

**Town of Wells , Maine Review Checklist**  
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Project Name/District: Town of Wells - Fire Substation and Public Works Garage - AMD#6 - Tax Map 40, Lot 9EXE/ Rural, Resource Protection, 250' Shoreland Overlay Districts

Date of Review: 01-09-19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

**Article V District Regulations**

**A. Purpose.**

The purpose of the Rural District is to maintain the open, rural character of the land within the district. Open uses of the land, such as forestry and agricultural uses, should be encouraged and large-scale residential uses discouraged. Residential development should be clustered so that significant areas of the development can be maintained as open space and, where applicable, used to buffer the development from existing Town ways.

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
B.	Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:				
(1)	Animal husbandry.			NA	
(2)	Agriculture.			NA	
(3)	Cemetery having an area less than 20,000 square feet and containing no buildings.	Y			Chaney Family Cemetery located along Route 9
(4)	Dwelling, one-family. (See also § 145-55)			NA	
(5)	Dwelling, two-family.			NA	
(6)	Dwelling, multifamily. (See also § 145-48)			NA	
(7)	Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. <b>[Added 6-9-2015<sup>(1)</sup>]</b>			NA	
(8)	Livestock, domestic (large), limited to lots with a minimum lot size of five acres. <b>[Added 6-9-2015]</b>			NA	
(9)	Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl. <b>[Added 6-9-2015]</b>			NA	
(10)	Poultry, domestic (large), limited to lots with a minimum lot size of five acres. <b>[Added 6-9-2015]</b>			NA	
(11)	Recreation, passive.			NA	
(12)	Timber harvesting.			NA	

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<b>§ 145-30. Rural District.</b>		<b>Application Meet Requirements</b>			
		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</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)	Bed and breakfast/small inn (See also § 145-52)			<b>NA</b>	
(2)	Cemetery larger than 20,000 square feet in area.			<b>NA</b>	
(3)	Church.			<b>NA</b>	
(4)	Club.			<b>NA</b>	
(5)	Congregate care facility, in areas served by public water and sewer. <b>[Added 6-8-2010]</b>			<b>NA</b>	
(6)	Day-care home.			<b>NA</b>	
(7)	Day-care center/ nursery school.			<b>NA</b>	
(8)	Estuarine and marine research facilities located east of U.S. Route 1. Said facilities may include a building containing a dwelling unit occupied by a resident manager and his or her family and fifteen suites or less occupied by visiting scientists conducting research with the Wells Reserve. Said suites shall not exceed 470 square feet and shall not have their own kitchen facilities. However, said building may contain a common kitchen to provide meals available only to the occupants. <b>[Added 4-14-2000; amended 11-5-2002]</b>			<b>NA</b>	
(9)	Kennel.			<b>NA</b>	
(10)	Mineral extraction. (See also § 145-53)	<b>Y</b>			Prior site plan approvals from 1994 for 23.2 acres of mineral extraction for Phase I and 10.9 acres of mineral extraction for Phase II. No changes are proposed to this approved use.

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		<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(11)	Municipal facility.	<b>Y</b>			<p>The existing uses of the property to consist of the following:</p> <ul style="list-style-type: none"> <li>i. Municipal Facility (Public Works Facility): 9,600 SF Main Building + 1,680 SF Mezzanine; 4,646 SF Garage; 1,190 SF Office Area + 345 2<sup>nd</sup> Floor Office Area; 242 SF Storage Building; 163 SF Storage Building; 650 SF Fueling Station; 4,992 SF Machine Shop; 8,640 SF Sand/Salt Storage Building; 540 SF Old Salt Storage Building; communications tower</li> <li>ii. Municipal Facility (Police Station Storage): 580 SF Police Storage Shed with fence enclosure</li> </ul> <p>The proposed uses of the property to consist of the following:</p> <ul style="list-style-type: none"> <li>i. Municipal Facility (Public Works Facility): 9,600 SF Main Building; 4,646 SF Garage; 1,190 SF Office Area; 242 SF Storage Building; 168 SF Storage Building; 950 SF Fueling Station; 4,992 SF Machine Shop; 8,640 SF Sand/Salt Storage Building; 540 SF Salt Storage Building; communications tower; 1,000 gallon propane tank</li> <li>ii. Municipal Facility (Police Station Storage): 580 SF Police Storage Shed with fence enclosure; 200 Storage Container</li> <li>iii. Municipal Facility (Fire Substation); 4950 SF Station; 1,000 gallon propane tank; Water Storage Tank</li> </ul>
(12)	Museum having a gross floor area less than 5,000 square feet.			<b>NA</b>	
(13)	Neighborhood convenience store.			<b>NA</b>	
(14)	Public utility facility.			<b>NA</b>	
(15)	Recreation, active.			<b>NA</b>	
(16)	Recreation, low-intensity commercial.			<b>NA</b>	

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<b>§ 145-30. Rural District.</b>			<b>Application Meet Requirements</b>			
			<b>Yes</b>	<b>No</b>	<b>NA</b>	<b>Comments</b>
(17)	Restaurant (standard) containing fewer than 75 seats.				<b>NA</b>	
(18)	Sawmill.				<b>NA</b>	
(19)	School, public and private.				<b>NA</b>	
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. <b>[Added 4-18-1995]</b>				<b>NA</b>	
(21)	Tent and recreational vehicle park.				<b>NA</b>	
(22)	Transmission tower, radio.				<b>NA</b>	
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 accessory uses.		<b>Y</b>			
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.				<b>NA</b>	
F.	Dimensional requirements.					
(1)	Minimum lot size:					
(a)	One hundred thousand square feet of net area.		<b>Y</b>			Parcel is 68.59 acres in size or 2,987,780 SF in size.
(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.				<b>NA</b>	
(2)	Maximum density: <b>[Amended 4-28-1995]</b>					
(a)	One dwelling unit for each 100,000 square feet of net area.				<b>NA</b>	No dwellings located on this parcel.
(b)	One dwelling unit for each 40,000 square feet of net area if located east of the Maine Turnpike and connected to public sewer.				<b>NA</b>	No dwellings located on this parcel.

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§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(c)	<p>Four housekeeping cottages or seasonal cottages per acre of net area.<b>[Amended 4-12-2003; 6-13-2006</b></p> <p><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></p>			NA	No cottage units exist or are permitted on this parcel.
(3)		<p>Minimum street frontage per lot: 200 feet, which may be reduced to 150 feet for lots fronting entirely on a cul-de-sac. The minimum street frontage for a lot containing a one-family dwelling (in conjunction with a one-family dwelling, a day-care home or day-care center/nursery school may be permitted if the driveway is paved to a width of at least 16 feet and has a gravel base of at least 20 feet in width), an agricultural, animal husbandry or a timber harvesting use may be reduced to 50 feet provided that the total lot area is at least 200,000 square feet; the access driveway shall extend to the house and shall not be longer than 750 feet with a grade and width adequate to permit access by fire, police and other emergency vehicles; and any structure on the lot shall be located at least 50 feet from any lot line. No more than two such lots shall have contiguous street frontage.</p>	Y*			<p>Parcel has approximately 841 feet of street frontage along North Berwick Road and approximately 3,258 feet of street frontage along Swamp John Road.</p> <p><b><u>Frontage along Log Cabin Lane is not noted.</u></b></p> <p>See dimensional requirement table.</p>
(4)		<p>Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.</p>	Y*			<p>Existing lot coverage has been determined to be approximately 209,841 SF or .07%. (see 2011 approved site plan)</p> <p><b><u>Proposed lot coverage has not been noted and needs to be added to the dimensional requirement table.</u></b> Lot coverage is less than 20%.</p>

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				Yes	No	NA	Comments
(5)		Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)		Y			See dimensional requirement table.
(6)		Setbacks.					See note 4 referencing to prior site plan approval. (See note 4 on prior approved plan).
	(a)	All structures shall be at least:					
		[1]	Twenty-five feet from any lot line.	Y*			Noted and shown. <b><u>Some revisions recommended to the table.</u></b>
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			Noted and shown. <b><u>Some revisions recommended to the table.</u></b>  <b><u>25' setback corrections to be made for Log Cabin Lane- see plan markup.</u></b>
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y*			Noted and shown. <b><u>Some revisions recommended to the table.</u></b>  <b><u>40' setback corrections to be made - see plan markup.</u></b>
		[4]	Twenty-five feet from the boundary of any cemetery.	Y*			Noted and shown. <b><u>Some revisions recommended to the table.</u></b>
		(b)	All structures and parking lots shall be located at least 200 feet from the high-water line of the Merriland River (including Hobbs Pond), the Webhannet River, Ogunquit River, Perkins Brook and West Brook.			<b>NA</b>	Structures and parking areas are not within 200 feet of such high water lines.

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	(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>				No such uses exist or are permitted on the parcel.
G.	Special provisions. <b>[Amended 6-14-2016]</b>					
	(1)	All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of § 145-48, Multifamily developments, or § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.			NA	
	(2)	Commercial building design. Proposed buildings or reconstruction of existing buildings or building additions greater than 50% of the existing building footprint shall conform to the following architectural requirements when any portion of the building is located within 500 feet of the Route One right-of-way and north of the intersection of Route One and Route 109 and north of the intersection of Route One and Harbor Road: <b>[Added 6-13-2017]</b>			NA	Not located within such areas of Town.
	(a)	Reconstruction of exterior facades and additions to existing buildings shall be in the architectural style of the original building, and the materials used shall duplicate the original or be similar in appearance to the original materials or materials commonly used in the Town when the building was constructed.				

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	(b)	New construction and reconstruction shall use external building features which are similar to those buildings in the district constructed in the 18th and 19th centuries. Modern materials which duplicate the original or are similar in appearance to the original used in construction in the 18th and 19th centuries may be used on any buildings.				
	(c)	Any new building or reconstructed roof shall have a roof with a minimum slope of 7/12 (30.26°) on 80% of the roof area, and the remaining roof shall be greater than a 3/12 pitch (14.0°).				
	(d)	The siding on new buildings or reconstructed buildings shall be wooden clapboard, wooden shingles, brick, stone or materials which duplicate the original or be similar in appearance to the original in shape, texture and appearance.				
	(e)	Roofs shall be shingled, slate, or constructed of materials which duplicate the original or be similar in appearance to materials used in construction in the 18th and 19th centuries.				
	(f)	No internally illuminated signs or electronic message signs shall be permitted.				
	(g)	See § <a href="#">145-76</a> , Design guidelines, established by the Planning Board.				
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			145-33 applies to a portion of the property. No new development proposed in the Shoreland Overlay district.