

Town of Wells, Maine Review Checklist
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Project Name/District: R&L Properties Business Contractor / General Business
District - Tax Map 147, Lot 13

Prepared By: Office of Planning & Development

Date of Review: 09/22/21; 02/08/22;
3/17/22; 4/7/22

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purposes of the General Business District is to provide areas for a wide range of business and commercial uses which serve the entire Town and for lodging and related facilities which serve the tourists.

§ 145-26. General Business 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.)			NA	
(4)	Dwelling, two-family.	Y			2 dwelling units are proposed (duplex/two-family dwelling) on the second floor of the 60' x 32' building.
(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^[1] <small>[1] Editor's Note: This ordinance also provided for the renumbering of former Subsection B(6) and (7) as Subsection B(8) and (9), respectively.</small>			NA	
(7)	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	
(8)	Recreation, passive.			NA	
(9)	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)	Agriculture which includes any structures.			NA	
(2)	Bank.			NA	
(3)	Bed-and-breakfast/small inn. (See ' 145-52.)			NA	

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		Yes	No	NA	Comments
(4)	Business, contractor.	Y			8,000 SF one-story building plus 1,920 SF of two-story building is proposed as Business Contractor use for a total of 12 contractor business use units.
(5)	Business, office.			NA	
(6)	Business, personal service.			NA	
(7)	Business, retail, including the manufacturing of any goods offered for sale on the premises.			NA	
(8)	Business, service.			NA	
(9)	Business, wholesale, having a gross floor area of less than 5000 square feet.			NA	
(10)	Cemetery larger than 20,000 square feet in area.			NA	
(11)	Church.			NA	
(12)	Club.			NA	
(13)	Congregate care facility. [Added 6-8-2011]			NA	
(14)	Day-care home.			NA	
(15)	Day-care center/nursery school.			NA	
(16)	Drug abuse shelter. [Added 6-14-2011]			NA	
(17)	Elderly housing [Amended 4-26-1996]			NA	
(18)	Freestanding residential detoxification program. [Added 6-14-2011]			NA	
(19)	Function hall.			NA	
(20)	Hotel/motel. (See ' 145-52.)			NA	
(21)	Housing, congregate.			NA	
(22)	Life care facility. [Amended 4-26-1996]			NA	
(23)	Medical care facility.			NA	
(24)	Municipal facility.			NA	
(25)	Museum.			NA	
(26)	Neighborhood convenience store.			NA	
(27)	Nursing home. [Amended 4-26-1996]			NA	
(28)	Parking lot, commercial.			NA	
(29)	Private non-medical institution (PNMI). [Added 6-14-2011]			NA	
(30)	Public Transportation Center. [Amended 11-6-2007]			NA	

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(31)	Public utility facility.			NA	
(32)	Recreation, active.			NA	
(33)	Recreation, high-intensity commercial.			NA	
(34)	Recreation, low-intensity commercial.			NA	
(35)	Recreation, medium intensity commercial. [Added 6-11-2013]]			NA	
(36)	Registered marijuana dispensary. [Added 6-14-2011]			NA	
(37)	Restaurant, standard.			NA	
(38)	Restaurant, fast-food.			NA	
(39)	Sawmill producing less than 100,000 board feet of lumber per year.			NA	
(40)	School, public and private.			NA	
(41)	Tent and recreational vehicle park. (See ' 145-50.)			NA	
(42)	Transportation facility.			NA	
(43)	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.	Y			No such uses identified.
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.	Y			
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 property is noted to be 62,281 SF in size and is to be served by public sewer (WSD).
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.	Y			2 dwelling units require 40,000 SF in net area if served by public sewer. The property is 62,281 SF in area.
(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	

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		Yes	No	NA	Comments	
	(c)	Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-28-1995; 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 such use is permitted or exists.
	(d)	Twenty hotel/motel units per acre of net area. [Amended 4-28-1995]			NA	No such use is proposed or exists.
	(3)	Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y			Note 2 indicates the required 100' of street frontage. Boundary plan provided notes 261.7' + 65.77' of frontage along Laudholm Farm Road and 139.17 + 22.83' of frontage along Route 1.
	(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. [Amended 4-14-2000]	Y			Note 2 indicates the maximum allowed lot coverage is 65%. Proposed lot coverage is noted at 55.5%.
	(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-35I.)	Y			The plan notes the maximum building height is 34', not to exceed 3-stories.
	(6)	Setbacks.	Y			
	(a)	All structures shall be at least:				
	[1]	Fifteen feet from any lot line.	Y			15' setback requirement noted and depicted.
	[2]	Twenty-five feet from the boundary of any cemetery.			NA	Noted. Property does not abut nor contain any known cemeteries.
	[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			25' setback from Laudholm Farm Road is noted and depicted.

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				Yes	No	NA	Comments
		[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y			40' setback from Route One is noted and depicted.
		(b)	All structures and parking lots shall be at least 200 feet from the high-water line of the Merriland River, the Webhannet River and the Ogunquit River.			NA	The parcel is not within 200 feet of any such rivers.
		(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 structures exist or are permitted.
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						NA	
G.	Special provisions. [Amended 6-14-2016]						
	(1)	If a person or entity owns parcels of land on the east and west sides of Route 1 within the General Business District, the parcels may be treated as a single lot of land, provided that the property owner grants the Town a conservation easement over a portion of the land on the east side of Route 1. The easement shall cover a land area which, in conjunction with the parcels on the west side of Route 1, is adequate to support the proposed use as regulated in the district. The lot on the west side of Route 1 shall meet the minimum lot size requirement. Any proposed easement shall be reviewed and approved by the Planning Board.				NA	No such parcel exists.

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(2)	A municipal facility use or a public school use is allowed a maximum building height of 54 feet if constructed with a roof with a minimum slope of 7/12 and if it does not have a floor higher than 35 feet above the average finished grade.			NA	No such use exists or is proposed.
(3)	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]	Y*			The proposed buildings are required to comply with these commercial building design standards. <u>Architectural plans have been submitted for review by the Planning Board.</u> Plans detail/label or note the type of exterior facades (Marvin elevate ELGL6036E windows, custom garage doors) and siding (vinyl cedar shingles and vinyl clapboard product), depict 18 th and 19 th century building features, detail roof slope and roof type (asphalt shingle roofing) .
(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.			NA	New construction proposed.

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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.	Y*			<p><u>Building style to be reviewed for compliance with 18th and 19th century construction.</u></p> <p><u>The garage doors on the 4 unit contractor building appear sufficient. The garage doors on the 8 unit contractor building also appear sufficient.</u></p> <p><u>All windows show windowpanes as required (windows in doors, windows in garage doors, windows on building).</u></p> <p><u>Planning Board to review building mounted light fixtures proposed for compliance with 18th and 19th century.</u></p>
	(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°).	Y*			<p>The larger, 8 unit contractor building, proposes a sufficient roof slope of 8/12 on more than 80% of the roof area. Other roof dormers are noted to have a roof slope of 4/12 and are sufficient.</p> <p>The smaller, 4 unit contractor building with 2 dwellings, proposes a roof slope of 7/12 on over 80% of the roof area. Other roof area (less than 20%) is noted to be 11/12 and is sufficient. <u>Roof pitch of dormers over doors to be noted on the plan.</u></p>
	(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.	Y*			<p>Vinyl clapboard siding product is noted on the buildings.</p> <p><u>What materials are proposed for dormers over doors and exterior stairs to the dwelling units? To be noted on the plans.</u></p>

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		(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.	Y*			Asphalt shingle roofing is noted on the rooves. Vinyl Cedar shingle product is noted over the garage doors. <u>To be reviewed and determination made by the Planning Board after the public hearing.</u>
		(f)	No internally illuminated signs or electronic message signs shall be permitted.	Y			See Plan note 10. Signage shall not be internally illuminated.
		(g)	See § 145-76 , Design guidelines, established by the Planning Board.	Y			See note 22 on sheet 1 referencing the commercial building design standards and the 9 sheet plan set of architectural drawings prepared by Reflective Designworks.
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						NA	