

Town of Wells, Maine Review Checklist
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Project Name/District: Chase Construction - Rural District - Tax Map 23, Lot 14-B-1

Date of Review: 04/05/22; 4/21/22;
05/03/22

Prepared By: Office of Planning & Development

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: | | | | No such use exists or is proposed on the parcel. |
| (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) | | | NA | Applicant confirmed a dwelling does not exist nor is one proposed. Property was formerly used as a home business. |
| (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. | Y | | | 11,917 SF of sawmill use is proposed. |

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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. | | Y* | | | A shed is depicted on the property within the setback and shall be relocated. <u>Shed relocation requires a building permit. Shed to be relocated prior to the issuance of a building permit for the 3,840 SF building addition. See recommended note.</u> |
| 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 | The 50' wide ROW/ Easement across the parcel no longer exists. To be noted on the plan. |
| F. | Dimensional requirements. | | | | | |
| | (1) | Minimum lot size: | | | | |
| | (a) | One hundred thousand square feet of net area. | Y* | | | The lot is noted to be 148,272 SF in area. The 50' wide ROW on Lot 23, Lot 14-B-1 is not a street ROW and its area is not deducted from the gross lot area. This ROW has been dissolved. The parcel is served by private septic system located on Lot 14-B. The septic tank on Lot 14-B-1 is identified. <u>See notes 14 and 15.</u> |
| | (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] | | | | |
| | (a) | One dwelling unit for each 100,000 square feet of net area. | | | NA | No dwellings exist or are proposed. |

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| | | Yes | No | NA | Comments |
| | (b) | | | NA | Not served by public sewer. |
| | (c) | | | NA | No cottage units exist or are permitted on this parcel. |
| | (3) | | Y* | | <p>Lot 14B-1 is noted to have 204.56' of street frontage along a nonconforming unnamed ROW extending from North Berwick Road to Lot 14. <u>A road name is needed as 3-4 lots use this road and the road satisfies this lots street frontage requirement.</u></p> <p>“Parcel 1” and “Parcel 2” were merged on 8/23/11.</p> <p><u>All lots currently have North Berwick Road addresses. If any new lots are created using the street, a name will be required to be established.</u></p> <p><u>Until the street is named all three North Berwick addresses need to be posted at Route 9 and at each driveway with reflective numbers for safety purposes.</u></p> |

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| | | | Yes | No | NA | Comments |
| (4) | Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater. | Y | | | Existing lot coverage is noted to be 17.4%. Proposed lot coverage is noted to be 18.8%. See note 8 for Rural District dimensional requirements. | |
| (5) | Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.) | Y | | | See note 8 for Rural District dimensional requirements. | |
| (6) | Setbacks. | | | | See note 8 for Rural District dimensional requirements. | |
| (a) | All structures shall be at least: | | | | | |
| [1] | Twenty-five feet from any lot line. | Y | | | Setback depicted on the site plan. | |
| [2] | Twenty-five feet from any lot line abutting any street right-of-way. | Y | | | Setback from unnamed ROW identified. | |
| [3] | Forty feet from any lot line abutting the right-of-way of any state highway. | | | NA | Lot does not abut a state highway. | |
| [4] | Twenty-five feet from the boundary of any cemetery. | | | NA | No known cemetery is identified to abut or to be located on the subject parcel. | |
| (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. | |
| (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. | |

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|--|--|--------------------------------------|-----------|-----------|--|
| | | Yes | No | NA | Comments |
| Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, 145-48, Multifamily developments, and 145-49, Cluster residential development. | | Y | | | Unnamed private street created in 1990 is grandfathered but nonconforming due to not meeting the requirements of 201-10. |
| G. | Special provisions. 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. | | | NA | A residential subdivision is not proposed on this parcel. |