

**An Ordinance to Amend Chapter 145 (Land Use) of the Town of Wells  
to Change the Definitions of Standard Restaurant and Nonconforming Development and  
the Addition of a Definition for Dominated by woody vegetation**

**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 Town of Wells to Change the Definitions of Standard Restaurant and Nonconforming Development and the Addition of a Definition for Dominated by Woody Vegetation” to read as follows:**

**Part 1:** Article II (Word Usage and Definitions), § 145-10, entitled “Definitions” is hereby amended as follows:

§ 145-10. **Definitions.**

**DOMINATED BY WOODY VEGETATION**

A condition where the tree stratum consists mostly of woody plants which are greater than 20 feet in height as established by a tree plot consisting of a nonoverlapping 30 foot by 30 foot grid or grids which indicate 50% or more of the trees with a 2 inch or more diameter at breast height (DBH) are greater than 20 feet in height. Trees which are dead are not to be included.

**NONCONFORMING DEVELOPMENT**

A use permitted within a district which does not conform to one or more of the performance standards within this chapter regulating the use.

**RESTAURANT, STANDARD**

A business that serves foods and beverages unpackaged and ready to eat, in individual servings or in nondisposable or nonedible containers, which are consumed while seated on the premises. This use may include accessory take-out service.

**Part 2:** Effective Date.

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

Given under our hands this \_\_\_\_ day of \_\_\_\_\_, 2024.

THE SELECT BOARD OF THE TOWN OF WELLS:

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John MacLeod III

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Scott DeFelice

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Kathleen Chase

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Timothy Roche

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James N. Smith