

Town of Wells, Maine Review Checklist
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Project Name/District: Westhaven Preserve Subdivision / Residential A District - Tax Map 60, Lot 10

Date of Review: 3/17/22; 5/4/22

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purposes of the Residential A District are to provide areas for medium-density residential development that are or can readily be served by the public water and sanitary sewer systems and to provide areas for concentrations of residential development within the rural portions of the Town along major transportation routes. Nonresidential uses should be limited to agricultural uses, forestry uses, low-intensity noncommercial recreational uses and public uses.

§ 145-21. Residential A 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			1 single family dwelling unit (outsale) is on Lot 10-A 15 single family dwelling units are proposed on 15 residential cluster lots.
(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 ¹¹]			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	

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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: [Amended 4-18-1995; 4-26-1996; 6-8-2010]				No such uses are proposed in the RA area of this parcel.
	(1) Animal husbandry on lots larger than 25 acres.			NA	
	(2) Cemetery larger than 20,000 square feet in area.			NA	
	(3) Church.			NA	
	(4) Congregate care facility			NA	
	(5) Day-care home.			NA	
	(6) Elderly housing.			NA	
	(7) Housing, congregate.			NA	
	(8) Life care facility.			NA	
	(9) Medical care facility, excluding hospitals.			NA	
	(10) Municipal facility.			NA	
	(11) Museum not exceeding 5,000 square feet in floor area.			NA	
	(12) Nursing home.			NA	
	(13) Public utility facility.			NA	
	(14) Recreation, active.			NA	
	(15) Recreation, low-intensity commercial.			NA	
	(16) School, public and private.			NA	
	(17) School, vocational-technical served by public water and sewer and located west of Route 1, north of Buzzel Road, east of the turnpike and south of Route 109.			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			

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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.				See note 15 on sheet 2 for dimensional requirements. <u>Minor edits recommended.</u> Lot 10A (outsale) not subject to residential cluster lot reductions.
(1)	Minimum lot size: 20,000 square feet of net area if served by public sewer; 40,000 square feet of net area if not served by public sewer or if located west of the Maine Turnpike.	Y*			Lot 10-A (outsale) is 41,200 SF. Proposed cluster lots 1-15 range in area from 20,829 SF to 37,642SF. <u>Lot size reductions per 145-49 to be determined by the Planning Board.</u>
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.			NA	Property not served by public sewer.

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	(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer or if located west of the Maine Turnpike.	Y			<p>The property, prior to the outsale, was 18.21 acres or 793,288 SF.</p> <p>793,288 – 41,200 (outsale lot) = 752,088 SF. <u>Area of existing 50' private street ROW for lot 10A to be deducted as well (9,489 SF+/-) which results in 742,599 SF for the subdivision land area.</u></p> <p><u>752,088 / 40,000 = 18 lots/dwellings permitted without any roadway deduction.</u></p> <p>Per 145-49 a 15% deduction is required to account for roadways. <u>752,088 x .15 = 112,813. 752,088-112,813 = 639,275. 639,275/40,000 = 15 lots/dwelling units are permitted. 15 lots/dwelling units are proposed.</u></p>
	(3)	Maximum lot coverage: 40% (20% within the Shoreland Overlay District) or 2,000 square feet, whichever is greater.	Y			40% maximum lot coverage requirement is noted.
	(4)	Minimum street frontage per lot served by public sewer: 100 feet or 75 feet if entirely on a cul-de-sac.			NA	Not served by public sewer.
	(5)	Minimum street frontage per lot not served by public sewer or per lot located west of the Maine Turnpike: 125 feet or 100 feet if entirely on a cul-de-sac.	Y*			<p>Lot 10A (outsale) has approximately 270.57' of frontage along a new private ROW to be called <u>Westhaven Lane.</u></p> <p><u>Per 145-49 street frontage may be reduced from 125' or from 100' along a cul-de-sac to 50'. Lots 1 – 15 proposed street frontages between 51.13' – 143.52'. Planning Board to consider street frontage reductions.</u></p>
	(6)	Maximum building height: 30 feet, not to exceed three stories. (See § 145-35I.)	Y			See note 15 on sheet 2.

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	(7)	Setbacks.				See note 15 on sheet 2 for RA District setback requirements. <u>Per 145-49 the Planning Board may consider setback reductions for residential cluster lots 1 - 15.</u>
	(a)	All structures shall be at least:				
		[1] Fifteen feet from any lot line.	Y			15 lot line setbacks noted and depicted on the plan.
		[2] Twenty-five feet from the boundary of any cemetery.	Y*			<u>The property abuts a Veteran Cemetery to the south. A 25' setback/no-disturb area is required from the boundary of a cemetery.</u>
		[3] Twenty-five feet from any lot line abutting any street right-of-way.	Y*			Lot 10-A is required to have a 25' setback from the proposed private ROW, <u>to be called Westhaven Lane.</u> <u>A 25' setback is required from the 50' wide ROW identified along the south side of the subdivision.</u> <u>Per 145-49 cluster lots are permitted to reduce the street ROW setback from a road within the cluster development to 20' with Planning Board approval.</u>
		[4] Forty feet from any lot line abutting the right-of-way of any state highway.	Y			The subdivision open space appears to abut Route 109. See plan detail/notes regarding former location of Route 109/County Road on sheet 1.
	(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	This parcel is not within 200 feet of any such rivers.
	(c)	All structures and areas of land used for animal husbandry shall be located at least 100 feet from any lot line.			NA	No such use proposed.

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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			145-49 shall apply