



Nicholas Ciarimboli
Code Enforcement Officer
E-mail: nciarimboli@yarmouth.me.us

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

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

September 16, 2021

Therese Flaherty
183 Bayview St.
Yarmouth, ME 04096

Dear Ms. Flaherty,

We have approved your Minor Site Plan for the Accessory Dwelling Unit (ADU) located at 183 Bayview Street. The plan is found to be consistent with the standards of Chapter 702, Site Plan Review Ordinance, subject to the following condition of approval:

1. All work shall be completed in accordance with attached staff memorandums.
 - a. Eric Gagnon, Yarmouth Water District, email dated 8/14/2021
 - b. Mike Robitaille, Yarmouth Fire Chief, memorandum dated 8/18/2021
 - c. Steve Johnson, Town Engineer, memorandum dated 8/17/2021
 - d. Erik Street, Director of Public Works, memorandum dated 8/17/2021
2. Proof of primary residence to include:
 - a. Driver's License or other recognized form of state or federal ID
 - b. a copy of a utility bill.
3. A copy of the recorded deed restriction as referenced in CH 702/ Art I/J/13/k.
 - a. *Before obtaining a building permit for an ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:*
 - a. *The accessory unit shall not be sold separately.*
 - b. *The unit is restricted to the approved size.*
 - c. *The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence.*
 - d. *The above declarations are binding upon any successor in ownership of the property;*
 - e. *The deed restrictions shall lapse upon removal of the accessory unit.*

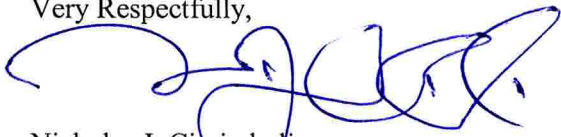
Standard Conditions of Approval:

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan:** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel shall require the prior approval of a revised site plan by the Planning Authority.
2. **Separate Building Permits Are Required:** This approval does not constitute approval of building plans, which must be reviewed and approved by Yarmouth Code Enforcement Officer.
3. **Site Plan Expiration:** The site plan approval will be deemed to have expired unless work has commenced within one year of the approval or within a time period up to two years from the approval date if approved by Planning Director as applicable. Requests to extend approvals must be received before the one year expiration date.

Please don't hesitate to contact me if you have any need to follow up on this approval.

Very Respectfully,



Nicholas J. Ciarimboli
Code Enforcement Officer/ Planning Assistant

CC:

Nathaniel J. Tupper, Town Manager
Steven S. Johnson, Town Engineer
Erik S. Street, Director of Public Works
Karyn MacNeill, Community Services Director
Daniel Gallant, Police Chief
Michael Robitaille, Fire Chief
Scott LaFlamme, Economic Development Director
Erin Zwirko, Planning Director
File copy

From: [Eric Gagnon](#)
To: [Wendy Simmons](#); [Nicholas Ciarimboli](#)
Subject: Re: Request for Comment -- 183 Bayview St. DUE 8/17
Date: Saturday, August 14, 2021 3:28:25 PM

Hi Nick,

I do not remember having a conversation with this applicant in regards to how they would like water service. As usual, if they want a separate bill from the existing home they will need to install a new service line from the water main. They are allowed to use the existing service from the existing home but if in the future the lots ever splits (hopefully zoning changes will NOT EVER allow this) it will be an illegal service line.

Eric Gagnon
Superintendent
Yarmouth Water District
207.846.5821 phone
207.846.1240 fax
<http://YarmouthWaterDistrict.org/>

This message is intended for the use of the addressee only and may contain privileged and confidential information. If you are not the intended recipient of this message, be notified that any dissemination or use of this message is strictly prohibited. If you have received this message in error, please delete all copies of the message and its attachments and notify the sender immediately

On Tue, Aug 3, 2021 at 11:30 AM Wendy Simmons <WSimmons@yarmouth.me.us> wrote:

For your review:

https://yarmouth.me.us/index.asp?SEC=4AA035EC-DF91-4452-92E8-B6F629119AE0&DE=2B16D065-C74F-435C-B2A6-531D71D4997E&Type=B_BASIC

Thanks. W

Wendy L. Simmons, SHRM-CP

Administrative Assistant

Planning, Code Enforcement and Economic Development

Town of Yarmouth

200 Main St.

Yarmouth, ME 04096

Phone: 207.846.2401

Fax: 207.846.2438

www.yarmouth.me.us

Total Control Panel

[Login](#)

To: wsimmons@yarmouth.me.us [Remove](#) this sender from my allow list

From:

egagnon@yarmouthwaterdistrict.org

You received this message because the sender is on your allow list.

*Town of Yarmouth,
Maine*



Incorporated 1849
YARMOUTH FIRE RESCUE
178 NORTH ROAD (PO BOX 964)
YARMOUTH, MAINE 04096



MICHAEL ROBITAILLE, CHIEF OF DEPARTMENT

DAN MASSELLI, DEPUTY CHIEF
BILL GODDARD, DEPUTY CHIEF

August 18, 2021

I have reviewed the submitted drawings by Therese Flaherty, 183 Bayview Street, Yarmouth for an Accessory Dwelling Unit (ADU). The following recommendations are made based on NFPA 1 and NFPA 101, 2015 Edition.

The access road proposed to the ADU does not meet the standards of NFPA 1 for access roads. The following requirements are to be made.

1. The road must extend to within 50 feet of at least one exterior door of the residence.
2. The road shall be at least 20 feet in width and have a 13' 6" unobstructed vertical clearance.
3. The access road shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all weather driving surface.

The road as proposed appears to be less than 20 feet in width and therefore does not meet the requirements. The applicant can widen the road to a point 50' prior to the exterior door and this will meet compliance.

1. Smoke detectors shall be hardwired throughout, on every floor, and in each bathroom according to Life Safety 101.
2. A fire extinguisher shall be required.
3. Carbon monoxide detection shall be required.

Respectfully,

Michael S. Robitaille

Michael S. Robitaille, CFO III
Chief of Department



TOWN OF YARMOUTH
INTERNAL MEMORANDUM

TO: Nicholas Ciarimboli, Code Enforcement Officer
FROM: Steven S. Johnson, Town Engineer
DATE: August 17, 2021
RE: Minor Site Plan (ADU) Application 183 Bayview Street

Nick:

I have reviewed the application for the subject Minor Site Plan submitted by Theresa Flaherty of 183 Bayview dated July 30, 2021. I have the following technical comments.

1. The plan submitted appears to show wetlands on the property and as drawn the new infrastructure, including the building, deck, and access road, will impact the delineated wetlands. I believe that a MDEP and Army Corps of Engineers (ACOE) permit may be required.
2. The drawing does not include 1' contours, however after review of the Town's ArcGIS mapping it does appear that the proposed building location will impact runoff from upgradient areas. As such, the applicant should develop a grading plan to ensure the drainage of the property and upgradient properties are maintained.
3. The drawing does not show any proposed utilities. Per the Code of Ordinances, the new structure shall be connected to public water and public sewer. Per Chapter 304 Sewerage Ordinance, the new ADU shall be connected via a separate service and the connection will likely have to be a private sewer pump station given the elevation difference between the site and the main in Bayview Street. A sewer connection permit and fee will be required for the ADU, and the work shall be inspected by the Yarmouth Sewer District prior to backfill.

Please see me if you have any questions.

Town of Yarmouth ME

Director of Public Works

MEMORANDUM

To: Nick Ciarimboli – Code Enforcement / Planning Assistant

From: Erik S. Street, Director of Public Works



CC: Steve Johnson, PE, Town Engineer, Wendy Simmons, Karen Stover

Date: 8/17/21

Re: 183 Bayview St – Flaherty - ADU

-
1. **General:** Applicant is proposing to construct a 30' x 24' ADU with a small 12' x 14' deck. Unit is to be served by a separate existing entrance – just up from the existing driveway.
 2. **Rights, Title:** No Concerns
 3. **Easements:** No Concerns
 4. **Homeowner Association / Agreements:** N/A
 5. **Financial Capacity:** No Concerns
 6. **Technical Ability:** Applicant should provide name of contractor doing this project.
 7. **Solid Waste:** Unit will be eligible to utilize the Yarmouth Transfer Station or contract for private curbside collection.
 8. **Water:** How will the unit be served? Separate service?
 9. **Traffic / Parking:** It looks like the applicant is proposing to construct a driveway with a turnaround, large enough to accommodate 2 to 3 cars. The grade drops off considerably about 30' into the lot from the street. A plan of how the driveway / pathway will be constructed needs to be provided. The driveway should be at grade with or slightly higher than the street / sidewalk for at least one car length. It appears that the project will most likely require over 100 CY, triggering a minor site plan review.

Applicant will need to confirm there is adequate gravel and pavement under the sidewalk to support regular vehicle traffic.

10. **Drainage, Stormwater Management:** It is not clear how the driveway and pathway will be constructed or how drainage upstream will be conveyed across them. A grading plan of how the drainage will be handled on the lot needs to be provided.
11. **Sewers:** Will need to connect to Town Sewer – likely through low pressure.
12. **Erosion and Sediment Control:** All Erosion and Sediment BMP's must be in place at the start of the project and maintained throughout the project. Track out from the site is not allowed.
13. **Soils:** No Comment
14. **Site Plan / Ordinance Requirements:** No Comment
15. **Lighting:** N/A
16. **Waivers:** N/A
17. **Off-Site Improvements:** N/A

If you have any questions, please let me know.