

APPLICATION AND SUPPORTING DOCUMENTS FOR

ACCESSORY DWELLING UNIT AT
53 WEST ELM ST., YARMOUTH

SUBMITTED BY OWNER, JANICE E. COOPER

DATE:

INDEX OF APPLICATION AND EXHIBITS

A. APPLICATION AND ADDENDUM Addendum: ANSWERS TO QUESTIONS WITH CITATIONS	pages 0-11 ^A
B. INTRODUCTION AND BACKGROUND (See also report of Alex Jagerman for summary of past proceedings, EXHIBIT L pages 53-55)	pages 12-17
C. ADU EXTERIOR PHOTOGRAPHS	pages 18-26
D. CERTIFICATE OF OCCUPANCY	page 27
E. OFF-STREET PARKING: NOTES AND PHOTOGRAPHS Explaining capacity and use of driveway and parallel spot at 53 West Elm St.; Photos of tandem and lawn parking at other residences on West Elm St. and village	pages 28-34
F. DEED (NOV. 13, 2012)	pages 35-36
G. TAX ASSESSMENT (showing dates of construction)	pages 37-40
H. YARMOUTH WATER AND SEWER BILL SUMMIT NATURAL GAS OF MAINE BILL	pages 41-43
I. SEWER INSPECTION REPORT	page 44
J. E-MAIL FROM TOWN ENGINEER STEVEN JOHNSON RE: SEWER LINE TO ADU	page 45-47
K. WAIVER LETTER RE: LOCATION OF ADU DOOR	page 48
L. REPORTS OF TOWN PLANNER FARR (2014) AND JAGERMAN. (2020)	pages 49-55
M. MISCELLANEOUS PERMITS AND APPLICATIONS, INCLUDING SETBACK ORDERS OF 1973 AND 1990	pages 56-71
N. PHOTOGRAPHS OF ADU INTERIOR	pages 72-79
O. SURVEY OF 53 WEST ELM AND NEIGHBORING PLOTS	page 80
P. SITE PLAN TO SCALE	ATTACHED TO END

A. APPLICATION AND ADDENDUM

pages 0-11

Addendum: ANSWERS TO QUESTIONS WITH CITATIONS

ACCESSORY DWELLING UNIT (ADU) APPLICATIONS

ADUs are governed under Chapter 702 – Site Plan Review Ordinance; Article J, Section 13. The ordinance can be found on the Town of Yarmouth website at the following path:

Town Charter, Codes and Ordinances (yarmouth.me.us)

OR

Go to the website: Yarmouth.me.us

Choose: Government

Choose: Charter, Codes & Ordinance

Choose: Code & Ordinance drop down menu

Scroll to: 702 – Site Plan

Please note:

1. Detached ADUs are required to install a fire sprinkler system. (See Town of Yarmouth Ordinances Chapter 317)
2. If the property is located in one of Yarmouth's local historic districts, review by the Historic Preservation Committee is completed. (See Town of Yarmouth Ordinances Chapter 701, Article IX and X).

ADU Application Completion Checklist:

- ☒ Sections A&B – Completed
- ☒ Section C – Items a-r accounted for on the plot/site plan
- ☒ Section D - Items a-v must be answered individually by the applicant in a separate document. If an item does not apply indicate N/A
- ☒ Attach scaled plans and elevations
- ☒ Indicate on the drawings the square footage of all areas pertaining to the ADU (areas in excess of 900sf may require Planning Board approval).
- ☐ ^{N/A} If on private water and/or private sewer, provide third-party documentation that the system(s) have sufficient capacity for the primary residence and the ADU, and if there is not sufficient capacity, identification of any required improvements to achieve capacity. Approval of an ADU shall be conditioned on any required improvements for the system(s).
- ☒ Provide ¹⁴ complete sets of the Application including 11x17 size sets of drawings for staff review
- ☒ Email a PDF copy of the entire application to Wendy Simmons at wsimmons@yarmouth.me.us for the website
- ☐ Complete and submit The Fire Sprinkler Permit (Fee \$75.00)
- ☒ Pay \$150.00 fee

TOWN OF YARMOUTH
Department of Planning & Development
200 Main Street Yarmouth, Maine 04096
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(207)846-2401

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**MINOR SITE PLAN APPLICATION FORM
ACCESSORY DWELLING UNITS**

Date: _____ Zoning District MDR Map 41 Lot 71 Ext. _____ Fee Paid \$150

Name of Owner/Applicant Janice Cooper

Mailing Address 53 West Elm St., Yarmouth, ME 04096

Phone (207) 233-9811 Fax _____ Email cooper.janice@gmail.com

Street Address 53 West Elm St., Yarmouth, ME 04096

Proposed Use Accessory Dwelling Unit for rental

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: \$150.00

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.

Janice Cooper
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 JANICE COOPER

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 generate perflorates. N/A

MINOR SITE PLAN APPLICATION

PROJECT DESCRIPTION

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

See addendum and referenced exhibits

B. Project details

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

N/A

Subdivision lot numbers (if applicable) N/A

2. Assessor's Map number(s) 41 Lot number(s) 71

3. Existing zone(s) of the site MDR

Shoreland Overlay District _____ Yes ☒ No

Affordable Housing District _____ Yes ☒ No

Mobile Home Park Overlay _____ Yes ☒ No

4. a. Total land area of site: 50' x 119.5' See site plan and survey
- b. Total floor area proposed building in square feet (all floors): 334 sq. ft
- c. Footprint of proposed building in square feet: 334 sq. ft
- d. Height of proposed building: _____ feet one stories
- e. Total number of proposed parking spaces: 3 See addendum + Ex E
- f. Number of proposed handicap parking spaces: 0

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

- a. Lot boundaries' and dimensions at scale
- b. Zoning district
- c. Date of plan
- d. Property owner with deed reference
- e. Lot area
- f. Location and setback of all buildings
- g. Date of construction of single-family dwelling
- h. Separate floor layout of all finished levels
- i. All plumbing facilities, kind and location
- j. Use of all rooms
- k. All entrances/exits

See addendum and site plan and referenced exhibits for all § C answers

- l. All partitions, temporary or permanent
- m. Location and type of all appliances
- n. Rights of way, public and private
- o. All easements
- p. Street names
- q. Sewerage facilities
- r. Off-street parking spaces

D. In permitting an ADU, the Planning Director and/or CEO shall find that:

- a. Exterior design of the ADU is compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
- b. The exterior design is in harmony with, and maintains the scale of the neighborhood.
- c. The accessory unit does not result in excessive noise, traffic or parking congestion.
- d. The primary residence and the ADU shall connect to public water and public sewer in compliance with all applicable Town of Yarmouth and Yarmouth Water District requirements and ordinances as well as the Maine Subsurface Wastewater Disposal rules. If the primary residence and the ADU cannot connect to public water and/or public sewer, the applicant shall demonstrate by competent third-party evidence that the supply of potable water and/or septic capacity is sufficient for the primary residence and ADU. Approval of an ADU shall be conditional on any required improvements.
- e. Major access stairs, deck entry doors, and major windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of the neighboring side or rear yard shall be minimized. The design of the accessory unit shall relate to the design of the primary residence and shall not visually dominate it or the surrounding properties.
- f. The orientation and location of the buildings, structures, open spaces and other features of the site plan are such that they maintain natural resources including heritage or significant trees and shrubs to the extent feasible and minimize alteration of natural land forms.
- g. Building profiles, location and orientation relate to natural land forms.
- h. A single-family dwelling exists on the lot or will be constructed in conjunction with the ADU. Only one ADU is permitted per lot.
- i. ADUs are not eligible for variances to setbacks.
- j. Before obtaining a building permit for an ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - i. The accessory unit shall not be sold separately.
 - ii. The unit is restricted to the approved size.
 - iii. The above declarations are binding upon any successor in ownership of the property;
 - iv. The deed restrictions shall lapse upon removal of the accessory unit.
- k. ADUs shall be at least the minimum size adopted by the Technical Building Code and Standards Board pursuant to 10 M.R.S. §9722 and shall not exceed 900 square feet. If an

ADU occupies a portion of an existing Structure either on a single floor or on multiple floors, or an existing detached Structure will be converted to an ADU, the Planning Department may allow for an increase in the allowed size of the ADU up to 1,215 square feet in order to efficiently use all of the floor area, so long as all other standards of this section are met.

- l. Approval of an ADU shall be conditional on obtaining applicable building, plumbing, electrical and any other necessary municipal permits.
- m. The Fire Chief must review and sign off on the application.
- n. Unless part of the design of an existing single family dwelling the dwelling(s) shall have only one (1) front entrance and all other entrances shall be on the side or in the rear of the dwelling. A front entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. Outside stairways (either open or enclosed), that service an ADU on upper stories are not permitted.
- o. For an ADU located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement of new structures or unless the new structure is designed in a traditional New England form such as a barn.
- p. An existing single-family dwelling that is nonconforming solely due to lot size, lot width, lot frontage, lot coverage, height or setback requirements may be expanded to incorporate an Accessory Apartment subject to the requirements of Chapter 701 of the Yarmouth Code Article III for the expansion of other non-conforming single family dwellings.
- q. ADUs may be permitted on back lots.
- r. ADUs are not permitted on a lot with a non-conforming use, unless that non-conforming use is a single-family dwelling, in which case the ADU shall be allowed.
- s. ADUs are not permitted on a lot with mixed uses.
- t. When an owner wishes to eliminate the ADU, proof of the removal of the second kitchen and the restoration of the apartment to its status before the conversion shall be submitted to the satisfaction of the Planning Department. The owner shall record a Release of the Declaration of Restrictions on the Land after inspection and confirmation by the Code Enforcement Officer.
- u. ADUs are not permitted on lots where the number of dwelling units allowed on a lot has been increased under Chapter 701, Article II.EE, after July 1, 2023.
- v. ADUs must comply with all of the standards of Chapter 701, Article IV.R.

MINOR SITE PLAN REVIEW PROCESS AND PROCEDURES

For minor site plan applications, the Department will mail such notice as detailed above within 7 days of determination of completeness of a complete application, as determined by the Director. The Director of Planning and Development shall not make a decision on the proposal for a period of ten (10) days after the mailing of abutter notification to provide an opportunity for public comment.

CONDITIONS OF APPROVAL

The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.

Addendum to Application for Minor Site Plan

Application question A. Description of overall project and proposed uses of property

The owner/applicant wishes to convert an existing building constructed in 1997 by the previous owner for use as an artist's studio into a rental accessory dwelling unit. The building is located in the rear left of the plot. See site plan, Exhibit P, at end of this packet and photos of the exterior of the building, Exhibit C, pages 18-20. The studio occupied the footprint area of a previous garage, thus accounting for setbacks on the left and rear less than ordinarily required by town zoning rules. In addition, minor additional setback modifications were ordered in 1973 and 1990 (See Exhibit M, pages 56-60)

The building was almost completed when the current owner purchased the property in 2012. She added interior improvements including a full bath with shower, a closet, small and large sinks, a larger egress window, electric outlets on every wall, vents to the roof from toilet and the proposed cooking area, cabinets, flooring, and shelves. A number of these improvements were made in accordance with Yarmouth and State zoning requirements for occupancy. A Certificate of Occupancy/Use was issued by the Town Code Enforcement Officer in September 24, 2020 (Exhibit D, pages 26-27.)

If an ADU permit is granted, the owner/applicant will create a kitchen by supplying electric kitchen appliances—a microwave, convection/toaster oven, and a two-space inversion hot plate (which generates energy from an electromagnetic field below the glass cooktop surface, which then transfers current directly to magnetic cookware, causing it to heat up, a system considered safer and more efficient than conventional hot plates). A refrigerator is in the cabinet closest to the window. A large sink is across from that cabinet. See Site Plan, Exhibit P at end of application packet. The cooking appliances will be stored in the large cabinets and shelves in the far wall which begin next to the egress window; when in use, the appliances can be placed on the cabinets' counter, near the exhaust fan and plugged into numerous electric outlets. (See also photos of the interior of the building in Exhibit N, pages 72 et. seq.)

B. Project details:

1. N/A There is no subdivision of this site
2. Assessor's Map number: 41. Lot number: 71
3. Existing zone of the site: MDR
NA: Not Shoreland Overlay District
NA: Not Affordable Housing District
NA: Not Home Park Overlay
4. a. Total land area of site: 50 ft. X 118.5 ft. (See site plan, Exhibit P at end of application
b. Total floor area proposed in square feet (all floors): 334 sq. ft (Studio) Exhibit P.
c. Footprint of proposed building in sq. ft.: 334 sq. Ft. Site Plan, Exhibit P.
d. Height: One storey with perpendicular skylight near roof center, about 2-3 ft. high. See photos of exterior of proposed ADU, Exhibit C, pages 18-20.
e. Total number of proposed parking spaces: three (2 in tandem in driveway, 1 to 2 in parking space constructed perpendicular to driveway (See also Exhibit E, pages 28-34, which further describes parking area and options.)
f. Number of proposed handicapped parking spaces: 0
- C. A plot/site plan to scale is included as Exhibit P which shows the following existing and proposed conditions:
 - a. Lot boundaries and dimensions at scale. See also portion of Survey of 53 West Elm St. and neighboring plots (Exhibit O, page 80)
 - b. Zoning District: MDR
 - c. Date of Plan: February, 2024
 - d. Property owner with Deed reference: Janice Cooper, (Exhibit F, pages 35-36)
 - e. Lot area: 50' x 118.5' (Exhibit P, site plan)

f. Location and setback of all buildings: See Site Plan (Exhibit P, at end of application). The proposed ADU was built on the footprint of pre-existing garage; rear and side setbacks later reduced per orders of 1973 and 1997, Ex. M, pages 56-60.

g. Date of construction of single-family dwelling: 1845 and in circa 1997 two storey addition and studio added. See Exhibit G, Tax Assessment for dates)

h. Separate floor layout of all finished levels: One storey (studio). See Site plan, Exhibit P.

i. All pumping facilities, kind and location: Indicated on Site Plan Exhibit P. See also Exhibit I, Page 44, inspection of sewer leading from ADU and video of camera inspection submitted to Town Engineer Steven Johnson). See also statement of Town Engineer, Steven Johnson, Exhibit J, page 45-47.

j. Use of all rooms: See Site Plan (Ex. P) Structure is a studio, with intended uses indicated in various areas on Site Plan

k. All entrances/exits: Door to outside and egress window on site plan, Exhibit P.

l. All partitions: For bathroom, closet, cabinets: Drawn on site plan, Exhibit P.

m. Location and type of all appliances: Refrigerator in cabinet next egress window and adjacent to exhaust vent; cooking appliances to be provided, kept in cabinets in kitchen area; exhaust vent/fan nearby, indicated on site plan, Exhibit P.

n. Rights of way: Public right of way: area adjacent to West Elm St.

o. Easement: Public right of way area adjacent to West Elm St.

p. Street names: Front: West Elm St., rear: Baker Street (see Site Plan, Exhibit P and Survey, Exhibit O, page 83.

q. Sewage facilities: Yarmouth Town service. Sewer line runs from house to ADU through PVC pipes. In house basement/bunker, PVC pipes are connected to cast iron. See Site plan, Ex. P. See also Sewer inspection report, Exhibit I, page 44 and letter from Town Engineer, Steven Johnson, Ex. J, page 45-47, stating that said sewer inspection is acceptable in lieu of sewer permits.

r. Off-street parking spaces: 10' driveway (for 2 in tandem) and parking spots on paver stones and lawn (2) drawn on site plan (Exhibit P. See also Off-street parking Exhibit E, pages 28-34pages, which contains

photographs of parking areas (driveway and parallel area) and explanation of how vehicles are intended to be parked in these areas so as to eliminate or reduce movement of vehicles not departing property.

Note: In her report of 2015, former Town Planner Vanessa Farr erroneously concluded: "The applicant has added pavers immediately in front and parallel to the house. Pulling into and out of the space would require multiple turning movements and is impaired if more than one car is parked in tandem in the driveway and /or if the first car is not parked deep enough into the lot. Finally, the space arranged parallel to the house in the front yard setback is not harmonious with the neighborhood. " For these reasons she found that the application did not meet parking requirements for an ADU. Apparently, the GBA followed these findings. These were her only findings in opposition to the granting of an ADU permit.

The current proceedings allow de novo findings regarding the application and need not be followed. First, LD 2003 mandated all Maine towns to enact new zoning rules to encourage the expansion of accessory dwelling units, like the present one, and other affordable housing. This edict implies that communities should interpret the remaining rules in a manner that does not unduly restrict the purpose of LD 2003. Ms. Farr's conclusion are not only unduly constricted, they are not based on the facts and should not be followed in this de novo proceeding.

In particular, Ms. Farr's finding that vehicles cannot exit the parallel parking space without moving vehicles in the driveway is erroneous. If the first vehicle in the driveway is pull up to the end of the driveway, and a second car is parked closely behind the first vehicle, in tandem, ample space is present for an ordinary sized car to pull into and out of the parallel paver spot without requiring moving the tandem-parked cars. I do this all the time. Further, before Airbnb guests arrive, I instruct them to follow these guidelines when they park on my property. If an ADU is permitted, there will only be two cars normally parked on the plot—mine and the tenant's.

Finally, residents of this neighborhood routinely park multiple cars on their property because it is dense, the absence of street parking night parking in the winter, and no public parking areas. Tandem parking in driveways, parking parallel to the house, and parking on lawns are all common. (See

(10)

recent photos, Exhibit E, pages 31-33, showing examples of all these arrangements on West Elm St. and the Village.) Moreover, most of these residences do not contain a parallel parking spot like mine which obviates the need to reposition vehicles when exiting in most situations. In short, there is nothing unusual about this kind of parking and moving of vehicles in the neighborhood, since the area is dense. I am unaware of any complaints by neighbors about jostling of cars related to my property, except by the opponent of my application. Moreover, Ms. Runquist's complaints have related solely to my property.

D.

a. Exterior design of the ADU is compatible with the existing residence:

See exterior photographs of proposed ADU and house Ex. C page 18-20. The proposed ADU was pre-existing at time of owner's purchase. The design is believed to have been created by the same firm that designed the two-storey addition to the house and remodeled the house c. 1997. It uses the same building forms, construction materials (wood), color (white). The height of the ADU is lower than second storey of the house (See Exhibit C, page 26. The landscaping is consistent with the house (the same type of three slender trees planted in front and the side of house, and to the left of the ADU). See Site plan, Ex. P. Other landscaping (flowers and shrubs) which I added is consistent with the neighborhood style. The wildflower garden in the front yard was added to help shield the view of any car parked in the parallel spot. Moreover, the small front wildflower field is environmentally beneficial for pollination.

b. The proposed ADU exterior is in harmony with and maintains the scale of the neighborhood. See Exhibit C, pages 18-20. Many passers-by have complimented me on the beauty of the structure. The height of the proposed ADU is lower than the second floor of the primary house and neighboring houses. It is sited in the left rear yard of the plot, and faces only the back yards of neighbors. Given its small size and distance from the street, the sight of the ADU is not dominant to public viewers.

c. The ADU does not result in excessive noise, traffic or parking congestion. The present owner lives alone and has never had more than one

car in the ten years she has owned the premises. The ADU is a studio and is expected to be rented to one person, thus accounting for two vehicles at most times. No parking is allowed on either side of West Elm St., a limitation enacted sometime after the neighborhood was formed. No sidewalk is present on my house's side. Most homes in this area of West Elm St. have narrow driveways, accommodating one or two vehicles along side each other, and many owners park in tandem and often on the lawns. (See photographs, Exhibit E, pages 28-34) In the ten years that the applicant has lived at this location, I have observed that most vehicles are pulled forward into driveways and backed out into the street to depart. When parked in tandem, vehicle owners may have to back out to allow forward car to depart: this practice includes the opponent to this application. Indeed, this is the norm for this neighborhood. Indeed, permitting an ADU to replace Airbnb use will likely reduce traffic congestion in the summer.

d. The proposed ADU and house are connected to the Town of Yarmouth Water District and sewer and complies with all requirements and ordinances thereof. See answers to Question C (q) above.

e. The ADU entry door faces the back yard of 47 West Elm St. The owners of that property have no objection to this placement, which faces their lawn, and have submitted a statement to that effect. (See Exhibit K, page 48) All ADU windows are shielded from viewers by curtains and to the rear and left, also by evergreen trees and maple trees.

f. The orientation and location of the structure and open spaces and other features of the site plan maintain natural resources. No trees or shrubs were removed by applicant. The left side and rear of the ADU are heavily wooded. Flower beds have been added along picket fence adjacent to 47 West Elm, which further increases privacy. The sight by the public of the ADU from West Elm St. and other viewpoints is very pleasant and in keeping with the historic nature of the area. The land forms of the back yard, which rises about two feet, have not been changed. Despite this elevation rise, the height of the proposed ADU is lower than the second storey of the house and neighboring houses.

g. The ADU profile, location and orientation relate to the natural land form, which naturally rises a few feet from the base of the house to the site of the ADU.

h. A single family house exists on the lot. Only one ADU is sought, which has been pre-existing since c. 1997.

I. No setback variance is sought.

j. The appropriate document will be filed by the owner with the registry of deeds declaring various restrictions concerning the ADU.

k. The ADU is at least the minimum size required by law and does not exceed 900 square feet. It is not connected to nor does it occupy any portion of an existing house.

l. Applicable building, plumbing, electrical and other permits have been obtained and attached, if found in the town file. See Exhibit M, pages 56-71, and Certificate of Occupancy/Use, Exhibit D, page 27

m. Fire Chief review: To be done concurrent with ADU review.

n. Front door: See Exhibit K, page 48 waiver by adjacent neighbor.

o. NA

p. NA

q. NA

r. NA

s. NA

t. NA

u. NA

v. NA

B. INTRODUCTION AND BACKGROUND

pages 12-17

(See also report of Alex Jagerman for summary of past proceedings, EXHIBIT L pages 53-55)

EXHIBIT B

Introductory Notes and Background for ADU Application of Janice Cooper (53 West Elm St.)

The proposed Accessory Dwelling unit (hereafter referred to as "ADU") was constructed by the previous owners (Robert and Julie Haines) for use as an artist's studio (also referred to at times as a shed) around 1997 (see tax assessment, Exhibit G.) It was built on approximately the footprint of a preexisting garage (See Ex. G and M), which under principles of grandfathering allowed it to have reduced setbacks in the rear and left side (adjacent to 55 W. Elm). In addition, orders from 1970 and 1997 indicate that these setbacks were allowed to be slightly reduced in size. (These orders were apparently not noticed by Town Planner Jagerman in his report of 2020, Ex. L)

At the time of my purchase of the property in November, 2020, the construction of the ADU building was almost completed. Yarmouth Town sewer and water (as well as CMP electric lines) were installed in the ADU through an underground PVC pipe leading from the house bunker/basement to the ADU. See Site Plan, Exhibit P. Permits for the ADU are in Exhibit M. The sufficiency of these permits is evidenced by the issuance of a Certificate of Occupancy/Use in 202 (Ex. D) All walls were sheet-rocked and holes cut in the ADU walls for outlets. Over the next several years, with permits, I added ceiling lights, a full bathroom, sinks, cabinets, electric sockets, a closet, and finished the flooring with planking. In consultation with the Code Enforcement Officer, I added additional upgrades and features necessary to make the structure eligible for a Certificate of Occupancy, which was issued on Sept. 24, 2020. (Exhibit D). These included a hard-wired smoke/CO detector, moving the sewer and exhaust fans outlets to the roof to meet code requirements, replacing the kitchen

window with a wider "egress" window, and adding more outlets (at least one in every wall). Since then, I have used the ADU building for storage, an art studio, and as my sleeping quarters when I rented my house on Airbnb in the summer. No exterior changes have been made since the time I purchased the property, other than repairs.

From the time of my purchase, my intention always has been to use the beautiful, architecturally-designed ADU more productively. Unlike the previous owner, I am not a professional artist and used the building only occasionally as a studio. I first sought an ADU designation in 2014. The Town Planner at the time, Vanessa Farr, concluded that although **all non-process requirements were met** (requirements to be determined post-ADU review), she concluded that the Town zoning parking requirements at the time (Chapter 702, Art. I J 12 c) were not met for two reasons: The code required three parking spaces; two were satisfied by tandem parking in the driveway, but the third parking space for the ADU (situated about two or three feet in front of the house) that I had had constructed was "not harmonious with the neighborhood." Second, she asserted that when two cars were parked in tandem in the driveway, and a third car was situated in the perpendicular spot, traffic would be impeded by the need to move cars around to exit. Accordingly, in 2015, Ms. Farr recommended denial of my application solely for this reason. (Exhibit L), and the General Board of Appeals (GBA) agreed. (I had situated the third, perpendicular spot in its present position because no alternatives were feasible: just beyond the parking spot were three trees and two granite steps to the front door, precluding a circular drive. In addition, a new parking entrance/exit on the right (north side) of the house would have required the removal of part of the new granite curb on West Elm St, and would have been opposed by my neighbors on that side (#47) who did not want a vehicle parked right in front of their dining room.) Ms. Farr told the GBA that it lacked the discretion to waive any parking requirement concerning the third space. Accordingly, the GBA accepted her conclusion.

In the following years, in response to neighbors' and Ms. Farr's concerns, I mitigated the visibility of cars parked in the perpendicular space by planting ornamental grasses and wild flowers in the front yard. (See photo in Parking section, Exhibit E). In addition, I advised visitors before they arrived about ways to reduce exiting the driveway: to wit, if the first car in the driveway pulled up to the end and a second car was close to that car, in tandem close, there would be room for a third car to exit the perpendicular spot without moving the tandem-parked cars. I have done this often without difficulty.

With these landscaping changes and parking instructions in place, I filed a new application in 2018. However, the GBA denied my application, without explanation, presumably because they believed it was bound by the previous ruling, "the law of the case."

The details and history of the prior applications demonstrate that I endeavored to mitigate the concerns voiced by my neighbor and the Town. In any event, the legal landscape has changed dramatically since 2018. New Maine State law (LD 2003) and Yarmouth zoning laws became effective this year. They are intended, among other things, to encourage more affordable housing, fostered by making more ADUs permissible, among other things. Among these changes, parking requirements are specifically targeted. To wit, Yarmouth's requirement for a third parking place for the ADU was no longer permitted and Yarmouth repealed this zoning rule. Regarding traffic congestion, the earlier finding by Ms. Farr must be read not only in light of its erroneous factual assumptions, but in the context of the purpose of LD 2003.

West Elm St, particular the lower end where my home is located, presents unique challenges to parking. It may be the only street in town where no parking is allowed on the street. Overnight parking on side streets is barred in the winter. There are few public parking lots and none permit overnight parking. Because the area is dense, almost all homes have

narrow, short driveways. The result is that many owners park in tandem in their driveways and also park on their lawns. (The photographs in Ex. E demonstrate this.) Thus, if there is congestion as a result of parking issues, it is clearly not limited to homes with my parking configuration or ADUs. Moreover, as a resident of this neighborhood for 10 years, I have not experienced traffic congestion. People wait for traffic to clear before moving into the street. Other than during school opening and closing times, the traffic is light on West Elm St. Most impermissible parking on the street comes from commercial vehicles making deliveries or performing service.

Most residents on West Elm on both sides of the street pull forward into their driveways, so backing out into the street is the norm. In addition to residents' cars, I have witnessed many other vehicles (including workmen and visitors) using driveways to make three-point turns as well as pulling up in front of others' driveways momentarily for a drop-off or other reasons. In assessing the alleged traffic congestion and turning concerns, the GBA must be realistic about the way drivers now use the street, and not hold the applicant to an unreasonable standard that frustrates the intent of LD 2003.

Indeed, with respect to my property, **if an ADU replaces the use of my house by Airbnb summer renters, there will be a decrease in traffic to and from my property.** There will one occupant in the ADU, instead of the usual six in the house in summer. These renters usually come with one or two cars, and I usually park my single car in the parallel spot. Hence, there will be fewer cars using my driveway.

Since the other findings regarding ADU requirements have been found to have been met (aside from process requirements remaining, such as the Fire Chief's review), they are not at issue. The GBA should focus on the purpose of the new law and zoning requirements and the advantages a new ADU in the village will bring. The law now favors a view of requirements (including parking) that is flexible, reasonable and meets the

needs of the community as a whole. Since this review is de novo, it is in no way bound by the erroneous factual findings made in 2014.

Why I want an ADU:

When my ADU applications were denied, I sought another way to supplement my income to cover the rising expenses of the property. (My real estate taxes, for example, have doubled.) I listed my entire house on Airbnb for the summer months, which is unregulated therefore allowed by the Town and State.

Using the existing structure as an ADU, rather than renting out my house in the summer will yield less income to me, since short-term rentals command higher rates than longer-term rental leases. However, I am also motivated by a wish to be a good citizen by adding a full-time affordable housing unit to local people in Yarmouth, which will benefit the village and the larger community. The village is an ideal place for such a unit. It is walking distance to stores, the Town Hall, the library, public transportation, and the Royal River and its parkland.

This is not a new, self-serving statement. I have long publicly advocated for in-fill housing and affordable housing in Yarmouth, a pressing need particularly for seniors and working people. I made these arguments in discussions concerning the existing comprehensive plan and in my applications for an ADU. I have emailed town officials several national news articles about the increasing popularity of ADUs in other parts of the country. Although I played no role in the proposal or enactment of LD 2003, I fully support it.

When I appeared before the GBA arguing in favor of my application, the Board concluded that they were bound by existing zoning rules and that

these goals were policy concerns irrelevant in my application. Now that the law has been changed, the time is ripe for this application to be accepted.

I have chosen to live in the historic Yarmouth village since 1997 (previously on Cumberland St.) because I value its traditional New England homes and the beauty of its landscaping, as well as its peaceful, neighborly quality. As the attached photographs of the ADU demonstrate (Exhibit C), it is built in the style of my 19th century house and other nearby homes. It can be seen from the street and gracefully adds to the charm of the neighborhood. To insure that my Airbnb tenants not disturb neighbors, I have taken pains to advise them before their arrival of my rules designed to minimize interference with neighbors, such as the described parking arrangements, not using the driveways of other residents to turn their cars around, step on their lawn or driveway, pull their car in front of a neighbors' house on the street, raise their voices outside, hold parties, etc. I will continue to monitor my ADU tenants in the same way.

In addition, I can foresee using the ADU for a caretaker for my former husband (who now resides in an assisted living facility) when his funds for the facility run out, or for myself, if my health declines and I need a caretaker.

Finally, it is my hope that this change will lessen the tensions and concerns voiced by my next door neighbor at #55 West Elm (Rebecca Runquist) who has objected to the number of persons unknown to her staying in my house. While I rarely know my guests beforehand, Airbnb screens its guests, and makes this information publicly available. I have never had a problem with any of my tenants. Other than in the summer, I live alone quietly in my 3 bedroom house. I am 78 years old and have one car. The ADU will add stability and lessen density in our part of the neighborhood, which Ms. Runquist purportedly desires. Hopefully, she will be able to enjoy having these long-term tenants as her neighbor(s).

C. ADU EXTERIOR PHOTOGRAPHS

pages 18-26

334 sq ft

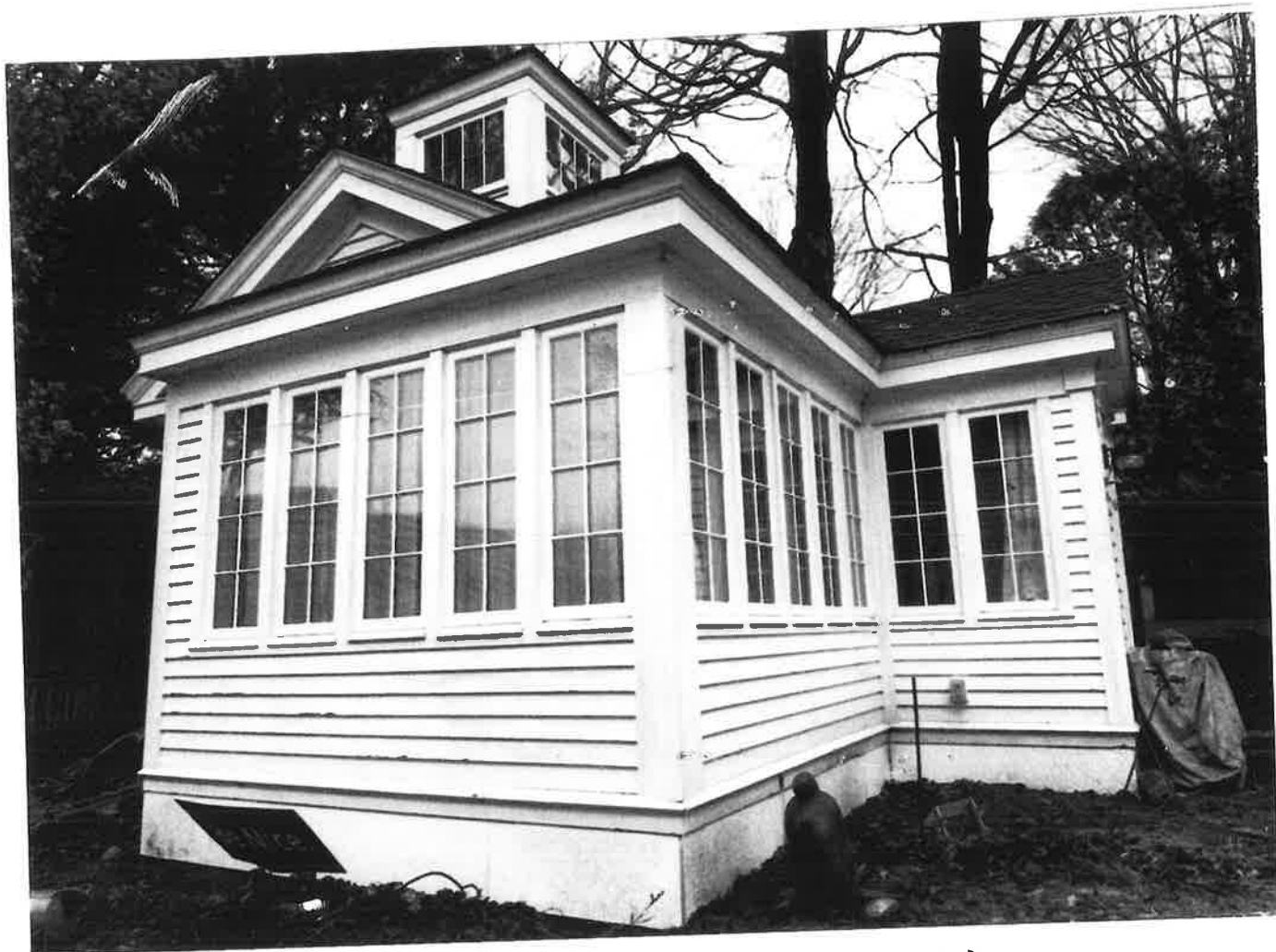
18



(PAGE 18)

18

View from door side (North)



view from house, street (East)



view from driveway + street

Subject Photo Page

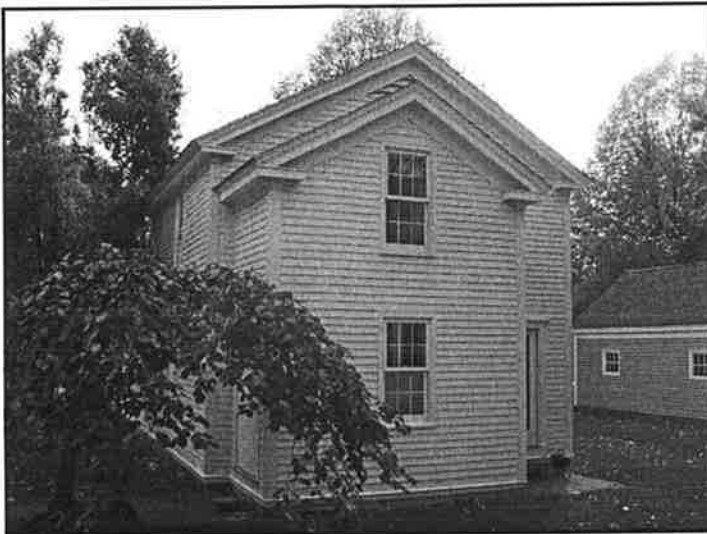
Borrower/Client	Janice Cooper				
Property Address	53 W Elm St				
City	Yarmouth	County	Cumberland	State	ME Zip Code 04096
Lender	Mortgage Network				



Subject Front

53 W Elm St
Sales Price 334,000
Gross Living Area 1,604
Total Rooms 8
Total Bedrooms 4
Total Bathrooms 3.0
Location N;Res;
View N;Res;
Site 5,663 sf
Quality Q4
Age 178

front of house



Subject Rear

rear



Subject Street

W Elm St.

Photograph Addendum

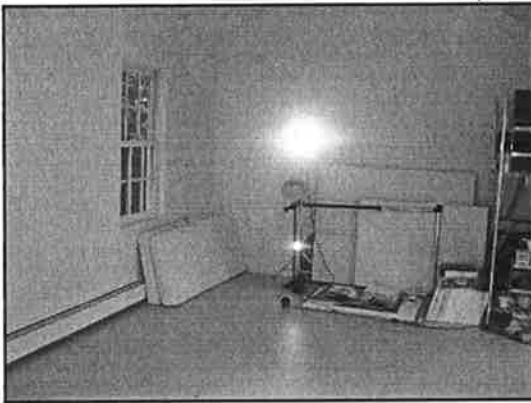
Borrower/Client	Janice Cooper				
Property Address	53 W Elm St				
City	Yarmouth	County	Cumberland	State	ME Zip Code 04096
Lender	Mortgage Network				



Studio outbuilding



Studio outbuilding



Studio interior



Side



Side



Sign



Proposed ADU
Janice Cooper
533 West Elm Street

Aerial - ADU



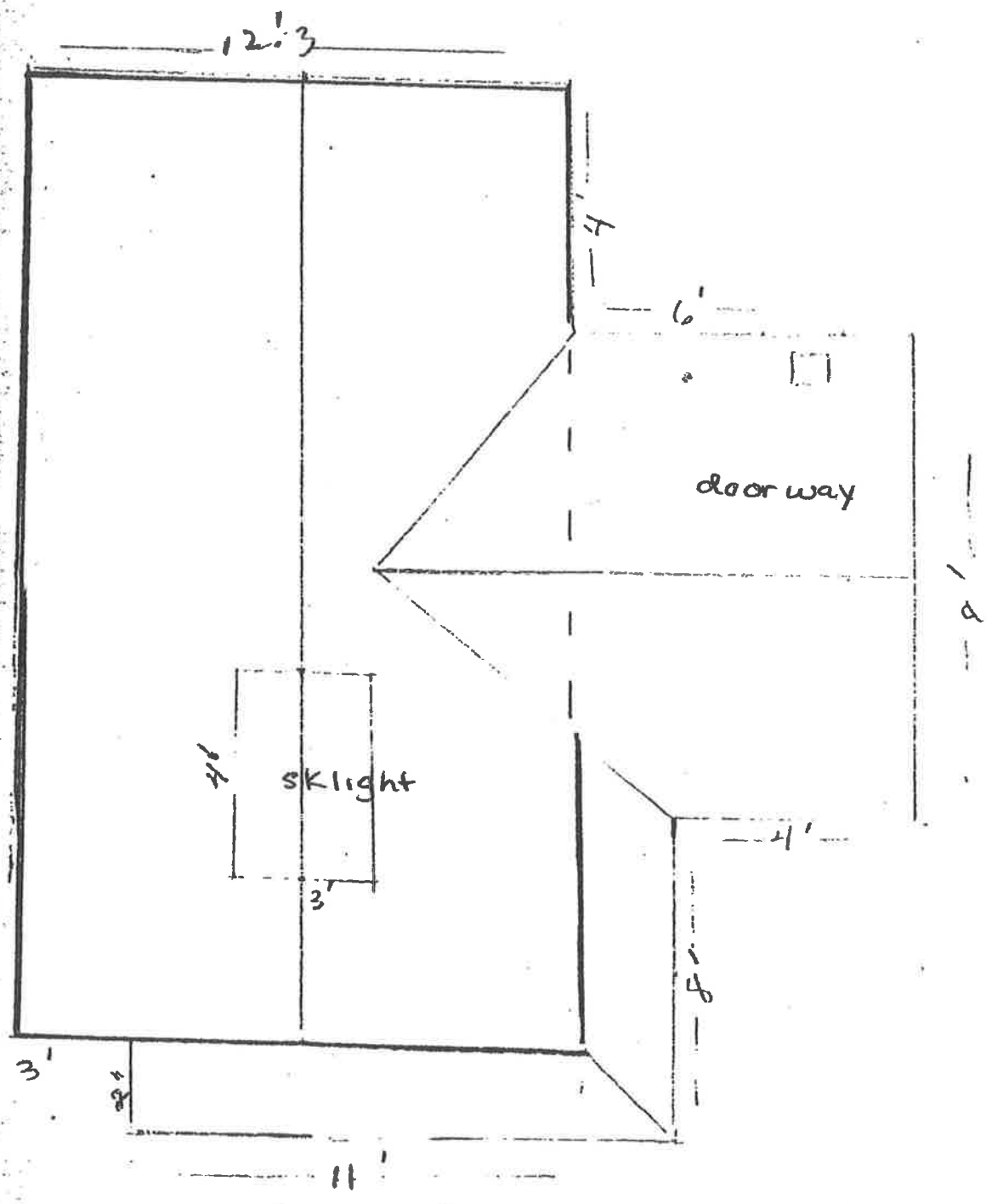
23



ADU - aerial - roof

ROBERT
53 W. E.
YARMOL

- EXISTI
SHI
SILLS
FLOO
- RECC
TUBES
- ESTI,



w/ plantings





Height of proposed ADU
(lower than house)
view from 47 West Elm St. lawn

D. CERTIFICATE OF OCCUPANCY

page 27



Occupancy/Use Certificate

Yarmouth, Maine

Map: 41

Lot: 71

Building Permit Number: 14-013

Date Issued: 1/27/14

Property Location: 53 West Elm St.

Zone: MDR

OWNER

Name: Janice Cooper

Mailing Address: 53 West Elm St.

APPLICANT

Name: Janice Cooper

Mailing Address: 53 West Elm St.

LAND USE

Previous: Single Family House with existing accessory structure

New: Existing detached habitable out-building (may be used as a sleeping room) with bathroom and work-sink accessory to existing single family house.

BUILDING USE

Previous: Single Family House with existing accessory structure

New: Existing detached habitable out-building (may be used as a sleeping room) with bathroom and work-sink accessory to existing single family house.

SUB-PERMITS

Electrical Permit #14-017

Plumbing Permit #3987

ADDENDUM: No kitchen permitted. Not a dwelling unit. Note this work was completed but no certificate of occupancy had been issued. An inspection on 8/24/2020 noted no known deficiencies.

Dated: 9/24/2020

Signed:

Nicholas Ciarimboli
Code Enforcement Officer

*Final
9/24/20*

E. OFF-STREET PARKING: NOTES AND PHOTOGRAPHS **pages 28-34**
Explaining capacity and use of driveway and parallel spot
at 53 West Elm St.; Photos of tandem and lawn parking at
other residences on West Elm St. and village

Note on off-street parking

I have 5 parking spots when all possibilities are considered, three for the purposes of this application. Two spaces are required by Yarmouth law for the house only.

The driveway is narrow but can accommodate two cars parked in tandem; three can fit in tandem without a car extending to the street or curbside if they are parked close together.

In additions, two additional parking spots are available in the area I had constructed several years ago for additional parking. It is built on a deep bed of sand and gravel, and topped with paving stones. It is situated about 3 feet from the front of the house, up to the granite steps to the house, in front of three small trees. It is accessed from the driveway, and sits perpendicular to the driveway. I use this area for parking when, on occasion, more than two other cars are present. I live alone with one car. In addition, I park my car in this spot when snow is forecast in order to make room in the driveway for plowing, which is shoved to the rear of the driveway. There is additional room for another car to the right of this spot in the winter when the front yard is frozen and parking in the driveway would interfere with plowing for snow removal.

In general, parking on this end of West Elm is limited to residents' property. Street parking is forbidden on West Elm St., and overnight parking on side streets is not allowed in the winter. Other residents in the historic village area also often park in tandem and on their lawns to make room for plows, visitors, etc. See photographs in Exhibit E showing examples of other residences in the village parking horizontal to the house, in tandem, and on lawns.

Driveway with new fence
and distances for Fire
Marshal / Chief

page 29



new fence with gate
distance to egress window
on left side of ADU: 44' 6"
distance to egress door
on other side from
fence gate on that side: 43'

driveway width: 11 ft



new fence
same on
other side
(also w/gate)

View of fence

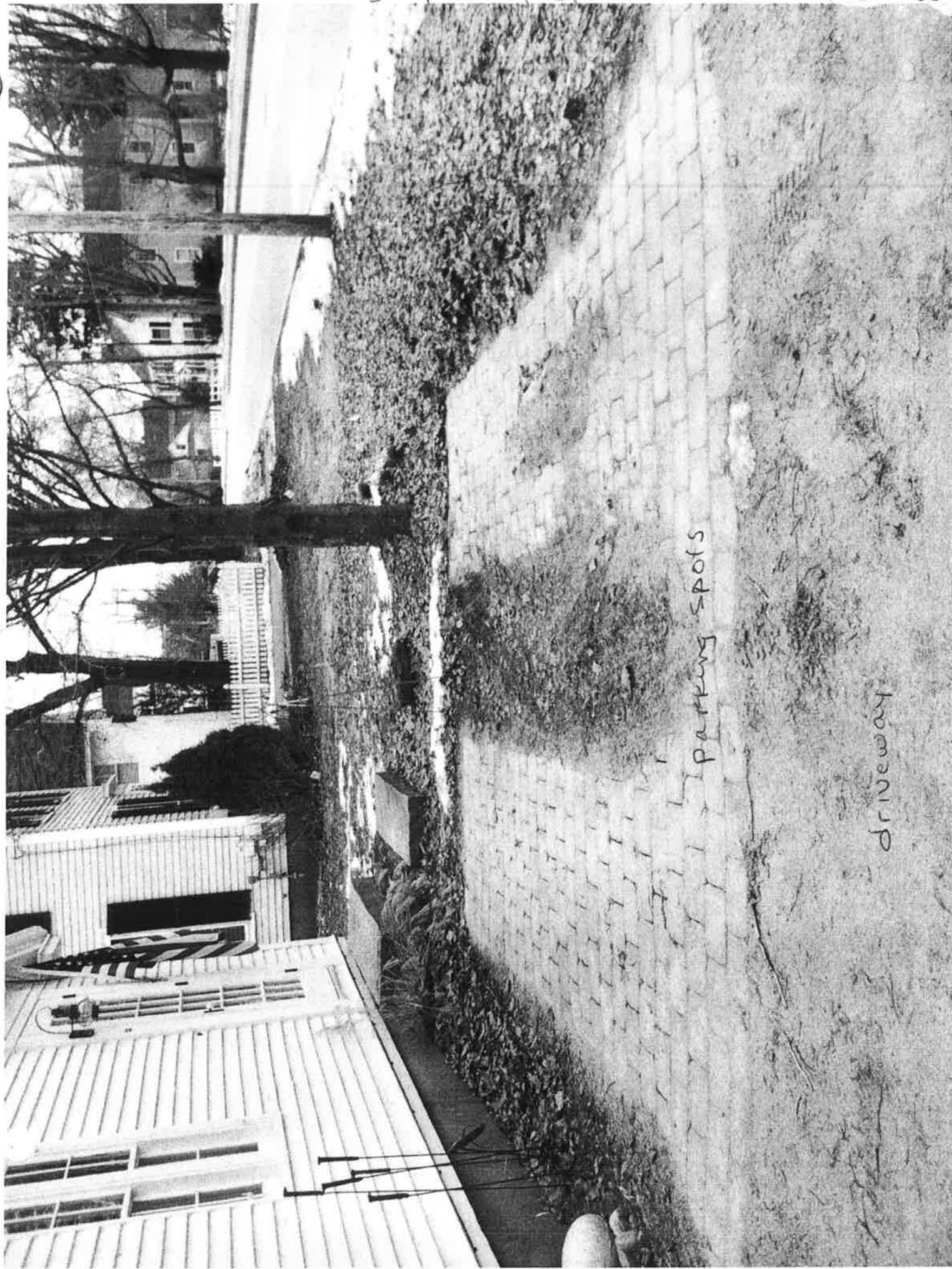
Runquist
garage

my house

1"
pipe



Driveway w/ car in parallel spot



Third parking place (prior to landscaping)

wildflower partially conceal parked car





West Elm St

2 tandem

2 on lawn



Parking in front of house in village
West Elm St parking



56 West Elm St., Yarmouth, ME 04096
January 28, 201

To the members of the Yarmouth Planning Board:

I am writing regarding the appeal to the Planning Board of my neighbor, Janice Cooper, from the denial of the designation of her backyard studio at 53 West Elm St. as an Auxiliary Dwelling Unit (ADU).

It is my understanding that the denial is based on the rules pertaining to parking places for primary and auxiliary dwelling units. My husband and I live directly across the street from Janice's home at 53 West Elm St., so we have a clear view of the studio (the proposed ADU), the driveway, and the new parking spot in the front of Janice's principal home. Accordingly, we are in a position to give an opinion as to the adequacy and attractiveness of these features.

Janice had the new space for parking constructed last summer. It is similar to a paving stone parking spot built around the corner on Cumberland St. by landscape architect Sarah Witte, which I understand Janice used as a model. In my opinion, both additions are attractive and in keeping with the look of the neighborhood. Many houses in the Village are built close to the street. Janice's new parking spot, for example, is only 8 feet or so from the roadway. Since no parking is allowed on West Elm St., the aesthetic is similar to looking at a car parked in front of a house. Moreover, she used high quality construction and pavers for the spot, and left room in between tires lanes for water drainage and greenery. It is, therefore, harmonious with the neighborhood.

This is a neighborhood not only with no on-street parking but very limited off-street parking, particularly in the winter. As a result, many residents and their visitors park on lawns in mud and other seasons. Many homes have more than two cars. Because lots are small, where to place additional parking is difficult. I think Janice's solution does an excellent job given the conditions she was faced with.

Second, the Town Planner concluded that maneuvering out of the new spot was not possible with more than one car parked in the driveway. This is inaccurate. Moreover, there is plenty of room to extend the driveway in case larger cars come to reside on the premises.

Thank you for your consideration, and I hope you will approve Janice's appeal.

Sincerely,

Susan Stiker

F. DEED (NOV. 13, 2012)

pages 35-36

MAINE REAL ESTATE TAX PAID

Know all Persons by these Presents,

35

That I, Robert A. Haines and Julie R. Haines, of Yarmouth, State of Maine, for consideration paid, grant to:

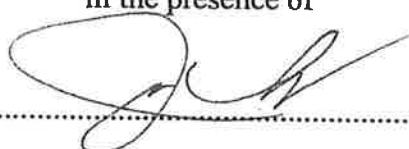
Janice E. Cooper

of Yarmouth, State of Maine, whose mailing address is: 53 West Elm Street, Yarmouth, Maine 04096, with **warranty covenants**, the real estate situated in Yarmouth, County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Yarmouth, County of Cumberland, and State of Maine, being more particularly described in Exhibit A attached hereto and made a part hereof.

Witness our hands and seals this 13th day of November, 2012.

Signed, Sealed and Delivered
in the presence of


.....


.....
Robert A. Haines


.....

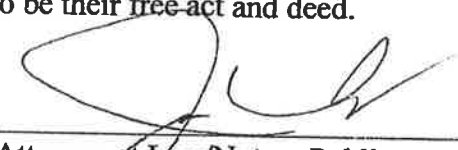

.....
Julie R. Haines

State of Maine
County of Cumberland

ss

November 13, 2012

Then personally appeared before me the above named Robert A. Haines and Julie R. Haines and acknowledged the foregoing instrument to be their free act and deed.


.....
Attorney at Law/Notary Public
Printed Name: _____

JANET THOMPSON
Notary Public, Maine
My Commission Expires July 23, 2015

A certain lot or parcel of land with the buildings thereon, situated on the westerly side of West Elm Street in the Town of Yarmouth, County of Cumberland and State of Maine, bounded and described as follows:

36

Beginning on the westerly side line of West Elm Street at the northeasterly corner of land conveyed by Eva Waterman to Robert H. Waterman by deed dated January 10, 1969 and recorded in Cumberland County Registry of Deeds in Book 3117, Page 168; thence North 28° East by the westerly sideline of West Elm Street, fifty (50) feet, more or less, to point South 62° East eight (8) feet, more or less, from an iron rod situated halfway between the foundation corners of the buildings at 21 West Elm Street and 23 West Elm Street; thence North 62° West eight (8) feet, more or less, to said iron rod; thence continuing the same course, forty-three and seventy-five hundredths (43.75) feet to an iron rod situated halfway between the foundations of said buildings and twelve and five tenths (12.5) feet from each foundation; thence continuing the same course, sixty-seven (67) feet, more or less, to the easterly sideline of land formerly of Cordelia Foster; thence South 32° West by said Foster land and by land conveyed by Cordelia S. Loring to Emily W. Graham by deed dated January 12, 1893, and recorded in said Registry of Deeds in Book 596, Page 377, to the northwesterly corner of said Waterman land; thence South 62° East by said Waterman land, one hundred eighteen and five tenths (118.5) feet, more or less, to the point of beginning.

Being the same premises conveyed to Robert A. Haines and Julie R. Haines by warranty deed from Nancy Gorden, formerly Nancy G. Hoehle, dated November 19, 1987 and recorded in the Cumberland County Registry of Deeds in Book 8074, Page 242.

Received
Recorded Register of Deeds
Nov 14, 2012 03:15:56P
Cumberland County
Pamela E. Lovley

G. TAX ASSESSMENT (showing dates of construction)

pages 37-40

53 WEST ELM STREET

Location 53 WEST ELM STREET

Mblu 041/071///

Acct# 002970

Owner COOPER JANICE E

Assessment \$395,200

Appraisal \$395,200

PID 2935

Building Count 2

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$249,700	\$145,500	\$395,200

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$249,700	\$145,500	\$395,200

Owner of Record

Owner COOPER JANICE E
Co-Owner
Address 53 WEST ELM STREET
 YARMOUTH, ME 04096

Sale Price \$334,000
Certificate
Book & Page 30127/ 16
Sale Date 11/14/2012
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
COOPER JANICE E	\$334,000		30127/ 16	00	11/14/2012
HAINES ROBERT A & JULIE R	\$0		08074/ 242	1N	

Building Information

Building 1 : Section 1

Year Built: 1848
Living Area: 1,530
Replacement Cost: \$236,008
Building Percent Good: 81

Building Photo

 Building Photo
<http://images.vgsi.com/photos/YarmouthMEPhotos/A00\00\21\89.jpg>

Building Layout

Replacement Cost
Less Depreciation: \$191,200

Building Attributes

Field	Description
Style	New Englander
Model	Residential
Grade:	Average +20
Stories:	1
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	Heat Pump
Total Bedrooms:	2 Bedrooms + master BR
Total Bthrms:	2 (3)
Total Half Baths:	1
Total Xtra Fixtrs:	3
Total Rooms:	8
Bath Style:	Modern
Kitchen Style:	Old Style ?

Building 2 : Section 1

STUDIO

Year Built: 1997
Living Area: 334
Replacement Cost: \$67,195
Building Percent Good: 87
Replacement Cost
Less Depreciation: \$58,500

Building Attributes : Bldg 2 of 2

Field	Description
Style	Other
Model	Residential
Grade:	Average
Stories:	1
Occupancy	1
Exterior Wall 1	Clapboard



(http://images.vgsi.com/photos/YarmouthMEPhotos/Sketches/2935_2935).

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	1,132	1,132
FUS	Finished Upper Story	324	324
FHS	Finished Half Story	148	74
CRL	CRAWL	872	0
UBM	Unfinished Basement	260	0
UST	Utility, Storage, Unfinished	72	0
WDK	Wood Deck	30	0
		2,838	1,530

Building Photo

Building Photo

(<http://images.vgsi.com/photos/YarmouthMEPhotos/0000071/34.jpg>)

Exterior Wall 2
Roof Structure: Gable/Hip
Roof Cover: Asph/F Gls/Cmp
Interior Wall 1: Drywall/Sheet
Interior Wall 2
Interior Flr 1: Minimum/Plywd
Interior Flr 2
Heat Fuel: Oil
Heat Type: Hot Water
AC Type:
Total Bedrooms: 00
Total Bthrms: 1
Total Half Baths:
Total Xtra Fixtrs:
Total Rooms: 1
Bath Style: Average
Kitchen Style: Old Style
sink only ?



(http://images.vgsi.com/photos/YarmouthMEPhotos/Sketches/2935_3929).

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	334	334
CTH	Cathedral Ceiling	334	0
		668	334

Extra Features

Extra Features

Legend

No Data for Extra Features

Land

Land Use

Use Code 1010
Description Single Family
Zone 13
Neighborhood 28
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.13
Frontage
Depth
Assessed Value \$145,500
Appraised Value \$145,500

Outbuildings

Outbuildings

Legend

No Data for Outbuildings

Valuation History

Appraisal

40

Valuation Year	Improvements	Land	Total
2018	\$249,700	\$145,500	\$395,200
2017	\$249,700	\$145,500	\$395,200
2016	\$249,700	\$145,500	\$395,200

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$249,700	\$145,500	\$395,200
2017	\$249,700	\$145,500	\$395,200
2016	\$249,700	\$145,500	\$395,200

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H. YARMOUTH WATER AND SEWER BILL
SUMMIT NATURAL GAS OF MAINE BILL

pages 41-43

**Yarmouth
Water District**ESTABLISHED, 1895 INCORPORATED, 1923
181 Sligo Road
PO Box 419
Yarmouth ME 04096**WATER**
At Your Service
Phone: (207) 846-5821
Office hours: Monday-Friday
7:30am - 4:30pm**WATER BILL**

41

ACCOUNT NUMBER	DATE DUE
000200103002	DUE ON RECEIPT
TOTAL AMOUNT DUE	AMOUNT PAID
59.36	

Bill Date: 02/01/2022

For Service at: 53 WEST ELM STREET

MAKE CHECKS PAYABLE AND SEND PAYMENT TO:

826336 158 01 000433 01 Temp-Return Service Requested
JANICE COOPER
53 WEST ELM STREET
YARMOUTH, ME 04096**YARMOUTH WATER DISTRICT**
PO Box 419
Yarmouth, ME 04096DO NOT SEND A PAYMENT -
AUTO PAY THROUGH BANK DRAWN ON THE 10TH☐ Please Check here to have a copy of
the 2020 Annual Water Quality Report
mailed to you.

PLEASE RETURN TOP PORTION WITH PAYMENT AND WRITE YOUR ACCOUNT NUMBER ON FRONT OF CHECK. PLEASE DO NOT STAPLE

BILLED TO	FOR SERVICE AT	ACCOUNT NUMBER	BILL DATE
JANICE COOPER	53 WEST ELM STREET	000200103002	02/01/2022

READING PERIOD	PREVIOUS READ	PRESENT READ	USAGE	DAYS	AVG DAILY	BILLING FREQUENCY
10/20/2021 01/21/2022	4483 *	4489 *	6 *	93	6 **	QUARTERLY

* 100 Cubic Feet

** Cubic Feet

Our 2020 Water Quality Report is now on
our website at:www.yarmouthwaterdistrict.org/ccr2020This report contains important information
about the source and quality of your
drinking water.Please call 207-846-5821, or check the
above box, if you would like a paper
report delivered to your home."

DETAIL	SUMMARY
LAST WATER PAYMENT DATE	11/10/2021
WATER PAYMENTS SINCE LAST BILL	71.85
BALANCE FORWARD - WATER	0.00
BALANCE FORWARD - MISC	0.00
RW 5/8 METER	59.36
TOTAL TAX	0.00
TOTAL DUE	59.36
DO NOT SEND A PAYMENT -	
AUTO PAY THROUGH BANK DRAWN ON THE 10TH	

Bills are DUE UPON Presentation

**Yarmouth Water District**

181 SLIGO ROAD - PO BOX 419 - YARMOUTH ME 04096 · TELEPHONE: (207) 846-5821



Customer Name COOPER JANICE E				Service Address 53 WEST ELM ST			
Bill Number 22601129	Bill Date 09/01/2021	Account Number - Customer Number P200103001 - 7204			Current Billing Due Date 09/30/2021		
Service	Meter	Service From	Service To	Meter Location	Usage (cu ft)	Charge	
SEWER	P200103001	07/01/2021	12/31/2021		2000	60.00	
SENIOR DIS						-12.00	
						Total Current Billing 48.00 Previous Balance 40.00 Adjustments .00 Less Payments Received 40.00 Interest \$.00 Total Amount Due \$48.00	

✕ Detach and return the portion below with your payment ✕

UTILITY BILL

Please write your Account Number on your check and enclose this portion of bill with your payment.

REMIT PORTION

Service Address	Bill Number	Account # - Customer #	Current Billing Due Date	Amount Due
53 WEST ELM ST	22601129	P200103001-7204	09/30/2021	\$48.00

JANICE E COOPER 08-18
 53 W ELM ST
 YARMOUTH, ME 04096-7908

1120
 52-65/112
 131

9/8/21

Date

Pay to the Order of Town of Yarmouth Finance Dept \$ 48.00
Forty-eight Dollars



KeyBank National Association
 1-800-KEY2YOU® Key.com®
 acct #200103001-7204

Key Privilege

For Sewer Bill 22601129

Janice Cooper

⑆011200608⑆ 191312010785⑆ 1120

Town sewer bill



SUMMIT NATURAL GAS OF MAINE, INC.
PO Box 2414 | Fort Smith, AR 72902-2414

WHAT DO I NEED TO KNOW?

- The "Distribution Rate" changed during your billing cycle on 06/01 from \$0.9470 to \$0.9850. Your prorated "Distribution Rate" is \$0.9500
- We are committed to protecting our workforce and the communities we serve while continuing to carry out our mission of providing safe, clean and reliable natural gas service during the COVID-19 outbreak. Visit www.summitnaturalgasmaine.com/COVID19update to learn about steps we are taking.
- Do Not Pay - Your account will be automatically drafted for \$62.31 on 07-02-2021. If you have any questions, please call prior to 06-25-2021. Thank you for participating in Auto Pay.
- We are pleased to be your Natural Gas company, providing a more affordable and cleaner energy source.
- We're making changes to "go green" and saving paper by putting our newsletter online! Check out our latest news at <https://summitnaturalgasmaine.com/newspress>
- The Budget Bill Plan is a smart choice if you want to even out the seasonal highs and lows of your heating bill. The Budget Bill Plan is available year-round and can begin with the next bill following sign-up.

Service Address

JANICE COOPER
53 W ELM ST
YARMOUTH, ME 04096

Rate Code: RGME

Account: 2127775

What Do I Owe?
\$62.31

When Is It Due?
07/02/2021

WHAT HAVE I USED?

Bill Date **06/04/2021**
NORMAL

Mail Date **06/07/2021**
Meter# **14Y355900**

Meter Read Dates	Current Reading	Previous Reading
05/05/21-06/03/21	599	593

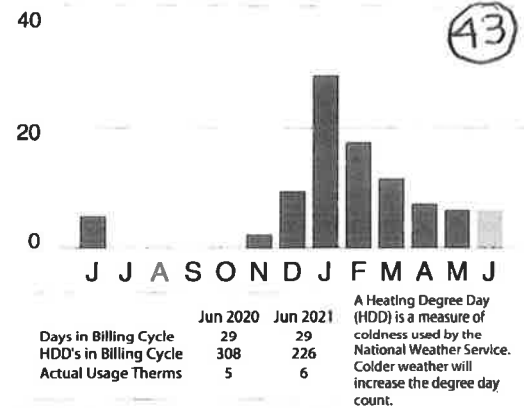
Volume	x	Pressure Factor	x	Pressure Correction	=	FINAL Consumption
6.00000		1.01690		1.00000		6.10140

TOTAL CONSUMPTION **6.1014 CCF**
TOTAL THERMS (1.03860 BTU per CCF) **6.33691 THERMS**

Your current gas charges
for 29 days usage

\$1.08
per day

YOUR MONTHLY GAS USAGE (in Therms)



	Jun 2020	Jun 2021
Days in Billing Cycle	29	29
HDD's in Billing Cycle	308	226
Actual Usage Therms	5	6

WHAT MAKES UP MY BILL?

Previous Balance	Late Fee	Payments/Credits	Last Payment Date	Past Due Amount
\$31.05	\$0.00	\$0.00	05/03/2021	\$31.05
Delivery and Service Charges		\$27.93	Tax and Other Charges	
Service and Facility Charge		\$21.91		
Distribution Charge		6.33691 @ \$0.949989		
Efficiency Maine Trust Charge		\$6.02		
		\$0.00		
Supply Charges		\$3.33		
Commodity Charge		6.33691 @ \$0.52600		
		\$3.33		

Account Summary

Current Statement Charges	\$31.26
Total Amount Due by 07/02/2021	\$62.31



SUMMIT NATURAL GAS OF MAINE, INC.
PO Box 2414 | Fort Smith, AR 72902-2414

Call your SNGME office at 800-909-7642 concerning billing, service, or to discuss payment arrangements.

PAY BY PHONE: 1 (855) 382-5431

PAY ONLINE: summitnaturalgasmaine.com and enroll in paperless billing.

Account: 2127775

* Automatic Payment - Do Not Pay

Total Amount Due by 07/02/2021

\$62.31

Amount Enclosed \$

P: 000553 - I: NNNNNN
JANICE COOPER

53 W Elm St
YARMOUTH ME 04096-7908

Summit Natural Gas of Maine, Inc.
P.O. Box 9257
Des Moines, IA 50306-9257

1.A0000000000002127775000000062314

00055310301

**JETTING, PLUGGED
TOILETS, FLOODED
BASEMENTS**

TECHNICIAN

60

Paid by ☐ **CHECK#** _____

☐ CASH

CREDIT CARD NUMBER

CWN#

[illegible]

FOR TOTALS OVER \$1,000

Prior Approval CC AUTHORIZED BY

15 Day Billing	X
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INDICES/ FOLLOW UP/ FURTHER CHALLENGE

DIAGNOSIS/SOLUTION:

coopersandgothic.com

QUANTITY/DESCRIPTION	UNIT	AMOUNT	PRICE	TOTAL
100	kg	100	100	10000
50	kg	50	50	2500
25	kg	25	25	1250
10	kg	10	10	500
5	kg	5	5	250
2	kg	2	2	100
1	kg	1	1	50
0.5	kg	0.5	0.5	25
0.25	kg	0.25	0.25	12.5
0.1	kg	0.1	0.1	5
0.05	kg	0.05	0.05	2.5
0.025	kg	0.025	0.025	1.25
0.01	kg	0.01	0.01	0.5
0.005	kg	0.005	0.005	0.25
0.0025	kg	0.0025	0.0025	0.125
0.001	kg	0.001	0.001	0.05
0.0005	kg	0.0005	0.0005	0.025
0.00025	kg	0.00025	0.00025	0.0125
0.0001	kg	0.0001	0.0001	0.005
0.00005	kg	0.00005	0.00005	0.0025
0.000025	kg	0.000025	0.000025	0.00125
0.00001	kg	0.00001	0.00001	0.0005
0.000005	kg	0.000005	0.000005	0.00025
0.0000025	kg	0.0000025	0.0000025	0.000125
0.000001	kg	0.000001	0.000001	0.00005
0.0000005	kg	0.0000005	0.0000005	0.000025
0.00000025	kg	0.00000025	0.00000025	0.0000125
0.0000001	kg	0.0000001	0.0000001	0.000005
0.00000005	kg	0.00000005	0.00000005	0.0000025
0.000000025	kg	0.000000025	0.000000025	0.00000125
0.00000001	kg	0.00000001	0.00000001	0.0000005
0.000000005	kg	0.000000005	0.000000005	0.00000025
0.0000000025	kg	0.0000000025	0.0000000025	0.000000125
0.000000001	kg	0.000000001	0.000000001	0.00000005
0.0000000005	kg	0.0000000005	0.0000000005	0.000000025
0.00000000025	kg	0.00000000025	0.00000000025	0.0000000125
0.0000000001	kg	0.0000000001	0.0000000001	0.000000005
0.00000000005	kg	0.00000000005	0.00000000005	0.0000000025
0.000000000025	kg	0.000000000025	0.000000000025	0.00000000125
0.00000000001	kg	0.00000000001	0.00000000001	0.0000000005
0.000000000005	kg	0.000000000005	0.000000000005	0.00000000025
0.0000000000025	kg	0.0000000000025	0.0000000000025	0.000000000125
0.000000000001	kg	0.000000000001	0.000000000001	0.00000000005
0.0000000000005	kg	0.0000000000005	0.0000000000005	0.000000000025
0.00000000000025	kg	0.00000000000025	0.00000000000025	0.0000000000125
0.0000000000001	kg	0.0000000000001	0.0000000000001	0.000000000005
0.00000000000005	kg	0.00000000000005	0.00000000000005	0.0000000000025
0.000000000000025	kg	0.000000000000025	0.000000000000025	0.00000000000125
0.00000000000001	kg	0.00000000000001	0.00000000000001	0.0000000000005
0.000000000000005	kg	0.000000000000005	0.000000000000005	0.00000000000025
0.0000000000000025	kg	0.0000000000000025	0.0000000000000025	0.000000000000125
0.000000000000001	kg	0.000000000000001	0.000000000000001	0.00000000000005
0.0000000000000005	kg	0.0000000000000005	0.0000000000000005	0.000000000000025
0.00000000000000025	kg	0.00000000000000025	0.0000000000	

[illegible]

ACCEPTANCE OF WORK PERFORMED: I find the services and materials rendered and installed in connection with the above work mentioned to have been completed in a satisfactory manner. I agree that the amount set forth on this contract in the space labeled "Total Due" to be the total and completes full cash-in-advance charge. I agree to pay reasonable attorney's fees and court costs in the event of legal action. A late charge of 1.5% per month will be added to all balances after 30 days past due. This is an annual percentage rate of 18%. I acknowledge that I have read and received a legible copy of this contract.

TOTAL DUE	\$ 475.00
Thank You For Your Business	

Thank You For Your Business

J. E-MAIL FROM TOWN ENGINEER STEVEN JOHNSON
LINE TO ADU

page 45-47 RE: SEWER
47

From: Janice Cooper cooperjanice0@gmail.com
Subject: Re: 53 West Elm St. sewer connection to proposed ADU
Date: Feb 15, 2024 at 8:00:45 AM
To: Steven Johnson SJohnson@yarmouth.me.us

On Feb 15, 2024, at 6:53 AM, Steven Johnson <SJohnson@yarmouth.me.us> wrote:

Good morning, Janice:

That is good news and per our conversation, the Town will not require that you disconnect the existing ADU service from the main dwelling and provide for a direct connection to the sewer main. I would appreciate if you could forward a copy of the report as well as the video so I can review it.

Thank you and please give me a shout if you have questions.

Steve

Steven S. Johnson, P.E.
Town Engineer
200 Main Street, Yarmouth Maine 04096
207-846-2401 X 224
www.yarmouth.me.us

-----Original Message-----

From: Janice Cooper <cooperjanice0@gmail.com>
Sent: Wednesday, February 14, 2024 11:08 AM
To: Steven Johnson <SJohnson@yarmouth.me.us>
Subject: 53 West Elm St. sewer connection to proposed ADU

Dear Steve:

Karen and I have been unable to locate a sewer permit for the house or the proposed ADU, so in lieu of that, I took your advice and had a technician from Southern Maine Sewer and Drain come here and run a camera from the proposed ADU to the house, and then also from the house onwards. As I suspected, the sewer from the ADU connects to the house sewer in the basement of the house, all using modern materials. There was no blockage found, although he noted roots in the section from the house toward the street. He suggested I wait until the spring to have those roots removed by a rotor mechanism, which I will do. He wrote a report which I will drop off for you. I trust this will satisfy the sewer requirement for a new ADU. I can get a copy of the video of the scoping if you wish.

If you have any questions, please do not hesitate to contact me.

Best wishes,

Janice Cooper

Erik S. Street, Director of Public Works
estreet@yarmouth.me.us



207-846-2401 Phone
207-846-2438 Fax

TOWN OF YARMOUTH
200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

Memorandum

To: Planning Department

CC: Steve Johnson – Town Engineer

From: Erik S. Street – Director of Public Works *ERS*

Date: 1/5/17

Re: Cooper -53 W. Elm – Minor Site Plan

After reviewing the application, I have the following comments:

Just an FYI – Here is a photo taken on 1/5/17 just after the Thursday storm. The additional parking space is in front of the house – partially cleared. Tough to maintain in the winter.

No other comments.


47 West Elm St.
Yarmouth, ME 04096
November 7, 2014

Vanessa Farr, Town Planner
Town of Yarmouth
Main St.
Yarmouth, ME 04097

ADU at 53 West Elm St., Yarmouth

Dear Ms. Farr:

We are the neighbors adjacent to the house at 53 West Elm St., Yarmouth. Please be advised that we have no objections to the conversion of the current building in the rear of that property, known as the studio, to an Auxiliary Dwelling Unit for purposes of rental or other lawful uses. While we understand that Yarmouth's ADU rules prefer that the entrance face the same direction as the primary house, in this case, the previous owner built the studio in 1997 with the door facing our back yard. This configuration imposes no hardship or diminution of privacy on us, so we have no objections to the ADU designation for this or any other reason.

Sincerely,

Timothy Shannon, Esq.


Camilla Shannon

We have the same position today.

*- Tim
9/23/17*

We have the same position.

*- Camilla Shannon
1/14/24*

L. REPORTS OF TOWN PLANNER FARR (2014)

pages 49-55

AND JAGERMAN (2020)



49

TOWN OF YARMOUTH

200 Main Street, Yarmouth, Maine 04096

www.yarmouth.me.us

Upon review of Application by Janice Cooper, of 53 West Elm Street, Yarmouth, to permit an Accessory Dwelling Unit at subject property, I hereby find that:

1. Applicant Janice Cooper is the owner and applicant for an Accessory Dwelling Unit at Map 41 Lot 71;
2. The applicant submitted a substantially complete application;
3. Notice was adequately mailed to abutters within 500 ft. of the subject property within 14 days of submission of a complete application. A notice period of ten (10) days was provided to give abutters an opportunity for review of the project and to submit public comment;
4. A review for compliance with Chapter 702 items a – w was performed and follows below. The application addresses many of the ordinance criteria, however falls short at meeting the ordinance in handling parking and circulation. The site is constrained in terms of its ability to provide adequate parking and adequate turning movements into the parking space immediately in front and up close to the house. As documented below, the jockeying of cars and multiple turning movements necessary to occupy the front yard parking space does not, in my opinion, satisfy the ordinance in terms of preventing parking congestion.

The ordinance criteria clearly strives to be permissive in terms of allowing accessory units but does so with stringent criteria to ensure that there are no visual or functional impacts to the immediate neighborhood. In this case, the small cottage-style house is being dominated by the presence of a car and parking space in the front yard, sitting up against and parallel with the house, where the house is about twice as wide as the car. This condition is not in character with the existing neighborhood.

Chapter 702 Article I.J.12 items a – w:

- a. Exterior design of the accessory unit is compatible with-the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.

Design of existing structure is compatible with existing residence in terms of building form, height, materials, color;

- b. The exterior design is in harmony with, and maintains the scale of the neighborhood.

The building is a pre-existing, non-conforming structure in terms of setback to

property lines.

- c. The accessory unit does not result in excessive noise, traffic or parking congestion.

Does not meet requirement.

The ADU ordinance requires that one additional parking space be provided in addition to the district requirement to provide 2 parking spaces per single family dwelling, resulting in a net requirement of 3 parking spaces. The ordinance allows for two (2) spaces only to be arranged in tandem. The applicant has added pavers to the front yard of the property to create additional parking. The space is immediately in front and parallel to the house. Pulling into and out of the space would require multiple turning movements and is impaired if more than one car is parked in tandem in the driveway, and/or if the first car in is not parked deep enough into the lot. Finally, the space arranged parallel to the house in the front yard setback is not harmonious with the neighborhood.

- d. The property fronts on a public water main and public sewer line each with the capacity to serve the additional accessory unit.

Meets requirement.

- e. Major access stairs, deck entry doors, and major windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory unit shall relate to the design of the primary residence and shall not visually dominate it or the surrounding properties.

Meets requirement.

- f. The orientation and location of the buildings, structures, open spaces and other features of the site plan are such that they maintain natural resources including heritage or significant trees and shrubs to the extent feasible and minimize alteration of natural land forms. Building profiles, location and orientation relate to natural land forms.

The building is a pre-existing, non-conforming structure. No cutting or further vegetation disturbance is documented to occur.

- g. Building profiles, location and orientation relate to natural land forms.

Same as f.

- h. One parking space shall be provided on-site for each studio and one bedroom accessory unit. Two parking spaces shall be provided on site for each two bedroom accessory unit. Parking of the accessory unit is in addition to the required parking for the primary residence. Required parking spaces for the primary residence and the accessory dwelling unit may be provided in tandem on a driveway. A tandem arrangement consists of one car behind the other. No more than two cars in tandem may be counted towards meeting the parking requirement.

See item c.

- i. A single-family dwelling exists on the lot or will be constructed in conjunction with the accessory unit.

Meets requirement.

- j. Accessory dwelling units are not eligible for variances to setbacks.

Not applicable. Structure is pre-existing.

- k. Before obtaining a building permit for ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:

- The accessory unit shall not be sold separately.
- The unit is restricted to the approved size.
- The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence.
- The above declarations are binding upon any successor in ownership of the property;
- The deed restrictions shall lapse upon removal of the accessory unit.

This item is process related and applies only after an approval of an ADU is granted.

- l. Units within an Accessory Structure shall not exceed 900 square feet. If an ADU occupies an entire single floor, the Planning Department may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.

Total size of the unit is 342.6 sf. Meets requirement.

- m. An ADU may have no more than two (2) bedrooms.

Not applicable. Unit is studio style.

- n. The water and sewage facilities shall meet all existing laws and codes. Approval of an accessory apartment shall be conditional on obtaining building, plumbing, electrical and any other necessary municipal permits.

This item is process related and applies only after an approval of an ADU is granted.

- o. Approval of an accessory apartment shall be conditional on obtaining applicable building, plumbing, electrical and any other necessary municipal permits.

This item is process-related.

- p. The Fire Chief must review and sign off on the application.

This item is process-related, and comes after approval of an ADU. Sign off by Fire Chief is initiated by the Building Inspector prior to issuance of a Certificate of Occupancy.

- q. The dwelling shall have only one (1) front entrance and all other entrances shall be on the side or in the rear of the dwelling. A front entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. Outside stairways (either open or enclosed), that service Accessory Dwelling Units on upper stories are not permitted.

Meets requirements.

- r. For an ADU located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement of new structures or unless the new structure is designed in a traditional New England form such as a barn.

Not applicable. Existing structure approximates the architectural character of the primary residence and surrounding neighborhood structures.

- s. An existing single family dwelling that is nonconforming solely due to lot size, lot width, lot frontage, lot coverage, height or setback requirements may be expanded to incorporate an Accessory Apartment subject to the requirements of Chapter 701 of the Yarmouth Code Article III for the expansion of other non-conforming single family dwellings.

The subject lot is eligible to apply for an ADU.

- t. ADU's may be permitted on back lots. ***Not applicable.***
 u. ADU's are not permitted on a lot with a non-conforming use. ***Not applicable.***
 v. ADU's are not permitted on a lot with mixed uses. ***Not applicable.***
 w. When an owner wishes to eliminate the accessory apartment proof of the removal of the second kitchen and the restoration of the apartment to its status before the conversion shall be submitted to the satisfaction of the Planning Department. The owner shall record a Release of the Declaration of Restrictions on the land after inspection and confirmation by the Code Enforcement Officer.

Therefore, based on Article I Section J.12. (c) and (h), I determine that the application does not meet the standards for approval and is therefore denied.

The applicant may appeal a decision of the Planning Director to the Planning Board, per Article I. Section F.3. Please note, the town's ordinance is silent on the time period in which a party may file an appeal.

Respectfully,



Vanessa L. Farr, CNU-A
 Director of Planning and Development

Attachment 2



Alexander Jaegerman, FAICP
 Director of Planning & Development
 E-mail: ajaegerman@yarmouth.me.us

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

TOWN OF YARMOUTH

200 Main Street, Yarmouth, Maine 04096
www.yarmouth.me.us

To: File, 53 West Elm Street, Map 41 Lot 71
From: Alex Jaegerman, Director of Planning & Development
Subject: Zoning Determination, Use of Accessory Structure, 53 West Elm Street, Map 41 Lot 71
Date: August 17, 2020

Concerns have been expressed by Rebecca Rundquist, the abutting neighbor to property owned by Janice Cooper at 53 West Elm Street, Map 41 Lot 71, regarding the use of the accessory structure on the Cooper property. The context of this concern involves the use of 53 West Elm Street as a short-term rental, which is allowed as a use consistent with a single-family occupancy in the MDR and other residential zones in Yarmouth. Yarmouth does not currently regulate short term rentals specifically in zoning or licensing ordinances.

On July 28, 2020, I met with Code Enforcement Officer Nick Ciarimboli and Planning Administrative Assistant Wendy Simmons to review the file on the subject property. In addition to reviewing the physical records in the Map and Lot file, Ms. Simmons has scanned the contents of that file and stored the records as PDF files in the Property Files folder for that address. The accessory structure in question was built on the site previously occupied by a structure variously described as a garage or a shed. (Not to be confused with an attached shed on the rear of the principal structure that was the subject of several modifications and additions.)

On August 6, 1997, a Building Permit was issued to then owner Robert Haines to "*Replace Shed*" with a note that the replacement structure "*includes a 4' x 8' addition to shed*". (Attachment 1) The sketch plan attached to the permit shows the parcel with the existing house and the existing out-building located at the southwest corner, 10' from the side yard and 3'4" from the rear yard, as well as a hand-drawn sketch of the replacement building that clearly corresponds to the out-building in question. This out-building was reportedly used as an art studio. The building is nonconforming to the MDR side and rear yard setbacks of 10' and 15' respectively.

Nonconforming structures are subject to the provisions of Chapter 701 Article III.C, Nonconforming Buildings, Structures and Site Improvements, reproduced here:

"Our Latchstring Always Out"

2.2

C. NONCONFORMING BUILDINGS, STRUCTURES AND SITE IMPROVEMENTS

1. No Building or Structure or site improvements such as parking, Driveway or lighting as required under CHAPTER 702, which is nonconforming with respect to the space and bulk requirements of this Ordinance may be expanded, enlarged or increased in height unless such expanded or enlarged or higher portion complies with the space and bulk requirements of this Ordinance or a variance is granted by the Zoning Board of Appeals. However, a Building which is nonconforming with respect to yard setback requirements may be expanded if the area of expansion does not reduce the existing yard setbacks of the Building.
2. Any non-conforming structure which is wholly or partially removed, damaged or destroyed may be reconstructed or replaced provided that a permit from the Planning Department is obtained within two years of the date of said damage, destruction or removal. The Planning Board may, for good cause shown by the applicant, grant up to a one year extension of that time period. An as-built survey of existing conditions may be required at the discretion of the Planning Director or his/her designee prior to any demolition. An as-built survey of post construction conditions may be required at the discretion of the Planning Director or his/her designee prior to issuance of an occupancy permit.

Non-conforming structures damaged, destroyed or removed and not replaced within the above described time limits shall not be replaced unless said replacement conforms to all applicable codes and ordinances.

The question at hand is, in part, can the out-building be used as a bedroom? The nonconforming structure provisions cited above allow the nonconforming structure to be rebuilt or replaced, and allows for the expansion of the type permitted in 1997, where the expanded portion "...*complies with the space and bulk requirements of this Ordinance...*" , as provided for in 701.III.C.1. Further, the nonconforming structure provisions do not speak to any limitations or restrictions on the use of such structures, nor does any other provision of Ch. 701 Article III dealing with nonconformities. Therefore, the underlying MDR zone is the sole zoning regulation on use. Accessory structures in the MDR may be used for uses in compliance with uses allowed in the MDR, including such uses as studio space or bedrooms. It cannot be an Accessory Dwelling Unit, due to specific denials under the Site Plan Ordinance, Chapter 702, of this use on prior occasions. (The owner applied for an ADU in 2014, which was denied by the then Planning Director based on inadequate parking, appealed to the Planning Board, which denied the appeal on February 4, 2015. A subsequent application for an ADU in the out-building was applied for on December 29, 2017 and was considered and denied by the Planning Board on January 24, 2018, again for insufficient parking.) A single-family house is permitted to have appurtenant/accessory structures. Detached sleeping quarters do not constitute a second dwelling unit. If the accessory structure does not contain all the requirements of a dwelling unit; bathroom, sleeping room, living, and kitchen, then it is not a separate dwelling.

We note that Ms. Rundquist has supplied a copy of an email dated July 8, 2015 from then Code Enforcement Officer Bill Longley to Ms. Cooper indicating that she could not occupy the out-building as a bedroom while renting the house to short-term rental guests. The issues here are two-fold: 1. Can the out-building be used as a bedroom while hosting a STR under the zoning; and 2. Is the out-building habitable as a bedroom under the Building Code?

2.3

Having reviewed Mr. Longley's conclusion that the owner cannot occupy the out-building while hosting a short-term rental, we do not currently interpret the code in that way. Short-term rentals may be conducted with the host present or the host absent. The ability to conduct a STR with host present does not violate the use as a single-family residence in the MDR. Regarding the habitability of the out-building, there is further correspondence from Mr. Longley to Ms. Cooper indicating that a roommate/boarder of Ms. Cooper was using the out-building as sleeping quarters, but that Mr. Longley required various upgrades to the out-building to meet "...safety features required by the State of Maine Building Code, Electrical Code, Plumbing Code and Life Safety codes." (Letter of warning, Longley to Cooper, 1/15/2014) Ms. Cooper subsequently made improvements to address these concerns, however we do not have information on file indicating that Mr. Longley inspected the improvements and determined that the out-building is fit for habitation as a bedroom. Ms. Cooper can request an inspection and Certificate of Occupancy from Nick Ciarimboli, our current Code Enforcement Officer, if she intends to use the out-building as a bedroom. It cannot be used as a bedroom unless and until such an assessment is made by the CEO to confirm compliance with the Longley letter requirements and any other current applicable standards.

In conclusion, we determine that the use of the out-building is allowed by zoning for uses allowed in the MDR zone, except that it cannot be used as an Accessory Dwelling Unit because that use was denied by the Planning Board under site plan review, most recently on January 24, 2018. From a zoning perspective, the out-building may be used as a bedroom, however it must first receive a Certificate of Occupancy for habitation as such under the appropriate building, electrical, plumbing and life safety codes.

This determination is based on the information in the subject property file and the zoning ordinance provisions currently in effect and applicable to this property. Any party with standing who disagrees with this determination may appeal to the General Board of Appeals, under Chapter 701, Article VII.B.2, General Board of Appeals, Powers and Duties, which states in pertinent part:

2. The General Board of Appeals shall have the following powers and duties under this Ordinance:

a. Administrative Appeals

To hear and decide where it is alleged there is an error in any order, requirement, decision, or determination made by any officer in the interpretation of this Ordinance. The action of the officer may be modified or reversed by the General Board of Appeals.

Attachment:

1. Building Permit, Robert Haines, Applicant, 53 West Elm Street, to Replace Shed with 4' x 8' Addition

CC:

Nathaniel J. Tupper, Town Manager

Nick Ciarimboli, Code Enforcement Officer / Planning Assistant

Wendy Simmons, Administrative Assistant

Janice Cooper, 53 West Elm Street, Yarmouth, ME

Rebecca Rundquist, 55 West Elm Street, Yarmouth, ME

"Our Latchstring Always Out"

M. MISCELLANEOUS PERMITS AND APPLICATIONS,
INCLUDING SETBACK ORDERS OF 1973 AND 1990

pages 56-71

TOWN OF YARMOUTH, MAINE
BOARD OF APPEALS

56

VARIANCE APPEAL

10-3-73

DATE

Selleck

Hard P. & Marilyn E., OWNER OF PROPERTY AT 23 West Elm St.
HEREBY PETITIONS THE BOARD OF APPEALS FOR A VARIANCE FROM THE PROVISIONS
SAID ORDINANCE TO PERMIT:

To remodel existing shed into bedroom by
enlarging the West wall 4' and the North wall 3' and maintain
the 12½ set-back of main dwelling allowed by Board of Appeals
action in 1972 to divide this lot.

LEGAL BASIS OF APPEAL: SUCH VARIANCE MAY BE GRANTED ONLY IF THE BOARD OF
APPEALS FINDS THAT THE STRICT APPLICATION OF THE PROVISIONS OF THE ORDINANCE
WOULD RESULT IN UNDUE HARDSHIP IN THE DEVELOPMENT OF PROPERTY WHICH IS INCON-
SISTENT WITH THE INTENT AND PURPOSE OF THE ORDINANCE; THAT THERE ARE EXCEPT-
IONAL OR UNIQUE CIRCUMSTANCES RELATING TO THE PROPERTY THAT DO NOT GENERALLY
APPLY TO OTHER PROPERTY IN THE SAME DISTRICT OR NEIGHBORHOOD, WHICH HAVE NOT
ARISEN AS A RESULT OF ACTION OF THE APPLICANT SUBSEQUENT TO THE ADOPTION OF
THIS ORDINANCE WHETHER IN VIOLATION OF THE PROVISIONS OF THE ORDINANCE OR NOT;
THAT PROPERTY IN THE SAME DISTRICT OR NEIGHBORHOOD WILL NOT BE ADVERSELY AF-
FECTED BY THE GRANTING OF THE VARIANCE; AND THAT THE GRANTING OF THE VARIANCE
WILL NOT BE CONTRARY TO THE INTENT AND PURPOSE OF THE ORDINANCE:


APPELLANT

DECISION

AFTER PUBLIC HEARING HELD _____, THE BOARD OF APPEALS FINDS THAT
ALL OF THE ABOVE CONDITIONS DO _____ EXIST WITH RESPECT TO THIS PROPERTY AND
THAT A VARIANCE SHOULD _____ BE GRANTED IN THIS CASE.

IT IS, THEREFORE, DETERMINED THAT A VARIANCE FROM THE PROVISIONS OF THE ZONING
ORDINANCE SHOULD BE GRANTED IN THIS CASE.


BOARD OF APPEALS



TOWN OF YARMOUTH, MAINE

OFFICE

TOWN CLERK

P. O. Box 155

YARMOUTH, MAINE 04096

Oct. 17, 1973

FRANCES E. BAYERS
TOWN CLERK

TEL. 846-5241

NOTICE OF

PUBLIC HEARING

A PUBLIC HEARING WILL BE HELD BY THE YARMOUTH ZONING BOARD OF APPEALS ON OCTOBER 25, 1973 at 7:30 P. M. IN THE ROWE SCHOOL TO HEAR THE APPEAL OF -RICHARD P. & MARILYN E. SELLECK OF 23 WEST ELM ST., YARMOUTH, ME., TO PERMIT:

"To remodel existing shed into bedroom by enlarging the West wall 4 foot and the North wall 3 foot and maintain the 12 1/2 foot setback of main dwelling allowed by the Board of Appeals action in 1972 to divide this lot."

THIS CONSTITUTES A VARIANCE OF THE ZONING ORDINANCE.

Frances E. Bayers
Town Clerk.

10

11/17

October 27, 1973

Mr. & Mrs. Richard F. Selleck
Bayview Street
Yarmouth, Maine 04096

Dear Mr. & Mrs. Selleck:

Following public hearing held at the Rowe School
October 25, 1973, the Board of Appeals voted to grant
you permission to remodel an existing shed into a bed-
room, provided you maintain the 12' set-back of the
main building.

The board feels that by granting this variance it
will not further extend the non-conforming use of this
property.

Very truly yours,

L. W. Reinsborough, Sec.,
Zoning Board of Appeals

LWR/r
cc: Frances E. Mayers
William Lowell
Betty Sturtevant



TOWN OF YARMOUTH

P.O. BOX 455
YARMOUTH, MAINE 04096

Wm. "BILL" CHIPMAN
Code Enforcement Officer
846-4971

June 18, 1990

Aian B. Rich
47 Skillings Road
Cumbeerland,
Maine 04021

Dear Mr. Rich::

Enclosed please find your copy of the "PLUMBING APPLICATION" Permit Number 1202, dated 6-13-90 for internal plumbing work for Robert Haines to be done at 23 West Elm Street.

Per the "State of Maine INTERNAL PLUMBING RULES, Chapter 238", the following is provided for reference:

| MAINE PLUMBING RULES |
| Section 9-B, Table 9-1 |
| PRIMER REQUIRED on PVC |
to PVC installations

1. All plumbing and drainage systems shall comply with the rules.
2. All plumbing and drainage systems shall be inspected before closing-in and for final approval.
3. The person doing the work shall notify the Local Plumbing Inspector not less than twenty-four (24) hours before the work is to be inspected.
4. No plumbing or drainage system, building sewer or part thereof, shall be covered, concealed or put into use until it has been tested, inspected and accepted. Such test is with water or air.

If you have any questions, do not hesitate to contact this office.

Indest regards,

W. Chipman

4/1/71

70

031798

(60)

CERTIFICATE OF SETBACK REDUCTION APPROVAL

I, David Asherman, the duly appointed Chairman of the Board of Zoning Appeals for the Town of Yarmouth, Cumberland County and State of Maine, hereby certify that on the 28th day of June, 1990, the following setback reduction was granted pursuant to the provisions of 30 M.R.S.A. §4963 and the Town of Yarmouth Code of Ordinances.

1. Property Owner:

Robert & Julie Haines

2. Property Address:

23 West Elm StreetYarmouth, Maine 04096

3. Property:

County Registry Book 8074Page 242. (Last recorded Deed in Chain of Title.)

4. Setback Reduction and Conditions of Setback Reduction:

Leon Bien moved that Robert & Julie Haines, owners of property at 23 West Elm Street, Map 41, Lot 71 be permitted construction of a 2nd story addition 20'x20' requiring a side setback reduction to 17 feet and a side setback reduction to 12 feet in the MDR District under Article IV, Section 105. The motion was seconded and carried:

6 - yes 0 - no

Attest [Signature]

(61)

RECEIVED
RECORDS & DEEDS
1990 JUL 12 AM 11:08
CUMBERLAND COUNTY

IN WITNESS WHEREOF, I have hereto set my hand and seal this
day of July, 1990.

TOWN OF YARMOUTH
David W. Asherman
Chairman

David W. Asherman
(Printed or Typed Name)

STATE OF MAINE
Cumberland, SS.

Then personally appeared the above-named David W. Asherman
and acknowledged the above Certificate to be
his/her free act and deed in his/her capacity as Chairman of the
Board of Zoning Appeals.

Patricia A. Merrill
Notary Public, Maine
MY COMMISSION EXPIRES
FEBRUARY 28, 1996

Patricia A. Merrill
PATRICIA A. MERRILL
(Printed or Typed Name)
Notary Public

This Certificate must be recorded in the Cumberland County
Registry of Deeds within 30 days of the granting of the setback
reduction for the setback reduction to be valid, pursuant to
30 M.R.S.A. §4963.

T O W N O F Y A R M O U T H , M A I N E

994

Application for electrical permit

4/1/71

PERMIT NUMBERDATE 7/1/98 19__

Location of work

Owner Bob Miles / Robert Thier → Address 53 West ElmAddress 200 Vermont RdTown Barre VT

Master Electrician →

Lic. # 13524 Tel. # 688-4156Address 200 Vermont Rd**SERVICES**Underground Overhead Temporary Permanent Size
of sub panels remote from main disconnect # of meters**WIRING**Lights, Receptacles, Switches Total 1725. Smoke detectors
Exhaust Fans Heavy Duty Outlets 1500 Watts or over**MOTORS AND GENERATORS**

Motors - fractional Motors - 1 hp. or larger Generators

TRANSFORMERS

0 - 25 KVA 26 - 200 KVA Over 200 KVA

SPACE HEATINGOil Gas Electric Total Watts Other
Outside lights and signs**APPLIANCES**Range Cooktop Wall oven Water Heater Disposer
Clothes Dryer Dishwasher Pool Spa Jacuzzi**WORK**

Will commence about 3/1 1998.

BUILDING PERMIT

Town of Yarmouth, Maine

MAP 41 LOT 71 EXT

DATE OF APPLICATION 6-19-62

APPLICANT

NAME: ROBERT A. HAINES PHONE NO: 870-3730
MAILING ADDRESS: 53 W ELM ST

OWNER (other than applicant)

NAME: _____ PHONE NO: _____
MAILING _____
ADDRESS: _____

CONTRACTOR

NAME: JOHN CHAPLIN BUILDERS PHONE NO: 926-3426
MAILING
ADDRESS: WOODMAN RD - NEW CLOUDNESTER - ME

PROPERTY LOCATION: 53 W ELM ST

LOT DIMENSIONS: _____ x _____ Area: _____ Lot Coverage: _____ %

SEWER PERMIT ISSUED: yes ☐ no ☐ n/a ☒; PLANNING BOARD / ZONING BOARD APPROVAL: yes ☐ no ☐ n/a ☒

PLANS FILED: plot plan - yes ☐ no ☐ n/a ☒; construction drawings - yes ☒ no ☐ n/a ☐; SSWD - yes ☐ no ☒ n/a ☐;
other - yes ☐ no ☐; if yes, describe

DESCRIPTION OF PROPOSED CONSTRUCTION: SHED ROOF REVISION FOR
ADDED STORAGE - SHED EXISTING - 6'x12' WITH
A SHED ROOF - TO INCREASE SPACE WITH A GABLE ROOF

BUILDING: Length: _____ ft. Width: _____ ft Height: _____ ft Foundation: _____ ft Area: _____ sq. ft.

Number of dwelling units: 1 Zoning District: M1DK SOD: yes ☐ no ☒ RPD: yes ☐ no ☒

ESTIMATED COST OF CONSTRUCTION: \$ 3,000.00

PERMIT FEE: \$ 20.00

Owner/Agent signature: W. E. Jones

Date Signed: 6-19-02

Office use only:

TYPE OF CONSTRUCTION: 5 USE GROUP B

Building Dept.

PERMIT# 02-090

by: *J. M. Brown* 6-20-82

Date Permit Issued: 6/29/12

BUILDING INSTRUCTION

Ma'l wfor Rany

64

TOWN OF YARMOUTH

Department of Planning and Development 200 Main Street, Yarmouth, ME 04096
(207) 846-2401 www.yarmouth.me.us Fax: (207) 846-2438

Date: 1/22/14 Map 41 Lot 71 Ext

Permit # 14-013

64

Applicant Name: Denise Cooper

Phone #: 847-3193

Mailing Address: 53 W Elm St

e-mail: cooperdenise@gmail.com

Owner (other than applicant)

Name:

Phone #:

Mailing Address:

e-mail:

Contractor

Name: Harro Oberink

Phone #: 650-3003

Mailing Address:

e-mail: harro.oberink@gmail.com

Property Location: 53 W. Elm St

Lot Dimensions: x Area:

Number of dwelling units: *

Public Works: Sewer Permit Issued: Yes No n/a Street Opening: Yes No n/a
Driveway Entrance: Yes No n/a

Plans Filed: Scaled Plot Plan: Yes No n/a Full Construction Drawings: Yes No n/a

Description of Proposed Construction: Enlarge/replace 1st floor window to permit egress; new smoke detector

Setback: Front Yard Side Yard Other Side Yard Rear Yard

Building: Length: ft. Width: ft. Height: ft. Area: 334 sq. ft.

Shoreland Overlay District: Yes No Resource Protection District: Yes No

Zoning District: Floodplain Permit: NOI-General Permit:

ESTIMATED COST OF CONSTRUCTION: \$ 600^{xx} PERMIT FEE: \$ 50.00

SF Finished 334 SF Unfinished Cost of Renovation 600 Cost of New Construction

Owner/Agent Signature: William Schaffer Date Signed: 1/22/2014

Owner/Agent Printed: William Schaffer

"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."

OFFICE USE ONLY: Type of Construction: Use Group

Conditions of Approval: Must have 5-7 sq ft cleared

Code Enforcement Officer: Date Permit Issued: 1-29-14

Revised 3-22-11

Initials

* 3 Bedrooms in Main House
Permit application relates to existing
"structure"

65

Complete

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

COPY

ELECTRICAL PERMIT APPLICATION

Permit # 13-053

Date: 4/10/13 Zoning District _____ Map 41 Lot 71 Ext _____

The undersigned hereby applies for a permit to make electrical installation in accordance with the laws of Maine and the National Electrical Code. Refer to 401 in Yarmouth web site.

Owner's Name JANISE SWARTON/owner

Location of Work 53 west LEON STREET

CMP Work Order# / Acct# 301-081-403

- | | | | |
|--------------|----|--|--------------|
| _____ | 1. | New Construction/Additions/Renovations | |
| | | Total Square footage to be wired _____ | \$.05/sq.ft. |
| | | (\$25.00 minimum inspection fee) | |
| <u>25.00</u> | 2. | New Service/Upgrade (\$25.00) (PER METER) | |
| _____ | 3. | Swimming Pool (\$25.00) | |
| <u>25.00</u> | 4. | Administrative Fee (\$25.00) – REQUIRED | |

Total Fee: 50.00

*** \$50.00 MINIMUM FEE FOR ELECTRICAL PERMITS***

Contractor PERION ELECTRIC Phone _____

Address 32 OLD CART RD.

License# LM 50000775 JY 40005897

Applicant's Signature [Signature]
Name of Master Electrician, or Owner if Owner doing the work

INSPECTION: Please call the Electrical Inspector at 846-5391 when ready for inspection. The inspection will be done within 2 working days from the time your work is completed.

Inspected and Returned by: _____ Date _____

ELECTRICAL PERMIT

(66)

Plans Submitted _____

Permit# _____
Date: _____
Bldg. Permit# _____

BUILDING DATA

Use: Residential Business Industrial Other _____ No. of Stories _____
No. of Residential Units _____
Type of Installation: New Alteration Repair Other _____
Wiring Method: NM AC MC Busduct Conduit _____ Other _____
Type _____

Lighting Fixtures _____

Fire Detection: _____

Voltage/Phase	Services Amperage	Conductors	No.	System Individual Detectors# _____
			scint _____	
			escent _____	

MISCELLANEOUS PAYMENT

TOWN OF YARMOUTH
200 MAIN STREET
YARMOUTH ME 04103

DATE: 01/27/14
TIME: 08:11

Emergency/Exit Lights# _____

CHARGE AMT:	50.00	PERMIT	PEI	Air Cond./HVAC Type/Unit HP Voltage/Phase
				Generators Transformers
				No. Size

REVENUE: 1000 43100 50.00
Code Enforcement Permits/Fees
REF1: REF2:
CASH: 1000 10200 50.00
General Fund Checkin
AMOUNT PAID:-- 50.00-----

PAID BY: SHAFFER
REFERENCE:

PAYMENT METH: CHECK
CHECK #: 4156

AMT TENDERED: 50.00
AMT APPLIED: 50.00
CHANGE: .00

pertinent electrical ordinances will be complied with in performing the

permit shall become invalid.

Description of work:

Signature of Applicant or
Authorized Representative

Date

Signature of Building Official

"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."

DEPARTMENTAL APPROVAL FOR CERTIFICATE
of OCCUPANCY and COMPLIANCE

To be filled in by each division indicated hereon
upon completion of its final inspection.

BUILDINGS

Permit No. _____

Approved by _____

Date _____

Remarks _____

PLUMBING

Permit No. _____

Approved by _____

Date _____

Remarks _____

ELECTRICAL

Permit No. _____

Approved by _____

Date _____

Remarks _____

OTHER

Permit No. _____

Approved by _____

Date _____

Remarks _____

OTHER

Permit No. _____

Approved by _____

Date _____

Remarks _____

68

OK # 4156
11/23/14 (68)

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

ELECTRICAL PERMIT APPLICATION

Date: 11/23/14 Zoning District _____ Map 41 Lot 71 Ext _____ Permit # 14-017

The undersigned hereby applies for a permit to make electrical installation in accordance with the laws of Maine and the *National Electrical Code*. Refer to 401 in Yarmouth web site.

Owner's Name James Cooper

Location of Work 53 WEST ELM ST.

(ADDRESS REQUIRED)

CMP Work Order# / Acct# none

- * 25.00
1. New Construction/Additions/Renovations
Total Square footage to be wired 334 \$.05/sq.ft.
(\$25.00 minimum inspection fee)
 2. New Service/Upgrade (\$25.00) (PER METER)
 3. Swimming Pool (\$25.00)
 4. Administrative Fee (\$25.00) – REQUIRED
- 25.00

Total Fee: 50.00

*** \$50.00 MINIMUM FEE FOR ELECTRICAL PERMITS***

Contractor KEN PEZTON / PEZTON ELECTRIC Phone 207-4909
846-5354

Address 32 OLD CART RD. - CHOBABUS ISLAND, MAINE

License# LM 50000176 - 144005897

Applicant's Signature [Signature]
Name of Master Electrician, or Owner if Owner doing the work

Please Print KENNETH P. PEZTON

INSPECTION: Please call the Electrical Inspector at 846-5391 when ready for inspection. The inspection will be done within 2 working days from the time your work is completed.

Inspected and Returned by: [Signature] Date _____

Note: Please complete additional form on back for new residence or business location

GREEN COPY – OCCUPANCY PERMIT

Mail w/for Review 70

BUILDING PERMIT

Date: 1/22/14 Map 41 Lot 71 Ext

Permit # 14-013

Applicant Name: Terence Cooper

Phone #: 847-3193

Mailing Address: 53 W Elm St

e-mail: cooperjnc@gmail.com

Owner (other than applicant)

Name:

Phone #:

Mailing Address:

e-mail:

Contractor

Name: Harro Oberink

Phone #: 650-3003

Mailing Address:

e-mail: harro.oberink@gmail.com

Property Location: 53 W. Elm St

Lot Dimensions: x Area:

Number of dwelling units: *

Public Works: Sewer Permit Issued: Yes No n/a Street Opening: Yes No n/a
Driveway Entrance: Yes No n/a

Plans Filed: Scaled Plot Plan: Yes No n/a Full Construction Drawings: Yes No n/a

Description of Proposed Construction: Enlarge/replace 1st floor window to permit egress; new smoke detector

Setback: Front Yard Side Yard Other Side Yard Rear Yard

Building: Length: ft. Width: ft. Height: ft. Area: 334 sq. ft.

Shoreland Overlay District: Yes No Resource Protection District: Yes No

Zoning District: Floodplain Permit: NOI-General Permit:

ESTIMATED COST OF CONSTRUCTION: \$ 600^{xx} PERMIT FEE: \$ 50.00

SF Finished 334 SF Unfinished Cost of Renovation 600 Cost of New Construction

Owner/Agent Signature: William Schaffer Date Signed: 1/22/2014

Owner/Agent Printed: William Schaffer

"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."

OFFICE USE ONLY: Type of Construction: Use Group

Conditions of Approval MUST HAVE 5-7 sq ft Cleared Opening

Code Enforcement Officer: [Signature] Date Permit Issued: 1-27-14

Revised 3-22-11 * 3 Bedrooms in Main House Permit application refers to existing

PLUMBING APPLICATION

Department of Health and Human Services
Division of Environmental Health

PROPERTY ADDRESS

Town or
Plantation

Street

Subdivision Lot #

PROPERTY OWNERS NAME

Last:

First:

Applicant
Name:

Mailing Address of
Owner/Applicant
(If Different)

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspectors to deny a Permit.

Signature of Owner/Applicant

Date

Town of Yarmouth

Permit # 3987

Date Permit Issued

2/15

Fee: \$ 40

☐ Double Fee Charged

Local Plumbing Inspector Signature

L.P.I. # 1203

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature

Date Approved

PERMIT INFORMATION

This Application is for

1. ☒ NEW PLUMBING
2. ☐ RELOCATED PLUMBING

Type of Structure To Be Served:

1. ☐ SINGLE FAMILY DWELLING
2. ☐ MODULAR OR MOBILE HOME
3. ☐ MULTIPLE FAMILY DWELLING
4. ☒ OTHER - SPECIFY

Plumbing To Be Installed By:

1. ☐ MASTER PLUMBER
2. ☐ OIL BURNERMAN
3. ☐ MFG'D. HOUSING DEALER/MECHANIC
4. ☐ PUBLIC UTILITY EMPLOYEE
5. ☐ PROPERTY OWNER

LICENSE #

Hook-Up & Piping Relocation Maximum of 1 Hook-Up

HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District.

OR

HOOK-UP: to an existing subsurface wastewater disposal system.

PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.

OR

TRANSFER FEE
(\$10.00)

Number

Column 2

Type of Fixture

Hosebib / Sillcock

Floor Drain

Urinal

Drinking Fountain

Indirect Waste

Water Treatment Softener, Filter, etc.

Grease / Oil Separator

Roof Drain

Bidet

Other:

Fixtures (Subtotal)
Column 2

Number

Column 1

Type of Fixture

Bathtub (and Shower)

Shower (Separate)

Sink

Wash Basin

Water Closet (Toilet)

Clothes Washer

Dish Washer

Garbage Disposal

Laundry Tub

Water Heater

Fixtures (Subtotal)
Column 1

Fixtures (Subtotal)
Column 2

Total Fixtures

Fixture Fee

Transfer Fee

Hook-Up & Relocation Fee

Permit Fee
(Total)

SEE PERMIT FEE SCHEDULE
FOR CALCULATING FEE

THE ISSUANCE OF THIS PERMIT DOES NOT IMPLY APPROVAL BY ANY OTHER AGENCY INCLUDING THE FOLLOWING: STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED STATES ARMY CORPS OF ENGINEERS. THE OBTAINING OF ALL PERMITS IS THE RESPONSIBILITY OF THE OWNER OR HIS AUTHORIZED AGENT.

DEPT. FILE COPY

BUILDING PERMIT

AMOUNT PAID

40-

VALIDATION

APPLICANT Robert Haines DATE 8-6 19 97 PERMIT NO. 97-100

PERMIT TO Refrigerated Storage ADDRESS 25 W. Elm St. (STREET) (NO.) (CONTR'S LICENSE)

AT (LOCATION) Same (TYPE OF IMPROVEMENT) (NO.) (PROPOSED USE) NUMBER OF DWELLING UNITS

BETWEEN 411 (CROSS STREET) AND 411 (CROSS STREET) LOT 71 BLOCK 71 ZONING DISTRICT MOS

SUBDIVISION 411 LOT 71 BLOCK 71 LOT SIZE

BUILDING IS TO BE 20 FT. WIDE BY 12 FT. LONG BY 12 FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE 5 USE GROUP B-4 BASEMENT WALLS OR FOUNDATION (TYPE)

REMARKS: Includes 4' x 8' addition to shed

AREA OR VOLUME 10,000 CUBIC SQUARE FEET ESTIMATED COST \$ 40- PERMIT FEE \$ 40-

OWNER J. H. Haines BUILDING DEPT. BY John Chapman CEO #137

(Affidavit on reverse side of application to be completed by authorized agent of owner)

71

N. PHOTOGRAPHS OF ADU INTERIOR

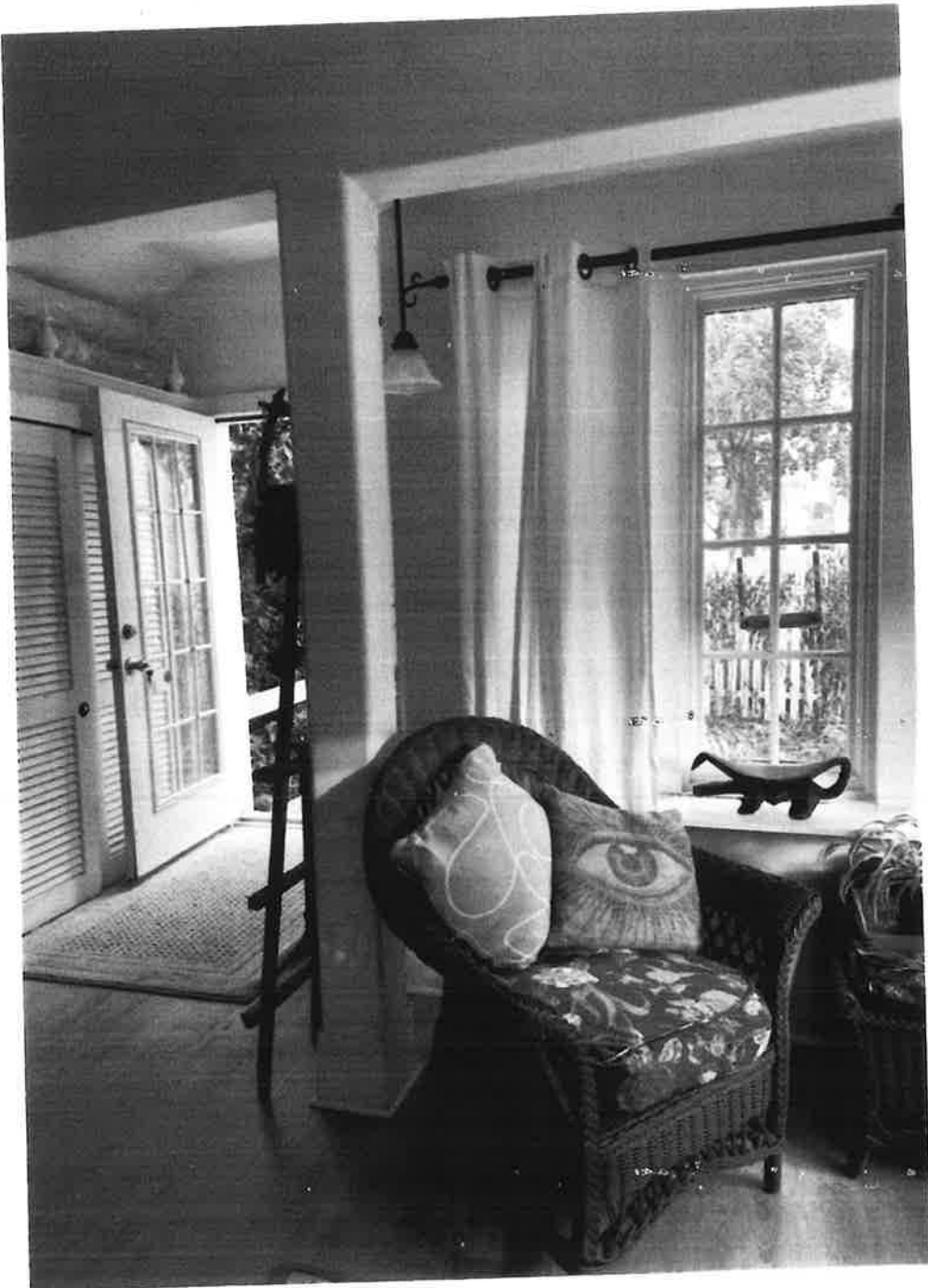
pages 72-79



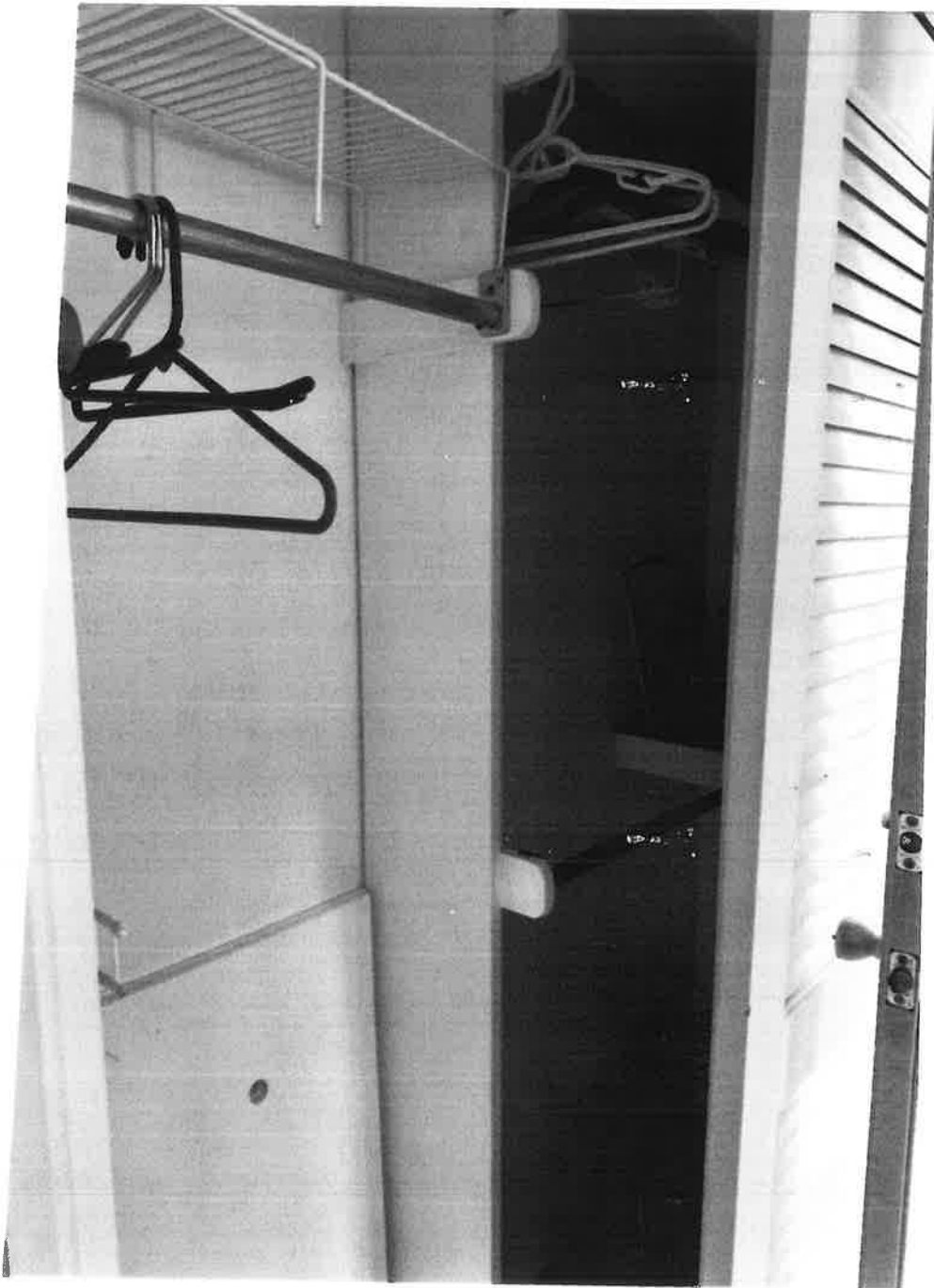
view from door



view toward door



Hall, closet + living area



Closet



sleeping area (futon)

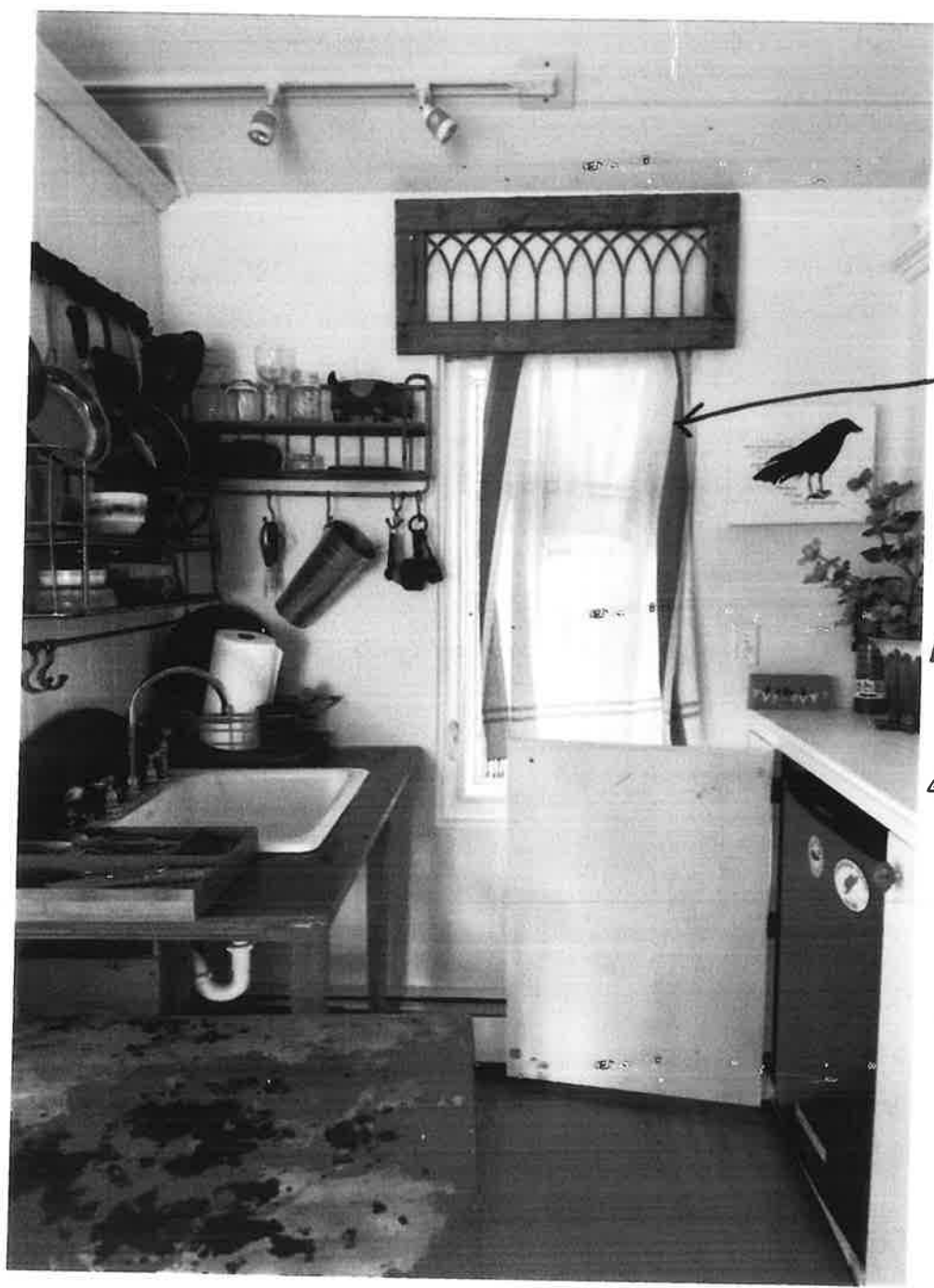
○ vent + light
in ceiling



Shower, Sink



Toilet



Sink

egress window

← vent in wall

← electric appliances on countertop

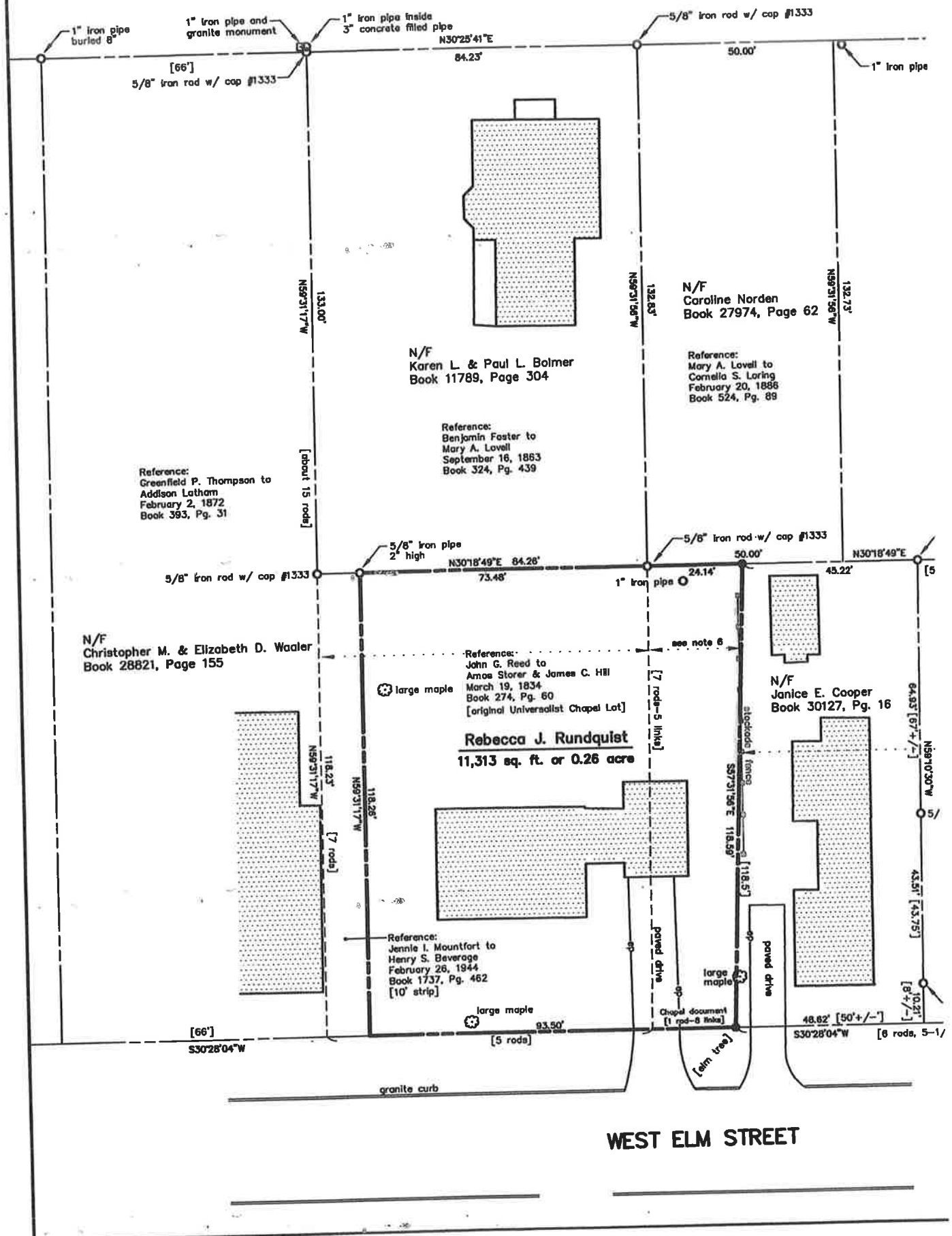
← refrigerator

Kitchen area



View of living, eating, work area

WEST ELM STREET



P. SITE PLAN TO SCALE

ATTACHED TO END