

To: Marybeth Pordon, Town Clerk
From: Board of Selectmen
Date: September 2, 2025
Re: Certification of Referendum Articles for November 4, 2025 Special Town Meeting

The Board of Selectmen of the Town of Wells hereby: (1) orders, pursuant to 30-A M.R.S. §§ 2105 and 2528(5), and §§ 2.06(6), 11.05(3)(a), and 11.05(3)(b) of the Town Charter, the following Referendum Articles to be printed for the November 4, 2025 Special Town Meeting referendum ballot; and (2) certifies the proposed Ordinances referenced in Articles 4 through 6, true copies of which are appended hereto:

ARTICLE 2. COMPREHENSIVE PLAN UPDATE. Shall the Town vote to adopt the proposed Wells Comprehensive Plan Update?

Explanation: The current Comprehensive Plan Update was adopted in 2005. The Town Meeting adopted an ordinance in November 2019 to establish a Comprehensive Plan Update Committee. Committee members were appointed and meetings were conducted from January 2020 through March of 2025, during which time the Committee proposed various amendments to the existing 2005 Plan. The proposed Comprehensive Plan Update dated May 2024 was determined to be consistent with State requirements by the Maine Bureau of Resource Information & Land Use Planning, now part of the Department of Agriculture, Conservation & Forestry.

YES _____

NO _____

ARTICLE 3. CHANGE THE TOWN CLERK POSITION FROM ELECTED TO APPOINTED. Shall the Town approve the Charter amendments reprinted below, which change the Office of Town Clerk from an elected to an appointed position?

Article XI of the Town Charter, entitled, "Nominations, Elections, and Town Meetings," Section 11.01 entitled, "Elected officials" is hereby amended as follows:

The elected officials of the Town of Wells shall include the ~~Town Clerk and the~~ Board of Selectmen and do not include those quasi-municipal officials governed by charters and/or bylaws other than the Charter of the Town of Wells. Upon expiration of the term of the Town Clerk elected at the June 2023 Annual Town Meeting, the office of Town Clerk shall become an appointed position in the Town of Wells.

Explanation: If this Article is adopted, then the office of Town Clerk shall become an appointed position. While under the existing Town Charter, the office of Town Clerk is an elected position, it is currently being filled by an appointed Town Clerk given the vacancy created by the March 2024 resignation of the Town Clerk who was elected at the June 2023 Annual Town Meeting. State statute (30-A M.R.S. § 2105(4)) requires, in order for charter amendments to become effective, that the total number of votes cast for and against the question equals or exceeds 30% of the total votes cast in the municipality at the last gubernatorial election.

YES _____

NO _____

ARTICLE 4. Shall an ordinance entitled, "An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update Provisions Relating to Accessory Dwelling Units (ADUs)" be enacted?

YES _____

NO _____

ARTICLE 5. Shall an ordinance entitled, "An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update Provisions Relating to Affordable Housing" be enacted?

YES _____

NO _____

ARTICLE 6. Shall an ordinance entitled, "An Ordinance to Amend Chapter 201 (Streets and Sidewalks) of the Code of the Town of Wells to Expand Where Sidewalks are Required and Revise Sidewalk Requirements" be enacted?

YES _____

NO _____

ARTICLE 7. BOUNDARY LINE AGREEMENT BETWEEN THE TOWN AND THE OWNERS OF TAX MAP 54, LOT 1 RELATING TO THE COMMON BOUNDARY OF THE TOWN'S TILTON CONSERVATION LOT PARCEL (TAX MAP 55, LOT 8A).

Shall the Town vote to authorize the Board of Selectmen to: (1) agree to a common property line between Tax Map 55, Lot 8A (owned by the Town) and Tax Map 54, Lot 1 (owned by Lynette M. Hilton-Dewey and David P. Hilton) as depicted on a "Plan Showing a Boundary Survey for Lynette M. Hilton-Dewey and David P. Hilton by Great Hill Survey Company, dated October 17, 2022 and last revised January 14, 2025"; and (2) take all steps necessary to draft, execute, and record all related documents and plan at the York County Registry of Deeds?

Explanation: In 2012, the Town purchased the 98-acre Tilton conservation parcel to connect to other Town-owned land, which encompasses the "Great Heath" area, and to connect to Sanford Road and Bragdon Road. Surveyors identified vague deed descriptions and conflicting survey information regarding the common boundary between the subject abutting parcels and have recommended that the owners of the parcels execute a boundary line agreement and associated documents to clarify and resolve the issue. The proposed boundary line agreement would evenly divide the areas in question.

YES _____

NO _____

Given under our hands this 2nd day of September 2025.

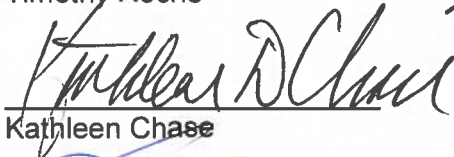
BOARD OF SELECTMEN OF THE TOWN OF WELLS:



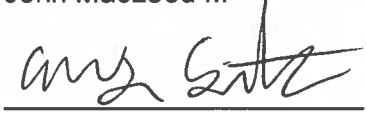
Timothy Roche



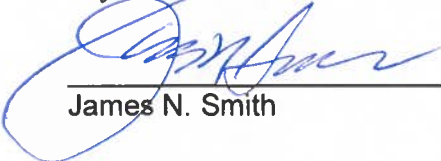
John MacLeod III



Kathleen Chase



Avery Seuter



James N. Smith

A True Copy, ATTEST:

Town Clerk

APPENDICES

APPENDIX 1

An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update Provisions Relating to Accessory Dwelling Units (ADUs)

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 Update Provisions Relating to Accessory Dwelling Units (ADUs)” to read as follows:

Part 1: § 145-10 entitled, “Definitions” is hereby amended as follows:

§ 145-10. Definitions.

ACCESSORY LIVING SPACE — A structure which is a detached, one- or two-story building, accessory to a dwelling unit, consisting of one or more rooms designed for entertainment and/or sleeping with no kitchen facilities. Accessory living spaces shall not be used as accessory dwelling units.

DWELLING UNIT, ACCESSORY — A dwelling unit which is permitted as an accessory use to ~~an owner-occupied principal one-family~~ dwelling, and which is located within, attached to, or detached from the principal dwelling on the same lot. An accessory dwelling unit shall only be permitted on a lot where either the principal dwelling or the accessory dwelling unit is owner-occupied.

MULTIFAMILY DEVELOPMENT— Any combination of buildings containing a total of three or more dwelling units on one lot. The term "multifamily development" does not include an accessory dwelling unit, a mobile home park, or any congregate housing facility.

OWNER-OCCUPIED — A dwelling unit that is occupied by a person who has a legal or equitable ownership interest in the property on which the dwelling unit is located and who receives all or part of the remuneration, if any, derived from the lease of any dwelling units located on the property. To be considered owner-occupied, the dwelling unit must be the owner's primary residence, which means the primary location where that owner lives for 183 days or more in a year in the aggregate.

Part 2: § 145-55, entitled “Accessory dwelling units” is hereby amended as follows:

§ 145-55. Accessory dwelling units.

A. ~~One~~ No more than one accessory dwelling unit shall be permitted ~~within~~ on any lot containing one or more ~~an owner-occupied~~ one-family dwellings, two-family dwellings or multifamily dwellings in all districts where such dwellings are permitted uses, ~~except the Residential B, Residential D and Beach Business Districts.~~ An accessory dwelling unit that complies with the requirements of § 145-55.A shall not be deemed a dwelling unit for purposes of determining minimum lot size and maximum density. Nothing in this section exempts an accessory dwelling unit from any other requirements of this chapter, including without limitation any shoreland zoning or subdivision requirements or street requirements.

(1) The lot on which the accessory dwelling unit is situated ~~shall~~ meets all the current dimensional requirements of this chapter for a one-family dwelling, two-family dwelling or multifamily dwelling; or be a legally existing, nonconforming lot.


- (2) The accessory dwelling unit shall contain no more than three rooms and a bathroom, shall have at least 190 square feet of net habitable area if attached and shall have at least 400 square feet of net habitable area if detached, and shall not exceed ~~600~~ 800 square feet of net habitable floor area.
- (3) If the accessory dwelling unit is located within or is attached to a one-family dwelling unit, two-family dwelling, or multifamily dwelling, the building containing the accessory dwelling unit shall have the exterior appearance of a single-family home.
- (4) If the accessory dwelling unit is located within or is attached to a one-family dwelling unit, the accessory dwelling unit shall not occupy more than 35% of the habitable floor area of the building; ~~and.~~
- (5) If the accessory dwelling unit is detached, then it shall meet all applicable setback requirements unless it is located within an existing legally non-conforming structure, in which case the footprint of the existing structure shall not be expanded.
- ~~(5)~~(6) The accessory dwelling unit shall ~~be located in the same building as the principal dwelling unit;~~ have adequate water and wastewater services, as required by 30-A M.R.S.A. § 4364-B(7). Prior to the issuance of a certificate of occupancy, the permit holder must provide written verification to the Code Enforcement Officer that the accessory dwelling unit is connected to adequate water and wastewater services.
- (7) An accessory dwelling unit may not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located.
- (8) The accessory dwelling unit is to be considered a dwelling unit per 30-A M.R.S. § 4401 and may require subdivision review per Chapter 202.
- (9) An accessory dwelling unit is permitted only when the one-family dwelling, two-family dwelling, multifamily dwelling, or accessory dwelling unit is owner-occupied.
- (10) Accessory dwelling units and the principal dwelling unit, two family dwelling unit, and multifamily dwelling unit are intended to create year-round housing. Therefore, none of these dwelling units can be leased or occupied by persons other than an owner-occupant, or their guests who occupy the dwelling without compensation, for a period of less than six (6) consecutive months.

Part 3: Effective Date.

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

Given under our hands this 2nd day of September 2025.

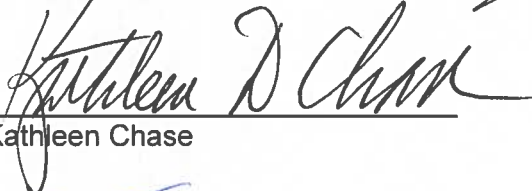
THE SELECT BOARD OF THE TOWN OF WELLS:



Timothy Roche



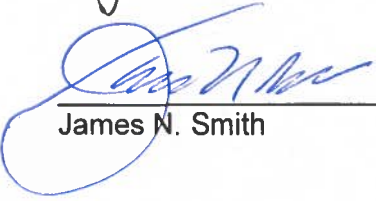
John MacLeod III



Kathleen Chase



Avery Seuter



James N. Smith

APPENDIX 2

An Ordinance to Amend Chapter 145 (Land Use) of the Code of the Town of Wells to Update Provisions Relating to Affordable Housing

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 Update Provisions Relating to Affordable Housing” to read as follows:

Part 1: § 145-10 entitled, “Definitions” is hereby amended as follows:

§ 145-10. Definitions.

AFFORDABLE HOUSING DEVELOPMENT — A residential use consisting of one-family dwellings, two-family dwellings, multifamily dwellings, or any combination thereof, which meets the household income requirements of 30-A M.R.S.A. § 4364(1) and the requirements of § 145-54.

Part 2: § 145-21, entitled “Residential A District” is hereby amended as follows:

§ 145-21. Residential A District

C. Permitted uses requiring approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:

(1) Affordable housing development. (See § 145-54.)

[Editor’s Note: All listed permitted uses in this subsection will be renumbered, as appropriate.]

Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, ~~and~~ 145-48, Multifamily developments, and 145-54, Affordable housing.

Part 3: § 145-24, entitled “Residential-Commercial District” is hereby amended as follows:

§ 145-24. Residential-Commercial District

C. Permitted uses requiring approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:

(1) Affordable housing development. (See § 145-54.)

[Editor’s Note: All permitted uses listed in this subsection will follow and will be renumbered, as appropriate.]

Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, ~~and~~ 145-48, Multifamily developments, and 145-54, Affordable housing.

Part 4: § 145-26, entitled “General Business District” is hereby amended as follows:

§ 145-26. General Business District

C. Permitted uses requiring approval of a site plan. The following uses are permitted upon obtaining site plan approval and any required permits from the Code Enforcement Officer:

(1) Affordable housing development. (See § 145-54.)

[Editor's Note: All permitted uses listed in this subsection will follow and will be renumbered, as appropriate.]

Note: See also §§ 145-13, Nonconforming structures, 145-14, Nonconforming lots, 145-33, Shoreland Overlay District, ~~and~~ 145-48, Multifamily developments, and 145-54, Affordable housing.

Part 5: § 145-48, entitled "Multifamily developments" is hereby amended as follows:

§ 145-48. Multifamily developments.

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, except as provided in § 145-54.

Part 6: § 145-54, entitled "Affordable housing" is hereby amended as follows:

§ 145-54. Affordable housing.

~~A. To increase the availability of affordable housing (as defined in 30-A M.R.S.A. § 5002) to low- and moderate-income families the following increases in residential density and reductions in lot size and frontage within a subdivision containing only affordable housing shall be permitted within the Residential A-District:~~

~~(1) If the dwelling units are not connected to the public sewer, a developer may develop the subdivision at a density of one dwelling unit for each 32,000 square feet of net area with a corresponding reduction of 20% in lot size and lot frontage without obtaining a variance from the Zoning Board of Appeals. The subdivision may also be developed at the same increased density according to the requirements of § 145-48 or 145-49.~~

~~(2) If the dwelling units are connected to the public sewer, a developer may develop the subdivision at a density of one dwelling unit for each 13,333 square feet of net area with a corresponding reduction of 33 1/3% in lot size without obtaining a variance from the Zoning Board of Appeals. The subdivision may also be developed at the same increased density according to the requirements of § 145-48 or 145-49.~~

A. Affordable housing development that complies with the requirements of § 145-54(1)-(8) is eligible for an increase in residential density of 2½ times the maximum density that is otherwise allowed. If fractional results occur when calculating the maximum density, the number of allowed units shall be rounded down to the nearest whole number. Nothing in this section exempts an affordable housing development from any other requirements of this chapter.

(1) The affordable housing development must be (i) located in a designated growth area as identified within the Town of Wells Comprehensive Plan, or (ii) be served by a public, special district, or centrally managed water system and a public, special district, or other comparable sewer system, as those terms are defined by the Maine DECD Housing Opportunity Program Rule, codified at 19-100 C.M.R. ch. 5, as amended.

(2) Adequate provision must be made to ensure that, in perpetuity, after completion of construction, occupancy of all units designated affordable in an affordable housing development will remain limited to households at or below 80% (for rental housing) or 120% (for owned housing) of the local area median income at the time of initial occupancy. Continued occupancy of rental housing shall be contingent on meeting the income limitations.

~~B.(3) For any affordable housing development that includes multifamily dwellings, E~~eight or fewer dwelling units shall be permitted in a each multifamily dwelling if all the dwelling units within the structure are affordable housing units.

~~C.(4)~~The developer shall implement a plan execute a restrictive covenant, recorded in the York County Registry of Deeds and enforceable by the Town and a third party acceptable to the reviewing authority, to ensure that the affordable housing units remain affordable. The restrictive covenant must run with the land and encumber the affordable housing

development, be binding upon the developer (for rental housing) or the unit owners (for owned housing) and their successors and assigns, and must inure to the benefit of the Town of Wells and the third party. The ~~plan~~ restrictive covenant shall be approved by both the ~~Planning Board~~ reviewing authority and the Board of Selectmen, and shall be executed prior to the issuance of a certificate of occupancy for any structure within the affordable housing development.


- ~~D.~~(5) A landscaped buffer strip shall be provided along the perimeter of an affordable housing subdivision development except where access roads into the subdivision development are located. The buffer strip shall have a width equal to ~~1/5 of the required lot frontage~~ the setbacks of the applicable zoning district along all lot boundaries, ~~except along existing improved public streets, where the buffer strip shall have a width equal to 1/2 of the required street frontage.~~ The buffer strip shall be owned in fee and managed by an association of the owners within the development. The buffer strip shall contain existing or planted trees and other vegetation and may include fencing as determined by the Planning Board. The ~~Planning Board~~ reviewing authority may waive or modify this buffer requirement if it finds that the requirement will make the proposed subdivision financially unfeasible.
- (6) Each unit within an affordable housing development shall have adequate water and wastewater services, as required by 30-A M.R.S.A. § 4364(5). Prior to the issuance of a certificate of occupancy, the permit holder must provide written verification to the Code Enforcement Officer that the unit is connected to adequate water and wastewater services.
- (7) Adequate provision shall be made for the long-term maintenance, repair, and improvement of any private or common septic systems, individual private wells, and public water systems proposed to serve the affordable housing development, including a process of collection and enforcement to obtain capital improvement funds from the developer (for rental housing) or the unit owners (for owned housing).
- (8) Affordable housing dwelling units are intended to create year-round housing. Therefore, affordable housing dwelling units cannot be leased for a period of less than twelve (12) consecutive months.

Part 7: Effective Date.

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

Given under our hands this 2nd day of September, 2025.


THE SELECT BOARD OF THE TOWN OF WELLS:



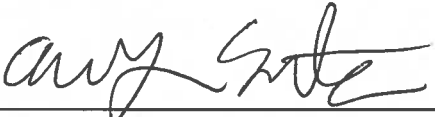
Timothy Roche



John MacLeod III



Kathleen Chase



Avery Seuter



James N. Smith

APPENDIX 3

An Ordinance to Amend Chapter 201 (Streets and Sidewalks) of the Code of the Town of Wells to Expand Where Sidewalks are Required and Revise Sidewalk Requirements

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 201 (Streets and Sidewalks) of the Code of the Town of Wells to Expand Where Sidewalks are Required and Revise Sidewalk Requirements” to read as follows:

Part 1:

§ 201-38. Applicability.

This article shall be applicable only within the area of the Town that is covered by the Town of Wells Sidewalk Development Plan (2003) or the Route 1 Transportation Feasibility Study 2024 (Route 1, Chapel Road, College Drive, Sanford Road). Sidewalk improvements shall be designed in accordance with the standards established in the Town of Wells Sidewalk Development Plan or the Route 1 Transportation Feasibility Study (2024) and as specified in this article.

§ 201-39. Deviations.

Deviations from these specifications may be obtained from the Road Commissioner if it is found necessary to ensure public safety. All deviations must receive approval prior to construction, or prior to approval of the development plan by the Planning Board, if applicable. The Road Commissioner may allow the design and construction of sidewalks that do not meet these standards upon a written finding that application of these standards would not promote the intent of the Sidewalk Development Plan or the Route 1 Transportation Feasibility Study, that physical conditions of a particular site do not allow for full implementation of these standards, and that safety of pedestrians and bicyclists will not be put at risk by following alternate design and construction standards.

§ 201-40. ~~(Reserved)~~ Bike Lanes

To improve the safety of bicyclists and promote bicycle use versus increased vehicle traffic on Route 1, the Route 1 Transportation Feasibility Study recommends adding bike lanes on Route 1. The location of sidewalks may be impacted to allow for future bike lanes to be established. See Study for guidance on requirements, locations and construction standards.

§ 201-41. Requirements for new sidewalk construction.

A. The following types of development in the Town shall provide for the location and construction of sidewalks as provided in this section.

- (1) Establishment of a commercial use that requires construction of any new detached or attached building other than an accessory structure less than 1,000 square feet. ~~other than a single-family dwelling or duplex on a vacant lot~~

- (2) Establishment of a use that requires the demolition or alteration of an existing building, provided the alteration or demolition affects more than 75% of the gross floor area within the existing perimeter walls of the building. ~~Construction of a new building or the demolition or alteration of an existing building on a lot that contained a building, provided the alteration affects more than 75% of the floor area or perimeter walls of the existing building, other than the establishment of a single family dwelling or duplex on a vacant lot.~~
- (3) The expansion of a structure ~~other than a single family dwelling or a duplex~~ by more than 2,000 square feet of gross floor area after ~~April 15, 2003~~ November 4, 2025.
- (4) The conversion of a residential use to a commercial use, if the residential use is discontinued.
- (5) The construction of a new dwelling unit.

B. ~~This~~ Development required to provide for the location and construction of sidewalks shall include the dedication of necessary right-of-way or public access easement and the construction of sidewalks in accordance with the specifications provided in § 201-~~40 and 42~~ 40 and 42 ~~or a contribution to the Town's Sidewalk Construction Fund as specified in § 201-43.~~ Newly constructed sidewalks shall be paid for entirely by the property owner unless otherwise determined by the Planning Board. Provision for sidewalk construction shall be included as part of site plan review or subdivision approval and/or part of plans submitted for obtaining a building permit.

§ 201-42. Sidewalk construction standards.

A. All sidewalks and related improvements including but not limited to curbs, pavement, and handicapped accessways, shall be constructed according to the standards in the Sidewalk Development Plan or the Route 1 Transportation Feasibility Study (2024), including those in this article.

B. Sidewalks shall be at least five feet wide and shall be located between the curb or grade line of the public street and the right-of-way line or public access easement if approved by the Town, but no closer than two feet to the curb or grade line. Sidewalk width and distance to curb or grade line may be reduced where right-of-way width or utilities does not allow this standard to be met. The Town may approve alteration of the alignment so the sidewalk meanders within the area between the curb and right-of-way line or public access easement. The Town may request that an easement be granted from property owners to locate the sidewalk if it is necessary for public safety and/or if the landowner is willing in order to increase green space between the roadway curb and the sidewalk.

C. Where a new sidewalk adjoins existing sidewalks that are not five feet in width, the new sidewalk shall taper on each side over a five-foot length to meet the existing condition.

D. A site plan indicating the location of the sidewalk shall be submitted to the appropriate Town reviewing authority determined by the Reviewing Authority Chart in § 145-71A for site plan approval or to the Planning Board for subdivision approval.

E. All sidewalks shall be constructed in accordance with the Americans with Disabilities Act (ADA) standards. Wheelchair access ramps must be constructed at any point a proposed sidewalk intersects a Town street with the exception of walks leading from the street to the door of a single-family residence. Access ramps shall be built to grades no greater than one foot of fall per 12 feet in length.

F. Sidewalk materials. Sidewalks shall be constructed of the materials specified in Table 5.4.1 of the Sidewalk Development Plan⁽¹⁾ in accordance with the details and specifications in the Sidewalk Development Plan.

G. Curb materials. Curb materials shall be constructed of the following materials in accordance with the specifications in the Sidewalk Development Plan.

(1) Vertical granite. (See Sidewalk Development Plan Figure 4.5.A.)
 H. To the extent possible, sidewalks shall be constructed to within one foot of the right-of-way to maximize green space between the roadway curb or grade line.

§ 201-43. ~~Sidewalk Construction Fund.~~ (Reserved)

- ~~A. The Town Treasurer shall establish a nonlapsing Sidewalk Construction Fund for the purpose of financing the construction and improvement of sidewalks in the area covered by the Sidewalk Development Plan. The Sidewalk Construction Fund shall be segregated from the municipality's general revenues.~~
- ~~B. The Sidewalk Construction Fund may be used provide the local match to state and federal grants for sidewalk construction and improvement.~~
- ~~C. Funds from the Sidewalk Construction Fund shall not be used for any purpose other than the construction and improvement of sidewalks in the area covered by the Sidewalk Development Plan.~~
- ~~D. A property owner in the area covered by the Sidewalk Development Plan may, in lieu of construction of a sidewalk as otherwise required by § 201-42, make a contribution to the Sidewalk Development Fund.~~
- ~~E. The amount of the required contribution shall be calculated by multiplying the average per foot cost for construction of the segment by the length of sidewalk adjacent to or on the property.~~
- ~~F. At the time a contribution to the Sidewalk Construction Fund is made, the Town shall record the date, amount, name and address of the contributor, and the assessor's map and lot number of the property for which the contribution is made. If within seven years of the date of the contribution, the Town has not constructed the segment of sidewalk for which a contribution has been made to the Fund or included such construction in the budget for the current fiscal year, then the contribution shall be refunded to the owner of record of the property from which the contribution was credited.~~
- ~~G. If the town receives state or federal funding for the construction of a sidewalk, then the town shall refund to the owner of record of the property from which the contribution was credited an amount proportional to the funding received from state or federal sources.~~

Table 5.4.1 Application Standards by Location¹

Standard	Area A U.S. Route 1	Area B Route 109	Route 1 Transportation Feasibility Study U.S. Route 1, Chapel Road, College Drive
Desired Street/ Sidewalk Section	Figure 4.1.A	Figure 4.1.B	See Study
Sidewalk Pavement	Pavers Figures 4.4 A1—4.4 A3 Figures 4.4 B1, B2 and B3	Between Wells Elementary School and the Transportation Center: any paving surface is permissible, however, paving	Stamped Concrete

¹ Table 5.4.1 is part of the 2003 Sidewalk Development Plan referenced throughout Chapter 201 and incorporated therein by reference.

	Stamped Concrete	<p>material must be consistent with any existing surface within 200 feet of a new surface.</p> <p>Between Wells Elementary School and Route One, concrete (Figure 4.5 D) or pavers (Figures 4.4 A1 – 4.4 A3), however paving material must be consistent with any existing surface within 200 feet of a new surface.</p>	
Curb Material, if provided	Granite	Granite	Granite

Part 2: Effective Date.

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

Given under our hands this 2 day of September, 2025.

THE SELECT BOARD OF THE TOWN OF WELLS:

Timothy Roche

John MacLeod III

Kathleen Chase

Avery Seuter

James N. Smith

APPENDIX 4
TILTON CONSERVATION LOT PARCEL (TAX MAP 55, LOT 8A)
BOUNDARY LINE AGREEMENT

BOUNDARY AGREEMENT

The parties hereto are **LYNETTE M. HILTON-DEWEY**, with a mailing address at 785 Bald Hill Road, Wells ME 04090 and **DAVID P. HILTON**, with a mailing address at 88 Glenwood Drive, North Kingstown, RI 02852 (hereafter collectively "Hilton"), and **INHABITANTS OF THE TOWN OF WELLS**, with a mailing address at PO Box 398 (208 Sanford Road), Wells ME 04090 (hereafter the "Town").

WHEREAS, Hilton owns a certain lot or parcel of land on Bragdon Road in Wells, County of York and State of Maine, also known as Tax Map 54 Lot 1 (hereafter "the Hilton Lot"); and

For the Hilton source of title, reference may be made to deed of Lynette M. Dewey, Personal Representative of the Estate of Karl P. Hilton dated August 13, 2020 and recorded in the York County Registry of Deeds ("YCRD") in Book 18348, Page 94; Deed of Karl P. Hilton dated October 24, 1960 recorded in Book 1627, Page 436; Deed of Juliette Bartlett and Thomas C. Crowley dated October 2, 1902 and recorded in Book 541, Page 540, The Estate of Mary J. Manson in York County Probate Court and several deeds of heirs at Book 19590 Page(s) 795, 797, 799, 801, 803, 805, 807, and 809. This parcel is hereafter referred to as the "the Hilton Lot"); and

WHEREAS, the Town owns certain lots or parcels of land in the Town of Wells, County of York and State of Maine also known as Tax Map 55, Lot 8; Tax Map 48, Lots 4 and 5 (hereinafter "the Town Lot");

For the Town's source of title, reference may be made to the aforementioned tax maps and deed of Donna T. McGorrill, Personal Representative of the Estate of Eleanor W. Tilton, dated January 23, 2012 recorded in the YCRD in Book 16249 Page 93, and deed of Richard Hamlyn dated May 21, 2019 recorded in Book 17955 page 520; and

WHEREAS the parties became aware of a potential discrepancy in the location on the ground of the common boundaries between the Hilton Lot and the Town Lot as referenced on the "Plan Showing a Boundary Survey for Lynette M. Hilton-Dewey and David P. Hilton" dated October 17, 2022 (and revised January 14, 2025) surveyed by Great Hill Survey Company (hereafter the "Hilton Plan");

WHEREAS, to resolve any possible dispute over the common boundary locations, the parties desire now to confirm their common boundaries to conform to the Hilton Plan; and

NOW THEREFORE, to clarify the location of the boundary lines between the Town Lot and the Hilton Lot in the Town of Wells, York County, State of Maine, which is acknowledged as good and valuable consideration, the parties hereto agree as follows:

1. The common boundary between the Town Lot and the Hilton Lot is the following described **eight (8)** lines:

Beginning at an iron rod found on the apparent easterly sideline of Bragdon Road at the southwest corner of *The Inhabitants of the Town of Wells* as described in Book 16249 Page 93 of the York County Registry of Deeds and shown on "Boundary Survey Plan Of Land To Be Conveyed By Donna T. McGorrill, As Personal Representative Of The Estate Of Eleanor W. Tilton To The Inhabitants Of The Town Of Wells" recorded in Plan Book 354 Page 20;

Thence, South 70°-12'-16" East along a stone wall, 41.25 feet, to an iron rod found;

Thence, South 72°-03'-10" East, 1,000.00 feet, to an iron rod set;

Thence, South 00°-51'-25" East, 1,640.00 feet, to an iron rod set at the corner of a buried barbed wire fence;

Thence, South 60°-38'-25" East, 295.00 feet, to an iron rod set at the westerly bank of "Heath Brook" (said line as evidenced by buried, barbed wire fence);

Thence, South 60°-38'-25" East, 12.07 feet;

Thence, South 13°-35'-45" West, 480.62 feet, to an iron rod found, said line established by an exchange of deeds between *Tilton* and *Wormwood* as described in Book 12071 Pages 136 and 140;

Thence, South 13°-35'-45" West, 293.51 feet, to an iron rod set;

Thence, North 66°-04'-25" West, 1,072.35 feet, as evidenced by buried barbed wire fence, to a point at the southerly end of a short section of stone wall, said point bearing South 68°-29'-10" West, 54.67 feet, from a drill hole found at the northerly end of said wall.

The iron rods set are 5/8 inch with cap marked "GREAT HILL SURV ME PLS 2299". The bearings contained herein are referenced to Grid North.

2. Lynette M. Hilton-Dewey and David P. Hilton shall execute a quitclaim deed without covenant, releasing to the Town of Wells all land lying northerly, easterly and southerly of the foregoing eight (8) lines in conformity with the Hilton Plan.

3. The Town of Wells shall execute a quitclaim deed without covenant, releasing to Lynette M. Hilton-Dewey and David P. Hilton, as tenants in common, all land lying southerly, westerly and northerly of the foregoing eight (8) lines in conformity with the Hilton Plan.

4. Hilton shall record this Boundary Agreement and the Quitclaim Deeds in the York County Registry of Deeds, together with a copy of the Hilton Plan.

In witness whereof, the parties hereto have executed this instrument with their hands and seals on the dates shown below:

_____, 2025
Lynette M. Hilton-Dewey

STATE OF MAINE
COUNTY OF YORK, ss. _____, 2025

Personally appeared before me the above-named Lynette M. Hilton-Dewey, and acknowledged the foregoing instrument to be her free act and deed.

Notary
Public

_____, 2025
David P. Hilton

STATE OF _____
COUNTY OF _____, ss. _____, 2025

Personally appeared before me the above-named David P. Hilton, and acknowledged the foregoing instrument to be his free act and deed.

Notary Public

THE INHABITANTS OF THE TOWN OF WELLS

_____, 2025
By Michael Parduc,
Its Town Manager, duly authorized by vote of the Board of Selectmen on _____,
2025

STATE OF MAINE
COUNTY OF YORK, ss. _____, 2025

Personally appeared before me the above-named Michael Parduc, Town Manager of the
Town of Wells and acknowledged the foregoing instrument to be his free act and deed in his
said capacity, and the free act and deed of said municipality.

Notary Public

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL PERSONS BY THESE PRESENTS

That, **LYNETTE M. HILTON-DEWEY**, with a mailing address at 785 Bald Hill Road, Wells ME 04090 and **DAVID P. HILTON**, with a mailing address at 88 Glenwood Drive, North Kingstown, RI 02852, for consideration paid,

RELEASE to the **INHABITANTS OF THE TOWN OF WELLS**, with a mailing address at PO Box 398 (208 Sanford Road), Wells ME 04090,

All right, title and interest in and to certain lots or parcels of land situated on the easterly side of Bragdon Road, in the Town of Wells, County of York and State of Maine, further described follows:

All of that land lying northerly, easterly and southerly of the following described **eight (8) lines**:

Beginning at an iron rod found on the apparent easterly sideline of Bragdon Road at the southwest corner of *The Inhabitants of the Town of Wells* as described in Book 16249 Page 93 of the York County Registry of Deeds and shown on "*Boundary Survey Plan Of Land To Be Conveyed By Donna T. McGorrill, As Personal Representative Of The Estate Of Eleanor W. Tilton To The Inhabitants Of The Town Of Wells*" recorded in Plan Book 354 Page 20;

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Thence, South 60°-38'-25" East, 295.00 feet, to an iron rod set at the westerly bank of "*Heath Brook*" (said line as evidenced by buried, barbed wire fence);

Thence, South 60°-38'-25" East, 12.07 feet;

Thence, South 13°-35'-45" West, 480.62 feet, to an iron rod found, said line established by an exchange of deeds between *Tilton* and *Wormwood* as described in Book 12071 Pages 136 and 140;

Thence, South 13°-35'-45" West, 293.51 feet, to an iron rod set;

Thence, North 66°-04'-25" West, 1,072.35 feet, as evidenced by buried barbed wire fence, to a point at the southerly end of a short section of stone wall, said point bearing South 68°-29'-10" West, 54.67 feet, from a drill hole found at the northerly end of said wall.

The iron rods set are 5/8 inch with cap marked "GREAT HILL SURV ME PLS 2299".
The bearings contained herein are referenced to Grid North.

The intent of this deed is to establish a common boundary line between the grantor and the grantees herein. Reference is made to reciprocal deed between the grantees and grantor, and a Boundary Agreement, to be recorded herewith at the York County Registry of Deeds.

Further reference may be made to a "Plan Showing a Boundary Survey for Lynette M. Hilton-Dewey and David P. Hilton" dated October 17, 2022 (and revised January 14, 2025) surveyed by Great Hill Survey Company, to be recorded in the York County Registry of Deeds.

Witness our hands and seals on the dates set forth below:

_____, 2025

Lynette M. Hilton-Dewey

STATE OF MAINE
COUNTY OF YORK, ss.

_____, 2025

Personally appeared before me the above-named Lynette M. Hilton-Dewey, and acknowledged the foregoing instrument to be her free act and deed.

Public

Notary

_____, 2025
David P. Hilton

STATE OF _____
COUNTY OF _____, ss.
2025

Personally appeared before me the above-named David P. Hilton, and acknowledged the foregoing instrument to be his free act and deed.

Public

Notary

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL PERSONS BY THESE PRESENTS

That, the **INHABITANTS OF THE TOWN OF WELLS**, with a mailing address at PO Box 398 (208 Sanford Road), Wells ME 04090, for consideration paid,

RELEASE to **LYNETTE M. HILTON-DEWEY**, with a mailing address at 785 Bald Hill Road, Wells ME 04090 and **DAVID P. HILTON**, with a mailing address at 88 Glenwood Drive, North Kingstown, RI 02852, as tenants in common,

All right, title and interest in and to certain lots or parcels of land situated on the easterly side of Bragdon Road, in the Town of Wells, County of York and State of Maine, further described follows:

All of that land lying southerly, westerly and northerly of the following described **eight (8) lines**:

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The iron rods set are 5/8 inch with cap marked "GREAT HILL SURV ME: PLS 2299".
The bearings contained herein are referenced to Grid North.

The intent of this deed is to establish a common boundary line between the grantor and the grantees herein. Reference is made to reciprocal deed between the grantees and grantor, and a Boundary Agreement, to be recorded herewith at the York County Registry of Deeds.

Further reference may be made to a "Plan Showing a Boundary Survey for Lynette M. Hilton-Dewey and David P. Hilton" dated October 17, 2022 (and revised January 14, 2025) surveyed by Great Hill Survey Company, to be recorded in the York County Registry of Deeds.

The Town of Wells has caused this instrument to be signed in its name by Town Manager Michael Pardue, this ____ day of _____, 2025.

THE INHABITANTS OF THE TOWN OF WELLS

By Michael Pardue,
Its Town Manager, duly authorized by vote of the
Board of Selectmen on _____, 2025

STATE OF MAINE
COUNTY OF YORK, ss.

_____, 2025

Personally appeared before me the above-named Michael Pardue, Town Manager of the Town of Wells and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said municipality.

Notary Public

