

**An Ordinance to Amend Chapter 145 (Land Use) of the Town of Wells  
Relating to Multifamily Development**

**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 Relating to Multifamily Development” to read as follows:**

**Part 1:** Article VII (Performance Standards), § 145-48, entitled “Multifamily developments” is hereby amended as follows:

§ 145-48. Multifamily developments.

A. Multifamily developments are allowed subject to the following performance standards in addition to the requirements of the districts in which the developments are located:

(1) A landscaped buffer ~~at least 25 feet in the~~ width of the required setbacks of Article V along all lot boundaries shall be required. The buffer strip shall not contain parking areas or structures, but may contain a perpendicular access driveway(s) or road(s) to connect with existing streets.

(2) No more than six dwelling units may be in any building.

(3) Multifamily or two-family dwelling structures shall be separated by at least 30 feet or a greater amount, as determined by the Planning Board or reviewing authority, in order to provide for sufficient access to light, air, emergency vehicle or personal, and privacy to each dwelling structure.

(4) One-family dwelling structures shall be separated by at least ~~20~~ 30 feet.

(5) A buffer strip managed by the condominium association or lot owner shall be required on the property along any adjacent property line. The buffer strip shall be a no cut buffer and consist of natural vegetation, or the Planning Board or reviewing authority shall require natural evergreen plantings to establish a visual screen except at driveway locations. The buffer strip width shall be the required lot line setback of Article V along the adjoining lot line or greater if necessary, as determined by the Planning Board or reviewing authority, to screen the development from the view from adjacent property lines. The Planning Board or reviewing authority may require additional screening or restrict the removal of vegetation within the buffer.

(6) When a multifamily development abuts a Town way, a 200 foot wide buffer strip managed by the condominium association or lot owner shall be required from the street right-of-way limit. The buffer strip shall be a no cut buffer and consist of natural vegetation, or the Planning Board or reviewing authority shall require natural evergreen plantings to establish a visual screen, except at driveway locations. Utility and driveway locations shall be combined as one location.

(7) The open space shall consist of no more than 50% coastal wetland or freshwater wetland as defined in § 145-10 except freshwater wetlands shall also include wetlands dominated by trees or woody vegetation of any height in any District.

B. On any lot divided by a zoning district boundary line, the lot coverage for any portion of the lot lying within a specific zoning district shall not exceed the permitted lot coverage for that district, except as otherwise specified in § **145-48D** through **H** below.

C. In any multifamily development abutting a residential use in a residential or rural zoning district, ~~the setback shall be equal to at least three times the required structure setback or 25 feet, whichever is greater (e.g., required fifteen-foot setback x 3 = 45 feet).~~ Said setback the landscape buffer shall include a ~~minimum twenty-five-foot width of~~ visual screening abutting the ~~single-family~~ residential use. Said visual screening shall consist of a continuous boarder of staggered evergreen shrubbery at least six feet in height, trees or, if required by the Planning Board, solid fencing six feet in height. Said multifamily development shall be screened from the view of any dwelling unit located within 200 feet of the multifamily development's boundaries. Said visual screening shall be owned in fee, managed and maintained by the owner or by an association of the owners of the development.

H. Density. The maximum density of dwelling units permitted shall be the same as permitted in the district(s) in which the multifamily development is located. To determine maximum density the following steps shall be taken:

(1) In order to determine the maximum number of dwelling units permitted on a tract of land the net residential acreage shall be determined by calculating net area and subtracting ~~15%~~ of the area of ~~the lot to account for~~ common roads, stormwater facilities, utilities, fire protection systems and common parking or infrastructure.

(2) A development layout shall be submitted indicating ~~a~~ the minimum ~~of 35%~~ required open space ~~and significant natural features per § 202-12.B.~~

(3) Innovative open space bonuses as specified in § **145-49D** may be awarded by the Planning Board.

**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