



Town of Freeport
Attention: Caroline Pelletier, Planning Department
30 Main Street
Freeport, ME 04032

March 5, 2024

Subject: Site Review for Freeport Conservation Trust Trailhead Parking, 236 Flying Point Road

Freeport Conservation Trust (FCT) seeks PRB approval for construction of a three-car gravel surface parking area at the approximately 10 acre lot it owns at 236 Flying Point Road. The purpose is to create safe, off-street parking for what are expected to be a limited number of occasional users of a trail located on the property and on the FCT property across Flying Point Road.

This is an update to our application of November 7, 2023. We have made updates to this application based on verbal comments from the Town Planner and Town Engineer.

- We had a survey done by Little River Land Surveying, Inc. The survey plan is attached. They determined that at our proposed entrance, Flying Point road is centered on the 3 rod (49.5 feet) right of way.
- The proposed entrance is now 22 feet wide.
- Erosion control during construction is included in the plan.
- The plan shows the van-accessible parking space.

FCT is asking for a waiver for a full boundary survey. We have included a 2024 survey documenting the ROW at the entrance to validate ROW setbacks. And 1987 property plan from the estate appraisal showing property dimensions to document property setbacks. Please refer to the Site Plan. The setbacks are approximately 400 feet to the property to the east on Flying Point Road, 200 feet to the property to the west on Flying Point Road, and 650 feet to the south to the shore.

The Flying Point Road speed limit is 40 mph. The sight distance for those exiting and the visibility of the parking area from the roadway are very good.

All existing vegetation, including within a 25 foot setback from the public ROW, will be retained with the exception of what must be cleared for the entrance and parking area itself. A single wooden post or small trailhead kiosk will be installed for maps and related signage, where the trail leaves the parking area.

Sincerely,

Carrie Kinne, Executive Director

Attachments:
Site Review Application and Checklist
Property Location – Topo and Tax Map
Site Plan Sketch
Property Plan (1987)
Property Deed
Setback Survey (2024)

**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: Calderwood Parking

Proposed Use of Property: Parking for open space

1) Applicant Information:

Name: Carrie Kinne, Conservation Trust Tel: 207-865-3985
(If a Company, provide name of person also)

Address: PO Box 433, Freeport ME 04032

Email: carrie@freeportconservationtrust.org

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 Open Space

Location: Street Address 236 Flying Point Rd

Assessor's Office Map: 19

Lot: 6

Size of Parcel (acres): 10

Zoning District (s): RR1

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: 0 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)

Proposed Number of Lots 0

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: Self - FCT Tel: _____

Address: _____

Email: _____

9) Billing Contact (If different than applicant information)

Name: Same Tel: _____

Address: _____

Email: _____

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.

11/7/23
DATE

Carrie Kinne
SIGNATURE OF APPLICANT/OWNER/REPRESENTATIVE

Project Name Calderwood Parking

Date 11/7/2023

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.	✓	
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.	✓	
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.	✓	
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:	✓	
a. Owner's name, address and signature;	✓	
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;		See Property Plan Calderwood Estate
c. The <u>bearings and distances</u> of all property		

lines, and easements and the location of the adjacent right-of-way. A formal survey is recommended for new developments; however, the Project Review Board may waive the requirement of a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries;	✓	See Property Plan Calderswood Estate and Setback Survey
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;	✓	See Site Plan sketch
e. The <u>lot area</u> of the parcel and the <u>road frontage</u> ;	✓	See Site Plan sketch
f. The <u>location, size, and type of all existing and proposed buildings</u> and structures (including size and height) and:	NA	
<i>the setbacks from property lines,</i>		
<i>driveways</i>		
<i>sidewalks</i>		
<i>parking spaces</i>		
<i>loading areas</i>		
<i>open spaces</i>		
<i>large trees</i>		
<i>open drainage courses</i>		
<i>signs</i>		
<i>exterior lighting</i>		
<i>service areas</i>		
<i>easements</i>		
<i>landscaping</i>		

Freeport Conservation Trust

236 Flying Point Road Parking – Calderwood Parking

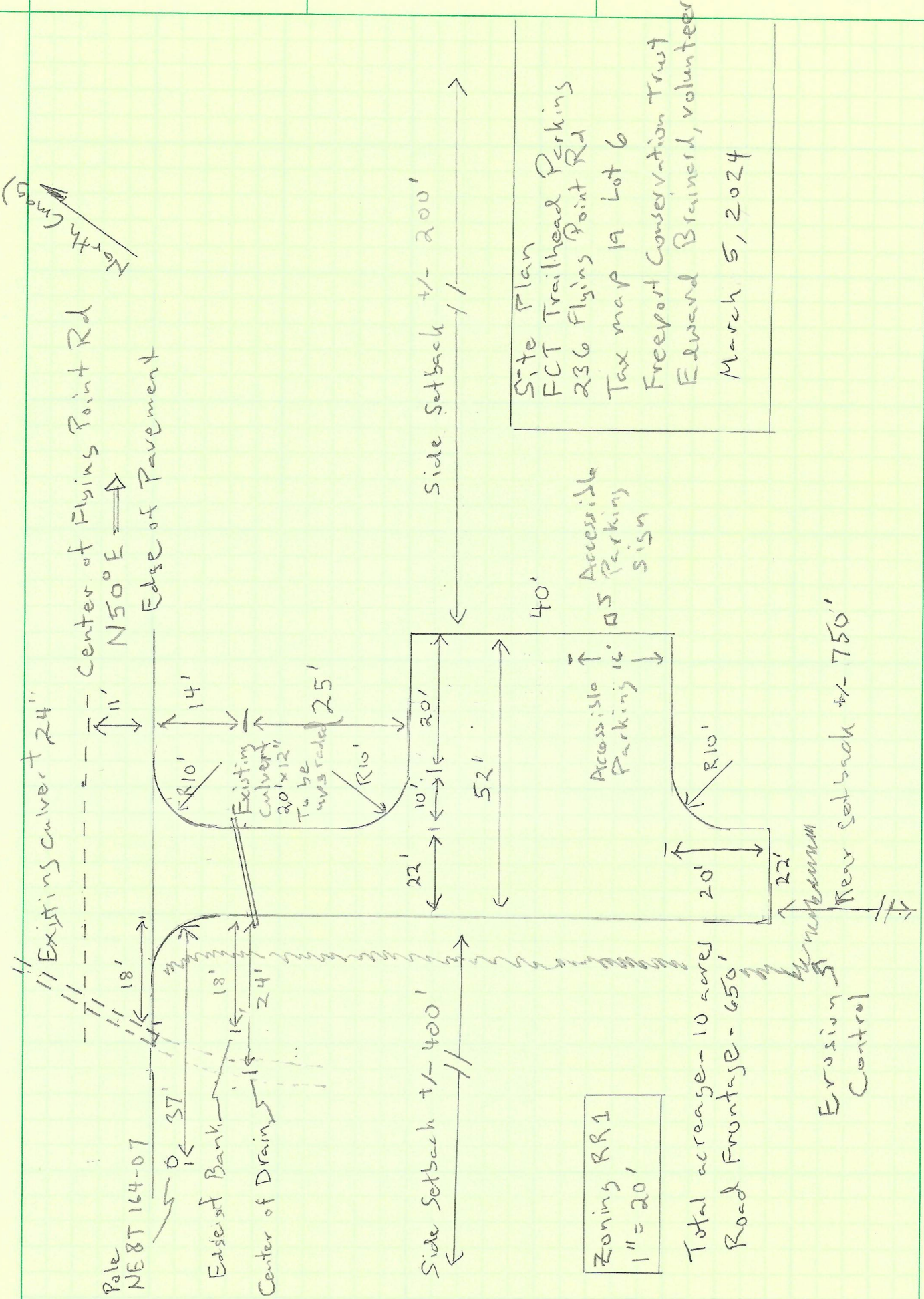
Property Location – Topo and Tax Map



Location map – USGS Freeport ME 2021



Tax map 19 – Lot 6



Site Plan
 FCT Trailhead Perkins
 236 Flying Point Rd
 Tax map 19 Lot 6
 Freeport Conservation Trust
 Edward Brainerd, volunteer
 March 5, 2024

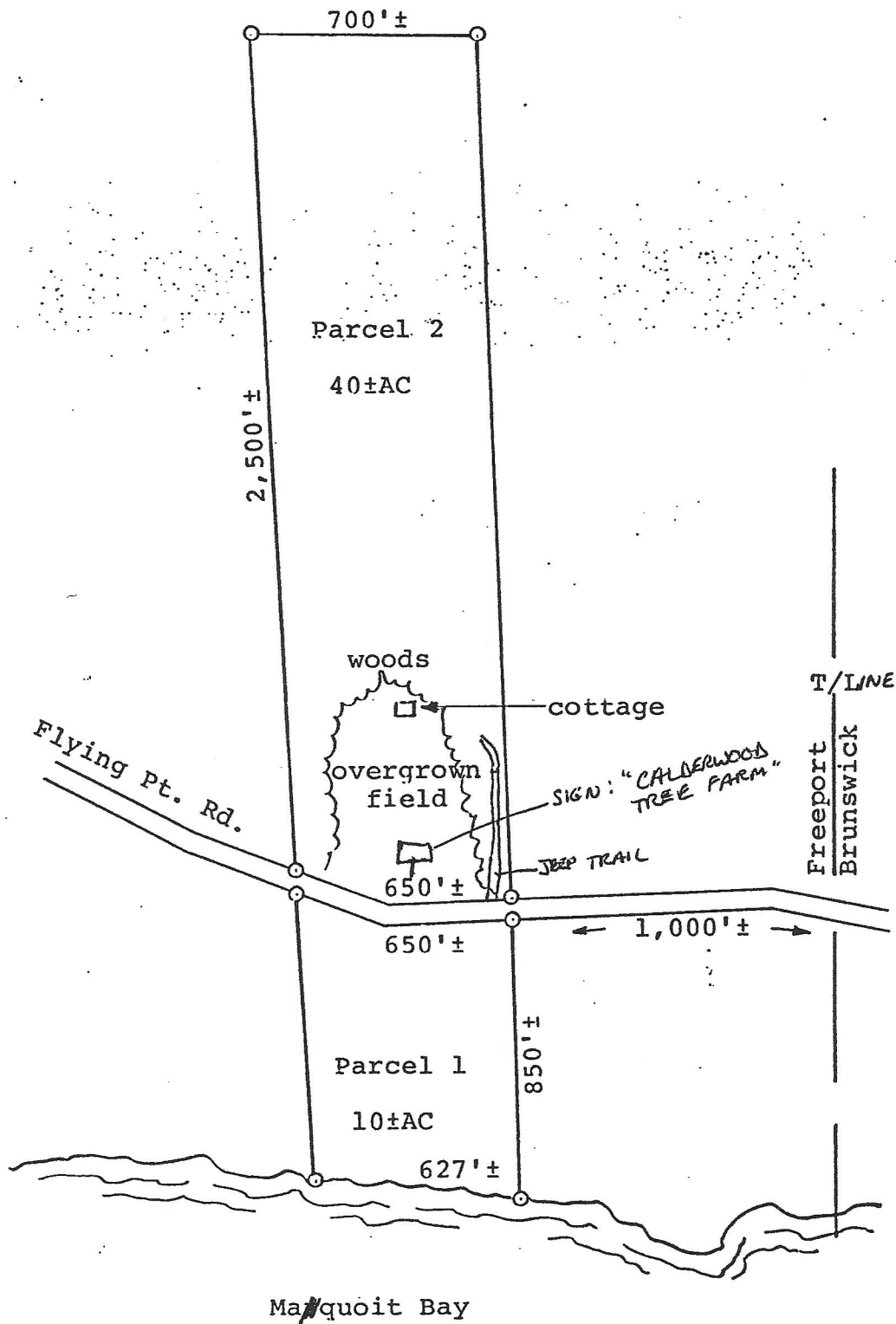
Zoning RR1
 1" = 20'

Total acreage - 10 acres
 Road Frontage - 650'

Erosion Control

PROPERTY PLAN

Roger Calderwood Estate
Freeport, Me.



BK7806PG0294

031981

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE

(Testate)

I, GEORGE B. HEFFERAN, JR. of Cape Elizabeth, Cumberland County, Maine, duly appointed and acting personal representative of the Estate of Roger D. Calderwood, deceased, whose Will was duly admitted to probate in the Probate Court for Cumberland County, Maine, by the power conferred by law and every other power (in distribution of the estate), grant to the
FREEPORT CONSERVATION TRUST, a Maine nonprofit corporation, whose mailing address is RFD #1, Box 150, Freeport, Maine 04032, being the entity entitled to distribution, the real property in Freeport, Cumberland County, Maine, described as follows:

Description of Premises

Beginning at an iron driven into the ground at or near the southeasterly side line of Flying Point Road at the westerly corner of land now or formerly of Mildred W. Busse; thence South 40° 45' East (local bearing A.D. 1950) by land of Busse seven hundred fifty-nine (759) feet, more or less, to an iron driven in the ground on or near the top of the bank at the shore; thence continuing the same course to low water of Maquoit Bay; thence southwesterly by low water mark about thirty-eight (38) rods to land formerly of Robert Dunning; thence northwesterly on a course that was North 50° West in 1791 by land now or formerly of Jennie W. Chapman to said Flying Point Road, crossing said road, and continuing the same course by land now or formerly of Arthur N. Adams to the southeasterly line of the numbered Town Lots, as shown on plan recorded in Cumberland County Registry of Deeds Plan Book 24, Page 14; thence northeasterly by the Town Lots to other land of Mildred W. Busse; thence on a course that was South 47 1/2° East in 1791 by land now or formerly of Busse and land now or formerly of Raymond Dall and Marquerite Dall to the Flying Point road near the point of beginning. Excepting that portion thereof contained within the limits of the Flying Point Road.

Being the same premises conveyed to Roger D. Calderwood by deed of Cornelia C. L. Calderwood dated October 27, 1956 recorded in said Registry at Book 2323, Page 56.

Wish of Roger D. Calderwood

This conveyance is made pursuant to the Will of Roger D. Calderwood (Cumberland County Probate Court Docket No. 86-719), in which he makes this bequest to the Freeport Conservation Trust so that, in his words in Article Sixth of the Will, "the entire acreage may remain 'forever wild'". By its acceptance of this deed the Freeport Conservation Trust agrees that it will preserve and maintain the property in its "forever wild" condition in accordance with the wish of Roger Calderwood. If for any reason whatsoever at any time after this conveyance it shall not be possible to abide by this condition that the property remain "forever wild", then the property and all right, title and interest therein shall pass to the MAINE COAST HERITAGE TRUST, a Maine nonprofit corporation with offices in Northeast Harbor, Maine, upon the condition that the Maine Coast Heritage Trust shall preserve and maintain the property in its "forever wild" condition in accordance with the wish of Roger Calderwood. If for any reason whatsoever it shall not be possible for the Maine Coast Heritage Trust to abide by this condition that the property remain "forever wild", then the property and all right, title and interest therein shall pass to the Supreme Council Charities of the Ancient Accepted Scottish Rite and to the Lambda Chi Alpha Fraternity organizations designated as residuary beneficiaries in Article Eleventh of the Will of Roger Calderwood, in the shares therein provided.

IN WITNESS WHEREOF George B. Hefferan, Jr. has hereunto set his hand and seal in his said capacity.

Nancy Evans

George B. Hefferan, Jr. (L.S.)
George B. Hefferan, Jr.
Personal Representative
of the Estate of Roger D.
Calderwood, deceased

STATE OF MAINE
Cumberland, ss.

May 26, 1987

SEAL

Personally appeared the above named George B. Hefferan, Jr. in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Nancy Evans
Notary Public
Nancy Evans
print name

BK7806PG0296

CONSENT

I, Madeline F. Perazzi, hereby consent to the foregoing conveyance from the estate of Roger D. Caldewood to the Freeport Conservation Trust.

DATED: *May 27, 1987*

Madeline F. Perazzi
Madeline F. Perazzi

STATE OF MAINE
Cumberland, ss.

May 27, 1987

Personally appeared the above named Madeline F. Perazzi and acknowledged this consent to be her free act and deed.

Nancy Evans
Notary Public
Nancy Evans
print name

SEAL

ACCEPTANCE

The Freeport Conservation Trust hereby accepts the foregoing conveyance from the Estate of Roger D. Calderwood.

FREEPORT CONSERVATION TRUST

By *Helen D.K. Grant*
Helen D. K. Grant
President

STATE OF MAINE
Cumbeland, ss.

JUNE 3, 1987

Personally appeared the above named Helen D. K. Grant, President of the Freeport Conservation Trust, and acknowledged the above instrument to be her free act and deed in her said capacity and the free act and deed of said Trust.

Andrew A. Cadot
Notary Public

ANDREW A. CADOT
print name

SEAL

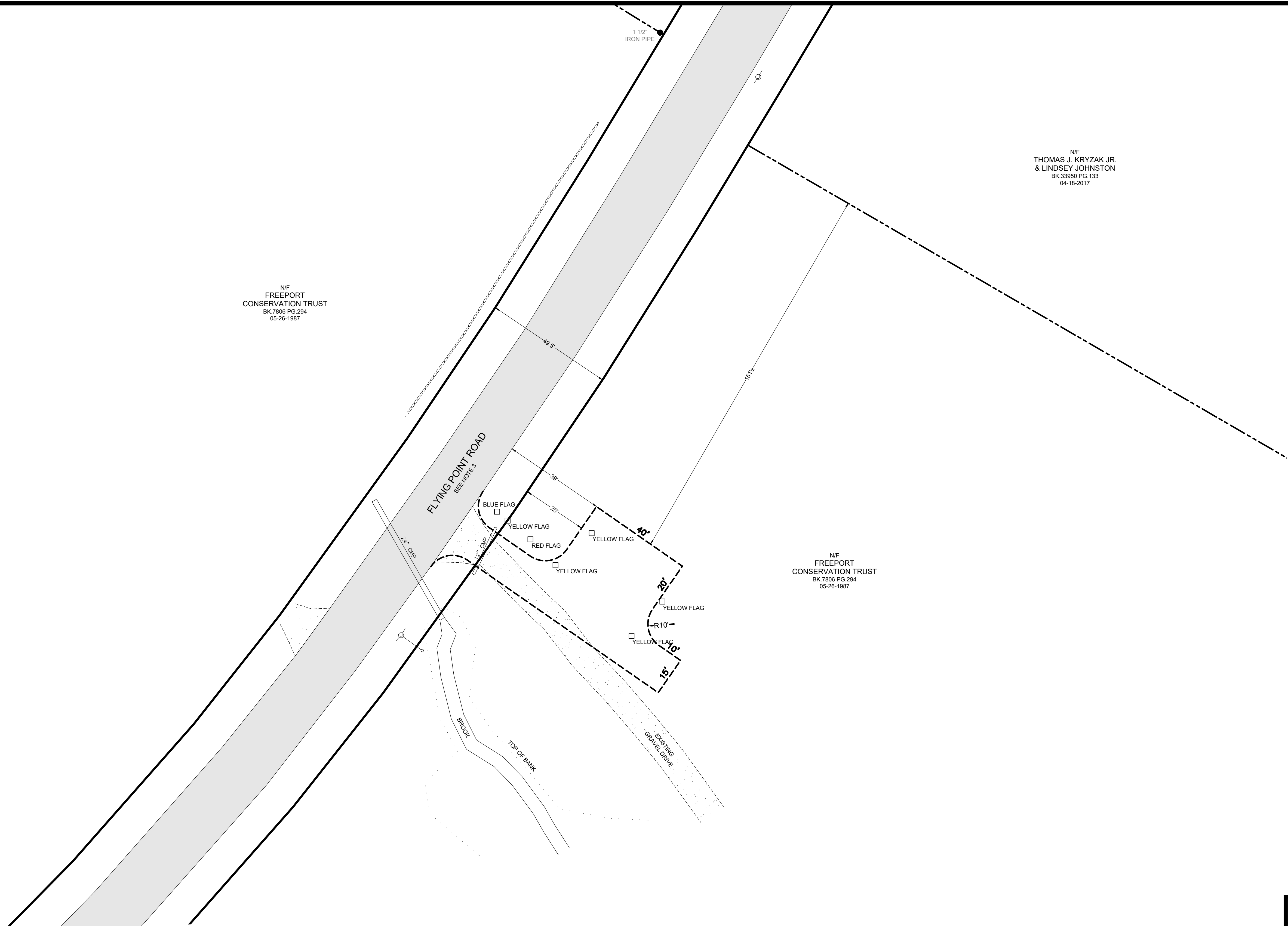
RECORDED
RECORDED REGISTRY OF DEEDS

1987 JUN -5 PM 12:56

CUMBERLAND COUNTY

James J. Welch

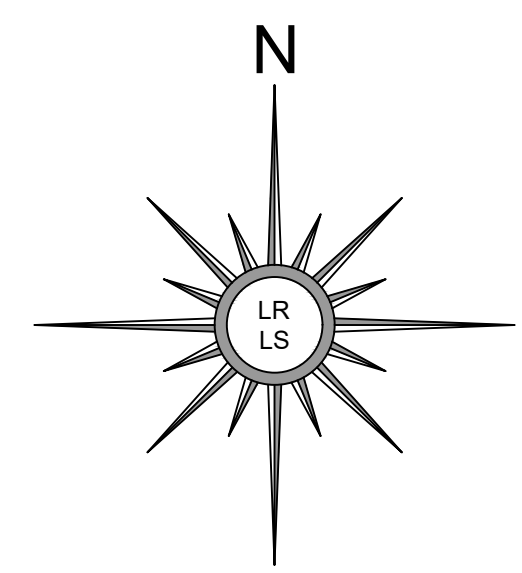
MY COMMISSION EXPIRES
OCTOBER 3, 1987



NF
THOMAS J. KRZYAK JR.
& LINDSEY JOHNSTON
BK.33950 PG.133
04-18-2017

NF
FREEPORT
CONSERVATION TRUST
BK.7806 PG.294
05-26-1987

NF
FREEPORT
CONSERVATION TRUST
BK.7806 PG.294
05-26-1987



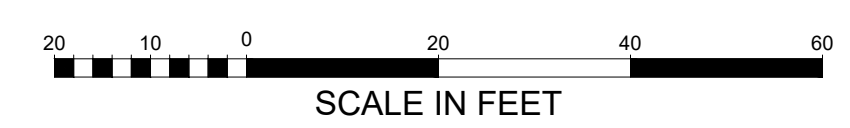
SOURCE
SPCS - 1983 MAINE WEST

LEGEND

- WOOD STAKE
- PIPE OR ROD FOUND
- MONUMENT FOUND
- ROAD LINE
- - - PROPERTY LINE
- - - PROPERTY LINE - NOT SURVEYED
- ▨ PAVEMENT
- ▨ EXISTING GRAVEL AREA
- ▨ PROPOSED PARKING AREA
- STONE WALL
- - - TOP OF BANK
- ⊕ UTILITY POLE AND ANCHOR

GENERAL NOTES

- 1) RECORD OWNER: FREEPORT CONSERVATION TRUST
REFERENCE DEED BOOK 7806, PAGE 294 DATED MAY 26, 1987.
THIS IS NOT A BOUNDARY SURVEY AND THIS SURVEYOR HAS CONDUCTED LIMITED INDEPENDENT RECORD RESEARCH. ALL BOOK AND PAGE NUMBERS ARE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
- 2) BEARINGS ARE REFERENCED TO THE STATE PLANE COORDINATE SYSTEM OF 1983, MAINE WEST ZONE, AS DETERMINED BY STATIC GNSS OBSERVATION WITH POST PROCESSING BY THE NATIONAL GEODETIC SURVEY ONLINE POSITIONING USER SERVICE.
- 3) VARIOUS RECORDED PLANS WERE REVIEWED IN AN ATTEMPT TO DETERMINE THE WIDTH AND LOCATION OF THE RIGHT OF WAY OF FLYING POINT ROAD. THE HISTORICAL LAYOUT OF FLYING POINT ROAD CAN BE FOUND IN THE CUMBERLAND COUNTY COMMISSIONERS RECORDS IN VOLUME 2, PAGE 224, DATED 1787 WHICH SPECIFIES A WIDTH OF THREE RODS. THE HISTORICAL LAYOUT DOES NOT FIT THE TRAVELED PATH VERY WELL IN THIS AREA. MAINE STATE HIGHWAY COMMISSION PLANS MODIFYING THE HISTORICAL LAYOUT IN SEVERAL AREAS WERE REVIEWED BUT DO NOT APPEAR TO AFFECT THIS LOCATION. CONSEQUENTLY, THIS SURVEYOR HAS HELD THE RECORD WIDTH OF THREE RODS (49.5 FEET) CENTERED ON THE EXISTING TRAVELED WAY. THIS REASONABLY MATCHES POSSESSION EVIDENCE AND MONUMENTATION FOUND OVER APPROXIMATELY 1900 FEET OF ROADWAY AROUND THIS LOCATION. THIS IS ALSO CONSISTENT WITH TITLE 23, §2103 WHICH GRANTS MUNICIPALITIES THE AUTHORITY TO CONTROL A WIDTH OF 3 RODS CENTERED ON THE TRAVELED WAY.



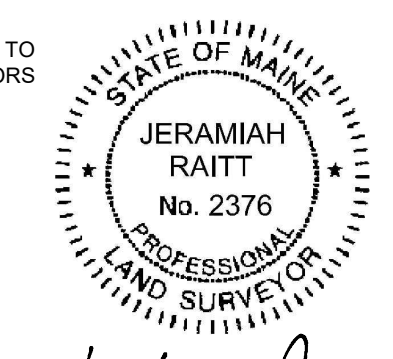
PLAN REFERENCES

- 1) "FINAL PLAN OF PINE LEDGE SUBDIVISION" DATED JUNE 13, 1983 AND RECORDED IN PLAN BOOK 139, PAGE 63.
- 2) "EASEMENT BOUNDARY SURVEY... MADE FOR BRUNSWICK-TOPSHAM LAND TRUST, INC." DATED JULY 18, 2011 AND RECORDED IN PLAN BOOK 211, PAGE 189.
- 3) "STANDARD BOUNDARY SURVEY AND DIVISION OF THE MARY L. ADAMS PARCEL" DATED JANUARY 11, 1995 AND RECORDED IN PLAN BOOK 195, PAGE 35.
- 4) "PLAN SHOWING LAND OF BRADFORD CHAPMAN" DATED SEPTEMBER 1989 AND RECORDED IN PLAN BOOK 190, PAGE 63.
- 5) "PLAN OF LAND IN FREEPORT, MAINE FOR EDWARD BRADLEY" DATED DECEMBER 15, 1986 AND RECORDED IN PLAN BOOK 160, PAGE 20.

CERTIFICATION

TO: FREEPORT CONSERVATION TRUST
TO THE BEST OF MY KNOWLEDGE THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR LAND SURVEYORS STANDARDS WITH THE FOLLOWING EXCEPTIONS:

- 1) NO SEPARATE REPORT
- 2) NO NEW LEGAL DESCRIPTION PREPARED



JERAMIAH J. RAITT PLS 2376

PROPOSED PARKING PLAN

RECORD OWNER: **FREEPORT CONSERVATION TRUST**
P.O. BOX 433, FREEPORT, ME 04032

SITE LOCATION: **FLYING POINT ROAD**
FREEPORT, ME

LITTLE RIVER
LAND SURVEYING, INC.
ME PLS #2376 NH LLS #957 MA LS #56221
16 CATTAIL LANE, LISBON, MAINE 04250
(207) 841-0056

DATE: FEBRUARY 28, 2024
SCALE: 1" = 20'
PROJECT: 24-012
DRAWING: 24-012
DRAWN BY: JMR
CHECKED BY: JJR