



YARMOUTH MAINE

October 24, 2023

Kate Carey & Charlie Hewitt
18 Greely Rd.
Cumberland, ME 04021

Dear Ms. Carey and Mr. Hewitt,

We have approved your Minor Site Plan for the Accessory Dwelling Unit (ADU) located at 0 Portland Street. The plan is found to be consistent with the standards of Chapter 702, Site Plan Review Ordinance, subject to the following conditions of approval:

1. Proof of primary residence to include;
 - a. Driver's License or other recognized form of state or federal ID
 - b. a copy of a utility bill.
2. Before obtaining a building permit for the ADU, the property owner shall file with the Cumberland County Registry of Deeds the Declaration of Restrictions as outlined in Town of Yarmouth Ordinances Chapter 702 Article I.J.13.k. Evidence that the Declaration of Restrictions has been recorded in the Registry of Deeds shall be submitted to the Town. An example of the Declaration of Restrictions may be obtained from the Department of Planning & Development.
3. Prior to the issuance of a building permit, the applicant shall record a confirmatory easement for access over the driveway from Portland Street to the property at 18 Portland Street and provide evidence to the Director of Planning & Development of the recording from the Cumberland County Registry of Deeds.
4. The applicant shall take measures to preserve existing trees to the maximum extent practicable. Prior to the disturbance of any soil or vegetation or the start of any site work, the applicant shall install tree protection provisions on all trees to remain that are within the work area. The Tree Warden shall review and approve the installation. During construction, the applicant and their construction manager/contractor shall ensure that tree protection measures are maintained in good condition. The use of machinery, heavy foot traffic, storage of building materials, washing equipment, use of chemicals, and similar hazards should be avoided. The applicant and their construction manager/contractor shall ensure that crane mats are utilized wherever heavy equipment is expected to operate near a tree.

NICHOLAS CIARIMBOLI | CODE ENFORCEMENT OFFICER
207-846-2401 | nciarimboli@yarmouth.me.us | yarmouth.me.us
200 Main Street, Yarmouth, ME 04096

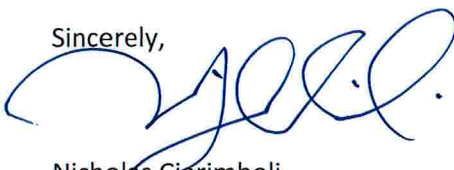
5. All work shall be completed in accordance with the attached memorandum from Mike Robitaille, Yarmouth Fire Chief, dated August 14, 2023.

Standard Conditions of Approval: Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan:** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel shall require the prior approval of a revised site plan by the Planning Authority.
2. **Separate Building Permits Are Required:** This approval does not constitute approval of building plans, which must be reviewed and approved by Yarmouth Code Enforcement Officer.
3. **Site Plan Expiration:** The site plan approval will be deemed to have expired unless work has commenced within one year of the approval or within a time period up to two years from the approval date if approved by Planning Director as applicable. Requests to extend approvals must be received before the one year expiration date.
4. **Appeals:** The Director of Planning and Development's decisions regarding minor site plans are appealable by an aggrieved party to the Planning Board within 30 days of the date of the issuance of the decision. Site plan decisions of the Planning Board are appealed to the Cumberland County Superior Court.

It should also be noted that some current ADU standards have been amended and these ordinance changes will take effect January 1, 2024. In particular, the requirement for owner occupancy has been eliminated. Additional action by the property owner may be required to amend the conditions of this approval in regard to these changes. Please don't hesitate to contact me if you have any need to follow up on this approval.

Sincerely,



Nicholas Ciarimboli
Code Enforcement Officer

CC: Nathaniel J. Tupper, Town Manager
Steven S. Johnson, Town Engineer
Erik S. Street, Director of Public Works
Karyn MacNeill, Community Services Director
Daniel Gallant, Police Chief
Michael Robitaille, Fire Chief
Scott LaFlamme, Economic Development Director
Erin Zwirko, Town Planner
Heather Jackson, Jackson Built
File copy



YARMOUTH MAINE

DATE: August 14, 2023
TO: Erin Zwirko, Town Planner
CC: Nicholas Ciarimboli, Code Enforcement Officer
FROM: Michael Robitaille, Fire Chief
RE: ADU Review – 0 Portland Street

On September 12, 2023, I reviewed the plans submitted by Kate Carey and Charlie Hewitt to construct an accessory dwelling unit (ADU) at 0 Portland Street. The following is required by State and Local requirements.

- Interconnect smoke detectors are required.
- Carbon Monoxide detectors are required to be installed.
- In accordance with Chapter 317 of the Yarmouth Ordinance, a sprinkler system will be required to be installed. Plans are required to be submitted to the State Fire Marshalls Office for approval. (Chapt. 3.2.1.3 Change of Use)
- The Yarmouth Water District must approve the water rates and connections for the sprinkler system.
- House numbers are required and must be visible from the road if within 50 feet of the road. If the home is greater than 50 feet, the applicant will be required to have 4” numbers at the entryway of the road.
- A Residential KNOX box is recommended, however not required, whereas a sprinkler system is installed and there is an ADU planned for this site.

Sincerely,

Michael Robitaille

Michael Robitaille
Fire Chief