



Nicholas Ciarimboli
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TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
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August 23, 2021

Two Towns Property LLC
c/o Ed Libby
374 US Route One, Suite 8
Yarmouth, ME 04096

Dear Mr. Libby,

We have approved your Minor Site Plan for the Accessory Dwelling Unit (ADU) located at 538 Portland 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. Due to the property's location along a low pressure sewer system, the applicant shall install a small private sewer pump station. The system must meet Chapter 304 Sewerage Ordinance requirements as well as the Town's technical standards for sewer infrastructure. In addition, a minimum of five feet separation is required from other underground utilities and a sewer connection permit will be required before building permits are issued.
2. Interconnected smoke alarms and carbon monoxide alarms shall be required throughout the ADU in accordance with NFPA 101, NFPA 72 and State Statute.
3. The installation of a fire extinguisher shall be required, which is to be placed in proximity to the ADU's kitchen.
4. During construction erosion and sedimentation control, Best Management Practices (BMP's) shall be installed prior to construction activities and shall be maintained by the contractor until the permanent vegetation is in place. It is also critical that the contractor performing construction inspect, maintain, and repair all ESC BMP's prior to and following rainstorms to ensure the effectiveness of the BMP's. All inspection work must be documented. Maintaining the erosion and sedimentation control measures is a condition of approval.

5. Prior to the issuance of a building permit, 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.
6. Prior to the issuance of an occupancy permit, the property owner shall provide suitable documentation that indicates that either the primary dwelling unit or the accessory dwelling unit is owner occupied.
7. Prior to the issuance of an occupancy permit, the accessory dwelling unit parking area shall be designed to accommodate two 9 feet by 18 feet parking spaces and be constructed so that the parking area and driveway entrance is formalized.
8. The applicant shall maintain the vegetated buffer at the corner of Portland Street and Astilbe Lane such that the accessory dwelling unit is screened.

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.

Sincerely,



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

Judy Colby-George, Planning Board Chair

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