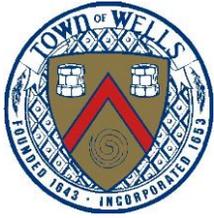


# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Joshua’s Restaurant”**  
 Page 1 of 13

## Article X Site Plan Approval

<b>PROJECT INFORMATION</b>	
<b>General:</b>	<p><b>Project Name:</b> Joshua’s Restaurant  <b>Applicant:</b> Joshua Mather, 846 Bald Hill Road, Wells, ME 04090  <b>Landowner:</b> 1774 House LLC, PO Box 1266, Wells, ME 04090  <b>Location:</b> 1637 Post Road, Wells, ME  <b>Existing Use:</b> 93 Seat Standard Restaurant with accessory 22’ x 22’ storage garage and associated parking  <b>Proposed Land Use:</b> 122 Seat Standard Restaurant with accessory 22’ x 22’ storage garage, patio area and associated parking  <b>Tax Parcel ID:</b> Tax Map 135, Lot 15  <b>Zoning District:</b> General Business  <b>Art VII Performance Standards:</b> None  <b>Design Engineer:</b> None  <b>Plan Submission Date:</b> February 5, 2021</p>
<b>Project Description:</b>	<p>Joshua Mather, the applicant/owner, has submitted a site plan amendment application for the Joshua’s Restaurant property located off of 1637 Post Road. The parcel is located within the General Business District and is identified as Tax Map 135, Lot 15. The parcel is approximately 44,280 SF in size and is served by public sewer and public water. The existing use of the property is for a 93 seat standard restaurant and an accessory 22’ x 22’ storage garage. The applicant proposes to increase seating to a total of 122 seats; construct a 30’ x 45’ patio with pathway; add a 126 SF shed to the property; and add two parking spaces to the property.</p>
<b>Completeness Determination:</b>	3/9/2021
<b>Public Hearing:</b>	Not Applicable
<b>Staff Review Mtg:</b>	3/9/2021; 3/23/21

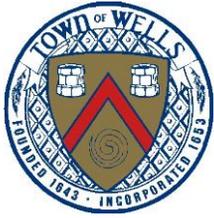


# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for "Joshua's Restaurant" Page 2 of 13

### PROJECT HISTORY

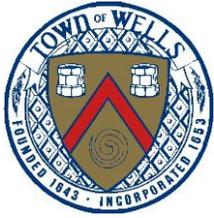
1. On 2/5/21 the applicant submitted a site plan amendment application for the above described project.
2. On 2/8/21 the Code Enforcement Office found the use proposed to be permitted within the General Business District.
3. On 2/16/21 the Planning Office mailed abutters the Article V determination and notice of the 3/9/21 Staff Review Committee meeting.
4. On 3/3/21 the Planning Office prepared Article V, VI, and VII review checklists and a draft completeness (145-77) review checklist. Recommended plan changes were also drafted for the applicant.
5. On 3/5/21 the Planning Office prepared draft compliance/ Findings of Fact & Decisions.
6. On 3/5/21 the applicant was provided the draft site plan for review.
7. On 3/9/21 the Staff Review Committee made various determinations, found the application complete and continued the workshop to the next meeting.
8. On 3/17/21 the site plan was revised to incorporate changes by the applicant.
9. On 3/17/21 the Planning Office prepared updated Article V, VI, completeness and compliance review checklists. A memo summarizing the review was also prepared.
10. On 3/23/21 the Staff Review Committee voted to find the application compliant; voted to approve and sign the Findings of Fact & Decisions and voted to approve and sign the site plan at the end of the meeting.



# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Joshua’s Restaurant” Page 3 of 13

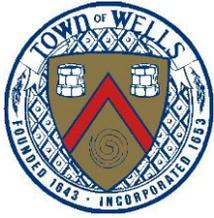
<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
<p>The following standards shall be applied to all applications for site plan approval. These standards are intended to provide a frame of reference for the applicant in the development of his plans and a method of review. These standards shall be applied reasonably and fairly, when applicable, taking into account any extenuating circumstances or special features of the property or its neighborhood.</p>	<p>No changes proposed to existing buildings. No new buildings are proposed. An outdoor patio area 30' x 45' is proposed.</p> <p>All structures on this property shall comply with 145-26G(3) commercial building design standards and shall be reviewed for compliance with this standards prior to the issuance of a building permit. If a structure or seasonal tent is proposed on the 30' x 45' patio area a site plan amendment is not required. See plan note 12.</p> <p>Parcel is located within the sidewalk development area per chapter 201. Sidewalks along Route One have been improved by the Town of Wells in recent years. The proposed outdoor patio and path does not qualify for new sidewalk construction per 201-38.</p>



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Joshua’s Restaurant”**  
**Page 4 of 13**

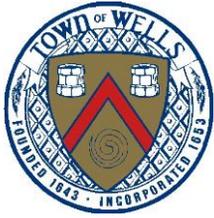
<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
<p><b>A. Traffic.</b> The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>	<p>On-street parking is prohibited. All parking is shown to meet the 90 degree parking space dimensional requirements. Spaces are shown to meet the 9’ wide by 18.5’ depth. A 26’ wide two-way traffic aisle is also maintained. See note 4. <math>122 \text{ seats} / 3 = 40.6 \text{ spaces}</math> plus <math>122 \text{ seats} / 20 = 6.1 \text{ spaces}</math>. 47 spaces are required.</p> <p>45 spaces exist and 2 additional spaces to be added to the site. A total of 47 spaces require 2 handicap accessible parking space; 2 are provided. Handicap accessible parking signs are required for the 2 handicap accessible parking spaces. The plan identifies such signage.</p> <p>Areas that could be used for parking shall be on gravel or pavement. The site plan identifies sufficient site distances onto Route One from the parcel’s entrance/exit. The speed limit of Route One is noted to be 35 MPH.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<p><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>	<p>The parcel is prohibited from emitting such dust, fumes, vapors or gases at any point beyond its lot lines.</p> <p><b>BASED ON THE FOREGOING, 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 “Joshua’s Restaurant”**  
**Page 5 of 13**

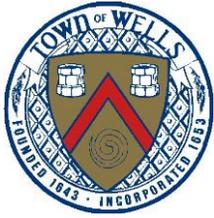
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>C.</b>	<b>Odor.</b> No land use or establishment shall be permitted to produce offensive or harmful odors perceptible beyond its lot lines, measured either at ground or habitable elevation.	<p>The parcel is prohibited from producing offensive or harmful odor perceptible beyond its lot lines.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>D.</b>	<b>Glare.</b> No land use or establishment shall be permitted to produce a strong, dazzling light or reflection of that light beyond its lot lines onto neighboring lots or onto any Town way so as to impair the vision of the driver of any vehicle upon that Town way.	<p>See note 6. The parcel shall not produce glare onto abutting lots and streets. Light posts shall comply with the light post detail shown on this plan. Additional light posts are permitted around the parking lot perimeter. No changes to exterior lighting proposed with the amendment application.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>E.</b>	<b>Stormwater runoff.</b> Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). If it is not possible to detain water on site, downstream improvements to the channel may be required of the developer to prevent flooding which would be caused by his project. The natural state of watercourses, swales, floodways or rights-of-way shall be maintained as nearly as possible. <b>[Amended 4-27-2007]</b>	<p>This parcel was previously developed. The proposed (1,710 SF) of additional non-vegetated area is not expected to significantly increase stormwater runoff.</p> <p>The proposed patio area and path shall minimally impact stormwater runoff. The site plan depicts parcel contours. The parcel is low sloped.</p> <p>Additional stone infiltration trench is proposed around the perimeter of the patio. See plan note 10.</p> <p><b>BASED ON THE FOREGOING, 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 “Joshua’s Restaurant”**  
**Page 6 of 13**

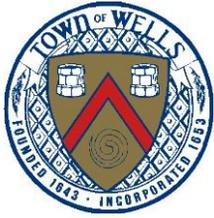
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>F.</b>	<b>Erosion control.</b> Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: <b>[Amended 4-27-2007]</b>	Standard terms and conditions of the Town of Wells appear on the plan. Best Management Practices shall be followed.  <b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b>
(1)	Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.	
(2)	The duration of exposure of the disturbed area shall be kept to a practical minimum.	
(3)	Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.	
(4)	Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.	
(5)	Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.	
(6)	The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.	
(7)	During grading operations, methods of dust control shall be employed.	



# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for "Joshua's Restaurant"**  
**Page 7 of 13**

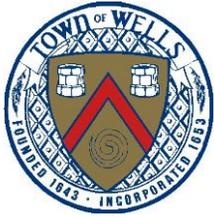
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
(8)	The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.	
(9)	The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.	
(10)	Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.	
(11)	Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.	



# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Joshua’s Restaurant” Page 8 of 13

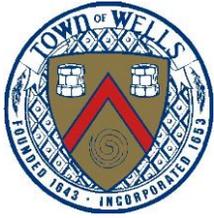
<p><b>G. Setbacks and screening.</b> Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide 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>The existing structure on this parcel does not meet the 40' lot line setback from Route One. The structure is nonconforming but is grandfathered as no new construction is proposed to make this nonconformity more nonconforming.</p> <p>15' setback requirement from abutting lot lines shown. The existing garage is grandfathered as a non-conforming structure as it does not meet the 15' lot line setback along the southerly lot line of the parcel.</p> <p>The dumpster/ propane tank; walk-in cooler area is fenced in by a 6' stockade fence and shall meet setback requirements.</p> <p>A residential abutter is located to the north. This abutter is screened by an existing 6' tall stockade fence that is approximately 176' linear feet in length. On 3/9/21 the SRC found this screen to be adequate.</p> <p>This commercial property abuts other commercial properties to the south and east. A 6' tall stockade fence exists along the easterly lot line; half way (130' ±) along the southerly lot line; and 40' along the northerly lot line.</p> <p>The parcel has a 15' landscaped buffer defined on the site plan along Route One. This buffer consists of four shade trees and an evergreen tree. On 3/9/21 the Staff Review Committee found the existing landscaped buffer along Route One remains adequate. The dumpster/ propane tank; walk-in cooler area is fenced in by a 6' stockade fence.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
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# Town of Wells, Maine Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Joshua’s Restaurant”**  
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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<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.	An existing 1,000 gallon above ground propane tank is identified on the site plan. No changes to the propane tank are proposed.  <b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b>
<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.	The parcel shall comply with water quality standards.  <b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b>

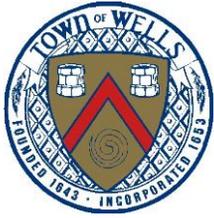


# Town of Wells, Maine

## Staff Review Committee

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Amendment Application for “Joshua’s Restaurant”**  
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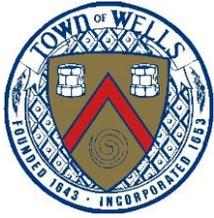
<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>J.</b>	<b>Preservation of landscape.</b> Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>The proposed patio area and path shall minimally impact stormwater runoff. The site plan depicts parcel contours. The parcel is low sloped. Minimal grade changes are proposed.</p> <p>Additional stone infiltration trench is proposed to be installed around the perimeter of the proposed patio. See note 10.</p> <p>Trees along the lot lines shall be maintained. Planters and landscaping shall remain around the existing building.</p> <p>Existing lot coverage is 43.0% or (21,252 SF)</p> <p>The amendment proposes 1,710 SF in additional lot coverage or 22,962 SF total or 51.9%.</p> <p><b>BASED ON THE FOREGOING, 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>The parcel is served by an on-site dumpster. This dumpster meets setbacks and is screened by a 6’ tall stockade fence.</p> <p><b>BASED ON THE FOREGOING, 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 “Joshua’s Restaurant”**  
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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>L.</b>	<b>Water supply.</b> The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	<p>The parcel is currently served by the KKW Water District. A KKWWD capacity letter dated 1/11/21 was provided stating 29 additional seats (122 total seats) was adequately served.</p> <p>The nearest fire hydrant is identified on the site plan.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>
<b>M.</b>	<b>Sewage disposal.</b> The applicant shall provide for the safe disposal of all wastewaters.	<p>The parcel is served by the Wells Sanitary District. A letter from WSD dated 1/7/21 was provided to the Planning Office regarding the accommodation for the 122 total seats was adequately served.</p> <p><b>BASED ON THE FOREGOING, 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 changes proposed do not alter the existing and previously approved provisions made to accommodate fire safety. The parcel is within close proximity to an existing fire hydrant off of Route One. The Standard Restaurant is located within close proximity to Route One and its associated parking lot. A Knox Box shall be installed/ maintained on the property in a location found suitable by the Fire Department. The proposed outdoor seating area shall maintain sufficient access for ingress/egress.</p> <p><b>BASED ON THE FOREGOING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</b></p>

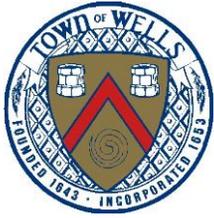


# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for "Joshua's Restaurant" Page 12 of 13

### Standard Conditions of Approval

1. Site Plan approval secured under the provisions of this chapter shall expire within 10 years from the date on which the site plan is signed if all aspects of the site plan approval are not fully completed and established. Any site plan approval may include a phasing plan according to an approved time schedule not to exceed 10 years from the date on which the site plan is signed. Site plan approval shall expire if a use has been established and then discontinued for two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
4. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
5. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
6. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
  - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
  - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
  - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
  - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
  - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
  - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
  - (g) During grading operations, methods of dust control shall be employed.
  - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
  - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
  - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
  - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
7. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval.



# Town of Wells, Maine Staff Review Committee

## FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for "Joshua's Restaurant" Page 13 of 13

- No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
  9. It is the applicant's responsibility to contact Dig Safe prior to construction.
  10. It is the owner/Homeowners Association/applicant/developer's responsibility, not the Town Code Office or Town Planning Office, to contact the Town Clerk's Office to apply for and maintain any and all business license(s) for the use(s) conducted on this subdivision/site plan parcel(s).
  11. Approval of any proposed field changes shall be obtained prior to construction. Said approvals shall be in writing. The Code Enforcement Office shall consult with the Office of Planning and Development prior to approving any field change.
  12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.
  13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
  14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
  15. The Town of Wells, Maine may employ the services of an engineering firm to assist in the inspection of roads and other infrastructure if, in the opinion of the Code Enforcement Office, the work necessary to insure compliance with Town ordinances or the requirements of this approval are beyond those capacities available by staff. The cost of such additional services will be born by the developer.
  16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.

### **Special Conditions of Approval**

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

Dated at Wells, Maine this \_\_\_\_\_ day of \_\_\_\_\_, 2021

Wells Staff Review Committee

By: \_\_\_\_\_  
Michael G. Livingston, Chairman