

:

To: [Wendy Simmons](#)
Subject: 251 West Main St Project Proposal (2023)
Date: Tuesday, March 7, 2023 1:03:24 PM

Hello Erin,

I am writing today to find out more about the 251 W Main St current application and to share my thoughts. I am curious as to where the driveway for the proposed Lot 2 would be located? I have concerns about a possible driveway being located at the top of Newell Rd on the blind turn that exists there. 1. I think any additional congestion on that part of the road so close to the turn off from W Main may be a hazard and 2. from experience living in the Newell neighborhood for 16 yrs., it is common for any guests or workers at properties on Newell to park on the road in front of a residence. A driveway on that blind turn that would encourage on-street parking in that area would most certainly be a hazard to traffic and pedestrians. For the past several months, I have actually been thinking that there should be no parking allowed on that stretch of Newell above the current driveway that is closest to West Main St as the road is quite narrow going in and out of Newell Rd from West Main St and visibility on that stretch is difficult with the bend that exists in that part of the road. Many times there have been workers parked there for projects taking place in nearby neighborhoods and it's very difficult to maneuver around parked vehicles in that particular area. There are also many pedestrians walking in and out of the Newell neighborhood at that intersection where our newly updated West Main crosswalk resides and this increases the hazards of having parked vehicles in that area.

I am also wondering if there is any plan to conserve trees on the 251 West Main property as had been proposed in the last proposal for this property in 2021? I think that was a positive proposal for the Newell neighborhood and the neighbors of the 251 Main St property due to aesthetics and groundwater distribution.

Additionally, if it was proposed that the property only be split into two rather than three buildable lots, the two lots could be nearly one acre each and be quite close to the minimum lot size requirement of the MDR.

Thank you,
Jessica Raimy

March 9, 2023

Re: 251 West Main Street

Dear Members of the Yarmouth Planning Board and Ms. Erin Zwirko,

I am writing in response to a notification I received in the mail on March 4th, 2023 regarding a request for a concept review of a contract zone agreement and minor subdivision for the above-referenced property. This request is scheduled to be considered at the upcoming March 22nd Planning Board meeting in Yarmouth, ME. As some of you on the Planning Board may recall, this property, which is owned by 251 West Main LLC, has had several requests before the Planning Board since 2020. The most recent proposal is similar to the last one presented in October 2021. I am opposed to this current proposal for many reasons, which I've outlined below.

Although I am pleased to see that the current proposal includes preserving the existing historic home by proposing an historic preservation easement, there is no detail about this easement. Furthermore, the applicant's claim that the project description includes an "advancement of public good" is not backed up with any evidence. If seeking an historic preservation designation were all that were being requested, then perhaps this proposal would have more merit, but dividing it into three lots and reducing the historic home to the smallest lot (.2 acres) while the other two lots would be significantly larger (.84 acres each) does not seem to be prioritizing the historic nature of the property. Furthermore, the Planning Board has already made it clear that "preserving a historic building is a private benefit" (October 13, 2021 Planning Board Meeting Minutes). How does carving up the lot into three parcels benefit the public good? It benefits the current private landowner's wallet more than the public's good. In the October 13, 2022 meeting, the Planning Board made the suggestion to the applicant of "considering 2 lots and not 3 and doing more for the public's benefit." This current application does not seem to follow this suggestion and still contains three lots and no public benefit.

It is curious that this property had been listed on the realtor.com website for over 200 days, but was recently removed from the market listing, soon after this proposal appeared on the agenda (see attached). The real estate listing was for a home to be built on the property (in addition to the current historic home), and it was priced at \$2.5 million dollars, which included 6 beds/ 5 baths/5,257 square feet (see attached). The property was listed by Edward Libby of RealMaine, which also mentioned that the "broker has ownership interest" in the property. Indeed, the above-referenced property is technically owned by an LLC: 251 West Main LLC, and Edward Libby is listed on the Annual Report for 2022 filed with the Secretary of State (see attached). Mr. Libby is no stranger to this Planning Board and has been before it for numerous requests for Contract Zone Agreements (CZAs) or comments on Accessory Dwelling Units (ADUs) on other properties in this town. To my knowledge, this property has not been divided, and this monstrous home is certainly not an Accessory Dwelling Unit, and there is no mention of preserving the historic home. This listing makes this current application for a CZA and historic preservation seem disingenuous, which is perhaps why it was recently removed. And it is curious that Julia Libby, his daughter, is the applicant for this concept review, not Mr. Libby.

It is important to note that there is a discrepancy in terms of the acreage that has been referenced for this property in a variety of documents, which suggests that boundary lines are in dispute. For example the following documents list different acreage amounts:

- The Town of Yarmouth assessment database lists the property as 1.79 acres.
- Previous contract zone applications listed the property as 1.79 acres, but this recent application lists it as 1.88 acres.
- An earlier application for a contract zone and minor subdivision (October 2021) listed the original home as .2 acres and the two additional lots as .83 and .84, but this application lists the additional lots as .84 acres each with the original home still at .2 acres.
- The Cumberland County registry of deeds shows a deed for 251 West Main LLC property as 1.86 acres
- The recent real estate listing for an additional multi-million dollar home referred to the lot as 1.9 acres in size.

So, which is the actual size of the property? And how has this property grown in size? Land surveys do not always agree, and the inconsistencies in lot size noted on these various documents is problematic and raises concerns about the legitimacy of the claim in lot size. Recently, the property owner posted "No Trespassing" signs near the border of the property, but the boundary lines could be disputed. I would think that these property lines and acreage would need to be clarified before any consideration of a contract zone agreement is made, let alone posting signs along a disputed border.

The applicant's claim that the proposal is consistent with the town's Comprehensive Plan is problematic in that it does not provide any evidence of how it is supported by the Comprehensive Plan, other than preserving the historic home on the property. The town and its residents have voiced concerns that the Comprehensive Plan is outdated, contradictory, and unclear, and efforts have been underway to do some visioning to help define what our residents would like to see Yarmouth become in the future (See Community Engagement Summary and Draft Vision Statement). This is still a work in progress, so it doesn't make sense to rely upon a plan that will soon be obsolete. There have also been concerns around the pursuit of so many Contract Zone Agreements because approval of these CZAs risks making the exception become the norm. Zoning rules are in place for a reason. Let's respect these until our community decides (not a small group on the Planning Board) whether altering them is necessary. The Town Council has also made it clear that approval of CZAs at this time are not supported by the Council. Therefore, it would seem puzzling as to why the Planning Board would even consider this proposal at this time and not respect the Medium Density Residential (MDR) zone of this area that requires a 1 acre minimum to build.

Additional concerns I have are about the safety of putting in a driveway off of Newell Road. Residents have voiced concerns about this in the past, especially since there are no sidewalks on Newell Road and the proposed driveway is near the top of a busy intersection. This road is where school children, pedestrians, and cyclists frequent in addition to vehicular traffic and cars parked along the road in this congested Newell Road neighborhood. We don't need more congestion near the top of this hill, which has a curve and poor visibility. Adding another entrance near the top of Newell Road is unsafe and unnecessary when there is already access to the property on West Main Street. And in a previous meeting, the Planning Board also acknowledged that it "[u]nderstands safety concerns around the driveway onto Newell Rd" (October 13, 2021 Planning Board Meeting Minutes).

There is not any detail about how this proposed minor subdivision meets the required subdivision ordinance under Chapter 601. This was also a shortcoming that was noted in a similar application considered in October 2021. The property is owned by 251 West Main LLC,

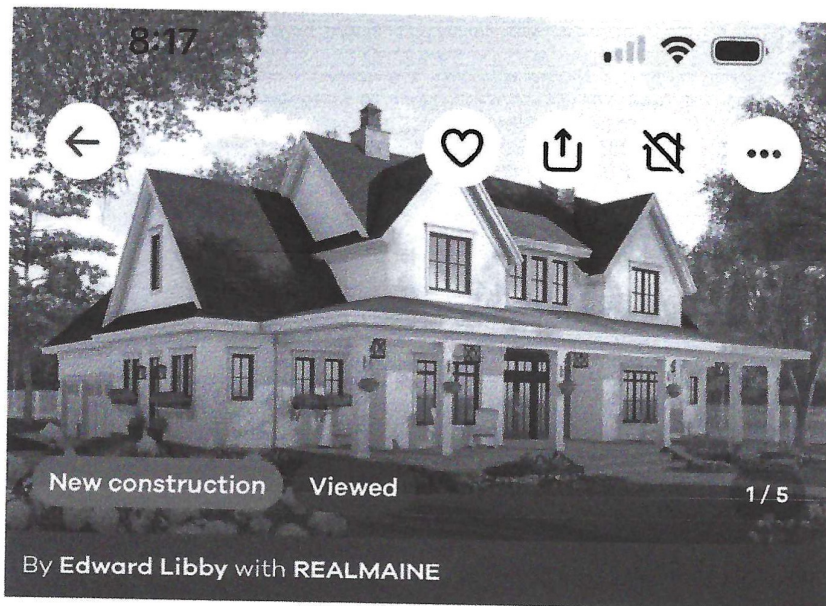
and it is not clear how any terms of a Contract Zone Agreement would be enforced, should the ownership change hands and any concerns arise regarding violation of the CZA.

I would like to see not only the historic home preserved but also the beautiful woods and natural surrounding landscape on this property. Building additional homes on this property would negatively impact the abutters. Those of us on the downward slope behind and abutting this property have enjoyed the woods, wildlife, and peace that these woods provide. Preserving trees and undeveloped land is something that residents have expressed preference for in this town. As the Planning Board report from October 2021 notes, "the neighborhood has clearly expressed their desire for the undeveloped and unmaintained nature of the lot to remain. If the Planning Board is not inclined to continue entertaining proposals for this property, it may be appropriate for the Planning Board to be very clear on that point" (Planning Board Report October 2021). Preserving the undeveloped portion of the land is also preferable because of the risk of run-off, erosion, noise pollution, and air pollution that further developing this property would create. It is unnecessary and the detriment to the community outweighs any public good.

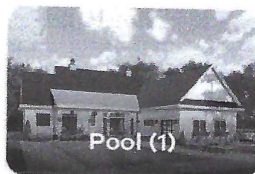
The October 2021 Planning Board's report clarifies that as described in Article IV.V of Chapter 701, "[t]he CZA will contain provisions to ensure that the development, if approved, will mitigate any project impacts, and improve the immediate area and its infrastructure and results in public good. To demonstrate public good, the Planning Board often considers whether positive impacts from the proposed development will accrue to the larger community. These requirements would become part of the Planning Board recommendation to the Town Council" (Planning Board Report October 2021). This report suggests that any CZA will "advance the goals of the Comprehensive Plan" and will ensure it "results in public good." This proposal as presented does not include enough information to ensure that these two major criteria will be met. In addition, it lacks detail around the historic preservation easement and the minor subdivision. It also relies on an outdated Comprehensive Plan. CZAs are problematic because they end up pitting neighbor against neighbor with no recourse to address problems or concerns that arise when the terms of the contract are violated. Additional concerns around safety, loss of undeveloped land, loss of habitat for wildlife, loss of peace and increased risk to soil erosion, pollution, health, and enjoyment of land – in short, impact on neighbors – also do not warrant approving a CZA or minor subdivision for this property. I urge this Planning Board to stop entertaining requests for CZAs and put a moratorium on all CZAs until the town updates its plan and makes any changes, if needed, to zoning. In the meantime, the current property owner could simply restore the historic home and surrounding land and stop trying to carve up the property for financial gain.

Thank you for your thoughtful consideration of my comments.

Susan Gifford
41 Newell Rd.



Exterior (2)



Pool (1)



Other (1)

● For Sale

\$2,485,000

Est. \$13,802/mo

6 bed · 5 bath · 5,257 sqft · 1.9 acres lot

251 W Main St, Yarmouth, ME 04096



Single Family

Property type



2022

Year built



3 cars

Garage



200 days

Time on market



\$472

Price per sqft

Contact an agent

Schedule tour

Maine Secretary of State



**2022 Annual Report
Electronic Filing Acknowledgment**

For Limited Liability Companies on file as of December 31, 2021

Charter Number: 20216436DC
DCN Number: 2220019181559
Legal Name: 251 WEST MAIN LLC

Registered Agent's Name and Address:

THOMAS F JEWELL
511 CONGRESS STREET SUITE 502
PORTLAND, ME 04101

Brief statement of the character of the business:

REAL ESTATE INVESTMENT

Name and Address of Member, Manager or other Authorized Person:

EDWARD LIBBY
374 ROUTE ONE, YARMOUTH, ME 04086
P.O. BOX 666, YARMOUTH, ME 04096

Date of Filing: February 25, 2022

Name and Capacity of Authorizing Party:

THOMAS F. JEWELL, REGISTERED AGENT

Subject:
Date:

[Wendy Simmons](#); [Erin Zwirko](#)
RE: CZA request for 251 W. Main St.
Friday, March 10, 2023 7:54:09 PM

To the Planning Board:

I would like to offer my comments on the most recent CZA request proposal that has been submitted for the property at 251 W. Main St. I'm sure you are all aware of the recent history of this property, but allow me to quickly recap it from my perspective. The original request from May 2021, for an 8-house subdivision, was strongly disliked and unanimously opposed by the surrounding neighborhood, including myself. The proposed benefit of that plan was to bring affordable housing to Yarmouth's real estate market. Fair enough. It was discussed and rejected. The second proposal, dubbed the Tree Plan, was submitted a few months later. I found this drastically scaled-back plan for three houses to be a significant improvement; the applicant seemed to be making a good-faith attempt to address the many issues that were brought up at the first meeting. To be clear, there was still no compelling reason why the lot should be split at all, but it did seem to take into account many of our concerns. The primary benefit was that it would preserve most of the woods through a conservation easement and keep construction to the front of the property. I think I was alone in offering qualified, moderate support for that proposal for those specific reasons, but again, it was discussed and rejected. For most of last year, the property has been on the market, with a proposal to build a huge mansion and keep the existing building as a "carriage house". This plan also raised a few questions, since there is clearly already a house on the lot, and it is, of course, a one-house lot. Is it possible to change a house into a non-house simply by calling it a "carriage house"? Would I be allowed to build another house on my lot if I called my existing house a "carriage house"? Would that not require a CZA? It seemed like a very "creative" interpretation of the zoning laws, but I won't belabor the point since it seems to be off the table for now. Finally, a few weeks ago, the abutting neighbors were treated to the sight of "No Trespassing" signs being posted around the entire property, with the threat of criminal prosecution. Entirely within their rights, of course, but maybe not the best way to engender goodwill and sympathy from those whose quality of life you're seeking to irrevocably change.

I can't be the only one to have noticed that the latest proposal is missing some very important details, such as the location of the proposed houses to be built. That seems like a pretty big thing to leave out. It's also very vague about the location of the proposed new driveway on Newell Rd., which I shall discuss later. While the lots are very similar to the Tree Plan, the lack of any conservation easement means that building would be theoretically permissible anywhere on the lots, including right behind my house. It also means that they could be converted to lawn, gravel, paving, etc. at the builders' or future owners' whim. Regardless of where the houses would be located, it would mean the certain loss of the woods and a loss of any privacy for myself and the other abutting neighbors. Given the lack of detail,

I can only assume that these proposed houses will be gigantic; I can only assume they will come furnished with bright green, cookie-cutter, chemical-rich lawns. I can hear the leaf-blowers and gas mowers already - twenty feet from my bedroom window. I'll take the liberty of quoting Julia from her earlier proposal:

"From maintaining rural scenery and streetscapes, to enjoyment of the outdoors, to the ecological, economic and health benefits that our natural environment provides, maintaining, improving, increasing, and protecting our remaining natural spaces are of high priority to the Town and its citizens. Although it may be a small area compared to some of the larger protected spaces in town, it doesn't make the preservation of these old growth trees and this natural space any less important."

I couldn't have said it better myself, and I couldn't agree more.

After the preservation of the woods, the next most-mentioned concern throughout this process was the creation of a driveway on Newell Road, due to poor visibility, increased traffic, school buses, lack of sidewalks, etc. I can't believe we're still talking about this. There is no reason whatsoever to put a driveway on Newell Road. None. Zero. This is already a congested area, as indicated by the sign where presumably this driveway would be located (again, very little detail is provided). Recent snowstorms have, I'm sure, reminded us all of how awkward traffic can be here. There is a perfectly good driveway on W. Main St. Whether it's one or two or three houses, there is no reason they can't all use the existing driveway. Subordinate driveways can be run off of the main driveway with some slight redesign. People do it all the time. It's also worth mentioning that a Newell Rd. driveway would almost inevitably result in the removal of the stand of trees between my house and Main St., whether for purposes of visibility, utilities, construction, etc. These trees are owned by the Town of Yarmouth, not the applicant. More paving, more dead trees, more loss of privacy and habitat, all very much at odds with the clearly-expressed desires of the neighborhood, and for what? Who benefits from this?

Let's talk for a moment about the house that's already there, the one the owners actually purchased. I expect we'll hear a great deal about the value of historic preservation and I am all for it. However, the preservation of the existing house has absolutely nothing to do with splitting the lot or building new houses. It is a complete red herring. I suspect it will be presented as the "community benefit" that justifies the granting of the CZA request, but the two things are unrelated. The house can be preserved without anyone building anything. The house can be updated and sold. It's my understanding that the house can be demolished if

necessary, with a new building replacing it. As much as I am fond of the house and in favor of historic preservation, I will freely admit that it's way, way down on my list of priorities at this point. If the only two options were to lose the house or lose the woods (which they aren't), I'd choose losing the house in a heartbeat. So, preserve the house or tear it down, but let's not pretend that decision has anything to do with new construction.

Since the property changed hands in 2020, I have indicated that I would be very interested in buying a small strip of land from the owners, extending roughly 30 feet back from my back property line. The sale of such a small piece of land would not detract from the value of their land or interfere with any construction projects (though it wouldn't be compatible with the current proposal). It would do a great deal to improve my peace of mind and, incidentally, might make me more prone to support any future plans, for whatever that's worth. My most recent contact with the owners was in January of this year, when I reiterated my desire to buy and made what I think was a very generous offer for such a small strip. Both Julia and Ed did inform me that they were considering an array of options, and while I was disappointed to see that this proposal would leave no room for such a sale, I remain hopeful that at some point it might still be a possibility. Julia is, of course, under no obligation whatsoever to sell me any land at any price, but in our last communication she indicated that she would keep my offer in mind as things progress. I realize none of this will significantly alter anyone's opinion, but I mention it in the spirit of full disclosure.

Throughout this process, I've tried to keep in mind, and remind others, that the owners are perfectly within their rights to pursue all their options and make proposals. Having said that, this whole affair has been emotional and stress-inducing for me and many of my neighbors, as the future status of our homes and neighborhood remains up in the air and contingent on the decisions of others. I would remind you that these are our homes, not investment opportunities. Assuming this proposal is rejected, it would be nice if we didn't have to go through this yet again in a few months. I will write as many letters and attend as many meetings as I need to, but with all due respect, it may be time for the owners of the property to accept that what they bought and what they own is a one-house lot. That's what it's been for decades, that's what it was the day they purchased it, that's what it is now. No compelling reason has yet been offered as to why the current zoning regulations should be suspended.

What's especially frustrating is that this all seems so unnecessary. This property was, as everyone knows, purchased for a price well below market value. When the mega-mansion was being advertised, the ad mentioned that they would also consider selling the property "as-is". The price Ed quoted me was \$600,000; in other words, in their own estimation the property is worth three times what they paid for it. I personally will regret till my dying day not having had the foresight to purchase the woods from the Doughtys before it went on the market. But that's my problem. These folks won the lottery when they acquired this land, and there are so

many ways they could realize a huge profit that don't involve ruining the neighbors' properties and disrupting our lives. They can upgrade the house and sell; they can sell off the land; they can demolish and build a (single) new house. They'd have to work hard to NOT make a huge profit, which is why it's a bit galling that none of that is enough. There needs to be more for some reason. There seems to be an obsession with splitting up this lot that I just find baffling given the clear responses of the surrounding neighbors and, indeed, the Planning Board itself.

In closing, I just wanted to briefly mention that my communications with both Julia and Ed have been very cordial, and I certainly see no reason why that should change, despite having radically different opinions about what's best for the neighborhood and the town. My opposition to this proposal comes not from any personal animosity but from a desire to protect my home and quality of life. I also have no objection to them making a profit. I sincerely hope they make a substantial profit and move on to the next project. As I mentioned, I'd personally like to add to their profits by giving them a chunk of cash for a small strip of land, and I still hope that will happen. But I must ask the Planning Board to reject this proposal. It offers none of the safeguards of the previous "Tree Plan"; it offers the town no benefits; and it would have a completely negative impact on my property and those of the abutting neighbors.

Thank you for allowing me the opportunity to express myself, and look forward to attending the meeting on March 22.

Sincerely,
Your neighbor,

Michael Lysek II
21 Newell Rd.

To: [Erin Zwirko](#); [Wendy Simmons](#)
Subject: Contract Zone Amendment and Minor Subdivision to Divide Existing 1.88 Acre Lot into Three Lots, Not Otherwise Permitted in the Medium Density Residential
Date: Sunday, March 12, 2023 9:07:37 PM

March 12, 2023

Erin Zwirko
Director of Planning and Development
Town of Yarmouth
200 Main Street
Yarmouth, Maine 04096

RE: Contract Zone Amendment and Minor Subdivision to Divide Existing 1.88 Acre Lot into Three Lots, Not Otherwise Permitted in the Medium Density Residential Zone (the "Concept")

Dear Erin,

I am deeply troubled that Ms. Lewis has drafted a Concept that includes an ill-conceived proposal to building driveway access from Newell Road. I am further troubled that Ms. Lewis (the "Applicant") is presenting another concept plan to the Planning Board that is not otherwise permitted in the Medium Density Residential ("MDR") Zone, which has a 1-acre minimum lot size. Out of the gate, the Concept violates the MDR Zone ordinance. Therefore, I see no reason to further entertain a discussion about the Concept.

You may recall, in May 2021, the Applicant submitted a subdivision concept plan for development of five affordable lots, two market rate lots, and preservation of one historical home that grossly violated the MDR Zone ordinance and received no support from the residents of Newell Road and surrounding neighborhoods (surrounding neighborhoods together with residents of Newell Road, the "Neighborhoods").

It appears that the Applicant did not take into consideration concerns raised by the Neighborhoods in May 2021. For the second time, Ms. Lewis proposes to build driveway access from Newell Road on a tricky bend in the road that:

1. overwhelming takes away the privacy of the abutting landowner at 21 Newell Road;
2. negatively impacts the safety of Newell Road, a street that has no sidewalks and is heavily travelled by pedestrians, young and old; and people walking their dogs; and
3. overcrowds a neighborhood that is densely populated and deemed by the

town as a "Congested Area" (there is a "Congested Area sign posted as soon as you enter Newell Road, along the bend in the road where the Applicant proposes to build the driveway access.)

The Minutes of the May 26, 2021 Planning Board Meeting, related materials, and public comments seem to suggest concerns developing this property given it is situated on a slope and its narrow size, among other potential development constraints. Concerns about run-off and drainage issues impacting the neighborhood were clearly raised at that time. Did the Applicant seek review by an engineering professional to determine if the land at 251 West Main Street can be developed?

In my view, the Planning Board has a duty to the residents of Newell Road and surrounding neighborhoods to act in our best interest to afford us the right to enjoy the privacy of our properties, prevent overcrowding our densely populated neighborhoods, and to live in safe neighborhoods. I ask that the Planning Board decline to enter into further discussions about this Concept because it is ill-conceived in a manner that it:

1. infringes on the safety and privacy of existing residents and pedestrians with building driveway access from Newell Road on a tricky bend in the road;
2. is not otherwise permitted in the Medium Density Residential Zone, which has a 1-acre minimum lot size, consequently overcrowds a neighborhood that is already densely populated;
3. has potential to create run-off and drainage issues in the neighborhood.

Regard,

Kathryn

Kathryn Vaznis

25 Newell Road, Yarmouth

Sent from [Mail](#) for Windows

March 14, 2023

Town of Yarmouth Planning Board

200 Main Street

Yarmouth, Maine 04096

Re: 251 West Main St

This letter is regards to 251 West Main's proposal to divide the lot into three lots and how Maine's LD 2003 would affect this subdivision. With the lot being in a designated growth area under LD 2003 the two .84 acre lots could have up to 4 ADU homes built on each and the existing home lot could have 2 additional ADU homes (SEC. 5. 30-A MRSA 4364-A). The towns' current comprehensive plan allows for ADUs up to 900 square feet, providing for two bedrooms, two baths, kitchen and living room and no restriction for two story ADUs.

In addition, the permitting process would be the same for a single-family home. One would be able to go directly to the Code Enforcement Officer for a building permit, circumventing the Planning Board.

Under the current ordinances the lot is allowed one home and one ADU. If this lot is subdivided, come July 1st when LD 2003 goes into effect this has the potential of 10 new ADUs plus the existing home.

We ask the Planning Board to reject this proposal as the impact on the neighborhood would be immense.

Respectfully,

Jim & Julie Crofts

51 Deacon Rd

Yarmouth, Me

240 West Main Street
Yarmouth, Maine
March 14, 2023

Dear Members of the Yarmouth Planning Board and Ms Erin Zwirko,

Thank you for allowing me the opportunity to respond to the proposal at 251 West Main Street. Since we will be away at the time of the meeting, this unfortunately will be my only opportunity to have my thoughts heard. Below is my response to the notice that we received regarding the latest application by Julia Libby regarding 251 West Main Street. I apologize for not getting this to you by the requested date of March 13th..

I have worked at following Julia's desire to develop that property since 2020. Little has changed since the last proposal in September, 2021, except that in this latest proposal there is no conservation easement. As I have noted in my previous letters to the Planning Board, I was opposed to the previous proposals and am again opposed to this new development at 251 West Main Street.

In 2020, Ms. Lewis applied for a demolition permit declaring that the historic home was not a building of value. At that time, Connor Watson was shown to be the owner. On the Planning Board report of May 20, 2021, Julia Lewis is shown as the owner of the property. Tax records show that Connor Watson bought the property on 8/28/2020. It was then purchased by West Main, LLC on 2/3/21, the owner of which is Ed Libby and not Julia Lewis, and the "character of the business" is "Real Estate Investment." This is important as he is not now trying to enhance and refurbish the historic old Doughty home, but rather to use it as another investment tool. The lack of transparency on the ownership of 251 West Main Street is troublesome.

In November of 2020, this first proposal was for 1 home on the lot, the size of which was 1.79 acres. In April of 2021, the new proposal requested a CZA so that 8 homes could be built on the lot of 1.79. And, at this point the property had changed ownership to Mr. Libby dba 251 West Main LLC. In September of 2021, the proposal changed again to 2 lots, but this plan included a Conservation Easement. The size of the property remained at 1.79. On February 8, 2023, a new proposal was submitted to the planning board. In this proposal, the owner through Ms. Lewis once again asked for a CZA for 2 lots on the property now measuring 1.88 acres. The latest survey was done last fall, 2022 (not 2023 as submitted by Julia), and I am wondering where the increased acreage was found. Transparency.

None of the proposals address the impact on driveways on either West Main Street or Newell Road. Both of these scenarios would be a hazard to pedestrians and other traffic. Somedays it is difficult to just get in and out of my driveway due to the heavy traffic coming out of North Yarmouth. Speeders are constantly being monitored (and stopped) by our local police staff parked down below my home or directly across the street. The traffic coming up from Newell and Deacon roads and children going to school would be negatively impacted.

This proposal also eliminates the small amount of wooded space that the wildlife in this area rely upon along with eliminating the natural beauty in this little corner of our neighborhood. With the elimination of the natural trees and undergrowth, storm water would greatly impact not only the existing soil beneath that old growth but also the homes directly down the hill on Newell and Deacon from any new development.

251 West Main, LLC's application refers to the Comprehensive plan, yet that plan is over 10 years old and much has changed to the landscape of Yarmouth since then. Yarmouth has now begun the process of drafting its newest Comprehensive Plan. At the latest Comprehensive Plan Update, Camoin and Associates reported that they "will be conducting a town wide market analysis and land use analysis. Their main goal is to identify how much development the town could support." The timeline for this part of the work is spring/summer of this year with a final draft to be presented in the spring of 2024. I am requesting that the Planning Board stop recommending new CZA's where the existing lot size is 1 acre minimum until a comprehensive plan can be established. As has been stated by many others in print media and letters to the planning board, it is up to a small group neighbors to speak up about small parcels of land being used for financial gains and thereby gobbling up every small open space not yet occupied by a dwelling. Yarmouth needs to ask ALL of its citizens how they want our town to be in the years to come.

I respectfully request and urge the Planning Board to stop granting proposals for the use of CZA's that cut up open spaces into tiny ones that do not keep the 1 acre minimum lot size. Let the entire town weigh in on what they want and do not leave it up to a small group of neighbors to be responsible to try to change what is clearly becoming the carving up of Yarmouth solely for financial gain.

Thank you for the opportunity to address my thoughts and concerns.

Sincerely,
Nancy Gorden
240 West Main Street