



# TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

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## Meeting Agenda

Wednesday, September 7, 2016, 9:00 AM

Town Hall Meeting Room, Second Floor

208 Sanford Road, Wells

### MINUTES

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

### DEVELOPMENT REVIEW & WORKSHOPS

#### I. CONGREGATIONAL CHURCH OF WELLS

The Congregational Church of Wells, owner; Jamie Bradish, applicant; Jim Wright, agent. Site Plan Amendment Application to reconstruct the steeple, relocate a new handicap accessible ramp, seek approval for a shed, and expand the parking lot. The parcel is located off of 1695 Post Road and is in the General Business District. Tax Map 135, Lot 11.exe. **Receive Site Plan Amendment Application and workshop Articles V, VI, VII and draft completeness**

Documents:

CONGREGATIONAL CHURCH ART V (145-26) GEN BUS DIST 08-29-16.DOCX  
CONGREGATIONAL CHURCH ART VI (145-35 TO 145-47) TOWN REGS 08-29-16.DOCX  
CONGREGATIONAL CHURCH ART VII PERFORMANCE STANDARDS NA CHECKLIST 08-29-16.DOCX  
CONGREGATIONAL CHURCH DRAFT COMPLETENESS 08-29-16.DOCX  
CONGREGATIONAL CHURCH DRAFT PLAN 07-15-16.PDF  
CONGREGATIONAL CHURCH RECOMMENDED NOTES 08-31-16.DOCX  
CONGREGATIONAL CHURCH PLAN MARKUP 08-31-16.PDF  
CONGREGATIONAL CHURCH SITE PLAN AMD SUBMISSION 08-10-16.PDF

### OTHER BUSINESS

### ADJOURN

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE  
 Prepared By: Office of Planning & Development

Date of Review: 08-29-16  
 Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

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

<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				No such use is proposed or exists.
(1)	Agriculture, limited to the raising of crops and plants out of doors.			<b>NA</b>	
(2)	Cemetery having an area less than 20,000 square feet and containing no buildings.			<b>NA</b>	
(3)	Dwelling, one-family. (See also ' 145-55.)			<b>NA</b>	
(4)	Dwelling, two-family.			<b>NA</b>	
(5)	Dwelling, multifamily. (See ' 145-48.)			<b>NA</b>	
(6)	Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. <b>[Added 6-9-2015<sup>[1]</sup></b> <small>[1] Editor's Note: This ordinance also provided for the renumbering of former Subsection B(6) and (7) as Subsection B(8) and (9), respectively.</small>			<b>NA</b>	
(7)	Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl. <b>[Added 6-9-2015]</b>			<b>NA</b>	
(8)	Recreation, passive.			<b>NA</b>	
(9)	Timber harvesting.			<b>NA</b>	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Agriculture which includes any structures.			<b>NA</b>	
(2)	Bank.			<b>NA</b>	
(3)	Bed-and-breakfast/small inn. (See ' 145-52.)			<b>NA</b>	
(4)	Business, contractor.			<b>NA</b>	
(5)	Business, office.			<b>NA</b>	

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

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<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
(6)	Business, personal service.			NA	
(7)	Business, retail, including the manufacturing of any goods offered for sale on the premises.			NA	
(8)	Business, service.			NA	
(9)	Business, wholesale, having a gross floor area of less than 5000 square feet.			NA	
(10)	Cemetery larger than 20,000 square feet in area.			NA	
(11)	Church.	Y			The existing church is <b>6,968 SF</b> in size.  <b><u>A note stating the existing use of the property and the plan purpose is needed on the site plan.</u></b>
(12)	Club.			NA	
(13)	Congregate care facility. <b>[Added 6-8-2011]</b>			NA	
(14)	Day-care home.			NA	
(15)	Day-care center/nursery school.			NA	
(16)	Drug abuse shelter. <b>[Added 6-14-2011]</b>			NA	
(17)	Elderly housing <b>[Amended 4-26-1996]</b>			NA	
(18)	Freestanding residential detoxification program. <b>[Added 6-14-2011]</b>			NA	
(19)	Function hall.			NA	
(20)	Hotel/motel. (See ' 145-52.)			NA	
(21)	Housing, congregate.			NA	
(22)	Life care facility. <b>[Amended 4-26-1996]</b>			NA	
(23)	Medical care facility.			NA	
(24)	Municipal facility.			NA	
(25)	Museum.			NA	
(26)	Neighborhood convenience store.			NA	
(27)	Nursing home. <b>[Amended 4-26-1996]</b>			NA	
(28)	Parking lot, commercial.			NA	
(29)	Private non-medical institution (PNMI). <b>[Added 6-14-2011]</b>			NA	
(30)	Public Transportation Center. <b>[Amended 11-6-2007]</b>			NA	
(31)	Public utility facility.			NA	

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

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<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		Yes	No	NA	Comments
	(32) Recreation, active.			NA	
	(33) Recreation, high-intensity commercial.			NA	
	(34) Recreation, low-intensity commercial.			NA	
	(35) Recreation, medium intensity commercial. <b>[Added 6-11-2013]</b>			NA	
	(36) Registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA	
	(37) Restaurant, standard.			NA	
	(38) Restaurant, fast-food.			NA	
	(39) Sawmill producing less than 100,000 board feet of lumber per year.			NA	
	(40) School, public and private.			NA	
	(41) Tent and recreational vehicle park. (See ' 145-50.)			NA	
	(42) Transportation facility.			NA	
	(43) 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 Church has a proposed 8' x 10' accessory shed. <b><u>To be labelled on the site plan and described in the plan purpose.</u></b>
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			
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*			The parcel is 99,171 SF in size. <b><u>The plan to note that the property is served by public sewer.</u></b>
	(2) Maximum density:				
	(a) One dwelling unit for each 20,000 square feet of net area if served by public sewer.			NA	No such use is proposed or exists. <b><u>Plan to make such notation.</u></b>
	(b) One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	No such use is proposed. <b><u>The plan to note that the property is served by public sewer.</u></b>

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

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§ 145-26. General Business District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-28-1995; 4-12-2003; 6-13-2006]</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such use is permitted or exists. <b><u>Plan to make such notation.</u></b>
	(d)	Twenty hotel/motel units per acre of net area. <b>[Amended 4-28-1995]</b>			NA	No such use is proposed or exists. <b><u>Plan to make such notation.</u></b>
	(3)	Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y			This parcel has approximately 263.23' of street frontage along Route One.
	(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. <b>[Amended 4-14-2000]</b>	Y*			Lot coverage as approved on the 1990 site plan is not noted. Review of the 1990 plan shows approximately 46.3% lot coverage (45,890 SF) was approved.  The existing conditions plan notes existing lot coverage to be 47.4% (46,984 SF). <b><u>The plan notes "future parking (if needed) additional coverage: 51.5%" but this future parking is not approved yet.</u></b>  Proposed lot coverage is noted to be 47.7% or 51.8% with future parking (if needed) additional coverage. <b><u>The proposed site plan amendment is seeking approval for up to 51.8% lot coverage (51,396 SF) or 5,506 SF more in lot coverage.</u></b>
	(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-351.)	Y			
	(6)	Setbacks.	Y			
	(a)	All structures shall be at least:				

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

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Company Name: Town of Wells

<b>§ 145-26. General Business District.</b>				<b>Application Meet Requirements</b>			
				<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
		[1]	Fifteen feet from any lot line.	Y			15' setbacks shown <b>and to be labelled.</b>
		[2]	Twenty-five feet from the boundary of any cemetery.	Y			Parcel does not abut any known cemeteries.
		[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			Parcel abuts Hardy's Bluff right of way. A 25' setback is required. However, 145-35O permits a setback reduction from this ROW to 15' as the Route 1 frontage and setbacks are met. <b>Plan notation on this reduction is needed.</b>
		[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			40' setbacks shown <b>and to be labelled.</b>
		(b)	All structures and parking lots shall be at least 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.			NA	Parcel is not within 200 feet of such rivers.
		©	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 use exists or is permitted.
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing						NA	

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

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<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
G.	Special provisions. If a person owns parcels of land on the east and west sides of Route 1 within the General Business District, the parcels may be treated as a single lot of land, provided that he grants the Town a conservation easement over a portion of the land on the east side of Route 1. The easement shall cover a land area which, in conjunction with the parcels on the west side of Route 1, is adequate to support the proposed use as regulated in the district. The lot on the west side of Route 1 shall meet the minimum lot size requirement. Any proposed easement shall be reviewed and approved by the Planning Board.			<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 1 of 17**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

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**Article VI**

Town-Wide Regulations

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

**Town of Wells, Maine Review Checklist**

**Page 2 of 17**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

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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	

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

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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>	Y			The parcel has frontage along Route 1 and Hardy's Bluff. <b>The setback reduction from 25' to 15' per 145-350 to be noted on the site plan.</b>
(1)	Contiguous street frontage for the lot exists on more than one street right-of-way;	Y			The parcel has frontage along Route 1 and Hardy's Bluff.
(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;	Y			All setback requirements are met from Route 1 and Hardy's Bluff.
(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	Y			The Hardy's Bluff setback requirement of 25' is proposed to be reduced to 15'.
(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.	Y			The Route 1 setback shall remain 40'.
<b>§ 145-36. Timber harvesting. [Amended 4-19-1997]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.			NA	
<b>§ 145-37. Yard sales.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
Yard sales shall be permitted in all districts except the Resource Protection District and shall comply with the following standards:		Y			
A.	A yard sale shall last no longer than three consecutive days and shall only be permitted once per month on a lot or on a contiguous lot in the same ownership.				
B.	A permit for the yard sale shall be obtained from the Town Clerk by the owner or occupant of the lot. The Town Clerk shall provide the Police Department with a copy of all yard sale permits issued before the date of the yard sale. <b>[Amended 4-28-1995]</b>				
C.	Adequate off-street parking shall be provided for customers of the yard sale. Directional signs indicating the parking area(s) shall be provided.				

**Town of Wells, Maine Review Checklist**

**Page 4 of 17**

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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.	Y*			A 15' landscaped buffer is required along Route 1 and Hardy's Bluff. The site plan notes 4 existing shade trees along Route 1, grass and landscaped areas. The plan notes "assorted shrubs" along Hardy's Bluff, but does not note existing or proposed shade trees. <b><u>The reviewing authority to review the landscaped buffer provided.</u></b>  This commercial property abuts a commercial use to the north and south. A residential abutter (Map 135, Lot 12-2) is located to the east. The Church property has existing wooded area that provides a screen for this abutter. <b><u>The reviewing authority to review the existing wooded area to determine if it remains a suitable screen.</u></b>
B.	In the Light Industrial District, except to allow for the development of a driveway, the first 40 feet of a lot as measured from the right-of-way of any street shall be planted with shrubs and/or ground cover and shade or evergreen trees with a minimum two-inch diameter at breast height (dbh) planted a maximum of thirty feet on center along the entire distance of the street frontage.			NA	

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

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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><u>Site plan to add such notation to the plan.</u></b>
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*		Various parking spaces are shown to be 90 degree in angle. <b><u>These spaces to be noted to be 9' x 18.5' in dimension with a 26' wide aisle. Existing condition plan does not appear to show a 26' wide exists as was approved in 1990 for the southerly spaces. Directional arrows to be noted.</u></b>	
		60	8.5	10.5	19	16 one way	Y*		Various spaces are 60 degree in angle. <b><u>Various spaces are recommended to become 60 degree in angle based on traffic patter (one-way) and aisle widths that exist. Aisle widths to be noted. Directional arrows to be noted.</u></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	Y*		3 parallel spaces (180 degree) are proposed. <b><u>These spaces appear to meet the 24' width and 12' depth for handicap accessibility. Aisle width to be noted. Directional arrows to be noted.</u></b>	

## Town of Wells, Maine Review Checklist

### Page 6 of 17

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(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*			95 parking spaces are proposed. This requires 4 handicap accessible spaces. 5 are proposed. <b><u>2 spaces adjacent to the Church do not appear to be the proper width of 12'-15'.</u></b>
(3)	All required parking spaces shall be clearly designated. Handicapped and recreational vehicle spaces shall be identified with signs no smaller than nine inches wide by 12 inches high, posted four feet from the ground.	Y			<b><u>ADA compliant signs for the handicap parking are to be shown on the plan.</u></b>
D.	The following off-street parking standards shall be provided and maintained for each use on a lot except as specified in Subsection <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>				
	<b>Use</b>	<b>Required Parking Spaces</b>			
	Bank	1 per 400 square feet of gross floor area, plus 6 stacking spaces for the first drive-up window, plus 2 per additional drive-up window		<b>NA</b>	
	Bowling alley	3 1/4 per lane		<b>NA</b>	
	Congregate housing	1 per housing unit, plus 1 for each 300 square feet of office space		<b>NA</b>	
	Contractor business	1 per 1,000 square feet of gross floor area but no less than 3 per business		<b>NA</b>	
	Day care	1 per 400 square feet of floor area used for child care, plus 3		<b>NA</b>	
	Dwelling	2 per each dwelling unit, plus 1/2 per bedroom in excess of 4 bedrooms per dwelling unit		<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 7 of 17**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Life care facility	1 per 2 congregate housing units, plus 1 per elderly housing unit, plus 1 per 3 beds in the nursing home, plus 1 for each 300 square feet of office space			<b>NA</b>	
	Lodging facility	1 1/10 for each sleeping room			<b>NA</b>	
	Manufacturing, warehousing and wholesale businesses	1 per 1,000 square feet of gross floor area but no less than 3 per business			<b>NA</b>	
	Marina	1 per slip or mooring, excluding guest moorings			<b>NA</b>	
	Medical care facility	1 per bed, plus 1 per 200 square feet of office floor area			<b>NA</b>	
	Museums	1 per 500 square feet of gross floor area, plus 1 for each 3 seats in areas used for assembling groups of people			<b>NA</b>	
	Office, business	3 1/2 per 1,000 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Personal service business	1 per 400 square feet of gross floor area, but no less than 3 per business			<b>NA</b>	
	Retail business	3.5 per 1,000 square feet of sales floor area, but no less than 3 per business			<b>NA</b>	
	Restaurant, standard	1 per 3 seats, plus 1 space for every 20 seats to accommodate employees			<b>NA</b>	
	Restaurant, fast-food	1 per 30 square feet of floor area usable by customers for eating and for food preparation			<b>NA</b>	
	Elementary, junior high	3 per classroom and other rooms used by students			<b>NA</b>	
	High school	3 per classroom and other rooms used by students, plus 1 per 5 students			<b>NA</b>	
	Tent and recreational vehicle parks	See § 145-50C			<b>NA</b>	

**Town of Wells, Maine Review Checklist**

**Page 8 of 17**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

	Theaters, auditoriums, function halls, clubs, churches and other places of assembly	1 per 4 seats, based upon occupancy load	Y*		<b><u>A note detailing the required number of parking spaces is not noted on the site plan. What is the occupancy load of the Church?</u></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		NA	
(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.			NA	
(2)	Loading bays may be required by the Planning Board for a project which requires Planning Board approval.			NA	A loading bay does not exist nor is one proposed.
E.	Required off-street parking in all districts as determined in § 145-39D shall be located on the same lot as the use it serves unless no reasonable on-site location exists and all of the following off-site requirements are satisfied: <b>[Amended 6-10-2014]</b>		Y		Off-street parking provided. No off-site parking proposed.
(1)	The off-site parking location is less than 1,000 feet from the boundary line of the property where the use it serves is located;				
(2)	The off-site parking location is established by a recorded easement, or a license or lease agreement, to benefit the property where the use it serves is located;				
(3)	The off-site parking location shall be located within a district in which a commercial parking lot is a permitted use; and				
(4)	A site plan approval or a site plan amendment is obtained from the Planning Board for each property.				
F.	Plans for parking areas shall indicate the location of snow storage or make provision for snow removal. Snow may be stored on required parking spaces if the Planning Board determines that the business(es) will have adequate parking during the winter months without the use of the spaces on which snow is stored.		Y*		<b><u>Snow storage areas to be depicted on the plan.</u></b>
G.	Parking areas within in the Shoreland Overlay District shall meet the shoreline setback required for structures from the water body or wetland adjacent to which they are located.			NA	Parcel is not within the Shoreland Overlay District.

**Town of Wells, Maine Review Checklist**

**Page 9 of 17**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

H.	Parking areas shall be designed to prevent stormwater runoff from flowing directly or being piped directly into a water body, to allow for the settling of sediment and the removal of grease, oil and other pollutants.	Y*			<b>Town Engineer to review runoff. 1990 site plan called for a berm to direct runoff to an existing depression on the east side of the lot.</b>
I.	All parking areas shall have a firm surface, such as bituminous concrete, gravel or crushed stone. The reviewing authority may waive this requirement for parking areas that will only be used between May 1 and November 1.	Y			Areas that could be used for parking shall be on pavement.
J.	In the Light Industrial District all off-street parking shall be located at the side and/or in the rear of the building if the building is less than 60 feet from the right-of-way of a street. If the building is 60 feet or more from the right-of-way of a street, then the parking shall be located no less than 40 feet from the street right-of-way and a landscaped buffer meeting the requirements of § 145-38B shall be provided. <b>[Added 4-12-2003]</b>			NA	
<b>§ 145-40. Signs. [Amended 4-28-1995; 4-26-1996; 4-18-1998; 4-14-2000; 11-5-2002; 5-20-2003; 4-29-2005; 11-6-2007; 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Standards for all signs. All signs shall comply with these regulations, regardless of whether or not a permit is required: (Section 145-40 of the Wells Code. The applicant shall complete a sign application as part of the Site Plan process and it shall be filed with the application. The sign permit fee, however, shall not be payable until such time as the site plan application is approved.)	Y			Signs will be determined in compliance by the Code Enforcement Office prior to being placed. <b><u>A note regarding signage shall be added to the site plan. "All signs shall comply with the Land Use code requirements."</u></b>
<b>§ 145-41. Light and glare. [Amended 6-8-2010]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	The Town of Wells recognizes the need to minimize light pollutions and glare from illumination, whether lighting of grounds or by signs, in order to avoid unreasonable impacts on existing uses, abutting properties, and the natural environment. Unreasonable impacts may include contributions to artificial illumination of the night sky, impacts on persons in the surrounding area, and hazards to drivers.	Y			The existing sign depicts existing lighting. <b><u>Any other existing exterior lighting on the building or in the parking lot? A note regarding light and glare to be added to the site plan. "All exterior lighting shall be directed as to not produce light or glare onto abutting lots or right of ways."</u></b>
B.	In addition to meeting all other applicable requirements, any sign lighting must meet the following requirements:	Y			The existing sign depicts existing lighting. The sign is not internally illuminated.
(1)	Signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare or by a constant internal illumination. Any light source shall be shielded with a fixture so that bulbs are not directly visible from neighboring properties or public ways. (See also §145-40 A (7).)				

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(2)	No sign shall be animated by means of flashing, blinking or traveling lights or by any other means not providing constant illumination except for a traditional striped, rotating barber's pole, accessory to a barber shop.				
(3)	Notwithstanding the above, electronic message center signs where permitted may change messages no more than every 10 minutes. The message on the electronic message center must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.				
(4)	All externally lighted signs shall be shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of a roadway; or of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or to create nuisance conditions.				
<b>§ 145-42. Erosion and sedimentation control. [Amended 4-27-2007]</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
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.		<b>Y*</b>			<b><u>A note is recommended on the site plan referring to the Findings of Fact &amp; Decisions associated with this site plan. A note is recommended stating Best Management Practices for erosion and sedimentation control is a standard condition of site plan approval.</u></b>
<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.		<b>Y</b>			<b><u>The Town Engineer to review runoff and stormwater management considerations.</u></b>

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Chapter 202-12F, General Standards</b>				
(4)	Stormwater management. <b>[Amended 4-27-2007]</b>			
(a)	Where a subdivision is traversed by a stream, river or surface water drainageway, or where the Board feels that surface water runoff to be created by the subdivision should be controlled, there shall be provided easements or drainage rights-of-way with swales, culverts, catch basins or other means of channeling surface water within the subdivision and over other properties. This stormwater management system shall be designed by a registered professional engineer.	Y		
(b)	Drainage easements for existing watercourses or proposed drainageways shall be provided and indicated on the plan.		NA	
(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.		NA	
(d)	A stormwater management plan, meeting the standards of Chapter 201, Streets and Sidewalks, Articles II and III, Wells Municipal Code, shall be submitted.		NA	
(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.		NA	
(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.		NA	
(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.	Y		

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<p>(h) For subdivisions located within the watershed of a great pond containing:          1. five or more lots or dwelling units created within any five-year period; or 2. any combination of 800 linear feet of new or upgraded driveways and/or streets, a stormwater management plan shall be submitted that meets the phosphorus allocation across the entire subdivision in accordance with the methodology described in the MDEP Phosphorus Design Manual, Volume II of the Maine Stormwater Best Management Practices Manual, 2006.</p>			<b>NA</b>	
<p>(i) The Planning Board may require a hydrologic analysis for any site in areas with a history of flooding or in areas with a potential for future flooding, associated with cumulative impacts of development. This hydrologic analysis would be in the form of a "Downstream Analysis" under conditions of the ten-year, twenty-four-hour storm, the twenty-five-year, twenty-four-hour storm, and the one-hundred-year, twenty-four-hour storm, as described below:</p>			<b>NA</b>	
<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>			<b>NA</b>	
<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>	<b>Y</b>			<p><b><u>The speed limit of Route 1 is to be noted to be 35 MPH. Site distances onto Route 1 are not noted.</u></b></p>

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

(4)	<p>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></p>				
<b>§ 145-46. Utility distribution lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Review. Notwithstanding §§ 145-61 and 145-62, utility distribution lines are allowed in all zoning districts without a building or use permit.			<b>NA</b>	
B.	Dimensional requirements. The dimensional requirements of Article V and § 145-35J do not apply to utility distribution lines. <b>[Amended 6-4-1996]</b>			<b>NA</b>	
<b>§ 145-47. Utility transmission lines.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
A.	Lot lines. For the purposes of Subsection C, the boundary lines of a utility transmission line right-of-way, whether the right-of-way is in fee simple ownership, a leasehold or an easement, are considered the lot lines of the right-of-way.			<b>NA</b>	
B.	Review. A utility transmission line is a permitted use in all zoning districts upon obtaining site plan approval from the Planning Board in accordance with the provisions of Article X.			<b>NA</b>	
C.	Dimensional requirements.			<b>NA</b>	

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

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

**Town of Wells , Maine Review Checklist**

**Page 1 of 2**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

<b>Article VII Performance Standards</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply
				<b>NA</b>	This section does not apply. A Registered Marijuana Dispensary is not proposed.

**Town of Wells , Maine Review Checklist**

**Page 2 of 2**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

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

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 1 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE      Date of Review: 08-29-16

Prepared By: Office of Planning & Development      Company Name: Town of Wells

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

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
Any application presented for approval shall include the following information if applicable:						
A.	A site plan drawn at a scale not smaller than one inch equals 40 feet which shall contain the following information:	Y				Scale is 1" = 30 feet.
(1)	The name and address of the applicant plus the name of the proposed development.	Y				<b><u>Title Block of plan should also state "Site Plan Amendment"</u></b>
(2)	Total floor area, ground coverage and location of each proposed building, structure or addition.	Y				<p><b><u>The gross floor area of the Church must be noted on the plan. The Town Assessing Office has 6,968 SF. The size of the existing accessory shed to be labelled as well.</u></b></p> <p>Lot coverage as approved on the 1990 site plan is not noted. Review of the 1990 plan shows approximately 46.3% lot coverage (45,890 SF) was approved.</p> <p>The existing conditions plan notes existing lot coverage to be 47.4% (46,984 SF). <b><u>The plan notes "future parking (if needed) additional coverage: 51.5%" but this future parking is not approved yet.</u></b></p> <p>Proposed lot coverage is noted to be 47.7% or 51.8% with future parking (if needed) additional coverage. <b><u>The proposed site plan amendment is seeking approval for up to 51.8% lot coverage (51,396 SF) or 5,506 SF more in lot coverage.</u></b></p>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 2 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

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
(3)	Perimeter survey of the parcel, made and certified by a registered land surveyor licensed in Maine, relating to reference points, showing true or magnetic North, graphic scale, corners of parcel, date of survey and total acreage. The requirement for a certified boundary survey may be waived by the reviewing authority if the proposed construction is located a distance equal to the required setback plus 10 feet from any lot line.	Y				The site plan/existing conditions plan provided was prepared by James S. Wright, Jr. PLS dated 5/5/2015.
(4)	All existing and proposed setback dimensions.	Y*				15' setbacks shown <b><u>and to be labelled.</u></b> Parcel does not abut any known cemeteries. Parcel abuts Hardy's Bluff right of way. A 25' setback is required. However, 145-350 permits a setback reduction from this ROW to 15' as the Route 1 frontage and setbacks are met. <b><u>Plan notation on this reduction is needed.</u></b> 40' setbacks shown <b><u>and to be labelled.</u></b> Parcel is not within 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.
(5)	The size, location, direction and intensity of illumination of all major outdoor lighting apparatus and signs.	Y*				The existing sign depicts existing lighting. <b><u>Any other existing exterior lighting on the building or in the parking lot? A note regarding light and glare to be added to the site plan. "All exterior lighting shall be directed as to not produce light or glare onto abutting lots or right of ways."</u></b>
(6)	The type, size and location of all incineration devices.			NA		No such devices proposed.
(7)	The type, size and location of all machinery likely to generate appreciable noise at the lot lines.			NA		No such machinery noted.
(8)	The location, type and size of all existing and proposed catch basins, storm drainage facilities, wetlands, streams and watercourses and all utilities, both above and below ground.	Y*				<b><u>Town Engineer to review runoff. 1990 site plan called for a berm to direct runoff to an existing depression on the east side of the lot.</u></b>  <b><u>Existing utility pole locations and overhead wires shown on the site plan. Nearest fire hydrant or distance to the nearest hydrant to be noted.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 3 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(9)	All existing contours and proposed finished grade elevations of the portions of the site which will be altered and the system of drainage proposed to be constructed. Contour intervals shall be specified by the reviewing authority. This requirement may be waived by the reviewing authority if no additional lot coverage is proposed or the proposed lot coverage is less than 30% and has an area of less than 15,000 square feet.	Y*				<b><u>2 foot contours of the parcel recommended on the easterly side of the parcel.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 4 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(10)	The location, type and size of all curbs, sidewalks, driveways, fences, retaining walls and parking space areas and the layouts thereof, together with the dimensions.	Y*				<p>On-street parking is prohibited. <b><u>Site plan to add such notation to the plan.</u></b> Various parking spaces are shown to be 90 degree in angle. <b><u>These spaces to be noted to be 9' x 18.5' in dimension with a 26' wide aisle. Existing condition plan does not appear to show a 26' wide exists as was approved in 1990 for the southerly spaces. Directional arrows to be noted.</u></b></p> <p>Various spaces are 60 degree in angle. <b><u>Various spaces are recommended to become 60 degree in angle based on traffic patter (one-way) and aisle widths that exist. Aisle widths to be noted. Directional arrows to be noted.</u></b></p> <p>3 parallel spaces (180 degree) are proposed. <b><u>These spaces appear to meet the 24' width and 12' depth for handicap accessibility. Aisle width to be noted. Directional arrows to be noted.</u></b></p> <p>95 parking spaces are proposed. This requires 4 handicap accessible spaces. 5 are proposed. <b><u>2 spaces adjacent to the Church do not appear to be the proper width of 12'-15'. ADA compliant signs for the handicap parking are to be shown on the plan.</u></b></p> <p><b><u>A note detailing the required number of parking spaces is not noted on the site plan. What is the occupancy load of the Church?</u></b></p>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 5 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(11)	All landscaped areas, fencing and size and type of plant material upon the premises.	Y				A 15' landscaped buffer is required along Route 1 and Hardy's Bluff. The site plan notes 4 existing shade trees along Route 1, grass and landscaped areas. The plan notes "assorted shrubs" along Hardy's Bluff, but does not note existing or proposed shade trees. <b><u>The reviewing authority to review the landscaped buffer provided.</u></b>  This commercial property abuts a commercial use to the north and south. A residential abutter (Map 135, Lot 12-2) is located to the east. The Church property has existing wooded area that provides a screen for this abutter. <b><u>The reviewing authority to review the existing wooded area to determine if it remains a suitable screen.</u></b>
(12)	All existing or proposed rights-of-way, easements and other legal restrictions which may affect the premises in question.	Y				
(13)	The locations, names and widths of all existing and proposed streets abutting the premises.	Y				Route 1 and Hardys Bluff roadways noted. Hardys Bluff is 50.01' wide. <b><u>Route 1 width not noted.</u></b>
(14)	The lot lines of all lots abutting the proposed development, including those lots across the street, together with the names on file in the Town offices as of the date of the application.	Y				Abutting lots identified. <b><u>One abutter is to be updated.</u></b>
(15)	An appropriate place for the signature(s) of the reviewing authority.		N			<b><u>Site plan to add a signature block for the proper reviewing authority.</u></b>
B.	Documentation of right, title or interest in the proposed site.		N			<b><u>Parcel deed not provided. A letter from the Church designating Mr. Bradish or Mr. Wright as their agent representing this amendment has not been provided.</u></b>

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 6 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

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
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		Parcel served by public sewer.
D.	The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.			NA		<b><u>How is refuse disposal handled? If refuse is disposed of by the church as needed a note describing this is needed on the site plan. If the church utilizes a dumpster, the dumpster must be identified on the site plan and must meet setback and screening requirements.</u></b>
E.	If the proposed use will be connected to the Wells Sanitary District's sewer system, a letter from the Sanitary District stating that adequate line and plant capacity to dispose of the generated sewage will be available.			NA		<b><u>The changes proposed do not increase the Church's capacity or service connections. The reviewing authority to consider granting a waiver and not requiring a capacity letter from WSD.</u></b>
F.	If the proposed use will be connected to the Kennebunk, Kennebunkport and Wells Water District water system, a letter from the Water District stating that adequate line and supply capacity to serve the proposed use will be available.			NA		<b><u>The changes proposed do not increase the Church's capacity or service connections. The reviewing authority to consider granting a waiver and not requiring a capacity letter from KKWWD.</u></b>
G.	Traffic data. Only the Planning Board may require that a site plan application include a traffic engineering study should the project be considered one of substantial magnitude along any of the Town's state highways where fast-moving traffic occurs (i.e., Route Nos. 1, 109, 9, 9-A and 9-B). Should a traffic study be requested by the Planning Board, the following data shall be included:	Y				No changes to traffic generation proposed.
(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.					

**Town of Wells , Maine**  
**Article X , 145-77 Data Requirements (Completeness Review)**  
**Page 7 of 7**

Project Name/District: Congregational Church - Amendment / General Business District - Tax Map 135, Lot 11.EXE

Date of Review: 08-29-16

Prepared By: Office of Planning & Development

Company Name: Town of Wells

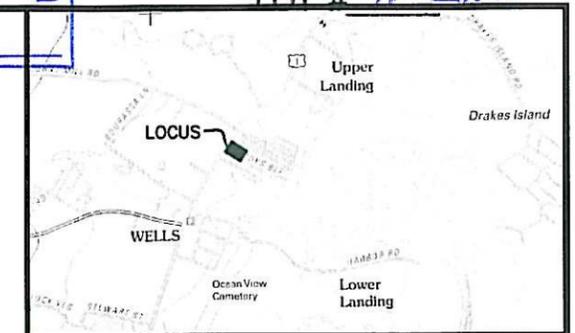
§ 145-77. Data Requirements [Amended 4-26-1996]		Application Meet Requirements				
		Yes	No	NA	Waiver	Comments
(5)	The need for traffic signals and signs or other directional markers to regulate anticipated traffic.					
H.	A soil erosion and sedimentation control plan, prepared in accordance with the 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*				<b><u>A note is recommended on the site plan referring to the Findings of Fact &amp; Decisions associated with this site plan. A note is recommended stating Best Management Practices for erosion and sedimentation control is a standard condition of site plan approval.</u></b>
I.	A stormwater management plan, prepared by a registered professional engineer in accordance with the most recent edition of Stormwater Management For Maine: BMPS Technical Design Manual, published by the Maine Department of Environmental Protection, 2006. Another methodology may be used if the applicant can demonstrate it is equally or more applicable to the site. A drainage analysis may be waived by the Planning Board upon request of the applicant and submittal of a letter from a registered professional engineer stating that there will be no adverse impacts to adjacent or downstream properties. <b>[Added 4-27-2007]</b>	Y*				<b><u>The Town Engineer to review runoff and stormwater management considerations.</u></b>
J.	Any other information or data the reviewing authority determines is necessary to demonstrate compliance with the standards of § 145-75. <b>[Added 4-27-2007]</b>					
	<b>Chapter 201, Article IV. Sidewalk Development.</b>			NA		The property is located within the Sidewalk Development area. The amendments proposed do not trigger the requirement for new sidewalk construction. The property has an existing sidewalk located along Route 1.

**Notes:**

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

RECEIVED  
JUL 15 2016  
By EDF

MAP # 135  
LOT # 11-EXLE



LOCATION PLAN  
NTS

ZONING INFORMATION (PARTIAL EXCERPT):  
SEE CHAPTER 145 § 145-26 OF THE CODE OF THE TOWN OF WELLS FOR ADDITIONAL INFORMATION

- ZONE: GENERAL BUSINESS DISTRICT
- F. Dimensional requirements:
- (1) Minimum lot size: 20,000 square feet of net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.
  - (2) Maximum density:
    - (a) One dwelling unit for each 20,000 square feet of net area if served by public sewer.
    - (b) One dwelling unit for each 40,000 square feet of net area if not served by public sewer.
    - (c) Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-28-1995; 4-12-2003; 6-13-2006 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.]
    - (d) Twenty hotel/motel units per acre of net area. [Amended 4-28-1995]
  - (3) Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.
  - (4) Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2,500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. [Amended 4-14-2000]
  - (5) Maximum building height: 34 feet, not to exceed three stories. (See § 145-35.)
- (b) All structures shall be at least:
- (1) Fifteen feet from any lot line.
  - (2) Twenty-five feet from the boundary of any cemetery.
  - (3) Twenty-five feet from any lot line abutting any street right-of-way.
  - (4) Forty feet from any lot line abutting the right-of-way of any state highway.
- (b) All structures and parking lots shall be at least 200 feet from the high-water line of the Webhannet River, Merrilland River and the Ogunquit River.
- (c) Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. [Added 6-13-2006 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.]

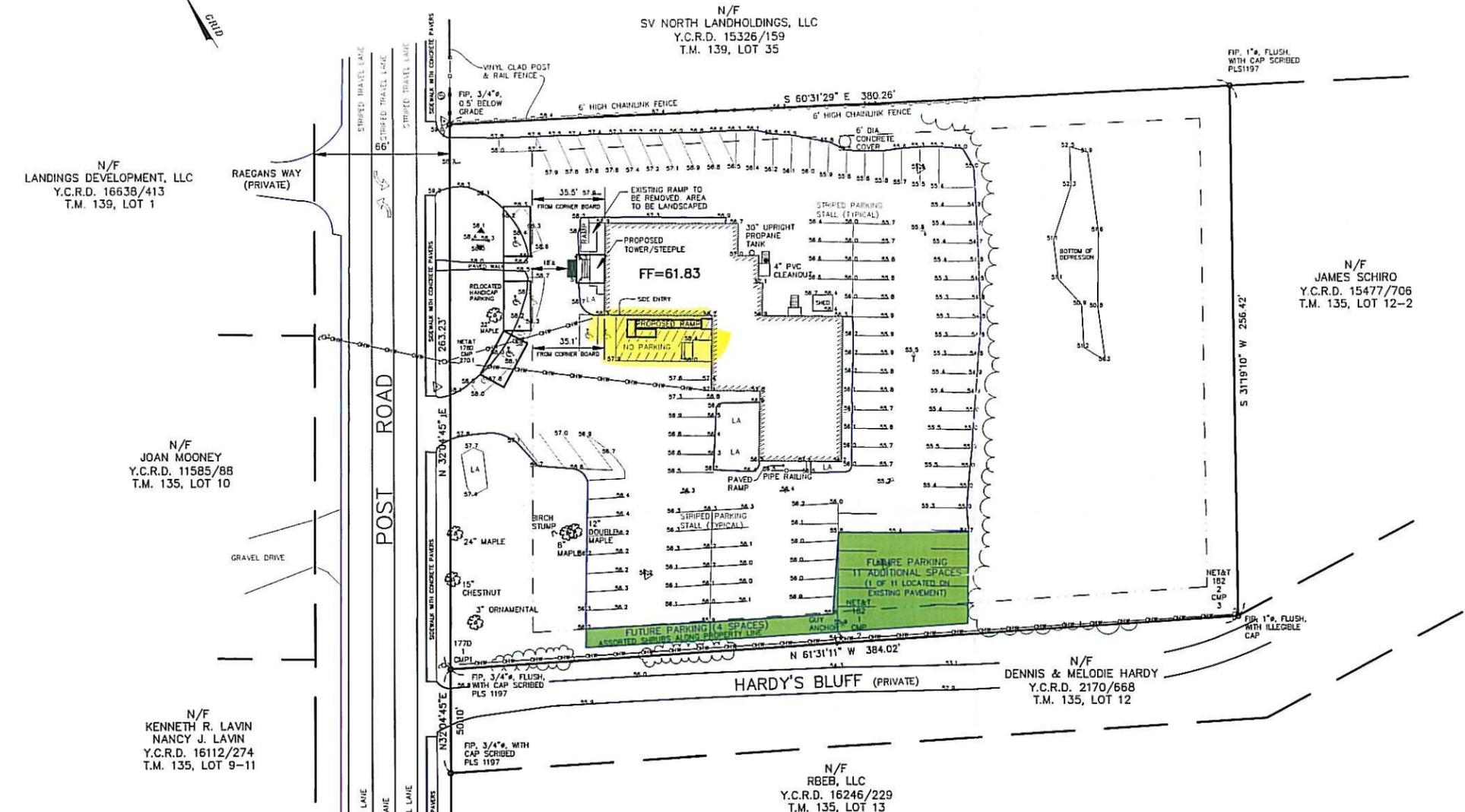
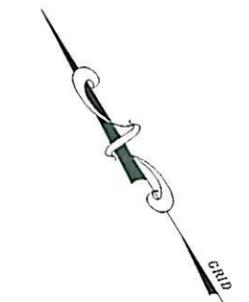
- NOTES:
- 1) BEARINGS AND DISTANCES DEPICTED HEREON ARE BASED ON GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD 83, AS DERIVED THROUGH GPS OBSERVATIONS UTILIZING TOPCON HIPERUTE DUAL FREQUENCY RECEIVERS AND THE ONLINE POSITIONING USER SERVICE (OPUS) PROVIDED BY THE NATIONAL GEODETIC SURVEY. SPOT ELEVATIONS ARE HAVD 89 DATUM DERIVED PER THE ABOVE OPUS SOLUTION.
  - 2) THIS PLAN WAS PREPARED TO DEPICT EXISTING CONDITIONS AND RENOVATIONS TO THE FRONT ENTRY (NEW STEEPLE) AND REVISED HANDICAP PARKING. POST ROAD SURVEYING HAS NOT PERFORMED A RECORD RETRACEMENT BOUNDARY SURVEY OF THIS LOT. THE BOUNDARY LINES, AS DEPICTED HEREON, ARE BASED ON THE FOUND MONUMENTS AS SHOWN AND AS A RESULT MAY BE SUBJECT TO REVISION.
  - 2) THE SIDELINE OF POST ROAD IS BASED ON THE MONUMENTS FOUND & SHOWN HEREON. FOR THE PUBLIC RECORD REGARDING POST ROAD, REFERENCE IS MADE TO THE YORK COUNTY SUPREME JUDICIAL COURT RECORDS, VOLUME 5, PAGE 493.
- THE OWNERS OF LAND ADJOINING POST ROAD, AS DEPICTED HEREON, MAY HAVE OWNERSHIP RIGHTS EXTENDING INTO THE ROAD. THIS DOCUMENT DOES NOT INTEND TO LIMIT, DENY OR LOCATE THESE RIGHTS. THE BOUNDARIES SHOWN REPRESENT AN ATTEMPT TO PLACE THE BOUNDARIES AS DESCRIBED IN THE DEEDS AND PLANS CITED HEREON AND DOES NOT NECESSARILY REFLECT THE EXTENT OF TITLE THAT PASSES BY IMPLICATION OR OPERATION OF LAW.

3) UNDERGROUND UTILITIES HAVE NOT BEEN IDENTIFIED OR LOCATED AS PART OF THIS PROJECT.

ADDITIONAL LOCUS INFORMATION:  
OWNER OF RECORD: THE CONGREGATIONAL CHURCH OF WELLS  
MAILING ADDRESS: P.O. BOX 758, WELLS, MAINE 04090  
RECORD REFERENCE: Y.C.R.D. VOLUME 1061, PAGE 647 & VOLUME 140, PAGE 181  
WELLS TAX MAP 135, LOT 11.EXLE  
GROSS / NET LOT AREA = 99,171 SQ. FT.±

- REFERENCE PLANS:
- 1) SHOWING 8 LOTS IN WELLS, MAINE OF RONALD G. AND IRENE POWELL, BY G. MAYNARD TRAFIM, DATED SEPTEMBER 1970 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 51, PAGE 27
  - 2) LOT LINE ADJUSTMENT (REVISION TO PLAN BOOK 51, PAGE 27) FOR DENNIS HARDY, HARDY'S BLUFF, WELLS, MAINE, DATED MARCH 24, 2004, BY ANDERSON LIVINGSTON ENGINEERS, INC. AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 299, PAGE 10
  - 3) REVISED PARKING PLAN FOR THE WELLS CONGREGATIONAL CHURCH, BY ALAN R. SCHWARTZ, DATED OCTOBER 15, 1990 AND APPROVED BY THE WELLS SITE REVIEW BOARD ON NOVEMBER 14, 1991.

- LEGEND
- FIP FOUND IRON PIPE, AS NOTED
  - UTILITY POLE
  - LAND, NOW OR FORMERLY, OF
  - Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
  - 7654/321 VOLUME/PAGE OF RECORDED DOCUMENT
  - OVERHEAD WRES
  - ⊙ SEWER MANHOLE
  - LA LANDSCAPED AREA



EXISTING COVERAGE CALCULATIONS:

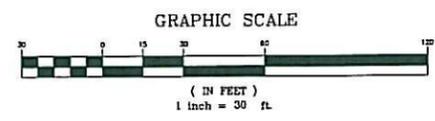
GROSS/NET LOT AREA	=	99,171 SQ FT
OUTSIDE OF EDGE OF IMPERVIOUS AREA	=	48,520 SQ FT
TOTAL OF VEGETATED ISLANDS	=	1,536 SQ FT
TOTAL EXISTING IMPERVIOUS COVERAGE (INCLUDES BUILDING)	=	46,984 SQ FT OR 47.4% OF GROSS/NET LOT AREA
FUTURE PARKING (IF NEEDED) ADDITIONAL COVERAGE	=	4,083 SQ FT (RESULTING LOT COVERAGE 51.5%)

PROPOSED COVERAGE CALCULATIONS:

GROSS/NET LOT AREA	=	99,171 SQ. FT.
PROPOSED IMPERVIOUS AREA	=	47,313 SQ. FT. OR 47.7% OF GROSS/NET LOT AREA
FUTURE PARKING (IF NEEDED) ADDITIONAL COVERAGE	=	4,083 SQ FT (RESULTING LOT COVERAGE 51.8%)

EXISTING PARKING INFORMATION:  
TOTAL NUMBER OF STRIPED SPACES = 96 (INCLUDES 6 HANDICAP SPACES)

PROPOSED PARKING INFORMATION:  
95 PARKING SPACES (5 HANDICAP)



STATE OF MAINE  
YORK COUNTY REGISTER  
JAMES S. WRIGHT JR.  
No 1311  
PROFESSIONAL LAND SURVEYOR

Post Road Surveying  
P.O. Box 1557  
Wells, Maine 04090  
Tel. 207-645-4245  
Fax 207-645-4242

DRAWN: J. WRIGHT	SCALE: 1" = 30'	DATE: 5/05/2015
CALC: J. WRIGHT	APPROVED: [Signature]	
N.B.# SEE FILE	SHEET 1 OF 1	PRDL 1511001 CHURCH.DWG

EXISTING CONDITIONS PLAN  
PREPARED FOR  
THE CONGREGATIONAL CHURCH  
OF WELLS  
LOCATED AT 1695 POST ROAD  
WELLS ~ MAINE

STATE OF MAINE  
YORK COUNTY ss. REGISTRY OF DEEDS  
RECEIVED \_\_\_\_\_ 20\_\_\_\_  
AT \_\_\_\_\_ M, AND RECORDED IN  
PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ATTEST \_\_\_\_\_ REGISTER

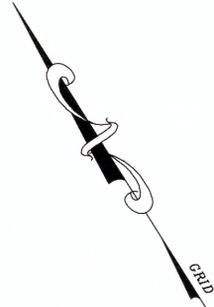
NO.	DATE	DESCRIPTION	BY
2	1/19/2016	REVISED COVERAGE CALCS, RAMP, ADD STEEPLE REVISE HANDICAP PARKING	J.W.
1	9/11/2015	SETBACK LINES & DIMENSIONS, SPOT ELEVATIONS AND REVISE NOTE 1 (DATUM REF.)	J.W.

Site Plan Notes:

1. The purpose of this site plan amendment is to depict the existing conditions/ changes to the 1990 approved site plan, depict the proposed new entrance/steeple, relocation of the accessibility ramp, addition of a shed, and revised/expanded parking layout and lot coverage.
2. Existing use is a Church. The gross floor area of the building is 6,968 SF with \_\_\_\_seats.
3. The property is located in the General Business District and is served by municipal water and sewer.
4. Parking:
  - a. Requirements:

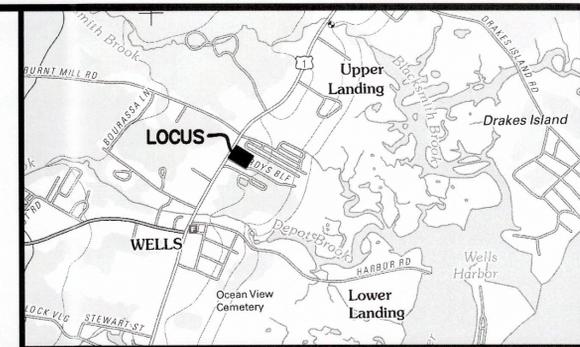
Approved 1990 Total parking spaces:	93 (4 HC)
Existing striped total parking spaces:	96 (6 HC)
Proposed re-striped total parking spaces:	94 (5 HC)
Proposed future total parking spaces:	101 (5 HC)

Required number of parking spaces: 1 space / 4 seats (\_\_\_\_seats) = \_\_\_\_\_
  - b. 4 handicap accessible spaces required currently. 5 handicap accessible spaces required if parking expanded to 101 spaces.
  - c. Parking lot re-striping, arrows, and handicap signage to the north, east and west of the Church to be completed prior to occupancy permit being issued for the new steeple.
  - d. Upon construction of the future parking area, the parking lot to the south of the Church shall be re-stripped as depicted.
5. No dumpster is proposed. All refuse to be removed as needed by the property owner.
6. All exterior lighting shall be shielded and directional as to not produce glare onto abutting properties or rights of way per the Land Use Code requirements.
7. Signage shall be in compliance with the Land Use Code requirements.
8. Best Management Practices (BMPs) for Erosion and Sedimentation control shall be followed. See Findings of Fact & Decisions associated with this site plan approval.
9. All trees and vegetation located within the 15' wide landscaped buffer along Route 1 and Hardy's Bluff shall be maintained.



- LEGEND**
- FIP FOUND IRON PIPE, AS NOTED
  - UTILITY POLE
  - N/F LAND, NOW OR FORMERLY, OF
  - Y.C.R.D. YORK COUNTY REGISTRY OF DEEDS
  - 7654/321 VOLUME/PAGE OF RECORDED DOCUMENT
  - OHW OVERHEAD WIRE
  - ⊙ SEWER MANHOLE
  - LA LANDSCAPED AREA

- REFERENCE PLANS:**
- 1.) SHOWING 8 LOTS IN WELLS, MAINE OF RONALD G. AND IRENE POWELL, BY G. MAYNARD TRAFON, DATED SEPTEMBER 1970 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 51, PAGE 27
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LOCATION PLAN  
NTS

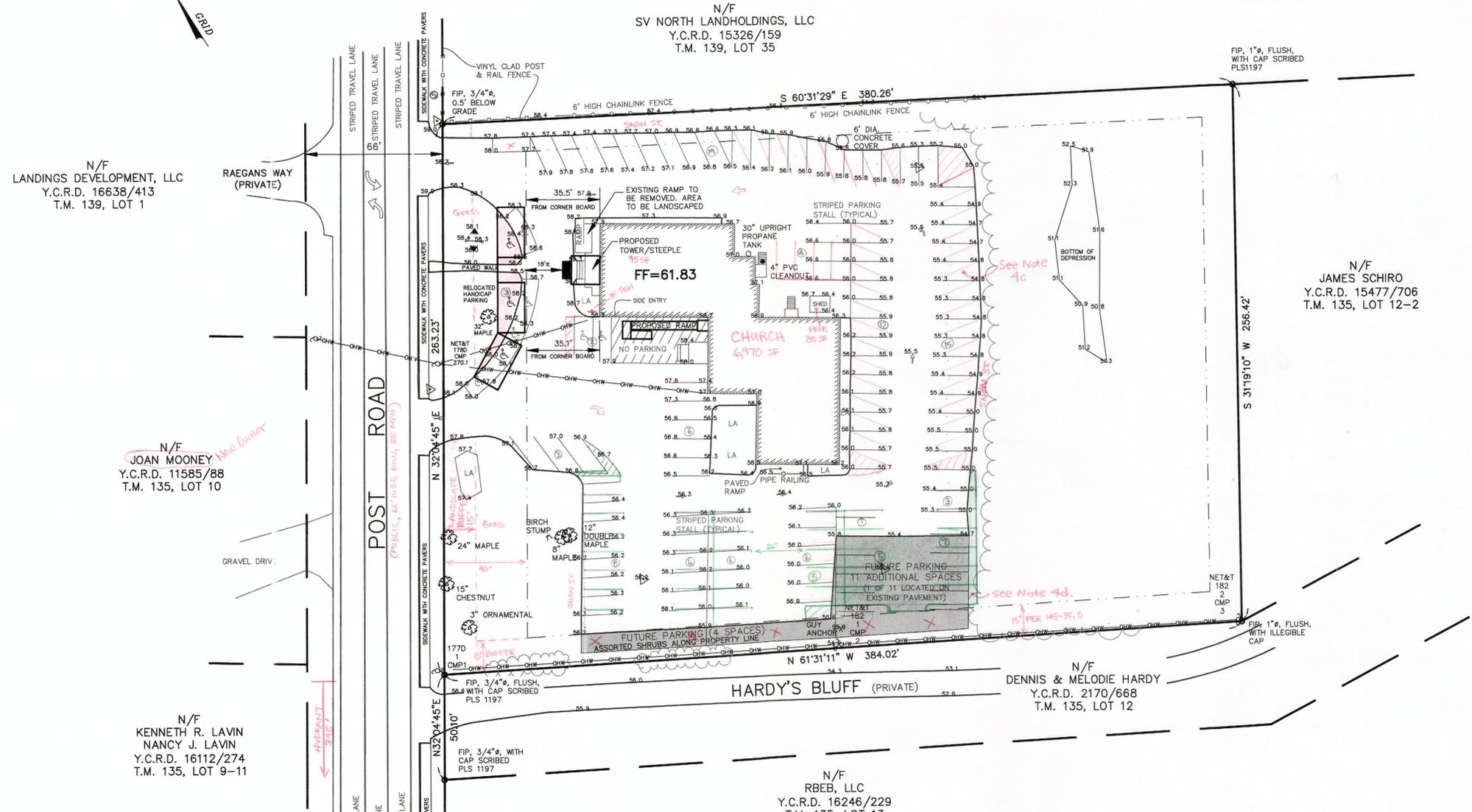
**ZONING INFORMATION (PARTIAL EXCERPT):**  
SEE CHAPTER 145 § 145-26 OF THE CODE OF THE TOWN OF WELLS FOR ADDITIONAL INFORMATION

- ZONE:** GENERAL BUSINESS DISTRICT
- F. Dimensional requirements:**
- (1) Minimum lot size: 20,000 square feet of net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.
  - (2) Maximum density:
    - (a) One dwelling unit for each 20,000 square feet of net area if served by public sewer.
    - (b) One dwelling unit for each 40,000 square feet of net area if not served by public sewer.
    - (c) Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-28-1995; 4-12-2003; 6-13-2006 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.]
    - (d) Twenty hotel/motel units per acre of net area. [Amended 4-28-1995]
  - (3) Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.
  - (4) Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2,500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. [Amended 4-14-2000]
  - (5) Maximum building height: 34 feet, not to exceed three stories. (See § 145-35I.)
  - (6) Setbacks.
    - (a) All structures shall be at least:
      - [1] Fifteen feet from any lot line.
      - [2] Twenty-five feet from the boundary of any cemetery.
      - [3] Twenty-five feet from any lot line abutting any street right-of-way.
      - [4] Forty feet from any lot line abutting the right-of-way of any state highway.
    - (b) All structures and parking lots shall be at least 200 feet from the high-water line of the Webhannet River, Merriland River and the Ogunquit River.
    - (c) Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. [Added 6-13-2006 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.]

- NOTES:**
- 1.) BEARINGS AND DISTANCES DEPICTED HEREON ARE BASED ON GRID NORTH, MAINE STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD 83, AS DERIVED THROUGH GPS OBSERVATIONS UTILIZING TOPCON HIPERLITE DUAL FREQUENCY RECEIVERS AND THE ONLINE POSITIONING USER SERVICE (OPUS) PROVIDED BY THE NATIONAL GEODETIC SURVEY. SPOT ELEVATIONS ARE NAVD 88 DATUM DERIVED PER THE ABOVE OPUS SOLUTION.
  - 2.) THIS PLAN WAS PREPARED TO DEPICT EXISTING CONDITIONS AND RENOVATIONS TO THE FRONT ENTRY (NEW STEEPLE) AND REVISED HANDICAP PARKING. POST ROAD SURVEYING HAS NOT PERFORMED A RECORD RETRACEMENT BOUNDARY SURVEY OF THIS LOT. THE BOUNDARY LINES, AS DEPICTED HEREON, ARE BASED ON THE FOUND MONUMENTS AS SHOWN AND AS A RESULT MAY BE SUBJECT TO REVISION.
  - 2.) THE SIDELINE OF POST ROAD IS BASED ON THE MONUMENTS FOUND & SHOWN HEREON. FOR THE PUBLIC RECORD REGARDING POST ROAD, REFERENCE IS MADE TO THE YORK COUNTY SUPREME JUDICIAL COURT RECORDS, VOLUME 5, PAGE 493.
- THE OWNERS OF LAND ADJOINING POST ROAD, AS DEPICTED HEREON, MAY HAVE OWNERSHIP RIGHTS EXTENDING INTO THE ROAD. THIS DOCUMENT DOES NOT INTEND TO LIMIT, DENY OR LOCATE THESE RIGHTS. THE BOUNDARIES SHOWN REPRESENT AN ATTEMPT TO PLACE THE BOUNDARIES AS DESCRIBED IN THE DEEDS AND PLANS CITED HEREON AND DOES NOT NECESSARILY REFLECT THE EXTENT OF TITLE THAT PASSES BY IMPLICATION OR OPERATION OF LAW.
- 3.) UNDERGROUND UTILITIES HAVE NOT BEEN IDENTIFIED OR LOCATED AS PART OF THIS PROJECT.

**ADDITIONAL LOCUS INFORMATION:**

OWNER OF RECORD: THE CONGREGATIONAL CHURCH OF WELLS  
MAILING ADDRESS: P.O. BOX 758, WELLS, MAINE 04090  
RECORD REFERENCE: Y.C.R.D. VOLUME 1861, PAGE 647 & VOLUME 140, PAGE 181  
WELLS TAX MAP 135, LOT 11.EXE  
GROSS / NET LOT AREA = 99,171 SQ. FT.±



**EXISTING COVERAGE CALCULATIONS:**

GROSS/NET LOT AREA	=	99,171 SQ FT
OUTSIDE OF EDGE OF IMPERVIOUS AREA	=	48,520 SQ FT
TOTAL OF VEGETATED ISLANDS	=	1,536 SQ FT
TOTAL EXISTING IMPERVIOUS COVERAGE (INCLUDES BUILDING)	=	46,984 SQ FT OR 47.4% OF GROSS/NET LOT AREA
FUTURE PARKING (IF NEEDED) ADDITIONAL COVERAGE	=	4,083 SQ FT (RESULTING LOT COVERAGE 51.5%)

**PROPOSED COVERAGE CALCULATIONS:**

GROSS/NET LOT AREA	=	99,171 SQ. FT.
PROPOSED IMPERVIOUS AREA	=	47,313 SQ. FT. OR 47.7% OF GROSS/NET LOT AREA
FUTURE PARKING (IF NEEDED) ADDITIONAL COVERAGE	=	4,083 SQ FT (RESULTING LOT COVERAGE 51.8%)

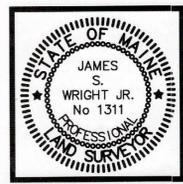
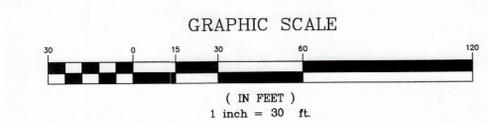
**EXISTING PARKING INFORMATION:**  
TOTAL NUMBER OF STRIPED SPACES = 96 (INCLUDES 6 HANDICAP SPACES)

**PROPOSED PARKING INFORMATION:**  
95 PARKING SPACES (5 HANDICAP)

APPROVED BY THE WELLS STAFF REVIEW COMMITTEE

STATE OF MAINE  
YORK COUNTY ss. REGISTRY OF DEEDS  
RECEIVED \_\_\_\_\_ 20\_\_\_\_  
AT \_\_\_\_\_ M., AND RECORDED IN  
PLAN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

NO.	DATE	DESCRIPTION	BY
2	1/16/2016	REVISED COVERAGE CALCS, RAMP, ADD STEEPLE REVISE HANDICAP PARKING	J.W.
1	9/11/2015	SETBACK LINES & DIMENSIONS, SPOT ELEVATIONS AND REVISE NCTE 1 (DATUM REF.)	J.W.



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

DRAWN: J. WRIGHT    SCALE: 1" = 30'    DATE: 5/05/2015  
CALC: J. WRIGHT    APPROVED: *[Signature]*  
N.B.#: SEE FILE    SHEET 1 OF 1    PROJ: 1511001 CHURCH.DWG

**SITE PLAN AMENDMENT AND EXISTING CONDITIONS PLAN**

PREPARED FOR

**THE CONGREGATIONAL CHURCH OF WELLS**

LOCATED AT 1695 POST ROAD  
WELLS ~ MAINE



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

New \_\_\_\_\_  
Amendment   
(follow 145-74A)

For office use only  
Fees Paid \$150.00

Received 8-10-16

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

1. Project/Business Name: The Congregational Church of Wells \_\_\_\_\_
2. Street Address (of project): 1695 Post Road \_\_\_\_\_
3. Assessor's Tax Map Number(s): 135 Lot Number(s) : 11 \_\_\_\_\_
4. Property Owner: The Congregational Church of Wells \_\_\_\_\_  
Mailing Address: 1695 Post Road, PO Box 758 \_\_\_\_\_  
Wells, ME 04090 \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_
5. Applicant (if different from owner): Jamie Bradish \_\_\_\_\_  
Mailing Address: PO Box 1799  
Wells, ME 04090  
\_\_\_\_\_  
Telephone: 646-3515 Fax: 646 6497  
Email Address: jbradish@mollytrolley.com
6. Agent (Engineer, Surveyor, etc): Jim Wright, PLS; Post Road Surveying \_\_\_\_\_  
Mailing Address: P.O. Box 1557 \_\_\_\_\_  
Wells, ME 04090 \_\_\_\_\_  
Telephone: 646-4246 Fax: 646-4242  
Email Address: postroad2@myfairpoint.net
7. All correspondence should be sent to:  
(specify one of the above) \_\_\_\_\_ Jamie Bradish \_\_\_\_\_
8. Zoning District(s): GB, General Business \_\_\_\_\_
9. Shoreland Overlay District(s): None \_\_\_\_\_

10. Land Use(s): Existing : \_\_\_ church, 145-26.C. (11) \_\_\_\_\_

Proposed: \_\_\_ church, 145-26.C. (11)

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

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

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

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

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

15. Acreage of parcel: 2.277 acres \_\_\_\_\_ Acreage to be Developed: 1.1 acres \_\_\_\_\_

16. EXISTING a) Total Gross Floor Area of All Structures: \_\_\_\_\_ b) Total Lot Coverage: 47.4%  
c) Total Square Footage of area considered covered ("not green and growing"): 46,984 sf  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

17. PROPOSED a) Total Gross Floor Area of All Structure : \_\_\_\_\_ b) Total Lot Coverage: 51.8%  
c) Total Square Footage of area considered covered ("not green and growing"): 51,396  
sf  
*(This includes structures, overhangs, paved or gravel surfaces, etc.)*

18. Number of Existing Parking Spaces: 96 \_\_\_\_\_ Total Number of Parking Spaces as proposed: 105 \_\_\_\_\_

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

20. Description of proposal: The church is proposing to reconstruct the steeple, relocated and construct a new HC ramp, after-the-fact shed location, expand parking lot \_\_\_\_\_

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

 \_\_\_\_\_  \_\_\_\_\_  
Signature of Applicant Date

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



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

**SITE PLAN APPLICATION COMPLETENESS REVIEW CHECKLIST**  
*(This Checklist MUST be submitted)*

**Project Name:** \_\_\_\_\_ **Applicant:** \_\_\_\_\_  
**Checklist Prepared By:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Checklist Reviewed By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

**Response (Please check applicable box)**

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

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

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

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

Project Name: \_\_\_\_\_

Street Address of Project: \_\_\_\_\_

Map/ Lot# of Project: \_\_\_\_\_

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

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

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

Use additional sheets if necessary.

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

Name	Address	Tax Map	Lot
	<b>To be done by Planning Office</b>		

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

  
 \_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 8/10/16  
 Date



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**SITE PLAN APPLICATION NOTICE TO ABUTTERS**

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

To Whom It May Concern:

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

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

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

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

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

Applicant's Mailing Address: \_\_\_\_\_

Street Address of Project: \_\_\_\_\_

Zoning and Shoreland Overlay District(s): \_\_\_\_\_

Property Assessor's Tax Map(s): \_\_\_\_\_ Lot(s): \_\_\_\_\_

Description of Proposal:  
 \_\_\_\_\_  
 \_\_\_\_\_



# TOWN OF WELLS

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## AGREEMENT TO ENFORCE HANDICAPPED PARKING REGULATIONS ON PRIVATE PROPERTY

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

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

\_\_\_\_\_  
Owner/Applicant

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

### Standard Conditions of Approval

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