

Town of Wells, Maine Review Checklist
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Project Name/District: Chick Crossing Village/ 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 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			20 lots/ single family dwelling units are proposed in the Rural zone. No development is proposed within the Aquifer Protection or 250' Shoreland Overlay Districts.
(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	

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		Yes	No	NA	Comments	
	(11)	Recreation, passive.			NA	
	(12)	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:					No such uses are proposed in the Rural area of this parcel.
	(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	

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(17)	Restaurant (standard) containing fewer than 75 seats.			NA	
(18)	Sawmill.			NA	
(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			
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:				
	(a) One hundred thousand square feet of net area.	Y*			The out-sale lot to be 108,349 SF and is not part of the subdivision. <u>Lot to be identified as Lot 8A.</u> The proposed 20 lots are designed to comply with Residential Cluster Development standards. These lots propose 20,000 SF in area and to be served by on-site septic systems. <u>Lot size reductions require Planning Board review and determinations per 145-49. Determinations to be made after the preliminary public hearing.</u>
	(b) Forty thousand square feet if located east of the Maine Turnpike and connected to public sewer.			NA	The property not served by public sewer.
(2)	Maximum density: [Amended 4-28-1995]				

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		(a)	One dwelling unit for each 100,000 square feet of net area.			<p>The out-sale lot, Lot 8A, is 108,349 SF (2.48 acres) and is not part of the subdivision.</p> <p>The subdivision parcel area is noted as 44.40 acres. <u>The total net area is believed to be 44.11 acres?</u> The density calculation must be based on net area and must deduct the land area below the high-water line of Branch Brook.</p> <p><u>22.31 acres is located within the Rural District and 21.80 acres is located within the Aquifer Protection District.</u></p> <p>22.31 acres or 971,766 SF in Rural zone. 15% deduction is 145,764 SF resulting in 826,002 SF. $826,002/100,000 = 8$ dwellings permitted in the Rural zone.</p> <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. $8 \times 2 = 16$ dwellings permitted in the AP zone.</p> <p>$8 + 16 = 24$ dwellings permitted within the development. 20 dwellings are proposed. <u>Table on sheet 3 to be revised.</u></p>
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			Yes	No	NA	Comments
	(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	The property 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 such use exists or is permitted.

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(3)	<p>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.</p>	Y			<p>Lot 8A is the outsale lot and is not part of the subdivision. This lot has 200' of street frontage along Chicks Crossing Road.</p> <p>Cluster lot 1 and lot 2 to have frontage along Chicks Crossing Road. Lot 1 to have 200' of frontage and lot 2 to have 174.24' of frontage. <u>The Planning Board to determine a street frontage reduction for lot 2 after the preliminary public hearing.</u></p> <p>Cluster lot 3 to have street frontage along Chicks Crossing Road and Lydia's Lane, the proposed private street for the cluster subdivision. Lot 3 to have 134.96' of frontage along Chicks Crossing Road and 176.64' of frontage along Lydia's Circle. Vehicular access shall be restricted so that Lot 3's driveway is only permitted off Lydia's Circle. <u>The Planning Board to determine a street frontage reduction for lot 3 after the preliminary public hearing.</u></p> <p><u>Cluster lots 4-20 shall have street frontage off Lydia's Circle. Cluster lots 4 and 7 to 20 have street frontage off of Lydia's Circle that range from 73' to 166' +/-.</u> Lots 5 and 6 propose street frontage that meets 200' or more.</p>
(4)	<p>Maximum lot coverage: 20% or 4,000 square feet, whichever is the greater.</p>	Y*			<p>See note 15 on sheet 3.</p> <p><u>Note 15 to add that for lots smaller than 40,000 SF in area, 40% maximum lot coverage is permitted. Pending Planning Board determination to allow the increased lot coverage.</u></p>

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				Yes	No	NA	Comments
(5)		Maximum building height: 40 feet, not to exceed three stories. (See § 145-35I.)		Y			See note 15 on sheet 3.
(6)		Setbacks.		Y			See note 15 on sheet 3.
	(a)	All structures shall be at least:					
		[1]	Twenty-five feet from any lot line.	Y*			The 25' lot line setback requirement is noted. <u>Per 145-49 the Planning Board to determine a setback reduction from 25' to 15' for cluster lots 1-20 after the preliminary public hearing.</u>
		[2]	Twenty-five feet from any lot line abutting any street right-of-way.	Y*			The 25' setback requirement from Chick Crossing Road is required. Lot 1, 2, and 3 cannot reduce the setback requirement from Chick Crossing Road. <u>A setback reduction from 25' to 20' from Lydia's Circle, within the cluster development to be considered by the Planning Board after the preliminary public hearing.</u>
		[3]	Forty feet from any lot line abutting the right-of-way of any state highway.			NA	Parcel does not abut a State highway.
		[4]	Twenty-five feet from the boundary of any cemetery.	Y			A cemetery is identified on the out-sale parcel, Lot 8A, not within the subdivision development. Cemetery setback requirement is noted on the plan.
	(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 is greater than 200 feet away from such rivers.

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			Yes	No	NA	Comments
	(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 use exists or is proposed.
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 subdivision is proposed per 145-49 for a total of 20 dwelling units/lots.
	(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	Parcel is not located within such areas along Route 1.
	(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 applies.