



Nicholas Ciarimboli  
Code Enforcement Officer  
E-mail: [nciarimboli@yarmouth.me.us](mailto:nciarimboli@yarmouth.me.us)

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

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**TOWN OF YARMOUTH**  
200 Main Street, Yarmouth, Maine 04096  
[www.yarmouth.me.us](http://www.yarmouth.me.us)

November 16, 2021

Nicholas Bemis  
10 Burnell Dr.  
Yarmouth, ME 04096

Dear Mr. Bemis,

We have approved your Minor Site Plan for the Accessory Dwelling Unit (ADU) located at 10 Burnell Drive. 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 Superintendent, memo dated 9/22/2021
  - b. Mike Robitaille, Yarmouth Fire Chief, memorandum dated 11/10/2021
  - c. Steve Johnson, Town Engineer, memorandum dated 10/4/2021
  - d. Erik Street, Director of Public Works, memo dated 9/27/2021
  
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.

**Standard Conditions of Approval:**

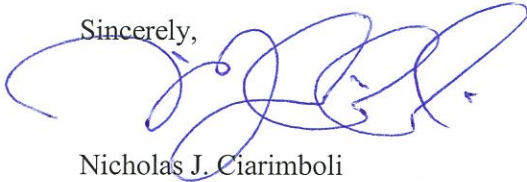
Please note the following standard conditions of approval and requirements for all approved site plans:

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  
File copy

**From:** [Eric Gagnon](#)  
**To:** [Nicholas Ciarimboli](#)  
**Cc:** [Wendy Simmons](#)  
**Subject:** Re: Request for Comment - 10 Burnell Dr. - DUE 10/4/21  
**Date:** Wednesday, September 22, 2021 3:38:31 PM

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Hi Nick,

The applicant states that water service will be taken from the exiting service line to 10 Burnell Drive. This is fine as long as the connection is made downstream of the water meter and the lot is NEVER split. YWD will only recognize the existing meter and send one bill to the existing customer. Careful consideration must be taken for ADUs that choose to gain water service in this manner as if the lot ever splits they MUST install a separate service to the water main with a separate meter.

Please let me know if you have any questions,

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

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On Tue, Sep 21, 2021 at 1:47 PM Wendy Simmons <[WSimmons@yarmouth.me.us](mailto:WSimmons@yarmouth.me.us)> wrote:

For your review:

[https://yarmouth.me.us/index.asp?SEC=4AA035EC-DF91-4452-92E8-B6F629119AE0&DE=366BF6E2-CFA0-4B31-8939-2C896F1E572E&Type=B\\_BASIC](https://yarmouth.me.us/index.asp?SEC=4AA035EC-DF91-4452-92E8-B6F629119AE0&DE=366BF6E2-CFA0-4B31-8939-2C896F1E572E&Type=B_BASIC)

Thanks. Wendy

Wendy L. Simmons, SHRM-CP (she, her, hers)

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](http://www.yarmouth.me.us)

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**Total Control Panel**

[Login](#)

To: [wsimmons@yarmouth.me.us](mailto: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.*

**From:** [Mike Robitaille](#)  
**To:** [Wendy Simmons](#)  
**Cc:** [Nicholas Ciarimboli](#)  
**Subject:** RE: Request for Comment - 10 Burnell Dr. - DUE 10/4/21  
**Date:** Wednesday, November 10, 2021 2:28:39 PM

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My comments for the ADU for 10 Burnell Drive:

Bedroom # 11 – Window - cannot determine if this is approved for means of egress. The window needs to meet the Means of Egress Code

Bedroom #8 – The closet door obstructs the means of egress window. If the second window meets the Means of Egress requirement then there is not an issue. However, if they do then this door must not obstruct the window.

Stairwell #4 – At the top of the stairs it shows Closet #12. You cannot have a closet in the primary means of egress. The egress path needs to be at least 36" in width.

Carbon Monoxide Detectors are required on floor #2 within each bedroom or in the immediate vicinity of the sleeping rooms.

Fire Extinguisher – Shall be required on each floor. Whereas this will not be occupied by the owner there shall be an extinguisher in each floor.

Smoke Detectors will be required in each sleeping room and in the Dining / Living room. A heat detector will be required in the garage space. The units shall be interconnected hard wired with battery back up. If the total Floor Area of the project is greater than 2000 square feet a Fire Alarm system is required according to the Town Ordinance.

Fire protection between the garage and the dwelling unit shall be up to the Code Enforcement Officer.

If the building construction permit process is delayed past 12/31/2021 then a 13R sprinkler system will be required.

Thank you,

*Michael S. Robitaille*  
*Chief of Department*  
*Yarmouth Fire Rescue*

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**From:** Wendy Simmons <WSimmons@yarmouth.me.us>  
**Sent:** Wednesday, November 10, 2021 11:18 AM  
**To:** Mike Robitaille <MRobitaille@Yarmouth.me.us>  
**Cc:** Nicholas Ciarimboli <NCiarimboli@yarmouth.me.us>  
**Subject:** FW: Request for Comment - 10 Burnell Dr. - DUE 10/4/21  
**Importance:** High

Hey Chief,

Sorry to be a pain and I know you're busy; but we would appreciate hearing from you on this application. The applicant has turned in everything else and we're just waiting for your comments in order to approve it.

Thanks. W

Wendy L. Simmons, SHRM-CP (she, her, hers)  
Administrative Assistant  
Planning, Code Enforcement and Economic Development  
Town of Yarmouth  
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Yarmouth, ME 04096  
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**From:** Wendy Simmons  
**Sent:** Thursday, November 4, 2021 4:40 PM  
**To:** 'Mike Robitaille' <[mrobitaille@yarmouth.me.us](mailto:mrobitaille@yarmouth.me.us)>  
**Subject:** FW: Request for Comment - 10 Burnell Dr. - DUE 10/4/21  
**Importance:** High

Mike,

We did not receive comments from you on the ADU. Nick reminds me it is a requirement that you comment.

Thanks. Wendy

Wendy L. Simmons, SHRM-CP (she, her, hers)  
Administrative Assistant  
Planning, Code Enforcement and Economic Development  
Town of Yarmouth  
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Yarmouth, ME 04096  
Phone: 207.846.2401  
Fax: 207.846.2438  
[www.yarmouth.me.us](http://www.yarmouth.me.us)

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**From:** Wendy Simmons  
**Sent:** Tuesday, September 21, 2021 1:47 PM  
**To:** Andrew Dolloff <[andrew\\_dolloff@yarmouthschools.org](mailto:andrew_dolloff@yarmouthschools.org)>; Dan Gallant <[DGallant@Yarmouth.me.us](mailto:DGallant@Yarmouth.me.us)>; Eric Gagnon <[egagnon@yarmouthwaterdistrict.org](mailto:egagnon@yarmouthwaterdistrict.org)>; Erik Donohoe <[edonohoe@yarmouth.me.us](mailto:edonohoe@yarmouth.me.us)>; Karyn MacNeill <[kmacneill@yarmouth.me.us](mailto:kmacneill@yarmouth.me.us)>; Mike Robitaille <[MRobitaille@Yarmouth.me.us](mailto:MRobitaille@Yarmouth.me.us)>; Nat Tupper <[ntupper@Yarmouth.me.us](mailto:ntupper@Yarmouth.me.us)>; Scott LaFlamme

<[slaflamme@yarmouth.me.us](mailto:slaflamme@yarmouth.me.us)>

**Subject:** Request for Comment - 10 Burnell Dr. - DUE 10/4/21

For your review:

[https://yarmouth.me.us/index.asp?SEC=4AA035EC-DF91-4452-92E8-B6F629119AE0&DE=366BF6E2-CFA0-4B31-8939-2C896F1E572E&Type=B\\_BASIC](https://yarmouth.me.us/index.asp?SEC=4AA035EC-DF91-4452-92E8-B6F629119AE0&DE=366BF6E2-CFA0-4B31-8939-2C896F1E572E&Type=B_BASIC)

Thanks. Wendy

Wendy L. Simmons, SHRM-CP (she, her, hers)  
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**Submit Comments to Nick Ciarimboli by 10/4/21**

**TOWN OF YARMOUTH**

**200 Main Street**

**Yarmouth, Maine 04096**

**(207)846-2401**

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

**NOTICE OF PLANNING DEPARTMENT FILING & REQUEST FOR COMMENT**

Date Rec'd.: 9/16/21

Agenda Date: N/A - Staff Review

Project Description: Minor Site Plan - ADU

Project Location: 10 Burnell Dr.

Applicant: Nicholas Bemis

Agent/Contact: Nicholas Bemis - 401-487-7597

**Project Description:**

Accessory Dwelling Unit in upstairs of new garage

*NO CALCERAS  
AS PROPOSED  
10-4-2021  
SW*

Date Completed:

9/2/21

9/2/21

9/21/21

- Review For Completeness/Checklist
- Respond To Applicant Re: Completeness
- Staff Input/Request Sent:

- |   |              |
|---|--------------|
| 1. Director of Public Works (full size) | <u>  X  </u> |
| 2. Town Engineer (full size)            | <u>  X  </u> |
| 3. Fire Chief (pdf)                     | <u>  X  </u> |
| 4. Police Chief (pdf)                   | <u>  X  </u> |
| 5. Director of Community Svcs (pdf)     | <u>  X  </u> |
| 6. Yarmouth Water District (pdf)        | <u>  X  </u> |
| 7. Code Enforcement Officer (full size) | <u>  X  </u> |
| 8. Town Manager (pdf)                   | <u>  X  </u> |
| 9. Harbormaster (pdf)                   | <u>  </u>    |
| 10. School District (pdf)               | <u>  X  </u> |
| 11. Tree Warden (pdf)                   | <u>  X  </u> |
| 12. Economic Development Director (pdf) | <u>  X  </u> |
| 13. Planning Director (full size)       | <u>  X  </u> |
| 14. Assessor - Subdivision Only (pdf)   | <u>  </u>    |
| 15. Bike & Ped Committee (pdf)          | <u>  </u>    |
| 16. Assistant CEO/Fire Inspector (pdf)  | <u>  X  </u> |
| 17. Traffic Peer Review - TYLin (pdf)   | <u>  </u>    |

Abutters Notice Created/Sent

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Agenda To PB

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Agenda Posting:

1. Forecaster

\_\_\_\_\_

2. Website

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3. Bulletin Board

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Copy Of Findings And Decision In File

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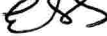


Town of Yarmouth ME

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:** 9/27/21

**Re: 10 Burnell Drive – Minor Site Plan -ADU**

- 
1. **General:** Applicant is proposing to build a 1968 SF garage with overhead ADU.
  2. **Rights, Title:** No Concerns
  3. **Easements:** N/A
  4. **Homeowner Associations / Road Maintenance Agreements.** N/A
  5. **Financial Capacity:** No Concerns
  6. **Technical Ability:** No Concerns
  7. **Solid Waste:** Unit is residential and will be allowed to utilize the Yarmouth Transfer & Recycling Center or can subscribe to private curbside collection.
  8. **Water:** Applicant is proposing to serve the ADU from the existing house.
  9. **Traffic / Parking:** Project designs shows there is ample parking available on site
  10. **Storm Drains:** N/A
  11. **Drainage, Stormwater Management.** Applicant is encouraged to utilize LID (Low Impact Development) to on site storm water – Plantings, rain gardens, etc. If the unit is to have a foundation or frost wall drain, it may discharge into the Town Drainage system (ditch) which runs along the property frontage or sideline.

12. **Sewers:** Applicant is proposing to connect the ADU to the sewer system located in Burnell Drive. Connection fee, connection and street opening permit will be required
13. **Erosion and Sediment Control:** BMPs for erosion and sediment control will be required to manage excavation activity on site. Track out from the site will not be allowed
14. **Soils:** No Concern
15. **Site Plan / Ordinance Requirements:** No Concerns
16. **Lighting:** N/A
17. **Waivers:** N/A
18. **Off-Site Improvements:** N/A
19. **Site Plan Drawing:** No Concerns

**General Comments**

Applicant needs to be aware that any excavation work in the public right of way will require a street opening permit. There can be no excavation in the street between November 1<sup>st</sup> and April 1<sup>st</sup>. If there any alterations to the driveway within the public right of way will require an entrance permit.

If you have any questions, please let me know.