

Town of Wells , Maine Review Checklist
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Project Name/District: Webber Ridge Phase 2 Subdivision/ Rural and 250' Shoreland Overlay Districts - Tax Map 16, Lot 8

Prepared By: Office of Planning & Development

Date of Review: 5/1/19

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			10 single family dwelling units are proposed. See purpose of this plan note on Sheet 1.
(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	

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		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:				
(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	

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			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			See note 9. 100,000 SF minimum lot size requirements are noted. <u>Residential Cluster dimensional requirements to be added to note 9. Planning Board approval of 145-49 requirements pending.</u>
	(b)	Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			NA	Subdivision is not served by public sewer (WSD).
(2)	Maximum density: [Amended 4-28-1995]					

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				Yes	No	NA	Comments
		(a)	One dwelling unit for each 100,000 square feet of net area.	Y*			See note 9. 100,000 SF maximum density requirements are noted. <u>Residential Cluster requirements to be noted.</u> A density calculation noted: 1,207,890 x .15% = 181,184 SF. 1,207,890 -181,184 = 1,026,706 SF 1,026,706/100,000 = 10 lots/dwelling units allowed. 10 lots/dwellings 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	Subdivision is 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.

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(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*			See note 9. Minimum street frontage of the Rural zone is noted as 200'. <u>The Planning Board may consider a vote to reduce the street frontage requirement from 200' to the street frontage proposed to be a minimum of 50'.</u>
(4)	Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.	Y*			Maximum lot coverage is noted to be 20%. <u>Note 9 is recommended to include the provision to allow 40% lot coverage for lots smaller than 40,000 SF in area. Lots 1, 8 and 9 are smaller than 40,000 SF.</u> <u>Planning Board may consider allowing increased lot coverage for Lots 1, 8 and 9.</u>
(5)	Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)	Y			See note 9.
(6)	Setbacks.				See note 9. <u>Residential Cluster requirements to be added on the plan once determined by the Board.</u>
(a)	All structures shall be at least:				

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				Yes	No	NA	Comments
		[1]	Twenty-five feet from any lot line.	Y*			Setbacks depicted on the site plan. Residential Cluster requirements permit the Planning Board to consider reducing the Rural zone 25' lot line setback to a 15' lot line setback for lots within the cluster subdivision. <u>Planning Board to consider a vote to permit this setback reduction.</u> Lots 8, 9, 10, 11 and 12 (<u>to be renumbered 4, 5, 6, 7 and 8</u>) abut non-clustered lots to the south. The setback required is 50'. <u>The plan currently depicts a 50' wide buffer and needs to also label the required 50' setback.</u>
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			<u>25' Setback from Green Road is required and shall be depicted on the plan.</u> A road is proposed within the cluster subdivision. <u>The plan currently shows a 50' setback from the proposed street? Per 145-49 a 20' setback can be requested. The Planning Board can consider a 20' lot line setback from the ROW if the applicant proposes a reduction.</u>
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			NA	Subdivision does not abut a state highway.
		[4]	Twenty-five feet from the boundary of any cemetery.			NA	Subdivision does not abut a known cemetery.
		(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.			NA	Parcel does not abut such rivers or brooks.

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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. [Added 6-13-2006 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.			NA	No such uses exist or are permitted on the parcel.
G.	Special provisions. [Amended 6-14-2016]					
	(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 is proposed per 145-49.
	(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	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 § 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 shall apply