSITY (LOTS)	17		14
(NRA/MIN LOT AREA)	N/A		13

- NOTES:**
- (1) ZONING S145.49.C(4) DOUBLE MIN. SETBACK FROM 25 TO 50 FT FOR NON-CLUSTERED ABUTTING PROPERTIES AT PERIMETER OF PRODUCT BOUNDARY.
  - (2) ZONING S145.10 WETLANDS AS DETERMINED DO NOT EXIST ON-SITE "10 ACRE DEFINITION"
  - (3) 2016 ORDINANCE AMENDMENT - INCREASED LOT COVERAGE TO 40% FOR LOTS LESS THAN 40,000 SF WITH PLANNING BOARD APPROVAL.

**CURVE DATA:**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	325.00'	108.51'	108.01'	S 15°10'53" W	19°07'50"
C2	325.00'	104.36'	103.91'	S 33°56'45" W	18°23'54"
C3	750.00'	180.43'	179.99'	S 34°29'07" W	13°47'02"
C4	750.00'	246.54'	245.44'	S 18°10'34" W	18°50'04"
C5	750.00'	123.35'	123.21'	S 04°02'51" W	09°25'23"
C6	79.00'	62.01'	60.43'	S 21°49'25" W	44°58'31"
C7	79.00'	96.91'	90.95'	S 79°27'19" W	10°17'18"
C8	79.00'	82.56'	78.86'	N 39°27'35" W	59°52'53"
C9	79.00'	130.79'	116.35'	N 41°54'30" E	94°51'18"
C10	11.00'	15.56'	15.56'	N 44°20'09" E	90°00'00"
C11	800.00'	178.13'	177.76'	N 05°42'53" E	12°45'28"
C12	800.00'	201.52'	200.99'	N 18°18'37" E	14°25'59"
C13	800.00'	178.35'	177.98'	N 32°54'48" E	12°46'23"
C14	800.00'	53.69'	53.68'	N 41°13'21" E	03°50'42"
C15	275.00'	180.13'	176.92'	N 24°22'50" E	37°31'44"
C16	325.00'	39.52'	39.50'	N 10°41'53" E	06°58'03"
C17	800.00'	31.64'	31.64'	S 13°13'36" W	02°15'58"
C18	800.00'	18.66'	18.66'	S 27°11'42" W	01°20'10"
C19	800.00'	18.99'	18.99'	S 25°50'48" W	01°21'37"
C20	275.00'	99.49'	98.94'	S 15°58'48" W	20°43'40"

**LOWER VILLAGE SURVEY CO.**  
13 Western Avenue Kennebunk Maine  
Mailing Address: P.O. Box 2625, Kennebunkport, ME 04046  
Phone: 207-667-3545 e-mail: info@lowervillagesurveyco.com

PRELIMINARY PLAN OF  
**MEETINGHOUSE ROAD SUBDIVISION**  
MEETINGHOUSE ROAD  
WELLS, MAINE

Owned By:  
Richard Moody & Sons Construction LLC, 899 Post Road, Wells, ME 04090

DATE: JULY 21, 2016 PRELIMINARY SUBDIVISION FILE #115-012 ROTATION 0° FIELD BK 468-23

SHEET S1.1

LAND SURVEYORS \*\* FORESTERS \*\* WETLAND DELINEATORS

YORK, ss REGISTRY OF DEEDS

Received \_\_\_\_\_  
at \_\_\_\_\_ h \_\_\_\_\_ m \_\_\_\_\_ M., and  
Filed in Plan Book \_\_\_\_\_ page \_\_\_\_\_  
ATTEST:  
Register \_\_\_\_\_

**PRELIMINARY**

Deborah L. Briggs, Member  
Maine P.L.S. #2374

- LOCUS DEED REFERENCE:**
- Owner of Record: Richard Moody & Sons Construction, LLC.  
Deed Book 17055, Page 635
- PLAN REFERENCES:**
- 1 - "Standard Boundary Survey, 1321 & 1371 Meetinghouse Road, Wells, Maine, Owned by Richard C. Bragdon, Prepared for Jon Moody", dated June 4, 2015 by Lower Village Survey Co.
  - 2 - Property Now or Formerly of David W. and Helen K. Craig in Wells, Maine" dated November 1980, by G. Maynard Trafton, Engineer, recorded in York County Registry of Deeds in Plan Book 29, Page 46.
  - 3 - "Division of Land at 1140 Branch Road, Wells, Maine, Owned by Sumner C. Weeks, Jr." dated November 20, 2000, by Livingston-Hughes Professional Land Surveying Corporation recorded in York County Registry of Deeds in Plan Book 264, Page 13.
  - 4 - "Plan of Farm Owned by Isaac Storer in Wells, Maine, Sold to Charles Brown" (undated) by George O. Hawes.
  - 5 - "Flood Insurance Rate Map - Town of Wells, Maine, York County - Community Panel #230158-0010D.

- NOTES:**
- 1 - The locus parcel is identified on Town of Wells Tax Assessors Map 77 as Lot 22 and is located in the Rural Zone.
  - 2 - The surveyed premises to be subdivided totals 1,715,646 square feet (39.37 Acres) excluding out parcel (5.77 Acres) shown.
  - 3 - All bearings shown are based on Grid North per Maine State Plane Coordinate System, West Zone.
  - 4 - The boundary of the locus parcel along Meetinghouse Road is the apparent right-of-way line based on monumentation found and a record width of four rods (66 feet) per Wells Town Clerk records.
  - 5 - An apparent prescriptive utility easement to Central Maine Power Company and Fairpoint Communications extends from Pole #9 at Meetinghouse Road to the service line pole near the residence located at 1321 Meetinghouse Road. No easement was found of record for said utility pole and wires.
  - 6 - The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.
  - 7 - Elevations shown are based on NAVD 1988.
  - 8 - Soils, test pit information, and wetland delineation per Joseph Noel, CCS, LSE. Wetland was mapped by Lower Village Survey Co.
  - 9 - Underground utilities shall be installed prior to final road base gravel installation.
  - 10 - This plan has been prepared according to the Standards of Practice adopted by the State of Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
    - No written report prepared
    - No new deed description prepared
    - Monuments not set at all angle points along Meetinghouse Road

- 11 - The developer shall schedule a pre-construction meeting with the Town Engineer, Department of Public Works and any other required agencies prior to commencement of construction.
- 12 - Upon completion of construction the developer shall provide the Town of Wells with as-built or recorded drawings of the roadway drainage and utility construction.
- 13 - Lots shall be serviced by individual drilled wells and subsurface wastewater disposal systems designed and based on 3 bedroom dwellings or 270 gallons per day. If conditions allow, a 4 bedroom system may be designed with CEO/Town Planner approval. Said systems shall be subject to all other permit conditions. Drilled bedrock wells shall be sealed at the top of the weathered, unbroken bedrock zone to prevent overburden groundwater infiltration. Wastewater disposal system leachfields may vary up to 10 feet from locations shown on the Plans with CEO/Planner approval.
- 14 - Dug wells shall be prohibited on individual lots. A restriction on the use of dug wells shall be included on the deed for each lot as per Town of Wells Chapter 202-12F(2).
- 15 - Final design and location of subsurface wastewater disposal (septic) system, leach fields, and well locations shall meet state plumbing code (CMR 10-144 Chapt. 241) setbacks and shall conform to these plans for well and septic system locations within the allocated well and well exclusion zones as indicated. Final septic system locations may vary up to 10 ft. to accommodate final building siting. Any modification from proposed locations in excess of 10 ft. shall require Planning Board approval.
- 16 - Open Space Parcel (±22.5 acres) to be owned/managed by the Meetinghouse Road Homeowners Association.
- 17 - All streets in this subdivision shall remain private roads to be maintained to Town standards by the owner or the lot owners and shall not be accepted or maintained by the Town per Town of Wells Chapter 202-13, subject to Homeowners' Association right to seek dedication and acceptance of said streets.
- 18 - The project permits single family dwellings. No businesses are allowed except home occupations. Accessory dwelling units are permitted subject to the requirements of the Wells Land Use Ordinance.
- 19 - Prior to the issuance of a building permit for any primary residence on any lot, the owner shall provide evidence of a suitable water supply to the Code Enforcement Officer in compliance with Chapter 202-12F.(2)(c).
- 20 - Any easements required for electric, telephone or cable transformers or pedestals shall not constitute an amendment to this plan.
- 21 - Individual sprinkler systems are proposed for each house to meet fire protection requirements for the Town of Wells.
- 22 - A 50 foot wide no disturbance buffer is required around the perimeter of the property except for septic systems on Lots 1, 2, and 3.
- 23 - Lot 13 is proposed with driveway access off Meetinghouse Road.
- 24 - No building permits shall be issued until the base course of pavement and utilities are installed.
- 25 - Locus parcel is located entirely in Zone C as shown on Plan Ref. 5.