

(207)846-2401

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

Fax: (207)846-2438

MINOR SITE PLAN APPLICATION FORM
ACCESSORY DWELLING UNITS

Date: 8/2/19 Zoning District MDR Map 36 Lot 21 Ext. Fee Paid

Name of Owner/Applicant Steve Nelson

Mailing Address 18 Flint Lane, Yarmouth, ME. 04096

Phone 617-459-2605 Fax Email Steve.Nelson@mscorp.net

Street Address 18 Flint Lane, Yarmouth, ME. 04096

Proposed Use Residence

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.

Steve Nelson
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 Steve Nelson, Owner

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.

1 bedroom Apartment,

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) 36 Lot number(s) 21

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: .52

b. Total floor area ~~proposed~~ building in square feet (all floors): 1,394

c. Footprint of ~~proposed~~ building in square feet: 1470

d. Height of ~~proposed~~ building: 25 feet 2 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 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.

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 and the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices. **The ADU will be completely contained in the second floor of the existing garage so there will be no noticeable changes to the existing exterior design.**
- b. The exterior design is in harmony with, and maintains the scale of the neighborhood. **There will be no noticeable changes to the existing exterior design.**
- c. The accessory unit does not result in excessive noise, traffic or parking congestion. **The ADU will be a 1 bedroom apartment completely enclosed on the second floor of the garage. The driveway has room for 4 parking spaces.**
- d. The property fronts on a public water main and public sewer line each with the capacity to serve the additional accessory unit. **The existing public water main and sewer line each have the capacity to serve the single-family dwelling and ADU.**
- e. Major access stairs, deck entry doors, and windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of 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. **The second floor of the existing garage has windows on 3 sides and windows will remain on the 3 sides. 2 windows will be added to the window on the south side and 1 window will be added in the kitchen area. Neighborhood privacy will not be affected by the addition of these 3 windows.**
- 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. **The building is existing so no natural resources or plants will be altered due to the ADU.**
- g. Building profiles, location and orientation relate to natural land forms. **Yes**
- h. One parking space shall be provided on-site for each studio and or one bedroom accessory unit. Two marking paces shall be provided on-site for each 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 the driveway. A tandem arrangement consists of one car behind the other. No more than two cars in tandem may be counted towards meeting the paring requirement. **The existing driveway accommodates 4 cars; 2 cars in tandem for the primary residence and 2 cars in tandem for the ADU.**
- 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. **A single-family dwelling exists on the lot now.**
- j. Accessory dwelling units are not eligible for variances to setbacks. **The existing setbacks allow for an ADU.**
- 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: **This is in process.**
 - 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. **The actual living space of the ADU is 921 square feet (1,394 – 237 (storage) – 73 (bathroom) – 47 (stairs) – 21 (closet) – 39 (kitchen cabinets) – 56 (ceiling less than 6' height)).**
- m. An ADU may have no more than two (2) bedrooms. **This ADU is a 1 bedroom.**
- n. The water and sewage facilities shall meet all existing laws and codes. **The water and sewage facilities 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. **All applicable permits will be obtained for the ADU.**
- p. The Fire Chief must review and sign off on the application. **Understood**
- 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 Unit on upper stories are not permitted. **The entrance to the ADU is in the garage wall to the left of the single-family dwelling entrance. See Full Construction Drawings.**
- 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 the 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. **The ADU will not result in any exterior modifications except the addition of the entrance and 2 same size windows on the south side and 1 same size window in the kitchen area. See Full Construction Drawings.**
- 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. **This single-family dwelling is conforming to incorporate an ADU.**
- t. ADUs may be permitted on back lots. **N/A**
- u. ADUs are not permitted on a lot with a non-conforming use. **N/A**
- v. ADUs are not permitted on a lot with mixed uses. **N/A**
- 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. **Understood**

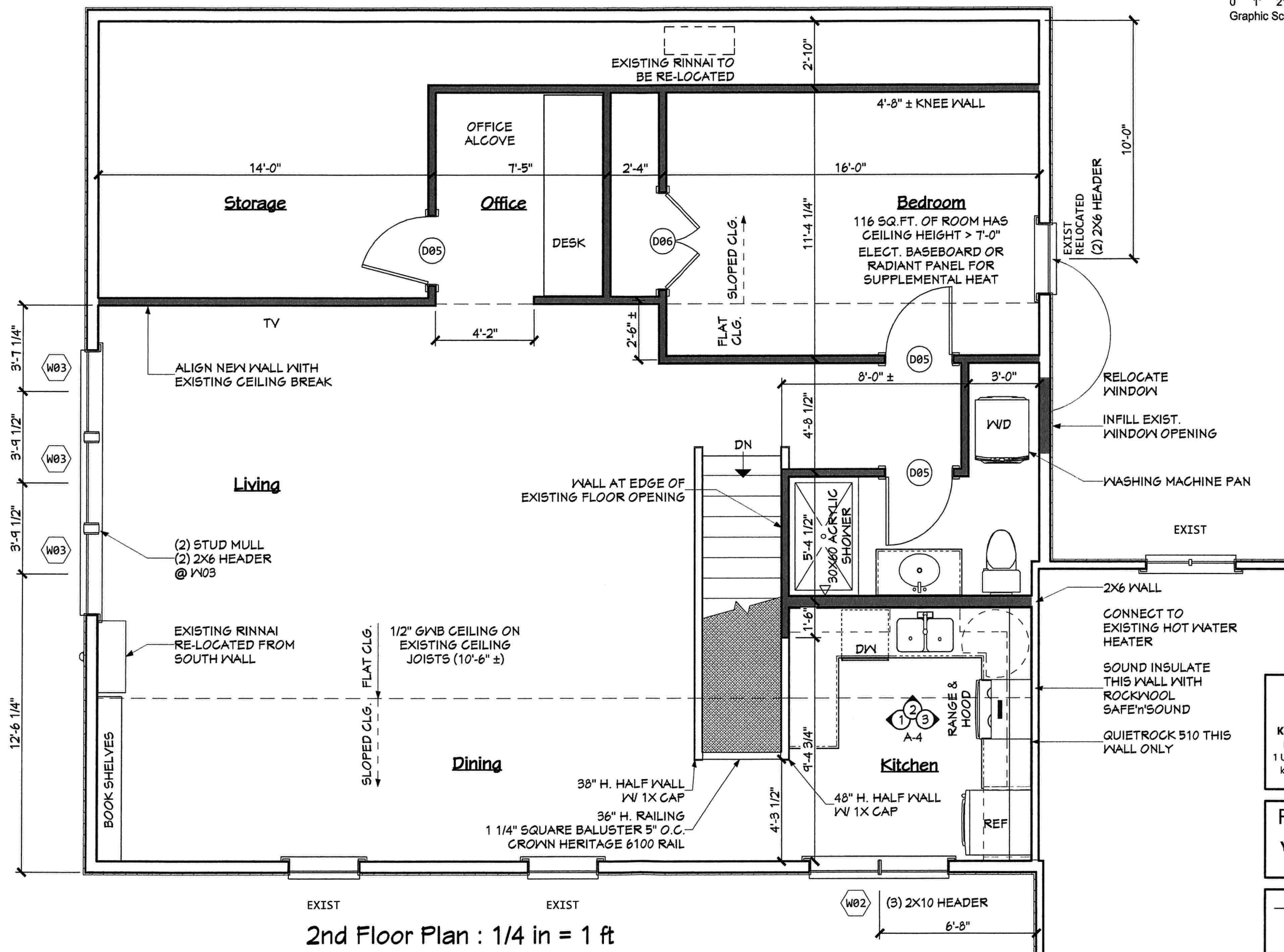
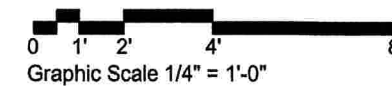


Front Yard



Back Yard



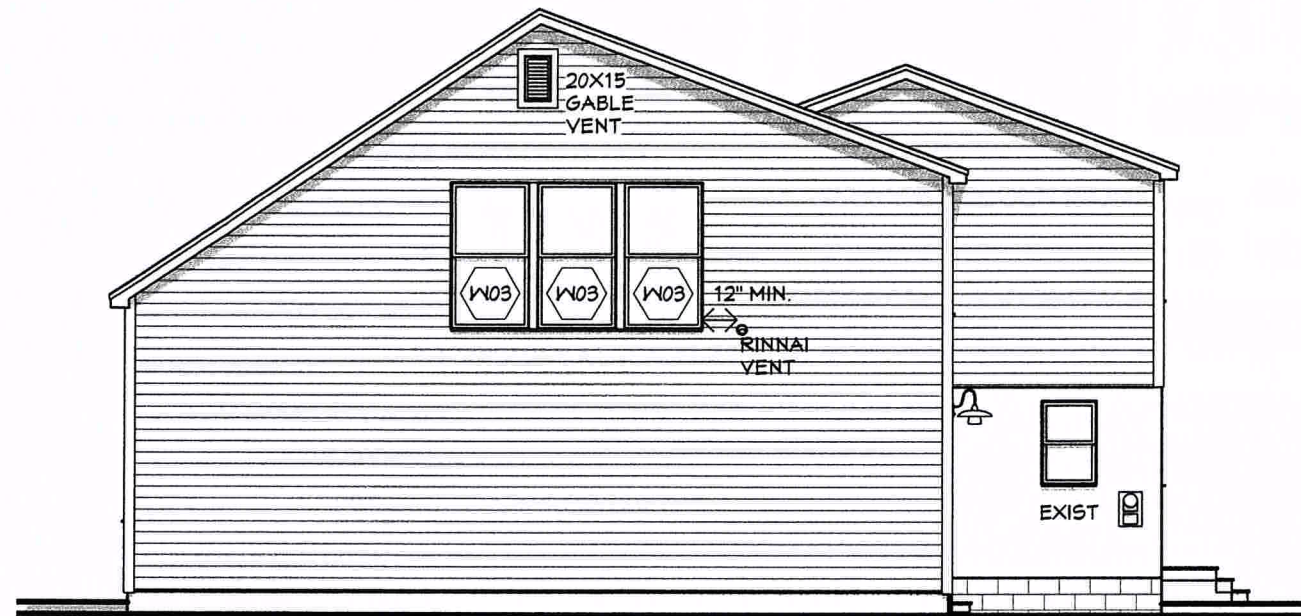


2nd Floor Plan : 1/4 in = 1 ft

km
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Flint Ln. Apt.
Yarmouth, Maine
PERMIT SET

6/3/2019
A-2



East Elevation : 1/8 in = 1 ft

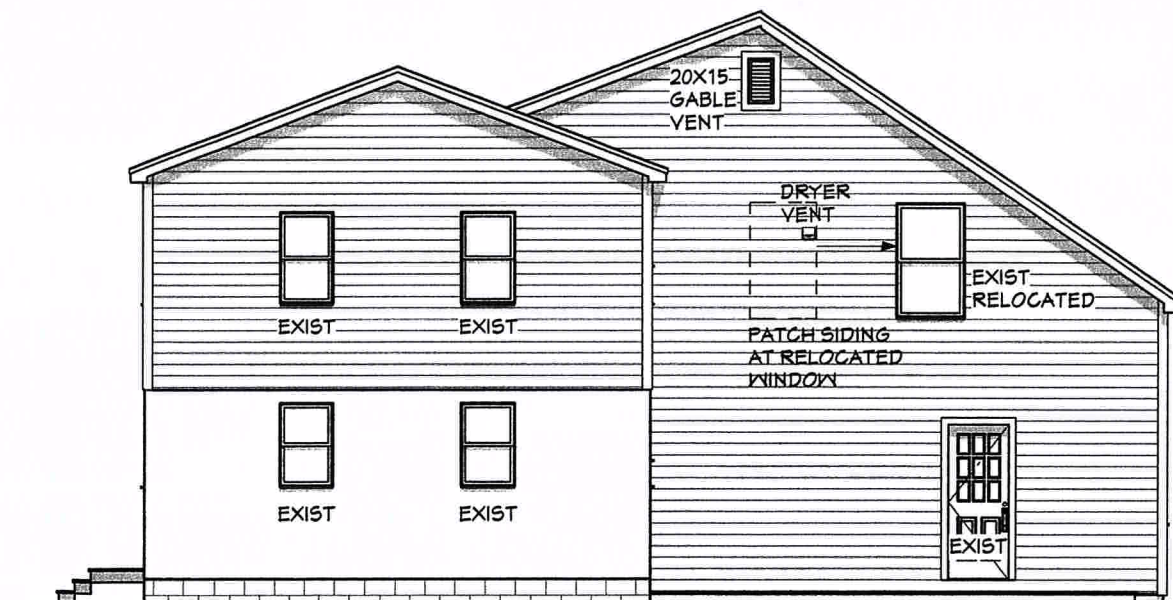


North Elevation : 1/8 in = 1 ft

DOOR SCHEDULE							
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	MANUFACTURER	LABEL	CODE
D01	1	1	64 "	80 "	THERMA-TRU	ENTRY W/ SL	S4814/S4812S
D02	1	1	36 "	80 "	THERMA-TRU	ENTRY	S4814
D03	2	1	36 "	80 "	THERMATRU	RATED	SSF220
D04	1	1	48 "	80 "	BROSCO	DOUBLE	PR-225
D05	3	2	34 "	80 "	BROSCO	HINGED	PR-225
D06	1	2	48 "	80 "	BROSCO	DOUBLE	PR-225

WINDOW SCHEDULE						
NUMBER	QTY	FLOOR	MANUFACTURER	CODE	R/O	COMMENTS
W02	1	2	HANCOCK CLASSIC	3660-2 DH	71 1/2"X60"	W0CD
W03	3	2	HANCOCK CLASSIC	4278 DH	42"X78"	W0CD

COMPARABLE PRODUCTS FROM OTHER MANUFACTURER'S WILL BE CONSIDERED
PENDING OWNER / ARCHITECT APPROVAL.

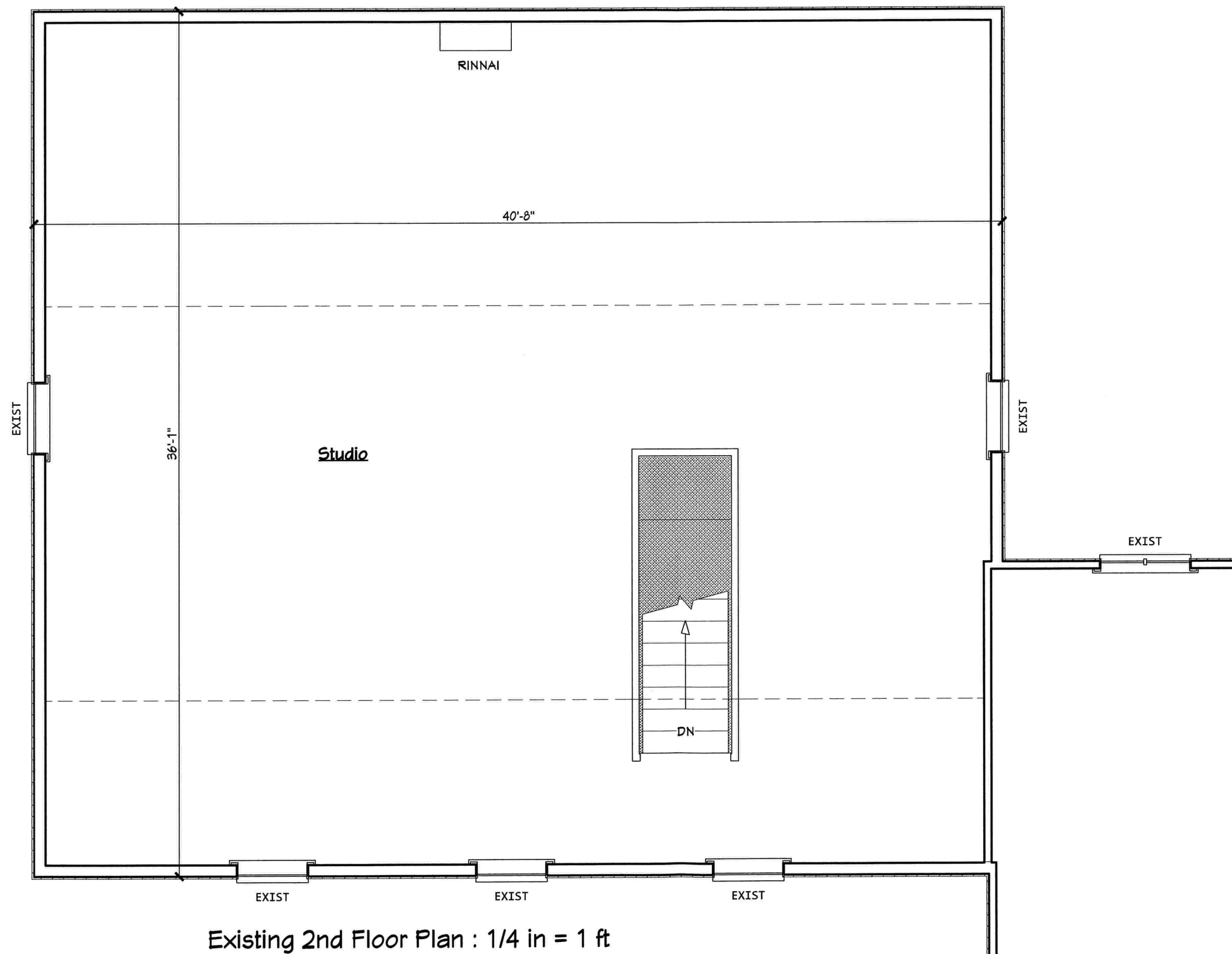
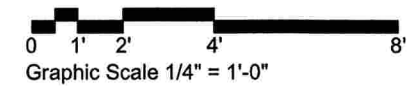


West Elevation : 1/8 in = 1 ft

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Flint Ln. Apt.
Yarmouth, Maine
PERMIT SET

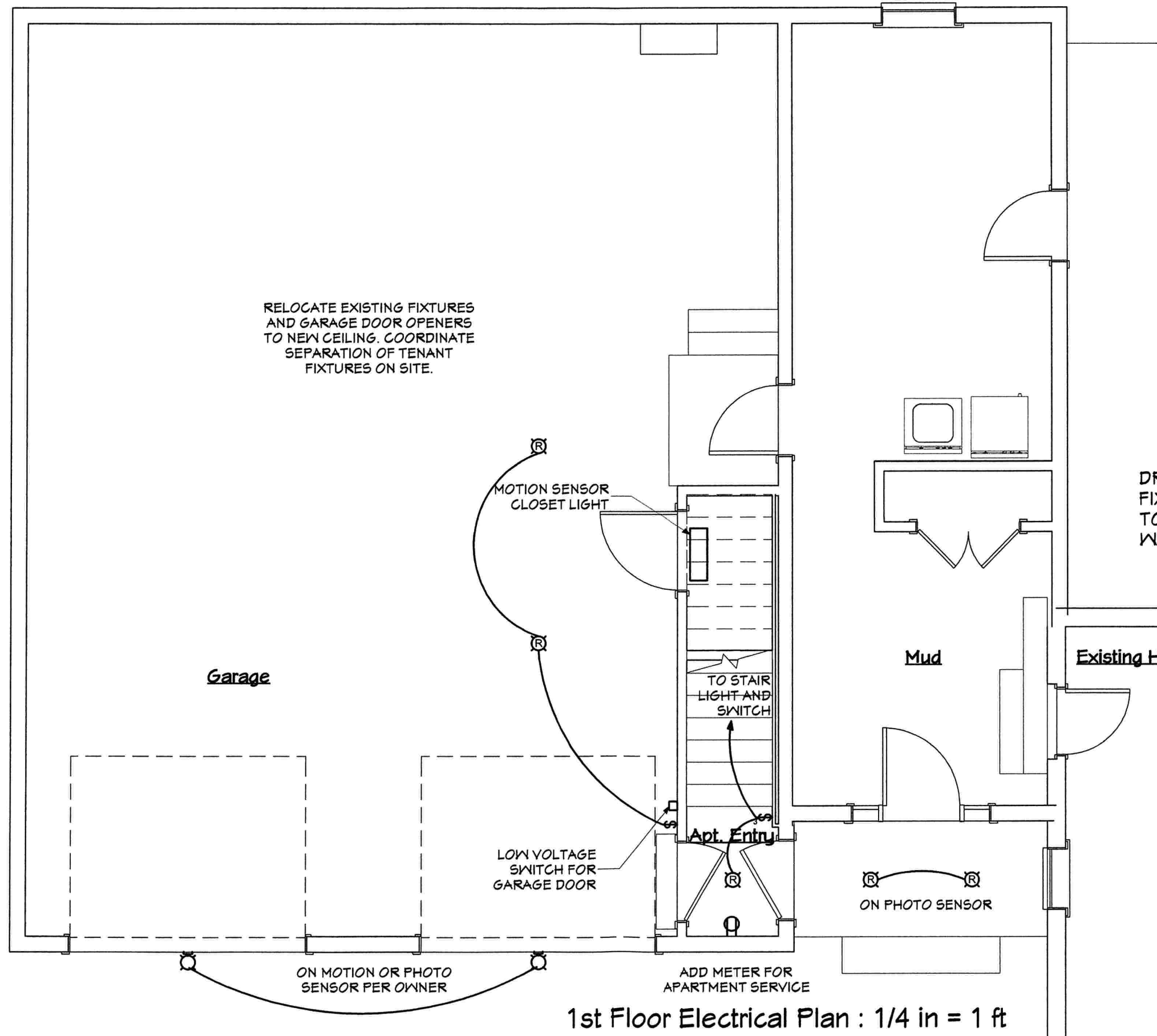
6/3/2019
A-3



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Flint Ln. Apt.
Yarmouth, Maine
PERMIT SET

7/30/2019
A-5

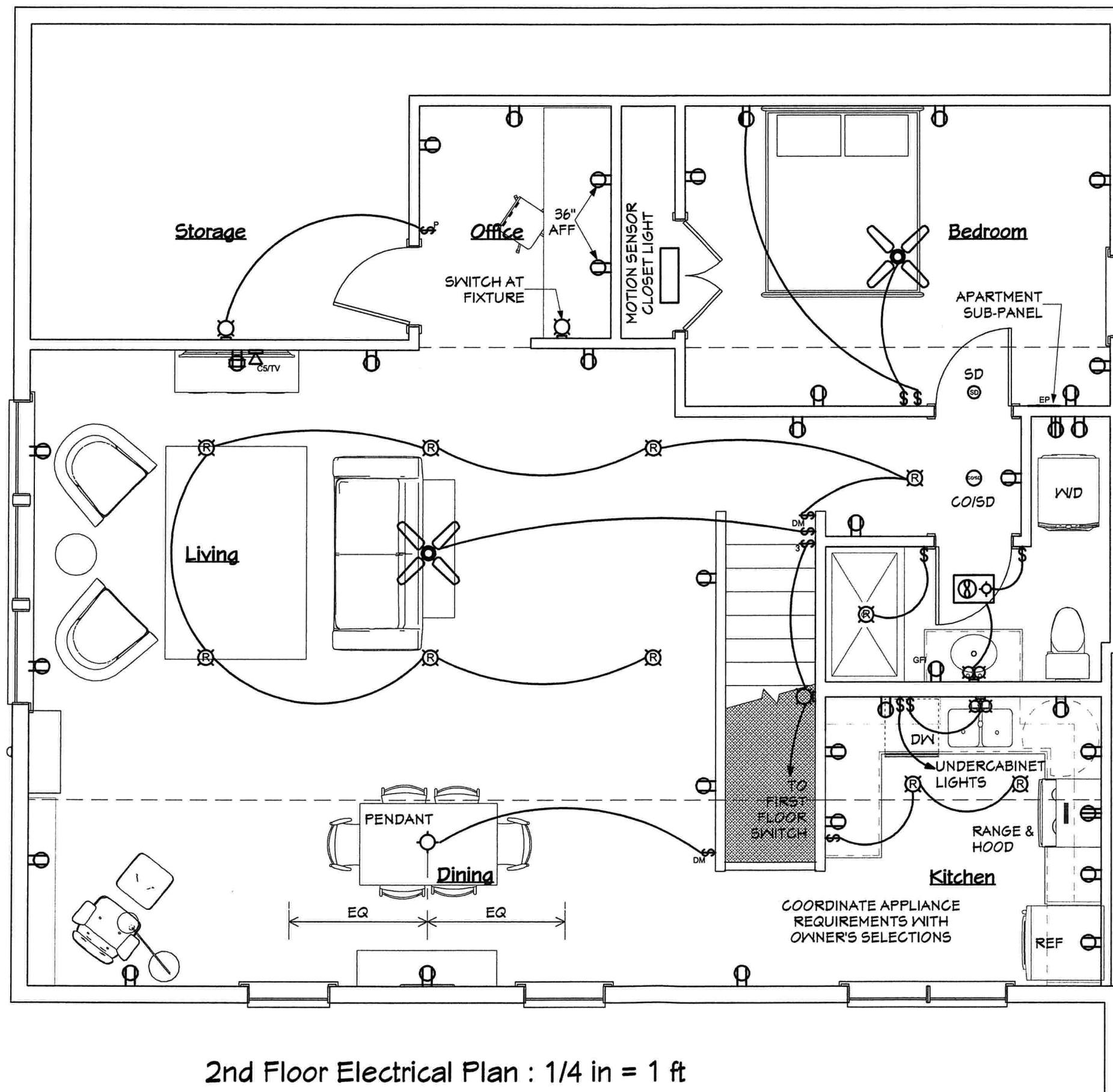


DRAFT ELECTRICAL PLAN. FINAL FIXTURE AND DEVICE LOCATIONS TO BE DETERMINE BY WALKTHROUGH WITH OWNER.

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Flint Ln. Apt.
Yarmouth, Maine
PERMIT SET

6/3/2019
E-1



DRAFT ELECTRICAL PLAN. FINAL
FIXTURE AND DEVICE LOCATIONS
TO BE DETERMINE BY
WALKTHROUGH WITH OWNER.

2nd Floor Electrical Plan : 1/4 in = 1 ft

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Flint Ln. Apt.
Yarmouth, Maine
PERMIT SET

6/3/2019
E-2

Town of Yarmouth Public Map Viewer



7/22/2019, 3:51:19 PM

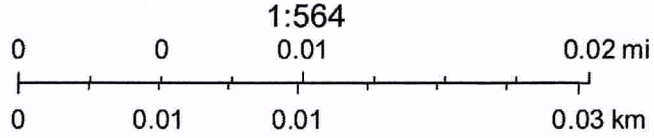
Parcel ID's

Parcels

Zoning

Medium Density Residential

b. Zoning District: MDR
c. Date of plan: 8/2/19
d. Property Owner: Steve Nelson
d. Deed reference: Doc# 61242 Bk: 35328 Pg. 54
e. Lot area: .52 ac
g. Single family dwelling date of construction: 1950
n. Right of way from West Elm Street to driveway



Maine GeoLibrary, DigitalGlobe