



TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

Meeting Agenda

Tuesday, November 15, 2016, 9:00 AM

Town Hall Meeting Room, Second Floor

208 Sanford Road, Wells

MINUTES

I. OCTOBER 12, 2016 DRAFT MEETING MINUTES

Documents:

[SRC MIN 10-12-2016.PDF](#)

DEVELOPMENT REVIEW & WORKSHOPS

I. MILLENNIUM GRANITE

Richard Bois, owner/applicant. Site Plan Amendment to eliminate the timber Sawmill use (Building B); construct two additions (12' x 28' and 12' x 40') to the existing stone saw barn; construct a new accessory building (40' x 80') to the quarry Mineral Extraction use; and depict minor alterations from the 2014 site plan approval. Property is located off of 50 Quarry Road and is located within the Rural and Shoreland Overlay Districts. Tax Map 46, Lot 20-3.

Receive Site Plan Amendment Application and workshop V, VI, VII and completeness

Documents:

[MILLENNIUM GRANITE AMD MEMO 11-09-16.PDF](#)
[MILLENNIUM GRANITE DRAFT PLAN 11-09-16.PDF](#)
[MILLENNIUM GRANITE PLAN NOTES 11-09-16.PDF](#)

II. BROWNS CLAM SHANTY

Bruce and Robert Brown, owners. Sean Brown, applicant. Site Plan Amendment to revise the site plan to reflect existing site conditions and to comply with prior approved landscaping requirements. The existing standard restaurant use to remain. The parcel is located off 198 Post Road and is within the General Business District. Tax Map 105, Lot 160. **Receive Site Plan Amendment Application and workshop V, VI, VII and completeness**

Documents:

[BROWNS CLAM SHANTY AMEND APP MEMO 11-10-16.PDF](#)
[0105-160 SKETCH OF EXISTING CONDITIONS ON BOUNDARY 11-09-16.PDF](#)

0105-160 MIKES CLAM SHACK PLAN 1999 SIGNED.PDF
0105-160 MIKES CLAM SHACK PLAN 1997 SIGNED.PDF

III. CAPPYS CONDOMINIUM

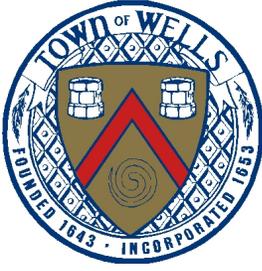
Charles Realty Trust, owner; John Kugler, Attorney; Frank Emery, Surveyor. Site Plan Amendment for approval of existing site conditions, change to lot coverage, reconfigure parking, alter dumpster locations, update propane tank locations, and create 2 condominium elements. Existing Standard Restaurant use; Business Office and Retail uses; Dwelling Units and Housekeeping Cottage units to remain unchanged. The parcel is located off of 166 Post Road and is within the General Business District. Tax Map 105, Lot 14A. **Receive Site Plan Amendment Application and workshop V, VI, VII and completeness**

Documents:

CAPPYS CONDO AMEND APP MEMO 11-10-16.PDF
CAPPYS PLAN MARKUP 11-10-16.PDF
CAPPYS SITE PLAN NOTES DRAFT 11-10-16.PDF
M105 L14A SITE PLAN 10-16-00 SIGNED.PDF

OTHER BUSINESS

ADJOURN



TOWN OF WELLS, MAINE STAFF REVIEW COMMITTEE

Meeting Minutes
Wednesday, October 12, 2016, 9:00 A.M.
Wells Town Hall
208 Sanford Road, Wells

The meeting was called to order by Town Engineer/Planner Mike Livingston. Members present: Highway Department Commissioner representative Paula Green, Fire Department Cpt. Jeff Nawfel, Police Chief Jo-Ann Putnam, Code Enforcement Officer Jodine Adams, Planning Assistant Shannon Belanger.

MINUTES

September 20, 2016

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to accept the minutes as submitted.
PASSED unanimously.

DEVELOPMENT REVIEW AND WORKSHOP

- I. COASTAL PREFINISHED FLOORS & TILES** - Lyons Enterprises, owner; Coastal Prefinished Floors & Tiles LLC, applicant. Site Plan Amendment for a change of use to the 3,216 SF building to include Business Retail and Business Contractor use. The Business Wholesale and Business Office uses to remain. No changes proposed to the 1,550 SF building or other uses on the property. The property is located off of 833 Sanford Road and is within the Residential Commercial District. Tax Map 49, Lot 29-1.
Receive Site Plan Amendment, Workshop Completeness and draft Compliance/ Findings of Fact & Decisions if appropriate

Dan Lyons, owner and Michelle and Peter Jacob were present. Abutter Janet Bonica was present.

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to receive the site plan amendment application. **PASSED** unanimously.

The applicant plans to add business retail and contractor uses to the existing vacant building. No changes to the building are proposed.

Comments from Ms. Bonica on traffic control signs and installation were discussed.

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to waive the requirement for an updated boundary survey. **PASSED** unanimously.

The landscape buffers along Homestead Drive and Route 109 were discussed. Screening for the residential abutters was reviewed.

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to find the application complete. **PASSED** unanimously.

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to find the application compliant. **PASSED** unanimously.

The Findings of Facts & Decisions were reviewed. Handicap parking spaces are required on both sides of the building because there are two different businesses.

MOTION

Motion by Ms. Adams, seconded by Chief Putnam, to approve the Findings of Facts & Decisions as amended. **PASSED** unanimously.

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to sign the plans and Findings at the end of the meeting. **PASSED** unanimously.

ADJOURN

MOTION

Motion by Chief Putnam, seconded by Ms. Adams, to adjourn. **PASSED** unanimously.

RESPECTFULLY SUBMITTED:

Cinndi Davidson, Meeting Recorder

ACCEPTED BY:

Michael G. Livingston, PE, Town Engineer/Planner



Planning & Development
208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

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

Site Plan Amendment Application Memo

Date: November 9, 2016

To: Staff Review Committee

From: Planning Office

Re: Millennium Granite – Site Plan Amendment Application - Map 46, Lot 20-3

Richard Bois, Jr of Millennium Granite, has submitted a site plan amendment application for the previously approved site plan approved on 7/29/2014. The purpose of this plan is to amend the following: elimination of the future “Barn B” (3,000 SF) and “Sawmill” (1,200 SF) buildings; reflect the existing conditions of the constructed 30’ x 40’ Maintenance Building, the Saw Barn building additions (960 SF + 784 SF) and “Future Shop” (800 SF), existing trailer locations, tree lines and lot coverage; and seeking approval for a 40’ x 80’ accessory building for the Mineral Extraction use and two building additions (12’ x 28’ and 12’ x 40’) to the existing Stone Barn. This mineral extraction gravel pit is 23.955 acres in size. This property is identified as Tax Map 46, Lot 20.3. The parcel is located off of Quarry Road and Bald Hill Road and is within the Rural and 250’ Shoreland Overlay Districts. The existing and proposed uses on the property are mineral extraction use and manufacturing use. The 23.955 acre parcel to be served by a private septic system and accesses water from the quarry pond and on-site well. A porta-potty exists adjacent to the temporary trailers and future shop area. A fire pond with dry hydrant is also located on this parcel. No dwellings are located on this parcel. GIS Mapping identifies this parcel to have significant forested and freshwater wildlife habitats as well as some Flood Zone A areas. Wetlands are also identified to be significant in this area.

§ 145-70. Applicability.

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

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **YES - 3,200 SF and 336 SF and 480 SF in new building is proposed for the Mineral Extraction and Manufacturing use.**

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

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

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

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

§ 145-73. Fees.

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

§ 145-74. Review and approval process.

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

Planning and Development, the Code Enforcement Officer shall:

- (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 11/4/2016 the Code Officer determined the uses are permitted/grandfathered.**
 - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 11/4/16**
 - [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**
 - [2] Certify that said notices have been sent or delivered.
 - [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
 - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 11/15/16**
 - (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 11/4/16; meeting is on 11/15/16**
 - (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
 - (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

Recommendations and Conclusion:

1. The Staff Review Committee should move to receive the site plan amendment application.
2. The SRC should review and workshop the V, VI, VII and completeness draft comments and consider the following issues:
 - a. Review the changes made to the 2014 approved structures and gravel areas
 - b. Does the applicant plan to retain the storage bins/trailers on the site? Prior approval required the removal of the temporary trailers by April 2015. If some are to remain, they will need to be relocated to maintain sufficient vehicular travel aisle widths.
 - c. Based on the proposed 40' x 80' building location and saw barn additions the old scale house would need to be relocated to provide for sufficient travel aisle widths and radii for fire trucks to access the fire pond.
 - d. The 25' no-cut buffer/LID was cut adjacent to the Maintenance Building. The SRC to discuss if this buffer is to be replanted and at what time.
 - e. Was an updated or new septic design provided prior to the granting of a building permit for the office or shop (per note 18 of prior approval)?
 - f. Determine if any additional parking is required for the proposed buildings.
 - g. Consider a waiver of requiring a soil erosion and sedimentation control plan;

- h. Consider a waiver of requiring a stormwater management plan;
 - i. Consider a waiver allowing the site plan scale of 1" = 100 feet
 3. Continue the workshop to the 11/29/16 SRC meeting.

Thank you.

ZONES: Rural, Shoreland, Flood and Resource Protection
 Min. Lot Size: 100,000 Sq. Ft. (2.3 acres)
 Cemetery Setback: 25 Ft.
 Lot Line Setback: 25 Ft.
 Max. Building Height: 40 Ft.
 Min. Street Frontage: 200 Ft.
 Max. Lot Coverage: 20%
 Min. Wetland Setback (Freshwater: > 10 ac., adjacent to surface water, not dominated by woody vegetation): 75 Ft.

Standard Conditions of Approval

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

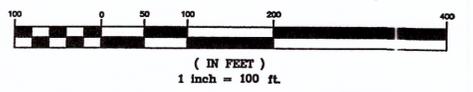
PLAN REFERENCES:

- Plan entitled "Amended Site Plan for Millennium Granite, Quarry Road & Bald Hill Road, Wells, Maine" prepared by Anderson Livingston Engineers, Inc. dated 11/13/2008, dated last revised 02/20/2009, and approved and signed by the Wells Planning Board on 2/23/2009.
- Plan entitled "Amended Site Plan for Millennium Granite, Quarry Road & Bald Hill Road, Wells, Maine" prepared by Richard Bois and the Planning Office dated 7/24/2014 and approved and signed by the Wells Staff Review Committee on 7/29/2014.

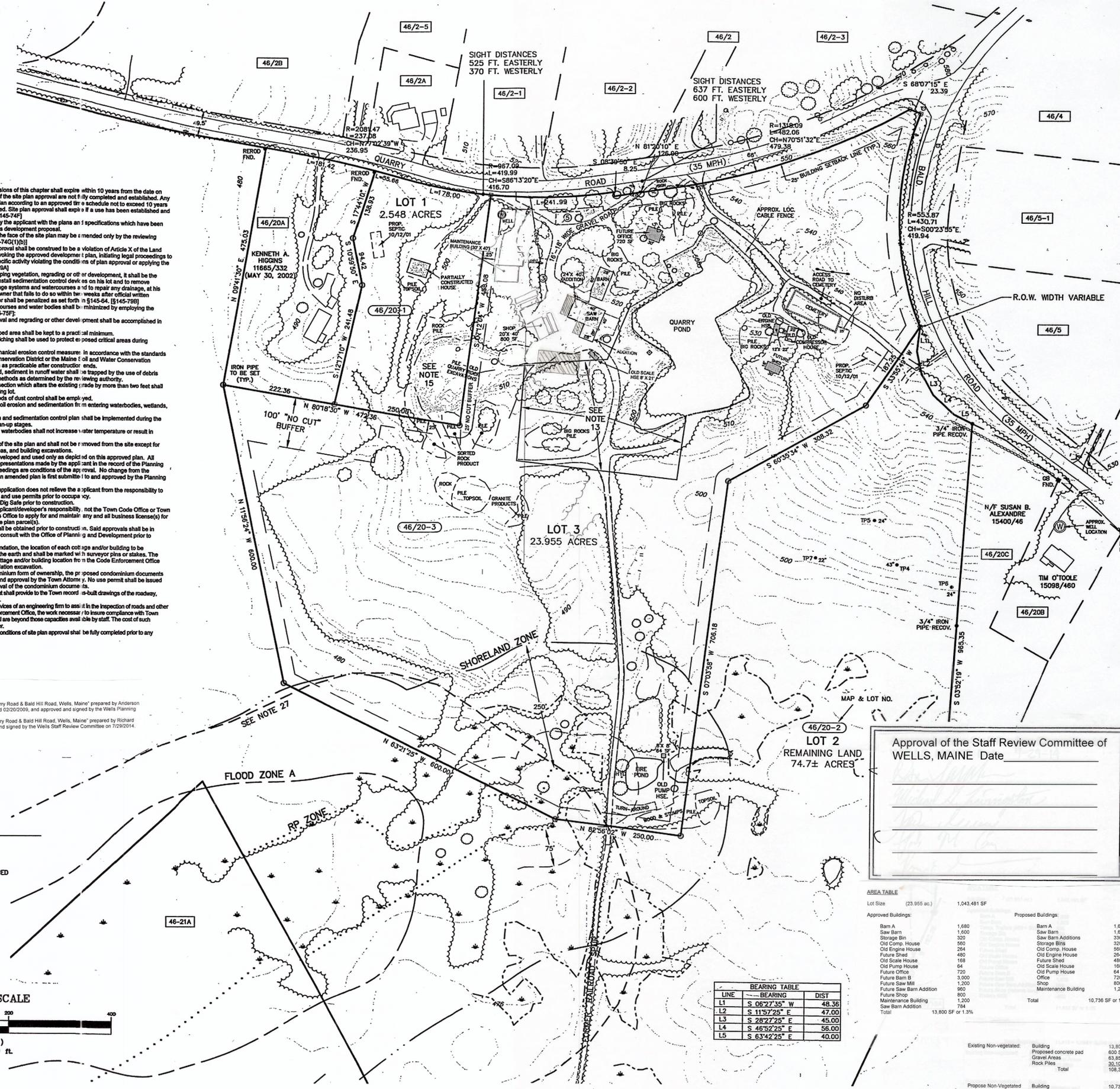
LEGEND

- UTILITY POLE
- WELL
- MONUMENT FOUND AS DESCRIBED
- MONUMENT TO BE SET
- STONE MONUMENT FOUND
- GRANITE BOUND TO BE SET
- ⊕ # PARKING SPACES
- ▨ BUILDING PER 2003 SITE PLAN
- ▩ BUILDING PER AERIAL SEE NOTE 2

GRAPHIC SCALE



FILE NO: 6458
 PLAN NO: 2303.081101



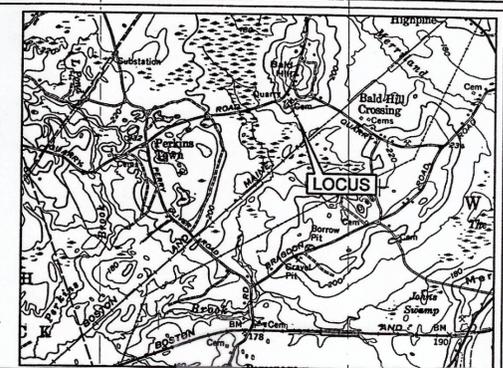
BEARING TABLE

LINE	BEARING	DIST
L1	S 06°27'35" W	48.36
L2	S 11°57'25" E	47.00
L3	S 28°27'25" E	45.00
L4	S 48°52'25" E	56.00
L5	S 63°42'25" E	40.00

AREA TABLE

Lot Size	(23,955 ac.)	1,043,481 SF
Approved Buildings:		
Barn A	1,680	
Saw Barn	1,000	
Storage Bin	320	
Old Comp. House	560	
Old Engine House	284	
Future Shed	480	
Old Scale House	168	
Old Pump House	64	
Future Office	720	
Future Barn B	3,200	
Future Saw Mill	1,200	
Future Saw Barn Addition	960	
Future Shop	800	
Maintenance Building	1,200	
Saw Barn Addition	784	
Total	13,800 SF or 1.3%	
Proposed Buildings:		
Barn A	1,680	
Saw Barn	1,650 + 960 + 784	
Storage Bin	336 + 480	
Storage Bins	320 + 320	
Old Comp. House	560	
Old Engine House	284	
Future Shed	480	
Old Scale House	168	
Old Pump House	64	
Office	720	
Shop	800	
Maintenance Building	1,200	
Total	10,736 SF or 1.02%	
Existing Non-vegetated:		
Proposed concrete pad	13,800 SF	
Gravel Areas	63,850 SF	
Rock Piles	30,100 SF	
Total	108,350 or 10.4%	
Propose Non-Vegetated:		
Building	10,736 SF	
Gravel Areas	63,850 + 3,700 SF	
Rock Piles	30,100 SF	
Total	106,386 or 10.04%	

Approval of the Staff Review Committee of WELLS, MAINE Date _____



- NOTES:
- The purpose of this plan is to amend the Site Plan approved in 2014 for Millennium Granite and includes the following changes: elimination of the future "Barn B" (3,000 SF) and "Sawmill" (1,200 SF) buildings; reflect the existing conditions of the constructed 30' x 40' Maintenance Building, the Saw Barn building additions (960 SF + 784 SF) and "Future Shop" (800 SF), existing trailer locations, tree lines and lot coverage; and seeking approval for a 40' x 80' accessory building for the Mineral Extraction use and two building additions (12' x 28' and 12' x 40') to the existing Stone Barn.
 - Two foot contours are referenced to an assumed datum and were generated from aerial photography by Aerial Survey & Photo, Inc.
 - Wetlands are shown as digitized from "Wetland Delineation Map" by Woodlot Alternatives, dated January 2006.
 - Flood Zone A is shown as digitized from FEMA Rate Map 230158 0002B, dated July 5, 1983.
 - RP and Shoreland Zones are shown per location of existing marsh (wetland) limits.
 - Snow storage will be where shown and along the access road to the fire pond.
 - Boundary line information shown per "Minor Subdivision Plan for Richard Bois, Jr.," dated October 21, 2008.
 - A dry hydrant and fire pond (approx. 50,000 gal.) exists on Lot 3. Easement to Town of Wells recorded at the YCRB in Book 15534, page 817. Maintenance including plowing is required by the owner. A minimum 12 ft. wide gravel travel way with 4 ft. vegetation cleared on both sides will be maintained. The existing turn-tee is 18 ft. wide and 80 ft. long and will be maintained at those dimensions. A Knox lock will be installed on the entrance gate by the owner.
 - Granite stock and finished product is stored in various locations around the barn and entrance road.
 - Existing stone saw machinery is located in the "saw barn".
 - All site work shall comply with the Maine Department of Environmental Protection Erosion and Sedimentation Control Standards per the Best Management Practice (BMP) Handbook.
 - Top soil shall not be removed. It will be stockpiled, screened and spread over disturbed areas.
 - Potential area of mineral extraction expansion.
 - The uses permitted on Lot 20-3 include Mineral Extraction and Manufacturing uses. *The property has historically manufactured granite products. Prior site plan approvals did not accurately note this grandfathered use to have existed.
 - Easement to be retained on Lot 1 until old rock stockpile is removed and area retained as vegetated no more than 30 days after the property is sold or transferred to a third party. Lot 3 will be required to vegetate and plant evergreen trees in a 25 foot wide buffer along Lot 1.
 - The business utilizes 3 to 4 employees. Parking is unmarked, but available in several locations. Six spaces are shown on the plan, one for each employee and two for customers or visitors. The group of spaces will be parallel spaces at 9'x24' each (9'x72'). The group of 5 spaces will be 90 spaces at 9'x18.5' (45'x9'). One handicap space will be available on an existing concrete slab (12'x40') and will be marked with a sign.
 - Notes/Conditions of the 2003 approved site plan which still apply to the site (Lot 20-3) are the following:
 - No work to be performed in wetlands.
 - Dust control will be achieved by use of an automated sprinkler system with sprinkler heads positioned every 25' for the first 100' of access road.
 - Blasting within the site perimeter is prohibited without prior planning board approval.
 - Truck traffic over 26,000.00 lbs. will be limited to 30 truck trips per day.
 - C & R Stone Cutters will comply with the Town of Wells Noise Ordinance Chapter 145-45.
 - A chain link fence will be installed only when a working face of the quarry is opened.
 - Granite quarries are not required to submit a restoration plan.
 - No clearing will take place within 100 feet of cemetery.
 - No clearing will take place other than for residential purposes within 100 feet of property boundaries.
 - No commercial clay extraction is permitted from site without appropriate Town and DEP approval.
 - An updated or new septic design will be provided prior to the granting of a building permit for the office or shop.
 - All business signs to be installed require a sign permit and will comply with Sect. 145-40 of the Wells code.
 - Any lighting will be building mounted, directional and will not glare onto Quarry Road or abutting properties.
 - Hours of operation will be 7:00 am to 5:00 pm Mon. - Fri. and 8:00 am to noon on Saturdays and Holidays.
 - Any site activities will comply with the noise restrictions of Sect. 145-45 of the Wells code. If multiple complaints are logged, the owner will be required to measure sound levels to satisfy the code.
 - Existing trees within 20 feet of Quarry Road are to remain. If a tree dies it will be replaced with a similar species with a minimum 2 inch caliper.
 - No equipment fuels will be stored on-site. Lubricants or other fluids will be stored within a structure. Fluids associated with repair or maintenance of equipment will be collected in a container and removed from the site.
 - Temporary trailers to be removed once the shop is constructed.
 - Solid waste will be disposed of weekly by the owner. No dumpster proposed.
 - Wading Bird Habitat area as digitized from IF&W database map.

AMENDED SITE PLAN FOR MILLENNIUM GRANITE QUARRY ROAD & BALD HEAD ROAD WELLS, MAINE

Scale: 1 in = 100 ft.
 Date: November 13, 2008
 REVISIONS:
 11/24/08: NOTE 18
 12/04/08: NOTES, LABELS, COV.%
 01/05/09: NOTES, AREA TABLE
 01/23/09: NOTES, AREA TABLE
 02/20/09: NOTES
 07/24/14: NOTES, LABELS, COV. BLDG

OWNER:
 Richard J. Bois, Jr.
 P.O. Box 375
 Ogunquit, ME 03907

Sheet 1 of 1

Approval of the Staff Review Committee of
WELLS, MAINE Date_____

NOTES:

1. The purpose of this plan is to amend the Site Plan approved in 2014 for Millennium Granite and includes the following changes: elimination of the future "Barn B" (3,000 SF) and "Sawmill" (1,200 SF) buildings; reflect the existing conditions of the constructed 30' x 40' Maintenance Building, the Saw Barn building additions (960 SF + 784 SF) and "Future Shop" (800 SF), existing trailer locations, tree lines and lot coverage; and seeking approval for a 40' x 80' accessory building for the Mineral Extraction use and two building additions (12' x 28' and 12' x 40') to the existing Stone Barn.

14. The uses permitted on Lot 20-3 include Mineral Extraction and Manufacturing uses. *The property has historically manufactured granite products. Prior site plan approvals did not accurately not this grandfathered use to have existed.

PLAN REFERENCES:

1. Plan entitled " Amended Site Plan for Millennium Granite, Quarry Road & Bald Hill Road, Wells, Maine" prepared by Anderson Livingston Engineers, Inc. dated 11/13/2008; dated last revised 02/20/2009, and approved and signed by the Wells Planning Board on 2/23/2009.
2. Plan entitled "Amended Site Plan for Millennium Granite, Quarry Road & Bald Hill Road, Wells, Maine" prepared by Richard Bois and the Planning Office dated 7/24/2014 and approved and signed by the Wells Staff Review Committee on 7/29/2014.

AREA TABLE

Lot Size (23.955 ac.) 1,043,481 SF

Approved Buildings:

Barn A	1,680	Barn A	1,680
Saw Barn	1,600	Saw Barn	1,600 + 960 + 784
Storage Bin	320	Saw Barn Additions	336 + 480
Old Comp. House	560	Storage Bins	320 + 320
Old Engine House	264	Old Comp. House	560
Future Shed	480	Old Engine House	264
Old Scale House	168	Future Shed	480
Old Pump House	64	Old Scale House	168
Future Office	720	Old Pump House	64
Future Barn B	3,000	Office	720
Future Saw Mill	1,200	Shop	800
Future Saw Barn Addition	960	Maintenance Building	1,200
Future Shop	800		
Maintenance Building	1,200	Total	10,736 SF or 1.02%
Saw Barn Addition	784		
Total	13,800 SF or 1.3%		

Proposed Buildings:

Existing Non-vegetated:	Building	13,800 SF
	Proposed concrete pad	600 SF
	Gravel Areas	63,850 SF
	Rock Piles	30,100 SF
	Total	108,350 or 10.4 %

Propose Non-Vegetated	Building	10,736 SF
	Gravel Areas	63,850 + 3,700 SF
	Rock Piles	30,100 SF
		108,386 or 10.04%



Planning & Development
208 Sanford Road, Wells, Maine 04090
Phone: (207) 646-5187, Fax: (207) 646-7046
Website: www.wellstown.org

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

Site Plan Amendment Application Memo

Date: November 10, 2016

To: Staff Review Committee

From: Planning Office

Re: Browns Clam Shanty – Site Plan Amendment Application - Map 105, Lot 160

Sean Brown, has submitted a site plan amendment application on behalf of the property owner, Bruce and Robert Brown, for the property located off of 198 Post Road identified as Tax Map 105, Lot 160. The property is located within the General Business District and is 4.89 acres in size. The parcel is served by public water and sewer. The purpose of the amendment is to seek approval for the following changes: reflect existing site conditions for lot coverage, parking, building location, outside eating; eliminate the renovation of the deck; comply with prior approved landscaped buffer requirements along Route One; and seek approval/remedy addition of other uses/structures on the property. The existing 96 seat Standard Restaurant use to remain unchanged.

§ 145-70. Applicability.

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

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

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

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

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

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

§ 145-73. Fees.

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

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

§ 145-74. Review and approval process.

- G. Amendment to approved site plans.
 - (2) Upon receipt of an application to amend a previously approved site plan, the Code Enforcement Officer shall follow the procedure for reviewing a site plan review preapplication as set forth in Subsection A. Notice of the filing of an application to amend an approved site plan shall follow the notice procedure for the filing of a preapplication for site plan review as set forth in Subsection A. **Procedure for site plan pre-application and application shall be followed.** *
 - (3) The procedure for reviewing applications to amend a previously approved site plan shall follow the procedure for reviewing a site plan review application as set forth in this section unless the reviewing authority determines that the amendment is of such an inconsequential nature that the full site plan review procedure is not necessary. For applications to amend a previously approved site plan, the reviewing authority may combine the preapplication and application steps and may waive the requirement for a public hearing.
 - (4) Field changes to approved site plans. **[Added 4-18-1998] Not applicable at this time**
- H. The Planning Board may require that a performance bond or other suitable financial guaranties be posted by the applicant. The form and amount of this bond of financial guaranty must be acceptable to the Town Manager. **Not applicable**
- I. Technical assistance. The Code Enforcement Officer, the Staff Review Committee or the Planning Board may, at its discretion, forward a copy of the application, the plans and all supporting documentation to any appropriate technical expert for review. The review may include traffic impact, roadway and parking area design and construction, stormwater management and erosion and sedimentation control, as well as any other concerns of the reviewing authority. The applicant shall pay for the employment of any such experts. (See § 175-73C.) **Not applicable**
- A. **Preapplication. [Amended 4-14-2000] ***
 - (1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features **Plan provided**, a list of names and addresses of abutters to the proposed project **Provided**, and a set of Size 10 envelopes addressed to the abutters **Provided**, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:
 - (a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **On 11/4/16 the Code Officer determined the uses are permitted.**
 - (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 11/4/16**
 - [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**
 - [2] Certify that said notices have been sent or delivered.

- [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
- [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 11/15/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 11/4/16; meeting is on 11/15/16**
- (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
- (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

Recommendations and Conclusion:

1. The Staff Review Committee should consider receiving the site plan amendment application.
2. Background of the property:
 - a. Property approved as RV Park with office and Sub Shop in 1986
 - b. Restaurant approved 5-7-1995 (Mikes Clam Shack)
 - c. Restaurant amendment 5-20-1997 (Mikes Clam Shack)
 - d. Restaurant amendment 2-16-1999 (Mikes Clam Shack)
 - e. Last site plan approval was for a 96 seat Standard Restaurant with 44 parking spaces
 - f. Last active lease of the Restaurant/ Business License had an expiration date of 12-31-2014.
3. Site Plan Amendment Requirement/ Reviewing Authority per 145-74G and BII of the Reviewing Authority Chart:
 - a. Existing site conditions are not consistent with the last approved site plan: Entrances, landscaping, fencing and building location differ
 - b. The Restaurant deck renovation/expansion was not completed
 - c. Additional uses/structures established on the property
4. Staff Review Committee to discuss the following and continue the workshop:
 - a. Route 1 frontage and entrances required the installation of a 15 foot wide landscaped buffer with a total of 6 shade trees.
 - b. The restaurant was constructed closer to the property line than proposed: 15' +/- versus the 25' required
 - c. Encroachments by Map 108, Lot 40: shed, containers, vehicles, pavement and propane tank
 - d. An updated boundary survey is needed to accurately depict the property and existing conditions.

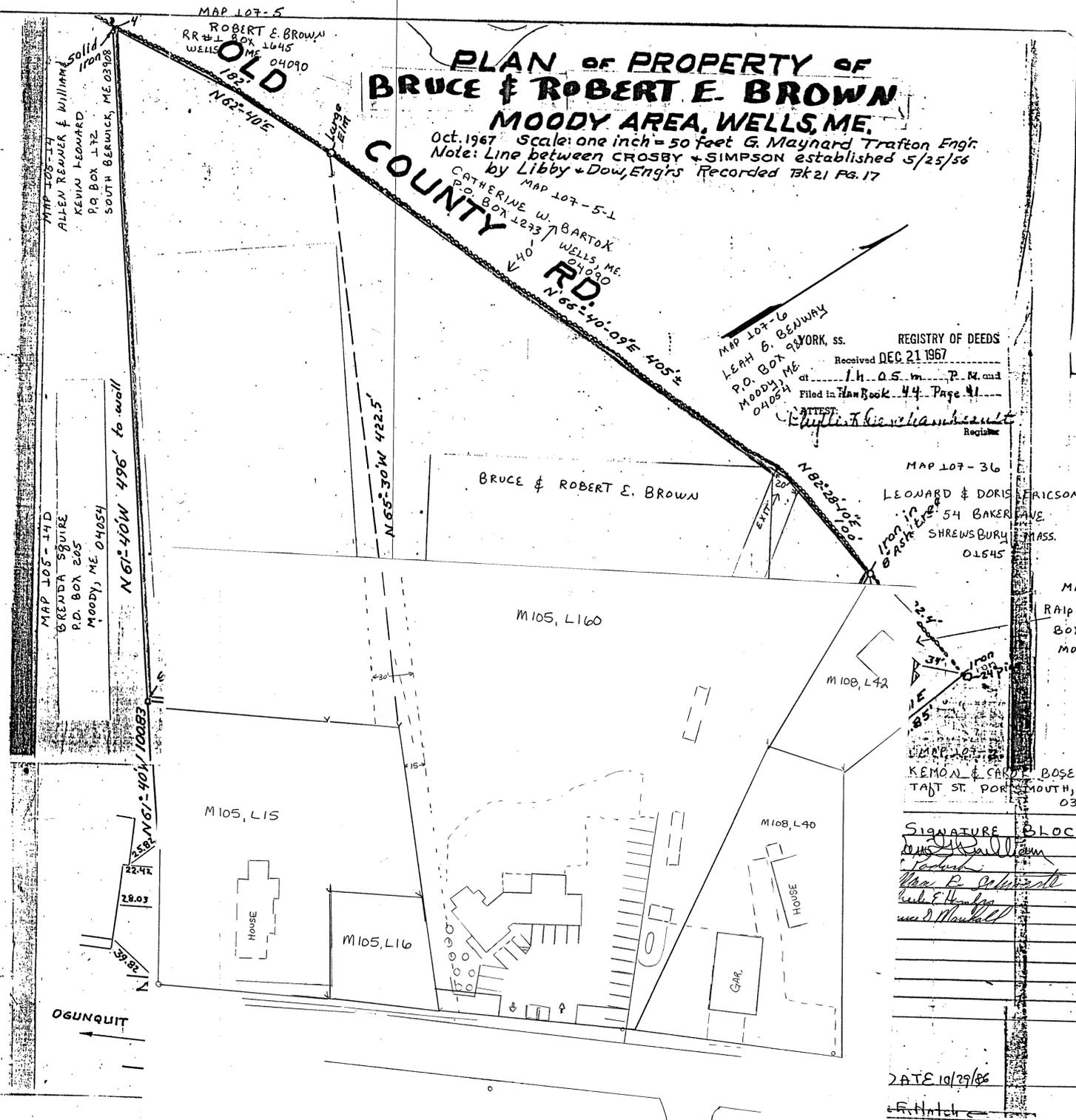
- e. It may be in the owner's best interest to divide off the restaurant onto a separate lot as a stand-alone use and approval.
 - f. How much outside seating exists/is desired? Will seating remain at 96 total?
 - g. Does the restaurant still have a propane tank?
 - h. Does the restaurant use a dumpster? If so where is it located and what screening exists?
5. The Staff Review Committee to receive input from the owner/applicant and continue the workshop.

**PLAN OF PROPERTY OF
BRUCE & ROBERT E. BROWN
MOODY AREA, WELLS, ME.**

Oct. 1967 Scale: one inch = 50 feet G. Maynard Trafton Eng'r
Note: Line between CROSBY + SIMPSON established 5/25/56
by Libby + Dow, Eng'rs Recorded 13k 21 Pg. 17

YORK COUNTY

RD.



REGISTRY OF DEEDS
Received DEC 21 1967
at 11:05 AM P.M. and
Filed in Map Book 44 Page 41
ATTEST
Kathleen A. Hamblett
Registrar

MAP 107-36
LEONARD & DORIS ERICSON
54 BAKER AVE.
SHREWSBURY MASS.
01545

MAP 107-4
RALPH & MARY LEWING DOW
BOX 46
MOODY, ME.
04054

MAP 107-36
KEMON & CAROL BOSEN
TAFT ST. PORTSMOUTH, N.H.
03801

SIGNATURE BLOCK
[Signatures]

DATE 10/29/66

G. Hatch

76 ACRES
USED BY
OWNERS, R.V.
495 RT. 11
NAPEE, N.H. 03782
100% RETAIN SPACE
INCINERATION DEVICE
MACHINERY
CATCH BASIN OR
STORM DRAIN
STREAMS
SEWER OR WATER
NEEDED
CHANGE IN LANDSCAPE
OR GEOGRAPHY
DRIVES, ENTRANCES &
EXITS EXISTING IN USE
FENCES OR WALLS TO BE BUILT
EASEMENTS OR RIGHTS OF WAY
APPLICABLE
NOTE: yellow OUT LINE INDICATING
PROPERTY OWNED BY BRUCE
& ROBERT E. BROWN
ST BACHS ARE INDICATED
BY *
ABUTTERS INDICATED
NOTE: LOCAL MAP ATTACHED
SIGNATURE BLOCK
REGISTRY OF DEEDS DATED:
NEW MAP P 2 DEC. 21, 1967
AT 11:05 P.M.
BOOK 44 PAGE 41
YORK COUNTY REGISTRY OF DEEDS

NEW HARTFORD, CONN.
05057

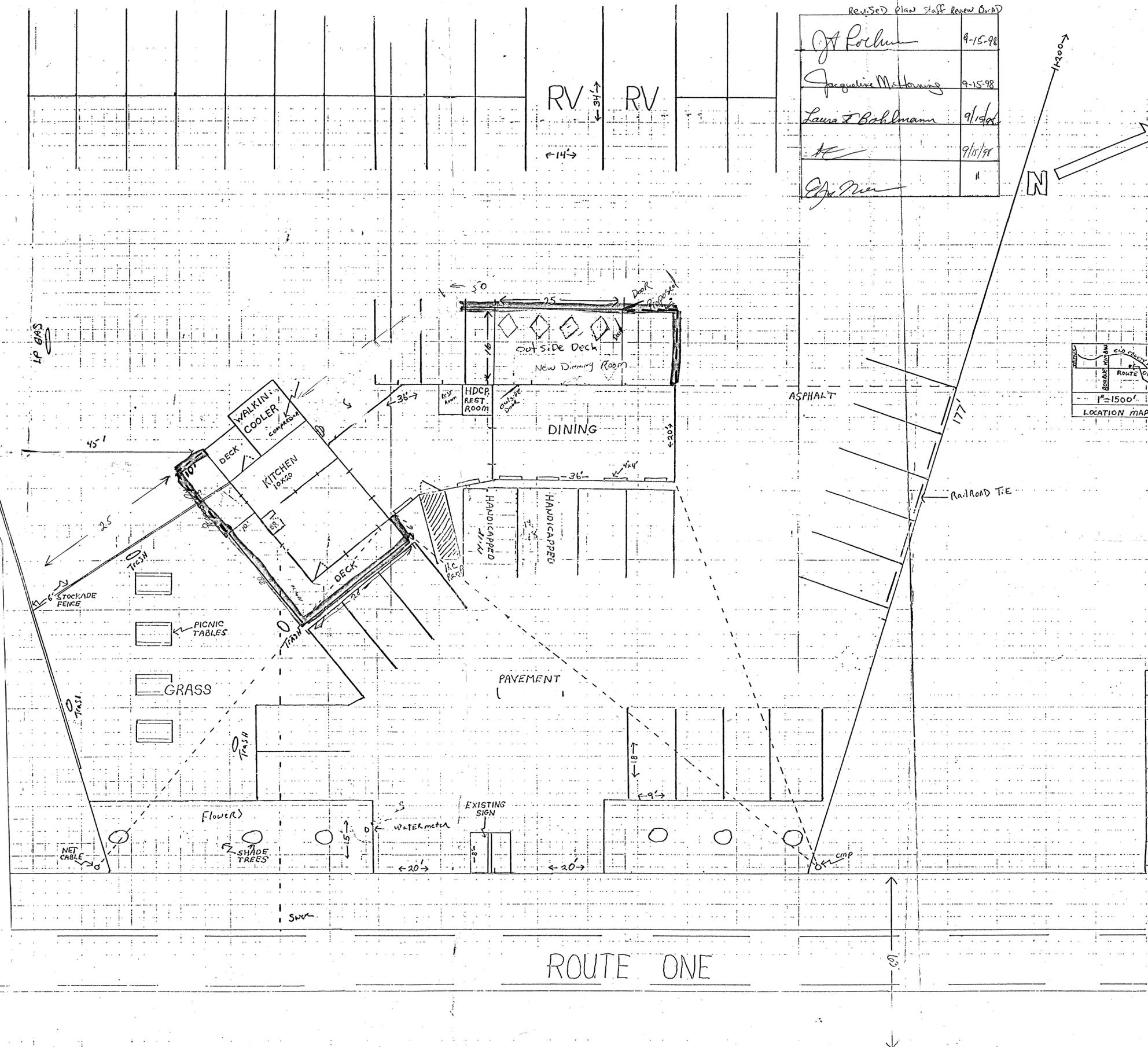
P.O. BOX 69L
WELLS, ME.
04090

107 lot 1
105 Lot 160

3/7/95
3/1/95
3/1/95
3/1/95
3/1/95
Revised PLAN Staff Review Board
3-20-97
5/2/97
5-20-97
5/18/97
5/18/97

Revised Plan Staff Review Board

J.P. Rollins	9-15-98
Jacqueline McLaughlin	9-15-98
Laura F. Bahlmann	9/15/98
[Signature]	9/15/98
[Signature]	#



NOTES:

TOTAL LAND AREA 7+ ACRES

SPEED LIMITS
 OLD COUNTY ROAD 25 MPH
 RT. #1 SUMMER 40 MPH
 RT. #1 WINTER 50 MPH

NEAREST FIRE HYDRANT - OLD COUNTY ROAD 500'
 SIGHT DISTANCES
 NORTH - 500+
 SOUTH - 500+

PARKING
 STANDARD 40
 RV 2
 HDCA 2
 TOTAL 44

% OF LOT USED 25%

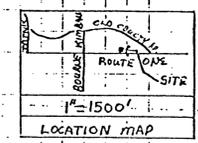
TOTAL SEATS = 96 SEATS

NO OVERNIGHT PARKING
 SHADE TREES, FLOWERS

OLD
 1729 SQ. FT. TOTAL FLOORSPACE (WITHOUT DECKS)

NEW
 180 SQ. FT. (10X18 ADDITION)
 260 SQ. FT. PORCHES ENCLOSED
 800 SQ. FT. BACK DECK ENCLOSED & EXPANDED
 2969 TOTAL SQ. FT.

9-8-98



NAME OF PROJECT	MIKES CLAM SHACK
NAME OF OWNER	MICHAEL McDERMOTT
ADDRESS	P.O. BOX 630-MCCOY
MAP #	107 New Map 105
LOT #	Lot 160
ZONING DISTRICT	GENERAL BUSINESS
SCALE	1" = 10'
DATE PREPARED	2/9/95

RECEIVED SEP 04 1998

RECEIVED APR 25 1997

Boise Ban Property

105/1100



Planning & Development
208 Sanford Road, Wells, Maine 04090

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

Website: www.wellstown.org

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

Site Plan Amendment Application Memo

Date: November 10, 2016

To: Staff Review Committee

From: Planning Office

Re: Cappys Condominium – Site Plan Amendment Application - Map 105, Lot 14A

John R. Kugler, attorney, has submitted a site plan amendment application on behalf of the property owner, The Charles Realty Trust, for the property located off of 166 Post Road identified as Tax Map 105, Lot 14A. The property is located within the General Business District and is 1.53 acres in size. The site plan has been prepared by Frank Emery, III. The parcel is served by public water and sewer. The purpose of the amendment is to seek approval for the following changes: create two condominium units on the property and associated limited common elements. Unit 1 to consist of the existing Standard Restaurant with associated parking/common areas. Unit 2 to consist of the existing 3 dwelling units, 4 housekeeping cottage units, lodging facility office, office/retail/service uses and recreational commercial/retail use with associated parking and common areas. Approval for 1,500 SF in building addition constructed; Reconfigure paved and grass parking spaces from prior approval; Dumpsters to be relocated to meet setback and screening requirements. Propane tanks added and relocated since prior approval. Depict a paved common driveway installed along the northerly lot line exiting onto Route One. Update lot coverage based on existing/proposed conditions.

§ 145-70. Applicability.

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

- A. A new use is proposed on a lot;
- B. Resumption of a use which has been discontinued for at least two years is proposed; or
- C. An existing use proposes to expand its gross floor area and/or land area. **YES - changes to impervious areas and 1,500 SF in building area constructed between 2003 and 2007.**

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

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

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

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

§ 145-73. Fees.

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

§ 145-74. Review and approval process.

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

use is a permitted use on the subject lot. **On 11/4/16 the Code Officer determined the uses are permitted or grandfathered.**

- (b) If the proposed use is a permitted use on the subject lot: **Abutter notification mailed 11/4/16**
- [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **YES**
 - [2] Certify that said notices have been sent or delivered.
 - [3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application. **Not applicable**
 - [4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Staff Review Committee scheduled to receive site plan amendment application on 11/15/16**
- (c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.
- (2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. **YES** If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification **YES**, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutter notification mailed on 11/4/16; meeting is on 11/15/16**
- (3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or Board may waive any of the submission requirements listed in § 145-77 if it determines that they would not be applicable or are not necessary to determine that the standards of § 145-75 have been or will be met. **To be determined**
- (4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

Recommendations and Conclusion:

1. The Staff Review Committee should consider receiving the site plan amendment application.
2. Background of the property:
 - a. Last approved site plan dated 10-16-2000
 - b. Several site changes have occurred since the 2000 approval: parking layout, pavement limits, building constructed (1500 SF +/-), dumpster locations
 - c. Amendment application is to bring the changes into compliance, depict the condominium units and recognize the non-conforming aspects of the site.
3. The Staff Review Committee should consider the completeness items:
 - a. Waiver for property contours – no grade changes proposed.
 - b. Waiver for stormwater management – no new changes proposed (additional pavement added prior to 2003 for common driveway along northerly lot boundary exiting onto Route One- no drainage issue evident or reported)
 - c. Waiver for soil erosion and sedimentation control plan – no new changes proposed

- d. Proposed draft notes to be added to the site plan as well as minor plan changes to be address.
- 4. Staff Review Committee to discuss the following and continue the workshop:
 - a. What length of stay restrictions do the housekeeping cottage units follow? (Definition since 1993 requires closure between Jan 10 to April 1 of each year and to stay in the unit for no more than 28 days.)
 - b. What hours of operation does the Lodging Facility Office keep? Is there a phone to reach management? Is there a check-in/out book for occupants of the housekeeping units? Is there a sign to reach management after hours?
 - c. What Route One landscape buffer requirements are to be considered? Grass areas exist along Route One and could accommodate 2 shade trees.
 - d. Two of the housekeeping cottage units relocated per the July 2000 site plan approval appear to have been enlarged and are mislocated as they do not meet the required 15' setback/buffer.

DEED REFERENCES:

1. WARRANTY DEED FROM RAYMOND H. SQUIRE TO NORMAN C. CAPPELLO, AS TRUSTEE OF THE CHARLES REALTY TRUST DATED MARCH 31 1988 DEED DATED: MARCH 31, 1988 RECORDED IN THE Y.C.R.D. BOOK 4655, PAGE 106

TAX MAP 105, LOT 14 MOODY MEADOWS RV PARK BOOK 15668, PAGE 751

TAX MAP 105, LOT 16 ROBERT BROWN BOOK 16827, PAGE 116

TAX MAP 105, LOT 15 DAVID P. CHAVES, JR. BOOK 15434, PAGE 504

TAX MAP 105, LOT 17, 18 JOHN & LINA FARESES BOOK 5093, PAGE 68

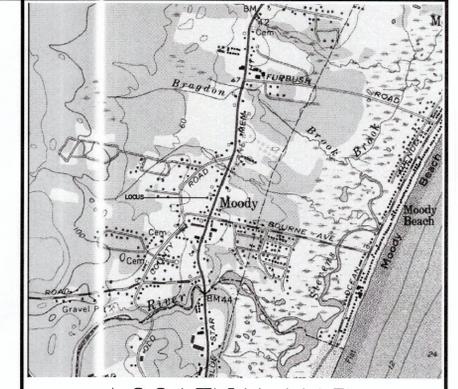
FRANK EMERY, III, P.L.S.
P.O. BOX 3038
WELLS, MAINE 04090
207 646-5363

TAX MAP 105, LOT 14 MOODY MEADOWS RV PARK BOOK 15668, PAGE 751

N.E. T. & T. & CMP EASEMENT BK.3008, PG 35

PLAN REFERENCES:

1. TOWN OF WELLS TAX MAP 105, LOT 14 A.
2. STATE OF MAINE DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY MAP - STATE HIGHWAY 1 WELLS YORK COUNTY FEDERAL AID PROJECT STP 6705(00)X DATED AUGUST 1999, DOT FILE No. 16-379 RECORDED IN THE Y.C.R.D. PLAN BK. 277, PG. 24 & 25
3. PLAN OF PROPERTY F. WALTER E. HATCH AND OTHERS, MOODY AREA WELLS, MAINE DATED: OCT. 1967 BY G. MAYNARD TRAFTON, ENGR RECORDED IN THE Y.C.R.D. PLAN BOOK 44, PAGE 41.
4. SITE PLAN FOR THE PROPERTY OF CHARLES REALTY TRUST, ROUTE ONE MOODY, MAINE DATED: JULY 1993, LAST REVISED APRIL 13, 1999 APPROVED LAST DATED 10/16/2000 ON FILE AT THE TOWN OF WELLS
5. SITE PLAN MOODY MEADOWS RV PARK ROUTE 1, OLD COUNTY ROAD KIMBALL'S LANE WELLS, MAINE DATED: REVISED 12/16/99 APPROVED 2/26/2001 ON FILE AT THE TOWN OF WELLS



LOCATION MAP

NOTES:

1. ZONING - GB GENERAL BUSINESS DISTRICT
MINIMUM LOT SIZE - 20,000 S.F. WITH SEWER
MINIMUM FRONTAGE - 100'
SETBACKS: LOT LINE 15'
STREET 25', STATE HIGHWAY 40'
LOT COVERAGE: 5% OR 2500 S.F.
MAXIMUM BUILDING HEIGHT 34' (3 STORY)
2. UNDERGROUND UTILITY LINES AS SHOWN ARE APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO ANY DIGGING OR REPAIR.
3. UNIT PARKING BREAKDOWN
UNIT 1 - 75 SEAT RESTAURANT 29 SPACES
UNIT 1 29 SPACES REQUIRED - 30 SPACES PROVIDED
UNIT 2 - 3 DWELLING UNITS 6 SPACES
4 OFFICE/RETAIL UNDER 1000 S.F. 12 SPACES
1 OFFICE/RETAIL 1800 S.F. 7 SPACES
UNIT 2 25 SPACES REQUIRED - 27 SPACES PROVIDED
UNIT 2 - 4 HOUSEKEEPING COTTAGES 8 SPACES
UNIT 2 8 SPACES REQUIRED - 8 SPACES PROVIDED
4. TROLLEY STOPS LOCATED ON EACH SIDE OF SITE.
5. EXISTING LOT AREA 66,776.5 GROSS S.F.
6. EXISTING LOT COVERAGE 42,597.6 S.F. / 66,776.5 S.F. = 63.8%
7. NEW PARKING SPACES ARE SHOWN IN RED, ALL OTHER SPACES EITHER EXIST OR TO BE REMOVED, RESTRIPIING TO BE DONE IN THE PAVED AREAS

CERTIFICATION:

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LAND SURVEYSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90: STANDARDS OF PRACTICE, EXCEPT AS NOTED ON THIS PLAN.
WITH EXCEPTION: NO SURVEYORS REPORT AND DEED DESCRIPTION PREPARED.



APPROVED BY THE WELLS STAFF REVIEW COMMITTEE

	DATE

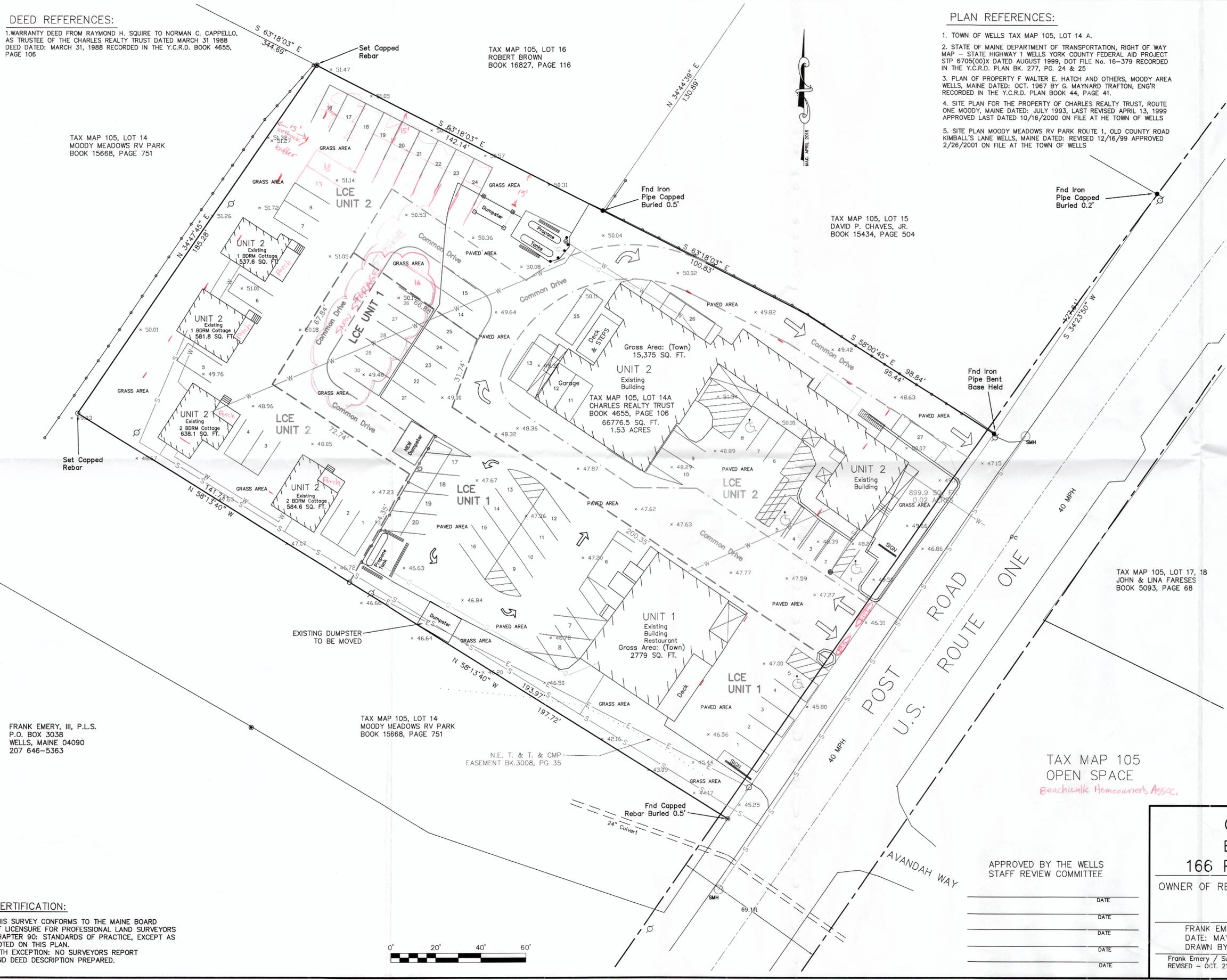
CAPPY'S CONDOMINIUM BOUNDARY & SITE PLAN
166 POST ROAD, WELLS, MAINE

OWNER OF RECORD: NORMAN C. CAPPELLO, TRUSTEE
THE CHARLES REALTY TRUST
P.O. BOX 484
MOODY, MAINE 04054

FRANK EMERY, III, P.L.S. LAND SURVEYORS
DATE: MAY 2016 SCALE: 1 IN. = 20 FT.
DRAWN BY: F.E. III DRAWING No. 051316

Frank Emery / Surveyors P.O. Box 3038 Wells, Maine 04090 (207) 646 - 5363 SHEET 1
REVISED - OCT. 21, 2016 PER TOWN COMMITTEES

TAX MAP 105 OPEN SPACE
Beachwalk Homeowners Assoc.



NOTES:

1. The purpose of this Site Plan Amendment is to seek approval for the following changes:
 - a. Recognize the creation of two condominium units on the property and associated limited common elements. Unit 1 to consist of the existing Standard Restaurant and associated parking/common areas. Unit 2 to consist of the existing 3 dwelling units, office/retail /service/personal service uses, commercial recreational/retail use, 4 two bedroom housekeeping cottage units, lodging office and associated parking/common areas;
 - b. Approval for 1,500 SF in building constructed after 2000 approval (office/retail/service/personal service uses)?;
 - c. Reconfigure paved and grass parking spaces from prior approval;
 - d. Dumpsters to be relocated to meet setback requirements and shall be fence enclosed;
 - e. Depict propane tanks added since last site plan approval;
 - f. Depict a paved common drive installed along the northerly lot line exiting onto Route One;
 - g. Update lot coverage based on existing/proposed conditions.
2. Zoning – GB General Business District dimensional requirements:

Minimum Lot size (sewer):	20,000 SF of net area
Maximum Density (sewer):	20,000 SF of net area per dwelling unit 4 housekeeping cottages per acre of net area
Minimum Street Frontage:	100 feet
Setbacks:	Structures shall be: 15 feet from abutting lot lines 40 feet from abutting Route One 25 feet from abutting cemetery boundaries 25 feet from abutting lot lines along a street ROW
Maximum Building Height:	34' (not to exceed 3 stories)
Maximum Lot Coverage:	65%
3. Underground utility lines as shown are approximate and should be verified prior to any digging or repair.
4. Property is served by public sewer (WSD) and public water(KKWWD) and overhead utilities.
5. Property is 66776.5 SF or 1.53 acres in size.
6. Density Calculation:
 $66,776.5 / 20,000 \text{ SF} = 3$ dwelling units permitted
4 housekeeping cottage units require 43,560 SF
A lot area total of 103,560 SF would be needed to be conforming to current requirements.

*In 2000 the site plan for this property amended the plan use note to go from 2 dwelling units to 3 dwelling units and included the existing 4 housekeeping units. In 2000 the Land Use Ordinance permitted 16 housekeeping cottages per acre (2,772.5 SF of land per cottage unit). A total lot area of 71,090 was required. It appears the 2000 amendment to permit an increase in dwelling units was done without consideration of the required density of the Land Use Ordinance.

7. Existing lot coverage(non-vegetated areas) = $42,598 \text{ sf} / 66,776 = 63.8\%$

<u>8. Parking Requirements & Approved Uses</u>	<u>Spaces</u>
Unit 1 – Standard Restaurant, 75 seats (30 provided within LCE for Unit 1)	29
Unit 2 – 3 dwelling Units	6
2,000 sf : Business Office, Retail or Service (Up to 4 separate businesses, 3 min. each)	12
1,740 sf : Recreation (low, medium or high) Commercial or Bus. Retail	7
1,500 sf : Business Office, Retail or Service (one)	6
Four Housekeeping Cottages (8 Bedrooms)(Office 300 sf in Unit 2 Bldg.)	<u>9</u>
Total Parking spaces required	69
Total Parking spaces provided	65
(22 spaces are seasonal grass spaces, May 1 to Nov. 1 and 3 are handicap accessible)	

Per 145-39.D. the parking requirement is reduced to 65 based on two nearby trolley stops, seasonal nature of businesses and sharing potential between uses.

9. New parking spaces are shown in red, all other spaces either exist or to be removed. Restriping and any HC signage needed to be completed by July 1, 2017.

10. Dumpster relocation and screening to be completed by July 1, 2017.

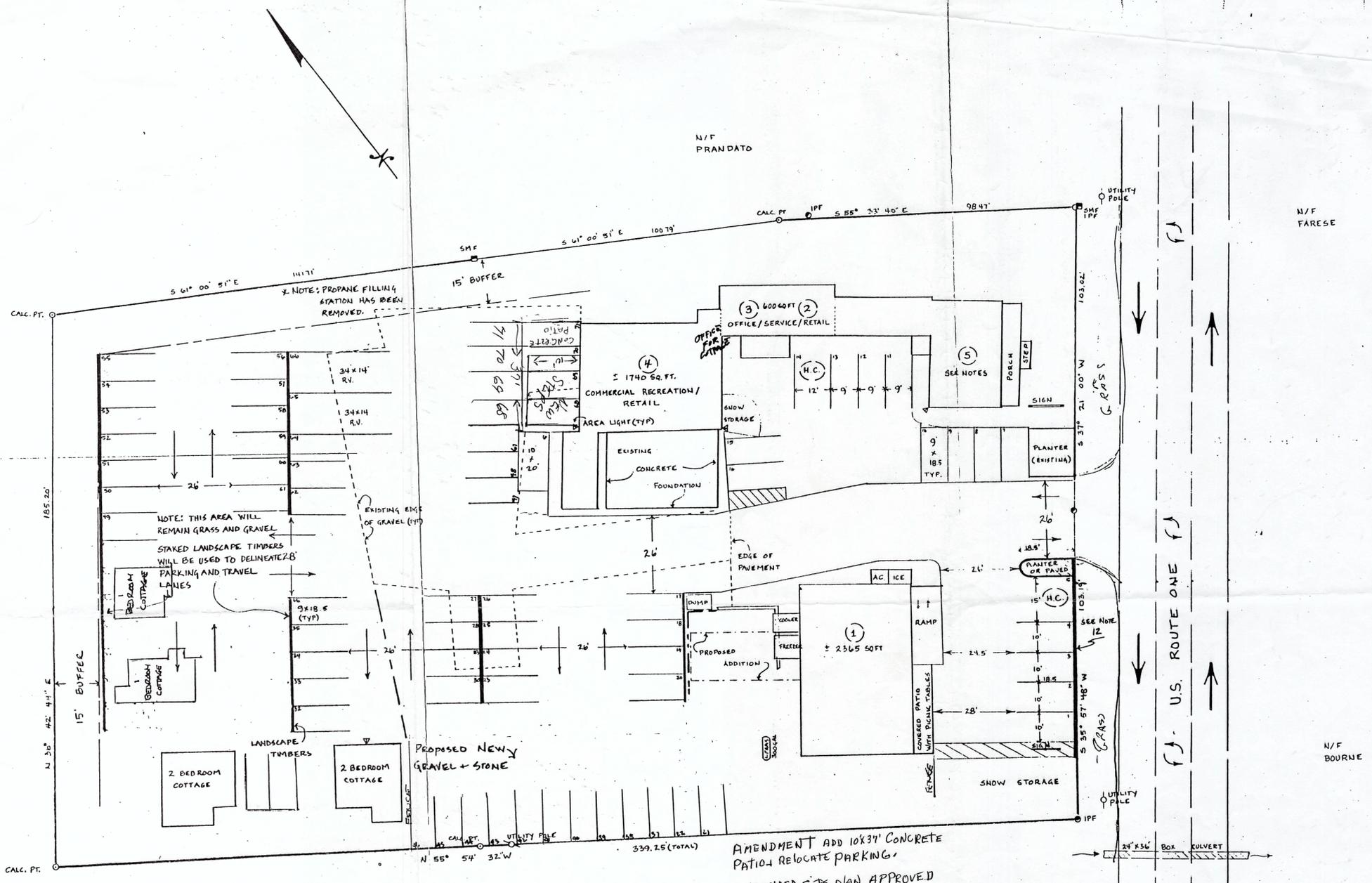
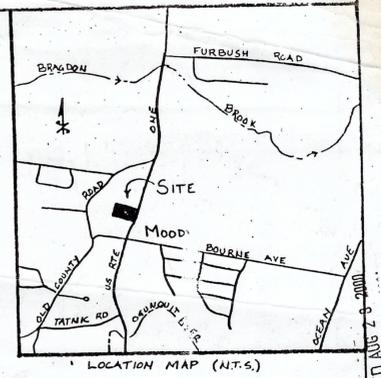
11. The lodging office shall be retained. Contact information for unit management shall be posted at the office when not occupied.

12. Cottage rental is grandfathered and shall be “seasonal” (not occupied January or February).

13. Lighting onsite (building mounted, parking areas or signs) shall be conforming with 145-41 and 145-75.D. and shall not produce unreasonable glare or strong light onto abutting properties or roadways.

14. This approval recognizes the following nonconforming and grandfathered existing conditions or as previously approved per Plan Reference 4 on 7-29-2000:

- a. The four housekeeping cottages are a nonconforming use and cannot be expanded;
- b. The housekeeping cottages do not meet property line setbacks and are nonconforming structures;
- c. The parcel contains 3 dwelling and is considered a multifamily development that does not meet the requirements of 145-48. The conditions are grandfathered as a nonconforming development;
- d. The parcel contains cottages and is considered a lodging facility that does not meet the requirements of 145-52. The conditions are grandfathered as a nonconforming development;
- e. A 15 foot landscape buffer does not exist along Route 1;
- f. The Unit 2 building does not meet the 40 foot ROW setback;
- g. The 5 parking spaces in front of Unit 1 are partially within the Route 1 ROW;
- h. The lot area is less than required to meet density requirements. The lot is grandfathered as a nonconforming lot.



NOTES:

- SUBJECT PROPERTY IS IDENTIFIED AS LOTS 14, A, B, C ON TAX MAP 105.
- SUBJECT PROPERTY IS IN ZONE "BUSINESS B"
- AREA OF PARCEL ± 155 ACRES
- SPEED LIMIT ON ROUTE 1 IN FRONT OF SUBJECT PROPERTY IS 50 MPH IN THE WINTER MONTHS AND 35 MPH IN THE SUMMER MONTHS.
- SIGHT DISTANCE FROM THE ENTRANCE OF SUBJECT PROPERTY EXCEEDS 900 FEET IN BOTH DIRECTIONS.
- THIS PLAN WAS PREPARED USING A SITE PLAN OF THE PROPERTY PREPARED BY ECCO ENGINEERING, DATED SEPTEMBER 26, 1989. SAID PLAN USED THE DEED, FROM RAYMOND H. SQUIRE TO NORMAN C. CAPPELLO, AS TRUSTEE OF THE CHARLES REALTY TRUST, YORK COUNTY REGISTRY OF DEEDS BOOK 4655 PAGE 106, TO ESTABLISH THE PROPERTY BOUNDARIES.
- EXISTING USES OF EXISTING BUILDINGS:
 - (1) RESTAURANT AND PUB
 - (2) OFFICE/SERVICE/RETAIL 1,800 SQ. FT.
 - (3) BARN
 - (4) DWELLING UNITS
 - (5) OFFICE COTTAGES LOCATED ON 2ND FLOOR OF BARN
- PROPOSED CHANGE OF USE: CHANGE 1ST STORY OF BARN ± 1740 SQUARE FEET INTO COMMERCIAL RECREATION/RETAIL - I.E. BILLIARDS/ARCADE
- PARKING AREA BREAKDOWN

TYPE	REQUIRED	SHOWN
HANDICAPPED		2
R.V.		2
REGULAR		67
TOTALS		71
- THIS IS A REVISED PLAN OF A PREVIOUSLY APPROVED PLAN LABELED "SITE PLAN FOR THE PROPERTY OF CHARLES REALTY TRUST, MOODY, MAINE" SAID PLAN SHOWS LATEST REVISION DATE OF 4-12-93 AND WAS APPROVED ON 4-14-93.
- NO FOOD WILL BE OFFERED IN THE "BARN" WITH EXCEPTION TO COIN-OP SNACK VENDING MACHINES.
- A 6" ROLLED BITUMINOUS CONCRETE CURB SHALL BE INSTALLED, AS SHOWN, ON THE PROPERTY LINE. THE ISLAND MAY BE FILLED AND PLANTED OR PAVED. NEW PARKING STALLS WILL BE PAINTED, OLD PARKING STALLS WILL BE BLACKED-OUT.
- IF LEONARD LOT IS DEVELOPED AS A RESIDENTIAL USE A BUFFERING/SCREEN MUST BE ADDED PER REQUIREMENT OF CHAPTER 135 SECTION 6.4.

SITE PLAN

FOR THE PROPERTY OF
CHARLES REALTY TRUST
 5 ROUTE ONE, MOODY, MAINE
 SCALE 1" = 20'
 APPLT.: NORMAN C. CAPPELLO, TRUSTEE
 P.O. BOX 484
 MOODY, MAINE 04054
 PREPARED BY: S.C. HORNE
 CONSTRUCTION SURVEYING
 P.O. BOX 1544
 SANFORD, MAINE 04073

DATE PREPARED: JULY 8, 1993
 REV: JULY 26, 1993 (DELINATE PARKING)
 REV: AUG 30, 1993 (CHANGE NOTES + PARKING IN FRONT OF STORE)
 REBID: APRIL 1, 1999 (RELOCATE (2) COTTAGES)
 REBID: APRIL 13, 1999 - ADDED OFFICE NOTE #15

APPROVED BY
WELLS SITE REVIEW BOARD

<i>[Signature]</i>	10/13/93
<i>[Signature]</i>	10/13/92
<i>[Signature]</i>	10/13/93
<i>[Signature]</i>	10/13/93
<i>[Signature]</i>	10/13/73

N/F LEONARD APPROVED BY PLANNING BOARD

<i>[Signature]</i>	7/29/00
<i>[Signature]</i>	
<i>[Signature]</i>	

AMENDMENT ADD 10x31' CONCRETE PATIO RELOCATE PARKING.
 AMENDED SITE PLAN APPROVED BY WELLS PLANNING BOARD

Sum J. Ly 10/16/00
[Signature]
[Signature]
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