



Planning & Development
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Site Plan Application Memo

Date: March 30, 2023

To: Planning Board

From: Planning Office

Re: Seahorse Resort – Tax Map 135, Lot 13

Project Description:

Sebago Technics has submitted a site plan application on behalf of the property owner/applicant, Post Road Cottages, LLC. The property is known as the Seahorse Resort and consists of 79 motel units and 1 dwelling unit. The property is a Lodging Facility and maintains various amenities for guests such as a pool and recreation areas. The existing Restaurant is proposed to be converted to an accessory lodging facility office and guest Market space for the Lodging Facility. A new 42 seat Standard Restaurant use is also proposed. The applicant also proposes to renovate/re-build various motel units, resurface the parking areas and travel ways and reconfigure parking. The property is located within the General Business District and is off of 1677 Post Road. Tax Map 135, Lot 13.

§ 145-74. Review and approval process.

D. Planning Board review process.

- (1) If there are site plan approval applications to review, the Planning Board shall meet at least two times a month and its meeting agenda shall be posted in the Town Hall at least seven days prior to the meeting. Applications and other supporting submittals shall be filed by the applicant in the Office of Planning and Development at least 10 days before the meeting. Additional materials received from an applicant less than 10 days before a meeting will be held by the Office of Planning and Development staff until the meeting and will be distributed when the application is discussed. Such late submittals may only be considered at the discretion of the Planning Board. The Board shall only consider accepting late submittals upon finding that the content is nontechnical, brief and may be easily reviewed in a short time period, and any parties to the proceeding will have adequate time to review and respond to the submittals. **Application submitted on 6/6/22. Planning Board received the application on 6/20/22**
- (2) Applications for site plan approval are to be filed with the Office of Planning and Development. The application shall be accompanied by a site plan and the required fee along with a certification that the applicant has sent or delivered notices to the abutters of the filing of the site plan approval application. If the abutters have been notified by the Code Enforcement Officer of a preapplication for the same project within

the last 60 days pursuant to Subsection **A(1)(b)[1]**, the applicant shall be exempted from notifying the abutters of the site plan application filing. Within seven days of receipt of the application by the Office of Planning and Development, the Code Enforcement Officer shall determine if the proposed use meets the requirements of Articles **V**, **VI** and **VII**. If it does not, the Code Enforcement Officer shall notify the applicant in writing. If it does, the application shall be reviewed for completeness by the Planning Board's agent or placed on a Planning Board agenda for the Planning Board to review for completeness. The applicant may request, in writing, that the Board waive submission of the requirements of § **145-77**. The Board may waive any of the submission requirements listed in § **145-77** if it determines that they would not be applicable or are not necessary to determine that the standards of § **145-75** have been or will be met. **Abutters mailed notice of application on 6/9/22**

- (3) It is the responsibility of the Planning Board, or its agent if so designated, to determine if the application is complete. If it is the responsibility of the Board to determine whether the application is complete it must be done within 21 days of receipt of the application by the Board. If it is the responsibility of the Board's agent to determine whether the application is complete it must be done within 14 days of receipt of the application by the Office of Planning and Development. The time period for determining completeness may be extended by mutual consent of the applicant and the Planning Board or its agent. If the application is complete it shall be placed on an agenda for presentation to the Board at a public hearing. If the application is not complete, the applicant shall be notified, in writing, of the additional information needed to complete the application. If the additional information or a written request for an extension is not submitted within 60 days of the notification, the application shall be considered to be withdrawn. If the Planning Board's agent has determined that the application is not complete and the applicant believes it is complete, the applicant may request in writing for the application to be placed on the agenda for the next Planning Board meeting and have the Planning Board review the application for completeness. **Found complete on 3/21/23.**
- (4) Upon determining that a complete application has been submitted, the Office of Planning and Development shall notify the Staff Review Committee members of the application and request their comments on the application in writing. **To be determined**
- (5) Within 35 days of determining that the application is complete the Planning Board shall hold a public hearing on the application. **Public Hearing to be held 4/3/23. Abutters mailed certified notice on 3/23/23.**
 - (a) In scheduling public hearings under this section, the Planning Board shall publish notice of the hearing at least 10 days in advance in a newspaper of general circulation in the area. The applicant shall be responsible for paying the cost of such notices.
 - (b) The Planning Board shall notify, by certified mail, the applicant and all abutters of the lot involved, including owners of lots on the opposite side of the street, at least 10 days in advance of the hearing, of the nature of the application and of the time and place of the public hearing.
 - (c) The lot owners shall be considered to be those against whom taxes are assessed. In the case of condominiums, the condominium association, not each unit owner, shall be notified. Failure of any lot owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action by the Planning Board.
 - (d) At any hearing, a person may be represented by his agent or attorney. Hearings shall not be continued to other times except for good cause.
 - (e) The applicant's case shall be heard first. To maintain orderly procedure, each side shall proceed without interruption. Questions shall be asked through the Chair. All persons at the hearing shall abide by the order of the Chairman.
- (6) Within 35 days of the public hearing or a period of time agreed to by the applicant and the Planning Board, the Planning Board shall reach a decision based on the criteria found in § **145-75** and shall inform the applicant in writing within seven days of its decision stating its reasons. The Board shall prepare detailed, written findings of fact and conclusions, based on the evidence presented at the public hearing and evidence presented by the applicant and evidence presented by Town staff. **To be determined**

Recommendations and conclusions:

1. Planning Board to workshop comments offered during the public hearing.
2. Planning Board to consider the following:
 - a. Purpose of this plan note recommended on C101. See note language in Art V review checklist.
 - b. Clarification needed on if all existing overhead utilities and poles north of the motel units along Hardy's Bluff will be removed?
 - c. Plan markups and recommended notes to be addressed (see plans and all review checklists for comments)
 - d. Updated architectural plans to be provided addressing 145-26G(3) review comments. These are required for the Planning Board to determine building materials (exterior façade: siding material, windows, doors, lighting) roof slope minimum of 7/12, and roof material meet 145-26G(3) prior to site plan approval can be considered. If information provided the board to review these criteria for compliance.
 - e. Landscaping, Screening and Buffers:
 - i. Route 1 Buffer: A 15'/40' wide landscaped buffer is required along Route 1. Landscaped plan depicts 4 shade trees, shrubs, grass and plantings. Is this suitable?
 - ii. 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. Is this suitable?
 - iii. 25' wide new Lodging Facility buffer along Hardy's Bluff across from Lot 11 is proposed and shall consist of various evergreen trees. See Landscape Plan prepared by Sebago Technics, sheet 1 of 1. Is this suitable?
 - iv. Lot 13-1: 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. Is this suitable?
 - v. 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 (portions are on abutting property). Is this suitable?
 - vi. 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. Fencing along portions of Lot 23 lot line shall be maintained but this fencing appears to be on lot 23, not 13. Is this suitable?
 - vii. Walkways and parking: The Board to consider allowing the parking and walkways to remain within the 40' lodging facility buffer required along Route One. The site is already developed and improvements are proposed to the buffer. Is this suitable?
 - f. Stormwater analysis reviewed by Town Engineer. See 3/29/23 memo. Items to be addressed.
 - g. Utility Design reviewed by Town Engineer. See 3/29/23 memo. Items to be addressed.
 - h. What is the status of the MDEP Tier 1 and ACOE permits?
3. Planning Board to continue the workshop 60 days to allow the items above additional time to be addressed.