

Approved 8/23/04
Amended 6/27/05
Amended 9/26/05
Amended 1/28/08

TOWN OF KITTERY FORT FOSTER PARK 5-YEAR MANAGEMENT PLAN 2004-2008



**KITTERY PARKS COMMISSION
TOWN OF KITTERY**

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Preface

The Kittery Parks Commission is responsible for preparing an overall *Park Management Plan* for the identification, protection, development or use of park lands and facilities (see Town Ordinance No. 2.13.020[A]). The Commission chose to start the process of developing the *Park Management Plan* by preparing a management plan for Fort Foster, the Town's most heavily used facility.

This Plan was drafted in 2004 following an inventory of the Park's natural resources and infrastructure, consultation with State natural resource agencies, completion of a Park user survey in 2003, and a meeting of the public in 2003 to receive input regarding the management of Fort Foster. The Parks Commission received assistance from Woodlot Alternatives, Inc., a Maine-based environmental consulting firm, while preparing this plan.

Table of Contents

1	Section I – Introduction	1
1.1	Mission Statement.....	1
1.2	Plan Preparation	1
1.3	Goals and Objectives	2
2	Section II – Park Administration	1
2.1	Management Structure	1
2.2	Annual Budgeting	2
2.3	Operations and Maintenance	2
2.4	Capital Improvement Projects	3
2.5	Fee Structure	4
2.6	Park Policies and Regulations.....	4
2.7	Policies Concerning Privately Funded Improvements.....	5
2.8	Reservations.....	5
2.8.1	Reservation Procedures.....	6
2.8.2	Fee Structure	6
2.9	Special Events.....	6
2.10	Management Plan Implementation and Revision	7
2.11	Monitoring and Reporting	7
2.12	Annual Administrative Calendar	7
3	Section III – Natural Resources of the Park	1
3.1	Marine Resources	1
3.2	Wetlands	1
3.3	Wildlife	2
3.4	Rare, Threatened, and Endangered Plants and Animals.....	2
3.5	Outdoor Recreation.....	3
4	Section IV – Infrastructure	1
4.1	Fortifications.....	1
4.2	Roads and Culverts	1
4.3	Parking Areas.....	1
4.4	Bathrooms and Septic Systems.....	2
4.5	Pavilions.....	2
4.6	Picnic Tables.....	2
4.7	Playground	2
4.8	Dogs	3
5	Section V – 5-Year Goals (2004-2008)	1
6	Section VI – Annual Budgets	1

7	Section VII – Meeting Minutes	1
8	Section VIII – Capital Improvement Projects.....	1
8.1	Bathroom and Changing Room	2
8.2	Replace Pier Decking and Railings	3
8.3	Replace Leach Field for Tower Pavilion Bathroom	4
8.4	Upgrade Playground Equipment.....	5
8.5	Install Dog-Waste Collection Bag Dispenser	6
8.6	Interpretive Signage.....	7
8.7	Water Level Control Structure for Marsh.....	8
8.8	Raise Tower Pavilion Road and Replace Culvert.....	9
8.9	Relocate Memorial Benches	10
8.10	Erosion Control Along Shoreline	11

Appendices

Appendix A	Kittery Parks Commission Members
Appendix B	Park Policies and Regulations
Appendix C	2003 User Survey Results
Appendix D	2003 Public Meeting Notes
Appendix E	Agency Correspondence
Appendix F	Historical Report on Fortifications
Appendix G	Map Folder

1 Section I – Introduction

This plan is intended to define how Fort Foster Park will be managed for the next five years. Included in this document is a description of Park administration procedures, an overview of the natural resources of the Park, and an evaluation of the Park's infrastructure. This plan is intended to serve as a "living document" for the Kittery Parks Commission, so it also includes sections on 5-year management goals, annual budgets, meeting minutes, and recommended capital improvement projects. At the end of five years, the Commission envisions revisiting the plan to determine if amendments are warranted and to establish new five-year goals.

1.1 Mission Statement

A mission statement is important for setting the direction for the management plan and related Park management activities. The following mission statement was drafted based on input from the public received from user surveys and a public meeting held in 2003.

Fort Foster, Kittery's largest park and recreational area, is rich in both natural and cultural resources that are important to the citizens of Kittery. The Park is to be managed in perpetuity in a manner that preserves the natural environment while allowing residents and park visitors the opportunity to enjoy the resources found in the park.

It is the intent of the Kittery Parks Commission to strive to adhere to this mission statement while implementing this management plan.

1.2 Plan Preparation

The Kittery Parks Commission (KPC or Commission) was tasked by the Town Council with developing management plans for each of the Town owned parcels that are used for public recreation. The management plan for Fort Foster was prepared with the assistance of Woodlot Alternatives, Inc., an environmental consulting company based in Topsham, Maine. A list of the current members of the Commission who worked on preparing this plan is provided in Appendix A.

Preparing the plan involved interviewing members of the Commission, Town employees, and the Town Manager. A public meeting was also conducted to receive input from citizens concerning management of the Park. In addition, a user survey was conducted during the summer of 2003.

1.3 Goals and Objectives

Following are the goals and objectives for managing the Park:

Management activities or recreational uses should not diminish the natural or cultural resources of the Park.

Wherever practicable, natural and cultural resources within the Park will be managed to benefit all Park visitors. If conflicting, natural resources have priority.

To the degree that it is practicable, management of the Park will either be revenue positive or revenue neutral, with the primary source of revenues being user fees.

Use of the Park will be affordable for all residents of the Town of Kittery.

Wherever practicable or required by law, the Park will be made accessible to elderly and handicapped visitors.

Permitted uses must be compatible with the desire to preserve the natural environment of the Park.

Capital improvements to the Park will be designed to be consistent with the coastal setting of the Park and/or they will complement the character of the remaining fortifications.

Long-term management planning intends to ensure that Fort Foster is forever maintained under public ownership as a natural and recreational resource for the citizens of Kittery and surrounding towns.

2 Section II – Park Administration

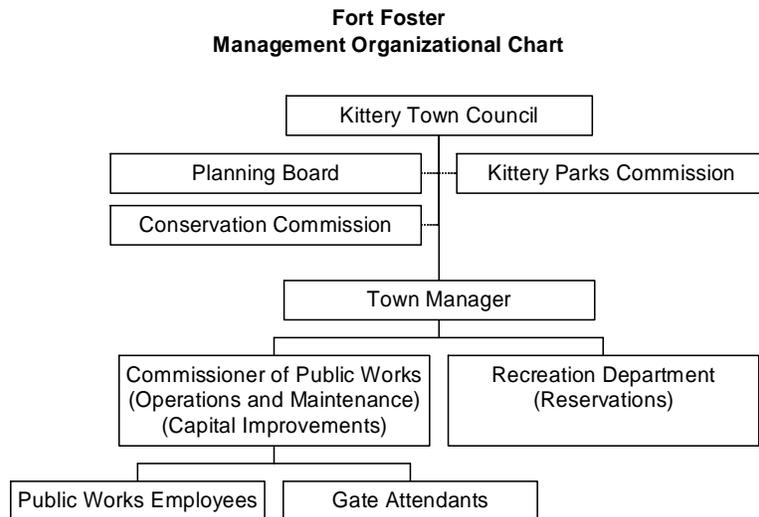
This section of the plan presents how the Park is administered and describes the interaction between the various Town departments and commissions. Although the Parks Commission prepared this plan, it must be implemented collaboratively by these entities within the Town’s government.

2.1 Management Structure

Management of Fort Foster falls under the normal duties of the Town Manager, who in turn reports to the Town Council. As shown in the organizational chart below (solid lines), the Town Manager directly supervises the activities of the Commissioner of Public Works and the Recreation Department with regards to their work at Fort Foster.

The Parks Commission serves in an advisory role to the Town Council and Town Manager for developing annual budgets, identifying capital improvement needs, developing Park rules, ensuring that capital improvements fit harmoniously into the landscape, and implementing and updating the management plan (see Town Ordinance 2.13 in Appendix A).

The Conservation Commission also serves in an advisory capacity regarding management of the natural resources found within Fort Foster. The Commission may directly advise the Town Council or the Town Manager, or they may work collaboratively with the Parks Commission. In addition, the Planning Board also serves in an advisory capacity, particularly with regards to potential capital improvement projects.



Reservations for the pavilions are accepted by the Town’s Recreation Department, while the Public Works Department is responsible for hiring seasonal gate attendants, day-to-day operations, and maintenance. The Commissioner of Public Works also works with the Town Manager, using input from the Parks Commission to develop annual budgets and to propose capital improvement projects. The Parks Commission may consult with the Conservation Commission regarding proposed changes affecting Fort Foster.

2.2 Annual Budgeting

The Commissioner of Public Works is responsible for preparing a draft annual operating budget for submission to the Town Manager. The Parks Commission will review the budget for suggested changes and forward these to the Town Manager and the Town Council before submission to the Town Council for final approval. The draft budget should include:

- An itemized report on the previous year’s income and expenses.
- A Proposed fee structure for the coming year.
- An estimate of expected income for the year.
- Estimated operations and maintenance costs.
- Estimated capital improvement costs.
- Requests for additional funds, if necessary, for capital improvement costs.

The current annual budget is included in Section VI of this management plan.

2.3 Operations and Maintenance

Operations and maintenance (O&M) costs can include:

- Labor and benefits costs for Public Works employees for the portion of their work that involves the Park.
- Equipment costs (e.g., trucks, mowers) for Public Works employees for the portion of time that it is used at the Park.
- Labor costs for seasonal gate attendants.
- Materials for lawn and landscape care.
- Servicing on-site septic systems.
- Repair and replacement of picnic tables and benches.
- Materials for road maintenance.
- Materials for building repair and maintenance.
- Materials for repairing and maintaining the pier.

The Commissioner of Public Works provides an itemized accounting of O&M costs for the previous year and an estimate for the coming year for use in the annual budgeting process. The Commissioner of Public Works also provides the itemized accounting of income for the previous year along with an estimate of projected income for the coming year.

When reporting income, gate receipts should be itemized by:

- Resident day use
- Non-resident day use
- Resident season pass
- Non-resident season pass
- Pavilion rental
- Special event fees

The Parks Commission, with the approval of the Town Council, is responsible for soliciting and reporting other sources of incomes, such as outside grants (see Town Ordinance 2.13.030[C] in Appendix A).

2.4 Capital Improvement Projects

Capital improvement projects may be funded by gate receipts, general town funds, or outside grants.

The Parks Commission is responsible for identifying capital improvement needs within each 5-year management plan, and the Town Manager is to be advised. Capital improvement needs in the current plan include:

- Construction of a new bathroom and changing room, which will meet ADA Accessibility Guidelines.
- Replacement of pier decking and railings (i.e., beyond normal maintenance).
- Replacement of facilities and the leach field for the bathroom near the Tower Pavilion.
- Replacement and upgrading of playground equipment.
- Installation of a dog-waste collection bag dispenser.
- Installation of interpretive signs explaining the historical significance of the fortifications.
- Construction of a water level control structure for the emergent marsh.
- Raise Tower Pavilion road and replace culvert to prevent road flooding.
- Relocate certain memorial benches away from the shoreline to prevent erosion.
- Erosion control along certain portions of the shoreline.
- Bird and wildlife viewing ramp at the Horn Point rotary.

More detailed information concerning recommended capital improvement projects is included in Section VIII of this plan.

2.5 Fee Structure

Current fees for park use are:

Day Rates:

- Motor vehicle with passengers \$ 10.00
- School bus with students \$ 50.00
- Tour bus with passengers \$100.00
- Day use walk-in or bike-in
 - Adults \$ 5.00
 - Children under 12 years old \$ 1.00

Season Passes:

- Resident \$ 20.00
- Resident Senior Citizen \$ 5.00
- Non Resident \$ 50.00

2.6 Park Policies and Regulations

Park policies and regulations are posted on the Town's web site and they are available at the Municipal Office Building and the gatehouse during the Park's normal operating season. Current Park policies and regulations are found in Appendix B.

The Parks Commission is responsible for recommending revisions to Park policies and regulations on an annual basis, prior to the Park's opening, or as needed in response to specific conditions. Recommendations are made jointly to the Town Manager and the Town Council.

Recommended revisions to current policies and regulations are:

Deletion to Section B, General Regulations:

- ~~15. No windsurfing, kayaking or boat trailers allowed in the park.~~
(5/29/02)

Addition to Section B, General Regulations:

- 8. Non-motorized, ~~non-trailer~~ed water craft windsurfers, sea kayaks and canoes are allowed in designated areas (8/22/83). These windsurfers, sea kayaks, and canoes are to be launched only from the area referred to as "Windsurfer's Beach." Such watercraft may be brought in on car-tops or on trailers. If trailers are used, the trailer must be parked in the Upper Parking Lot after the visitor has dropped off their watercraft at Windsurfer's Beach. Commercial tours involving non-motorized watercraft (e.g., sea kayak tours) are not allowed to launch within Fort Foster.
- 15. Dogs are prohibited from Pier Beach east of the Pier for approximately 400 feet, or as designated by signs.

- 16. Commercial activities, such as selling merchandise and providing guided tours or instructional courses where participants pay a fee for the services, are prohibited from the Park without prior approval of the Town Council.

2.7 Policies Concerning Privately Funded Improvements

Privately funded improvements, including memorial benches, will be considered by the Town Council upon application to the Parks Commission. The Commission will confer with the Town Manager and then make a recommendation to the Town Council regarding whether to accept the proposed improvement.

Privately funded improvements are subject to the following guidelines:

Improvements must be funded in total by the applying party.

Installation of the improvement will be conducted by the Public Works Department or by a contractor retained by the applying party. In the event that a private contractor is retained, the applying party must submit a proposed work plan and schedule for review and approval by the Parks Commission and the Commissioner of Public Works.

The applying party is responsible for obtaining any local, state, or federal permits that may be required for the proposed improvements. Draft permit applications must be submitted for review and approval of the Parks Commission prior to their submission to the regulating authority.

The applying party is responsible for the annual maintenance of the improvement unless the Town Council specifically indicates that the Town will accept the responsibility of maintaining the improvement. Failure to maintain the improvement may result in its removal by the Town.

Memorial benches and other structures must be of a design that is acceptable to the Parks Commission.

Memorial benches will be placed no closer than eight (8) feet to the top-of-slope of the shoreline, or as directed by the chairpersons of the Parks Commission.

All plantings must be comprised of species of plants native to Maine.

2.8 Reservations

Reservations are accepted for use of the Tower Pavilion and Pier Pavilion for special events such as family picnics and wedding receptions. Proposed uses must be compatible with existing Park policies and regulations (see Appendix B).

2.8.1 Reservation Procedures

The Recreation Director will first handle questions regarding the compatibility of proposed uses with Park policies and regulations. In the event that policies and regulations are not clear, the Parks Commission will consider the request and make a recommendation to the Town Manager, who will then make a decision concerning the proposed request. If appropriate, the Parks Commission will recommend modifications to the Park policies and regulations to address similar circumstances in the future.

2.8.2 Fee Structure

The fee structure for using the Tower Pavilion and the Pier Pavilion is presented in the Park policies and regulations (see Appendix B). The Parks Commission and the Town Manager will review the fee structure annually to determine if the levied fees provide adequate compensation for the work performed by Town employees in conjunction with the events.

2.9 Special Events

The Park may also be used for special events such as the annual Isles of Shoals Race, scout camporees, special Town or School uses, or other activities upon approval of the Town Council. Application for special events should be made through the Recreation Department, and the Recreation Director will then forward the request to the Town Manager. The Town Manager should request the recommendations of the Parks Commission, Recreation Department, Public Works Department, and may wish to include input from others, i.e. Police and Fire Departments. The Town Manager's report or recommendation will be submitted to the Town Council for their consideration and determinations. (amended 6/27/05)

Fees may be charged for special events to cover the costs of Town employees providing services in association with the event (e.g., opening a gate early). The Commissioner of Public Works will estimate the costs associated with the event and forward these to the Town Manager (with a copy to the Parks Commission) for inclusion with the Commission's recommendation concerning the event. The Town Manager will then issue a decision in writing to the applying group.

All special events must be compatible with the mission of the Park.

2.10 Management Plan Implementation and Revision

The Parks Commission is responsible for advising the Town Council and Town Manager about the current management plan and for periodically revising it, as necessary. The plan will be revised, at a minimum, every five years. Revised plans will be developed in association with the Town Manager. A draft of the plan will be reviewed by the Town Manager, prior to the Parks Commission submitting it to the Town Council for review and approval.

2.11 Monitoring and Reporting

The Commissioner of Public Works is responsible for management of the Park and providing periodic reports to the Town Manager. The Commission will meet with the Town Manager at least twice a year to monitor and discuss the 5-Year Management Plan and park rules and regulations.

The Parks Commission will also hold periodic meetings with the Town Manager to discuss Park management at the discretion of the Town Manager.

2.12 Annual Administrative Calendar

The annual administrative calendar for implementing the management plan is:

January 1 – April 15	Reservation requests accepted from Kittery groups for Tower Pavilion and Pier Pavilion on a first-come, first-serve basis
April 16 – September 23	Reservation requests accepted from any group for the Tower Pavilion and Pier Pavilion on a first-come, first serve basis
May prior to Memorial Day	Park open on weekends from 10:00 am to 8pm or sunset, whichever is earlier.
Memorial Day to Labor Day	Park open on weekdays and weekends from 10:00 am to 8 pm or sunset, whichever is earlier
Second Monday of June	Parks Commission and Town Manager walk through Park to determine maintenance and clean-up needs.
September after Labor Day	Park open on weekends from 10:00am to 8pm or sunset, whichever is earlier.
Last Monday of September	Parks Commissioners walk through Park to determine maintenance and capital improvement needs
Second Monday of January	Parks Commission develops cost estimates for proposed capital improvement projects for submission to Town Manager
Last Friday in February	Budget Requests to be submitted to Town Manager

3 Section III – Natural Resources of the Park

Fort Foster was once cleared of vegetation as the land was used for a variety of purposes, including use of the area as a fort. The resulting forest, therefore, is a mix of pine, oak, and other species that re-colonized the site after it was abandoned from its other uses. These forests provide valuable wildlife habitat, but they do not have high value for forest products due to their unmanaged condition. At this time it is the Town's policy to not manage the forests found in Fort Foster Park for commercial purposes.

The Park also encompasses a wide variety of other natural resources, including marine habitats, freshwater wetlands, wildlife habitat, habitat for rare plants, and areas used for outdoor recreation.

3.1 Marine Resources

Fort Foster includes several thousand feet of ocean shoreline that encompass habitats that range from shallow sandy beaches to steep, rocky zones. A cobble beach is also found at the area known as "Scuba Diving Beach." These shoreline habitats, in association with near-shore waters and the nearby islands and ledges, provide valuable habitats for fish, shellfish, marine mammals, and seabirds (see Maine Department of Inland Fisheries and Wildlife map in Appendix E).

At the present time there is a management concern about conservation of the marine resources in, and adjacent to, the Park (i.e. illegal collection of crustaceans by Park visitors).

Of minor concern are areas of bank erosion associated with walking trails and memorial benches that are near the top of the slope leading to the ocean. These areas should be monitored annually and ultimately repaired (see Section VIII, Capital Improvement Projects).

3.2 Wetlands

Fort Foster also encompasses a large freshwater wetland complex that runs generally north to south through the Park (see map in Appendix G). The marsh at the southerly end of the Park is particularly valuable to nesting birds, but the entire wetland complex is valuable to a wide variety of wildlife species. Existing forested buffers should be retained adjacent to these mapped wetlands.

Vernal pools are important areas for breeding amphibians such as frogs and salamanders. Two vernal pools occur near the entrance gate to the Park, and others may exist in forested areas. Any vernal pool within the Park is to be left in an undisturbed state. Within 100 feet of the vernal pool, no trees should be cut and no pesticides should be applied.

The water level in the marsh is controlled by a culvert that passes under a berm adjacent

to the ocean at the south end of the Park (see map in Appendix G). For wildlife management purposes, water levels would ideally be controlled by a structure that would allow water levels to be manipulated and the marsh to be periodically drained. At the present time, water levels appear to be below historic levels, and the marsh is becoming crowded with cattails. This condition limits the value of the marsh for certain species of wildlife (see additional discussion in Sections IV, Infrastructure, and VIII, Capital Improvement Projects).

3.3 Wildlife

Wildlife within the Park (i.e., excluding marine wildlife) includes a range of upland and wetland species such as white-tailed deer, fox, mink, raccoon, skunk, songbirds, owls, woodpeckers, hawks, turtles, frogs, and salamanders. Citizens also noted that large numbers of monarch butterflies stop over in the Park during migration.

An inventory of the species inhabiting the Park, however, has not been completed and wildlife populations are not monitored. The management goal for the Park's wildlife is to maintain the existing habitats and to cooperate with natural resource management agencies whenever possible. The Maine Natural Areas Program (MNAP), for example, has defined the Greater Brave Boat Harbor/Gerrish Island area as a conservation focus area (see Appendix E). This area is immediately adjacent to Fort Foster, and a goal of this management plan is to approach the MNAP to determine if 1) they have the resources to conduct an ecological inventory of Fort Foster, and 2) to determine if management of the Park is compatible with goals established for the Greater Brave Boat Harbor/Gerrish Island Focus Area. The Parks Commission will initiate this contact.

3.4 Rare, Threatened, and Endangered Plants and Animals

Several species of rare, threatened, or endangered species are known to occur or potentially occur in the Greater Brave Boat Harbor/Gerrish Island Focus Area. Recent surveys, however, have not been conducted in Fort Foster.

As part of this management plan, a botanist conducted an inventory of the parts of the Park that are typically used by visitors to determine if any rare plants were present and to evaluate if there were any management concerns. Two rare plants—White Wood Aster (*Aster divaricatus*) and Sea-beach Sedge (*Carex silicea*)—were found during this survey. White Wood Aster is a state-listed threatened species found in dry woods and clearings. Within Fort Foster it is found adjacent to the Park entrance road and along a woods road near the Scuba Diving Beach (see map in Appendix G). Development should be avoided in these areas, but current mowing practices can continue.

Sea-beach Sedge is a small plant with Special Concern status at the State level that grows on sandy beaches and rocky shores. It is found in several places within Fort Foster (see map in Appendix G). At the present time, there are no known management concerns associated with this species.

3.5 Outdoor Recreation

The Park is situated in an area that provides outstanding opportunities for outdoor recreation, including fishing, sea-kayaking, bird watching, swimming, SCUBA diving and snorkeling. Current Park policy is to separate potentially incompatible uses by directing activities to specific areas of the Park. The Parks Commission will periodically monitor these activities to ensure that this policy is still appropriate.

4 Section IV – Infrastructure

4.1 Fortifications

The historical significance of the remaining fortifications is discussed in a report by Joel Eastman entitled, *The Modern Defenses of the Coast of Maine* (see Appendix F). Maine's State Historic Preservation Officer, Earle G. Shettleworth, Jr., also recently determined that the fortifications are potentially eligible for inclusion on the National Register of Historic Places (see correspondence in Appendix E). Mr. Shettleworth also notes that Fort Foster is likely to contain pre-historic artifacts.

The Town is not required to conduct studies of the fortifications or to search for pre-historic artifacts unless federal agencies, funds, or licenses are involved in the project (see correspondence in Appendix E). Such studies may also be required if a Maine Site Location of Development permit is ever required for improvements to the Park.

To learn more about the potential significance of the fortifications, as well as to gain a better understanding of the potential for pre-historic artifacts, members of the Parks Commission may arrange to meet with Mr. Shettleworth.

4.2 Roads and Culverts

Roads in the Park are in generally good condition. It is the responsibility of the Commissioner of Public Works to periodically examine the roads and make recommendations during the annual budgeting process for funds for maintenance activities or to identify capital improvement needs.

The road to the Tower Pavilion occasionally floods when water levels in the marsh are high. Given that it is a priority to raise the water level in the marsh (see Section III, Natural Resources, and Section VIII, Capital Improvements), this road, the marsh, and the water control structure for the marsh should be surveyed to determine relevant elevations.

If it appears that the road would flood more frequently if water levels in the marsh were raised, then plans should be developed for raising the Tower Pavilion Road. If this were to occur, the culvert under the road should be designed to provide for a free exchange of water as well as passage for reptiles and amphibians.

4.3 Parking Areas

The large parking lot is in good condition, although some residents have asked that it be made more attractive and user friendly. The Commission, in association with the Commissioner of Public Works, will consider the need for a landscaping plan for this parking lot.

Some members of the public have indicated dissatisfaction with the lower parking lot near the shore, indicating that it was too close to the shore. Others, however, enjoy the fact that it is in close proximity to the beach and picnic tables. Closing this parking lot and restoring the area to natural conditions should only be considered as part of an overall landscaping and park improvement project, which could potentially be the focus of a future capital improvement project. Such an effort, however, is not envisioned as part of the current 5-year plan.

4.4 Bathrooms and Septic Systems

The Parks Commission is committed to replacing or upgrading the primary bathroom near the picnic area and shoreline (see Section VIII, Capital Improvement Projects). The Commission has sought, and received, assistance from the National Park Service for this effort. The condition of this bathroom was a concern expressed by several members of the public in 2003 (see Appendix C and Appendix D).

The small bathroom near the Tower Pavilion is too small for large groups. In addition, the septic system is in an unknown condition and it is adjacent to a wetland. As part of this 5-year plan, therefore, the Commission is recommending that the septic system and bathroom facilities be replaced as a capital improvement project.

The Commissioner of Public Works is responsible for overseeing the maintenance of on-site septic systems.

4.5 Pavilions

The pavilions are currently in adequate condition. The Commissioner of Public Works will periodically inspect these structures to ensure that they are safe and serviceable. The Commission will also inspect these facilities during the spring and fall site inspections (see Section 2.12, Annual Administrative Calendar).

4.6 Picnic Tables

Picnic tables will be maintained by the Public Works Department under the direction of the Commissioner of Public Works. (The Parks Commission will work with the Commissioner, through the Town Manager, to periodically monitor table use to ensure that there are an appropriate number of tables.)

4.7 Playground

The playground is in need of more modern and safe equipment, a concern expressed by several members of the public. Upgrading the playground, therefore, is a recommended capital improvement project (see Section VIII).

4.8 Dogs

Various issues concerning dogs in the Park (i.e. dog waste disposal and possible fees) will be addressed in the near future.

5 Section V – 5-Year Goals (2004-2008)

Specific goals of this 5-year management plan include:

- Initiate the efficient implementation of this management plan.
- Improve communication and coordination with the Town Manager, Commissioner of Public Works, and Conservation Commission.
- Evaluate Park user fees and operating costs to determine if the existing fee structure is adequate to ensure that Park operations are revenue neutral or revenue positive.
- Make contact with the State Historic Preservation Officer concerning the fortifications and the potential for pre-historic artifacts.
- Make contact with the MNAP concerning the Greater Brave Boat Harbor/Gerrish Island Focus area and the potential for MNAP to conduct ecological inventories within the Park.
- Successfully fund and complete the capital improvement projects identified in Section VIII.
- Monitor use of the Park and report on trends in use patterns with regard to the Park's capacity and infrastructure.

These may be periodically revised, as needed, by the Parks Commission.

6 Section VI – Annual Budgets

7 Section VII – Meeting Minutes

8 Section VIII – Capital Improvement Projects

Ten capital improvement projects are proposed for the current 5-year management plan. For each project, the Parks Commission will work with the Town Manager and the Commissioner of Public Works to determine:

- The scope of the problem that is being addressed by the capital improvement project
- Additional data needs (e.g., a topographic survey)
- A cost estimate for design and construction
- Potential sources of funds
- An implementation schedule
- Commission members who will take the lead on developing the capital improvement project

Information concerning currently proposed capital improvement projects is found in the following pages. Proposed projects are:

- Handicapped accessible bathroom and changing room
- Replace pier decking and railings
- Replace leach field for Tower Pavilion bathroom
- Upgrade playground equipment
- Install dog-waste collection bag dispenser
- Interpretive signage
- Water level control structure for marsh
- Raise Tower Pavilion Road and replace culvert
- Relocate memorial benches
- Erosion control along shoreline

8.1 Bathroom and Changing Room, which meets ADA Accessibility Guidelines

Problem Statement

Numerous complaints have been received from the public concerning the condition of the bathroom. In addition, the bathroom is inadequate for current visitor numbers.

Additional Data Needs

Estimate of number of visitors
Design of facility
Map of proposed location

Cost Estimate for Design and Construction

\$50,000

Potential Sources of Funds

General funds from Park revenues
Donated time by National Park Service for design work

Implementation Schedule

Fall 2004, pending permitting and funding

Commission Members Involved

Ken Fellows, Co-Chair
Page Mead, Co-Chair

8.2 Replace Pier Decking and Railings

Problem Statement

Pier decking and railings are in need of repair and replacement. Some members of the public have suggested that the pier needs to have a more uniform appearance.

Additional Data Needs

Condition of existing decking and railings (Commissioner of Public Works)

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

8.3 Replace Leach Field for Tower Pavilion Bathroom

Problem Statement

Existing leach field is in an unknown condition and it is adjacent to a wetland. Capacity of existing leach field may be inadequate for current volume of use.

Additional Data Needs

- Map of existing leach field
- Inspection of existing leach field
- Map of area for replacement system
- Soil tests for replacement system
- Design for replacement system

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

8.4 Upgrade Playground Equipment

Problem Statement

Existing playground equipment is antiquated and inadequate for current volumes of use. Several members of the public have requested upgrades to this area.

Additional Data Needs

- Condition report for current equipment
- Design options for replacement equipment
- Development of final design

Cost Estimate for Design and Construction

Potential Sources of Funds

- Possible public fund raising and labor.

Implementation Schedule

Commission Members Involved

8.5 Install Dog-Waste Collection Bag Dispenser

Problem Statement

Some members of the public are not picking up waste from their dogs, as required by Park policies and regulations. Installation of a dispenser that provides collection bags would increase awareness of this issue and encourage collection of waste by dog owners. Owners would still be required to dispose of waste off-site.

Additional Data Needs

- List of potential vendors (the Town of Yarmouth recently installed similar systems in Royal River Park and could be approached for additional information)

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

8.6 Interpretive Signage

Problem Statement

Visitors are not aware of the historical significance of the remaining fortifications. Their experience may be enhanced through the placement of interpretive signs describing the history of the Fort.

Additional Data Needs

- Understanding of the history of the Park (meet with State Historic Preservation Officer)
- Design for signs and signposts (contract with landscape architect)

Cost Estimate for Design and Construction

Potential Sources of Funds

- Ask State Historic Preservation Officer if he knows of potential funding sources

Implementation Schedule

Commission Members Involved

8.7 Water Level Control Structure for Marsh

Problem Statement

Water levels in the marsh are too low to optimize habitat values for wildlife. Ideally the water level would come up approximately 8” – 16”.

Additional Data Needs

- Survey of marsh elevations
- Evaluation of current culvert configuration
- Design of replacement water control structure
- Assessment of permitting requirements, including Army Corps of Engineers and Maine Department of Environmental Protection permits

Cost Estimate for Design and Construction

- Approach Maine Department of Inland Fisheries and Wildlife Regional Biologist for assistance with design

Potential Sources of Funds

- Ask Maine Department of Inland Fisheries and Wildlife for assistance in identifying potential sources of funding

Implementation Schedule

Commission Members Involved

8.8 Raise Tower Pavilion Road and Replace Culvert

Problem Statement

The Tower Pavilion Road occasionally floods and it may be more prone to flooding if water levels are raised in the marsh. The replacement culvert should be designed to provide for the free exchange of water and passage of wildlife, including reptiles and amphibians.

Additional Data Needs

- Survey of the road and adjacent marsh
- Design of road and replacement culvert (Public Works)
- Analysis of permitting needs
- Culvert design parameters for wildlife passage

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

8.9 Relocate Memorial Benches

Problem Statement

Some memorial benches are too close to the top of bank leading to the ocean, resulting in bank erosion.

Additional Data Needs

- Inventory of memorial benches to identify which ones to move
- Analysis of stabilization measures as an alternative to moving benches

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

8.10 Erosion Control Along Shoreline

Problem Statement

Some portions of the shoreline are eroding due to adjacent land uses (e.g., memorial benches, trails) and should be repaired to prevent additional erosion.

Additional Data Needs

- Inventory and topographic survey of erosion areas
- Design for bank stabilization
- Design for relocation of trails, where needed
- Analysis of permitting needs

Cost Estimate for Design and Construction

Potential Sources of Funds

Implementation Schedule

Commission Members Involved

Appendix A
Kittery Parks Commission Members

Fellows, Kenneth (Co-Chair)
73 Chauncey Creek Road
Kittery Point, Maine 03905
Tel. 439-0619

Flolid, Robert
102 Brave Boat Harbor
Kittery Point, Maine 03905
Tel. 439-3145

Henderson, Aaron
37 Chauncey Creek Road
Kittery Point, Maine 03905
Tel. 439-8697

Ludgate, Charline
2 Barters Creek Road
Kittery Point, Maine 03905
Tel. 439-8884

Mead, Page (Co-Chair)
P.O. Box 157
24 Gerrish Island Lane
Kittery Point, Maine 03905
Tel. 439-0638

Oplinger, Mary R.
71 Brave Boat Harbor Road
Kittery Point, Maine 03905
Tel. 439-4007

Wyman, Robert
9 Cook Street, #2
Kittery, ME 03904
Tel. 439-5467

Appendix B – Fort Foster Park Policies and Regulations

() Indicates when policy/regulation went into effect.

A. SCHEDULED HOURS OF OPERATION

1. Gate attendants will open the park on weekends in May before Memorial Day and September after Labor Day from 10:00 am to 8:00 pm or sunset, whichever is earlier. (9/3/97)
2. The park will be open from 10:00 am to 8:00 pm, seven days a week from Memorial Day to Labor Day. (9/3/97)
3. There shall be no persons permitted except for authorized personnel within the park from sunset to sunrise. (9/3/97)
4. Pedestrian/foot traffic will be allowed from sunrise to sunset from October 1 to April 30 and weekdays in May before Memorial Day and in September after Labor Day. During these off season times the park is closed to unauthorized vehicular traffic including motorcycles, snowmobiles and all terrain vehicles. (11/25/85), (9/3/97)

B. GENERAL REGULATIONS

1. The vehicular speed limit within the confines of the park is 5 mph. (9/3/97)
2. Littering is prohibited as provided by Chapter 8, section 8.04.07 of the Kittery Town Code and users of the park must take their trash with them when they leave the park (5/29/91), (9/3/97)
3. Fires are permitted only in grills or pits designed for cooking uses. (6/9/97), (9/3/97)
4. Consumption of alcoholic beverages is prohibited by State statute. (prior to '81)
5. Vehicles are permitted only on access roads and must park in designated parking areas. (9/3/97)
6. The Kittery Park Division and its employees are not responsible for lost or stolen property. (9/3/97)
7. Lifeguards are not provided and due to strong tidal currents, there is no swimming or diving allowed from the pier.
8. Non-motorized, windsurfers, sea kayaks and canoes are to be launched only from the area referred to as "Windsurfer's Beach." Such water craft may be brought in on car-tops or trailers. If trailers are used, the trailer must be parked in the Upper Parking Lot after the visitor has dropped off their watercraft at Windsurfer's Beach. Commercial tours involving non-motorized watercraft (e.g., sea kayak tours) are not allowed to launch within Fort Foster. (amended 8/23/04)
9. Dogs must be kept on a leash at all times. Owners will be asked to leave the park if their dog is not under control. (9/3/97)
10. A "pooper scooper" rule is in effect for dogs. Owners must take their dog waste with them when they leave the park. (6/9/97), (9/3/97)
11. Dogs are prohibited from Pier Beach east of the pier for approximately 400 feet, or as designated by signs. (amended 8/23/04)

12. Removal or destruction of any buildings, facilities, flora, or fauna is not permitted in order to preserve the environmental integrity of the park. (9/3/97)
13. No hunting and no firearms allowed in the park. (prior to '81)
14. Scuba diving is restricted to areas not within the main beach area, i.e. restricted to areas outside the main beach and signs will be erected on either side of the main beach stating that no scuba diving is allowed between these points. (6/16/83)
15. Early entry into the park for the purpose of reserving a table is not permitted. (9/3/97)
16. Commercial activities, such as selling merchandise and providing guided tours or instructional courses where participants pay a fee for the services, are prohibited from the Park without prior approval of the Town Council. (amended 8/23/04)

C. SEASON PERMIT FEES (9/3/97)

1. Persons meeting Town residency requirements or property owners, except organizations and corporations, are entitled to a season permit for \$20.00 issued to them and their immediate family which means an individual, husband and/or wife and their blood relations that are residing in the same household. This includes a ward, foster child, or stepchild. (9/3/97) (amended 9/26/05)
2. Kittery resident senior citizens (persons 62 years of age or older) may obtain one season permit for their own vehicle at a charge of \$5.00. (5/29/91), (9/3/97), (12/20/99)
3. Those persons not qualifying under No. 1 above may obtain at the Kittery Municipal Building or Fort Foster gate a season permit for \$50.00 per year. (9/3/97), (12/20/99) (amended 9/26/05), (amended 1/28/08)
4. A charge of \$5.00 shall be made for a duplicate resident or resident senior citizen (62 years of age or older) vehicle sticker. (4/2/84) Receipt of original permit purchase required.
5. When an individual or family member goes to the Kittery Municipal Building to purchase a Fort Foster season permit, they must present the registration for the vehicle to which the sticker is to be attached. Pass cards may be issued at .50 each to any member of the immediate family with their full name and sticker number on that card. This pass allows entry only for the individual owner of the card. Vehicles may not enter the park using a pass card. (9/3/97) (amended 9/26/05)
6. One and only one day pass may be used for credit towards the purchase of a resident or resident senior citizen (62 years of age or older) season permit. Amounts exceeding the cost of the permit will not be refunded and may not be applied towards purchase of duplicates (9/3/97)
7. All vehicle season stickers must be affixed no higher than four (4) inches from the bottom line of the driver's side of the windshield. (9/3/97) (amended 9/26/05)
8. Vehicles with a capacity of more than 15 passengers can not obtain a season permit and must pay the regular day pass rates. (9/3/97)

D. DAY-USE VISITOR PASS FEES

1. Motor Vehicle Day Pass -- \$10.00 (includes pass for vehicle and occupants); (12/20/99)
2. Bus Day Pass -- \$100.00; (4/24/00)
3. Student School Bus Day Pass with adult chaperone(s) -- \$50.00. 4/24/00)
4. Day-use visitor walk-ins or bike-ins shall pay \$5.00 per adult and \$1.00 per child under 12 years of age. (12/20/99) (4/24/00)

E. RESERVATION OF PAVILIONS

1. General
 - a. The maximum number permitted in any group is one hundred (100) people. (6/9/97), (9/3/97)
 - b. The pavilions are the only areas of the park which may be reserved for group use except for special events made by application and approved by the Town Council. (amended 6/27/05)
 - c. Reservations are limited to one group for the season.
 - d. The pavilion may not be reserved on Seaside Festival Day. (9/3/97)
 - e. All groups reserving the pavilion area must leave the area in as good condition as it was found or be prohibited from using the facility in the future.
 - f. All trash must be removed by the group using the pavilion. Waste receptacles will not be provided by the Town. (5/29/91)
 - g. All groups using the pavilion must leave the area by 7:00 pm. (5/29/91)
2. Reservation applications for the Tower Pavilion are accepted as follows: (5/29/91), (9/3/97)
 - a. Reservation forms are available from the Recreation Director, P.O. Box 808, Kittery, Maine 03904, phone 207-439-3800, and checks should be made payable to the Town of Kittery. Forms must be completed and payment made prior to finalizing the reservation date. (9/3/97)
 - b. January 1 – April 15. Reservations accepted from any Kittery group on a first come, first serve basis.
 - c. April 16 – September 23. Any group or non-profit organizations. (9/3/97)
 - d. Each group or organization must provide two (2) 2' x 2' signs saying:

TOWER PAVILION
RESERVED TODAY
(NAME OF GROUP)

These signs should be posted by the group at the intersection of the Pier Road and the Pavilion Road and one at the Pavilion.

3. Tower Pavilion Reservation Fees: (5/12/86)
 - a. The reservation fee assures the group or organization that the pavilion will be reserved for their use. Payment of the pavilion fee does not include park entrance fee, which will be collected at the gate. (9/3/97)

- b. Groups must pay the following fee rates: (6/9/97), (9/3/97)
 - 1. Small pavilion, group 35 or fewer people, \$50.00 (amended 9/26/05)
 - 2. Tower pavilion, group 50 or fewer people, \$100.00 (amended 9/26/05)
 - 3. Tower pavilion, group 51-100 people \$150.00 (amended 9/26/05)
 - 4. Cancellations will be charged a \$50.00 service fee. (6/3/97)
- 4. Pavilion Use by Kittery Non-Profit Organizations (9/3/97)
 - a. Kittery based civic, social, or non-profit organizations like scouts, fire department, Traip class reunions or church groups will be allowed into the park for one day per season fee of charges provided: (9/3/97)
 - (1.) The reservation is made for weekends in May or September and weekdays from Memorial Day through Labor Day; (9/3/97)
 - (2.) The head of the Kittery group or non-profit organization must submit a completed written application in order to reserve the pavilion and have free entrance to the park. The application must give the desired reservation date; alphabetized list of the names and number of people of the group; the individual responsible for the group; and be submitted at least 7 days prior to the anticipated function date, otherwise gate fees will apply. (9/3/97)
 - (3.) The Recreation Director will issue a written response and confirmation to the head of the organization. (9/3/97)
 - (4.) Traip Class Reunions must be celebrating their 10th, 20th, 25th, or 50th anniversary, or other anniversary years regular charges are required. (6/9/97)
 - (5.) Except for item 4.a. above, all appropriate fees shall be assessed. (9/3/97)

F. SPECIAL EVENTS

- 1. The Park may be used for special events such as the annual Isles of Shoals Race, scout camporees, special Town or School uses, or other activities upon approval of the Town Council. Application for special events should be made through the Recreation Department, and the Recreation Director will then forward the request to the Town Manager. The Town Manager should request the recommendations of the Parks commission, Recreation Department, Public Works Department, and may wish to include input from others, i.e., Police and Fire Departments. The Town Manager's report or recommendation will be submitted to the Town council for their consideration and determinations. (amended 6/27/05)
- 2. Fees may be charged for special events to cover the costs of Town employees providing services in association with the event (e.g., opening a gate early). The Commissioner of Public Works will estimate the costs associated with the event and forward these to the Town Manager (with a copy to the Parks Commission) for inclusion with the Commission's recommendation concerning the event. The Town Manager will then issue a decision in writing to the applying group. (amended 8/23/04)
- 3. All special events must be compatible with the mission of the Park (amended 8/23/04)

DEFINITIONS

Town residency requirements: Proof of residency can be satisfied by one or more of the following showing a Kittery address:

Maine drivers license
State of Maine ID
Maine vehicle registration
Utility bill
Piece of mail
Personal check
Rent or lease agreement
Buyers order for a new home
Being a registered voter in Kittery.

Season Permit: Includes a sticker, which allows entrance to Fort Foster for the current season, to be affixed to the windshield of your vehicle and includes a walk-in pass for each member of the immediate family identified as an individual, husband and/or wife and their blood relations who are residing in the same household, which includes a ward, foster child, or step child. (9/3/97)

Approved as amended 6/9/97
Approved as amended 9/3/97
Approved as amended 12/20/99
Approved as amended 4/24/00
Approved as amended 5/29/02
Approved as amended 8/23/04
Approved as amended 6/27/05

Approved as amended 9/26/05
Approved as amended 1/28/08

Appendix C – 2003 User Survey Results

User surveys were distributed to visitors entering the Park in 2003. Approximately 360 survey forms were completed (see summary of results). Respondents came predominantly from the Kittery area and New Hampshire (see table), suggesting that visitors from within an approximately 20-mile radius primarily use the Park (i.e., many New Hampshire visitors were from the Portsmouth area).

LOCATION OF RESPONDENTS TO FORT FOSTER USER SURVEY

Location	Number of Visitors	Percent
Kittery and Kittery Point, Maine	155	43%
York, Maine	30	8%
Eliot, Maine	11	3%
Portland, Maine	11	3%
South Berwick, Maine	10	3%
Well, Maine	5	1%
New Hampshire	85	24%
Massachusetts	30	8%
Florida	5	1%
Vermont	5	1%
New York	3	1%
North Carolina	3	1%
Texas	2	1%
Missouri	2	1%
Michigan	2	1%
Minnesota	1	<1%
Australia	1	<1%
Total	361	100%

The vast majority of the respondents were either satisfied or very satisfied with the Park's amenities. Facilities that were not satisfactory to some respondents, in order of concern, included: 1) rest rooms, 2) the playground, 3) signage, and 4) access to the ocean.

Recommendations for improving the Park included: 1) paint the bathrooms, 2) pave a path to the bathrooms, 3) more handicapped accessible parking spaces, 4) make some portions of the beach off limits to dogs, 5) open earlier, 6) repair the playground, and 7) provided handicapped access to the beach.

Appendix D – Notes from 2003 Public Meeting Regarding Park Management

A public meeting was held on November 5th, 2003, to provide an opportunity for citizens to present their views on the management of Fort Foster Park. Approximately 20 members of the public attended for varying lengths of time. An overview of the concerns and opinions expressed by these members of the public follows.

Mission for the Park and Related Comments

- Primary function for Town owning Fort Foster is to protect its natural character
- Use by Town residents should be an over-riding concern
- Out-of-state visitor use is increasing; should this use be regulated, perhaps by charging higher fees for non-residents
- Should there be a limit on the total number of visitors per day
- Functions at the Pavilion should be a low priority in relation to day use by residents
- The Park shouldn't be seen as a source of revenue for the Town, but it should "pay its own way"

Desirable Features of the Park and Proposed Enhancements

- The Park has the potential to serve as an educational resource; it would help, though, to have signs explaining the significance of historical and ecological features; others suggested that a handout be available to describe the ecological features of the Park
- Some citizens expressed an interest in a self-guided nature walk
- Some citizens expressed an interest in a viewing platform overlooking the marsh; others, however, were opposed to this suggestion
- A suggestion was made to create a dog walking loop beginning near the entrance to the Park
- One citizen noted that substantial numbers of monarch butterflies roosted on some of the fortifications during migration
- Some suggested using volunteer caretakers to assist with maintaining the Park
- Some suggested creating a handicapped accessible path to the beach

Concerns Regarding the Park and Park Management

- Some citizens expressed concern over algae levels in the swimming area and suggested that excess nutrients in the water might be to blame (i.e., a water quality concern)
- Some believed that the lower parking lot is too close to the shore, blocking the view and contributing to pollution
- A suggestion was made to consider making the large parking lot more attractive or easier to use (marking parking spaces, for example)

- Some expressed the opinion that the pier was in need of repair; some also indicated that past repairs gave the pier a patchwork appearance and suggested a more uniform overhaul of the decking and rails
- Some expressed concern over barbed wire along the fence line and suggested that it be removed
- There was some concern expressed over visitors coming in early and claiming picnic tables that they didn't intend to use until later in the day
- Use in the Park is increasing and with it come concerns (expressed by one citizen) over the impact of dogs on the Park and its wildlife
- Some expressed concerns over the impact of visitors on the nearby islands (e.g., fires, moving rocks, and potential impacts on nesting birds)
- Some citizens asked that the number of buses visiting the Park be limited
- Some asked if the fees being charged were high enough to cover Park maintenance and improvement costs
- Some asked if the Park had a separate budget and account (i.e., are Park revenues dedicated to the Park?)
- Some were concerned over the potential use of non-native plantings in the Park
- Some indicated a concern over declining wildlife in the marsh and noted that the existing water control structure resulted in a water level that is approximately 8 inches too low
- While some favored trails, other citizens were opposed to any new trails in currently undisturbed areas
- Some felt that there were too many picnic tables
- Regarding dogs, some felt that there were too many dogs during both the winter and summer, and that there was no enforcement of Park regulations of cleaning up after your dog
- Some suggested that higher fees should be charged for private wind-surfer trailers
- Some citizens were concerned over the lack of a police presence in the Park
- Some felt that the fees charged for residents to use the Pavilion were too high
- Some citizens suggested that the Park rules be made more clear to visitors

Appendix E – Agency Correspondence

Appendix F – Report on Historical Significance of Coastal Forts

Appendix G – Map Folder