

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; 6/16/22;
01/19/23; 03/30/23

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article VII
Performance Standards**

§ 145-52. Lodging Facilities. [Amended 4-12-2003]		Application Meet Requirements			
		Yes	No	NA	Comments
A.	Any lodging unit in a bed-and-breakfast or a hotel/motel that exceeds 470 square feet or a housekeeping or seasonal cottage that exceeds 600 square feet shall meet the density requirements for a dwelling unit located in the same district. [Amended 11-5-2013]	Y*			The footprint area of each motel unit is noted in table on C101. All units shall be 470 SF in footprint area, except for grandfathered units 81 and 82. Architectural plans provided unit square footages. All units except 81 and 82 were noted to meet the 470 SF size. 81 and 82 are grandfathered and are permitted to be 528 SF. <u>Architectural plans to be updated to match C101 area table.</u>
(1)	A porch or deck may be attached to each lodging unit and shall not be included in the footprint of the lodging unit unless the porch is heated and/or insulated.	Y			All unit decks/porches are restricted to a maximum of 160 SF in area. (see note 7 on sheet C101.) Proposed deck/porch information provided in table on C101, all are less than 160 SF. Decks/porches shall not be climate controlled, heated, or insulated. See note 7 on sheet C101.
(2)	Any lodging unit existing on January 1, 1994, required to comply with any state or federal regulations for handicapped accessibility, may be enlarged beyond the maximum allowed footprint, provided that the expansion is the minimum area required to comply with the regulations.			NA	
B.	Kitchen facilities are permitted in the individual units in housekeeping cottage complexes and in hotel/motels.	Y			Kitchen facilities are permitted in motel units. See note 8.
C.	All motels, hotels and housekeeping cottages shall be connected to the public water and public sewer systems.	Y			See note 2 on sheet C101. See utility plans (C102 and C103)

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D.	All lodging units, other than the unit occupied by the resident manager, shall be available to the traveling public and shall not be reserved for the exclusive use of the owner, his family and his friends.	Y			All motel units shall be available to the traveling public and shall not be reserved for the exclusive use of the owner, his family and his friends. See plan note 10 on sheet C101.
E.	Lodging facility office. All lodging facilities constructed after May 1, 2007, regardless of the number of units, shall maintain an office on the licensed premises or within 150 feet of the lodging facility's site boundaries. Except as otherwise provided in § 150-83B(2), all lodging facilities constructed prior to May 1, 2007 having 10 or more units shall maintain an office on the licensed premises or within 150 feet of the lodging facility's site boundaries. Except as otherwise provided in § 150-83B(2), if a lodging facility constructed prior to May 1, 2007 has less than 10 units, the Selectmen may waive the office requirement if the Selectmen find: (1) that adequate provision has been made to enable the public to reach an innkeeper and/or rental manager after hours; and (2) that there is public telephone access either on-site, or, within 150 feet of the lodging facility's site boundaries. If granted, such a waiver shall be filed with the lodging facility's business license and shall remain in effect so long as all of the conditions upon which it was granted continue to be satisfied. This subsection does not apply to a seasonal cottage complex that is created by the conversion of a housekeeping cottage complex to a seasonal cottage complex, provided that a housekeeping cottage complex that had an office prior to conversion shall maintain the office. [Amended 4-27-2007]	Y			Lodging Facility Office location identified, office hours are noted to be 7Am to 10PM 7 days a week. See note 11 and 13. Note 13 addresses check-in and check-out records shall be maintained by the office. Answering service to be provided for after hour calls. The motel length of stay restrictions to be noted on the site plan. It is believed the property historically operated under the 28 day rule. Note 12 states the maximum length of stay is 28 days. Grass parking used on the property restricts the use to seasonal use only. Grass parking is restricted and may only be used May 1 to November 1 of each year. Plan note 12 states the season is May 1 to October 31. Office hours and staffing requirements are noted on the plan. See note 13.
F.	Any nonconforming lodging facility that seeks site plan approval or an amendment to an approved site plan shall conform to the requirements of Subsections D and E(1) .	Y			
G.	Seasonal cottage facility.			NA	Such a facility is no longer a permitted use in the Town of Wells.
(1)	Kitchen facilities are permitted in the individual units of seasonal cottages.				
(2)	All seasonal cottages shall be connected to the public water and public sewer systems.				

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(3)	All seasonal cottage units shall be available to the traveling public, but may be occupied by a single individual or group for a time period of up to six months.				
(4)	All seasonal cottages in a seasonal cottage complex shall be closed and water service to the units turned off between November 1 and April 30 of the following year.				
H.	Housekeeping cottage complex conversion to seasonal cottage complex.			NA	No such use exists or is permitted.
(1)	As of January 1, 2003 no seasonal cottage complexes exist.				
(2)	A housekeeping cottage complex existing on January 1, 2003, may be converted to a seasonal cottage complex by applying to the Staff Review Committee for a change of use, following the procedures and requirements of Article X, Site Plan Approval.				
	(a) A note shall be added to the plan that states "All units shall be closed and water service to the units shall be turned off from November 1 through April 30 of the following year."				
	(b) If the complex is held in a condominium form of ownership, a copy of the condominium documents must be supplied, a current list of owners and a letter from the board of directors requesting the change of use.				
(3)	Construction of new seasonal cottages or other buildings or additions to seasonal cottages, buildings or other structures begun after the conversion of a housekeeping cottage complex to a seasonal cottage complex must comply with the requirements of ' 145-52H, Seasonal cottage facility.				
I.	Hotel/motels shall meet the following criteria: [Added 11-5-2013]	Y			A motel use exists.
(1)	A minimum lot size: three acres of net area.	Y			Lot 13 is 10.01 acres in size. See density table on C101.

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(2)	A minimum of 20 hotel/motel units in a single building.	Y			<p>The property is a motel use consisting of 79 units: (11 unit building, 16 unit building, 8 unit building, 7 attached units (57 – 63), and 37 individual units).</p> <p>The renovation will result in maintaining the existing 11 unit building, 16 unit building, and 8 unit building and reconstruction of 37 individual units. The 7 attached units must remain attached and are not permitted to become individual units.</p> <p>The property is nonconforming with regard to this standard. All single units can remain single units. All attached units must remain attached. <u>Purpose of this plan note to be detailed on C101 as recommended.</u></p>
(3)	A minimum buffer between any street right-of-way which meets or exceeds the following:				
(a)	For a one-story building, a minimum setback of 40 feet;	Y*			<p>The existing structure for the proposed lodging facility office/ guest market is a one-story building. A 40 foot setback/ buffer from Route One is required.</p> <p>The existing structure is located within the Route One 40' setback/ buffer and is grandfathered.</p> <p><u>Planning Board to review the buffer and determine what needs to be planted. Landscaped Plan sheet to address.</u></p>
(b)	For a two-story building, a minimum setback of 60 feet;			NA	
(c)	For a three-story building, a minimum setback of 80 feet;			NA	

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	(d)	The buffer shall consist of trees, shrubs, plantings, grass, and mulch areas;	Y*			<u>Planning Board to review the Route One buffer requirements.</u> A curb cut is proposed to be eliminated which will improve Route One landscaping.
	(e)	Non-vegetated features such as access roads, walkways, and trolley stops may be allowed in the buffer;				<u>To be reviewed.</u> Two additional parking spaces are proposed but are handicap accessible.
	(f)	Two handicap-accessible parking spaces may be allowed in the buffer; and				<u>To be reviewed.</u> Two additional parking spaces are proposed but are handicap accessible.
	(g)	The buffer shall be approved by the Planning Board.				<u>Planning Board to review the Route One buffer requirements.</u>
(4)		There shall be a buffer strip of at least 25 feet in width adjacent to all lot lines of natural or planted vegetation.	Y*			The plan depicts the required 25' wide vegetated buffer around the perimeter of the property. Existing vegetation within the 25' buffer is noted that it shall be maintained. Proposed evergreen plantings along Hardy's Bluff ROW detailed on landscaping plan prepared by Sebago Technics. <u>Planning Board to review buffer after the public hearing.</u>

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	(a)	The buffer shall create a visual screen to existing residential uses.	Y*			<p>Northerly residential abutters across Hardy's Bluff (Lots 12-2, 12-4, 12-1, 12-3 and 12) shall be screened by existing woodland vegetation.</p> <p>A 25' wide vegetated buffer, per 145-52, is proposed across from Lot 11 (Church) and abutting Hardy's Bluff ROW and shall consist of various evergreen trees. See Landscape Plan prepared by Sebago Technics, sheet 1 of 1.</p> <p>Residential Lot 13-1 to be screened by grasses and a row of bluepoint juniper evergreen shrubs along the northerly lot line. Access/easements restrict further screening to the east.</p> <p>Residential Lots 13-2, 14, and commercial lot 15 to be screened by a new 6' tall vinyl screen fence. The existing 6' tall fence to be removed.</p> <p>Commercial abutters Lot 16-A and 23 to the south to have a buffers consisting of existing woodland vegetation. Screening is not required but some new 6' tall vinyl fencing is proposed along 16-A. <u>Fencing along portions of Lot 23 lot line shall be maintained but this fencing appears to be on lot 23, not 13.</u></p>
	(b)	An access road may be allowed to cross the buffer.	Y			An existing gravel drive is located within the buffer adjacent to lot 13-2.
	(c)	The buffer shall be approved by the Planning Board.	Y*			<u>Planning Board to review and make buffer determinations after the public hearing.</u>
(5)		A hotel/motel office shall be provided.	Y			Lodging Office is proposed.
(6)		Three-story buildings shall enclose all stairways.			NA	Three story buildings do not exist nor are proposed.

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(7)	All facilities shall be connected to public water and public sewer systems.	Y			See note 2 on sheet C101. See utility plans (C102 and C103)
(8)	All buildings shall be constructed with sprinkler systems.	Y*			All units to require sprinkler systems. See plan note 24 on C101. Sheets C102 and C103 label 4" fire suppression water lines. Single units to be verified.
(9)	Kitchen facilities are permitted in the hotel/motel units.	Y			See note 8 on C101.
(10)	Only gas fireplaces shall be permitted.	Y			See note 14 on C101
(11)	Only one manager's dwelling unit may be permitted.			NA	Plan does not note or describe a manager's unit. Not proposed. 1 dwelling units exists and shall be maintained as a for staff housing (up to 5 unrelated persons allowed) and maintenance of the property.
(12)	The hotel/motel unit deck or enclosed porch shall not be insulated or climate controlled.	Y			See note 7 on C101.
J.	Bed-and-breakfast/small inns shall meet the following criteria: [Added 11-5-2013]			NA	No such use exists or is proposed.
(1)	The dwelling unit, bed-and-breakfast/small inn room units, and common facilities shall be located within one building, except for accessory structures.				
(2)	The minimum lot size and minimum density shall meet the dimensional requirements of the zoning district for which the lot is located plus an additional 4,000 square feet per bed-and-breakfast/small inn room unit.				
(3)	A bed-and-breakfast/small inn office shall be provided.				