

April 1, 2024

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

RE: Site Plan Review Application for Shoreline Stabilization on behalf of Lucy and McAllister Lloyd located at 62 Maquoit Drive, Freeport, Maine.

Dear Ms. Pelletier,

On behalf of Lucy and McAllister Lloyd (Applicant), Flycatcher, LLC (Flycatcher) requests the Town of Freeport's Project Review Board consider a Site Plan Review application to replace portions of an existing riprap system located at 62 Maquoit Drive in Freeport, Maine. This project is being proposed concurrently with abutting properties, which have been filed for review in separate applications (see Emerton, Kerr, etc). The Applicant has an existing stabilization system along approximately fifty (50) feet of their shoreline. The upper portions of the riprap consist of smaller rocks that are washing down the bank. In order to address this issue, the Applicant proposes to replace the smaller stone with irregular stones that are two (2) to four (4) feet in diameter along approximately fifty (50) feet of the Applicant's shoreline and will tie into existing riprap on the southern abutter's property (Tax Map #5 Lot #69). The existing riprap measures six (6) feet in height and the Applicant does not propose any additional impacts to the costal wetland as a result of the replacement. Native plantings will be established at the top of the riprap once construction of the riprap is installed. the existing riprap is too small in diameter. The Applicant is replacing it with larger stone in the same location.

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.

Respectfully submitted,

**Tim Forrester** 

**Director, Coastal Resources** 

Timothy A. Format



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

#### 1. SUBMISSIONS

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

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

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

#### 2. ABUTTERS

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

#### 3. **FEES**

Refer to current fee schedule.

# Town of Freeport Planning Department

## **Application for Review**

Project Type: (check all applicable)		
Site Plan Review	Design Review Certificate	Subdivision
Zoning Ordinance Amendr	ent Other (please explain)_	
Name of Project: Lloyd Shoreline Sta	bilization	
Proposed Use of Property: Single fa	nily residential, shoreline stabilization	
1) Applicant Information:		
Name: Tim Forrester, Flycatcher, L	.C	Tel: (207) 837-2199
(If a Company, provide	ame of person also)	
Address: 106 Lafayette Street, Suit	2A, Yarmouth, ME 04096	
Email: tim@flycatcherllc.com		
serious interest in the project and s paid for the property may be blacke  3) Do you own any abutting property:  If yes, please explain:  4) Property Information:	afficient title, right, and/or interest to condition of the process of the proces	ubmitted to show that the applicant has a complete the project. The amount being ssed without this information.
Location: Street Address 62 Maqu	oit Drive, Freeport, Maine 04032	
Assessor's Office Map: 5 Size of Parcel (acres): .24	acres Zoning	MDR, shoreland g District (s):
5) <u>Design Review Information</u> (please	circle one from each category)	
Design Review District: One	Two X Not in the Design R	Review District
Building Class, as designated on the	Design Review District Map(s): A	В С
Is this building in the Color Overly Di	trict: Yes No	

2 02/18

6) Other Information:			
Proposed # of Buildings: N/A Gr	oss Square Footage	of Non-Residential Build	ings: N/A
Is Zoning Board of Appeals Approval Requi	ired? Yes	x No	
If YES, provide reason			
7) <u>Subdivision Approval or a Subdivision Ap</u>	mendment: (if app	licable) <sup>N/A</sup>	
Proposed Number of Lots			
Does the applicant intend to request any	waivers of Subdivis	sion or Site Review provis	ions?
NOX YES			
If YES, list and give reasons why			
	_		
,			
8) Applicant's Engineer, Land Surveyor, Lar	•		
Name:		Tel:_	
Address:			
Email:			
9) Billing Contact (If different than applican	nt information)		
Name: Tim Forrester, Flycatcher, LLC		Tel:_	(207) 837-2199
Address:106 Lafayette Street, Suite 2A	, Yarmouth, Maine	04096	
Email:			
	tter Fee: \$7.50		
<b>Submission</b> : This application form, along wi at least 21 days prior to the meeting at whic		, ,	e submitted to the Town Planne
The undersigned, being the applicant, own application is true and correct to the best of town and in accordance with applicable governments.	his/her knowledge	and hereby does submit	the information for review by the
	Vindly	Wieno F. A	
4/1/24		10,2	<del></del>
DATE	SIGNATI	JRE OF APPLICANT/OWN	ER/REPRESENTATIVE

02/18

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## **AUTHORIZATION LETTER**

**DATE: January 30, 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:

### 62 Maquoit Drive, Freeport, Maine.

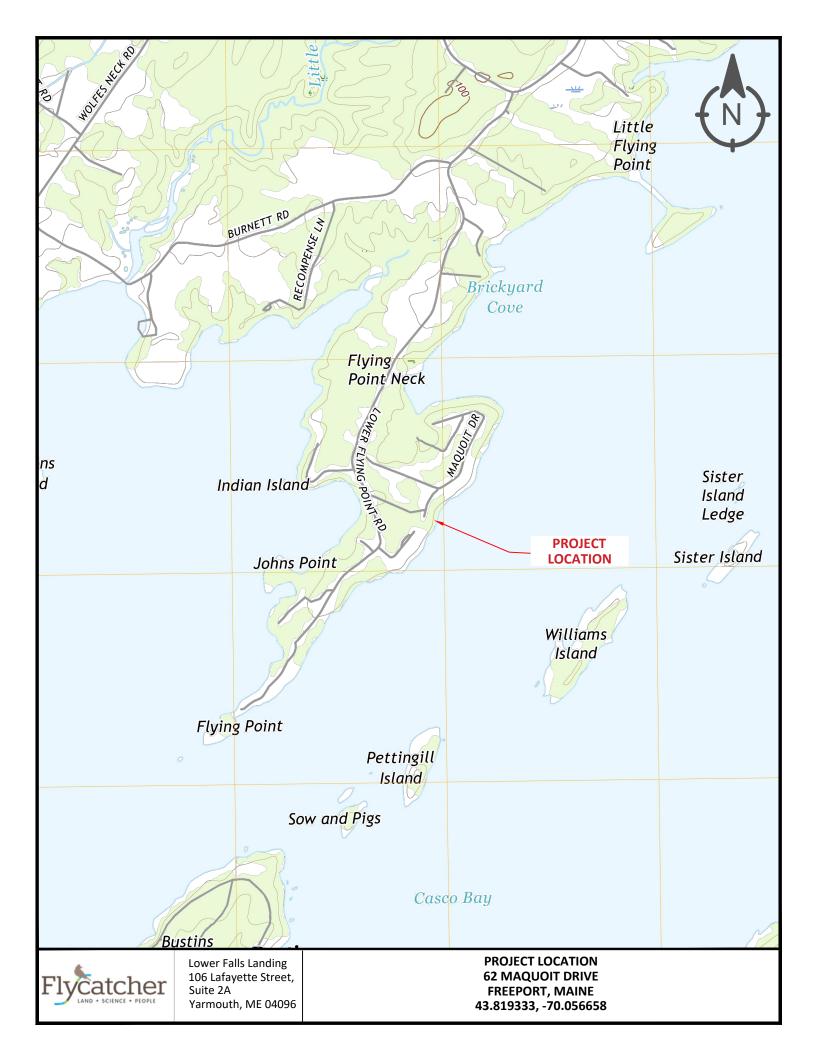
This authorization allows Flycatcher LLC to act as my agent for the preparation, signing and submission of federal, state, regional, and municipal permit applications, including conducting any necessary or pertinent consultations, preparation and submission of relevant documents and applications, advancing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

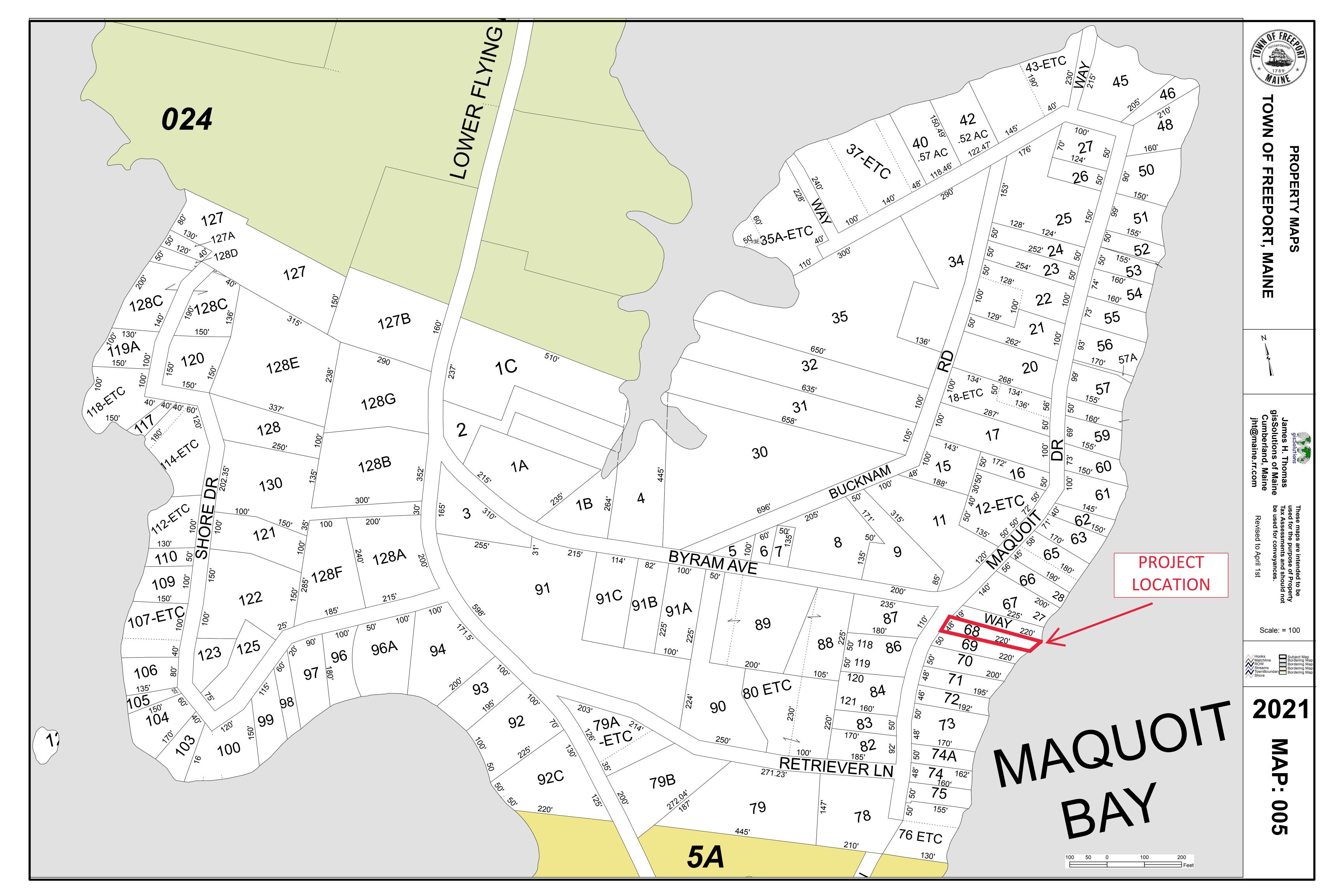
This authorization is effective as of the date of this correspondence	and will ren	nain valid	until r	evok	ed
in writing.			,		

1 / 10 y / 10 y d E DC 2 liva. Com 207-312-4404 Phone or Email

## Location Map

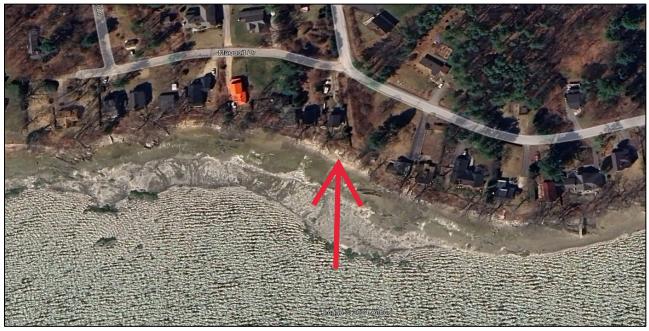






## **Photographs**

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 68 Maquoit Drive in the Town of Freeport, Maine. All photographs were taken on January 31, 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: Maine Office of GIS. Date: 2022.



Photograph Two. Facing northeast. View of area of shoreline where small riprap has washed down slope.





Photograph Three. Additional view facing northeast. Additional view of exposed shoreline where riprap has washed down slope.



Photograph Four. Facing northeasterly - additional view of shoreline showing existing conditions.



## **Project Description**

Introduction and Project Purpose. The Applicant owns an approximate 0.24-acre parcel of land located on Maquoit Drive and adjacent to Maquoit Bay in the Town of Freeport, Maine. The site is developed with a residential structure and associated development. Flycatcher investigated the site and the surrounding area to determine the feasibility of replacing the riprap 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 replace the existing riprap with larger stones that measure approximately two (2) to four (4) feet in diameter along fifty (50) feet of the shoreline and will extend approximately six (6) in height and three (3) feet below the Highest Annual Tide (HAT) line. The Applicant does not propose any additional impacts to the coastal wetland as a result of the riprap replacement.

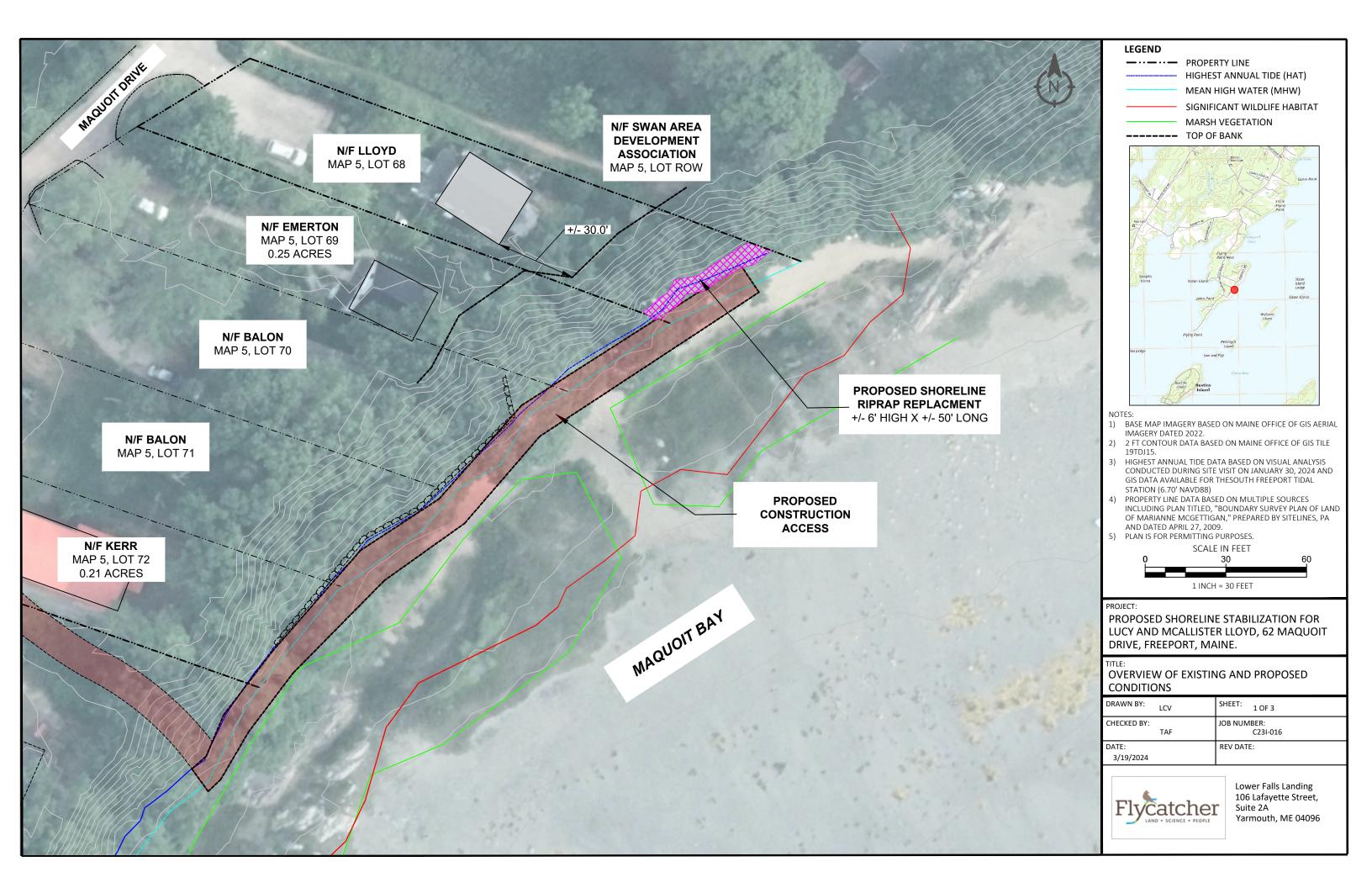
In order to replace the riprap, the contractor will place filter fabric and six (6) inch minus stone in the eroded area. The bottom row of riprap is buried in a trench and set to a depth of ½ the stone's diameter, which will remain in place. The replacement riprap will be stacked to the proposed height and constructed with a 1H: 1V slope. The riprap will tie into an existing system to the north and a proposed system to the south. The installation of the riprap does not require additional upland development.

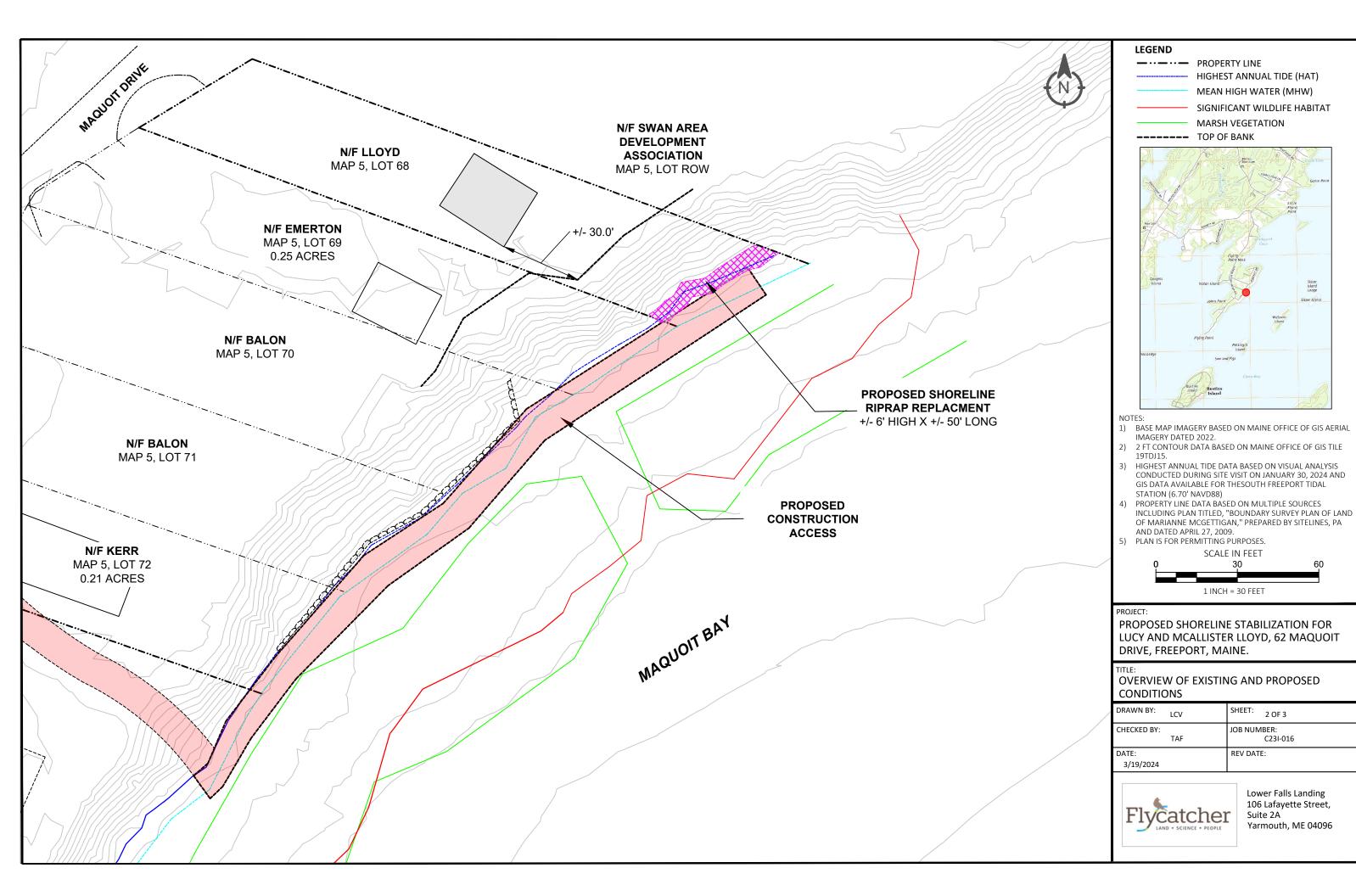


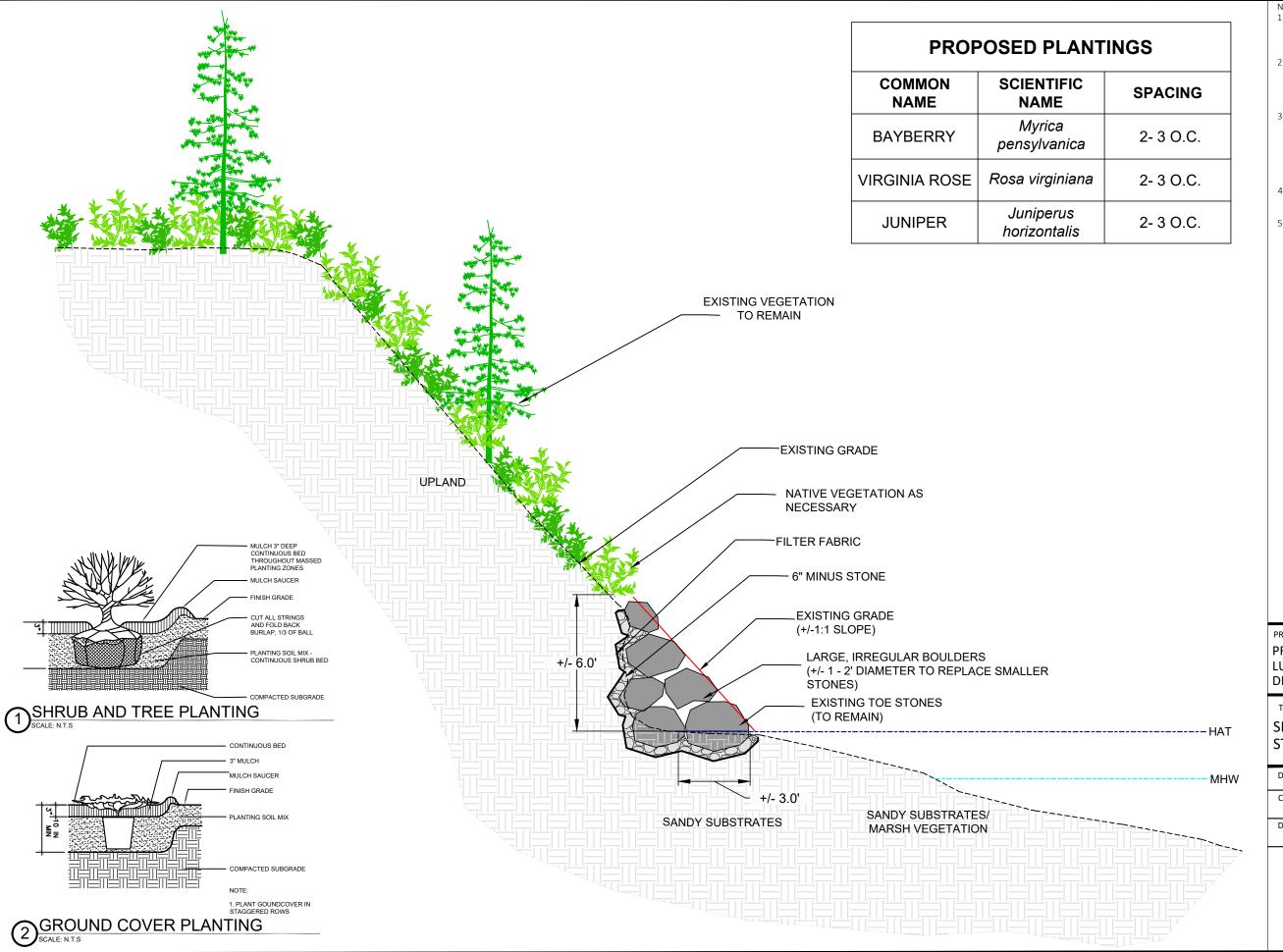


## **Project Plans**





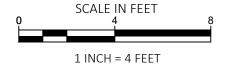




#### NOTES

- 1) WHERE APPLICABLE, THE FIRST ROW OF RIPRAP WILL BE PINNED TO LEDGE OR BURIED IN A TRENCH. BOTTOM STONE WILL BE SET TO A DEPTH OF  $\frac{1}{2}$  THE STONE'S DIAMETER.
- 2) RIPRAP WILL CONSIST OF LARGE, IRREGULAR SHAPED ROCKS, FIT INTO PLACE AND/OR PINNED WITH REBAR. RIPRAP IS PLACED ON A SLOPE. SOME VARIATION IN SLOPE, HEIGHT, AND DISTANCE IS UNAVOIDABLE. STONE WILL VERY IN SIZE FROM 2' - 4'.
- 3) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SITE DISTURBANCE. CONTRACTOR INTENDS TO WORK IN SECTIONS EACH DAY DURING PERIODS OF LOW TIDE. MATS WILL BE REMOVED AND STORED ABOVE THE HAT AT THE COMPLETION OF CONSTRUCTION EACH WORK DAY.
- 4) PRIOR TO THE START OF CONSTRUCTION, EROSION CONTROLS WILL BE ESTABLISHED AS NEEDED AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
- 5) PLAN IS FOR PERMITTING PURPOSES ONLY.





#### PROJECT

PROPOSED SHORELINE STABILIZATION FOR LUCY AND MCALLISTER LLOYD, 62 MAQUOIT DRIVE, FREEPORT, MAINE.

#### TITLE:

SECTION VIEW OF PROPOSED STABILIZATION AREA TO BE REPLACED

DRAWN BY:	LCV	SHEET: 3 OF 3
CHECKED BY:	TAF	JOB NUMBER: C23I-016
DATE: 3/19/2024		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. No vegetation will be disturbed.

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 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 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 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 maintained 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.

The shoreline stabilization will consist of approximately fifty (50) linear feet of will not require any vegetation removal. The Applicant proposes to tie the riprap into an adjacent riprap system that is 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 involve the replacement of riprap. The project will not impact water quality or surface waters.

(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 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 does not require 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;

No archaeological or historic sites are known to exist within the parcel.

(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 significant 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.

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

No vegetation will be removed, therefore replanting is not required.



### **Construction Plan**

The site will be accessed via Maquoit Drive and all materials and equipment for the stabilization will be stockpiled in the upland within an existing developed area. The contractor will have a Maine DEP Erosion Control Certified Individual onsite during all construction activity and will work in sections each day to not expose large areas of soil. Work will be conducted at low tide or in the dry and the Applicant intends to construct the project upon receipt of all approvals. Construction equipment may operate within the coastal wetland.

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 2-4 feet). The existing toe stones will remain in place and the Applicant will replace the smaller stone with larger riprap as previously described. The riprap will be replaced within the existing footprint is approximately six (6) feet in height and constructed with a 1H:1V slope.



## **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.



## Deed



Return to:

Lucy Wyllie Lloyd and R. McAllister Lloyd 62 Maquoit Road Freeport, ME 04032

### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That I, Lucy K. Vaughan, of 62 Maquoit Road, Freeport, ME 04032, for consideration paid, grant to Lucy Wyllie Lloyd f/k/a Lucy K. Vaughan and R. McAllister Lloyd, of 62 Maquoit Road, Freeport, ME 04032, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

SEE ATTACHED EXHIBIT A.

MEANING and INTENDING to describe and convey the same premises conveyed to the grantor herein by deed of James Burgess dated July 17, 2002 recorded at Book 17954, Page 284 in the Cumberland County Registry of Deeds.

Lucy K Vaughan

State of ME County of County of

5/23/2007

Then personally appeared before me the said-Lucy K. Vaughan and acknowledged the foregoing to be her voluntary act and seed.

Notary Public/Justice of The Peace

Commission expiration:

Jeanne T

0/46/2009

### **EXHIBIT A**

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 twenty-five (25) as shown on plan of lots of Flying Point, made by E.A. Rand, Surveyor, dated May 23, 1933 and recorded in the Cumberland County Registry of Deeds.

Together with 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 land and subject to the right of all of said lot owners to make any customary use of the said streets and ways.

For title reference, see Volume 17954, Page 284, Cumberland County Registry of Deeds.

yx RMC

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Aus 06:2007 10:47:07A
Cumberland County
Pamela E. Lovley