

Town of Wells, Maine Review Checklist
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Project Name/District: Marks Organix / General Business District – Tax Map 114, Lot 35

Date of Review: 03/30/23

Prepared By: Office of Planning & Development

Company Name: Town of Wells

Article V District Regulations

A. Purpose.

The purposes of the General Business District is to provide areas for a wide range of business and commercial uses which serve the entire Town and for lodging and related facilities which serve the tourists.

§ 145-26. General Business 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 is proposed.
(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.)			NA	
(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^[1] <small>[1] Editor's Note: This ordinance also provided for the renumbering of former Subsection B(6) and (7) as Subsection B(8) and (9), respectively.</small>			NA	
(7)	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	
(8)	Recreation, passive.			NA	
(9)	Timber harvesting.			NA	

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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:				<p>Site plan to note existing uses: 1,200 SF Business Wholesale; 13,564 SF Business Retail and 2,000 SF Business Office use. 2,598 SF exists as accessory storage space for these businesses.</p> <p>Site plan to note the proposed uses: 1,175 SF Registered Medical Marijuana Dispensary use; 1,200 SF Business Wholesale; 12,389SF Business Retail and 2,000 SF Business Office use. 2,598 SF exists as accessory storage space for the Wholesale, retail and business uses. Accessory storage space is not permitted for the Registered Medical Marijuana Dispensary use.</p>
(1)	Agriculture which includes any structures.			NA	
(2)	Bank.			NA	
(3)	Bed-and-breakfast/small inn. (See ' 145-52.)			NA	
(4)	Business, contractor.			NA	
(5)	Business, office.	Y			2,000 SF Business Office use to remain
(6)	Business, personal service.			NA	
(7)	Business, retail, including the manufacturing of any goods offered for sale on the premises.	Y			12,389 SF Business Retail use to remain
(8)	Business, service.			NA	
(9)	Business, wholesale, having a gross floor area of less than 5000 square feet.	Y			1,200 SF Business Wholesale use to remain
(10)	Cemetery larger than 20,000 square feet in area.			NA	
(11)	Church.			NA	
(12)	Club.			NA	
(13)	Congregate care facility. [Added 6-8-2011]			NA	
(14)	Day-care home.			NA	
(15)	Day-care center/nursery school.			NA	
(16)	Drug abuse shelter. [Added 6-14-2011]			NA	

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(17)	Elderly housing [Amended 4-26-1996]			NA	
(18)	Freestanding residential detoxification program. [Added 6-14-2011]			NA	
(19)	Function hall.			NA	
(20)	Hotel/motel. (See ' 145-52.)			NA	
(21)	Housing, congregate.			NA	
(22)	Life care facility. [Amended 4-26-1996]			NA	
(23)	Medical care facility.			NA	
(24)	Municipal facility.			NA	
(25)	Museum.			NA	
(26)	Neighborhood convenience store.			NA	
(27)	Nursing home. [Amended 4-26-1996]			NA	
(28)	Parking lot, commercial.			NA	
(29)	Private non-medical institution (PNMI). [Added 6-14-2011]			NA	
(30)	Public Transportation Center. [Amended 11-6-2007]			NA	
(31)	Public utility facility.			NA	
(32)	Recreation, active.			NA	
(33)	Recreation, high-intensity commercial.			NA	
(34)	Recreation, low-intensity commercial.				
(35)	Recreation, medium intensity commercial. [Added 6-11-2013]			NA	
(36)	Registered marijuana dispensary. [Added 6-14-2011]	Y			1,175 SF of Registered Marijuana Dispensary use proposed
(37)	Restaurant, standard.			NA	
(38)	Restaurant, fast-food.			NA	
(39)	Sawmill producing less than 100,000 board feet of lumber per year.			NA	
(40)	School, public and private.			NA	
(41)	Tent and recreational vehicle park. (See ' 145-50.)			NA	
(42)	Transportation facility.			NA	
(43)	Stand-alone registered marijuana dispensary. [Added 6-14-2011]			NA	

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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 permitted accessory uses.	Y*			<u>2,598 SF exists as accessory storage space for the Wholesale, retail and business uses. Accessory storage space is not permitted for the Registered Medical Marijuana Dispensary use.</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.	Y			
F.	Dimensional requirements.				
(1)	Minimum lot size: 20,000 square feet on net area if served by public sewer; 40,000 square feet of net area if not served by public sewer.	Y			The parcel is 1.881 acres or 81,958 SF in size. The parcel is served by public sewer. See note 9.
(2)	Maximum density:				
(a)	One dwelling unit for each 20,000 square feet of net area if served by public sewer.			NA	No such use exists or is proposed.
(b)	One dwelling unit for each 40,000 square feet of net area if not served by public sewer.			NA	Parcel is served by public sewer.
(c)	Four housekeeping cottages or seasonal cottages per acre of net area. [Amended 4-28-1995; 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 is permitted or exists.
(d)	Twenty hotel/motel units per acre of net area. [Amended 4-28-1995]			NA	No such use exists or is proposed.
(3)	Minimum street frontage per lot: 100 feet, which may be reduced to 75 feet for frontage entirely on a cul-de-sac.	Y			See note 5. The lot has 269.24' of frontage along Route 1.

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	(4)	Maximum lot coverage: 65% (20% within the Shoreland Overlay District) or 2500 square feet, whichever is greater, except that the maximum lot coverage shall be 40% of the entire lot on any lot that was legally created prior to January 1, 1994, if at least 75% of the lot is located within the Shoreland Overlay District. [Amended 4-14-2000]		Y*			<p><u>Prior approved lot coverage is 62.9%.</u></p> <p><u>Proposed lot coverage is 63.9%. Total lot coverage proposed is 52,336 SF of non-vegetated area, not impervious area. Does the proposed include areas not approved: stairs, footprint changes)</u></p>
	(5)	Maximum building height: 34 feet, not to exceed three stories. (See ' 145-35I.)		Y*			<u>Note 5 to note the building height maximum of 34 feet, not to exceed 3 stories.</u>
	(6)	Setbacks.		Y			<u>Note 5 to correct setback terminology.</u>
	(a)	All structures shall be at least:					
		[1]	Fifteen feet from any lot line.		N		<p>15' setbacks shown. <u>The existing structure is grandfathered as non-conforming as it is located within the 15' lot line setback from the easterly boundary.</u></p> <p><u>Previous site plans note a building overhang was to be removed. Was this completed?</u></p> <p><u>Two HVAC units are located within the 15' setback from the northerly lot line. These may need to be relocated to meet setbacks if considered a structure.</u></p> <p><u>Dumpster area to be altered to meet the 15' setback requirement from the southerly lot line.</u></p>
		[2]	Twenty-five feet from the boundary of any cemetery.	Y			Parcel does not abut any known cemeteries.
		[3]	Twenty-five feet from any lot line abutting any street right-of-way.	Y			Parcel does not abut the boundary of any street row.
		[4]	Forty feet from any lot line abutting the right-of-way of any state highway.	Y*			The Route 1 40' setback is noted and identified on the plan.

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	(b)			NA	Parcel is not within 200 feet of such rivers.
	(c)			NA	
G.	Special provisions. [Amended 6-14-2016]				
	(1)			NA	Not applicable
	(2)			NA	Not applicable
	(3)			NA	Not applicable. Not located within such areas of Route 1 and 109.

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	(a)				
	(b)				
	(c)				
	(d)				
	(e)				
	(f)				
	(g)				

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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			145-13 applies.
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