

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

(207)846-2401

Fax: (207)846-2438

Application for Review under  
Historic Building Alterations and Demolitions Ordinance and/or  
Historic Preservation Advisory Ordinance

Date: June 12, 2024 Zoning District CD4 Map 42 Lot 54 Ext. \_\_\_\_\_ Fee Paid \_\_\_\_\_

Name of Owner/Applicant Susan Ely

Mailing Address 44 Thunder Road, North Yarmouth, ME 04097

Phone 907723-6033 Fax \_\_\_\_\_ Email suzie.ely@gmail.com

Street Address of Subject Property 17 Mill Street, Yarmouth, ME

The Owner (or Agent 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.

Susan Ely Digitally signed by Susan Ely  
Date: 2024.06.21 15:33:19 -04'00'

Susan Ely

Signature of Applicant/Agent Print Name  
(If signed by Applicant's agent, provide written documentation of authority to act on behalf of Applicant)

**Planning Board Fee: \$100**

This application fee is only applicable to applications that require Planning Board review under the Historic Building Alterations and Demolitions Ordinance (Ch. 701, Art. IX). For these applications, 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.

There is no application fee for review under the Historic Preservation Advisory Ordinance (Chapter 701, Article X).

**Note to Applicants**

Before completing this application, please consult the resources on the Town of Yarmouth's website covering historic structures and resources: [yarmouth.me.us/historicproperties](http://yarmouth.me.us/historicproperties). You are also strongly encouraged to consult with the Department of Planning & Development regarding your application prior to submittal, and consultation with the Yarmouth Historic Center may be helpful as well.

If you require review by the Planning Board per the Historic Building Alterations and Demolitions Ordinance (Ch. 701, Art. X), please be aware that these will only be considered at the first Planning Board meeting of a month in order to facilitate review by the Historic Preservation Committee. The Planning Board deadlines can be found at [yarmouth.me.us/planningboard](http://yarmouth.me.us/planningboard).

**Type of Review Requested**

Historic Building Alterations and Demolitions Ordinance (Ch. 701, Art. IX)  Yes  No  
Historic Preservation Advisory Ordinance (Ch. 701, Art. X)  Yes  No

Is the structure located within the Demolition Delay Overlay District and over 75 years old?  Yes  No

Is the structure located in: Lower Village Historic District  Yes  No

Upper Village Historic District  Yes  No

Royal River Manufacturing Historic District  Yes  No

Is the structure a: Contributing Structure in a Historic District  Yes  No

Non-Contributing Structure in a Historic District  Yes  No

Local Landmark  Yes  No

Please provide the approximate age of the structure: 1901

If the building has a historic plaque, please provide all of its text: None

Provide a written description of the proposed work. Describe how the proposed work will alter all facades of the building and roof area, including historic features that will be altered. Describe any proposed reuse or redevelopment of the site associated with the proposed work. Describe any sitework that is planned. Attach additional pages as needed.

Due to the November 2023 fire that caused extensive fire, smoke, and water damage to the structure, I am proposing to remove the existing 2-family structure and replace it with a similar 2-family structure that retains the general shape and style of the original building. The proposed replacement building will be similar to the original structure in that it will still retain an apartment on the first floor, will be three stories with the main living space on the 2nd floor and bedrooms on the third floor. The replacement building will retain the L-shape with a deck off the second floor living space.

The proposed building will add a front porch for access to the main house and first floor apartment instead of the existing access points located on the town right of way. This change was made to honor a request made by the Town of Yarmouth to remove existing non-conforming structures from the right of way and to improve the aesthetics of the front of the house to make it look visually similar to other homes in the Upper Village.

Above I checked "contributing structure" because I wasn't sure if it was a contributing structure or not.

Provide a written summary regarding the history of the structure. In order to provide this information, consult the Phase 1 Architectural Survey Report and Matrix and the Interactive Historic Structures Map Viewer available at [yarmouth.me.us/historicproperties](http://yarmouth.me.us/historicproperties). Additional consultation may be helpful with the Department of Planning & Development and Yarmouth History Center staff. Attach additional pages as needed.

The home is mapped in the Historic Structures Public Map Viewer. Viewer provides the following description:

MapLot 42-54

Address 17 MILL STREET

Structure House

Integrity Multi-unit. Core of house seems to be mid to late 19th century. Attached porch at rear (part of fire escape). Foundation is both conventional granite and granite ashlar.

District Upper Village

Designation C

I am unaware of the historic background of the structure except for the information provided in the Historic Structures Public Map Viewer. I acquired the building in 2018. At that time it was used primarily as a 2-unit rental. When I purchased the building in 2018 I allowed the first floor tenant to remain in the building and they lived there until 2023, shortly before the fire. The first floor apartment was undergoing renovation (new paint, flooring, and minor repairs) at the time of the fire. I occupied the second/third floor unit as my primary residence from 2018 until 2020. In 2020 I resumed renting the second and third-floor unit to various renters until the fire in 2023.

The following items must be provided with your application:

1. All existing and proposed exterior elevations where a change is proposed with sufficient detail to show the architectural design, materials, and visual textures of the exterior of the building(s). Scaled drawings are preferred.
2. Analysis of extent of alteration of roof area and/or exterior walls.
3. Specifications and/or samples of building materials, roofing materials, masonry materials, site features, and signs, as applicable.
4. Unobstructed photographs of each side of the structure (which may require more than four photos) and the front facades and facades of any buildings located on any side of the subject structure, which face any of the proposed work.
5. A copy of any easements and/or covenants on the property.
6. Existing and proposed conditions depicted on a site plan including (depending on the scope of the project a site plan may not be necessary):
  - 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. Rights of way, public and private
  - h. All easements
  - i. Street names
  - j. Public or private sewerage facilities
  - k. Off-street parking spaces
7. Additional narrative, as needed.
8. Historic photos, as available.

**For Planning & Development Department Use Only**

Minor Change

Major Change

Substantial Modification/Demolition/Relocation

Planning Board Date: \_\_\_\_\_


HPC Date: \_\_\_\_\_


### WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **Peggy W. Roberts** of **5 Molly Lane, Somersworth, New Hampshire** for consideration paid grants to **Susan J. Ely** of **5 Elysian Way, Scarborough, Maine** with WARRANTY COVENANTS, the premises 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.

IN WITNESS WHEREOF, the said **Peggy W. Roberts** has caused this instrument to be signed this **18<sup>th</sup> day of December, 2017**.


MAINE REAL ESTATE TAX PAID

  
\_\_\_\_\_  
Peggy W. Roberts

  
\_\_\_\_\_  
Witness

State of   Maine    
County of   Cumberland  

Then personally appeared before me this **18<sup>th</sup>** day of **December**, **2017** the said **Peggy W. Roberts** and acknowledged the foregoing to be her voluntary act and deed.

  
\_\_\_\_\_  
Notary Public/Maine Attorney at Law  
Commission Expiration: \_\_\_\_\_

**Charles H. McLaughlin**  
Attorney at Law

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

A certain parcel of land situated in said Yarmouth, with the buildings thereon, bounded: Northwesterly by the street leading to the paper mill; Easterly by the Grand Trunk Railroad (now Canadian National Railroad); and Southwesterly by the store lot now or formerly of Dr. E. Burbank.

Also a certain other parcel of land, being the same premises conveyed to Olive T. Springer by Henry Hutchins by deed dated September 12, 1851, recorded, as aforesaid, Book 478, Page 495, and being all the land owned by Henry Hutchins at that date included within a line beginning at a stake on Mill Street, so-called, and running thence Southeasterly three (3) rods parallel with the Southwest side of tenement house, known as the Durgin House, said line to be five (5) feet distant from the underpinning of said Durgin House. Meaning to convey all the land then owned by said Henry Hutchins between the said line and the Durgin House. Also a right of way in common over land then owned by the said Henry Hutchins, next adjoining the piece thereon described to line parallel with Northeast side of his porch or ell, an average distance of three (3) feet, eight (8) Inches from the boundary of said parcel of land; said right of way extending from Mill Street to a stake four (4) feet six (6) inches from the east corner of said porch. Said premises being hereby conveyed subject to the right to bank said porch and the rights of passage mentioned in said deed from Henry Hutchins to Olive T. Springer, dated September 12, 1881, recorded in said Registry of Deeds Book 478, Page 495.

Being the same premises as conveyed to Peggy W. Roberts by virtue of a deed from George T. Delorme dated June 9, 2012 and recorded in the Cumberland County Registry of Deeds in Book 29720, Page 205.

Received  
Recorded Register of Deeds  
Dec 18, 2017 03:23:55P  
Cumberland County  
Nancy A. Lane

# 17 MILL STREET – CURRENT STRUCTURE PHOTOS

MILL STREET SIDE – FACING NORTHWEST



MILL STREET SIDE – WITH MELCHERT'S BUILDING



SOUTHWEST FACING SIDE – ALONG ELY / MELCHERT PROPERTY LINE



LOOKING UP MILL STREET – WITH 317 MAIN EXPANSION ACROSS MILL STREET



NORTHEAST FACING SIDE – FACING RAILROAD MILL STREET CROSSING



SOUTHEAST FACING SIDE – FACING BACKYARD / RAILROAD



**Town of Yarmouth**

**Variance Appeal Application: 17 Mill Street; Map 42; Lot 54**

**Background:**

On November 3, 2023, a fire started in the third-floor attic space at 17 Mill Street. The fire was investigated and determined to be an accident caused by an unattended cooking burner. By the time the fire was discovered, it had already spread throughout the third floor and into the roof. The fire department was able to put the fire out before it spread to the first or second floors but the building suffered significant fire, smoke, and water damage throughout. The building is currently not inhabitable because of extensive fire damage to the third floor and roof and smoke, water, and mold damage throughout the building. The following are some representative photos of the fire, smoke and water damage throughout the building taken shortly after the fire. The building has significantly more visible mold at the point and is not safe to go into without a mask.



