



Planning & Development
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Memo

Date: August 7, 2024

To: Planning Board and Board of Selectmen

From: Michael G. Livingston, Town Engineer/Planner

Re: Proposed Ordinance Changes for November Town Meeting

SUMMARY OF CHANGES PROPOSED

Open Space Changes

- Subdivisions of 5 to 10 lots require 20% open space vs 10% open space
- Open space to consist of no more than 50% wetland (all wetland, including wetlands dominated by trees).
- Areas dominated by woody vegetation defined.
- Wetlands to be posted and restrictions noted in deeds to lots with an exhibit of the lot.

Residential Cluster Development Changes

- Minimum required open space from 35% to 50%.
- Two-family dwellings (duplexes) eliminated on a cluster lot.
- Minimum cluster lot size increased from 40,000 SF to 43,560 SF (1 acre).
- Lot line setback reduction eliminated.
- Minimum cluster lot street frontage (interior) increased from 50 feet to 75 feet.
- Buffer along Town Streets of 200 feet to be owned by the HOA required.
- Buffer owned by HOA, width of twice the lot line setback, adjacent to exterior lot lines required.
- Open space to consist of no more than 50% wetland (all wetland, including wetland dominated by trees).
- All but two density bonuses eliminated: Public access 5%; Linking of Open Space (5%), maximum bonus of 10%.

Multifamily Development Changes

- Buffer requirements and setback requirements changed to match cluster subdivision requirements.
- Density calculation changed to be consistent with a standard subdivision
- Building separations revised to be based on lot line setbacks and Planning Board determination but minimum of 30 feet.
- Elimination of multifamily developments in the Rural and Aquifer Protection Districts (non-growth areas).

Other Subdivision Lot Requirements

- Minor Subdivisions (4 lots) in the Rural and Aquifer Districts do not require Open Space, but setbacks to lot lines to be doubled.
- No more than 50% of a lot's area shall be wetland (all wetland, including wetlands dominated by trees).
- Structure setback from wetland (all wetland, including wetlands dominated by trees) added equal to the lot line setback of the Zone. Not applicable for structures less than 200 square feet in area.

Administrative Changes

- Submission deadlines changed from 10 days to 14 days.
- Abutter notification procedures updated.
- Electronic/ digital submissions required.
- Add ability of the Planning Board to refuse to review an application if the subdivider is in default.
- Add 30 day timeframe and ability of the Planning Board to extend review timeframes between receiving an application and completeness.

Approval Defaults

- Add §202-17 regarding violations, written notice, fees, appeals to the Planning Board, actions/response of Select Board.
- Add language to 11.B on subdivision revisions/violations
- Addition of definition of Subdivider.

Traffic and Parking Changes

- Add reference to current traffic manuals.
- Add trip generation for ADU's.
- Add ability for the Planning Board to require on-site and off-site improvements.
- Add traffic study criteria.
- Increase parking requirements for banks, lodging facilities, restaurants, and dwelling units.

Nonconforming Lots & Developments Changes

- Add language to grandfather setbacks per an approved/recorded subdivision plan.

Water Quality Changes

- Addition of specific water testing requirements.
- Sampling by 3rd party or witnessed by Code Officer
- If not compliant with EPA standards, treatment system and retesting required prior to occupancy

History of Meetings to Date:

Select Board	Public Hearing on large scale development	April 16, 2024
Planning Board	Workshop possible ordinance changes	May 6, 2024
Select Board	Authorize Planning Board to work on changes	May 21, 2024
Planning Board	Work on ordinance changes	June 3, 2024
Planning Board	Work on ordinance changes	July 1, 2024
Joint Meeting	Workshop Ordinance changes	July 10, 2024
Planning Board	Work on ordinance changes, schedule public hearing	July 15, 2024
Planning Board	Ordinance changes- Town Attorney comments	Aug 5, 2024
Select Board	Review changes, schedule public hearing	Aug 6, 2024

Timeline Requirements

Joint Public Hearing	Aug 12, 2024
Special Town Meeting	November 5, 2024
Ballot Deadline	September 6, 2024

Possible Impacts of Ordinance Changes

- 10 Residential Cluster subdivisions approved in recent years were evaluated based on proposed ordinance changes. See results summary below:

Subdivision Name	# of Approved Lots	# Resulting Lots from Changes
Bragdon Meadows	11	5
Chick Crossing Village	20	10
Dells Downeast	13	10
Perkins Pasture	17	15
River Landing	12	10
Parker Ridge	13	7
Ramsell Estates	12	9
Getchell Hill	18	9
Julian Huxley	18	6
Bradford Village	13	10