

**An Ordinance to Amend Chapter 145 (Land Use) of the Town of Wells
to Eliminate Multifamily Dwellings and Multifamily Developments from the Rural District
and Multifamily Developments from the Aquifer Protection District**

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 Eliminate Multifamily Dwellings and Multifamily Developments from the Rural District and Multifamily Developments from the Aquifer Protection District” to read as follows:

Part 1: Article V (District Regulations), § 145-30, entitled “Rural District” and § 145-31, entitled “Aquifer Protection District” are hereby amended as follows:

§ 145-30. Rural District.

A. Purpose. The purpose of the Rural District is to maintain the open, rural character of the land within the district. Open uses of the land, such as forestry and agricultural uses, should be encouraged and large-scale residential uses discouraged. Residential development should be clustered so that significant areas of the development can be maintained as open space and, where applicable, used to buffer the development from existing Town ways.

B. Permitted uses. The following uses are permitted upon obtaining any required permits from the Code Enforcement Officer:

- (4) Dwelling, one-family. (See also § ~~145-55~~.)
- (5) Dwelling, two-family.
- ~~(6) Dwelling, multifamily. (See § 145-48.)~~
- ~~(7-6)~~ Livestock, domestic (small), limited to lots with a minimum lot size of 40,000 square feet.
- ~~(8-7)~~ Livestock, domestic (large), limited to lots with a minimum lot size of five acres.
- ~~(9-8)~~ Poultry, domestic (small), all lots, except lots less than 10,000 square feet in area shall be limited to no more than five fowl.
- ~~(10-9)~~ Poultry, domestic (large), limited to lots with a minimum lot size of five acres.
- ~~(11-10)~~ Recreation, passive.
- ~~(12-11)~~ Timber harvesting.

§ 145-30. Rural District.

G. Special provisions.

- (1) Subdivisions
 - (a) All proposed residential subdivisions containing more than four dwelling units shall be developed according to the provisions of ~~§ 145-48, Multifamily developments, or~~ § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that a cluster development as regulated in § 145-49 is not practical because of the configuration of the original lot or because of its natural features.
 - (b) Subdivisions as Multifamily developments are not allowed in the District.

[\(c\) Minor subdivisions which do not propose open space shall require twice the lot line setbacks.](#)

§ 145-31. Aquifer Protection District.

G. Special provisions.

(1) [Subdivisions](#)

[\(a\)](#) All residential subdivisions containing more than four dwelling units shall be clustered on the site according to the provisions of ~~§ 145-48, Multifamily developments, or~~ § 145-49, Residential Cluster Development. The Planning Board may waive this requirement for projects containing fewer than 20 lots if it determines that clustering is not practical because of the configuration of the original lot or because of its natural features.

[\(b\)](#) [Subdivisions as Multifamily developments are not allowed in the District.](#)

[\(c\)](#) [Minor subdivisions which do not require open space shall require twice the lot line setbacks. If a residential cluster development, all land within the Aquifer Protection District shall be included within the common land or open space.](#)

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:

John MacLeod III

Scott DeFelice

Kathleen Chase

Timothy Roche

James N. Smith