



# Town of Wells, Maine Planning Board

**FINDINGS OF FACTS & DECISIONS**  
**Site Plan Application for “R&L Properties Business Contractor”**  
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## Chapter 145, Article X Site Plan Approval

<b>PROJECT INFORMATION</b>	
<b>General:</b>	<b>Project Name:</b> R&L Business Contractor <b>Applicant:</b> R&L Properties, LLC, 241 Webhannet Drive, Wells, ME 04090 <b>Landowner:</b> R&L Properties, LLC, 241 Webhannet Drive, Wells, ME 04090 <b>Location:</b> 2229 Post Road, Wells, ME <b>Existing Use:</b> Vacant <b>Proposed Land Use:</b> Business Contractor use <b>Tax Parcel ID:</b> Tax Map 145, Lot 13 <b>Zoning District:</b> General Business District <b>Art VII Performance Standards:</b> None <b>Design Engineer:</b> Lew Chamberlain, Attar Engineering Inc. 1284 State Rd, Eliot, ME 03903 <b>Plan Submission Date:</b> January 18, 2022 <b>Architectural Standards:</b> Yes, Commercial Building Design standards of 145-26G(3) apply.
<b>Project Description:</b>	<p>Lew Chamberlain of ATTAR Engineering Inc has submitted a site plan application on behalf of the owner/applicant, R&amp;L Properties, LLC. The Site Plan Application is for a new 8,000 SF one-story building for Business Contractor use and a two-story building consisting of 1,920 SF Business Contractor use on the 1<sup>st</sup> floor and a two-family dwelling on the 2<sup>nd</sup> floor (1,920 SF in area). A total of 12 business contractor units are proposed between the two buildings and two dwelling units within the smaller of the two buildings. The property to be served by public water (KKWWD) and public sewer (WSD). The property is located within the General Business District and is at 2229 Post Road with access off of Laudholm Farm Road. Tax Map 147, Lot 13.</p>
<b>Completeness Determination:</b>	3/21/2022
<b>Public Hearing:</b>	4/11/2022
<b>Staff Review Mtg:</b>	4/5/2022



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### PROJECT HISTORY

1. On 9/14/21 the applicant submitted a site plan pre-application for the above described use.
2. On 9/14/21 the Code Enforcement Officer found the use proposed to be permitted in the General Business District.
3. On 9/15/21 the Planning Office mailed abutters notice of the use determination, site plan pre-application submission and of the 9/27/21 Planning Board meeting.
4. On 9/22/21 the Planning Office prepared a site plan preapplication memo for the applicant and Planning Board.
5. On 9/27/21 the Planning Board received the site plan preapplication and scheduled a site walk for 10/4/21 at 5PM.
6. On 10/4/21 the Planning Board conducted a site walk of the property.
7. On 10/4/21 the Planning Office prepared a site walk results memo for the 10/4/21 Planning Board meeting.
8. On 10/4/21 the Planning Board reported the site walk results.
9. On 11/15/21 the Planning Office received a letter from the WSD.
10. On 1/18/22 the applicant submitted a site plan application for the above described use.
11. On 1/27/22 the Code Enforcement Officer found the use proposed to be permitted in the General Business District.
12. On 1/27/22 the Planning Office mailed abutters notice of the use determination, site plan application submission and of the 2/14/22 Planning Board meeting.
13. On 2/8/22 the Planning Office prepared Article V, VI and draft completeness review checklists. Plan markups were also prepared showing recommended changes to be addressed by the applicant. A memo summarizing the review comments was prepared for the applicant and Planning Board.
14. On 2/14/22 the Planning Board received the site plan application, conducted a workshop and voted to continue the workshop for 30 days.
15. On 3/15/22 the applicant submitted revised plans, architectural building rendering plans and a KKWWD letter to the Planning Office.
16. On 3/17/22 the Planning Office prepared updated Article V, VI and draft completeness review checklists. Plan markups were also prepared showing recommended changes to be addressed by the applicant. A memo summarizing the review comments was prepared for the applicant and Planning Board.
17. On 3/21/22 the applicant submitted revised plans to the Planning Office for review.
18. On 3/21/22 the Planning Board conducted a workshop, voted to find the application complete and voted to schedule a public hearing for 4/11/22.
19. On 3/30/22 the Planning Office mailed abutters certified notice of the 4/11/22 public hearing.
20. On 4/7/22 the Planning Office reviewed the 3/21/22 submitted plans. Updated Article V, VI and draft completeness review checklists were prepared. Plan markups were also prepared showing recommended changes to be addressed by the applicant. A memo summarizing the review comments was prepared for the applicant and Planning Board.
21. On 4/11/22 the Planning Board conducted a public hearing, made determinations on the commercial building design standards with regard to: windows and doors/garage doors with windowpanes, roof materials and pitch, building materials, building exterior lights, building exterior stairs, and building colors. The Planning Board also voted to find the 15' landscaped buffer along Laudholm Farm Road and Route 1 suitable; voted to find the residential abutter



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screening via a 6' tall fence suitable; discussed that the units shall be rented but if converted to a condominium would require a site plan amendment and review by the Town; discussed that there will be no outside storage of materials; discussed fire protection via sprinkler systems and continued the workshop to the 4/25/22 meeting.

22. On 4/19/22 the Planning Office received revised site plans.
23. On 4/19/22 the Planning Office prepared updated Article V, VI and completeness review checklists. Minor plan markups addressing previously recommended plan notes are recommended.
24. On 4/20/22 the Planning Office prepared draft compliance/ Findings of Fact & Decisions and a memo for the applicant and Planning Board.
25. On \_\_\_\_\_ the applicant provided a revised site plan for review.
26. On 4/25/22 the Planning Board conducted a workshop and \_\_\_\_\_

### § 145-75. Criteria and Standards

#### Comments

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.



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<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
<p><b>A. Traffic.</b> The proposed development shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number of exits and entrances that have adequate sight distances and do not conflict with or adversely impact the traffic movements at intersections, schools and other traffic generators. Curb cuts shall be limited to the minimum width necessary for safe entering and exiting. The proposed development shall not have an unreasonable adverse impact on the Town road system and shall provide adequate parking and loading areas. No use or expansion of a use shall receive site plan approval if any parking spaces are located in a public right-of-way or if any travel lane of a state number highway is used as part of the required aisle to access any parking spaces.</p>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Note 2 indicates the required 100' of street frontage. Boundary plan provided notes 261.7' + 65.77' of frontage along Laudholm Farm Road and 139.17 + 22.83' of frontage along Route 1.</p> <p>Parcel does have multiple street frontages. A setback reduction is not proposed. Setbacks from Route 1 cannot be reduced.</p> <p>Site plan notes that parking along or within the Route One and Laudholm Farm Road is prohibited. 40 parking spaces are depicted to be 90 degree angle parking spaces. Spaces are noted to be a minimum of 9' x 18.5'. A minimum of a 26' wide aisle is shown.</p> <p>36 spaces are proposed for the business which requires 2 handicap accessible spaces. Three ADA spaces are proposed. ADA compliant signs for the handicap parking is required and are identified on the plan.</p> <p>Total square footage of business contractor use is 9,920 SF /1000 = 10 spaces required on floor area. However, a total of 12 business spaces are proposed for contractor use. A minimum of 3 spaces per business is required. 12 x 3 = 36 spaces required. 36 spaces are provided on the plan for the contractor units.</p>



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§ 145-75. Criteria and Standards	Comments
	<p>The plan notes the 2 dwelling units require a total of 4 parking spaces. These spaces are provided on the plan.</p> <p>A loading bay is not proposed nor required. Snow storage areas are depicted on the site plan.</p> <p>Off-street parking provided. No off-site parking proposed. Areas that could be used for parking shall be on pavement.</p> <p>Laudholm Farm Road speed limit is noted as 25 MPH. The entrance/exit for the property is to be located off Laudholm Farm Road.</p> <p>Sight distances onto Laudholm Farm Road are noted to be 250' in both directions with some clearing within the ROW. Clearing within the ROW shall be maintained. The initial clearing within the ROW is the responsibility of the owner/developer of Map 145, Lot 13.</p> <p>The plan depicts the location of clearing that is required and to be maintained.</p> <p>Planning Board determined that additional traffic information was not necessary based on the information provided by Attar Engineering on 3/21/22. Existing yellow flasher light system is depicted on the plan.</p>



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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>B.</b>	<b>Dust, fumes, vapors and gases.</b> Emission of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation or property or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission, shall be prohibited.	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lots lines.</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><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>The parcel is prohibited from producing such odor at any point beyond its lot lines as measured at ground or habitable elevation.</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><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>See note 16 on plan regarding lighting. Exterior lighting shall be shielded and downward directional as not to produce glare onto abutting lots or streets.</p> <p>Light poles are depicted on the plan. A photometrics plan is provided. Building mounted lights are accounted for on the photometrics plan.</p> <p>Light pole detail and building mounted light fixture details are provided on the Photometrics plan. On 4/11/22 the Planning Board found the proposed exterior lighting to be permitted as they are not visible from Route One.</p> <p>Signage is not permitted to be illuminated per 145-26G(3).</p>



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§ 145-75. Criteria and Standards	Comments
<p><b>E. 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>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Stormwater management considerations reviewed by Town Engineer. Stormwater Management Study prepared by Attar Engineering by Lewis Chamberlain; PE dated 1/18/22. Analysis and plan meet Town requirements.</p> <p><b><u>MDEP Stormwater NOI/ PBR needed prior to construction. To be provided prior to the pre-construction meeting. See plan note 27.</u></b></p> <p><b><u>Recommended note 27 to be added to sheet 1: Prior to any construction activity at the site, the applicant and selected contractor shall participate in a pre-construction conference with Town and other regulatory officials to review the project’s construction considerations.</u></b></p>
<p><b>F. 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>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Best Management Practices for soil erosion and sedimentation control are a condition of approval. See Standard conditions of approval notes (note 6) and reference note 18 for the Findings of Fact &amp; Decisions associated with the site plan.</p> <p>Erosion control plan/details reviewed by Town Engineer and found to meet Town requirements.</p>



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





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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
(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.	
<b>G.</b>	<p><b>Setbacks and screening.</b> Parking and loading areas, exposed storage areas, exposed machinery installation and areas used for the storage or collection of discarded automobiles, auto parts, metals or any other articles of salvage or refuse shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on the surrounding lots. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and shall be maintained in good condition.</p>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Setbacks are depicted on the site plan from Route 1 as 40', Laudholm Farm Road as 25' and from lot lines as 15'. See plan noted 2 for setback requirements of the General Business District.</p> <p>The proposed buildings are within a few feet of the Route One, Laudholm Farm Road and lot line setbacks. Prior to the issuance of a building permit, proposed foundations to be survey located and staked to confirm setbacks shall be met. See plan note 22.</p> <p>HVAC units are proposed along the easterly boundary adjacent to Lot 14 and shall comply with setback requirements.</p>



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<b>§ 145-75. Criteria and Standards</b>	<b>Comments</b>
	<p>A 15 foot wide landscaped buffer is required along Route 1 and Laudholm Farm Road. These buffers are proposed to consist of a variety of existing and proposed coniferous and deciduous trees. On 4/11/22 the Planning Board voted to find the 15' wide landscaped buffer as suitable. See site plan sheet 1.</p> <p>The commercial property to the north, Lot 11, Map 147, does not require a visual screen.</p> <p>A residential abutter exists to the east, Lot 14, Map 147. A visual screen is required along Lot 14. The plan proposes a 6' tall solid fence. Planning Board voted to find the fence screening proposed for Lot 14 suitable on 4/11/22.</p> <p>Existing and proposed trees and plantings are identified on sheet 1 and 2 and detailed on sheet 1.</p>



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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.	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Two underground 1,000 gallon propane tanks are noted. Two other ‘optional’ underground propane tank locations are shown. The intent is to have two subsurface 1,000 gallon tanks on the property. Fire Chief did not recommend tanks adjacent to parking areas due to plowing damage concerns. Guard rails are proposed for protection. <u>See recommended note 19 language.</u></p> <p>Explosive materials shall be stored in compliance with NFPA regulations. See note 19 on site plan.</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><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>No change proposed with regard to storage of fuels.</p>



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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
J.	<p><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>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>Existing and proposed 1 foot property contours are depicted on the plan. No wetlands are identified on the plan.</p> <p>Existing pavement/gravel from previous property entrance to be removed. Edge of pavement for Laudholm Farm Road and shoulder to be established.</p> <p>Existing utility poles are identified along Route 1 and Laudholm Farm Road on sheet 2. Proposed underground utility connection shown from the existing utility pole adjacent to the property entrance off Laudholm Farm Road.</p> <p>Contractors are permitted to store their vehicles in the hatched spaces adjacent to contractor units. No product or materials to be stored outside of the buildings.</p>



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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
K.	<p><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>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>A dumpster is proposed and shall meet setback requirements and be screened by 6' tall solid fence enclosure.</p> <p>Contractors are permitted to store their vehicles in the hatched spaces adjacent to contractor units. No product or materials to be stored outside of the buildings.</p>
L.	<p><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>	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>A letter dated 2-3-22 from the KKWWD has been provided. See note 24 regarding building sprinkler requirements.</p> <p>Water line locations are identified on sheet 2. Nearest hydrant is noted to be 223' to the south along Route 1.</p> <p>See note 24 regarding sprinkler system requirements.</p>



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<b>§ 145-75. Criteria and Standards</b>		<b>Comments</b>
<b>M.</b>	<b>Sewage disposal.</b> The applicant shall provide for the safe disposal of all wastewaters.	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>A letter from the Wells Sanitary District dated 11/15/21 has been provided stating they have capacity to serve the 12 contractor units and 2 dwelling units proposed.</p> <p>Existing and proposed water and sewer lines are identified on sheet 2. Sewer main identified and connection information added. See plan label regarding insulation required if cover is less than 4 feet.</p>
<b>N.</b>	<b>Fire safety.</b> The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p><b>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL BE MET.</b></p> <p>See note 24 regarding sprinkler system requirements. The <b>3,840</b> SF building shall be constructed with a sprinkler system. The 8,000 SF building shall have a sprinkler service line installed but the requirement for a sprinkler system will be determined by the State Fire Marshall Office prior to the issuance of a building permit.</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.



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3. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan 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
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



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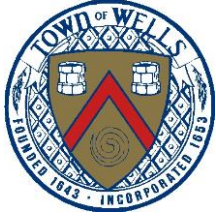
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12. Prior to the pouring of a building footing/foundation, the location of each building to be constructed shall be located on the face of the earth and shall be marked and certified to by a surveyor or engineer with pins or stakes. The developer shall 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

### **Special Conditions of Approval**

1. Prior to any construction activity at the site, the applicant and selected contractor shall participate in a pre-construction conference with Town and other regulatory officials to review the project's construction considerations.
2. Prior to any construction (including but not limited to disturbance of soil/earthwork/utility impacts) on the site, the applicant will provide a cash financial guarantee to the Town of Wells to cover site stabilization of the property based on \$3,500 per acre of disturbed soil area and the cost of an as-built survey prepared by a PLS or PE. The financial guaranty shall also include costs for inspection services of the work associated with the improvements, drainage, and erosion control measures. The form and amount of this financial guaranty must be acceptable to the Town Planner.
3. Prior to the issuance of a building permit, the Code Enforcement shall review all building permit materials for compliance with the architectural drawings, sheets 1-9, provided by "Reflective Design Works" dated 3/14/2022.
4. Prior to the issuance of an occupancy permit, the Planning and Code Office shall review the project for compliance with the architectural drawings, sheets 1-9, provided by "Reflective Design Works" dated 3/14/2022, including building materials (siding and roofing), windows, doors and garage doors, lighting, non illuminated signage, and building exterior paint colors.
5. The as-built survey plan is required prior to the issuance of a certificate of occupancy and shall be prepared by a PLS or PE and shall depict drainage, visible utilities, building locations, pavement, fencing, dumpster and signage. See also standard conditions of approval notes 14 and 16.





# Town of Wells, Maine Planning Board

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## FINDINGS OF FACTS & DECISIONS Site Plan Application for "R&L Properties Business Contractor" Page 17 of 17

Dated at Wells, Maine this \_\_\_\_\_ day of \_\_\_\_\_, 2022

Wells Planning Board

By: \_\_\_\_\_  
Charles Millian, Chairman

DRAFT