

April 8, 2024

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

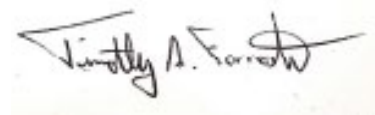
**RE: Site Plan Review Application for Shoreline Stabilization on behalf of Amy E. and Stacy E. McManus located at 48 Maquoit Drive, Freeport, Maine.**

Dear Ms. Pelletier,

On behalf of Amy E. and Stacy E. McManus (Applicants), Flycatcher, LLC (Flycatcher) requests the Town of Freeport's Project Review Board consider a Site Plan Review application to stabilize the shoreline for two abutting properties under the same ownership located at 48 Maquoit Drive in Freeport, Maine. The proposed stabilization consists of the placement of irregular stones that are two (2) to four (4) feet in diameter along approximately one hundred (100) feet of the Applicant's shoreline and will tie into riprap on abutting properties to the north (Tax Map #5 Lot #73) and south (Tax Map #5 Lot #74). The Applicants own the abutting property to the north and have filed for review of a shoreline stabilization project on that property in a separate application. The riprap will vary in height depending on the extent of erosion and the Applicant proposes approximately one hundred (100) square feet of 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 installed. Applications have been submitted to the U.S. Army Corps of Engineers (ACOE), Maine Projects Office in Augusta, Maine and to the Maine Department of Environmental Protection (MDEP). Copies of those approvals will be forwarded 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) 837-2199 or by email at [tim@flycatcherllc.com](mailto:tim@flycatcherllc.com).

Respectfully submitted,



**Tim Forrester**  
Director, Coastal Resources  
Flycatcher, LLC

**Town of Freeport**  
**Site Plan Review Submission Checklist – Small 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 to the Staff Review Board and/or the Project Review Board, the application for the Site Plan or an amendment to an approved site plan shall contain at least an application, a deed for the property, plans, building elevations, and a cover letter. In addition to the paper copies required below, all application materials must be submitted in digital PDF form. 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.

Requirements	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 Planning Department Application for Review. The application form will be provided by the Planning Department.	<input type="checkbox"/>	
<b>Proof of right, title and/or interest in the property:</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 omitted.	<input type="checkbox"/>	
<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.	<input type="checkbox"/>	
<b>Plans:</b> Two (2) sets of the full-size plan drawn at a scale sufficient to allow review under the Criteria and Standards of Section (F) of Section 602, but at not more than 40 feet to the inch for that portion of the total tract of land being proposed for development and ten (10) copies for the Project Review Board, or seven (7) copies for the Staff Review Board of the plan set on 11 X 17" size sheets. All plans shall include the following information:	<input type="checkbox"/>	
a. Owner's name, address and signature;	<input type="checkbox"/>	
b. Assigned address and Tax Assessor Map and Lot(s) of each parcel(s)- existing at the time the application is submitted;	<input type="checkbox"/>	

c. <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;	<input type="checkbox"/>	
d. The <u>bearings and distances</u> of all property 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;	<input type="checkbox"/>	
e. <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;	<input type="checkbox"/>	
f. The <u>lot area</u> of the parcel and the <u>road frontage</u> ;	<input type="checkbox"/>	
g. The <u>location, size, and type of all existing and proposed buildings</u> and structures (including size and height) and:	<input type="checkbox"/>	
<i>The setbacks from property lines</i>	<input type="checkbox"/>	
<i>Driveways</i> N/A	<input type="checkbox"/>	
<i>Sidewalks</i> N/A	<input type="checkbox"/>	
<i>Parking spaces</i> N/A	<input type="checkbox"/>	
<i>Loading areas</i> N/A	<input type="checkbox"/>	
<i>Open spaces</i> N/A	<input type="checkbox"/>	
<i>Large trees</i>	<input type="checkbox"/>	
<i>Open drainage courses</i> N/A	<input type="checkbox"/>	
<i>Signs</i> N/A	<input type="checkbox"/>	
<i>Exterior lighting</i> N/A	<input type="checkbox"/>	
<i>Service areas</i> N/A	<input type="checkbox"/>	
<i>Easements</i> N/A	<input type="checkbox"/>	
<i>Landscaping</i> see vegetation buffer on project plans	<input type="checkbox"/>	

**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:** Amy and Stacy McManus Shoreline Stabilization Project

**Proposed Use of Property:** Single family residential, shoreline stabilization

**1) Applicant Information:**

Name: Tim Forrester, Flycatcher, LLC Tel: (207) 837-2199  
(If a Company, provide name of person also)

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

Email: tim@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 48 Maquoit Drive, Freeport, Maine

Assessor's Office Map: 5

Lot: 74A

Size of Parcel (acres): 0.19

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: The Applicant proposes to stabilize the shoreline with riprap and native plantings.





## AUTHORIZATION LETTER

DATE: January 26, 2024

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:

**46 & 48 Maquoit Drive, Freeport, Maine.**

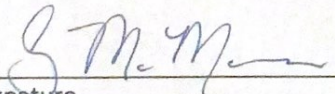
This authorization allows Flycatcher LLC to act as my agent for the preparation, signing and submission of federal, state, regional, and municipal permit applications, including conducting any necessary or pertinent consultations, preparation and submission of relevant documents and applications, advancing 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.

Amy McManus  
Print Name

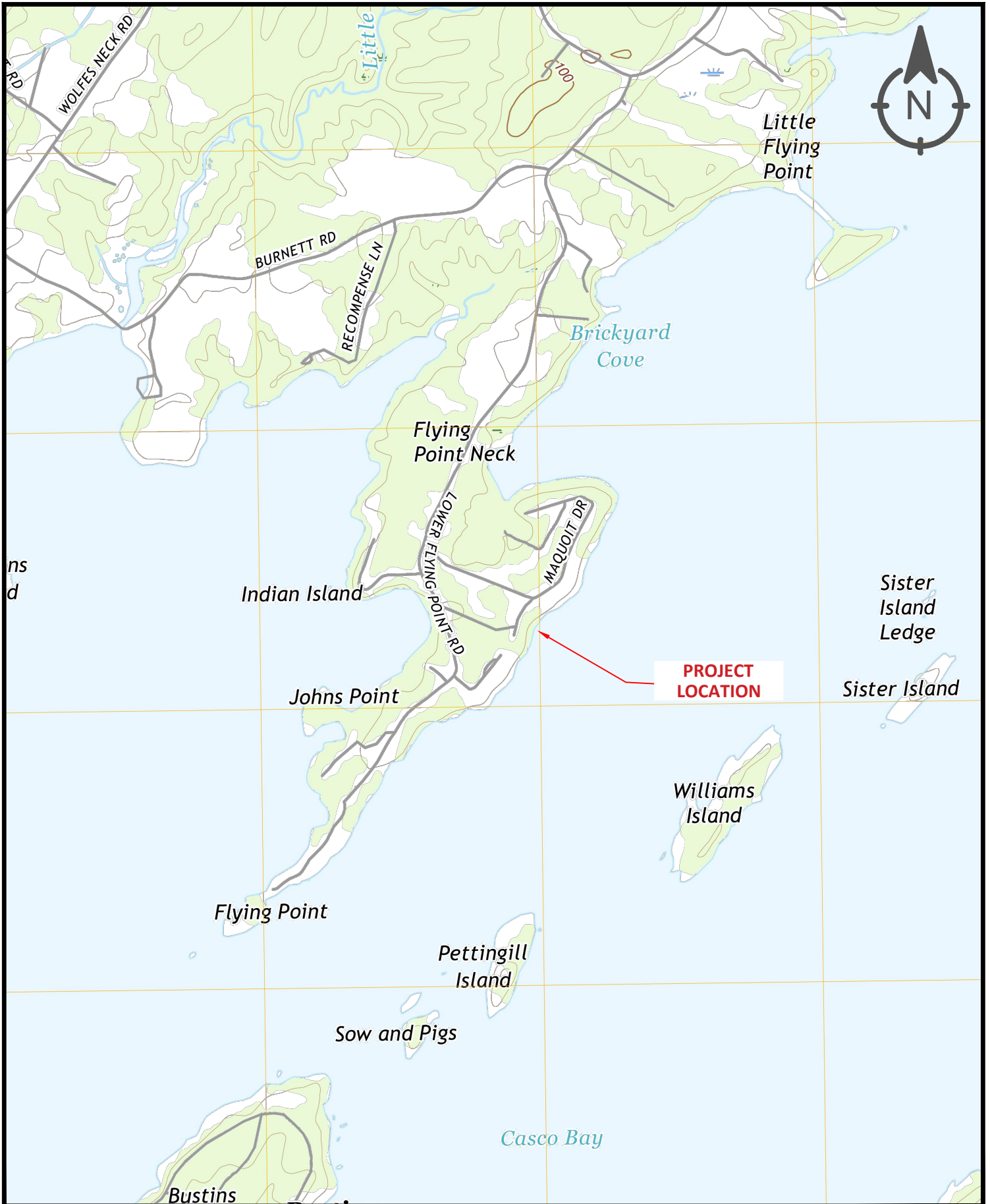
Owner  
Title

617.625.0150 mcmamus.amy@gmail.com  
Phone or Email

  
Signature

1/26/2024  
Date

## Location Map



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

**PROJECT LOCATION**  
**46 & 48 MAQUOIT DRIVE**  
**FREEPORT, MAINE**  
**43.818372, -70.057675/ 43.818472, -70.057697**





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

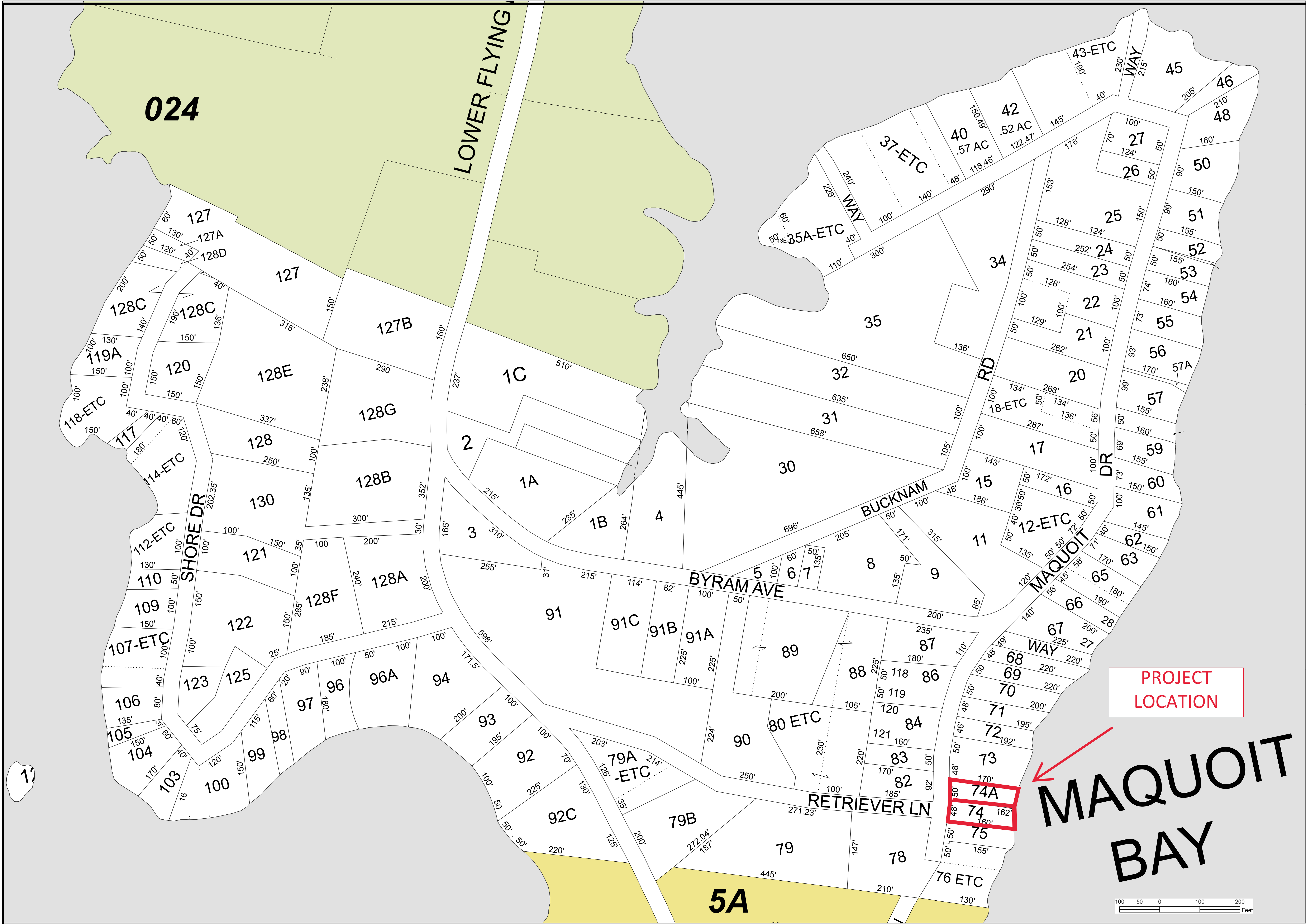
These maps are intended to be used for the purpose of Property Tax Assessments and should not be used for conveyances.  
Revised to April 1st

Scale: = 100



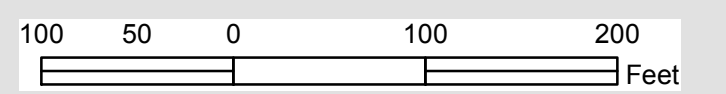
2021

MAP: 005



PROJECT LOCATION

MAQUOIT BAY



## Photographs

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 48 Maquoit Drive, Freeport, Maine. All photographs were taken on January 30, 2024 by Chuck Ferris 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. Portion of base of slope that has been undercut. Woody vegetation will need to be removed to install riprap.**



**Photograph Three. Additional view of base of shoreline and four trees (*White Birch (Betula papyrifera)* and *Red Oaks (Quercus rubra)*) that will need to be removed.**



**Photograph Four. Additional view of eroding bank from residential structure.**



**Photograph Five. Additional view of base of slope and red oak (*Quercus rubra*) to be removed.**



**Photograph Five. Additional view of undercut shoreline.**

## Project Description

**Introduction and Project Purpose.** The Applicant owns a property located at 48 Maquoit Drive, which is 0.19 acres in size and adjacent to Maquoit Bay in Freeport, Maine. The site is developed with a residential structure and associated development. The shoreline is undergoing varying degrees of erosion and the residential structure is located approximately five (5) feet from the top of the bank. The Applicant's project purpose is to stabilize the shoreline to protect the existing structures and limit the extent of future erosion. Flycatcher investigated the site and the surrounding area to determine the feasibility of stabilizing the shoreline 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.

**Project Description.** 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 the shoreline and will measure six (6) to ten (10) feet in height. As a result of the riprap below the HAT, on both properties there will be approximately one hundred (100) square feet of impacts to the coastal wetland.

In order to construct the riprap, the contractor will place filter fabric and six (6) inch minus stone in the eroded area. The bottom row of riprap will be buried in a trench and set to a depth of  $\frac{1}{2}$  the stone's diameter or pinned to existing ledge and riprap will be placed to the proposed height and constructed with a 1H: 1V slope. The riprap will tie into an existing riprap system on the southerly property line and will tie into a proposed system to the south (McManus, 46 Maquoit Drive, Tax Map #5 Lot #74). The installation of the riprap does not require additional upland development. Access to the site will be provided from an adjacent lot that is undergoing stabilization at the same time.

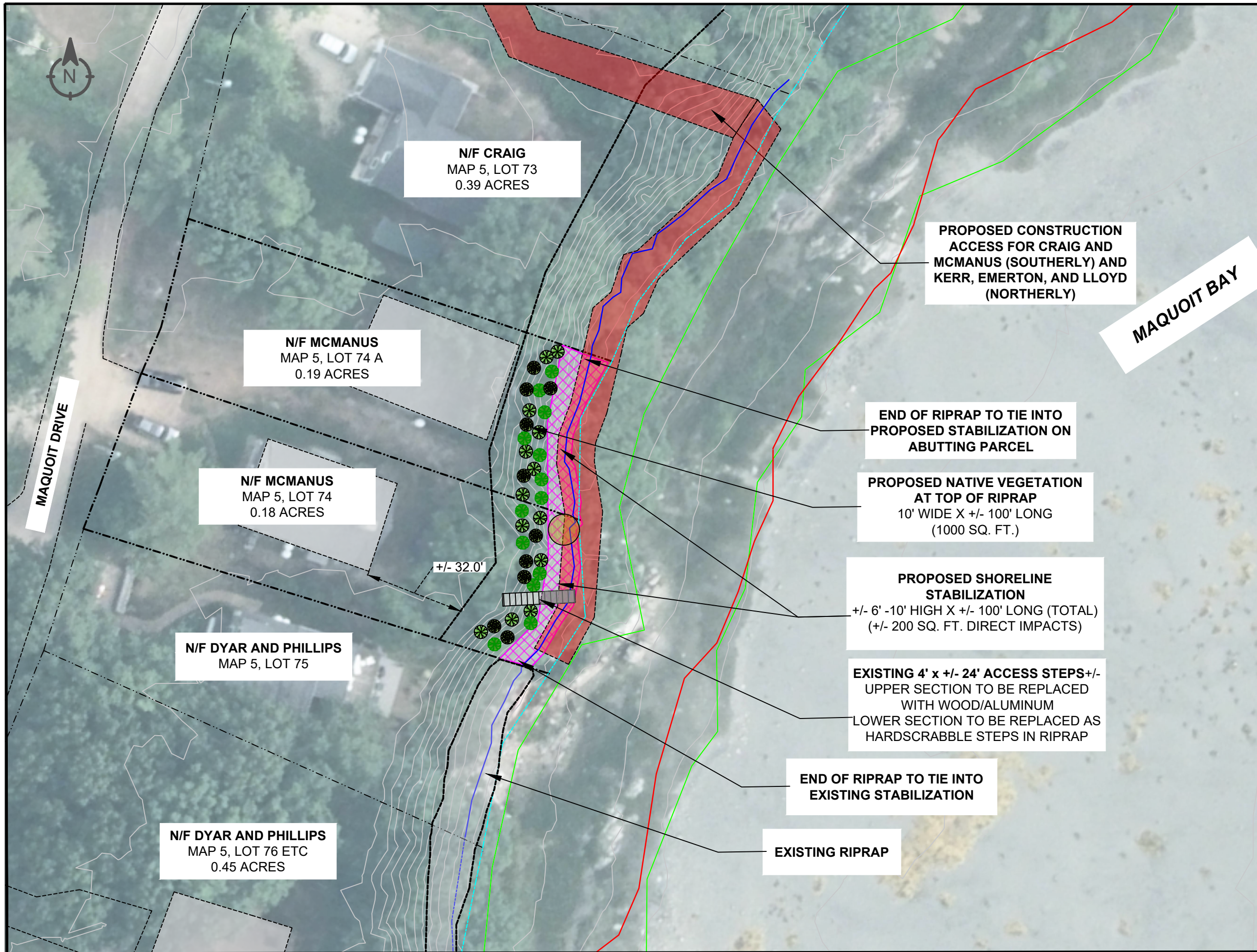
**Revegetation.** In order to install the riprap, the Applicant will need to remove the following vegetation as outlined in Table One. However, in order to provide additional bank stability, the Applicant proposes to install native vegetation.

Table 1. Overview of Proposed Vegetation to be Removed as part of the Proposed Shoreline Stabilization, 48 Maquoit Drive, Freeport, Maine.

<i>Type of Vegetation</i>	<i>Quantity Removed</i>
Trees and Saplings	1 White Birch ( <i>Betula papyrifera</i> ) 1 Red Oak ( <i>Quercus rubra</i> )
Woody Vegetation (under 3' in height)	200 square feet
Ground Vegetation/Ground Cover	0

Native plants will be installed upon the completion of the construction of the riprap.

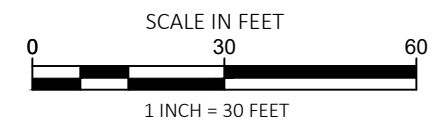
## Project Plans



- LEGEND**
- PROPERTY LINE
  - HIGHEST ANNUAL TIDE (HAT)
  - MEAN HIGH WATER (MHW)
  - SIGNIFICANT WILDLIFE HABITAT
  - MARSH VEGETATION
  - TOP OF BANK
  - TREES TO BE REMOVED



- NOTES:
- 1) BASE MAP IMAGERY BASED ON MAINE OFFICE OF GIS AERIAL IMAGERY DATED 2022.
  - 2) 2 FT CONTOUR DATA BASED ON MAINE OFFICE OF GIS TILE 19TDJ15.
  - 3) HIGHEST ANNUAL TIDE DATA BASED ON SOUTH FREEPORT TIDAL STATION (6.70' NAVD88)
  - 4) PROPERTY LINE DATA BASED ON MULTIPLE SOURCES INCLUDING PLAN TITLED, "BOUNDARY SURVEY AT 42 MAQUOIT DRIVE," PREPARED BY MANN ASSOCIATES, INC. AND DATED SEPTEMBER 7, 2001, PLAN TITLED, "BOUNDARY SURVEY PLAN OF LAND OF MARIANNE MCGETTIGAN," PREPARED BY SITELINES, PA AND DATED APRIL 27, 2009.
  - 5) PLAN IS FOR PERMITTING PURPOSES.



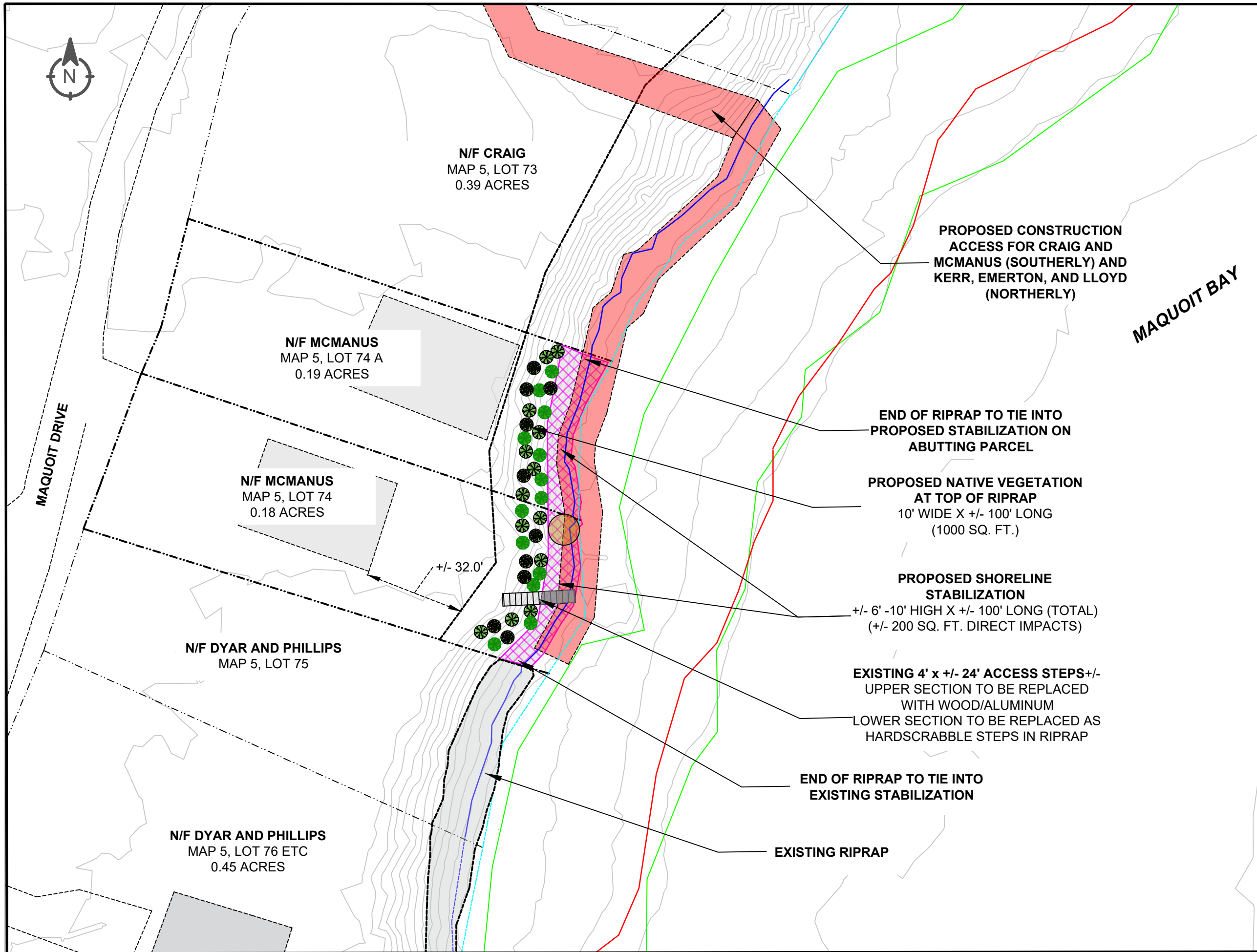
PROJECT:  
**PROPOSED SHORELINE STABILIZATION FOR AMY AND STACEY MCMANUS, 46 & 48 MAQUOIT DRIVE, FREEPORT, MAINE.**

TITLE:  
**OVERVIEW OF EXISTING AND PROPOSED CONDITIONS**

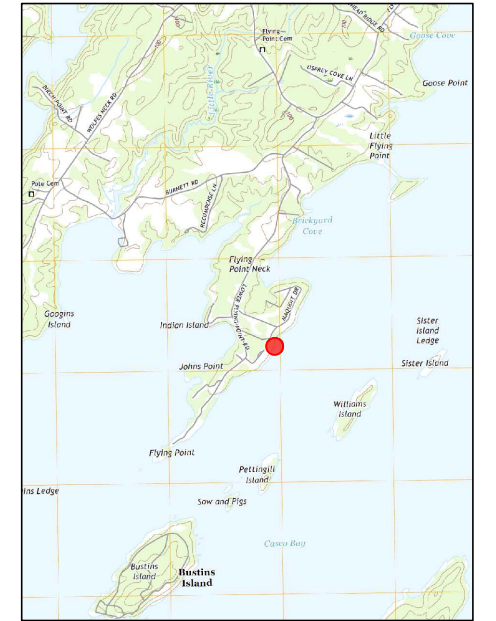
DRAWN BY: LCV	SHEET: 1 OF 3
CHECKED BY: TAF	JOB NUMBER: C231-009
DATE: 3/4/2024	REV DATE:

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

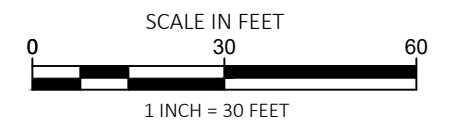




- LEGEND**
- PROPERTY LINE
  - HIGHEST ANNUAL TIDE (HAT)
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  - 5) PLAN IS FOR PERMITTING PURPOSES.



**PROJECT:**  
 PROPOSED SHORELINE STABILIZATION FOR AMY AND STACEY MCMANUS, 46 & 48 MAQUOIT DRIVE, FREEPORT, MAINE.

**TITLE:**  
 OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

<b>DRAWN BY:</b> LCV	<b>SHEET:</b> 2 OF 3
<b>CHECKED BY:</b> TAF	<b>JOB NUMBER:</b> C231-009
<b>DATE:</b> 3/4/2024	<b>REV DATE:</b>

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

**PROPOSED CONSTRUCTION ACCESS FOR CRAIG AND MCMANUS (SOUTHERLY) AND KERR, EMERTON, AND LLOYD (NORTHERLY)**

**END OF RIPRAP TO TIE INTO PROPOSED STABILIZATION ON ABUTTING PARCEL**

**PROPOSED NATIVE VEGETATION AT TOP OF RIPRAP**  
 10' WIDE X +/- 100' LONG (1000 SQ. FT.)

**PROPOSED SHORELINE STABILIZATION**  
 +/- 6' -10' HIGH X +/- 100' LONG (TOTAL)  
 (+/- 200 SQ. FT. DIRECT IMPACTS)

**EXISTING 4' x +/- 24' ACCESS STEPS +/-**  
 UPPER SECTION TO BE REPLACED WITH WOOD/ALUMINUM  
 LOWER SECTION TO BE REPLACED AS HARDCRABBLE STEPS IN RIPRAP

**END OF RIPRAP TO TIE INTO EXISTING STABILIZATION**

**EXISTING RIPRAP**

**N/F CRAIG**  
 MAP 5, LOT 73  
 0.39 ACRES

**N/F MCMANUS**  
 MAP 5, LOT 74 A  
 0.19 ACRES

**N/F MCMANUS**  
 MAP 5, LOT 74  
 0.18 ACRES

**N/F DYAR AND PHILLIPS**  
 MAP 5, LOT 75

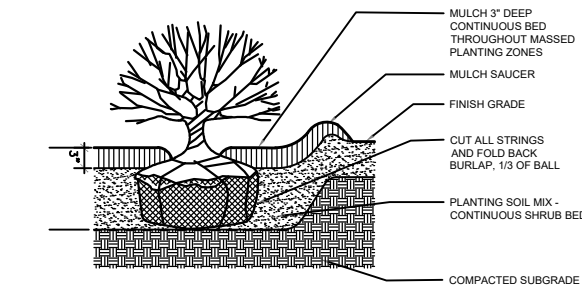
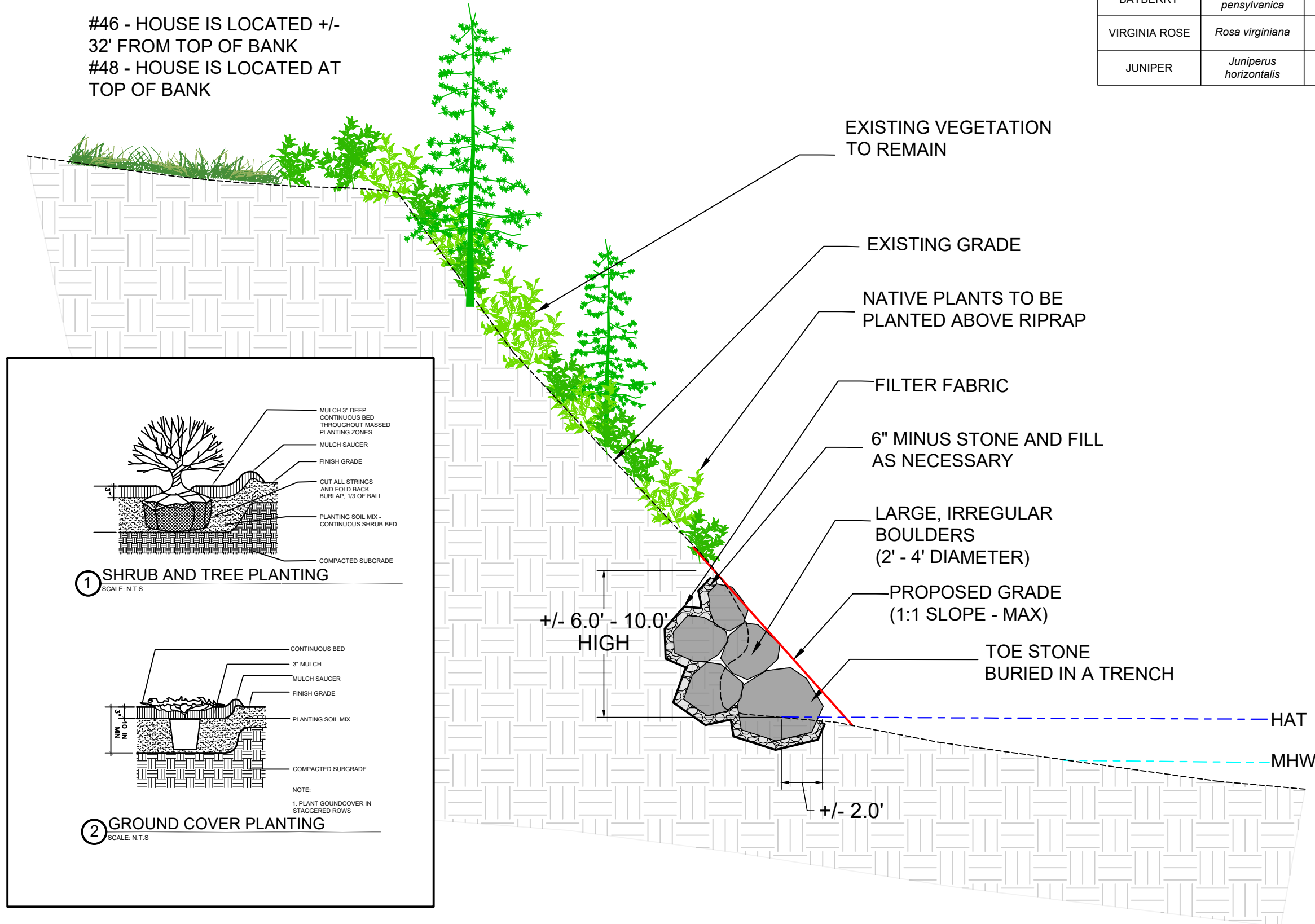
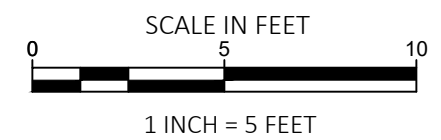
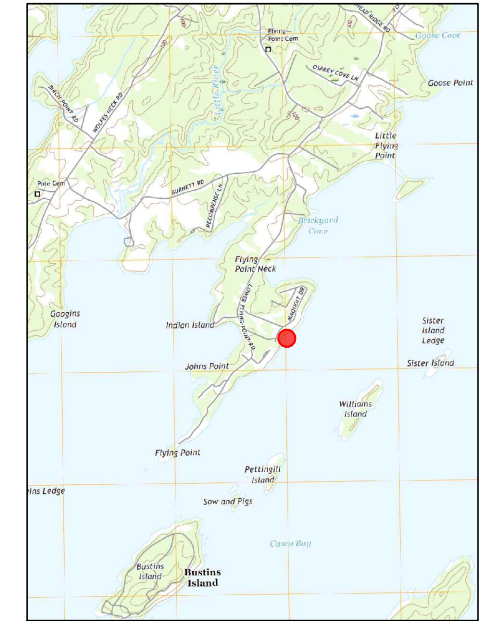
**N/F DYAR AND PHILLIPS**  
 MAP 5, LOT 76 ETC  
 0.45 ACRES

+/- 32.0'

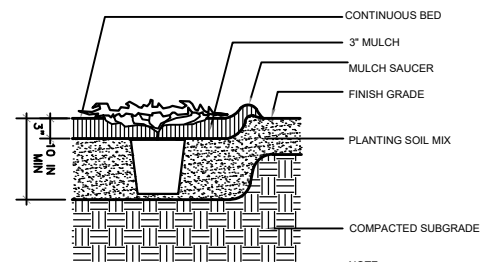
#46 - HOUSE IS LOCATED +/- 32' FROM TOP OF BANK  
 #48 - HOUSE IS LOCATED AT TOP OF BANK

PROPOSED PLANTINGS		
COMMON NAME	SCIENTIFIC NAME	SPACING
RED OAK	<i>Acer rubrum</i>	2 - 3 O.C.
BAYBERRY	<i>Myrica pensylvanica</i>	2 - 3 O.C.
VIRGINIA ROSE	<i>Rosa virginiana</i>	2 - 3 O.C.
JUNIPER	<i>Juniperus horizontalis</i>	2 - 3 O.C.

- 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 VARY 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) PLAN IS FOR PERMITTING PURPOSES ONLY.



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



2 GROUND COVER PLANTING  
 SCALE: N.T.S.

NOTE:  
 1. PLANT GROUND COVER IN STAGGERED ROWS

PROJECT:  
 PROPOSED SHORELINE STABILIZATION FOR AMY AND STACEY MCMANUS, 46 & 48 MAQUOIT DRIVE, FREEPORT, MAINE.

TITLE:  
 SECTION VIEW OF PROPOSED STABILIZATION

DRAWN BY: LCV SHEET: 3 OF 3

CHECKED BY: TAF JOB NUMBER: C231-009

DATE: 3/6/2024 REV DATE:



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

## Land Use Standards

Town of Freeport Shoreland Zoning Ordinance, Article III Section 306: Land Use 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.

**Riprap will not be installed above the top of the natural bank. Once construction is complete, native vegetation will be planted in accordance with the Town of Freeport's Shoreland Zoning Ordinance. This includes Red Oak (*Quercus rubra*), White Birch (*Betula papyrifera*), Bar Harbor Juniper (*Juniperus horizontalis*), and Northern Bayberry (*Myrica pensylvanica*) planted three (3) 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 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 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 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 is being installed to alleviate erosion issues and ensure the stability of the bank.**

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 any permanent storage areas, machinery installations, service areas, truck loading areas, utility buildings or structures, or similar accessory areas or structures. A temporary construction access and laydown area will be used within existing gravel parking areas.**

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.

**The shoreline stabilization will consist of installing approximately one hundred linear feet of riprap and will require the removal of two mature trees. Native plantings will be installed once construction is complete. The Applicant proposes to tie the riprap into an adjacent riprap systems that are also currently under review with the Town.**

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 proposed project will stabilize an eroding shoreline with riprap and native plantings 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 plans limited the amount of riprap below the Highest Annual Tide (HAT line). The substrates at the site consist primarily of sandy substrates and mixed coarse and fines and 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 project requires minimal upland vegetation to be removed and native plantings will be established once construction is complete.**

(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 Native American 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 will not extend significantly into the intertidal zone, causing any obstruction to fishing grounds or navigation channels.**

#### **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 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.

**There is an existing footpath that allows access to the project site and does not require vegetation to be removed.**

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

**The Applicant intends to plant native vegetation that includes Red Oak (*Quercus rubra*), White Birch (*Betula papyifera*), Bar Harbor Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), and Beach Plum (*Prunus maritima*) three (3) feet on center.**

## Construction Plan

The site will be accessed via Maquoit Drive and all materials and equipment for the stabilization will be stockpiled within a sandy section of beach in the intertidal zone. 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 and the Applicant intends to construct the project during the winter. Construction equipment may operate within the coastal wetland. Areas of marsh vegetation will be avoided.

In the area where the Applicant proposes to stabilize the shoreline, geotextile filter fabric and six (6) inch minus stone will be placed behind large, diameter irregular stones (approximately 2 – 6 feet). The toe riprap stone will be pinned to ledge (or buried in a trench and set to a depth of ½ the stone's diameter) at the base of the slope and riprap will extend to approximately six (6) to ten (10) feet in height and constructed with a maximum slope of 1H: 1V.

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. The plants will be spaced approximately three (3) feet on center, depending on the size and type of plant and the revegetation area will encompass an area of approximately one thousand (1,000) square feet. The revegetation may include the following native plant species: Creeping Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), Virginia Rose (*Rosa virginiana*), White Birch (*Betula papyrifera*), and Red Oak (*Quercus rubra*). However, the final type of native plants will be determined upon local availability. The Applicant intends to install the native vegetation during the growing season at the completion of work. In addition, all disturbed areas as a result of the construction access will be seeded and hayed.



## 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. 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.

Title, Right, or Interest

**WARRANTY DEED**  
**Maine Statutory Short Form**

**Know All by these Presents,**

That I, **Robert E. Gilliam**, of Freeport, State of Maine, for consideration paid, grant to: **Amy E. McManus** of Arlington, Commonwealth of Massachusetts, whose mailing address is: 85 Jason Street, Arlington, MA 02476 and **Stacy E. McManus** of Somerville, Commonwealth of Massachusetts, whose mailing address is 29 Spencer Avenue, Somerville, MA 02144, with **warranty covenants**, as tenants in common, the land in Freeport, County of Cumberland, and State of Maine, described as follows:

A certain lot or parcel of land, together with any buildings and improvements thereon, situated in the Town of Freeport, County of Cumberland, and State of Maine being more particularly described in Exhibit A attached hereto and made a part hereof.

Witness my hand and seal this 11th day of August, 2009.

Signed, Sealed and Delivered  
in the presence of

  
.....

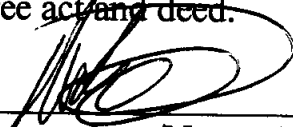
  
.....  
**Robert E. Gilliam**

State of Maine  
County of Cumberland

ss.

August 11, 2009

Then personally appeared before me the above named Robert E. Gilliam and acknowledged the foregoing instrument to be his free act and deed.

  
\_\_\_\_\_  
Attorney at Law/Notary Public  
Printed Name: Rebecca Kucharski

MAINE REAL ESTATE TAX PAID

**EXHIBIT A**  
**48 Maquoit Drive, 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, and being Lot #18 on a Plan of Lots of Flying Point made by E. A. Rand and dated May 25, 1933 and recorded in the Cumberland County Registry of Deeds in Plan Book 21, Page 45, and being further bounded and described as follows:

Beginning at a point on the southeasterly sideline of Maquoit Drive at the southwesterly corner of Lot #19; thence running southeasterly along Lot #19 one hundred seventy (170) feet to Maquoit Bay; thence running southwesterly along said Bay fifty (50) feet to the most easterly corner of lot #17; thence running northwesterly along said Lot #17 one hundred sixty-two (162) feet to said sideline of Maquoit Drive; thence northeasterly along said sideline of Maquoit Drive to the point of beginning.

This conveyance is made together with the fee so far as I have the right to convey the same of all the streets and ways shown on said plan in common with the owners of the other lots shown on said plan and subject to the rights of all of said lot owners to make any customary use of said streets and ways.

Also conveying to the Grantees, the right to pass and repass from the above-described premises over and along Lot #17 as shown on said plan and to use the steps or walk located on said Lot #17 to reach the shore of said Maquoit Bay.

Also conveying to the Grantees, their heirs and assigns, the right to construct and maintain a septic tank on said Lot #17 for the benefit of the above-described premises, with the right at all reasonable times to enter upon said Lot #17 to construct, maintain, and repair said septic tank.

Subject to the right of the owner of Lot #17, her heirs and assigns, the right in common with the Grantees, their heirs and assigns, to use and draw water from the well to be drilled upon said Lot #18 and to lay and maintain water pipes from said well over and across said Lot #18 to said Lot #17, with the right at all reasonable times to enter upon said Lot #18 to maintain and repair said water pipes. Further subject to the owner of Lot #17, her heirs and assigns, the right to use, in common with the Grantees, their heirs and assigns, the septic tank to be constructed and maintained on said Lot #17.

Together with the benefit of the agreements and obligations recited by the Grantors in warranty deed from Leon R. Danforth and Maizie Jean Danforth to Robert E. Gilliam and Evelyn A. Gilliam dated October 29, 1969 and recorded in the Cumberland County Registry of Deeds in Book 3107, Page 317. Evelyn A. Gilliam deceased on September 19, 2007, leaving Robert E. Gilliam as surviving joint tenant.

Received  
Recorded Register of Deeds  
Aug 13, 2009 09:35:44A  
Cumberland County  
Pamela E. Lovley