

**Town of Freeport  
Planning Department**

Application for Review

**Project Type: (check all applicable)**

\_\_\_\_\_ Site Plan Review    \_\_\_\_\_ Design Review Certificate    \_\_\_\_\_ Subdivision  
\_\_\_\_\_ Zoning Ordinance Amendment      X   Other (please explain)   Project Review Board  

**Name of Project:**   Larkin - Maquoit Drive Shoreline Stabilization  

**Proposed Use of Property:**   Residential  

**1) Applicant Information:**

Name:   Lynett Larkin-Silva   Tel:   505-980-3260    
(If a Company, provide name of person also)

Address:   0 Maquoit Drive, Freeport, ME 04032  

Email:   peacelilly6@ymail.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 / Shore access  

Location: Street Address   0 Maquoit Drive, Freeport, ME 04032  

Assessor's Office Map:   5  

Lot:   53-A  

Size of Parcel (acres):   0.02 acres (775 SF)  

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: \_\_\_\_\_

**6) Other Information:**

Proposed # of Buildings: N/A Gross Square Footage of Non-Residential Buildings: \_\_\_\_\_

Is Zoning Board of Appeals Approval Required? Yes  No

If YES, provide reason \_\_\_\_\_

**7) Subdivision Approval or a Subdivision Amendment: (if applicable) N/A**

Proposed Number of Lots \_\_\_\_\_

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: Mike Morse, Agent / Environmental Consultant Tel: 207-558-0102

Address: Archipelago, 1 Dana Street, Portland, ME 04101

Email: mmorse@ArchipelagoNA.com

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

Name: Mike Morse / Archipelago Tel: 207-558-0102

Address: 1 Dana Street, Portland, ME 04101

Email: mmorse@ArchipelagoNA.com

Application Fee: \$ \_\_\_\_\_ 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.*

2/20/2024  
DATE

  
SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE



Michael Morse  
Senior Environmental Consultant  
MMorse@ArchipelagoNA.com

1 Dana Street  
Portland, Maine 04101  
(207) 558-0102

To whom it may concern:

Lynett Larkin-Silva, owner of property located at Maquoit Drive, Freeport, Maine, hereby authorize Mike Morse and Archipelago to submit permit applications on her behalf to the State of Maine Department of Environmental Protection, U.S. Army Corps of Engineers, and Town of Freeport. Such permit applications are intended for the proposed shoreline stabilization project located at Maquoit Drive, Freeport, Maine.

Signature:

  
Lynett Larkin-Silva

Date:

10/8/23

*Return to:  
CannonMurrayLaw, llc  
575 Turnpike Street, Suite 12  
North Andover, Massachusetts 01845  
No Title Search was performed*

**DEED**

I, **Lynda Lee Renzello, Trustee of the Edson M. Larkin Trust**, under agreement dated February 28, 1992, of 30 Alcott Way, North Andover, Essex County, Massachusetts, for consideration of less than Ten (\$10) Dollars paid, grant to **Lynda L. Renzello** of 30 Alcott Way, North Andover, MA 01845, **Lynett L. Sylva** of 24 Valley Brook Drive, Freeport, ME 04032 and **Kevin M. Larkin** of 37 Marcus Road, Wilmington, MA 01887, as tenants in common,

Property Address: 105 Maquoit Drive, Freeport, ME 04032

PARCEL I: Two certain lots or parcels of land, with the buildings thereon and the contents therein, situated at Flying Point, in the Town of Freeport, County of Cumberland and State of Maine, bounded and described as follows:

Being lots numbered ninety-seven (97) and one hundred fifty-three (153) as shown on Plan of Flying Point, made by E. A. Rand, Surveyor, May 25, 1933, and recorded in the Cumberland County Registry of Deeds, Plan Book 21, Page 45, to which plan reference is made.

Said lot numbered ninety-seven (97) was conveyed by Chester D. Swan to Lucien Hamann by deed dated August 22, 1946, and recorded in said Registry of Deeds, Book 1843, Page 197. Said lot numbered one hundred fifty-three (153) was conveyed by Chester D. Swan to Lucien Hamann by deed dated September 16, 1946, and recorded in said Registry of Deeds, Book 1843, Page 196.

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

Also, together with, as an appurtenance to the foregoing described parcel, a right of way in common between Maquoit Drive and the shore at high water mark, more particularly described in a deed from Roland G. Fortin et al to Lucien Hamann dated September 21, 1961, recorded in Cumberland County Registry of Deeds, Book 2632, Page 487.

N.T.E.



Reference is made to deed of Lucien Hamann and Yvonne Hamann to Herbert M. Larkin and Ethel D. Larkin, dated July 27, 1963, recorded in Cumberland County Registry of Deeds in Book 2776, Page 406.

PARCEL II: A certain lot or parcel of land situated in the Town of Freeport, County of Cumberland and State of Maine, being the reservation contained in the deed of Lionel M. J. St. Pierre and Lucien E. Hamann to Fred F. Boyce and Marguerite B. Boyce, dated about July 19, 1951, and recorded in the Cumberland County Registry of Deeds. Said reservation is a portion of the premises conveyed to Lionel M. J. St. Pierre and Lucien E. Hamann by the Warranty Deed of Ronello B. Curit and Olga D. Curit, dated May 29, 1951, and recorded in said Registry in Book 2051, Page 482, more particularly described as follows:

A five foot wide strip of land contained in lot No. 47 (see Plan of Lots of Flying Point made by E. A. Rand, Surveyor, dated May 25, 1933, and recorded in said Registry), and being a strip next adjacent and parallel to the line between lots No. 48 and 47 on said Plan, said strip being bounded by the lot line between said lots 47 and 48; thence at a right angle along the shore of the Atlantic Ocean for a distance of five (5) feet; thence at a right angle by a line parallel to the said common lot line between lots 47 and 48 to the street or way used in common by owners of lots on said Plan of Lots of Flying Point; thence at a right angle by the line of said street or way for a distance of five (5) feet to said lot line of lots 47 and 48 and point of beginning.

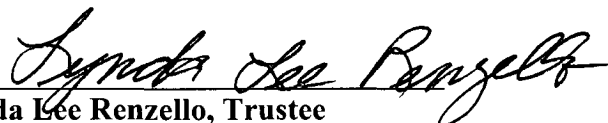
Being the same premises conveyed to Ethel D. Larkin and Herbert M. Larkin by the Warranty Deed of Lionel M. J. St. Pierre and Julienne S. St. Pierre, dated July 28, 1969, recorded in Cumberland County Registry of Deeds in Book 3096, Page 558.

**Exempt from Transfer Tax, as per Title 36 § 4641 – C. EXEMPTIONS:**

**#15. From a trustee, nominee or straw party to the beneficial owner; [1993, c. 647, §2 (AMD); 1993, c. 718, Pt. B, §10 (AMD).]**

All parcels herein described being the same premises conveyed to this grantor by Deed of Edson M. Larkin, dated February 28, 1992, recorded with Cumberland County, State of Maine, Registry of Deeds at Book 9928, Page 217 and Document # 10403.

Executed as a sealed instrument this 13<sup>th</sup> day of November, 2017.

  
Lynda Lee Renzello, Trustee

N.T.E.

COMMONWEALTH OF MASSACHUSETTS

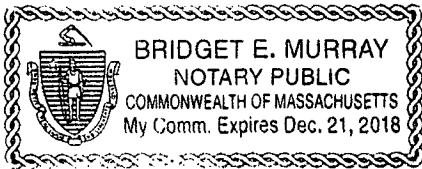
Essex, ss

On this 13<sup>th</sup> day of November, 2017 before me, the undersigned notary public, personally appeared Lynda Lee Renzello, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness,  personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

*Bridget S.*

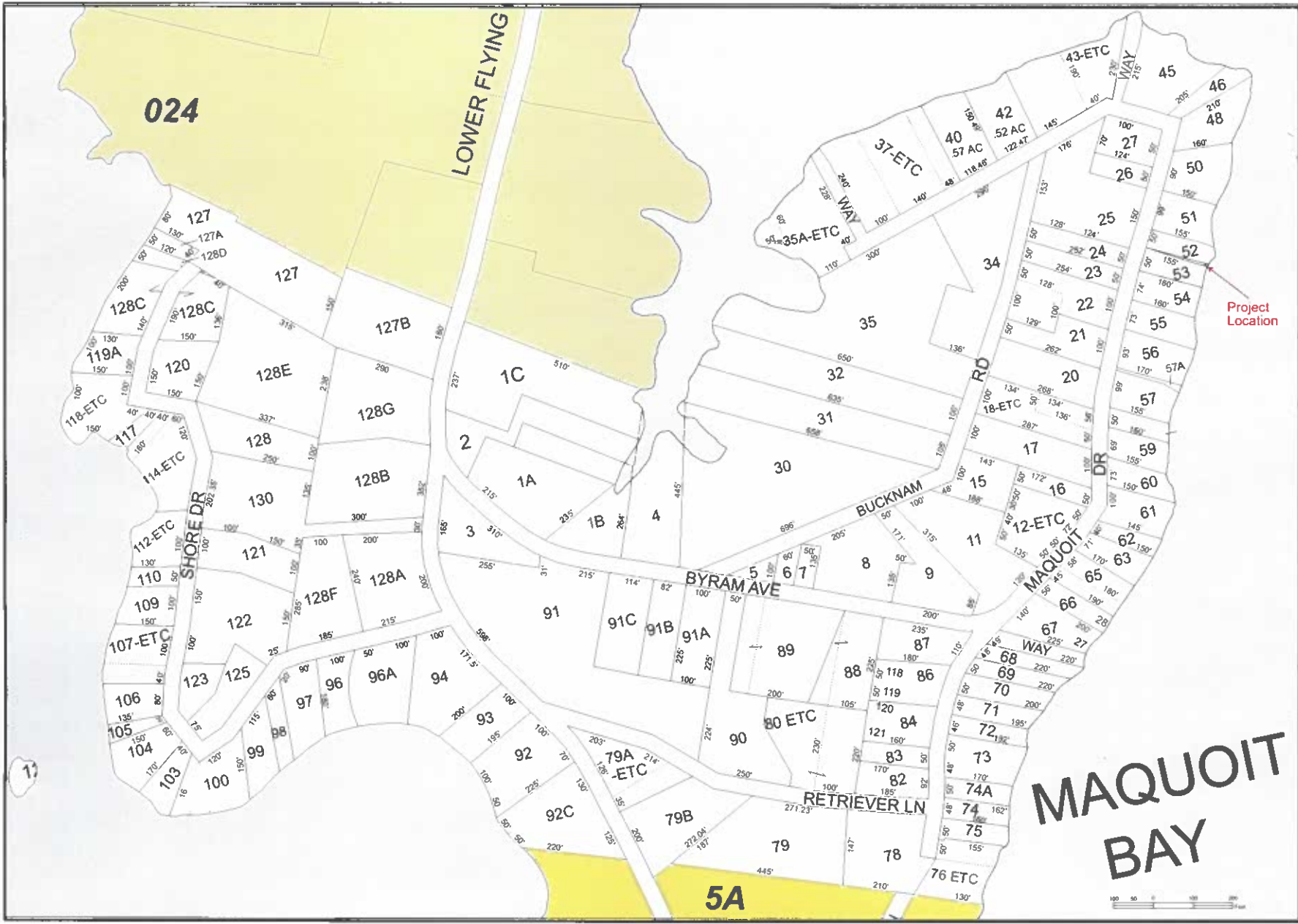
Bridget E. Murray, Notary

My commission expires: 12/21/2018



Received  
Recorded Register of Deeds  
Dec 11, 2017 03:18:52P  
Cumberland County  
Nancy A. Lane

N.T.E.



TOWN OF FREEPORT, MAINE  
PROPERTY MAPS

James H. Thomas  
Assessor of Property  
Cumberland Maine  
jth@maine.r.com

This map was prepared to the best of the Assessor's knowledge and should not be used for any other purpose.  
Revised in April 1st

Scale = 100



2021  
MAP: 005



Michael Morse  
Principal  
Senior Environmental Consultant  
MMorse@ArchipelagoNA.com

1 Dana Street  
Portland, Maine 04101  
(207) 558-0102

**Lynett Larkin-Silva**  
Shoreline Stabilization  
0 Maquoit Drive, Freeport, Maine  
Project Review Board

### **Project Description**

The proposed project is one of five contiguous properties located on Maquoit Drive that have been significantly impacted by shoreline erosion and that are proposed for shoreline stabilization. Each lot is required to obtain a separate permit from the Town of Freeport Project Review Board in order to conduct the work on their land. We respectfully request that each of these separate project applications be reviewed and approved concurrently by the Board.

The applicant owns a modest parcel that is only 5 feet in width to provide access to the shoreline. The project proposes to install approximately 5 linear feet of riprap to provide shoreline stabilization where erosion is undermining the stability of the embankment. The erosion is primarily a result of wave runup and storm surge during abnormally significant storm events, such as was experienced in December 2022 as well as the recent storms in January 2024. The Highest Annual Tide (HAT elevation 11.6' MLLW) line was identified on site as being primarily seaward of the toe of the slope, however, the toe of the proposed riprap will minimally extend into the coastal wetland at the southerly end of the property. The project proposes altering approximately 8 square feet of coastal wetland. The proposed shoreline stabilization project is depicted on the attached plans.

Existing conditions: The overall slope is characterized as quite steep and is largely unvegetated due to the stairway covering much of the lot width. There is an existing set of deteriorated wooden stairs that must be replaced as a matter of safety. The stairway structure consists of a 4' x 19' ramp that connects at the top of the embankment to the 4' x 14' stairway, which leads to a 4' x 7' 6" landing. A smaller access stairway from the landing to the ground was destroyed by a recent storm. The landing and access stairway are partially located within the coastal wetland (approximately 25 SF).

Part of this project proposes to reconstruct the wooden stairway and landing to provide the applicant with safe beach access. Per Section 306.B, stairways or similar structures may be allowed with a permit from the Code Enforcement Officer to provide shoreline access in areas

of steep slopes or unstable soils. Evidence of soil erosion exists beneath the stairway (in the form of a 2'- 3' eroded gully) and this area will be treated with geotextile fabric and riprap prior to reconstruction of the stairway. There is also evidence of riprap having been placed along the toe of the slope at some point in the distant past. It has slumped to the base of the eroding slope and no longer provides an appreciable stabilizing function to the slope. The riprap had not been installed according to current design specifications and the vertical extent of the riprap likely was not sufficient to protect the slope during extreme storm events. It is comprised of a mix of loose stone of varying size that appears to have been imported to the site. Much of this stone has been dislodged from the slope or is otherwise generally ineffective at shoreline stabilization. The remainder of the slope toe exhibits eroded bare soils.

Proposed conditions: The slope toe erosion has increased the overall slope failure potential. The applicant proposes to install geotextile fabric covered with riprap within the toe area to a height of approximately 5' above the existing grade for stabilization of the slope toe, across the 5' width of the lot. Additionally, smaller sized riprap will extend up the slope beneath the stairway location. Geotextile fabric will be keyed in at the top and bottom of the slope, and toe boulders will be keyed into the substrate. Toe boulders will consist of 3'- 4' boulders and the toe riprap will be +/-2' blasted stone. Riprap used for stabilization beneath the stairway will be 1'- 2' blasted stone. Riprap will be constructed at a 1:1 slope (horizontal:vertical) at the toe, and the upper portion beneath the stairway will be constructed to generally follow the adjacent grade. Riprap placement will primarily occur above the HAT and outside the coastal wetland, except for a small portion of the toe boulders at the base of the project. The total area of coastal wetland proposed to be impacted for this project is approximately 8 square feet. Riprap will be located over a non-vegetated area covered in rocks and washed-up debris.

Pursuant to the Town's Shoreland Zoning Ordinance, Section 305, the Project Review Board (PRB) shall be the reviewing authority for any proposed shoreline stabilization within the Shoreland Area.

Pursuant to Section 404 of the Shoreland Zoning Ordinance, when administering permits, the Project Review Board shall approve an application for a permit, only upon finding that the use, activity, or structure complies with all requirements of this Ordinance and that it meets the following criteria:

- 1. Will maintain safe and healthful conditions;** The project will utilize inert materials and will be constructed in accordance with Best Management Practices to maintain safe and healthful conditions.
- 2. Will not result in water pollution, erosion, or sedimentation to surface waters;** Adequate erosion and sedimentation control practices will be utilized to prevent erosion or sedimentation, or other pollution from entering surface waters. The purpose of the proposed project is to stabilize the existing eroding embankment which is currently depositing sediments into the coastal wetland.

3. **Will adequately provide for the disposal of all wastewater;** N/A - the proposed shoreline stabilization project will not generate wastewater or otherwise require wastewater disposal.
4. **Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;** The project will not have an adverse impact on spawning grounds, fish, aquatic life, bird, or other wildlife habitat. The project is located almost entirely outside the coastal wetland. The project is located almost entirely outside the coastal wetland and is intended to eliminate soil erosion into the coastal wetland, which can be detrimental to aquatic species in particular.
5. **Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;** The lot will remain primarily vegetated and undisturbed from the existing condition. There is a minimal amount of vegetation growing within the specific project area and therefore a minimal amount of vegetation will be removed for the project. Extensive vine growth (i.e. Virginia creeper, multi-flora rose) canopy overhangs much of the project area and will be pruned back to facilitate construction. Removal of vegetation for this project is an exempted activity in accordance with Section 306.P.2 of the Ordinance. Visual and actual points of access will continue as exists presently.
6. **Will protect archeological and historical resources as designated in the comprehensive plan;** The project does not impact any archeological or historic resources designated in the comprehensive plan. A request for project review was submitted to the Maine Historic Preservation Commission and Tribal Historic Preservation Officers. Responses from the MHPC and THPC confirm that there are no historic or archeological resources affected by the proposed project.
7. **Will not adversely affect existing commercial fishing or maritime activities in a Marine Waterfront District;** N/A – the property is not located in the Marine Waterfront District.
8. **Will avoid problems associated with floodplain development and use;** The project proposes to install riprap to the toe of the eroding embankment and has no new impact to the floodplain. Should flood conditions occur, the project will reduce the likelihood of trees and other terrestrial borne debris from entering the coastal wetland, debris that could cause damage to other coastal structures or shoreline.
9. **Is in conformance with the provisions of Section 306, Land Use Standards.** Please see response to Section 306(T) review standards below. Other General Regulations within Section 306 either do not apply to the proposed project or are otherwise addressed and are satisfied, as described above.

Under Section 306.T (Shoreline Stabilization) of the Shoreland Zoning Ordinance, vegetation may be removed in excess of the standards in Section 306.N in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the PRB and construction equipment must access the shoreline by barge when feasible.

Vegetation: Only vegetation near the base of the slope is proposed to be removed to construct the project. This includes a minimal mix of herbaceous and woody vegetation. Pursuant to Section 306.T of the Shoreland Ordinance, vegetation may be removed in excess of the standards in Section 306.N in order to conduct shoreline stabilization of an eroding shoreline, provided that a permit is obtained from the Project Review Board. Due to lot size constraints, a minimal amount of vegetation will be removed for this project. Similarly, these same constraints prevent replanting of vegetation adjacent to the project area to offset the minimal vegetation proposed to be removed for this project.

Access: Equipment and construction material access to the site will be via barge (hand tools and smaller equipment may access the site via an existing upland stairway) consistent with Section 306.T of the Ordinance. Equipment will operate on construction mats to avoid permanent impacts to coastal wetland. The barge will transport equipment and materials to a location in front of a nearby property to either the north or south (Mason or Valicek). Construction mats that will be temporarily placed over coastal wetland during construction will cover approximately 40 square feet of coastal wetland. All construction mats will be removed immediately upon completion of the project.









Deteriorated wooden stairs  
(not in use)



Erosion up the embankment  
& under stairs



# Lynett Larkin-Silva

0 Maquoit Drive  
Freeport, Maine

Overhead Plan - Shoreline Stabilization  
November 29, 2023

Approx. Property Line

~5' wide

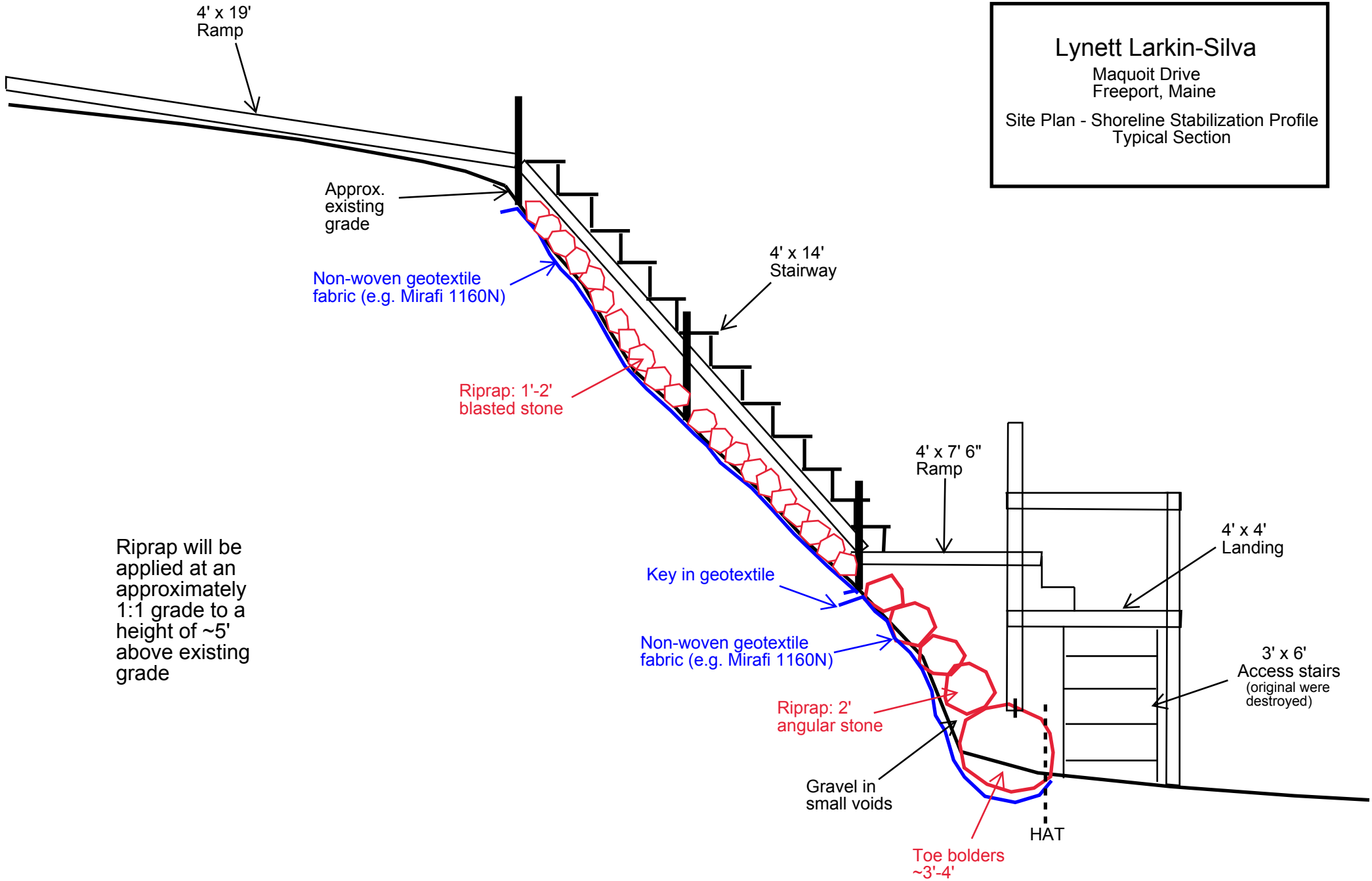
Existing stairs and landing

Project Area

Approx. HAT

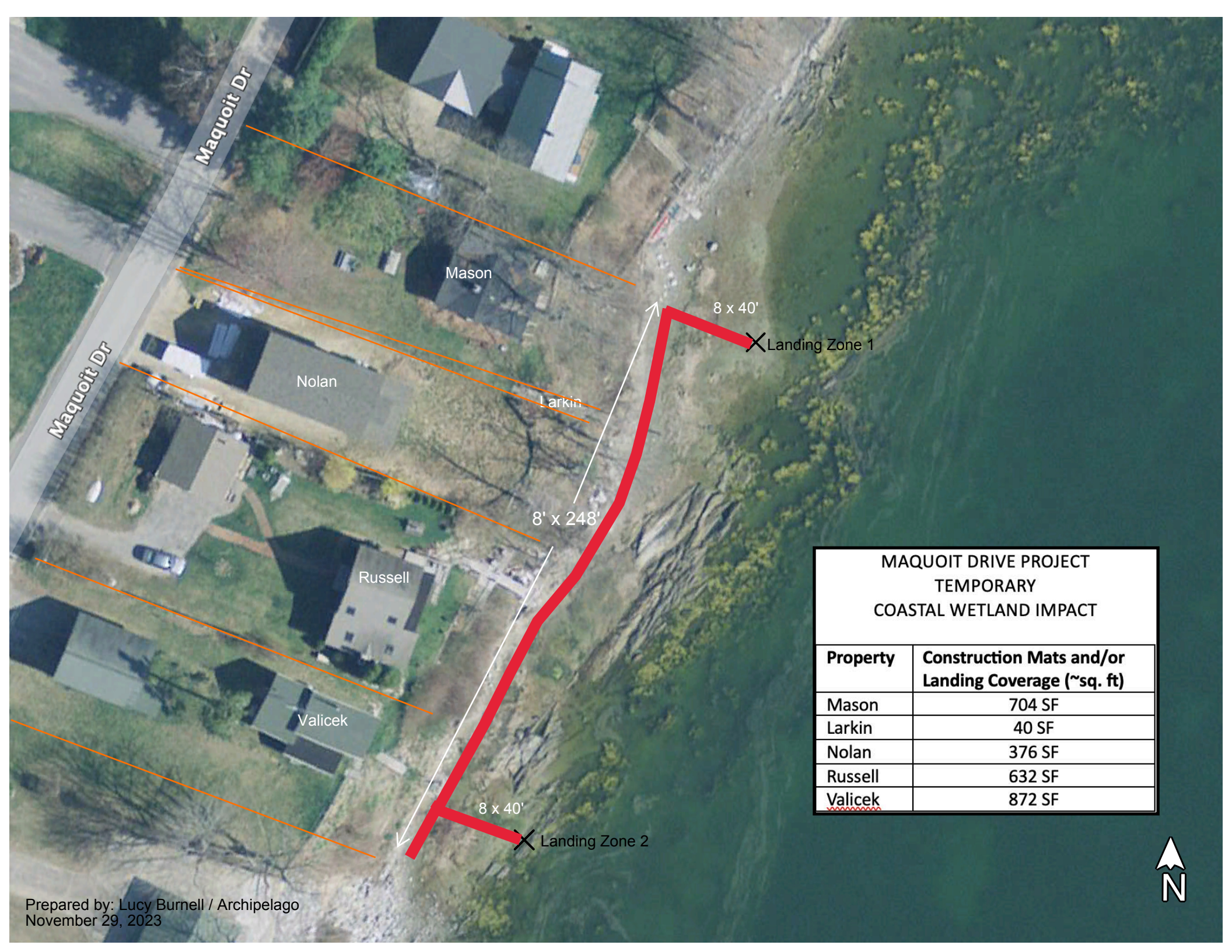


Lynett Larkin-Silva  
 Maquoit Drive  
 Freeport, Maine  
 Site Plan - Shoreline Stabilization Profile  
 Typical Section



Riprap will be applied at an approximately 1:1 grade to a height of ~5' above existing grade





MAQUOIT DRIVE PROJECT TEMPORARY COASTAL WETLAND IMPACT	
Property	Construction Mats and/or Landing Coverage (~sq. ft)
Mason	704 SF
Larkin	40 SF
Nolan	376 SF
Russell	632 SF
Valicek	872 SF

