30 Island View Lane Freeport, Maine shoreline stabilization application

Dear Nick,

On behalf of myself and Holly Howieson in conjunction with Pine State Environmental we are pleased to submit a building permit application to the Town of Freeport to stabilize a shoreline with riprap located at 30 Island View Lane. Specifically, we propose to stabilize approximately 50 feet of shoreline in order to protect the existing home and property.

Sincerely,

Nathan Chapnick & Holly Howieson

Application for Review	
Project Type: (check all applicable)	
X Site Plan Review Design Review Certificate	Subdivision
Zoning Ordinance Amendment Other (nlease explain)	Suburysion
Name of Designation Champion (Housing Shoreling Stabilization	
Proposed Use of Property: Residential	
1) Applicant Information:	
Name: Nathan Chapnick and Holly Howieson	Tel: (310) 968-4040
(If a Company, provide name of person also)	
Address 20 Island Mary Lang Frank 1 M5 04022	
Address: 30 Island View Lane, Freeport, ME 04032	
 Address: 30 Island View Lane, Freeport, ME 04032 Email: ncchoya@gmail.com 2) <u>Interest in Property</u>: Please attach a copy of the recorded deed for the propowner, a purchase and sale agreement or a lease agreement shall also be serious interest in the project and sufficient title, right, and/or interest to c paid for the property may be blacked out. <u>This application will not be proce</u> 	perty. If the applicant is not the property ubmitted to show that the applicant has complete the project. The amount being essed without this information.
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of the shoreline with riprap.

3

6) <u>Other Information</u> :						
Proposed # of Buildings: <u>N/A</u> Gross Square Footage of Non-Residential B	Buildings: <u>N/A</u>					
Is Zoning Board of Appeals Approval Required? Yes						
If YES, provide reason						
7) <u>Subdivision Approval or a Subdivision Amendment</u> : (if applicable)						
Proposed Number of Lots <u>N/A</u>						
Does the applicant intend to request any waivers of Subdivision or Site Review provisions?						
NO <u>Y</u> ES						
If YES, list and give reasons why						
8) Applicant's Engineer, Land Surveyor, Landscape Architect and/or Planner:						
Name: Pine State Environmental [el: (207) 358-8213						
Address:328 Oakwood Drive, Yarmouth, ME						
Email: pinestateenvironmental@gmail.com						
9) Billing Contact (If different than applicant information)						
Name:	Tel:					
Address:						
Email:						
Application Fee: \$ 165 Abutter Fee: \$						
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.

09/26/2023

DATE

SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE

Town of Freeport

Site Plan Review Submission Checklist – Smaller Projects Per Section 602 of the Freeport Zoning Ordinance

Submission Requirements: When the owner of the property or authorized agent makes formal application for Site Plan Review, the application for the Site Plan or an amendment to an approved plan shall contain at least an application, a deed for the property, plans, building elevations, and a cover letter. More details on each of these items are listed below. The Town Planner shall make an initial review of the application to determine if it is complete.

Requirement	Check if included	If the item <mark>has not been included</mark> with the submission, a waiver must be requested. Please explain the reason:
Application: A fully executed and signed copy of the application for Site Plan Review. The application	Х	
form will be provided by the planning department. Deed : 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	X	
the project. The amount being paid for the property may be blacked out.		
Cover letter : A cover letter explaining the project should include details on any proposed construction or change of use that can't be explained by the plans. The cover letter should also list other local, state, or federal permits or licenses that will be required. If applicable, the cover letter should include the applicant's intent for ownership of the open space.	X	
Plans: At least twelve (12) copies of a site plan drawn at a scale sufficient to allow review under the Criteria and Standards of section (G) of Section 602, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development and twelve (12) copies of the plan on 11 X 17" size sheets. All plan sheets must also be submitted electronically in a pdf format. All plans shall include the following information:	X	
 Owner's name, address and signature; 	Х	
 <u>Boundaries</u> of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time; 	Х	
c. The bearings and distances of all property	X	

lines, and easements and the location of the adjacent right-of-way. A formal survey is recommended for new developments; however, the Project Review Board may waive the requirement of a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries;		
 d. <u>Zoning classification</u>(s) of the property and the location of Zoning District boundaries if the property is located in two or more Zoning Districts; 	X	
 e. The <u>lot area</u> of the parcel and the <u>road</u> <u>frontage;</u> 	X	
f. The <u>location, size, and type of all existing</u> <u>and proposed buildings</u> and structures (including size and height) and:	X	
the setbacks from property lines,	N/A	
driveways	Х	
sidewalks	N/A	
parking spaces	N/A	
loading areas	N/A	
open spaces	N/A	
large trees	Х	
open drainage courses	N/A	
signs	N/A	
exterior lighting	N/A	
service areas	N/A	
easements	N/A	
landscaping	N/A	

EXHIBIT 1.0: ACTIVITY DESCRIPTION

The Applicant owns an approximate 0.16 acres parcel of land that includes fifty (50) feet of shoreline on Maquoit Bay (see Exhibit 3.0). The site is developed with a residential structure and associated infrastructure that includes steps and a deck to provide access to the intertidal zone for foot traffic. The southeast facing shoreline is exhibiting erosion and, in order to protect the house located at the top of the embankment and to address the safety issues of the ongoing erosion, the Applicant proposes to stabilize the shoreline with riprap.

Pine State Environmental investigated the site and the surrounding area to determine the best approach for shoreline stabilization that would minimize impacts to the coastal wetland and adjacent upland. Based on the existing conditions of the site, and the outcome of Pine State Environmental's investigations, the following design criteria is proposed.

The Applicant proposes to place riprap that consists of approximately two to five (2-5) feet in diameter stones along fifty (50) feet of the shoreline. Filter fabric will be placed below the existing grade and the riprap will extend approximately six (6) feet below the Highest Annual Tide (HAT). The riprap will extend approximately twelve (12) feet and be pinned to ledge or buried in a trench. In order to minimize impacts to the coastal wetland, the resulting slope will be regraded as close to a 1H:1V slope as possible. The overall direct impacts to the coastal wetland as a result of the placement of the riprap below the HAT will be approximately four hundred fifty (450) square feet.

The Applicant intends to remove select invasive vegetation in order to install the riprap. A list of the plants to be removed are outlined in the Construction Plan. Native plantings will be installed once the stabilization is complete as further described in the Construction Plan.

CRITERIA AND STANDARDS

a. Preservation of Landscape: The landscape shall be developed in such a manner as to be in keeping with the character of the surrounding neighborhoods and in accordance with good development practice by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. If a site includes a ridge or ridges above the surrounding areas and provides scenic vistas for surrounding areas, special attempts shall be made to preserve the natural environment of the skyline of the ridge. Existing vegetation and buffering landscaping are potential methods of preserving the scenic vista.

The Applicant project does not require the removal of vegetation or trees in order to install the riprap. Native plantings will be installed once the stabilization is complete. This may include High Bush Blueberries, Low Bush Blueberries and Northern Bayberry placed four (4) feet on center.

b. Relation of Proposed Buildings to the Environment: The design and layout of the buildings and/or other development areas shall encourage safety, including fire protection. Proposed structures shall be related harmoniously to the terrain and to existing buildings and land uses in the vicinity which have a visual relationship to the proposed buildings. Visual compatibility, not uniformity with the surrounding area, shall be emphasized. Special attention shall be paid to the scale (mass), height and bulk, proportions of the proposed buildings, the nature of the open spaces (setbacks, landscaping) around the buildings, the design of the buildings (including roof style, facade openings, architectural style and details), building materials and signs. If the structure is in the Design Review District, the Project Review Board shall incorporate the findings of the standards or the Design Review Ordinance in its Site Plan Review findings.

The proposed project does not involve the construction of additional buildings on the project site.

c. Vehicular Access: The proposed layout of access points shall be designed so as to avoid unnecessary adverse impacts on existing vehicular and pedestrial traffic patterns. Special consideration shall be given to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrial-vehicular contacts. The entrance to the site shall meet the minimum sight distance according to MDOT standards to the greatest extent possible

The proposed project does not involve additional vehicular access.

d. Parking and Circulation: The layout and design of all means of vehicular and pedestrial circulation, including walkways, interior drives, and parking areas shall be safe and convenient and, insofar as practical, shall not detract from the proposed buildings and neighboring properties. General interior circulation, separation of pedestrian and vehicular traffic, service traffic, drive-up facilities, loading areas, and the arrangement and use of parking areas shall be considered.

The proposed project does not involve additional parking areas.

e. Surface Water Drainage: Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, down-stream conditions, or the public storm drainage system. The increase in rate of runoff in the post development condition shall be held to a zero or less percent of the predevelopment condition unless an engineering study has been performed as described in Section 529.2 above. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a two year, ten year and twenty-five year storm frequency. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage rights-of-way and the adequacy of the existing system; and the need for improvements, both on-site and off-site, to adequately control the rate, volume and velocity of storm drainage and the quality of the stormwater leaving the site. Maintenance responsibilities shall be reviewed to determine their adequacy.

The shoreline stabilization proposes to resolve ongoing erosion issues and will maintain surface drainage.

f. Utilities: All utilities included in the site plan shall be reviewed as to their adequacy, safety, and impact on the property under review and surrounding properties. The site plan shall show what provisions are being proposed for water supply, wastewater, solid waste disposal and storm drainage. Whenever feasible, as determined by the Project Review Board, all electric, telephone and other utility lines shall be installed underground. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site.

The project does not involve changes to the existing utilities on-site.

g. Advertising Features: The size, location, texture and lighting of all exterior signs and outdoor advertising structures or features shall not detract from the layout of the property and the design of proposed buildings and structures and the surrounding properties, and shall not constitute hazards to vehicles and pedestrians.

The project does not propose any advertising structure or features.

h. Special Features: Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, similar accessory areas and structures, shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

The project does not propose exposed storage areas, machinery installations, service areas, truck loading areas, utility buildings or structures, or similar accessory areas or structures.

i. Exterior Lighting: All exterior lighting shall be designed to encourage energy efficiency, to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public. For all proposed lighting, the source of the light shall be shielded and the light should be directed to the ground, except in the case of ground sign lighting. In the Village Commercial 1 and 2 Districts, lighting for pedestrian walkways and adjacent public sidewalks shall also be provided.

The project does not propose exterior lighting.

j. Emergency Vehicle Access: Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.

The project does not propose to make any changes to emergency vehicular access.

k. Landscaping: Landscaping shall be designed and installed to define, soften, or screen the

appearance of off-street parking areas from the public right(s)-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Particular attention should be paid to the use of planting to break up parking areas. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping may include trees, bushes, shrubs, ground cover, perennials, annuals, plants, grading and the use of building and paving materials in an imaginative manner.

Upon completion of the riprap, the Applicant proposes to place plants along the face of the

bank, in areas that are disturbed during construction, and along the top of the bank. The In areas of ground vegetation and ground cover that may be disturbed during construction, the Applicant proposes to seed and loam the area with New England Conservation/Wildlife Seed Mix.

I. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:

(1) The project will not result in water pollution, erosion or sedimentation to surface waters;

The project will stabilize portions of an eroding shoreline with riprap to improve the overall conditions of the site.

(2) The project will not result in damage to spawning grounds, fish, aquatic life, bird and other wildlife habitat;

The project proposes to limit the impact to the aquatic life and habitat. The substrates at the site consist primarily of mixed coarse and fines, marsh vegetation, exposed ledge, rockweed covered ledge, and mudflats. The riprap will not result in damage to spawning grounds, fish, aquatic life, bird, and other wildlife habitat.

(3) The project will conserve shoreland vegetation;

The Applicant does not propose to remove trees to install the riprap.

(4) The project will conserve points of public access to waters;

The proposed project site does not contain points of public access to waters.

(5) The project will adequately provide for the disposal of all wastewater;

The proposed project does not propose changes to the existing wastewater disposal system.

(6) The project will protect archaeological and historic resources;

As part of the Army Corps of Engineers (ACOE) review, the Applicant has submitted project information to the Maine Historic Preservation Commission (MHPC) and the Historic Preservation Officers of the five (5) Indian Tribes. A copy of the MHPC sign-off will be forwarded to the Town upon receipt.

(7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The proposed project is not located in the Marine Waterfront District.

Chapter 65, Article III, Section 306(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 Applicant does not propose to 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 does not propose to remove vegetation for construction access equipment. Any areas that are disturbed during construction will be seeded and loamed with New England Conservation and Wildlife Seed Mix.

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

The Applicant intends to meet the vegetation requirements of Section 306.N. The Applicant intends to plant native vegetation that includes High Bush Blueberries, Low Bush Blueberries and Northern Bayberry placed four (4) feet on center.

EXHIBIT 3.0: LOCATION MAP





Exhibit 4.0 Photographs

The following photographs are taken from the site of the project and represent the proposed location of the shoreline stabilization located at 30 Island View Lane in the Town of Freeport, ME.

Photograph One:

Aerial View of the Project Site. Red arrow Indicates approximate location of project.



Highest Astronomical Tide Line

9/16/2023, 1:58:29 PM Highest Astronomical Tide Line 0 0.02 0.04 0.08 mi 0 0.03 0.06 0.12 km Maxar, Microsoft, Eski, HERE, Gamini, IPC

> Maine Geological Survey 2018

Photograph Two. Facing Northwest - view of eroding slope.



Photograph Three: Facing North East—view of dramatically eroding shoreline with multiple cuts into the embankment and view of the exposed soil and the undercut bank in area of proposed stabilization.





Photograph Four: Drone shot of Eroding shoreline and neighbor riprap to the top of their embankment.

Photograph Five: Drone Shot Facing Northwest:



Exhibit 5.0 Plans



Highest Astronomical Tide Line

Maine GeoLibrary, Maxar, Microsoft, Esri, HERE, Garmin, iPC

Maine Geological Survey 2018

Highest Astronomical Tide Line



Exhibit 6.0: Construction Plan

Access will take place from the Applicant's property from Island View Lane and material will be stockpiled as necessary at the top of the bank. All access will take place from the upland so as to minimize impact on the coastal wetland. The contractor will work in sections each day so as not to expose large areas of soil.

In order to install the riprap, the removal of three (3) Multiflora rose roses, one (1) staghorn sumac (Rhus Typhina), two (2) Jewelweed (Impatiens capensis), and one (1) Allegheny Blackberry Brambles (Rubus allegheniensis) is required. The majority of these invasive bushes are partially falling within the coastal wetland and pose a risk to the bank stabilization.

Upon removal of the vegetation, the banks will be graded to achieve a 1H:1V slope and geotextile grid will be placed behind the stone. Large diameter, irregular stones (approximately 2 - 5 feet) will be dug into a trench and pinned to ledge at the base of the slope, where applicable, and placed at a height of approximately twelve (12) feet above the HAT and six (6) feet seaward beyond the HAT.

Upon the completion of the riprap, the Applicant proposes to place plants along the face of the bank, in areas that are disturbed during construction. The Applicant proposes to place the following plants at the top of the riprap to replace the bushes disturbed during construction:

- 5 Highbush Blueberry (Vaccinium Corymbosum)
- 5 Northern Bayberry (Morella Pensylvanica)
- 5 Vaccinium Angustifolium (Lowbush Blueberry)

In areas of ground vegetation and ground cover that may be disturbed during construction, the Applicant proposes to seed and loam the area with New England Conservation/Wildlife Seed Mix.

The vegetation will be installed during the growing season at the completion of construction. Vegetation will be monitored for five (5) years to ensure an 80% survival rate. The contractor working on-site will have a Maine DEP Erosion Control Certified Individual onsite during all construction activity.

Exhibit 7.0: Erosion Control Plan

All work will take place from the upland. The applicant will install erosion and sediment controls prior to the start of construction. The shoreline will be grubbed and graded. Filter fabric will be installed and then the riprap will be placed along the shoreline. At the competition of construction, any areas of soil disturbance 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. Plantings will be replaced during the next growing season at the completion of construction.

DEED OF SALE BY PERSONAL REPRESENTATIVE (Testate) Maine Statutory Short Form

DLN: 1001840028872

Know All by these Presents,

That I, Suzanne P. Mager of Derby, Vermont, duly appointed and acting Personal Representative of the Estate of Gilles P. Tardif, deceased (testate), as shown by the probate records of the County of Cumberland, Maine, Docket No. 2018-0532 and not having given notice to each person succeeding to an interest in the real property described below as least (10) days prior to the sale, (such notice not required under the will) by the power conferred by the Probate Code, and every other power, for consideration paid, grants to

Nathan C. Chapnick

whose mailing address is: 44 Carols Cove, Nobleboro, Maine 04555, and

Holly A. Howieson

whose mailing address is: 735 E Pond Road, Nobleboro, Maine 04555, **as joint tenants**, the real property in Freeport, County of Cumberland, State of Maine described as follows:

See attached Exhibit A for legal description.

Witness my hand and seal this 4th day of June, 2018.

Signed, Sealed and Delivered in the presence of

11KCQ10201

State of Maine County of Cumberland ss.

Estate of Gilles P. Tardif

By: Suzanne P. Mager

Personal Representative

June 4, 2018

Then personally appeared before me the above named Suzanne P. Mager and acknowledged the foregoing instrument to be her free act and deed in her said capacity as Personal Representative of the Estate of Gilles P. Tardif.



EXHIBIT A 30 Island View Lane, Freeport, Maine

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Freeport, County of Cumberland and State of Maine, being lot numbered seventy (70) as delineated and set forth on Plan of Flying Point Shores, Section No. 1, as prepared by Harlan H. Sweetser, Engineer, and recorded in the Cumberland County Registry of Deeds in Plan Book 31, Page 31, to which plan and the record thereof reference is hereby made for a more particular description.

Being the premises conveyed by warranty deed from Wilfred R Tardif and Eva A. Tardif to Gilles Tardif and Monique D. Tardif dated September 8, 1975 and recorded in the Cumberland County Registry of Deeds in Book 3740, Page 194. Further reference is made to deed from Monique D. Tardif a/k/a Monique G. Tardif to Gilles Tardif dated June 2, 2011 and recorded in said Registry of Deeds in Book 28758, Page 53. Gilles P. Tardif died, testate, on February 20, 2018, Cumberland County Probate Court Docket No. 2018-0532.

The premises are conveyed subject to the easement to install, maintain repair and replace the fill for a portion of a septic system as set forth in deed from Gilles Tardif and Monique G. Tardif to Mary E. Russell dated March 31, 2006 and recorded in the Cumberland County registry of Deeds in Book 24243, Page 329.

Received Recorded Resister of Deeds Jun 05,2018 10:03:43A Cumberland County Nancy A. Lane Exhibit 5.0 Plans



Highest Astronomical Tide Line

Maine GeoLibrary, Maxar, Microsoft, Esri, HERE, Garmin, iPC

Maine Geological Survey 2018

Highest Astronomical Tide Line



