

OK 1223

TOWN OF YARMOUTH  
Department of Planning & Development  
200 Main Street Yarmouth, Maine 04096  
WWW.YARMOUTH.ME.US

(207)846-2401

Fax: (207)846-2438

**MINOR SITE PLAN APPLICATION FORM  
ACCESSORY DWELLING UNITS**

Date: \_\_\_\_\_ Zoning District \_\_\_\_\_ Map 32 Lot 6 Ext. \_\_\_\_\_ Fee Paid \_\_\_\_\_

Name of Owner/Applicant Kate Carey & Charlie Hewitt

Mailing Address 18 Greeley Rd. Cumberland, ME 04021

Phone 207-838-1521 Fax \_\_\_\_\_ Email Kate@KateCarey.net

Street Address 18 Greeley Rd. Portland Rd. Yarmouth

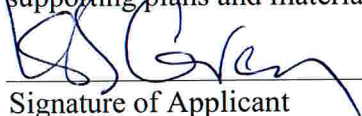
Proposed Use Single Family-Primary w/ ADU

The Department of Planning and Development shall send notices to all property owners at a minimum of 500 feet including a description of the proposal. Letters will be at a cost of \$5/letter to the applicant.

**Fee: \$100.00**

The Owner (or Applicant representing the Owner) hereby authorizes representatives of the Yarmouth Department of Planning and Development to enter upon and into the property for which this application has been made during normal business hours to make required inspections and observations appropriate to evaluating the site and processing this application.

I certify that, to the best of my knowledge, all information provided in this application, including all supporting plans and materials, is true and accurate.



Signature of Applicant

(If signed by Applicant's agent, provide written documentation of authority to act on behalf of Applicant)

Print or type name and title of signer Kate (Katherine) Carey

Surface Water and Groundwater: No owner of a lot, his agents or successors in interest shall alter the natural course of surface water on any lot in a way which would alter the natural flow of such water across any other parcel, unless such alteration is approved by the owners of all parcels affected. No owner of a lot, his agents or successors in interest shall use blasting chemicals that generate perfluorates.

## MINOR SITE PLAN APPLICATION

### PROJECT DESCRIPTION

A. Describe the overall project and proposed uses of property.

Single Family primary dwelling w/ ADU

B. Project details

1. Name and approval date of any subdivision for this site:

Subdivision lot numbers (if applicable) \_\_\_\_\_

2. Assessor's Map number(s) 32 Lot number(s) 6, Sub lot 3

3. Existing zone(s) of the site Village 1

Shoreland Overlay District \_\_\_\_\_ Yes ☒ No

Affordable Housing District \_\_\_\_\_ Yes ☒ No

Mobile Home Park Overlay \_\_\_\_\_ Yes ☒ No

4. a. Total land area of site: .3 Acre

b. Total floor area proposed building in square feet (all floors): 3310 sq-ft

c. Footprint of proposed building in square feet: 2459

d. Height of proposed building: 30' feet 3 (2+Attic) stories

e. Total number of proposed parking spaces: 4

f. Number of proposed handicap parking spaces: N/A

C. Include a plot/site plan showing the following existing and proposed conditions:

- Lot boundaries' and dimensions at scale
- Zoning district
- Date of plan
- Property owner with deed reference
- Lot area
- Location and setback of all buildings
- Date of construction of single-family dwelling
- Separate floor layout of all finished levels
- All plumbing facilities, kind and location
- Use of all rooms
- All entrances/exits
- All partitions, temporary or permanent
- Location and type of all appliances



- n. Rights of way, public and private
- o. All easements
- p. Street names
- q. Sewerage facilities
- r. Off-street parking spaces

In permitting an ADU, the Planning Director and/or CEO shall find that:

- a. Exterior design of the accessory unit is compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
- b. The exterior design is in harmony with, and maintains the scale of the neighborhood.
- c. The accessory unit does not result in excessive noise, traffic or parking congestion.
- d. The primary residence and the ADU shall connect to public water and public sewer in compliance with all applicable Town of Yarmouth and Yarmouth Water District requirements as well as the Maine Subsurface Wastewater Disposal rules. If the primary residence and the ADU cannot connect to public water and/or public sewer, the applicant shall demonstrate by competent third-party evidence that the supply of potable water and/or septic capacity is sufficient for the primary residence and ADU. Approval of an ADU shall be conditional on any required improvements.
- e. Major access stairs, deck entry doors, and major windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory unit shall relate to the design of the primary residence and shall not visually dominate it or the surrounding properties.
- f. The orientation and location of the buildings, structures, open spaces and other features of the site plan are such that they maintain natural resources including heritage or significant trees and shrubs to the extent feasible and minimize alteration of natural land forms.
- g. Building profiles, location and orientation relate to natural land forms.
- h. One parking space shall be provided on-site for each a studio and or one bedroom accessory unit. Two parking spaces shall be provided on site for each a two bedroom accessory unit. Parking of the accessory unit is in addition to the required parking for the primary residence. Required parking spaces for the primary residence and the accessory dwelling unit may be provided in tandem on a driveway. A tandem arrangement consists of one car behind the other. No more than two cars in tandem may be counted towards meeting the parking requirement.
- i. A single-family dwelling exists on the lot or will be constructed in conjunction with the accessory unit. Only one ADU is permitted per lot.
- j. Accessory dwelling units are not eligible for variances to setbacks.
- k. Before obtaining a building permit for an ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
  - a. The accessory unit shall not be sold separately.
  - b. The unit is restricted to the approved size.
  - c. The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence.
  - d. The above declarations are binding upon any successor in ownership of the property.

- e. The deed restrictions shall lapse upon removal of the accessory unit.
- l. Units within an Accessory Structure shall not exceed 900 square feet. If an ADU occupies an entire single floor, the Planning Department may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.
- m. An ADU may have no more than two (2) bedrooms.
- n. The water and sewage facilities shall meet all existing laws and codes.
- o. Approval of an accessory apartment shall be conditional on obtaining applicable building, plumbing, electrical and any other necessary municipal permits.
- p. The Fire Chief must review and sign off on the application.
- q. Unless part of the design of an existing single family dwelling the dwelling(s) shall have only one (1) front entrance and all other entrances shall be on the side or in the rear of the dwelling. A front entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. Outside stairways (either open or enclosed), that service an Accessory Dwelling Units on upper stories are not permitted.
- r. For an ADU located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement of new structures or unless the new structure is designed in a traditional New England form such as a barn.
- s. An existing single family dwelling that is nonconforming solely due to lot size, lot width, lot frontage, lot coverage, height or setback requirements may be expanded to incorporate an Accessory Apartment subject to the requirements of Chapter 701 of the Yarmouth Code Article III for the expansion of other non-conforming single family dwellings.
- t. ADU's may be permitted on back lots.
- u. ADU's are not permitted on a lot with a non-conforming use.
- v. ADU's are not permitted on a lot with mixed uses.
- w. When an owner wishes to eliminate the accessory apartment proof of the removal of the second kitchen and the restoration of the apartment to its status before the conversion shall be submitted to the satisfaction of the Planning Department. The owner shall record a Release of the Declaration of Restrictions on the Land after inspection and confirmation by the Code Enforcement Officer.

#### MINOR SITE PLAN REVIEW PROCESS AND PROCEDURES

For minor site plan applications, the Department will mail such notice as detailed above within 7 days of determination of completeness of a complete application, as determined by the Director. The Director of Planning and Development shall not make a decision on the proposal for a period of ten (10) days after the mailing of abutter notification to provide an opportunity for public comment.

#### 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.



**To the Yarmouth Historic Preservation Committee**

8/28/2023

**From Kate Carey & Charlie Hewitt**

**Regarding 0 Portland St**

We are proposing to build a single family home with an Accessory Dwelling Unit on the .3 Acre parcel that is accessed primarily by a driveway off of Portland St behind the former Goff's Hardware Store, sometime in the next 12-24 months. 80% of the land of this parcel is within the Village 1 zone, with very little in the way of required setbacks. None-the-less, we are planning to maximize the setbacks for green space around the building and also for best possible neighbor relations.

The single family dwelling will be a 4 bedroom, 3 bathrooms home with an office or den on the first floor. The ADU will be a 2 bedroom, 1 bath unit built above the garage, not to exceed 900 sq. ft. This unit will have its own entrance on the Main St Side of the building, accessed by car from Main St or from either direction on foot. There will be a single parking space on that side and use of the common Main St driveway will be permitted for one car. There will be a second parking space specifically for this unit accessed from the Portland St. driveway.

The Main residence will have its primary entrance onto the parking area off of the Portland St driveway. Additionally there will be a double glass door that opens from the living room onto the side porch. The residents of the main house will have at least 2 off-street parking spaces in addition to a two-car garage.

Jackson Built will discuss the location of the utilities with the Town of Yarmouth using both Portland St and Main St. Because of the number of utilities and limited space, it makes sense not to try to hook the building up to natural gas. We will take into consideration all trees in running the lines as well as while building and will work to the fullest extent to preserve as many existing trees as possible, running the lines underground for example. We will also endeavor to replace any tree that can't stay due to the building footprint or other unavoidable situation.

The house & ADU will have public water and sewer. Appliances will mostly be high-efficiency electric, heat-pump & similar technology for heat & cooling & hot water. The exception will be propane for the radiant floor heating, which will use a forced water system and possibly a propane fireplace. All plumbing and electric will be done to code with the Town of Yarmouth and all required permits will be obtained.

The use of any room in either dwelling is residential, non-commercial, though the first floor office may be used as an in home office or as a den. We don't envision any temporary partitions in the building or on the property at this time.

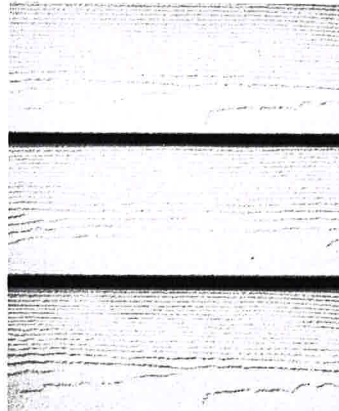
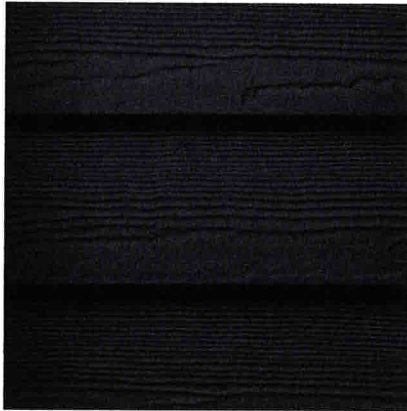
Kate Carey & Charlie Hewitt



# 0 Portland Street

## Exterior

siding colors:  
artic white and iron gray



roofing shingle:  
charcoal black

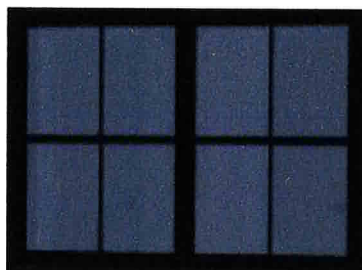


metal roof  
accent:  
black



Matte Black

windows:  
black Pella



Exterior Door Color:

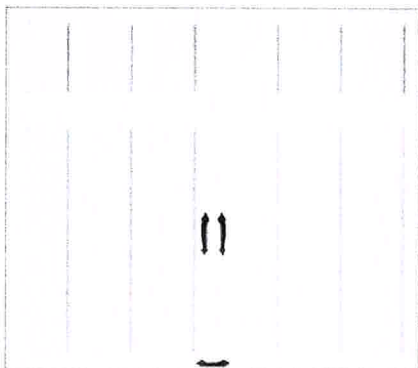
SW 7069  
**Iron Ore**  
Interior / Exterior  
Location Number: 251-C7



Garage Doors:  
painted to match siding



SQ23



Design 13

Patios and Walkways:



Exterior Lighting:

Can Lights under  
porch roofs and  
garage door  
overhang