



January 12, 2024

Rick Licht
Licht Environmental Design, LLC
35 Fran Circle
Gray, ME 04039

Dear Mr. Licht:

On January 10, 2024, the Yarmouth Planning Board voted to approve the Major Site Plan for excavation of stockpiled materials and the expansion of the existing building at 38 Yarmouth Junction with the following motions and votes:

Waiver – Site Plan Review Application Requirements

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated January 4, 2024, for Major Site Plan, 38 Yarmouth Junction, LLC, Applicant; Bickford/Mahan Collection Building Addition, Map 16 Lot 2, regarding compliance with the applicable regulations and standards of Chapter 702, Site Plan Review, the Planning Board hereby finds and concludes that not requiring a traffic analysis, photometric plan, stormwater analysis, and high intensity soils report is consistent with intent of the Site Plan Review Ordinance and is therefore approved.

Such motion moved by Janet Hansen, seconded by Ian Cromarty, and voted 7 in favor, 0 opposed.

Major Site Plan

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated January 4, 2024, for Major Site Plan, 38 Yarmouth Junction, LLC, Applicant; Bickford/Mahan Collection Building Addition, Map 16 Lot 2, regarding the compliance with the applicable regulations and standards of Chapter 702, Site Plan, the Planning Board hereby finds and concludes that the Major Site Plan meets the required standards and is therefore approved subject to the following conditions of approval:

Such motion moved by Janet Hansen, seconded by Mary Lynn Engel, and voted 7 in favor, 0 opposed.

Conditions of Approval

1. Prior to the issuance of a building permit, the applicant shall submit written approval from the Water District regarding the public water infrastructure connections, services, and sizes for fire suppression to the Fire Chief, Code Enforcement Officer, and the Director of Planning & Development for review and approval. If there are any pavement impacts to East Elm Street as a result, moratorium restoration standards will apply.

Erin Zwirko, AICP, LEED AP | Director of Planning & Development
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200 Main Street, Yarmouth, ME 04096

2. Prior to the issuance of a building permit, the applicant shall provide the DPW Director with evidence that a commercial solid waste hauler has been contracted with to remove any solid waste as the facility is not eligible to dispose of waste at the Yarmouth Transfer Station.
3. All erosion and sedimentation controls (ESC) best management practices (BMPs) shall be installed prior to the disturbance of site soils and vegetation including BMPs to prevent track out on East Elm Street. During construction, the applicant and their construction manager/contractor shall perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work. It is also important that the BMP's be inspected before and after each rainstorm per MDEP standards. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit.
4. All storm drain infrastructure shall conform to Yarmouth Town Standards. All connections to Town infrastructure shall be per Town requirements.
5. An irrevocable letter of credit or cash escrow and a non-refundable two percent (2%) inspection fee will be required for the estimated cost of the stormwater BMPs and sediment/erosion control prior to the issuance of the building permit. Also, prior to issuance of building permits or the commencement of work, the applicant and their selected construction contractor shall attend a pre-construction conference with Town staff at a mutually agreeable date and time. Also, prior to issuance of building permits, the applicant shall satisfy all Town concerns and provide updated drawings as required. All other permit applications and fees will be required prior to the release of a building permit.

Standard Conditions of Approval

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 Board or 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 the Planning Board or Planning Director as applicable. Requests to extend approvals must be received before the one-year expiration date.
4. Preconstruction Meeting: Prior to the release of a building permit or site construction, a preconstruction meeting shall be held at the project site, Town Hall or other mutually agreeable location. This meeting will be held with the contractor, Town Engineer, Code Enforcement Officer and Director of Public Works representative and owner to review the construction schedule and critical aspects of the site work. The site/building contractor shall provide three copies of a detailed construction schedule to the attending Town's representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
5. Town Record Copies: One mylar copy and three paper copies of the plat showing book and page and date of recording must be submitted to the Town Engineer as well as a plat submitted digitally to the Town Engineer, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
6. Landscaping: All required landscaping shall be guaranteed for a 2-year period.
7. Appeals: The Director of Planning and Development's decisions regarding minor site plans are appealable by an aggrieved party to the Planning Board within 30 days of the date of the issuance of the decision. Site plan decisions of the Planning Board are appealed to the Cumberland County Superior Court.

Please do not hesitate to contact the Department of Planning & Development if you have any additional questions about this approval.

Sincerely,



Erin Zwirko, AICP, LEED AP
Director of Planning & Development

CC:

Tamson Hamrock, Owner

Gary Mahan, Owner

Chair and Members of the Yarmouth Planning Board

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

Nicholas Ciarimboli, Code Enforcement Officer

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