



**Planning & Development**  
**208 Sanford Road, Wells, Maine 04090**  
Phone: (207) 646-5187, Fax: (207) 646-7046  
Website: [www.wellstown.org](http://www.wellstown.org)

<i>Michael G. Livingston, Town Engineer/Planner</i>	<a href="mailto:mlivingston@wellstown.org">mlivingston@wellstown.org</a>
<i>Shannon L.M. Belanger, Assistant Planner</i>	<a href="mailto:sbelanger@wellstown.org">sbelanger@wellstown.org</a>

### **Site Plan Pre-Application Memo**

Date: August 3, 2023  
To: Planning Board  
From: Planning Office  
Re: Carriage House Motel – Tax Map 129, Lot 14

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#### **Project Description:**

Carriage House Motel, Cottages & Suites, LLC / Michael Powers has submitted a site plan pre-application for the property located at 1404 Post Road. Chris Cannon is the architect, Doug Gaines is the contractor, and Frank Emery is the surveyor. This application would be an amendment to the site plan approval and involves after the fact changes made since the prior approval; seeks approval for building additions onto the 'main house' which contains 1 dwelling unit, lodging office and other units currently under review by the Code Office for use determination; seeks to demolish and relocate motel units 1 and 2; seeks to relocate motel units 8 and 9; seeks to construct 6 new motel units; seeks to relocate the pool and dumpster and seeks to reconfigure parking. The property is a non-conforming development Lodging Facility consisting of 23 non-conforming motel units (9 cottage style individual motel units, a 7 unit motel building and a 7 unit motel building). The property is located within the General Business and 75' Shoreland Overlay Districts. Tax Map 129, Lot 14.

#### **§ 145-70. Applicability.**

All uses identified as permitted with site plan approval in Article V shall be subject to the requirements of this article in the following situations:

- A. A new use is proposed on a lot;
- B. Resumption of a use on a property which has been discontinued for more than five years is proposed (See §145-12D regarding nonconforming uses.); or
- C. An existing use proposes to expand its gross floor area and/or land area. **Existing uses are proposed to be expanded**

#### **§ 145-71. Reviewing authority. [Amended 4-19-1997]**

- A. The reviewing authority for uses or structures requiring site plan review under Article V shall be determined by the Reviewing Authority Chart. *Editor's Note: The Reviewing Authority Chart is included at the end of this chapter.* **[Amended 4-18-1998] The proposal requires Planning Board approval**
- B. If a particular reviewing authority is set forth in sections of the Wells Municipal Code other than Subsection A of this section for a particular use, structure or procedure that conflicts with the above chart, such other sections of the Code will control with respect to the proper review authority.

**§ 145-72. Applications. [Amended 4-26-1996]**

Appropriate application forms shall be available from the Office of Planning and Development. All applications shall be filed with the Office of Planning and Development, and the application fee shall be paid to the Town of Wells.

**§ 145-73. Fees.**

- A. An application fee as established by the Board of Selectmen, following notice and a public hearing, shall be paid at the time an application is filed. **Upon the submission of the Site Plan Application the fee shall be paid.**
- B. The applicant shall reimburse the Town for all expenses incurred for notifying abutters of the proposed site plan and advertising of any public hearing regarding the site plan. **Upon the submission of the Site Plan Application additional escrow shall be provided.**
- C. The Town staff or Planning Board may employ the services of technical experts to assist it in reviewing applications and in determining appropriate conditions of approval. The applicant shall be informed of the intended use of such services and their approximate cost. A deposit equal to the estimated cost shall be paid to the Town prior to the employment of any such technical experts. The total cost of any such review shall be paid by the applicant prior to the signing of any approved plans. If the entire deposit is not expended, the remaining balance shall be returned to the applicant. **[Amended 4-26-1996; 11-7-2000] To be determined**

**§ 145-74. Review and approval processes.**

**A. Preapplication. [Amended 4-14-2000]**

(1) Prior to submitting an application, the applicant shall submit to the Office of Planning and Development a preapplication form, sketch plan of the subject property showing existing and proposed buildings, parking areas, lot boundaries, adjacent streets, entrances to the property, water bodies, any other significant features, a list of names and addresses of abutters to the proposed project, and a set of Size 10 envelopes addressed to the abutters, affixed with first class postage. The addresses of these abutters shall be obtained from the Town of Wells Tax Assessor's records. Within seven days of receipt of a preapplication by the Office of Planning and Development, the Code Enforcement Officer shall:

(a) Determine the level of review to be required under § 14-71 and whether or not the proposed use is a permitted use on the subject lot. **CEO determined Planning Board review is required and that the Hotel/Motel use is a permitted use within the General Business District on 7/24/23**

(b) If the proposed use is a permitted use on the subject lot:

- [1] Send or deliver a notice to the applicant and the abutters of such determinations by first class mail. **Abutters mailed notice on 7/25/23**
- [2] Certify that said notices have been sent or delivered.

[3] If the reviewing authority pursuant to § 145-71 is the Code Enforcement Officer, indicate to the applicant the information the applicant needs to submit as part of the application.

[4] If the reviewing authority pursuant to § 145-71 is the Staff Review Committee or the Planning Board, place the applicant on the next available agenda for a preapplication meeting, if a preapplication meeting is requested by the applicant. **Planning Board meeting is on 8/7/23**

(c) If the proposed use is not a permitted use on the subject lot, send a notice to the applicant of such determination by first class mail and certify that said notice has been sent.

(2) The abutters' notification sent pursuant to Subsection A(1)(b)[1] above shall include a copy of the preapplication form and an explanation of the purpose of the notification. If the reviewing authority is the Staff Review Committee or the Planning Board and a preapplication meeting with the Committee or Board is requested by the applicant, the preapplication meeting date shall also be included in the notification, and said notification shall be sent or delivered by first class mail at least 10 days before the meeting. **Abutters mailed notice on 7/25/23. Planning Board meeting is on 8/7/23**

(3) The Staff Review Committee or the Planning Board at its preapplication meeting with the applicant shall indicate the information which the applicant will be required to submit as part of the application and may schedule an on-site inspection of the property. The Committee or 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. **Site walk to be determined**

(4) If the applicant does not request a preapplication meeting with the Staff Review Committee or the Planning Board the applicant is encouraged to meet with the Director of Planning and Development to discuss the project and the information the applicant will be expected to submit as part of the application.

## **Recommendations and conclusions:**

1. The Planning Board should consider the following:
  - a. Receive the site plan pre-application.
  - b. Consider scheduled a site walk of the property.
  - c. Review the following initial review comments/ concerns:
    - i. **Site Plan Violations:**
      1. The prior site plan approved on 10-30-2006 involved items that were not built or did not obtain building permits within 10 years:
        - a. 620 SF building addition to the north of the main house and office building. (expired)
        - b. 28' x 24' garage with grass paver turnaround (expired)
        - c. 90 sf sauna enclosure (expired)
      2. Changes made to the property without site plan approval:

- a. Patio and playground area installed adjacent to shuffleboard court
- b. Missing and reconfigured parking spaces
- c. New patios behind motel units 4 and/or 5
- d. Additional lot coverage near motel unit 3
- e. Units within the Main House never identified on site plan approvals. CEO investigating use.
- f. An addition to the maintenance building appears to have been built within the 15' and note 25' setback/buffer area.

ii. Lodging Facility Performance Standards:

*The property is a nonconforming development. §145-15.A states "A nonconforming development is permitted to continue and to expand in any manner which does not increase the nonconforming aspects of the development **if it conforms to all other requirements of this chapter.**"*

1. A minimum of 3 acres is required for all hotel/motel properties per 145-52. This property is only 1.73. The property is grandfathered as non-conforming as it is 1.73 acres with 23 hotel units and 1 dwelling and would not be permitted to expand and create more motel units as it doesn't meet the minimum lot size requirement for a hotel/motel use.
2. A minimum of 20 hotel/motel units are required in all hotel/motel buildings per 145-52. The property is grandfathered as non-conforming with 9 individual motel units and two 7-unit motel buildings. Creating a new hotel/motel building must meet the minimum number of 20 units. The proposed 6 new motel units would not result in a 20 unit building and therefore would not be permitted.
3. The Main House is a three-story building and requires an 80' setback/buffer from Route One. The building meets the 40' GB zone setback from Route One but not the 80' lodging facility setback.
  - a. The one-story addition on the north side of the Main House may be permitted but could be interpreted to be making the 80 foot buffer more non-conforming for the existing three-story building.
  - b. The two-story addition on the west side of the Main House meets the 60 foot lodging facility setback.

- c. The 2<sup>nd</sup> story unit expansions (decks) depicted on the architectural rendering are within the 60 and 80 foot buffers and are not allowed.

iii. General Review Comments:

1. A dumpster is required to meet setback/buffer requirements. It will not be permitted to be relocated within the 25' side setback/buffer of the lodging facility.
2. Units 8 and 9 are two-story. Gross floor area of these units plus porch/deck areas needed.
3. Gross floor areas of all units plus porch/deck areas to be noted.
4. Existing propane tanks, patios, sheds, gardens, and other features within the 25' wide lodging facility buffer/setback must be identified. Areas installed after 11/5/2013 may require removal.
5. Lodging Facility office hours and length of stay restrictions to be detailed on the plan
6. Density calculation to be noted on the plan.
7. Route One landscaped buffer to be reviewed and determined by the Planning Board
8. 25' buffer adjacent to all lot lines to be reviewed and determined by the Planning Board
9. Screening for residential abutters to be reviewed and determined by the Planning Board.
10. An up to date boundary survey and existing conditions plan is required and needed.
11. Appears to be a fence (buffer) located onto abutting properties.
12. Shuffleboard court is proposed to be relocated into the 25' wide hotel buffer and may not comply with 145-52I.
13. Removal of the Route One entrance on the south side is a good benefit to the property and more compliant.
14. The relocation of the pool and reconfiguration of parking provides safer access and is more compliant.