



***Town of Wells, Maine
Code Enforcement Office***

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Memorandum For: Town of Wells Zoning Board of Appeals

Subject: 12 Lobster Lane Variance Appeal

The sections of Chapter 145 Land Use 145-33B(1) and F.(1) should be reviewed as part of this appeal.

§ 145-33 Shoreland Overlay District.

The provisions of this section shall apply to all uses, lots and structures within the Shoreland Overlay District.

B. Setbacks from water bodies and wetlands. All roads, driveways and structures, except those required to control drainage or water movement and those needed for water-dependent uses, shall comply with the following setback requirements or those of the underlying district, whichever is greater:

(1)

The minimum setback from the upland edge of a wetland shall be 75 feet, which may be reduced to the average of the setbacks of structures within 200 feet of the proposed structure on lots abutting the wetlands but shall not be less than 25 feet.

[Amended 4-16-1999]

F. Roads and driveways. The following standards shall apply to the construction of roads and/or driveways and drainage systems, culverts and other related features.

(1)

Roads and driveways shall comply with the setback requirements of Subsection B unless no reasonable alternative exists as determined by the Zoning Board of Appeals. If no other reasonable alternative exists, the Zoning Board of Appeals may reduce the road and/or driveway setback requirement upon a clear showing by the applicant that appropriate techniques will be

used to prevent sedimentation of the wetland, tributary stream or water body. Such techniques may include, but are not limited to, the installation of settling basins and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the water body, tributary stream or wetland.

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