

An Ordinance to Amend Chapter 202 (Subdivision of Land) of the Town of Wells to Revise General Standards for Lots, Water supply, Streets and Land Features

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 202 (Subdivision of Land) of the Town of Wells to Revise General Standards for Lots, Water Supply, Streets and Land Features” to read as follows:

Part 1: § 202-12.D., entitled “Lots” is hereby amended as follows:

D. Lots.

(11) Proposed lots shall not be permitted to have driveway entrances onto existing arterial or collector streets unless the Planning Board determines that no reasonable alternate exists.
(12) No more than 50% of a lot's area shall consist of 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.

Part 2: § 202-12.F. entitled “Required improvements” is hereby amended as follows:

F. Required improvements. The following improvements are required for all subdivisions unless waived by the Board in accordance with provisions of these regulations.

(2) Water supply.

(b) When the location of a subdivision does not allow for a financially reasonable connection to the Kennebunk, Kennebunkport and Wells Water District, the Planning Board may allow the use of individual wells or a private community water system.

[4] The results of the water quality test submitted shall indicate that the groundwater meets the primary and secondary drinking water standards ~~of the Maine Rules Relating to Drinking Water for those categories tested~~. If the Board has reason to believe, due to previous uses of the property or due to previous or existing uses of neighboring property, that the existing water quality may be threatened by contaminants not tested for in the primary or secondary inorganic water analysis, it may require the water to be tested for those contaminants.

(c) Prior to the issuance of a building permit for the construction of any principal structure in a subdivision other than a foundation, the applicant shall present evidence of suitable water supply to the Code Enforcement Officer. This evidence shall consist of:

[1] A letter from the Kennebunk, Kennebunkport and Wells Water District indicating availability of service; or

[2] The results of a ~~primary inorganic~~ water analysis performed upon the well to serve the structure indicating the groundwater meets the following primary and secondary drinking water standards ~~of the Maine Rules Relating to Drinking Water for those categories tested~~. Total coliform, E. Coli Bateria, Nitrate, Iron, Manganese, Lead, Cadmium, Sodium, Chloride, Hardness, pH, and Arsenic. If EPA standards are not met, water treatment systems shall be

[installed and water analysis retested prior to the issuance of a certificate of occupancy. The water sampling shall be witnessed by a Code Enforcement Officer or a 3rd party inspector.](#)

Part 3: § 202-12.G. entitled “Streets” is hereby amended as follows:

G. Streets.

(2) Any subdivision expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Any street with an average daily traffic of 200 trips per day or more shall have at least two street connections leading to existing public streets, streets shown on an Official Map or streets on an approved subdivision plan for which performance guaranties have been filed and accepted. Said two street connections' center lines shall be no closer than 400 linear feet apart. Traffic generation rates shall be based on the [Traffic Trip Generation Manual, 1988 11th Edition or latest adopted edition](#), Institute of Transportation Engineers ([ITE](#)). Some typical traffic generation rates are:

- (a) Single-family house: 10.0 trips per day per unit.
- (b) Residential condominium: ~~5.9~~ [6.0](#) trips per day per unit.
- (c) Motel: ~~40.2~~ [11.0](#) trips per day per room.
- (d) Industrial: 7.0 trips per day per 1,000 square feet of floor space.
- [\(e\) Accessory Dwelling Unit: 6.0 trips per day per unit.](#)

[\(4\) Traffic impacts of a subdivision may require improvements on-site or off-site to roadways, intersections and sidewalks to mitigate those impacts.](#)

Part 4: § 202-12.H. entitled “Land features” is hereby amended as follows:

H. Land features.

[\(7\) Any structure with a footprint greater than 200 square feet shall be required to be setback from wetlands, including wetlands dominated by trees or woody vegetation of any height in any District, for a distance equal to the required lot line setback of Article V. This building envelope shall be depicted on the subdivision plan.](#)

Part 5: 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