

Green Acres Development

Denis O'Brien
14 Foreside Road
Cumberland Foreside
Maine, 04110
207-838-7983
denisobrien@mail.com

7/10/2023

To: Erin Zwirko
Director of Planning
200 Main Street
Yarmouth, Maine
04096
207-846-2438
EZwirko@yarmouth.me.us

Members of the Planning Board,

I hereby request a review of a project located at 163 West Main street in Yarmouth under chapter 701, article IX, Historic Building Alterations and Demolitions. The request is to demolish the existing barn and rear, one story addition, of the main house. After demolition we request permission to rebuild rear wing of the house on a slightly altered footprint as per HPC suggestion. HPC review and site visit have been completed and alterations to the plans have been made as per their suggestions. In addition we request that we be allowed to rebuild a new Barn in the exact location and footprint of the existing one with an ADU unit on part of the second floor and a pool/game room in the rear of the first floor. We further request an exemption to

the 900 square foot limit on the ADU as per chapter 702, Article I.J. which states that "Where the planning board finds that, due to special circumstances of a particular plan, the provision of certain performance standards which are not requisite in the interest of public health, safety, and general welfare, the planning board may waive such requirements, subject to appropriate conditions." We request this exemption because we would like to keep the same footprint of the existing barn as this is a large property compared to surrounding ones and building a smaller barn would look disproportional to the house and property. The second floor of the barn is 2,080 square feet and we have worked hard to reduce the ADU to 1,100 square feet. As is this has already wasted some potentially usable space on the second floor. We feel that increasing the size by this amount is not going to have a negative impact on the neighborhood or the neighbors and all efforts have been made to make this project look aesthetically appropriate for size and quality of components used in regard to the exterior look.

As for the demolition of both of the existing structures, the HRC determined during the site visit that the barn structure is not savable due to rot and structural issues and will likely collapse of its own accord before long. The addition to the house has no accessible foundation and has major structural issues of its own, including inaccessible plumbing, undersized roof framing that is at risk of failure, and rot. Air Quality Management Services, INC. has performed an inspection for both asbestos and lead and the report is included in this application, prior to demolition, a licensed Lead Paint abatement company will remove all appropriate items as listed.

We look forward to attending your August meeting and will have additional large scale photos of the existing on site conditions of areas we would like to demolish, thanks for your time on this matter,

Denis O'Brien, President Green Acres Development and Angela Garrison, homeowner.

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

DEMOLITION PERMIT

Date: 1/16/2023 Map 46 Lot 94 Ext Permit #

Property Location:

Applicant Name: Denis O'Brien Phone #: 207-838-7983
Mailing Address: 14 Foreside rd. Cumberland Foreside, ME 04110 e-mail: denisobrien@gmail.com

Owner (other than applicant)

Name: Angela Harrison Phone #: 207-577-6949
Mailing Address: 1634. main st. Yarmouth, ME 04096 e-mail: agarrison207@gmail.com

Contractor

Name: Green Acres Development Phone #: 207-838-7983
Mailing Address: 14 Foreside rd. Cumberland Foreside, ME 04110 e-mail: denisobrien@gmail.com

Structure to be demolished: Burn and Rear wing of main House

ESTIMATED COST OF DEMOLITION: \$ 28,000 PERMIT FEE: \$ 280.00

"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.

The Applicant agrees that the above information with attachments is correct

Owner/Agent Signature: D Date Signed: 1/16/2023

Owner/Agent Printed: Denis O'Brien

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The above information and attached documents meet the requirements of the Town of Yarmouth and demolition is approved.

\_\_\_\_\_  
CODE ENFORCEMENT OFFICER

\_\_\_\_\_  
DATE

Date of Completed Demolition \_\_\_\_\_ Date Assessor Notified \_\_\_\_\_



TOWN OF YARMOUTH  
Department of Planning & Development  
200 Main Street Yarmouth, Maine 04096  
WWW.YARMOUTH.ME.US

(207)846-2401

Fax: (207)846-2438

MINOR SITE PLAN APPLICATION FORM  
ACCESSORY DWELLING UNITS


Date: 5/24/23 Zoning District MDR Map 46 Lot 94 Ext.      Fee Paid       
Name of Owner/Applicant Angela Harrison / Denis O'Brien  
Mailing Address 14 Foreside rd. Cumberland Foreside ME 04110  
Phone 207-838-7983 Fax      Email denisobrien@mail.com  
Street Address 163 West Main St. Yarmouth, ME 04096  
Proposed Use Addition to House for master Bedroom new Barn for ADU  
and garage with pool/hot room on 1st floor

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.

Fee: \$100.00

The Owner (or Applicant representing the Owner) hereby authorizes representatives of the Yarmouth Department of Planning and Development to enter upon and into the property for which this application has been made during normal business hours to make required inspections and observations appropriate to evaluating the site and processing this application.

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

  
Signature of Applicant

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

Print or type name and title of signer Denis O'Brien

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

## MINOR SITE PLAN APPLICATION

### PROJECT DESCRIPTION

A. Describe the overall project and proposed uses of property.

Removal of existing Barn and rebuild  
for use as ADU and garage

B. Project details

1. Name and approval date of any subdivision for this site:

None

Subdivision lot numbers (if applicable) \_\_\_\_\_

2. Assessor's Map number(s) 46 Lot number(s) 94

3. Existing zone(s) of the site \_\_\_\_\_

Shoreland Overlay District \_\_\_\_\_ Yes ☒ No

Affordable Housing District \_\_\_\_\_ Yes ☒ No

Mobile Home Park Overlay \_\_\_\_\_ Yes ☒ No

4. a. Total land area of site: \_\_\_\_\_

b. Total floor area proposed building in square feet (all floors): 1,22 Acres

c. Footprint of proposed building in square feet: 2,122

d. Height of proposed building: 26.5 feet 1 1/2 stories

e. Total number of proposed parking spaces: 6

f. Number of proposed handicap parking spaces: 1

C. Include a plot/site plan showing the following existing and proposed conditions:

- Lot boundaries' and dimensions at scale
- Zoning district
- Date of plan
- Property owner with deed reference
- Lot area
- Location and setback of all buildings
- Date of construction of single-family dwelling
- Separate floor layout of all finished levels
- All plumbing facilities, kind and location
- Use of all rooms
- All entrances/exits



# Green Acres

## Response to ADU questions for planning director

- A. Exterior design is compatible with existing residence.
- B. Exterior design is compatible with and in harmony with the neighborhood.
- C. The accessory unit will not add any more traffic or noise than is already on the property.
- D. The primary residence and the ADU will connect to town water and sewer in compliance with all town of Yarmouth requirements.
- E. Major entrances and windows have been designed to face primary residence and have minor impact on neighboring views and privacy.
- F. Orientation of new building will be in exact location of previous building and will not impact landscape at all with the possible exception of small tree on right front of existing building which may not survive site work, although all efforts to save tree will be made.
- G. Building profiles, location, and orientation will be exactly as building to be removed and work well with natural land forms.
- H. 3 parking spaces will be provided for this one bedroom ADU.
- I. A single family dwelling exists on the property and this will be the only ADU on the property.
- J. No variance to setbacks are requested or needed for this ADU.
- K. Property owner is currently working to address the declaration of deed restrictions and will present that ADU will not be sold separately, the unit is restricted to approved size (with regard for possible Variance), the use permit shall only be in effect as long as the main residence is occupied by owner as the principal

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residence, and declarations are binding on any successor of ownership of property.

- L. Owner is requesting a variance of 143 square feet of increase to ADU size due to large footprint of existing barn and wanting to keep the same look and size with new structure which would create excessive waste of space on second floor. Current footprint of second floor is 1080 square feet and large effort by designer and architect have reduced that square footage to 1,043 square feet.
- M. There is only one bedroom in the ADU design for this project.
- N. Water and sewage will meet all existing laws and codes.
- O. All applicable permits are being applied for including Demolition, electrical, plumbing, fire sprinkler, ADU, and minor site plan.
- P. Application will be presented to Yarmouth fire chief Michael Robitaille @ [mrobitaille@yarmouth.me.us](mailto:mrobitaille@yarmouth.me.us)
- Q. There are two entrances on the side of ADU structure that does not face neighboring property and there will be no exterior stairs.
- R. The ADU will be housed in a traditional New England form of a barn that will be appropriate in scale, aesthetic, and design of the neighborhood and the town.
- S. This ADU will not be housed in an existing single family dwelling.
- T. This ADU will be on the back of the lot.
- U. The lot where this ADU will be built will not have any non-conforming use.
- V. There will be no mixed use on the lot Where this ADU will be built. Currently there is an in home daycare that will be moved to a new location the owner is purchasing in June of 2023 and ownwer will no longer have daycare on site.



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W. If the owner wishes to remove ADU status in the future, kitchen will be removed and planning department shall be notified.

This statement is submitted by Denis O'Brien of Green Acres Development on Behalf and with written permission of Property owner, Angela Garrison.