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February 8th, 2023

Yarmouth Planning Board & Code Enforcement Office Yarmouth Town Hall 200 Main Street Yarmouth, Maine 04096

RE: Application for Shoreland Zoning of Sam Rigby & Laura Rigby 797 Prince's Point Road, Yarmouth, ME, 04096 Parcel 24-62

To Whom it May Concern,

Enclosed is the Shoreland Zoning Permit Application for the proposed renovation of an existing single family detached dwelling unit at the property located at 797 Prince's Point Road, Yarmouth, Maine. The following documents are included in the application:

- 1. Shoreland Zoning Permit Application
- 2. Letter of Authorization
- 3. Property Deed
- 4. Project Narrative
- 5. Existing Site Survey
- 6. GIS Maps
- 7. Existing Site Photos
- 8. Architectural Site Plan (includes zoning requirements as well as existing and proposed lot coverage)
- 9. Architectural Floor Plans
- 10. Architectural Elevations
- 11. Exterior Renders
- 12. Architectural Demo Plans
- 13. Architectural Demo Elevations

Sincerely,

Harry W Hepburn IV, AIA, LEED-AP Maine Registered Architect

TOWN OF YARMOUTH

200 Main Street

Yarmouth, Maine 04096

(207)846-2401

WWW.YARMOUTH.ME.US Fax: (207)846-2438

SHORELAND ZONING PERMIT APPLICATION

PERMIT #	ISSUE DATE		FEE AMOU	JNT
Date:	Zoning District	_ Map	Lot	_Ext
	ИЕ:		PHONE NO: _	
MAILING ADDRESS:		e	-mail	
OWNER (other than NAME:		у	_PHONE NO: _	
ADDRESS:			e-mail	
MAILING	Brian Plowman			
ADDRESS:			e-mail_brianj	plowman@gmail.com
PROPERTY				

Applicant must also include a narrative of the project including a description of all proposed construction, (E.G. Land clearing, road building, septic systems and wells – Please note: A site plan sketch is required on a separate sheet of paper no less than 11" x 17" or greater than 24"x36"

Please note: Plan set must be bound (not rolled) with a cover sheet and index.

Proposed use of project: _______Estimated cost of construction______Estimated cost of construction______E Lot area (sq. ft.)______ Frontage on Road (FT) ______ SQ. FT. of lot to be covered by non-vegetated surfaces ______ Elevation above 100 YR Flood Plain_____ FROM BASEMENT SLAB Frontage on water body (FT.)_____

Height of proposed structure <u>19'-8"</u> [From Avg Grade]

Existing use of property Single Family Detached Dwelling Unit

Proposed use of property Single Family Detached Dwelling Unit

- *Note:* NEXT Questions apply only to expansions of portions of existing structures that are less than the required setback.
 - A) Total building footprint area of portion of structure that is less than required setback as of 1/1/89:<u>2703</u>_____SQ.FT.
 - B) Actual shore setback of existing structure proposed for expansion (measured as required in SOD, e.g.: Highest Annual Tide; Upland Edge of Coastal Wetland; Top of Bank (RP); Normal High Water Line of rivers and streams; as applicable): <u>44'-6" from HAT</u>
 - C) Building footprint area of expansions of portion of structure that is less that required setback from 1/1/89 to present: <u>0</u>_____SQ.FT.
 - D) Building footprint area of proposed expansion of portion of structure that is less than required setback: <u>545</u>_____SQ.FT.
 - E) % Increase of building footprint of previous and proposed expansions of portion of structure that is less than required setback since 1/1/89: % increase = $((\underline{C+D})x100)/A = \underline{20.2\%}$ %
 - F) Floor Area and Market Value of Structure prior to improvements: (a) <u>Area:</u> 3,234 sf <u>Value: 220K</u>. Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) <u>Area: 600sf</u> <u>Value: 30K</u>. If the floor area or market value of (b) exceeds 50% of the area or value of (a), then the Relocation provisions of Article IV.R.5.a.(3) and (4) shall apply. **Note:** A value appraisal may be required or submitted in close cases where the applicant asserts that that 50% trigger and relocation assessment provision is not met. **Any plan revisions after initial approvals to replace rather than renovate building components (foundations, framing, etc.) shall be required to recalculate the extent of removal, damage or destruction relative to retained structure.**
 - Please provide a site plan to include lot lines, area to be cleared of trees and other vegetation; the exact position of proposed structures, including decks, porches, and out buildings with accurate setback distances form the shoreline, side and rear property lines; the location of proposed wells, septic systems, and driveways; and areas and amounts to be filled or graded. If the proposal is for the expansion of an existing structure, please distinguish between the existing structure and the proposed expansion.
 - □ Note: For all projects involving filling, grading, or other soil disturbance you must provide a soil erosion control plan describing the measures to be taken to stabilize disturbed areas before, during and after construction.
 - □ Draw a simple sketch showing both the existing and proposed structures with dimensions.

SHORELAND ZONING PERMIT CHECKLIST

Please note that this checklist is intended to help applicants identify major submittal components but it is the applicant's responsibility to review the SOD/RP provisions outlined in Chapter 701 of the Yarmouth Code and provide all required information as well as conform to all design components. Copies of Chapter 701 are available at the Yarmouth Town Hall or can be downloaded on the Town website which is <u>www.yarmouth.me.us</u>.

- □ Complete Shoreland Zoning Permit application including signatures of property owners and agents.
- □ Appropriate fee.
- □ Square footage of lot area within the 250' SOD
- □ Square footage and % of lot covered by non-vegetated surfaces within the SOD
- □ Square footage and % of cleared area within lot area within the SOD
- □ Delineation of 75' setback from upland edge of the coastal wetland
- □ Delineation of 250' SOD line from upland edge of the coastal wetland.
- Delineation of Resource Protection District
- □ Height of any proposed structures as measured between the mean original grade at the downhill side of the structure and the highest point of the structure
- □ Building elevations of any proposed structures as viewed from side and rear lot lines
- □ % Increase of expansions of portion of structure which is less than the required setback (if applicable)
- Floor Area and Market Value of Structure prior to improvements: (a) <u>Area:</u>
 <u>Value:</u> . Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) <u>Area:</u> <u>Value:</u>.
- □ Elevation of lowest finished floor to 100 year flood elevation
- Evidence of submission of the application to the Maine Historic Preservation Commission (MHPC) at least twenty (20) days prior to the Planning Board meeting as required in Article IV.R.O
- □ Copy of additional permit(s) if applicable:
 - Planning Board (e.g. Subdivision, Site Plan Review)
 - Board of Appeals
 - Flood Hazard
 - Exterior plumbing permit (Approved HHE 200 Application Form)
 - Interior plumbing permit
 - DEP permit (Site Location, Natural Resources Protection Act)
 - Army Corps of Engineers Permit (e.g. Sec. 404 of Clean Waters Act)
- Please circle all habitat types, marine organisms and shoreline elements present:
 (Sand beach) (boulder/cobble beach) (sand flat) (mixed coarse & fines) (salt marsh)
 (ledge) (rocky shore) (mudflat) (sediment depth if known) (Bluff/bank) (Mussels) (clams)
 (marine worms) (rockweed) (eelgrass) (lobsters) (other_____)
- □ Signs of intertidal erosion? (Yes) (no)
- □ Energy: (protected) (semi-protected) (partially exposed) (exposed)
- \Box Copy of deed
- □ Soil erosion control plan
- □ Photographs
- \Box Plan view

NOTE: Applicant is advised to consult with the CEO and appropriate state and federal agencies to determine whether additional permits, approvals, and reviews are required.

CONDITIONS OF APPROVAL

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

I certify that all information given in this application is accurate. All proposed uses shall be in conformance with this application and the Town of Yarmouth Shoreland Regulations in the Zoning Ordinance. I agree to future inspections by the Code Enforcement Officer / Planning Director / Planning Board members (as applicable) at reasonable hours and with advance notice.

"I authorize appropriate staff within the Yarmouth Planning Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to collect facts pertaining to my application."

Applicant Signature	Date 2/8/23
Agent Signature	Date
Code Enforcement Officer	
DATE OF APPROVAL / DENIAL OF APPLICATION	

(by either staff or planning board)



Letter of Authorization

To Whom It May Concern:

I, Loura Right, owner of property at 797 Prince's Point Road, Yarmouth, ME 04096 (Parcer 24-62) hereby authorize Briburn Architecture to act as my agent in obtaining the necessary permits for the above referenced property.

Signature Xamark Date: 2/1/23

RECORDING REQUESTED BY AND AFTER RECORDING RETURN TO: James A. Hopkinson, Esq. Hopkinson & Abbondanza, P.A. 511 Congress Street, Suite 801 Portland, ME 04101

WARRANTY DEED

THIS INDENTURE WITNESSETH, that MARY F. CONNEEN, surviving joint tenant of THOMAS F. CONNEEN, ("Grantor"), of Cumberland County, in the State of Maine, CONVEYS AND WARRANTS to MARY F. CONNEEN, sole Trustee under the MARY F. CONNEEN LIVING TRUST dated September 7, 2006, and any amendments thereto, of Cumberland County, Maine, for valuable consideration, the receipt of which is hereby acknowledged, with Warranty covenants, certain real estate on Princes Point, on the Eastern shore of Broad Cove, in the Town of Yarmouth, County of Cumberland, in the State of Maine, described as follows in a deed from ALEXANDER H. TWOMBLY to THOMAS F. CONNEEN and MARY F. CONNEEN which deed was dated September 16, 1966, and recorded in the Cumberland County Registry of Deeds on September 26, 1966, in Book 2974, Page 226:

<u>PARCEL 1</u>. Beginning at an iron post marked with the letter "T" situated South 32 $\frac{1}{2}^{\circ}$ West Seventy-Four (74) feet from a big oak tree and Fifty (50) feet from high water mark on the shore of said Broad Cove; thence North 25 $\frac{1}{2}^{\circ}$ West Fifty (50) feet to high water mark on said shore; thence following said high water mark on said shore in a general direction of North 50 $\frac{1}{2}^{\circ}$ East about Sixty-Three (63) feet to a point; thence following said high water mark in a general direction of North 13° West about One Hundred Fifty-Eight (158) feet to a point; thence following said high water mark North 42° East about Thirty-Five (35) feet to a point; thence following said high water mark in a general direction of South 67 $\frac{3}{4}^{\circ}$ East about Fifty-Five (55) feet to a point; thence following said high water mark about South 15 $\frac{1}{2}^{\circ}$ East One Hundred and Forty-Three (143) feet to a point; thence following said high water mark

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South 2° East Ninety-Seven (97) feet to a point; thence South 82 $\frac{1}{2}^{\circ}$ West One Hundred (100) feet to the place of beginning, being the point forming the Western boundary of Taylor's Folly Cove, so-called.

PARCEL 2. Beginning at an iron post marked with the letter "T" situated South 82 ¹/₂° West, Seventy-Four (74) feet from a big oak tree and Fifty (50) feet from high water mark on the shore of said Broad Cove; thence North 82 $\frac{1}{2}^{\circ}$ East in line with said oak tree, One Hundred (100) feet to high water mark on the shore of Taylor's Cove, so-called; thence South 64 3/4° West in line with an iron post, Three Hundred Fifteen (315) feet to an iron post; thence North 20 1/2° West in line with an iron post, One Hundred Forty-Eight and Six Tenths (148.6) feet to high water mark on the shore of said Broad Cove; thence following the high water mark on said shore in a general direction of North 32° East, Eighty-One and Six Tenths (81.6) feet to a point; thence following this high water mark on said shore in a general direction of North 71° East, Thirty-Five (35) feet to a point; thence following the high water mark on said shore in a general direction of South 26° East, One Hundred Eleven and Six Tenths (111.6) feet to a point; thence following the high water mark on said shore in a general direction of North 70 1/2° East, Ninety-Six and Six Tenths (96.6) feet to a point on said shore; thence South 25 ¹/₂° East, Fifty (50) feet to the place of beginning.

It is agreed and understood that this deed and conveyance does not include any of the land or flats between the high water mark of the boundary of the above described premises and the low water mark.

<u>PARCEL 3</u>. Beginning at an iron pin in the ground at the Southerly corner of land owned by the said Alexander H. Twombly; thence South 26 $\frac{1}{2}^{\circ}$ degrees East, Eighty-Seven (87) feet to an iron pin in the ground; thence North 60 $\frac{1}{2}^{\circ}$ East, Three Hundred Twenty-Two (322) feet to an iron pin in the ground near a white birch tree standing near the line of the bank on the shore of the cove; thence Northwesterly by the line of said bank to the land conveyed to said Twombly as aforesaid; thence Southwesterly by the line of said Twomly's land to the place of beginning.

<u>PARCEL 4</u>. Beginning at an iron post set in the ground at the most Northeasterly line of land which the Grantor and John D. Cleaves, deceased, conveyed to Alexander H. Twombly by deed dated August 31, 1900, and recorded in the Cumberland Registry of Deeds, Book 695, Page 153, which point is One Hundred Fourteen (114) feet from high water mark on the shore of Taylor's Cove; thence on a course South 54° East along the line of land sold to Benjamin Thompson, now owned by Havelock Kingston, of Somerville,

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Massachusetts, to an iron post set in the ground on the Northerly side of the right-hand branch of the road from Yarmouth Village to Princes Point; thence by the line of said road Sixteen (16) feet to an iron post set in the ground; thence, keeping this strip of land Sixteen (16) feet wide, to the land formerly of Alexander H. Twombly; thence by the land of said Twombly Sixteen (16) feet to the point or place of beginning.

This conveyance is subject to all restrictions, easements and encumbrances of record.

Received Recorded Resister of Deeds Grantor: Cumberland County Pamela E. Lovles

STATE OF MAINE)) SS: COUNTY OF CUMBERLAND)

Before me, a Notary Public in and for said County and State, personally appeared MARY F. CONNEEN, who acknowledged execution of the foregoing Warranty Deed to be her free act and deed.

WITNESS my hand and notarial seal this 8th day of February 2007.

ANITA S. WEINER - NOTARY PUBLIC

My Commission Expires: February 6, 2013

NER

ANITA S. WEINER Notary Public, Maine My Commission Expires February 6, 2013

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This instrument prepared by James A. Hopkinson, attorney, Hopkinson & Abbondanza, P.A., 511 Congress Street, Suite 801, Portland, Maine 04101, (207) 772-5845



Prince's Point Renovation

797 Prince's Point Road, Yarmouth, ME

Project Narrative:

This Shoreland Zoning Permit Application is for the proposed renovation of an existing single-family detached dwelling unit at the above referenced property.

The scope of work is as follows:

-The removal of the existing garage while preserving its existing foundation and slab.

- -Expanding conditioned living space directly over the existing garage foundation.
- -A proposed dormer to allow for a small secondary level for storage.
- -A proposed detached garage to the southwest, adjacent to the old garage location.
- -A proposed exterior deck that wraps around to the rear.
- -Proposed interior remodeling.
- -Improved building envelope

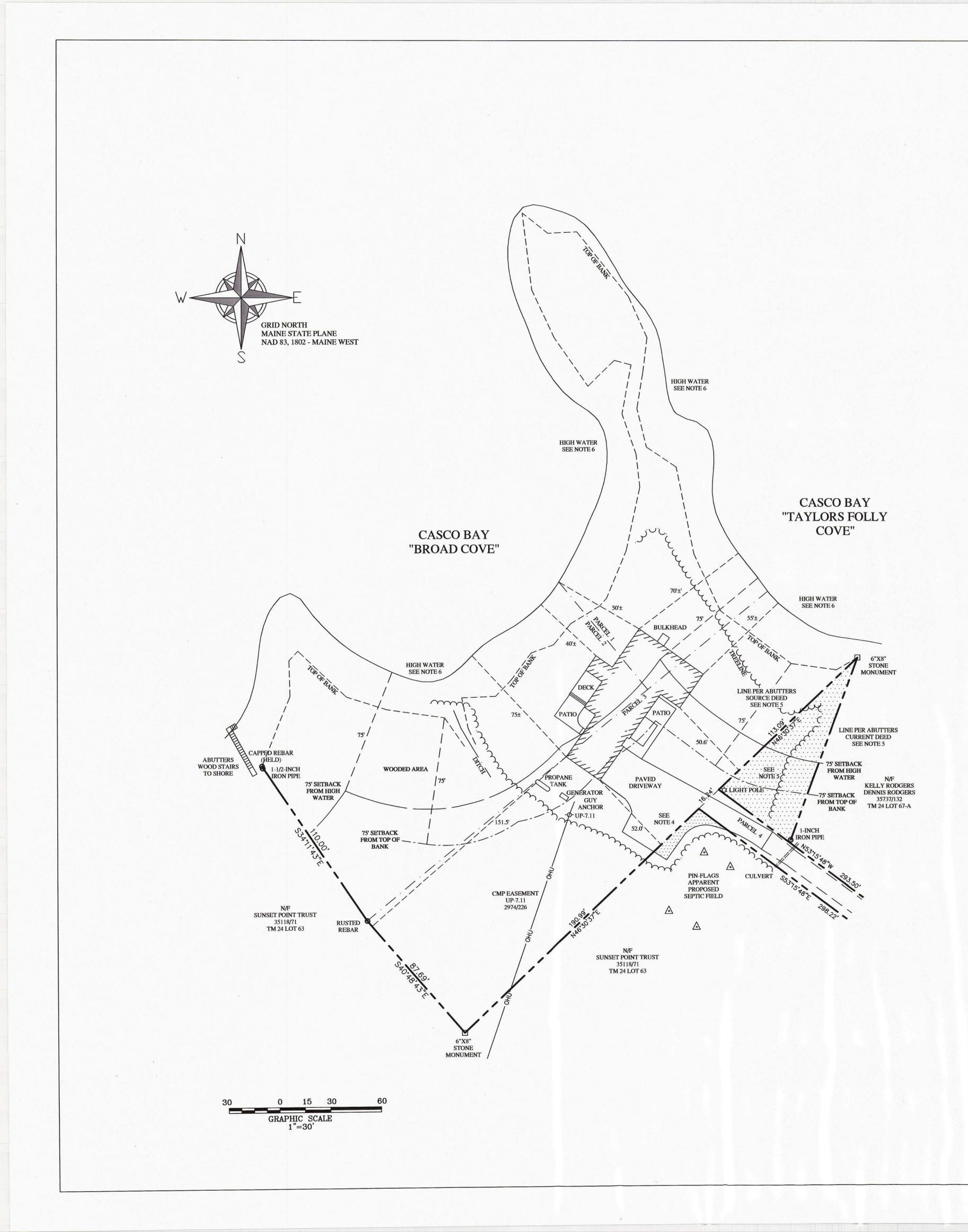
Refer to Architectural Floor Plans for scope of interior remodeling for bedrooms, bathrooms, kitchen, dining and living room.

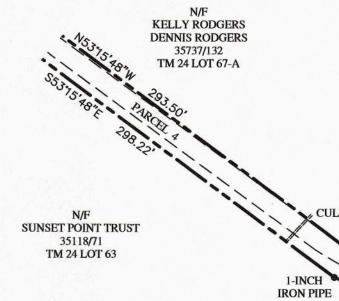
The entirety of the existing residence is located within the 250ft Shoreland Overlay District. The house is located close to a natural headland and is bounded by water on its Northwest, North and Northeast sides. Due to these site characteristics irregular portions of the existing house fall within the 25' -75' setback as well as >75' setback. Refer to A100 for a graphic description of setbacks and impervious coverage. No structure, existing or proposed, falls within the <25' setback. The allowable lot coverage is 20% of the overall site within the Shoreland Overlay District per the Zoning Ordinance of the Town of Yarmouth. Proposed overall lot coverage is 11%, up from the existing 8%.

A new frost protected foundation is proposed for the new garage as well as frost posts for the new deck. The garage structure falls within the buildable area (beyond the 75' setback). The remaining scope falls within the existing building footprint which was built in 1970. A screen porch was added in 2008, but was built over an existing deck. Bluff stabilization was completed in 2004 with no current signs of erosion.

Existing vegetation will be preserved to the greatest extent possible. No existing trees will be removed within the 75ft setback. Efforts will be made to preserve the existing tree line beyond the 75ft setback. Area around the house perimeter consists of grass and shrubs and will be maintained.

During construction, erosion control measures will be provided. This will include hay bales, stakes, and hay mulch, erosion control matting, filter fabric, and temporary seeding. All soil erosion and sedimentation control will be done in accordance with Maine Erosion and Sedimentation Control Handbook: Best Management Practices, MEDEP March 2003 and as revised.





35118/71

SURVEY NOTES:

(1) THE OWNER OF RECORD IS THE MARY F. CONNEEN LIVING TRUST, MARY F. CONNEEN TRUSTEE AS DESCRIBED IN A DEED RECORDED IN BOOK 24835 PAGE 311 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

(2) THE PARCEL IS SHOWN AS LOT 62 ON THE TOWN OF YARMOUTH ASSESSORS MAP 24.

(3) BEARINGS ARE GRID NORTH, MAINE STATE PLANE 1802 WEST ZONE.

(4) AREA OF PAVED DRIVEWAY ENCROACHES ON ABUTTING PARCEL.

(5) THE CURRENT DEED FROM THOMAS MORRELL TO KELLY RODGERS AND DENNIS RODGERS IN BOOK 35737 PAGE 132 RUNS FROM THE IRON PIPE AT THE DRIVEWAY TO THE STONE MONUMENT AT THE TOP OF BANK. THE DEED TO BENJAMIN THOMPSON IN BOOK 872 PAGE 331 APPEARS TO BE THE STRAIGHT LINE RUNNING BETWEEN THE STONE MONUMENTS SHOWN. A BOUNDARY AGREEMENT IS RECOMMENDED.

(6) THE APPROXIMATE LOCATION OF THE HIGH WATER LINE IS TAKEN FROM LIDAR DATA AT ELEVATION 8 AND IS SHOWN FOR ILLUSTRATIVE PURPOSES.

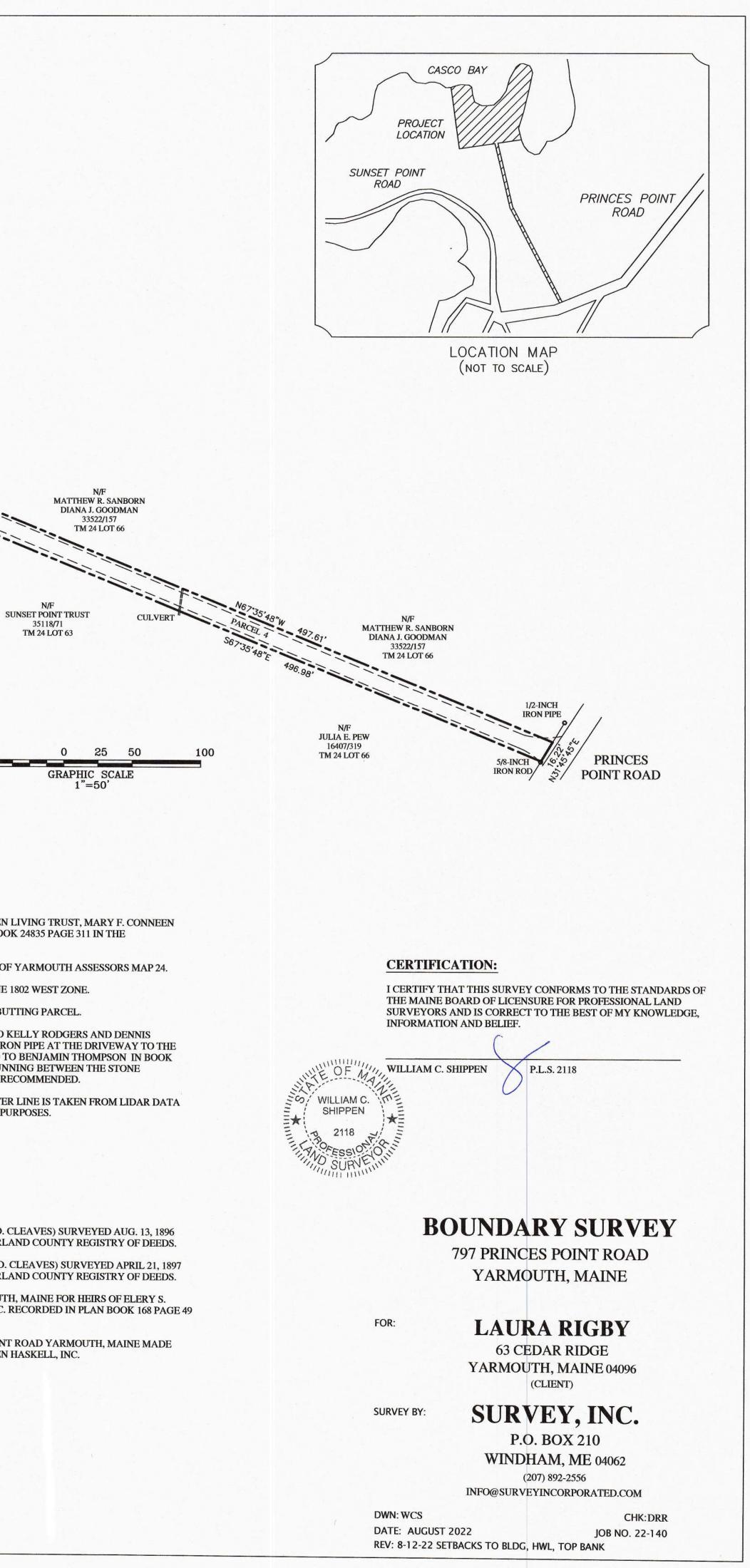
PLAN REFERENCES:

(1) PROPERTY OF ALEX H. TWOMBLY (FORMERLY J.D. CLEAVES) SURVEYED AUG. 13, 1896 RECORDED IN PLAN BOOK 8 PAGE 57 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

(2) PROPERTY OF ALEX H. TWOMBLY (FORMERLY J.D. CLEAVES) SURVEYED APRIL 21, 1897 RECORDED IN PLAN BOOK 8 PAGE 85 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

(3) PLAN OF LAND ON SUNSET POINT ROAD YARMOUTH, MAINE FOR HEIRS OF ELERY S. HARRIS DATED 10-19-87 BY DELTA ENGINEERING, INC. RECORDED IN PLAN BOOK 168 PAGE 49 IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.

(4) STANDARD BOUNDARY SURVEY ON PRINCES POINT ROAD YARMOUTH, MAINE MADE FOR ARLENE THOMPSON DATED DEC. 9, 2000 BY OWEN HASKELL, INC.



Town of Yarmouth Public Map Viewer

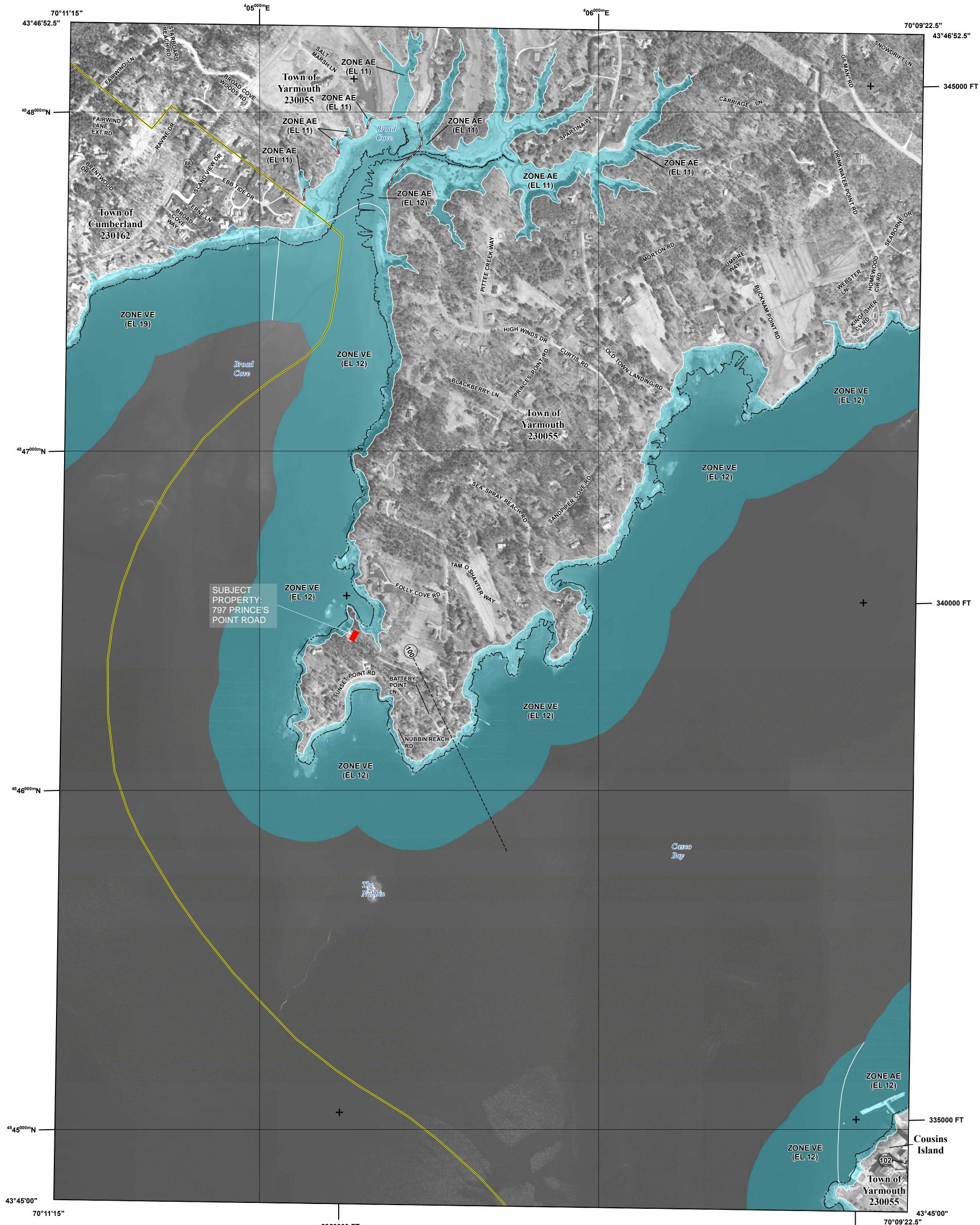




Town of Yarmouth Public Map Viewer





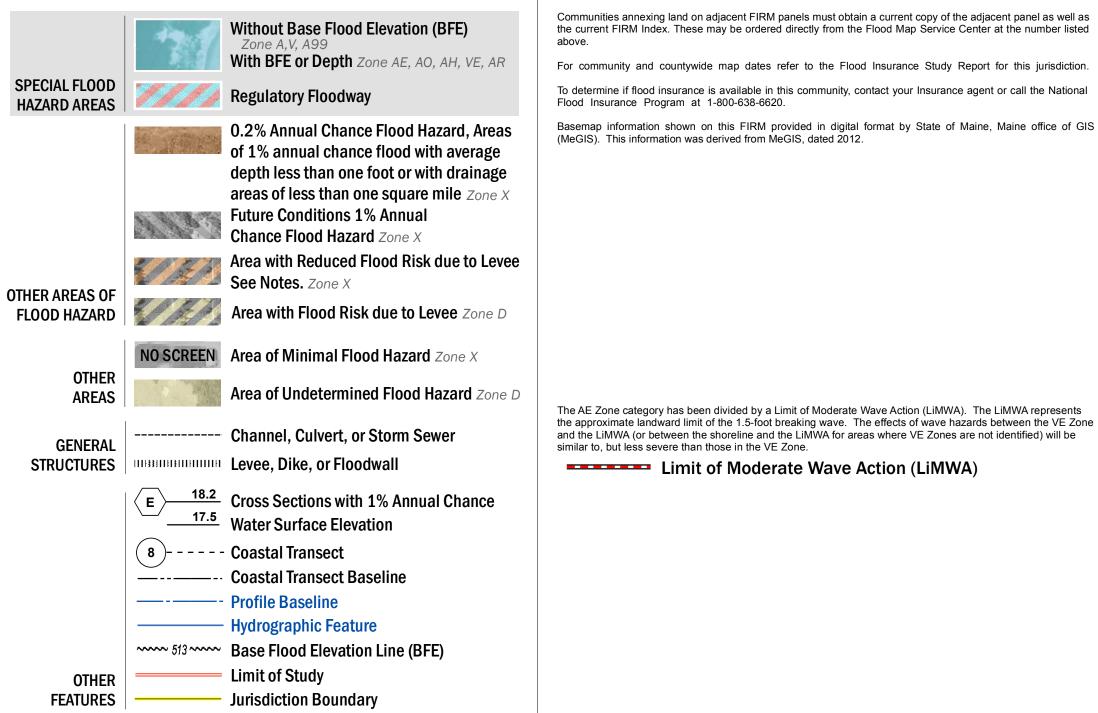


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FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTP://MSC.FEMA.GOV



NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

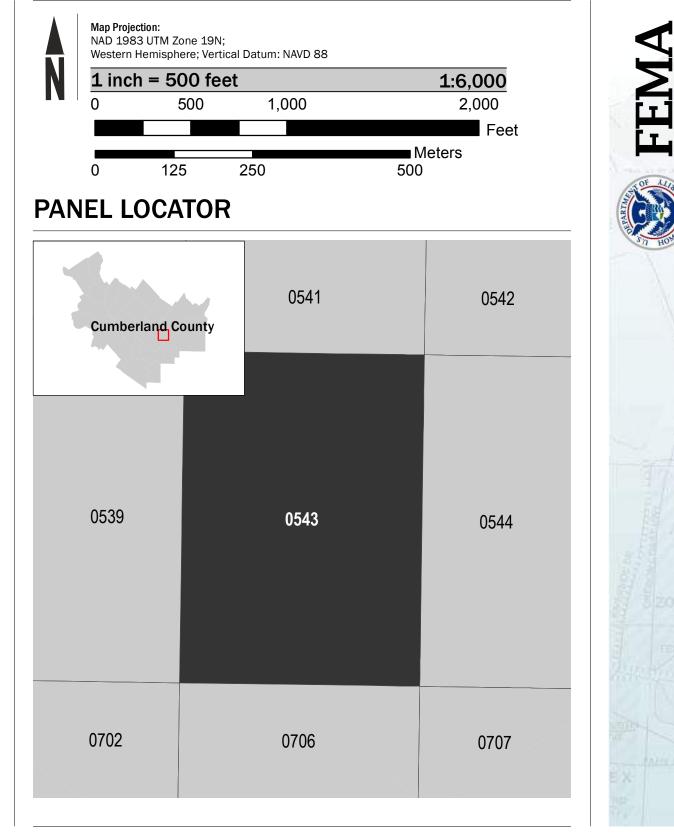
Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed

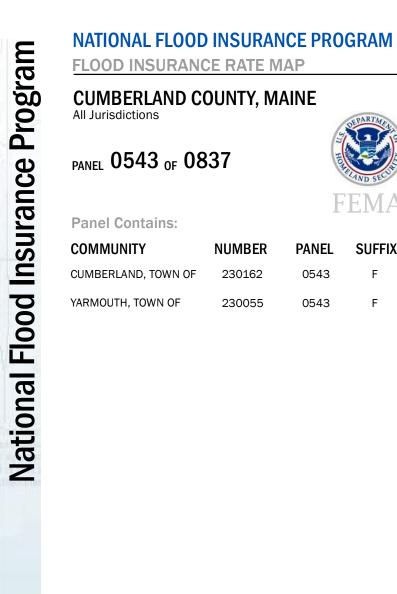
For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National

Basemap information shown on this FIRM provided in digital format by State of Maine, Maine office of GIS

SCALE





FEMA

SUFFIX

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PANEL

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0543

REVISED **VERSION NUMBER** 2.3.2.1 PRELIMINARY **MAP NUMBER** 4/14/2017 23005C0543F **EFFECTIVE DATE**



<u>Prince's Point Renovation – Existing Photos</u> 797 Prince's Point Road, Yarmouth, ME



Southeast Elevation View 1



Northeast Elevation View



Northwest Elevation View 2



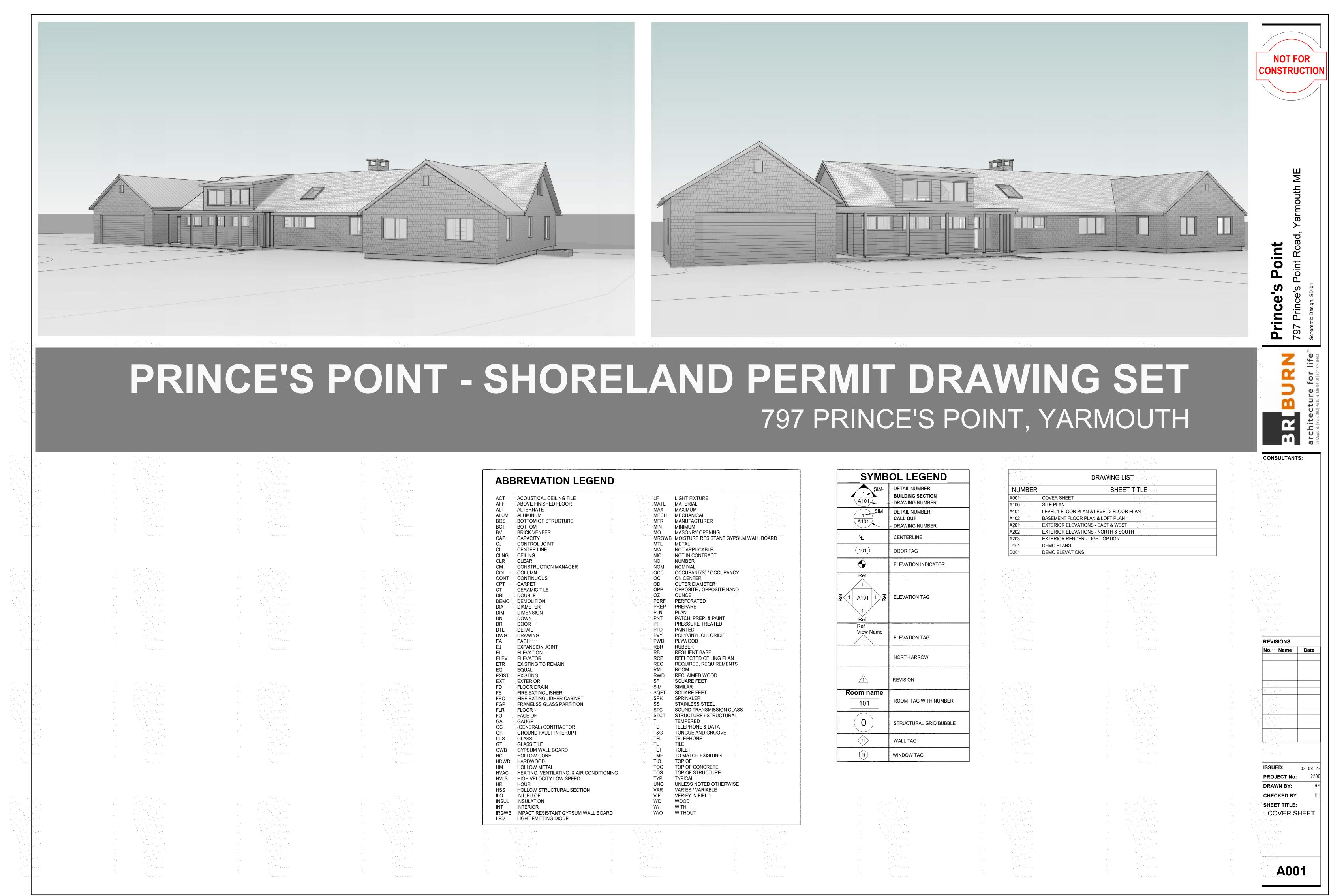
Southeast Elevation View 2



Northwest Elevation View 1

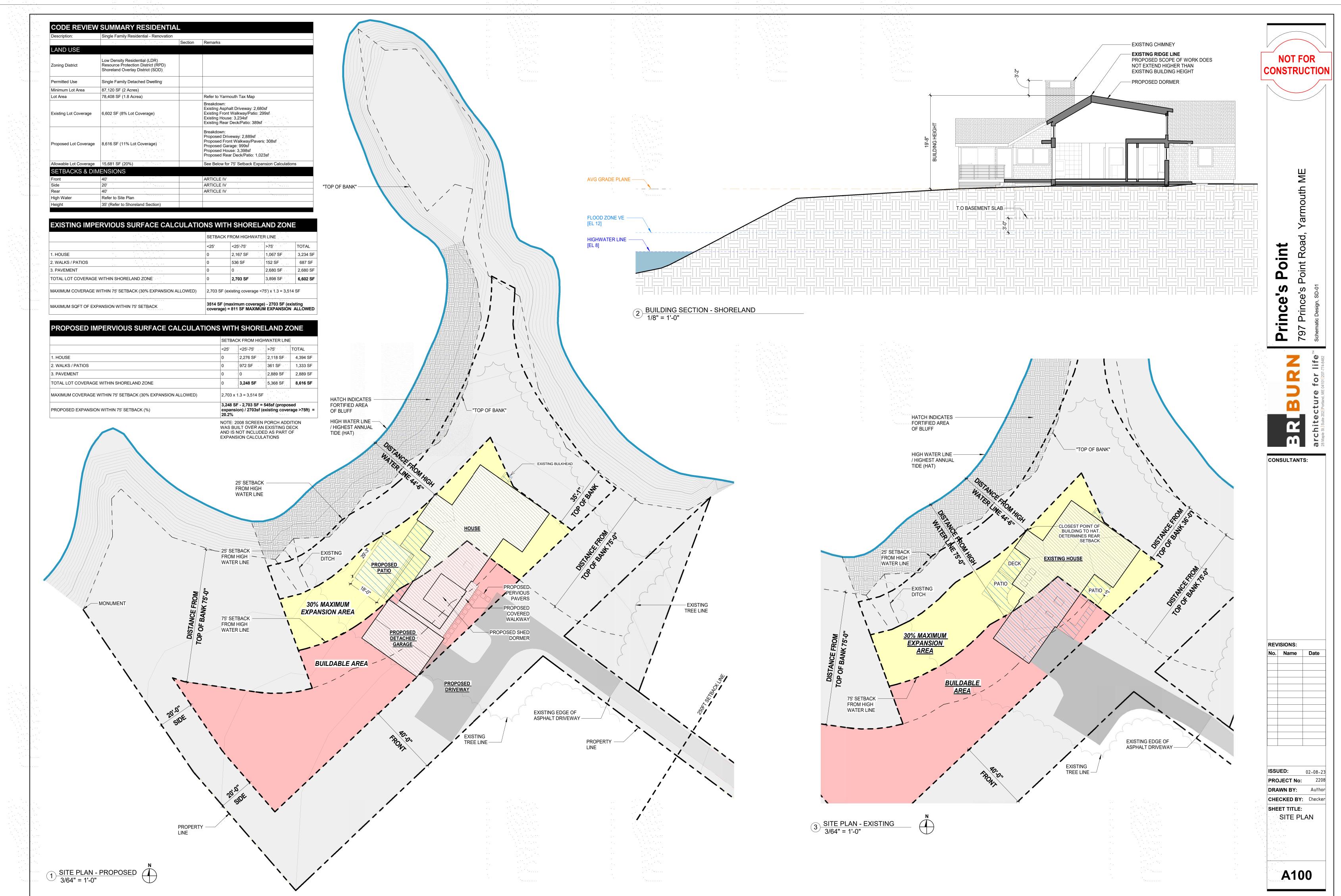


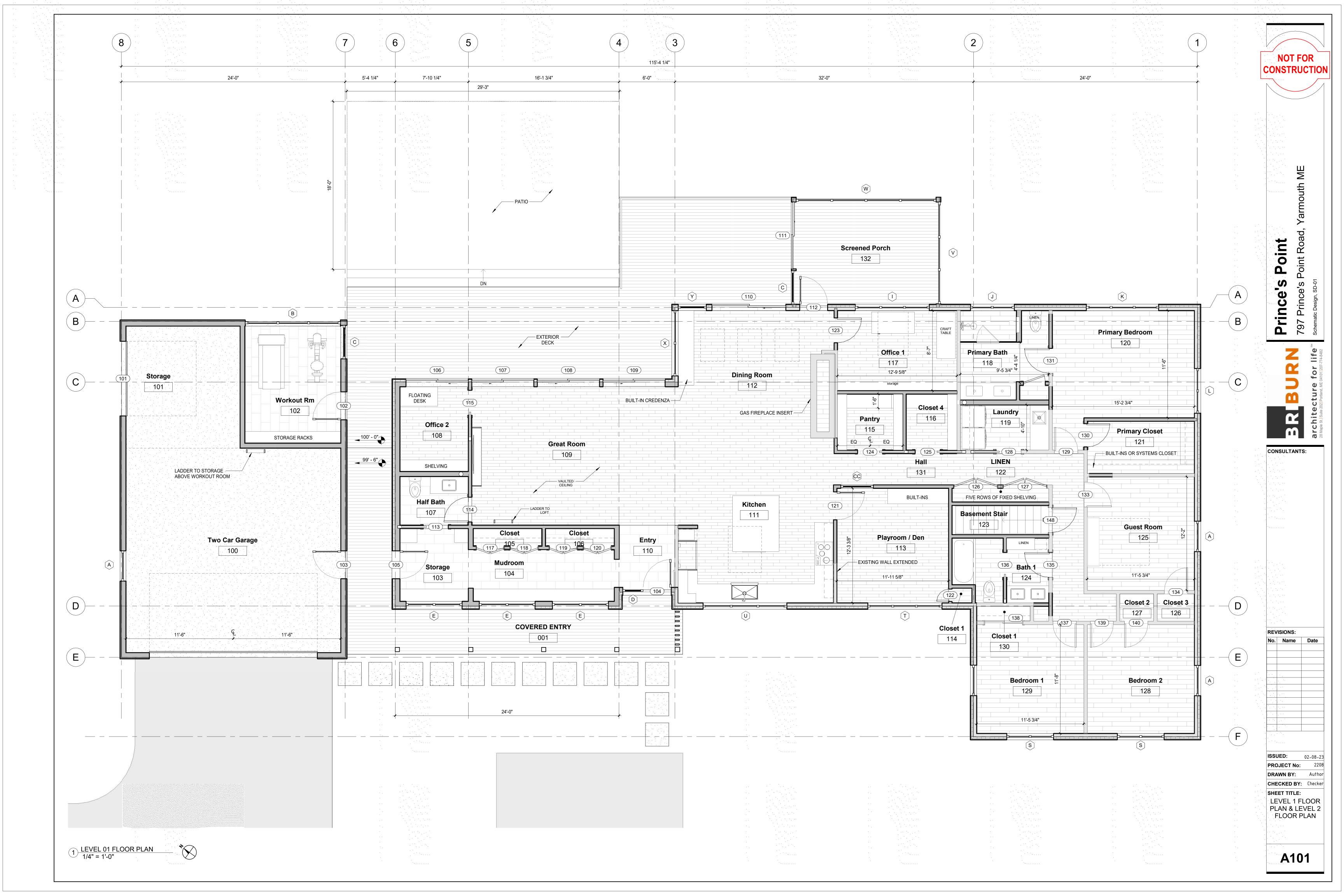
Water View



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