

# TOWN OF YARMOUTH

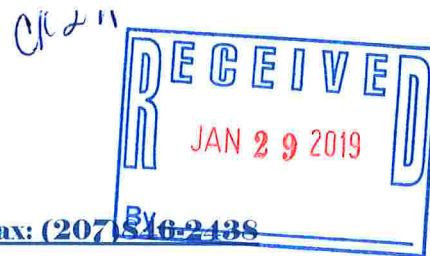
200 Main Street

Yarmouth, Maine 04096

(207)846-2401

WWW.YARMOUTH.ME.US

Fax: (207)846-2438



## SHORELAND ZONING PERMIT APPLICATION

PERMIT # 19-16 ISSUE DATE \_\_\_\_\_ FEE AMOUNT 150.00  
Date: 1/23/19 SOD/RP 28A 28  
Zoning District \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_ Ext \_\_\_\_\_

APPLICANT NAME: SHAWN TOOLEY PHONE NO: 707-287-2050  
MAILING ADDRESS: 31 CARRIAGE LD e-mail MERCHANT CLEANING @ GMAIL.COM  
CUMBERLAND FORESIDE, ME.

OWNER (other than applicant)  
NAME: \_\_\_\_\_ PHONE NO: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_

CONTRACTOR  
NAME: \_\_\_\_\_ PHONE NO: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_ e-mail \_\_\_\_\_

PROPERTY LOCATION: 28 Lafayette St, Yarmouth ME

*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: Restaurant / Business

Estimated cost of construction 75000

Lot area (sq. ft.) 8,495

Frontage on Road (FT) 60

SQ. FT. of lot to be covered by non-vegetated surfaces 2,305 (existing)

Elevation above 100 YR Flood Plain 12

Frontage on water body (FT.) 79

Height of proposed structure 17'-0"

Existing use of property Two Unit

Proposed use of property Restaurant/Two Unit

*Note: NEXT Questions apply only to expansions of portions of existing structures that are less than the required setback.*

- A) Total building footprint area of portion of structure that is less than required setback as of 1/1/89: \_\_\_\_\_ 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 recalculate the extent of removal, damage or destruction relative to retained structure.**
- ☐ Please provide a site plan to include lot lines, area to be cleared of trees and other vegetation; the exact position of proposed structures, including decks, porches, and out buildings with accurate setback distances 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 Shawn M. Teoley Date 1/23/19

Agent Signature \_\_\_\_\_ Date \_\_\_\_\_  
(if applicable)

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

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



The project at 28 Lafayette Street consists of:

- Removing the existing wood structured two car garage, replacing it with a wood structured business/restaurant.
- The footprint of the garage will be kept to the same footprint of the existing garage.
- The structure will be 17'-0" tall at the highest point with a 9/12 roof pitch.
- A 2 hour fire wall will separate the business/restaurant from the house.
- The business/restaurant has a small kitchen that has a stove with a commercial range hood, refrigerator, 3 bay sink for cleaning, food grade countertops, ADA compliant toilet and small sitting areas by the front entrance.
- A sprinkler system will be installed in the restaurant and plumbing fixtures will be tied into the sewer system of 28 Lafayette.

The restaurant/take out will be a seasonal operation to start (possibly April 15-Nov 15). The name we are currently partial to is "Finnegan's at the Falls", focusing on a variety of lobster rolls, crab rolls, "gourmet" hot dogs (such as Angus Beef, red snappers, turkey, tofu and brats with multiple topping choices) and a multitude of ice cream/soft serve choices. We will also carry lobster stew/bisque, clam chowder (with optional baked bread bowls), possibly a grilled haddock sandwich, hamburgers and grilled corn (with a few aioli sauces such as mexican, sriracha, etc). We will also try a special promotional night for steamers each week, billing it as "Steamers in the Park Saturdays", or something similar. For the children we will carry macaroni and cheese (lobster and plain) as well as grilled cheese sandwiches. Our goal is to grill instead of frying food, thus eliminating a fryer altogether. We will serve a variety of fresh chips with all sandwiches and dogs.

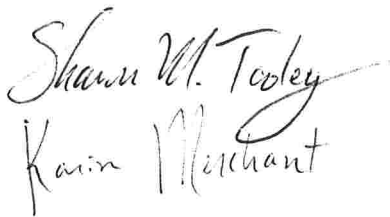
Abutting with Gendall Park town property, we vow to maintain the entire grounds by providing trimming & mowing, branch & leaf removal and trash & waste maintenance at all times. We will provide picnic tables and waste barrels (per town approval of design and number of tables allowed). We will also provide safe aesthetic decorations such as flowers, etc., per town approval. All food will be served with biodegradable and/or recyclable paper/plastic.

We are aiming to provide the freshest experience possible by utilizing local vendors/farms for meat and produce. We will also try to keep everything as local as possible by hiring local employees. We are greatly looking forward to seeing and being a part of Yarmouth's continual economic growth. Karin & I also feel like this project can be a tremendous asset to the town by bringing the community together in an outdoor area of Yarmouth with such great unused potential.

Thank you for your consideration.

Sincerely,

Shawn Tooley & Karin Merchant

Handwritten signatures of Shawn M. Tooley and Karin Merchant. The signature of Shawn M. Tooley is written in a cursive style, with the first name 'Shawn' and last name 'Tooley' clearly visible. Below it, the signature of Karin Merchant is also written in a cursive style, with the first name 'Karin' and last name 'Merchant' clearly visible.

YARMOUTH TAKE OUT



LIST OF DRAWINGS

SHEET#	SHEET ORDER	SHEET TITLE
C001	1 OF 9	COVER SHEET
AD1.1	2 OF 9	REMOVALS FIRST FLOOR PLAN
AD1.2	3 OF 9	REMOVALS SECOND FLOOR PLAN
A1.1	4 OF 9	FIRST FLOOR PLAN
A1.2	5 OF 9	SECOND FLOOR PLAN
A2.1	6 OF 9	EXTERIOR ELEVATIONS
A2.2	7 OF 9	EXTERIOR ELEVATIONS
A4.1	8 OF 9	INTERIOR ELEVATIONS AND DETAILS
E1.1	9 OF 9	ELECTRICAL FLOOR PLANS

12 Romasco Ln. Portland,  
Maine 04101 (T) 207.423.4335

YARMOUTH  
TAKE OUT

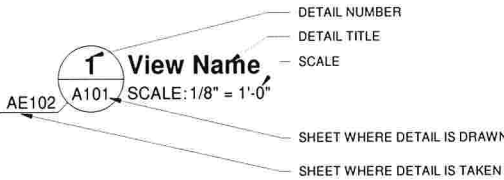
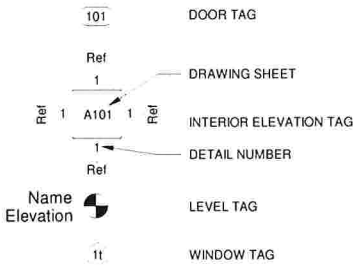
28 LAFAYETTE ST.,  
YARMOUTH, ME, 04096

DESIGNED BY: NJD  
DRAWN BY: NJD

PROJECT: 2.1.18

DRAWING LEGEND

- BATT INSULATION
- CONCRETE
- CONTINUOUS STRUCTURAL FRAMING MEMBRANE
- DENSE PACK INSULATION
- PLYWOOD
- RIGID INSULATION



LIST OF ABBREVIATIONS

& @ ALUM ADJ ADA APPROX BD BLD BLDG CLG CMU COL CONC CONT COORD CPT CWT DIA DN DWG EA ELEC ELEV EXIST EXT FDN FT. F.F.L. GYP BD H. HGT HORIZ IBC IN. INSUL IRC LF	AND AT ALUMINUM ADJACENT AMERICAN WITH DISABILITIES ACT APPROXIMATE(LY) BOARD BORROWED LITE BUILDING CEILING CONCRETE MASONRY UNIT COLUMN CONCRETE CONTINUOUS CORRIDNATE CARPET CERAMIC WALL TILE DIAMETER DOWN DRAWING EACH ELECTRICAL ELEVATION EXISTING EXTERIOR FOUNDATION FOOT/FEET FINISHED FLOOR LEVEL GYSPUM BOARD HEIGHT HORIZONTAL INTERNATIONAL BUILDING CODE INCH(ES) INSULATION INTERNATIONAL RESIDENTAL CODE LINEAR FEET	LSL LVL MAX. MECH MIN. MTL N NUMBER O.C. PNT PLYWD II LB PSF PSI P.T. REBAR REQ'D SIM STL STRUCT SS SYS SQFT T&G TYP W W/ WWW	LAMINATED-STRAND LUMBER LAMINATED-VENEER LUMBER MAXIMUM MECHANICAL MINIMUM METAL NORTH NUMBER ON CENTER PAINT PLYWOOD PARALLEL POUNDS POUNDS PER SQUARE FOOT POUNDS PER SQUARE INCH PRESSURE TREATED REINFORCE STEEL REQUIRED SIMILAR STEEL STRUCTURAL STAINLESS STEEL SYSTEM SQUARE FOOT/FEET TONGUE AND GROOVE TYPICAL WIDTH WITH WELDED WIRE MESH
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GENERAL CONSTRUCTION NOTES:

- WORK INCLUDED IN THIS CONTRACT SHALL CONFIRM TO STATE, NATIONAL AND OTHER CODES AND ORDINANCES WHICH APPLY TO THIS PROJECT INCLUDING IBC AND NFPA 101, CURRENT EDITION.
- FIELD VERIFY EXISTING CONDITIONS AND DIMENSIONS AND REPORT DISCREPANCIES TO THE OWNER. PROCEED WITH THE WORK ONLY AFTER THE DISCREPANCIES HAVE BEEN RESOLVED BY THE OWNER.
- WORK FROM GIVEN DIMENSIONS AND LARGE SCALE DETAILS ONLY. DO NOT SCALE DRAWINGS.
- CARE SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT AREAS TO REMAIN.
- AT THE END OF EACH WORKING DAY, THE CONSTRUCTION SITE SHALL BE LEFT IN A SAFE, WEATHERTIGHT, SECURE, NEAT AND CLEAN MANNER.
- OBTAIN PERMITS WHICH ARE REQUIRED FOR THE SATISFACTORY COMPLETION OF THE WORK.
- PROVIDE TEMPORARY PROTECTION FROM THE WEATHER FOR EXPOSED STRUCTURE.
- PROVIDE BARRICADES AND SIGNAGE AT WORK AREAS TO PREVENT THE PUBLIC FROM ENTERING AREAS OF WORK.
- COORDINATE THE TIMING AND SEQUENCE OF WORK WITH OWNER AND THE APPROPRIATE AUTHORITIES.
- DISRUPTIVE WORK: DISRUPTIVE/ NOISY WORK SHALL BE PERFORMED AS DIRECTED BY THE OWNER.
- IT IS UNKNOWN IF HAZARDOUS MATERIALS ARE PRESENT WITHIN THE SCOPE OR WORK AREA. IF SUSPECTED MATERIALS ARE ENCOUNTERED, NOTIFY THE OWNER PRIOR TO COMMENCING WORK.

CONSTRUCTION DRAWINGS

COVER SHEET

SCALE: 1/4" = 1'-0"

DATE: 12/30/18

DWG: C001

SHEET: 1 OF 7

YARMOUTH  
TAKE OUT

28 LAFAYETTE ST,  
YARMOUTH, ME, 04096

DESIGNED BY: NJD  
DRAWN BY: NJD

PROJECT: 2.1.18

CONSTRUCTION DRAWINGS

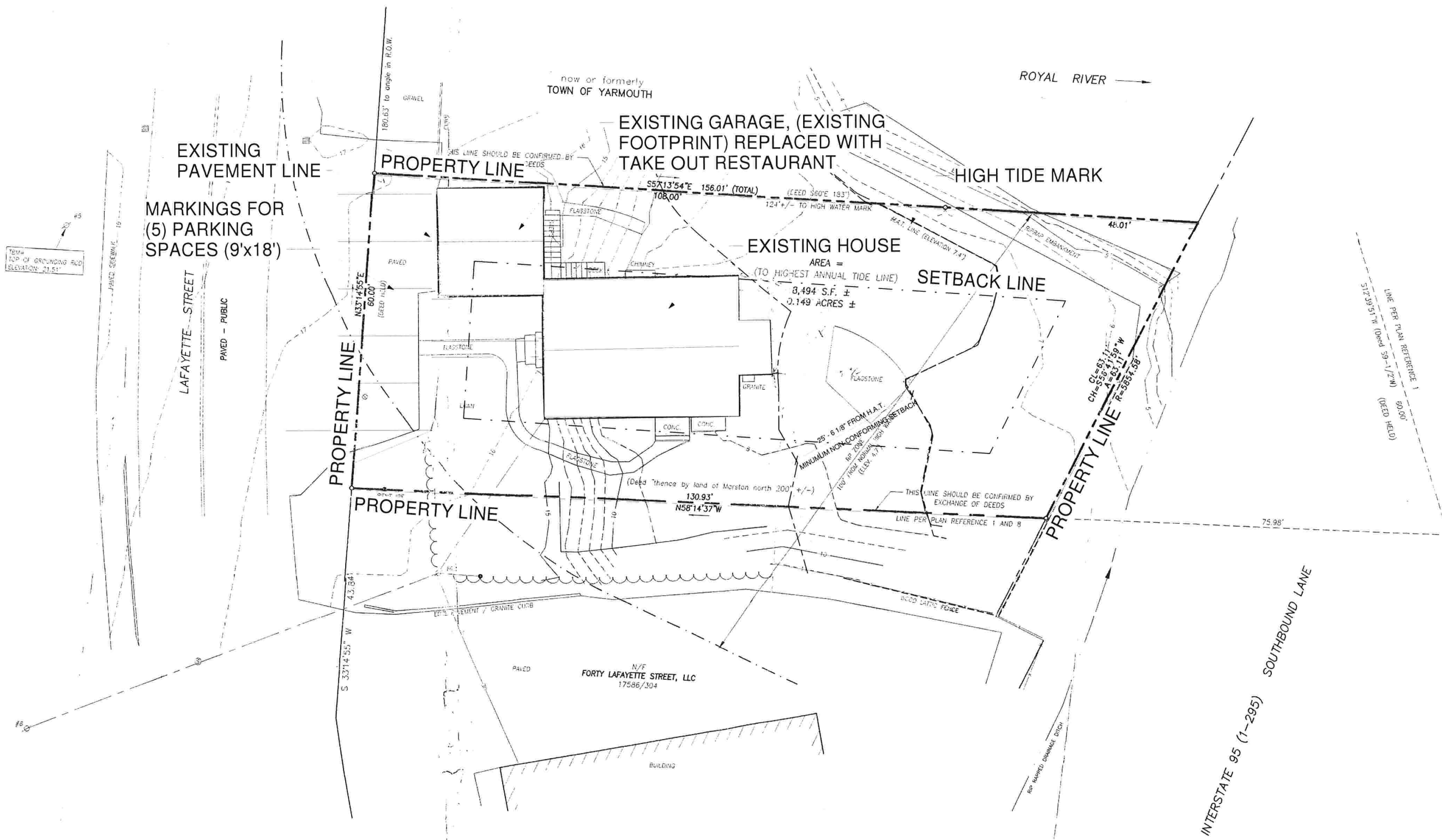
SITE PLAN

SCALE: 1" = 10'-0"

DATE: 12/30/18

DWG: A1.0

SHEET: 2 OF 7



1 SITE PLAN  
A1.0 SCALE: 1" = 10'-0"

EXISTING PROPERTY  
AREA 8,608 sqft  
  
EXISTING PROPERTY  
ABOVE HIGH TIDE AREA  
8,495 sqft



YARMOUTH  
TAKE OUT

28 LAFAYETTE ST,  
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DESIGNED BY: NJD  
DRAWN BY: NJD

PROJECT: 2.1.18

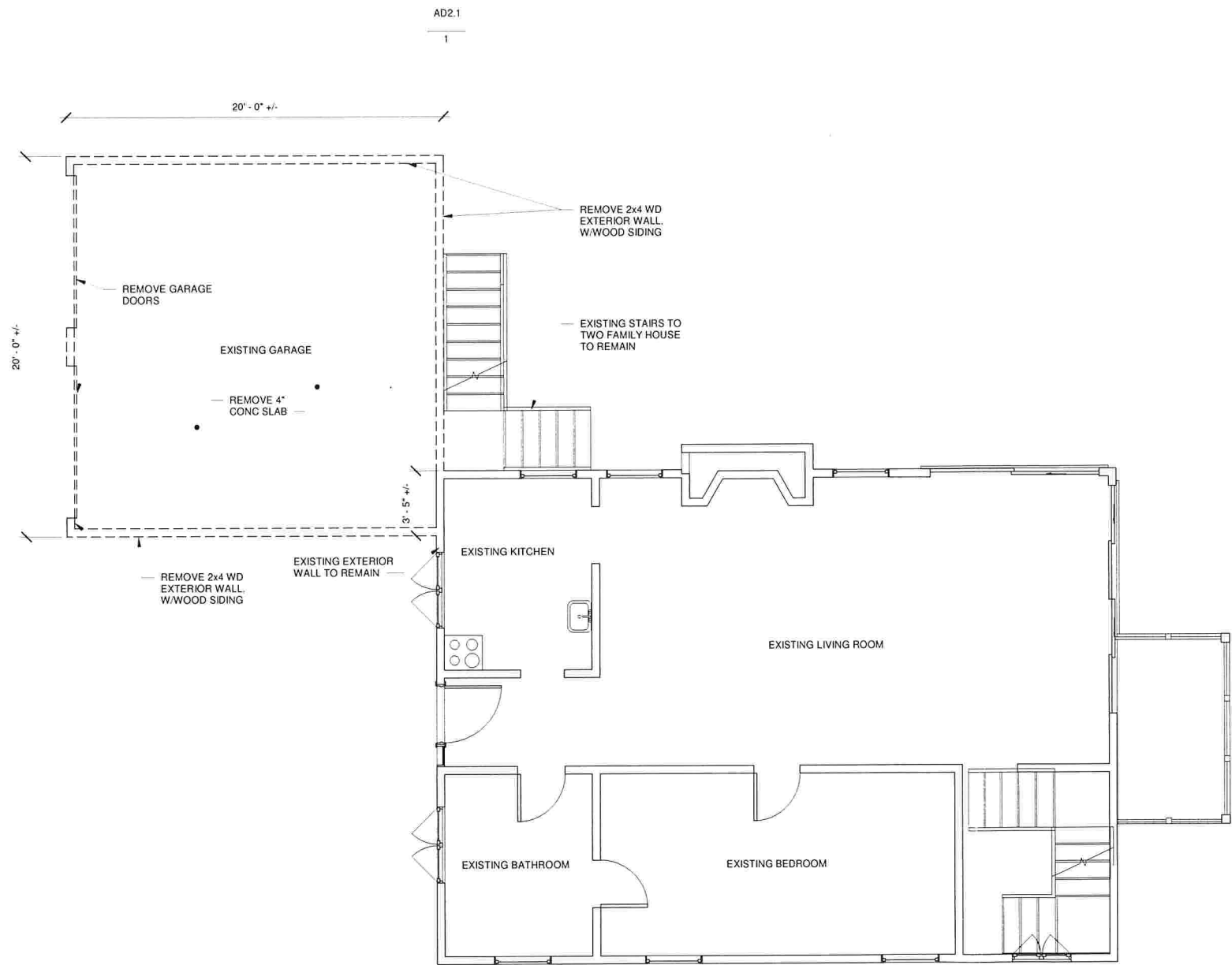
CONSTRUCTION DRAWINGS

REMOVALS  
FIRST FLOOR  
PLAN

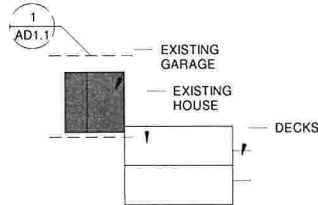
SCALE: As indicated  
DATE: 12/30/18

DWG: AD1.1

SHEET: 3 OF 7



1 REMOVALS FIRST FLOOR  
AD1.1 SCALE: 1/4" = 1'-0"



KEYPLAN

GRAPHIC SCALE



CHECK GRAPHIC SCALE BEFORE USING

YARMOUTH  
TAKE OUT

28 LAFAYETTE ST,  
YARMOUTH, ME, 04096

DESIGNED BY: NJD  
DRAWN BY: NJD

PROJECT: 2.1.18

CONSTRUCTION DRAWINGS

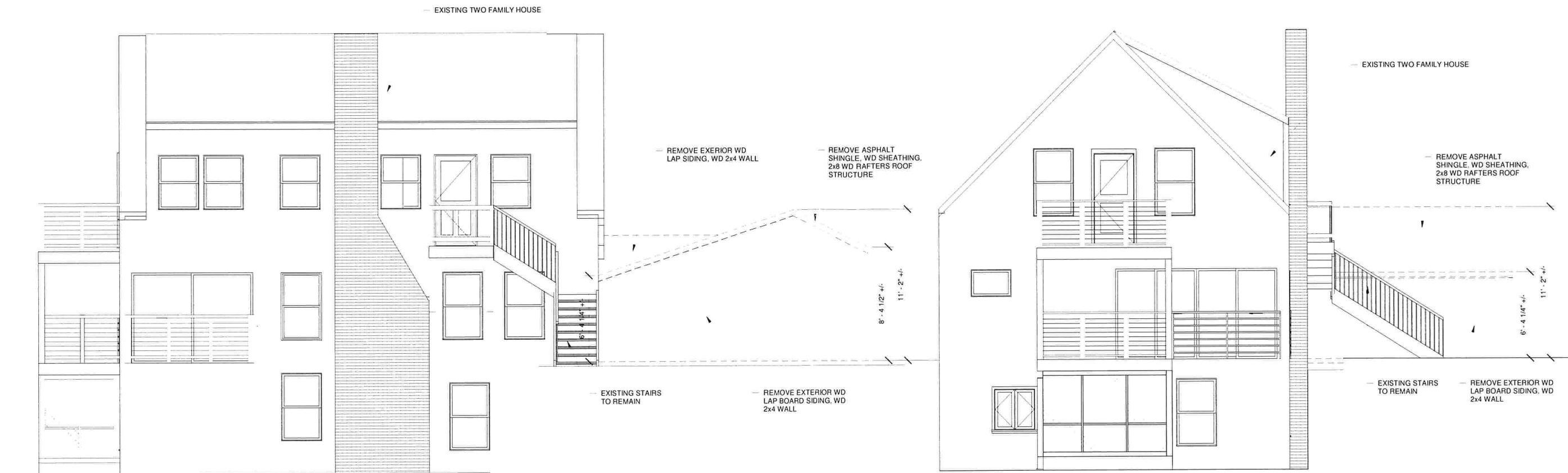
REMOVALS  
EXTERIOR  
ELEVATIONS

SCALE: 1/4" = 1'-0"

DATE: 12/30/18

DWG: AD2.1

SHEET: 4 OF 7

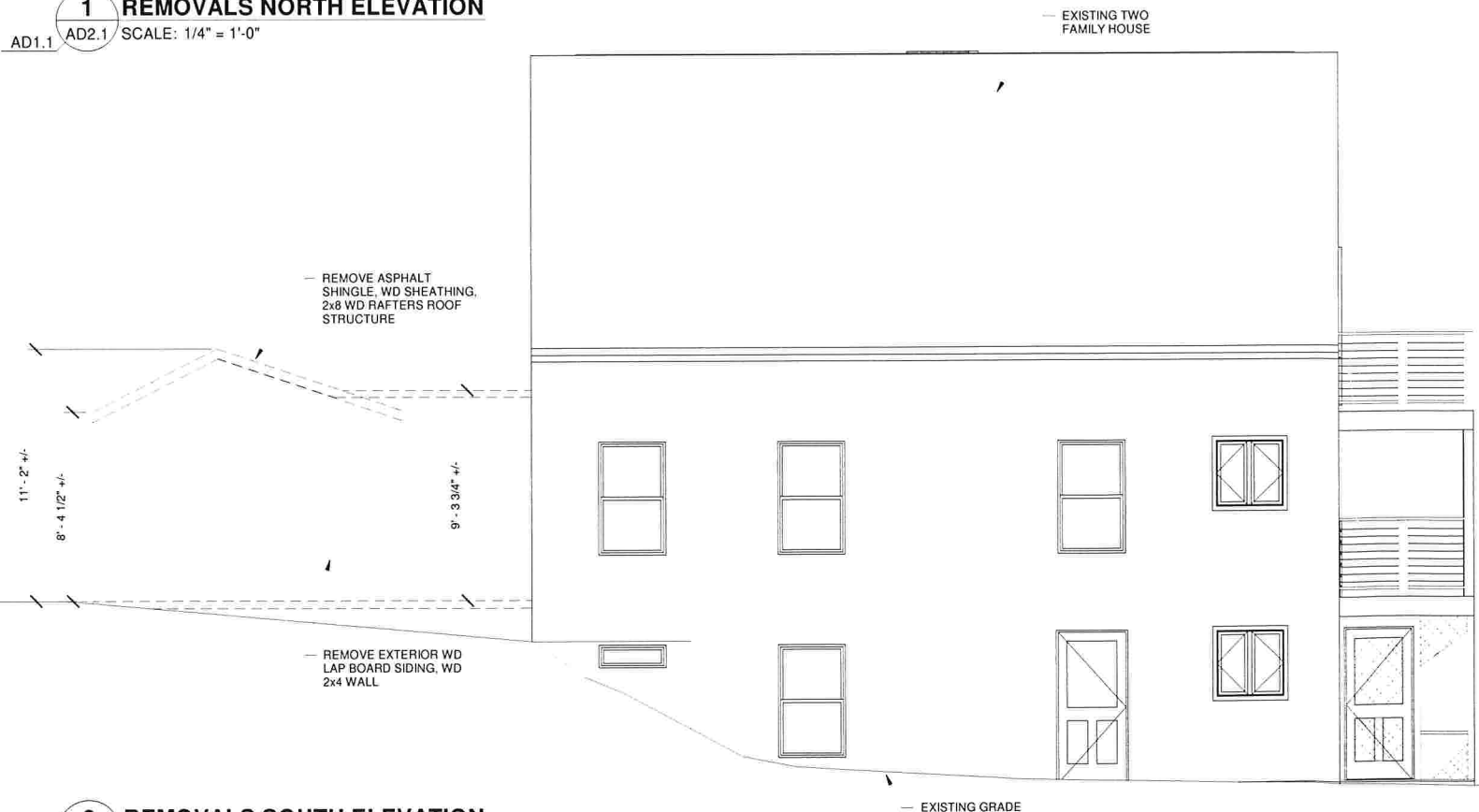


1 REMOVALS NORTH ELEVATION

AD1.1 AD2.1 SCALE: 1/4" = 1'-0"

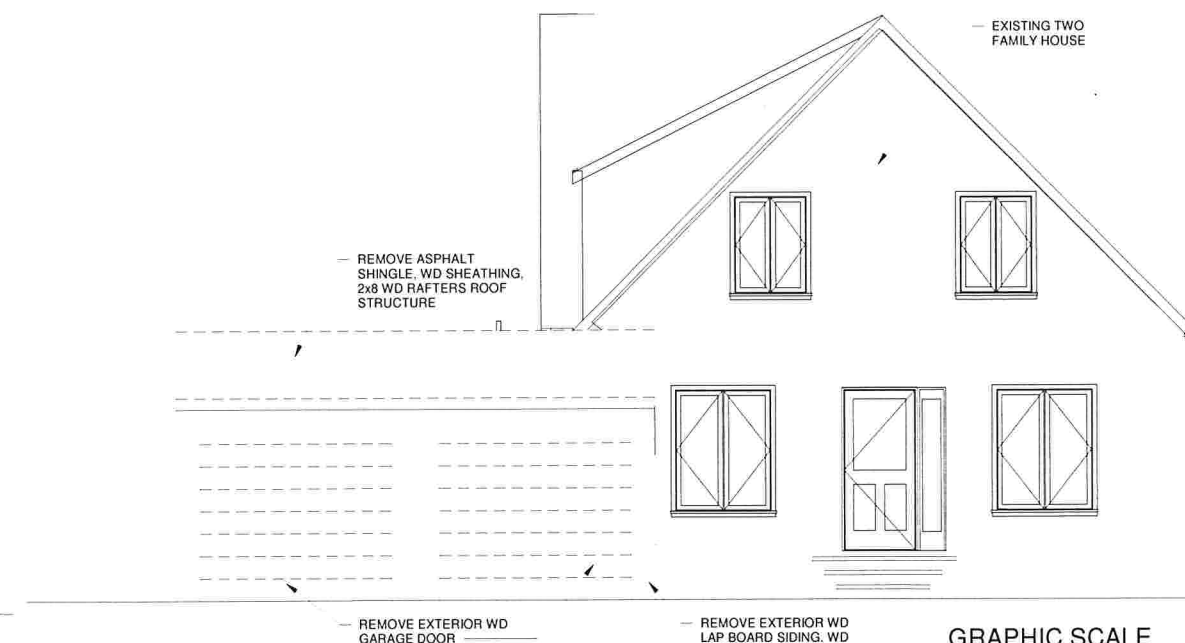
2 REMOVALS EAST ELEVATION

A1.1 AD2.1 SCALE: 1/4" = 1'-0"



3 REMOVALS SOUTH ELEVATION

A1.1 AD2.1 SCALE: 1/4" = 1'-0"



4 REMOVALS WEST ELEVATION

A1.1 AD2.1 SCALE: 1/4" = 1'-0"

GRAPHIC SCALE



CHECK GRAPHIC SCALE BEFORE USING

YARMOUTH  
TAKE OUT

28 LAFAYETTE ST,  
YARMOUTH, ME, 04096

DESIGNED BY: NJD  
DRAWN BY: NJD

PROJECT: 2.1.18

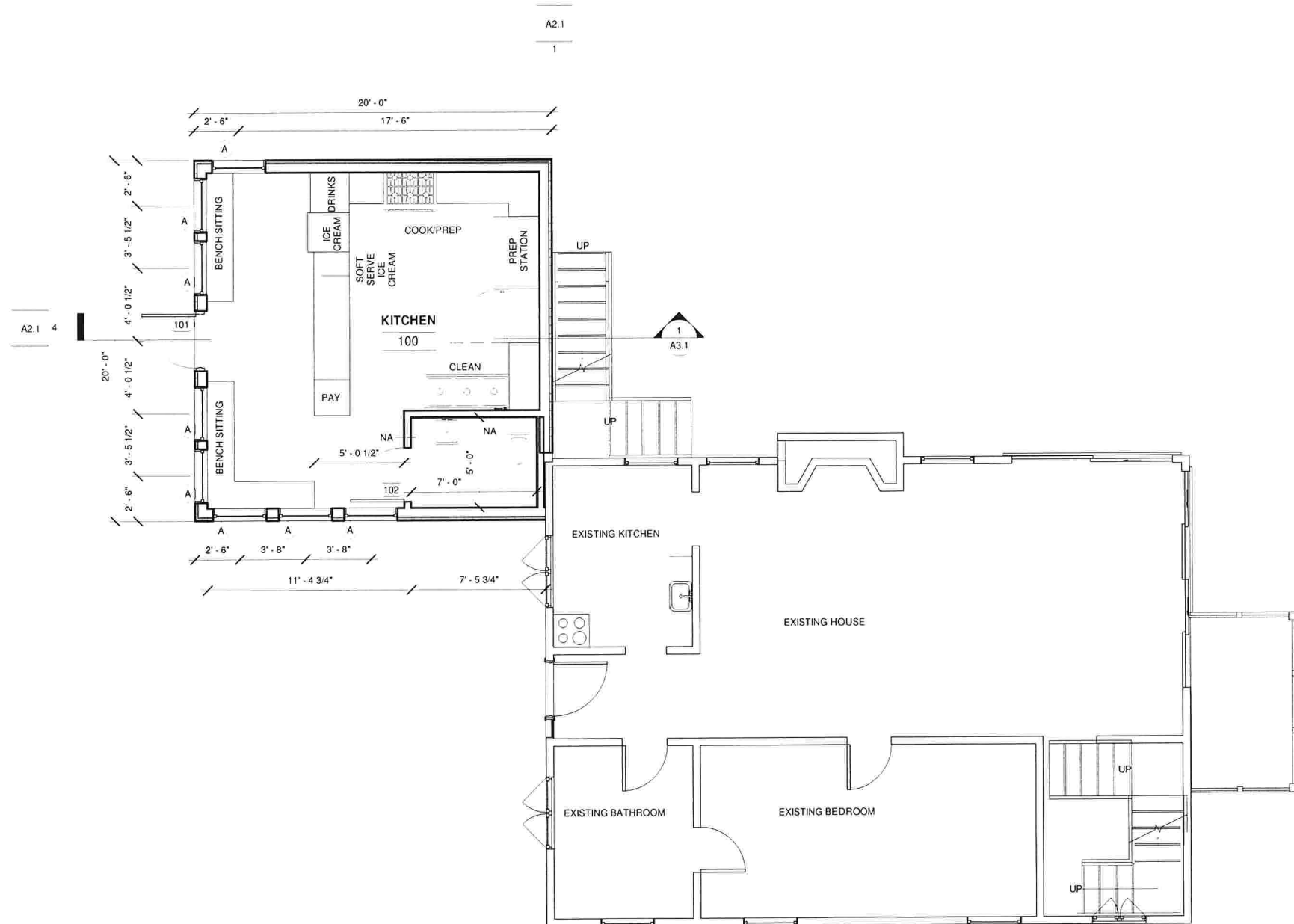
CONSTRUCTION DRAWINGS

FIRST FLOOR  
PLAN

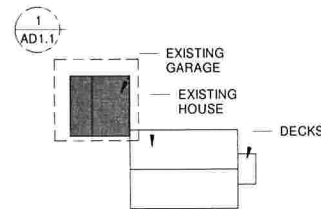
SCALE: As indicated  
DATE: 12/30/18

DWG: A1.1

SHEET: 5 OF 7



1 FIRST FLOOR PLAN  
A1.1 SCALE: 1/4" = 1'-0"



KEYPLAN



YARMOUTH  
TAKE OUT

28 LAFAYETTE ST,  
YARMOUTH, ME, 04096

DESIGNED BY: Designe  
DRAWN BY: Author

PROJECT: 2.1.18

CONSTRUCTION DRAWINGS

BUILDING  
SECTION,  
DOOR AND  
WINDOW  
SCHEDULE

SCALE: 1/2" = 1'-0"

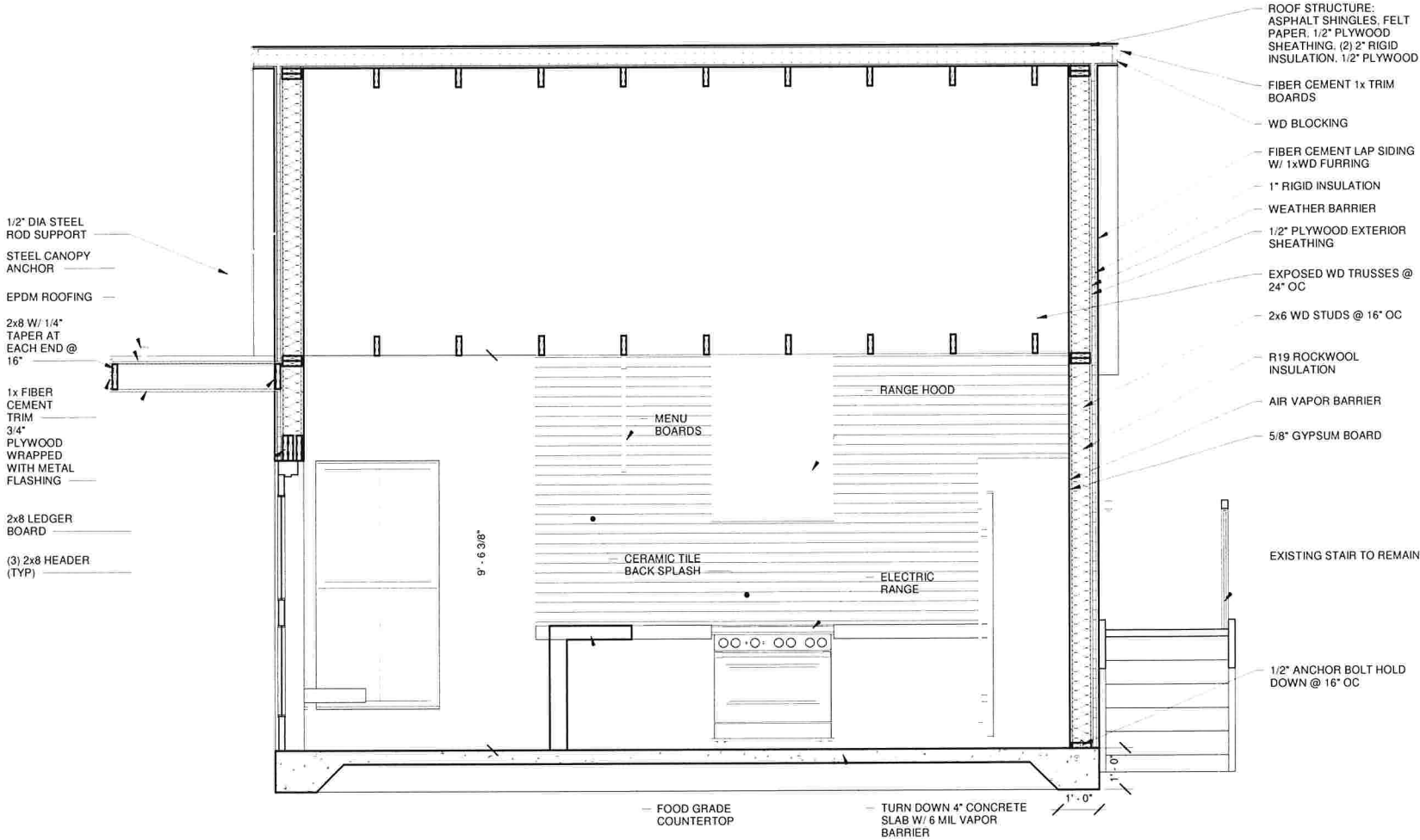
DATE: 12/30/18

DWG: A3.1

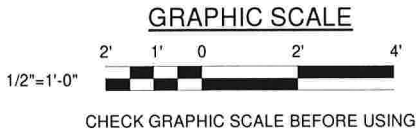
SHEET: 6 OF 7

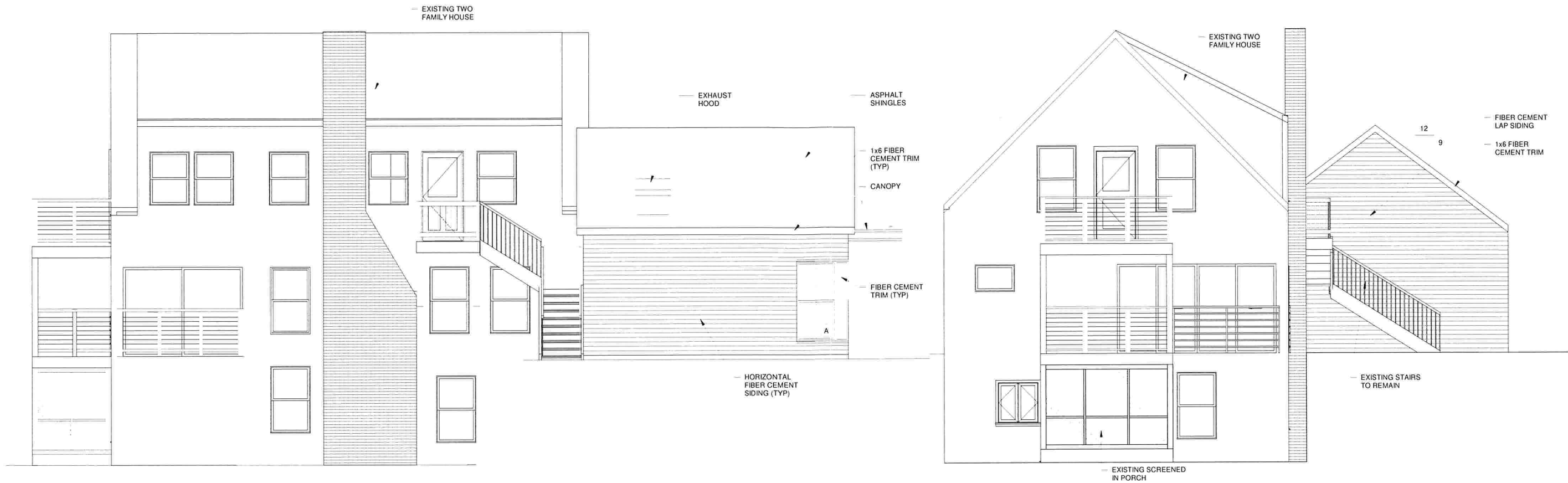
Door Schedule				
DOOR NUMBER	Height	Width	Thickness	Comments
101	6' - 8"	3' - 0"	1 3/4"	
102	6' - 8"	3' - 0"	1 3/4"	

Window Schedule				
Mark	Width	Height	Sill Height	Comments
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
A	3' - 0"	6' - 0"	1' - 0"	
B	2' - 0"	2' - 0"	5' - 0"	



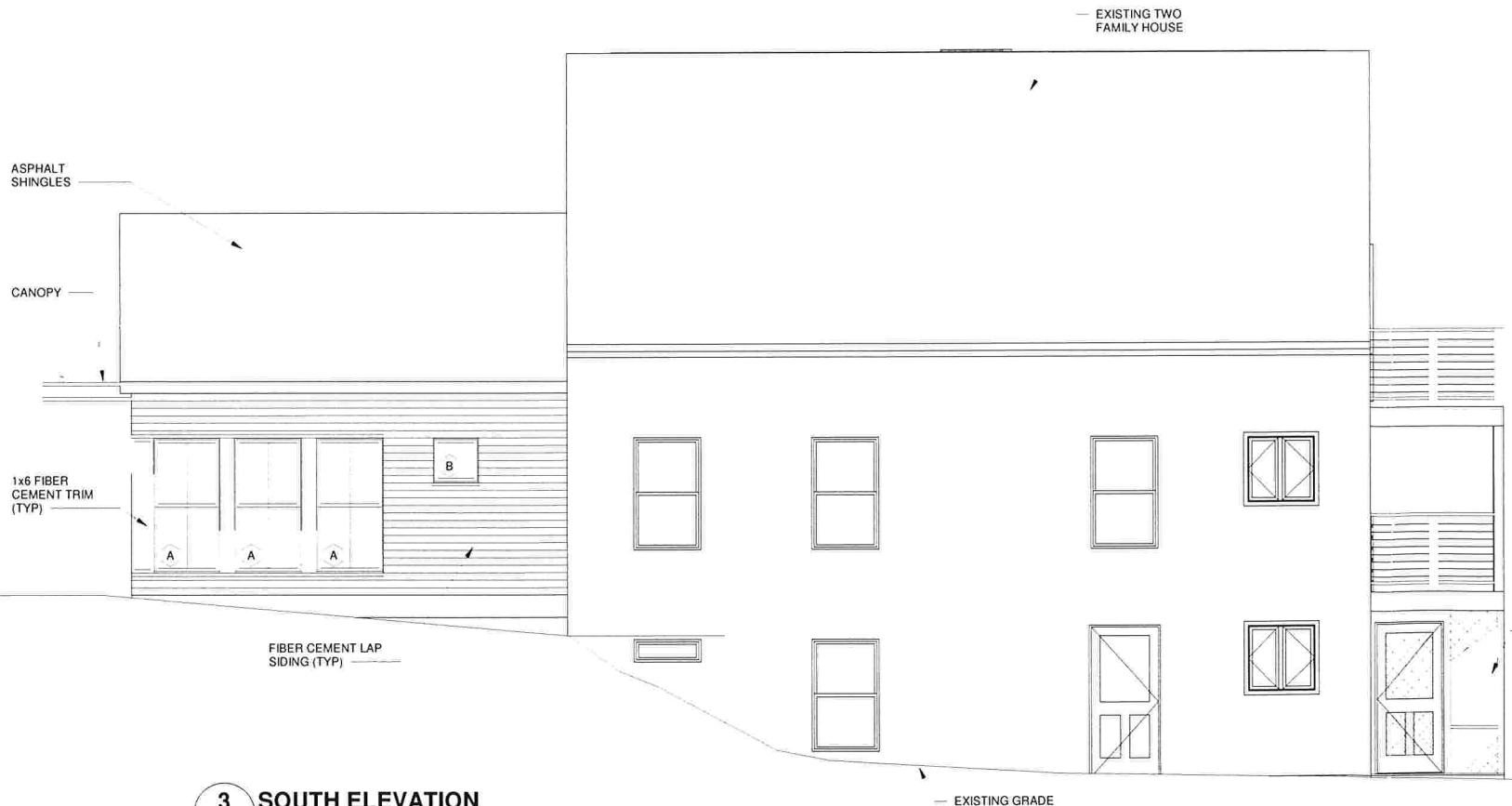
1 SECTION THRU TAKE OUT  
A1.1 A3.1 SCALE: 1/2" = 1'-0"





1 NORTH ELEVATION  
A1.1 A2.1 SCALE: 1/4" = 1'-0"

2 EAST ELEVATION  
A1.1 A2.1 SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION  
A1.1 A2.1 SCALE: 1/4" = 1'-0"



4 WEST ELEVATION  
A1.1 A2.1 SCALE: 1/4" = 1'-0"

