



Wells code Section 145-31-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.

Wells code Section 145-31-G(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.

Wells code Section 145-36

[Amended 4-19-1997]

If timber harvesting is deleted as a permitted use in a district, timber harvesting on a parcel of land in the Maine Tree Growth Program (36 M.R.S.A. §§ 571 to 584-A) shall continue as a permitted use as long as the subject lot, or portion thereof, remains in the Tree Growth Program.

Wells Planning Board Approval

Date _____

Standard Conditions of Approval

1. Site plan approval shall expire within two years of the date on which the site plan is signed if: (a) a building permit is not obtained for new building construction included as part of an approved site plan. The site plan approval shall be valid for up to 10 years as long as a valid building permit exists for the proposed construction; (b) a use permit is not obtained and the use requested is not established on a site that does not include any new construction. [§145-74F(1)]
2. Approval is conditioned upon compliance by the applicant with the plans and specifications which have been received by the Town in connection with this development proposal.
3. Any approval may include a phasing plan which would allow the issuance of building permits for a multibuilding project to be phased according to a proposed time schedule. After two years from the date of approval, no building permit shall be issued for any phase if it does not comply with the requirements of this chapter in effect at the time when the building permit application is filed. [§145-74F(2)]
4. Conditions of approval or notes written on the face of the site plan may be amended only by the reviewing authority that approved the site plan. [§145-74G(1)(b)]
5. Failure to comply with any conditions of approval shall be construed to be a violation of Article X of the Land Use Ordinance and shall be grounds for revoking the approved development plan, initiating legal proceedings to enjoin construction development or any specific activity violating the conditions of plan approval or applying the legal penalties detailed in §145-64. [§145-79A]
6. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the owner to immediately install sedimentation control devices on his lot and to remove sediment from all adjoining surfaces, drainage systems and watercourses and to repair any drainage, at his expense, as quickly as possible. Any landowner that fails to do so within two weeks after official written notification by the Code Enforcement Officer shall be penalized as set forth in §145-64. [§145-79B]
7. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best-management practices [§145-75F]:
 - (a) Stripping of vegetation, soil removal and regrading or other development shall be accomplished in such a way as to minimize erosion.
 - (b) The duration of exposure of the disturbed area shall be kept to a practical minimum.
 - (c) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 - (d) Permanent (final) vegetation and mechanical erosion control measures in accordance with the standards of the York County Soil and Water Conservation District or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends.
 - (e) Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, silt traps or other acceptable methods as determined by the reviewing authority.
 - (f) The top of a cut or the bottom of a fill section which alters the existing grade by more than two feet shall not be closer than 10 feet to an adjoining lot.
 - (g) During grading operations, methods of dust control shall be employed.
 - (h) The proposed site plan shall prevent soil erosion and sedimentation from entering waterbodies, wetlands, and adjacent properties.
 - (i) The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
 - (j) Cutting or removal of vegetation along waterbodies shall not increase water temperature or result in shoreline erosion or sedimentation.
 - (k) Topsoil shall be considered part of the site plan and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.
8. The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board and/or Staff Review Committee proceedings are conditions of the approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board and/or Staff Review Committee.
9. Approval of the application or amendment application does not relieve the applicant from the responsibility to obtain building permits prior to construction and use permits prior to occupancy.
10. It is the applicant's responsibility to contact Dig Safe prior to construction.