



Erin Zwirko, AICP, LEED AP
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TOWN OF YARMOUTH

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March 14, 2023

Harry Hepburn IV, AIA, LEED-AP
Briburn
28 Maple Street, Suite 202
Portland, ME 04101

Dear Mr. Hepburn:

On March 8, 2023, the Yarmouth Planning Board voted to approve the Shoreland Zoning Permit to renovate and expand the single-family home at 797 Princes Point Road with the following motions and votes:

Reconstruction or Replacement and Relocation Assessment

On the basis of the plans presented by the applicant, the testimony and public hearing, and the findings of Planning Staff Memo dated February 28, 2023 regarding the application of Laura and Sam Rigby, Applicants, 797 Princes Point Road, Map 24 Lot 62, regarding Chapter 701 Article IV.R.a.(3) and (4), Reconstruction or Replacement, and Relocation Assessment, the Planning Board finds 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.a(3), and is approved as to location.

Such motion moved by Jerry King, seconded by Mary Lynn Engel, and voted 5 members in favor, 0 members opposed (Cromarty absent, 1 vacancy).

Shoreland Zoning Permit

On the basis of the plans presented by the applicant, the testimony and public hearing, and the findings of Planning Staff Memo dated February 28, 2023 regarding the application of Laura and Sam Rigby, Applicants, 797 Princes Point Road, Map 24 Lot 62, regarding Shoreland Permit Review Chapter 701 Article IV.R.11 a & b, the Planning Board finds that the plan is in conformance with the standards for review of this section, and is approved subject to the following conditions of approval.

Such motion moved by Jerry King, seconded by Mary Lynn Engel, and voted 5 members in favor, 0 members opposed (Cromarty absent, 1 vacancy).

"Our Latchstring Always Out"

Conditions of Approval:

1. Prior to the issuance of a building permit, the applicant shall submit a letter of no impact from the Maine Historic Preservation Commission.
2. The applicant shall coordinate with the Yarmouth Water District to determine the water service size to support domestic water service if a sprinkler system is required per Chapter 317, Town of Yarmouth Fire Sprinkler Ordinance.
3. The applicant shall comply with the requirements of the Fire Chief as outlined in his memorandum dated February 27, 2023.
4. All erosion and sedimentation controls (ESC) best management practices (BMPs) shall be installed prior to the disturbance of site soils and vegetation. This includes preventing any track out from the site into the public right-of-way through daily cleanings. 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.
5. All tree protection measures shall be installed prior to the disturbance of site soils and vegetation. 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 the existing and protected trees.
6. Prior to the issuance of a building permit, if any trees are to be removed outside the 75-foot shoreland buffer zone, the applicant shall provide the cleared area and basal area removal calculations as required and in accordance with the standards of CH. 701, Art. IV.R.7.k. This may be reviewed and approved by the Code Enforcement Officer.
7. The applicant must submit a sewer connection permit and associated fee prior to the issuance of a building permit. However, if the applicant does not connect to the public sewer system, prior to the issuance of a building permit, the applicant shall provide additional detail regarding the existing septic system including a report verifying the system is in good working order, and have the system and components location identified on the plot plan. If replacement of any part or the whole septic system is needed, the property owner may be required to abandon the existing septic system and connect to the available public sewer at that time.

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: 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. 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.
5. Landscaping: All required landscaping shall be guaranteed for a 2-year period.

We look 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:

Laura and Sam Rigby, Owners
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
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