



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

Fax: (207)846-2438

SP19-13 CL2920

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

Date: 4/24/19 Zoning District MDR Map 39 Lot 16 Ext. Fee Paid 100⁰⁰

Name of Owner/Applicant David + Kelly Anderson

Mailing Address 260 East Main St

Phone 207-939-5459 Fax Email david.anderson.m@gmail.com

Street Address 260 East Main St

Proposed Use Accessory Dwelling Unit

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.

David Anderson Kelly R. Anderson
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 DAVID ANDERSON

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 perhlorates.

MINOR SITE PLAN APPLICATION

PROJECT DESCRIPTION

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

Adding water & sewer to existing structure for use as ADU.

B. Project details

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

N/A

Subdivision lot numbers (if applicable) N/A

2. Assessor's Map number(s) 39 Lot number(s) 16

3. Existing zone(s) of the site MDR

Shoreland Overlay District _____ Yes X No

Affordable Housing District _____ Yes X No

Mobile Home Park Overlay _____ Yes X No

4. a. Total land area of site: 24x24 existing buildings

b. Total floor area proposed building in square feet (all floors): 840'

c. Footprint of proposed building in square feet: 840

d. Height of proposed building: 13' 6" feet 2 stories

e. Total number of proposed parking spaces: 6

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 property fronts on a public water main and public sewer line each with the capacity to serve the additional accessory unit.
- 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.

MAINE-WIDE CONSTRUCTION

1-800-452-1940

P.O. Box 2106, Augusta, ME 04338-2106

Fax: 207-622-7528

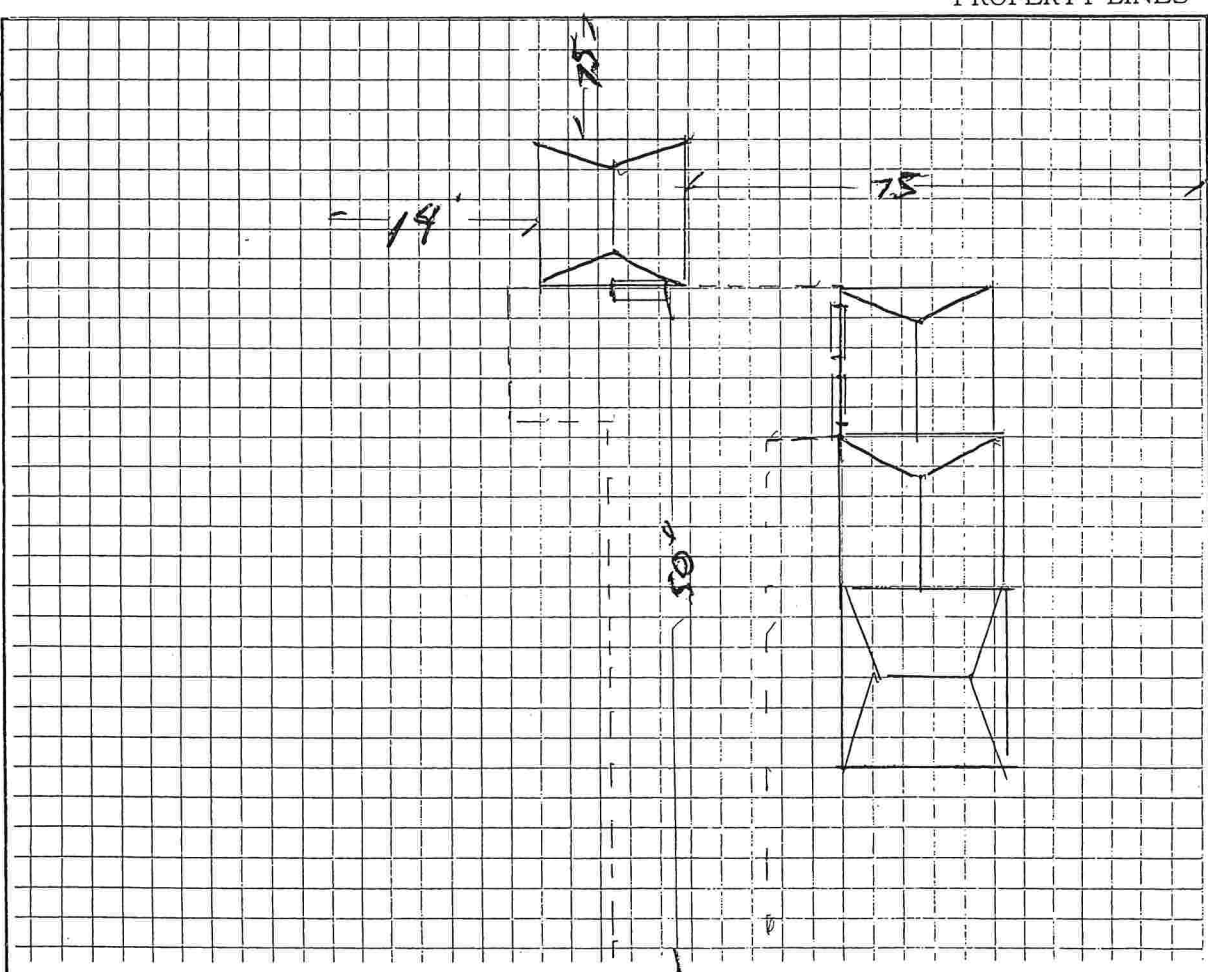
Owner:	Tom Flanagan	Phone#:	() 846 5980		
Street:	260 East Main Street	City:	Yorkmouth	State:	ME

Utilities: ☒ City Water ☒ City Sewer ☐ Well ☐ Septic

Notes:

1. Show distance to garage from edge of road and center of road.
2. Show distance to side and rear of property lines.
3. If well and septic show locations.
4. Position of overhead power lines.

Road Name:

Road Name:	PROPERTY LINES		PROPERTY LINES	Road Name:
		PROPERTY LINES		

Road Name:



Steven S. Johnson, P.E., Town Engineer
E-mail: ssj@yarmouth.me.us

Tel: 207-846-2401
Fax: 207-846-2438

TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

May 10, 2019

Mr. David Anderson
260 East Main Street
Yarmouth, ME 04096

Re: Sewer Service for 260 East Main Street (Map 39, Lot 16), Yarmouth Maine

Dear Mr. Anderson:

I am responding to your letter, dated May 1, 2019 regarding the proposed new Accessory Dwelling Unit (ADU) in the existing garage on the subject property, and your request to utilize the existing sewer service on the property to serve the new ADU. Article IV, Paragraph A 4 of Chapter 304 Sewerage Ordinance requires each building to have a separate sewer service. However, the Ordinance does provide for exceptions to this requirement if, in the opinion of the Town Engineer, there is compelling reason to allow a multiple building connection. Under no circumstance can a multiple building service be allowed if the buildings are not under single ownership.

After review of your letter and inspection report, I find that providing sewer service to the proposed ADU through the existing 4" diameter cast iron and clay service is the most efficient method that will minimize construction impacts to existing Town infrastructure, and not cause undue impacts to the existing service. Given the existing service conditions and size, it has adequate capacity and useful life to provide long-term service to both buildings. Please consider this letter formal authorization to utilize the existing service.

However, the new building will still require that you submit a sewer connection permit application and permit fee in the amount of \$2,250. Additionally, all work shall meet the Town of Yarmouth standards as noted in Chapter 304 and, prior to backfill, all work shall be inspected by Town staff. You may obtain inspection of the work by calling the Yarmouth Sewer Department at 207-846-2415 to schedule an inspection. I have included a copy of the sewer connection permit application for your convenience.

If you have further questions, or if I can help in any way, please do not hesitate to contact me at 207-846-2401 or via e-mail at sjohnson@yarmouth.me.us.

Sincerely,

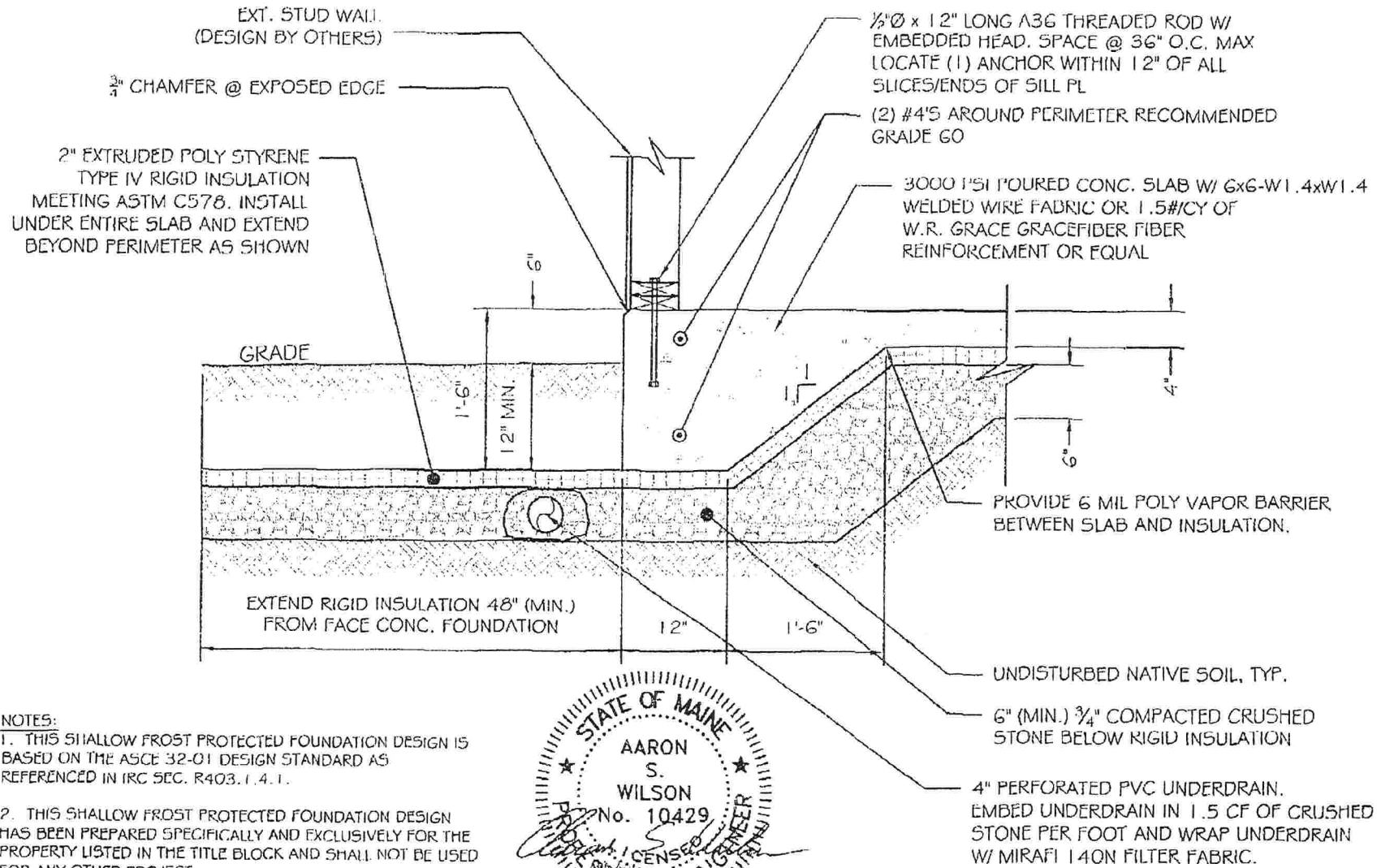
A handwritten signature in black ink, appearing to be 'S. Johnson', with a long horizontal stroke extending to the right.

Steven S. Johnson, P.E., LEED AP
Town Engineer

SSJ/kds

Enclosures

CC: Alex Jaegerman, Planning Director
Nick Ciarimboli, Code Enforcement Officer
Tom Connolly, Superintendent Wastewater Department
File



NOTES:

1. THIS SHALLOW FROST PROTECTED FOUNDATION DESIGN IS BASED ON THE ASCE 32-01 DESIGN STANDARD AS REFERENCED IN IRC SEC. R403.1.4.1.

2. THIS SHALLOW FROST PROTECTED FOUNDATION DESIGN HAS BEEN PREPARED SPECIFICALLY AND EXCLUSIVELY FOR THE PROPERTY LISTED IN THE TITLE BLOCK AND SHALL NOT BE USED FOR ANY OTHER PROJECT.



 **ASSOCIATED DESIGN
PARTNERS INC.**

80 Leighton Road Office: (207) 878-1751
Falmouth, Maine 04105 Fax: (207) 878-1788
E-Mail: adp@adpengineering.com

THIS COMPANY, DESIGN AND ENGINEERING FIRM, HAS THE PROPERTY OF ASSOCIATED DESIGN PARTNERS, INC. AND IS NOT TO BE LOANED, REPRODUCED, COPIED, REPRODUCED, OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF ASSOCIATED DESIGN PARTNERS, INC.

PROJECT: FLANNIGAN RESIDENCE
YARMOUTH, MAINE
FOR: MAINE WIDE CONSTRUCTION

SHEET TITLE:
SHALLOW FROST PROTECTED FOUNDATION
DESIGN FOR NEW GARAGE

REVISIONS			
No.	BY	DESCRIPTION	DATE
▲			
▲			
▲			
▲			

DATE : 08/01/08
SCALE : AS NOTED
DESIGN BY: ASW
DRAWN BY: RSC
FILE # : 08081-S100DWS
PROJECT NUMBER:
09286
SHEET NO:
\$100

Lighting?

SCALE: 1/4" = 1'