

Town of Wells, Maine Review Checklist
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Project Name/District: 1810 Post Road Realty Office / RC & GB District – Tax
Map 139, Lot 16-A

Date of Review: 12/29/21

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purposes of the Residential-Commercial District is to provide areas for the economic use of older residential areas along highways while preserving the character and architectural scale of the areas.

§ 145-24. Residential-Commercial 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)	Agriculture, limited to the raising of crops and plants out of doors.			NA	
(2)	Cemetery having an area less than 20,000 square feet and containing no buildings.			NA	
(3)	Dwelling, one-family. (See also ' 145-55.)	Y			A single family dwelling is proposed on the property.
(4)	Dwelling, two-family.			NA	
(5)	Dwelling, multifamily. (See ' 145-48.)			NA	
(6)	Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015^{LU}]			NA	
(7)	Livestock, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
(8)	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	
(9)	Poultry, domestic (large), limited to lots with a minimum lot size of five acres. [Added 6-9-2015]			NA	
(10)	Recreation, passive.			NA	
(11)	Timber harvesting.			NA	
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)	Bank.			NA	
(2)	Bed-and-breakfast/small inn.			NA	

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		Yes	No	NA	Comments
(3)	Business, contractor.	Y			The 2,770 SF building is approved as a Business Contractor, Business office and Business Retail use. The building is located within the RC zone.
(4)	Business, office.	Y			The 2,770 SF building is approved as a Business Contractor, Business office and Business Retail use. The building is located within the RC zone.
(5)	Business, personal service.			NA	
(6)	Business, retail, including the manufacturing of any goods offered for sale on the premises. [Amended 11-7-2000]	Y			The 2,770 SF building is approved as a Business Contractor, Business office and Business Retail use. The building is located within the RC zone.
(7)	Business, service.			NA	
(8)	Business, wholesale.			NA	
(9)	Cemetery larger than 20,000 square feet in area.			NA	
(10)	Church.			NA	
(11)	Club.			NA	
(12)	Congregate care facility. [Added 6-8-2010]			NA	
(13)	Day-care home.			NA	
(14)	Day-care center/nursery school.			NA	
(15)	Drug abuse shelter. (Note: A drug abuse shelter will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) [Added 6-14-2011]			NA	
(16)	Elderly housing			NA	
(17)	Freestanding residential detoxification program. (Note: A freestanding residential detoxification program facility will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) [Added 6-14-2011]			NA	
(18)	Function hall without commercial-type cooking facilities.			NA	
(19)	Housing, congregate.			NA	
(20)	Medical care facility, excluding hospitals.			NA	
(21)	Municipal facility.			NA	

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(22)	Museum.			NA	
(23)	Neighborhood convenience store, excluding sale of motor vehicle fuels and including a restaurant area not exceeding 15 seats.			NA	
(24)	Nursing home.			NA	
(25)	Private non-medical institution (PNMI). [Added 6-14-2011]			NA	
(26)	Public utility facility.			NA	
(27)	Recreation, active.			NA	
(28)	Recreation, medium intensity commercial. [Added 6-11-2013¹⁵¹]			NA	
(29)	Registered marijuana dispensary. (Note: A registered marijuana dispensary will only be permitted on a lot within this district which lot either has frontage along Route One, or is located within 150 feet of Route One.) [Added 6-14-2011]			NA	
(30)	Restaurant, standard, containing 36 seats or fewer and located west of Route 1 and east of the turnpike on Route 109.			NA	
(31)	School, public and private. [Amended 10-6-1998]			NA	
(32)	Stand-alone registered marijuana dispensary. [Added 6-14-2011]			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.			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	All uses proposed are conforming.
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 .70 acres or 30,568 SF and is connected to public sewer.
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.	Y			1 dwelling unit is proposed. The property is served by public sewer.

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		Yes	No	NA	Comments
	(b)			NA	Property served by public sewer.
	(c)			NA	No such uses exist or are proposed on this lot.
	<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>				
	(3)		Y		This parcel has approximately 209' of street frontage along Route One and approximately 237' of street frontage along Sylvan Way.
	(4)		Y		Per 145-19A the property will be considered entirely within the RC zone. Existing lot coverage of the .70 acre parcel is noted to be 31.5%. Proposed lot coverage of the .70 acre parcel is noted to be 48%.
	(5)		Y		See note 2
	(6)				
	(a)		Y*		The existing building does not meet the setback requirement from the lot line to the north. The building is grandfathered in this nonconformity as no changes are proposed that would increase this nonconformity.
	(b)			NA	Parcel does not abut or contain a known cemetery.

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	(c)	Twenty-five feet from any lot line abutting any street right-of-way.	Y			The Sylvan Way setback requirement is required to be 25'.	
	(d)	Forty feet from any lot line abutting the right-of-way of any state highway.	Y*			The existing building does not meet the setback requirement from Route One. The building is grandfathered in this nonconformity as no changes are proposed that would increase this nonconformity.	
	(e)	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 proposed.	
Note: See also ' ' 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Residential cluster development.			Y			145-13 applies	
G.	Special provisions.						
	(1)	No building shall contain more than 5000 square feet of gross floor area, except that a building located in the section of the Residential-Commercial District running along both sides of Route 109 located west of Route 1 and east of the Maine Turnpike containing a medical clinic may contain more than 5000 square feet of gross floor area, provided that it is located on a lot larger than five acres of land. [Amended 4-16-1999]	Y			The existing building is 2,770 SF gross floor area.	
	(2)	Within any building existing on January 1, 1994, an accessory dwelling unit shall be permitted as regulated in ' 145-55B shall not apply. All other dimensional requirements, except residential density, of the district, including minimum lot size, shall be met.	Y			An accessory dwelling does not exist, nor is one proposed.	

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(3)	All business uses and related storage, except for the sale of vegetables, fruits, plants and natural Christmas trees and wreaths, shall be located entirely within an enclosed structure, except for day-care home or day-care center/nursery school uses with a fenced-in and/or buffered area not to exceed 2,500 square feet. "Buffered area" shall mean vegetative screening or solid fence as approved by the reviewing authority. [Amended 6-8-2021]	Y*			<u>See recommended noted 19.</u>
(4)	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 : [Amended 6-13-2017]	Y*			This existing building is located within 500 feet of Route 1. Any such reconstruction or building additions shall conform to these requirements. <u>See recommended note 20.</u>
(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°).				

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	(d)				
	(e)				
	(f)				
	(g)				
	(5)	Y			<p>The building is located less than 70 feet from Route One. No parking is proposed between the building and Route One.</p> <p>The building is located more than 70 feet from Sylvan Way. Parking is proposed between the building and Sylvan Way.</p>