



Erin Zwirko, AICP, LEED AP
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TOWN OF YARMOUTH
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September 19, 2022

David Chase
39 Nubbin Reach
Yarmouth, ME 04096

Dear Mr. Chase:

On September 14, 2022, the Yarmouth Planning Board voted to approve the Shoreland Zoning Permit to remove the existing two-story porches and replace with a two-story three-season porch on a new foundation at 39 Nubbin Reach with the following motions and votes:

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Report dated September 8, 2022, relevant to the Three-season Porch Replacement, David Chase, Applicant, Shoreland Zone Review, 39 Nubbin Reach, and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

Regarding Chapter 701 Article IV, Section R.5.a(2) & (3), Foundation Replacement and Relocation Assessment, that in the case that the foundation of the nonconforming structure is replaced that the plan is set back from the shore edge to the greatest practical extent according to the standards for relocation contained in Article IV.R.5.a(3), and is approved as to location.

Such motion moved by Janet Hansen, seconded by Mary Lynn Engel, and voted 6 in favor, zero opposed (one vacancy).

Regarding Shoreland Permit Review Chapter 701 Article IV.R.7.c. Principal and Accessory Structures, that the plan is in conformance with the standards for review of this section including allowance of non-vegetated lot coverage, and is approved.

Such motion moved by Janet Hansen, seconded by Mary Lynn Engel, and voted 6 in favor, zero opposed (one vacancy).

"Our Latchstring Always Out"

Regarding Shoreland Permit Review Chapter 701 Article IV.R.11 a & b, Procedure for Administering Permits and Review Criteria, that the plan is in conformance with the standards for review of this section, and is approved with the following conditions.

Such motion moved by Janet Hansen, seconded by Mary Lynn Engel, and voted 6 in favor, zero opposed (one vacancy).

Conditions of Approval:

1. During construction, the applicant and their construction manager/contractor shall ensure that the protective fence to be placed around the oak trees located between the structure and the top of bank and is maintained in good condition. In addition, the applicant and their construction manager/contractor shall ensure that these trees are adequately watered and fertilized, and a thick layer of mulch is placed within the protected area for the duration of construction. 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.
2. All erosion and sedimentation controls (ESC) best management practices (BMPs) shall be installed prior to the disturbance of site soils and vegetation. During construction, the applicant and their construction manager/contractor shall perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit.

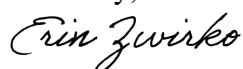
Standard Conditions of Approval:

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 Board or 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. Permit Expiration: The permit shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the date of issuance of the permit, the applicant shall have one additional year to complete the project at which time the permit shall expire.
4. Preconstruction Meeting: At least two weeks prior to the release of a building permit or start of site construction, a construction schedule shall be provided by the owner, agent, or contractor to the Town Engineer, Code Enforcement Officer Public Works Director and Director of Planning and Development detailing the construction schedule and critical aspects of the site work. The Town representatives may require a preconstruction meeting with the contractor to review the approved plans and conditions of approval prior to start of construction.
5. Landscaping: All required landscaping shall be guaranteed for a 2-year period.

We are looking forward to working with you. Please don't hesitate to contact me if you have any need to follow up on this approval.

Sincerely,



Erin Zwirko, AICP, LEED AP
Director of Planning & Development

CC:

Chair and Members of the Yarmouth Planning Board

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

Nicholas Ciarimboli, Code Enforcement Officer

Scott Couture, Tree Warden

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