



**KITTERY PORT AUTHORITY  
TOWN HALL  
200 ROGERS RD.  
KITTERY, ME 03904**

Phone: 207-439-0452 ext 301  
Email: [kpa@kitteryme.org](mailto:kpa@kitteryme.org)  
<http://www.kitteryme.gov/>

**Meeting Agenda  
May 4, 2023  
6:00 P.M.**

1. Call to Order / Attendance
2. Pledge of Allegiance
3. Agenda Amendments and Adoption
4. Acceptance of Previous Minutes: 10/6/2022 and 11/3/2022
5. Harbormaster Report and Budget Report
6. All Items involving Town Officials or Invited Guests
7. Public Hearing
  - a. The Kittery Port Authority moves to hold a public hearing and approve an application from Judith McKenna, 42 Pepperrell Road, Kittery Point, ME 03905 (Tax Map 18, Lot 27) for the construction of a 4' x 85' pier, 3' x 35' ramp, and 30' x 10' float. Agent is Ryan McCarthy, Tidewater Engineering & Surveying, Inc.
  - b. The Kittery Port Authority moves to hold a public hearing and approve an application from David Daniels, Island Seafood, 21 Badgers Island West, Kittery, ME 03904 (Tax Map 1, Lot 27) for the installation of an 8' x 24' float.
8. Piers, Wharves & Floats
9. Public Segment (Three Mins.)
10. Unfinished Business
11. New Business
  - a. Discussion on in kind replacement request for 16 Old Ferry Lane
12. Committee and Other Reports
13. Communications from the Chairperson
14. Board Member Issues or Comments
15. Executive Session
16. Adjournment

- 1 1. Call to Order / Attendance
- 2 Acting Chair Patten called the meeting to order at 6:00 P.M.
- 3 Members present: Bryan Bush, Alan Johnston, Scott Mason, John McCollett, Niles
- 4 Pinkham, and Acting Chair Patten.
- 5 Members absent: Steve Lawrence
- 6 2. Pledge of Allegiance
- 7 Acting Chair Patten announced the resignation of Chair Philbrook. He welcomed and
- 8 introduced new member, Scott Mason.
- 9 3. Agenda Amendments and Adoption
- 10 Acting Chair Patten approved the agenda as written.
- 11 4. Acceptance of Previous Minutes: August 4, 2022
- 12 Line 98: change the adjourned time.
- 13 The minutes of August 4, 2022 were approved as amended.
- 14 5. Harbormaster Report and Budget Report
- 15 The Harbormaster gave a short report of the revenue.
- 16 The Harbormaster announced the float out is October 25, 2022 and reminded the public
- 17 that all dinghies must be off the docks by 9 PM on October 24, 2022. He noted the rest
- 18 of his report will be available online.

FY 2023 YTD EXPENSES					
OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR EXPENSES	CURRENT YEAR REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 65,162.00	\$ 16,342.21	\$ 48,819.79	25.08
64020	PART TIME SALARIES	\$ 26,967.00	\$ 16,086.62	\$ 10,880.38	59.65
65010	POSTAGE	\$ 250.00	\$ 29.80	\$ 220.20	11.92
65020	TELEPHONE & INTERNET	\$ 2,000.00	\$ 335.55	\$ 1,664.45	16.78
65200	ELECTRICITY	\$ 2,016.00	\$ 196.43	\$ 1,819.57	9.74
65220	WATER	\$ 515.00	\$ 80.45	\$ 434.55	15.62
65240	DUMPSTERS/TRASH REMOVAL	\$ 1,000.00	\$ 637.44	\$ 362.56	63.74
65305	BOAT EQUIPMENT MAINTENANCE	\$ 3,500.00	\$ 3,191.47	\$ 308.53	91.18
65310	VEHICLE MAINTENANCE	\$ 1,000.00	\$ -	\$ 1,000.00	0.00
65311	GAS, GREASE, & OIL	\$ 2,250.00	\$ 1,210.53	\$ 1,039.47	53.80
65462	RIGGING	\$ 12,000.00	\$ 2,698.24	\$ 9,301.76	22.49
65463	SANITATION	\$ 2,000.00	\$ 1,131.22	\$ 868.78	56.56
65470	PROFESSIONAL DEVELOPMENT	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
65480	OTHER PROFESSIONAL/CONTRACTED	\$ 3,000.00	\$ 1,522.73	\$ 1,477.27	50.76
65500	MAIN BLDG/GROUNDS WHARVES/HAR	\$ 5,500.00	\$ 1,767.62	\$ 3,732.38	32.14
65521	UNIFORMS	\$ 1,300.00	\$ 626.95	\$ 673.05	48.23
66010	OFFICE SUPPLIES	\$ 300.00	\$ -	\$ 300.00	0.00
66040	JANITORIAL SUPPLIES & SERVICES	\$ 500.00	\$ 200.86	\$ 299.14	40.17
<b>TOTAL</b>		<b>\$ 130,760.00</b>	<b>\$ 46,058.12</b>	<b>\$ 84,701.88</b>	<b>35.22%</b>

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FY 2023 YTD REVENUE					
OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR REVENUE	CURRENT YEAR DIFFERENCE	PERCENT
43147	DINGHY FEES	\$ (11,000.00)	\$ (150.00)	\$ (10,850.00)	1.36
43148	TRANSIENT SLIP RENTAL	\$ (8,000.00)	\$ (12,542.17)	\$ 4,542.17	156.78
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (125.00)	\$ (375.00)	25.00
43150	MOORING FEES	\$ (100,000.00)	\$ (2.00)	\$ (99,998.00)	0.00
43151	LAUNCH FEE	\$ (14,000.00)	\$ (8,613.01)	\$ (5,386.99)	61.52
43152	TRANSIENT MOORING	\$ (8,000.00)	\$ (7,639.00)	\$ (361.00)	95.49
43153	WAIT LIST FEE	\$ (1,000.00)	\$ (280.00)	\$ (720.00)	28.00
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (1,708.00)	\$ (692.00)	71.17
43157	MOORING LATE FEE	\$ (1,000.00)	\$ -	\$ (1,000.00)	0.00
43159	KAYAK RACK RENTAL	\$ (2,700.00)	\$ (112.00)	\$ (2,588.00)	4.15
<b>TOTAL</b>		<b>\$ (148,600.00)</b>	<b>\$ (31,171.18)</b>	<b>\$ (117,428.82)</b>	<b>20.98%</b>

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21 6. All Items involving Town Officials or Invited Guests

- 22 a. Welcome town attorney, Mr. Cameron Ferrante
- 23 7. Public Hearing
- 24 a. The Kittery Port Authority moves to hold a public hearing and approve an application  
25 from SHM Kittery Point, 48 Bowen Road, Kittery, ME 03904 (Map 17, Lot 10) for the  
26 conversion of 28 single point moorings in the Back Channel into twelve (12) 8' x 80'  
27 floats and one (1) 8' x 160' float. Agent is Sandra Guay Archipelago Law, LLP.
- 28 Mr. Bush recused himself from this item.
- 29 Acting Chair Patten confirmed that Mr. Mason was prepared to participate in the item,  
30 and asked Mr. Mason to disclose his relationship with the applicant.
- 31 Acting Chair Patten moved that Mr. Mason is allowed to participate and vote on the  
32 application. Seconded by Mr. Johnston. The motion passed 4-0-1, with Mr. Mason  
33 abstaining.
- 34 Sandra Guay presented the application to the Board. The requested waiver was  
35 discussed. Reasons for the structures reviewed. Additional materials in the application  
36 discussed. Proposed conditions of approval reviewed.
- 37 Plans were reviewed with the Board.
- 38 Acting Chair Patten opened the public hearing.
- 39 Public comments were heard from: Jeff Gordon, 5 Bowen Road; Susan Tennant, 19 Old  
40 Ferry Lane; Rebecca Hall, 140 State Road; John Sanidas, 20 Old Ferry Lane; Debbie  
41 Driscoll, 1 Bowen Road; Joanne Paul, 140 State Road; Gwyneth Hannaford, 15 Old  
42 Ferry Lane; and Doug Cole, 41 Bowen Road.
- 43 Acting Chair Patten read written comments from: Nicholas Clainos, 8 Bowen Road.
- 44 Acting Chair Patten closed the public hearing.
- 45 Acting Chair Patten moved to take a recess. Seconded by Mr. Pinkham. The motion  
46 passed 5-0-0.
- 47 The Board took a recess at 7:24 PM, and reconvened at 7:32 PM.
- 48 Acting Chair Patten read the findings of fact into record. The Board voted on each  
49 finding.
- 50 Acting Chair Patten moved to recess at 8:05 PM. The Board reconvened at 8:35 PM.
- 51 Acting Chair Patten moved to reconsider the motion to approve the waiver. Seconded  
52 by Mr. Pinkham. The motion failed 2-3-0. Mr. Johnston, Mr. Mason, and Acting Chair  
53 Patten voted in the negative.



54 Acting Chair Patten moved to approve the application. Seconded by Mr. Pinkham. The  
55 motion was denied by roll call vote 0-5-0.

56 Acting Chair Patten moved to continue the approval of the findings of fact until the next  
57 meeting. Seconded by Mr. Mason. The motion failed 3-2-0. Mr. McCollett and Mr.  
58 Pinkham voted in the negative.

59 Acting Chair Patten moved to reconsider the motion to continue the approval of the  
60 findings of fact until the next meeting. The motion passed 4-1-0. Mr. McCollett voted in  
61 the negative.

62 8. Piers, Wharves & Floats - None

63 9. Public Segment (Three Mins.) – None

64 10. Unfinished Business - None

65 11. New Business –

66 a. Election of Acting Vice Chair

67 Acting Chair Patten moved to postpone the election of Acting Vice Chair. The motion  
68 passed 5-0-0.

69 12. Committee and Other Reports - None

70 a. Communications from the Chairperson

71 Acting Chair Patten reported he approved three in-kind approvals.

72 13. Board Member Issues or Comments

73 Acting Chair Patten – Acting Chair Patten thanked Mr. Brosnihan for all his work for the  
74 Board. He commented that he hoped a Board member would fill the secretary position.

75 Mr. Johnston – None

76 Mr. Pinkham – Mr. Pinkham commented on the different procedure of the meeting.

77 Mr. McCollett – Mr. McCollett commented on the waiver vote.

78 Mr. Mason – None

79 14. Executive Session - None

80 15. Adjournment

81 Mr. McCollett moved to adjourn at 9:05 P.M. The motion passed 5-0-0.

82 Submitted by Carrie Varao, Development Staff Clerk on April 13, 2023.

83 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
84 Whilst every effort has been made to ensure the accuracy of the information, the  
85 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
86 summary of the discussion and actions that took place. For complete details, please  
87 refer to the video of the meeting on the Town of Kittery website at  
88 <http://www.townhallstreams.com/locations/kittery-maine>.

- 1 1. Call to Order / Attendance
- 2 Acting Chair Patten called the meeting to order at 6:01 P.M.
- 3 Members present: Bryan Bush, Alan Johnston, Scott Mason, John McCollett, and Acting
- 4 Chair Patten.
- 5 Members absent: Steve Lawrence and Niles Pinkham
- 6 2. Pledge of Allegiance
- 7 3. Agenda Amendments and Adoption
- 8 Acting Chair Patten approved the agenda as written.
- 9 4. Acceptance of Previous Minutes: none
- 10 5. Harbormaster Report and Budget Report
- 11 The Harbormaster gave a summary of his monthly report. The Board asked various
- 12 questions.

**FY 2023 YTD EXPENSES**

OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR EXPENSES	CURRENT YEAR REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 65,162.00	\$ 21,263.49	\$ 43,898.51	32.63
64020	PART TIME SALARIES	\$ 26,967.00	\$ 16,828.57	\$ 10,138.43	62.40
65010	POSTAGE	\$ 250.00	\$ 29.80	\$ 220.20	11.92
65020	TELEPHONE & INTERNET	\$ 2,000.00	\$ 447.40	\$ 1,552.60	22.37
65200	ELECTRICITY	\$ 2,016.00	\$ 453.86	\$ 1,562.14	22.51
65220	WATER	\$ 515.00	\$ 80.45	\$ 434.55	15.62
65240	DUMPSTERS/TRASH REMOVAL	\$ 1,000.00	\$ 844.80	\$ 155.20	84.48
65305	BOAT EQUIPMENT MAINTENANCE	\$ 3,500.00	\$ 3,327.39	\$ 172.61	95.07
65310	VEHICLE MAINTENANCE	\$ 1,000.00	\$ -	\$ 1,000.00	0.00
65311	GAS, GREASE, & OIL	\$ 2,250.00	\$ 1,457.86	\$ 792.14	64.79
65462	RIGGING	\$ 12,000.00	\$ 6,079.10	\$ 5,920.90	50.66
65463	SANITATION	\$ 2,000.00	\$ 1,531.22	\$ 468.78	76.56
65470	PROFESSIONAL DEVELOPMENT	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
65480	OTHER PROFESSIONAL/CONTRACTED	\$ 3,000.00	\$ 1,636.73	\$ 1,363.27	54.56
65500	MAIN BLDG/GROUNDS WHARVES/HARB	\$ 5,500.00	\$ 2,629.03	\$ 2,870.97	47.80
65521	UNIFORMS	\$ 1,300.00	\$ 756.57	\$ 543.43	58.20
66010	OFFICE SUPPLIES	\$ 300.00	\$ -	\$ 300.00	0.00
66040	JANITORIAL SUPPLIES & SERVICES	\$ 500.00	\$ 200.86	\$ 299.14	40.17
<b>TOTAL</b>		<b>\$ 130,760.00</b>	<b>\$ 57,567.13</b>	<b>\$ 73,192.87</b>	<b>44.03%</b>

13

<b>FY 2023 YTD REVENUE</b>					
<b>OBJECT</b>	<b>ACCT DESCRIPTION</b>	<b>CURRENT YEAR BUDGET</b>	<b>CURRENT YEAR REVENUE</b>	<b>CURRENT YEAR DIFFERENCE</b>	<b>PERCENT</b>
43147	DINGHY FEES	\$ (11,000.00)	\$ (150.00)	\$ (10,850.00)	1.36
43148	TRANSIENT SLIP RENTAL	\$ (8,000.00)	\$ (14,982.17)	\$ 6,982.17	187.28
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (125.00)	\$ (375.00)	25.00
43150	MOORING FEES	\$ (100,000.00)	\$ (152.00)	\$ (99,848.00)	0.15
43151	LAUNCH FEE	\$ (14,000.00)	\$ (8,791.01)	\$ (5,208.99)	62.79
43152	TRANSIENT MOORING	\$ (8,000.00)	\$ (10,911.00)	\$ 2,911.00	136.39
43153	WAIT LIST FEE	\$ (1,000.00)	\$ (344.00)	\$ (656.00)	34.40
43155	CLAM LICENSE FEE	\$ -	\$ (555.00)	\$ 555.00	0.00
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (1,708.00)	\$ (692.00)	71.17
43157	MOORING LATE FEE	\$ (1,000.00)	\$ -	\$ (1,000.00)	0.00
43159	KAYAK RACK RENTAL	\$ (2,700.00)	\$ (112.00)	\$ (2,588.00)	4.15
<b>14</b>	<b>TOTAL</b>	<b>\$ (148,600.00)</b>	<b>\$ (37,830.18)</b>	<b>\$ (110,769.82)</b>	<b>25.46%</b>

15 6. All Items involving Town Officials or Invited Guests

16 7. Public Hearing

17 8. Piers, Wharves & Floats – None

18 a. The Kittery Port Authority moves to accept an application from G. Christopher Miller  
 19 Revocable Trust, 8 Moultons Way, Kittery Point, ME 03905 (Map 33, Lot 7) to construct  
 20 a 6'x35' accessway, a 6'x45' fixed wood pier, a 3'x30' gangway, and a 10'x20' float.  
 21 Agent: Steven Riker, Ambit Engineering, Inc.

22 Steven Riker, Ambit Engineering presented the project. He gave an overview of the  
 23 application. The Board asked questions of Mr. Riker.

24 Acting Chair Patten moved to accept the application. Seconded by Mr. Johnston. The  
 25 motion passed by roll call vote 5-0-0.

26 The Board set a site walk for Monday, November 21, 2022 at 3 PM. A public hearing will  
 27 be scheduled by staff for the next meeting.

28 9. Public Segment (Three Mins.) – None

29 10. Unfinished Business

30 a. The Kittery Port Authority moves to accept the findings of fact for the application from  
 31 SHM Kittery Point, 48 Bowen Road, Kittery, ME 03904 (Map 17, Lot 10) for the  
 32 conversion of 28 single point moorings in the Back Channel into fourteen (14) 8' x 80'  
 33 floats. Agent: Sandra Guay, Archipelago Law, LLP.

34 Acting Chair Patten moved to accept the findings of fact. Seconded by Mr. Mason. The  
35 motion passed by roll call vote 4-0-0. Mr. Bush had recused himself from the application  
36 at the prior meeting.

37 11. New Business –

38 a. Election of Acting Vice Chair

39 Acting Chair Patten nominated Mr. Bush as Vice Chair. The nomination passed 4-1-0,  
40 with Mr. Bush voting in the negative.

41 12. Committee and Other Reports - None

42 a. Communications from the Chairperson

43 13. Board Member Issues or Comments

44 Mr. Bush – Mr. Bush commented on the float out.

45 Mr. Johnston – None

46 Mr. McCollett – Mr. McCollett commented on the Safe Harbors application vote.

47 Mr. Mason – Mr. Mason commented on the float out.

48 Acting Chair Patten – Acting Chair Patten addressed comments received regarding  
49 Board member voting last month.

50 14. Executive Session - None

51 15. Adjournment

52 Mr. Bush moved to adjourn at 6:45 P.M. Seconded by Mr. Johnston.

53 Submitted by Carrie Varao, Development Staff Clerk on April 13, 2023.

54 Disclaimer: The following minutes constitute the author's understanding of the meeting.  
55 Whilst every effort has been made to ensure the accuracy of the information, the  
56 minutes are not intended as a verbatim transcript of comments at the meeting, but a  
57 summary of the discussion and actions that took place. For complete details, please  
58 refer to the video of the meeting on the Town of Kittery website at  
59 <http://www.townhallstreams.com/locations/kittery-maine>.

**KPA-23-4**

Kittery Port Authority Application

**Status:** Active**Date Created:** Feb 19, 2023**Applicant**

Ryan McCarthy  
ryan@tidewatercivil.com  
1021 Goodwin Road Unit 1  
Eliot, ME 03903  
2074392222

**Primary Location**

42 PEPPERRELL ROAD  
KITTERY, ME 03905

**Owner:**

Judith A. McKenna Revocable Trust of 1997  
42 Pepperrell Road Kittery Point, ME 03905

**Project Discription****Description of Project**

Proposed construction of a fixed pier with seasonal gangway and float.

**Is any work being performed upland of the Highest Annual Tide?**

Yes

**Type of Project****Is this project an in-kind repair/replacement?**

No

**Property Information****Name of the property owner(s)**

Judith A. McKenna Rev. Trust of 1997

**Property Address**

42 Pepperrell Road

**Telephone Number**

603-398-2606

**Email Address**

judith.mckenna@comcast.net

**Size of the Property**

0.81 Acres

**Zoning District**

Residential - Kittery Point Village

**Shore Frontage Footage**

180 feet

**Property History**

**This is my first Kittery Port Authority Application for this property**



**I have submitted an application to the Kittery Port Authority in the past for this property**



**If you have submitted a previous application to the Kittery Port Authority for this property, please explain:**

## Acknowledgements

I understand that additional permits and/or approvals may be required by the Army Corps of Engineers, the Maine Department of Environmental Protection, the Maine Department of Conservation, and/or another legal entity not listed here. Furthermore, I have submitted the additional permits and/or approvals with this application.



I certify that all information on this application is complete and true to the best of my knowledge. I understand any false, misleading, or incomplete information will result in the denial of this application.



I certify that I have submitted this application at least 21 days prior to a scheduled Kittery Port Authority Meeting. I understand that failure to submit this application at least 21 days prior will result in my request going before the Kittery Port Authority at a later date.



I certify that in addition to uploading the required documentation, I will also provide 10 paper copies of each document to the Kittery Planning and Development Office at least 21 days prior to a scheduled Kittery Port Authority Meeting.



## Applicant Information

**Name of Applicant**

Judith A. McKenna

**Date Application Completed**

2/19/2023

**Name of Property Owner**

Judith A. McKenna Rev. Trust

**Agent Name**

Ryan McCarthy, PE, PLS

**Agent Firm**

Tidewater Engineering & Surveying, Inc.

**Agent Phone**

207-439-2222

**Agent Email**

ryan@tidewatercivil.com

## Attachments

 02 Deed.pdf

Uploaded by Ryan McCarthy on Feb 19, 2023 at 1:45 pm

 ACOE Approval.pdf


Uploaded by Ryan McCarthy on Feb 20, 2023 at 8:40 am

 22-133 McKennaPierPlan.pdf


Uploaded by Ryan McCarthy on Feb 19, 2023 at 2:03 pm

 22-133 McKenna-MDEP Application.pdf

Uploaded by Ryan McCarthy on Feb 19, 2023 at 2:01 pm

 GIS Location Map.pdf

Uploaded by Ryan McCarthy on Feb 19, 2023 at 1:58 pm

 Abutters\_MultipleSubject.pdf

Uploaded by Ryan McCarthy on Feb 19, 2023 at 1:52 pm

 McKennaCoverLetter-Revised.pdf






Uploaded by Ryan McCarthy on Feb 20, 2023 at 8:47 am

## History

Date	Activity
Feb 19, 2023 at 1:20 pm	Ryan McCarthy started a draft of Record KPA-23-4
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerCity from "NANAIMO, CANADA" to "Kittery Point"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerEmail from "" to "judith.mckenna@comcast.net"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerName from "RODONETS, BRIAN M" to "Judith A. McKenna Revocable Trust of 1997"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerPhoneNo from "" to "603-398-2606"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerPostalCode from "V9T 5N1" to "03905"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerState from "BC" to "ME "

Date	Activity
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerStreetName from "5483 NORTON ROAD " to "42 Pepperrell Road"
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerStreetNo from "" to ""
Feb 19, 2023 at 1:24 pm	Ryan McCarthy altered Record KPA-23-4, changed ownerUnit from "" to ""
Feb 19, 2023 at 2:11 pm	Ryan McCarthy added attachment Cover Letter to Record KPA-23-4
Feb 19, 2023 at 2:11 pm	Ryan McCarthy submitted Record KPA-23-4
Feb 21, 2023 at 8:50 am	completed payment step Fee Payment on Record KPA-23-4
Feb 21, 2023 at 8:50 am	approval step Application Completeness Review was assigned to Carrie Varao on Record KPA-23-4
Feb 21, 2023 at 9:04 am	Carrie Varao approved approval step Application Completeness Review on Record KPA-23-4
Feb 21, 2023 at 9:04 am	approval step Code Enforcement Upland Development Review was assigned to Craig Alfis on Record KPA-23-4
Feb 22, 2023 at 9:50 am	Craig Alfis assigned approval step Town Planner Upland Development Review to Jason Garnham on Record KPA-23-4
Feb 22, 2023 at 9:50 am	Craig Alfis approved approval step Code Enforcement Upland Development Review on Record KPA-23-4
Mar 20, 2023 at 9:36 am	Jason Garnham approved approval step Town Planner Upland Development Review on Record KPA-23-4
Mar 20, 2023 at 9:36 am	approval step Port Authority Approval Uploaded was assigned to Carrie Varao on Record KPA-23-4

## Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Fee Payment	Paid	Feb 19, 2023 at 2:11 pm	Feb 21, 2023 at 8:50 am	-	-
 Application Completeness Review	Complete	Feb 21, 2023 at 8:50 am	Feb 21, 2023 at 9:04 am	Carrie Varao	-
 Code Enforcement Upland Development Review	Complete	Feb 21, 2023 at 9:04 am	Feb 22, 2023 at 9:50 am	Craig Alfis	-
 Town Planner Upland Development Review	Complete	Feb 21, 2023 at 9:04 am	Mar 20, 2023 at 9:36 am	Jason Garnham	-
 Port Authority Approval Uploaded	Active	Mar 20, 2023 at 9:36 am	-	Carrie Varao	-
 Building Permit Received	Inactive	-	-	-	-





## TOWN OF KITTERY

Code Enforcement Office

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1308 Fax: 207-439-6806

[CEO@kitteryme.org](mailto:CEO@kitteryme.org)

### KITTERY PORT AUTHORITY APPLICATION ACCEPTANCE MEMO

From: Craig Alfis, Code Enforcement  
To: Charles Patten, Port Authority Chair

Subj: Acceptance of Application, 42 Pepperrell Road

Mr. Chair,

Code Enforcement and Planning staff have reviewed the application for 42 Pepperrell Road, proposing the installation of a residential pier, gangway, and float, and found it to be complete. The application requests the following modifications:

1. The installation of an 4' x 85' pile supported pier;
2. a 3' x 35' gangway; and
3. one 10' x 30' float with skids.

Based on a cursory review of the information provided in the application, Staff believes and recommends that the Port Authority accept the application for further review. Information submitted includes:

- Kittery Port Authority application with cover letter;
- Proof of ownership;
- Plans showing the actual dimensions and shape of the pier, ramp and float;
- Army Corps of Engineering authorization letter; and
- Maine DEP NRPA application including abutters list.

If the Port Authority votes to accept the application, an in-depth review will be performed by Code and Planning staff, and a staff report will be provided to the Port Authority prior to the meeting on which the application is scheduled.

Signed,

Craig Alfis, Code Enforcement Officer  
207-475-1308

[ceo@kitteryme.org](mailto:ceo@kitteryme.org)

February 20, 2023



Kittery Port Authority  
Town of Kittery  
200 Rogers Road  
Kittery, Maine 03904

Re: Proposed Residential Pier, Gangway and Float  
42 Pepperrell Road (Tax Map 18 Lot 27)

To Whom It May Concern:

Attached is an application submitted on behalf of Judith A. McKenna for a proposed residential pier, gangway and float located on 42 Pepperrell Road (Tax Map 18 Lot 27) in Kittery, Maine. An Individual NRPA application was submitted to Maine DEP (MDEP) on November 18, 2022 and is currently being reviewed. We will forward a copy of the MDEP permit to you once approved. The Army Corps of Engineers approved the project on January 12, 2023 under permit #NAE-2022-02668 (enclosed). A copy of the full Individual NRPA application is enclosed for your review.

Thank you for considering this application. Should you have any questions while reviewing the enclosed documents, do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan M. McCarthy".

Ryan M. McCarthy, P.E., P.L.S.

President  
Tidewater Engineering & Surveying, Inc.  
(207) 439-2222  
ryan@tidewatercivil.com

Enclosures



REPLY TO ATTENTION OF

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

MAINE GENERAL PERMITS (GPs)
AUTHORIZATION LETTER AND SCREENING SUMMARY

JUDITH MCKENNA
JUDITH A. MCKENNA REV. TRUST OF 1997
42 PEPPERELL ROAD
KITTERY POINT, MAINE 03905

CORPS PERMIT # NAE-2022-02668
CORPS GP# 3
STATE ID# NRPA

DESCRIPTION OF WORK:

Install and maintain a 4-ft. wide x 85-ft. long pile-supported timber pier with a 3-ft. wide x 35-ft. long ramp leading to a 30-ft. long x 10-ft. wide float with associated mooring tackle located below the mean high water mark of the Piscataqua River off 42 Pepperell Road at Kittery Point, Maine. In addition, four batter piles will be installed at the riverward edge of the pier. This work is shown on the attached plans entitled "USGS PROJECT LOCATION MAP" and TOWN GIS PROJECT LOCATION MAP in two sheets undated, and "PROPOSED PIER & FLOAT PLAN" in one sheet dated "NOV. 18, 2022".

See GENERAL and SPECIAL CONDITIONS attached.

LAT/LONG COORDINATES: 43.081176° N -70.711152° W USGS QUAD: KITTERY, MAINE

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 Federal Permit, the Maine General Permits (GPs) which can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/ Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the GPs, including the GPs conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GPs 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 45 of the GPs (page 19) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GPs on October 14, 2025. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 14, 2026.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

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.

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

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 15DEC2022 LEVEL OF REVIEW: SELF-VERIFICATION: PRE-CONSTRUCTION NOTIFICATION: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 X , 404 , 10/404 , 103

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

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

If you have any questions on this matter, please contact my staff at 978-318-8676 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at: http://corpsmapu.usace.army.mil/cm\_apex/f?p=136:4:0

Handwritten signature of Colin M. Greenan

COLIN M. GREENAN
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

FRANK J. DEL GIUDICE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



US Army Corps  
of Engineers®  
New England District

**PLEASE NOTE THE FOLLOWING GENERAL AND SPECIAL CONDITIONS FOR  
DEPARTMENT OF THE ARMY  
MAINE GENERAL PERMIT 3  
PERMIT NO. NAE-2022-02668**

**GENERAL CONDITIONS**

**11. Navigation.** a. There shall be no unreasonable interference with general navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein. b. Work in, over, under, or within a distance of three times the authorized depth of an FNP shall specifically comply with GC 10. c. Any safety lights and/or signals prescribed by the U.S. Coast Guard, State of Maine or municipality, through regulations or otherwise, shall be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the U.S. d. The permittee understands and agrees that, if future operations by the U.S. 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, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

**31. Storage of Seasonal Structures.** Seasonal or recreational structures such as pier sections, floats, aquaculture structures, etc. that are removed from the waterway for a portion of the year shall be stored in an upland location and not in wetlands, tidal wetlands, their substrate, or on mudflats. These seasonal structures may be stored on the fixed, pile-supported portion of a structure that is waterward of the mean high water mark or the ordinary high water mark, e.g. the storage of a ramp or gangway on the pile-supported pier. Seasonal storage of structures in navigable waters, e.g., in a protected cove, requires prior Corps approval and local harbormaster approval.

**33. Permit(s)/Authorization Letter On-Site.** The permittee shall ensure that a copy of the terms and conditions of these GPs and any accompanying authorization letter with attached plans are at the site of the work authorized by these GPs whenever work is being performed and that all construction personnel performing work which may affect waters of the U.S. are fully aware of the accompanying terms and conditions. The entire permit authorization shall be made a part of any and all contracts and subcontracts for work that affects areas of Corps jurisdiction at the site of the work authorized by these GPs. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means all terms and conditions of the GPs, the GPs, and the authorization letter (including its drawings, plans, appendices and other attachments) and subsequent permit modifications as applicable. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or subcontract. Although the permittee may assign various aspects of the work to different contractors or subcontractors, all contractors and subcontractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization, and no contract or subcontract shall require or allow unauthorized work in areas of Corps jurisdiction.

**34. Inspections.** The permittee shall allow the Corps to make periodic inspections at any time deemed necessary in order to ensure that the work is eligible for authorization under these GPs, is being, or has been performed in accordance with the terms and conditions of these GPs. To facilitate these inspections, the permittee shall complete and return to the Corps the Work-Start Notification Form and the Compliance Certification Form when either is provided with an authorization letter. **These forms are attached after the plans.**

**SPECIAL CONDITION**

1. All piles shall be installed during periods of low water when the site is in-the-dry in order to prevent potential effects to endangered marine species and to minimize impacts to Essential Fish Habitat.

November 21, 2022

Maine Dept. of Environmental Protection  
Bureau of Land & Water Quality  
312 Canco Road  
Portland, ME 04103



Re: NRPA Application: Judith A. McKenna  
42 Pepperrell Road, Kittery Point, ME 03905 (Tax Map 18 Lot 27) - Reference No. 22-133

To Whom It May Concern:

Attached is an NRPA application on behalf of Judith A. McKenna associated with a proposed docking structure at 42 Pepperrell Road, Kittery Point, ME 03905 (Tax Map 18 Lot 27) . This application, along with supplemental attachments, have been forwarded to the ACOE, Kittery Town Office, Maine Historic Preservation Commission and the five Indian tribes of Maine. All abutting property owners have been notified by certified mail and a notice of intent to file was circulated in the Portsmouth Herald.

Thank you for considering this application. Should you have any questions while reviewing the enclosed documents, do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan M. McCarthy".

Ryan M. McCarthy, P.E., P.L.S.

President  
Tidewater Engineering & Surveying, Inc.  
(207) 439-2222  
ryan@tidewatercivil.com

cc w/ enclosures: U.S. Army Corps of Engineers  
Kittery Town Office  
Maine Historic Preservation Commission  
Mi'kmaq Nation  
Passamaquoddy Tribe of Indians (Perry, ME)  
Passamaquoddy Tribe of Indians (Princeton, ME)  
Houlton Band of Maliseet Indians  
Penobscot Indian Nation  
Riverside & Pickering Marine Contractors  
Judith A. McKenna

## APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

<b>1. Name of Applicant:</b> Judith A. McKenna, Trustee Judith A. McKenna Rev. Trust of 1997		<b>5. Name of Agent:</b> Tidewater Engineering & Surveying, Inc.							
<b>2. Applicant's Mailing Address:</b> 42 Pepperrell Road Kittery Point, ME 03905		<b>6. Agent's Mailing Address:</b> 1021 Goodwin Road, Unit #1 Eliot, ME 03903							
<b>3. Applicant's Daytime Phone #:</b> (603) 398-2606		<b>7. Agent's Daytime Phone #:</b> (207) 439-2222							
<b>4. Applicant's Email Address (Required from either applicant or agent):</b> judith.mckenna@comcast.net		<b>8. Agent's Email Address:</b> ryan@tidewatercivil.com							
<b>9. Location of Activity: (Nearest Road, Street, Rt.#)</b> 42 Pepperrell Road		<b>10. Town:</b> Kittery	<b>11. County:</b> York						
<b>12. Type of Resource: (Check all that apply)</b> <input checked="" type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		<b>13. Name of Resource:</b> Piscataqua River <span style="float: right;">Direct Impacts</span>							
		<b>14. Amount of Impact: (Sq.Ft.)</b> Potential Indirect Impacts →							
		<b>Fill:</b> 9 sf pilings / 64 sf moorings <b>Dredging/Veg Removal/Other:</b> 686 SF +/- pier/floats							
<b>15. Type of Wetland: (Check all that apply)</b> <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input checked="" type="checkbox"/> Open Water <input checked="" type="checkbox"/> Other <u>Tidal</u>		<b>FOR FRESHWATER WETLANDS</b>							
		<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 33%;"><i>Tier 1</i></td> <td style="text-align: center; width: 33%;"><i>Tier 2</i></td> <td style="text-align: center; width: 33%;"><i>Tier 3</i></td> </tr> <tr> <td style="border: none;"> <input type="checkbox"/> 0 - 4,999 sq ft.  <input type="checkbox"/> 5,000-9,999 sq ft  <input type="checkbox"/> 10,000-14,999 sq ft         </td> <td style="border: none;"> <input type="checkbox"/> 15,000 – 43,560 sq. ft.         </td> <td style="border: none;"> <input type="checkbox"/> &gt; 43,560 sq. ft. or  <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1         </td> </tr> </table>		<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>	<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1
<i>Tier 1</i>	<i>Tier 2</i>	<i>Tier 3</i>							
<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft <input type="checkbox"/> 10,000-14,999 sq ft	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1							
<b>16. Brief Activity Description:</b> Construct a 4' x 85' permanent timber pier, 3' x 35' seasonal gangway, and a 10' x 30' main float with 4 mooring blocks on the applicant's property in Kittery Point. Mooring blocks will be secured with 200' of 1/2" marine-grade chain. Access to the timber pier will be by permanent timber steps that connect to a permanent 4' x 6' landing at the top of the bank.									
<b>17. Size of Lot or Parcel &amp; UTM Locations:</b> <input checked="" type="checkbox"/> 35,270 square feet, or <input type="checkbox"/> _____ acres		UTM Northing: <u>4771257.30 m</u> UTM Easting: <u>360731.22 m</u>							
<b>18. Title, Right or Interest:</b> <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement									
<b>19. Deed Reference Numbers:</b> Book#: 18088 Page: 786		<b>20. Map and Lot Numbers:</b> Map #: 18 Lot #: 27							
<b>21. DEP Staff Previously Contacted:</b> No		<b>22. Part of a larger project:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
<b>23. Resubmission of Application?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>25. Previous Wetland Alteration:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
<b>24. Written Notice of Violation?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>26. Detailed Directions to the Project Site:</b> South on Rt. 95 to Kittery (Rt. 236) take exit 2 onto Rt. 236 South. Follow for .4 miles. At the traffic circle, take the 3rd exit onto ME-236 S. Road will become Whipple Road/Route 103, then Pepperrell Road. Follow this road for 1.1 miles. Property is located on the right hand side of Pepperrell Road shortly after Lawrence Lane and is the second of adjoined driveways.							
<b>27. TIER 1</b>		<b>TIER 2/3 AND INDIVIDUAL PERMITS</b>							
<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Narrative Project Description <input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> Statement of Avoidance & Minimization <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input checked="" type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input checked="" type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required							
<b>28. FEES Amount Enclosed:</b> \$489 processing fee + \$122 licensing = \$611 Total									

**CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2**



**IMPORTANT: IF THE SIGNATURE BELOW IS NOT THE APPLICANT'S SIGNATURE, ATTACH LETTER OF AGENT AUTHORIZATION SIGNED BY THE APPLICANT.**

By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following :

**DEP SIGNATORY REQUIREMENT**

**PRIVACY ACT STATEMENT**

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor a permit be issued.

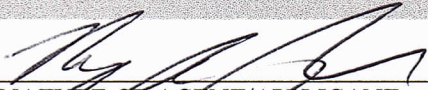
**CORPS SIGNATORY REQUIREMENT**

USC Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

**DEP SIGNATORY REQUIREMENT**

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Further, I hereby authorize the DEP to send me an electronically signed decision on the license I am applying for with this application by emailing the decision to the address located on the front page of this application (see #4 for the applicant and #8 for the agent)."

  
\_\_\_\_\_  
SIGNATURE OF AGENT/APPLICANT

Date: 11/18/2022

**NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.**





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MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



AGENT LETTER OF AUTHORIZATION

August 12, 2022

Re: Letter of Agent Authorization  
Proposed Pier & Float Structure: 42 Pepperrell Road, Kittery Point, ME 03905  
Reference Job No. 22-133

To Whom It May Concern:

This letter is to inform the Town of Kittery, the Maine Department of Environmental Protection, and the U.S. Army Corps of Engineers that Tidewater Engineering & Surveying, Inc. and Riverside & Pickering Marine Contractors, Inc. are hereby authorized to represent us as our agents in permitting a proposed pier and float structure on our property. Said property is located at 42 Pepperrell Road in Kittery Point, Maine.

Please contact me if there is any question regarding this authorization.

Sincerely,

A handwritten signature in black ink that reads "Judith A. McKenna". The signature is written in a cursive style with a large initial "J" and "M".

Judith A. McKenna, Trustee  
Judith A. McKenna Revocable Trust of 1997  
42 Pepperrell Road  
Kittery Point, ME 03905

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



PROPERTY DEED

NANCY E HAMMOND, REGISTER OF DEEDS  
E-RECORDED Bk 18088 PG 786  
Instr # 2019047103  
11/04/2019 11:28:58 AM  
Pages 2 YORK CO

## WARRANTY DEED

Maine R.E. Transfer Tax Paid

*KNOW ALL By THESE PRESENT* that **BRIAN M. RODONETS and JAN L. RODONETS**, with a mailing address of 42 Pepperrell Road, Kittery Point, Maine 03905 for consideration paid, *grants* to **JUDITH A. MCKENNA, Trustee of the JUDITH A. MCKENNA REVOCABLE TRUST OF 1997**, with a mailing address of 1351 Beech Street, Manchester, New Hampshire 03104 with *Warranty Covenants*, two certain tracts of land, with the buildings thereon, said tracts of land being shown on a map entitled, "*Plan of Lots for Alvah W. Sulloway in Kittery Point, York County, Maine, Scale 1" = 20' C.S. Gerrish, C.E. August 1959*" and recorded in the York County Registry of Deeds in Plan Book 28, Map 13, and more particularly described as follows:

### Tract 1:

Beginning at the northwesterly corner of the tract herein described on Pepperrell Road, at land now or formerly of Maria Deyo and running along Pepperrell Road N 78° 30' E 100' to a pipe at the northwest corner of land of Susan S. Sulloway, designated hereon as Tract 2 below; thence turning and running S 17° 30' E 100' to a hub; thence turning and running S 46° E 61.5' to a pipe on the Atlantic Ocean; thence turning and running S 48° by the Atlantic Ocean 135' to a hub at land of Deyo; thence turning and running N 11° W 45' along the land of Deyo to an angle; thence turning and running S 86° W 45' along the land of Deyo to a metal pin; thence turning and running N 6° W 170' along Deyo land to the place of beginning.

### Tract 2:

Beginning at a granite monument located on the southerly side of Pepperrell Road at the northeast corner of the tract herein described, which said granite monument marks the northerly end of the boundary line between this tract and land of the State of Maine known as Fort McClary; thence turning and running S 14° E 127' to a large granite monument; thence turning and running S 14° E to a hub at the Atlantic Ocean; thence tuning and running S 52° W 48' by the Atlantic Ocean to an iron pipe; thence turning and running N 46° W 61.5' to a hub; thence turning and running N 17° 30' W 100' to an iron pipe on the southerly side of Pepperrell Road; thence turning and running N 78° 30' E 81.1' to the place of beginning.

MAINE DEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTEERY POINT, ME 03905






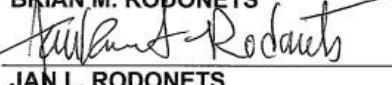
Both aforesaid premises are **SUBJECT TO** the following:

1. Electric, telephone, or water lines of public utilities serving subject premises, and
2. Zoning, planning, or other regulations imposed or as may be imposed by governmental authority.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantors by deed of Alvah W. Sulloway and Susan S. Sulloway, dated April 17, 1985 and recorded in the York County Registry of Deeds at Book 3522, Page 332.

*IN WITNESS WHEREOF*, **BRIAN M. RODONETS** and **JAN L. RODONETS** has caused this instrument to be signed this 1 day of November, 2019.

  
\_\_\_\_\_  
Witness  
  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
**BRIAN M. RODONETS**  
  
\_\_\_\_\_  
**JAN L. RODONETS**


STATE OF *New Hampshire*  
County of *Rockingham*

November 1, 2019

Then personally appeared the above-named, **BRIAN M. RODONETS** and **JAN L. RODONETS** and acknowledged the foregoing instrument to be their free act and deed.

Before me,



  
\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**ATTACHMENT #1- PROJECT DESCRIPTION:**

A. INTRODUCTION/PURPOSE:

The subject parcel has frontage on the Piscataqua River in Kittery Point and the owner/applicant is seeking approval of a proposed docking structure to provide them with safe and efficient access to the coastal resource for recreational purposes such as boating, rowing and fishing. The applicant currently owns a 9' sailboat they plan to keep secured to the main float once constructed. Should the permitting be approved, the applicant hopes to purchase a 19'-24' center console motorboat. Additionally, the dock will be used to launch kayaks and paddleboards.

B. PROJECT SUMMARY:

The proposed project consists of installing timber stairs that provides access to a 4' x 85' permanent fixed timber pier. The fixed pier will be supported by fourteen (14) 12" diameter timber piles, with four (4) batter piles supporting the seaward-most sets of piles. Ten (10) of the 14 support piles are located below the H.A.T. line. A 3' x 35' aluminum gangway will extend from the end of the fixed pier to a 10' x 30' main float. Four concrete mooring blocks will anchor the main float, connected with ½" marine grade chain. The proposed fixed pier, gangway and float system will extend southeast from a rocky outcropping on the applicant's shoreline and will not be located within the riparian setbacks. No other docking structure is proposed.

C. HISTORICAL KNOWLEDGE:

The property was purchased by the applicant in 2019 and the historical use or access to the water is unknown. Review of aerial photographs from 1992 to present do not show evidence of previously existing docks or boats being launched from the property. The property located to the southwest of the applicant's property (Tax Map 18, Lot 28), contains a 105 foot +/- fixed pier with float. Additionally, the property directly east of Fort McClary (Tax Map 18, Lot 46), contains a 105 foot +/- fixed pier with float.

D. IMPACT CALCULATIONS:

The total permanent impacts below the H.A.T. is estimated as follows...

10 piles @ 12" diameter = 8 sf  
4 batter piles @ 12" diameter = 3 sf  
Four (4) 4' x 4' concrete mooring blocks = 64 sf  
Total Permanent Impacts = 75 sf +/-

The total indirect impacts below the H.A.T. is estimated as follows...

Fixed Pier = (4' x 85') = 288 sf (portion below the HAT line only)  
Gangway = (3' x 32.5') = 98 sf (portion not on top of main float)  
Main Float = (10' x 30') = 300 sf  
Total Indirect Impacts = 686 sf +/-

E. ADJACENT STRUCTURES:

Tax Map 18 Lot 28: Contains a 105 foot +/- fixed pier with float.

Tax Map 18 Lot 46: Contains a 105 foot +/- fixed pier with float.

F. OFF-SEASON STORAGE:

During the off-season, the 3' x 35' gangway will be stored on the fixed pier. The 10' x 30' float will be removed and stored off-site on uplands by a third-party company.

G. LOCATION-BASED IMPACT MITIGATION:

After thoroughly evaluating the shoreline, intertidal and subtidal zone along this property, we are recommending the proposed docking structure location shown on the enclosed plans for the following reasons:

- 1) Provides the shortest length required to reach a sufficient depth of water for their watercraft at low tide, thereby minimizing impacts to the resource.
- 2) The proposed float is positioned beyond the mean low water and will not rest on the substrate at most low tides. This will eliminate scour, surface impacts and the need for float skids.
- 3) The proposed fixed pier does not extend beyond the mean low water mark and will remain in the intertidal zone.
- 4) All components of the docking system comply with the 25-foot riparian setbacks.
- 5) Access to the pier will be via a staircase that extends from a landing at the top of the bank to the fixed pier. This will provide direct access to the pier, gangway and float from the lawn, without impacting the coastal bluff or sensitive intertidal zone.
- 6) The uplands adjacent to the proposed pier are developed as lawn area and will not require the removal of any trees or other vegetation to provide access to the proposed dock system.

**ATTACHMENT #2- ALTERNATIVES ANALYSIS:**

- 1) Do Nothing: This alternative would be for the applicant to access the shoreline and waterway directly, without using a dock or float system. This alternative was not pursued for the following reasons:
  - a. The existing shoreline and tide fluctuations do not provide safe access and berthing of recreational watercraft. Vessels would rest directly on the intertidal surface, causing direct impacts and damage to the intertidal zone.
  - b. Without a docking structure that permits access to deep water, the owners will continue to walk and drag smaller boats across the sensitive intertidal habitat instead. This will cause more impacts to the resource than the proposed option.
  - c. The owners will be limited in the type of activities they seek to enjoy on the Piscataqua River and connected waterbodies.
  
- 2) Seasonal Dock and Float System: This alternative would be for the applicant to purchase and install a seasonal docking system that would allow access to the Piscataqua River during a portion of the year. This alternative was not pursued for the following reasons:
  - a. The installation and removal of a seasonal dock system would cause bi-annual impact to the intertidal zone when sections of the dock are installed and removed during spring and fall months.
  - b. The nature of the intertidal zone at the site would require a seasonal dock system that was prohibitively long (similar in length to the proposed permanent fixed pier) to allow watercraft to remain waterborne during low tides. A seasonal dock of such length would be prohibitively high above the water and subject to extreme tidal forces and weather conditions, something beyond the capacity and rating of most seasonal dock systems.
  - c. A shortened seasonal dock system would mean any watercrafts attached to the seasonal floats would sit on the surface of the intertidal zone during low tide, increasing impacts to the sensitive resource and habitats.
  
- 3) Reduce Length: Another alternative would be to reduce the length of the proposed docking structure. This was not pursued for the following reasons:
  - a. The main float will rest on the surface of the intertidal zone during all low tides, increasing impacts to the sensitive resource and habitats.
  - b. Any watercraft attached to the floats will also sit on the surface of the intertidal zone, increasing impacts to the sensitive resource and habitats.
  - c. The surface of the intertidal zone consists of a mixture of exposed ledge, and cobble. These surfaces will cause the floats to sit unbalanced and increase the likelihood of damage. The watercrafts would also rest, rock and scrape



MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



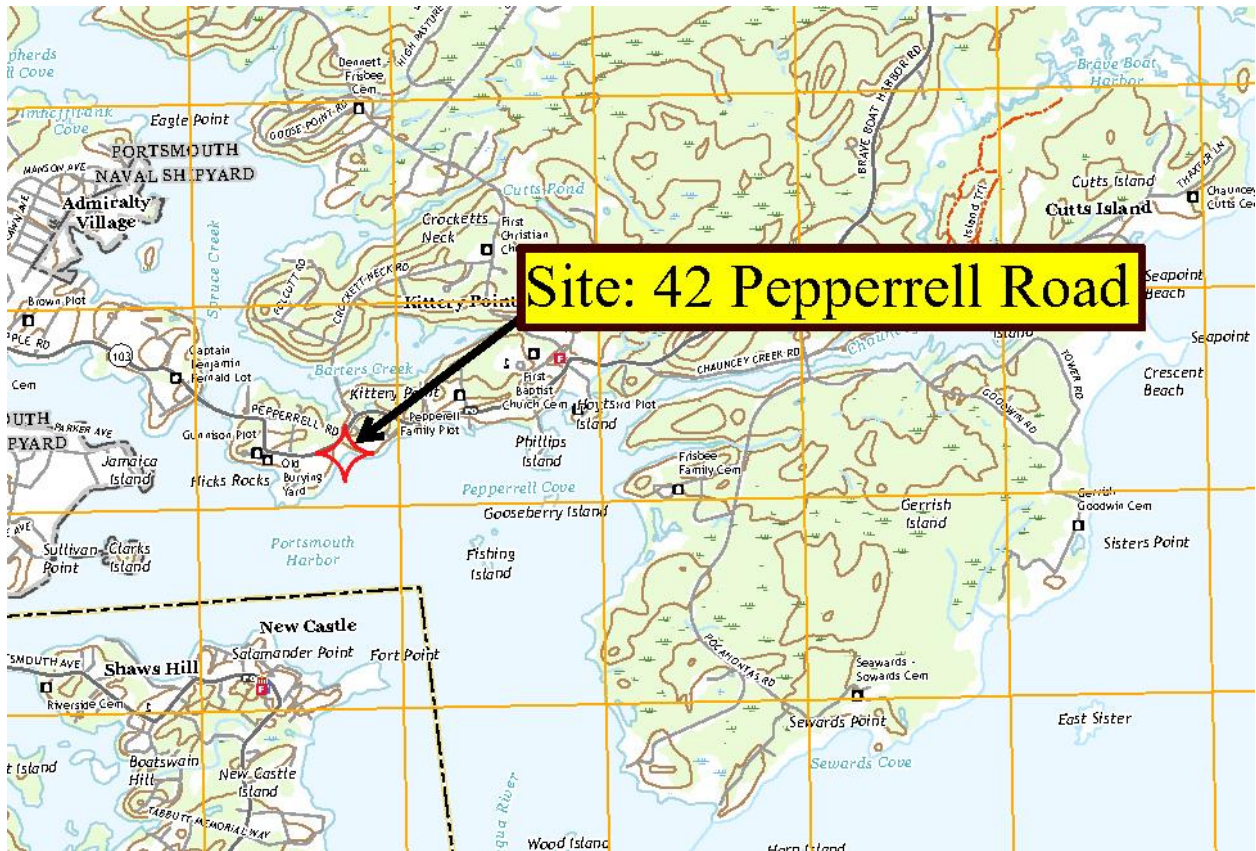
on abrasive surfaces, causing significant damage to the hull of the vessel. This could lead to holes in the hull, submerging the watercraft and potential discharge of fuel into the river, all of which would be harmful to the resource.

MAINE DEP NRPA PERMIT APPLICATION  
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LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



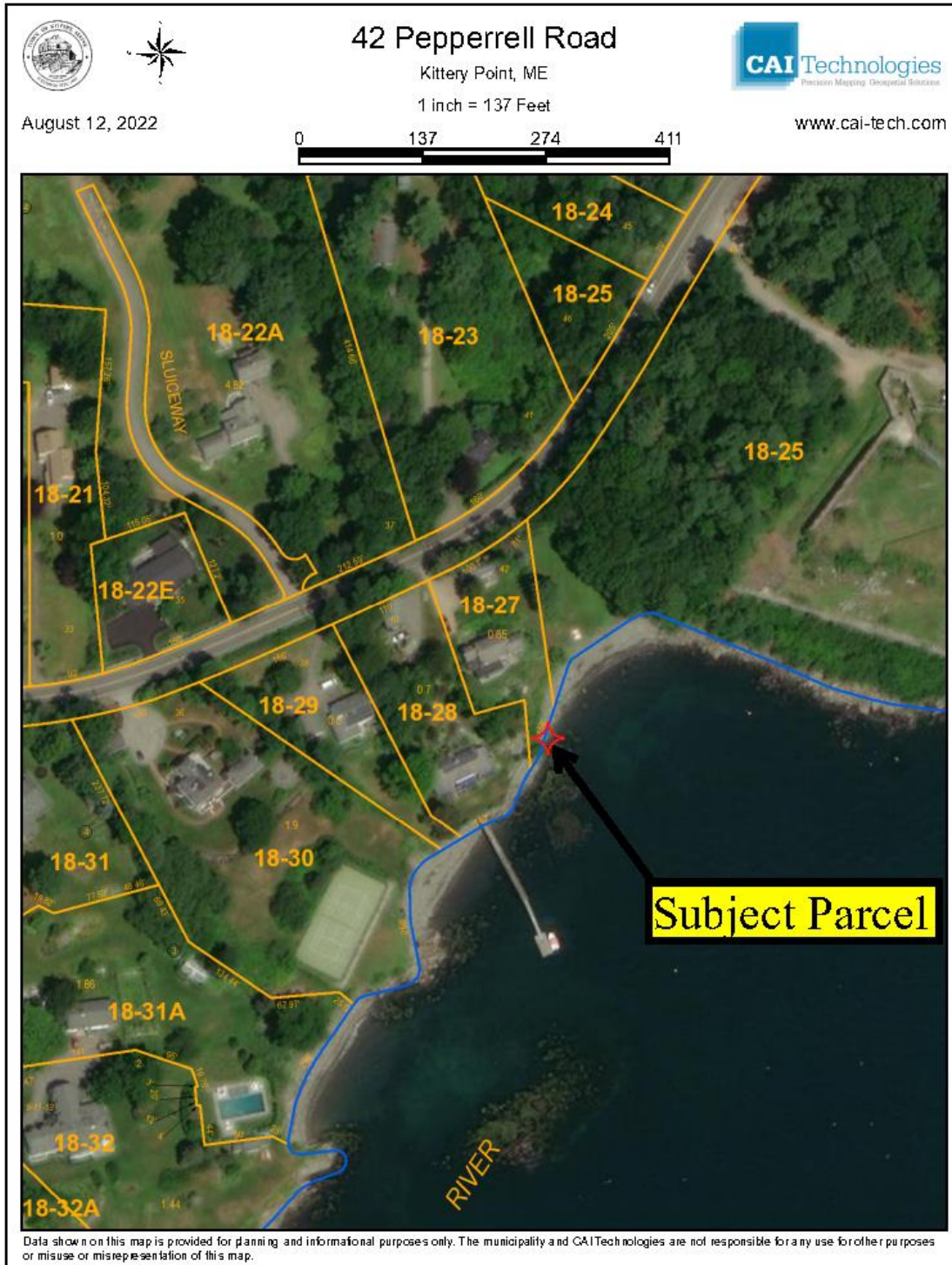
**ATTACHMENT #3- LOCATION MAPS:**

**A. USGS PROJECT LOCATION MAP**





B. TOWN GIS PROJECT LOCATION MAP





MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**ATTACHMENT #4- PROJECT SITE PHOTOS:**

Photo 1: View showing proposed Fixed Pier location (11/14/2022)





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Photo 2: View showing rocky shoreline, boulder/cobble beach (5/4/2022)





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Photo 3: Panorama of shoreline from water (11/4/2022)





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Photo 4: View showing abutting pier (Tax Map 18, Lot 28), ledge outcrop (11/14/2022)



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**ATTACHMENT #5- PROPOSED PIER & FLOAT PLAN:**







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LOCATION: 42 PEPPERRELL ROAD, KITTEERY POINT, ME 03905



**ATTACHMENT #7- CONSTRUCTION PLAN:**

The construction and installation of the fixed pier, gangway and floats shall take place from the water side of the property. A small barge mounted crane will be brought to the site via the Piscataqua River. This barge will be used to position/install the pilings and deliver materials. Following mobilization, the first step in the process is to install the pilings. This is completed using a crane mounted vibrator hammer for pilings driven in earthen substrates. If the pilings are located on a ledge surface, the pilings are secured into position using pins and chains, as needed, depending on site conditions. Pilings will be made of pressure treated southern yellow pine.

Construction of the fixed pier occurs immediately following installation of the piles. This includes the joists, decking, bracing, railings, hardware and post caps. The installation of the fixed pier primarily occurs from the barge and from staging supported by the pilings. This allows for the crew to stay above the water during periods of high tide and minimizes foot traffic on the surface of the intertidal zone. All dimensional lumber will be made of pressure treated southern yellow pine. The owner may choose to install untreated decking and rails as an alternate to pressure-treated products.

The gangway and floats are constructed offsite and brought to the site. The aluminum gangway is connected directly to both the fixed timber pier and the main float. Four precast concrete mooring blocks with chains connect to and secure the main float in the proper position.

The last step in the process is the installation of the access stairway and landing that extends from the fixed pier to the lawn area. All materials will be constructed from pressure treated southern yellow pine, unless the owner specifies the use of alternative decking products.

The following is an estimate of the construction duration for each phase

Piling Installation	3 days
Fixed Pier Installation	5 days
Gangway/Float Installation	3 days
Access Stairs/Landings	5 days
Total Construction Duration	16 days



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**ATTACHMENT #8- EROSION CONTROL PLAN:**

Riverside & Pickering Marine Contractors will construct the docking system for the applicant. They have many years of experience installing pier and float systems throughout New England. As the proposed activity does not include grading, bulldozing, digging, scraping the earth or filling, it is their opinion that erosion control measures are not necessary for this project due to the minimal ground disturbance anticipated.

The fixed pier will be supported by piles driven into the substrate where possible and pinned directly to ledge in the event appropriate depth cannot be achieved. No open excavation is proposed or necessary within the resource or below the highest annual tide. Installation of the fixed pier primarily occurs from the barge and from staging supported by the pilings/pier to minimize foot traffic on the intertidal substrate. As such, the disturbance from foot traffic and digging on the resource to install siltation barriers (i.e. silt fence, filtration socks, etc.) around the perimeter of the project site will exceed the disturbance from installing the pilings. In addition, maintaining said siltation measures through tide cycles, strong currents and wave action would be difficult and result in further foot traffic on the resource.

Overall, Riverside & Pickering Marine Contractors anticipates minimal sedimentation or suspension of sediments from the installation of the docking system.

MAINE DEP NRPA PERMIT APPLICATION  
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## **ATTACHMENT #9- SITE CONDITION REPORT**

The site plan enclosed as Attachment 5 depicts two-foot contours, existing resource boundaries, the area of the resource to be altered, activity location and dimensions and wetland/waterbody classification. The permanent section of the proposed docking system is located within both upland areas and the intertidal zone. The fixed pier is supported on timber pilings and extends approximate 72 feet beyond the highest annual tide line. As depicted in the site plan, the fixed pier is not proposed to extend beyond mean low water.

As this project is associated with a coastal resource subject to tidal action, the upland edge of the resource was delineated by the highest annual tide (HAT) elevation published by Maine DEP for 2018. The HAT for Kittery Point is elevation 6.3' referenced to the North American Vertical Datum of 1988 (NAVD88). This method for delineating the coastal resource is widely accepted by the State of Maine pursuant to the Mandatory Shoreland Zoning Act.

The surface of the resource and intertidal zone within the project limits is comprised primarily of ledge and cobble stones. A portion of the property, as depicted on the site plan, shows a large ledge outcropping extending along the southern riparian line. Large boulders are scattered close to the shoreline embankment and rest on a mixed cobble and gravel surfaces. Extending toward the Piscataqua river, large rock becomes less prevalent, and cobble predominates. Rockweed covers areas where ledge is exposed but is largely absent in areas covered by cobble. For more detailed information, please refer to the enclosed *Appendix B: MDEP Coastal Wetland Characterization: Intertidal and Shallow Subtidal Field Survey Checklist*.

A profile view of the proposed docking system is provided within Attachment 5. This view provides a clear representation of the proposed docking system with respect to the substrate and the tidal elevations experienced at this site, including LAT, MLW, MHW, HAT and the 100-year flood elevation. The 100-year flood elevation published by FEMA is elevation 13.0 feet (NGVD29) which corresponds to elevation 12.25' (NAVD88), the elevation datum depicted on the plans. As depicted in the profile view, the bottom surface of the lowest horizontal member of the pier is located approximately 9 inches above the 100-year flood elevation.

The shoreline at the location of the proposed pier is considered stable and consists of exposed ledge outcroppings. The adjacent uplands are developed with landscaped areas and residential structures. No trees or upland vegetation will be impacted by the proposed pier, gangway or float.

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
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**ATTACHMENT #10- NOTICE OF INTENT TO FILE, CERTIFICATION & ABUTTER NOTICES:**

The following documents are enclosed under this section...

- A. PUBLIC NOTICE: NOTICE OF INTENT TO FILE
- B. PUBLIC NOTICE FILING AND CERTIFICATION
- C. TAX MAP
- D. LIST OF ABUTTERS
- E. ABUTTER CERTIFIED MAIL RECEIPTS

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



A. PUBLIC NOTICE OF INTENT TO FILE

08/08

PUBLIC NOTICE:  
NOTICE OF INTENT TO FILE

Please take notice that

**Applicant:** Judith A. McKenna

**Agent:** Tidewater Engineering & Surveying, Inc.  
1021 Goodwin Road, Unit 1, Eliot, ME 03903

**Phone:** (207) 439-2222

*(Name, Address and Phone # of Applicant)*

is intending to file a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A thru 480-BB on or about

11/18/22

*(anticipated filing date)*

The application is for

The construction of a residential timber pier with a seasonal gangway and float to provide access to the Piscataqua River.

*(description of the project)*

at the following location:

42 Pepperrell Road, Kittery Point, ME 03905 (Tax Map 18, Lot 27)

*(project location)*

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456. (Delete if not applicable.)

The application will be filed for public inspection at the Department of Environmental Protection's office in (Portland, Augusta or Bangor) (circle one) during normal working hours. A copy of the application may also be seen at the municipal offices in \_\_\_\_\_ Kittery \_\_\_\_\_, Maine.  
*(town)*

Written public comments may be sent to the regional office in Portland, Augusta, or Bangor where the application is filed for public inspection:

MDEP, Central Maine Regional Office, 17 State House Station, Augusta, Maine 04333

MDEP, Southern Maine Regional Office, 312 Canco Road, Portland, Maine 04103

MDEP, Eastern Maine Regional Office, 106 Hogan Road, Bangor, Maine 04401

*(goldenrod)*

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



B. PUBLIC NOTICE FILING AND CERTIFICATION

08/08

**PUBLIC NOTICE FILING AND CERTIFICATION**

Department Rules, Chapter 2, require an applicant to provide public notice for all Tier 2, Tier 3 and individual Natural Resources Protect Act projects. In the notice, the applicant must describe the proposed activity and where it is located. "Abutter" for the purposes of the notice provision means any person who owns property that is BOTH (1) adjoining and (2) within one mile of the delineated project boundary, including owners of property directly across a public or private right of way.

1. **Newspaper:** You must publish the Notice of Intent to File in a newspaper circulated in the area where the activity is located. The notice must appear in the newspaper within 30 days prior to the filing of the application with the Department. You may use the attached Notice of Intent to File form, or one containing identical information, for newspaper publication and certified mailing.
2. **Abutting Property Owners:** You must send a copy of the Notice of Intent to File by certified mail to the owners of the property abutting the activity. Their names and addresses can be obtained from the town tax maps or local officials. They must receive notice within 30 days prior to the filing of the application with the Department.
3. **Municipal Office:** You must send a copy of the Notice of Intent to File and a **duplicate of the entire application** to the Municipal Office.

**ATTACH a list of the names and addresses of the owners of abutting property.**


**CERTIFICATION**

By signing below, the applicant or authorized agent certifies that:

1. A Notice of Intent to File was published in a newspaper circulated in the area where the project site is located within 30 days prior to filing the application;
2. A certified mailing of the Notice of Intent to File was sent to all abutters within 30 days of the filing of the application;
3. A certified mailing of the Notice of Intent to File, and a duplicate copy of the application was sent to the town office of the municipality in which the project is located; and
4. Provided notice of and held a public informational meeting, if required, in accordance with Chapter 2, Rules Concerning the Processing of Applications, Section 13, prior to filing the application. Notice of the meeting was sent by certified mail to abutters and to the town office of the municipality in which the project is located at least ten days prior to the meeting. Notice of the meeting was also published once in a newspaper circulated in the area where the project site is located at least seven days prior to the meeting.

The Public Informational Meeting was held on                     N/A                    .  
Date

Approximately   N/A   members of the public attended the Public Informational Meeting.

  
\_\_\_\_\_  
Signature of Applicant or authorized agent  
Agent: Tidewater Engineering & Surveying, Inc.

                    11/15/22                      
Date

(blue)



MAINE DEP NRPA PERMIT APPLICATION  
 APPLICANT: JUDITH MCKENNA  
 LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



C. PUBLIC NOTICE- NOI NEWSPAPER LISTING

88 | WEDNESDAY, NOVEMBER 16, 2022 | PORTSMOUTH HERALD/FOSTER'S DAILY DEMOCRAT

# classifieds

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 classifieds phone: 866.228.5694  
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 business & services email: [SeacoastBusServ@gannett.com](mailto:SeacoastBusServ@gannett.com)  
 jobs website: [seacoastonline.com/jobs](http://seacoastonline.com/jobs) jobs email: [recruitads@localiq.com](mailto:recruitads@localiq.com) jobs phone: 833.516.0229

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All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. The Seacoastonline.com reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in the first day of publication. The Seacoastonline.com shall not be liable for any loss or expense that results from an error in or omission of an advertisement. No refunds for early cancellation of order.

**Professional Service**  
 all your needs...

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 Ceilings - REPAIRED, INSTALLED, Drywall, Plaster, etc. We do WALLS too! Steve 603-964-8528

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 The Seacoast Handyman High ladder work, gutter cleaning, roofing repairs & leaf screen installation. Call 207-439-6416  
[www.seacoasthandyman.com](http://www.seacoasthandyman.com)

**Painting**  
 A+ Painting/Powerwashing Free Estimates-32 years Senior Discount References: Galley Hatch/Dinnerhorn (603) 964-1826

**Septic Tanks & Wells**

**EPPING WELL & PUMP CO. INC.**  
 Your Water Professionals Pumps. Certified Testing. Treatment. Irrigation. 603-679-5299, [epingswell.com](mailto:epingswell.com)

**We can sell it in CLASSIFIED**

**Real Estate Rentals**

**PUBLISHER'S NOTICE**  
 All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. "We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis."

**Apartments**  
 Hampton Beach Motel rooms, 1, 2 & 3 bedroom apartments for rent. Close to the beach. Call Sue & Erin 603-929-3322

**Your Source Public Notices**  
 for the latest...

**Bids & Proposals**  
**STRAFFORD COUNTY COMMISSIONERS Request for Bid/Proposal Mandatory Site Review**  
 November 17th, 9 AM Jail Main Entrance  
 266 County Farm Rd.  
 Dover, NH  
 \*\*All Bidders are required to attend this site review\*\*  
 Specifications for the above are available by contacting Gwen Weisgarber @ 603-516-5132 or by visiting the Current Bids section of the county website. Bid proposals must be received by December 8th @ 9AM. All proposals must be submitted in a sealed envelope clearly marked "Coolers" to the Strafford County Commissioners Office, 259 County Farm Road - Suite

**Bids & Proposals**  
 204, Dover, NH 03820. All bid proposals must include delivery and set-up. The Strafford County Commissioners reserve the right to reject any and all bids/ proposals. To award the bid to other than the lowest bidder if deemed "bid most advantageous to the County" and to waive any defects in bids.

**Govt Public Notices**  
**RYE PLANNING BOARD AMENDMENTS TO LAND DEVELOPMENT REGULATIONS**  
 The Rye Planning Board will hold public hearing on December 13, 2022, at 6:00 p.m. at the Rye Public Library on a proposed amendment to the Rye Planning Board Land Development Regulations, which is Chapter 202 of the Rye Town Code. LDR 2022-27 amends Article 111, 202-3.5.B(1)(e) as follows (Note: New text **emboldened and italicized**. Deleted text **struck through**)

(e) **Site Impact Analysis**. The Site Impact Analysis shall be a written report that describes the impact of the proposed land development. ~~It shall be prepared by an environmental engineer and shall comply with the requirements of 202-3.4.E (4) (7).~~  
 Copies of the proposed amendments is posted at the Rye Town Hall and on the Town Website and is available at the Planning Department Office. The Rye Planning Board Land Development Regulations may be found at Chapter 202 of the Town Code, which is

**Govt Public Notices**  
 available on the Town Website of the menu for the Selectmen's Office. The Town Code may also be inspected and copied at the Selectmen's Office, the Town Clerk's Office or the Planning Board Office. November 14, 2022  
 Steve Carter, Clerk  
 Rye Planning Board

**LEGAL/PUBLIC NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF STRATHAM**  
 Notice is hereby given that a public hearing will be held on Wednesday, November 16, 2022 at 7:00 PM, at the Stratham Municipal Center, 10 Bunker Hill Avenue, Stratham, NH for the Planning Board to consider the following:

Joy and Celeste Ward (Owners) - Request for approval of a conditional use permit to allow the installation of a small-scale ground mounted solar array at 10 Boat Club Drive (Tax Map 12, Lot 2), Zoned Residential Agricultural. Owner/Applicant's representative is Harmony Energy Works, 10 Gale Road, Hampton, NH 03842. Members of the public may attend this meeting in person at the date and time above or participate using the following conference call information. Please dial 1-800-764-1559 and input 4438 when prompted for a user pin/code. Please follow the Chair's instructions delivered at the meeting in order to register comments during the public hearing. If of any time during the meeting you have difficulty hearing the proceedings, please contact the Planning Department at [mconnors@strathamnh.gov](mailto:mconnors@strathamnh.gov).

**Govt Public Notices**  
 The proposed plans and application materials are on file with the Stratham Planning Department. For more information, including to view the application materials or to request special accommodations to participate in the public hearing, please contact the Planning Department at (603) 772-7391, ext. 184.

**Public Notices**  
**TOWN OF NORTHWOOD PUBLIC NOTICE**  
 To all interested and aggrieved persons, you are hereby notified of the following: To all interested and aggrieved persons, you are hereby notified of the following: The Northwood Zoning Board of Adjustment will meet at the Northwood Town Hall on November 28, 2022 at 6:30 p.m. to hear the following cases:  
**Case 22-18:** Brian Gardner, 1451 First NH Turnpike, Map 109; Lot 99. Applicant seeks an Appeal from an Administrative Decision of the Building Inspector for a sign permit to allow an off-premise sign.  
 The agenda to include any other business that may properly come before the board at this time.  
 Pamela Sanderson, Vice-Chair 11/14/2022

**PUBLIC NOTICE: NOTICE OF INTENT TO FILE**  
 Please take notice that Applicant: Judith A. McKenna  
 Agent: Tidewater Engineering & Surveying, Inc. 1021 Goodwin Road, Unit 1, Eliot, ME 03903  
 Phone: (207) 439-2222  
 is intending to file a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A thru 480-BB on or about 11/18/2022.  
 The application is for the construction of a residential timber pier with a seasonal gangway and float to provide

**Public Notices**  
 access to the Piscataqua River.  
 of the following location: 42 Pepperrell Road, Kittery Point, ME 03905 (Tax Map 18, Lot 27)  
 A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.  
 For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act, 16 U.S.C. § 1456.

The application will be filed for public inspection at the Department of Environmental Protection's office in Portland, during normal working hours. A copy of the application may also be seen at the municipal offices in Kittery, Maine. Written public comments may be sent to the regional office in Portland, where the application is filed for public inspection: MDEP, Southern Maine Regional Office, 312 Conco Road, Portland, Maine 04103

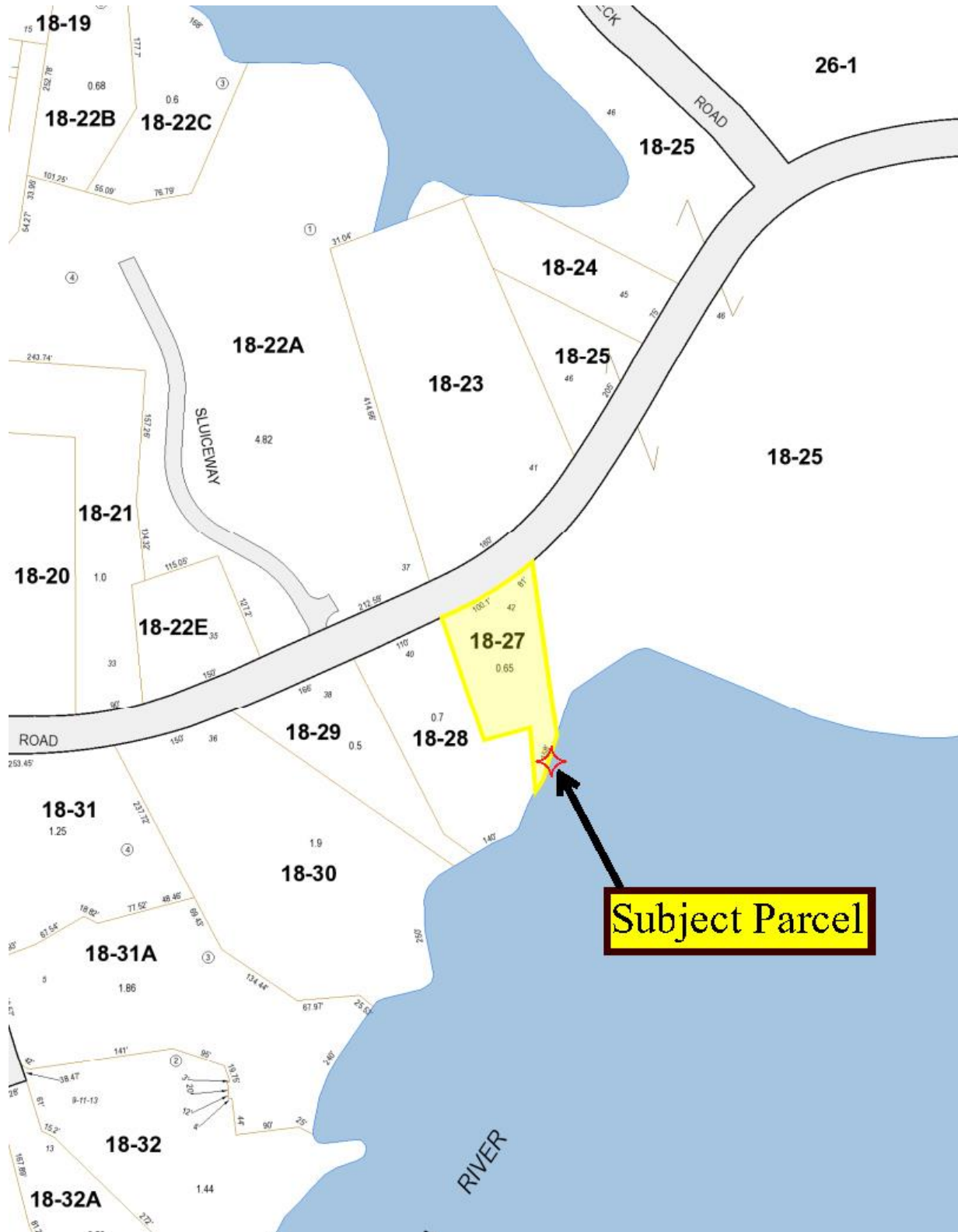
**Public Sale**  
**PUBLIC NOTICE NOTICE OF SALE**  
 November 28, 2022 - 9 a.m.  
 JF10PAD62CG202225  
 50 Wakefield Street  
 Rochester, NH 03867

**SELL IT BUY IT FIND IT**  
 Place your classified ad today.

MAINE DEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



D. TAX MAP



MAINE DEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



E. ABUTTERS LIST



### 75 foot Abutters List Report

Kittery, ME  
November 15, 2022

**Subject Property:**

Parcel Number: 18-23  
CAMA Number: 18-27  
Property Address: 42 PEPPERRELL ROAD

Mailing Address: JUDITH A. MCKENNA REV. TRUST OF  
1997 JUDITH A. MCKENNA REV. TRUST  
OF 1997  
42 PEPPERRELL ROAD  
KITTERY POINT, ME 03905

---

**Abutters:**

Parcel Number: 18-22A  
CAMA Number: 18-22A  
Property Address: 37 PEPPERRELL ROAD

Mailing Address: STEIDLE, CRAIG E STEIDLE, CRAIG E  
37 PEPPERRELL ROAD  
KITTERY POINT, ME 03905

---

Parcel Number: 18-23  
CAMA Number: 18-23  
Property Address: 41 PEPPERRELL ROAD

Mailing Address: KITTERY PARTNERS LLC KITTERY  
PARTNERS LLC  
300 EAST LIONSHEAD CIRCLE  
VAIL, CO 81657

---

Parcel Number: 18-25  
CAMA Number: 18-25  
Property Address: 46 PEPPERRELL ROAD

Mailing Address: STATE OF MAINE STATE OF MAINE  
BUREAU OF PARKS & LANDS 22 STATE  
HOUSE STATION  
AUGUSTA, ME 04333-0022

---

Parcel Number: 18-28  
CAMA Number: 18-28  
Property Address: 40 PEPPERRELL ROAD

Mailing Address: GIBSON TR, BONNIE KNICKERBOCKE  
GIBSON TR, BONNIE KNICKERBOCKE  
PO BOX 1434  
CAREFREE, AZ 85377



www.cai-tech.com

11/15/2022

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Page 1 of 1

Abutters List Report - Kittery, ME



MAINE DEP NRPA PERMIT APPLICATION  
 APPLICANT: JUDITH MCKENNA  
 LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



F. ABUTTER NOTIFICATION RECEIPTS

U.S. Postal Service™  
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Kittery Point, ME 03905

2559 6574 1000 0191 0202

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Vail, CO 81657

7020 1810 0001 1674 6525

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Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>

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 300 EAST LIONSHEAD CIRCLE  
 VAIL, CO 81657

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Carefree, AZ 85377

9159 6574 1000 0191 0202

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>

Sent To  
 BONNIE KNICKERBOCKER  
 P.O. Box 1434  
 CAREFREE, AZ 85377

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Kittery, ME 03904

7020 1810 0001 1674 6549

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>

Sent To  
 JORDAN KELLY  
 ATTN: TOWN PLANNER 200 ROGERS ROAD  
 KITTERY, ME 03904

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



**ATTACHMENT #11- FOR ARMY CORPS OF ENGINEERS:**

A copy of the entire application package has been submitted to the MHPC and the five recognized Native American tribes simultaneously with filing it with other agencies. Any correspondence received will be forwarded to the Army Corps of Engineers immediately. Also enclosed as Attachment 11A is the EPA IPaC "Official Species List" that was requested by Rob Hopkinson using the email address [rob@tidewatercivil.com](mailto:rob@tidewatercivil.com).

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



A. USFWS IPAC OFFICIAL SPECIES LIST



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Maine Ecological Services Field Office  
P. O. Box A  
East Orland, ME 04431  
Phone: (207) 469-7300 Fax: (207) 902-1588  
**Submitted via [rob@tidewatercivil.com](mailto:rob@tidewatercivil.com)**



In Reply Refer To:  
Project Code: 2022-0074384  
Project Name: McKenna: Proposed Dock System

August 12, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological



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APPLICANT: JUDITH MCKENNA  
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evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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Attachment(s):

- Official Species List

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Maine Ecological Services Field Office**  
P. O. Box A  
East Orland, ME 04431  
(207) 469-7300

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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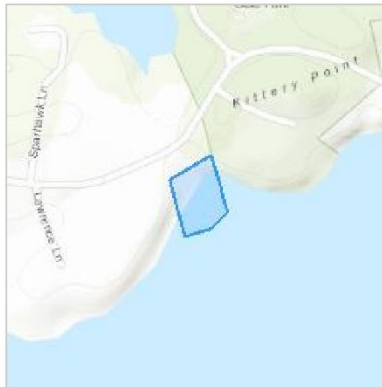
2

## Project Summary

Project Code: 2022-0074384  
Project Name: McKenna: Proposed Dock System  
Project Type: Boatlift/Boathouse/Dock/Pier/Piles - New Construction  
Project Description: Construction of a fixed pier, gangway, and main float for recreational use and access to the Piscataqua River.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.0810351,-70.71090166500015,14z>



Counties: York County, Maine





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## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Birds

NAME	STATUS
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2083">https://ecos.fws.gov/ecp/species/2083</a>	Endangered

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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### **IPaC User Contact Information**

Agency: Tidewater Engineering & Surveying, Inc.  
Name: Robert Hopkinson  
Address: 1021 Goodwin Road, Unit #1  
City: Eliot  
State: ME  
Zip: 03903  
Email: rob@tidewatercivil.com  
Phone: 2074392222

### **Lead Agency Contact Information**

Lead Agency: Army Corps of Engineers  
Name: Colin Greenan  
Email: Colin.M.Greenan@usace.army.mil  
Phone: 9783188676

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



B. USFWS VERIFICATION LETTER



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Maine Ecological Services Field Office  
P. O. Box A  
East Orland, ME 04431  
Phone: (207) 469-7300 Fax: (207) 902-1588  
**Submitted via [rob@tidewatercivil.com](mailto:rob@tidewatercivil.com)**



In Reply Refer To:  
Project code: 2022-0074384  
Project Name: McKenna: Proposed Dock System

August 12, 2022

Subject: Verification letter for the 'McKenna: Proposed Dock System' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Robert Hopkinson:

The U.S. Fish and Wildlife Service (Service) received on August 12, 2022 your effects determination for the 'McKenna: Proposed Dock System' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"<sup>11</sup> prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
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This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Roseate Tern *Sterna dougallii dougallii* Endangered

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

---

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

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### Action Description

You provided to IPaC the following name and description for the subject Action.

#### 1. Name

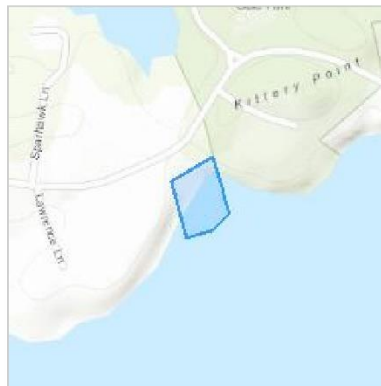
McKenna: Proposed Dock System

#### 2. Description

The following description was provided for the project 'McKenna: Proposed Dock System':

Construction of a fixed pier, gangway, and main float for recreational use and access to the Piscataqua River.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.0810351,-70.71090166500015,14z>



#### Determination Key Result

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

#### Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may



MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

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## Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

## Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?  
*Yes*
2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")  
*No*
3. Will your activity purposefully **Take** northern long-eared bats?  
*No*
4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?  
**Automatically answered**  
*No*
5. [Semantic] Is the project action area located within 0.25 miles of a known northern long-eared bat hibernaculum?  
Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency  
**Automatically answered**  
*No*
6. [Semantic] Is the project action area located within 150 feet of a known occupied northern long-eared bat maternity roost tree?  
Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency  
**Automatically answered**  
*No*



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## Project Questionnaire

**If the project includes forest conversion, report the appropriate acreages below.**

**Otherwise, type '0' in questions 1-3.**

1. Estimated total acres of forest conversion:

0

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

**If the project includes timber harvest, report the appropriate acreages below.**

**Otherwise, type '0' in questions 4-6.**

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

**If the project includes prescribed fire, report the appropriate acreages below.**

**Otherwise, type '0' in questions 7-9.**

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

**If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.**

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

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APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



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### **IPaC User Contact Information**

Agency: Tidewater Engineering & Surveying, Inc.  
Name: Robert Hopkinson  
Address: 1021 Goodwin Road, Unit #1  
City: Eliot  
State: ME  
Zip: 03903  
Email: rob@tidewatercivil.com  
Phone: 2074392222

### **Lead Agency Contact Information**

Lead Agency: Army Corps of Engineers  
Name: Colin Greenan  
Email: Colin.M.Greenan@usace.army.mil  
Phone: 9783188676

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



**ATTACHMENT #12- FUNCTIONAL ASSESSMENT:**

It is our understanding that the impacts associated with the proposed docking structure does not meet the threshold for requiring compensation, therefore it is assumed this attachment is not required. As such, a functional assessment has not been completed by the applicant. If this is not the case, please contact us and a functional assessment will be completed.

**ATTACHMENT #13- COMPENSATION:**

It is our understanding that the impacts associated with the proposed docking structure are too minor to warrant compensation. If this is not the case, please contact us to discuss compensation requirements.



MAINEDEP NRPA PERMIT APPLICATION  
 APPLICANT: JUDITH MCKENNA  
 LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**APPENDIX A:**

**APPENDIX A: MDEP VISUAL EVALUATION  
 FIELD SURVEY CHECKLIST**  
 (Natural Resources Protection Act, 38 M.R.S. §§ 480 A - Z)

Name of applicant: Judith A. McKenna Phone: 603-398-2606  
 Application Type: NRPA-Individual  
 Activity Type: (brief activity description) Construction of boardwalk, fixed pier, seasonal gangway, and floats.  
 Activity Location: Town: Kittery Point County: York  
 GIS Coordinates, if known: UTM Northing: 4771237.24 UTM Easting: 360719.36  
 Date of Survey: 11/2/2022 Observer: Ryan McCarthy, President Phone: (207) 439-2222  
Tidewater Engineering & Surveying, Inc.

	<b>Distance Between the Proposed Visibility Activity and Resource (in Miles)</b>		
	0-¼	¼-1	1+
1. Would the activity be visible from:			
A. A National Natural Landmark or other outstanding natural feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. A state or federal trail?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. A public site or structure listed on the National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. A National or State Park?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. 1) A municipal park or public open space?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. What is the closest estimated distance to a similar activity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. What is the closest distance to a public facility intended for a similar use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Is the visibility of the activity seasonal? (i.e., screened by summer foliage, but visible during other seasons)		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5. Are any of the resources checked in question 1 used by the public during the time of year during which the activity will be visible?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

A listing of National Natural Landmarks and other outstanding natural features in the State of Maine can be found at: [www.nature.nps.gov/nrl/Registry/USA\\_map/states/Maine/maine.htm](http://www.nature.nps.gov/nrl/Registry/USA_map/states/Maine/maine.htm). In addition, unique natural areas are listed in the Maine Atlas and Gazetteer published by DeLorme.

(pink)

MAINE DEP NRPA PERMIT APPLICATION  
 APPLICANT: JUDITH MCKENNA  
 LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**APPENDIX B:**

**APPENDIX B: MDEP COASTAL WETLAND CHARACTERIZATION:  
 INTERTIDAL & SHALLOW SUBTIDAL FIELD SURVEY CHECKLIST**

NAME OF APPLICANT: Judith A. McKenna PHONE: (603) 398-2606  
 APPLICATION TYPE: NRPA- Individual  
 ACTIVITY LOCATION: TOWN: Kittery Point COUNTY: York

ACTIVITY DESCRIPTION:  fill  pier  lobster pound  shoreline stabilization  
 dredge  other: \_\_\_\_\_

DATE OF SURVEY: 11/2/2022 OBSERVER: Ryan McCarthy, P.E.

TIME OF SURVEY: 1:30 PM TIDE AT SURVEY: Low 1.8'

SIZE OF DIRECT IMPACT OR FOOTPRINT (square feet):  
 Intertidal area: 10 pilings= 8 SF, 4 batter piles= 3 SF Subtidal area: 4 mooring blocks= 64 SF

SIZE OF INDIRECT IMPACT, if known (square feet):  
 Intertidal area: 288 SF Subtidal area: 98 SF + 300 SF= 398 SF  
(fixed pier) (gangway & float)

HABITAT TYPES PRESENT (check all that apply):  
 sand beach  boulder/cobble beach  sand flat  mixed coarse & fines  salt marsh  
 ledge  rocky shore  mudflat (sediment depth, if known: \_\_\_\_\_)

ENERGY:  protected  semi-protected  partially exposed  exposed

DRAINAGE:  drains completely  standing water  pools  stream or channel

SLOPE:  >20%  10-20%  5-10%  0-5%  variable

SHORELINE CHARACTER:  
 bluff/bank (height from spring high tide: \_\_\_\_\_)  beach  rocky  vegetated

FRESHWATER SOURCES:  stream  river  wetland  stormwater

MARINE ORGANISMS PRESENT:

	absent	occasional	common	abundant
mussels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
clams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
marine worms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
rockweed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
eelgrass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
lobsters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SIGNS OF SHORELINE OR INTERTIDAL EROSION?  yes  no

PREVIOUS ALTERATIONS?  yes  no

CURRENT USE OF SITE AND ADJACENT UPLAND:  
 undeveloped  residential  commercial  degraded  recreational

PLEASE SUBMIT THE FOLLOWING:  
 Photographs  Overhead drawing (pink)

**APPENDIX D:**

**Natural Resource Protection Act Application  
 APPENDIX D: Project Description Worksheet for a Dock, Pier or Wharf Application.**



Help us process your application more efficiently by completing this worksheet, which is supplemental to a NRPA application for a dock, pier or wharf. A completed Appendix D may be substituted for Block 14 of the application page.



**THIS IS AN APPLICATION FOR A.....**

- Commercial wharf  
 If yes, indicate type of commercial activity: \_\_\_\_\_  
 License number: \_\_\_\_\_  
 Number of fishermen using this wharf: \_\_\_\_\_
- Public pier, dock or wharf
- Common or shared recreational pier, dock or wharf
- Private recreational pier, dock or wharf
- Expansion or modification of an existing structure
- Other, please indicate: \_\_\_\_\_



**TELL US ABOUT YOUR BOAT....**

Future Boat: 24' center console

My boat(s) requires a draft of 1.5 feet.  
 My boat(s) is 9 feet long.



**TELL US ABOUT YOUR PROJECT SITE....** For coastal piers and wharves, please complete Appendix B of the NRPA application. For freshwater docks, please describe the substrate and any vegetation: \_\_\_\_\_



**SCENIC CONSIDERATIONS...** Please complete Appendix A of the NRPA application.



**WHAT FACILITIES ARE NEARBY?**

The nearest public boat launch is located in Kittery approximately 0.75 miles from the project location.  
(town) (distance)

The nearest public, commercial, or private marina is located in Kittery approximately 0.5 miles from the project location.  
(distance) (town)

- I have inquired about slip or mooring availability at the nearest marina or public facility.
  - Yes, a slip or mooring is available.     No, a slip or mooring is not available.
  - Approximate expected time on waiting list: >1 year
- I have contacted the local Harbor Master.

MAINE DEP NRPA PERMIT APPLICATION  
 APPLICANT: JUDITH MCKENNA  
 LOCATION: 42 PEPPERRELL ROAD, KITTELY POINT, ME 03905



Name: John Brosnihan Phone: (207) 451-0829

I currently use the following for my boat:  Mooring  Marina  NEITHER  
 According to the harbor master, there are no public moorings or slips available and there is a wait list.



**TELL US ABOUT YOUR PROPOSED PIER, DOCK OR WHARF...**

**MATERIALS:**

- The structure will be supported by pilings.  
14 pilings of 12 inches in diameter  
10 support piles + 4 batter piles
- The structure will be supported by stacked, flow-through granite cribs.  
         blocks, measuring          feet by          feet
- The structure will be supported by solid fill.  
         square feet of solid fill
- Other:

**DIMENSIONS:**

Length of fixed section: 85 feet  
 Width of fixed section: 4 feet  
 Length of ramp: 35 feet  
 Dimensions of float: 10 feet wide by 30 feet long  
 Distance the structure will extend below mean low water (MLW): 63 feet gangway & float  
 Depth of water at the fixed end of the structure: MLW 0 +/- feet  
 Depth of water at the float at low tide: MLW 1.5' +/- feet  
 Depth of water at the float at high tide: MHW 10.5' +/- feet  
 Dimensions of any proposed buildings (c.g. bait shed):          feet high by          feet wide by          feet long  
Not Applicable

**ACCESS:**

During construction, my project site will be accessed via:

- Land
- Beach/intertidal area
- Water/barge

MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**APPENDIX D: SLIP & MOORING REQUESTS:**

**From:** Sean McKenna <[sean@greatbaymarine.com](mailto:sean@greatbaymarine.com)>  
**Sent:** Thursday, September 1, 2022  
**To:** Kuerstin Fordham <[kuerstin@riversideandpickering.com](mailto:kuerstin@riversideandpickering.com)>  
**Subject:** Lack of Dockage In The Area

Kuerstin,

I am writing to let you know that Great Bay Marine is totally full for slips and moorings for the coming boating season as well having sold out earlier than ever before. We also have over 190 on a waiting list for space here at the marina for future years. I do not know of any space on either the Maine or New Hampshire sides of the river.

Regards,

Sean

Sean McKenna, CMM  
Great Bay Marine, Inc  
61 Beane Lane  
Newington, NH 03801  
(603) 436-5299 Main

(603) 380-9242 Direct  
Greatbaymarine.com



MAINEDEP NRPA PERMIT APPLICATION  
APPLICANT: JUDITH MCKENNA  
LOCATION: 42 PEPPERRELL ROAD, KITTERY POINT, ME 03905



**APPENDIX D: SLIP & MOORING REQUESTS:**

From: Great Cove Boat Club <greatcove@comcast.net>  
Sent: Thursday, September 1, 2022 10:52 AM  
To: Kuerstin Fordham <kuerstin@riversideandpickering.com>  
Subject: Available Slips

Hi Kuerstin we at Great Cove Boat Club have all slips and moorings leased for the 2022 season and have a waitlist of close to 100 names of people looking for any space if it comes available John "Butch" Madden Operations manager GCBC

-----Original Message-----

From: Kuerstin Fordham [mailto:kuerstin@riversideandpickering.com]  
Sent: Thursday September 1, 2022 3:45 PM  
To: 'Butch Madden (greatcove@comcast.net)'  
Subject: Available Slips

Hi Butch,

I am reaching out to local marinas in search of any available slips for boat rentals for the upcoming year . When you have a moment please let me know what you have available for rentals.

If you have any questions do not hesitate to contact me.

Thanks again for your help Butch.

Best,

Kuerstin Fordham  
Construction Administrator  
Riverside & Pickering Marine Contractors  
34 Patterson Lane  
Newington, NH 03801  
603-427-2824 ext. 1000 Office  
866-571-7132 Fax  
(A division of Riverside Marine Construction Inc)

Confidentiality Notice: This communication, together with any attachments hereto or links contained herein, is for the sole use of the intended recipients and may contain information that is confidential, valuable and/or legally protected. If you are not the intended recipient, you are hereby notified that any review, copying, dissemination, distribution, or use of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return email message and delete the original and all copies of the communication including but not limited to those in the Delete Folder, along with any attachments hereto or links herein, from your system.

April 24, 2023

Kittery Port Authority  
Town of Kittery  
200 Rogers Road  
Kittery, Maine 03904



Re: Waiver Request  
Proposed Residential Pier, Gangway and Float  
42 Pepperrell Road (Tax Map 18 Lot 27)

Dear Kittery Port Authority Members:

This letter serves as a formal request for a waiver to Section 4.7.4 of the KPA Rules and Regulations as it pertains to the height of the pier above the normal high-water mark.

*4.7.4. The maximum height of the pier deck may not exceed six (6) feet above the normal highwater mark, and the handrails not exceed 42" without the specific approval of the Port Authority*

The pier proposed to be located at 42 Pepperrell Road (Tax Map 18 Lot 27) for Judith A. McKenna has been designed at a higher height in an effort to provide additional protection from coastal storm events. The basis for our design is the 100-year flood elevation published by FEMA. The effective FIRM Map 2301710005D (enclosed) identifies this property as being within Zone V2(13) with a 100-year flood elevation of elevation 13.0 (NGVD29) which corresponds to elevation 12.25 (NAVD88) on our design plan. FEMA's elevation predictions include storm surge.

Due to the exposure of this site and risk of wave impact on the pier, we have designed the bottom surface of the joists at elevation 13.0. This provides 0.75 ft (9 inches) of freeboard above the 100-year elevation, minimizing direct wave impact against the pier superstructure (joists, decks & rails). The elevation of the top of the deck is 14.12' which corresponds to approximately 10 feet above mean high water.

If the 6-foot height limit specified in Section 4.7.4 was followed, the top of the pier's deck would be at elevation 10.0' +/- which corresponds to 2.25 feet below the 100-year flood elevation. This means that during a 100-year storm, the entire pier would be submerged and exposed to severe impact from waves and floating debris. For a real-life comparison, the waves from a recent storm at this property were estimated to have reached elevation 12.0 feet based upon a video recorded by the property owner.

It should also be noted that other piers in the area have been constructed at a height similar to the pier proposed within this application. For example, the top of the deck of the abutter's pier to the southwest is elevation 13.3 feet.

April 24, 2023



Based upon the information provided above, we ask the Board to consider approving this waiver request to Section 4.7.4 to allow the pier to be constructed at the height proposed on the plans.

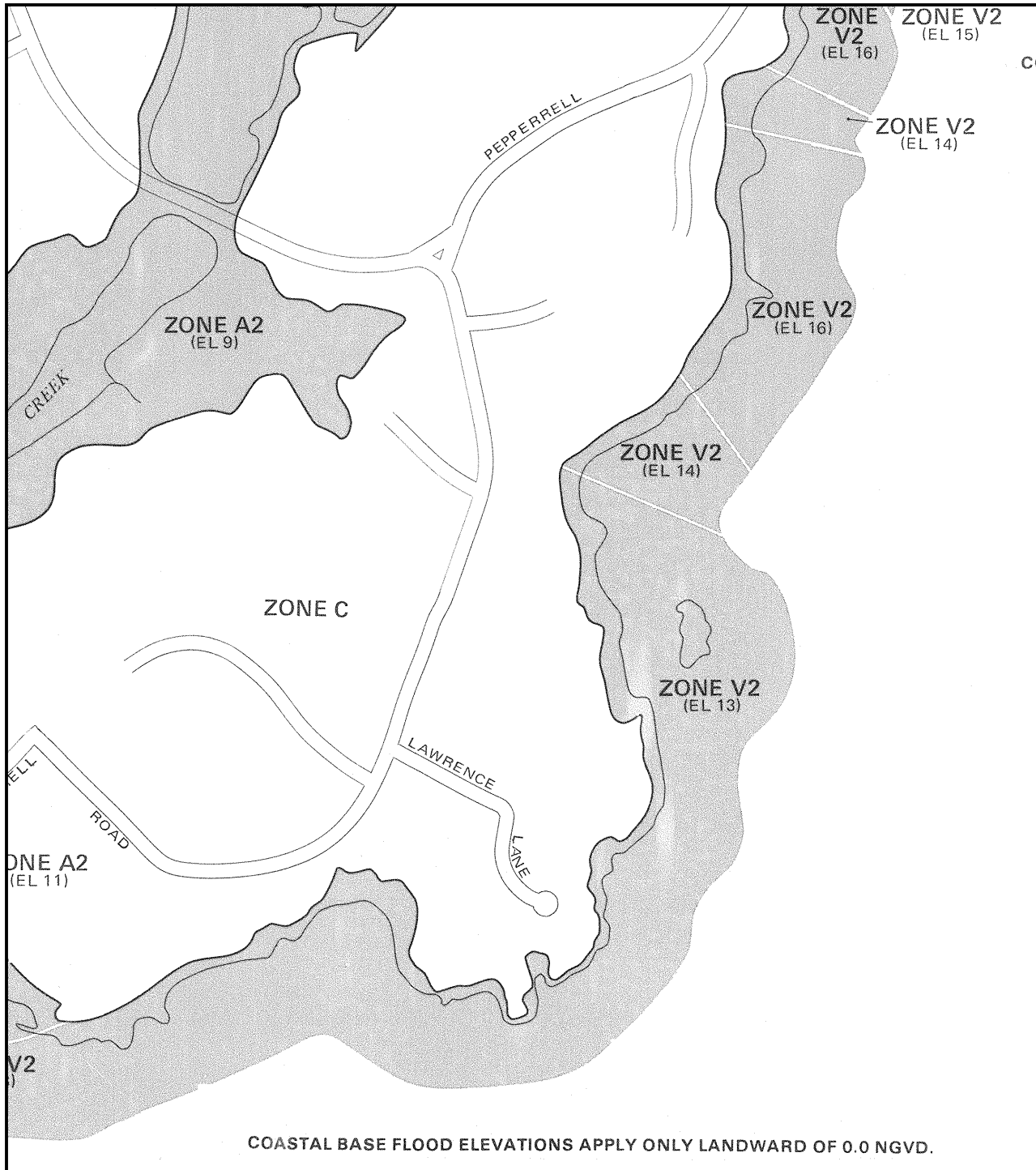
Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan M. McCarthy", is written over a light blue circular watermark that matches the company logo.

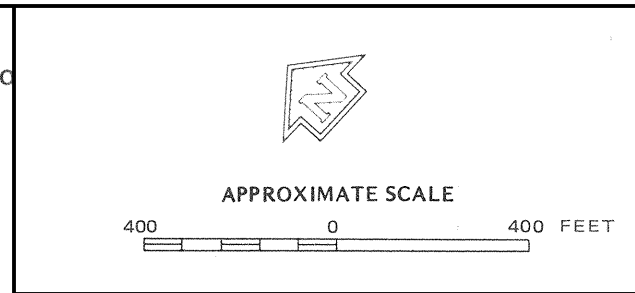
Ryan M. McCarthy, P.E., P.L.S.

President  
Tidewater Engineering & Surveying, Inc.  
(207) 439-2222  
ryan@tidewatercivil.com

Enclosures



COASTAL BASE FLOOD ELEVATIONS APPLY ONLY LANDWARD OF 0.0 NGVD.



HARBOR

NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
**FLOOD INSURANCE RATE MAP**

TOWN OF  
**KITTERY, MAINE**  
 YORK COUNTY

PANEL 5 OF 10  
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER  
 230171 0005 D

MAP REVISED:  
 JULY 3, 1986



Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.





GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF A PROPOSED FIXED PIER, SEASONAL GANGWAY, SEASONAL MAIN FLOAT AND ASSOCIATED ACCESS STAIRS AND LANDING TO BE LOCATED ON TAX MAP 18 LOT 27 IN KITTEERY, ME. SAID PLAN SHALL BE USED FOR APPLYING FOR PERMITS FROM THE TOWN OF KITTEERY, MAINE DEPT. OF ENVIRONMENTAL PROTECTION AND U.S. ARMY CORPS OF ENGINEERS.
2. OWNER OF RECORD:  
JUDITH A. MCKENNA, TRUSTEE  
THE JUDITH A. MCKENNA REVOCABLE TRUST OF 1997  
42 PEPPERRELL ROAD  
KITTEERY POINT, ME 03905  
Y.C.R.D. BOOK 18088 PAGE 786
3. THE PROPERTY IS LOCATED WITHIN THE RESIDENTIAL- KITTEERY POINT VILLAGE ZONING DISTRICT AND THE SHORELAND WATER BODY/WETLAND PROTECTION AREA OVERLAY DISTRICT. ZONING REGULATIONS ARE SUBJECT TO CHANGE. OWNER SHALL CONFIRM ALL ZONING REGULATIONS WITH THE TOWN OF KITTEERY PRIOR TO ANY DEVELOPMENT.
4. BASIS OF BEARING IS MAINE STATE PLANE (NAD83) WEST ZONE, US FOOT.
5. ELEVATIONS AND TOPOGRAPHY SHOWN HEREON CORRESPOND TO NAVD88.
6. THE BOUNDARY SHOWN HEREON IS BASED ON REFERENCE PLAN 1.
7. THE RIPARIAN LIMITS SHOWN HEREON ALONG THE SOUTH ABUTTER WAS CALCULATED USING THE COLONIAL METHOD. THE RIPARIAN LIMITS ALONG THE STATE OF MAINE WAS CALCULATED USING THE EXTENSION METHOD.
8. THE INTENT OF THE TIE COURSE SHOWN HEREON IS TO PROVIDE A MATHEMATICAL MEANS OF RELATING THE PROPERTY SIDELINES TO EACH OTHER. THE TIE COURSE IS NOT INTENDED TO LIMIT ANY RIGHT, TITLE OR INTEREST THE OWNER MAY HAVE TO THE LAND EXTENDING BEYOND THE TIE COURSE TO LOW WATER.
9. ABUTTER LINES SHOWN HEREON SHALL BE CONSIDERED APPROXIMATE AND ARE FOR REFERENCE PURPOSES ONLY. ABUTTER LINES SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
10. EASEMENTS OR UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.
11. UTILITY LOCATIONS SHOWN ON THESE PLANS ARE APPROXIMATE AND MAY NOT BE ENTIRELY ACCURATE OR COMPLETE.
12. MAINE GEOLOGICAL SURVEY HAS IDENTIFIED THE NORTHERLY PORTION OF THE SHORELINE ALONG THE SUBJECT PARCEL AS AN UNSTABLE ARMORED BLUFF AND THE SOUTHERLY PORTION AS A STABLE COASTAL BLUFF ON THE KITTEERY QUADRANGLE FILE NO. 02-193 2002.
13. THE 2018 HIGHEST ANNUAL TIDE (H.A.T.) ELEVATION PUBLISHED BY MAINE DEP FOR THE KITTEERY POINT IS ELEVATION 6.3' (NAVD88). THE H.A.T. ELEVATION IS USED TO DELINEATE THE UPLAND EDGE OF THE COASTAL RESOURCE FOR REGULATORY PURPOSES UNDER THE MANDATORY SHORELAND ZONING ACT.
14. TIDAL ELEVATIONS: THE FOLLOWING ELEVATIONS WERE PUBLISHED BY N.O.A.A. FOR FORT POINT TIDE STATION (8423898). ALL ELEVATIONS CORRESPOND TO NAVD88.
 

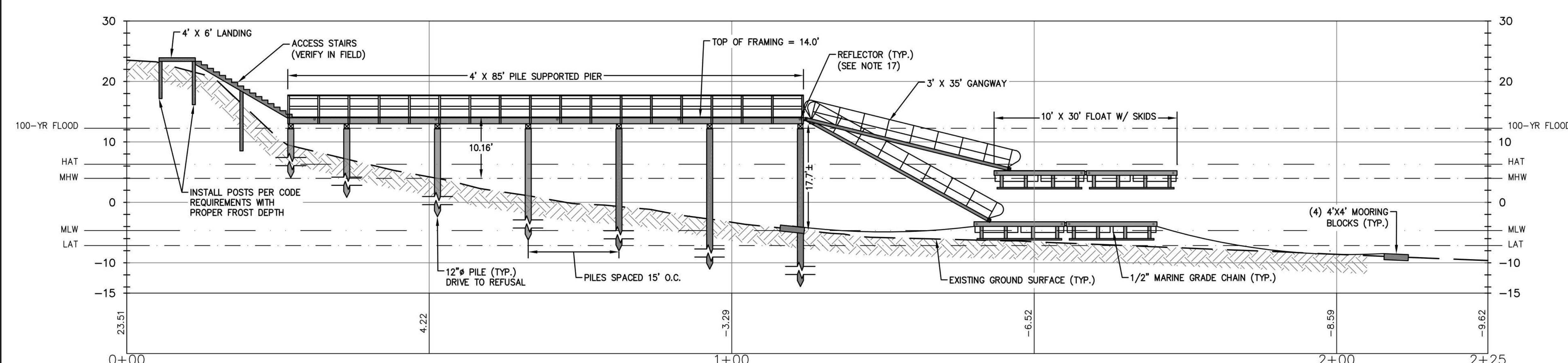
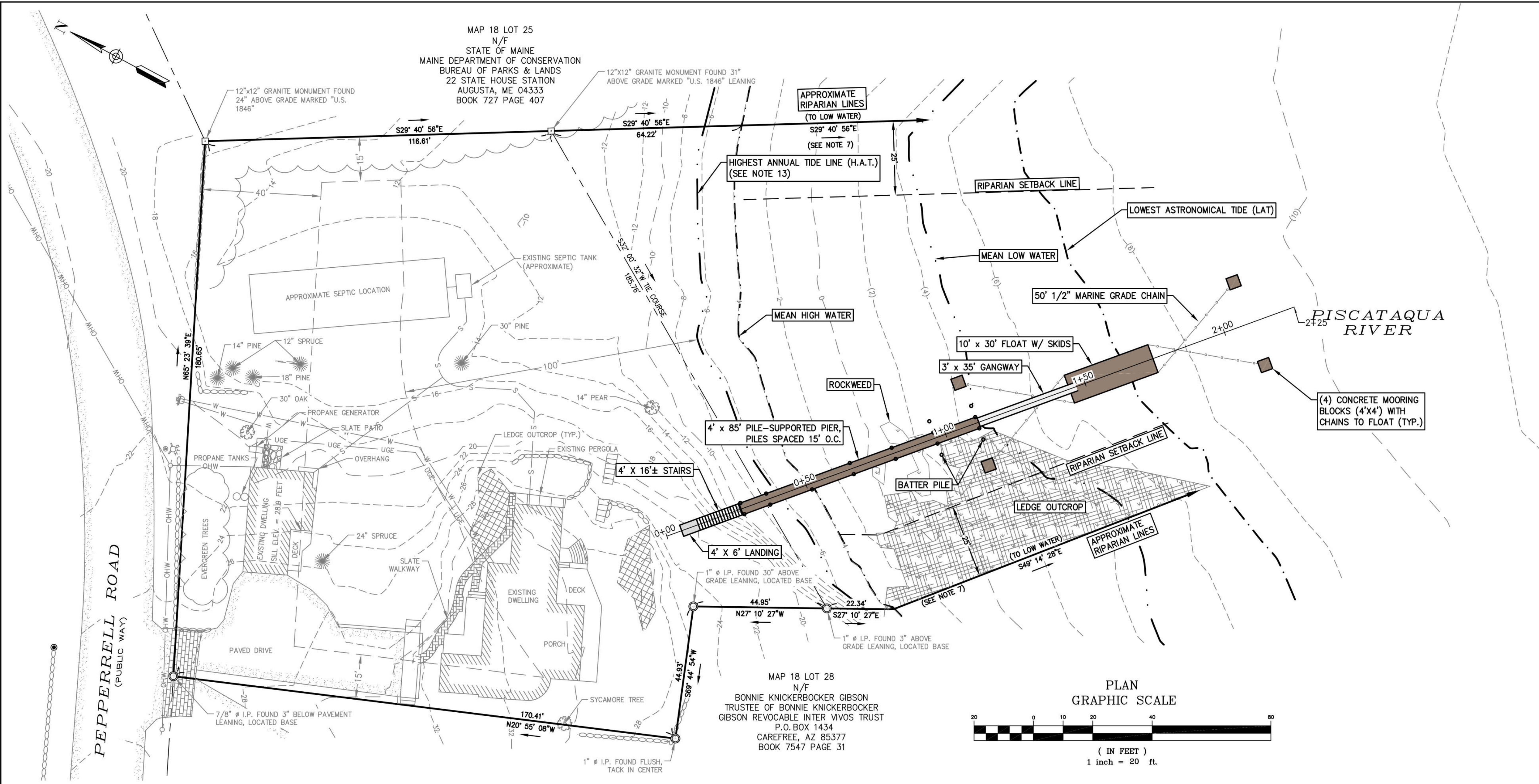
MEAN HIGHER-HIGH WATER (MHHW)	4.39'
MEAN HIGH WATER (MHW)	3.97'
MEAN LOW WATER (MLW)	-4.66'
MEAN LOWER-LOW WATER (MLLW)	-5.00'
LOWEST ASTRONOMICAL TIDE (LAT)	-7.14'±
15. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE V2 (EL 13) ON FEMA FIRM MAP COMMUNITY-PANEL NUMBER 230171 0005 D, REVISED JULY 3, 1986. THE 100-YEAR FLOOD ELEVATION WITHIN THIS ZONE IS LISTED AT ELEVATION 13.0' (NGVD29). THIS ELEVATION CONVERTED TO THE DATUM SHOWN HEREON IS 12.25' (NAVD88).
16. THE PROPOSED DEVELOPMENT SHOWN HEREON IS SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF KITTEERY, MAINE DEP AND U.S. ARMY CORPS OF ENGINEERS. OWNER/CONTRACTOR SHALL OBTAIN ALL PERMITS NECESSARY PRIOR TO ANY CONSTRUCTION AND IS RESPONSIBLE FOR COMPLYING WITH ALL CONDITIONS OF SAID PERMITS.
17. REFLECTORS SHALL BE NO LESS THAN 3 INCH DIAMETER AND SHALL BE INSTALLED AS FOLLOWS:
  - PIER: EVERY 20 FEET FROM END OF PIER, BOTH SIDES
  - FLOATS: WITHIN 12 INCHES OF EACH CORNER

REFERENCE PLANS:

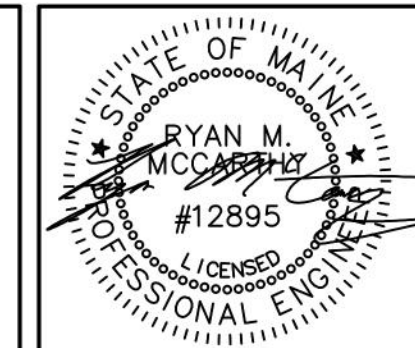
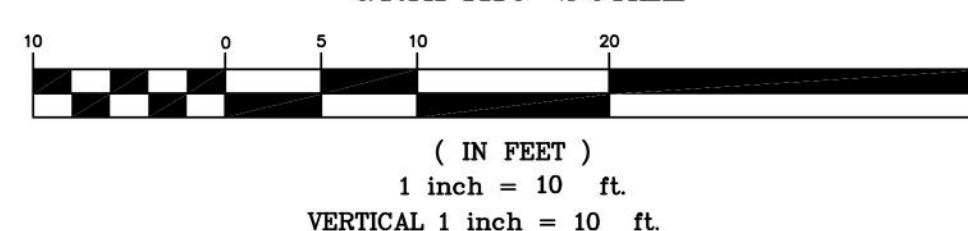
1. "EXISTING CONDITIONS SURVEY OF LAND OWNED BY JUDITH A. MCKENNA" PREPARED BY TIDEWATER ENGINEERING & SURVEYING, LLC, DATED MAY 2020.
2. "B. & J. RODONETS OFFICE MUDROOM: SHORELAND DEVELOPMENT PLAN" PREPARED BY COASTAL ARCHITECTS, P.A. DATED JULY 15, 2015 AND RECORDED AT THE Y.C.R.D. IN PLAN BOOK 377 PAGE 11.
3. "MCKENNA RENOVATION 42 PEPPERRELL RD. KITTEERY, ME 03905" PREPARED BY TMS ARCHITECTS INTERIORS DATED 07/10/2020.

LEGEND

- SUBJECT PARCEL PROPERTY LINE
- - - - - APPROXIMATE ABUTTER'S LINE
- EDGE OF PAVEMENT
- - - - - EDGE OF GRAVEL
- ○ ○ ○ ○ EXISTING STONE WALL
- - - - - EXISTING SEWER LINE
- - - - - CONTOUR: POSITIVE ELEVATION
- (10) - - - - - CONTOUR: NEGATIVE ELEVATION
- IRON PIPE, ROD, OR DISK FOUND
- DRILL HOLE FOUND
- GRANITE/CONCRETE BOUND
- UTILITY POLE



PROFILE GRAPHIC SCALE



NOT VALID UNLESS SIGNED AND STAMPED	APRIL 24, 2023
DATE:	4/24/23
NO.:	1
DESCRIPTION:	UPDATED HEIGHT ABOVE M.H.W. LABEL

**TIDEWATER**  
ENGINEERING & SURVEYING, INC.  
1021 Goodwin Rd Unit 1, Eliot, ME 03903  
(207)499-2222 • www.tidewatercivil.com

PROPOSED PIER & FLOAT PLAN  
ON LAND LOCATED AT  
42 PEPPERRELL ROAD  
KITTEERY POINT, YORK COUNTY, MAINE

PREPARED FOR:  
JUDITH MCKENNA  
42 PEPPERRELL ROAD  
KITTEERY POINT, ME 03905

JOB #: 22-133  
DATE: NOV. 18, 2022  
SCALE: 1" = 20'  
SHEET: 1 OF 1





**KPA-23-5**

## Kittery Port Authority Application

**Status:** Active**Date Created:** Mar 17, 2023**Applicant**

dave daniels  
kneed33p@gmail.com  
21 badgers island west  
kittery, me 03904  
6039971700

**Primary Location**

21 BADGERS ISLAND WEST  
KITTERY, ME 03904

**Owner:**

Island Seafood  
21 badgers island west kittery, me 03904

**Project Discription****Description of Project**

Moored floating dock

**Is any work being performed upland of the Highest Annual Tide?**

No

**Type of Project****Is this project an in-kind repair/replacement?**

No

**Property Information****Name of the property owner(s)**

Dave Daniels

**Property Address**

21 badgers island west

**Telephone Number**

603-997-1700

**Email Address**

kneed33p@gmail.com

**Size of the Property**

6648 sq/ft

**Zoning District**

Tax map 1 Lot 27

**Shore Frontage Footage**

65'

**Acknowledgements**

I understand that additional permits and/or approvals may be required by the Army Corps of Engineers, the Maine Department of Environmental Protection, the Maine Department of Conservation, and/or another legal entity not listed here. Furthermore, I have submitted the additional permits and/or approvals with this application.



I certify that all information on this application is complete and true to the best of my knowledge. I understand any false, misleading, or incomplete information will result in the denial of this application.



I certify that I have submitted this application at least 21 days prior to a scheduled Kittery Port Authority Meeting. I understand that failure to submit this application at least 21 days prior will result in my request going before the Kittery Port Authority at a later date.



I certify that in addition to uploading the required documentation, I will also provide 10 paper copies of each document to the Kittery Planning and Development Office at least 21 days prior to a scheduled Kittery Port Authority Meeting.



## Applicant Information

<b>Name of Applicant</b> Dave Daniels	<b>Date Application Completed</b> 2/13/23
<b>Name of Property Owner</b> Dave Daniels	<b>Agent Name</b> --
<b>Agent Firm</b> --	<b>Agent Phone</b> --
<b>Agent Email</b> --	







## Attachments

-  21 Badgers Island DANIELS\_FINALBUYERHUD (1).pdf  
Uploaded by dave daniels on Mar 17, 2023 at 1:29 pm
-  NAE-2023-00573-PERMIT.pdf  
Uploaded by dave daniels on Mar 17, 2023 at 9:28 am
-  drawing.pdf  
Uploaded by dave daniels on Mar 17, 2023 at 1:15 pm
-  KitteryME\_1\_27\_\_\_a9a48533-d1be-48af-94f6-1eb39836d996.pdf  
Uploaded by dave daniels on Mar 17, 2023 at 1:18 pm
-  lot26.pdf  
Uploaded by dave daniels on Mar 17, 2023 at 1:20 pm
-  lot28.pdf  
Uploaded by dave daniels on Mar 17, 2023 at 1:21 pm

## History

Date	Activity
Feb 13, 2023 at 5:20 pm	dave daniels started a draft of Record KPA-23-5
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerCity from "ROLLINGSFORD " to "kittery"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerEmail from "" to "kneed33p@gmail.com"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerName from "BDT ENTERPRISES" to "Island Seafood"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerPhoneNo from "" to "6039971700"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerPostalCode from "03869" to "03904"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerState from "NH" to "me"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerStreetName from "10 NORDIC LANE " to "badgers island west"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerStreetNo from "" to "21"
Feb 13, 2023 at 5:23 pm	dave daniels altered Record KPA-23-5, changed ownerUnit from "" to ""
Mar 17, 2023 at 9:30 am	dave daniels submitted Record KPA-23-5
Mar 17, 2023 at 1:21 pm	dave daniels added attachment lot28.pdf to Record KPA-23-5
Mar 20, 2023 at 8:40 am	completed payment step Fee Payment on Record KPA-23-5
Mar 20, 2023 at 8:40 am	approval step Application Completeness Reviewwas assigned to Carrie Varao on Record KPA-23-5

## Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Fee Payment	Paid	Mar 17, 2023 at 9:30 am	Mar 20, 2023 at 8:40 am	-	-
 Application Completeness Review	Active	Mar 20, 2023 at 8:40 am	-	Carrie Varao	-
 Town Planner Upland Development Review	Inactive	-	-	-	-
 Code Enforcement Upland Development Review	Inactive	-	-	-	-
 Port Authority Approval Uploaded	Inactive	-	-	-	-
 Building Permit Received	Inactive	-	-	-	-



## TOWN OF KITTERY

Code Enforcement Office

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1308 Fax: 207-439-6806

[CEO@kitteryme.org](mailto:CEO@kitteryme.org)

### KITTERY PORT AUTHORITY APPLICATION ACCEPTANCE MEMO

From: Craig Alfis, Code Enforcement  
To: Charles Patten, Port Authority Chair

Subj: Acceptance of Application, 21 Badgers Island West

Mr. Chair,

Code Enforcement and Planning staff have reviewed the application for 21 Badgers Island West, proposing the installation of an 8' x 24' float and found it to be complete. The application requests the following modifications:

1. The installation of an 8' x 24' float.

Based on a cursory review of the information provided in the application, Staff believes and recommends that the Port Authority accept the application for further review. Information submitted includes:

- Kittery Port Authority application with cover letter;
- Proof of ownership;
- Plans showing the approximate location and shape of the float;
- Army Corps of Engineering General Permit letter; and
- Abutters list.

If the Port Authority votes to accept the application, an in-depth review will be performed by Code and Planning staff, and a staff report will be provided to the Port Authority prior to the meeting on which the application is scheduled.

Signed,

Craig Alfis, Code Enforcement Officer

207-475-1308

[ceo@kitteryme.org](mailto:ceo@kitteryme.org)





REPLY TO  
ATTENTION OF

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

Regulatory Division  
File No. NAE-2023-00573

March 17, 2023

David Daniels  
Island Seafood  
21 Badgers Island West  
Kittery, Maine 03904

Dear Mr. Daniels:

We recently reviewed your proposal to install and maintain an 8 ft. x 24 ft. float to be located below the mean high water mark of the Piscataqua River's off 21 Badgers Island West at Kittery, Maine (Lat/Lon 43.081190°N; -70.754040°W). This work is described and shown on the attached documents received by our office.

On October 14, 2020, we issued General Permits that, subject to our discretion, eliminates the need for individual Department of the Army permits for certain work that is regulated in the State of Maine ([www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit](http://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit)). Your activity as proposed qualifies for self-verification under Maine General Permit 3, Structures, Floats, and Lifts. No further action is necessary from the Corps on this project.

Please note that all work is subject to the terms and conditions contained in the general permit. Condition 45 provides for one year for completion of work that has commenced or is under contract to commence prior to the expiration of the general permit on October 25, 2025. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 14, 2026.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. If any change in the plans or construction methods is found necessary, please contact us immediately to discuss modification of your permit. Any change must be approved before it is undertaken.

If you have any questions on this matter, please contact Colin Greenan of my staff at 978-318-8676 or [colin.m.greenan@usace.army.mil](mailto:colin.m.greenan@usace.army.mil) at our Augusta, Maine Project Office.

Sincerely,

For Frank J. Del Giudice  
Chief, Permits & Enforcement Branch  
Regulatory Division



17. DIRECTIONS TO THE SITE

Follow directions to property address and proceed west to waterfront.

18. Nature of Activity (Description of project, include all features)

To replace our current mooring ball with a 8'x24' moored float. The float would be secured to the river bed w/ 4 proper size moorings to prevent swing.

The float will be constructed with 2" x 10" PTSYP 0.60ACQ joists and fastened with heavy duty galvanized brackets and fasteners. 2" x 6" PTSYP 0.60ACQ decking shall be installed with SS ring shank gun nails

Floatation shall be 12" rotationally-molded poly float drums with a 15 year warranty (by MFR)

Six (6) 12" galvanized cleats with backing plates shall be installed

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

To replace the current mooring ball with a moored float which would eliminate the tidal swing and improve the navigation for the area. The float will be used for a commercial fishing vessel.

**USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

20. Reason(s) for Discharge

NA

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type	Type	Type
Amount in Cubic Yards	Amount in Cubic Yards	Amount in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres  
or  
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete?  Yes  No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- 19 Badgers Island West

City - Kittery State - ME Zip - 03904

b. Address- 23 Badgers island West

City - Kittery State - ME Zip - 03904

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

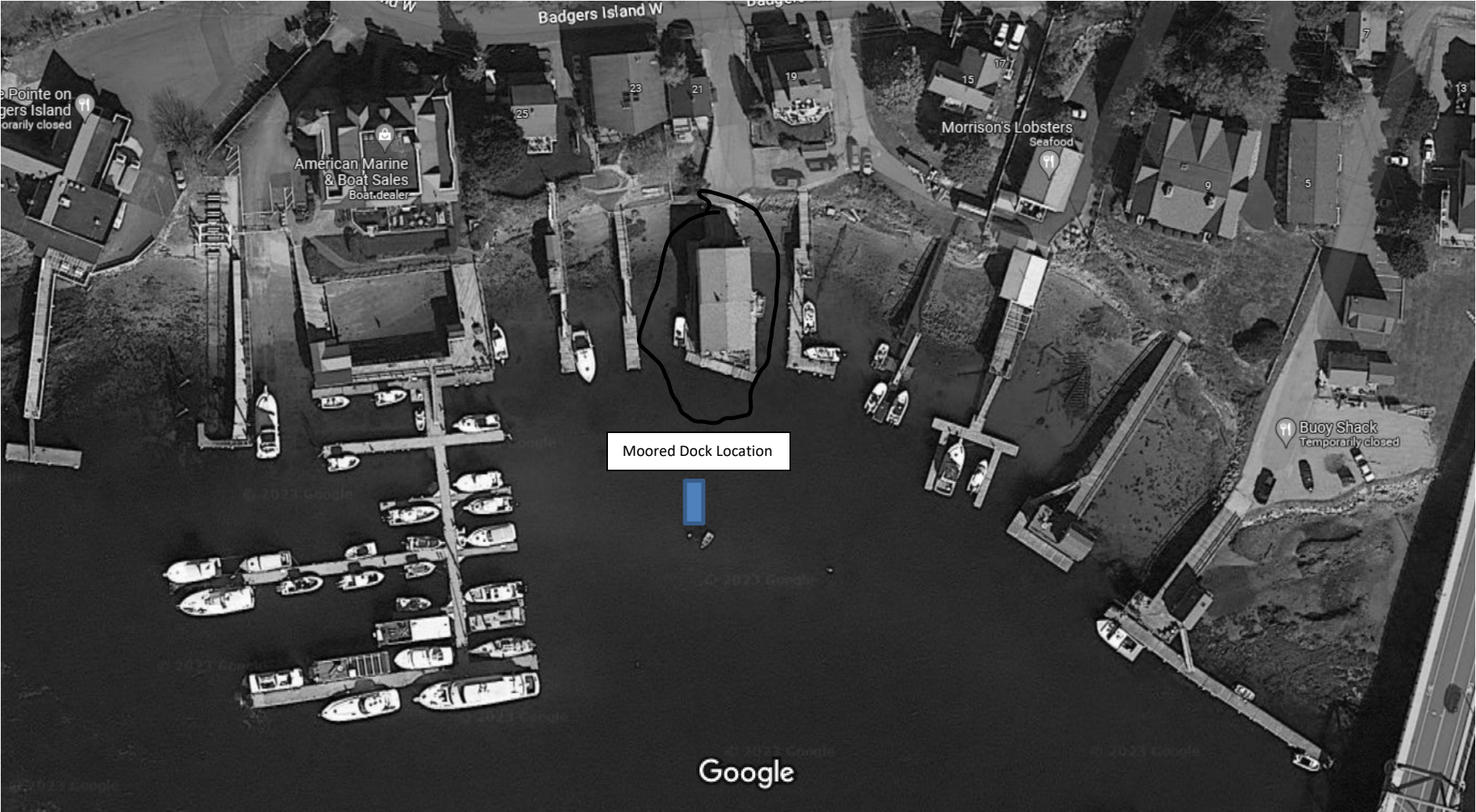
Dave Daniels      Digitally signed by Dave Daniels      2023-02-14      2023-02-13  
Date: 2023.02.15 11:05:29 -05'00'  
 SIGNATURE OF APPLICANT      DATE      SIGNATURE OF AGENT      DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

21 badgers Island West

Google Maps





**A. Settlement Statement**

**U.S. Department of Housing and Urban Development**

OMB Approval No. 2502-0265

**B. Type of Loan**

1.  FHA    2.  RHS    3.  Conv. Unins    4.  VA    5.  Conv. Ins    6.  Cash    7.  Other

**8. File Number** 2022-213

**9. Loan Number**

**10. Mortgage Insurance Case Number**

**C. NOTE:** This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing, they are shown here for informational purposes and are not included in the totals.

**D. NAME AND ADDRESS OF BORROWER:** Island Girl Properties, LLC  
176 Edgewater Drive, Gilford, NH 03249

**E. NAME AND ADDRESS OF SELLER:** BDT Enterprises  
25 Bay Cliff Road, Portsmouth, NH 03801

**F. NAME AND ADDRESS OF LENDER:**

**G. PROPERTY LOCATION:** 21 Badgers Island West  
Kittery ME 03904

**H. SETTLEMENT AGENT** Bosen & Associates, P.L.L.C.  
266 Middle Street, Portsmouth NH 03801  
(603) 427-5500

**PLACE OF SETTLEMENT** 266 Middle Street, Portsmouth NH 03801

**I. SETTLEMENT DATE:** 09/29/2022

**DISBURSEMENT DATE** 09/29/2022

**J. Summary of Borrower's Transaction**

**K. Summary of Seller's Transaction**

**100. Gross Amount Due From Borrower**

**400. Gross Amount Due To Seller**

101. Contract Sales Price 2,138,961.00

401. Contract Sales Price 2,138,961.00

102. Personal Property

402. Personal Property

103. Settlement charges to borrower (line 1400) 15,454.28

403.

104. Goodwill 61,039.00

404. Goodwill 61,039.00

105.

405.

**Adjustments for items paid by seller in advance**

**Adjustments for items paid by seller in advance**

106. City/Town taxes 09/29/2022 to 11/01/2022 1,097.57

406. City/Town taxes 09/29/2022 to 11/01/2022 1,097.57

107. County taxes

407. County taxes

108.

408.

109.

409.

110.

410.

111.

411.

112.

412.

**120. Gross Amount Due From Borrower** 2,216,551.85

**420. Gross Amount Due To Seller** 2,201,097.57

**200. Amounts Paid By Or In Behalf Of Borrower**

**500. Reductions In Amount Due To Seller**

201. Deposit or earnest money 150,000.00

501. Excess deposit (see instructions)

202. Principal amount of new loan(s)

502. Settlement charges to seller (line 1400) 115,205.80

203. Existing loan(s) taken subject to

503. Existing loan(s) taken subject to

204.

504. KENNEBUNK SAVINGS BANK MORTGAGE 1 438,438.42

205.

505. KENNEBUNK SAVINGS BANK MORTGAGE 2 80,587.63

206.

506. Final Water Bill 36.65

207.

507. REW withholding tax 26,737.01

208.

508. Final Sewer Bill 100.00

209.

509.

**Adjustments for items unpaid by seller**

**Adjustments for items unpaid by seller**

210. City/Town taxes

510. City/Town taxes

211. County taxes

511. County taxes

212. Assessments

512. Assessments

213.

513.

214.

514.

215.

515.

216.

516.

217.

517.

218.

518.

219.

519.

**220. Total Paid By/For Borrower** 150,000.00

**520. Total Reduction Amount Due Seller** 661,105.51

**300. Cash At Settlement From/To Borrower**

**600. Cash At Settlement From/To Seller**

301. Gross Amount due from borrower (line 120) 2,216,551.85

601. Gross Amount due to Seller (line 420) 2,201,097.57

302. Less amounts paid by/for borrower (line 220) 150,000.00

602. Less reductions in amount due seller (line 520) 661,105.51

**303. CASH From BORROWER** 2,066,551.85

**603. CASH To SELLER** 1,539,992.06

We, the undersigned, identified in Section D hereof and Seller in Section E hereof, hereby acknowledge receipt of this completed Settlement Statement (Pages 1 and 2) on September 29, 2022.

  
Buyer Island Girl Properties, LLC, By: David Daniels, Managing Member

  
Seller BDT Enterprises, Randy Townsend, Partner

<b>L. SETTLEMENT CHARGES</b>					
<b>700. Total Real Estate Broker Fees</b>				Paid From	Paid From
Division of commission (line 700) as follows:				Borrower's	Seller's
701. \$110,000.00 to Samonas Realty				Funds at	Funds at
702.				Settlement	Settlement
703. Commission paid at settlement					110,000.00
704.					
705.					
706.					
<b>800. Items Payable In connection with Loan</b>					
801. Loan Origination Fee					
802. Loan Discount					
803.					
804.					
805.					
806.					
<b>900. Items Required By Lender To Be Paid In Advance</b>					
901. Interest from					
From 09/29/2022 To 10/01/2022					
902. Mortgage insurance premium					
903. Hazard Insurance premium					
904.					
905.					
<b>1000. Reserves Deposited With Lender</b>					
1001. Hazard Insurance					
1002. Mortgage Insurance					
1003. City property taxes					
1004. County property taxes months at per month					
1005. Annual assessments					
1006.					
1007.					
1008. Aggregate Adjustments					
<b>1100. Title Charges</b>					
1101. title abstract fee				250.00	
to Bosen & Associates PLLC					
1102.					
1103.					
1104.					
1105.					
1106.					
1107. Attorney's fees				3,000.00	500.00
to Bosen & Associates PLLC					
1108. Title Insurance				6,417.00	
to CATIC					
1109. Lender's coverage @ \$ .00					
1110. Owner's coverage \$2,138,961.00 @ \$ 6,417.00					
1111.					
1112.					
1113.					
<b>1200. Government Recording and Transfer Charges</b>					
1201. Recording fees:				34.00	
Deed \$34.00 Mortgage Releases					
1202. City/county tax/stamps					
Deed Mortgage					
1203. State tax/stamps:				4,705.80	4,705.80
Deed \$9,411.60 Mortgage					
1204.					
1205.					
<b>1300. Additional Settlement Charges</b>					
1301. entity documentation fee				1,047.48	
to Bosen & Associates PLLC					
1302.					
1303.					
1304.					
1305.					
<b>1400. TOTAL SETTLEMENT CHARGES</b>				<b>15,454.28</b>	<b>115,205.80</b>

We, the undersigned, identified in Section D hereof and Seller in Section E hereof, hereby acknowledge receipt of this completed Settlement Statement (Pages 1 and 2) on September 29, 2022.

Buyer Island Girl Properties, LLC, By: David Daniels, Managing Member

Seller BDT Enterprises, Randy Townsend, Partner

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Settlement Agent:

Date:

9/29/22





THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.  
 THE HORIZONTAL DATUM IS THE MAINE STATE PLANE COORDINATE SYSTEM, NAD 83.  
 ORIGINAL MAPPING BY JOHN E. O'DONNELL & ASSOCIATES, NEW GLOUCESTER, MAINE.

REVISED & REPRINTED BY  
**CAI Technologies**  
 Precision Mapping. Geospatial Solutions.  
 11 Pleasant Street, Littleton, NH 03561  
 800.322.4548 - www.caitech.com

**LEGEND**

- PARCEL NUMBER ..... 16
- PARCEL ACREAGE ..... 0.25
- RECORD DIMENSION ..... 100'
- STREET ADDRESS NUMBER ..... 18
- SUBDIVISION LOT NUMBER ..... (4)
- RIGHT OF WAY/ACCESS ..... 600'
- COMMON OWNERSHIP ..... 100'
- WATER ..... 100'

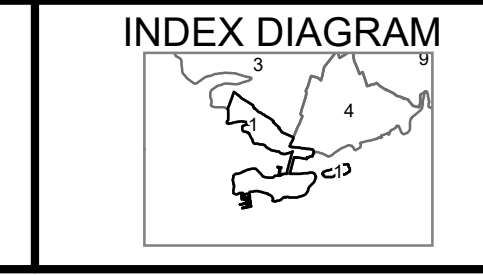
**SCALE: 1" = 100'**

100 50 0 100 200 300  
 FEET

25 12.5 0 25 50 75  
 METERS

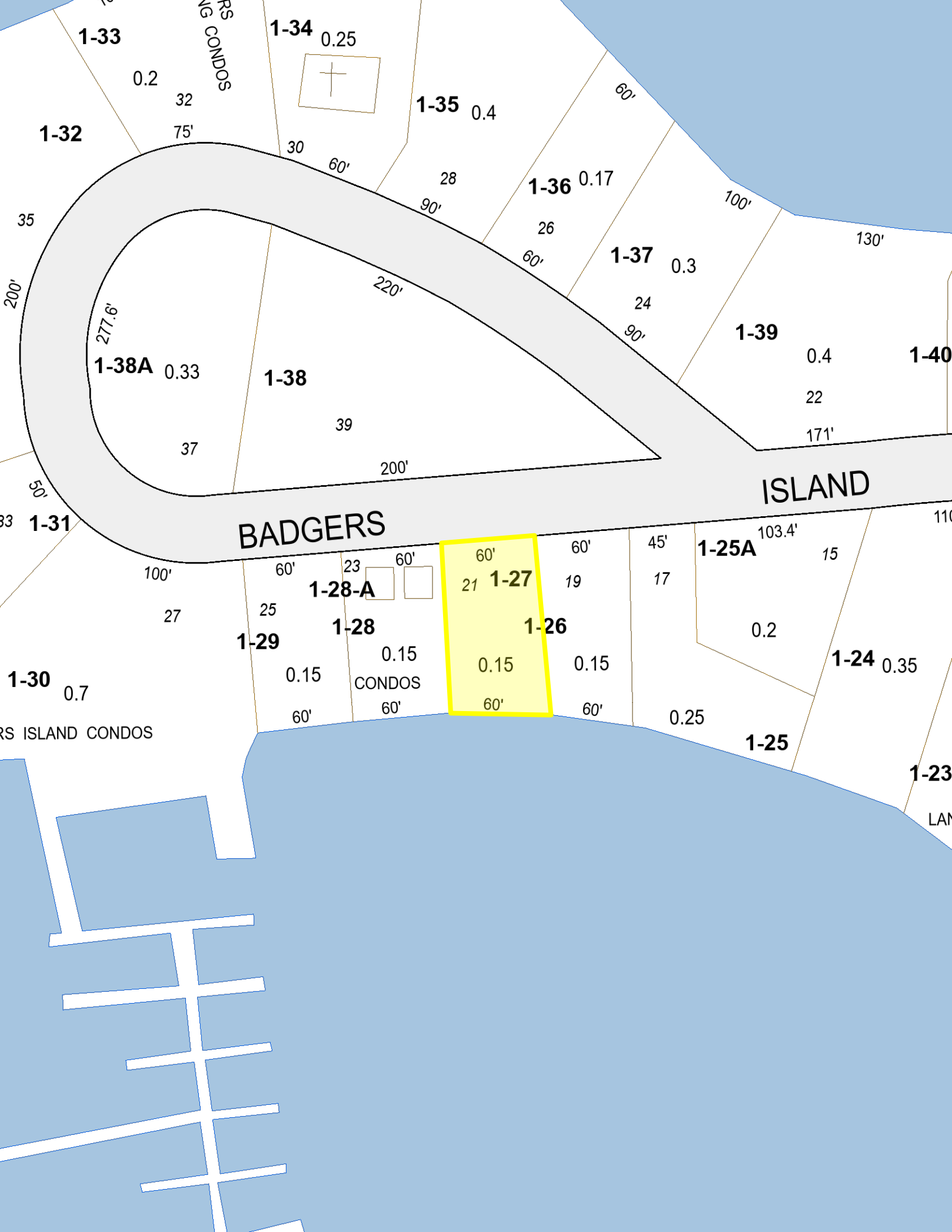
REVISED TO: APRIL 1, 2022

PROPERTY MAPS  
**KITTERY**  
 MAINE



MAP NO.  
**1**





1-33

1-34

1-35

1-36

1-37

1-39

1-40

1-32

1-38A

1-38

1-31

1-28-A

1-27

1-25A

1-30

1-28

1-26

1-29

1-25

1-24

1-23

RS CONDOS

CONDOS

RS ISLAND CONDOS

ISLAND

BADGERS

277.6'

35

200'

50'

33

27

60'

0.2

32

75'

35

200'

37

100'

0.15

60'

0.25



30

60'

220'

39

60'

60'

0.4

28

90'

200'

200'

60'

60'

60'

21

0.15

60'

0.17

26

60'

90'

60'

24

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19

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60'

60'

100'

90'

24

45'

17

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0.2

15

103.4'

15

0.35

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0.15

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0.15

100'

90'

22

171'

103.4'

15

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130'

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22

171'

103.4'

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0.15

110'

LAN





# 150 foot Abutters List Report

Kittery, ME  
March 28, 2023

## Subject Property:

Parcel Number: 1-27  
CAMA Number: 1-27  
Property Address: 21 BADGERS ISLAND WEST

Mailing Address: ISLAND GIRL PROPERTIES, LLC ISLAND GIRL PROPERTIES, LLC  
176 EDGEWATER DRIVE  
GILFORD, NH 03249

---

## Abutters:

Parcel Number: 1-24  
CAMA Number: 1-24  
Property Address: 11 BADGERS ISLAND WEST

Mailing Address: MCGARRY, EDWARD I MCGARRY, EDWARD I  
11 BADGERS ISLAND WEST  
KITTERY, ME 03904-1601

Parcel Number: 1-25  
CAMA Number: 1-25  
Property Address: 17 BADGERS ISLAND WEST

Mailing Address: BLAKE, GORDON C BLAKE, GORDON C  
15 BADGERS ISLAND WEST  
KITTERY, ME 03904-1601

Parcel Number: 1-25A  
CAMA Number: 1-25A  
Property Address: 15 BADGERS ISLAND WEST

Mailing Address: BLAKE, GORDON C BLAKE, GORDON C  
15 BADGERS ISLAND WEST  
KITTERY, ME 03904-1601

Parcel Number: 1-26  
CAMA Number: 1-26  
Property Address: 19 BADGERS ISLAND WEST

Mailing Address: DESFOSSES, PHILIP R DESFOSSES, PHILIP R  
57550 OVERSEAS HIGHWAY  
MARATHON, FL 33050

Parcel Number: 1-28  
CAMA Number: 1-28  
Property Address: 23 BADGERS ISLAND WEST

Mailing Address: SALISBURY, JEFFREY C SALISBURY, JEFFREY C  
23 BADGERS ISLAND WEST  
KITTERY, ME 03904-1601

Parcel Number: 1-28  
CAMA Number: 1-28-A  
Property Address: 23 BADGERS ISLAND WEST #A

Mailing Address: RICHARDS, BRIAN LEE RICHARDS, BRIAN LEE  
23A BADGERS ISLAND WEST  
KITTERY, ME 03904

Parcel Number: 1-28  
CAMA Number: 1-28-B  
Property Address: 23 BADGERS ISLAND WEST #B

Mailing Address: GEORGE DAVID FLANDERS LIV. TRUST  
GEORGE DAVID FLANDERS LIV. TRUST  
100 FIRST AVE N UNIT 3504  
ST PETERSBURG, FL 33701

Parcel Number: 1-29  
CAMA Number: 1-29  
Property Address: 25 BADGERS ISLAND WEST

Mailing Address: EAGER, RALPH T EAGER, RALPH T  
25 BADGERS ISLAND WEST  
KITTERY, ME 03904-1601

Parcel Number: 1-30  
CAMA Number: 1-30  
Property Address: 27 BADGERS ISLAND WEST

Mailing Address:

Parcel Number: 1-30  
CAMA Number: 1-30-1  
Property Address: 27 BADGERS ISLAND WEST #1

Mailing Address: FAGAN, HAROLD FAGAN, HAROLD  
27 BADGERS ISLAND WEST UNIT 1  
KITTERY, ME 03904



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



# 150 foot Abutters List Report

Kittery, ME  
March 28, 2023

Parcel Number: 1-30  
CAMA Number: 1-30-2  
Property Address: 27 BADGERS ISLAND WEST #2

Mailing Address: SPRATT FAMILY TRUST SPRATT  
FAMILY TRUST  
27 BADGERS ISLAND WEST UNIT 2  
KITTERY, ME 03904

Parcel Number: 1-30  
CAMA Number: 1-30-3  
Property Address: 27 BADGERS ISLAND WEST #3

Mailing Address: LABRANCHE, TR, JAMES LABRANCHE,  
TR, JAMES  
27 BADGERS ISLAND WEST, UNIT 3  
KITTERY, ME 03904

Parcel Number: 1-30  
CAMA Number: 1-30-4  
Property Address: 27 BADGERS ISLAND WEST #4

Mailing Address: TRUNCELLITO, LYNDA A TRUNCELLITO,  
LYNDA A  
27 BADGERS ISLAND WEST UNIT 4  
KITTERY, ME 03904

Parcel Number: 1-30  
CAMA Number: 1-30-5  
Property Address: 27 BADGERS ISLAND WEST #5

Mailing Address: KARALEKAS TRS, PETER S & MARY R  
KARALEKAS TRS, PETER S & MARY R  
27 BADGERS ISLAND WEST UNIT 5  
KITTERY, ME 03904

Parcel Number: 1-30  
CAMA Number: 1-30-6  
Property Address: 27 BADGERS ISLAND WEST #6

Mailing Address: 27 BIM, LLC 27 BIM, LLC  
32 ROUTE 236  
KITTERY, ME 03904



[www.cai-tech.com](http://www.cai-tech.com)

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