



TOWN OF FREEPORT

Staff Review Board Agenda

Wednesday, November 5, 2025

1:00pm

Freeport Town Hall Council Chambers – 30 Main Street, Freeport, Maine

ITEM I: Abigail and Donnelly Douglas – 38 Merganser Way – Shoreland Zoning Permit

The applicant is seeking approval for a Shoreland Zoning Permit (for Shoreline Stabilization). Two sections of shoreline, one approximately thirty (30) feet long and the other approximately forty (40) ft long, will be stabilized with rip rap and native plantings. No impacts to the coastal wetland are anticipated as part of this project. Zoning District: Medium Density Residential 1 (MDR-1), Shoreland Area (SA). Tax Assessor Map 5A, Lot 11 ETC. Abigail and Donnelly Douglas, applicants & owners; Kelly Waddle, Flycatcher, LLC, representative.

ITEM II: Laura and Jules Vitali – 44 Merganser Way – Shoreland Zoning Permit

The applicant is seeking approval for a Shoreland Zoning Permit (for Shoreline Stabilization). Approximately eighty (80) feet of shoreline will be stabilized with rip rap and native plantings. No impacts to the coastal wetland are anticipated as part of this project. Zoning District: Medium Density Residential 1 (MDR-1), Shoreland Area (SA). Tax Assessor Map 5A, Lot 10. Laura and Jules Vitali, applicants & owners; Kelly Waddle, Flycatcher, LLC, representative.

ITEM III: Adjourn

Requesting Reasonable Accommodation (& ADA Notice)

Please contact the Town Clerk's Office at (207) 865-4743 or email swilson@freeportmaine.com prior to scheduled meetings or events to discuss auxiliary aids or services needed to participate in Town activities. The Town of Freeport is an equal opportunity employer and service provider that celebrates diversity and is committed to creating an inclusive environment for our employees and those we serve.



TOWN OF FREEPORT, MAINE
Planning Department
30 Main Street
Freeport, ME 04032
Phone: 207-865-4743
www.freeportmaine.com

TO:	FREEPORT STAFF REVIEW BOARD
FROM:	JESSICA CHADBOURNE, TOWN PLANNER
RE:	STAFF REPORT
DATE:	WEDNESDAY, NOVEMBER 5, 2025

Abigail and Donnelly Douglas – 38 Merganser Way – Shoreland Zoning Permit

The applicant is seeking approval for a Shoreland Zoning Permit (for Shoreline Stabilization). Two sections of shoreline, one approximately thirty (30) feet long and the other approximately forty (40) ft long, will be stabilized with rip rap and native plantings. No impacts to the coastal wetland are anticipated as part of this project. Zoning District: Medium Density Residential 1 (MDR-1), Shoreland Area (SA). Tax Assessor Map 5A, Lot 11 ETC. Abigail and Donnelly Douglas, applicants & owners; Kelly Waddle, Flycatcher, LLC, representative.

Project Location:



Background:

The applicant is seeking approval for a Shoreland Zoning Permit for 38 Merganser Way to stabilize two sections of the property's shoreline. The first section, Section A, will be approximately 30 feet long, and Section B will be approximately 40 feet long. Both sections will be stabilized using pinned oak logs, rip

rap, and native plantings. The property currently includes a single-family home and the associated driveway, along with an existing set of stairs, pier, ramp, and float in the shoreline. In Section A, stabilization will consist of oak logs pinned to the underlying ledge or otherwise anchored to the ground. The submitted site plan also indicates the installation of a further 12 feet of toe stones pinned to the ledge. Section B will consist of three rows of rip rap, approximately six feet in height, utilizing 2 to 4 foot irregular stones. However, the applicant has suggested that the overall height of the rip rap will vary depending on the extent of erosion.

All work will be conducted above the highest annual tide (HAT) line and no direct impacts to the coastal wetland are anticipated. The area above the proposed rip rap will be revegetated with 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum. Three mature trees that are slated to be removed as part of the stabilization of the bank will be replaced with 2" saplings of same or similar species planted in the upland in locations indicated by the submitted site plan. The site will be accessed via the construction of an access road across the applicant's property. Erosion control of the access road will be managed through the implementation of silt fences, hay bales, and mulch. No machinery will operate in the coastal wetland. Photos of the existing condition of shoreline were included in the application as well as a copy of the Applicant's Natural Resources Protection Act (NRPA) Permit to the Maine Department of Environmental Protection. The Codes Enforcement Office reviewed the application and had no additional comments.

The Applicant's representative, Kelly Waddle of Flycatcher LLC, is also representing the property owners at 44 Merganser Way, the abutting property, for a similar project that would occur at the same time. For this reason, several of the plans and drawings in the application materials reference both 38 and 44 Merganser Way. The Board may choose to have one presentation at the meeting to cover the projects on both properties and then make two separate motions and decisions.

Previously, shoreline stabilization projects were reviewed by the Project Review Board. A recent ordinance amendment, however, was approved in May 2025 by the Town Council that now makes the Staff Review Board the reviewing authority for these types of applications.

Process:

Review of the project is required by the Staff Review Board, per Section 305, Table 1 (line 16) of the Town of Freeport Shoreland Zoning Ordinance.

Section 306 of the Town of Freeport Shoreland Zoning Ordinance has standards for the various allowable Shoreland Area land uses. These are the standards under which the Board must review the application

Proposed Findings of Fact:

This project requires a Shoreland Zoning Permit for Shoreline Stabilization. A draft version of proposed findings for each standard is presented here for Board review, consideration and deliberation. Since the findings of fact for any project are findings of the Board, these draft findings can be altered at the meeting as appropriate:

Chapter 65 Shoreland Zoning Ordinance, Section 306 Land Use Standards

A. Space Standards

No changes to the dimensions of the lot, or to the locations or dimensions of the existing

structures thereon, are proposed. Based upon this information, the Board finds that this standard has been met.

B. Principal and Accessory Structures

No changes to the existing principal or accessory structures are proposed. Based upon this information, the Board finds that this standard has been met.

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland

No changes to the existing pier, bridge, or float are proposed. Based upon this information, the Board finds that this standard has been met.

D. Campgrounds

No campgrounds are proposed. Based upon this information, the Board finds that this standard has been met.

E. Individual Private Campsites

No individual private campsites are proposed. Based upon this information, the Board finds that this standard has been met.

F. Parking Areas

No parking areas are proposed. Based upon this information, the Board finds that this standard has been met.

G. Roads and Driveways

No new roads or driveways, or changes to the existing road and driveway, are proposed. Based upon this information, the Board finds that this standard has been met.

H. Signs

No signs are proposed. Based upon this information, the Board finds that this standard has been met.

I. Storm Water Runoff

No change resulting in an increase of stormwater runoff is proposed. The applicant will install a combination of oak logs, toe stones, and rip rap across both sites to stabilize the eroding embankment, per the guidance of Maine DEP. Based upon this information, the Board finds that this standard has been met.

J. Septic Waste Disposal

No septic waste disposal systems are proposed as part of this project. Based upon this information, the Board finds that this standard has been met.

K. Essential Services

No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.

L. Mineral Exploration

No mineral exploration is proposed. Based upon this information, the Board finds that this standard has been met.

M. Agriculture

No agriculture is proposed. Based upon this information, the Board finds that this standard has been met.

N. Clearing of Vegetations for Activities Other than Timber Harvesting

The applicant is not proposing to remove any existing ground vegetation and will be planting 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum, to provide additional stabilization to the section of shoreline being remediated. Three trees will be removed from the site to facilitate stabilization efforts - a 20" White Birch tree, a 24" Red Oak, and a 10" Eastern White Pine – and replaced with 2" saplings of the same or similar species that will be planted in the upland above the newly stabilized areas. Based upon this information, the Board finds that this standard has been met.

O. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

The applicant proposes to remove three trees - a 20" White Birch tree, a 24" Red Oak, and a 10" Eastern White Pine – from the site for construction. To ensure the stability of the bank, they will be replaced with 2" saplings of the same or similar species that will be planted in the upland above the newly stabilized areas. Based upon this information, the Board finds that this standard has been met.

P. Exemptions to Clearing and Vegetations Removal Requirements

The proposed vegetation removal does not come under any of the exemptions and therefore this standard is not applicable. Based upon this information, the board finds that this standard has been met.

Q. Revegetation Requirements

The applicant proposes planting 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum, to provide additional stabilization to the section of shoreline being remediated. Based upon this information, the Board finds that this standard has been met.

R. Erosion and Sedimentation Control

The applicant will install filter fabric and rip rap of Section B, and pinned oak logs and toe stones in Section A, to stabilize the eroding shoreline. A planting plan of 800 square feet of native plantings and three replaced trees is proposed to further stabilize the bank. A silt fence, hay bales, and mulch, as needed, will be used to prevent erosion from both the site work and the proposed construction access road, which will also be revegetated following construction. The contractor will have a Maine DEP certified individual onsite during all construction activities and erosion control methods will be installed according to Maine DEP's current best management practices for permanent soil stabilization. Based upon this information, the Board finds that this standard has been met.

S. Water Quality

The applicant will install filter fabric and rip rap of Section B, and pinned oak logs and toe stones in Section A, to stabilize the eroding shoreline. Any areas of soil disturbance will be stabilized with vegetation and mulch when construction is complete. The contractor will have a Maine DEP certified individual onsite during all construction activities and erosion control methods will be installed according to Maine DEP's current best management practices. Based upon this

information, the Board finds that this standard has been met.

T. Shoreline Stabilization

The applicant proposes the construction of a twelve (12) foot wide temporary access road to extend from Merganser Way to the project area. On completion of the stabilization process, the access road will be revegetated and mulched in accordance with DEP's current best management practices for permanent soil stabilization. No machinery will be operating within the coastal wetland during construction, so no impacts to the wetland are anticipated. Based upon this information, the Board finds that this standard has been met.

U. Soils

This is a shoreline stabilization project, and no new land uses are proposed. Based upon this information, the Board finds that this standard has been met.

V. Archaeological Sites

There are no known historical sites on or adjacent to the property. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Town of Freeport Shoreland Zoning Ordinance

Chapter 65 Town of Freeport Shoreland Zoning Ordinance - Section 404. Administering Permits

The Project Review Board, the Coastal Waters Commission, or the Codes Enforcement Officer shall approve an application for a permit, only upon finding that the use, activity or structure complies with all requirements of this Ordinance and that it meets the following criteria:

1. Will maintain safe and healthful conditions;
2. Will not result in water pollution, erosion, or sedimentation to surface waters;
3. Will adequately provide for the disposal of all wastewater;
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
6. Will protect archaeological and historic resources as designated in the comprehensive plan;
7. Will not adversely affect existing commercial fishing or maritime activities in a Marine Waterfront District;
8. Will avoid problems associated with floodplain development and use; and
9. Is in conformance with the provisions of Section 306, Land Use Standards.

This project is for shoreline stabilization at a residential property on Merganser Way. No stabilization is proposed below the highest annual tide line, and therefore, no impacts to the coastal wetland are proposed. The property is not within the Marine Waterfront District and there is no public access to the water. There are no known adjacent sites listed on, or eligible to be listed on, the National Register of Historic Places. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Town of Freeport Shoreland Zoning Ordinance

Proposed Motion:

Be it ordered that the Freeport Staff Review Board approve the Shoreland Zoning Permit for Abigail and Donnelly Douglas, for a Shoreline Stabilization project at 38 Merganser Way (Tax Assessor Map 5A, Lot

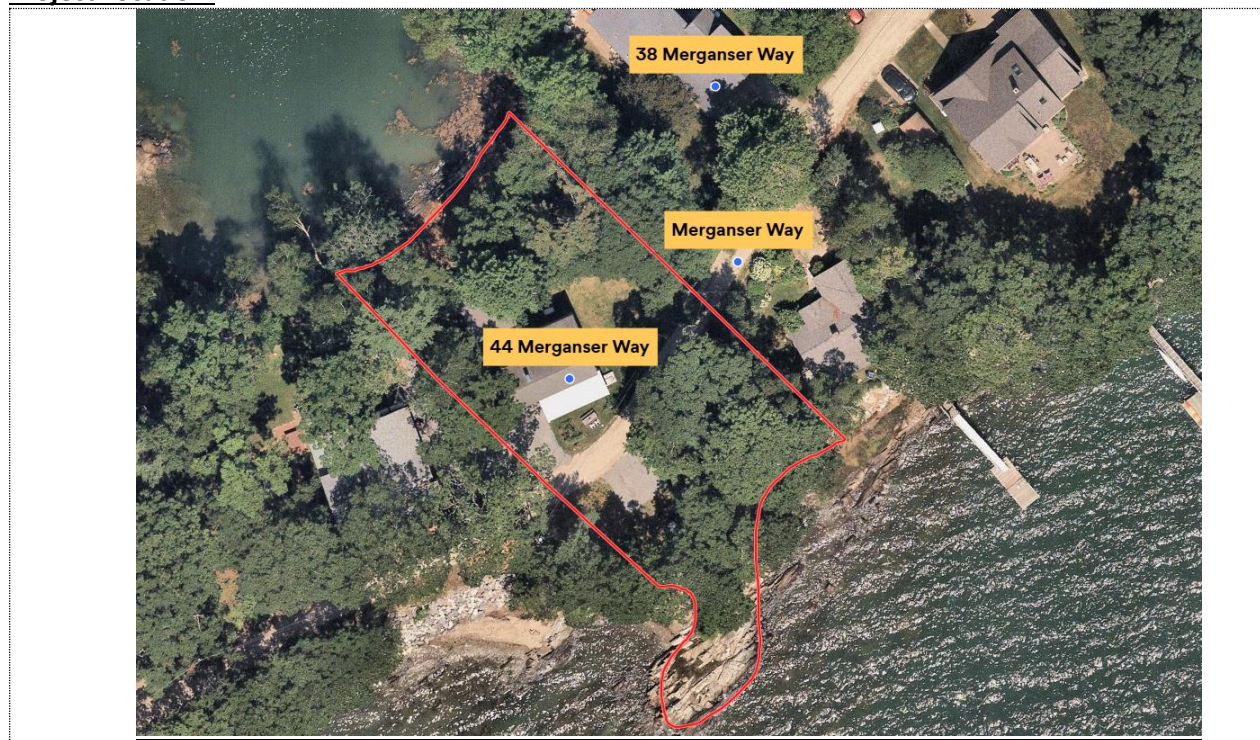
11 ETC), to be built substantially as proposed, in an application dated 10/17/2025, finding that it meets the standards of Section 306 and Section 404 of the Town of Freeport Shoreland Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and their representatives at Project Review Board meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.
- 2) Prior to the start of any sitework for the project, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The applicant obtain any applicable permits from the Maine Department of Environmental Protection.

Laura and Jules Vitali – 44 Merganser Way – Shoreland Zoning Permit

The applicant is seeking approval for a Shoreland Zoning Permit (for Shoreline Stabilization). Approximately eighty (80) feet of shoreline will be stabilized with rip rap and native plantings. No impacts to the coastal wetland are anticipated as part of this project. Zoning District: Medium Density Residential 1 (MDR-1), Shoreland Area (SA). Tax Assessor Map 5A, Lot 10. Laura and Jules Vitali, applicants & owners; Kelly Waddle, Flycatcher, LLC, representative.

Project Location:



Background:

The applicant is seeking approval for a Shoreland Zoning Permit for 44 Merganser Way to stabilize approximately 80 feet of the property's shoreline using erosion control fabric, rip rap, and native plantings. The property currently includes a single-family home and the associated driveway. The rip rap utilized in the proposed work will consist of 2 to 4 foot irregular stones arranged in 3 to 4 rows of rock

approximately 6 to 7 feet in height. The exact height of the rip rap installed will vary depending on the level of erosion. All rip rap will be pinned to the ledge and as such, no impacts to the adjacent marsh or mudflats are anticipated.

All work will be conducted above the highest annual tide (HAT) line and no direct impacts to the coastal wetland are anticipated. The area above the proposed rip rap will be revegetated with 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum. Seven mature trees are slated to be removed as part of the stabilization of the bank will be replaced with 2" saplings of same or similar species planted in the upland in locations indicated by the submitted site plan.

The site will be accessed via the construction access road being created on 38 Merganser Way for the completion of their shoreline stabilization project. Written permission from the property owner of 38 Merganser Way given the applicant permission to utilize their property to access the proposed shoreline stabilization work at 44 Merganser Way was provided and is included in the application packet. Erosion control of the access road will be managed through the implementation of silt fences, hay bales, and mulch. No machinery will operate in the coastal wetland. Photos of the existing condition of shoreline were included in the application as well as a copy of the Applicant's Natural Resources Protection Act (NRPA) Permit to the Maine Department of Environmental Protection. The Codes Enforcement Office reviewed the application and had no additional comments.

The Applicant's representative, Kelly Waddle of Flycatcher LLC, is also representing the property owners at 38 Merganser Way, the abutting property, for a similar project that would occur at the same time. For this reason, several of the plans and drawings in the application materials reference both 38 and 44 Merganser Way.

Process:

Review of the project is required by the Staff Review Board, per Section 305, Table 1 (line 16) of the Town of Freeport Shoreland Zoning Ordinance.

Section 306 of the Town of Freeport Shoreland Zoning Ordinance has standards for the various allowable Shoreland Area land uses. These are the standards under which the Board must review the application

Proposed Findings of Fact:

This project requires a Shoreland Zoning Permit for Shoreline Stabilization. A draft version of proposed findings for each standard is presented here for Board review, consideration and deliberation. Since the findings of fact for any project are findings of the Board, these draft findings can be altered at the meeting as appropriate:

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No changes to the dimensions of the lot, or to the locations or dimensions of the existing structures thereon, are proposed. Based upon this information, the Board finds that this standard has been met.

B. Principal and Accessory Structures

No changes to the existing principal or accessory structures are proposed. Based upon this

information, the Board finds that this standard has been met.

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland

No changes to the existing pier, bridge, or float are proposed. Based upon this information, the Board finds that this standard has been met.

D. Campgrounds

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No parking areas are proposed. Based upon this information, the Board finds that this standard has been met.

G. Roads and Driveways

No new roads or driveways, or changes to the existing road and driveway, are proposed. Based upon this information, the Board finds that this standard has been met.

H. Signs

No signs are proposed. Based upon this information, the Board finds that this standard has been met.

I. Storm Water Runoff

No change resulting in an increase of stormwater runoff is proposed. The applicant will install rip rap to stabilize the eroding embankment, per the guidance of Maine DEP. Based upon this information, the Board finds that this standard has been met.

J. Septic Waste Disposal

No septic waste disposal systems are proposed as part of this project. Based upon this information, the Board finds that this standard has been met.

K. Essential Services

No new utility connections are proposed. Based upon this information, the Board finds that this standard has been met.

L. Mineral Exploration

No mineral exploration is proposed. Based upon this information, the Board finds that this standard has been met.

M. Agriculture

No agriculture is proposed. Based upon this information, the Board finds that this standard has been met.

N. Clearing of Vegetations for Activities Other than Timber Harvesting

The applicant is not proposing to remove any existing ground vegetation and will be planting 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum, to provide additional stabilization to the section of shoreline being remediated. Seven trees will be removed from the site to facilitate stabilization efforts – (2) 7” and (2) 8” White Birch trees, and 3 Eastern White Pine Trees measuring 10”, 30”, and 5” respectively – and replaced with 2” saplings of the same or similar species that will be planted in the upland above the newly stabilized area. Based upon this information, the Board finds that this standard has been met.

O. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

The applicant proposes to remove three trees - (2) 7” and (2) 8” White Birch trees, and 3 Eastern White Pine Trees measuring 10”, 30”, and 5” respectively – from the site for construction. To ensure the stability of the bank, they will be replaced with 2” saplings of the same or similar species that will be planted in the upland above the newly stabilized area. Based upon this information, the Board finds that this standard has been met.

P. Exemptions to Clearing and Vegetations Removal Requirements

The proposed vegetation removal does not come under any of the exemptions and therefore this standard is not applicable. Based upon this information, the board finds that this standard has been met.

Q. Revegetation Requirements

The applicant proposes planting 800 square feet of native plantings, including Bar Harbor Juniper, Northern Bayberry, and Beach Plum, to provide additional stabilization to the section of shoreline being remediated. Based upon this information, the Board finds that this standard has been met.

R. Erosion and Sedimentation Control

The applicant will install filter fabric and rip rap to stabilize the eroding shoreline. A planting plan of 800 square feet of native plantings and three replaced trees is proposed to further stabilize the bank. A silt fence, hay bales, and mulch, as needed, will be used to prevent erosion from both the site work and the proposed construction access road, which will also be revegetated following construction. The contractor will have a Maine DEP certified individual onsite during all construction activities and erosion control methods will be installed according to Maine DEP’s current best management practices for permanent soil stabilization. Based upon this information, the Board finds that this standard has been met.

S. Water Quality

The applicant will install filter fabric and rip rap to stabilize the eroding shoreline. Any areas of soil disturbance will be stabilized with vegetation and mulch when construction is complete. The contractor will have a Maine DEP certified individual onsite during all construction activities and erosion control methods will be installed according to Maine DEP’s current best management practices. Based upon this information, the Board finds that this standard has been met.

T. Shoreline Stabilization

The applicant proposes utilizing the twelve (12) foot wide temporary access road being constructed on the adjacent property at 38 Merganser Way to access the project area. On completion of the stabilization process, the access road will be revegetated and mulched in

accordance with DEP's current best management practices for permanent soil stabilization. No machinery will be operating within the coastal wetland during construction, so no impacts to the wetland are anticipated. Based upon this information, the Board finds that this standard has been met.

U. Soils

This is a shoreline stabilization project, and no new land uses are proposed. Based upon this information, the Board finds that this standard has been met.

V. Archaeological Sites

There are no known historical sites on or adjacent to the property. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Town of Freeport Shoreland Zoning Ordinance

Chapter 65 Town of Freeport Shoreland Zoning Ordinance - Section 404. Administering Permits

The Project Review Board, the Coastal Waters Commission, or the Codes Enforcement Officer shall approve an application for a permit, only upon finding that the use, activity or structure complies with all requirements of this Ordinance and that it meets the following criteria:

1. Will maintain safe and healthful conditions;
2. Will not result in water pollution, erosion, or sedimentation to surface waters;
3. Will adequately provide for the disposal of all wastewater;
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;
6. Will protect archaeological and historic resources as designated in the comprehensive plan;
7. Will not adversely affect existing commercial fishing or maritime activities in a Marine Waterfront District;
8. Will avoid problems associated with floodplain development and use; and
9. Is in conformance with the provisions of Section 306, Land Use Standards.

This project is for shoreline stabilization at a residential property on Merganser Way. No stabilization is proposed below the highest annual tide line, and therefore, no impacts to the coastal wetland are proposed. The property is not within the Marine Waterfront District and there is no public access to the water. There are no known adjacent sites listed on, or eligible to be listed on, the National Register of Historic Places. Based upon this information, the Board finds that this standard has been met.

Conclusion: Based on these facts the Board finds that this project meets the criteria and standards of the Town of Freeport Shoreland Zoning Ordinance

Proposed Motion:

Be it ordered that the Freeport Staff Review Board approve the Shoreland Zoning Permit for Laura and Jules Vitali, for a Shoreline Stabilization project at 44 Merganser Way (Tax Assessor Map 5A, Lot 10), to be built substantially as proposed, in an application dated 10/17/2025, finding that it meets the standards of Section 306 and Section 404 of the Town of Freeport Shoreland Zoning Ordinance, with the following Conditions of Approval:

- 1) This approval incorporates by reference all supporting plans that amend the previously approved plans submitted by the applicant and their representatives at Project Review Board

meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions.

- 2) Prior to the start of any sitework for the project, the applicant obtain any applicable permits from the Freeport Codes Enforcement Officer.
- 3) The applicant obtain any applicable permits from the Maine Department of Environmental Protection.



Planning and Zoning Permit Application

Date: 10/17/2025

Property Information

Present Use: Residential
Site Address: 38 Merganser Way
Assessor's Office: 05A
Lot: 11 ETC

Parcel Size: 0.48
Zoning District: MDR-1

Applicant / Owner

Applicant Name: Kelly Waddle (Agent)
Address: 106 Lafayette Street, Suite 2A
City, State, Zip: Yarmouth, Maine 04096
Phone: 207-841-0901
Email: kelly@flycatcherllc.com
Own Abutting: No

Owner Name: Abigail and Donnelly Douglas
Address: 38 Merganser Way
City, State, Zip: Freeport, Maine 04032
Phone: 207-653-2479
Email: abigail.rice.douglas@gmail.com
Interest in Abutting:

Engineer / Billing Contact

Engineer Name: Linkel Environmental
Construction
Address: 255 Augusta Road
City, State, Zip: Topsham, ME 04086
Phone: 207-725-1438
Email: info@linkelconstruction.com

Billing Contact:
Address:
City, State, Zip:
Phone:
Email:

Parking Recalculation

Current Business:

Project Information

Permit Type: Shoreland
Project Name: Douglas Shoreline
Stabilization
Proposed Use: Residential
Site Plan Review: ☐
Design Review: ☐
Subdivision: ☐
Zoning Ordinance: ☐
Other: ☒ Shoreline Stabilization
Design Review: Not in the Design Review
District
Building Class: A
of Signs:
Sign Materials:
Sign Dimensions:
Internal Illuminated: No
Lighting Proposed: No

Hazardous Fill: No
Water Altered: No
Dam: No
Slope: No
Environ Impact: No
Waiver Request: No
Color Overly: No
of Buildings:
Gross Sq.Ft.:
Zoning BOA: No
Proposed Lots:
Waiver Request: No
Sign: ☐
Parking Recalc: ☐
Filling of Land: ☐

Sign Location:

Proposed Signs/Lighting/Time/Hrs:

Project Description: The Owner is proposing to stabilize the shoreline using riprap and oak logs. See attached application.

I do hereby certify that the information contained herein is true and correct.

Kelly Waddle

Name

10/17/2025

Date



October 14, 2025

Kyle Drexler
Town of Freeport
30 Main Street
Freeport, Maine 04032

RE: Shoreland Zoning Application for Shoreline Stabilization on behalf of Abigail and Donnelly Douglas located at 38 Merganser Way, Freeport, Maine (Tax Map #5A Lot #11 ETC).

Dear Kyle,

On behalf of Abigail and Donnelly Douglas (Applicants), Flycatcher, LLC (Flycatcher) requests the Town of Freeport's Staff Review Board to consider a Shoreland Zoning application for the stabilization of the shoreline at 38 Merganser Way in Freeport, Maine. The proposed stabilization consists of stabilizing the shoreline in two separate sections designated as section A and section B. In section A, the shoreline stabilization will measure approximately thirty (30) feet long and will consist of oak logs that will be anchored to ground/pinned to ledge. In section B, the shoreline stabilization will measure approximately forty (40) feet long and will consist of irregular stones that measure approximately two (2) to four (4) feet in diameter. The riprap will vary in height depending on the extent of erosion and there will be no direct impacts below the Highest Annual Tide (HAT) line. Native plantings will be established at the top of the riprap once construction of the riprap is complete.

The application has been submitted to the Maine Department of Environmental Protection (MDEP). Relevant portions of the application is included in the following application and copies of these approvals will be forwarded to the Town upon receipt.

Thank you in advance for your consideration of this Application. If you require any additional information or clarification, please feel free to contact me at (207) 841-0901 or by email at kelly@flycatcherllc.com.

Respectfully submitted,

Kelly Waddle

Planning & Permits Manager
Lower Falls Landing, 106 Lafayette Street, Suite 2A
Yarmouth, Maine 04096



**Town of Freeport
Planning Department
30 Main Street
Freeport, ME 04032
(207) 865-4743 ext. 107**

1. SUBMISSIONS

- Twelve (12) copies each of the completed application form and a copy of the recorded deed(s) for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. *The amount being paid for the property may be blacked out.*
- For applications to the Project Review Board, you must also submit twelve (12) copies of all other supplemental materials collated into individual packets which will fit into a large manila envelope. Please clip materials together; do not use special binding or binders. If copies of plans are being submitted, please include 2 full size sets (24" x 36") and 10 copies reduced to 11" x 17". The scale of any site plans shall be sufficient to allow review under the Criteria and Standards of Section 602.G of the Freeport Zoning Ordinance, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development. **All plan sheets must also be submitted electronically in a pdf format.** For a complete list of detailed submission requirements, please refer to the applicable ordinance(s) which may include the Design Review Ordinance, the Subdivision Ordinance or the Zoning Ordinance (Section 602 – Site Plan Review).

For applications to the Planning Board, you must also submit eight (8) copies of all other supplemental materials.

- Payment of application fee and abutter fee (if applicable)
- This application form, along with the required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.
- The applicant or an agent needs to be present at the meeting to present the application to the Board. If the applicant is going to be represented by someone other than themselves, they must submit a signed letter of authorization.

2. ABUTTERS

Abutters will be notified as required by State and Town regulations. Abutters will be determined by the Freeport Planning Department using most recent Assessing Records. If there are other people that you would like notified of the meeting, their contact information (either mailing address or email address) must be submitted with the application form. A fee of \$2.50 per abutter will be charged.

3. FEES

Refer to current fee schedule.

**Town of Freeport
Planning Department**

Application for Review

Project Type: (check all applicable)

_____ Site Plan Review _____ Design Review Certificate _____ Subdivision
_____ Zoning Ordinance Amendment ☒ Other (please explain) _____ shoreline stabilization _____

Name of Project: Abigail and Donnelly Douglas Shoreline Stabilization Project

Proposed Use of Property: Single family residential, shoreline stabilization

1) Applicant Information:

Name: (Agent) Kelly Waddle, Flycatcher, LLC Tel: (207) 841-0901
(If a Company, provide name of person also)

Address: 106 Lafayette Street, Suite 2A, Yarmouth, Maine 04096

Email: kelly@flycatcherllc.com

2) Interest in Property: Please attach a copy of the recorded deed for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. The amount being paid for the property may be blacked out. This application will not be processed without this information.

3) Do you own any abutting property? Yes ☒ No

If yes, please explain: _____

4) Property Information:

Present Use of Property Single family residential, shoreline stabilization

Location: Street Address 38 Merganser Way

Assessor's Office Map: 5A

Lot: 11 ETC

Size of Parcel (acres): 0.48

Zoning District (s): MDR-1

5) Design Review Information (please circle one from each category)

Design Review District: One Two ☒ Not in the Design Review District

Building Class, as designated on the Design Review District Map(s): A B C

Is this building in the Color Overlay District: Yes No

Please describe the proposed changes: _____

6) Other Information:

Proposed # of Buildings: N/A Gross Square Footage of Non-Residential Buildings: N/A

Is Zoning Board of Appeals Approval Required? Yes ☐ No ☒

If YES, provide reason _____

7) Subdivision Approval or a Subdivision Amendment: (if applicable) N/A

Proposed Number of Lots _____

Does the applicant intend to request any waivers of Subdivision or Site Review provisions?

NO _____ YES _____

If YES, list and give reasons why _____

8) Applicant's Engineer, Land Surveyor, Landscape Architect and/or Planner:

Name: Linkel Environmental Construction Tel: (207) 725-1438

Address: 255 Augusta Rd, Topsham, ME 04086

Email: info@linkelconstruction.com

9) Billing Contact (If different than applicant information) (see Applicant information)

Name: _____ Tel: _____

Address: _____

Email: _____

Application Fee: \$ 165.00 **Abutter Fee:** \$ 20.00 (8 abutters x 2.50) _____ = \$185.00

Submission: This application form, along with required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.

The undersigned, being the applicant, owner or legally authorized representative, states that all information in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

10/14/2025

DATE



SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE



AUTHORIZATION LETTER

DATE: July 21, 2025

By this letter, I authorize Flycatcher LLC to act on my behalf as my agent for the purpose of obtaining permits and approvals related to the proposed project located at:

38 Merganser Way, Freeport, Maine.

This authorization allows Flycatcher LLC to act as my agent for the preparation, signing and submission of federal, state, regional, and municipal permit applications, including conducting any necessary or pertinent consultations, preparation and submission of relevant documents and applications, advancing nominal funds as are required to file such applications, and representation at meetings and hearings for the applications.

This authorization is effective as of the date of this correspondence and will remain valid until revoked in writing.

Abigail R. Douglas

Print Name

Title

207-653-2479

Phone or Email

Abigail R. Douglas

Signature

Date

7/25/25

Project Description

Introduction and Project Purpose. The Applicant owns property located at 38 Merganser Way and is identified by the Town of Freeport as Tax Map #5A Lot #11 ETC. The project site is +/- 0.48 acres in size and includes approximately one hundred (100) feet of shoreline adjacent to Casco Bay. The site is developed with a residential structure and associated development, including existing access stairs, a pier, ramp and float. The Applicant's project purpose includes installing riprap and oak logs to stabilize the shoreline to protect the existing structures and limit the extent of future erosion.

Project Description.

The proposed stabilization consists of stabilizing the shoreline in two separate sections designated as section A and section B. In section A, the shoreline stabilization will measure approximately thirty (30) feet long and will consist of oak logs that will be anchored to ground/pinned to ledge. In section B, the shoreline stabilization will measure approximately forty (40) feet long and will consist of irregular stones that measure approximately two (2) to four (4) feet in diameter. The riprap will consist of three (3) rows of rock approximately six (6) feet in height. All sections of riprap will be above the Highest Astronomical Tide (HAT), therefore, there will be no direct impacts to the coastal wetland. Native plantings will be established at the top of the bank once construction of the riprap is installed. A copy of this application has been submitted to the Town of Freeport, Maine.

The site will be accessed from the upland and erosion controls will be established prior to the start of construction. This includes silt fence, hay bales, and mulch as necessary. The project does not require any machinery to operate within the coastal wetland. Upon completion of construction, the Applicant will follow best management practices as it relates to permanent site stabilization. A total of three (3) trees with exposed roots and leaning seaward will be cut and removed in order to complete this project.

Revegetation. In order to install the riprap, the Applicant will need to remove the following vegetation as outlined in Table One. However, in order to provide additional bank stability, the Applicant proposes to install native vegetation.

Table 1. Overview of Proposed Vegetation Removed as part of the Proposed Shoreline Stabilization, 38 Merganser Way, Freeport, Maine.

Type of Vegetation	Quantity Removed	Proposed Replanting
Trees and Saplings	(1) 20" White Birch (<i>Betula papyrifera</i>) (1) 24" Red Oak (<i>Quercus rubra</i>) (1) 10" Eastern White Pine (<i>Pinus strobus</i>)	(3) 2" Exact species or similar
Ground Vegetation/Ground Cover	0 square feet	800 square feet
Marsh Vegetation	N/A	N/A

Construction Plan

The site will be accessed via Merganser Way and all materials and equipment for the stabilization will be stockpiled in the upland within an existing developed area. The contractor will have a Maine DEP Erosion Control Certified Individual onsite during all construction activity and will work in sections each day to not expose large areas of soil. Work will be conducted at low tide or in the dry.

The installation of the riprap will require the removal of vegetation along a portion of the shoreline. In order to meet the minimum standards of Chapter 1000, Section 15(S), the Applicant proposes to revegetate the shoreline as close to the area of the proposed stabilization and the location of the proposed revegetation is shown on the project plans.

Erosion Control Plan

The Applicant will install erosion and sediment controls prior to the start of construction. Construction access will extend from the upland to the shore as shown on the project plans. For installation of the riprap, geotextile filter fabric and six inch minus stone will be installed as previously described. At the completion of construction, any areas of soil disturbance, including the construction access area, will be stabilized with vegetation and mulch in accordance with the Department's permanent soil stabilization BMPs published in the most recent version of the Maine Erosion and Sediment Control BMPs manual.

Shoreland Zoning Land Use Standards

Pursuant to the Town of Freeport's Shoreland Zoning Ordinance, Section 305, the Staff Review Board is the reviewing authority for any proposed shoreline stabilization project that is within the Shoreland Area. The Staff Review Board makes findings on applications based on conformance with the provisions of the Shoreland Zoning Land Use Standards, Chapter 65, Article III, Section 306 A – V.

The following Section 306 standards are not applicable to the proposed shoreline stabilization project:

- A. Space Standards*
- B. Principal and Accessory Structures*
- D. Campgrounds.*
- E. Individual Private Campsites*
- F. Parking Areas*
- G. Roads and Driveways*
- H. Signs*
- J. Septic Waste Disposal*
- K. Essential Services*
- L. Mineral Exploration*
- M. Agriculture*
- P. Exemptions to Clearing and Vegetation Removal Requirements*
- U. Soils*

The proposed project will meet the following Section 306 standards, as applicable.

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland

See regulations in Chapter 31, Town of Freeport Coastal Waters Ordinance

The proposed project for shoreline stabilization meets the standards outlined for 306 C.

I. Storm Water Runoff

1. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas shall be retained in order to reduce runoff and encourage infiltration of storm waters.

2. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

The proposed project meets the standards outlined for 306 I. The proposed project will be constructed with adequate erosion and sedimentation control measures. See Erosion Control Plan.

N. Clearing of Vegetation for Activities Other than Timber Harvesting

1. In a Resource Protection 1 District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district, except to remove hazard trees as described in Section 306.O

2. Except in areas as described in Section 306.N.1, above, within the strip of land extending seventy-five (75) feet , horizontal distance, from the normal high water line of a water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

a. There shall be no cleared opening greater than two hundred and fifty (250) square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer

limits of the tree or shrub crown; however, a single footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed for accessing the shoreline provided that a cleared line of sight to the water through the buffer strip is not created.

b. Selective cutting of trees within the buffer strip is allowed provided that a well distributed stand of trees and other natural vegetation is maintained. For the purposes of this section a “well-distributed stand of trees” adjacent to water bodies, tributary streams, and wetlands, is defined as maintaining a minimum rating score of 16 points in each 25-foot by 50-foot rectangular (1250 sq. ft.) area as determined on plans prepared in accordance with the following rating system:

Under 306T Shoreline Stabilization, vegetation may be removed in excess of the standards in 306 N in order to conduct shoreline stabilization of an eroding shoreline, if a permit is obtained by the Staff Review Board.

O. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

1. Hazard trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met:

a. Within the shoreline buffer, if the removal of a hazard tree results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least four (4) feet in height, and be no less than two (2) inches in diameter. Stumps may not be removed.

b. Outside of the shoreline buffer, when the removal of hazard trees exceeds forty (40) percent of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above ground level in any ten (10) year period, and/or results in cleared openings exceeding twenty-five (25) percent of the lot area within the shoreland zone, or ten thousand (10,000) square feet, whichever is greater, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level.

c. The removal of standing dead trees, resulting from natural causes, is permissible without the need for replanting or a permit, as long as the removal does not result in the creation of new lawn areas, or other permanently cleared areas, and stumps are not removed. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season.

d. The Code Enforcement Officer may require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed within the shoreland zone.

e. The Code Enforcement Officer may require more than a one-for-one replacement for hazard trees removed that exceed eight (8) inches in diameter measured at four and one half (4.5) feet above the ground level.

2. Storm-damaged trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met: a. Within the shoreline buffer, when the removal of storm-damaged trees results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replanting is not required, but the area shall be required to naturally revegetate, and the following requirements must be met:

i. The area from which a storm-damaged tree is removed does not result in new lawn areas, or other permanently cleared areas;

ii. Stumps from the storm-damaged trees may not be removed;

- iii. Limbs damaged from a storm event may be pruned even if they extend beyond the bottom one-third (1/3) of the tree; and
- iv. If after one growing season, no natural regeneration or regrowth is present, replanting of native tree seedlings or saplings is required at a density of one seedling per every eighty (80) square feet of lost canopy.

b. Outside of the shoreline buffer, if the removal of storm damaged trees exceeds forty percent (40%) of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above the ground level in any ten (10) year period, or results, in the aggregate, in cleared openings exceeding twenty-five percent (25%) of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, and no natural regeneration occurs within one growing season, then native tree seedlings or saplings shall be replanted on a one-for-one basis.

The removal of three trees is required to facilitate the proposed project. However, in order to provide bank stability, the Applicant proposes to plant three trees and install a robust vegetative buffer at the top of the slope. See Table 1 Overview of Proposed Vegetation Removed as part of the Proposed Shoreline Stabilization and Project Plans for more details.

Q. Revegetation Requirements

When revegetation is required in response to violations of the vegetation standards set forth in Section 306.N, to address the removal of non- native invasive species of vegetation, or as a mechanism to allow for development that may otherwise not be permissible due to the vegetation standards, including removal of vegetation in conjunction with a shoreline stabilization project, the revegetation must comply with the following requirements.

1. The property owner must submit a revegetation plan, prepared with and signed by a qualified professional, that describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was, or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.

2. Revegetation must occur along the same segment of shoreline and in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation, except where a shoreline stabilization activity does not allow revegetation to occur in the same area and at a density comparable to the pre-existing vegetation, in which case revegetation must occur along the same segment of shoreline and as close as possible to the area where vegetation was removed:

3. If part of a permitted activity, revegetation shall occur before the expiration of the permit. If the activity or revegetation is not completed before the expiration of the permit, a new revegetation plan shall be submitted with any renewal or new permit application.

4. Revegetation activities must meet the following requirements for trees and saplings:

- a. All trees and saplings removed must be replaced with native noninvasive species;*
- b. Replacement vegetation must at a minimum consist of saplings;*
- c. If more than three (3) trees or saplings are planted, then at least three (3) different species shall be used;*
- d. No one species shall make up fifty percent (50%) or more of the number of trees and saplings planted;*
- e. If revegetation is required for a shoreline stabilization project, and it is not possible to plant trees and saplings in the same area where trees or saplings were removed, then trees or sapling must be planted in a location that effectively reestablishes the screening between the shoreline and structures; and*
- f. A survival rate of at least eighty (80) percent of planted trees or saplings is required for a minimum five (5) years period.*

5. Revegetation activities must meet the following requirements for woody vegetation and other vegetation under three (3) feet in height:

- a. All woody vegetation and vegetation under three (3) feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under three (3) feet in height as applicable;
 - b. Woody vegetation and vegetation under three (3) feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
 - c. If more than three (3) woody vegetation plants are to be planted, then at least three (3) different species shall be planted;
 - d. No one species shall make up fifty percent (50%) or more of the number of planted woody vegetation plants; and
 - e. Survival of planted woody vegetation and vegetation under three feet in height must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years
6. Revegetation activities must meet the following requirements for ground vegetation and ground cover:
- a. All ground vegetation and ground cover removed must be replaced with native herbaceous vegetation, in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
 - b. Where necessary due to a lack of sufficient ground cover, an area must be supplemented with a minimum four (4) inch depth of leaf mulch and/or bark mulch to prevent erosion and provide for effective infiltration of stormwater; and
 - c. Survival and functionality of ground vegetation and ground cover must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years.

The proposed project meets the standards outlined for 306 Q. The Applicant proposes to install a robust vegetative buffer at the top of the slope. See Table 1 Overview of Proposed Vegetation Removed as part of the Proposed Shoreline Stabilization and Project Plans for more details.

R. Erosion and Sedimentation Control

1. Notification of the Codes Enforcement Officer (CEO) shall be required for filling, earthmoving and excavation activities. If the CEO determines that unstable soil conditions may result from the activity, they shall require that erosion and sedimentation control measures be instituted and shall include, where applicable, the measures described below:
2. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the Codes Enforcement Officer for approval and shall include, where applicable, provisions for:
 - a. Mulching and revegetation of disturbed soil.
 - b. Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
 - c. Permanent stabilization structures such as retaining walls or riprap.
3. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
4. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
5. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:

a. Where mulch is used, it shall be applied to a depth of six (6) inches and shall be maintained until a catch of vegetation is established.

b. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.

c. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

6. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in order to carry water from a twenty-five (25) year storm or greater, and shall be stabilized with vegetation or lined with rip-rap.

The proposed project meets the standards outlined for 306 R. See Erosion Control Plan. The proposed project will be constructed with adequate erosion and sedimentation control measures.

S. Water Quality

No activity shall deposit on or into the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body, tributary stream or wetland.

The proposed project meets the standards outlined for 306 S. See Erosion Control Plan. The proposed project will be constructed with adequate erosion and sedimentation control measures. No impacts to water quality are expected by construction of this project.

T. Shoreline Stabilization

Vegetation may be removed in excess of the standards in Section 306.N of this Ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Project Review Board. Construction equipment must access the shoreline by barge when feasible as determined by the Project Review Board.

The proposed project meets the standards outlined for 306 T. The Applicant will not remove vegetation in excess of the standards of Section 306.N in order to stabilize the shoreline.

(a) When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than twelve (12) feet in width. When the stabilization project is complete the construction equipment accessway must be restored.

The Applicant proposes to use a twelve (12) feet wide construction access that extends from Merganser Way. Upon completion of construction, the access way will be replanted, seeded and mulched in accordance with the DEP's Best Management Practices for permanent site stabilization.

(b) Revegetation must occur in accordance with Section 306.Q

The Applicant intends to plant native vegetation that includes Bar Harbor Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), and Beach Plum (*Prunus maritima*) two (2) to three (3) feet on center.

V. Archaeological Sites

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on, the National Register of Historic Places, as determined by the Codes Enforcement Officer, during the required review process, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment at least twenty (20) days prior to action being taken by the Codes Enforcement Officer who shall consider comments received from the Commission prior to rendering a decision on the application.

Location Map

43.811256, -70.067495

PROJECT
LOCATION



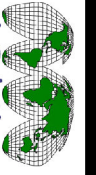
**PROJECT LOCATION
38 MERGANSER WAY
FREEPORT, MAINE**

DRAWN BY:	KES
CHECKED BY:	TAF
MONTH:	AUGUST
YEAR:	2025
PROJ. NO.:	C23C-006
CLIENT:	DOUGLAS



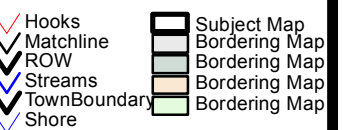
PROPERTY MAPS
TOWN OF FREEPORT, MAINE




James H. Thomas
gisSolutions of Maine
Cumberland, Maine
jht@maine.rr.com

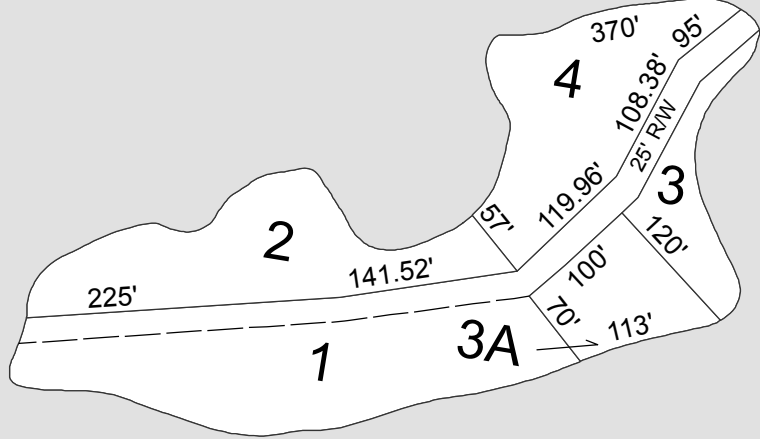
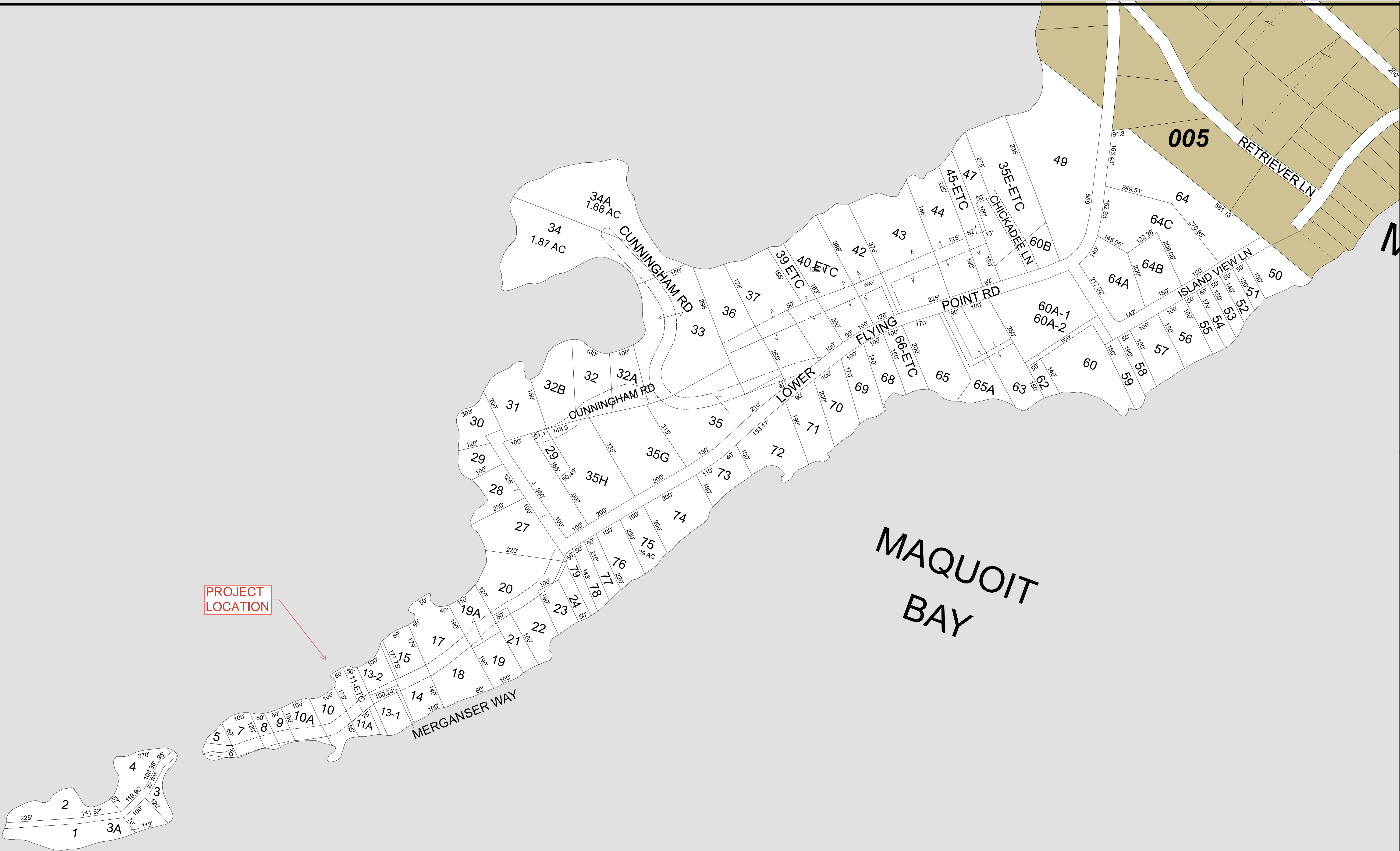
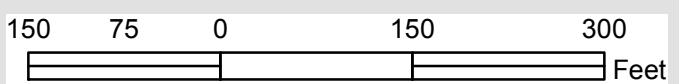
These maps are intended to be
used for the purpose of Property
Tax Assessments and should not
be used for conveyances.
Revised to April 1st

Scale: = 150



2021

MAP: 5A



Photographs

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 38 Merganser Way in the Town of Freeport, Maine, Maine. All photographs were taken on June 19, 2025 by Kelly Waddle of Flycatcher, LLC unless otherwise noted.



Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project. Source: Google Earth. Date: 2023.



Photograph Two. View of Section A at project site from the intertidal zone. Oak log to be anchored/pinned to ledge as necessary.



Photograph Three. View of typical erosion in Section A at project site.



Photograph Four. Additional view of typical erosion in Section A at project site.



Photograph Five. Additional view of typical erosion in Section A at project site.



Photograph Six. Additional view of typical erosion in Section A at project site.



Photograph Seven. View of Section B at project site from the intertidal zone. Shoreline to be stabilized with riprap.



Photograph Eight. View of typical erosion in Section B at project site.



Photograph Seven. Additional view of typical erosion in Section B at project site.



Photograph Eight. Additional view of typical erosion in Section B at project site.



Photograph Seven. Additional view of typical erosion in Section B at project site.



Photograph Eight. Additional view of typical erosion in Section B at project site.



Photograph Seven. Additional view of typical erosion in Section B at project site. Applicant's parcel to the left, abutter who will be stabilizing the shoreline simultaneously to the right.



Photograph Eight. View of slope from upland.



Photograph Eight. View of construction access.

Title, Right, or Interest Documentation

WARRANTY DEED (LONG FORM)

KNOW ALL BY THESE PRESENTS,

THAT I, LEANNE L. BARSCHDORF NICHOLS, formerly known as LEANNE L. BARSCHDORF, of Freeport, Cumberland County, Maine, in consideration of ONE DOLLAR and other valuable consideration paid by ABIGAIL R. DOUGLAS and DONNELLY S. DOUGLAS, both of Yarmouth, Cumberland County, Maine, and whose mailing address is 42 Collins Road, Yarmouth ME 04096, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto Abigail R. Douglas and Donnelly S. Douglas, as joint tenants and not as tenants in common, their heirs and assigns forever, the land and buildings in Freeport, Cumberland County, Maine, more fully described on Exhibit A attached to this instrument.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to Abigail R. Douglas and Donnelly S. Douglas, as joint tenants and not as tenants in common, their heirs and assigns, to them and their use and behoof forever.

AND I DO COVENANT with the Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all encumbrances except as above noted and further, except for current zoning and land use regulations; that I have good right to sell and convey to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to Abigail R. Douglas and Donnelly S. Douglas, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Leanne L. Barschdorf Nichols has hereunto set her hand and seal this 2nd day of July, 2010.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF:

(Witness)

Leanne L. Barschdorf Nichols
LEANNE L. BARSCHDORF NICHOLS

STATE OF MAINE
CUMBERLAND, ss.

July 2, 2010

Then personally appeared Leanne L. Barschdorf Nichols and acknowledged the foregoing instrument to be her free act and deed.

Before me:

Janet Thompson
Notary Public ~~Attorney at Law~~

NOTARY PRINT NAME: _____

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

MAINE REAL ESTATE TAX PAID

EXHIBIT A

Property Location: 38 Merganser Way, Freeport, Cumberland County,
Maine

Municipal Assessor's Map 5A Lot 11/ETC/0

A certain lot or parcel of land with the buildings thereon situated in the
Town of Freeport, County of Cumberland, State of Maine, to wit:

Beginning at an iron pin set in the ground on the shore of Casco Bay
by land now or formerly of Donald E. Nickerson, Jr., which said point marks
the northeasterly corner of said Nickerson's land; thence running in a
general northeasterly direction along the shore and waters of Casco Bay a
distance of one hundred (100) feet to an iron pin set in the ground by land
now of formerly of C.C. Dunning; thence running in a southeasterly
direction along said Dunning land a distance of two hundred (200) feet,
more or less to an iron pin set in the ground on the shore of Casco Bay;
thence running in a general southwesterly direction along the shore and
waters of Casco Bay a distance of twenty-five (25) feet to an iron pin set in
the ground by land now or formerly of Ina M. Tranton; thence running in a
general northwesterly direction and parallel with the second described
bound along said Tranton land to an iron pin set in the ground, which said
pin marks the northeasterly corner of said Tranton's land; thence running in
a general southwesterly direction along land now or formerly of said Ina M.
Tranton a distance of seventy-five (75) feet to an iron pin set in the ground
by land now or formerly of Donald E. Nickerson, Jr.; thence running in a
general northwesterly direction along said Nickerson land a distance of
seventy-five (75) feet to the point and place of beginning.

Said premises being portions of lots No. Seven and No. Eight as
delineated and set forth on Plan of Flying Point Shores, Section I, Flying
Point, Freeport, Maine, as surveyed by Harland H. Sweetser, September
1944, said Plan being recorded in the Cumberland County Registry of
Deeds, Plan Book 31, Page 31.

Also, granting and conveying to the Grantees herein, their heirs and
assigns forever a right of way for the purpose of travel by vehicles and
pedestrians, in common with others, along the route now used as
designated on the above mentioned Plan, and over other land now or

formerly of Annie M. Brewer as now used, leading to the public highway.

The above described parcels of land are conveyed subject to a right of way for travel by vehicles and pedestrians over the above described parcels of land for the benefit of other lot owners, as indicated hereinbefore.

This conveyance is granted subject to an easement of the aforesaid Ina M. Tranton to take water for her own use from the well established on the above described premises, at her own expense, together with the necessary easement to repair, replace pipe and to do things necessary relating to conducting water from said well to the cottage of said Ina M. Tranton adjacent to the premises herein described. Said easement being to Ina M. Tranton, her heirs and assigns.

Being the same premises conveyed to Leanne L. Barschdorf Nichols by warranty deed of Rodney F. Irish and Judith L. Irish, dated January 14, 2003 and recorded in the Cumberland County Registry of Deeds in Book 18747, Page 19.

Received
Recorded Register of Deeds
Jul 06, 2010 02:17:15P
Cumberland County
Pamela E. Lovley



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

Permit-by-Rule & Notice of Intent Acceptance Notice

Applicant: LAURA AND JULES VITALI

Town: Freeport

Project Address: 44 Merganser Way

Tax Map/Lot #: 5A - 10

Permit Number: PBR_ID-0101091

Accepted Date: 9/11/2025

NRPA ☒

Stormwater ☐

MCGP ☐

NRPA PBR Sections – Ch. 305

☒ Sec. 2 Act. Adj. to Prot. Natural Res.

☐ Sec. 9 Utility Crossing

☐ Sec. 16 Coastal Sand Dune Project

☐ Sec. 3 Intake Pipes

☐ Sec. 10 Stream Crossing

☐ Sec. 16A Beach Nourishment and

Restoration

☐ Sec. 4 Replacement of Structures

☐ Sec. 11 State Transport. Facilities

☐ Sec. 18 Maintenance Dredging

☐ Sec. 6 Movement of Rocks or Veg.

☐ Sec. 12 Restoration Natural Areas

☐ Sec. 19 Act. Near SVP Habitat

☐ Sec. 7 Outfall Pipes

☐ Sec. 13 F&W Create/Water Quality
Habitat

☐ Sec. 20 Act. Near Waterfowl/Bird

☒ Sec. 8 Shoreline Stabilization

☐ Sec. 15 Public Boat Ramps

Project Description:

Vitali_44 Merganser Way_Freeport: Shoreline Stabilization

Sincerely,

Dustin A. Dorr
Biologist I
Bureau of Land Resources

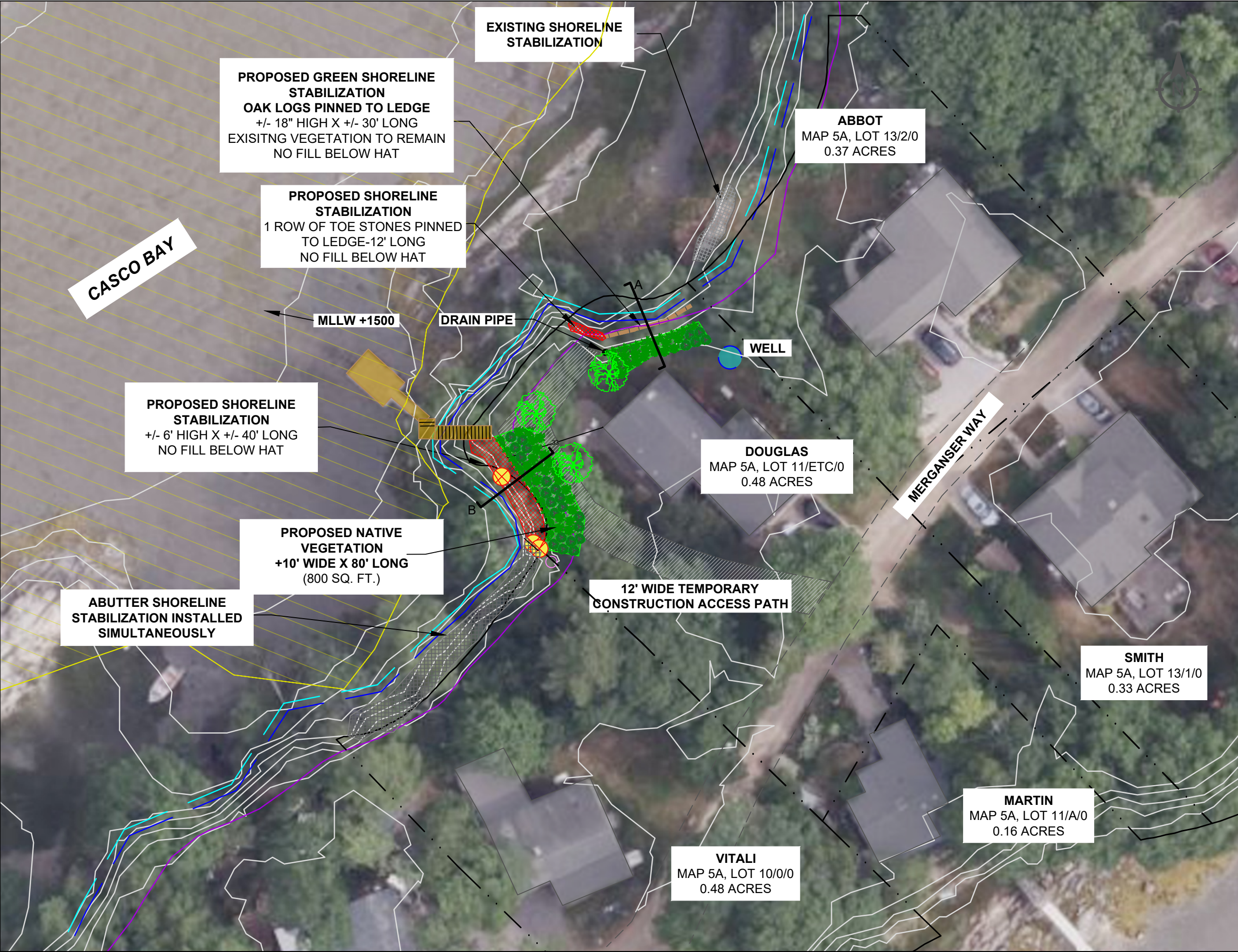
AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
Website: www.maine.gov/dep

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

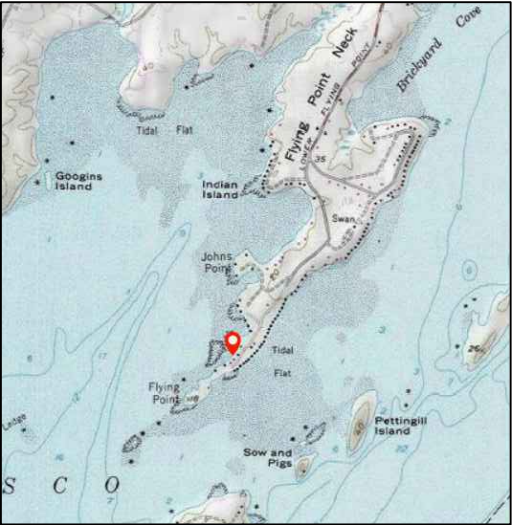
PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

Project Plans

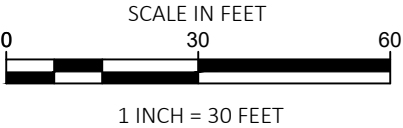


LEGEND

- PROPERTY LINE
- MEAN LOW LOW WATER (MLLW)
- MEAN HIGH WATER (MHW)
- HIGHEST ASTRONOMICAL TIDE (HAT)
- BASE FLOOD ELEVATION (BFE EL 14) ZONE VE
- TIDAL WATERFOWL AND WADING BIRD HABITAT(TWWH)
- REMOVE TREE
- REPLACEMENT TREE



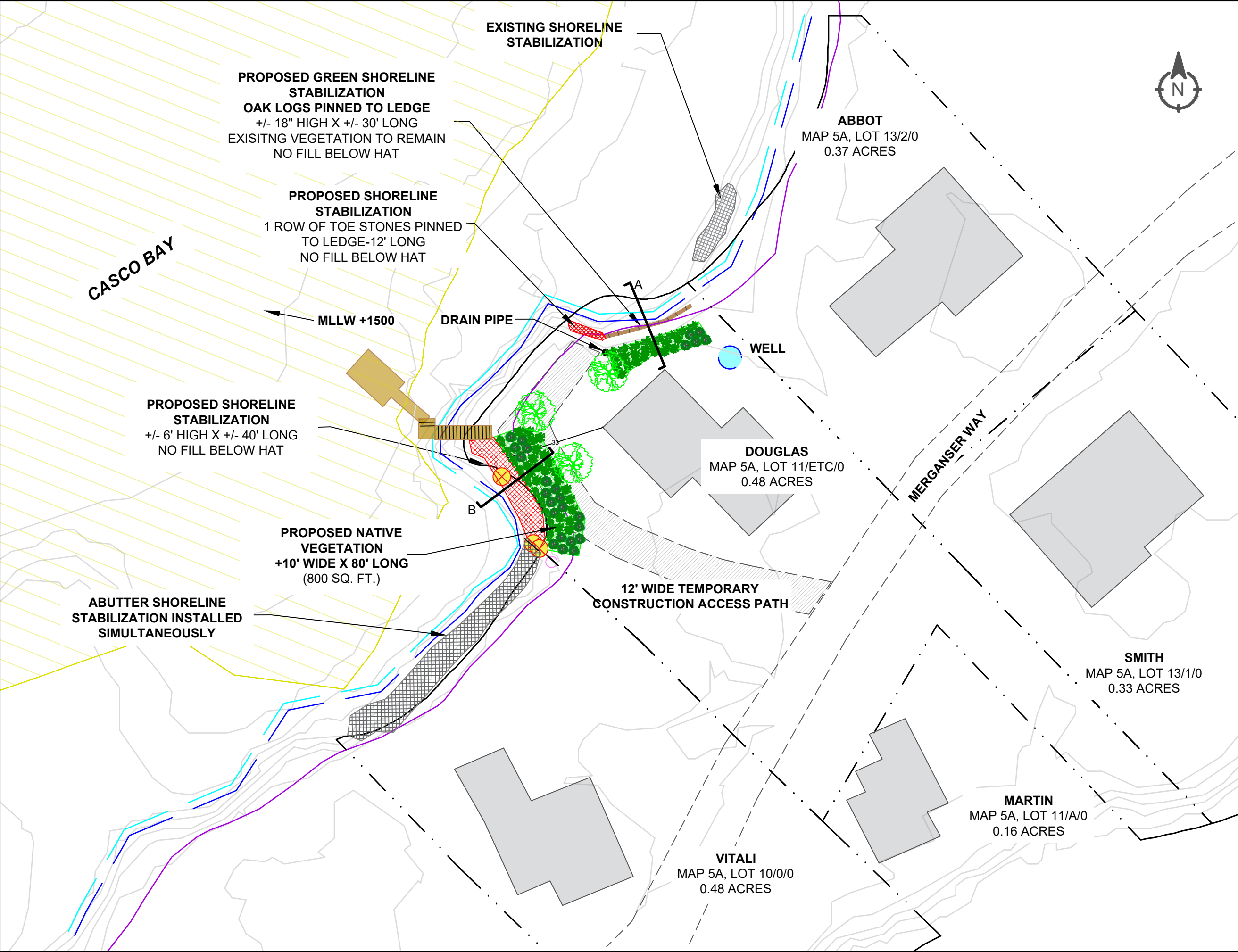
- NOTES:
- 1) BASE MAP IMAGERY BASED ON BING AERIAL
 - 2) 2 FT CONTOUR DATA BASED ON MAINE OFFICE OF GIS TILE 19TDJ15
 - 3) HIGHEST ANNUAL TIDE LINE BASED ON SITE VISIT DATA COLLECTED ON JUNE 19, 2025.
 - 4) PROPERTY LINE DATA BASED ON TOWN OF FREEPORT TAX MAP PREPARED BY JAMES H THOMAS OF GIS SOLUTIONS OF MAINE, CUMBERLAND, MAINE.
 - 5) PLAN IS FOR PERMITTING PURPOSES.



PROJECT:
PROPOSED SHORELINE STABILIZATION FOR ABIGAIL AND DONNELLY DOUGLAS OF 38 MERGANSER WAY, FREEPORT, MAINE.

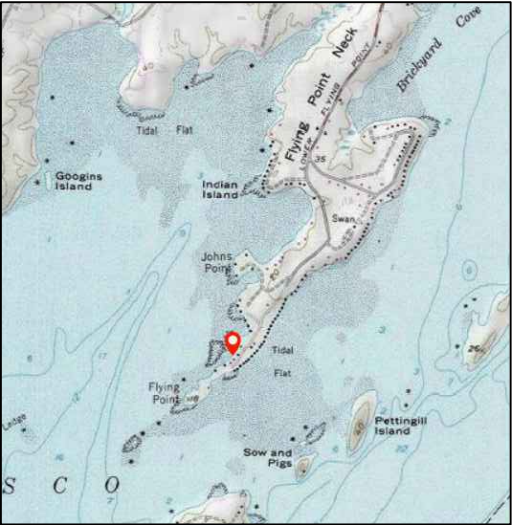
TITLE:
OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

DRAWN BY:	KES	SHEET:	1 OF 3
CHECKED BY:	TAF		
DATE:	8/18/2025	REV DATE:	

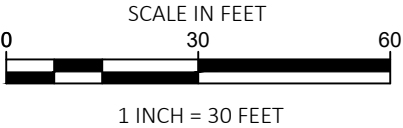


LEGEND

- PROPERTY LINE
- MEAN LOW LOW WATER (MLLW)
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- REMOVE TREE
- REPLACEMENT TREE



- NOTES:
- 1) BASE MAP IMAGERY BASED ON BING AERIAL
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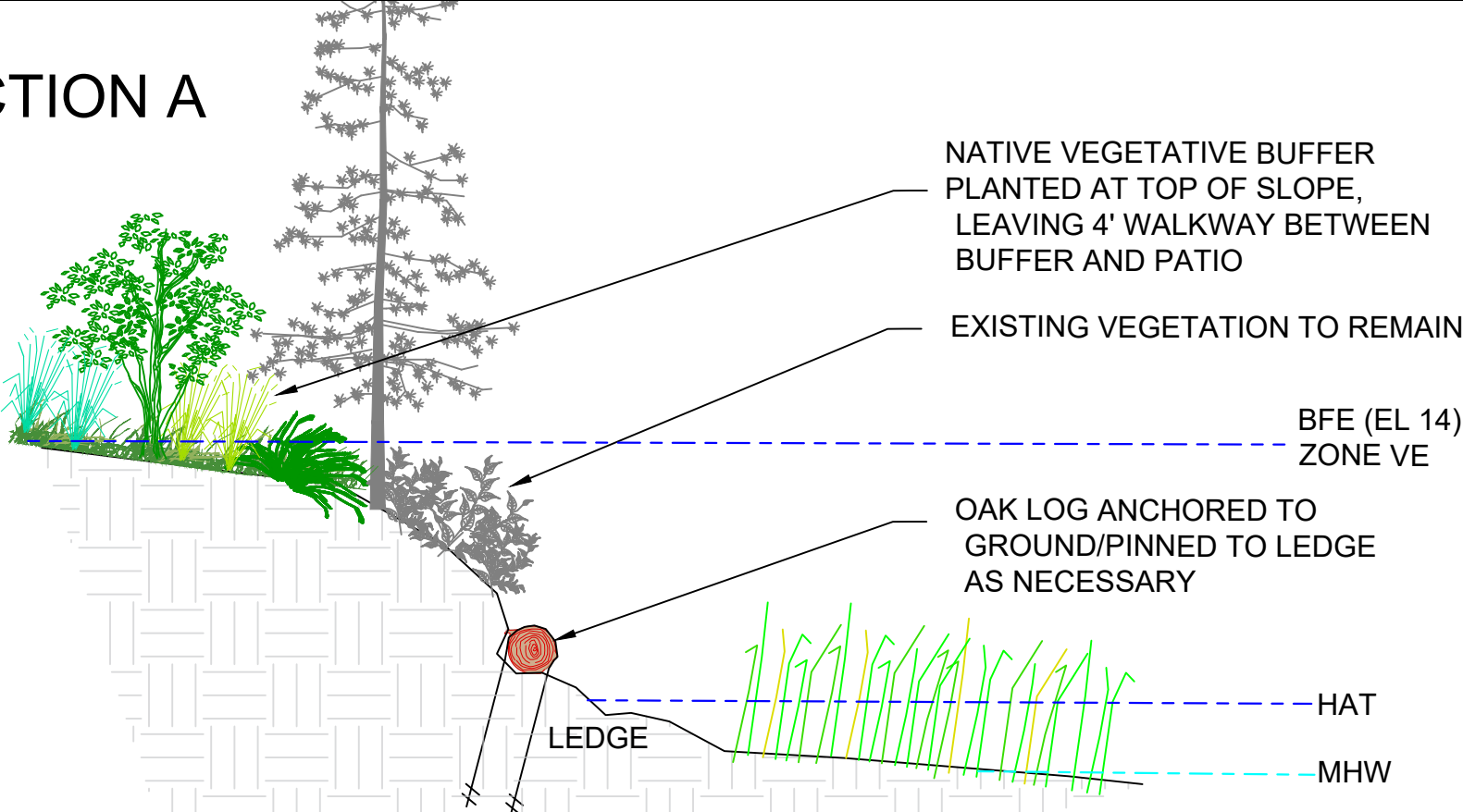


PROJECT:
PROPOSED SHORELINE STABILIZATION FOR
ABIGAIL AND DONNELLY DOUGLAS OF 38
MERGANSEY WAY, FREEPORT, MAINE.

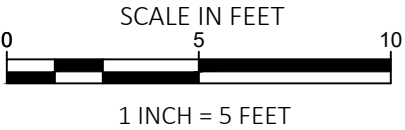
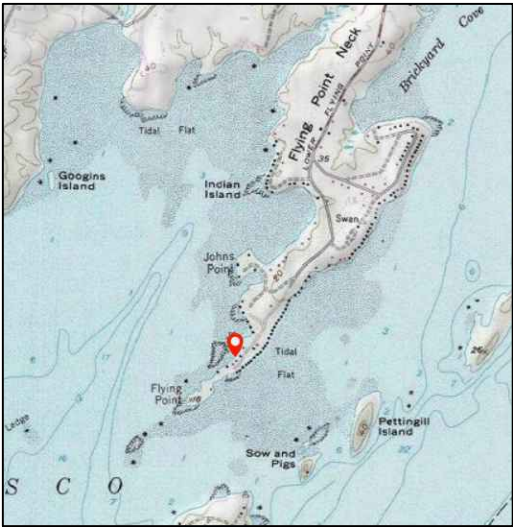
TITLE:
OVERVIEW OF EXISTING AND PROPOSED
CONDITIONS

DRAWN BY:	KES	SHEET:	2 OF 3
CHECKED BY:	TAF		
DATE:	8/18/2025	REV DATE:	

SECTION A



- NOTES:
- 1) WHERE APPLICABLE, THE FIRST ROW OF RIPRAP WILL BE BURIED IN A TRENCH. BOTTOM STONE WILL BE SET TO A DETPH OF $\frac{1}{2}$ THE STONE'S DIAMETER.
 - 2) RIPRAP WILL CONSIST OF LARGE, IRREGULAR SHAPED ROCKS, FIT INTO PLACE AND/OR PINNED WITH REBAR. RIPRAP IS PLACED ON A SLOPE. SOME VARIATION IN SLOPE, HEIGHT, AND DISTANCE IS UNAVOIDABLE. STONE WILL VERY IN SIZE FROM 2' - 4'.
 - 3) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SITE DISTURBANCE.
 - 4) EROSION CONTROLS WILL BE ESTABLISHED AS NEEDED AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
 - 5) PROPOSED LOCATION OF VEGETATION IS APPROXIMATE.
 - 6) PLAN IS FOR PERMITTING PURPOSES ONLY.



PROJECT:
PROPOSED SHORELINE STABILIZATION FOR
ABIGAIL AND DONNELLY DOUGLAS OF 38
MERGANSER WAY, FREEPORT, MAINE.

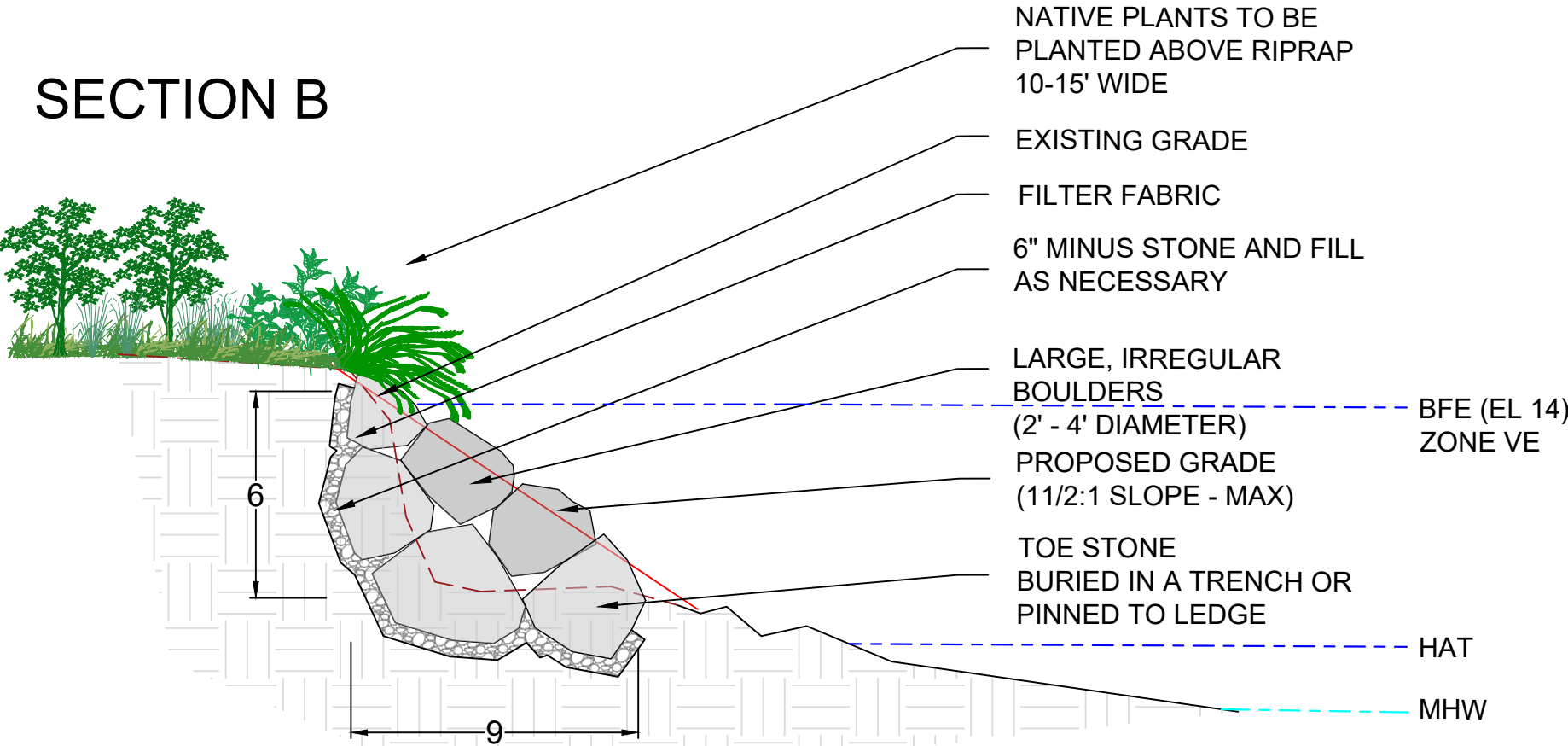
TITLE:
SECTION VIEW OF PROPOSED
STABILIZATION

DRAWN BY: KES	SHEET: 3 OF 3
CHECKED BY: TAF	
DATE: 8/18/2025	REV DATE:



Lower Falls Landing
106 Lafayette Street,
Suite 2A
Yarmouth, ME 04096

SECTION B





Planning and Zoning Permit Application

Date: 10/17/2025

Property Information

Present Use: Residential
Site Address: 44 Merganser Way
Assessor's Office: 5A
Lot: 10

Parcel Size: 0.48
Zoning District: MDR-1

Applicant / Owner

Applicant Name: Kelly Waddle (Agent)
Address: 106 Lafayette Street, Suite 2A
City, State, Zip: Yarmouth
Phone: 2078410901
Email: kelly@flycatcherllc.com
Own Abutting: No

Owner Name: Laura and Jules Vitali
Address: 44 Merganser Way
City, State, Zip: Freeport, Maine 04032
Phone: 2075224346
Email: lmnv13@gmail.com
Interest in Abutting:

Engineer / Billing Contact

Engineer Name: Linkel Environmental
Construction
Address: 255 Augusta Road
City, State, Zip: Topsham, ME 04086
Phone: 2077251438
Email: info@linkelconstruction.com

Billing Contact:
Address:
City, State, Zip:
Phone:
Email:

Parking Recalculation

Current Business:

Project Information

Permit Type: Shoreland
Project Name: Vitali Shoreline Stabilization
Proposed Use: Residential
Site Plan Review: ☐
Design Review: ☐
Subdivision: ☐
Zoning Ordinance: ☐
Other: ☒ Shoreline Stabilization
Design Review: Not in the Design Review
District
Building Class: A
of Signs:
Sign Materials:
Sign Dimensions:
Internal Illuminated: No
Lighting Proposed: No

Hazardous Fill: No
Water Altered: No
Dam: No
Slope: No
Environ Impact: No
Waiver Request: No
Color Overly: No
of Buildings:
Gross Sq.Ft.:
Zoning BOA: No
Proposed Lots:
Waiver Request: No
Sign: ☐
Parking Recalc: ☐
Filling of Land: ☐

Sign Location:

Proposed Signs/Lighting/Time/Hrs:

Project Description: The Owner proposes to stabilize the shoreline with riprap.

I do hereby certify that the information contained herein is true and correct.

Kelly Waddle
Name

10/17/2025
Date

October 14, 2025

Kyle Drexler
Town of Freeport
30 Main Street
Freeport, Maine 04032

RE: Shoreland Zoning Application for Shoreline Stabilization on behalf of Laura and Jules Vitali located at 44 Merganser Way, Freeport, Maine (Tax Map #5A Lot #10).

Dear Kyle,

On behalf of Laura and Jules Vitali (Applicants), Flycatcher, LLC (Flycatcher) requests the Town of Freeport's Staff Review Board to consider a Shoreland Zoning application for the stabilization of the shoreline at 44 Merganser Way in Freeport, Maine. The proposed shoreline stabilization will consist of irregular stones that measure approximately two (2) to four (4) feet in diameter along approximately eighty (80) feet of the Applicant's shoreline. The riprap will vary in height depending on the extent of erosion and there will be no direct impacts below the Highest Annual Tide (HAT) line. Native plantings will be established at the top of the riprap once construction of the riprap is complete.

The application has been submitted to the Maine Department of Environmental Protection (MDEP). Relevant portions of these applications are included in the following application and copies of these approvals will be forwarded to the Town upon receipt.

Thank you in advance for your consideration of this Application. If you require any additional information or clarification, please feel free to contact me at (207) 841-0901 or by email at kelly@flycatcherllc.com.

Respectfully submitted,



Kelly Waddle
Planning & Permits Manager
Lower Falls Landing, 106 Lafayette Street, Suite 2A
Yarmouth, Maine 04096



**Town of Freeport
Planning Department
30 Main Street
Freeport, ME 04032
(207) 865-4743 ext. 107**

1. SUBMISSIONS

- Twelve (12) copies each of the completed application form and a copy of the recorded deed(s) for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. *The amount being paid for the property may be blacked out.*
- For applications to the Project Review Board, you must also submit twelve (12) copies of all other supplemental materials collated into individual packets which will fit into a large manila envelope. Please clip materials together; do not use special binding or binders. If copies of plans are being submitted, please include 2 full size sets (24" x 36") and 10 copies reduced to 11" x 17". The scale of any site plans shall be sufficient to allow review under the Criteria and Standards of Section 602.G of the Freeport Zoning Ordinance, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development. **All plan sheets must also be submitted electronically in a pdf format.** For a complete list of detailed submission requirements, please refer to the applicable ordinance(s) which may include the Design Review Ordinance, the Subdivision Ordinance or the Zoning Ordinance (Section 602 – Site Plan Review).

For applications to the Planning Board, you must also submit eight (8) copies of all other supplemental materials.

- Payment of application fee and abutter fee (if applicable)
- This application form, along with the required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.
- The applicant or an agent needs to be present at the meeting to present the application to the Board. If the applicant is going to be represented by someone other than themselves, they must submit a signed letter of authorization.

2. ABUTTERS

Abutters will be notified as required by State and Town regulations. Abutters will be determined by the Freeport Planning Department using most recent Assessing Records. If there are other people that you would like notified of the meeting, their contact information (either mailing address or email address) must be submitted with the application form. A fee of \$2.50 per abutter will be charged.

3. FEES

Refer to current fee schedule.

**Town of Freeport
Planning Department**

Application for Review

Project Type: (check all applicable)

_____ Site Plan Review _____ Design Review Certificate _____ Subdivision
_____ Zoning Ordinance Amendment ☒ Other (please explain) _____ shoreline stabilization _____

Name of Project: Laura and Jules Shoreline Stabilization Project

Proposed Use of Property: Single family residential, shoreline stabilization

1) Applicant Information:

Name: (Agent) Kelly Waddle, Flycatcher, LLC Tel: (207) 841-0901
(If a Company, provide name of person also)

Address: 106 Lafayette Street, Suite 2A, Yarmouth, Maine 04096

Email: kelly@flycatcherllc.com

2) Interest in Property: Please attach a copy of the recorded deed for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. The amount being paid for the property may be blacked out. This application will not be processed without this information.

3) Do you own any abutting property? Yes ☒ No

If yes, please explain: _____

4) Property Information:

Present Use of Property Single family residential, shoreline stabilization

Location: Street Address 44 Merganser Way

Assessor's Office Map: 5A

Lot: 10

Size of Parcel (acres): 0.48

Zoning District (s): MDR-1

5) Design Review Information (please circle one from each category)

Design Review District: One Two ☒ Not in the Design Review District

Building Class, as designated on the Design Review District Map(s): A B C

Is this building in the Color Overlay District: Yes No

Please describe the proposed changes: _____

6) Other Information:

Proposed # of Buildings: N/A Gross Square Footage of Non-Residential Buildings: N/A

Is Zoning Board of Appeals Approval Required? Yes ☐ No ☒

If YES, provide reason _____

7) Subdivision Approval or a Subdivision Amendment: (if applicable) N/A

Proposed Number of Lots _____

Does the applicant intend to request any waivers of Subdivision or Site Review provisions?

NO _____ YES _____

If YES, list and give reasons why _____

8) Applicant's Engineer, Land Surveyor, Landscape Architect and/or Planner:

Name: Linkel Environmental Construction Tel: (207) 725-1438

Address: 255 Augusta Rd, Topsham, ME 04086

Email: info@linkelconstruction.com

9) Billing Contact (If different than applicant information) (see Applicant information)

Name: _____ Tel: _____

Address: _____

Email: _____

Application Fee: \$ 165.00 **Abutter Fee:** \$ 20.00 (8 abutters x 2.50) _____ = \$185.00

Submission: This application form, along with required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.

The undersigned, being the applicant, owner or legally authorized representative, states that all information in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

10/14/2025

DATE



SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE



AUTHORIZATION LETTER

DATE: August 20, 2025

By this letter, I authorize Flycatcher LLC to act on my behalf as my agent for the purpose of obtaining permits and approvals related to the proposed project located at:

44 Merganser Way Freeport, Maine.

This authorization allows Flycatcher LLC to act as my agent for the preparation, signing and submission of federal, state, regional, and municipal permit applications, including conducting any necessary or pertinent consultations, preparation and submission of relevant documents and applications, advancing nominal funds as are required to file such applications, and representation at meetings and hearings for the applications.

This authorization is effective as of the date of this correspondence and will remain valid until revoked in writing.

Laura M N Vitali
Print Name

Home owner
Title

lmnv13@gmail.com
Phone or Email

Laura M N Vitali
Signature

08/29/2025
Date

From: [Abigail Douglas](#)
To: [Kelly Waddle](#)
Cc: ddoug1950@icloud.com
Subject: Re: Shoreline Stabilization - Abutter
Date: Friday, October 17, 2025 2:17:09 PM

We are ok with the access being over our property. I am going to send this to Laura Vitali also. Thanks Kelly.
Sent from my iPhone

On Oct 17, 2025, at 1:48 PM, Kelly Waddle <kelly@flycatcherllc.com> wrote:

Hi Abby,

Following up on my email below. I've added the email for Don as well. Let me know when you can.

Thanks!

<image001.png>

Kelly Waddle, Planning and Permits Manager
Lower Falls Landing, 106 Lafayette Street, Suite 2A
Yarmouth, ME 04096
C: (207) 841-0901
<https://flycatcherllc.com/>

From: Kelly Waddle
Sent: Wednesday, October 15, 2025 12:37 PM
To: Abby Douglas <abigail.rice.douglas@gmail.com>
Subject: Shoreline Stabilization - Abutter

Good Afternoon Abby,

Our plans for the shoreline stabilization projects at 38 & 44 Merganser Way show the construction access going through your property. As you know, we proposed that the two would be constructed simultaneously to minimize impacts. I'm currently working with the Town's Staff Review Board to approve the proposed projects. In order for the Vitali's to receive their Town permit, I will need written confirmation that you are okay for temporary access to be on your lot. Please let me know if you approve of this as soon as possible and I will get everything submitted to the Town.

<image002.png>

Thanks!

<image001.png>

Kelly Waddle, Planning and Permits Manager
Lower Falls Landing, 106 Lafayette Street, Suite 2A
Yarmouth, ME 04096
C: (207) 841-0901
<https://flycatcherllc.com/>

Project Description

Project Purpose. The Applicant owns property located at 44 Merganser Way and is identified by the Town of Freeport as Tax Map #5A Lot #10. The project site is +/- 0.48 acres in size and includes approximately one hundred (100) feet of shoreline adjacent to Casco Bay. The site is developed with a residential structure and associated development. The Applicant's project purpose includes installing riprap to stabilize the shoreline to protect the existing structures and limit the extent of future erosion.

Project Description. The proposed stabilization consists of the placement of irregular stones that are two (2) to four (4) feet in diameter along approximately eighty (80) feet of the Applicant's shoreline. The riprap will consist of three (3) or four (4) irregular rows of rock approximately six (6) to seven (7) feet in height. As previously discussed with Maine Geological Survey (MGS) concerning this project, all riprap will be pinned to ledge resulting in no direct impacts to marsh or mudflats. This project will occur co-currently with the abutting parcel, so riprap can extend to the property line of the Douglas parcel. A minimum of five (5) feet will be maintained from the property line of the Wilber's. Additionally, preliminary conversations with MGS address the site as having an unstable bluff. All sections of riprap will be above the Highest Astronomical Tide (HAT), therefore, there will be no direct impacts to the coastal wetland. Native plantings will be established at the top of the bank once construction of the riprap is installed.

The site will be accessed from the upland and erosion controls will be established prior to the start of construction. This includes silt fence, hay bales, and mulch as necessary. The project does not require any machinery to operate within the coastal wetland. Upon completion of construction, the Applicant will follow best management practices as it relates to permanent site stabilization. A total of seven (7) trees with exposed roots and leaning seaward were previously removed (see Table 1).

Table 1. Overview of Proposed Vegetation Removed as part of the Proposed Project, 44 Merganser Way, Freeport, Maine.

Type of Vegetation	Quantity Removed	Proposed Replanting
Trees and Saplings	(2) 7", (2) 8" White Birch (<i>betula papyrifera</i>) (1) 10", (1) 30", (1) 5" Eastern White Pine (<i>pinus strobus</i>)	(7) 2" Exact species or similar
Ground Vegetation/Ground Cover	0 square feet	800 square feet
Marsh Vegetation	N/A	N/A

Construction Plan

The site will be accessed via Merganser Way and all materials and equipment for the stabilization will be stockpiled in the upland within an existing developed area. The contractor will have a Maine DEP Erosion Control Certified Individual onsite during all construction activity and will work in sections each day to not expose large areas of soil. Work will be conducted at low tide or in the dry.

The installation of the riprap will require the removal of vegetation along a portion of the shoreline. In order to meet the minimum standards of Chapter 1000, Section 15(S), the Applicant proposes to revegetate the shoreline as close to the area of the proposed stabilization and the location of the proposed revegetation is shown on the project plans.

Erosion Control Plan

The Applicant will install erosion and sediment controls prior to the start of construction. Construction access will extend from the upland to the shore as shown on the project plans. For installation of the riprap, geotextile filter fabric and six inch minus stone will be installed as previously described. At the completion of construction, any areas of soil disturbance, including the construction access area, will be stabilized with vegetation and mulch in accordance with the Department's permanent soil stabilization BMPs published in the most recent version of the Maine Erosion and Sediment Control BMPs manual.

Shoreland Zoning Land Use Standards

Pursuant to the Town of Freeport's Shoreland Zoning Ordinance, Section 305, the Staff Review Board is the reviewing authority for any proposed shoreline stabilization project that is within the Shoreland Area. The Staff Review Board makes findings on applications based on conformance with the provisions of the Shoreland Zoning Land Use Standards, Chapter 65, Article III, Section 306 A – V.

The following Section 306 standards are not applicable to the proposed shoreline stabilization project:

- A. Space Standards*
- B. Principal and Accessory Structures*
- D. Campgrounds.*
- E. Individual Private Campsites*
- F. Parking Areas*
- G. Roads and Driveways*
- H. Signs*
- J. Septic Waste Disposal*
- K. Essential Services*
- L. Mineral Exploration*
- M. Agriculture*
- P. Exemptions to Clearing and Vegetation Removal Requirements*
- U. Soils*

The proposed project will meet the following Section 306 standards, as applicable.

C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland

See regulations in Chapter 31, Town of Freeport Coastal Waters Ordinance

The proposed project for shoreline stabilization meets the standards outlined for 306 C.

I. Storm Water Runoff

1. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas shall be retained in order to reduce runoff and encourage infiltration of storm waters.

2. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

The proposed project meets the standards outlined for 306 I. The proposed project will be constructed with adequate erosion and sedimentation control measures. See Erosion Control Plan.

N. Clearing of Vegetation for Activities Other than Timber Harvesting

1. In a Resource Protection 1 District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district, except to remove hazard trees as described in Section 306.O

2. Except in areas as described in Section 306.N.1, above, within the strip of land extending seventy-five (75) feet , horizontal distance, from the normal high water line of a water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

a. There shall be no cleared opening greater than two hundred and fifty (250) square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer

limits of the tree or shrub crown; however, a single footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed for accessing the shoreline provided that a cleared line of sight to the water through the buffer strip is not created.

b. Selective cutting of trees within the buffer strip is allowed provided that a well distributed stand of trees and other natural vegetation is maintained. For the purposes of this section a “well-distributed stand of trees” adjacent to water bodies, tributary streams, and wetlands, is defined as maintaining a minimum rating score of 16 points in each 25-foot by 50-foot rectangular (1250 sq. ft.) area as determined on plans prepared in accordance with the following rating system:

Under 306T Shoreline Stabilization, vegetation may be removed in excess of the standards in 306 N in order to conduct shoreline stabilization of an eroding shoreline, if a permit is obtained by the Staff Review Board.

O. Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

1. Hazard trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met:

a. Within the shoreline buffer, if the removal of a hazard tree results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least four (4) feet in height, and be no less than two (2) inches in diameter. Stumps may not be removed.

b. Outside of the shoreline buffer, when the removal of hazard trees exceeds forty (40) percent of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above ground level in any ten (10) year period, and/or results in cleared openings exceeding twenty-five (25) percent of the lot area within the shoreland zone, or ten thousand (10,000) square feet, whichever is greater, replacement with native tree species is required, unless there is new tree growth already present. New tree growth must be as near as practicable to where the hazard tree was removed and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level. If new growth is not present, then replacement trees shall consist of native species and be at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level.

c. The removal of standing dead trees, resulting from natural causes, is permissible without the need for replanting or a permit, as long as the removal does not result in the creation of new lawn areas, or other permanently cleared areas, and stumps are not removed. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season.

d. The Code Enforcement Officer may require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed within the shoreland zone.

e. The Code Enforcement Officer may require more than a one-for-one replacement for hazard trees removed that exceed eight (8) inches in diameter measured at four and one half (4.5) feet above the ground level.

2. Storm-damaged trees in the shoreland zone may be removed without a permit after consultation with the Code Enforcement Officer if the following requirements are met: a. Within the shoreline buffer, when the removal of storm-damaged trees results in a cleared opening in the tree canopy greater than two hundred and fifty (250) square feet, replanting is not required, but the area shall be required to naturally revegetate, and the following requirements must be met:

i. The area from which a storm-damaged tree is removed does not result in new lawn areas, or other permanently cleared areas;

ii. Stumps from the storm-damaged trees may not be removed;

- iii. Limbs damaged from a storm event may be pruned even if they extend beyond the bottom one-third (1/3) of the tree; and
- iv. If after one growing season, no natural regeneration or regrowth is present, replanting of native tree seedlings or saplings is required at a density of one seedling per every eighty (80) square feet of lost canopy.

b. Outside of the shoreline buffer, if the removal of storm damaged trees exceeds forty percent (40%) of the volume of trees four (4) inches or more in diameter, measured at four and one half (4.5) feet above the ground level in any ten (10) year period, or results, in the aggregate, in cleared openings exceeding twenty-five percent (25%) of the lot area within the shoreland zone or ten thousand (10,000) square feet, whichever is greater, and no natural regeneration occurs within one growing season, then native tree seedlings or saplings shall be replanted on a one-for-one basis.

The removal of seven trees is required to facilitate the proposed project. However, in order to provide bank stability, the Applicant proposes to plant three trees and install a robust vegetative buffer at the top of the slope. See Table 1 Overview of Proposed Vegetation Removed as part of the Proposed Shoreline Stabilization and Project Plans for more details.

Q. Revegetation Requirements

When revegetation is required in response to violations of the vegetation standards set forth in Section 306.N, to address the removal of non- native invasive species of vegetation, or as a mechanism to allow for development that may otherwise not be permissible due to the vegetation standards, including removal of vegetation in conjunction with a shoreline stabilization project, the revegetation must comply with the following requirements.

- 1. The property owner must submit a revegetation plan, prepared with and signed by a qualified professional, that describes revegetation activities and maintenance. The plan must include a scaled site plan, depicting where vegetation was, or is to be removed, where existing vegetation is to remain, and where vegetation is to be planted, including a list of all vegetation to be planted.*
- 2. Revegetation must occur along the same segment of shoreline and in the same area where vegetation was removed and at a density comparable to the pre-existing vegetation, except where a shoreline stabilization activity does not allow revegetation to occur in the same area and at a density comparable to the pre-existing vegetation, in which case revegetation must occur along the same segment of shoreline and as close as possible to the area where vegetation was removed:*
- 3. If part of a permitted activity, revegetation shall occur before the expiration of the permit. If the activity or revegetation is not completed before the expiration of the permit, a new revegetation plan shall be submitted with any renewal or new permit application.*
- 4. Revegetation activities must meet the following requirements for trees and saplings:*
 - a. All trees and saplings removed must be replaced with native noninvasive species;*
 - b. Replacement vegetation must at a minimum consist of saplings;*
 - c. If more than three (3) trees or saplings are planted, then at least three (3) different species shall be used;*
 - d. No one species shall make up fifty percent (50%) or more of the number of trees and saplings planted;*
 - e. If revegetation is required for a shoreline stabilization project, and it is not possible to plant trees and saplings in the same area where trees or saplings were removed, then trees or sapling must be planted in a location that effectively reestablishes the screening between the shoreline and structures; and*
 - f. A survival rate of at least eighty (80) percent of planted trees or saplings is required for a minimum five (5) years period.*
- 5. Revegetation activities must meet the following requirements for woody vegetation and other vegetation under three (3) feet in height:*

- a. All woody vegetation and vegetation under three (3) feet in height must be replaced with native noninvasive species of woody vegetation and vegetation under three (3) feet in height as applicable;
 - b. Woody vegetation and vegetation under three (3) feet in height shall be planted in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
 - c. If more than three (3) woody vegetation plants are to be planted, then at least three (3) different species shall be planted;
 - d. No one species shall make up fifty percent (50%) or more of the number of planted woody vegetation plants; and
 - e. Survival of planted woody vegetation and vegetation under three feet in height must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years
6. Revegetation activities must meet the following requirements for ground vegetation and ground cover:
- a. All ground vegetation and ground cover removed must be replaced with native herbaceous vegetation, in quantities and variety sufficient to prevent erosion and provide for effective infiltration of stormwater;
 - b. Where necessary due to a lack of sufficient ground cover, an area must be supplemented with a minimum four (4) inch depth of leaf mulch and/or bark mulch to prevent erosion and provide for effective infiltration of stormwater; and
 - c. Survival and functionality of ground vegetation and ground cover must be sufficient to remain in compliance with the standards contained within this chapter for minimum of five (5) years.

The proposed project meets the standards outlined for 306 Q. The Applicant proposes to install a robust vegetative buffer at the top of the slope. See Table 1 Overview of Proposed Vegetation Removed as part of the Proposed Shoreline Stabilization and Project Plans for more details.

R. Erosion and Sedimentation Control

1. Notification of the Codes Enforcement Officer (CEO) shall be required for filling, earthmoving and excavation activities. If the CEO determines that unstable soil conditions may result from the activity, they shall require that erosion and sedimentation control measures be instituted and shall include, where applicable, the measures described below:
2. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the Codes Enforcement Officer for approval and shall include, where applicable, provisions for:
 - a. Mulching and revegetation of disturbed soil.
 - b. Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
 - c. Permanent stabilization structures such as retaining walls or riprap.
3. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
4. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
5. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:

a. Where mulch is used, it shall be applied to a depth of six (6) inches and shall be maintained until a catch of vegetation is established.

b. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.

c. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

6. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in order to carry water from a twenty-five (25) year storm or greater, and shall be stabilized with vegetation or lined with rip-rap.

The proposed project meets the standards outlined for 306 R. See Erosion Control Plan. The proposed project will be constructed with adequate erosion and sedimentation control measures.

S. Water Quality

No activity shall deposit on or into the ground or discharge to the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body, tributary stream or wetland.

The proposed project meets the standards outlined for 306 S. See Erosion Control Plan. The proposed project will be constructed with adequate erosion and sedimentation control measures. No impacts to water quality are expected by construction of this project.

T. Shoreline Stabilization

Vegetation may be removed in excess of the standards in Section 306.N of this Ordinance in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Project Review Board. Construction equipment must access the shoreline by barge when feasible as determined by the Project Review Board.

The proposed project meets the standards outlined for 306 T. The Applicant will not remove vegetation in excess of the standards of Section 306.N in order to stabilize the shoreline.

(a) When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than twelve (12) feet in width. When the stabilization project is complete the construction equipment accessway must be restored.

The Applicant proposes to use a twelve (12) feet wide construction access that extends from Merganser Way. Upon completion of construction, the access way will be replanted, seeded and mulched in accordance with the DEP's Best Management Practices for permanent site stabilization.

(b) Revegetation must occur in accordance with Section 306.Q

The Applicant intends to plant native vegetation that includes Bar Harbor Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), and Beach Plum (*Prunus maritima*) two (2) to three (3) feet on center.

V. Archaeological Sites

Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on, the National Register of Historic Places, as determined by the Codes Enforcement Officer, during the required review process, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment at least twenty (20) days prior to action being taken by the Codes Enforcement Officer who shall consider comments received from the Commission prior to rendering a decision on the application.

Location Map

43.810916, -70.067688


PROJECT
LOCATION

















PROPERTY MAPS
TOWN OF FREEPORT, MAINE




James H. Thomas
gisSolutions of Maine
Cumberland, Maine
jht@maine.rr.com

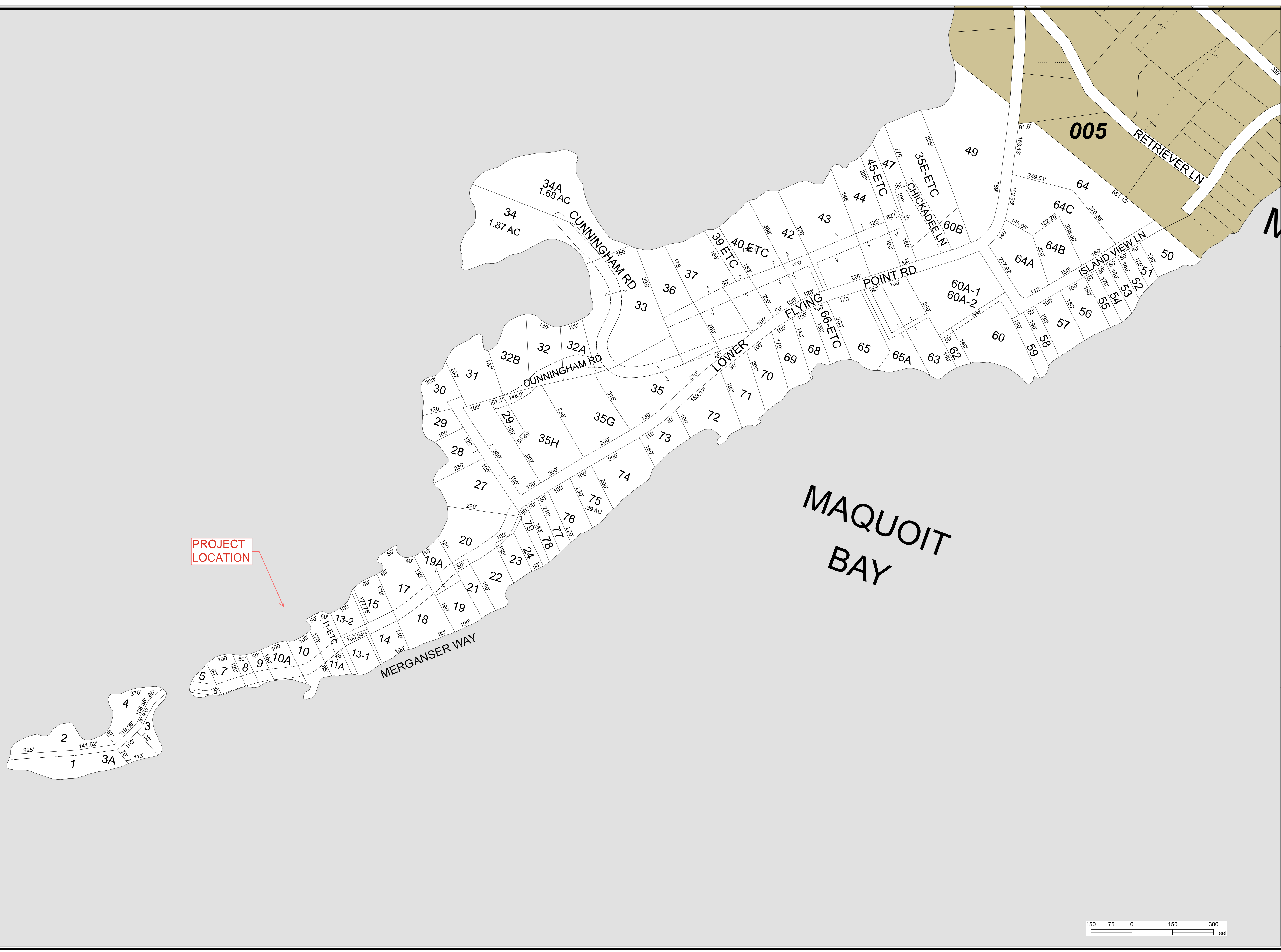
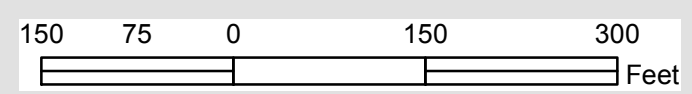
These maps are intended to be
used for the purpose of Property
Tax Assessments and should not
be used for conveyances.
Revised to April 1st

Scale: = 150

- | | |
|---|---|
|  Hooks |  Subject Map |
|  Matchline |  Bordering Map |
|  FSOW |  Bordering Map |
|  Streams |  Bordering Map |
|  Town Boundary |  Bordering Map |
|  Shore |  Bordering Map |

2021

MAP: 5A



Photographs

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 44 Merganser Way in the Town of Freeport, Maine, Maine. All photographs were taken on June 19, 2025 by Kelly Waddle of Flycatcher, LLC unless otherwise noted.



Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project. Source: Google Earth. Date: 2023.



Photograph Two. Overview photo of project site.



Photograph Three. View of typical erosion at project site.



Photograph Four. Additional view of photograph three location.



Photograph Five. Additional view of typical erosion at project site.



Photograph Six. Additional view of photograph five location.



Photograph Seven. Additional view of typical erosion at project site.



Photograph Eight. Additional view of photograph seven location.



Photograph Nine. Additional view of typical erosion at project site.



Photograph Ten. Additional view of photograph nine location.



Photograph Eleven. Additional view of typical erosion at project site.



Photograph Twelve. Additional view of photograph eleven location.



Photograph Thirteen. Additional view of typical erosion at project site.



Photograph Fourteen. Additional view of typical erosion at project site.



Photograph Fifteen. Additional view of typical erosion at project site.



Photograph Sixteen. Additional view of typical erosion at project site.

Title, Right, or Interest Documentation

25169

WARRANTY DEED

Olive E. Nickerson, of Freeport, Cumberland County, Maine, for consideration paid, grant to J. Jules Vitali and Laura M. N. Vitali, whose mailing address is 197 Court Street, Dedham, MA 02026, as joint tenants, with warranty covenants,

A certain lot or parcel of land, with the buildings thereon, situated near the southwesterly end of Flying Point, so-called, in the Town of Freeport, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an iron pipe driven in the ground near the northwesterly shore of said Flying Point at the westerly corner of Lot No. 7 as shown on Plan of Flying Point Shores, Section 1, recorded in Cumberland County Registry of Deeds, Plan Book 31, Page 31; thence south $22^{\circ} 15'$ east 181.5 feet along the westerly boundary line of said Lot No. 7 as shown on the aforementioned plan to another iron pipe driven in the ground near the southeasterly shore; thence in a general westerly direction along said shore one hundred (100) feet to another iron pipe driven in the ground; thence north $22^{\circ} 15'$ west one hundred thirty-eight (138) feet, more or less, to the northerly shore; thence in a general northeasterly direction along said shore one hundred (100) feet, more or less, to the point of beginning, being lot #6 on said plan.

Said premises are conveyed subject to the right of way as it now exists across said premises.

Also granting and conveying an easement or right of way to travel by foot and by vehicles along the rights of way as shown on the aforementioned plan, in common with others.

Reference is made to Warranty Deed from Dorothy B. Berry to Donald E. Nickerson, Jr. and Olive E. Nickerson, dated May 14, 1971, and recorded in Cumberland County Registry of Deeds in Book 3173, Page 852. Donald E. Nickerson, Jr. died on November 12, 1992, leaving grantor as surviving joint tenant. Reference is made to Cumberland County Probate Docket No. 92-1417.

IN WITNESS WHEREOF, Olive E. Nickerson has set her hand and seal this 15th day of May, 1996.

Witness

Olive E. Nickerson

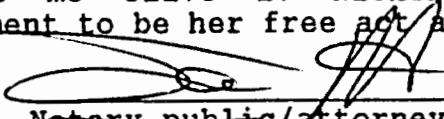
MAINE REAL ESTATE TAX PAID

BK12507PG182

State of Maine
Cumberland, ss

Then personally appeared before me Olive E. Nickerson and
acknowledged the foregoing instrument to be her free act and deed.

Date:


Notary public/attorney at law

Printed name:

James A. Hopkinson

RECEIVED
RECORDED REGISTRY OF DEEDS
96 MAY 15 PM 2:18
CUMBERLAND COUNTY
John B O'Brien



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

Permit-by-Rule & Notice of Intent Acceptance Notice

Applicant: LAURA AND JULES VITALI

Town: Freeport

Project Address: 44 Merganser Way

Tax Map/Lot #: 5A - 10

Permit Number: PBR_ID-0101091

Accepted Date: 9/11/2025

NRPA ☒

Stormwater ☐

MCGP ☐

NRPA PBR Sections – Ch. 305

☒ Sec. 2 Act. Adj. to Prot. Natural Res.

☐ Sec. 9 Utility Crossing

☐ Sec. 16 Coastal Sand Dune Project

☐ Sec. 3 Intake Pipes

☐ Sec. 10 Stream Crossing

☐ Sec. 16A Beach Nourishment and
Restoration

☐ Sec. 4 Replacement of Structures

☐ Sec. 11 State Transport. Facilities

☐ Sec. 18 Maintenance Dredging

☐ Sec. 6 Movement of Rocks or Veg.

☐ Sec. 12 Restoration Natural Areas

☐ Sec. 19 Act. Near SVP Habitat

☐ Sec. 7 Outfall Pipes

☐ Sec. 13 F&W Create/Water Quality
Habitat

☐ Sec. 20 Act. Near Waterfowl/Bird

☒ Sec. 8 Shoreline Stabilization

☐ Sec. 15 Public Boat Ramps

Project Description:

Vitali_44 Merganser Way_Freeport: Shoreline Stabilization

Sincerely,

Dustin A. Dorr
Biologist I
Bureau of Land Resources

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
Website: www.maine.gov/dep

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

Project Plans



LEGEND

- PROPERTY LINE
- MEAN LOW LOW WATER (MLLW)
- MEAN HIGH WATER (MHW)
- HIGHEST ASTRONOMICAL TIDE (HAT)
- BASE FLOOD ELEVATION (BFE EL 14) ZONE VE
- TIDAL WATERFOWL AND WADING BIRD HABITAT(TWWH)
- REMOVE TREE
- REPLACEMENT TREE

NOTES:

- 1) BASE MAP IMAGERY BASED ON BING AERIAL
- 2) 2 FT CONTOUR DATA BASED ON MAINE OFFICE OF GIS TILE 19TDJ15
- 3) HIGHEST ANNUAL TIDE LINE BASED ON SITE VISIT DATA COLLECTED ON JUNE 19, 2025.
- 4) PROPERTY LINE DATA BASED ON TOWN OF FREEPORT TAX MAP PREPARED BY JAMES H THOMAS OF GIS SOLUTIONS OF MAINE, CUMBERLAND, MAINE.
- 5) PLAN IS FOR PERMITTING PURPOSES.

SCALE IN FEET

0 30 60

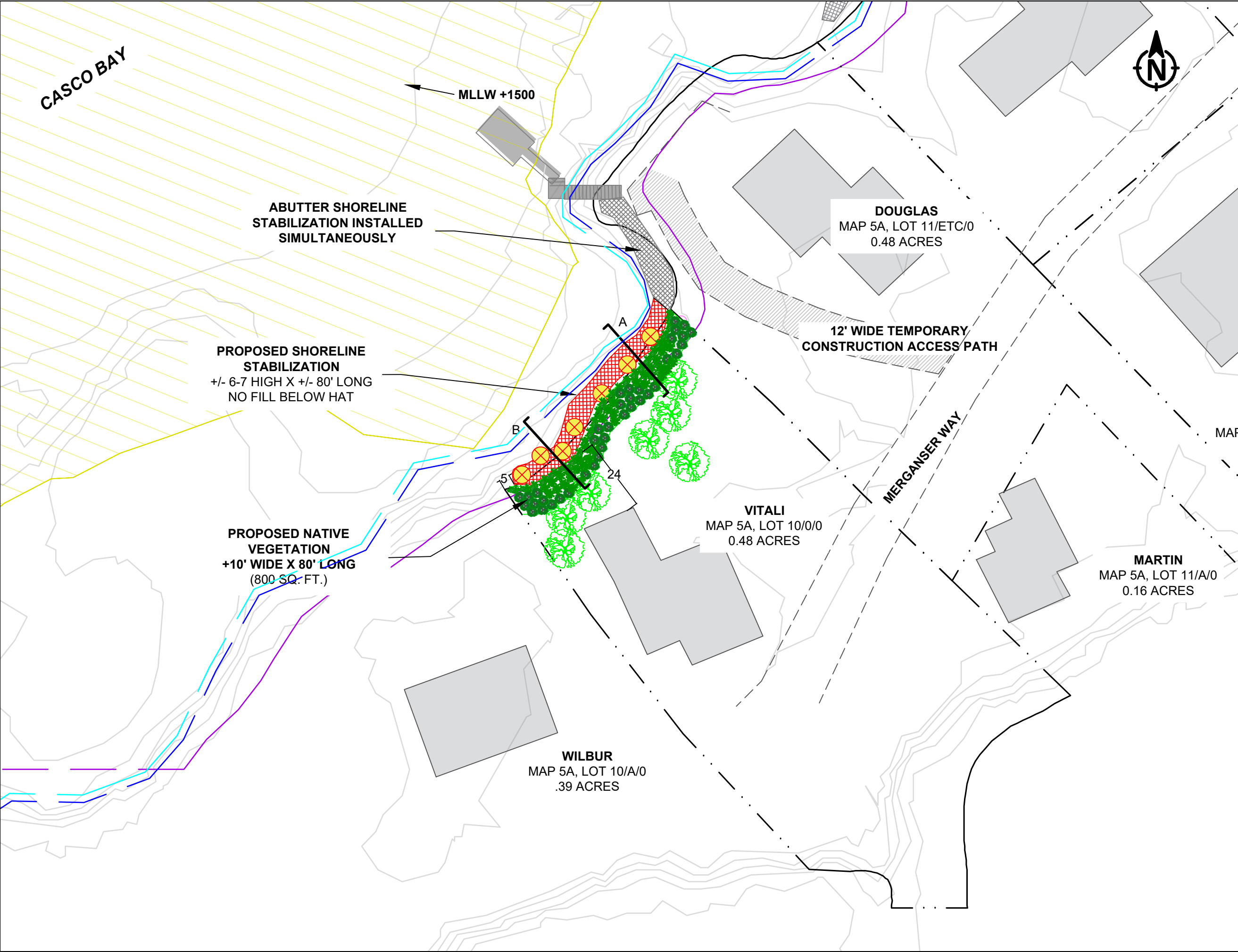
1 INCH = 30 FEET

PROJECT:
PROPOSED SHORELINE STABILIZATION FOR LAURA AND JULES VITALI OF 44 MERGANSER WAY, FREEPORT, MAINE.

TITLE:
OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

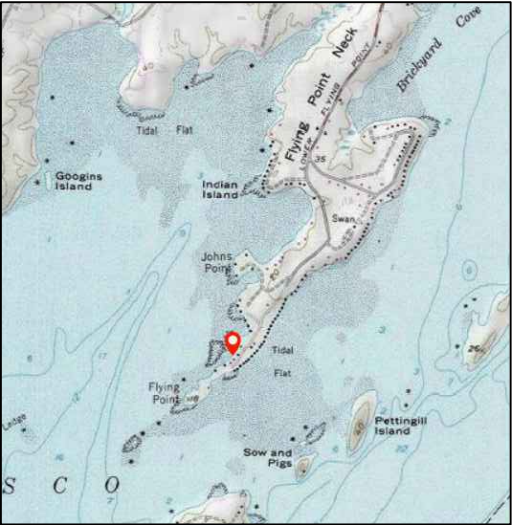
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CHECKED BY: TAF	
DATE: 8/19/2025	REV DATE:

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106 Lafayette Street,
Suite 2A
Yarmouth, ME 04096

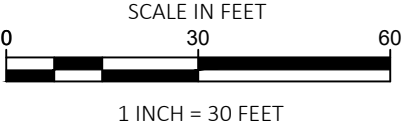


LEGEND

- PROPERTY LINE
- MEAN LOW LOW WATER (MLLW)
- MEAN HIGH WATER (MHW)
- HIGHEST ASTRONOMICAL TIDE (HAT)
- BASE FLOOD ELEVATION (BFE EL 14) ZONE VE
- TIDAL WATERFOWL AND WADING BIRD HABITAT(TWWH)
- REMOVE TREE
- REPLACEMENT TREE



- NOTES:
- 1) BASE MAP IMAGERY BASED ON BING AERIAL
 - 2) 2 FT CONTOUR DATA BASED ON MAINE OFFICE OF GIS TILE 19TDJ15
 - 3) HIGHEST ANNUAL TIDE LINE BASED ON SITE VISIT DATA COLLECTED ON JUNE 19, 2025.
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 - 5) PLAN IS FOR PERMITTING PURPOSES.

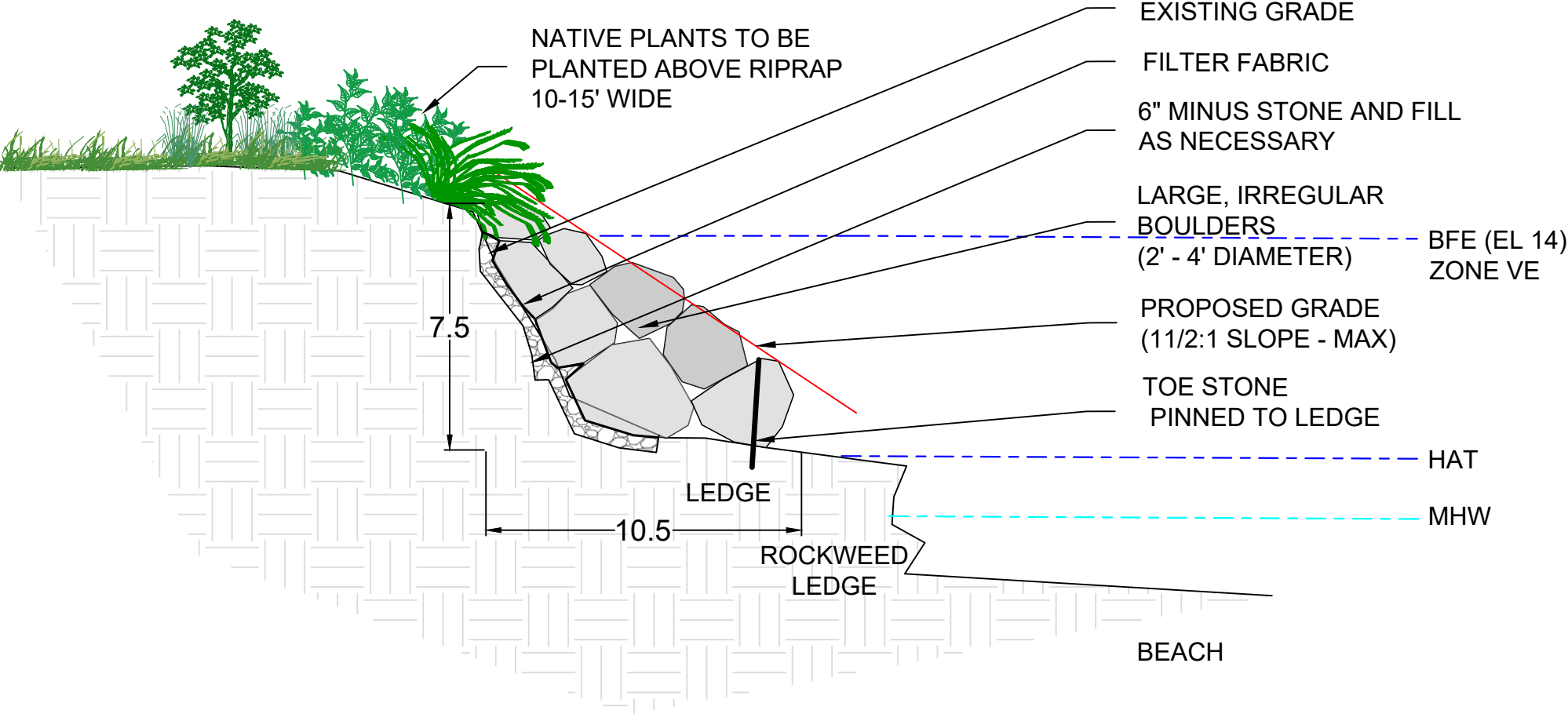


PROJECT:
PROPOSED SHORELINE STABILIZATION FOR LAURA AND JULES VITALI OF 44 MORGANER WAY, FREEPORT, MAINE.

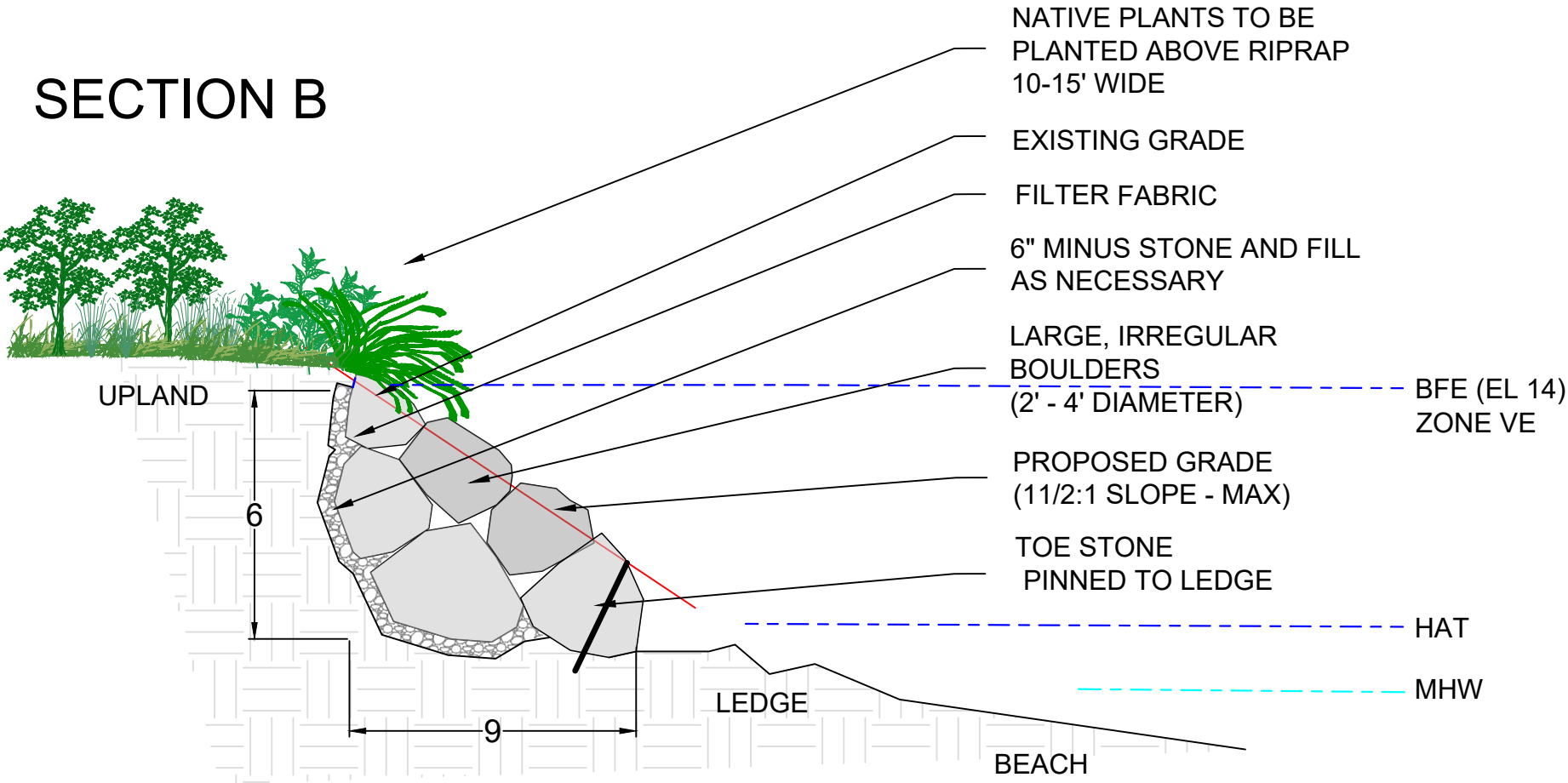
TITLE:
OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

DRAWN BY: KES	SHEET: 2 OF 3
CHECKED BY: TAF	
DATE: 8/19/2025	REV DATE:

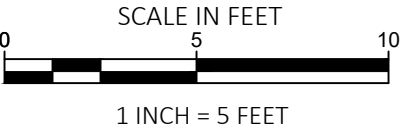
SECTION A



SECTION B



- NOTES:
- 1) WHERE APPLICABLE, THE FIRST ROW OF RIPRAP WILL BE BURIED IN A TRENCH. BOTTOM STONE WILL BE SET TO A DETPH OF 1/2 THE STONE'S DIAMETER.
 - 2) RIPRAP WILL CONSIST OF LARGE, IRREGULAR SHAPED ROCKS, FIT INTO PLACE AND/OR PINNED WITH REBAR. RIPRAP IS PLACED ON A SLOPE. SOME VARIATION IN SLOPE, HEIGHT, AND DISTANCE IS UNAVOIDABLE. STONE WILL VERY IN SIZE FROM 2' - 4'.
 - 3) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SITE DISTURBANCE.
 - 4) EROSION CONTROLS WILL BE ESTABLISHED AS NEEDED AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
 - 5) PROPOSED LOCATION OF VEGETATION IS APPROXIMATE.
 - 6) PLAN IS FOR PERMITTING PURPOSES ONLY.



PROJECT:

PROPOSED SHORELINE STABILIZATION FOR LAURA AND JULES VITALI OF 44 MERGANSER WAY, FREEPORT, MAINE.

TITLE:

SECTION VIEW OF PROPOSED STABILIZATION

DRAWN BY: KES	SHEET: 3 OF 3
CHECKED BY: TAF	
DATE: 8/19/2025	REV DATE: