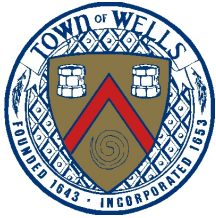


# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coggeshalls”**  
**Page 1 of 12**

## Article X Site Plan Approval

PROJECT INFORMATION	
<b>General:</b>	<p><b>Project Name:</b> Coggeshalls</p> <p><b>Applicant:</b> Michael Coggeshall, PO Box 1217, Wells, ME 04090</p> <p><b>Landowner:</b> Michael Coggeshall, PO Box 1217, Wells, ME 04090</p> <p><b>Location:</b> 1638 Post Road, Wells, ME</p> <p><b>Existing Use:</b> 1 Dwelling Unit (2,636 gross SF) with a 460 SF Accessory Shed; 3,634 SF Building for Service Business Use; and 2,100 SF Garage for Service Business Use</p> <p><b>Proposed Land Use:</b> 1 Dwelling Unit (2,636 gross SF) with a 460 SF Accessory Shed; 3,634 SF Building to consist of 3,164 Service Business Use and 500 SF new Retail area; and 575 SF Business Retail for outdoor sales/display area (Total of 1,075 SF Retail Business use)</p> <p><b>Tax Parcel ID:</b> Tax Map 135, Lot 5</p> <p><b>Zoning District:</b> General Business</p> <p><b>Art VII Performance Standards:</b> None</p> <p><b>Design Engineer:</b> None</p> <p><b>Plan Submission Date:</b> April 15, 2019</p>
<b>Project Description:</b>	<p>Michael Coggeshall, owner, has submitted a site plan amendment application for the property located off of 1638 Post Road identified as Tax Map 135, Lot 5. The property is located within the General Business District and is approximately 1.146 acres or 49,900 SF. The 30 foot wide easement to Lot 5-1 is not deducted. The existing 3,634 SF building and the 2,100 SF garage are approved for business service use. The 3,634 SF building proposes 3,134 SF Business Service use and 500 SF Business Retail use. 575 SF of outside sales/display area (Business Retail use) is also proposed. The applicant seeks approval to add 1,075 SF Business Retail use (500 SF inside and 575 SF outside). A dwelling unit and accessory shed are also located on the property. The property is served by public sewer and public water.</p>



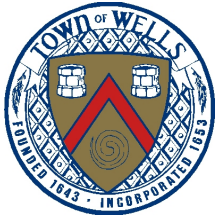
# Town of Wells, Maine Staff Review Committee

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

<b>Completeness Determination:</b>	<u>To be determined</u>
<b>Public Hearing:</b>	Not Applicable
<b>Staff Review Mtg:</b>	5/14/19; 5/29/19

PROJECT HISTORY
<ol style="list-style-type: none"> <li>1. On 4/15/19 the applicant submitted a site plan amendment application for the above described project.</li> <li>2. On 4/26/19 the CEO prepared a use determination finding the use to be permitted within the General Business District.</li> <li>3. On 4/26/19 the Planning Office mailed notices to abutters of the use determination and of the 5/14/19 Staff Review Committee meeting.</li> <li>4. On 5/9/19 the Planning Office prepared plan updates on behalf of the applicant.</li> <li>5. On 5/10/19 the Planning Office prepared Article V, VI, VII, completeness and a memo for the applicant and SRC.</li> <li>6. On 5/14/19 the SRC received the site plan amendment application, made various determinations and continued the workshop to the next meeting.</li> <li>7. On 5/21/19 the Planning Office prepared plan revisions and updated review checklists. A draft compliance (145-75)/ Findings of Fact &amp; Decisions and memo were also prepared.</li> <li>8. On 5/22/19 the applicant reviewed the site plan draft and review materials.</li> <li>9. On <b>5/29/19</b> the SRC voted to find the application complete, voted to find the application compliant and voted to approve and sign the site plan and Findings of Fact &amp; Decisions.</li> </ol>

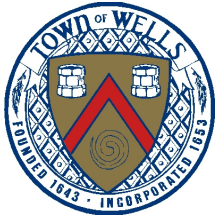
§ 145-75. Criteria and Standards	Comments
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably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



# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 3 of 12

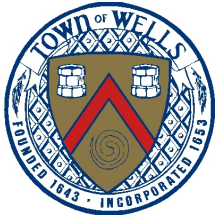
§ 145-75. Criteria and Standards	Comments
<p><b>A. Traffic.</b> The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>	<p>This parcel appears to have 165 ft. (over 100') of street frontage along Route 1. <u>Description of the property in the Deed does not provide any bearings or distances.</u> No new entrances/ exits proposed onto Route One or Coggeshall Lane.</p> <p>Parcel does have multiple street frontages. A setback reduction could not be considered because the building setbacks from Route One are not met.</p> <p>Plan note 9 states that parking within Coggeshall Lane and Route 1 is prohibited. Some parking is located within the 30 ft. easement to Lot 5-1.</p> <p>All parking is shown to meet the 90 degree parking space size requirements. Spaces are noted to be 9' x 18.5' in dimension with a minimum of 26' aisle width, except for a few spaces that have an aisle width of 20' due to the placement of a propane tank and protective bollard. The plan depicts 1 handicap accessible space and notes that 1 is required based on 18 business spaces being required.</p> <p>Business Service use requires 1 space per 400 SF. <math>3,134 + 2,100 = 5,234 / 400 = 14</math> spaces required.</p> <p>Business Retail use requires 3.5 spaces per 1,000 SF of retail sales area. <math>1,075 \times 3.5 / 1,000 = 4</math> spaces required.</p>



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coggeshalls”**  
**Page 4 of 12**

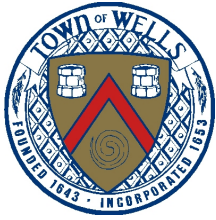
§ 145-75. Criteria and Standards		Comments
	<b>Traffic (continued).</b>	<p>Snow storage areas are depicted on the plan.</p> <p>Areas that could be used for parking shall be on pavement or gravel as depicted on the plan. No grass parking proposed.</p> <p>No change to sight distances proposed. Route One speed limit is noted as 35 MPH.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>B.</b>	<b>Dust, fumes, vapors and gases.</b> Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	<p>The parcel is prohibited from emitting such dust, fumes, vapors or gases at any point beyond its lot lines.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>C.</b>	<b>Odor.</b> No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>The parcel is prohibited from producing such odors perceptible beyond its lot lines as measured at either ground or habitable elevation.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>D.</b>	<b>Glare.</b> No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>The parcel is prohibited from producing such glare onto neighboring lots or Town ways. See note 10.</p> <p>The sign may be externally illuminated in compliance with light and glare standards and sign standards.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coggeshalls”**  
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§ 145-75. Criteria and Standards		Comments
<b>E.</b>	<b>Stormwater runoff.</b> Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. <b>[Amended 4-27-2007]</b>	<p>The site is previously developed. Existing Conditions and Proposed Lot Coverage: 24,840 SF or 50%</p> <p>Building Coverage: 9,265 SF            Pavement, gravel, concrete: 15,575 SF</p> <p>No new lot coverage proposed.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>F.</b>	<b>Erosion control.</b> Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: <b>[Amended 4-27-2007]</b>	<p>Best Management Practices for soil erosion and sedimentation control are a condition of approval. See note 13 and Standard Condition of Approval within the Findings of Fact &amp; Decisions.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.	



# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 6 of 12

§ 145-75. Criteria and Standards		Comments
(5)	Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.	
(6)	The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.	
(7)	During grading operations, methods of dust control shall be employed.	
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	

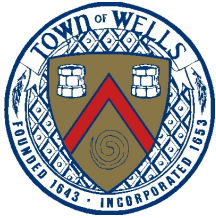


# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 7 of 12

§ 145-75. Criteria and Standards	Comments
<p><b>G. Setbacks and screening.</b> Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.</p>	<p>See plan note 5 for the GB zone dimensional requirements. No new buildings proposed. <u>The dwelling may be located within the 15' lot line setback to the south. The shed appears to be located within the 15' lot line setback to the south.</u></p> <p><u>Coggeshall Lane requires a 25' lot line setback. The two trailers adjacent to the Auto Repair buildings appear to be located within 25' of Coggeshall Lane. See note 21. The Trailers shall be registered as vehicles or removed from the property within 1 year of site plan approval.</u></p> <p><u>The existing structure on this parcel does not meet this lot line setback from the state highway. The structure is nonconforming but is grandfathered as no new construction is proposed to make this nonconformity more nonconforming.</u></p> <p>A setback reduction per 145-350 could not be considered as the building along Route 1 does not meet the 40' setback requirement.</p> <p>The prior approved site plan for the parcel approved a full curb cut along Route 1. A landscaped buffer along Route One does not exist. On 5/14/19 the SRC did not require new landscaping along Route One or Coggeshall Lane.</p>



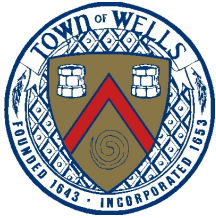


# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 8 of 12

§ 145-75. Criteria and Standards		Comments
	<b>Setbacks and screening.</b> (continued)	<p>This commercial parcel abuts a residential property to the west. No screening exists. On 5/14/19 the SRC found that new screening for Lot 5-1 is not required and the retail area proposed in along Route One and visually blocked from Lot 5-1 by various trees, shrubs and buildings.</p> <p>This commercial property abuts Coggeshall Lane to the north and a commercial property to the south. Screening for these abutters is not required.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>H.</b>	<b>Explosive materials.</b> No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the National Fire Protection Association (NFPA) standards.	<p>All explosive materials are required to be stored in compliance with NFPA standards. No change proposed to the storage of explosive materials.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>I.</b>	<b>Water quality.</b> All aboveground outdoor storage facilities for fuel, chemicals, chemical or industrial wastes and potentially harmful raw materials shall be located on reinforced cement and shall be completely enclosed by an impervious dike monolithically poured, which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a fifty-year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for home heating fuel and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement.	<p>Water Quality standards shall be met.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>

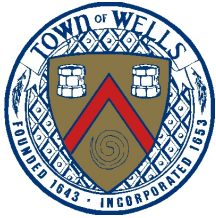




# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Coggeshalls”**  
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§ 145-75. Criteria and Standards		Comments
<b>J.</b>	<b>Preservation of landscape.</b> Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>No change proposed to the existing landscape. No tree removal proposed. No new lot coverage proposed.</p> <p>A 25' x 23' outside sales area is proposed. Items for display or for sale are permitted within this area. The sale or rental of motorized scooters is permitted. The location of motorized machinery may be displayed within the outside retail area proposed but shall not be within the street ROWs.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>K.</b>	<b>Refuse disposal.</b> The applicant shall provide for the disposal of all solid and liquid wastes on a timely basis and in an environmentally safe manner. The review board shall consider the impact of particular industrial or chemical wastes or by-products upon the Wells transfer station (in terms of volume, flammability or toxicity) and may require the applicant to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The board may require the applicant to specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation.	<p>An on-site dumpster shall meet setback requirements and be screened from the view of abutters by a 6' tall (min.) solid screen (fence or vegetation).</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>L.</b>	<b>Water supply.</b> The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>Property not served by KKWWD. No change to water supply proposed.</p> <p>See condition of approval requirement for an existing conditions site plan to be provided no later than 9/3/19. Any existing wells to be identified on the existing conditions plan.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>



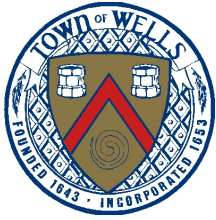
# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 10 of 12

§ 145-75. Criteria and Standards		Comments
<b>M.</b>	<b>Sewage disposal.</b> The applicant shall provide for the safe disposal of all wastewaters.	<p>The property is served by public water.</p> <p>SRC waived an updated capacity letter on 5/14/19 as the change in use does not alter the water service or demands of the property.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>N.</b>	<b>Fire safety.</b> The site plan shall make adequate provisions for access by fire-fighting equipment and personnel.	<p>The property is located within 140 linear feet from a fire hydrant located on Route One.</p> <p>Prior to installation of a Knox Box the Fire Department shall be consulted regarding its placement.</p> <p><b>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>

**Standard Conditions of Approval**

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for five years or more. §145-74F
2. Approval is conditioned upon compliance by the applicant with the Findings of Fact, plans and specifications, and reports which have been received and relied upon by the Town in connection with this development’s proposed compliance with Town Ordinances.
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 per the Reviewing Authority Chart. §145-74G(1)(b)
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for denial of a site plan approval or denial of a building permit (§145-61.C.1, §145-74.J.), revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64, §145-79A
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-6, §145-79B



# Town of Wells, Maine

## Staff Review Committee

### FINDINGS OF FACTS & DECISIONS

#### Site Plan Amendment Application for "Coggeshalls"

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6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: §145-75F
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee and/or Town Staff 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 or Staff Review Committee or Town Staff. §145-74G
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and a certificate of occupancy prior to occupancy. §145-61, §145-62
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the Owner/Tenant's/Homeowners or Condominium Association's/ Applicant's/-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 parcel(s). §150-4
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. §145-74.I.4
12. Prior to the pouring of a building footing/foundation, the location of each building to be constructed shall be located on the face of the earth and shall be marked and certified to by a surveyor or engineer with pins or stakes. The developer shall receive approval of each building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation. §145-74I
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be consistent with this site plan approval.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the property to include buildings, roadways, drainage, screening and landscaped areas, and utility related construction work. §145-74I
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. §145-74I
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy. §145-74E



# Town of Wells, Maine Staff Review Committee

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## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Coggeshalls” Page 12 of 12

### **Special Conditions of Approval**

1. All previous Conditions of Approval will remain in effect. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.
2. The Trailers located within the 25' setback from Coggeshall Lane shall be registered as vehicles or removed from the property within 1 year of site plan approval.

Dated at Wells, Maine this \_\_\_\_\_ day of \_\_\_\_\_, 2019

Wells Staff Review Committee

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DRAFT