

Town of Wells , Maine Review Checklist
Page 1 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Prepared By: Office of Planning & Development

Date of Review: 04/02/19; 04/30/19

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.			NA	
(4)	Dwelling, one-family. (See also § 145-55)	Y			Note 9 states 9 residential cluster lots/ dwelling units are proposed
(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. [Added 6-9-2015^[1]			NA	
(8)	Livestock, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			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. [Added 6-9-2015]			NA	
(10)	Poultry, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
(11)	Recreation, passive.			NA	
(12)	Timber harvesting.			NA	

Town of Wells , Maine Review Checklist
Page 2 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
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:				Such uses require site plan approval.
(1)	Bed and breakfast/small inn (See also § 145-52)			NA	
(2)	Cemetery larger than 20,000 square feet in area.			NA	
(3)	Church.			NA	
(4)	Club.			NA	
(5)	Congregate care facility, in areas served by public water and sewer. [Added 6-8-2010]			NA	
(6)	Day-care home.			NA	
(7)	Day-care center/ nursery school.			NA	
(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. [Added 4-14-2000; amended 11-5-2002]			NA	
(9)	Kennel.			NA	
(10)	Mineral extraction. (See also § 145-53)			NA	
(11)	Municipal facility.			NA	
(12)	Museum having a gross floor area less than 5,000 square feet.			NA	
(13)	Neighborhood convenience store.			NA	
(14)	Public utility facility.			NA	
(15)	Recreation, active.			NA	
(16)	Recreation, low-intensity commercial.			NA	
(17)	Restaurant (standard) containing fewer than 75 seats.			NA	
(18)	Sawmill.			NA	

Town of Wells , Maine Review Checklist
Page 3 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
(19)	School, public and private.			NA		
(20)	School, vocational-technical, served by public water and sewer and located east of the turnpike and south of Route 109. [Added 4-18-1995]			NA		
(21)	Tent and recreational vehicle park.			NA		
(22)	Transmission tower, radio.			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 accessory uses.			NA		
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.			NA		
F.	Dimensional requirements.					
(1)	Minimum lot size:					
(a)	One hundred thousand square feet of net area.	Y*			Parcel is noted to be 26.8 acres or 1,167,484 SF in total area. <u>Ownership extends to the bank of the Merriland River. Net area is 26.8 acres? Note 8 states 22.8 Net Acres.</u> Subdivision to be served by septic systems.	
(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			NA		
(2)	Maximum density: [Amended 4-28-1995]					

Town of Wells , Maine Review Checklist
Page 4 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.			Application Meet Requirements			
			Yes	No	NA	Comments
	(a)	One dwelling unit for each 100,000 square feet of net area.				1 dwelling per 100,000 SF of net area is permitted. See 145-49 Residential Cluster provisions and Table on Sheet 1. Total land area is 1,167,484 SF. A 15% deduction is 175,123 SF. 116,7484-175,123 = 992,361 SF which permits 9 dwelling units. 9 units are proposed.
	(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.			NA	Parcel not served by public sewer.
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-12-2003; 6-13-2006 <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 cottage units exist or are permitted on this parcel.

Town of Wells , Maine Review Checklist
Page 5 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
(3)	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.	Y*			Per 145-49, all proposed cluster lots shall have no less than 50' of street frontage. <u>Planning Board to consider street frontage reduction after a Public Hearing is held.</u> Note 13 states the Rural Zone dimensional requirements and the Residential Cluster provisions.
(4)	Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.	Y*			<u>Per 145-49, the plan must correctly note that lots greater than 40,000 SF in area are restricted to a maximum of 20% lot coverage.</u> <u>The Planning Board may consider allowing lots smaller than 40,000 SF in area 40% lot coverage. The Planning Board to consider this after a public hearing.</u> Lots 3, 6, 7, and 8 qualify for 40% lot coverage. Note 13 states the Rural Zone dimensional requirements and the Residential Cluster provisions. <u>Corrections needed.</u>
(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35l.)	Y			See note 13.
(6)	Setbacks.				Note 13 states the Rural Zone dimensional requirements and the Residential Cluster provisions.

Town of Wells , Maine Review Checklist
Page 6 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(a)	All structures shall be at least:				
		[1]	Twenty-five feet from any lot line.	Y			See note 13. This proposed cluster subdivision proposes 4 cluster lots adjacent to the nonclustered residential abutting lot 11B. Twice the setback requirement (50 feet) is required from abutting lot 11B.
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			See note 13. Sheet 1 depicts the 20' setback required along the ROW proposed within the cluster development.
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			See note 13.
		[4]	Twenty-five feet from the boundary of any cemetery.	Y			See note 13.
		(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.	Y			See note 13.
		(c)	Each housekeeping cottage or seasonal cottage shall be placed at least 25 feet from any other housekeeping or seasonal cottage on the site. [Added 6-13-2006 <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 uses exist or are permitted on the parcel.
G.	Special provisions. [Amended 6-14-2016]						

Town of Wells , Maine Review Checklist
Page 7 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.		Application Meet Requirements			
		Yes	No	NA	Comments
(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.	Y			A Residential Cluster development per 145-49 is proposed.
(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: [Added 6-13-2017]			NA	No such use proposed. Parcel is not located within these areas.
(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.				
(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°).				

Town of Wells , Maine Review Checklist
Page 8 of 8

Project Name/District: Hobbs Pond Woods/ Rural & 75' Shoreland Overlay District - Tax Map 62, Lot 11-A-1

Date of Review: 04/02/19; 04/30/19

Prepared By: Office of Planning & Development

Company Name: Town of Wells

§ 145-30. Rural District.				Application Meet Requirements			
				Yes	No	NA	Comments
		(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 § 145-76 , 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 and 145-49 apply