

## **II. Town of Kittery Stewardship**

### ***A. History of Ownership***

In 1827, the Maine State Senate and House of Representatives signed a bill ceding Wood Island to the Federal Government. The bill claimed the State would have concurrent jurisdiction of the land; however, some evidence exists that the State of Maine gave title of Wood Island to the Federal Government in 1869. During the turn of the century, jurisdiction of the island was transferred to the USLSS. (1)

In 1915, the USLSS and the United States Revenue Cutter Service (USRCS) merged to form the modern USCG. During the period from 1909 to 1941, a lifesaving station operated on Wood Island. In 1941, the USCG relinquished jurisdiction of the island to the U.S. Navy. (1, 7)

The U.S. Navy used the island as a defensive position during World War II. Following the war in 1945, jurisdiction of the island was transferred back to the USCG. In the mid 1950s the island was listed as military surplus property. In 1955, the U.S. Navy stated two parcels, Parcels “A” and “B” “shall be reserved for the use and benefit of the U.S. Dept. of the Navy.” Any disposition of the surplus land is subject to a Right of Way for Access for these parcels, 0.9 acres and 0.6 acres, respectively. A topographic map showing the two parcels is located in Appendix C. (1)

In 1971, President Nixon announced the “Legacy of Parks” Program and offered Federal surplus land available for parks and recreation use. The U.S. Department of the Interior (U.S. DOI) was given jurisdiction of the site. In 1973, the island was deeded to the Town of Kittery by the Federal Government under several conditions.

The conditions include:

1. Used and maintained for recreational purposes involving the general public
2. Erect a permanent sign stating “Recreational Facility”
3. Not sold or leased
4. Submit ten biennial reports with further reports as per request and maintain a Program of Utilization for the property
5. Reversion of deed if land required for national defense
6. Covenants, etc.
7. Breach

There were instances where the Department of the Interior further defined the conditions described in the deed. In 1973, a discussion between the town and the Department of the Interior about the use of Wood Island for educational purposes led to the condition that the University of New Hampshire could

be categorized as “public” and therefore within the deed requirement for recreational purposes. In another discussion in 1984, the Department of the Interior stated that the “permitted recreation range of possible uses is broad.” It added additional conditions including: any business replacing the [lifesaving station] structure must spend all of its revenue for maintenance and/or operation of Wood Island or another grantee site. Concessionaire agreements can be arranged but must obtain approval from the Department of the Interior. Approval for such agreements is required to satisfy historic importance and safety aspects of the site and the structures. (6)

### ***B. Biennial Compliance Reports***

The deed stipulates that the town must submit reports every two years on the status of developments and improvements to recreational activity on Wood Island. The deed also required a Program of Utilization to be maintained.

The original Program of Utilization for the site was for boaters to actively use the island for cookouts and picnics, with tables and grills provided. An upgraded boat dock was to be constructed.

The following are summaries of the eleven reports written by Kittery officials and submitted to a branch of the U.S. Department of the Interior from 1975 to 2008. (6)

- **1975 Biennial Compliance Report I**
  - An estimated 100-150 people picnic on Wood Island during the summer.
  - No improvements and no plans for development. The town prefers to keep the island in its natural state.
  - The Department of the Interior replied to this report with a letter threatening reversionary actions of the deed if the town did not comply with the conditions specified in the agreement.
- **1975 Biennial Compliance Report II**
  - Ideas for development including: a survival program, a sailing program and/or a point of historic interest.
  - It suggested exploring historic preservation or outdoor recreation grants for the funding of building restoration.
- **1981 Biennial Compliance Report III**
  - Records indicate a report was completed; however; it was not found.

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- **1983 Biennial Compliance Report IV**
  - No major improvements/no development.
  - Only litter control maintained.
  - Signs erected.
  - No visitor-use facilities provided.
  - No accurate financial records kept.
  - 250 persons per year (95% family, with few campers).
  - Docking needed.
  - Personal note included: from personal picnic trips to island, it is the “only public island one can visit and have no hesitation or reservation as to their propriety in landing a boat.” Wood Island is a landmark controlled by the public.
  
- **1984 Biennial Compliance Report V**
  - This report is identical to the 1983 report without the personal note.
  
- **1985 Biennial Compliance Report VI**
  - Improvements/Maintenance/Development: “Limited visitor-use facilities being provided”: picnic tables installed (cemented in), grills purchased (to be installed), work started for small boat landing system, second hand boat motor purchased, window door sizes kept with hope, wire mesh purchased & installed to keep pigeons out, regular trips for litter control, signs stolen, no public transport available.
  - Financial Statement: 1982-1983: \$223.60, 1983-1984: \$471.56, Total: \$695.16. No admission charges, no donations or voluntary services.
  - Public Use: Estimated 250 persons per year, 95% families, occasional overnight campers, visitors regional (75% from ME and NH), island not overused, water access is poor, cove 300 yards away, area sea conditions: often very choppy & rough, safety cancels a work day at time, vandalism builds over years, poison ivy on over 50% of island limits potential for passive recreation uses.
  - Future Program: Work toward building restoration, better access – a dock, remove poison ivy, improve picnic facilities.
  
- **1986 Biennial Compliance Report VII**
  - Records indicate a report was completed.
  
- **1991 Biennial Compliance Report VIII**
  - Work done: Preserved structural integrity of the building, reduce/repair libelous hazards, clean grounds and beach areas.
  - Budget: \$1,200.00 for routine maintenance.

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- Plan: No major projects undertaken in last 2 years. Small boats visit (picnics, sunbathing, exploring and swimming.) “Lack of access regulates over use.” “No plans for use expansion.” “Building is to be removed!!” written in pencil on the document.

**No Compliance Reports between 1991 and 2004**

▪ **2004 Compliance Report IX**

- This report contained a history of the events since 1991 (See Appendix A: Chronology for details).
- It explained that the Wood Island Preservation Group (WIPG) failed to implement their proposed development of the site and that the organization was no longer in existence.
- The report also explained that there was no funding in the town’s 2004-2005 budget for any improvements of the island.

▪ **2006 Biennial Compliance Report X**

- This report stated the town was pursuing moving preservation efforts forward on Wood Island.
- The American Lighthouse Foundation (ALF) viewed the building but did not enter it on June 30, 2006. The building was described as in a greatly deteriorated state.

▪ **2008 Biennial Compliance Report XI**

- By visual inspection, the seawall and roof need repairs.
- The town council rescinded the Wood Island Preservation Group’s (WIPG) designation to restore the station due to its inactivity.
- A proposal has been made to develop a cost-effective plan to preserve Wood Island Station and the seawall including several options listed in the following section.

These reports represent Kittery’s recreational development of the Wood Island site since 1973.

The Wood Island site has become overgrown and its structures have continually deteriorated from the effects of weather, vandals, wildlife and time. Efforts have been made periodically to reverse these effects; however, budget constraints have often prevented any significant progress.

### ***C. Past Concepts and Proposals***

The following is a list of the major alternatives considered for Wood Island by the Town of Kittery since the site was deeded by the Federal Government in 1973. (6)

- Joint agreement with the University of New Hampshire (UNH) to use the island for outdoor classrooms and research. 1973  
⇒ No action recorded.
- Keep the island in natural state. (US DOI: non-compliant) 1975  
⇒ Proactive Program of Utilization written to comply with U.S. DOI order.
- Raze Wood Island Station by controlled burning. 1975  
⇒ Denied permission by U.S. DOI and Kittery Town Council.
- Improve the building. 1975  
⇒ No action recorded.
- A survival program. 1973-78  
⇒ No action recorded.
- A sailing program. 1977  
⇒ No action recorded.
- A point of historical interest. 1977  
⇒ No action recorded.
- Block windows with materials painted black. 1978  
⇒ No action recorded.
- Leave the building on the island, clean and board up all entrances, provide limited access to the tower for sightseeing visitors, research island history and post informational sign. 1978  
⇒ No action recorded.
- Enter into a cooperative agreement with a school to rehabilitate the station over 5 to 7 years to ultimately create a youth conference center while maintaining recreational access. 1980  
⇒ Negotiations ended in stalemate.
- Continuation of existing use: minimal recreation development. 1984  
⇒ Presumed successful.

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- Development of facilities for the study of marine biology and climatology. 1984
  - ⇒ No action recorded.
- Development of restaurant and hotel facilities. 1984
  - ⇒ No action recorded.
    - Ninety-one Wood Island area residents petitioned against any development and/or expenditure of town funds for Wood Island. (1984)
- Education facility like R.A.M.P at UNH, Voc.-Tech, or other schools. 1985
  - ⇒ No action recorded.
- Bed and breakfast/commercial development for private sector. 1985
  - ⇒ No action recorded.
- Take down building and use as recreation facility. 1985
  - ⇒ No action recorded.
- Leave as is until further development can be organized. 1985
  - ⇒ Presumed successful.
- No expansion, remove the building. 1991
  - ⇒ No action recorded.
- Construction of commercial duty pier with float system. 1994
  - ⇒ No action recorded.
- Use fundraising to develop a **maritime museum** on the island. 1999
  - The plan included:
    1. A restored Station to contain a museum
    2. Dock facilities
    3. USLSS reenactment
    4. Food cabana/café
    5. Granite amphitheatre

Access to the island via a walkway was to be provided from Fort Foster as part of Phase Two of the project. The plan was initiated by the Wood Island Preservation Group (WIPG) which was given designation by the Town of Kittery to preserve Wood Island (for full history of WIPG read 1992-2006 in Appendix A: Chronology).

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- One known fundraiser held (1992)
- Carolyn Brit of Community Investment Associates (CIA) was contracted by the Wood Island Preservation Group to research funding options for improvements to the island. CIA's final report suggested the town apply for the Community Development Block Grant (CDBG) for \$10,000.00. The report also suggested several other grants. The full report can be seen in Appendix C. (1999)
  - ❖ The Town of Kittery filed for and received the CDBG; details are noted in Section D of this report.
- The Boston architectural firm Finegold Alexander and Associates was commissioned to successfully create a development proposal and cost estimate. (See Appendix C) (1999)
  - ❖ The estimate without pedestrian access was \$850,000.00.
  - ❖ Services rendered by the firm cost \$7,500.00 and were paid using the CDBG and funds from the Kittery Town Council.
- The Kittery Town Council rejected WIPG's 2002 development proposal
  - ❖ An inquiry by Councilor Susan Emery disclosed the following information from Councilor Estes (for the original document see Appendix C):
    - Wood Island is considered a Shoreline Habitat by the Department of Inland Fisheries and Wildlife.
    - According to the Maine Department of Environmental Protection (DEP), the proposed design was not consistent with the Shoreland Zoning requirements.
    - Estes and other Town Council members in the WIPG were suggested to be in a conflict of interest by Councilor Emery.
    - Other evidence suggested the concept was not supported by the citizens of Kittery.
- Install one three Mega Watt wind turbine on the island. 2008
  - ❖ Recently proposed.
- Construct a sheltered marina for small boats behind the Island. 2008
  - ❖ Recently proposed.
- **UNH/Town of Kittery/Appledore Engineering Feasibility Study. 2008**
  - ❖ In progress. Funded by the 2008 Shore and Harbor Technical Assistance Grant. (See Appendix C for the complete document)

### ***D. Past Grant Applications:***

The following is the list of grant applications considered by the Town of Kittery as possible funding methods for improvements and developing of Wood Island. (6)

1. Proposed YCETA Grant, did not apply, not received (1978)
2. Proposed Defense Environmental Restoration Program, not received (1991)
3. Awarded FEMA disaster relief, \$46,985.00 received. The funds were used to rebuild a 100' section of seawall. (1992)
4. Awarded Community Development Block Grant (CDBG). \$5,000.00 received. The funds were used to partially pay for an architectural study by Finegold Alexander and Associates. (2000)
5. Proposed Maine DOT Transportation Enhancement Program Grant, requested \$150,000.00, not received. (2004)
6. Proposed Shore and Harbor Technical Assistance Grant, requested \$25,000.00, not received. (2005)
7. Awarded Shore and Harbor Technical Assistance Grant. \$10,250.00 received. An additional \$5,950.00 was matched by the Town of Kittery. The \$16,200.00 total is funding the 2008 Feasibility Study. (2008)



### ***E. Other Lifesaving Stations & Developed Sites***

#### **Biddeford Coast Guard Station, Biddeford Pool, Maine**



**Figure 29 Former Biddeford Pool USCG Station (Photo: K. Kozlowski)**

Formerly Fletcher's Neck Lifesaving Station, the building is a Duluth-style station built in 1904. It has been completely restored and is now a private residence. The site has been on the National Registry of Historic Places since 1974. (2,7)

According to a local resident, the buildings and property were purchased for \$1,000,000.00 approximately seven years ago. Within the last five years, extensive renovations were done to the restore the exterior and modernize the interior living space. The wrap-around porch, two chimneys, the front dormer and widow walk were added to the structure. The boathouse doors (red) are believed to be the refurbished originals.

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**Figure 30 Former Biddeford Pool USCG Station (Photo: K. Kozlowski)**

**Wood Island Light Station, Biddeford Poole, Maine**



**Figure 31 Wood Island Light Station (Courtesy of Virtual Earth)**

This restored and functioning lighthouse facility was established in 1808 and is currently licensed to the Friends of Wood Island Lighthouse by the USCG. The group is a chapter of the American Lighthouse Foundation and runs tours of the site beginning in June. The tours last 90 minutes and showcase the island on which the lighthouse is built as well as the surrounding seascape. There is no fee for the tour;

however, a \$10.00 donation per person is suggested. The 17-18 passenger vessel departs three times per week at specified hours during the season. Special group trips can be arranged depending on availability of the crew and vessel. (3)

**Wallis Sands State Park, Rye, New Hampshire**



**Figure 32 Wallis Sands State Beach (Courtesy of Virtual Earth)**

The site is a former Lifesaving Station location built in 1890. It currently functions as a beach facility offering restrooms, changing areas, a food concession, lifeguards and parking. Admission to the park is currently \$15 per vehicle. Van admission is \$20.00. (4,7)