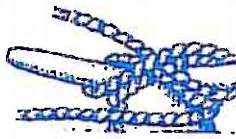


07-033

Set Public Hearing Date March 26, 2007 for Pope  
Wharf Application for 19 Sturdivant Road  
Map U05, Lot 7D

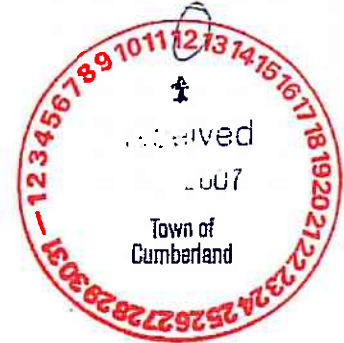


# Custom Float Services

By Brown Ship Chandlery, Inc.

February 8, 2006

Nancy Stroud  
Town Manager's Secretary  
Town of Cumberland  
290 Tuttle Rd.  
Cumberland, ME 04021



Ms. Stroud:

Custom Float Services is representing Katherine S. Pope of 19 Sturdivant Road, Cumberland, ME 04110 for proposed additional floats on an existing 8' x 80' float system. The proposal includes adding (2) - 8' x 20' floats to make the total line of floats 8' x 120'. Enclosed are the following items for review by the Cumberland Coastal Waters Commission and Town Council:

- Copy of letter of Authorization from Katherine S. Pope to secure necessary permits.
- Copy of the property owner's warranty deed.
- Copy of US Army Corps. Permits (Original and Modified).
- Town of Cumberland Shoreland Zoning Permit Application and fee.
- Coastal Waters Commission/Planning Board Review Fee
- A plan view drawing of the proposed and existing float configurations with dimensions and a construction drawing of the float design.
- A tax map showing the approximate locations of proposed floats and existing floats.
- A TopoQuad map of the site.
- Pictures of the site.

I hope this information meets with your approval. Please give me a call if I can be of any assistance regarding these permit applications.

Best regards,

Bub Fournier  
Custom Float Services  
36 Union Wharf  
PO Box 7302  
Portland, ME 04112 (207) 772-3796

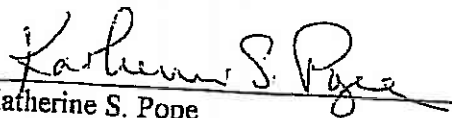
36 Union Wharf • P.O. Box 7302 • Portland, Maine 04112  
Tel 207-772-3796 • 1-888-844-9666 • Fax 207-347-7283  
www.customfloat.com • info@customfloat.com

## Letter of Authorization

To whom it may concern:

Either Scott Dyer and/ or Charlie Poole, both of *Custom Float Services, 36 Union Wharf, Portland, Maine*, are authorized to apply for and receive such permits as necessary from all permitting authorities (local, state and federal) in order to install 2 additional 8' x 20' seasonal low water floats in front of my home located at 19 Sturdivant Rd., Cumberland Foreside, Maine 04110.

Signed:



Katherine S. Pope  
19 Sturdivant Rd.

Cumberland Foreside, Maine 04110


Date: 2/6/07

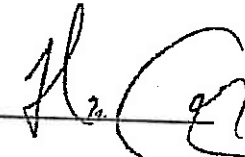
**WARRANTY DEED**  
(Statutory Short Form)

KNOW ALL BY THESE PRESENTS that I, **KATHRYN M. DOLAN**, of Cumberland, County of Cumberland, and State of Maine, for consideration paid, grant to **KATHERINE STODDARD POPE** with a mailing address of 43 Waites Landing Road, Falmouth, Maine 04105, WITH WARRANTY COVENANTS, the following described real estate in the Town of Cumberland, County of Cumberland, and State of Maine:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

WITNESS my hand and seal this 16<sup>th</sup> day of June, 1999.

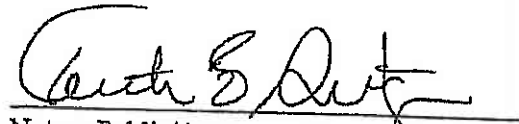
  
Witness

*Kathryn M. Dolan* by   
**KATHRYN M. DOLAN**  
By Frank K. N. Chowdry, her attorney-in-fact

STATE OF MAINE  
CUMBERLAND, SS:

June 16, 1999

Then personally appeared the above-named Frank K. N. Chowdry, attorney in fact for Kathryn M. Dolan, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity, before me,

  
Notary Public/Attorney at Law

KENNETH E. SNITGER  
MAINE ATTORNEY AT LAW

**SCHEDULE A**  
**Warranty Deed**  
**DOLAN to POPE**

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Cumberland, County of Cumberland, State of Maine, being southeasterly of a private right of way 40 feet wide extending northeasterly from the southeasterly terminus of Sturdivant Road, and bounded and described as follows:

Beginning at an iron situated on the southeasterly sideline of said right of way distant on a course of South 63 degrees 15' 45" West a distance of 5.00 feet from an iron marking the most northerly corner of land conveyed to Margaret Post MacDougal by William H. Parker, III, et al, by deed dated January 29, 1979 and recorded in the Cumberland County Registry of Deeds in Book 4375, Page 283;

Thence, by other land now of formerly of Margaret Post MacDougal on a course of South 42 degrees 43' 25" East a distance of 128.75 feet to an iron and land conveyed to Bruce A. MacDougal by Sallie Fish by deed dated June 19, 1981 and recorded in said Registry of Deeds in Book 4804, Page 6; thence by land of said Bruce A. MacDougal on a course of South 40 degrees 33' 45" East a distance of 109.67 feet to an iron; thence by other land now or formerly of said MacDougal on the following described courses: South 29 degrees 34' 10" West a distance of 66.63 feet to a point; thence South 43 degrees 53' East a distance of 432.13 feet to an iron; thence continuing the same course of South 43 degrees 53' East a distance of 31 feet, more or less, to the approximate high water mark of Casco Bay; thence southwesterly by said approximate high water mark 148.5 feet, more or less, to a point; thence by said other land now or formerly of MacDougal on the following described courses: North 37 degrees 51' 15" West a distance of 6 feet, more or less, to an iron situated at the bottom of the bank of Casco Bay; thence continuing the same course of North 37 degrees 51' 15" West a distance of 485.25 feet to an iron; thence North 89 degrees 06' 10" a distance of 115.20 feet to an iron; thence North 26 degrees 17' West a distance of 277.18 feet to an iron and the southerly sideline of said right of way; thence by the southeasterly sideline of said right of way; on the following described courses: South 63 degrees 42' East a distance of 40.00 feet to an iron; thence North 68 degrees 18' East a distance of 145.57 feet to a spike; thence North 63 degrees 15' 45" East a distance of 19.41 feet to the point of beginning.

Said above described courses are magnetic and of the year 1949.

Including also all my right, title and interest in and to the beach flats and waters adjoining the above described premises to the sea at Casco Bay at low water mark. Also conveying the rights in common with the grantor and others, and their heirs and assigns, to pass and repass over the 40 foot wide right of way extending northeasterly from Sturdivant Road.

Granting also a View Restriction Easement that no trees or shrubs exceeding fifteen (15) feet in height or any structures be built on a certain parcel of land immediately adjacent to the southerly corner of the above described parcel, said easement bounded and described as follows:

Beginning at a point which marks the most southerly corner of the above-described parcel, which point is also distant on a course of South 37 degrees 51' 15" East a distance of 6 feet, more or less, from an iron situated at the bottom of the bank of Casco Bay above referred to;

Thence southwesterly by the approximate high water mark of Casco Bay 18.2 feet to a point; thence on a course of North 40 degrees 33' 45" West a distance of 72.71 feet to a point; thence on a course of North 29 degrees 05' West a distance of 139.20 feet to an iron; thence by the southerly line of the above-described parcel on a course of South 37 degrees 51' 15" East a distance of 214.15 feet to the point of beginning.

The above described premises are conveyed subject to a certain easement for a water line as described in the deed from Margaret P. MacDougal to Richard C. Dolan and Kathryn M. Dolan and recorded in the Cumberland County Registry of Deeds, Book 6359, Page 208.

BEING THE SAME PREMISES conveyed to Kathryn M. Dolan and Richard C. Dolan by Margaret P. MacDougal by deed dated December 23, 1983, and recorded in the Cumberland County Registry of Deeds in Book 6359, Page 208. BEING ALSO THE SAME PREMISES conveyed by Kathryn M. Dolan to Richard C. Dolan, Jr. by deed dated October 16, 1987, and recorded on December 16, 1987 in the Cumberland County Registry of Deeds in Book 8107, Page 218, said deed from Kathryn M. Dolan to Richard C. Dolan, Jr. being her one-half interest in said property. BEING ALSO THE SAME PREMISES conveyed by Richard C. Dolan, Jr. to Kathryn M. Dolan by deed dated June 7, 1995 and recorded on June 14, 1995 in the Cumberland County Registry of Deeds in Book 11961, Page 259. The said "Richard C. Dolan" and "Richard C. Dolan, Jr." as referred to hereinabove is one and the same person.

G:\CLIENTS\DDOLAN\WARRANTY.DCA



DEPARTMENT OF THE ARMY  
 NEW ENGLAND DISTRICT, CORPS OF ENGINEERS  
 696 VIRGINIA ROAD  
 CONCORD, MASSACHUSETTS 01742-2751

REPLY TO:  
 ATTENTION OF:

MAINE PROGRAMMATIC GENERAL PERMIT (PGP)  
 AUTHORIZATION LETTER AND SCREENING SUMMARY

Katherine Pope  
 19 Sturdivant Road  
 Cumberland, Maine 04110

CORPS PERMIT # NAE-2005-2392  
 CORPS PGP ID# 05-363  
 STATE ID# PBR

DESCRIPTION OF WORK:

To install and maintain an 8' x 80' line of bottom moored floats extending east in Broad Cove off 19 Sturdivant Road in Cumberland, Maine.

SEE ATTACHED CONDITIONS

LAT-LONG COORDINATES : 43.75639608 N 70.197017075 W USGS QUAD: Yarmouth, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine Programmatic General Permit (PGP).

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

II. STATE ACTIONS: PENDING [ ], ISSUED [ ], DENIED [ ] DATE \_\_\_\_\_

APPLICATION TYPE: PBR: X TIER 1: \_\_\_\_\_ TIER 2: \_\_\_\_\_ TIER 3: \_\_\_\_\_ LURC: \_\_\_\_\_ DMR LEASE: \_\_\_\_\_ NA: \_\_\_\_\_

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 6/2/05 LEVEL OF REVIEW: CATEGORY 1: \_\_\_\_\_ CATEGORY 2: X

AUTHORITY: SEC 10 X 404 \_\_\_\_\_ 10/404 \_\_\_\_\_ 103 \_\_\_\_\_

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT  N (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA\_NO \_\_\_\_\_ USF&WS\_NO \_\_\_\_\_ NMFS\_NO \_\_\_\_\_

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office.

Rodney A. Howe  
 RODNEY A. HOWE  
 SENIOR PROJECT MANAGER  
 MAINE PROJECT OFFICE

Frank J. Delgiudice 12-2-05  
 FRANK J. DELGIUDICE DATE  
 CHIEF, PERMITS & ENFORCEMENT BRANCH  
 REGULATORY DIVISION

ADDITIONAL CONDITIONS FOR  
DEPARTMENT OF THE ARMY  
PROGRAMMATIC GENERAL PERMIT  
INVOLVING CORPS OF ENGINEERS AUTHORITY UNDER  
SECTION 10 OF THE RIVERS AND HARBORS OF 1899  
NO. NAE-2005-2392  
Katherine Pope  
19 Sturdivant Road  
Cumberland, Maine 04110

1. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. Any float(s) that do not extend beyond mean low water shall be constructed in such a way as to keep them elevated above the tidal bottom. Techniques include but are not limited to float stops, skids, blocks, or other practicable means.