

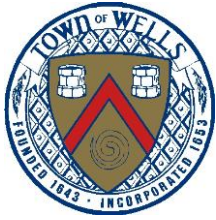


Town of Wells, Maine Staff Review Committee

FINDINGS OF FACTS & DECISIONS Site Plan Application for “Coastal Contractor” Page 1 of 13

Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Coastal Contractor Applicant: Steve Gagne, 285 Newhall Rd, Wells, ME 04090 Landowner: Steve Gagne, 285 Newhall Rd, Wells, ME 04090 Location: 953 Sanford Road, Wells, ME 04090 Existing Use: Business Office/ Business Contractor within 2,340 SF building and Business Contractor within 3,800 SF building (including over-hang) Proposed Land Use: Business Office/ Business Contractor within 2,340 SF building and Business Contractor within 2,400 SF building with concrete pad Tax Parcel ID: Tax Map 49, Lot 26 Zoning District: Residential Commercial Art VII Performance Standards: None Design Engineer: None Plan Submission Date: December 30, 2024</p>
Project Description:	<p>Steven Gagne has submitted a site plan application for 953 Sanford Road for Coastal Contractors. The site plan seeks approval for a 2,400 SF Business Contractor use building with associated 640 SF concrete pad. New gravel for additional parking spaces is also proposed. The applicant also seeks after the fact approval to change the solid fence visual screen to vegetation. The existing 2,340 SF building to remain Business Office/ Business Contractor use. The property is served by a private on-site septic system and a drilled well. The property is located within the Residential Commercial District and is identified as Tax map 49, Lot 26.</p>
Completeness Determination:	<u>To be determined</u>
Public Hearing:	Not Applicable



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Staff Review Mtg:

1/22/25; 2/4/25

PROJECT HISTORY

1. On 12/30/24 the applicant submitted a site plan application.
2. On 1/3/25 the Planning Office requested correct information for the deed and site plan.
3. On 1/6/25 the applicant provided the correct deed and provided site plan information.
4. On 1/15/25 the Code Office prepared an Article V use determination find the use to be permitted in the RC zone.
5. On 1/15/25 the Planning Office mailed notices to abutters of the 1/22/25 Staff Review Committee meeting and use determination.
6. On 1/17/25 the Planning Office prepared a draft plan, Article V, VI and completeness review checklists, and a memo for the Staff Review Committee and applicant.
7. On 1/22/25 the Staff Review Committee received the application, made determinations, workshopped various items and continued the workshop to the next meeting.
8. On 1/30/25 the applicant met with the Planning Office to discuss the site plan changes.
9. On 1/31/25 the Planning Office drafted the plan for the applicant, prepared updated Article V, VI and completeness review checklists, prepared a draft Findings of Fact & Decisions and memo for the applicant and SRC.
10. On 2/4/25 the SRC voted to find the application complete, made determinations, voted to find the application compliant, and _____



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§ 145-75. Criteria and Standards	Comments
<p>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.</p>	

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<p>A. 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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The parcel has approximately 373.92' of street frontage along Route 109. An existing driveway onto Route 109 is depicted. The driveway entrance shall be paved a length of 15' from the existing edge of Route 109 pavement. See note 21.</p> <p>Parcel does not have multiple street frontages. Setback reduction not applicable. An easement for Green Acres Lane was conveyed in 2017. Book 17492, page 172.</p> <p>The buildings shall be within 70 feet from Route 109. Parking is not permitted between the buildings and the street ROW. See note 14.</p> <p>Site plan depicts on-site parking. Parking within Route 109 is prohibited. See plan note 12. All 90 degree parking spaces shall meet the dimensional standard of 9' x 18.5'. A 26' wide aisle is provided. 2 handicap accessible spaces are proposed. 2 ADA compliant signs for the handicap parking is required and shall be installed prior to the issuance of an occupancy permit. Areas that could be used for parking shall be on pavement or gravel. No grass parking proposed.</p> <p>$2,400 + 640 = 3,040 \text{ SF} / 1000 = 4 \text{ parking spaces required. } 2,340 \text{ SF business office/contractor use requires } 3.5 \text{ space per } 1,000 \text{ SF. } 9 \text{ spaces are required. A total of } 13 \text{ spaces are required. } 14 \text{ spaces are proposed and shall be constructed.}$</p>
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§ 145-75. Criteria and Standards		Comments
		<p>Snow storage areas are depicted on the site plan.</p> <p>Sight distances onto Route 109 exceed 400' in both directions. Route 109 speed limit is 40MPH.</p> <p>Traffic information is not necessary. No increase or change in use proposed.</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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>This parcel is prohibited from emitting dust, fumes, vapors and/or gases at any point beyond its lot lines.</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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>This parcel is prohibited from producing offensive or harmful odors at any point beyond its lot lines.</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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>See note 18 and 19. The plans also depict adequate existing and proposed exterior lighting on the parcel. Lighting detail cut sheets were provided for the file as part of the original site plan approval. The proposed sign along Route 109 may be lighted by externally mounted stationary shielded lights.</p>



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§ 145-75. Criteria and Standards		Comments
E.	<p>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>	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Stormwater management plan was prepared in 2011 by Tooth & Associates LLC. See sheets 3, 4, and 5 of 2011 site plan submission.</p> <p>Town Engineer has reviewed the amended site plan and finds the proposed infiltration LID trench and drip edge proposed to be a suitable measure to address stormwater runoff generated by the existing and proposed development.</p>
F.	<p>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>	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Best Management Practices for soil erosion and sedimentation control are a condition of approval. See plan note 31.</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.	



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§ 145-75. Criteria and Standards		Comments
(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.	
(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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Residential Commercial setback requirements are noted and depicted on the plan. See note 2.</p> <p>Prior to the issuance of a building permit for the 2,400 SF building, the two front monuments shall be installed and a letter from a PLS shall be provided to the CEO to confirm the staked foundation location shall meet setback requirements. See plan note 29.</p> <p>A 15 foot wide landscaped buffer is required along Route 109. The plan depicts 4 shade trees within the 15’ wide buffer that exist along Route 109. The plan also depicts the existing and proposed wooded areas (tree lines). <u>SRC to consider finding the existing landscaped buffer along Route 109 suitable on 2/4/25.</u></p> <p>A 6’ tall solid fence was previously required as a visual screen for the abutting residential lots (Lot 25-1, 27-4 and 26-A). A 6’ tall solid fence has not been installed. The applicant proposes 6’ tall evergreen (spruce or fir) trees to be installed every 10’ on center staggered in two rows to form a visual screen. In addition to the evergreen trees, the applicant may also install a 6’ tall solid fence. <u>SRC to consider finding the proposed visual screen suitable on 2/4/25.</u></p>



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§ 145-75. Criteria and Standards		Comments
		Evergreen trees shall be installed in phases. Phase 1 requires trees to be installed prior to the issuance of a building permit for the 2,400 SF building and no later than 6-15-2025. Phase 2 requires the remaining evergreen trees to installed prior to the issuance of an occupancy permit for the 2,400 SF building.
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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>See plan noted 25. Explosive materials shall be stored in compliance with NFPA regulations. See also plan note 20. Site plan identifies proposed propane tank locations. Propane tanks shall not exceed 1,000 gallons in size. Propane tanks shall be installed in compliance with building separation and lot line setback requirements. Protective bollards shall be maintained around propane tanks.</p>
I.	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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Wate quality standards shall be met.</p>



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§ 145-75. Criteria and Standards		Comments
J.	Preservation of landscape. Unnecessary disturbance of the landscape shall be minimized, insofar as practicable, by minimizing tree removal and any grade changes.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The existing tree line and propose tree line are depicted on the plan. This amendment eliminated the infiltration basin in an effort to minimize tree removal and grade changes in the northerly corner of the parcel.</p>
K.	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>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>The dumpster shall be fence enclosed with solid 6’ tall solid fencing or chain link fencing with privacy slats adjacent to the 2,400 SF building. Dumpster shall meet setback requirements.</p> <p>The dumpster installed adjacent to the 2,340 SF building shall be removed and the area vegetated and LID trench installed prior to an occupancy permit is issued for the 2,400 SF building.</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.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Property served by private well supply system. No changes proposed. Both buildings shall use the drilled well. The water line to the proposed building to be installed with a minimum of 4 feet of cover.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>Property served by private septic system. Both buildings to use the same private septic system on the property. The force main shall have a minimum of 4 feet of cover from the LID trench proposed. The force main shall have a minimum of 12 inches of vertical separation from any water line crossing.</p>
N.	Fire safety. The site plan shall make adequate provisions for access by fire-fighting equipment and personal.	<p>BASED ON THE FOLLOWING, THE STAFF REVIEW COMMITTEE FINDS THAT THIS STANDARD SHALL BE MET.</p> <p>A fire cistern with hydrant is located at Berube Circle which is approximately .45 miles away.</p> <p>The buildings shall installed knox boxes.</p>

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 five years or more. §145-74F



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2. Approval is conditioned upon compliance by the applicant with the Findings of Fact, plans and specifications, and reports which have been received and relied upon by the Town in connection with this development's proposed compliance with Town Ordinances.
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 per the Reviewing Authority Chart. §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 denial of a site plan approval or denial of a building permit (§145-61.C.1, §145-74.J.), 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 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 §145-6, §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 and/or Town Staff 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 or Staff Review Committee or Town Staff. §145-74G
8. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and a certificate of occupancy prior to occupancy. §145-61, §145-62
9. It is the applicant's responsibility to contact Dig Safe prior to construction.
10. It is the Owner/Tenant's/Homeowners or Condominium Association's/ Applicant's/-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 parcel(s). §150-4



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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. §145-74.1.4
12. Prior to the pouring of a building footing/foundation, the location of each building to be constructed shall be located on the face of the earth and shall be marked and certified to by a surveyor or engineer with pins or stakes. The developer shall receive approval of each building location from the Code Enforcement Office prior to the commencement of footing/foundation excavation. §145-74I
13. If the property will be converted to a condominium form of ownership, the proposed condominium documents must be consistent with this site plan approval.
14. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the property to include buildings, roadways, drainage, screening and landscaped areas, and utility related construction work. §145-74I
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 insure 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 born by the developer. §145-74I
16. All components, features, improvements and conditions of site plan approval shall be fully completed prior to any issuance of a certificate of occupancy. §145-74E

Special Conditions of Approval

1. All previous Conditions of Approval will remain in effect. The approval of this Amended Site Plan in no way negates the need for applicant compliance with all previously set Conditions of Approval.
2. Upon completion of construction, the applicant shall provide to the Town record as-built drawings of the roadway, drainage, and utility related construction work.

Dated at Wells, Maine this _____ day of _____, 2025

Wells Staff Review Committee

By: _____