

January 17, 2024



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

**Re: Site Plan Review Application for Shoreline Stabilization on Behalf of Kelly and Brandon Roberts
Located at 41 Shore Drive in Freeport, ME (Tax map #5 Lot #106).**

Dear Ms. Pelletier,

On behalf of Kelly and Brandon Roberts (Applicants), Flycatcher, LLC (Flycatcher) is pleased to submit a Site Plan Review Application for approval for the stabilization of the shoreline and the construction of a recreational dock. Details of the proposed recreational dock have been submitted in a Wharfing Out Application. The proposed stabilization will consist of the placement of riprap along a cumulative length of ninety (90) feet of the shoreline and rebuilding an existing timber retaining wall that measures three (3) feet high and thirty (30) feet long along the top of the bank. The riprap will be placed in two areas along the shoreline referred to as Area A and Area B. The riprap in Area A will extend four (4) feet below the Highest Annual Tide (HAT) line and result in one hundred and twenty (120) square feet of direct impacts to the coastal wetland. The riprap in Area B will extend five (5) feet below the HAT and result in three hundred (300) square feet of impact to the coastal wetland for a total of four hundred and twenty (420) square feet of direct impact to the coastal wetland. 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 standards.

Applications have been submitted to the U.S. Army Corps of Engineers (ACOE), Maine Projects Office in Augusta, Maine and to the Maine Department of Environmental Protection (DEP) in Portland. As part of the ACOE requirements, notification was submitted to the Maine Historical Preservation Commission (MHPC) and the Tribal Historical Preservation Officers (THPOs). Relevant portions of these applications are included in the following application and copies of these approvals 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.

Respectfully submitted,

Tim Forrester, Director of Coastal Resources
Flycatcher, LLC



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

1. SUBMISSIONS

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

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

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

2. ABUTTERS

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

3. FEES

Refer to current fee schedule.

**Town of Freeport
Planning Department**

Application for Review

Project Type: (check all applicable)

 X Site Plan Review Design Review Certificate Subdivision
 Zoning Ordinance Amendment Other (please explain) _____

Name of Project: Kelly and Brandon Roberts Dock and Stabilization Project

Proposed Use of Property: Residential, recreational

1) Applicant Information:

Name: Tim Forrester, Flycatcher, LLC Tel: (207) 837-2199
(If a Company, provide name of person also)
Address: 106 Lafayette Street, Suite 2A, Yarmouth, ME 04096
Email: tim@flycatcherllc.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 Single family residential
Location: Street Address 41 Shore Drive
Assessor's Office Map: 5 Lot: 106
Size of Parcel (acres): 0.31 Zoning District (s): MDR-1

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 Applicants propose to replace the existing seasonal dock and stabilize the shoreline with riprap and native plantings and by rebuilding an existing timber wall.

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: _____ Tel: _____

Address: _____


Email: _____

Application Fee: \$ \$165 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.

1/17/24
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: <u>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.</u> 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:	x	
<i>the setbacks from property lines,</i>	x	
<i>driveways</i>	N/A	
<i>sidewalks</i>	N/A	
<i>parking spaces</i>	N/A	
<i>loading areas</i>	N/A	
<i>open spaces</i>	x	
<i>large trees</i>	x	
<i>open drainage courses</i>	N/A	
<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	

Project Description

Introduction and Project Purpose. The Applicant owns an approximate .31-acre parcel of land located on Shore Drive and adjacent to Casco Bay in the Town of Freeport, Maine. The site is developed with a residential structure and associated development an existing dock that consists of a set of access stairs that extend from the upland to the intertidal zone, a pier, ramp, and float. The Applicant purchased the property in 2022 and was made aware that the dock had not been previously permitted by a prior owner. In order to bring the site into compliance, a NRPA application was submitted to the DEP; however, the application was returned as incomplete in Department Order (#L-30281). Upon further review, the Applicant determined the existing structures were in disrepair and determined the dock should be modified to better accommodate the site. The current dock does not provide safe or adequate means for the Applicant to access the resource with a watercraft. In addition, portions of the shoreline are undergoing varying degrees of erosion and needs to be stabilized to prevent damage to the Applicant's property and the coastal wetland. The Applicant's project purpose is to remove the existing dock and install a new dock consisting of a new set of access stairs and landings that include a set of hardscrabble steps that extend from the landings to the intertidal zone, a new pier, seasonal ramp, and a seasonal low-profile float. The Applicant also proposes to stabilize the shoreline by installing riprap and rebuilding an existing timber retaining wall to protect the existing structures and limit the extent of future erosion. 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 and proposed 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 Area A in the northerly section and Area B in the southerly section. In Area A, the riprap will measure approximately thirty (30) feet long and approximately four (4) feet in height. As a result of the riprap below the HAT in Area A, there will be approximately one hundred and twenty (120) square feet of impacts to the coastal wetland. Area B will measure sixty (60) feet long and will extend six (6) feet in height and five (5) feet below the HAT, resulting approximately three hundred (300) square feet of impacts to the coastal wetland. As a result of the proposed

stabilization, the total direct impacts to the coastal wetland will be four hundred twenty (420) square feet. 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. Additionally, the Applicants propose to rebuild an existing timber retaining wall that is located at the top of the bank and measures thirty (30) feet long and four (4) feet high and will be secured in the substrate with pins driven to refusal. The installation date of the original retaining wall is unknown. The Applicants do not propose any additional impacts to the coastal wetland or adjacent upland as a result of reconstructing the retaining wall. Native plantings will be placed at the top of the riprap. Additional plantings will be required along the upper slope to the base of the lawn as well as an approximate one thousand (1,000) square feet vegetative buffer along the top of the slope.

DOCK REPLACEMENT

In order to address the safety issues of the existing dock, the Applicant proposes to remove the existing access stairs and dock, dispose of all components at a licensed solid waste facility, and replace it with a set of four (4) feet wide by forty five (45) feet long landings and stairs that will be supported by eight (8)- two (2) inch round pipe supports driven to refusal in the substrate above the Highest Annual Tide (HAT) line. A set of four (4) feet wide by six (6) feet long hardscrabble steps will adjoin to the lower landing to provide access to the intertidal zone. The lower end of the stairs will connect to a six (6) feet wide by twenty-four (24) feet long pier which will be supported by eight (8) timber bent and batter pilings pinned to ledge. Connected to the pier will be a three (3) feet wide by twenty four (24) feet long seasonal ramp and a ten (10) feet wide by sixteen (16) feet long seasonal, low-profile float. As a result of the pilings located below the HAT, the Applicant proposes eight (8) square feet of impact to the coastal wetland. The dock will provide recreational, partial-tide access to Casco Bay and adjacent coastal waters. Construction of the dock will not require additional upland development and will be located the same location as the existing structures. During the off-season, the ramp will be stored on the pier, and the float will be stored in the upland as shown on the project plans. No vegetation will be removed for the dock construction.

Land Use Standards

a. Preservation of Landscape: The landscape shall be developed in such a manner as to be in keeping with the character of the surrounding neighborhoods and in accordance with good development practice by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. If a site includes a ridge or ridges above the surrounding areas and provides scenic vistas for surrounding areas, special attempts shall be made to preserve the natural environment of the skyline of the ridge. Existing vegetation and buffering landscaping are potential methods of preserving the scenic vista.

Riprap will not be installed above the top of the natural bank and the steps will be made of natural material (granite and timber) 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 surface drainage is maintained.

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 pinning riprap and the toe of the slope for approximately ninety (90) feet along the shoreline and extending landward to account for high tides and storm surge. Further landward a robust planting plan will be employed to stabilize exposed soils and maintain shoreland zoning standards.

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 Native American 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.

The Applicant proposes a twelve (12) feet wide construction access that extends from Shore Drive. Upon completion of construction, the access way will be seeded and mulched in accordance with the DEP's Best Management Practices for permanent site stabilization.

(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.

Photographs

The following photographs are taken from the site of the project and represent the existing conditions of the project located at 41 Shore Drive in the Town of Freeport, ME. All photographs were taken on October 6, 2023 by Tim Forrester of Flycatcher, LLC unless otherwise noted.



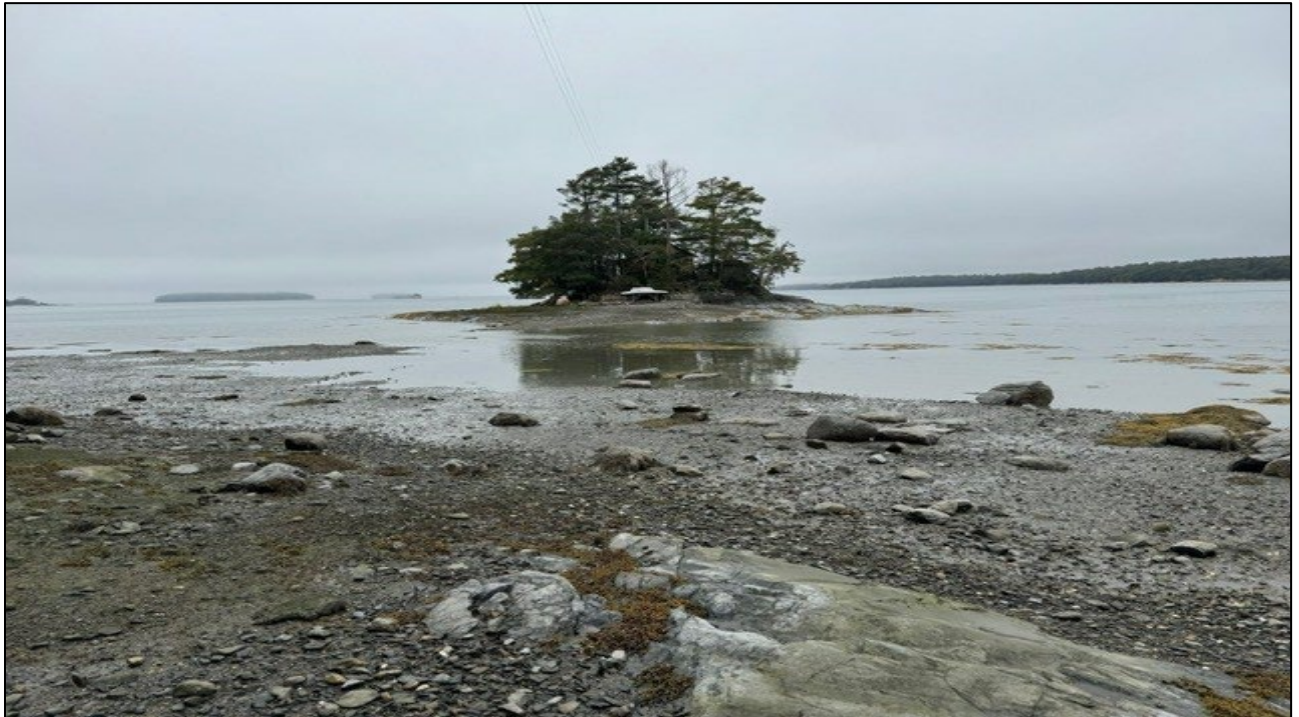
Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project. Source: Maine Office of GIS Date: 2023.



Photograph Two. Facing east – view of upper intertidal zone and eroding bank.



Photograph Three. Facing south. View of intertidal zone at project site.



Photograph Four. Facing southwesterly – additional view of intertidal zone at project site and adjacent Indian Island.



Photograph Five. Facing northerly. View of existing structure in the foreground to be removed. View of abutting structure in the background.

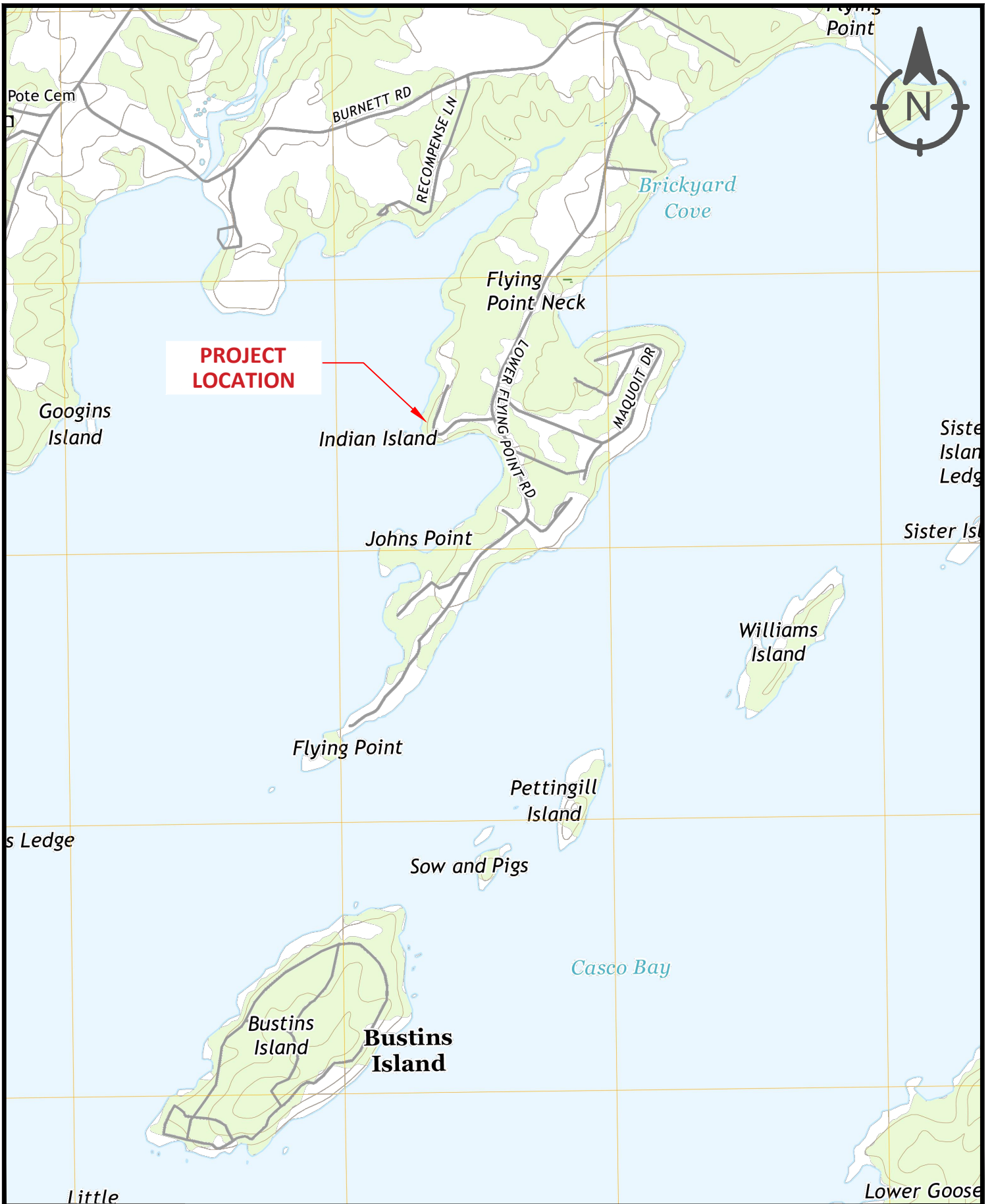


Photograph Six. Facing easterly. View of intertidal zone, eroding shoreline to be stabilized and existing structure to be removed.



Photograph Seven. View of mudflats in the intertidal zone at the project site.

Location Map

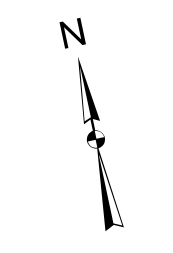


**PROJECT
LOCATION**



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

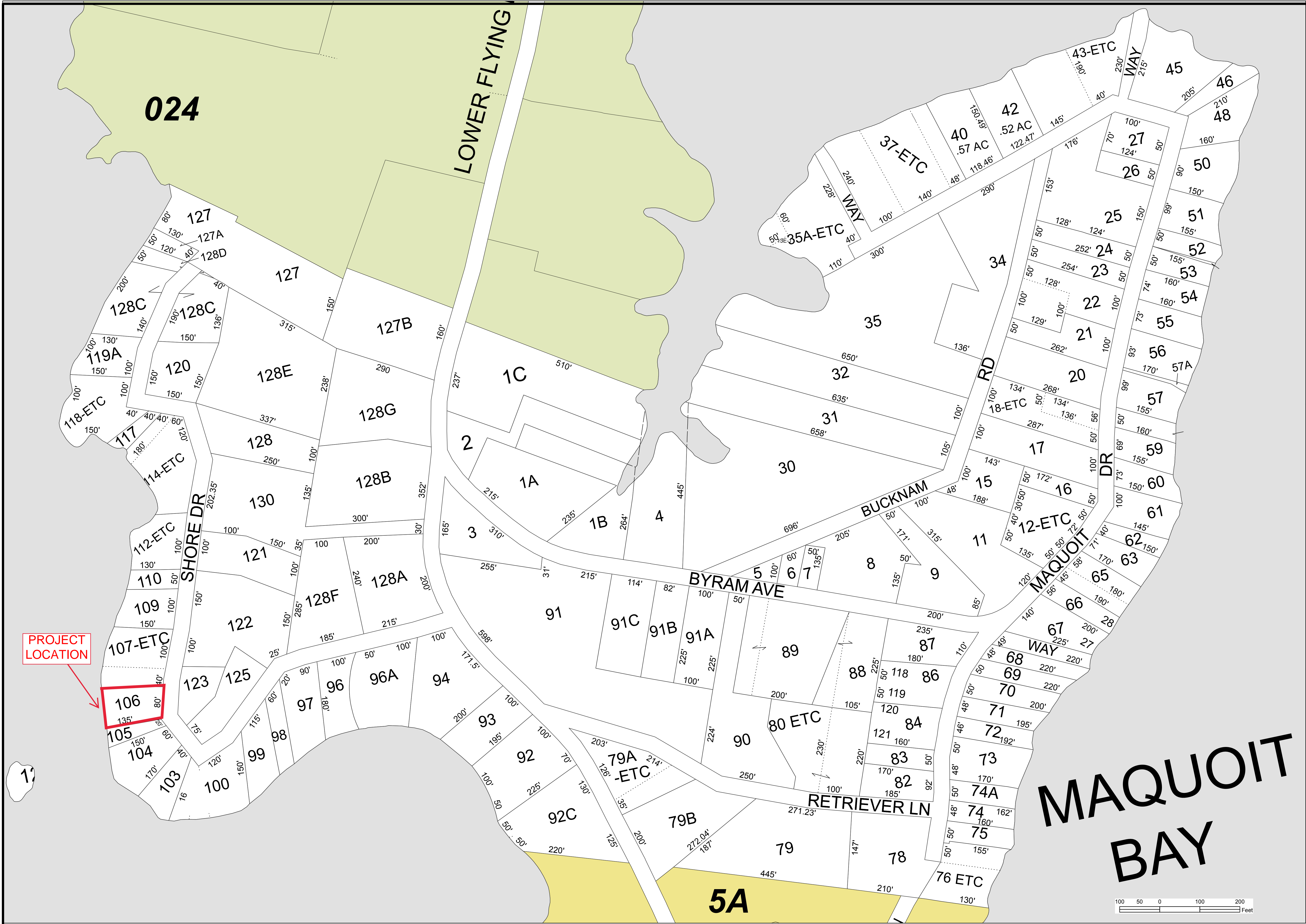
PROJECT LOCATION
41 SHORE DRIVE
FREEPORT, MAINE 04032
43.820341, -70.065580



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

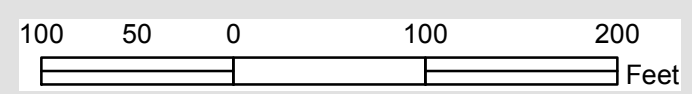
These maps are intended to be used for the purpose of Property Tax Assessments and should not be used for conveyances.
Revised to April 1st

Scale: = 100

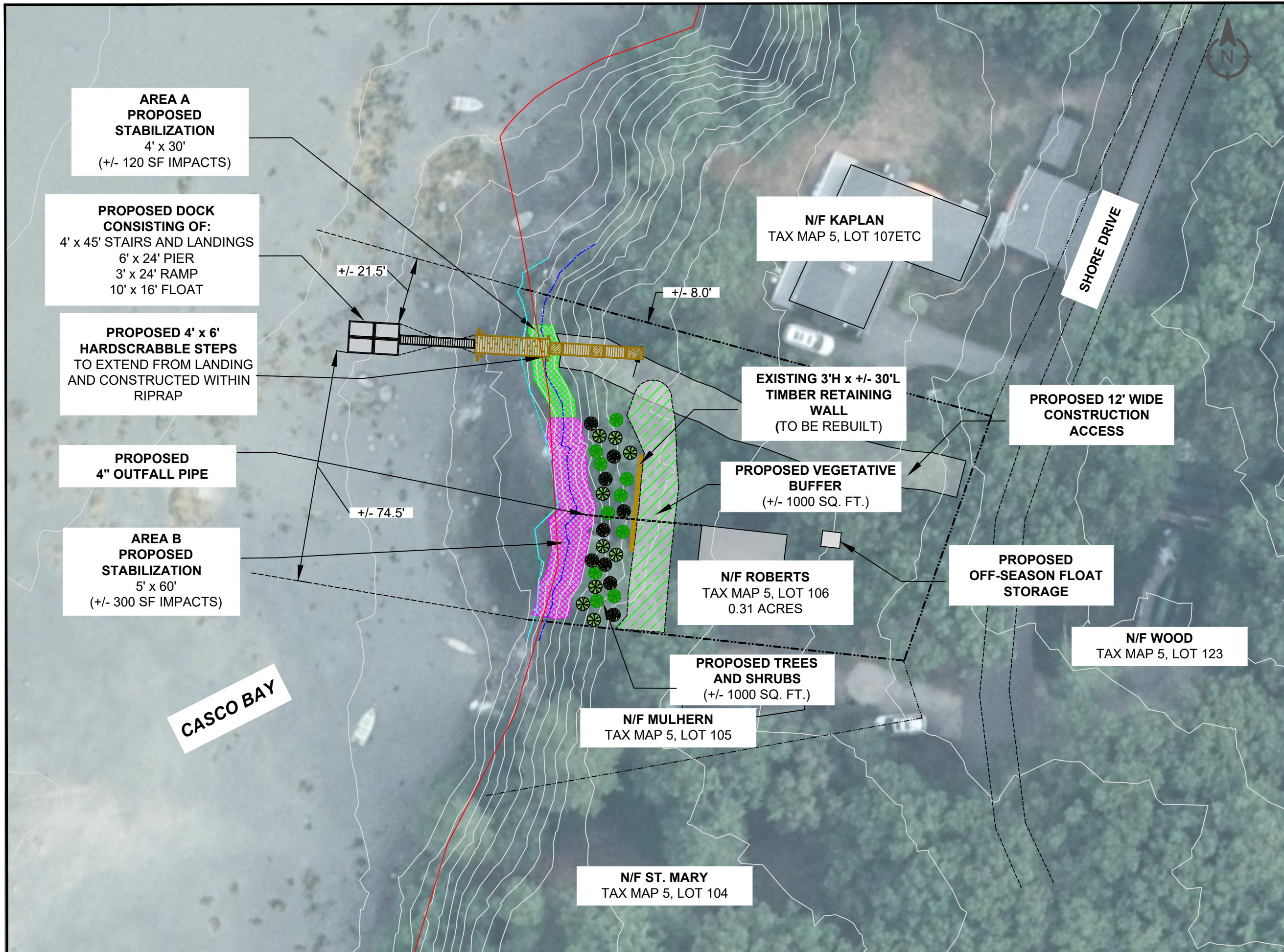


PROJECT LOCATION

MAQUOIT BAY



Project Plans



**AREA A
PROPOSED
STABILIZATION**
4' x 30'
(+/- 120 SF IMPACTS)

**PROPOSED DOCK
CONSISTING OF:**
4' x 45' STAIRS AND LANDINGS
6' x 24' PIER
3' x 24' RAMP
10' x 16' FLOAT

**PROPOSED 4' x 6'
HARDSCRAPBLE STEPS**
TO EXTEND FROM LANDING
AND CONSTRUCTED WITHIN
RIPRAP

**PROPOSED
4" OUTFALL PIPE**

**AREA B
PROPOSED
STABILIZATION**
5' x 60'
(+/- 300 SF IMPACTS)

CASCO BAY

**N/F KAPLAN
TAX MAP 5, LOT 107ETC**

**EXISTING 3'H x +/- 30'L
TIMBER RETAINING
WALL
(TO BE REBUILT)**

**PROPOSED VEGETATIVE
BUFFER
(+/- 1000 SQ. FT.)**

**N/F ROBERTS
TAX MAP 5, LOT 106
0.31 ACRES**

**PROPOSED TREES
AND SHRUBS
(+/- 1000 SQ. FT.)**

**N/F MULHERN
TAX MAP 5, LOT 105**

**N/F ST. MARY
TAX MAP 5, LOT 104**

**PROPOSED 12' WIDE
CONSTRUCTION
ACCESS**

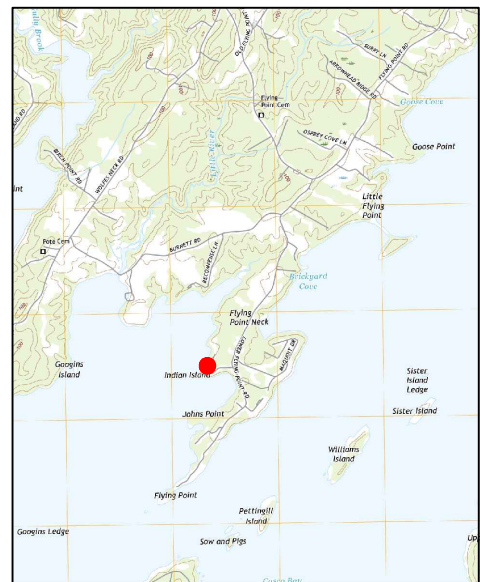
**PROPOSED
OFF-SEASON FLOAT
STORAGE**

**N/F WOOD
TAX MAP 5, LOT 123**

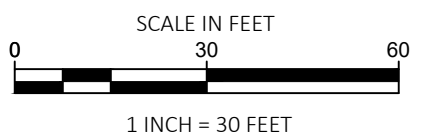
SHORE DRIVE

LEGEND

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



- 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.
 - 3) HIGHEST ANNUAL TIDE LINE BASED ON SITE VISIT DATA COLLECTED ON OCTOBER 6, 2023 AND SOUTH FREEPORT TIDAL STATION (6.7' NAVD).
 - 4) PROPERTY LINE DATA BASED ON PLAN TITLED, "FLYING POINT," PREPARED BY E.A. RAND AND DATED JUNE 28, 1934 AND THE TOWN OF FREEPORT TAX MAP #5.
 - 5) PLAN IS FOR PERMITTING PURPOSES.

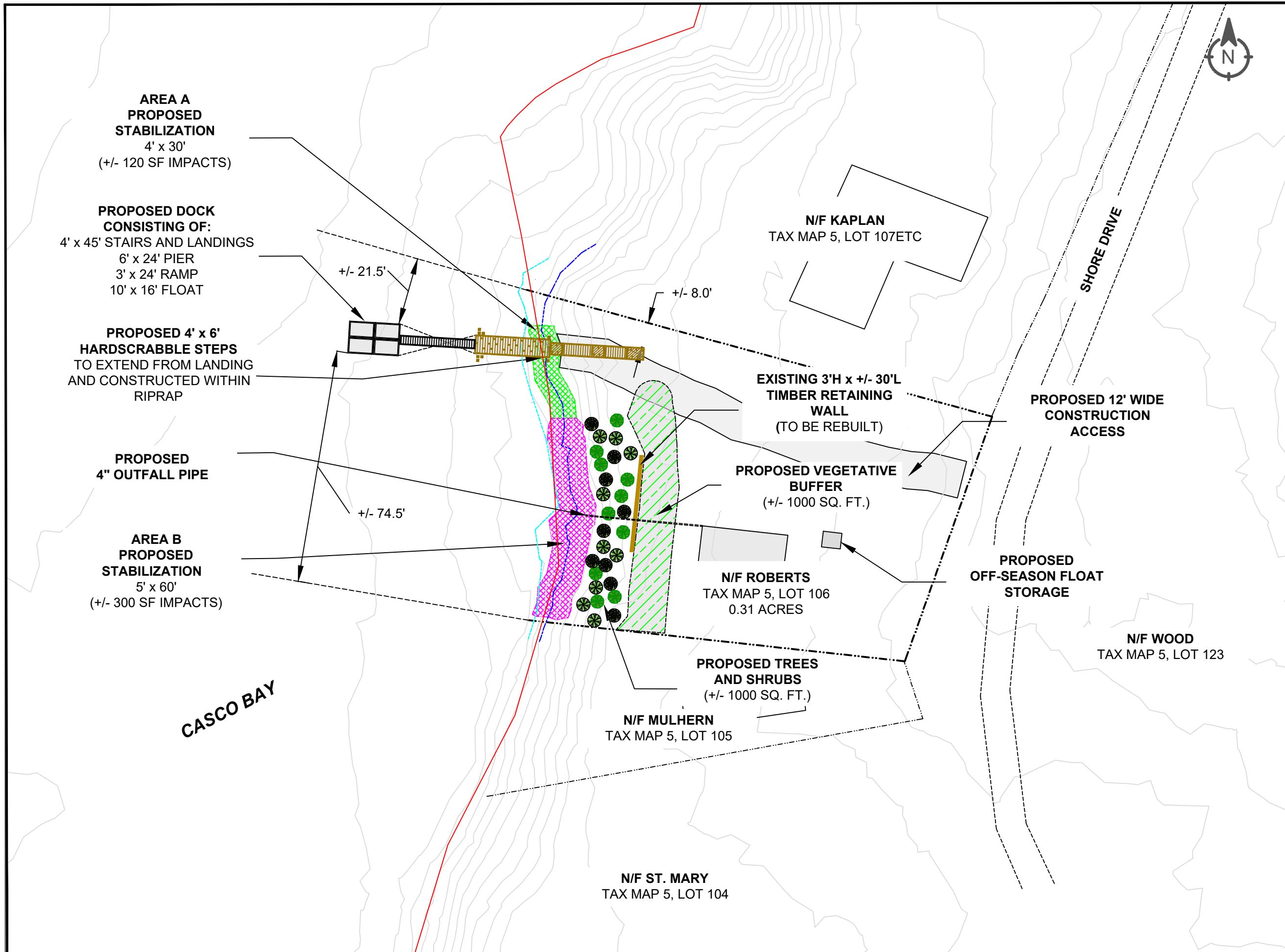


PROJECT:
PROPOSED SHORELINE STABILIZATION AND
RECREATIONAL DOCK FOR BRANDON AND KELLY
ROBERTS, FREEPORT, MAINE.

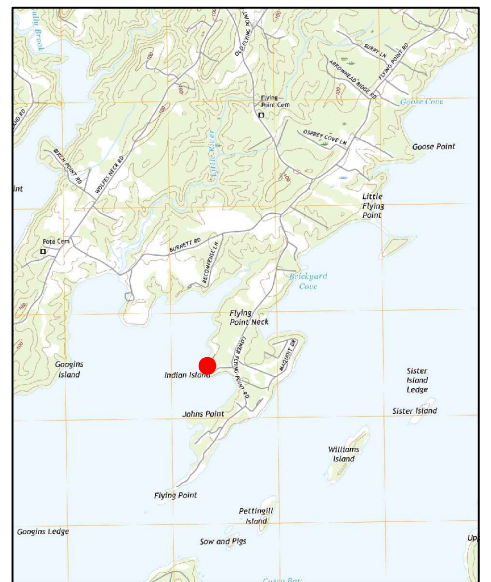
TITLE:
OVERVIEW OF EXISTING AND PROPOSED
CONDITIONS

DRAWN BY: LCV	SHEET: 1 OF 4
CHECKED BY: TAF	
DATE: 12/8/2023	REV DATE:

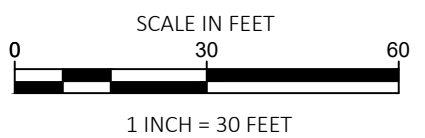
Lower Falls Landing
106 Lafayette Street,
Suite 2A
Yarmouth, ME 04096



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



- 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.
 - 3) HIGHEST ANNUAL TIDE LINE BASED ON SITE VISIT DATA COLLECTED ON OCTOBER 6, 2023 AND SOUTH FREEPORT TIDAL STATION (6.7' NAVD).
 - 4) PROPERTY LINE DATA BASED ON PLAN TITLED, "FLYING POINT," PREPARED BY E.A. RAND AND DATED JUNE 28, 1934 AND THE TOWN OF FREEPORT TAX MAP #5.
 - 5) PLAN IS FOR PERMITTING PURPOSES.



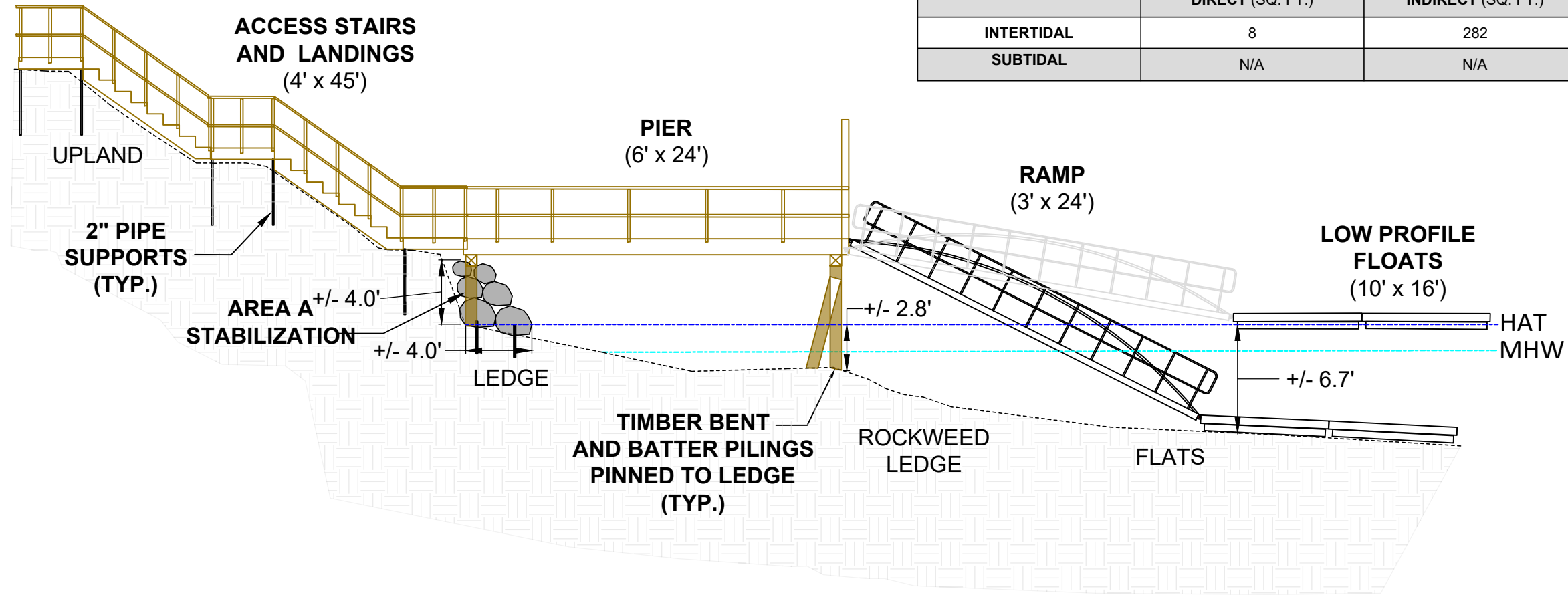
PROJECT:
 PROPOSED SHORELINE STABILIZATION AND RECREATIONAL DOCK FOR BRANDON AND KELLY ROBERTS, FREEPORT, MAINE.

TITLE:
 OVERVIEW OF EXISTING AND PROPOSED CONDITIONS

DRAWN BY: LCV	SHEET: 2 OF 4
CHECKED BY: TAF	
DATE: 12/8/2023	REV DATE:

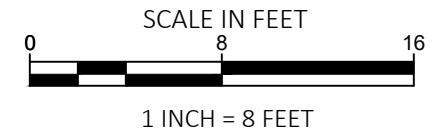
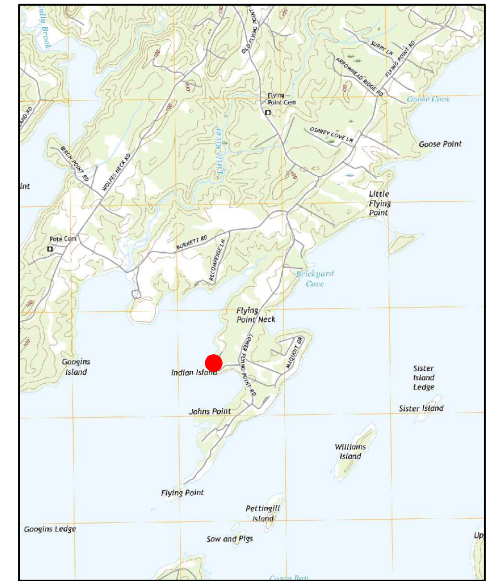
Lower Falls Landing
 106 Lafayette Street,
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SECTION VIEW

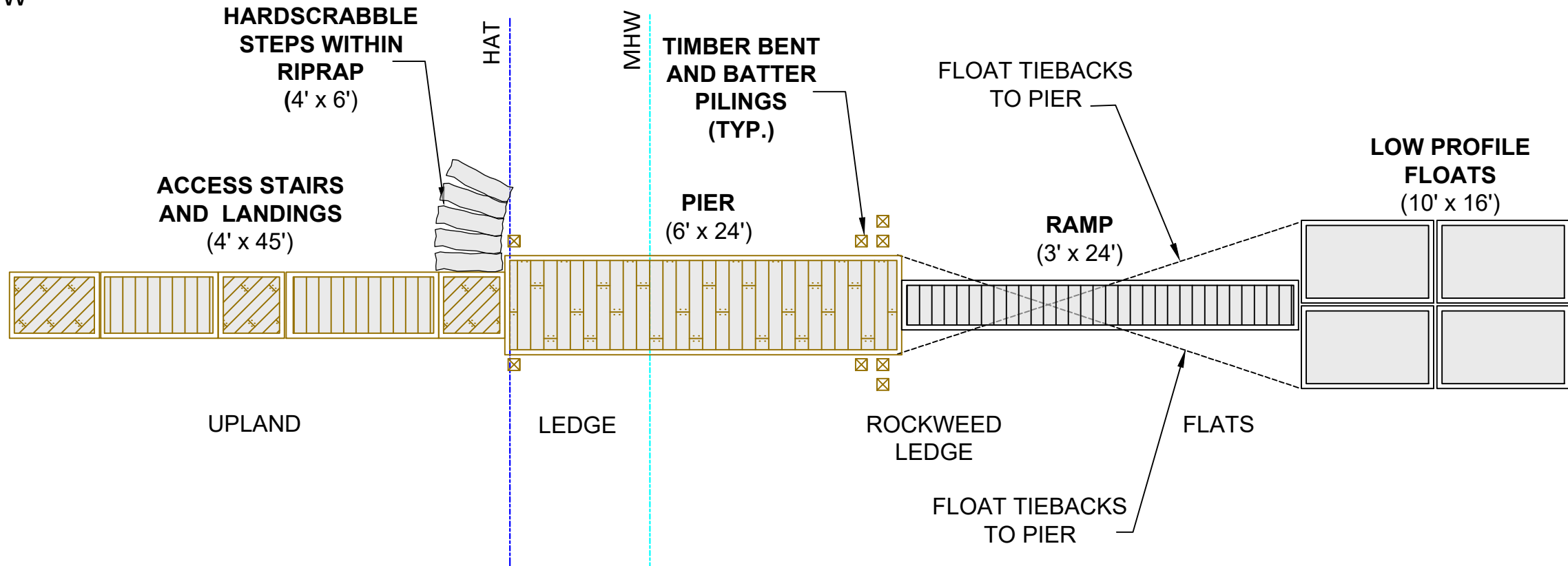


PROPOSED DOCK IMPACTS		
	DIRECT (SQ. FT.)	INDIRECT (SQ. FT.)
INTERTIDAL	8	282
SUBTIDAL	N/A	N/A

- NOTES:
- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
 - 2) ALL EXISTING DOCK COMPONENTS WILL BE REMOVED PRIOR TO CONSTRUCTION OF NEW DOCK.
 - 3) FLOAT CONSISTS OF A LOW-PROFILE FLOAT THAT IS LIGHTWEIGHT RESULTING IN MINIMAL COMPACTION TO INTERTIDAL SUBSTRATES. FLOAT WILL BE HELD IN PLACE WITH FLOAT TIEBACKS PINNED TO THE PIER.
 - 4) RAMP WILL BE STORED ON PIER AND FLOAT WILL BE STORED IN UPLAND LOCATION ON APPLICANT'S PROPERTY. EROSION CONTROLS WILL BE ESTABLISHED PRIOR TO THE START OF CONSTRUCTION AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
 - 5) PLAN IS FOR PERMITTING PURPOSES ONLY.



PLAN VIEW

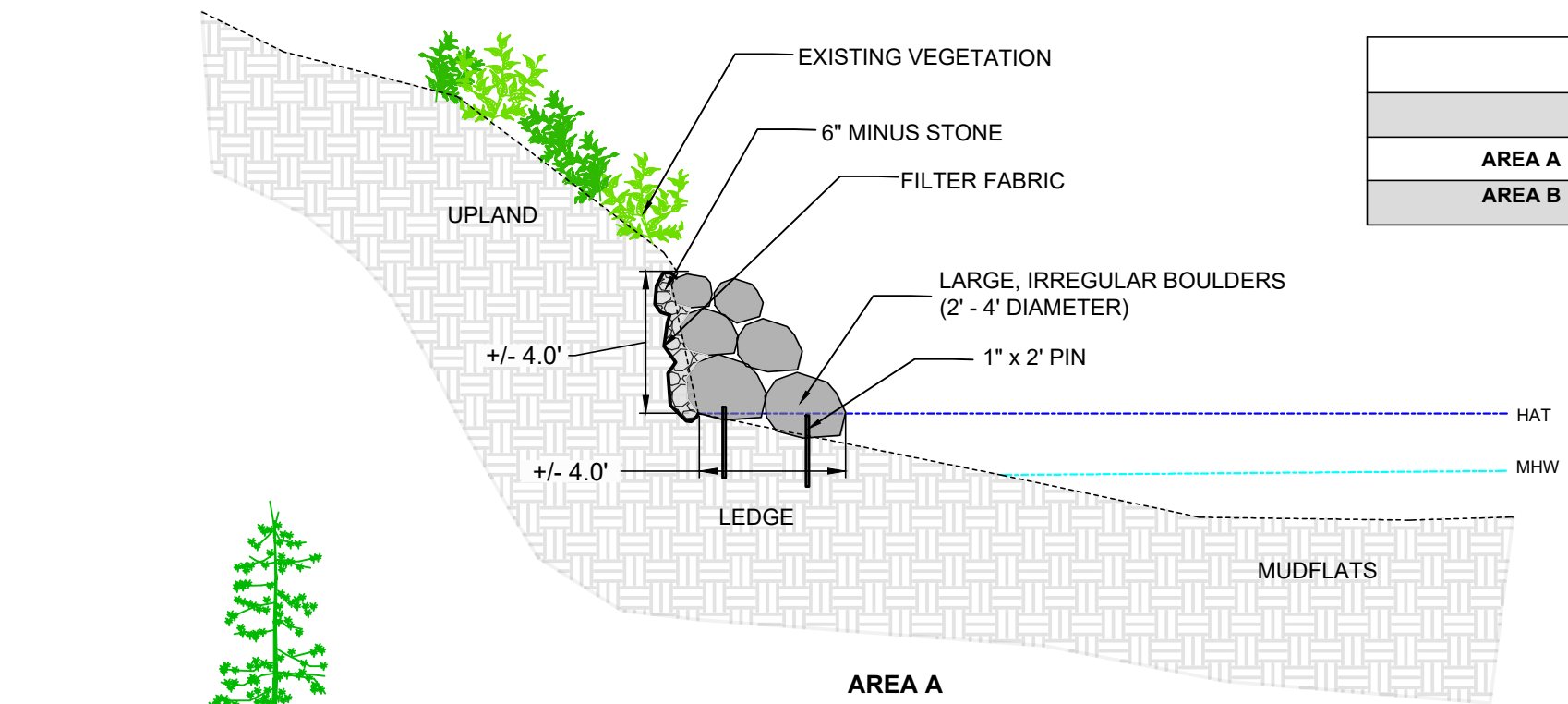


PROJECT:
PROPOSED RECREATIONAL DOCK FOR BRANDON AND KELLY ROBERTS, 41 SHORE DRIVE, FREEPORT, MAINE.

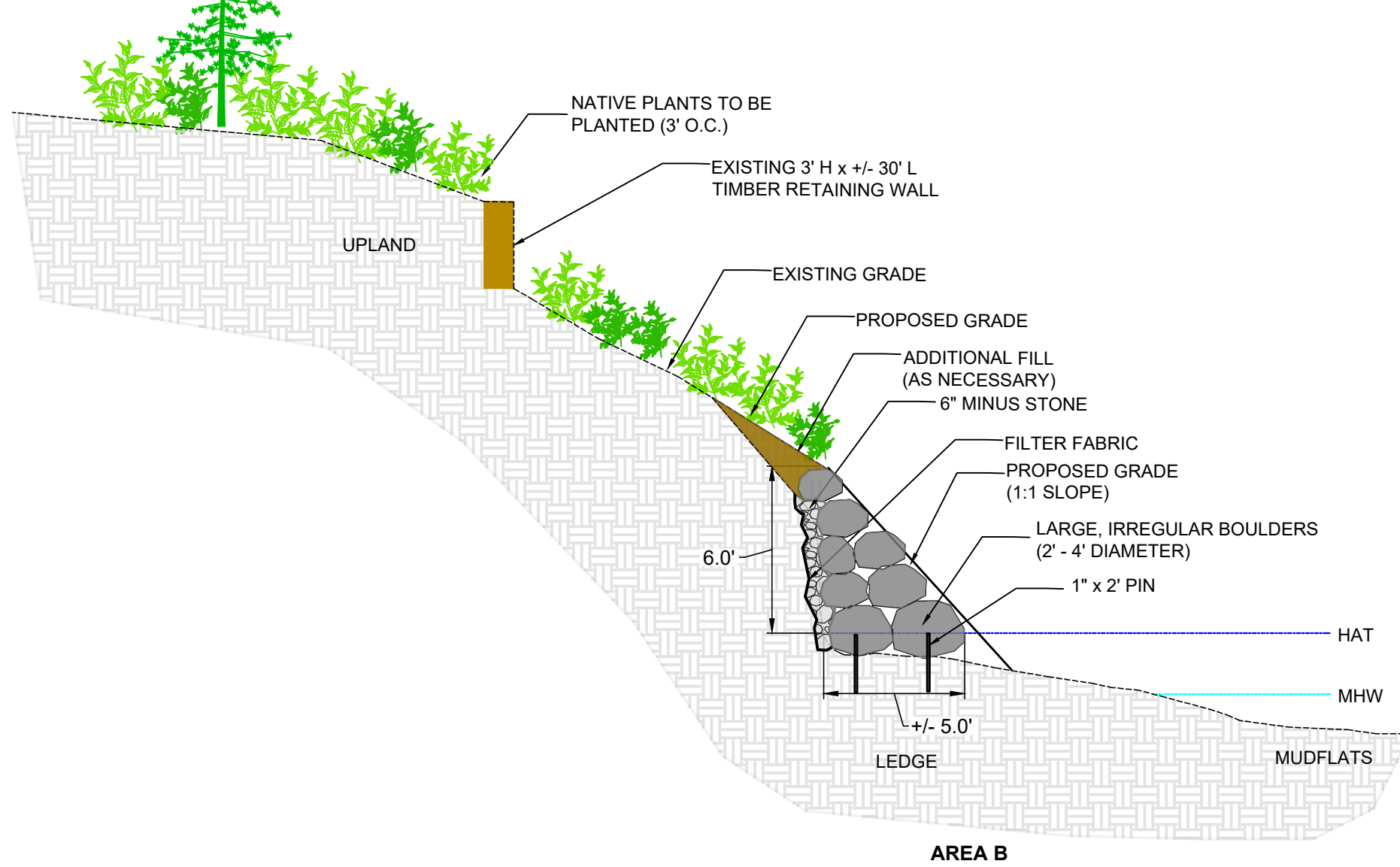
TITLE:
OVERVIEW AND SECTION VIEW OF PROPOSED DOCK

DRAWN BY: LCV	SHEET: 3 OF 4
CHECKED BY: TAF	
DATE: 12/12/2023	REV DATE:

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

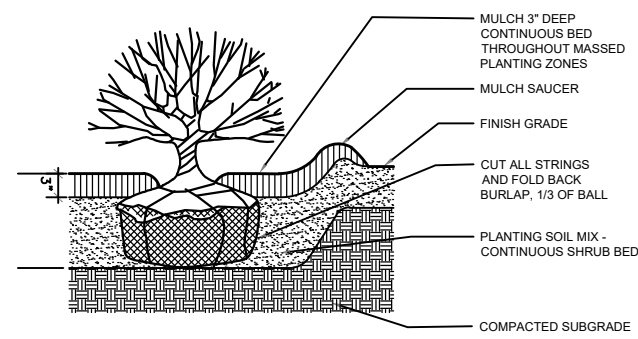
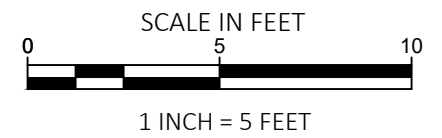
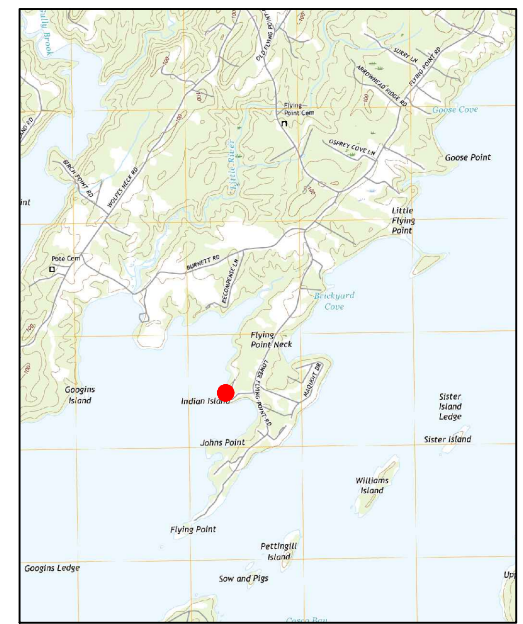


PROPOSED STABILIZATION IMPACTS		
	INTERTIDAL (SF)	SUBTIDAL (SF)
AREA A	120	N/A
AREA B	300	N/A

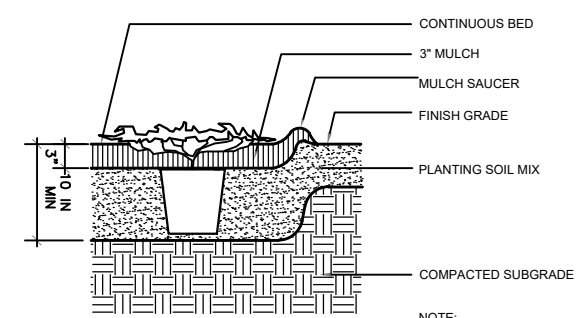


PROPOSED PLANTINGS		
COMMON NAME	SCIENTIFIC NAME	SPACING
BEACH PLUM	<i>Prunus maritima</i>	2 - 3 O.C.
BAYBERRY	<i>Myrica pensylvanica</i>	2 - 3 O.C.
VIRGINIA ROSE	<i>Rosa virginiana</i>	2 - 3 O.C.
JUNIPER	<i>Juniperus horizontalis</i>	2 - 3 O.C.

- NOTES:
- 1) WHERE APPLICABLE, THE FIRST ROW OF RIPRAP WILL BE PINNED TO LEDGE.
 - 2) RIPRAP WILL CONSIST OF LARGE, IRREGULAR SHAPED ROCKS, FIT INTO PLACE AND/OR PINNED WITH REBAR. RIPRAP IS PLACED ON A SLOPE. SOME VARIATION IN SLOPE, HEIGHT, AND DISTANCE IS UNAVOIDABLE. STONE WILL VARY IN SIZE FROM 2' - 4'.
 - 3) CONTRACTOR WILL HAVE A MAINE DEP EROSION CONTROL CERTIFIED INDIVIDUAL ON-SITE DURING ALL SITE DISTURBANCE.
 - 4) PRIOR TO THE START OF CONSTRUCTION, EROSION CONTROLS WILL BE ESTABLISHED AS NEEDED AND WILL REMAIN IN PLACE UNTIL SITE IS STABILIZED.
 - 5) PLAN IS FOR PERMITTING PURPOSES ONLY.



1 SHRUB AND TREE PLANTING
SCALE: N.T.S



2 GROUND COVER PLANTING
SCALE: N.T.S

PROJECT:
PROPOSED SHORELINE STABILIZATION FOR BRANDON AND KELLY ROBERTS, 41 SHORE DRIVE, FREEPORT, MAINE.

TITLE:
SECTION VIEW OF PROPOSED STABILIZATION AREAS

DRAWN BY: LCV	SHEET: 4 OF 4
CHECKED BY: TAF	
DATE: 12/13/2023	REV DATE:

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

Construction Plan

DOCK REPLACEMENT

The site will be accessed via Shore Drive 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 dock does not require the use of heavy equipment and pilings will be pinned to ledge with hand tools resulting in minimal soil disturbance. The ramp and float are constructed off-site and will be set in place once the landings, stairs, and pier are constructed. The construction of the dock should take approximately two (2) to three (3) 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.

SHORELINE STABILIZATION

The site will be accessed via Shore Drive and all materials and equipment for the stabilization will be stockpiled in the upland within an existing developed area. The contractor will establish a twelve (12) feet wide stabilized construction access from Shore Drive to the coastal wetland and 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 Applicants intend 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.

The area where the Applicants propose 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 Applicants propose 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 with a vegetative buffer consisting of native plantings.

Erosion Control Plan

DOCK CONSTRUCTION

The project involves minimal excavation and/or earthmoving, and all work will be conducted at low tide. Given that minimal sedimentation if any, will occur and no heavy equipment will operate in the coastal wetland for the construction of the dock, no formal measures are proposed to control erosion or sedimentation. However, if there are any areas of soil disturbance at the completion of construction, the area will be stabilized with vegetation and mulch in accordance with the Department's permanent soil stabilization BMPs published in the most recent version of the Maine Erosion and Sediment Control BMPs manual.

SHORELINE STABILIZATION

The Applicants 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. The bank will be graded to a 1:1 slope for the installation of the riprap. As a result, approximately one thousand two hundred (1200) square feet of ground cover, shrubs, and approximately four (4) trees above three (3) feet Diameter at Breast Height (DBH) will be removed.

Title, Right, or Interest Documentation

MAINE REAL ESTATE TAX-Paid

DLN: 1002240196012

WARRANTY DEED
{Maine Statutory Short Form}

KNOW ALL PERSONS BY THESE PRESENTS, THAT **SHIRLEY M. BRODIE** whose mailing address is 76 Irving Street, Waltham, MA 02451, for consideration paid, GRANTS to **BRANDON K. ROBERTS** and **KELLY B. ROBERTS**, both with a mailing address of 80 Stone Root Lane, Concord, MA 01742, as joint tenants and not as tenants in common, with WARRANTY COVENANTS, the land in the Town of Freeport, County of Cumberland and State of Maine, described as follows:

See Attached Exhibit A.

WITNESS, my hand and seal this 25 day of May, 2022.

SIGNED, SEALED AND DELIVERED in the presence of

Michael K. [Signature]

Shirley M. Brodie
SHIRLEY M. BRODIE

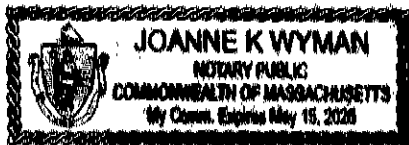
Commonwealth of MA
County of Middlesex

May 25, 2022

Then personally appeared the above-named **SHIRLEY M. BRODIE** and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Joanne K. Wyman
Notary Public
Printed Name: Joanne K. Wyman
My commission expires: 5/15/26



SNB

41 Shore Drive, Freeport

Exhibit A

Two certain lots or parcels of land with the buildings thereon, situated in the Town of Freeport, County of Cumberland and State of Maine, and being in that part of Freeport known as Flying Point and described as follows:

Being known as Lots numbered Two Hundred Sixty-Four (264) and numbered Two Hundred Sixty-Five (265) as shown on plan of lots at Flying Point Plan Two made by E.A. Rand, surveyor and recorded in Cumberland County Registry of Deeds at Plan Book 22, Page 18. Said Lot 264 being the same as deeded to Norman C. Harris by Chester D. Swan and recorded in said Registry in Book 1720, Page 101 dated August 24, 1942. Said Lot 265 being the same as deeded to Millard Harris by deed dated December 12, 1946 and given by Christian A. Rasmussen and recorded in said Registry in Book 1848 (*incorrectly referenced as "1348" in prior deeds due to a scrivener's error*), Page 447, also conveying same rights as mentioned in said deeds.

This conveyance is made subject to a right of way and well rights conveyed to Thomas A. Mulhern, Jr. dated June 3, 1971, and recorded in the Cumberland County Registry of Deeds, Book 3176, Page 437 and Book 3183, Page 516.

Also conveying all my right title and interest to the area between the high water mark and low water mark of Maquoit Bay located westerly of the above-described premises.

For source of title, reference is made to a Warranty Deed from Ronald B. Wentworth and Eleanor Wentworth to Shirley M. Brodie, dated September 14, 2007 and recorded at Book 25478, Page 143 in the Cumberland County Registry of Deeds.

JRPB