

April 25, 2019

Alex Jaegerman, FAICP  
Director of Planning & Development  
Nicholas Ciarimboli  
Building Inspector and Code Enforcement Officer  
200 Main Street  
Yarmouth, ME 04096

**Subject: Royal River Grill House  
Refrigeration Cooler Addition  
Permit Applications**

Dear Alex and Nick:

On behalf of Maine EPM, LLC, I am pleased to submit this cover letter and accompanying plans and applications for the installation of an exterior walk-in refrigeration cooler at the Royal River Grill House Restaurant. The subject parcel is Map 28, Lot 31 located in the WOC Water Oriented Commercial and Shoreland Overlay District (SOD). It is not within the RP District.

Based on the Updated Preliminary Flood Insurance Study, Map 23005CO541F, portions of the restaurant and specifically the area where we are proposing the location of the refrigeration cooler is not located in the flood zone.

The proposed activity is within the SOD so the SOD requirements shall govern the permitting. The proposed activities include:

- The removal of a 6' x 10' wood shed, a 12'-6" x 5'-6" portion of wooden boardwalk, a 7'-6" x 7' brick patio.
- Removal and replacement of an existing decorative 6' high wooden fence around the proposed refrigeration cooler,
- Construction of a 20' x 12' concrete slab that the refrigeration cooler will sit on,
- Installation of a 19'-3"L x 11'-7"W x 8'-8"H refrigeration cooler,
- Relocation of the four (4) existing AC units to remain within the fenced in area.

Based on our review of Article IV, R. SOD – Shoreland Overlay District, it appears that the installation of the refrigeration cooler may require Planning Board review and approval, based on item #2, Section 9.a., below:

1. *Section 8.b.(c.) Filling or earthmoving activities up to 1,000 cubic yards (C.Y.) of material.*  
**The proposed excavation for the installation of the concrete slab equal approximately 10 C.Y.**

343 Main Street #2B  
Yarmouth, Maine 04096  
207.749.4032  
tsffarmer@gmail.com

2. *Section 9.a. Expansion, relocation, reconstruction or replacement or of non-conforming Structures within the RPD or less than 75 feet from the Normal High-Water Line of a Water Body, Tributary Stream or Upland Edge of a Wetland.*

**The proposed activity is considered and expansion within 75' from the Normal High-Water line of the Royal River.**

No existing vegetation will be removed as part of this application. With the removal of the wood shed, boardwalk and brick patio, which equals 182.5 sq. ft. total, the impervious surface will only increase by 57.5 sq. ft.

Additional, because the proposed activity is within 75' horizontal distance from the high-water line of the Royal River, we have submitted a Permit By Rule (PBR) application to the Maine DEP for the work described above.

Any excavated soil will be removed from the site that same day to prevent soil runoff and eliminate unstable soils. The area of activity is flat and contained on the inland side of the restaurant. Soil disturbance associated with the concrete slab will be temporary and will be stabilized with straw mulch during the same day.

#### Schedule

Work is proposed to be undertaken within a two to three-week period beginning in May, 2019, pending approvals.

Included with this application are the following attachments:

1. Shoreland Zoning Permit Application,
2. Site Plan Application,
3. Building Permit Form,
4. Project Location Map with 75-foot setback, 100-year flood line and 250' SOD line,
5. Existing Condition Photos,
6. Existing and Proposed Conditions Site Plans at 1" = 40' scale,
7. Agent Authorization to represent the applicant.

The fees for the above permit include:

1. Shoreland Review = \$150.
2. Minor Site Plan Application (Proposed buildings, Structures, Additions): \$100.00 per 1,000 sf or major fraction thereof of gross floor area. 213 sq. ft. gross floor area = \$21.30
3. Building Permit (Commercial) = .30/sq. ft. @ 213 sq. ft. = \$63.90

A check in the amount of \$235.20 to cover the above fees is included with this application.

If the proposed activity requires Planning Board review, please place us on the earliest agenda. If you require further Information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Farmer", with a stylized flourish at the end.

Tom Farmer  
Landscape Architect, ME#2266

# 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 AMOUNT \_\_\_\_\_

Date: \_\_\_\_\_ Zoning District \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_ Ext \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

MAILING

ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_

OWNER (other than applicant)

NAME: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

MAILING

ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_

CONTRACTOR

NAME: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

MAILING

ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_

PROPERTY

LOCATION: \_\_\_\_\_

***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 \_\_\_\_\_

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 \_\_\_\_\_

Frontage on water body (FT.) \_\_\_\_\_

Height of proposed structure \_\_\_\_\_

Existing use of property\_\_\_\_\_

Proposed use of property\_\_\_\_\_

*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:\_\_\_\_\_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): \_\_\_\_\_
- C) Building footprint area of expansions of portion of structure that is less than required setback from 1/1/89 to present: \_\_\_\_\_SQ.FT.
- D) Building footprint area of proposed expansion of portion of structure that is less than required setback: \_\_\_\_\_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 =  $((C+D) \times 100) / A =$  \_\_\_\_\_%
- F) Floor Area and Market Value of Structure prior to improvements: (a) Area:\_\_\_\_\_ Value:\_\_\_\_\_. Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area:\_\_\_\_\_ Value:\_\_\_\_\_. 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 re-calculate 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 from 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 [www.yarmouth.me.us](http://www.yarmouth.me.us).

- ☐ 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) Area: \_\_\_\_\_ Value: \_\_\_\_\_. Floor Area and Market Value of portions of Structure removed, damaged or destroyed: (b) Area: \_\_\_\_\_ Value: \_\_\_\_\_.
- ☐ ~~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)
- ☐ Copy of deed
- ☐ Soil erosion control plan
- ☐ Photographs
- ☐ 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.

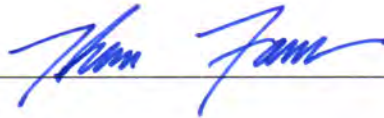
I certify that all information given in this application is accurate. All proposed uses shall be in conformance with this application and the Town of Yarmouth Shoreland Regulations in the Zoning Ordinance. I agree to future inspections by the Code Enforcement Officer / Planning Director / Planning Board 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 \_\_\_\_\_

Agent Signature  
(if applicable)



Date

4.25.19

-----  
Code Enforcement Officer \_\_\_\_\_

DATE OF APPROVAL / DENIAL OF APPLICATION \_\_\_\_\_  
(by either staff or planning board)



**Department of Planning and Development  
200 Main Street Yarmouth, Maine 04096**

**Fax: (207)846-2438**



## 1. PROJECT DESCRIPTION

- A. In a separate document please describe the overall project objectives and proposed uses of property, including quantity and type of residential units (if any).
- B. Project details

1. Name and approval date of subdivision this site is in (if applicable)

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

2. Assessor's Map number(s) 28 Lot number(s) 31

3. Existing zone(s) of the site

WOC

Shoreland Overlay District ☒ Yes ☐ No

Affordable Housing District ☐ Yes ☒ No

Mobile Home Park Overlay ☐ Yes ☒ No

4. a. Total land area of site (all contiguous land in same ownership)

206,789 sq. ft.

- b. Total floor area of each proposed building in square feet

18'-11" x 11'-3" = 213 sq. ft.

- c. Footprint of each proposed building in square feet

19'-3" x 11'-7" = 223 sq. ft.

- d. Height of proposed building(s) 9' feet 1 stories

- e. Total number of proposed parking spaces NA

- f. Number of proposed handicap parking spaces NA

- C. Existing conditions

1. Existing land use Commercial

2. Total floor area of each existing building in square feet

Unknown

3. Footprint of each existing building in square feet

Unknown

- D. Attach as Exhibit #1 a map such as the Maine Atlas and Gazetteer map (clean photocopies are acceptable). Indicate the location of your project on map.

- E. Construction sequence

1. Estimated time of start of project May 2019

Estimated time of completion of project 3 weeks

2. Is this to be a phased project? Yes ☐ No ☒

3. Attach as Exhibit #2 a construction schedule outlining the anticipated sequence of construction (beginning and completion) for the major aspects of the proposed project, including roads, erosion control and drainage measures, structures, sewer and water lines, other utilities, paving, landscaping.

## 2. RIGHT, TITLE, OR INTEREST

- A. Name and mailing address of record owner of the site

SEKA Properties, LLC c/o JAY Ent Inc., 8 Holbrook St., Freeport, ME 04032

Phone 207-415-2579 Fax \_\_\_\_\_

- ✓ B. Attach as Exhibit #3 evidence of corporate or partnership status, if applicant is not an individual.

- C. Attach as Exhibit #4 evidence of applicant's right, title, or interest in the site. A complete copy of the document must be provided; financial information may be deleted.
- D. Attach as Exhibit #5 a copy of the current owner's existing deed for the site.
- E. Attach as Exhibit #6 summary lists of all existing and all proposed easements or other burdens for this property. More detailed information may be required, depending on the particular circumstances of the site.
- NA F. If a condominium, homeowners, or property owners association will be established, attach as Exhibit #7 the articles of incorporation, the Declaration of Covenants and Responsibilities, and the proposed by-laws of the organization.

**3. FINANCIAL CAPACITY**

- A. Estimated cost of the project (including land purchase and development costs)  
\$35,000. Financial capacity to be submitted if requested.
- B. Attach as Exhibit #8 evidence of your financial capacity to complete the proposed development. Submit one or more of the following (please check as appropriate):
- ☒ 1. A written statement from the applicant's bank or a certified public accountant who recently has audited the applicant's finances stating that the applicant has cash reserves in the amount of the estimated cost of the project and can devote those reserves to the project.
- ☐ 2. When the applicant will personally finance the development, provide copies of bank statements or other evidence, which will indicate availability of funds, and evidence that the applicant can devote these funds to the project.
- ☐ 3. The most recent corporate annual report showing availability of sufficient funds to finance the development, together with a statement from the applicant that the funds are available and will be used for the proposed project.
- ☐ 4. A letter from a financial institution, governmental agency, or other funding agency, which indicates a timely commitment to provide a specified amount of funds and the uses for which the funds may be utilized.
- ☐ 5. In cases where outside funding is required, but there can be no commitment of money until regulatory approvals are received, a formal letter of "intent to fund upon approval" from a funding institution indicating the amount of funds it is prepared to provide, their specified uses and the conditions on which funds will be made available.

**4. TECHNICAL ABILITY**

- A. List all projects undertaken by the applicant within the last five years, beginning with the most recent project:  
Complete interior and exterior renovation of the Tuscan Table Restaurant, Maine Mall.
- B. Have done no prior projects ☐
- C. Attach as Exhibit #9 a list of all consultants retained for this proposed project, such as engineers, architects, landscape architects, environmental consultants; and those firms or personnel who will be responsible for constructing, operating and maintaining the project.

NA **5. SOLID WASTE**

Attach as Exhibit #10 an explanation of the proposed method of collection, removal, and disposal for anticipated solid waste from this project.

NA **6. WATER**

Attach as Exhibit #11 written confirmation from the Yarmouth Water District that it can supply the proposed development and that the proposed plan has been approved by the District. If the



applicant proposes a private supply, provide evidence that a sufficient and healthful water supply is available for the proposed development.

NA 7. **TRAFFIC**

Attach as Exhibit #12 a written evaluation and demonstration of the adequacy and availability of adjacent streets to serve the proposed project. If you must submit a full traffic study to DEP, provide two (2) copies with this application. (see Ch. 702 H.2.)

NA 8. **SANITARY SEWERS AND STORM DRAINS**

A. Estimated sewage gallons per day for the completed project

Please note that the Town Manager must approve new sanitary sewer connections that are considered sewer extensions.

B. Will this project generate industrial or non-sanitary waste that will enter the public sewer or drains? No ☐ Yes ☐

If yes, please describe proposed types and amounts:

C. If a subsurface wastewater disposal system is proposed, provide evidence that it conforms to the requirements of the State Plumbing Code.

NA 9. **SURFACE DRAINAGE AND-RUNOFF, STORMWATER MANAGEMENT**

A. Attach as Exhibit #13 a description of any problems of drainage or topography, or a representation that, in the opinion of the applicant, there are none.

B. Attach as Exhibit #14 a complete stormwater management plan, including drainage calculations for pre- and post-development for 2 yr. and 25 yr. storm events, a drainage plan, and an assessment of any pollutants in the stormwater runoff, that meets the requirements of Chapter 702, Review Criteria re Stormwater Management.

Cover letter NA 10. **EROSION AND SEDIMENTATION CONTROL**

A. Attach as Exhibit #15 a written description of erosion and sedimentation control measures to be used during and after construction of the proposed project.

B. Show on a plan the proposed location, type, and detail of erosion control devices, unless this information is included on a site plan drawing.

NA 11. **SOILS**

A. Attach as Exhibit #16 a medium intensity soils classification report, including description of soils and interpretation of engineering properties. Include geotechnical report, if applicable.

B. Show on a plan the existing soil conditions on the site, unless this information is included on a site plan drawing. Include wetlands delineation and report, if applicable.

12. **SITE PLAN ORDINANCE REQUIREMENTS**

✓ A. Attach as Exhibit #17 list of approvals needed from other agencies, such as the General Board of Appeals, Army Corps of Engineers, and Maine Department of Environmental Protection.

B. Attach as Exhibit #18 a written statement that explains how the project complies with the site plan review criteria and with specific performance standards required in the zoning district, if applicable. If applicable, please note how the proposal specifically complies with the separate components of the Route One Corridor Design Guidelines.

NA C. Attach as Exhibit #19 a summary list and a written offer of cession to the Town of all proposed streets, utilities and open space proposed for dedication.

NA D. Attach as Exhibit #20 all requests for waivers including an explanation of the undue hardship or special design requirements, which are the basis for the requests.

NA E. Attach as Exhibit #21 a written explanation of all potential nuisances associated with this project and how they will be mitigated, or a representation that, in the opinion of the

applicant, there are none.

### **13. SITE PLAN DRAWINGS, MAPS**

- A. Site plan drawings
  - a. paper no larger than 24" x 36", with all drawings in a set the same size
  - b. bound and folded no larger than 9" x 12", with project name shown on front face of folded plan
  - c. number and date drawings, with space for revision dates
  - d. scale of the drawings shall be between 1"=20' and 1"=50'
  - e. show the entire parcel in single ownership, plus off-site easements
- B. Title block shall include:
  - a. identification of plan as "Site Plan"; "Amended" if applicable
  - b. name and address of project
  - c. name(s) and address(es) of site owner and of applicant
  - d. name and address of plan designer(s)
- C. Location map shall include:
  - a. abutting property within one thousand feet of project boundaries
  - b. outline of proposed project
  - c. zoning district(s) of abutting properties
  - d. at least one street intersection
- D. North arrow and scale.
- E. General plan notes shall include:
  - a. zoning district and list of applicable dimensional regulations comparing the required and proposed
  - b. proposed number of units
  - c. required and proposed number of parking spaces
  - d. total square footage of existing and proposed buildings
  - e. square footage of proposed building footprint
  - f. all requested waivers
  - g. indication if proposed structure is to be sprinklered
  - h. total square footage for each use, if applicable
- F. Name, location, width of existing and proposed streets.
- G. A Boundary Survey, Category 1, Condition 2, showing site boundaries.
- H. Setbacks as required by zoning ordinance; zone line if site is transected by a zone line or if zone line is within 30 feet of the boundaries of the site.
- I. Existing and proposed contours at 2' intervals. Show 1' contours and/or spot elevations if sufficient detail cannot be shown with 2' contours.
- J. Buildings, structures, and signs
  - a. location, dimensions, shape, facade elevations, entrances, materials, colors of exterior of proposed buildings, structures, and signs. (see Ch. 701, II, C, E, F)
  - b. description of all finish surface materials
  - c. location, dimensions, shape of existing buildings
  - d. building's setbacks from property line, if different from required yard setbacks
- K. Names of abutting property owners and locations of buildings and curb cuts on abutting properties.
- L. Locations and dimensions of parking areas, loading and unloading facilities, driveways, fire lanes, access points. Give typical parking space dimensions. (see Ch. 701, II H; Ch. 702, J.1, 2, 3)
- M. Location of all existing and proposed easements and rights-of-way, including identification of who has or will receive the easement.



- N. Location, dimensions, materials of existing and proposed pedestrian access ways.
- O. Location and size of existing and proposed utilities, both on-site and in adjoining public ways. Location of nearest existing hydrant. Include installation details for proposed utilities.
- P. Construction drawings showing plans, profiles, cross-sections, and details of appurtenances for sanitary sewer and storm drainage systems.
- Q. Location, height, wattage, bulb type of exterior and building-mounted lighting. Photometric plan consistent with requirements of site plan and zoning ordinances. (See Ch. 701, II X; Ch. 702, J. 4)
- R. Location and description of existing natural features, such as wetlands, watercourses, marshes, rock outcroppings, stands of trees. Natural features to be preserved must be identified on plan.
- S. Existing and proposed landscaping, fencing, screening. Include fence dimensions, location, material, and a table showing number of plants of each species, common and botanical names. Include planting and preservation details, if applicable. Indicate proposed snow storage area, if applicable. (see Ch. 701, II Y, and Ch. 702 J. 5)
- T. Grades, street profiles, typical cross-section, and specifications of proposed streets and sidewalks. These must meet the standards of Ch. 601, Article IV.
- U. A description of any right-of-way, street, sidewalk, open space, or other area the applicant proposes to designate as public.
- V. Name, registration number, seal, and signature of all registered professionals (engineer, land surveyor, architect, landscape architect, etc.) who prepared the plan.
- W. First floor finished floor elevation(s) for all proposed buildings.
- X. If project is within the RP district, extent of floodway and floodway fringe.
- Y. If project is within Shoreland Overlay District, show required setbacks.

Please be advised to keep in touch with the Director of Planning and Development throughout the process, 846-2401; fax 846-2403. Your responsiveness will help the process to run smoothly.

### **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.

**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.

**BUILDING PERMIT**

Date: \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_ Ext \_\_\_\_\_      **Permit #** \_\_\_\_\_

Applicant Name: \_\_\_\_\_      Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_      e-mail: \_\_\_\_\_

**Owner (other than applicant)**

Name: \_\_\_\_\_      Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_      e-mail: \_\_\_\_\_

**Contractor**

Name: \_\_\_\_\_      Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_      e-mail: \_\_\_\_\_

**Property Location:** \_\_\_\_\_

**Lot Dimensions:** \_\_\_\_\_x\_\_\_\_\_ **Area:** \_\_\_\_\_      **Number of dwelling units:** \_\_\_\_\_

**Public Works:** Sewer Permit Issued: Yes \_\_\_ No \_\_\_ n/a \_\_\_      Street Opening: Yes \_\_\_ No \_\_\_ n/a \_\_\_  
Driveway Entrance: Yes \_\_\_ No \_\_\_ n/a \_\_\_

**Plans Filed:** Scaled Plot Plan: Yes \_\_\_ No \_\_\_ n/a \_\_\_      Full Construction Drawings: Yes \_\_\_ No \_\_\_ n/a \_\_\_

**Description of Proposed Construction:** \_\_\_\_\_

**Setback:** Front Yard \_\_\_\_\_ Side Yard \_\_\_\_\_ Other Side Yard \_\_\_\_\_ Rear Yard \_\_\_\_\_

**Building:** Length: \_\_\_\_\_ft. Width: \_\_\_\_\_ft. Height: \_\_\_\_\_ft. Area: \_\_\_\_\_sq. ft.

**Shoreland Overlay District:** Yes \_\_\_ No \_\_\_      **Resource Protection District:** Yes \_\_\_ No \_\_\_

**Zoning District:** \_\_\_\_\_ **Floodplain Permit:** \_\_\_\_\_ **NOI-General Permit:** \_\_\_\_\_

**ESTIMATED COST OF CONSTRUCTION:** \$ \_\_\_\_\_      **PERMIT FEE:** \$ \_\_\_\_\_

**SF Finished** \_\_\_\_\_ **SF Unfinished** \_\_\_\_\_ **Cost of Renovation** \_\_\_\_\_ **Cost of New Construction** \_\_\_\_\_

Owner/Agent Signature: \_\_\_\_\_      Date Signed: \_\_\_\_\_

Owner/Agent Printed: \_\_\_\_\_

"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.

~~~~~  
**OFFICE USE ONLY:** Type of Construction: \_\_\_\_\_ Use Group \_\_\_\_\_

Conditions of Approval \_\_\_\_\_

Code Enforcement Officer \_\_\_\_\_      Date Permit Issued: \_\_\_\_\_

## **BUILDING PERMIT APPLICATION CHECKLIST**

**\*All Building Plans must meet or exceed Building Codes – IRC-2009 and IBC-2009 per MUBEC\***

### **Residential:** New Construction

- Building Permits Application and Fee:
- (Finished Areas .25/per sq. ft. – Unfinished areas .10/per sq. ft.) **(Minimum fee \$50.00)**
- Septic Permit – 3 signed copies of HHE-200 Plans and Fee (non-engineered \$265.00).
- Deed for the Property
- Two copies of construction plans (full size for mark-up, 11x17 to be kept by the office. Plans must include:
  - 4 elevations
  - Framing cross-section (including sizes of structural members)
  - Foundation Plan
  - Floor plan (each room's use labeled)
  - Structural steel, ridges, beams involving LVL's, or Paralam's (stamped by engineer)
- Plot Plan: Lot size and accurate locations of all existing and proposed structures with set-backs (PER SCALE NOTED ON PLOT PLAN), and drainage.

### **Commercial:**

- Same requirements as Residential with the following fees:
- Finished areas .30/per sq. ft – Unfinished areas .10/per sq. ft. **(Minimum Fee \$100.00)**
- \*Please be aware that structurally complicated buildings must be reviewed by an engineer.
- \*Additional trade permits will be necessary (electrical, plumbing, etc.)

### **Renovations: (Including Structural Changes)**

- Floor plans showing existing structure and proposed changes
- Framing cross sections (including sizes of structural members)
- Plot Plan: lot size and accurate locations of all existing and proposed structures with set-backs. (Per scale on plot plan) and drainage.
- Completed Building Permit Application (see other side) and Fee.
- Written Cost Estimate and Fee (\$10.00 per \$1,000)
- **(Minimum Fee \$50.00 - Residential)/(Minimum Fee \$100 – Commercial)**

### **Additions:**

- Floor plans showing existing structure and proposed changes
- Framing cross sections (including sizes of structural members)
- Plot Plan: lot size and accurate locations of all existing and proposed structures with set-backs.
- Completed Building Permit Application (see other side) and Fee.
- Finished areas: \$.25 per/sq/ ft. – Unfinished areas \$.10 sq. ft.

**Decks/Sheds:** Up to 400 sq. ft - \$25.00. Additional over 400 sq. ft - .10 per sq. ft.

**Demolition Permits:** \$25.00

**Swimming Pools:** \$100.00

**Shoreland Permits:** The Shoreland Overlay District (SOD) is generally 250 feet from rivers, streams or saltwater bodies and their associated wetlands where shown on the official Zoning Map. Also 75 feet from certain streams. See Zoning Ordinance §II.R. All requests for Building Permits in the SOD require a Shoreland Permit prior to issuance of the Building Permit.

**Maine Construction General Permit:** Effective 2-17-03 a "NOTICE OF INTENT" may be required if your construction will result in disturbance of greater than or equal to one acre. (To be filed with the DEP)

*Original – File – Photocopy to Applicant*



**Tom Farmer, Landscape Architect**

343 Main Street #2B, Yarmouth, ME 04096

207.749.4032 • [tsffarmer@gmail.com](mailto:tsffarmer@gmail.com)

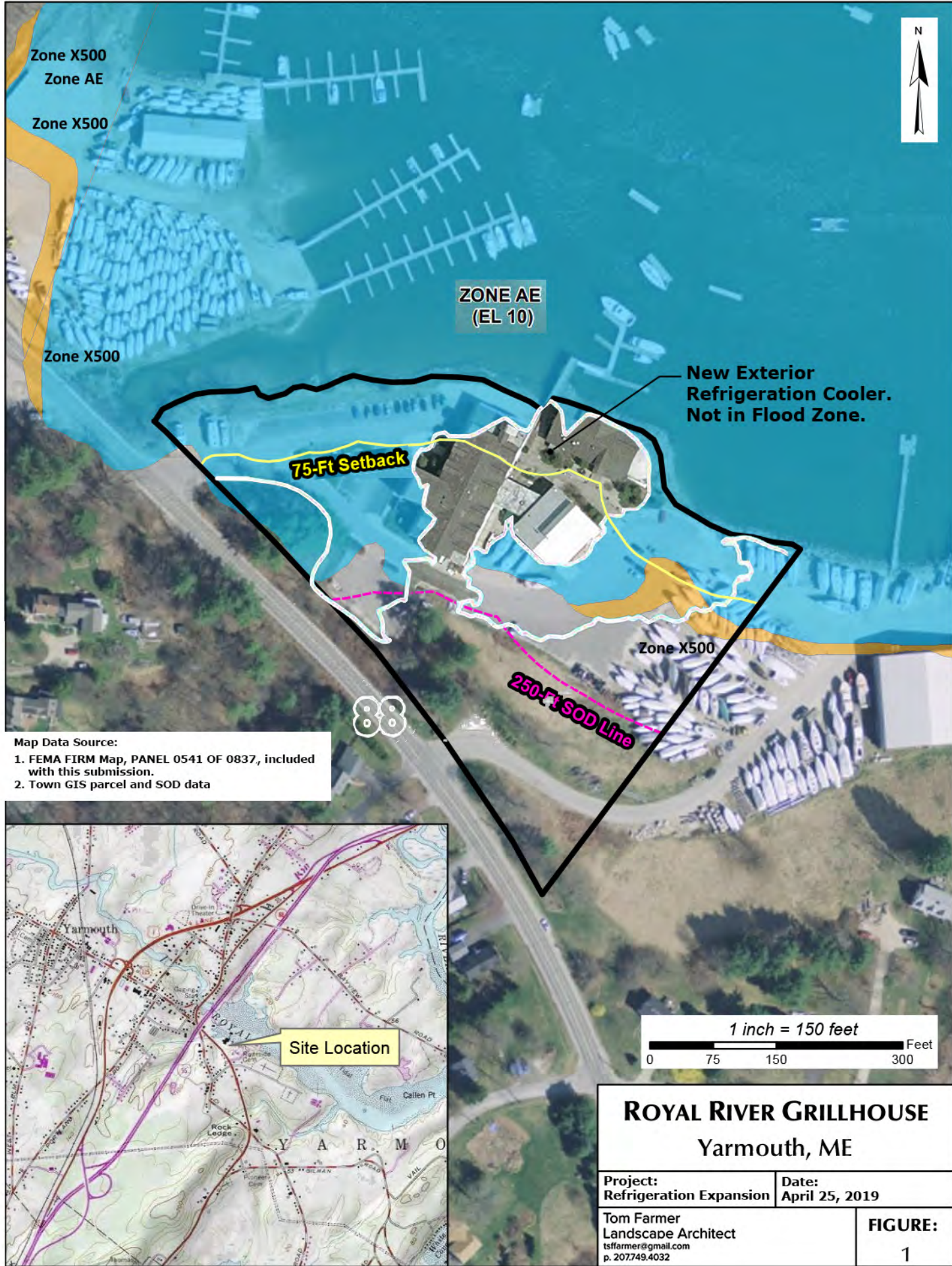
**AGENT AUTHORIZATION**

I authorize Tom Farmer, Landscape Architect, to prepare and submit documentation and to represent activities and interests for me and my property in local and state permitting applications.

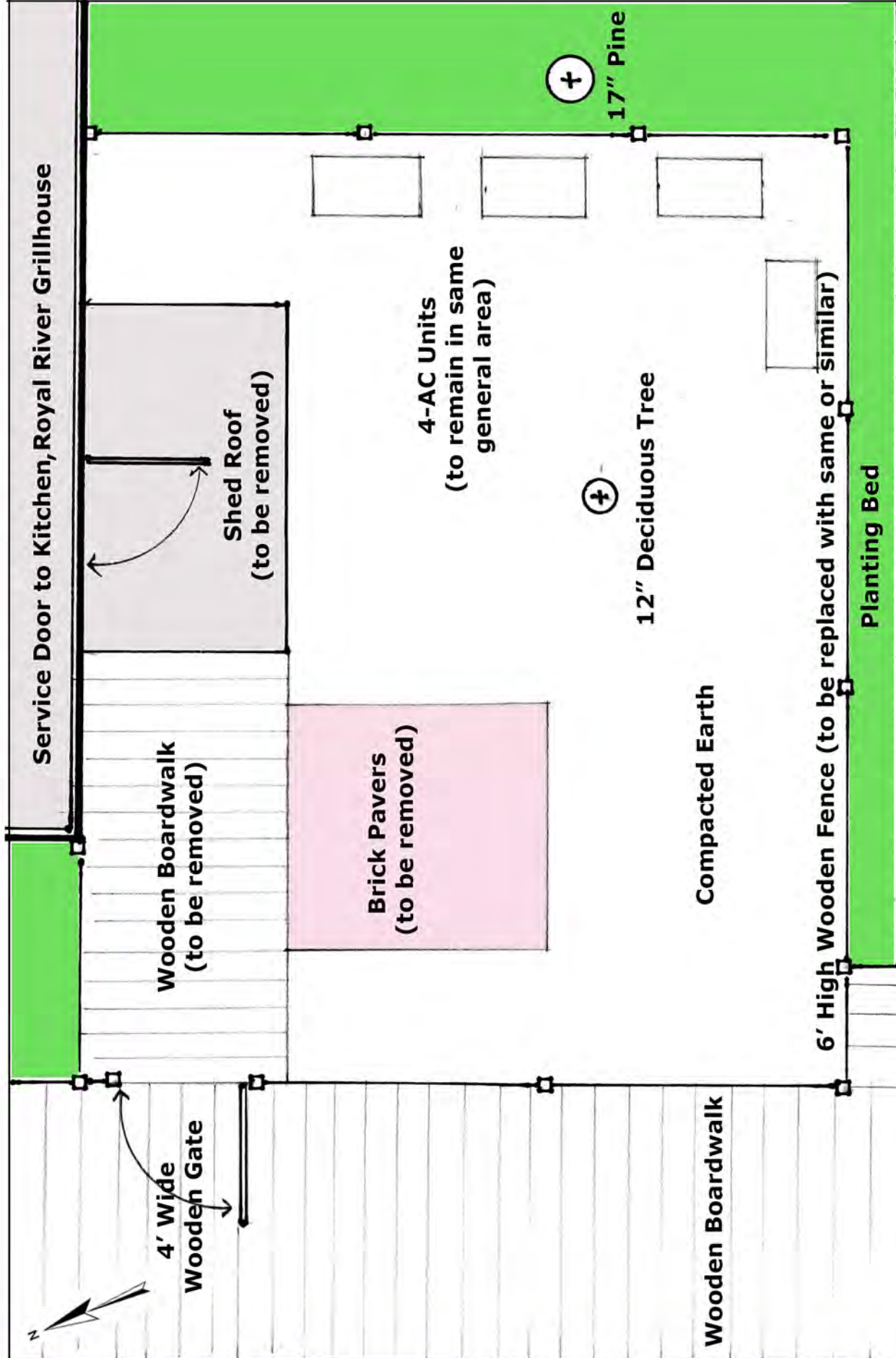
Virginia Piche  
Name Executive Assistant C.F.U.  
Maine EPM, LLC

11-24-19  
Date

106 Lafayette Street  
Property Address

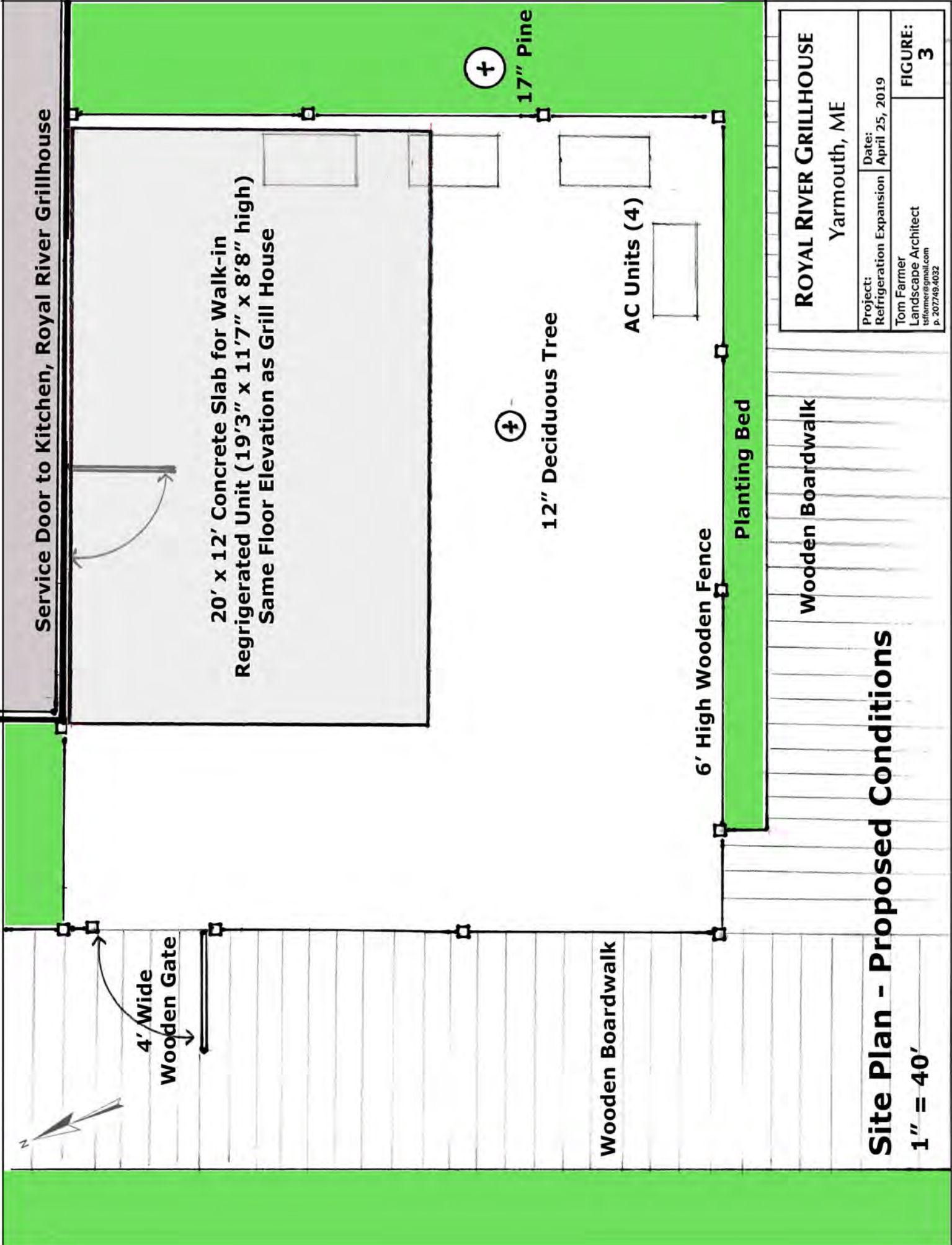






|                                                                           |                         |
|---------------------------------------------------------------------------|-------------------------|
| ROYAL RIVER GRILLHOUSE<br>Yarmouth, ME                                    |                         |
| Project:<br>Refrigeration Expansion                                       | Date:<br>April 25, 2019 |
| Tom Farmer<br>Landscape Architect<br>tffarmer@gmail.com<br>p. 207749.4032 |                         |
| FIGURE:<br>2                                                              |                         |

# Site Plan - Existing Conditions



Service Door to Kitchen, Royal River Grillhouse

20' x 12' Concrete Slab for Walk-in  
Refrigerated Unit (19'3" x 11'7" x 8'8" high)  
Same Floor Elevation as Grill House

12" Deciduous Tree

17" Pine

AC Units (4)

6' High Wooden Fence

Planting Bed

Wooden Boardwalk

# Site Plan - Proposed Conditions

1" = 40'

**ROYAL RIVER GRILLHOUSE**  
Yarmouth, ME

|                                     |                                                                           |              |
|-------------------------------------|---------------------------------------------------------------------------|--------------|
| Project:<br>Refrigeration Expansion | Date:<br>April 25, 2019                                                   | FIGURE:<br>3 |
|                                     | Tom Farmer<br>Landscape Architect<br>tffarmer@gmail.com<br>p. 207749.4032 |              |





Wood shed and service entrance to kitchen. Shed to be removed to allow for slab and cooler placement.



AC units to be relocated but remain within fenced area.

## ROYAL RIVER GRILLHOUSE Yarmouth, ME

**Project:**  
Refrigeration Expansion

**Date:**  
April 25, 2019

Tom Farmer  
Landscape Architect  
tsffarmer@gmail.com  
p. 207.749.4032

**FIGURE:**  
**4**

April 25, 2019

Kirk F. Mohny, Director  
Maine Historic Preservation Commission  
55 Capitol Street  
5 State House Station  
Augusta, ME 04333-0065

**RE: Town of Yarmouth Shoreland District review  
Royal River Grill House Restaurant, Yarmouth, ME**

Dear Mr. Mohny,

As part of the requirements for Shoreland Zoning Permit application, the Town of Yarmouth requires that the applicant submit a "request to review" letter to your Commission. On behalf of my client, Maine EMP, LLC, I am please to share the following information and attached site plan for your review. The subject parcel is located at 106 Lafayette Street, Yarmouth, Maine, Tax Map 28, Lot 31. The proposal before the Town of Yarmouth is to add an exterior walk-in refrigeration cooler to support the restaurant food storage. The cooler is approximately 20' x 12' x 9' high and will be placed within a currently fenced in service area, adjacent to the building at an existing kitchen service door. Part of the proposal is to remove a small 6' x 10' shed structure currently used to store wood for the wood fire oven.

Please review and provide comments on any potential historic properties. Our next submission deadline to the Town of Yarmouth is May 1 with a potential Board meeting on May 22, 2019. A letter from your Commission prior to the Board meeting would be greatly appreciated. **Should you have any questions or need additional information please do not hesitate to email or call me.**

Thank you in advance for your review.

Sincerely,



Tom Farmer, Landscape Architect  
343 Main Street #2B  
Yarmouth, Maine 04096  
207.749.4032

tsffarmer@gmail.com

April 25, 2019

Portland DEP  
312 Canco Road  
Portland, ME 04103

**RE: Permit By Rule Application  
Royal River Grill House Restaurant, Yarmouth, ME**

Dear DEP Staff,

On behalf of my client, Maine EMP, LLC, I am please to share the following information and attached Exhibits for your review. The subject parcel is located at 106 Lafayette Street, Yarmouth, Maine, Tax Map 28, Lot 31. The proposal before the Town of Yarmouth is to add an exterior walk-in refrigeration cooler to support the restaurant food storage. The cooler is approximately 20' x 12' x 9' high and will sit on a new concrete pad to be placed adjacent to the building at an existing kitchen service door. Part of the proposal is to remove a small 6' x 10' shed structure currently used to store wood for the wood fire oven.

The proposed excavation for the installation of the concrete slab equal approximately 10 C.Y. and will require a Shoreland Zoning Permit from the Town of Yarmouth. Any excavated soil will be removed from the site immediately to prevent soil runoff and eliminate unstable soils. The area of activity is flat and contained on the inland side of the restaurant at approximately 52' from the NHW line of the Royal River. Soil disturbance associated with the installation of the concrete slab will be temporary and will be stabilized with straw mulch during the same day. No existing vegetation will be removed as part of this application.

you have any questions or need additional information please do not hesitate to email or call me.

Thank you in advance for your review.

Sincerely,



Tom Farmer, Landscape Architect  
343 Main Street #2B  
Yarmouth, Maine 04096  
207.749.4032



04/06/2017

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**PERMIT BY RULE NOTIFICATION FORM**  
 (For use with DEP Regulation, Natural Resources Protection Act- Permit by Rule Standards, Chapter 305)  
 PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

| APPLICANT INFORMATION (Owner) |                                   | AGENT INFORMATION (If Applying on Behalf of Owner) |                                 |
|-------------------------------|-----------------------------------|----------------------------------------------------|---------------------------------|
| Name:                         | Maine EPM, LLC                    | Name:                                              | Tom Farmer, Landscape Architect |
| Mailing Address:              | 140 Main Street                   | Mailing Address:                                   | 343 Main Street, 2B             |
| Town:                         | Freeport                          | Town:                                              | Yarmouth                        |
| State and Zip Code:           | ME 04032                          | State and Zip Code:                                | ME 04096                        |
| Daytime Phone #:              | 207-869-5100                      | Daytime Phone #:                                   | 207-749-4032                    |
| Email Address:                | tmerrill@royalrivergrillhouse.com | Email Address:                                     | tsffarmer@gmail.com             |

| PROJECT INFORMATION                    |                                                                                                                     |                              |                                                                        |                                                          |                                                                        |                    |             |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------------------------------------|----------------------------------------------------------|------------------------------------------------------------------------|--------------------|-------------|
| Part of a larger project? (check one): | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                              | After the Fact? (check one): | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | Project involves work below mean low water? (check one): | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | Name of waterbody: | Royal River |
| Project Town:                          | Yarmouth                                                                                                            | Project Location (Address):  | 106 Lafayette St                                                       | Map & Lot Number:                                        | M28/L31                                                                |                    |             |
| Brief Project Description:             | Section 2, soil disturbance at approximately 55' from NHW Royal River                                               |                              |                                                                        |                                                          |                                                                        |                    |             |
| Brief Directions to Site:              | 295N to Exit 15, right on Rte 1, right on Portland St., Right on Main, Right on Rte 88, Left on Lower Falls Landing |                              |                                                                        |                                                          |                                                                        |                    |             |

**PERMIT BY RULE (PBR) SECTIONS (Check at least one):** I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

- |                                                                                  |                                                                                   |                                                                                                                                                                      |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec. (10) Stream Crossing                                | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension                                                                                                        |
| <input type="checkbox"/> Sec. (3) Intake Pipes                                   | <input type="checkbox"/> Sec. (11) State Transportation Facil.                    | <input type="checkbox"/> Sec. (18) Maintenance Dredging                                                                                                              |
| <input type="checkbox"/> Sec. (4) Replacement of Structures                      | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas                   | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat                                                                             |
| <input type="checkbox"/> Sec. (5) REPEALED                                       | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird feeding & roosting areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation                | <input type="checkbox"/> Sec. (14) REPEALED                                       |                                                                                                                                                                      |
| <input type="checkbox"/> Sec. (7) Outfall Pipes                                  | <input type="checkbox"/> Sec. (15) Public Boat Ramps                              |                                                                                                                                                                      |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization                        | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects                     |                                                                                                                                                                      |
| <input type="checkbox"/> Sec. (9) Utility Crossing                               |                                                                                   |                                                                                                                                                                      |

NOTE: Municipal permits may also be required. Contact your local code enforcement office for more information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for more information.

**NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS**

- **Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- **Attach** a check for the correct fee made payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feesched.pdf>
- **Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- **Attach Proof of Legal Name** if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>) Individuals and municipalities are not required to provide any proof of identity.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules.

I also understand that this PBR becomes effective 14 calendar days after receipt by the Department *unless the Department approves or denies the PBR prior to that date.*

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

|                                  |                          |       |         |
|----------------------------------|--------------------------|-------|---------|
| Signature of Agent or Applicant: | <i>Tom Farmer, Agent</i> | Date: | 4.24.19 |
|----------------------------------|--------------------------|-------|---------|

*Keep a copy as a record of permit.* Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP  
17 STATE HOUSE STATION  
AUGUSTA, ME 04333-0017  
(207)287-7688

PORTLAND DEP  
312 CANCO ROAD  
PORTLAND, ME 04103  
(207)822-6300

BANGOR DEP  
106 HOGAN ROAD  
BANGOR, ME 04401  
(207)941-4570

PRESQUE ISLE DEP  
1235 CENTRAL DRIVE  
PRESQUE ISLE, ME 04769  
(207)764-0477

|                 |      |      |           |           |              |
|-----------------|------|------|-----------|-----------|--------------|
| OFFICE USE ONLY | Ck.# | Date | Staff     | Staff     | After Photos |
| PBR #           | FP   |      | Acc. Date | Def. Date |              |





# MAINE

Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions

**Corporate Name Search**

## Information Summary

[Subscriber activity report](#)

**This record contains information from the CEC database and is accurate as of: Wed Apr 24 2019 15:32:59. Please print or save for your records.**

| Legal Name     | Charter Number | Filing Type                          | Status        |
|----------------|----------------|--------------------------------------|---------------|
| MAINE EPM, LLC | 20010812DC     | LIMITED LIABILITY COMPANY (DOMESTIC) | GOOD STANDING |

| Filing Date | Expiration Date | Jurisdiction |
|-------------|-----------------|--------------|
| 01/19/2001  | N/A             | MAINE        |

### Other Names (A=Assumed ; F=Former)

|                                    |   |
|------------------------------------|---|
| UNCHAINED HOSPITALITY              | A |
| MAINE EPM HOSPITALITY              | A |
| EPM HOSPITALITY                    | A |
| TUSCAN BISTRO                      | A |
| MARKET SIDE GRILL, LLC             | A |
| PUBLIC MARKET GRILLHOUSE           | A |
| ROYAL RIVER GRILLHOUSE - CANCELLED | A |
| THE CANNERY                        | A |
| ROYALL RIVER CHOP HOUSE            | A |

### Clerk/Registered Agent

HORACE W. HORTON  
ONE MONUMENT WAY  
PORTLAND, ME 04101

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# MAINE

Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions

**Corporate Name Search**

## Information Summary

[Subscriber activity report](#)

**This record contains information from the CEC database and is accurate as of: Thu Apr 25 2019 11:50:54. Please print or save for your records.**

| Legal Name                | Charter Number | Filing Type                             | Status           |
|---------------------------|----------------|-----------------------------------------|------------------|
| SEKA<br>PROPERTIES<br>LLC | 20185874DC     | LIMITED LIABILITY<br>COMPANY (DOMESTIC) | GOOD<br>STANDING |

| Filing Date | Expiration Date | Jurisdiction |
|-------------|-----------------|--------------|
| 04/24/2018  | N/A             | MAINE        |

**Other Names** (A=Assumed ; F=Former)

NONE

### Clerk/Registered Agent

MICHAEL P. BOYD, ESQ.  
ONE MONUMENT WAY  
2ND FLOOR  
PORTLAND, ME 04101

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amendments  
\(\\$30.00\)](#) [Long Form with  
amendments  
\(\\$30.00\)](#)

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If you encounter problems, visit the [troubleshooting page](#).



If you encounter technical difficulties while using these services, please contact the [Webmaster](#). If you are unable to find the information you need through the resources provided on this web site,

ginny@maineepm.com <ginny@maineepm.com>  
To: TS Farmer <tsffarmer@gmail.com>  
Cc: tmerrill@royalrivergrillhouse.com

Thu, Apr 25, 2019 at 3:32 PM

Hi Tom – below is an email from our accounting firm for the application

**From:** John Hadwen <jhadwen@bnn CPA.com>  
**Sent:** Thursday, April 25, 2019 2:51 PM  
**To:** 'ginny@maineepm.com' <ginny@maineepm.com>  
**Subject:** Agent Authorization Letter

Hi Ginny,

Here is the a statement you can pass along to the town.

***We have prepared the corporate tax returns for Maine EPM, LLC and its subsidiaries for the tax year ending December 31, 2018. This return was prepared from information furnished to us and was neither audited nor verified by us, and we make no representation nor provide any assurance regarding the accuracy and completeness of this information, or the sufficiency of this tax return. Based on the information provided the applicant has cash reserves in the amount of the estimated cost of the project and can devote those reserves to the project.***

John

**John E. Hadwen IV, CPA**

Tax Senior Manager

Baker Newman Noyes

[280 Fore Street](#)

[Portland, ME 04101](#)

[Ph: 207.791.7148 / Fax: 207.774.1793](#)

[jhadwen@bnn CPA.com](mailto:jhadwen@bnn CPA.com)/ [www.bnn CPA.com](http://www.bnn CPA.com)

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