

**YARMOUTH PLANNING BOARD MINUTES**

October 12, 2022

**I. CALL TO ORDER**

Wendi Holden called the meeting to order at 7:00 PM.

**II. ROLL CALL OF MEMBERS**

	<b>PRESENT</b>	<b>ABSENT</b>
Wendi Holden, Chair	X	
Janet Hansen, Vice Chair	X	
Andrew Bertocci	X	
Hildy Ginsberg		X
Mary Lynn Engel	X	
Jerry King	X	
Ian Cromarty	X	

**OTHERS**

- Erin Zwirko, Director of Planning & Development
- Julie Dubovsky, Assistant Planner
- Wendy Simmons, Administrative Assistant, Recording Secretary

**III. APPROVAL OF MINUTES**

Upon a motion duly made by Janet Hansen, seconded by Mary Lynn Engel and carried by a roll call vote of 6-0 the amended minutes of the September 28, 2022, meeting were approved.

**IV. COMMUNICATION**

- Update on Pay As You Throw, Erik Street, DPW Director  
 January 1, 2023 the Town will implement a Pay As You Throw (PAYT) system. The program was approved by Town Council to pay for Transfer Station Renovations and defray the increased cost for the disposal of Transfer Station waste. The Transfer Station can see up to 900 cars/day which has increased in the last few years with Yarmouth's population growth. The renovations consolidate activities into one area of the site and include two new compactors for trash and recycling which will reduce the amount of waste leaving the Transfer Station. Most everything that comes into the Transfer Station is sent back out to third parties such as ecomaine for disposal or recycling. Food waste will continue to be separated out and sent to Agri-cycle. The Recycling Committee considered many options to increase recycling rates, decrease transportation costs and reduce waste disposal and eventually decided to implement a PAYT program. 139 other communities in Maine utilize the same proven program. With the implementation the Transfer Station sticker cost will be reduced to \$2 from \$25 and recycling stickers will still be free. Public forum meetings sharing this new program will be held on 10/19, 11/16 and 12/7 at 6:30 in the Log Cabin. Meetings will be televised on local television and recorded.

E. Zwirko gave the following updates:

- 298 Main St. begins demolition on Monday, October 17. There may be changes in traffic.

- Update on Imagine Yarmouth, the Town's Visioning Initiative  
She and Julie Dubovsky have spent the summer working on the Visioning Process including outreach and engagement to capture public feedback on community identity, values and priorities. Keri Ouellette of BerryDunn reported on the interactive website activities over the summer. 1100 users visited the site. 123 responses were received. The Town engaged in several pop-up events throughout the summer. There were 3 unfacilitated Meeting-In-A-Box events and 5 facilitated by Town staff. 4 public visioning sessions were held, and the photo contest deadline is 10/13. General themes are the preservation of open space, creating a walkable town and maintaining Yarmouth's unique character. Next steps include an engagement summary and analysis, drafting a vision statement and a presentation to Town Council in November.

## V. PUBLIC HEARING ITEMS

### A. OLD BUSINESS:

None

### B. NEW BUSINESS:

1. **Action Item: Preliminary Development Plan, Building & Lot Plan, Major Site Plan, & Major Subdivision; CD-4, Village Center District; New Construction in the Lower Village Historic District; 90 Main Street; Map 32 Lots 7 & 11; Charlie Hewitt and Kate Carey, Applicants.**

The applicant seeks approval of a common development scheme at 90 Main Street and the rear property. The existing structure at 90 Main Street remains, and the applicant proposes to develop two single-family homes behind the existing structure at 90 Main Street. In this preliminary submission, two two-way driveways are proposed in their existing positions. Parking and other site improvements are also proposed. This proposal will require review of a Development Plan and Building & Lot plan per Chapter 703, Character Based Development Code, Major Site Plan per Chapter 702, Site Plan Review, and Major Subdivision Plan per Chapter 601, Subdivision. A vote may be taken on the Preliminary Subdivision, but this is not a final approval. Public comment will be received.

Adam Lemire, Travis Lettleier and Tom Platz, applicant representatives, updated the Planning Board on changes to the site plan and application. The applicant has reduced the overall footprint of the two homes and added porches. The first floor is designed to be accessible with one bedroom downstairs and 2 upstairs. Proposed lighting is attached to the building and is directed downwards at the sidewalk limiting light pollution. One light on the porch will be upward facing. The Thoroughfare/driveway they are proposing is an Alley configuration due to the size of the space they must work with. They propose 12' road with a 4' sidewalk. Waivers will likely be required for any Thoroughfare considered due to the space constraints. They reviewed the stormwater design and no additional runoff will be created. Offsite improvements include the sidewalk in front of 90 Main St. which is currently at 2 different grades. The applicant would like to discuss further with the Town Engineer and DPW to understand the goals of the Town Streetscape standards and how to best contribute. They will continue to talk with the Fire Chief about his concerns regarding the tree canopy in the hopes of preserving additional trees on the lot by trimming them regularly as opposed to complete removal. They propose all construction traffic come from the Main St. entrance and not Portland St.

Chair Holden opened to public comment.

Ed Ashley, 20 Spartina Point

He proposes the driveway be 16' wide with no sidewalk. An Alley has a shared use and cars should yield to pedestrians. Does not agree with the Fire Chief's determination that the trees should be removed in accordance with NFPA guidelines. Requested the Fire Chief share the NFPA language and guidelines which supports his comments regarding tree removal. Supports the canopy being cut and maintained and not removing the trees. Hopes the applicant will strongly consider taking the Historic Preservation Committee's suggestions regarding the architectural details. Concerned about the stormwater overflow at the back of the lot and how it will impact the neighbors.

Marge Titcomb, 18 Portland St.

Concerned about ongoing access to the easement and to their property and the driveway being within 2' of their house. Concerned about the 2 parking spaces at the house near their driveway entrance and how cars will back out of those spaces without passing onto their property. The proposed design layout is reducing their current driveway opening. Concerned about the management of snow plowing and removal.

Rebecca Rundquist, 55 West Elm St.

Confused about what zoning requirements apply. Is it MDR or CBDC? The proposed single-family homes face the MDR zone and not the CBDC. Houses should be repositioned to front Main St., not the Titcomb's or Portland St. which are part of MDR. Concerned about the preservation of legacy trees. Concerned about the driveway coming to a dead end which is essentially a cul-de-sac is not allowed in the CBDC.

Susan Prescott, 58 Hillside St.

The lot is very small and the proposed 2 houses are too much for the site. The applicant owns 90 Main St. and the houses should be positioned toward their property not the Titcomb's property. The proposed Alley doesn't make sense because an alley is typically a backway into a property. Questioned the Fire Chief's requirement of removing the trees. Concerned about the increase of impervious surface, loss of green space and impact on the environment. Agrees all construction traffic should be from Main St. Concerned about the preservation of heritage trees which is a requirement of the Code.

Lisa Small, 52 Balsam Lane

Concerned about the protection of the trees and the loss of small green spaces around town. Green spaces are good for the health of the environment and promotes the character of the Town. Concerned about the increase in impervious surface. The proposal is too much for the tiny space.

Public comment closed.

The Board requested more information from the Fire Chief regarding NFPA standards regarding his comments for the removal of certain trees. They requested guidance from the Tree Warden regarding how the health of a tree may be impacted by continued trimming. Have concerns about 2 separate houses proposed. Questioned the road frontage and the request for an Alley versus a Lane? E. Zwirko, an Alley is the

Approved: 11/9/2022

least restrictive and would require fewer waivers than a Lane. The dead-end driveway would likely require a waiver. They questioned a need for a sidewalk and a narrower driveway? Questioned how people will back out of the parking spaces and not cross onto the Titcomb's property. Requested a turning movement analysis. Questioned the location of the dumpster and how it will be serviced? Questioned if there will be buffering between the houses on Main St. & Portland St. because the proposed houses are positioned to look at the back of the existing houses. Questioned the architectural style proposed; feels like there are several architectural styles with varying window types and look of the houses. Requested they pick one style and be consistent. Requested a glazing analysis. Requested confirmation that the Titcomb's easements will not change and more information about snow removal.

A. Lemire, the narrower driveway and sidewalk were proposed to give the Titcomb's property more of a buffer.

Travis Lettleier, there is not a significant increase in impervious surface because much of the property is currently gravel.

The Board discussed the benefits of a site visit, and settled on November 2, 2022, at 5 PM. The Board requested E.Zwirko invite the Fire Chief.

The Board did not feel ready to vote on the Preliminary Subdivision.

A motion was made by Janet Hansen to continue the Preliminary Review of Site Plan, Subdivision and Building and Lot Plan to the December 14, 2022 Planning Board Meeting. Seconded by Jerry King and carried by a roll call vote of 6-0 (Ginsberg absent).

### **ADJOURNMENT**

With no objection, the meeting adjourned at 9:55 PM.

Respectfully submitted:

---

Wendy Simmons, Administrative Assistant, Recording Secretary