

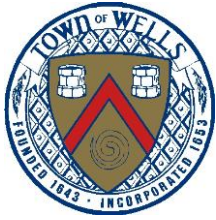


Town of Wells, Maine Planning Board

FINDINGS OF FACTS & DECISIONS
Site Plan Amendment Application for “Holiday House Condominium”
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Chapter 145, Article X Site Plan Approval

PROJECT INFORMATION	
General:	<p>Project Name: Holiday House Condominium Applicant: Holiday House Condominium, 76 Post Road, Wells, ME 04090 Landowner: Holiday House Condominium, 76 Post Road, Wells, ME 04090 Location: 76 Post Road, Wells, ME Existing Use: 21 Hotel/Motel units, 26 Housekeeping Cottage units Proposed Land Use: 21 Hotel/Motel units, 26 Housekeeping Cottage units Tax Parcel ID: Tax Map 105, Lot 4 Zoning District: General Business District Art VII Performance Standards: 145-52. Lodging Facility. Design Engineer: Civil Consultants, PO Box 100, South Berwick, ME 03908 Plan Submission Date: 9/22/2025</p>
Project Description:	<p>Geoff Aleva, of Civil Consultants, has submitted a site plan amendment application on behalf of the Holiday House Condominium Association. The amendment seeks after the fact approval for changes made to the property since 1985 without site plan approval: land division (creation of Lot 4C in 1986), conveyance of land to and from Lot 4C and creation of easements for egress/ingress, utilities and pool in/around 2002; expansion of units C-5 and C-6 for deck enlargements in 2008; reflect existing and expanded driveways/parking and internal roadways; reflect as-built cottage and motel locations; expansion to pool area in late 1990s; identify grandfathered dumpster area; resolve lodging facility buffer disturbance that occurred in 2025; and locate the on-site Lodging Facility Office. The property consists of 26 housekeeping cottage units and 21 motel units. No change in use is proposed. The property is located within the General Business District and is located at 76 Post Road. The property is identified as Tax Map 105, Lot 4.</p>
Completeness Determination:	<u>To be determined</u>
Public Hearing:	Waived 10/20/2025



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Staff Review Mtg:

10/28/2025

PROJECT HISTORY

1. On 9/22/25 the applicant submitted a site plan amendment application.
2. On 9/26/25 the Code Officer found the use to be grandfathered/ non-conforming and that the review required Planning Board approval.
3. On 9/26/25 the Planning Office mailed notices to abutters of the site plan amendment submission and of the 10/6/25 Planning Board meeting.
4. On 10/1/25 the Planning Office prepared a site plan amendment application memo with review comments for the Planning Board and applicant.
5. On 10/6/25 the Planning Board received the site plan amendment application and scheduled a site walk for 10/18/25 at 8:00 AM.
6. On 10/8/25 the Planning Office provided the applicant with an example for lodging facility notes.
7. On 10/17/25 the Planning Office prepared an updated memo and draft completeness review checklist. Plan markups with recommended plan changes were also prepared.
8. On 10/18/25 the Planning Board conducted a site walk.
9. On 10/20/25 the Planning Office prepared a site walk results memo.
10. On 10/20/25 the Planning Board reported the site walk results, voted to not require a public hearing, and voted to waive contours.
11. On 10/28/25 the Staff Review Committee commented on the application for the Planning Board.
12. On 11/25/25 the Planning Office provided the applicant with a reminder regarding plan revisions.
13. On 12/1/25 the Planning Office received updated plans for review and requested easements and agreements.
14. On 12/1/25 the Planning Board granted a 60 day extension.
15. On 1/12/26 the Planning Board granted a 30 day extension.
16. On 2/2/26 the applicant provided revised plan incorporating notes.
17. On 2/3/26 the Planning Office prepared updated recommendations for plan notes.
18. On 2/4/26 the applicant provided revised notes for review.
19. On 2/9/26 the Planning Board conducted a workshop and voted to allow the pedestrian path and encroachment to remain in the hotel buffer, voted to allow parking spaces and aisles to be widened as detailed, voted to approve the grass fire lane as depicted and voted to grant a 60 day extension.
20. On 2/12/26 the applicant provided revised plans to the Planning Office.
21. On 2/13/26 the applicant requested to be placed on a future agenda as he had a conflict with the 2/23/26 meeting.
22. On 2/18/26 the applicant provided photos of the new fencing installed at the dumpster.
23. On 2/23/26 the Planning Board meeting was postponed due to a winter storm.
24. On 3/4/26 the Planning Office prepared plan markups for the applicant to address.
25. On 3/4/26 the applicant provided a plan revision.



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26. On 3/5/26 the Planning Office prepared Article V, VI, VII, completeness and compliance/ Findings of Fact & Decisions. A memo summarizing the review was also prepared. Minor plan corrections were identified.
27. On 3/9/26 the Planning Board conducted a workshop and voted to find the application complete, voted to find the 25' wide buffer adjacent to lot lines as suitable as it exists, voted to find existing conditions as suitable for screening of residential abutters, voted to not require any updated capacity letters from KKWWD or WSD, and voted to find the application compliant. The Planning Board voted to _____

§ 145-75. Criteria and Standards

Comments

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.



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§ 145-75. Criteria and Standards	Comments
<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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>This parcel has approximately 192.68’ of street frontage along Route 1. Frontage along Old County Road exists as well and is 41.29’.</p> <p>Parcel does have multiple street frontages. Setback reduction per 145-350 is not applicable however. Route One Setback cannot be reduced.</p> <p>Parking within Route 1 and Old County Road is prohibited. All paved parking space stripping shall be painted no later than 9/1/2026 in compliance with this site plan. All parking is 90 degree. Spaces at the motel buildings shall be 9’ x 18.5’ in dimension but travel aisles are only 20-26’ wide. Plan note 11d permits the aisle to be widened to 26’.</p> <p>Spaces at cottage units shall be maintained at the dimensions drawn on the site plan, no less. Spaces at units C2, C4, C5, C23 and C17 may be widened to 9’. Travel aisles serving the cottage units shall be maintained with evenly graded surface at the width drawn on the plan.</p> <p>3 handicap accessible parking spaces are required based on the 53 spaces provided on the property. 2 ADA compliant spaces shall be maintained on the pavement adjacent to the motel buildings. Stripping, ADA aisle and signage shall be installed and maintained no later than 9/1/26. 1 ADA sign to be used as needed or temporarily at a cottage unit.</p>



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		<p>The property has 63 sleeping rooms on the property. $63 \times 1.5 = 95$ spaces required under current ordinances. Prior ordinances at the time of this properties construction/expansion were 1 per sleeping room or 63 spaces. Parking requirements were not defined on the 1985 plan other than to state "parking spaces adjacent to each cottage." The property provides 53 parking spaces. See plan note 11b.</p> <p>Snow storage areas are depicted on the site plan. See plan note 22.</p> <p>Areas that could be used for parking shall be on pavement or gravel. No grass parking exists nor is proposed.</p> <p>Sight distances onto Route 1 exceed 500' in both directions. Route 1 speed limit is 40 MPH along the frontage of this property.</p> <p>No changes to existing entrance/exits onto Route One proposed.</p> <p>The existing roadways within the facility were not constructed 20' wide as one continuous looped roadway for two-way traffic. Existing conditions show roadway widths as narrow as 10' for two-way traffic and two dead ends were created (one near C-10 and one near C-11). The Planning Board determined the roadway widths in the facility are grandfathered but they are to be maintained with an evenly graded surface.</p> <p>Gravel spaces between cottage units are not 9' by 18.5' in dimension. The 1985 site plan did not depict parking spaces on pavement/gravel adjacent to cottage units but noted the parking spaces would be adjacent to each cottage. From review of aerial imagery units utilized</p>
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§ 145-75. Criteria and Standards		Comments
		<p>grass parking and over time installed gravel. Note 11f permits some housekeeping cottage units to widen their parking spaces to 9' wide.</p> <p>46' wide pavement was required in front of the motel buildings on the 1985 site plan. This would accommodate a 26' wide two-way travel aisle and 18.5' parking space depths. Existing conditions show spaces are 18' in depth and some have only a 13' wide travel aisle. Additional pavement to widen the parking area aisles is recommended and permitted per note 11d.</p>
B.	<p>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>	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from emitting dust, fumes, vapors or gases at any point beyond its lots lines.</p>
C.	<p>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>	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The parcel is prohibited from producing such odor at any point beyond its lot lines as measured at ground or habitable elevation.</p>



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§ 145-75. Criteria and Standards		Comments
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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See plan note 9. Exterior lighting shall be shielded and downward directional as not to produce glare onto abutting lots or streets.</p>
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>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>The property has been developed for over 40 years. No changes proposed to stormwater management.</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>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Best Management Practices are a standard condition of approval. The Standard terms and conditions of the Town of Wells are on the site plan. See note 23.</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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<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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Setback requirements are noted on the plan, see note 5. 15' lot line setbacks depicted. 40' setback from Route One ROW and 25' setback from Old County Road depicted.</p> <p>A 15 foot wide landscaped buffer is required along Route 1 and Old County Road. Plan notes existing vegetation within buffers to remain and shall be maintained. Buffers consist of existing shade trees.</p> <p><u>Planning Board to consider finding the 15' wide buffer suitable along Route One and Old County Road.</u></p> <p>This property abuts residential abutters (Map 105, Lot 1, 1A, 4A, 4B, and 4D. Map 104, Lots 54, 55, 56 and 57. Map 105, Lot 4C and 6 have residential and commercial uses. Map 105, Lots 2 and 3 are commercial uses. Visual screening for abutting lots consists of existing vegetation/ wooded areas, planted shrubs and evergreen trees and 6' tall fencing along lots 2 and 3. Vegetation and fencing has existed for many years.</p> <p><u>Planning Board to determine if the changes (after the fact approval of changes that have occurred over the years) are suitably screened by existing conditions.</u></p> <p><u>Planning Board to determine if the 40' wide setback and buffers from Route One and Old County Road are suitable for the Lodging Facility per 145-52.</u></p> <p>Dumpster shall maintained 6' tall solid fencing enclosure. Dumpster is identified within the setback. Documentation provided to demonstrate it has existed in its current location since the 1980s prior to the requirement for dumpsters to meet setbacks.</p>
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§ 145-75. Criteria and Standards		Comments
H.	<p>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>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>See plan note 15. Fuel shall be stored in compliance with NFPA regulations. Propane tanks shall meet building and lot line separation requirements.</p>
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>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change proposed with regard to storage of fuels.</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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Existing lot coverage is 63,079 SF or 34.8%. Maximum allowed of 65% noted. Proposed lot coverage is 40% to allow for minor site revisions to parking areas.</p> <p>No changes to buffers or screening proposed. All existing vegetation shall be maintained except for the removal of invasive species and vegetation that is dying, diseased or found to be hazardous. See plan note 26.</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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>Dumpser shall maintained 6' tall solid fencing enclosure. Dumpster is identified within the setback. Documentation provided to demonstrate it has existed in its current location since the 1980s prior to the requirement for dumpsters to meet setbacks.</p> <p>Property shall properly and timely dipose of refuse.</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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change to the existing water supply of the property is proposed. Property is served by public water (KKWWD). On 3/9/26 the Planning Board found an updated capacity letter is not required as there is no change in use proposed.</p>
M.	Sewage disposal. The applicant shall provide for the safe disposal of all wastewaters.	<p>BASED ON THE FOLLOWING, THE PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>No change to the existing sewage disposal of the property is proposed. Property is served by public sewer (WSD). On 3/9/26 the Planning Board found an updated capacity letter is not required as there is no change in use proposed.</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 PLANNING BOARD FINDS THAT THIS STANDARD SHALL REMAIN MET.</p> <p>An existing fire hydrant is identified along Route One, north of the property entrance. See plan note 17. All motel units are constructed with sprinkler systems.</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
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.



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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
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.I.4



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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. No later than 9/1/26 the following shall be completed:
 - a. Two ADA compliant parking spaces shall be installed in the paved parking area in front of the Motel buildings. ADA aisles and signage shall be installed and maintained.
 - b. All paved parking spaces shall be painted with stripping compliant with 9' x 18.5' dimensions.
 - c. Grass fire lane, 15 feet wide, to be established and clear of any obstructions.
 - d. Signage located within Route One right of way shall be relocated onto Map 105, Lot 4.

Dated at Wells, Maine this _____ day of _____, 2026

Wells Planning Board

By: _____
Charles Millian, Chairman