



Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS Site Plan Amendment Application for “Wells Transfer Station” Page 1 of 11

Chapter 145, Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Town of Wells Transfer Station Applicant: Pine Tree Waste, Inc. 207 Larrabee Rd, Suite 1, Westbrook, ME 04092 Landowner: Town of Wells, 208 Sanford Road, Wells, ME 04090 Location: 386 Willie Hill Road, Wells, Maine Existing Use: Municipal Facility Proposed Land Use: Municipal Facility (See Lease Agreement from Town Attorney regarding use by third party). Tax Parcel ID: Tax Map 41, Lot 1.EXE Zoning District: Light Industrial, Rural, Resource Protection, 250' Shoreland Overlay Districts Art VII Performance Standards: None Design Engineer: St. Germain, Thalia Harrington, 846 Main Street, Westbrook, ME 04092 Plan Submission Date: 8/25/2023</p>
Project Description:	<p>St. Germain has submitted a site plan amendment application on behalf of Pine Tree Waste, Inc for the leased area of property owned by the Town of Wells located on 386 Willie Hill Road. The parcel is located within the Light Industrial, Rural, Resource Protection and 250' Shoreland Overlay Districts. The Transfer Station developed area is only within the Light Industrial District of the parcel. The parcel is 125.24 acres in size and is not served by public water or public sewer. The amendment application seeks approval for the following: locate a 180 SF restroom trailer with generator, enlarge a diesel fuel tank, relocated leased area parking spaces, identify trailer staging area and add two 240 SF storage containers.</p>
Completeness Determination:	<u>To be determined</u>
Public Hearing:	Not Applicable - None
Staff Review Mtg:	9/19/23



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PROJECT HISTORY

1. On 8/25/23 a site plan amendment application was submitted to the Planning Office.
2. On 8/29/23 the Code Enforcement Officer determined the use proposed to be permitted within the Light Industrial District.
3. On 9/1/23 the Planning Office mailed abutters notice of the use determination and of the 9/19/23 Staff Review Committee meeting.
4. On 9/14/23 the Planning Office prepared the various Article V, VI, Completeness and Compliance review checklists. Plan markups were also prepared for the applicant to address. A memo summarizing the review comments was also prepared for the applicant and Staff Review Committee.
5. On 9/19/23 the SRC received the Site Plan Amendment Application and determined _____
- 6.

§ 145-75. Criteria and Standards

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.

Comments



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§ 145-75. Criteria and Standards		Comments
A.	<p>Traffic. 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>See note 9. The parcel has street frontage along Willie Hill Road. Willie Hill Road is believed to end at this property line where Willie Hill Road meets the property boundary on the northerly side. Willie Hill Road right of way entrance area shown. Actual ROW boundary location unknown. Willie Hill Road is a town road and is 50 feet in length. The road was accepted on 6/7/1971 as laid out by the Board of Selectmen on 5/25/1971. The row is approximately 5,000 feet from Route 9. The parcel does not have multiple street frontages. On-street parking is prohibited. The parking spaces that exist/that are proposed shall meet the 90 degree parking space dimensional requirements. See plan note 8. A handicap accessible parking space is shown to be located within the proposed Transfer Station leased area. Handicap parking spaces shall be designated by such signage. The Code Enforcement Officer has recommended that the proposed parking (6 within the leased area; 2 near the waste oil and anti-freeze trailer beds, and 2 near the existing office) are sufficient. On 9/8/14 the Planning Board found the parking proposed was adequate. No off-site parking proposed. Snow storage areas are identified. No parking shall be located within the Shoreland Overlay District. Areas that could be used for parking shall be on gravel or pavement. Sight distances entering and exiting the property are unobstructed. 57 existing peak hour trips estimated. On 9/8/14 the Planning Board found that a traffic study was not necessary.</p> <p>No change to traffic proposed. <u>Stripping is required per the 2014 site plan approval. This approval to require restriping to occur no later than _____.</u></p>



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§ 145-75. Criteria and Standards		Comments
		<p>The proposed leased area is located well within the property and exceeds the 60 setback from the Willie Hill Road right of way entrance. The existing office and scale exceed the 60 setback from Will Hill Road. The proposed two parking spaces to the north of the existing access road are permitted. Sufficient existing forest and tree areas serve as the landscaped buffer entering the property. On 9/8/14 the Planning Board made a determination on the existing landscape buffer and found it to be sufficient. No changes to landscaping or buffering proposed.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
B.	Dust, fumes, vapors and gases. 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>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lot lines.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
C.	Odor. 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>The parcel is prohibited from producing offensive or harmful odors perceptible beyond its lot lines.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
D.	Glare. 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>The proposed changes shall not alter previously approved light and glare requirements. See note 7. Utility poles identified within the property. No new overhead utility locations proposed. Underground utilities shall be from existing pole. Any signs shall comply with the lighting requirements of 145-41.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



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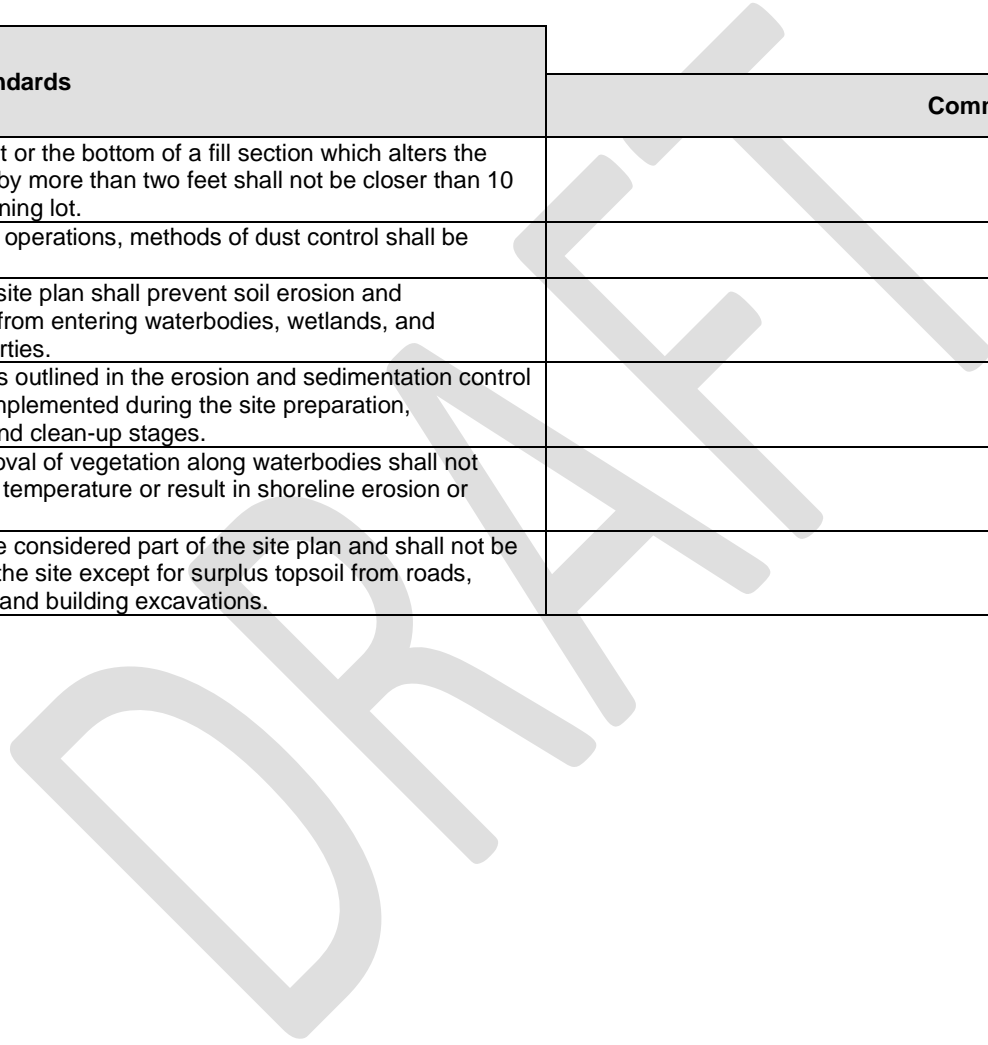
§ 145-75. Criteria and Standards		Comments
E.	Stormwater runoff. Surface water runoff shall be minimized and detained on site if possible or practicable in accordance with Chapter 202-12F(4) General Standards of the Wells Subdivision Ordinance (wherein the word “site plan” shall be substituted for “subdivision”). 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. [Amended 4-27-2007]	<p>The Town Engineer has reviewed the stormwater management in 2014 for the parcel. Drainage analysis prepared for a 25 year storm. No increase in peak runoff rate (25 year storm) to existing culverts. One culvert to be replaced with a 24” pipe. New drainage area to be treated with a level lip spreader and wooded buffer which qualify as a LID.</p> <p>No changes to stormwater runoff proposed with the current amendment.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
F.	Erosion control. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices: [Amended 4-27-2007]	<p>Standard condition of approval notes are noted on the 2014 site plan. Best Management Practices shall be followed. See Note 19.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
(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.	



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§ 145-75. Criteria and Standards		Comments
(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.	
(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.	





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§ 145-75. Criteria and Standards		Comments
<p>G. Setbacks and screening. 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>See note 9. Parcel does not abut the railroad. Parcel does not abut a known cemetery. Setbacks from Willie Hill Road shall be met.</p> <p>The parcels boundaries are fully surrounded by existing undisturbed forest and well defined tree growth with the exception of the Willie Hill Road entrance into the property. The landfill and Transfer Station areas have some fencing that provides security. This parcel does not abut a residential abutter. The Will Hill Road entrance is surrounded by existing trees that meet and exceed the landscape buffer requirements.</p> <p>145-38B is met by the existing tree growth along both sides of the Willie Hill Road right of way that enters the parcel. No new clearing within this landscaped buffer area is proposed. On 9/8/14 the Planning Board made a determination on the existing landscape buffer and found it to be sufficient. No changes proposed.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>	
<p>H. Explosive materials. 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>	<p>All explosive materials shall be stored in compliance with NFPA standards.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>	



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§ 145-75. Criteria and Standards		Comments
I.	<p>Water quality. 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>	<p>Water Quality standards shall be met.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
J.	<p>Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.</p>	<p>No development exists within the Shoreland Overlay District of this parcel. No development exists within the Resource Protection District of this parcel. Parcel contours and grade changes proposed are shown on the plan. 2001 approved coverage was 3.59%. As-Built lot coverage is 3.58%. Proposed lot coverage is 3.71%.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>
K.	<p>Refuse disposal. 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>All refuse shall be disposed of in accordance with local, state and federal requirements.</p> <p>THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.</p>



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§ 145-75. Criteria and Standards		Comments
L.	Water supply. The applicant shall demonstrate the availability of adequate water supply for fire protection and the consumption needs of the proposed development.	No change to the existing water supply of the property is proposed. <u>No connection to restroom trailer proposed? Plan to address.</u> THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	An existing septic system which serves the office was identified on the 2014 plan. <u>The septic system no longer exists? When the building was reconstructed after the fire, a bathroom was not installed.</u> <u>A restroom trailer (180 SF) is proposed. CEO to review.</u>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	The Fire Chief has provided a letter dated 9/19/14 stating that adequate provisions have been made on the site plan for fire safety. Nearest fire pond/dry hydrant identified on the plan. THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL REMAIN MET.

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 two years or more. [§145-74F]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
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. [§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 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



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- 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 §145-64. [§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 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 and/or Staff Review Committee.
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the owner/Homeowner's Association/applicant/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 subdivision/site plan parcel(s).
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.
12. Prior to the pouring of a building footing/foundation, the location of each cottage and/or building to be constructed shall be located on the face of the earth and shall be marked with surveyor pins or stakes. The developer shall receive approval of each cottage and/or building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation.



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13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be presented to the Town for review and approval by the Town Attorney. No use permit shall be issued until the Town Attorney has indicated approval of the condominium documents.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.
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 ensure 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 borne by the developer.
16. All components, features, improvements, and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy.

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect unless specifically amended by this amendment. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.
2. In the review of the 2018 aerial imagery, several areas of extended pavement beyond the 2014 approval are evident. Within 12 months of the approval of this Site Plan Amendment, the areas in question shall be re-vegetated or another Site Plan Amendment will be submitted to request an after-the-fact approval.
Were area revegetated?

Dated at Wells, Maine this _____ day of _____, 2023

Wells Staff Review Committee

By: _____
Michael G. Livingston, Chairman