

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

November 1, 2023

RE: Site Plan Review Application for Shoreline Stabilization on behalf of Claire Martin
located at 35 Merganser Way, Freeport, ME (Map #5A, Lot #11A).

Dear Ms. Pelletier:

On behalf of Claire A. Martin (Applicant), Flycatcher, LLC (Flycatcher) is pleased to submit a Site Plan Review Application for approval for the stabilization of a portion of the shoreline with riprap and make modifications to her existing access stairs to her dock. Details of modifications to be made to her dock have been submitted in a Wharfing Out Application. The Applicant proposes to remove the existing failing timber retaining wall and stabilize approximately seventy (70) feet of the shoreline with riprap that extends six (6) feet below the Highest Annual Tide (HAT) line and four (4) feet above the HAT. Additionally, the applicant proposes to replace their existing four (4) feet wide by eight (8) feet long wooden access steps with four (4) feet wide by six (6) feet long granite access steps. Flycatcher has reviewed Section 602 of the Town of Freeport's Zoning Ordinance Code and Chapter 65 of the Town of Freeport's Shoreland Zoning and believes the project is in compliance with those standards. Please review the attached information demonstrating compliance with those sections.

The Applicant has submitted a Natural Resources Protection Act (NRPA) Application to the Maine Department of Environmental Protection (DEP) and the U.S. Army Corps of Engineers (Corps) and relevant portions of the application are included with this application. A copy of each permit approval will be forwarded to the Town upon receipt.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 - 837 - 2199 or by email at tim@flycatcherllc.com.

Sincerely,
Flycatcher, LLC.



Timothy A. Forrester, Director
Coastal Resources

**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 Martin Shoreline Stabilization and Access Steps

Proposed Use of Property: Residential

1) Applicant Information:

Name: Claire A. Martin Tel: (207) 272 - 3715
(If a Company, provide name of person also)

Address: 6 Goodrich Drive, Naples, ME 04055

Email: jandc04021@hotmail.com

2) Interest in Property: Please attach a copy of the recorded deed for the property. If the applicant is not the property owner, a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. The amount being paid for the property may be blacked out. This application will not be processed without this information.

3) Do you own any abutting property? Yes No

If yes, please explain: _____

4) Property Information:

Present Use of Property Residential

Location: Street Address 35 Merganser Way

Assessor's Office Map: 5A

Lot: 11A

Size of Parcel (acres): 0.16 acres

Zoning District (s): MDR-1, AE

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 seventy (70) feet of the shoreline and replace access steps to her dock.

6) Other Information:

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

Is Zoning Board of Appeals Approval Required? Yes No

If YES, provide reason _____

7) Subdivision Approval or a Subdivision Amendment: (if applicable)

Proposed Number of Lots N/A

Does the applicant intend to request any waivers of Subdivision or Site Review provisions?

NO YES

If YES, list and give reasons why _____

8) Applicant's Engineer, Land Surveyor, Landscape Architect and/or

Planner: Name: Tim Forrester, Flycatcher LLC Tel: (207) 837 - 2199

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

Email: tim@flycatcherllc.com

9) Billing Contact (If different than applicant information)

Name: Flycatcher, LLC Tel: (207) 837 - 2199

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

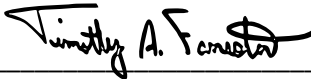
Email: tim@flycatcherllc.com

Application Fee: \$ 165.00 **Abutter Fee:** \$ _____

Submission: *This application form, along with required accompanying materials, must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered.*

The undersigned, being the applicant, owner or legally authorized representative, states that all information in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

11/1/2023
DATE


SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE

Town of Freeport
Site Plan Review Submission Checklist – Smaller 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, the application for the Site Plan or an amendment to an approved plan shall contain at least an application, a deed for the property, plans, building elevations, and a cover letter. More details on each of these items are listed below. The Town Planner shall make an initial review of the application to determine if it is complete.

Requirement	Check if included	If the item has not been included with the submission, a waiver must be requested. Please explain the reason:
Application: A fully executed and signed copy of the application for Site Plan Review. The application form will be provided by the planning department.	X	
Deed: A copy of the recorded deed for the property. If the applicant is not the property owner a purchase and sale agreement or a lease agreement shall also be submitted to show that the applicant has a serious interest in the project and sufficient title, right, and/or interest to complete the project. The amount being paid for the property may be blacked out.	X	
Cover letter: A cover letter explaining the project should include details on any proposed construction or change of use that can't be explained by the plans. The cover letter should also list other local, state, or federal permits or licenses that will be required. If applicable, the cover letter should include the applicant's intent for ownership of the open space.	X	
Plans: At least twelve (12) copies of a site plan drawn at a scale sufficient to allow review under the Criteria and Standards of section (G) of Section 602, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development and twelve (12) copies of the plan on 11 X 17" size sheets. All plan sheets must also be submitted electronically in a pdf format. All plans shall include the following information:	X	
a. Owner's name, address and signature;	X	
b. <u>Boundaries</u> of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time;	X	
c. The <u>bearings and distances</u> of all property	X	

lines, and easements and the location of the adjacent right-of-way. A formal survey is recommended for new developments; however, the Project Review Board may waive the requirement of a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries;		
d. <u>Zoning classification(s)</u> of the property and the location of Zoning District boundaries if the property is located in two or more Zoning Districts;	X	
e. The <u>lot area</u> of the parcel and the <u>road frontage</u> ;	X	
f. The <u>location, size, and type of all existing and proposed buildings</u> and structures (including size and height) and:		
<i>the setbacks from property lines,</i>	x	
<i>driveways</i>	X	
<i>sidewalks</i>	N/A	
<i>parking spaces</i>	N/A	
<i>loading areas</i>	N/A	
<i>open spaces</i>	N/A	
<i>large trees</i>	X - AERIAL	IMAGE SHOWS EXISTING VEGETATION
<i>open drainage courses</i>	X	
<i>signs</i>	N/A	
<i>exterior lighting</i>	N/A	
<i>service areas</i>	N/A	
<i>easements</i>	N/A	
<i>landscaping</i>	X	



AUTHORIZATION LETTER

DATE: April 26, 2023

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:

35 Merganser Way, 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.

CLAIRE MARTIN

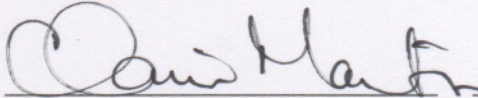
Print Name

Title

jandco4021@

Phone or Email

hotmail,
com



Signature

Date

April 27, 2023

Exhibit 1. Project Description

Introduction and Project Purpose. The Applicant owns an approximate 0.16-acre parcel of land located on Merganser Way and adjacent to Casco Bay in the Town of Freeport, Maine (see **Exhibit 3.0**). The site is developed with a residential structure and associated development, including a timber retaining wall, existing pathway, access steps, and dock that consists of a pier, ramp, and float that extends into the intertidal zone. The shoreline and timber retaining wall is undergoing varying degrees of erosion and the residential structure, path, access stairs, and Merganser Way are located between fifteen (15) and eighty (80) 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. Furthermore, storm surge is overtopping the dock at its current height and the existing design does not accommodate the Applicant's watercraft. The Applicant proposes to raise the dock one foot and six inches (1.5) feet to prevent damage to the structure and widen the structure from four (4) feet to six (6) feet to accommodate the Applicant's watercraft. To accommodate the increased height of the dock, the Applicant proposes to extend the ramp, and add an additional low-profile float to accommodate the Applicant's watercraft. 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.

SHORELINE STABILIZATION

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 with varying heights, depending on the extent of erosion. The riprap will follow the natural contour of the shoreline and has been designed with two (2) separate areas designated as the northerly and southerly section. In the southerly section, the riprap will measure approximately forty-two (42) feet long and will extend approximately four (4) feet above the Highest Annual Tide (HAT) line as measured vertically from the base of the slope and six (6) feet below the HAT as measured horizontally from the base of the slope. As a result of the riprap below the HAT, there will be approximately two hundred ten (210) square feet of direct impacts

to the coastal wetland. In the northerly section, the riprap will measure approximately twenty-eight (28) long and will extend approximately four (4) feet above the highest annual tide line as measured vertically from the base of the slope and approximately six (6) feet below the HAT as measured horizontally from the base of the slope. As a result of the riprap below the HAT, there will be an additional one hundred forty (140) square feet of impacts to the coastal wetland for a cumulative total of three hundred fifty (350) square feet of impact to the coastal wetland. In each area, the bottom row of riprap will be buried in a trench and set to a depth of ½ the stone's diameter or pinned to existing ledge. The bank will be cut back or graded to achieve a 1H: 1V slope where necessary and filter fabric and six (6) inch minus stone will be placed below the riprap. Native plantings will be placed at the top of the riprap as further described in **Exhibit 6.0**. The installation of the riprap does not require additional upland development or any vegetation to be removed.

DOCK REPLACEMENT

In order to address the safety issues of storm surges over topping the dock at its current height, the Applicant proposes to alter their existing access steps and dock that currently consists of a set of four (4) feet wide by eight (8) feet long wooden steps, a four (4) feet wide by twenty (20) feet long pier, a three (3) foot wide by thirty (30) foot long ramp, and an eight (8) foot wide by twenty (20) foot long float (Department order #L-23945-4E-A-N). The Applicant proposes to replace the wooden steps with four (4) feet wide by six (6) feet long granite steps, raise the height of the dock by one foot and six inches (1.5) feet, widen the dock from four (4) feet to six (6) feet, replace the ramp with a three (3) feet wide by forty (40) feet long ramp, and add a five (5) feet wide by eight (8) feet long low profile float on the end of the existing float. Two additional eight (8) inch by eight (8) inch support pilings will be added to support the dock. This will result in two additional square feet of impact to the coastal wetland.

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 and the steps will be made of natural material (granite) and will be flush with the landscape. Once construction is complete, native vegetation will be planted in accordance with the Town of Freeport's Shoreland Zoning Ordinance. This includes Bar Harbor Juniper (Juniperus horizontalis), Northern Bayberry (Myrica pensylvanica), and Beach Plum (Prunus maritima), 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 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 installing approximately seventy (70) linear feet of shoreline and will not require trees to be removed. Native plantings will be installed once construction is complete. The Applicant tied the riprap into an adjacent riprap system that is also currently under review with the Town.

l. Environmental Considerations: A site plan shall not be approved unless it meets the following criteria:

(1) The project will not result in water pollution, erosion or sedimentation to surface waters;

The 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 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;

As part of the Army Corps of Engineers (ACOE) review, the Applicant has submitted project information to the Maine Historic Preservation Commission (MHPC) and the Historic Preservation Officers of the five (5) Indian Tribes. A copy of the MHPC sign-off will be forwarded to the Town upon receipt.

(7) The project will not adversely affect existing commercial fishing or maritime activities in the Marine Waterfront District.

The proposed project 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.

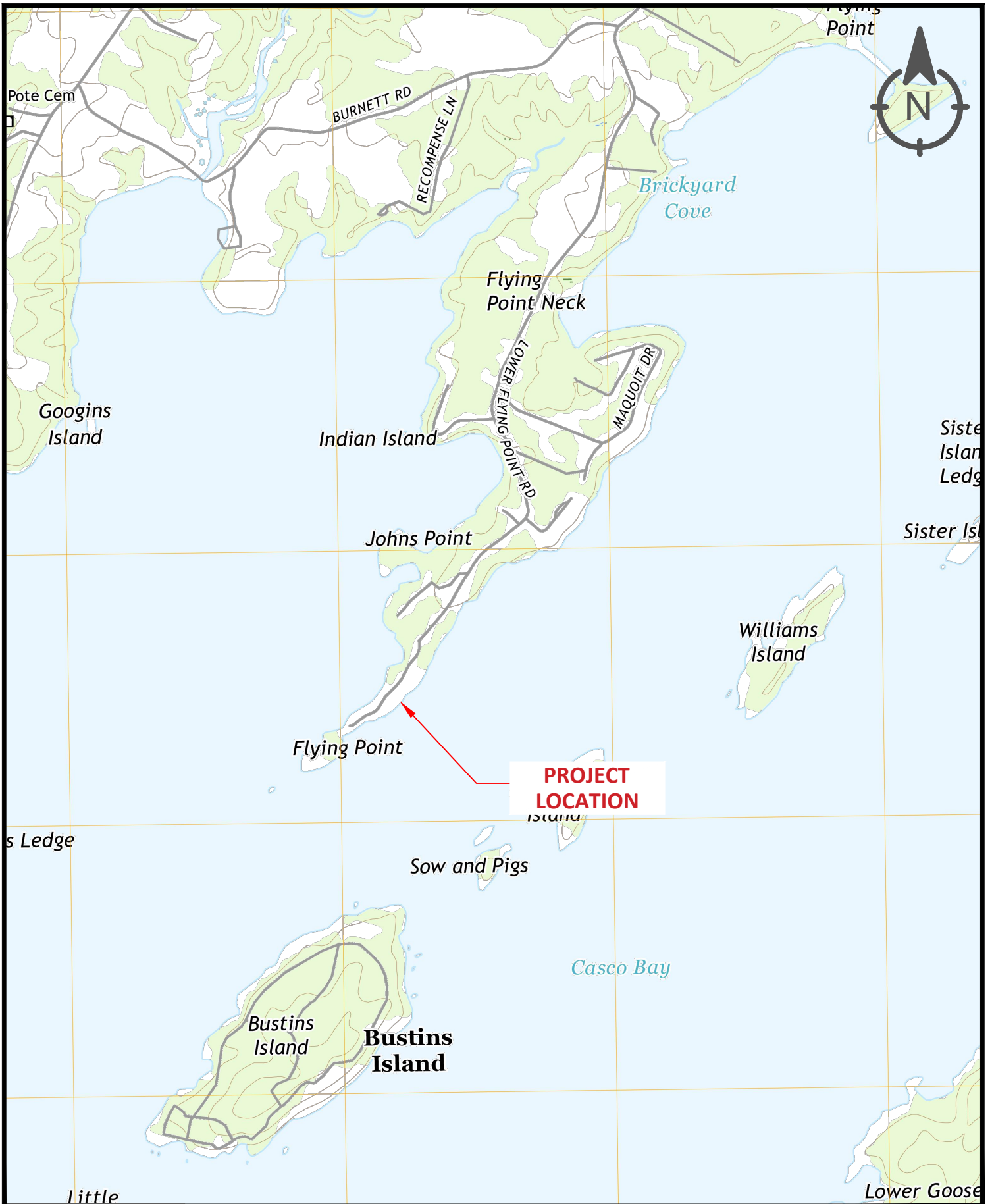
The Applicant will not remove vegetation in excess of the standards of Section 306.N in order to stabilize the shoreline.

(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 pathway that the Applicant has been granted Right of Way to. This pathway will not require vegetation to be removed.

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

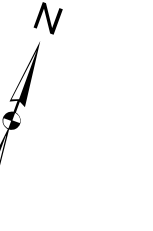
The Applicant intends to plant native vegetation that includes Bar Harbor Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), and Beach Plum (*Prunus maritima*) three (3) feet on center.





TOWN OF FREEPORT, MAINE

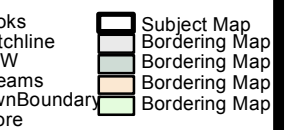
PROPERTY MAPS



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

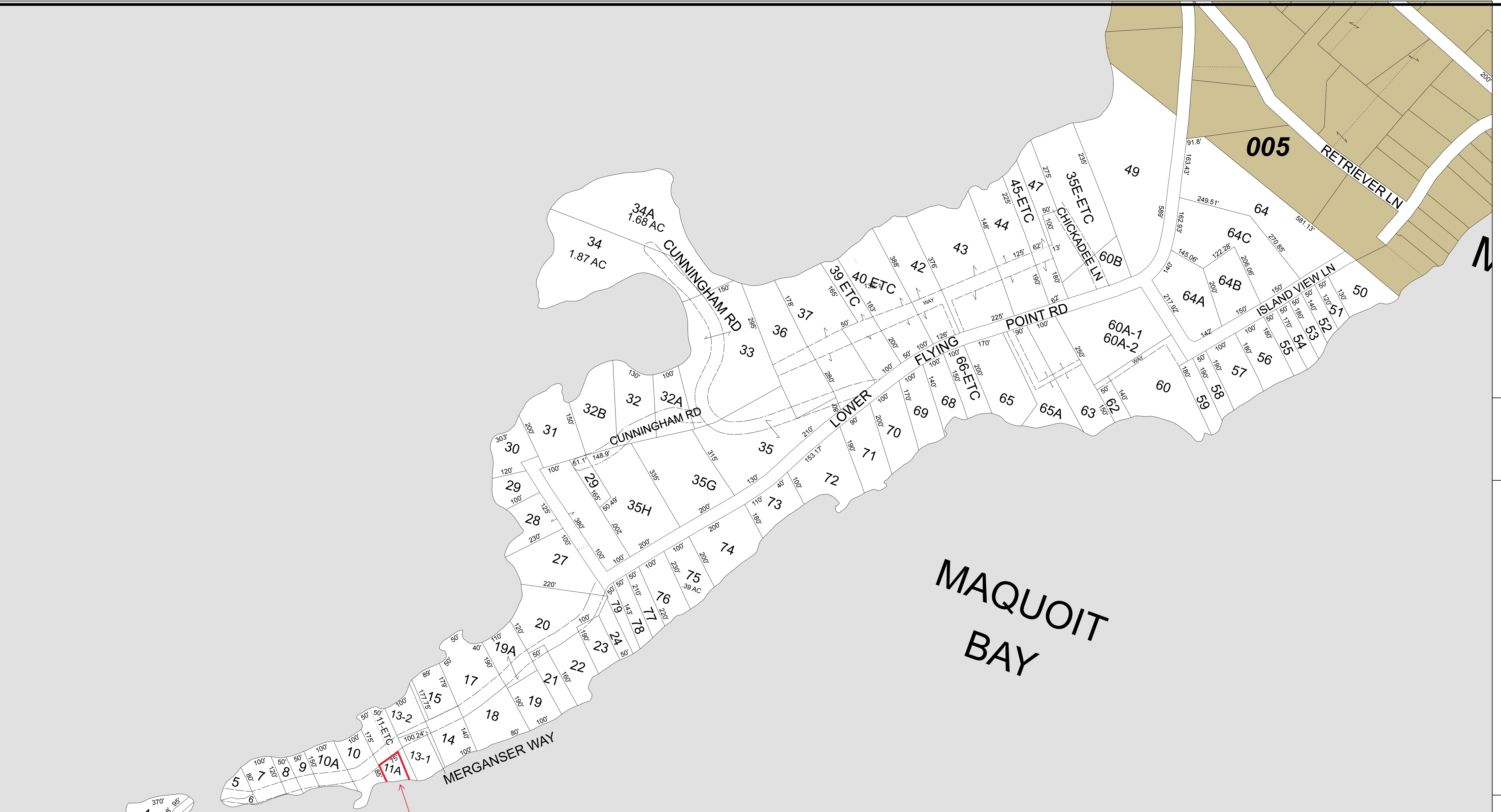
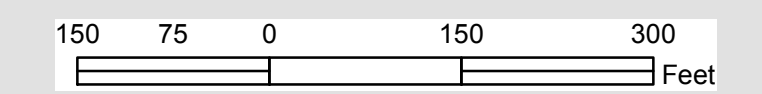
These maps are intended to be used for the purpose of Property Tax Assessments and should not be used for conveyances.
Revised to April 1st

Scale: = 150



2021

MAP: 5A



PROJECT LOCATION

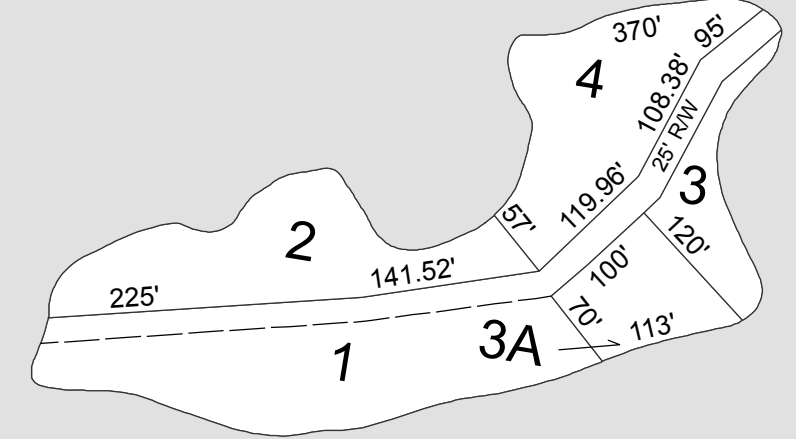


Exhibit 4. Photographs

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 35 Merganser Way in the town of Freeport, Maine. All photographs were taken on September 14, 2023, by Tim Forrester of Flycatcher, LLC unless otherwise noted.



Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project. Source: Google Earth. Date: 2021.



Photograph Two. View of existing dock from upland.



Photograph Three. View of intertidal zone facing southwesterly.



Photograph Four. Existing timber retaining wall on southerly side of dock that will be replaced by riprap.



Photograph Five. View of failing timber retaining wall and invasive species.



Photograph Six. Additional view of timber retaining wall and intertidal zone.



Photograph Seven. Additional view of timber retaining wall.



Photograph Eight. View of timber retaining wall and intertidal zone facing northwesterly.

PROJECT: PROPOSED SHORELINE STABILIZATION AND DOCK MODIFICATIONS FOR CLAIRE MARTIN, 35 MERGANSEY WAY, FREEPORT, MAINE.

TITLE: OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

DRAWN BY: LCV

CHECKED BY: TAF

DATE: 10/5/2023

REV DATE:

SHEET: 1 OF 3

FLYCATCHER
LAND • SCIENCE • PEOPLE

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

NOTES:

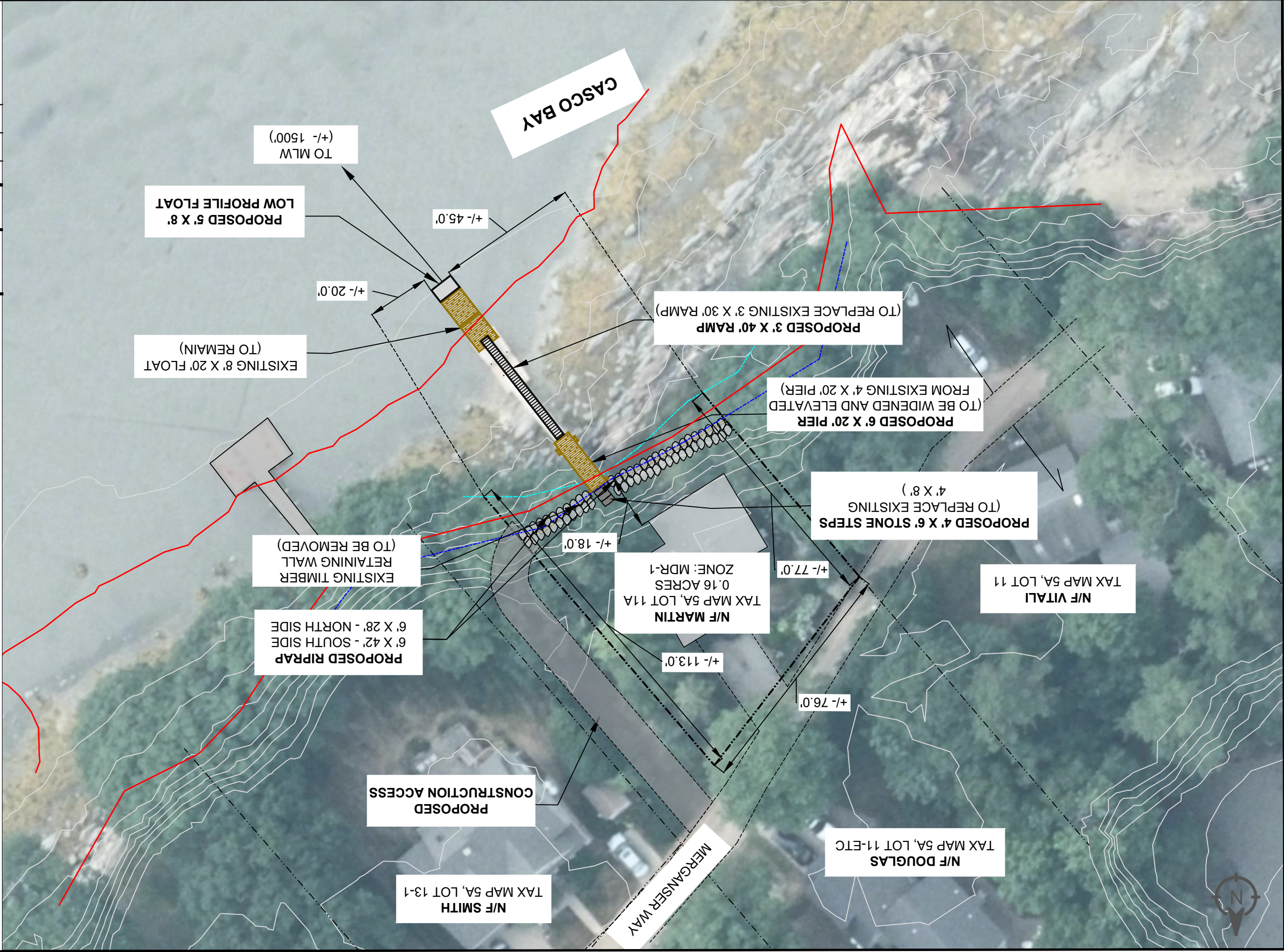
- 1) BASE MAP IMAGERY BASED ON MAINE OFFICE OF GIS AERIAL IMAGERY DATED 2022.
- 2) 2 FT CONTOUR DATA BASED ON MAINE OFFICE OF GIS 19TDJIS.
- 3) HIGHEST ANNUAL TIDE DATA BASED ON SOUTH FREEPORT TIDAL STATION (NAVD 6.7 FEET).
- 4) PROPERTY LINE DATA BASED ON PLAN TITLED, "BOUNDARY SURVEY AND LOT DIVISION," PREPARED BY OWEN HASKELL, INC. AND DATED MARCH 13, 2012.
- 5) PLAN IS FOR PERMITTING PURPOSES.

SCALE IN FEET

1 INCH = 30 FEET

LEGEND

- PROPERTY LINE
- RIPARIAN LINE
- HIGHEST ANNUAL TIDE (HAT)
- MEAN HIGH WATER (MHW)
- TIDAL WATERFOWL AND WADING BIRD HABITAT (TWWH)





N/F DOUGLAS
TAX MAP 5A, LOT 11-ETC

N/F SMITH
TAX MAP 5A, LOT 13-1

MERGANSER WAY

PROPOSED
CONSTRUCTION ACCESS

N/F VITALI
TAX MAP 5A, LOT 11

N/F MARTIN
TAX MAP 5A, LOT 11A
0.16 ACRES
ZONE: MDR-1

PROPOSED RIPRAP
6' X 42' - SOUTH SIDE
6' X 28' - NORTH SIDE

EXISTING TIMBER
RETAINING WALL
(TO BE REMOVED)

PROPOSED 4' X 6' STONE STEPS
(TO REPLACE EXISTING
4' X 8')

PROPOSED 6' X 20' PIER
(TO BE WIDENED AND ELEVATED
FROM EXISTING 4' X 20' PIER)

PROPOSED 3' X 40' RAMP
(TO REPLACE EXISTING 3' X 30' RAMP)

EXISTING 8' X 20' FLOAT
(TO REMAIN)

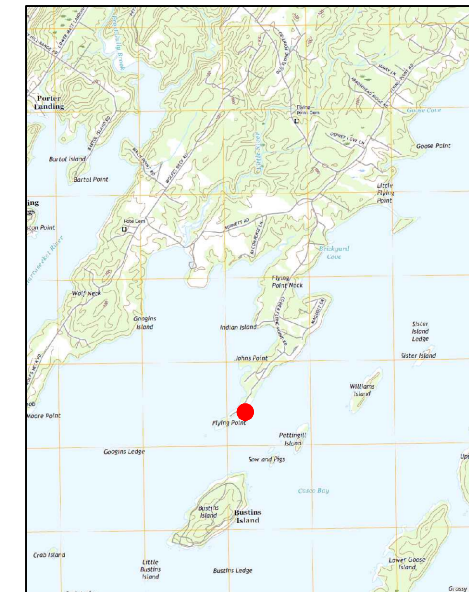
PROPOSED 5' X 8'
LOW PROFILE FLOAT

TO MLW
(+/- 1500')

CASCO BAY

LEGEND

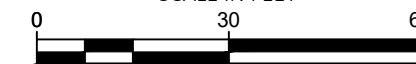
- PROPERTY LINE
- RIPARIAN LINE
- HIGHEST ANNUAL TIDE (HAT)
- MEAN HIGH WATER (MHW)
- TIDAL WATERFOWL AND WADING BIRD HABITAT (TWWH)



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.
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- 5) PLAN IS FOR PERMITTING PURPOSES.

SCALE IN FEET



1 INCH = 30 FEET

PROJECT:
PROPOSED SHORELINE STABILIZATION AND DOCK
MODIFICATIONS FOR CLAIRE MARTIN, 35
MERGANSER WAY, FREEPORT, MAINE.

TITLE:
OVERVIEW OF EXISTING AND PROPOSED
CONDITIONS

DRAWN BY: LCV SHEET: 2 OF 3

CHECKED BY: TAF

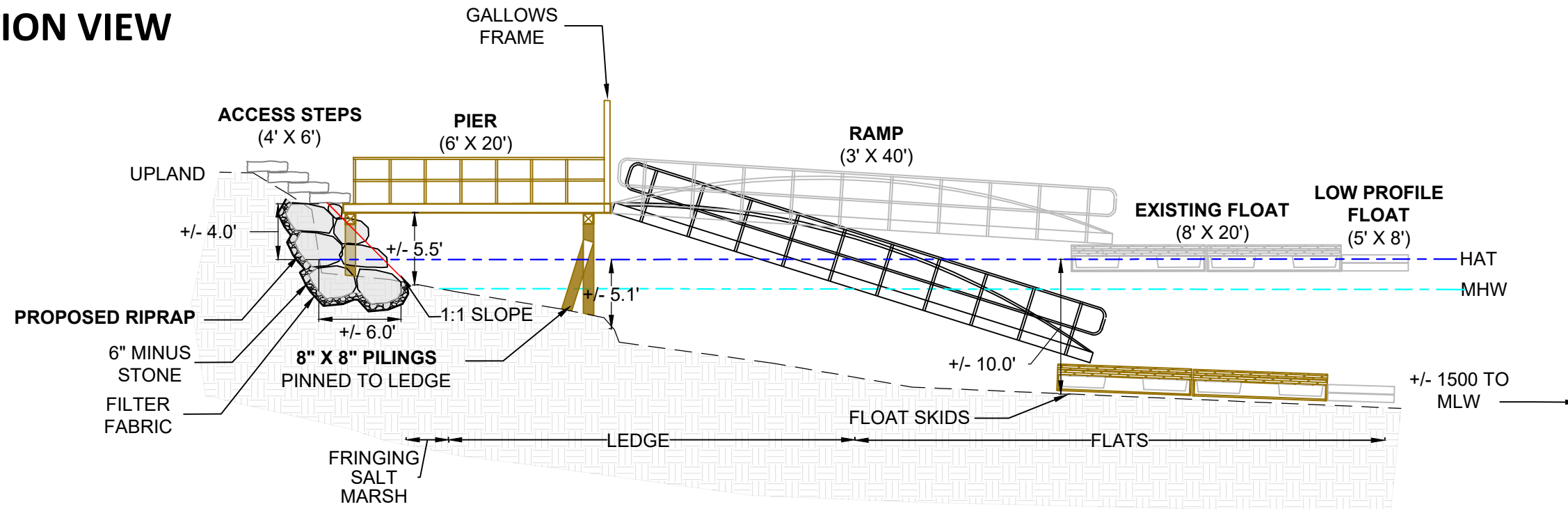
DATE:
10/5/2023

REV DATE:

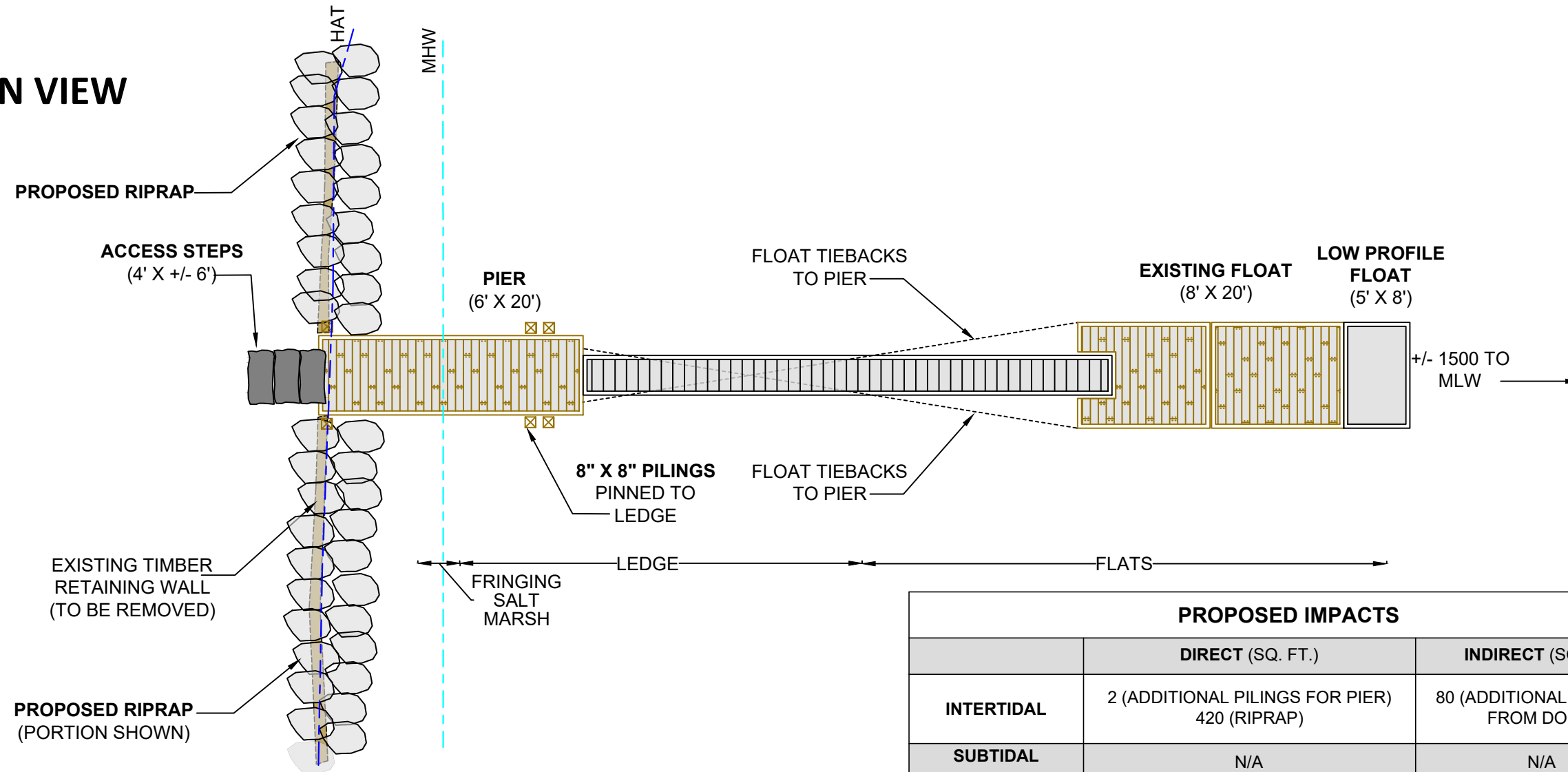


Lower Falls Landing
106 Lafayette Street,
Suite 2A
Yarmouth, ME 04096

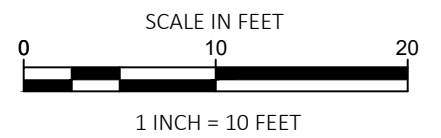
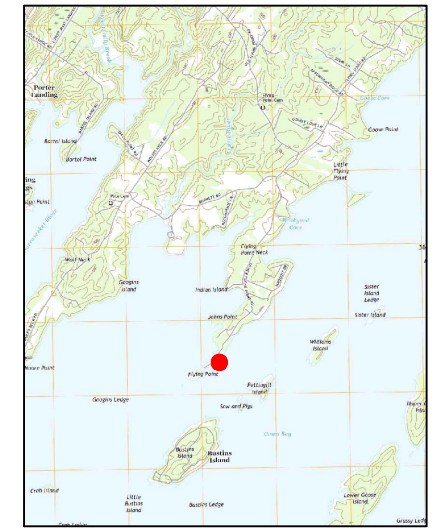
SECTION VIEW



PLAN VIEW



- NOTES:
- 1) ALL CCA TREATED PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
 - 2) PIER WILL BE SUPPORTED WITH SIX (6) BENTS CONSISTING OF 8" X 8" PILINGS PINNED TO LEDGE.
 - 3) BENTS WILL BE SPACED +/- 17' APART. INNER PILE BENT TO CONSIST OF TWO PLUMB PILES AND SEAWARD BENT WILL CONSIST OF TWO PLUMB PILES AND TWO BATTER PILES.
 - 4) THE RAMP WILL BE STORED ON THE PIER AND AND THE FLOATS WILL BE HAULED OFF-SITE AND STORED IN AN UPLAND LOCATION DURING THE OFF-SEASON.
 - 5) FLOAT WILL BE SECURED IN PLACE WITH FLOAT TIEBACKS TO THE PIER ON THE INBOARD SIDE.
 - 6) WHERE APPLICABLE, THE FIRST ROW OF RIPRAP WILL BE PINNED TO LEDGE OR BURIED IN A TRENCH. BOTTOM STONE WILL BE SET TO A DETPH OF 1/2 THE STONE'S DIAMETER.
 - 7) RIPRAP WILL CONSIST OF LARGE, IRREGULAR SHAPED ROCKS, FIT INTO PLACE AND/OR PINNED WITH REBAR. STONE WILL VARY IN SIZE FROM 2' - 4'.
 - 8) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SITE DISTURBANCE.
 - 9) EROSION CONTROLS WILL BE ESTABLISHED AS NEEDED AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
 - 10) PLAN IS FOR PERMITTING PURPOSES ONLY.



PROJECT:
 PROPOSED SHORELINE STABILIZATION AND DOCK MODIFICATIONS FOR CLAIRE MARTIN, 35 MERGANSEY WAY, FREEPORT, MAINE.

TITLE:
 PLAN VIEW AND CROSS SECTION VIEW OF PROPOSED RECREATIONAL DOCK AND STABILIZATION

DRAWN BY: LCV	SHEET: 3 OF 3
CHECKED BY: TAF	
DATE: 10/5/2023	REV DATE:

PROPOSED IMPACTS		
	DIRECT (SQ. FT.)	INDIRECT (SQ. FT.)
INTERTIDAL	2 (ADDITIONAL PILINGS FOR PIER) 420 (RIPRAP)	80 (ADDITIONAL SHADING FROM DOCK)
SUBTIDAL	N/A	N/A

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

Re: Right of Way Authorization Letter for Claire Martin



Abigail Douglas <abigail.rice.douglas@gmail.com>

To Ellie Oberink



Reply



Reply All



Forward



Thu 10/19/2023 1:23 PM

Claire Martin is authorized to use our strip for the modifications to the dock and stabilization of her shoreline as shown on the final plans attached.

We will make arrangements with the Martins regarding restoration of the strip after the work is done.

Abby Douglas

Sent from my iPhone

On Oct 18, 2023, at 1:55 PM, Ellie Oberink <ellie@flycatcherllc.com> wrote:

Hi Abigail,

I'm reaching out to get confirmation that Claire Martin is authorized to use right of way for the stabilization of her shoreline and modifications to the dock. Final plans for the project are attached for your reference.

Thank you,

Ellie

<Sheet 3_Martin.pdf>

Exhibit 6. Construction Plan

The site will be accessed via Merganser Way via an existing right of way and all materials and equipment for the stabilization will be stockpiled in the upland within an existing developed area. The Applicant has included a letter from the abutter providing permission to utilize this area for access. 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 and timber mats will be utilized in areas that have marsh vegetation.

SHORELINE STABILIZATION

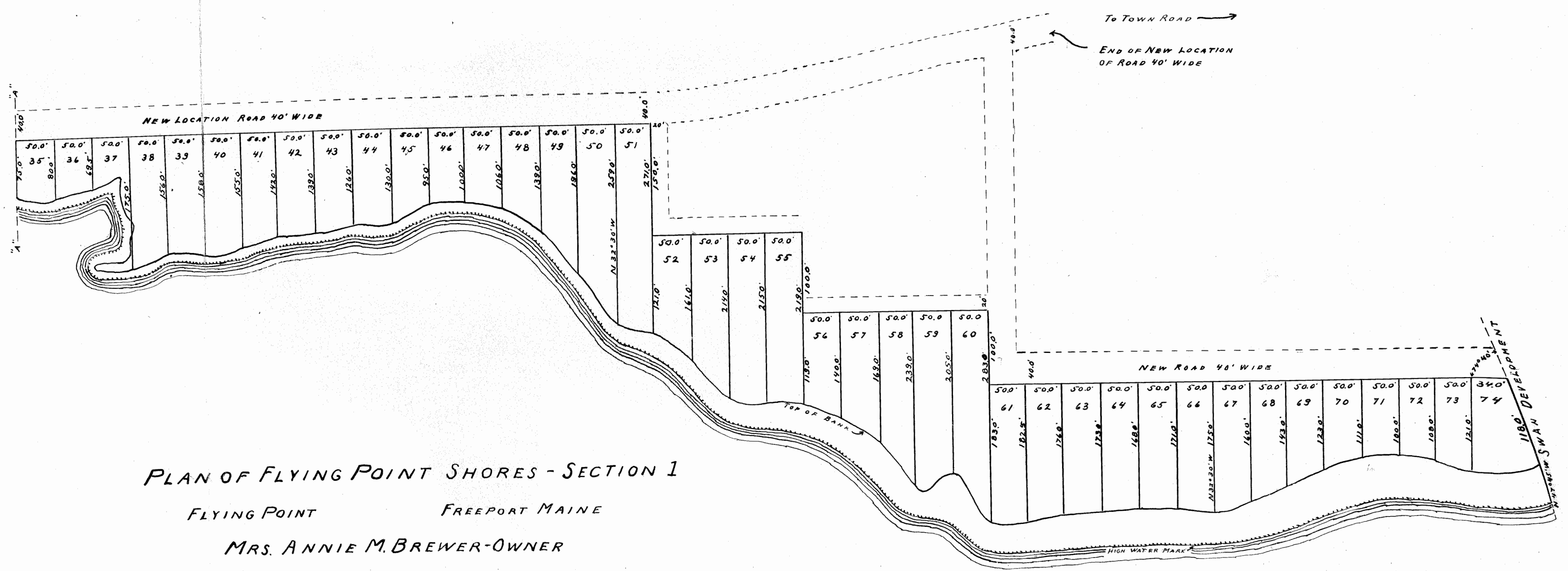
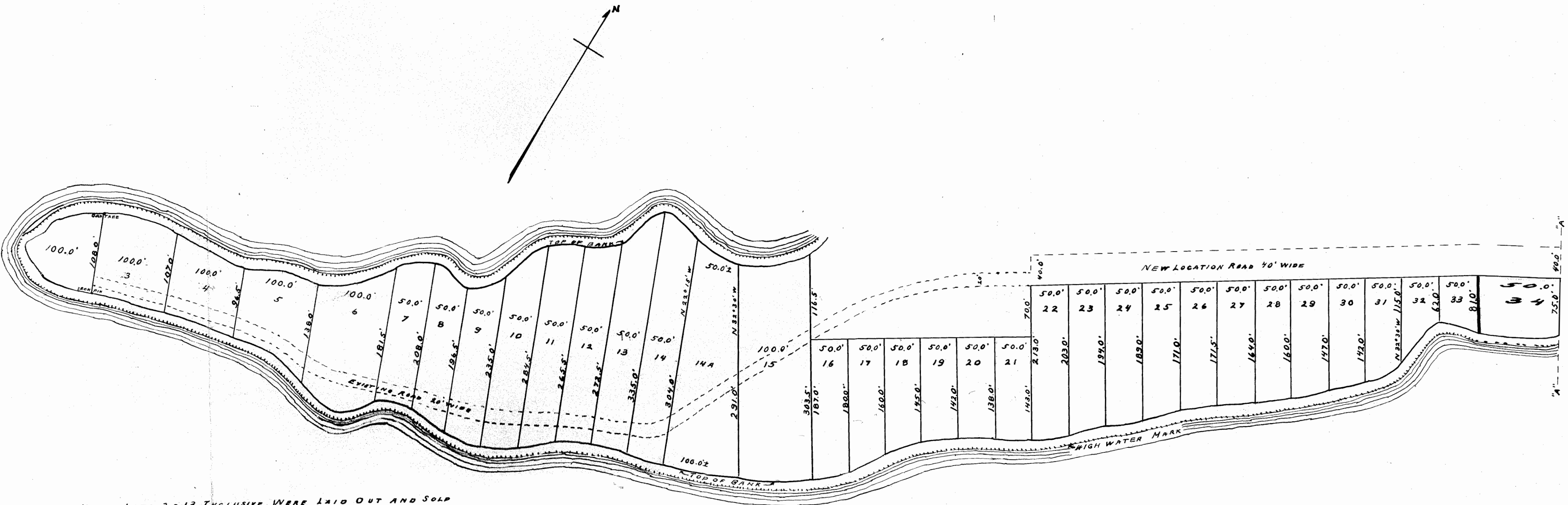
The Applicant will remove the existing timber retaining wall and dispose of all components at a licensed solid waste facility. Once this is complete, the area where the Applicant proposes to stabilize the shoreline will be graded to achieve 1H: 1V slope. Geotextile fabric and six (6) inch minus stone will be placed behind large, diameter irregular stones (approximately 2 – 4 feet). The toe riprap stone will be dug into a trench or pinned to ledge at the base of the slope and riprap will extend to varying heights as described in **Exhibit 1**. Upon completion of the stabilization, the Applicant proposes to place plants at the top of the riprap and in areas that are disturbed during construction. The plants will be spaced approximately three (3) feet on center, depending on the size and type of plant. Native plant species may include, but not be limited to: Creeping Juniper (*Juniperus horizontalis*), Northern Bayberry (*Myrica pensylvanica*), Beach Plum (*Prunus maritima*), and Virginia Rose (*Rosa virginiana*). The final number of plants will be determined once the riprap is installed. Plantings will be installed during the growing season at the completion of work. All disturbed areas as a result of the construction access will be seeded and hayed and any other disturbed areas within the Shoreland Zone will be replanted to meet the minimum of the Town of Freeport's Shoreland Zoning Ordinance. No large trees will be removed for the installation of the riprap.

DOCK CONSTRUCTION

The old dock will be removed and any components not utilized for the construction of the new dock will be disposed of at a licensed solid waste facility. The site will be accessed via Merganser Way and all materials and equipment for construction of the dock will be delivered from the upland. Any chromated copper arsenate (CCA) lumber used for the construction of the dock will be cured on dry land for 21 days prior to the start of construction. The project does not require the use of heavy equipment and all pilings will be pinned to ledge, resulting in minimal soil disturbance. The ramp and float are constructed off-site and will be set in place once the pier is constructed. The construction of the dock should take approximately one (1) to two (2) weeks and all work will be conducted at low tide or in the dry. It is not anticipated that measurable soil disturbance will occur as a result of the construction of the dock given the construction methods.

Exhibit 7. Erosion Control Plan

The Applicant will install erosion and sediment controls prior to the start of construction. The shoreline will be graded as necessary and filter fabric and 6" minus stone will be installed as previously described. At the completion of construction, any areas of soil disturbance will be stabilized with vegetation and mulch in accordance with the Department's permanent soil stabilization BMPs published in the most recent version of the Maine Erosion and Sediment Control BMPs manual.



PLAN OF FLYING POINT SHORES - SECTION 1
 FLYING POINT FREEPORT MAINE
 MRS. ANNIE M. BREWER-OWNER
 HARLAN H SWEETSER-ENGINEER

SEPTEMBER 1944

SCALE 100'-1"

WE THE SELECTMEN OF FREEPORT HEREBY
 CERTIFY OUR APPROVAL OF THIS PLAN

State of Maine Cumberland ss.
 Registry of Deeds, Received this 30 1945
 at 11h 30 m A. M. and recorded in
 Plan Book 31, Page 31, Book 31, Page 31
 att: W. Munde Camille Register

Ralph W. Moore
 Victor H. Coffin
 Lemuel A. Porter

DLN 1002040097436

TRUSTEES DEED
Maine Statutory Short Form

Know all Persons by these Present,

That I, **MARY M. DYCHE, TRUSTEE OF THE MARY M. DYCHE REVOCABLE TRUST**, of Osprey, County of Sarasota and State of Maine, by the power of law and all other powers, for full value and consideration paid, hereby convey to:

CLAIRE ATKINSON MARTIN

whose mailing address is 6 Goodridge Drive, Naples, ME 04055, a certain lot or parcel of land, together with the improvements thereon, situated in the Town of Freeport, County of Cumberland and State of Maine, more particularly described in the Exhibit A attached hereto and made a part hereof.

Witness my hand and seal this 1st day of June, 2020.

Signed, Sealed and Delivered
in the presence of

[Signature]

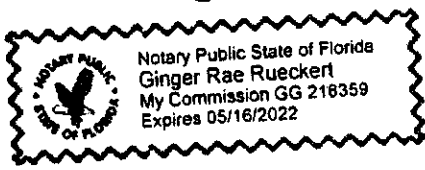
Mary M. Dyche
Mary M. Dyche, Trustee of the Mary M.
Dyche Revocable Trust

STATE OF Florida
County of Sarasota

June 1, 2020

Then personally appeared before me the above named Mary M. Dyche, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

Ginger R. Rueckert
Notary Public
Printed Name: Ginger R. Rueckert



MAINE REAL ESTATE TAX-Paid

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, more fully described as follows:
Beginning at a point set in the shore of Casco Bay at mean high water mark, which said point marks the southeasterly corner of Lot No. 6 as delineated and set forth on Plan of Flying Point Shores, Section 1, Flying Point, Freeport, Maine, and said plan being recorded in the Cumberland County Registry of Deeds in Plan Book 31, Page 31;

Thence running in a general northwesterly direction along and by the easterly bound of aforesaid Lot No. 6, Plan of Flying Point Shores, Section 1, as aforesaid recorded, a distance of eighty-five feet (85'), more or less, to the right of way on the aforesaid plan as now used, to a pin set in the ground;

Thence running in a general northeasterly direction along and by the aforesaid right of way, as now used, a distance of seventy-five feet (75'), more or less, to an iron pin set in the ground by other land now or formerly of Robert D. Dennison;

Thence running in a general southeasterly direction and parallel with the first mentioned bound, along and by other land now or formerly of Robert D. Dennison, a distance of one hundred feet (100'), more or less, to an iron pin set by the shore of Casco Bay at mean high water mark;

Thence running in a general southwesterly direction along and by the shore of aforesaid Casco Bay at mean high water mark to the point and place of beginning.

Also granting and conveying to the Grantee, her successors and assigns forever, a right of way for the purpose of travel by vehicles and pedestrians, in common with others, along the route now used, as designated on the above-mentioned Plan of Flying Point Shores, Section 1, Flying Point, Freeport, Maine, and over other land, now or formerly of Annie M. Brewer, as now used, leading to the public highway.

The above-described parcel of land and said right of way, being portions of Lot No. seven (7) and Lot No. Eight (8) as delineated and set forth on Plan of Cottage Lots owned by Annie M. Brewer and as delineated and set forth on Plan of Flying Point Shores, Section 1, Flying Point, Freeport, Maine, as aforesaid recorded. Lot No. Seven (7) having been conveyed to Robert D. Dennison by deed of Annie M. Brewer on December 10, 1957 and recorded in the Cumberland County Registry of Deeds in Book 2387, Page 445;

Lot No. Eight (8) having been conveyed to Robert D. Dennison by deed of Harriett Craig Hill on May 26, 1965 and recorded in the Cumberland County Registry of Deeds in Book 2697, Page 418.

Also granting and conveying the easement reserved by Robert D. Dennison for Ina M. Tranton, her heirs and assigns, to take water for their own use from the well established on the premises described in the deed from Robert D. Dennison to Hollis E. Willett and Gene E. Willett

dated September 5, 1975 and recorded in the Cumberland County Registry of Deeds in Book 3747, Page 145, which deed sets forth the easement in full. The said Robert D. Dennison was a common predecessor in title to Ina M. Tranton Rines, formerly Ina M. Tranton, and the said Hollis E. Willett and Gene E. Willett.

Being the same premises as described in Release Deed from David B. Dyche and Mary M. Dyche to Mary M. Dyche, Trustee of the Mary M. Dyche Revocable Trust, dated June 27, 2008 recorded in the Cumberland County Registry of Deeds in Book 26193, Page 284.