

Town of Wells, Maine Review Checklist
Page 1 of 5

Project Name/District: Chick Crossing Village Subdivision/ Rural, Aquifer Protection and 250' Shoreland Overlay Districts- Tax Map 83, Lot 8

Date of Review: 12/16/21; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purpose of the Aquifer Protection District is to protect and maintain the quantity and quality of the Branch Brook aquifer while allowing landowners a reasonable use of their property and a reasonable return from its development potential.

| § 145-31. Aquifer Protection 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: | | | NA | No development is proposed within the Aquifer Protection District. |
| (1) | Agriculture, limited to the raising of crops and plants out of doors. | | | | |
| (2) | Dwelling, one-family. (See also § 145-55.) | | | | |
| (3) | Dwelling, two-family. | | | | |
| (4) | Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet. [Added 6-9-2015⁽¹⁾] | | | | |
| (5) | 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] | | | | |
| (6) | Recreation, passive. | | | | |
| (7) | Timber harvesting. [See § 145-31G(3).] | | | | |
| 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: | | | NA | No development is proposed within the Aquifer Protection District. |
| (1) | Mineral extraction. (See § 145-53.) | | | | |
| (2) | Municipal facility. | | | | |
| (3) | Public utility facility. | | | | |
| (4) | Recreation, active. | | | | |
| (5) | Transmission tower, radio. | | | | |

Town of Wells, Maine Review Checklist
Page 2 of 5

Project Name/District: Chick Crossing Village Subdivision/ Rural, Aquifer Protection and 250' Shoreland Overlay Districts- Tax Map 83, Lot 8

Date of Review: 12/16/21; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

| § 145-31. Aquifer Protection District. | | Application Meet Requirements | | | |
|---|---|--------------------------------------|----|----|--|
| | | Yes | No | NA | Comments |
| 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 | No development is proposed within the Aquifer Protection District. |
| 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 | No development is proposed within the Aquifer Protection District. |
| F. | Dimensional requirements: | | | | |
| | (1) Minimum lot size: 100,000 square feet of net area. | | | NA | No development is proposed within the Aquifer Protection District. |
| | (2) Maximum density: one dwelling unit for each 100,000 square feet of net area. | Y | | | <p>Per 145-49E the permitted density of the portion of the property within the Aquifer Protection District may be doubled and transferred to the Rural District and counted toward the total density provided no development is within the AP zone and the Open Space in the AP zone is dedicated to the Town or KKWWD. <u>Plan notes indicating the Open Space dedication are required.</u></p> <p>21.80 acres or 949,745 SF in AP zone. 15% deduction is 142,461 SF resulting in 807,274 SF. 807,274/100,000 = 8 dwellings permitted in AP zone. 8 x 2 = 16 dwellings permitted in the AP zone.</p> <p>8 dwellings are permitted in the Rural zone + 16 = 24 dwellings permitted within the development. 20 dwellings are proposed. <u>Table on sheet 3 to be revised.</u></p> |

Town of Wells, Maine Review Checklist
Page 3 of 5

Project Name/District: Chick Crossing Village Subdivision/ Rural, Aquifer Protection and 250' Shoreland Overlay Districts- Tax Map 83, Lot 8

Date of Review: 12/16/21; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

| § 145-31. Aquifer Protection 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, agricultural or 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 to the house 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 frontage. | | | NA | No development is proposed within the Aquifer Protection District. |
| (4) | Maximum lot coverage: 20% or 2,500 square feet, whichever is the greater. | | | NA | No development is proposed within the Aquifer Protection District. |
| (5) | Maximum building height: 40 feet, not to exceed three stories. (See § 145-351.) | | | NA | No development is proposed within the Aquifer Protection District. |
| (6) | Setbacks. | | | | |
| | (a) All structures shall be located at least: | | | NA | No development is proposed within the Aquifer Protection District. |
| | [1] Twenty-five feet from any lot line. | | | | |
| | [2] Twenty-five feet from the boundary of any cemetery. | | | | |
| | [3] Twenty-five feet from any lot line abutting any street right-of-way. | | | | |
| | [4] Forty feet from any lot line abutting the right-of-way of any state highway. | | | | |
| | [5] Two hundred fifty feet from the high-water line of Branch Brook. | | | | |

Town of Wells, Maine Review Checklist
Page 4 of 5

Project Name/District: Chick Crossing Village Subdivision/ Rural, Aquifer Protection and 250' Shoreland Overlay Districts- Tax Map 83, Lot 8

Date of Review: 12/16/21; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

| § 145-31. Aquifer Protection District. | | | Application Meet Requirements | | | |
|--|---------------------|---|-------------------------------|----|----|--|
| | | | Yes | No | NA | Comments |
| | (b) | All subsurface wastewater disposal areas and treatment tanks shall be located at least 400 feet from the high-water line of Branch Brook | Y* | | | <u>The subdivision plan shall note that all wastewater disposal systems and treatment tanks shall be located more than 800 feet from the high water line of Branch Brook.</u> No development is proposed in the AP zone and all septic systems shall be in excess of 800 feet from Branch Brook. |
| | (c) | Any mineral extraction use shall be located at least 250 feet from the high-water line of Branch Brook. | | | NA | No such use exists or is 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. | | | | | | |
| G. | Special provisions. | | | | | |
| | (1) | All residential subdivisions containing more than four dwelling units shall be clustered on the site 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 clustering is not practical because of the configuration of the original lot or because of its natural features. | | | NA | A residential cluster subdivision is proposed within the Rural zone of the property. No development to occur within the AP zone. |

Town of Wells, Maine Review Checklist
Page 5 of 5

Project Name/District: Chick Crossing Village Subdivision/ Rural, Aquifer
 Protection and 250' Shoreland Overlay Districts- Tax Map
 83, Lot 8

Date of Review: 12/16/21; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

| § 145-31. Aquifer Protection District. | | Application Meet Requirements | | | |
|---|---|--------------------------------------|----|----|--|
| | | Yes | No | NA | Comments |
| (2) | At least 60 days before the application of any pesticide classified for restricted use by the Administrator of the United States Environmental Protection Agency, the applicator or landowner shall notify the Code Enforcement Officer of the name of the pesticide to be applied, the application rate and the projected application dates. A copy of this notification shall also be sent to the Kennebunk, Kennebunkport and Wells Water District. The Code Enforcement Officer shall review the notification and consult with the Water District, notifying the applicator or landowner, in writing, if the pesticide or its application rates present a danger to the quality of the groundwater or Branch Brook. If the Code Enforcement Officer does not respond within 30 days from the receipt of the notification, the applicator may apply the pesticide according to the EPA label and the rules of the Maine Pesticide Control Board. | N | | | <p><u>To be noted on the plan. Possibly restriction or prohibition to be noted in the Deeds for the properties?</u></p> <p><u>Will KKWWD have rights to inspect and enforce?</u></p> |
| (3) | Timber harvesting within 250 feet of the high-water line of Branch Brook shall only be allowed as specified on a harvesting plan prepared by a registered professional forester and approved by the Planning Board. The Planning Board shall obtain review comments on any such plan from the Kennebunk, Kennebunkport and Wells Water District and the York County Soil and Water Conservation District. | Y | | | Note 19 states timber harvesting is not permitted within the Open Space. |