



135 River Road • Woolwich, ME 04579  
207-837-2199 • [tim@atlanticenviromaine.com](mailto:tim@atlanticenviromaine.com)  
[www.atlanticenviromaine.com](http://www.atlanticenviromaine.com)

March 21, 2023

Ms. Caroline Pelletier  
Town of Freeport  
30 Main Street  
Freeport, ME 04032

**RE: Site Plan Review Application for Shoreline Stabilization on behalf of Christine Farrell and Robert Elwell located at 33 Cunningham Road, Freeport, ME (Map #5A, Lot #28).**

Dear Ms. Pelletier:

On behalf of Christine Farrell and Robert Elwell (Applicant), Atlantic Environmental, LLC (AE) is pleased to submit a Site Plan Review Application for the stabilization of a portion of the shoreline with riprap. More specifically, the Applicant proposes to stabilize approximately one hundred and twenty (120) feet of the shoreline with riprap that extends approximately two (2) to three (3) feet below the Highest Annual Tide (HAT) line. AE has reviewed Section 602 of the Town of Freeport's Zoning Ordinance Code and Chapter 65 of the Town of Freeport's Shoreland Zoning and believes the project is in compliance with those standards. Please review the attached information demonstrating compliance with those sections.

The Applicant has submitted a Natural Resources Protection Act (NRPA) Application to the Maine Department of Environmental Protection (DEP) and the U.S. Army Corps of Engineers (Corps) and relevant portions of the application are included with this application. A copy of each permit approval 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 clarifications, please feel free to contact me at 207 - 837 - 2199 or by email at [tim@atlanticenviromaine.com](mailto:tim@atlanticenviromaine.com).

Sincerely,  
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'. The signature is written in a cursive style with a large, sweeping initial 'T'.

Timothy A. Forrester, Owner

**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) \_\_\_\_\_

**Name of Project:** Christine Farrell and Robert Elwell Shoreline Stabilization

**Proposed Use of Property:** Residential

**1) Applicant Information:**

Name: Christine Farrell and Robert Elwell    Tel: (703) 798 - 4371  
(If a Company, provide name of person also)  
Address: 33 Cunningham Road Freeport, ME 04032  
Email: chrisbrick180@yahoo.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 Residential  
Location: Street Address 33 Cunningham Road  
Assessor's Office Map: 5A    Lot: 28  
Size of Parcel (acres): 1.21 acres    Zoning District (s): MDR1, SA

**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: The Applicant proposes to stabilize approximately one hundred and twenty (120) feet of the shoreline with riprap.

**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)**

Proposed Number of Lots N/A

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: Atlantic Environmental, LLC c/o Tim Forrester Tel: (207) 837 - 2199

Address: 135 River Road Woolwich, ME 04579

Email: tim@atlanticenviromaine.com

**9) Billing Contact (If different than applicant information)**

Name: Atlantic Environmental, LLC c/o Tim Forrester Tel: (207) 837 - 2199

Address: 135 River Road Woolwich, ME 04579

Email: tim@atlanticenviromaine.com

**Application Fee:** \$ 165.00 **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.*

3/21/2023  
DATE

  
SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE

<b>Town of Freeport</b>		
<b>Site Plan Review Submission Checklist – Smaller Projects</b>		
<b>Per Section 602 of the Freeport Zoning Ordinance</b>		
<b>Submission Requirements:</b> <u>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.</u> 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 <b>has not been included</b> with the submission, a waiver must be requested. Please explain the reason:
<b>Application:</b> A fully executed and signed copy of the application for Site Plan Review. The application form will be provided by the planning department.	X	
<b>Deed:</b> 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.	X	
<b>Cover letter:</b> 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	
<b>Plans:</b> 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	
a. Owner's name, address and signature;	X	
b. <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;	X	
c. The <u>bearings and distances</u> 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(s)</u> 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 frontage</u> ;	X	
f. The <u>location, size, and type of all existing and proposed buildings</u> and structures (including size and height) and:	X	
<i>the setbacks from property lines,</i>	N/A	
<i>driveways</i>	X	
<i>sidewalks</i>	N/A	
<i>parking spaces</i>	N/A	
<i>loading areas</i>	N/A	
<i>open spaces</i>	N/A	
<i>large trees</i>	X - AERIAL IMAGE SHOWS EXISTING VEGETATION	
<i>open drainage courses</i>	X	
<i>signs</i>	N/A	
<i>exterior lighting</i>	N/A	
<i>service areas</i>	N/A	
<i>easements</i>	N/A	
<i>landscaping</i>	N/A	



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www.atlanticenviromaine.com

September 19, 2022

To whom it may concern:

By this letter, I authorize Atlantic Environmental LLC to act on my behalf as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence related to natural resource permitting project(s) at my property located at 33 Cunningham Road in Freeport, Maine. This authorization includes attending meetings and site visits, appearing before all boards, commissions, and/or committees, and providing other services as required for completing the aforementioned tasks.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at tim@atlanticenviromaine.com.

Robert Elwell & Christine Farrell

Print Name

Robert Elwell & Christine Farrell      9/26/22

Signature

Date

Sincerely,  
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner

## EXHIBIT 1.0: ACTIVITY DESCRIPTION

The Applicant owns a parcel of land that totals approximately 1.21 acres and is located on Cunningham Road in the Town of Freeport, Maine (see **Exhibit 3.0**). The lot is developed with a residential structure and associated infrastructure, including existing riprap, a wooden landing, and a wood ramp that provides access for kayaks. The riprap and ramp were placed approximately ten (10) years ago. It does not appear that permits were obtained for these structures; however, the Applicant proposes to remove them as part of this application. The existing riprap is overtopped during storm surges and the area behind the riprap is eroding. In addition, a portion of the easterly shoreline is exhibiting areas of active erosion. In order to ensure the safety of the shoreline and protect the existing structures, the Applicant proposes to remove the existing riprap and access structures and more appropriately stabilize the shoreline and provide a better means of access to the resource.

Atlantic Environmental, LLC (AE) investigated the site and the surrounding area to determine the feasibility of stabilizing the shoreline and to provide access to the resource in order to meet project goals while avoiding and minimizing impacts to the environment. Based on the Applicant's needs, the existing conditions of the site and the outcome of our investigations, the following design criteria have been determined.

In order to address the safety issue of ongoing erosion and protect the existing structures, the Applicant proposes to place irregular stones that measure approximately two (2) to four (4) feet in diameter along approximately one hundred and twenty (120) feet of the shoreline where there is demonstrated erosion. In Area A, the riprap will extend along approximately ninety (90) feet and the riprap will extend three (3) feet below the Highest Annual Tide (HAT) line and 1.5 feet above the HAT. The bottom row of riprap will be buried in a

trench or pinned to ledge. In Area A, the overall direct impacts to the coastal wetland as a result of the placement of the riprap below the HAT will be approximately two hundred and seventy (270) square feet. The area behind the riprap will be loamed and planted with native plantings as further described in **Exhibit 6.0**. In Area B, the riprap will extend along approximately thirty (30) feet and the riprap will extend approximately two (2) feet below the Highest Annual Tide (HAT) line and 2.5 feet above the HAT. The bottom row of riprap will be buried in a trench or pinned to ledge. In Area B, the overall direct impacts to the coastal wetland as a result of the placement of the riprap below the HAT will be approximately sixty (60) square feet for a total for three hundred and thirty (330) square feet. In both areas, the bottom row of riprap will either be buried in a trench or pinned to ledge, the shoreline will be graded to achieve to 1H: 1V slope, filter fabric will be placed below the existing grade. The riprap will tie into ledge along each end.

The Applicant proposes to remove the existing wood landing, ramp, and existing riprap. In order to meet their project purpose of seasonal recreational water access, they proposes to install a four (4) foot wide stone that leads to a two (2) foot by two (2) foot by six (6) foot stone. The stone will provide a means of connection for a three (3) foot wide by sixteen (16) foot long ramp. The ramp will be in place seasonally and stored in an upland location during the off-season.

The project does not require the removal of vegetation that will violate the Town of Freeport's Shoreland Zone Ordinance.



## 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 Creeping Juniper, Northern Bayberry, and Beach Plum placed three (3) feet on center; however, the final type of vegetation will be determined by a landscape professional.***

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 pedestrian 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 pedestrian-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 pedestrian 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 will utilize the existing vehicle access which is sufficient for convenient and safe for emergency vehicle 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 Applicant proposes to place the following plants at the top of the riprap that may include Creeping Juniper, Northern Bayberry, Beach Plum. 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.***

l. 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 amount of riprap below the Highest Annual Tide (HAT line). 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.***

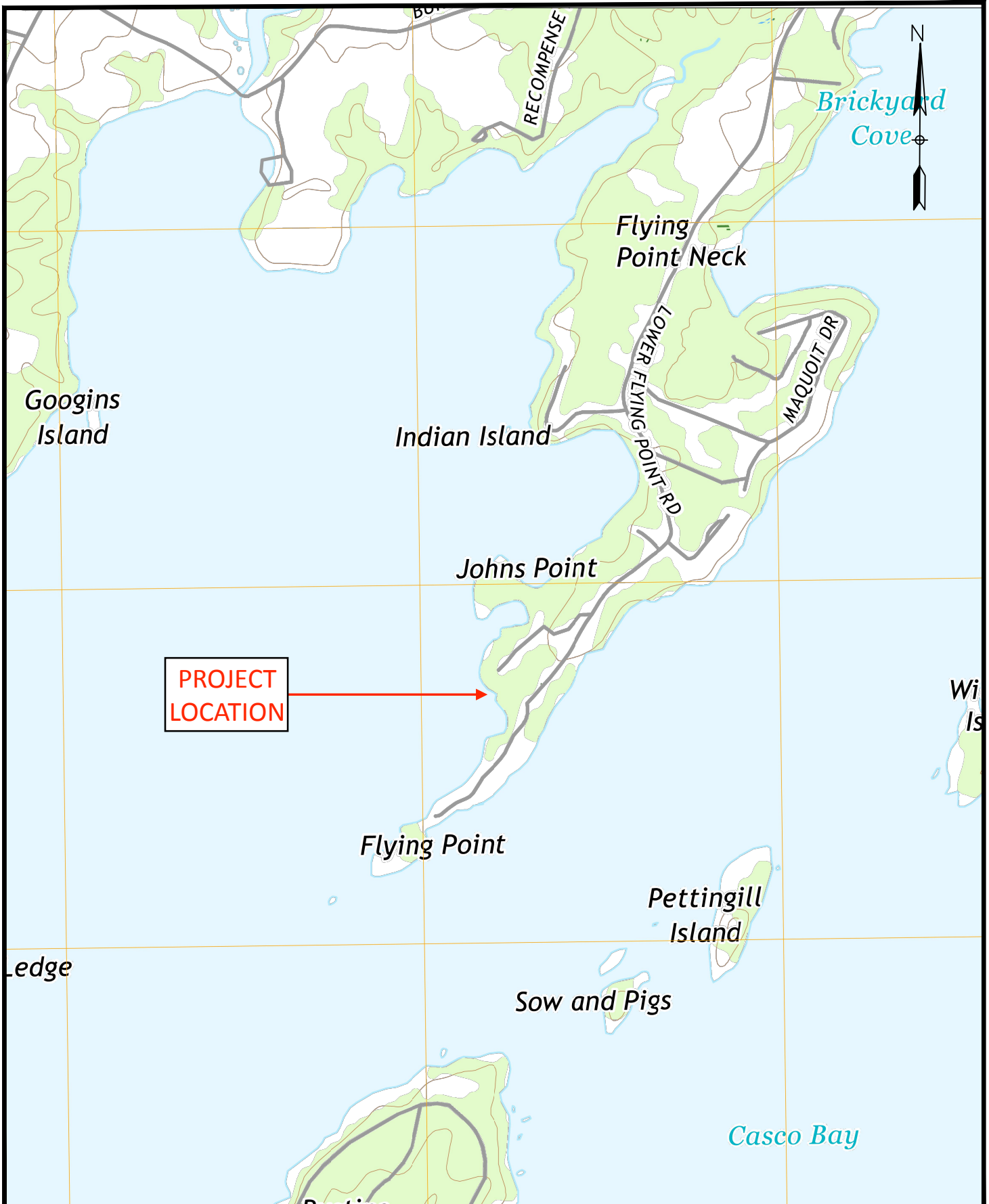
(a) When necessary, the removal of trees and other vegetation to allow for construction equipment access to the stabilization site via land must be limited to no more than twelve (12) feet in width. When the stabilization project is complete the construction equipment accessway must be restored.

***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.***

EXHIBIT 3.0: LOCATION MAP



	<p><b>ATLANTIC ENVIRONMENTAL LLC.</b>          Environmental Consultants          135 River Road, Woolwich, ME 04579          (207) 837-2199          tim@atlanticenviromaine.com</p>	<p>Date: 11/15/2022          Revised:          Project: Farrell, Freeport</p>	<p><b>PROJECT LOCATION</b>          33 Cunningham Road          Freeport, ME 04032          43.813230, -70.066841</p>	<p>Sheet          1          of          1</p>
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PROPERTY MAPS  
TOWN OF FREEPORT, MAINE



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

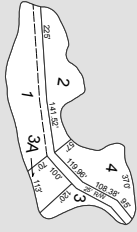
These maps are intended to be used for conveyances.  
Tax Assessments and should not  
be used for conveyances.  
Revised to April 1st

Scale = 150



2021

MAP: 5A



## EXHIBIT 4.0: PHOTOGRAPHS

The following photographs are taken from the site of the project and represent the existing conditions of the site located at 33 Cunningham Road in the Town of Freeport, ME.



**Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project. Source: Google Earth. Date: May 4, 2018.**



**Photograph Two. Facing southerly – partial view of eroding shoreline. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 8, 2022.**



**Photograph Three. Facing westerly – overview of area showing existing riprap and ramp. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 8, 2022.**



**Photograph Four. View of existing ramp and existing wooden landing that is proposed to be replaced with stone. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: October 4, 2022.**





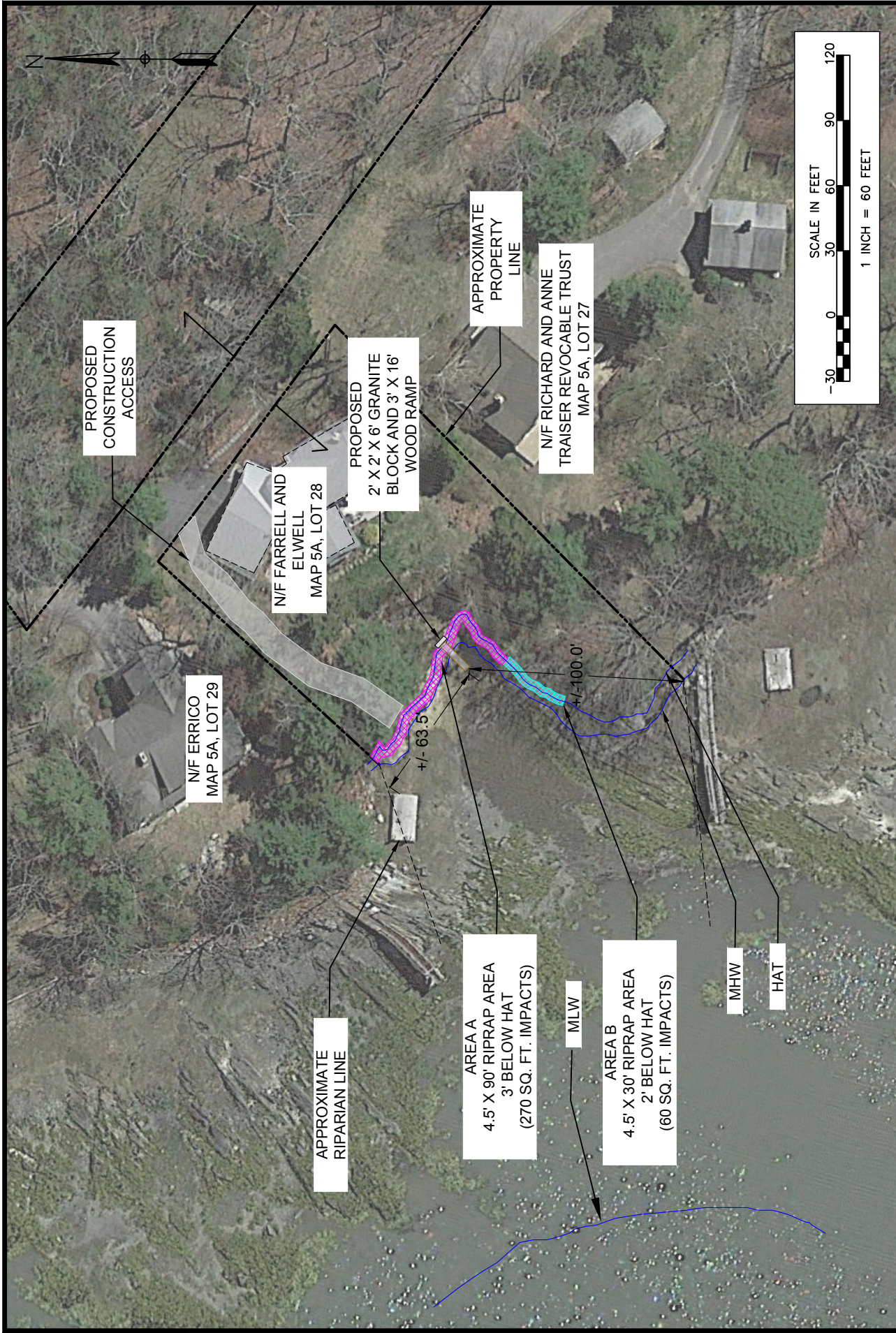
**Photograph Five. View of area that is eroding behind existing riprap. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: October 4, 2022.**



**Photograph Six. Additional area of shoreline that is exhibiting erosion that is proposed to be stabilized with riprap. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 8, 2022.**



**Photograph Seven. Additional view of area of shoreline that is exhibiting erosion. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: October 4, 2022.**



**ATLANTIC ENVIRONMENTAL LLC.**  
 Environmental Consultants  
 135 River Road, Woolwich, ME 04579  
 (207) 837-2199  
 tim@atlanticevmaine.com

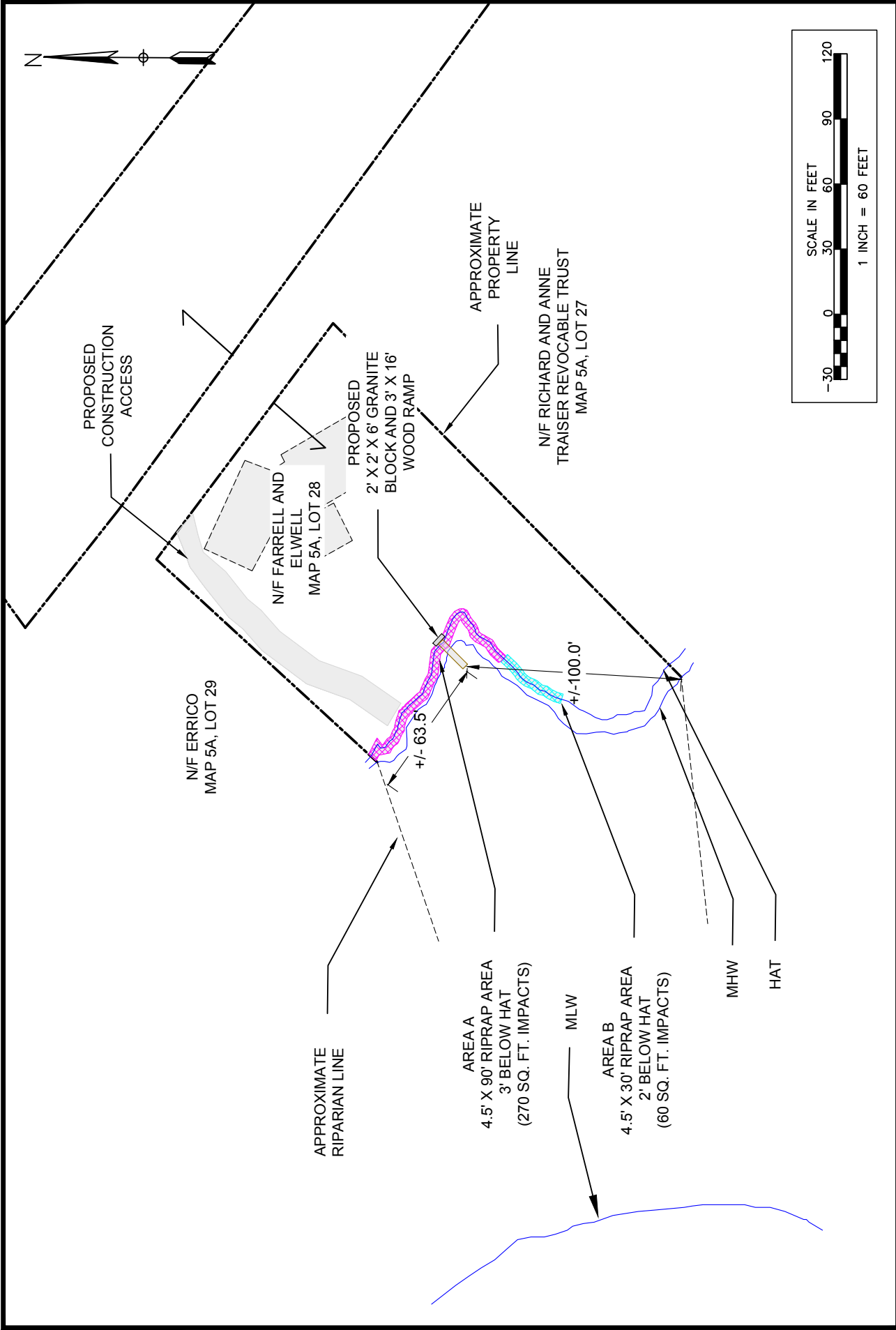
**Date:** 11/17/2022  
**Revised:** 12/13/2022  
**Project:** Farrell, Freeport  
**Drafted By:** TAF/LCV

**Plan View of the Proposed Shoreline Stabilization and Seasonal Ramp for  
 Christine Farrell and Robert Elwell located at 33 Cunningham Road in Freeport,  
 Maine.**

**FOR PERMITTING PURPOSES**

**Sheet**  
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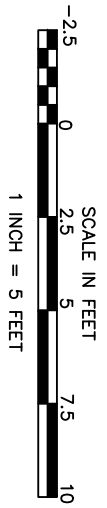
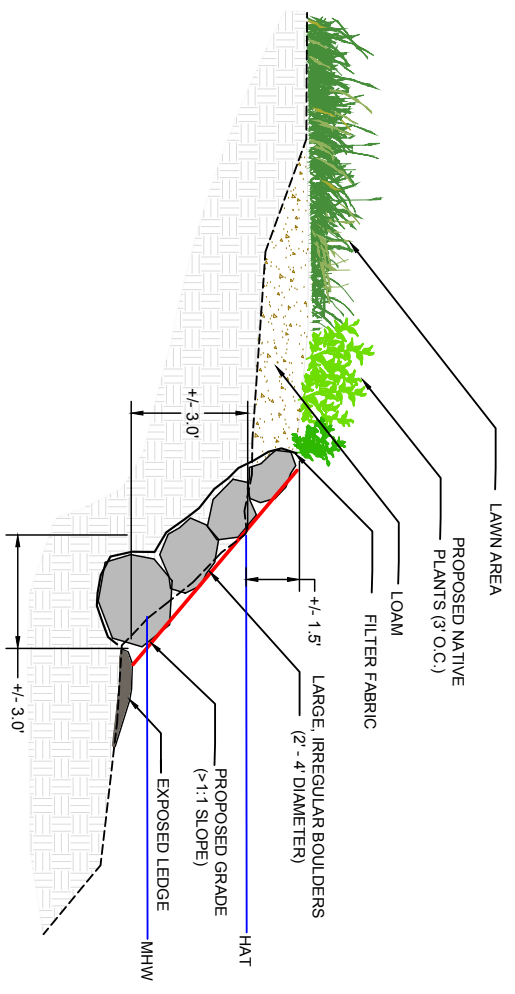
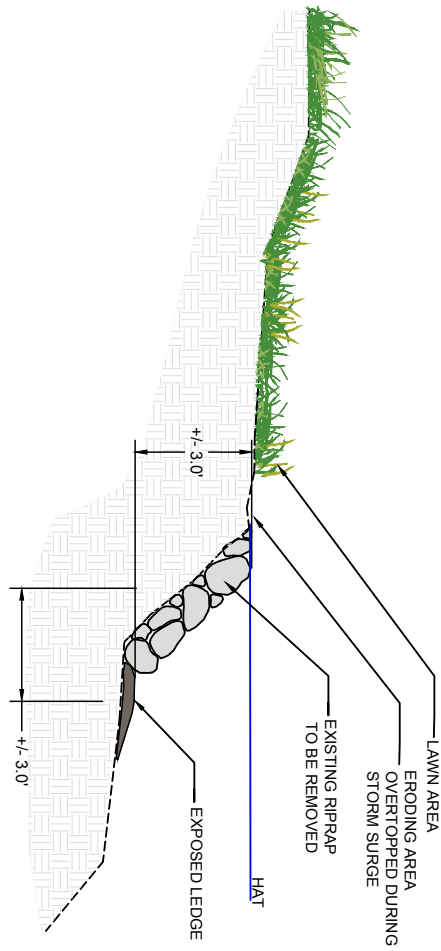
**ATLANTIC ENVIRONMENTAL LLC.**  
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 (207) 837-2199  
[tim@atlanticevmaine.com](mailto:tim@atlanticevmaine.com)

Date: 11/17/2022  
 Revised: 12/13/2022  
 Project: Farrell, Freeport  
 Drafted By: TAF/LCV

Plan View of the Proposed Shoreline Stabilization and Seasonal Ramp for  
 Christine Farrell and Robert Elwell located at 33 Cunningham Road in Freeport,  
 Maine.

**FOR PERMITTING PURPOSES**

Sheet  
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 of  
 4



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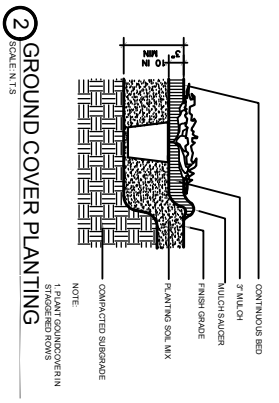
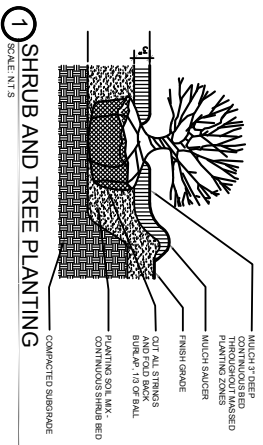
Date: 11/16/2022  
 Revised:  
 Project: Farrell, Freeport  
 Drafted By: TAF/LCV

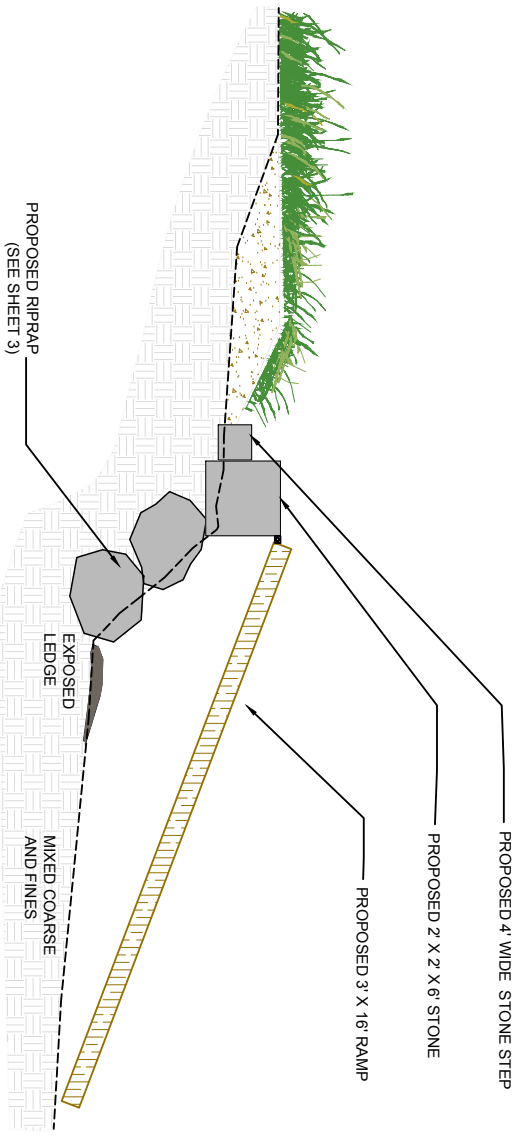
Cross Section View of the Area A Proposed Shoreline Stabilization Area for Christine Farrell and Robert Elwell located at 33 Cunningham Road in Freeport, Maine.

**FOR PERMITTING PURPOSES ONLY**

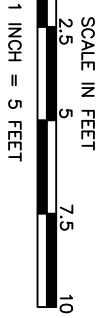
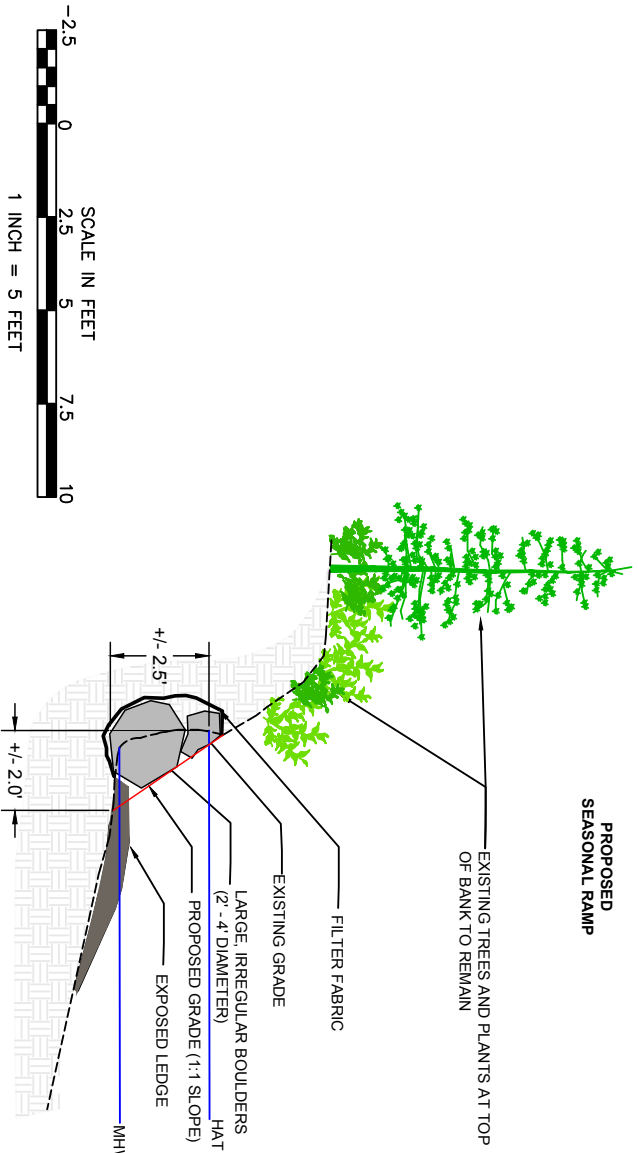
- NOTES:
- 1) WHERE APPLICABLE, THE FIRST ROW OF BOULDERS WILL BE PINNED TO LEDGE. BOTTOM STONE WILL BE SET TO A DEPTH OF 1/2 THE STONES DIAMETER.
  - 2) RIPRAP WILL CONSIST OF LARGE IRREGULAR SHAPED ROCKS. FIT INTO PLACE AND/OR PINNED WITH REBAR. STONES WILL VARY IN SIZE FROM 2'-4'.
  - 3) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SOIL DISTURBANCE.
  - 4) NATIVE PLANTS WILL BE INSTALLED AT THE TOP OF THE RIPRAP 3' OC AND FINAL TYPE AND PLACEMENT WILL BE DETERMINED IN THE FIELD.
  - 5) REVEGETATION WILL MEET THE TOWN OF FREEPORT'S SHORELAND ZONING ORDINANCE.

NATIVE VEGETATION	COMMON NAME	SIZE	SPACING
MYRICA PENNSYLVANICA OR SIMILAR	NORTHERN BAYBERRY	#3	3' O.C.
JUNIPERUS HORIZONTALIS OR SIMILAR	CREeping JUNIPER	#3	3' O.C.
PRUNUS MARITIMA OR SIMILAR	BEACH PLUM	#3	3' O.C.





- NOTES:
- 1) WHERE APPLICABLE, THE FIRST ROW OF BOULDERS WILL BE PINNED TO LEDGE. BOTTOM STONE WILL BE SET TO A DEPTH OF  $\frac{1}{2}$  THE STONES DIAMETER.
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 (207) 837-2199  
 tim@atlanticeviromaine.com

Date: 11/16/2022  
 Revised:  
 Project: Farrell, Freeport  
 Drafted By: TAF/LCV

Cross Section View of the Area B Proposed Shoreline Stabilization Area and Proposed Seasonal Ramp for Christine Farrell and Robert Elwell located at 33 Cunningham Road in Freeport Maine.

**FOR PERMITTING PURPOSES ONLY**

## EXHIBIT 6.0: CONSTRUCTION PLAN

The Applicant intends to access from the upland. Project material will be stockpiled as necessary at the top of the bank and the majority of construction will take place from the upland. Prior to the start of construction, the contractor will remove the existing riprap and wooden landing. If the contractor needs to work in the intertidal area, they will utilize construction mats over areas with marsh vegetation to minimize impacts. The contractor will work in sections each day so as to not expose large areas of soil.

The banks will be graded to achieve a 1H : 1V slope and geotextile fabric will be placed behind the stone. Large diameter, irregular stones (approximately 2 – 4 feet) will be dug into a trench or pinned to ledge at the base of the slope, where applicable, and placed at the various heights described in **Exhibit 1.0**.

Upon completion of the riprap in Area A, the area behind the riprap will be backfilled with loam and planted with native plants at the top of the riprap. The native plants may include the following:

- Creeping Juniper (*Juniperus horizontalis*);
- Northern Bayberry (*Myrica pensylvanica*);
- Beach Plum (*Prunus maritima*).

The shoreline in Area B is well vegetated and the project does not require the removal of vegetation that would violate the Town of Freeport's Shoreland Zoning vegetation removal standards. The Applicant intends to maintain this existing vegetation to the extent practicable and place riprap below this area.

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. The contractor will have a Maine DEP Erosion Control Certified Individual onsite during all construction activity.



## **EXHIBIT 7.0: EROSION CONTROL PLAN**

Prior to the start of construction, the Applicant will install and maintain erosion control devices along the access at the top of the bank. The contractor will limit areas of exposed soil by working in sections and ensuring the site is stabilized at the end of each day. At the completion 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 planted during the next growing season at the completion of construction as described in **Exhibit 6.0**.

# WARRANTY DEED JOINT TENANCY

KNOW ALL MEN BY THESE PRESENTS, THAT I, **PAUL A. FRITZSON** of Freeport, County of Cumberland and State of Maine in consideration of One Dollar and other good and valuable consideration, paid by **ROBERT G. ELWELL** and **CHRISTINE N. FARRELL** of 19605 Blueridge Mountain Road, Bluemont and Commonwealth of Virginia, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said **ROBERT G. ELWELL** and **CHRISTINE N. FARRELL** as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land, together with any buildings thereon, bounded and described as follows:

### SEE EXHIBIT A ATTACHED HERETO

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said **ROBERT G. ELWELL** and **CHRISTINE N. FARRELL**, as joint tenants and not as tenants in common, and their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivors of them, to them and their use and behoof forever.

And I do COVENANT with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid, and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns, and the survivor of them, and the heirs and assigns of the survivor of them, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, the said **PAUL A. FRITZSON** have hereunto set my hand and seal this 23rd day of May, 2013.

WITNESS:

Dolly M. Steele

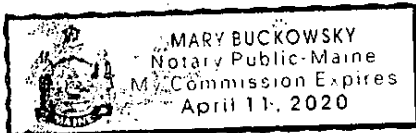
Paul A. Fritzson  
PAUL A. FRITZSON

STATE OF MAINE  
County of Cumberland

May 23, 2013 **SEAL**

Then personally appeared before me, the above named **PAUL A. FRITZSON** and acknowledged the foregoing instrument to be his free act and deed.

Mary Buckowsky  
Attorney at Law/Notary Public



MAINE REAL ESTATE TAX PAID

33 Cunningham Road, Freeport

Exhibit A.

A certain lot or parcel of land situated off Lower Flying Point Road, so-called, in the Town of Freeport, County of Cumberland and State of Maine, more fully bounded and described as follows:

Commencing at an iron pin set in the ground fifteen feet (15') more or less, northeasterly from the approximate high water mark of Casco Bay, so-called, which said pin marks the most southerly corner of a certain lot or parcel of land conveyed to Robert I. and Dorothy A. Wallace by Annie M. Brewer by deed dated September 26, 1957 and recorded in Cumberland County Registry of Deeds in Book 2375, Page 461;

Thence in a generally northeasterly direction one hundred eighty-six and forty-one hundredths feet (186.41'), more or less, to an iron pin set in the ground;

Thence continuing the same course forty feet (40'), more or less, to a point in the most southwesterly sideline of a certain lot or parcel of land conveyed to Robert I. and Dorothy A. Wallace by Annie M. Brewer by deed dated October 10, 1957 and recorded in said Registry of Deeds in Book 2382, Page 449;

Thence in a generally southeasterly direction along said sideline two hundred feet (200'), more or less, to an iron pin set in the northwesterly sideline of Lower Flying Point Road, so-called;

Thence in a generally northeasterly direction one hundred feet (100'), more or less, to an iron pin set in the assumed sideline of Lower Flying Point Road;

Thence in a generally northwesterly direction three hundred thirty-four and seventy-three hundredths feet (334.73'), more or less, to an iron pin set in the southeasterly sideline of Cunningham Road, so-called;

Thence in a generally westerly direction eighty-eight and eighty-three hundredths feet (88.83') to an iron pin set in the ground and the most westerly corner of the above-referenced parcel of land;

Thence in a generally southeasterly direction following the sideline of the above-referenced parcel twenty-two feet (22'), more or less, to a point;

Thence in a generally southwesterly direction forty feet (40') to a 5/8" iron rod set in the ground and the most northerly corner of a certain parcel of land conveyed to Robert I. and Dorothy A. Wallace by Idella F. Macomber by deed dated May 12, 1959 and recorded in said Registry of Deeds in Book 2474, Page 369;

Thence continuing the same course one hundred ten and fifteen hundredths feet (110.15'), more or less, to an iron pin set in the ground;

Thence continuing the same course fifteen feet (15'), more or less, to the approximate high water mark of Casco Bay, so-called;

Thence southeasterly by the shore to the point of beginning.

Together with any interest that the Grantors may have in the adjoining flats.

Also granting the right to use the driveway as now used from Lower Flying Point Road to the aforementioned and described parcel of land.

Reference is made to an exchange of deeds between Paul Fritzson and Stephen T. Smith which establish the common boundaries between the premises conveyed herein and abutting premises to the north and east now or formerly of Stephen T. Smith. The exchange of deeds is recorded at Book 15035, Page 272 and 275 in the Cumberland County Registry of Deeds, as corrected by an exchange of deeds recorded at Book 15074, Page 294 and 299 in the Cumberland County Registry of Deeds. The premises are conveyed subject to any land or rights conveyed in said exchange of deeds, including a twenty foot utility easement to construct and maintain a sewage disposal. The premises are conveyed with the benefit of any land or rights gained in said deed exchange, including a right of way as described in said deed exchange.

Also conveying all my right, title and interest in the portion of the 40' right of way portrayed on a plan entitled "Plan of Flying Point Shores, Section 2" dated October 1945 and recorded at plan Book 31, Page 52 in the Cumberland County Registry of Deeds which abuts the premises, including, but is not limited to any interest acquired by virtue of the following deeds:

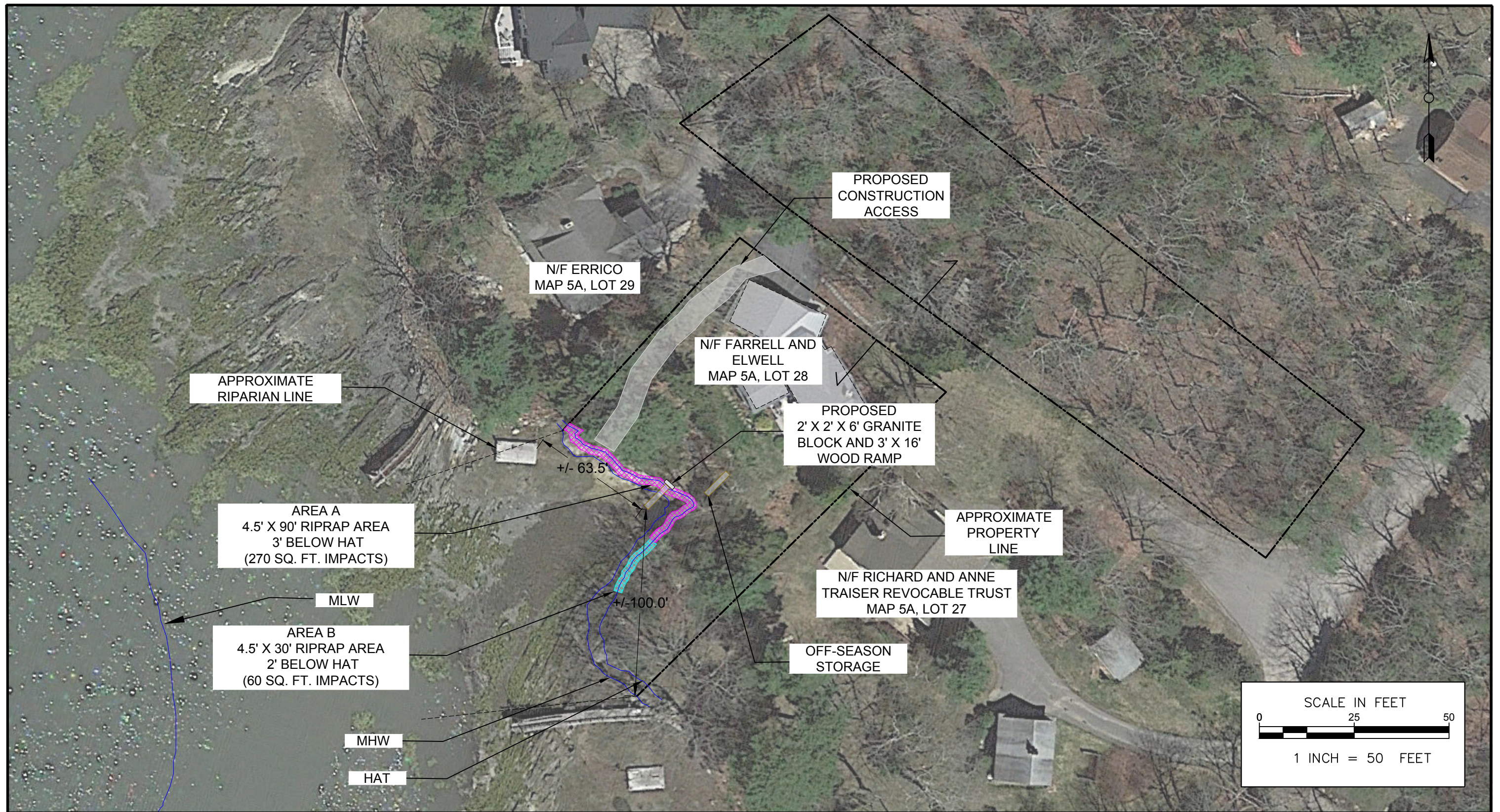
- (a) Deed from Earl R. Wallace and Elaine Wallace dated September 1, 1995 and recorded at Book 12108, Page 9 in the Cumberland County Registry of Deeds;
- (b) Deed from L. Robert Bowe and Dorothy A. Bowe, et al., dated September 1, 1995 and recorded at Book 12108, Page 17 in the Cumberland County Registry of Deeds.

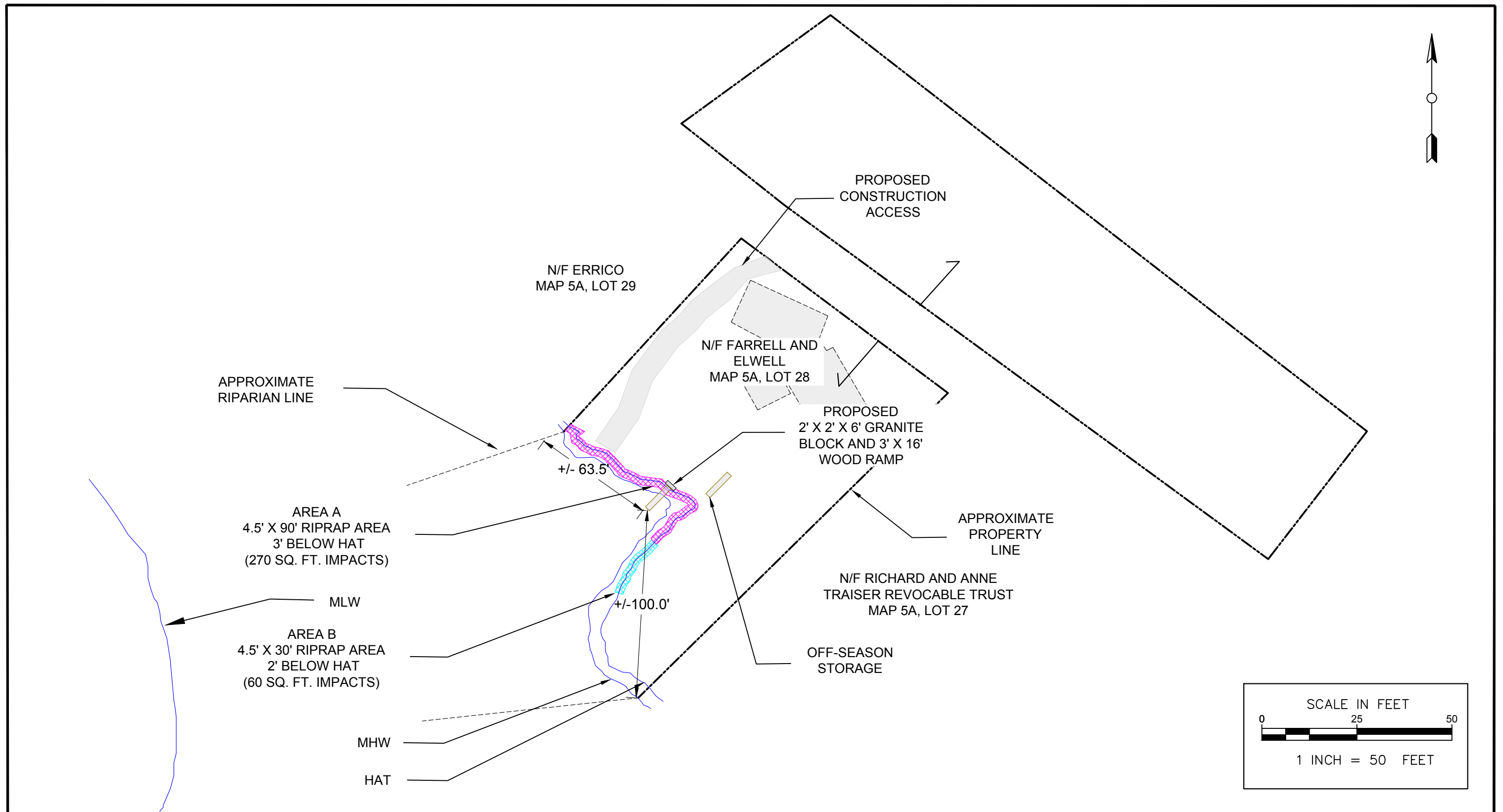
Paul A. Fritzson gave up any interest he had in the portion of the above referenced right of way which abuts the property now or formerly of Stephen T. Smith and L. Robert Bowe and Dorothy A. Bowe as described in a deed to deed to Stephen T. Smith dated September 1, 1995 and recorded at Book 12108, Page 16 in the Cumberland County Registry of Deeds and in a deed to L. Robert Bowe and Dorothy A. Bowe dated September 1, 1995 and recorded at Book 12108, Page 15 in the Cumberland County Registry of Deeds.

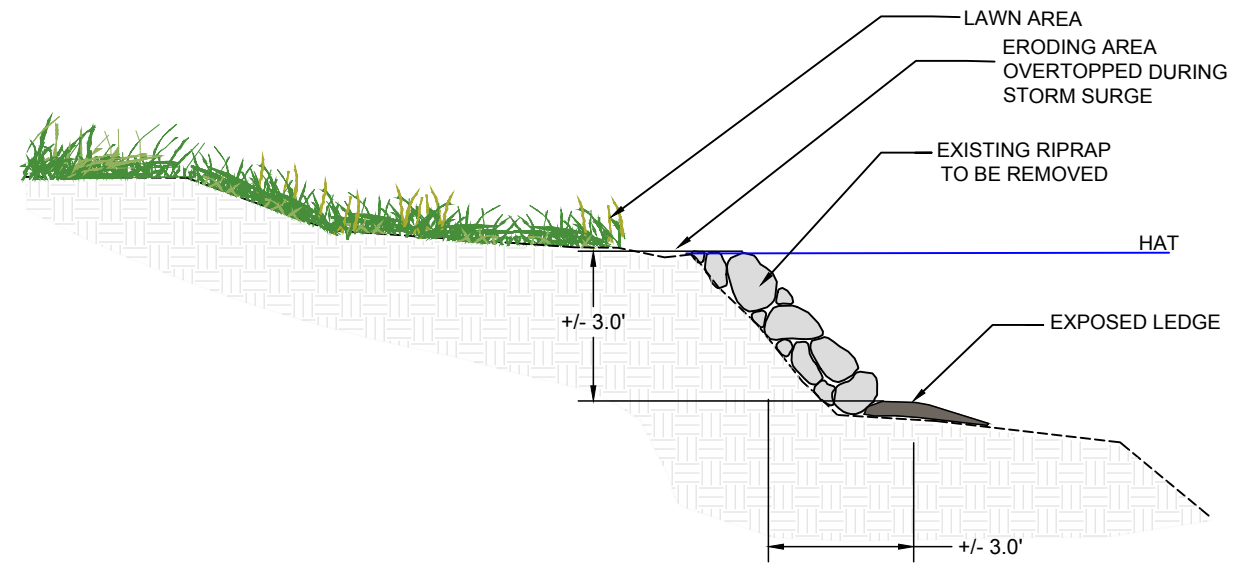
Also conveying a right of way as described in a deed from L. Robert Bowe and Dorothy A. Bowe as described in an instrument dated September 1, 1995 and recorded at Book 12108, Page 18 in the Cumberland County Registry of Deeds.

Reference may be had to deed from Earl R. Wallace and Elaine Wallace dated September 1, 1995 and recorded in Cumberland County Registry of Deeds in Book 12108, Page 9 in the Cumberland County Registry of Deeds.

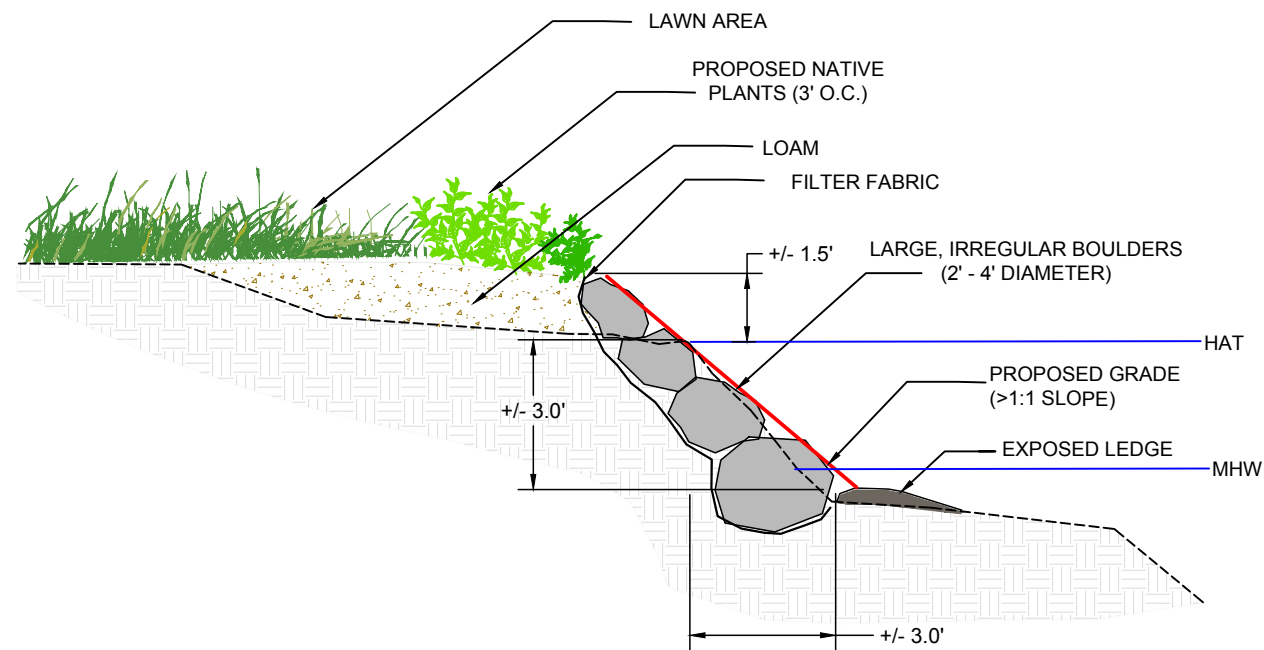
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Recorded Register of Deeds  
May 31, 2013 08:56:46A  
Cumberland County  
Pamela E. Lovley



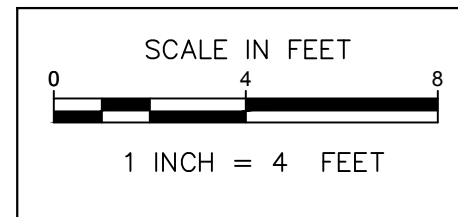




EXISTING






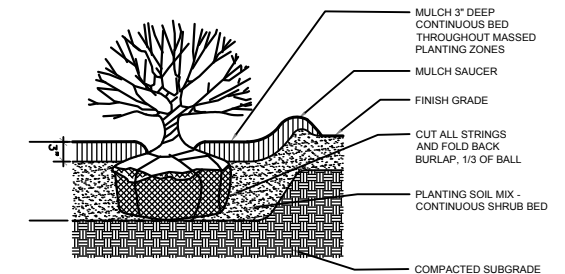
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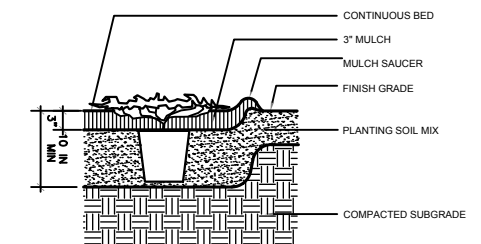
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1 SHRUB AND TREE PLANTING  
SCALE: N.T.S



2 GROUND COVER PLANTING  
SCALE: N.T.S

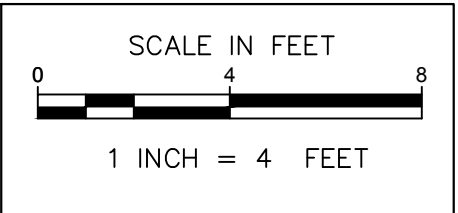
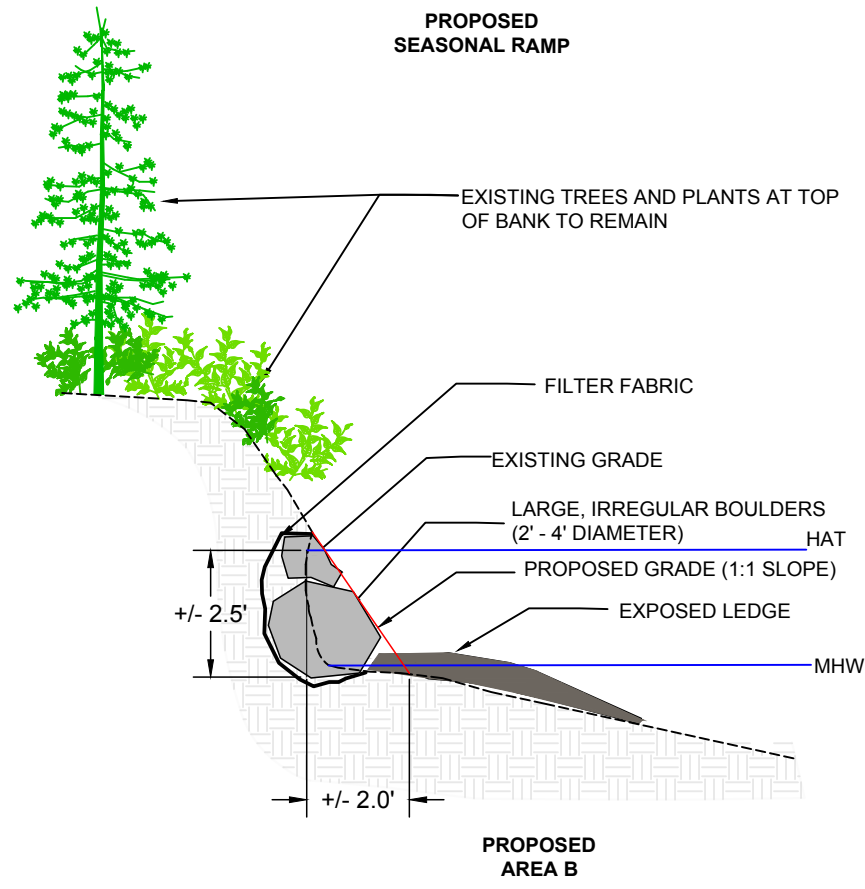
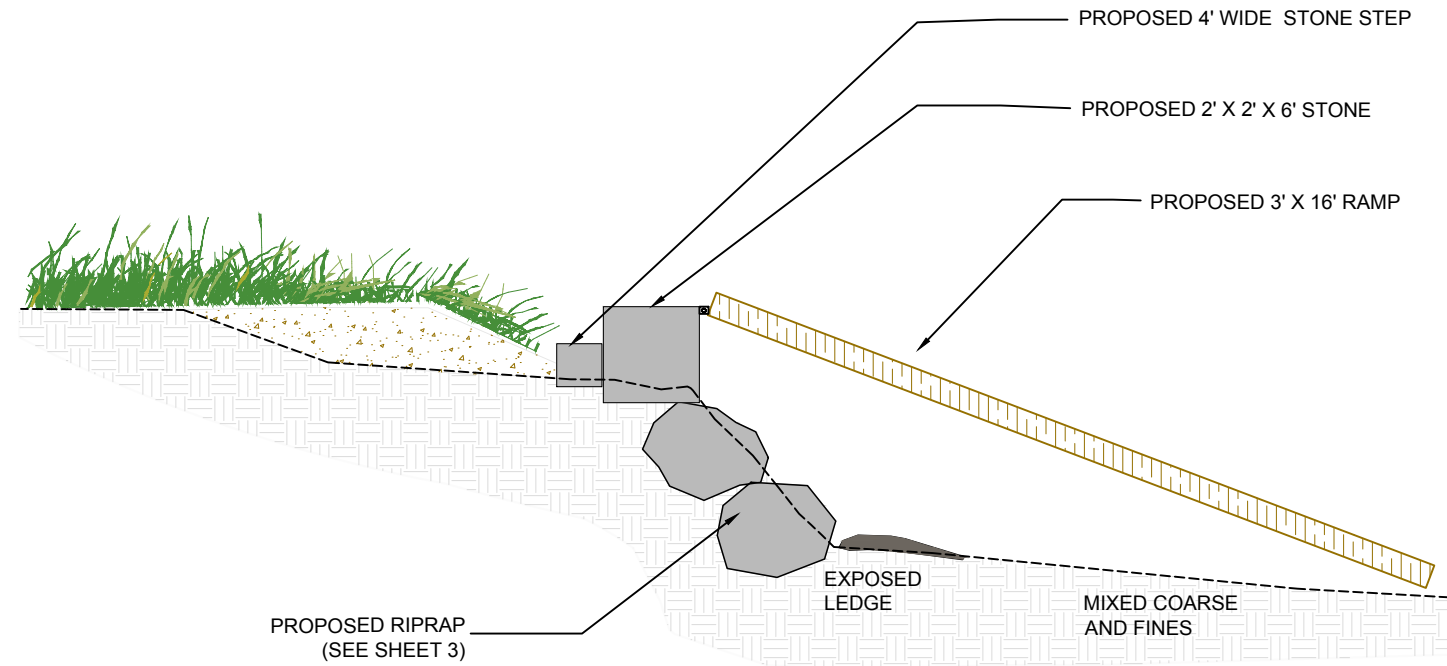


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Date: 3/21/2023  
Revised:  
Project: Farrell, Freeport  
Drafted By:

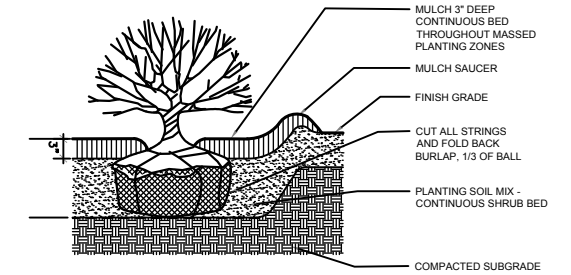
**Cross Section View of the Area A Proposed Shoreline Stabilization Area for Christine Farrell and Robert Elwell located at 33 Cunningham Road in Freeport Maine.**

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of  
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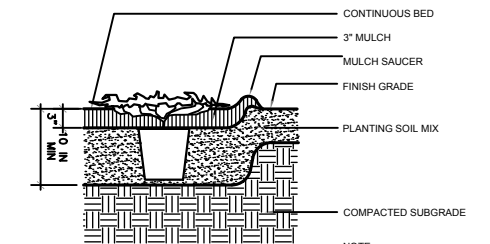


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