



YARMOUTH MAINE

To: Chair Holden and Members of the Yarmouth Planning Board
From: Erin Zwirko, Director of Planning & Development
Re: 298 Main Street Major Site Plan and Building & Lot Plan, Condition 10
Date: January 18, 2024

Introduction and Background

On December 13, 2023, the Planning Board voted to reapprove the Major Site and Building & Lot Plan for the mixed-use building at 298 Main Street. The reapproval restated and amended the previous approvals for this project issued in 2021 and 2022 (see attached). The Planning Board at the December 2023 hearing discussed at length Condition 10, which states:

Prior to the issuance of a building permit, the applicant shall produce a 3D rendering of all sides of the building illustrating the exterior building materials and elements for review and approval by the Planning Board. All major elements of the facade shall be featured including the cast stone base, the transition line cornice between the first and second stories, the upper story windows and trim, the column, the roofline cornice, and the selected clapboard color, clapboard reveal, and corresponding trim color. The rendering shall be considered at a regularly scheduled Planning Board meeting.

The applicant has come forward now and submitted materials to the Planning Board to address Condition 10, which will be reviewed and approved by the Planning Board at the meeting on January 24, 2024. Please note that this is not a public hearing.

Review of Submitted Materials

The applicant has submitted a packet showing 3D renderings of all sides of the building. The packet provides two presentations:

- The building, as approved previously and reapproved last month. This also matches the materials submitted for a building permit that has been under review since 2022.
- A revised building that incorporates many of the recommendations from the Historic Preservation Committee dated November 27, 2023. However, please note that it does not incorporate any changes to windows and doors.

In addition, the building shown in the packet incorporates information regarding rooftop units, the final color choice of dark charcoal gray with a clapboard reveal of no more than 4.25 inches, and the three-panel transom on the shopfront. These items were also discussed during the Planning Board meeting in December 2023.

The “HPC revision” as noted above includes many of the recommendations from the Committee, including:

- Increased the height of the parapet by 12 inches in order to provide additional rooftop screening as well as giving the appearance of additional “weight”;

Erin Zwirko, AICP, LEED AP | Director of Planning & Development
207-846-2401 | ezwirko@yarmouth.me.us | yarmouth.me.us
200 Main Street, Yarmouth, ME 04096

- Added a “beam” between the pilasters and the cornice;
- Replaced the upper story windows with double hung windows and added the 3-panel transom windows on the ground floor (also seen on the “as approved” presentation);
- Added painted paneling above the ground floor windows which replaced cast stone;
- Used black cylinder building lighting (also seen on the “as approved” presentation); and
- Widened the spacing between brackets above the pilasters.

It is the Town Staff’s understanding that the applicant is prepared to move forward with the “HPC revision” if preferred by the Planning Board.

The only comments received to date are additional comments received from the HPC for the Board’s consideration. In response to the HPC’s last comment, I previously received material samples in 2022, and will bring those to the meeting.

Planning Board Action

The Planning Board may want to review and approve the 3D rendering during the meeting. As noted earlier, the matter is not a public hearing, so it would be at the discretion of the Board to consider public comment, if any.

If the Planning Board acts on the review, the following motion could be made. The Planning Board may want to add additional conditions based on the discussion and review.

Based on the application, plans, reports and other information submitted by the applicant, information from the previously-held public hearings, information contained in Planning Board Memo dated January 18, 2024 regarding the requirement to submit a 3D rendering of the proposed building, 298 Main Partners, LLC, Applicant; 298 Main Street, Map 37 Lot 30, the Planning Board hereby finds and concludes that the 3D rendering of the proposed building **[is/is not]** consistent with Condition 10 of the Building & Lot Plan and Major Site Plan Approval dated December 13, 2023.

Such motion moved by _____, seconded by _____, and voted ____ in favor, ____ opposed, _____.
 (note members voting in opposition, abstained, recused, or absent, if any).

Attachments:

1. Planning Board Building & Lot Plan and Major Site Plan Approval dated December 13, 2023
2. Historic Preservation Committee, Email dated 1/5/2024



December 15, 2023

Mark Nordby
Barrett Made
65 Hanover Street
Portland, ME 04101

Dear Mr. Nordby:

On December 13, 2023, the Yarmouth Planning Board voted to approve the Major Site Plan and Building and Lot Plan for the construction of a mixed-use structure at 298 Main Street with the following motions and votes:

Waiver – Façade Glazing

Based on the application, plans, reports and other information submitted by the applicant now and previously, information from the public hearing, information and the findings and recommendations contained in the Planning Board Report dated August 5, 2021 for Building & Lot Plan, 298 Main Partners, LLC, Applicant; 298 Main Street, Map 37 Lot 30, and in the Planning Board memo dated December 7, 2023, regarding the compliance with the applicable regulations and standards of Chapter 703, Character Based Development Code, the Planning Board hereby finds and concludes and reconfirms that the waiver of the required shopfront façade glazing is consistent with the Character Based Development Code and is therefore approved.

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

Major Site Plan and Building & Lot Plan

Based on the application, plans, reports and other information submitted by the applicant now and previously, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated August 5, 2021 for Building & Lot Plan and Major Site Plan, 298 Main Partners, LLC, Applicant; 298 Main Street, Map 37 Lot 30, and in the Planning Board memo dated December 7, 2023, regarding the compliance with the applicable regulations and standards of Chapter 702, Site Plan Review, and the applicable regulations and standards of Chapter 703, Character Based Development Code, the Planning Board hereby finds and concludes and reconfirms that the Major Site Plan and the Building and Lot Plan meets the required standards and is therefore approved subject to the following conditions of approval identified in the August 2021 decision, the June 2022 decision as amended, and this decision.

Such motion moved by Janet Hansen, seconded by Jerry King, and voted 6 in favor, 1 opposed (Schumacher).

Conditions of Approval

1. The applicant shall develop a standalone parking management plan for 298 Main Street. The 298 Main Street parking management plan shall include information on the owner, the purpose and goal of the parking management

Erin Zwirko, AICP, LEED AP | Director of Planning & Development
207-846-2401 | ezwirko@yarmouth.me.us | yarmouth.me.us
200 Main Street, Yarmouth, ME 04096

plan, information on the project location and area, the unit size and type of uses in the building, the traffic and vehicular access plan, management requirements, and annual analysis and reporting. In addition:

- a. The plan shall include provisions to convert full size parking spaces to compact spaces should tenants report difficulties maneuvering in the parking lot;
 - b. The plan shall include provisions to address tenant or others use of the Downeast Energy property;
 - c. The plan shall include a provision for the scope of work of the annual analysis to be reviewed and approved by the Director of Planning and Development;
 - d. The plan shall include a provision for the annual report to be submitted to the Planning Board; and
 - e. At the time that a future Railroad Square project is advanced, the plan shall include a provision for 298 Main Street shall be integrated into an overall parking management plan for 298 Main Street and Railroad Square due to the location of remote parking.
2. A sewer connection permit application and fee for the building will be required prior to the issuance of any building permit. During construction of all sewer infrastructure, all work must be inspected by Town staff prior to backfilling and all sewer work shall be constructed per Yarmouth Town Standards. All sewer infrastructure to be abandoned all be as directed by the Town Engineer.
 3. The applicant shall provide an adequate soils report from a Professional Engineer licensed in Maine that evaluates that in-situ site soils and provides guidance for foundation design of the proposed structure prior to a request for a building permit.
 4. The applicant shall verify the most viable underdrain connection and coordinate any required improvements for the underdrain connection with Public Works and the Town Engineer prior to a request for a building permit.
 5. 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. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit. The BMPs shall be installed prior to the disturbance of site soils and vegetation.
 6. Prior to the required pre-construction conference with Town staff, the applicant shall provide a detailed logistics plan for construction management to the Town Engineer, Director of Public Works, and Director of Planning and Development for review and approval.
 7. The applicant shall provide the final disposition of the utility poles to the Town Engineer and Director of Public Works as soon as the underground electric and communications system is finalized by CMP.
 8. Prior to occupancy of the building, the applicant shall coordinate the location of the sidewalk to the remote parking area at and past the Railroad Square pavilion with the Town Engineer, Director of Public Works, and Director of Planning and Development.
 9. 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 infrastructure located in the public right of way as well as the site drainage, stormwater BMPs and landscaping. 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. Attendance at the pre-construction conference is required. 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.
 10. Prior to the issuance of a building permit, the applicant shall produce a 3D rendering of all sides of the building illustrating the exterior building materials and elements for review and approval by the Planning Board. All major elements of the facade shall be featured including the cast stone base, the transition line cornice between the first and second stories, the upper story windows and trim, the column, the roofline cornice, and the selected clapboard color, clapboard reveal, and corresponding trim color. The rendering shall be considered at a regularly scheduled Planning Board meeting.
 11. Prior to the issuance of a building permit, the elevations shall be updated to match the renderings.
 12. The light fixture finish shall be chosen to blend into the element it is attached to, and in particular, any highly visible light fixture shall be black including the sign light and the wall scones attached to the shopfront.
 13. The clapboard siding shall be a dark charcoal gray. The clapboard reveal shall be no more than 4.25 inches.
 14. All rooftop machinery and equipment shall be located and/or screened appropriately so as to not be visible from the ground.
 15. The shopfront windows shall include a three-panel transom over the single pane of glass.

16. All utility vents must be ducted internally to the roof terminus so that no venting or other equipment is seen on any of the three primary facades (Main Street, South Street, or Railroad Square).
17. The gas meters located on the Railroad Square façade shall be appropriately screened.
18. Prior to the issuance of a building permit, the applicant shall receive written approval from the Yarmouth Water District regarding the public water infrastructure connections, services, and sizes.

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:

Rob Barrett, 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
File copy

Erin Zwirko

From: Bruce Butler <bbutler@maine.rr.com>
Sent: Friday, January 5, 2024 10:11 AM
To: Erin Zwirko; Nicholas Ciarimboli; Yarmouth Historic Preservation; Yarmouth Historic Preservation;
Celestine Devine; Philip Bean
Subject: 298 Main Street

Hello Erin,

Thank you for forwarding the link to the new 3D rendering of 298 Main. It does reflect many of the HPC's recommendations which is greatly appreciated.

As part of the planning board's review on 1/24/24, it would be appreciated if the following items could be further clarified:

1. On the North, West, and East Elevations, the store front windows and doors seem quite low relative to the panels above, i.e. the painted panels are proportionally too tall. Making the windows and doors taller by 6" to 8" and reducing the panel height by the same would make a noticeable difference and greatly improve the proportions. I would hope that the savings from having far fewer brackets in the cornice would pay for the slightly taller storefront windows and doors. Possibly, the storefront windows could simply be raised up without a change in size and then only the doors would be affected.
2. The color of the panels should match the color of the store front window frames so that everything framed by the cast stone reads as infill of one color. The panels should not match the color of the clapboards above.
3. The panels should also be flush with the storefront windows so that they read as one plane by either moving the storefront out or moving the panels back. Also, make sure that the frames defining the panels line up with the storefront frames below.



4. The building lighting could be more “transitional” than the cylinders while not being copies of the street lighting.

https://www.lumens.com/bowman-led-outdoor-wall-sconce-by-visual-comfort-modern-TECP89764.html?cgid=37&dwvar_TECP89764_AttrValue1=Black&dwvar_TECP89764_AttrValue2=Small&dwvar_TECP89764_AttrValue3=3000&dwvar_TECP89764_AttrValue4=120 Volt#tileIndex=14

5. It would be helpful for the planning board if there was a material sample board that shows representative pieces of the actual materials: the cast stone, painted clapboards, painted trim, and window frames (storefront and double hung)

Thank you,

Bruce B. Butler, AIA
Chair, Yarmouth Historic Preservation Committee