

**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:**   Nolan - Maquoit Drive Shoreline Stabilization  

**Proposed Use of Property:**   Residential  

**1) Applicant Information:**

Name:   Rick and Megan Nolan   Tel:   860-944-1231    
(If a Company, provide name of person also)

Address:   84 Frederick Drive, Coventry, CT 06238  

Email:   mnolan@snet.net  

**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   108 Maquoit Drive, Freeport, ME 04032  

Assessor's Office Map:   5  

Lot:   53  

Size of Parcel (acres):   0.16 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: \_\_\_\_\_

**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

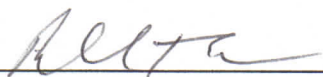


Michael Morse  
Senior Environmental Consultant  
MMorse@ArchipelagoNA.com

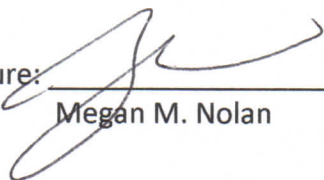
1 Dana Street  
Portland, Maine 04101  
(207) 558-0102

To whom it may concern:

Richard T. Nolan and Megan M. Nolan, owners of property located at 108 Maquoit Drive, Freeport, Maine, hereby authorize Mike Morse and Archipelago to submit permit applications on their 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 108 Maquoit Drive, Freeport, Maine.

Signature:   
Richard T. Nolan

Date: 10/5/23

Signature:   
Megan M. Nolan

Date: 10/5/23

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

**Know all Persons by these Presents,**

**That I, Katherine H. Canavan, formerly known as Katherine H. Peterson, of**

STUTTGART, Country of GERMANY,

for consideration paid, grant to:

**Richard T. Nolan and Megan M. Nolan**

of Coventry, State of Connecticut, whose mailing address is: 84 Frederick Drive, Coventry, Connecticut 06238, with warranty covenants, as joint tenants, 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 14<sup>th</sup> day of January, 2010.

Signed, Sealed and Delivered  
in the presence of

SFC Emmanuel D. Lorenzo

Katherine H. Canavan  
Katherine H. Canavan

Country of With the U.S. Armed Forces in Europe

Province/Town/City of Stuttgart, Germany ss

January 14, 2010

Then personally appeared before me the above named Katherine H. Canavan and acknowledged the foregoing instrument to be her free act and deed.



**SEAL**

Emmanuel D. Lorenzo  
Attorney at Law/Notary Public  
Printed Name: Emmanuel D. Lorenzo, SFC

MAINE REAL ESTATE TAX PAD



**EXHIBIT A**  
**108 Maquoit Road, Freeport, Maine**

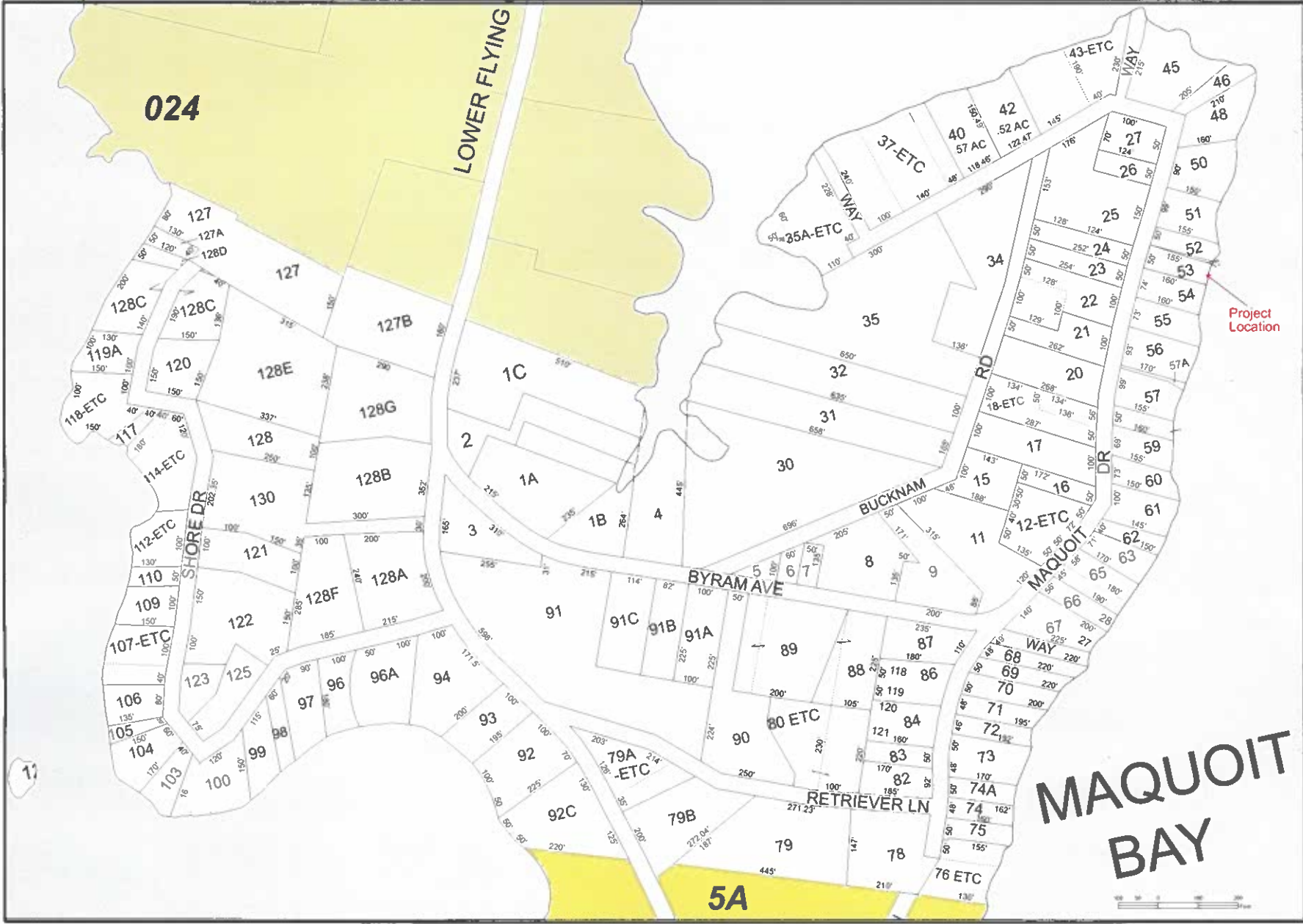
A certain lot or parcel of land, with the buildings and other improvements thereon, situated in the Town of Freeport, County of Cumberland and State of Maine, being lot numbered forty-seven (47) as shown on Plan of Lots of Flying Point, made by E.A. Rand, Surveyor, dated May 25, 1933, and recorded in the Cumberland County Registry of Deeds in Plan Book 21, Page 45.

Together with the fee, so far as Grantor has the right to convey the same, of all 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.

Excepting, however, a five foot wide strip of land contained in said Lot No. 47, 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 Lots 47 and 48; thence at a right angle along the shore of the Atlantic Ocean for a distance of five 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 feet to said lot line of Lots 47 and 48 and point of beginning.

Being the same premises conveyed to the Grantor herein by warranty deed from Francine D. Pelegano and Richard D. Nolan dated July 22, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14019, Page 69.

Received  
Recorded Register of Deeds  
Feb 02, 2010 09:21:50A  
Cumberland County  
Pamela E. Lovley



PROPERTY MAPS  
TOWN OF FREEPORT, MAINE



Janet H. Thorpe  
Planning & Zoning  
Canaan, Maine  
jth@maine.r-r.com

These maps are provided to the  
landowner for the purpose of property  
information and should not  
be used for any other purpose.  
Revised to April 2021

Scale = 100



2021  
MAP: 005



Michael Morse  
Principal  
Senior Environmental Consultant  
MMorse@ArchipelagoNA.com

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

**Rick and Megan Nolan**  
Shoreline Stabilization  
108 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 project proposes to install approximately 45 linear feet of riprap to provide shoreline stabilization where erosion is undermining the stability of the embankment. 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 primarily seaward of the toe of the slope, however, the toe of the proposed riprap will extend into the coastal wetland approximately 3 feet seaward of the HAT at its furthest extent for a portion of the project. Accordingly, approximately 75 square feet of coastal wetland will be altered for the project. The proposed shoreline stabilization project is depicted on the attached plans.

Existing conditions: The overall slope is characterized as steep but with a moderate catch of native and non-native vegetation - some non-native species are listed as invasive by the Department of Agriculture, Conservation and Forestry's Natural Areas Program. The vegetation includes several trees, shrubs, and other ground cover. There is an existing set of wooden stairs in good serviceable condition that provides the applicants with safe beach access. There is also evidence of riprap having been placed along a portion of 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. This stone extends in a southerly direction from the northerly property line approximately 20 feet (ending under the stair landing). 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. The existing riprap 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 toe erosion has increased the overall slope failure potential. The applicants propose to install geotextile fabric covered with riprap within this area to a height of approximately 5' above the existing grade, and across the 45-foot width of the lot. Riprap will function to reduce the potential for slope failure into the adjacent coastal wetland without disturbing or otherwise destabilizing the slope above the toe area. Geotextile fabric will be keyed in at the top and bottom of the project area, and toe boulders will be keyed into the substrate. Toe boulders will consist of 3'- 4' boulders and the riprap will be approximately 2' blasted stone. Riprap will be constructed at a 1:1 slope (horizontal:vertical). The riprap placement will primarily occur above the HAT and outside the coastal wetland, however, a very modest area of coastal wetland will be directly impacted by the riprap. The total area of coastal wetland proposed to be impacted for this project is approximately 75 square feet.

Riprap will be located over a non-vegetated area covered in rocks/riprap and washed-up debris primarily outside of the coastal wetland. Stone from the previously failed riprap that is deemed suitable for the project will be removed from the current location and will be incorporated into the project.

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 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 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 sparse 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. A partially undermined red oak tree (26") near the base of the slope at the southerly end of the project area must also be removed in order to construct the shoreline riprap. 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.

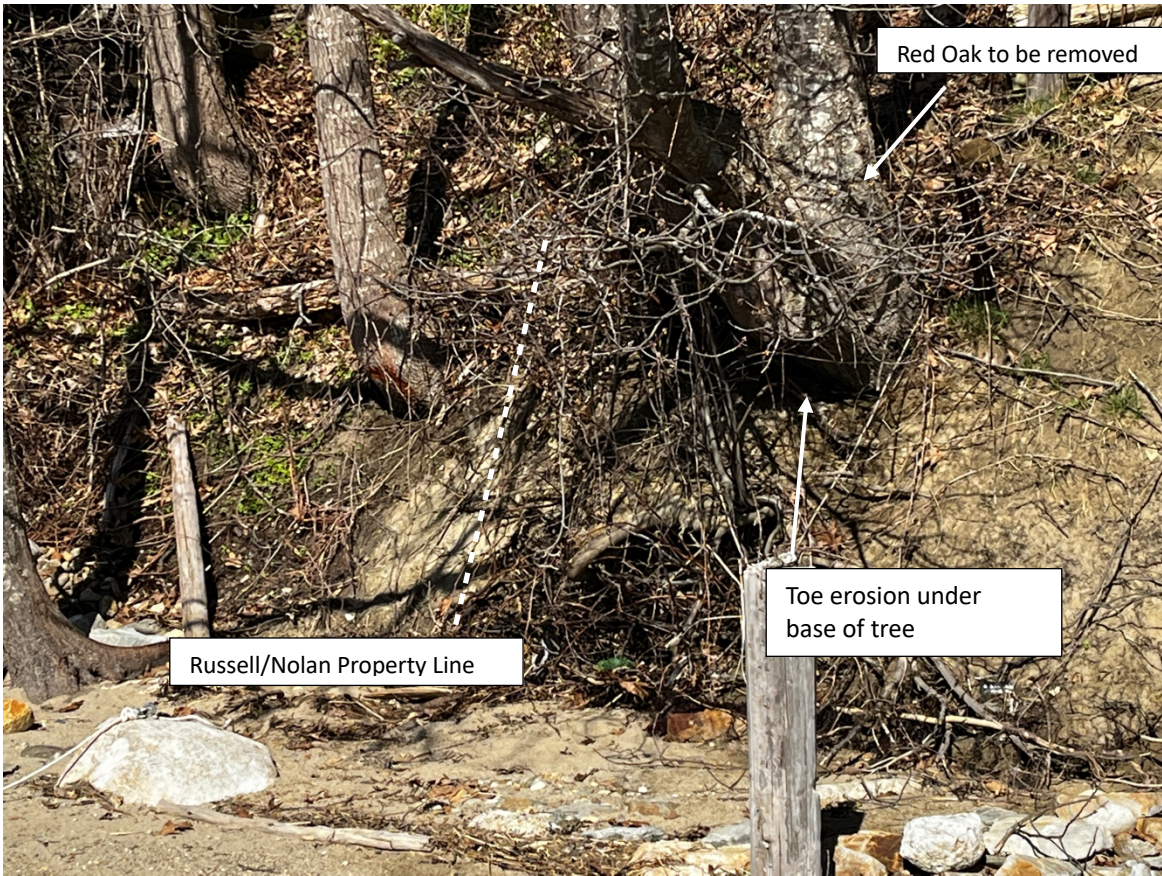
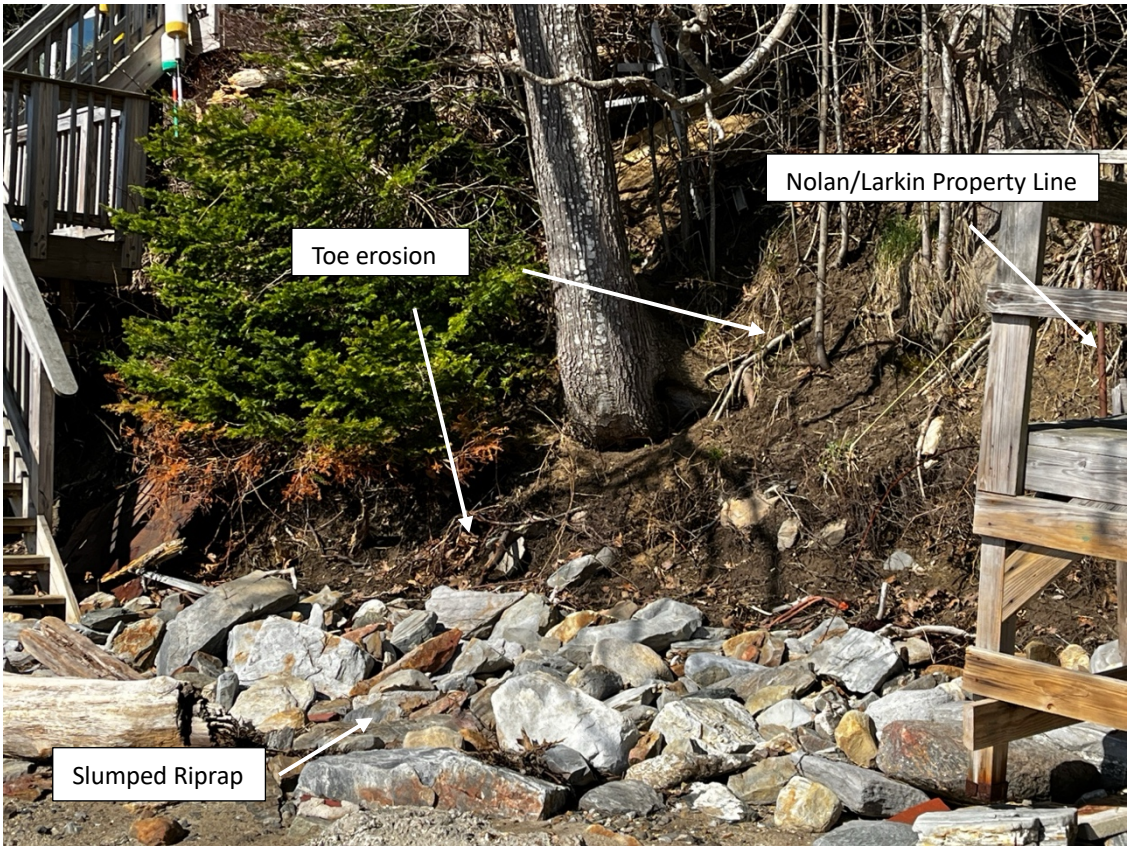
Despite the minimal amount of vegetation to be removed for the project, replacement of vegetation removed in excess of the ordinance standards is ordinarily anticipated. However, vegetation cannot be planted within the proposed riprap, and the slope area above the project area is well vegetated with trees, shrubs, and ground cover species. Replanting to account for the sparse vegetation removed for the project would require removal of additional vegetation to facilitate replanting, which is counter to the intent of the ordinance. Accordingly, no vegetation replanting is proposed.

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) in compliance with Section 306.T of the Ordinance. Equipment will operate on crane mats to avoid 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). Crane mats that will be temporarily placed over coastal wetland during construction will cover approximately 360 square feet of coastal wetland. All construction mats will be removed immediately upon completion of the project.















# Rick & Megan Nolan

108 Maquoit Drive  
Freeport, Maine

Overhead Plan - Shoreline Stabilization  
November 29, 2023

Approx. Property Line

108 Maquoit Dr

Approx. HAT Line

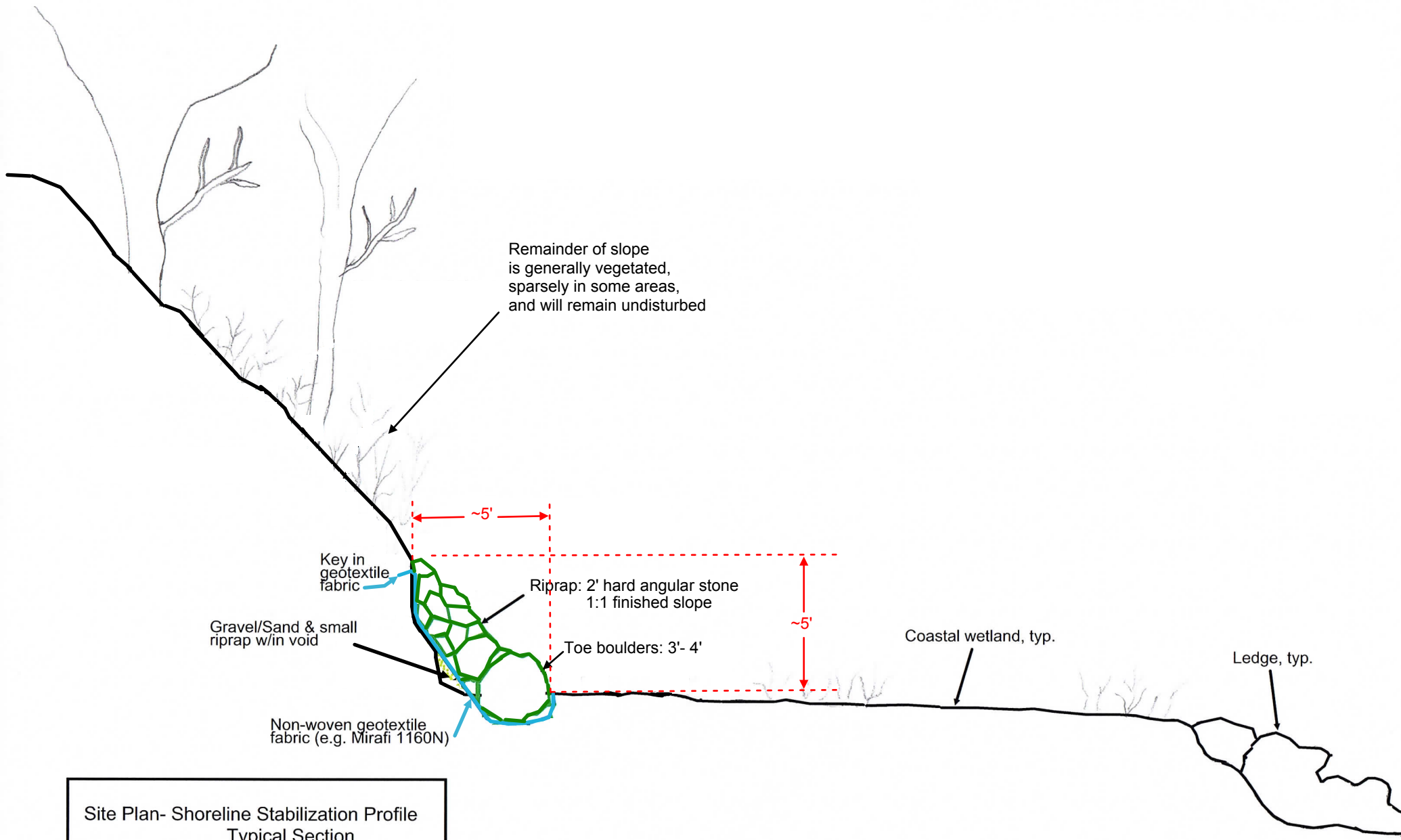
~45'

Red Oak  
to be removed

Project Area



70 ft



Remainder of slope is generally vegetated, sparsely in some areas, and will remain undisturbed

Key in geotextile fabric  
 Gravel/Sand & small riprap w/in void  
 Non-woven geotextile fabric (e.g. Mirafi 1160N)

Riprap: 2' hard angular stone  
 1:1 finished slope  
 Toe boulders: 3'- 4'

Coastal wetland, typ.

Ledge, typ.

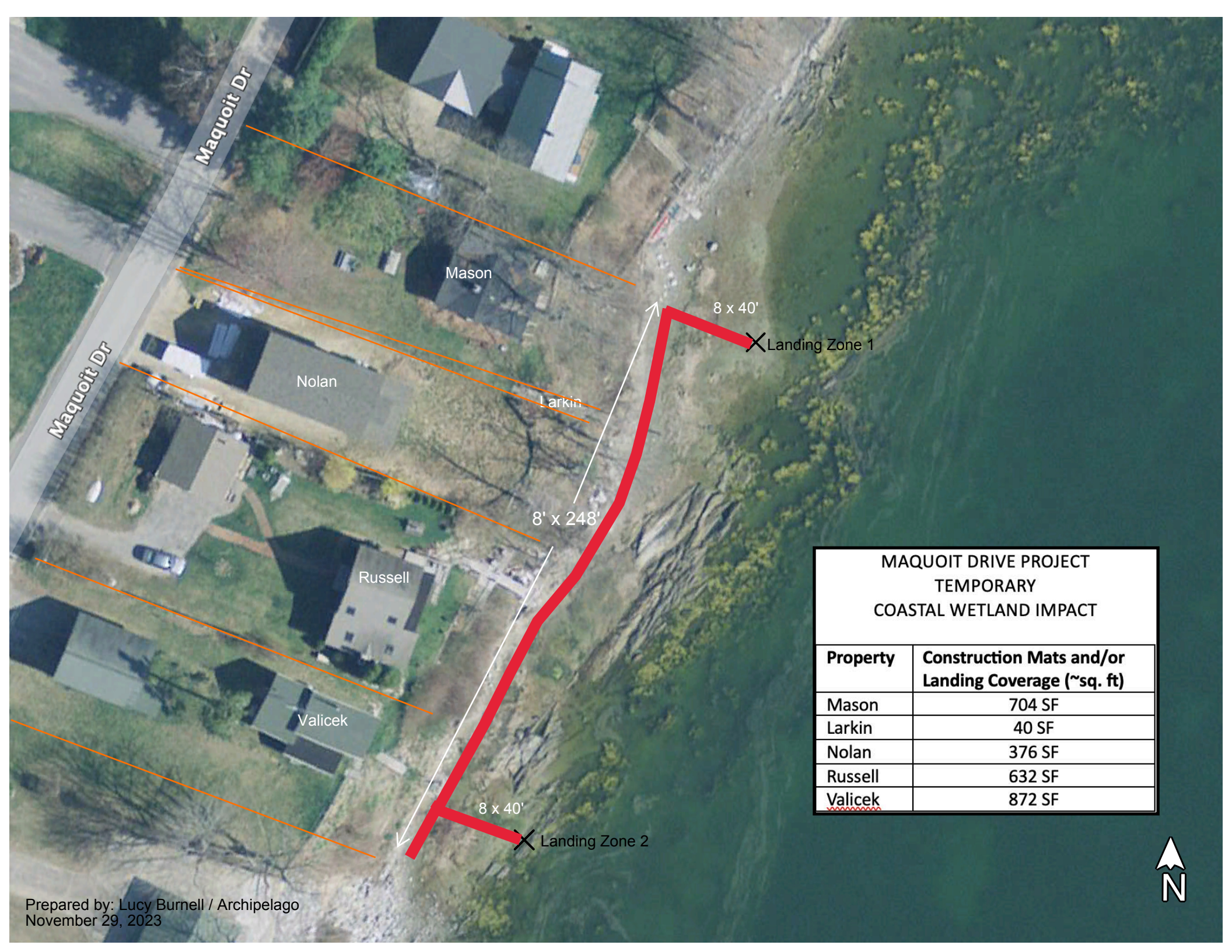
Site Plan- Shoreline Stabilization Profile  
 Typical Section

Rick & Megan Nolan  
 108 Maquoit Drive, Freeport, ME

Design by: Coastal Maine Hardscapes, LLC  
 Drawn by: Mike Morse, Archipelago  
 December 1, 2023

Scale: dimensions noted





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

