

Coastal Waters Commission

ARTICLE XIII FLOAT, WHARF & DOCK Permit Modification :Revised float layout

Applicants: *David Soley*

Location: *53 Spar Cove Map 28 Lot 3ETC*

The applicants are notifying the Commission of a float layout revision.

1. The project is for an additional 100 sq foot in float size. The revision includes a small float for dinghy storage. The total float footprint will change from 200 to 300 square feet.
2. The length does not exceed 125' (see drawing)
3. The project does not unreasonably interfere with traditional public access.
4. Project does not pose hazard to navigational channels nor does it encroach into existing mooring areas.
5. Eelgrass is not visible in the vicinity.
6. The dock shall not significantly impact fisheries or shellfish harvesting.
7. Identification will be on all floats (branded).

How and where will the permanent and/or temporary structure be stored in the winter months? *The float will be craned and stored upland, out of the resource, on the applicants property.*

When will the structure be built? *Summer 2022*

Will neighbors be allowed access? *No*

Who will build, store and maintain the float? *Falls Point Marine*

Are there future plans for expansion? *No*

Have there been any objections from neighbors? *No*

Carter Becker

Falls Point Marine

carter@fallspoint.com

207-402-4567

Department of Environmental Protection
Bureau of Land & Water Quality
17 State House Station
Augusta, Maine 04333
Telephone: 207-287-7688

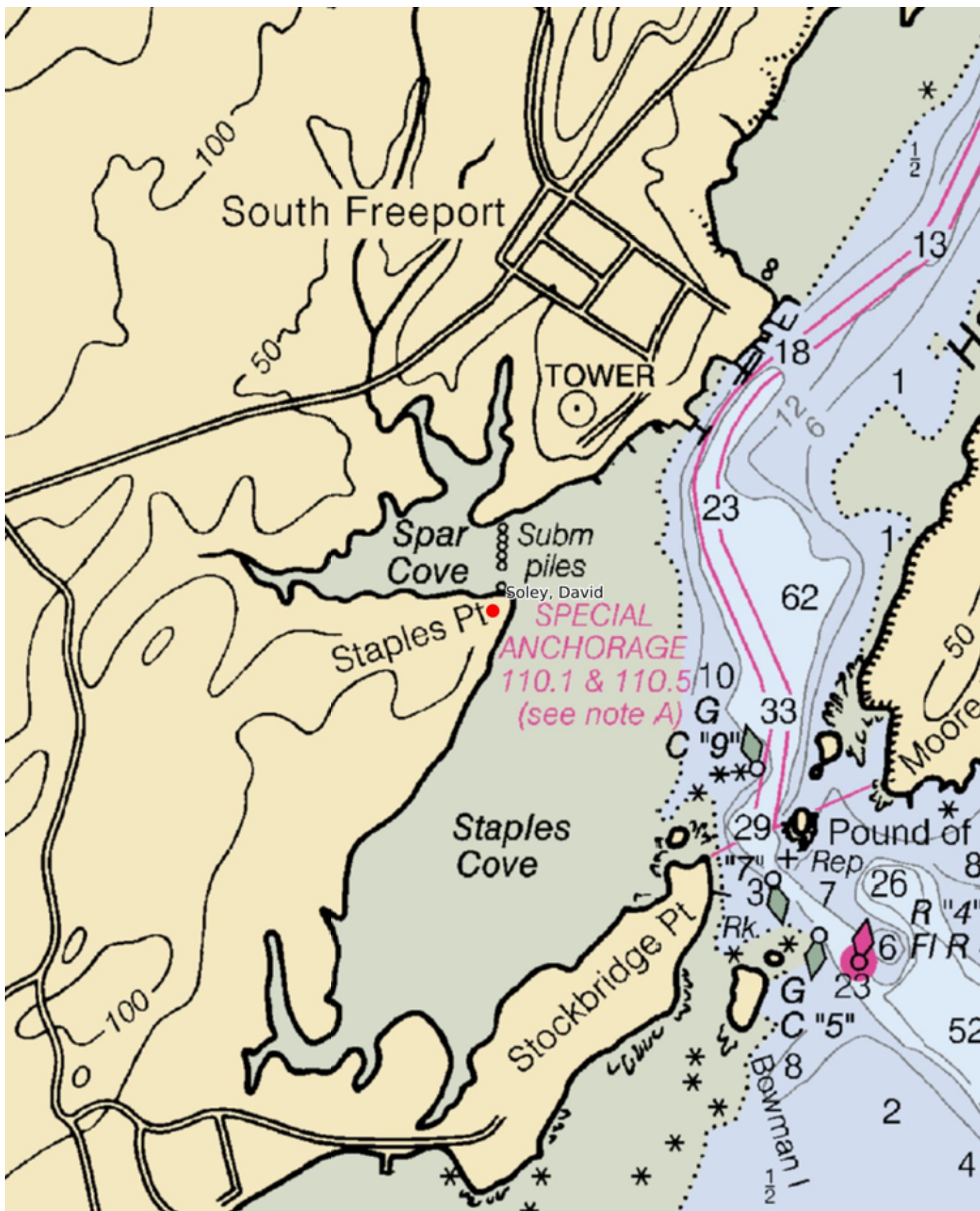
FOR DEP USE
ATS # _____
L- _____
Total Fees: _____
Date: Received _____

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

1. Name of Applicant: David Soley		5. Name of Agent: Falls Point Marine							
2. Applicant's Mailing Address: PO Box 9297 Portland, ME 04104		6. Agent's Mailing Address: PO Box 61 South Freeport, ME 04078							
3. Applicant's Daytime Phone #: 207-865-1888		7. Agent's Daytime Phone #: 207-865-4567							
4. Applicant's Email Address (Required from either applicant or agent): dsoley@bssn.com debcoach8@icloud.com		8. Agent's Email Address: info@fallspoint.com							
9. Location of Activity: (Nearest Road, Street, Rt.#) 53 Spar Cove Rd		10. Town: Freeport	11. County: Cumberland						
12. Type of Resource: (Check all that apply)	<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource: Harraseeket River, Casco Bay						
	14. Amount of Impact: (Sq.Ft.) Fill: Dredging/Veg Removal/Other:								
15. Type of Wetland: (Check all that apply)	<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____	FOR FRESHWATER WETLANDS <table border="1"> <thead> <tr> <th>Tier 1</th> <th>Tier 2</th> <th>Tier 3</th> </tr> </thead> <tbody> <tr> <td> <input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft </td> <td> <input type="checkbox"/> 15,000 – 43,560 sq. ft. </td> <td> <input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1 </td> </tr> </tbody> </table>		Tier 1	Tier 2	Tier 3	<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1
	Tier 1	Tier 2	Tier 3						
<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1							
16. Proposed Start Date and Brief Activity Description: July 2022, replacement float									
17. Size of Lot or Parcel & UTM Locations:		<input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 4 acres UTM Northing: _____ UTM Easting: _____							
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement							
19. Deed Reference Numbers: Book#: 27532 Page:0001		20. Map and Lot Numbers: Map #: 28 Lot #: 3							
21. DEP Staff Previously Contacted:		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
23. Resubmission of Application?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		After-the-Fact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Previous project manager:							
24. Written Notice of Violation?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of DEP enforcement staff involved:							
26. Detailed Directions to the Project Site:									
27. TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS							
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions <input type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input type="checkbox"/> Appendix A and others, if required <input type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required							
28. FEES Amount Enclosed:									

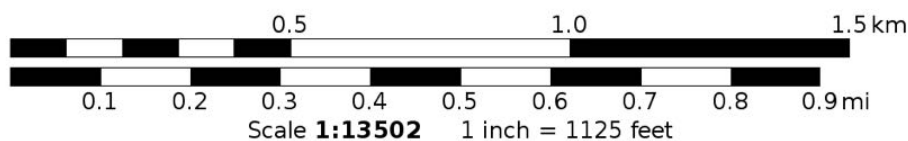
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2



Mercator Projection

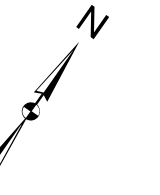
WGS84


UTM Zone 19T





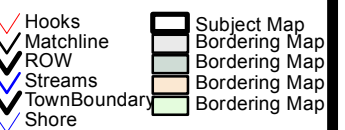
PROPERTY MAPS
TOWN OF FREEPORT, MAINE



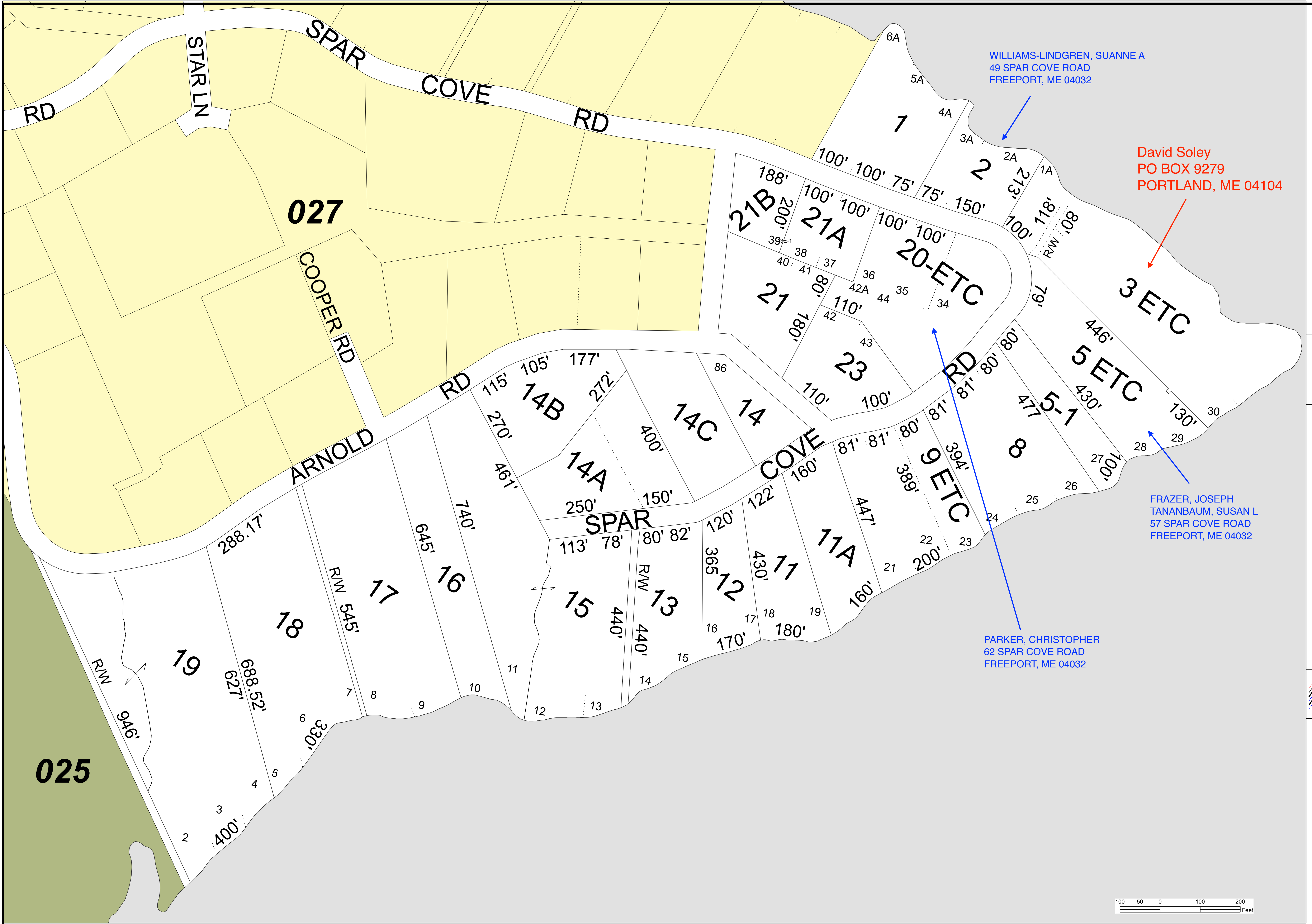

James H. Thomas
GIS Solutions of Maine
Cumberland, Maine
jht@maine.rr.com

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

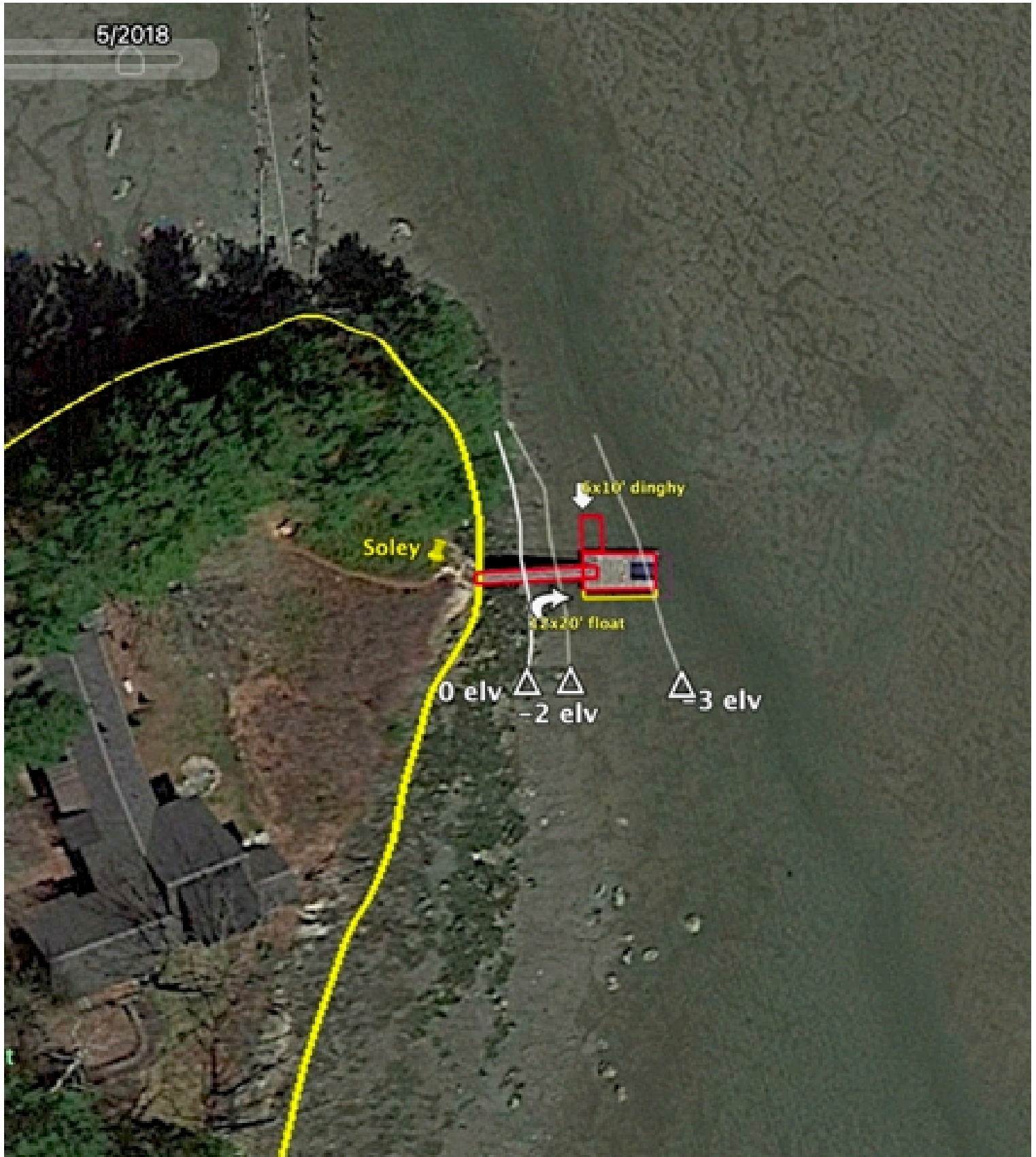
Scale: = 100



2021
MAP: 028



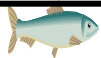
Soley
53 Spar Cove Rd, Freeport



Natural Resource Protection Act Application
APPENDIX D: Project Description Worksheet for a Dock, Pier or Wharf Application.



Help us process your application more efficiently by completing this worksheet, which is supplemental to a NRPA application for a dock, pier or wharf. A completed Appendix D may be substituted for Block 14 of the application page.



THIS IS AN APPLICATION FOR A.....

☐ Commercial wharf

If yes, indicate type of commercial activity: _____

License number: _____

Number of fishermen using this wharf: _____

☐ Public pier, dock or wharf

☐ Common or shared recreational pier, dock or wharf

☐ Private recreational pier, dock or wharf

☐ Expansion or modification of an existing structure

☒ Other, please indicate: _____

replacement float and additional 100' sqft dingy float to an existing system



TELL US ABOUT YOUR BOAT....

My boat(s) requires a draft of 18" feet.

My boat(s) is 18' feet long.



TELL US ABOUT YOUR PROJECT SITE.... For coastal piers and wharves, please complete Appendix B of the NRPA application. For freshwater docks, please describe the substrate and any vegetation: N/A



SCENIC CONSIDERATIONS... Please complete Appendix A of the NRPA application.



WHAT FACILITIES ARE NEARBY? N/A

The nearest public boat launch is located in _____ approximately _____ miles from the project location.
(town) (distance)

The nearest public, commercial, or private marina is located in _____ approximately _____ miles from the project location.
(distance) (town)

☐ I have inquired about slip or mooring availability at the nearest marina or public facility.

☐ Yes, a slip or mooring is available. ☐ No, a slip or mooring is not available.

Approximate expected time on waiting list: _____

☐ I have contacted the local Harbor Master.

Name: David Soley Phone: _____

I currently use the following for my boat: ☐ Mooring ☐ Marina



TELL US ABOUT YOUR PROPOSED PIER, DOCK OR WHARF...

MATERIALS: N/A

- ☐ The structure will be supported by pilings.
_____ pilings of _____ inches in diameter
- ☐ The structure will be supported by stacked, flow-through granite cribs.
_____ blocks, measuring _____ feet by _____ feet
- ☐ The structure will be supported by solid fill.
_____ square feet of solid fill
- ☐ Other: _____

DIMENSIONS: N/A

Length of fixed section: _____ feet
Width of fixed section: _____ feet
Length of ramp: _____ feet
Dimensions of float: 12 feet wide by 20 feet long
Distance the structure will extend below mean low water (MLW): _____ feet
Depth of water at the fixed end of the structure: _____ feet
Depth of water at the float at low tide: _____ feet
Depth of water at the float at high tide: _____ feet
Dimensions of any proposed buildings (e.g. bait shed):
_____ feet high by _____ feet wide by _____ feet long

ACCESS:

During construction, my project site will be accessed via:

- ☐ Land
- ☐ Beach/intertidal area
- ☒ Water/barge

RELEASE DEED

JOANNE R. LABBE, of Freeport, County of Cumberland, State of Maine for consideration paid, releases to DAVID A. SOLEY of Freeport, County of Cumberland, and State of Maine (whose mailing address is P.O. Box 9279, Portland, Maine 04104) the land and buildings located in the Town of Freeport, County of Cumberland and State of Maine, to wit:

A certain lot or parcel of land, with the buildings thereon, situated at Spar Cove Point, so-called, (formerly known as Staples Point) in the said Town of Freeport, and bounded and described as follows:

Beginning at the mean high water line of the Harraseeket River at the southerly corner of Lot No. 30 as delineated and set forth on Plan of Spar Cove Point recorded in Cumberland County Registry of Deeds Plan Book 54, Page 6; thence N 58° 09' W along the division line between Lots No. 30 and No. 29 one hundred fifty-two (152) feet, more or less, to the easterly corner of a ten (10) foot square well lot conveyed herewith; thence southwesterly nine and fourteen hundredths (9.14) feet, northwesterly ten (10) feet, and northeasterly nine and fourteen hundredths (9.14) feet to the northerly corner of said well lot; thence continuing along the southwesterly line of Lot No. 30 N 58° 09' W four hundred forty-five and ninety-five hundredths (445.95) feet to an iron pipe set on the easterly line of a 15 foot right of way; thence N 14° 58' E along said right of way one hundred eighty (180) feet, more or less, to the mean high water line of Spar Cove; thence easterly along the mean high water line six hundred fifty (650) feet, more or less, to Spar Cove Point, so-called, also known as Staples Point; thence southerly and southwesterly three hundred sixty (360) feet, more or less, to the point of beginning, containing three and fifty-five hundredths (3.55) acres, more or less, and being Lot No. 30, a small part of Lot 29 containing a well, and all of an unnumbered lot shown on said plan recorded in Book 54, Page 6.

Also, another lot or parcel of land designated as Lot 1-A on said plan and containing forty-one hundredths (0.41) acres, more or less, and being the lot conveyed by John E. Lavers and N. Mac Lavers to Roderique F. Soule and Audry J. Soule dated May 23, 1966, recorded in said Registry of Deeds in Book 3073, Page 335.

Also granting and conveying to the Grantee as aforesaid an easement or right of way for the purpose of travel by vehicles and/or pedestrians in common with others over and along the roadways as shown on the aforementioned plan as well as over and along any easements, rights of way or common areas as shown on the plan.

This conveyance is made subject to the exceptions and reservations and other conditions or restrictions as shown in all deeds recorded in said Registry of Deeds pertaining to the above-described parcel of land, especially as recorded in Book 3073, Page 335 and Book 2323, Page 335.

Also releasing to the Grantee, a certain lot or parcel of land situated at Spar Cove Point, so-called, also known as Staples Point, so-called, and being all that land lying between the northerly

MAINE REAL ESTATE TAX PAID

and northeasterly sideline of Lavers Road, so-called, and Lot 1-A and the westerly sideline of a fifteen (15) foot right of way all as shown on a plan of land at Spar Cove Point, by H.T. Lund recorded July 22, 1960, in the Cumberland County Registry of Deeds, Plan Book 54, Page 6.

Also releasing to the Grantee, all shore rights and any claim to the area between the high water mark and low water mark, in common with others, adjacent to the land in the Town of Freeport, County of Cumberland and State of Maine, that was conveyed to John R. Greenhalgh, Jr. and Carole Greenhalgh by William J. Soule, et al., by Warranty Deed dated November 26, 1975, recorded in said Registry of Deeds in Book 3776, Page 314, and by said John R. Greenhalgh, Jr. and Carole Greenhalgh to John B. Lincoln and Sally B. Lincoln by deed dated October 24, 1983 and recorded in said Registry of Deeds in Book 6317, Page 237.

This conveyance is made subject to the exceptions and reservations and other conditions or restrictions as set forth on Plan of Spar Cove Point recorded in the Cumberland County Registry of Deeds in Plan Book 54, Page 6.

FOR SOURCE OF TITLE reference may be had to a Deed from John B. Lincoln and Sally B. Lincoln to David A. Soley and JoAnne R. Labbe dated February 7, 2006 and recorded in the Cumberland County Registry of Deeds in Book 23655, Page 192.

WITNESS my hand and seal this 19 day of December, 2009.


Witness Con Langwell


JoAnne R. Labbe

STATE OF FLORIDA
Brevard County, ss.

December 19, 2009

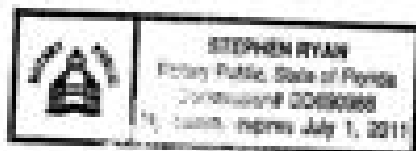
Personally appeared the above-named JoAnne R. Labbe and acknowledged the foregoing instrument to be her free act and deed,

BEFORE ME,


Notary Public/Attorney at Law

Print/Type Name: Stephen Ryan

7-1-11
My commission expires



Received
Recorded Register of Deeds
Jan 14-2010 08:54:28A
Cumberland County
Franklin E. Lovien



To Whom It May Concern,

Either Kathleen Keegan and/or Carter Becker of Falls Point Marine, Inc. are authorized to apply for and obtain such permits as necessary from all permitting authorities (local, state and federal) to permit

Signed: David A. Soley

Print Name: David Soley

Date: 04/25/2022

Mailing Address PO Box 9279 Portland, ME 04104

