

**An Ordinance to Amend Chapter 145(Land Use) of the Code of the Town of Wells
to Change Nonconforming uses, Existing Mobile Home Parks**

NOTE: Proposed additions to existing Code sections are underlined.
Proposed deletions of existing Code sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.

The Town of Wells hereby ordains and enacts “An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Change Nonconforming uses, Existing Mobile Home Parks” to read as follows:

Part 1: Article III (Nonconformities), § 145-12, entitled “Nonconforming uses” is hereby amended as follows:

F. Mobile home parks outside Mobile Home Park Overlay District.[Added 11-5-2002]

(1) Notwithstanding § ~~145-12E~~, the Planning Board, acting under Chapter ~~260~~ 202 (Subdivision of Land), may permit the expansion of a legally nonconforming existing mobile home park which is located outside the Mobile Home Park Overlay District, subject to the following conditions:

(2) Notwithstanding anything to the contrary in 1 M.R.S.A. § 302, this § ~~145-12F~~ applies to any application under this Chapter or under Chapter ~~260~~ 202, whether or not such application has become a pending proceeding as defined in 1 M.R.S.A. § 302.

(3) Notwithstanding § 145-12E, an existing nonconforming Mobile Home Park which was established prior to June 14, 1976 and was not approved by the Planning Board per § 145-34 and/or § 202 may continue to exist and operate. The lot lines of the lot on which the Mobile Home Park is located may be revised and not considered an expansion if modified according to the following conditions:

(a) If the Mobile Home Park is served by a central on-site subsurface wastewater disposal system approved by the Department of Health and Human Services, the total net lot area of the Mobile Home Park lot shall be a minimum of 20,000 square feet per mobile home;

(b) A continuous landscaped strip shall be preserved or established of not less than 25 feet in width as measured from the exterior boundaries of the Mobile Home Park lot, the buffer strip shall not contain part of any site, structures or road(s), and shall contain evergreen shrubs, trees, fences, or any combination which forms an effective visual barrier, except that entrances shall be kept open to provide visibility for vehicles entering and leaving the park;

(c) A designated area no less than 10% of the total net lot area of the Mobile Home Park lot shall be reserved as open space. The area reserved as open space shall not contain part of any site, structures or road(s) and shall be suitable to be used for recreational, agricultural or common utility accessory purposes;

(d) The land within the park shall remain in a unified ownership, and the fee to sites or portions of sites shall not be transferred;

(e) No dwelling unit other than a manufactured home shall be located within the mobile home park;

(f) A plan depicting the Mobile Home Park lot which meets the above requirements shall be recorded at the Registry of Deeds and filed with the municipality.

Part 2: Effective Date.

This Ordinance shall take effect upon adoption by the Town Meeting.

Given under our hands this ____ day of _____, 2022.

BOARD OF SELECTMEN OF THE TOWN OF WELLS:

John MacLeod, III

Kathy Chase

Timothy Roche

Scott Defelice

Robert Foley