

**Town of Wells, Maine Review Checklist**  
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Project Name/District: Footbridge North Resort / General Business District - Tax Map 134, Lot 2

Date of Review: 11-08-17; 11/21/17; 01/11/18

Prepared By: Office of Planning & Development

Company Name: Town of Wells

## Article V District Regulations

### A. Purpose.

The purposes of the General Business District is to provide areas for a wide range of business and commercial uses which serve the entire Town and for lodging and related facilities which serve the tourists.

<b>§ 145-26. General Business District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
(1)	Agriculture, limited to the raising of crops and plants out of doors.			<b>NA</b>	
(2)	Cemetery having an area less than 20,000 square feet and containing no buildings.			<b>NA</b>	
(3)	Dwelling, one-family. (See also ' 145-55.)			<b>NA</b>	
(4)	Dwelling, two-family.	<b>Y</b>			Research for this property has identified five dwelling units within Building 1 and one dwelling unit in Building 2. Zoning permits only 1 dwelling unit on this parcel due to its size (.86 acres or 37,350 SF) but the 6 dwellings are grandfathered as a nonconforming development. The applicant/owner does not proposed to increase this non-conformity.
(5)	Dwelling, multifamily. (See ' 145-48.)			<b>NA</b>	
(6)	Recreation, passive.			<b>NA</b>	
(7)	Timber harvesting.			<b>NA</b>	
C.	Permitted uses requiring the approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:				
(1)	Agriculture which includes any structures.			<b>NA</b>	
(2)	Bank.			<b>NA</b>	
(3)	Bed-and-breakfast/small inn. (See ' 145-52.)			<b>NA</b>	
(4)	Business, contractor.			<b>NA</b>	
(5)	Business, office.			<b>NA</b>	
(6)	Business, personal service.			<b>NA</b>	

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		Yes	No	NA	Comments
(7)	Business, retail, including the manufacturing of any goods offered for sale on the premises.			NA	
(8)	Business, service.			NA	
(9)	Business, wholesale, having a gross floor area of less than 5000 square feet.			NA	
(10)	Cemetery larger than 20,000 square feet in area.			NA	
(11)	Church.			NA	
(12)	Club.			NA	
(13)	Congregate care facility. <b>[Added 6-8-2011]</b>			NA	
(14)	Day-care home.			NA	
(15)	Day-care center/nursery school.			NA	
(16)	Drug abuse shelter. <b>[Added 6-14-2011]</b>			NA	
(17)	Elderly housing <b>[Amended 4-26-1996]</b>			NA	
(18)	Freestanding residential detoxification program. <b>[Added 6-14-2011]</b>			NA	
(19)	Function hall.			NA	
(20)	Hotel/motel. (See ' 145-52.)	Y			Research for this property has identified 12 one bedroom hotel units within Building 3. Zoning would not permit units on this parcel due to the existing dwelling units and its size (.86 acres or 37,350 SF), but the hotel units and 6 dwellings are grandfathered as a nonconforming development. The applicant/owner does not proposed to increase this non-conformity.
(21)	Housekeeping cottage complex. (See ' 145-52.)			NA	
(22)	Housing, congregate.			NA	
(23)	Life care facility. <b>[Amended 4-26-1996]</b>			NA	
(24)	Medical care facility.			NA	
(25)	Municipal facility.			NA	
(26)	Museum.			NA	
(27)	Neighborhood convenience store.			NA	
(28)	Nursing home. <b>[Amended 4-26-1996]</b>			NA	
(29)	Parking lot, commercial.			NA	

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		Yes	No	NA	Comments
(30)	Private non-medical institution (PNMI). <b>[Added 6-14-2011]</b>			NA	
(31)	Public Transportation Center. <b>[Amended 11-6-2007]</b>			NA	
(32)	Public utility facility.			NA	
(33)	Recreation, active.			NA	
(34)	Recreation, high-intensity commercial.			NA	
(35)	Recreation, low-intensity commercial.			NA	
(36)	Registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA	
(37)	Restaurant, standard.			NA	
(38)	Restaurant, fast-food.			NA	
(39)	Sawmill producing less than 100,000 board feet of lumber per year.			NA	
(40)	School, public and private.			NA	
(41)	Tent and recreational vehicle park. (See ' 145-50.)			NA	
(42)	Transportation facility.			NA	
(43)	Seasonal cottage complex. (See ' 145-52.) <b>[Added 4-12-2003]</b>			NA	
(44)	Stand-alone registered marijuana dispensary. <b>[Added 6-14-2011]</b>			NA	
D.	Accessory uses. Accessory uses are permitted when they are clearly incidental to the permitted use; subordinate, individually and in the aggregate, to the permitted use; and located on the same lot as the permitted use being served. Home businesses as regulated in ' 145-51 are permitted accessory uses.	Y			Pool and pool shed.  Proposed pavilion allowed as accessory to the residential and hotel uses.
E.	Uses prohibited. Except as permitted in ' 145-12, Nonconforming uses, and in Article VI, Town-Wide Regulations, uses not identified in Subsections B, C and D are prohibited within this district.	Y			
F.	Dimensional requirements.				
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	Y			The parcel is approximately 37,350 SF or 0.86 acres. The property is served by public sewer.
(2)	Maximum density:				

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§ 145-26. General Business District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.	Y			Research for this property has identified five dwelling units within Building 1 and one dwelling unit in Building 2. Zoning permits only 1 dwelling unit on this parcel due to its size (.86 acres or 37,350 SF) but the 6 dwellings are grandfathered as a nonconforming development. The applicant/owner does not proposed to increase this non-conformity.
	(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. <b>[Amended 4-28-1995; 4-12-2003; 6-13-2006]</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	
	(d)	Twenty hotel/motel units per acre of net area. <b>[Amended 4-28-1995]</b>	Y			Research for this property has identified 12 one bedroom hotel units within Building 3. Zoning would not permit units on this parcel due to the existing dwelling units and its size (.86 acres or 37,350 SF), but the hotel units and 6 dwellings are grandfathered as a nonconforming development. The applicant/owner does not proposed to increase this non-conformity.
(3)		Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y			This parcel is a non-conforming lot in that it only has approximately 92.8 ft of street frontage along Route One.

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(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. <b>[Amended 4-14-2000]</b>		Y			The existing lot coverage has been calculated to be approximately 52.9%, see Note 12.a.  The proposed lot coverage has been calculated to be approximately 55.8%, see Note 12.b.
(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-35I.)		Y			Note 9
(6)	Setbacks.					Note 8
	(a)	All structures shall be at least:				
		[1]	Fifteen feet from any lot line.	Y		No changes to the structures are proposed that would alter the non-conforming nature of the building on this property that does not meet currently this requirement.  A dumpster was installed within the 15' setback and 25' buffer. The dumpster shall be removed prior to the issuance of a building permit. No dumpster is proposed. The owner to collect and dispose of all waste materials.
		[2]	Twenty-five feet from the boundary of any cemetery.			NA None
		[3]	Twenty-five feet from any lot line abutting any street right-of-way.			NA None
		[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y		No changes to the structure are proposed that would alter the non-conforming nature of the building on this property that does not meet currently this requirement.
	(b)	All structures and parking lots shall be at least 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.				NA Parcel not located within 200 feet of such a high-water line

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			Yes	No	NA	Comments
	(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. <b>[Added 6-13-2006</b>  <i>Editor's Note: This ordinance provided that it shall be retroactive to any application for site plan approval and any application to amend an existing site plan to the extent the amendment proposes additional cottage units that has not received final approval from the Planning Board on 4-25-2006.</i>			NA	No such structures on this parcel.
Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, 145-49, Residential cluster development, and 145-54, Affordable housing			Y			145-13, 145-14 apply to this parcel.
G.		Special provisions. If a person owns parcels of land on the east and west sides of Route 1 within the General Business District, the parcels may be treated as a single lot of land, provided that he grants the Town a conservation easement over a portion of the land on the east side of Route 1. The easement shall cover a land area which, in conjunction with the parcels on the west side of Route 1, is adequate to support the proposed use as regulated in the district. The lot on the west side of Route 1 shall meet the minimum lot size requirement. Any proposed easement shall be reviewed and approved by the Planning Board.			NA	