



OK 12296

SP 20-17

# TOWN OF YARMOUTH

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

(207)846-2401

WWW.YARMOUTH.ME.US

Fax: (207)846-2438

## SITE PLAN APPLICATION FORM

☒ Minor ☐ Major

Date: 11/5/2020 Zoning District LDR Map 001 Lot 024 Ext     

Site Location 9 Sea Spray Beach  
Property Owner Peter & Gail Cinelli  
Mailing Address PO Box 1297 Yarmouth ME 04096  
E-mail Address p.cinelli@gmail.com  
Phone 207-846-3971 Fax     

Name of Project Lawn Expansion  
Existing Use Old Orchard  
Proposed Use Lawn

Amendment to a previously approved site plan? Yes ☐ No ☒  
Special exception use? Yes ☐ No ☒

Fee: \$100.00/1000 sq. ft.; up to \$3000.00

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.

The Town will correspond with only one contact person/agent for this project. Please provide the requested information regarding the contact person/agent.

Contact person/agent Peter Cinelli  
Mailing Address PO Box 1297 Yarmouth ME  
E-mail Address p.cinelli@gmail.com  
Phone 207-846-3971 Fax     

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

Peter S. Cinelli

Signature of Owner

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

"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."

Peter S. Cinelli

Print or type name and title of signer

## Section 1 A – Project Description

To: Town of Yarmouth  
From: Peter & Gail Cinelli  
RE: Application to expand lawn area  
Date: 11-5-2020  
Address: 9 Sea Spray reach  
Map:001/Lot:024

Dear Sirs,

We would like to expand out lawn towards Princes Point Road per the attached Section 13a & b pictures. The land is currently overgrown with brambles and tall grasses. These would be removed, replaced with fill, graded, then loamed and seeded.

Scott Dugas will be doing the work and he estimated it would take around 400 cu. yds. of fill.

Our goal is to do the project this this fall.

Regards,

Handwritten signatures of Peter and Gail Cinelli in blue ink. The signature for Peter is on top and Gail's is below it.

Peter & Gail Cinelli

## 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)

Channel View Acres 5/30/79  
Subdivision lot numbers (if applicable) 1

2. Assessor's Map number(s) 001 Lot number(s) 024

3. Existing zone(s) of the site

LDR  
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)

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

0  
c. Footprint of each proposed building in square feet

0  
d. Height of proposed building(s) 0 feet 0 stories

e. Total number of proposed parking spaces 0

f. Number of proposed handicap parking spaces 0

C. Existing conditions

1. Existing land use Residential

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

3487 sq ft

3. Footprint of each existing building in square feet

3860 sq ft

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 12/1/2020  
Estimated time of completion of project 2 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. N/A

## 2. RIGHT, TITLE, OR INTEREST

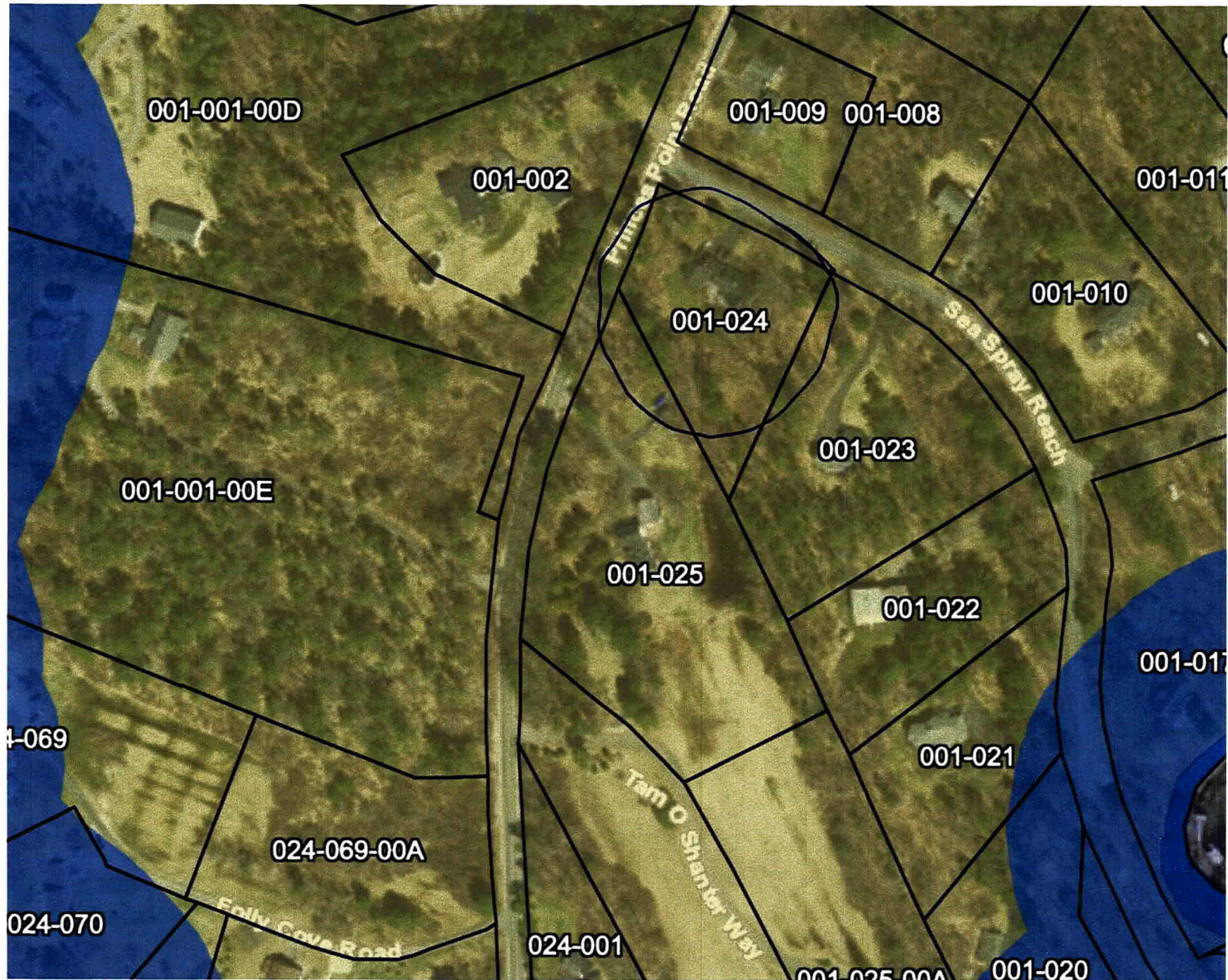
A. Name and mailing address of record owner of the site

Peter & Gail Ciulli  
PO Box 1297  
Yarmouth ME 04096  
Phone 207-846-3971 Fax —

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



# Exhibit 1





- 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. *N/A*
- 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. *N/A*

### 3. FINANCIAL CAPACITY

- A. Estimated cost of the project (including land purchase and development costs)  
*\$10,000<sup>00</sup>*
- 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):
  - N/A* ☒ 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:  
*N/A*

- B. Have done no prior projects ☐ *N/A*

- 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. *N/A*

### 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. *N/A*

### 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

211 Middle Rd  
Falmouth, Maine 04105

Exhibit 445

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## Warranty Deed

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FROM QUALITY HOMES, INC.

To PETER S. CINELLI ET AL.

DATED August 2, 1979

PROPERTY AT  
Sea Spray Reach & Prince's  
Point Road, Yarmouth, Maine

FROM THE OFFICE OF  
JENSEN BAIRD GARDNER & HENRY  
ATTORNEYS AT LAW  
477 CONGRESS STREET  
PORTLAND, MAINE 04101

AUG 6 1979

254



Exhibit 4 & 5

20466

**Know all Men by these Presents, That**

205

QUALITY HOMES, INC., a Maine corporation with a place of business at Scarborough, County of Cumberland and State of Maine,

in consideration of one dollar and other valuable consideration

paid by Peter S. Cinelli and Gail K. Cinelli, both of Prince's Point Road, Yarmouth, in the County of Cumberland and State of Maine,

the receipt whereof it do es hereby acknowledge, do es hereby give, grant, bargain, sell and convey unto the said

Peter S. Cinelli and Gail K. Cinelli, as joint tenants, their heirs and assigns forever, the following described real estate:

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Yarmouth, County of Cumberland and State of Maine, and being Lot No. 1 as delineated on Plan of Channel View Acres, Prince's Point, Yarmouth, Maine, May 1979 Revision, which Plan is recorded in Cumberland County Registry of Deeds in Plan Book 123, Page 56.

Together with a right of way for travel by foot and vehicles and for installation and maintenance of a public water supply system in, over and beneath the surface of the roadway designated Sea Spray Reach as shown on said Plan.

Together with an easement for subsurface waste disposal in the area designated for said purpose located beneath lots 1 and 2 as shown on said Plan.

Said premises are a portion of the premises conveyed to Quality Homes, Inc. by Robert W. Swan et al. by warranty deed dated June 20, 1979, recorded in said Registry of Deeds in Book 4441, Page 129, and are subject to the same restrictions contained in said deed.

Also hereby conveying an easement or right of way in common with others, being three feet wide extending southerly from Sea Spray Reach southerly to high water mark as shown on a Plan of Channel View Acres recorded in said Registry of Deeds in Plan Book 123, Page 57, subject to the restrictions contained in a deed from David W. Haskell to Quality Homes, Inc. dated June 20, 1979, recorded in said Registry of Deeds in Book 4441, Page 21.

Said premises are subject to real estate taxes to the Town of Yarmouth for the year 1979, which the Grantees herein assume and agree to pay as part of the consideration of this conveyance.

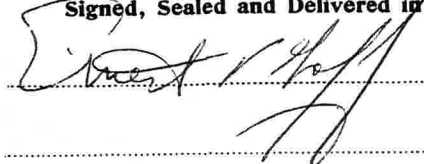
Exhibit 445

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Peter S. Cinelli and Gail K. Cinelli, as joint tenants, their

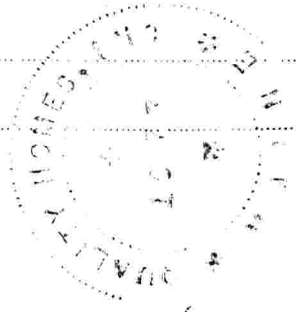
heirs and assigns, to them and their use and behoof forever. And it does covenant with the said Grantee s , their heirs and assigns, that as aforesaid it is lawfully seized in fee of the premises; that they are free of all incumbrances except as aforesaid , that it has good right to sell and convey the same to the said Grantee s to hold as aforesaid; and that it and its successors heirs and assigns shall and will warrant and defend the same to the said Grantee s , their heirs and assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, the said QUALITY HOMES, INC. has caused this instrument to be signed in its corporate name and sealed with its corporate seal by Ronald Brook, its President, thereunto duly authorized,

~~joining in this deed as Grantor and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set hand and seal~~ this 2 day of August in the year of our Lord one thousand nine hundred and seventy-nine.


Signed, Sealed and Delivered in presence of  


QUALITY HOMES, INC.  
BY:   
Its President




State of Maine, Cumberland ss. August 2 1979 .  
Personally appeared the above named Ronald Brook, President of said corporation,

and acknowledged the foregoing instrument to be his free act and deed., in his said capacity and the free act and deed of said corporation.

Before me,  NOTARY PUBLIC  
JUSTICE OF THE PEACE.

STATE OF MAINE, CUMBERLAND COUNTY, SS. REGISTRY OF DEEDS

Received AUG 6 1979 at 2 o'clock 54 m. P M., and recorded  
in BOOK 4470 PAGE 205 Attest:  DEPUTY Register.



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

**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.)

**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.

**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. *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.

**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.

**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. *none*

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. *none*

**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. *none*

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. *N/A*

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. *N/A*

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. *N/A*

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 *N/A*

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.



#15a (Section)

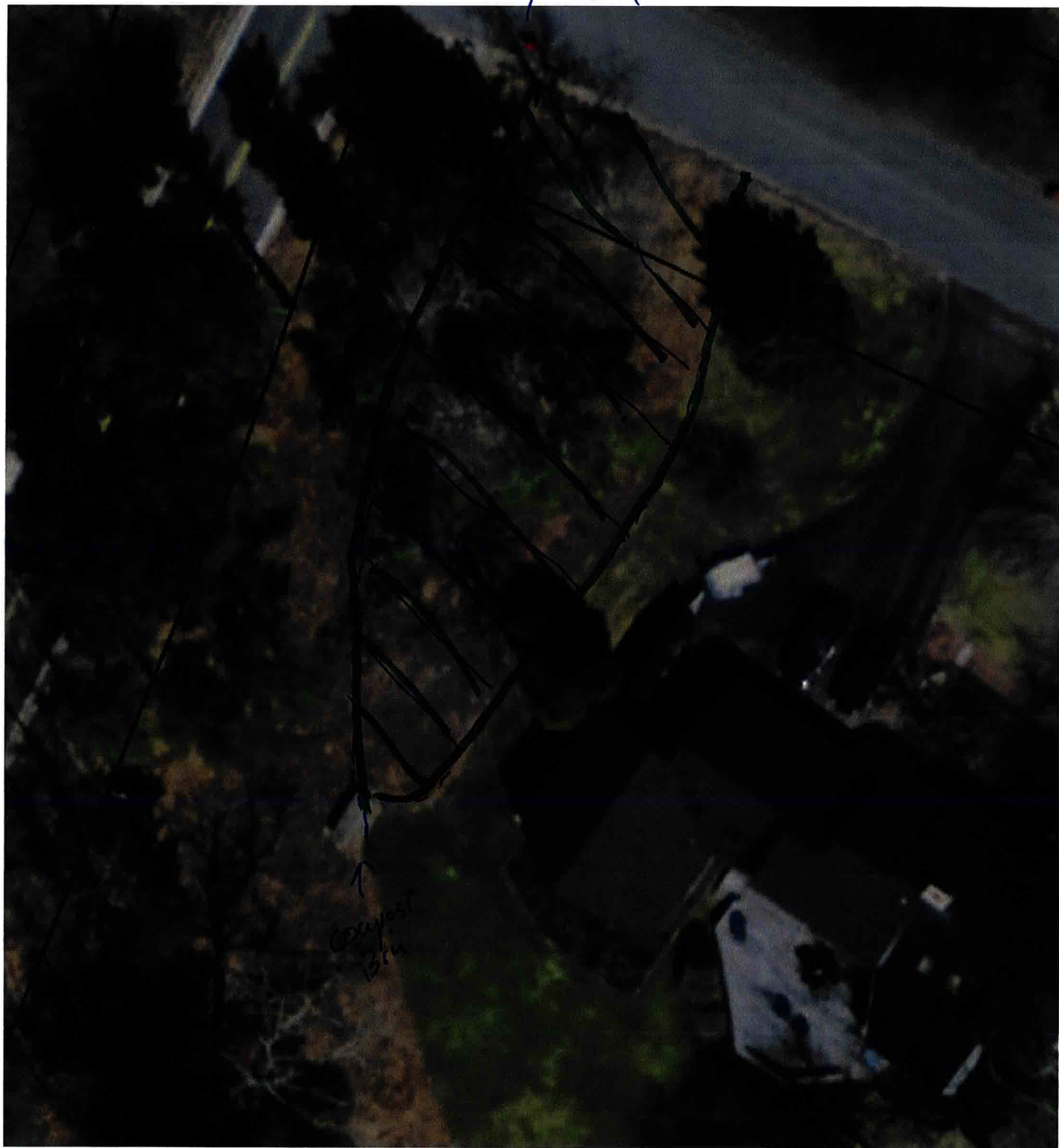
Peterson & Gail Conelli



9 Sea Spray Reach

#136 Section Peter + Gail Cunelli

\$9 Sea Spray Reach  
001/024





Section 13 K  
**Peter & Gail Cinelli, 9 Sea Spray Reach Abutters**

001-025  
Chris & Selene Kuhn  
670 Princes Point Rd  
Yarmouth

001/009  
Chris & Katheen Bray  
624 Princes Point Rd  
Yarmouth

001/023  
Jason & Marni Prince  
27 Sea Spray Reach  
Yarmouth

001-002  
Eric Frehm  
631 Princes Point Rd

001-008  
Tracy & Kim Tippie  
44 Sea Spray Reach  
Yarmouth

- 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.