

Town of Wells, Maine Review Checklist
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Project Name/District: Seahorse Resort / General Business District – Tax Map
135, Lot 13

Date of Review: 12/16/21; 06/16/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

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

§ 145-26. General Business District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				<u>Plan must detail all existing/proposed uses on the property.</u>
	(1) Agriculture, limited to the raising of crops and plants out of doors.			NA	
	(2) Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
	(3) Dwelling, one-family. (See also ' 145-55.)	Y			Lot 13 has a single family dwelling unit.
	(4) Dwelling, two-family.	Y			Lot 13-1 has an existing, grandfathered, non-conforming two-family dwelling unit. Lot 13-1 is a separate lot not part of the site plan approval.
	(5) Dwelling, multifamily. (See ' 145-48.)			NA	
	(6) Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015^[1] [1] Editor's Note: This ordinance also provided for the renumbering of former Subsection B(6) and (7) as Subsection B(8) and (9), respectively.			NA	
	(7) Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl. [Added 6-9-2015]			NA	
	(8) Recreation, passive.			NA	
	(9) Timber harvesting.			NA	

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		Yes	No	NA	Comments
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Agriculture which includes any structures.			NA	
(2)	Bank.			NA	
(3)	Bed-and-breakfast/small inn. (See ' 145-52.)			NA	
(4)	Business, contractor.			NA	
(5)	Business, office.			NA	
(6)	Business, personal service.			NA	
(7)	Business, retail, including the manufacturing of any goods offered for sale on the premises.			NA	
(8)	Business, service.			NA	
(9)	Business, wholesale, having a gross floor area of less than 5000 square feet.			NA	
(10)	Cemetery larger than 20,000 square feet in area.			NA	
(11)	Church.			NA	
(12)	Club.			NA	
(13)	Congregate care facility. [Added 6-8-2011]			NA	
(14)	Day-care home.			NA	
(15)	Day-care center/nursery school.			NA	
(16)	Drug abuse shelter. [Added 6-14-2011]			NA	
(17)	Elderly housing [Amended 4-26-1996]			NA	
(18)	Freestanding residential detoxification program. [Added 6-14-2011]			NA	
(19)	Function hall.			NA	

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		Yes	No	NA	Comments
(20)	Hotel/motel. (See ' 145-52.)	Y			The property is a motel use consisting of 79 units: (11 unit building, 16 unit building, 8 unit building, three (2) unit buildings, and 38 individual units). The amendment is seeking approval to renovate and reconstruct all units. The renovation will result in an 11 unit building, 16 unit building, 8 unit building and 44 individual units. Total motel units to remain at 79 units.
(21)	Housing, congregate.			NA	
(22)	Life care facility. [Amended 4-26-1996]			NA	
(23)	Medical care facility.			NA	
(24)	Municipal facility.			NA	
(25)	Museum.			NA	
(26)	Neighborhood convenience store.			NA	
(27)	Nursing home. [Amended 4-26-1996]			NA	
(28)	Parking lot, commercial.			NA	
(29)	Private non-medical institution (PNMI). [Added 6-14-2011]			NA	
(30)	Public Transportation Center. [Amended 11-6-2007]			NA	
(31)	Public utility facility.			NA	
(32)	Recreation, active.			NA	
(33)	Recreation, high-intensity commercial.			NA	
(34)	Recreation, low-intensity commercial.				
(35)	Recreation, medium intensity commercial. [Added 6-11-2013]			NA	
(36)	Registered marijuana dispensary. [Added 6-14-2011]			NA	

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(37)	Restaurant, standard.	Y			A new 42 seat standard restaurant use is proposed. Restaurant floor area is 2,485 SF (one-story) with a 1,585 SF deck and 475 SF porch/stairs. <u>Plan to detail if the restaurant is for lodging facility guest only or not.</u> <u>A reduction to employee only parking may be considered if the restaurant use is restricted to guests of the lodging facility only.</u>
(38)	Restaurant, fast-food.			NA	
(39)	Sawmill producing less than 100,000 board feet of lumber per year.			NA	
(40)	School, public and private.			NA	
(41)	Tent and recreational vehicle park. (See ' 145-50.)			NA	
(42)	Transportation facility.			NA	
(43)	Stand-alone registered marijuana dispensary. [Added 6-14-2011]			NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in ' 145-51 are permitted accessory uses.	Y			The property to maintain accessory buildings/uses for the Lodging Facility such as the office, guest market, utility building, pool building, pool, pump house and lawn recreation area and active recreation area.
E.	Uses prohibited. Except as permitted in ' 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	Y			Motel use is permitted. See 145-52.
F.	Dimensional requirements.				<u>Dimensional requirements for the General Business District must be noted and detailed on the plan.</u>

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§ 145-26. General Business District.		Application Meet Requirements			
		Yes	No	NA	Comments
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	Y*			<p>Lot 13 is approximately 438,128 SF or 10.058 acres. <u>Boundary plan needed. Plan to note lot acreage/ square footage.</u></p> <p>Lot 13-1 is 8,010 SF in area. The property is non-conforming and grandfathered and not part of the site plan approval.</p> <p><u>The property is served by public sewer. Plan to note.</u></p> <p>Utilities shown on sheet C102.</p>
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.	Y*			<p><u>Lot 13 has one single family dwelling unit.</u></p> <p>plan approval.</p> <p><u>The property is served by public sewer. Plan to note.</u></p>
(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	
(c)	<p>Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-28-1995; 4-12-2003; 6-13-2006</p> <p><i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i></p>			NA	No such use is permitted or exists.

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			Yes	No	NA	Comments
	(d)	Twenty hotel/motel units per acre of net area. [Amended 4-28-1995]	Y			43,560/20 = 2,178 SF of land area required per motel unit. 438,128 SF / 2,178 = 201 motel units are permitted. 79 motel units exist and are grandfathered per 145-52 standards. Plan to detail this calculation.
	(3)	Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y*			100' street frontage requirement to be noted. Actual street frontage that exists for 13 to be noted on the plan.
	(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. [Amended 4-14-2000]	Y*			Maximum allowed lot coverage of 65% to be noted on the plan. Existing lot coverage for lot 13 is noted as 20.21%. Lot coverage is based on area that is not vegetated, not impervious area. Proposed lot coverage for lot 13 is noted to be 23.04%
	(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-35I.)	Y*			Maximum building height is 34', not to exceed 3 stories. To be noted on the plan.
	(6)	Setbacks.	Y			
	(a)	All structures shall be at least:				

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					Yes	No	NA	Comments
			[1]	Fifteen feet from any lot line.	Y*			<p><u>15' lot line or 25' lodging facility setback/buffer is depicted? Plan to detail and label.</u></p> <p>Various units are non-conforming and do not meet this setback requirement and are grandfathered. These include units 51, 56, 57, 76, 77, 78, 79, 80, 81, and 82.</p> <p><u>Nonconformities to be detailed on the plan.</u></p> <p><u>Various units are proposed to be moved to meet setback requirements.</u></p>
			[2]	Twenty-five feet from the boundary of any cemetery.			NA	The parcel does not abut any known cemeteries.
			[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			<p><u>Hardy's Bluff right-of-way requires a 25' setback.</u> Setback reduction not permitted as building setbacks are not met from Route 1 or Hardy's Bluff.</p> <p>The existing restaurant to become the office and guest market. This building is non-conforming as it does not meet this setback requirement but is grandfathered.</p> <p><u>Nonconformities to be detailed on the plan.</u></p>
			[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y*			<p><u>The 40' setback requirement from Route One to be noted.</u></p> <p>The existing restaurant on Lot 13 is non-conforming as it does not meet this setback requirement but is grandfathered.</p> <p><u>Nonconformities to be detailed on the plan.</u></p>

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		Yes	No	NA	Comments
	(b)			NA	The parcel is located over 200 feet from any such river.
	(c)			NA	No such structures exist or are proposed.
<p><i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i></p>					
<p>Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing</p>				NA	
G.	Special provisions. [Amended 6-14-2016]				
	(1)			NA	
	(2)			NA	No such use exists or is proposed.

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(3)	Commercial building design. Proposed buildings or reconstruction of existing buildings or building additions greater than 50% of the existing building footprint shall conform to the following architectural requirements when any portion of the building is located within 500 feet of the Route One right-of-way and north of the intersection of Route One and Route 109 and north of the intersection of Route One and Harbor Road: [Added 6-13-2017]		N		The proposed reconstruction of all existing buildings within 500 feet of Route One shall conform to the commercial building design standards of this section. <u>The applicant has provided architectural drawings of the exterior facades to demonstrate compliance. To be reviewed by the Planning Board.</u>
(a)	Reconstruction of exterior facades and additions to existing buildings shall be in the architectural style of the original building, and the materials used shall duplicate the original or be similar in appearance to the original materials or materials commonly used in the Town when the building was constructed.				<u>To be reviewed by the Planning Board.</u>
(b)	New construction and reconstruction shall use external building features which are similar to those buildings in the district constructed in the 18th and 19th centuries. Modern materials which duplicate the original or are similar in appearance to the original used in construction in the 18th and 19th centuries may be used on any buildings.				<u>To be reviewed by the Planning Board.</u>
(c)	Any new building or reconstructed roof shall have a roof with a minimum slope of 7/12 (30.26°) on 80% of the roof area, and the remaining roof shall be greater than a 3/12 pitch (14.0°).				<u>To be reviewed by the Planning Board.</u> <u>Roof slopes not noted.</u>
(d)	The siding on new buildings or reconstructed buildings shall be wooden clapboard, wooden shingles, brick, stone or materials which duplicate the original or be similar in appearance to the original in shape, texture and appearance.				<u>To be reviewed by the Planning Board.</u>
(e)	Roofs shall be shingled, slate, or constructed of materials which duplicate the original or be similar in appearance to materials used in construction in the 18th and 19th centuries.				<u>To be reviewed by the Planning Board.</u>

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				Yes	No	NA	Comments
		(f)	No internally illuminated signs or electronic message signs shall be permitted.				<u>Signage shall not be internally illuminated. Any changes to signage shall comply with these standards. Plan to note.</u>
		(g)	See § , Design guidelines, established by the Planning Board.				<u>To be reviewed by the Planning Board.</u>
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing				Y			145-13, 145-14 apply