



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

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

**Meeting Agenda
August 3, 2023
6:00 P.M.**

1. Call to Order / Attendance
2. Pledge of Allegiance
3. Agenda Amendments and Adoption
4. Acceptance of Previous Minutes: 7/06/2023
5. Harbormaster Report and Budget Report
6. All Items involving Town Officials or Invited Guests
7. Public Hearing
8. Piers, Wharves & Floats
 - a. The Kittery Port Authority moves to approve an application from Timothy Moore, 50a Tenney Hill Rd, Kittery Point, ME 03905, to install a 10' x 24' float secured by two (2) 5,000-pound granite blocks, in the Piscataqua River's back channel.
 - b. The Kittery Port Authority moves to accept an application from David Hunter Rev. Trust & Jessica Hunter Rev. Trust, 50 Dion Avenue, Kittery, ME 03904 (Tax Map 23, Lot 5A) for the construction of a 4' x 80' pier, a 3' x 35' ramp, and a 10' x 20' float. Agent is Lisa Vickers, Atlantic Environmental, LLC.
 - c. The Kittery Port Authority moves to accept an application from Piscataqua Youth Sailing Association & Kevin McCoolle, President, to install a 24' x 26' float with two (2) 12' x 24' wing floats, secured with two (2) 6,000-pound blocks, in the Piscataqua River off the shore of Fort Foster.
9. Public Segment (Three Mins.)
10. Unfinished Business
 - a. Revoked Mooring Appeals: #805, and #720
11. New Business
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 Chair Patten called the meeting to order at 6:00 PM.
- 3 Members present: Scott Mason, Niles Pinkham, Vice Chair Bryan Bush, and Chair
- 4 Charles Patten.
- 5 Members absent: Steve Lawrence, John McCollett, and Alan Johnston
- 6 2. Pledge of Allegiance
- 7 3. Agenda Amendments and Adoption- The agenda was approved as written.
- 8 4. Acceptance of Previous Minutes: 3/2/2023, 4/6/2023, 5/4/2023, and 6/1/2023
- 9 **The Board approved the minutes as written.**
- 10 5. Harbormaster Report and Budget Report
- 11 The Harbormaster gave a summary of his final monthly report, expenses and revenues
- 12 of fiscal year 2023. The Board asked several questions and discussion ensued briefly.

FY 2023 EXPENSES

OBJECT	ACCT DESCRIPTION	FY 2023 BUDGET	FY 2023 EXPENSES	FY 2023 REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 65,162.00	\$ 64,391.13	\$ 770.87	98.82
64020	PART TIME SALARIES	\$ 26,967.00	\$ 26,416.40	\$ 550.60	97.96
65010	POSTAGE	\$ 250.00	\$ 212.09	\$ 37.91	84.84
65020	TELEPHONE & INTERNET	\$ 2,000.00	\$ 1,342.20	\$ 657.80	67.11
65200	ELECTRICITY	\$ 2,016.00	\$ 1,909.08	\$ 106.92	94.70
65220	WATER	\$ 515.00	\$ 195.47	\$ 319.53	37.96
65240	DUMPSTERS/TRASH REMOVAL	\$ 1,000.00	\$ 1,201.24	\$ (201.24)	120.12
65305	BOAT EQUIPMENT MAINTENANCE	\$ 3,500.00	\$ 4,704.70	\$ (1,204.70)	134.42
65310	VEHICLE MAINTENANCE	\$ 1,000.00	\$ 3,295.13	\$ (2,295.13)	329.51
65311	GAS, GREASE, & OIL	\$ 2,250.00	\$ 4,098.31	\$ (1,848.31)	182.15
65462	RIGGING	\$ 12,000.00	\$ 17,742.32	\$ (5,742.32)	147.85
65463	SANITATION	\$ 2,000.00	\$ 2,251.22	\$ (251.22)	112.56
65470	PROFESSIONAL DEVELOPMENT	\$ 1,500.00	\$ 1,462.26	\$ 37.74	97.48
65480	OTHER PROFESSIONAL/CONTRACTED	\$ 3,000.00	\$ 3,992.14	\$ (992.14)	133.07
65500	MAIN BLDG/GROUNDS WHARVES/HARB	\$ 5,500.00	\$ 10,095.61	\$ (4,595.61)	183.56
65521	UNIFORMS	\$ 1,300.00	\$ 1,146.56	\$ 153.44	88.20
66010	OFFICE SUPPLIES	\$ 300.00	\$ 61.63	\$ 238.37	20.54
66040	JANITORIAL SUPPLIES & SERVICES	\$ 500.00	\$ 470.62	\$ 29.38	94.12
TOTAL		\$ 130,760.00	\$ 144,988.11	\$ (14,228.11)	110.88%

13

FY 2023 REVENUE					
OBJECT	ACCT DESCRIPTION	FY 2023 BUDGET	FY 2023 REVENUE	FY 2023 DIFFERENCE	PERCENT
43147	DINGHY FEES	\$ (11,000.00)	\$ (13,010.00)	\$ 2,010.00	118.27
43148	TRANSIENT SLIP RENTAL	\$ (8,000.00)	\$ (18,242.17)	\$ 10,242.17	228.03
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (625.00)	\$ 125.00	125.00
43150	MOORING FEES	\$ (100,000.00)	\$ (102,274.47)	\$ 2,274.47	102.27
43151	LAUNCH FEE	\$ (14,000.00)	\$ (17,349.75)	\$ 3,349.75	123.93
43152	TRANSIENT MOORING	\$ (8,000.00)	\$ (13,100.00)	\$ 5,100.00	163.75
43153	WAIT LIST FEE	\$ (1,000.00)	\$ (2,318.00)	\$ 1,318.00	231.80
43155	CLAM LICENSE FEE	\$ -	\$ (555.00)	\$ 555.00	0.00
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (3,036.00)	\$ 636.00	126.50
43157	MOORING LATE FEE	\$ (1,000.00)	\$ (1,917.40)	\$ 917.40	191.74
43159	KAYAK RACK RENTAL	\$ (2,700.00)	\$ (256.00)	\$ (2,444.00)	9.48
14	TOTAL	\$ (148,600.00)	\$ (172,683.79)	\$ 24,083.79	116.21%

15 6. All Items involving Town Officials or Invited Guests

16 7. Public Hearing

17 a. The Kittery Port Authority moves to hold a public hearing and approve an application
 18 from Timothy Moore, 50a Tenney Hill Rd, Kittery Point, ME 03905, to install a 10' x 24'
 19 float secured by two (2) 5,000-pound granite blocks, in the Piscataqua River's back
 20 channel.

21 Chair Patten opened the public hearing. Chair Patten closed the public hearing.

22 Vice Chair Bush recused himself from the application.

23 Chair Patten postponed the item until next month due to the lack of a quorum.

24 b. The Kittery Port Authority moves to hold a public hearing and approve an application
 25 from Langdon Island West Condominium Association, 9 Badgers Island West, Kittery,
 26 ME 03904 (Tax Map 1, Lot 23) for the modification of an existing structure consisting of
 27 a 4' x 8' float extension, a 4' x 34' (2 – 17') float, and two (2) 6' x 24' finger floats. Agent
 28 is Steven Riker, Ambit Engineering – Haley Ward, Inc.

29 Steve Riker, Ambit Engineering presented the project. He reviewed the waiver request
 30 with the Board.

31 Ben Porter, president of Langdon Island West Condominium Association gave a
 32 background history of the property in regards to the current application.

33 Chair Patten reviewed several rules and regulations with the Board.

34 The Board asked several questions of the applicants.

- 35 The Board moved to take a five-minute break at 7:03 PM.
- 36 The Board reconvened at 7:08 PM.
- 37 The Board continued to ask questions of the applicants.
- 38 **Vice Chair Bush moved to postpone the application. Seconded by Mr. Pinkham.**
- 39 **The motion passed 4-0-0.**
- 40 8. Piers, Wharves & Floats –
- 41 9. Public Segment (Three Mins.)
- 42 10. Unfinished Business
- 43 11. New Business
- 44 a. Revoked Mooring Appeals: #805, and #720
- 45 The Harbormaster gave a brief history of the revocations.
- 46 Chair Patten told the Board that they needed a minimum of five like votes to take action.
- 47 The items were postponed until the next meeting.
- 48 12. Committee and Other Reports - None
- 49 13. Communications from the Chairperson
- 50 14. Board Member Issues or Comments
- 51 Chair Patten – Chair Patten apologized for any confusion during tonight’s meeting.
- 52 Mr. Mason – None
- 53 Vice Chair Bush – Mr. Bush commented on the meeting tonight and complimented the
- 54 Chair.
- 55 Mr. Pinkham – None
- 56 Harbormaster – Commented on the Board’s actions and the process in the meeting. He
- 57 highlighted a section of the Rules and Regulations to the Board.
- 58 15. Executive Session - None
- 59 16. Adjournment
- 60 **Vice Chair Bush moved to adjourn at 7:28 P.M. Seconded by Mr. Pinkham. The**
- 61 **motion passed 4-0-0.**
- 62 Submitted by Carrie Varao, Development Staff Clerk on July 11, 2023.

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



KPA-23-9

Kittery Port Authority

Application

Status: Active

Submitted On: 5/17/2023

Primary Location

200 ROGERS ROAD
KITTERY, ME 03904

Owner

INHABITANTS OF KITTERY
HISTORICAL & NAVAL
MUSEUM 200 ROGERS
ROAD Mooring 696 KITTERY,
ME 03904-1428

Applicant

Timothy Moore
 207-752-7857
 bcoutboards@gmail.com
 50a Tenney Hill rd
Kittery Point , Maine
03905

Project Discription

Description of Project*

Installing float at existing mooring location at mooring# 696. I will be replacing my current Mooring ball with a 10x24' moored Float. The float will be secured by TWO 5,000lb Mooring Blocks, ONE OF WHICH IS CURRENTLY USED FOR EXISTING MOORING WITH 5/8" CHAIN BRIDALS AND 3/4" CHAIN TO THE BLOCKS.

the float will be constructed of pressure treated 2x10 PTSYP 0.60ACQ Joists and fastened with heavy duty Galvanized hardware

I will be using 2x6 pressure treated for the decking material With stainless steel nails

For floatation, I will be using (8) 16"x2'x4' rectangle plastic floats.

(8) 12" galvanized cleats with stainless backing plates will be installed in float

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)

Property Address

Telephone Number

Email Address

Size of the Property ?

Zoning District

Shore Frontage Footage ?

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

Timothy Moore

Date Application Completed

5/17/2023

Name of Property Owner

Agent Name

Agent Firm

Agent Phone

Agent Email

Attachments

Construction Plans

iles/kitteryme/4365C4377A2D-44E8-BB56-5DB1DPP6606E.jpeg
 v=2021-10-04&st=2023-05-22T17%3A20%3A23Z&se=2023-
 Uploaded by Timothy Moore on May 17, 2023 at 1:27 PM

i2BU%2Bt%2FU4ePl0Yp6oXHvj%2BJmWUSdq07AF5VamI%3D)

Other Documents

s.net/vpc01Moore Float App Diagram.docx
 Mon_May_22_2023_13:28:45.docx
 Mon_May_22_2023_13:28:45.docx
 22Z&se=2023-05-
 'nHLb7oV9BYCfWMrftBBsMCMNiZFE6%2B8%3D)

<https://www.townofmoore.net/Topix/record/record/13-35-06-kpa-23-9>
 _13-35-06-kpa-23-9-
 \22Z&se=2023-05-17-13-29-30-JPG?sm=2021-10-05-
 505b00A4N4r0Ure0MS1qBdyUen0QR%3D)
 vPC3- Moore Float Mooring Location.JPG
 on_May_22_2023_13-29-30.JPG?sm=2021-10-05-
 05-
 J4nli8pBz%2FPP4ZYHi%2Bd5V1XFab2yP%2F3EfwU%3D)

History

Date	Activity
5/17/2023, 1:21:34 PM	Timothy Moore started a draft of Record KPA-23-9
5/17/2023, 1:31:52 PM	Timothy Moore altered Record KPA-23-9, changed ownerStreetNo from "" to "Mooring 696"
5/17/2023, 1:32:22 PM	Timothy Moore submitted Record KPA-23-9
5/17/2023, 4:01:23 PM	completed payment step Fee Payment on Record KPA-23-9
5/17/2023, 4:01:24 PM	approval step Application Completeness Reviewwas assigned to Carrie Varao on Record KPA-23-9
5/22/2023, 8:35:42 AM	Carrie Varao changed Description of Project from "Installing float at existing mooring location at mooring# 696" to "<p>Installing float at existing mooring location at mooring# 696. I will be replacing my current ..." on Record KPA-23-9
5/22/2023, 1:12:51 PM	Carrie Varao changed Description of Project from "<p>Installing float at existing mooring location at mooring# 696. I will be replacing my current ..." to "<p>Installing float at existing mooring location at mooring# 696. I will be replacing my current ..." on Record KPA-23-9
5/22/2023, 1:29:37 PM	Carrie Varao added attachment Moore Float Mooring Location.JPG to Record KPA-23-9
5/22/2023, 1:29:51 PM	Carrie Varao approved approval step Application Completeness Review on Record KPA-23-9
5/22/2023, 1:29:52 PM	approval step Code Enforcement Upland Development Reviewwas assigned to Craig Alfis on Record KPA-23-9

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Application Completeness Review	5/17/2023, 4:01:23 PM	5/22/2023, 1:29:51 PM	Carrie Varao	-
💰 Fee Payment	5/17/2023, 1:32:23 PM	5/17/2023, 4:01:23 PM	Timothy Moore	-
✓ Town Planner Upland Development Review	5/22/2023, 1:29:52 PM	-	-	-
✓ Code Enforcement Upland Development Review	5/22/2023, 1:29:52 PM	-	Craig Alfis	-
✓ Port Authority Approval Uploaded	-	-	-	-
✓ Building Permit Received	-	-	-	-



TOWN OF KITTERY
Code Enforcement Office
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1308 Fax: 207-439-6806
CEO@kitteryme.org

KITTERY PORT AUTHORITY APPLICATION ACCEPTANCE MEMO

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

Subj: Acceptance of Application, Moored Float in Area of 24 Wallingford Square

Mr. Chair,

Code Enforcement and Planning staff have reviewed the application for a moored float in the backchannel, in the area of 24 Wallingford Square, proposing the installation of a 10' x 24' float and found it to be complete. The application requests the following modifications:

1. The installation of a 10' x 24' float.

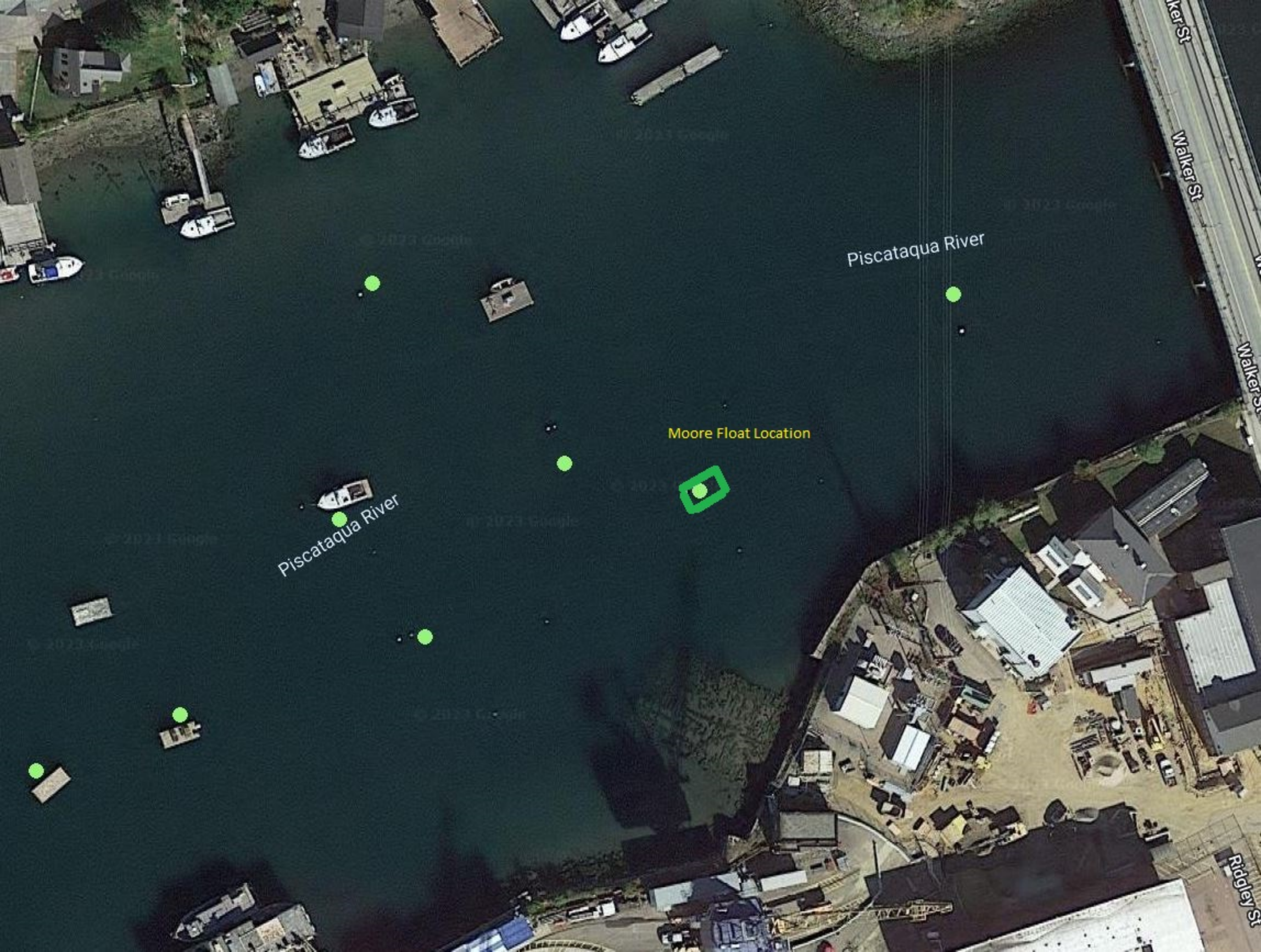
Based on a cursory review of the information provided in the application, Staff believes and recommends that the Port Authority accept the application for further review. Information submitted includes:

- Kittery Port Authority application; and
- Plans showing the approximate location and shape of the float;

This project is covered under USACE Maine General Permit #3, Structures, Floats and Lifts for self-verification. Therefore, no USACE individual permit is required. 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



Piscataqua River

Moore Float Location

Piscataqua River

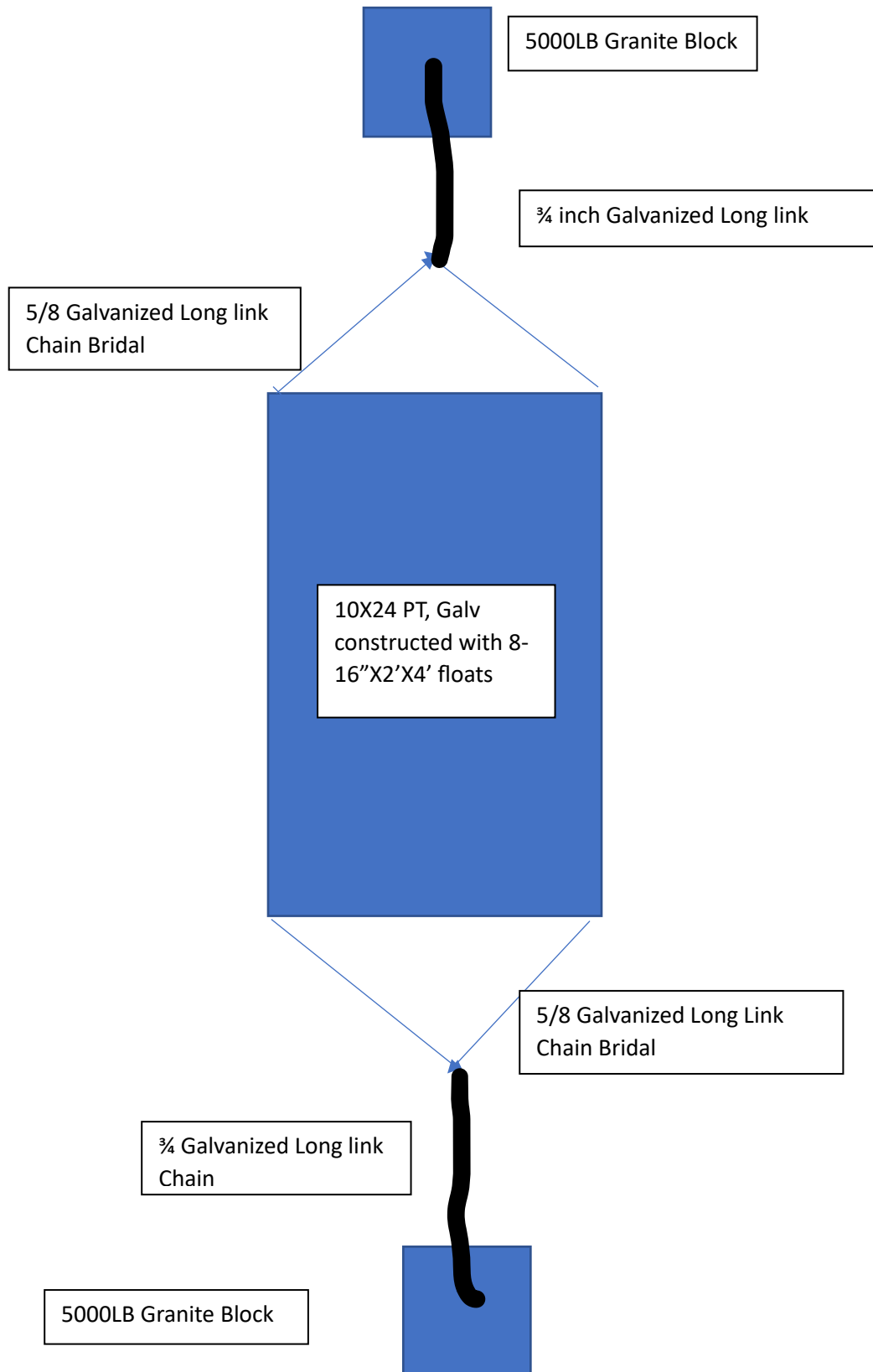
Walker St

Walker St

Walker St

Ridgley St

TIM MOORE MOORING FLOAT APPLICATION DIAGRAM





TOWN OF KITTERY

Code Enforcement Office

200 Rogers Road, Kittery, ME 03904

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

CEO@kitteryme.org

KITTERY PORT AUTHORITY APPLICATION ACCEPTANCE MEMO

From: Craig Alfis, Code Enforcement

To: Charles Patten, Port Authority Chair

Subj: Acceptance of Application, 50 Dion Avenue

Mr. Chair,

Code Enforcement and Planning staff have reviewed the application for 50 Dion Avenue, requesting installation of a tidal docking structure, and found it to be complete. The application requests the following:

1. The installation of one 4' x 80' pier supported with timber bents and helix anchors;
2. The installation of one 3' x 35' ramp; and
3. The installation of one 10' x 20' float.

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

- Kittery Port Authority application;
- Proof of ownership;
- Army Corps of Engineering application and compliance certification form;
- Cover letter including project description, pictures, and erosion control plan;
- Abutters list;
- Plans showing the actual dimensions and shape of the proposed development; and
- Maine DEP NRPA approval.

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



KPA-23-12

Port Authority Application

Status: Active

Submitted On: 6/6/2023

Primary Location

50 DION AVENUE
KITTERY, ME 03904

Owner

David Hunter Revocable Trust
and Jessica Hunter Revocable
Trust
50 Dion Avenue Kittery, ME
03904

Applicant

Lisa Vickers
 207-615-1527
lisa@atlanticenviromaine.com
 135 River Road
Woolwich, ME 04579

Project Discription

Description of Project*

The Applicant proposes to construct a recreational dock consisting of 4' x 80' pier that connects to a 3' x 35' ramp, and a 10' x 20' float. The pier will be supported with timber bents and helix anchors. The ramp and flaot will be in place on a seasonal basis and stored outside the coastal wetland during the off-season.

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

Yes

Are any waivers from the performance standards in the Kittery Port Authority Rules & Regulations requested?*

—

Type of Project

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

No

Property Information

Name of the property owner(s)

David and Jessica Hunter

Property Address

50 Dion Avenue

Telephone Number

(603) 812 - 6299

Email Address

dhunterwordsmusic@yahoo.com

Size of the Property 

0.35 acres

Zoning District

R-U/)Z-SL-250'

Shore Frontage Footage 

+/- 100'

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

David and Jessica Hunter

Date Application Completed

6/6/2023

Name of Property Owner

David and Jessica Hunter

Agent Name

Lisa Vickers

Agent Firm

Atlantic Environmental, LLC

Agent Phone

2076151527

Agent Email

lisa@atlanticenviromaine.com

History

Date	Activity
6/5/2023, 4:41:19 PM	Lisa Vickers started a draft of Record KPA-23-12
6/6/2023, 9:42:46 AM	Lisa Vickers altered Record KPA-23-12, changed ownerCity from "NAPLES" to "Kittery"
6/6/2023, 9:42:46 AM	Lisa Vickers altered Record KPA-23-12, changed ownerName from "QUIRK TR, MAUREEN J" to "David Hunter Revocable Trust and Jessica Hunter Revocable Trust"
6/6/2023, 9:42:46 AM	Lisa Vickers altered Record KPA-23-12, changed ownerPostalCode from "34119-1363" to "03904"
6/6/2023, 9:42:46 AM	Lisa Vickers altered Record KPA-23-12, changed ownerState from "FL" to "ME"
6/6/2023, 9:42:46 AM	Lisa Vickers altered Record KPA-23-12, changed ownerStreetName from "1099 CAMELOT CIRCLE " to "50 Dion Avenue"
6/6/2023, 10:29:58 AM	Lisa Vickers altered Record KPA-23-12, changed ownerEmail from "" to "dhunterwordsmusic@yahoo.com"
6/6/2023, 10:29:58 AM	Lisa Vickers altered Record KPA-23-12, changed ownerPhoneNo from "" to "(603) 812 - 6299"
6/6/2023, 11:12:15 AM	Lisa Vickers added attachment Zoning ordinance Standards_Hunter_50 Dion.pdf to Record KPA-23-12
6/6/2023, 11:47:51 AM	Lisa Vickers added attachment Port Authority Standards_Hunter_50 Dion.pdf to Record KPA-23-12
6/6/2023, 11:51:52 AM	Lisa Vickers submitted Record KPA-23-12
6/6/2023, 1:12:40 PM	completed payment step Fee Payment on Record KPA-23-12
6/6/2023, 1:12:42 PM	approval step Application Completeness Review was assigned to Craig Alfis on Record KPA-23-12
6/7/2023, 8:43:54 AM	Craig Alfis approved approval step Application Completeness Review on Record KPA-23-12
6/7/2023, 8:43:56 AM	approval step Application Placed on Agendawas assigned to Carrie Varao on Record KPA-23-12

Date	Activity
6/7/2023, 10:36:56 AM	Carrie Varao approved approval step Application Placed on Agenda on Record KPA-23-12
6/7/2023, 10:36:59 AM	approval step Town Planner Upland Development Review was assigned to Maxim Zakian on Record KPA-23-12
6/7/2023, 10:36:59 AM	approval step Code Enforcement Upland Development Review was assigned to Craig Alfis on Record KPA-23-12

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Application Completeness Review	6/6/2023, 1:12:41 PM	6/7/2023, 8:43:54 AM	Craig Alfis	-
✓ Application Placed on Agenda	6/7/2023, 8:43:55 AM	6/7/2023, 10:36:56 AM	Carrie Varao	-
💰 Fee Payment	6/6/2023, 11:51:53 AM	6/6/2023, 1:12:40 PM	Lisa Vickers	-
✓ Town Planner Upland Development Review	6/7/2023, 10:36:58 AM	-	Maxim Zakian	-
✓ Code Enforcement Upland Development Review	6/7/2023, 10:36:58 AM	-	Craig Alfis	-
✓ Port Authority Approval Uploaded	-	-	-	-
✓ Building Permit Received	-	-	-	-



135 River Road • Woolwich, ME 04579
207-615-1527 • lisa@atlanticenviromaine.com
www.atlanticenviromaine.com

June 6, 2023

Mr. Charles Patten, Chair
Kittery Port Authority
200 Rogers Road
Kittery, Maine 03904

Re: Kittery Port Authority Application on behalf of David Hunter Revocable Trust and Jessica Hunter Revocable Trust, 50 Dion Avenue, Kittery, Maine.

Dear Mr. Patten,

On behalf of David Hunter of the David Hunter Revocable Trust and Jessica Hunter of the Jessica Hunter Revocable Trust, Atlantic Environmental, LLC (AE) is pleased to submit an application to the Kittery Port Authority for the construction of a residential dock consisting of a permanent pier that connects to a seasonal ramp and float located at 50 Dion Avenue. The dock will provide partial tide access to Spruce Creek for recreational pursuits.

As shown in the attached plans, the Applicant proposes to construct a four (4) foot wide by eighty (80) foot long pile supported pier that will connect to a three (3) foot wide by thirty-six (36) foot long seasonal ramp and a ten (10) foot wide by twenty (20) foot long float. Applications have been submitted to the Maine Department of Environmental Protection (MDEP) and the U.S. Army Corps of Engineers (ACOE), Maine Projects Office in Augusta, Maine and copies of those approvals are included in the attached application materials. Relevant portions of that application are included in the attached application materials.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 – 615 - 1627 or by email at lisa@atlanticenviromaine.com.

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Lisa Vickers'.

Lisa Vickers,
Senior Project Manager



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

December 8, 2022

To whom it may concern:

By this letter, I authorize Atlantic Environmental LLC to act on my behalf as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence related to natural resource permitting project(s) at my property located at 50 Dion Ave. Kittery, Maine. This authorization includes attending meetings and site visits, appearing before all boards, commissions, and/or committees, and providing other services as required for completing the aforementioned tasks.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at tim@atlanticenviromaine.com.

David Hunter

Print Name

David Hunter

Signature

12/8/2022

Date

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner

EXHIBIT 1.0: ACTIVITY DESCRIPTION

The Applicant owns an approximate 0.35 acre parcel of land located on Dion Avenue and adjacent to Broad Cove of Spruce Creek in the Town of Kittery, Maine (see **Exhibit 3.0**). There is no formal access to the resource for boating and other recreational water activities from the Applicant's property. In order to safely and reasonably access the coastal waters for these purposes, the Applicant proposes to construct a permanent pier with a seasonal ramp and float.

Atlantic Environmental, LLC (AE) investigated the site and the surrounding area to determine the feasibility of accessing the resource and constructing a dock that will accommodate the Applicant's watercraft and meet project goals while avoiding and minimizing impacts to the environment. Based on the Applicant's needs, the existing conditions of the site and the outcome of our investigations, the following design criteria have been determined.

In order to reach navigable waters on a partial-tide basis, the Applicant proposes to construct a dock consisting of a pier, a seasonal ramp, and a seasonal float. The pier will begin in the upland will extend in a northeasterly direction. The pier will measure four (4) feet wide by eighty (80) feet long and will be supported with a total of fourteen (14), eight (8) inch by eight (8) inch pilings and helix anchors that will be installed as described in **Exhibit 6.0**. As a result of the pilings located below the Highest Annual Tide (HAT) line, there will be a total of approximately twelve (12) square feet of direct impacts to the coastal wetland. The pier will be constructed with a 1H:1W to minimize the potential for shading impacts on the marsh vegetation. The pier will connect to a three (3) foot wide by thirty-six (36) foot long ramp and a ten (10) foot wide by twenty (20) foot long float. The float will be secured in place with float tiebacks to the pier on the inboard side and float tiebacks and helix anchors on the outboard

side. The ramp will be stored on the pier and the float will be stored in an upland location as shown on the plan sheets in **Exhibit 5.0**.

The construction of the dock will not require the removal of any trees or vegetation.

Town of Kittery – Port Authority Rules and Regulations
Section 4. Piers, Wharves, Floats, and Other Marine-Related Structures
Section 4.7. Performance Standards

4.7.1. All applications for permits under this section must comply with Town Code Title 16 and any other applicable federal or state requirements. These requirements apply to all development within 250 feet, horizontal distance, of the normal high-water mark of any river or saltwater body. These requirements also apply to any structure built on, over, or abutting a dock wharf or pier, or any other structure extending beyond the normal high- water mark of a water body or within a coastal wetland shown on the Official Shoreland Zoning Map.

The Applicant has included information in this application to demonstrate compliance with Town Code Title 16. In addition, applications were submitted to the Maine Department of Environmental Protection (MDEP) and the Army Corps of Engineers (ACOE) and copies of those approvals are included with the application materials.

4.7.2. The construction of any piers, docks, wharves, and other structures and uses extending over or beyond the normal high-water mark of a water body or within a wetland must comply with all applicable requirements of Town Code Title 16.

As stated above, the Applicant has submitted additional information as it relates to Town Code Title 16. In addition, the Applicant intends to submit a building permit upon review and approval of the proposed dock by the Kittery Port Authority.

4.7.3. Non-commercial private piers may have a maximum width of 6 feet as measured parallel to the shoreline and be limited to the minimum size necessary to accomplish their purpose. Except for temporary ramps and floats, the total length of a ramp, pier and float structure may not extend more than 150 feet beyond the normal high-water mark and piers not extend more than 100 feet beyond the normal high-water mark nor extend below the mean low water mark, whichever is shorter.

The proposed pier is four (4) feet in width and the proposed length will allow the ramp and float to span the marsh vegetation and provide reasonable tidal access. The proposed dock consisting of the pier, ramp, and float extends approximately eighty-four (84) feet beyond the mean high water (MHW). The pier will not

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 maximum height of the pier deck is 5.2 feet above the normal highwater mark and the handrails will measure 3.3 feet.

4.7.5. Commercial piers are limited to the minimum size necessary to accomplish their purpose. They may not extend beyond the mean low water mark except with credible proof by the applicant that the extension is necessary for the water-dependent use of the pier. The maximum height of the pier deck may not exceed six (6) feet above mean high water mark and the handrails not exceed 42", without a showing of necessity and specific approval of the Port

Authority. Documentation required for an application for a commercial pier, in addition to all other requirements of these Rules and Regulations, must set forth credible proof of the commercial usage and include at least the following:

- A. Written documentation as to the nature of the commercial enterprise and why the applicant is requesting a pier that does not meet the non-commercial private pier standards noted above;
- B. Written proof of a valid commercial enterprise, such as commercial fishing license, articles or organization/incorporation for the business;
- C. Documentation of their ownership in the commercial business or enterprise;
- D. Any additional documentation required by the Port Authority for determining the commercial use and operation of the commercial pier.

The proposed dock is for private, recreational residential use and will not be used for commercial purposes.

4.7.6. Piers, wharves, and pilings must be set back at least 25 feet from property lines and 50 feet from other structures that are fixed in place below the normal high- water mark and not owned or controlled by the applicant unless a letter of permission is granted by abutting or other controlling property owner. If abutting property owners reach a mutual agreement regarding structures which have a lesser setback, which does not interfere with navigation, is practical and is consistent with the intent of these regulations, that setback may be authorized by the Port Authority if the applicant agrees to record any ensuing permit (which will have that agreement as a condition) and the abutters' letters of no objection, with the Registrar of Deeds, or other appropriate official charged with the responsibility for maintaining records of title to or interest in real property in the Town .

The proposed dock will begin in the upland and will be thirty-four (34) feet from the southerly property line and sixty (60) feet from the northerly property line. The float will be located approximately thirty-two (32) feet from the southerly riparian line and approximately fifty-six (56) feet from the northerly riparian line.

Town of Kittery – Title 16 – Land Use & Development Code

Chapter 16.5: General Performance Standards

Section 16.5.22. Piers, Wharves, Marinas and Other Uses Projecting into Water Bodies

A. Standards.

Development involving piers, wharves, marinas and other uses projecting into water bodies must conform to following standards:

1. In accordance with 38 M.R.S. §435 et seq., Mandatory Shoreland Zoning, all dimensional and other standards (excluding setbacks from water bodies) of this Code apply to structures and uses projecting into a water body beyond the normal high-water mark.

The proposed pier will extend approximately thirty-two (32) feet below the normal high water line. The pier, ramp, and float will extend approximately eighty-four (84) feet below the normal high water mark. The dock will not extend below the mean low water mark.

2. Boathouses, while convenient to locate near the water, are not considered functionally water-dependent uses and must meet the same setback requirement as principal structures. The State of Maine no longer issues permits for construction of boathouses below the normal high water line due to the adverse environmental impact; therefore new boathouses must be located on uplands.

The Applicant does not propose to construct a boathouse.

3. Only functionally water-dependent uses are allowed on, over, or abutting a pier, wharf, or other structure beyond the normal high-water line.

The proposed dock is a water-dependent use.

4. Access from shore must be developed on soils appropriate for such use and constructed so as to control erosion.

The Applicant proposes to support the dock with helix anchors which are installed hydraulically and without large equipment. The anchor is held in place while the power head winds the helix into the ground, resulting in minimal soil disturbance and therefore no soil erosion.

5. The location must not interfere with existing developed recreational and maritime commerce or natural beach areas.

The proposed location is close to shore and within the intertidal zone and does not contain existing developed recreation and maritime commerce or natural beach areas.

6. The facility must be located so as to minimize adverse effects on fisheries.

The proposed structures have been positioned to extend a reasonable distance to provide partial tide access. The float will be elevated to minimize impacts to the mudflats during periods of low tides. In addition, the ramp and float will be in place on a seasonal basis, furthering minimizing impacts to fisheries. The project was reviewed by the Maine Department of Environmental Protection (DEP) and the Army Corps of Engineers (ACOE) and

their review agencies. Their findings did not identify any measurable issues related to fisheries as a result of the proposed project.

7. The facility must be a water-dependent use and no larger in dimension than necessary to carry on the activity and must be consistent with existing conditions, use and character of the area.

The proposed structures are the minimal length necessary to span the marsh vegetation and provide reasonable partial tide access to the resource. There are other structures of similar scale located in the project vicinity.

8. No new structure may be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water as an operational necessity.

The Applicant does not propose any new structures on, over, or abutting the proposed dock.

9. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland may be converted to residential dwelling units in any district.

There are no existing structures on, over, or abutting the proposed dock and the Applicant does not propose to convert anything to a residential dwelling unit.

10. Except in the Commercial Fisheries/Maritime Uses Overlay Zone, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland must not exceed twenty (20) feet in height above the pier, wharf, dock or other structure.

The Applicant does not propose to construct a structure on, over, or abutting the proposed dock.

11. Applicants proposing any construction or fill activities in a waterway or wetland requiring approval by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act, Section 9 or 10 of the Rivers and Harbors Act, or Section 103 of the Marine Protection, Research and Sanctuaries Act, must submit proof of a valid permit issued.

The Applicant has included the ACOE approval in the application materials.

12. Proposals for any principal marine structure use, any residential joint and/or shared-use pier, or any residential development use pier require Planning Board approval.

The proposed dock is a is for a single residential use.

13. A residential development containing five (5) or more lots in a zone permitting a residential development use pier may construct only one residential development use pier.

The proposed dock is located on a single, residential lot.

14. Commercial development of the shorefront must provide for access by the general public as part of a shorefront development plan.

N/A

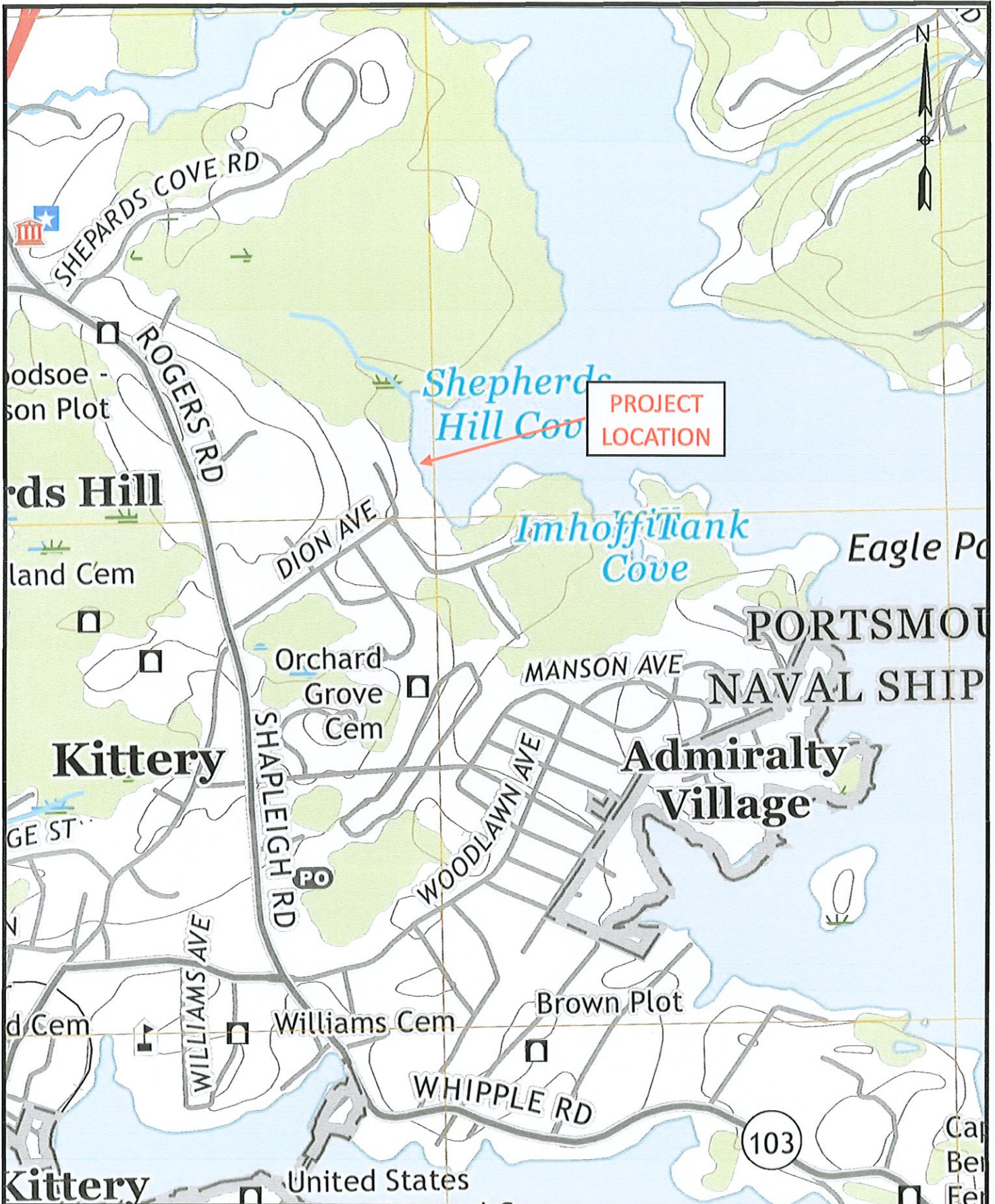
15. Only one pier, ramp and float structure is permitted on any noncommercial or non-industrial lot.


The Applicant is proposing one pier, ramp, and float.

16. Marine-related permanent structures located below the mean low water line require the following permits, leases, and approvals: 1. Port Authority approval; 2. Department of Environmental Protection permit pursuant to the Natural Resources Protection Act, 38 M.R.S. §480C; 3. Army Corps of Engineers permit; 4. Maine State Department of Conservation, Bureau of Parks and Lands, Submerged Land Coordinator approval; 5. Building permit.

The dock is not located below the mean low water; therefore, no review by the Submerged Lands Program of the Maine Department of Agriculture, Conservation, and Forestry is required.

The Applicant has submitted applications to the Port Authority, DEP, and ACOE. Upon receipt of these approvals, the Applicant will submit a Building Permit application to the Town of Kittery.



 <p>ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tir@gat.com enviromaine.com</p>	<p>Date: 2/7/2023 Revised: Project: Hunter, Kittery</p>	<p>PROJECT LOCATION 50 Dion Avenue Kittery, Maine 03904 43.097291, -70.732966</p>	<p>Sheet 1 of 1</p>
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PROJECT LOCATION

MAP NO. 23

INDEX DIAGRAM

PROPERTY MAP KITTERY MAINE

SCALE: 1" = 100'

REVISED TO: APRIL 1, 2022

LEGEND

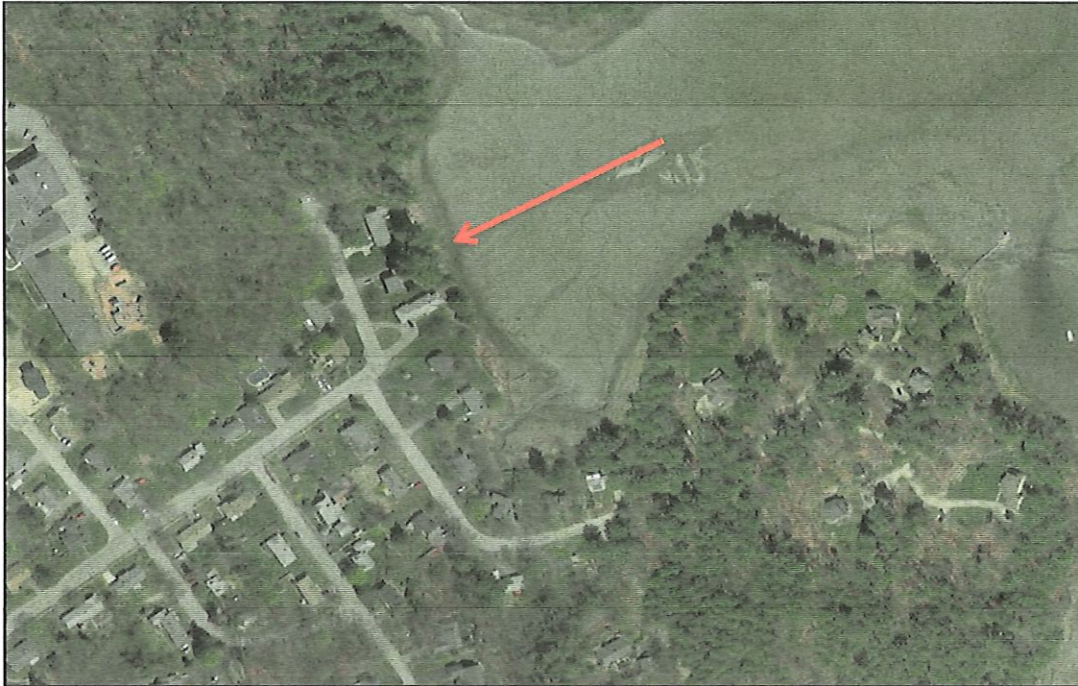
REVISIONS & APPROVED BY

PROGRAM IS FOR INFORMATIONAL PURPOSES. IT IS NOT VALID FOR LITIGATION OR AS EVIDENCE IN COURT. THE INFORMATION CONTAINED HEREIN IS NOT GUARANTEED, WARRANTED, OR REPRESENTED BY THE STATE OF MAINE.

CONSULTING ENGINEER: JAMES E. O'NEILL & ASSOCIATES, INC. 100 BROADWAY, SUITE 200, PORTLAND, ME 04101

EXHIBIT 4.0: PHOTOGRAPHS

The following photographs are taken from the site of the project and represent the proposed location of the dock located at 50 Dion Avenue in the Town of Kittery, ME.



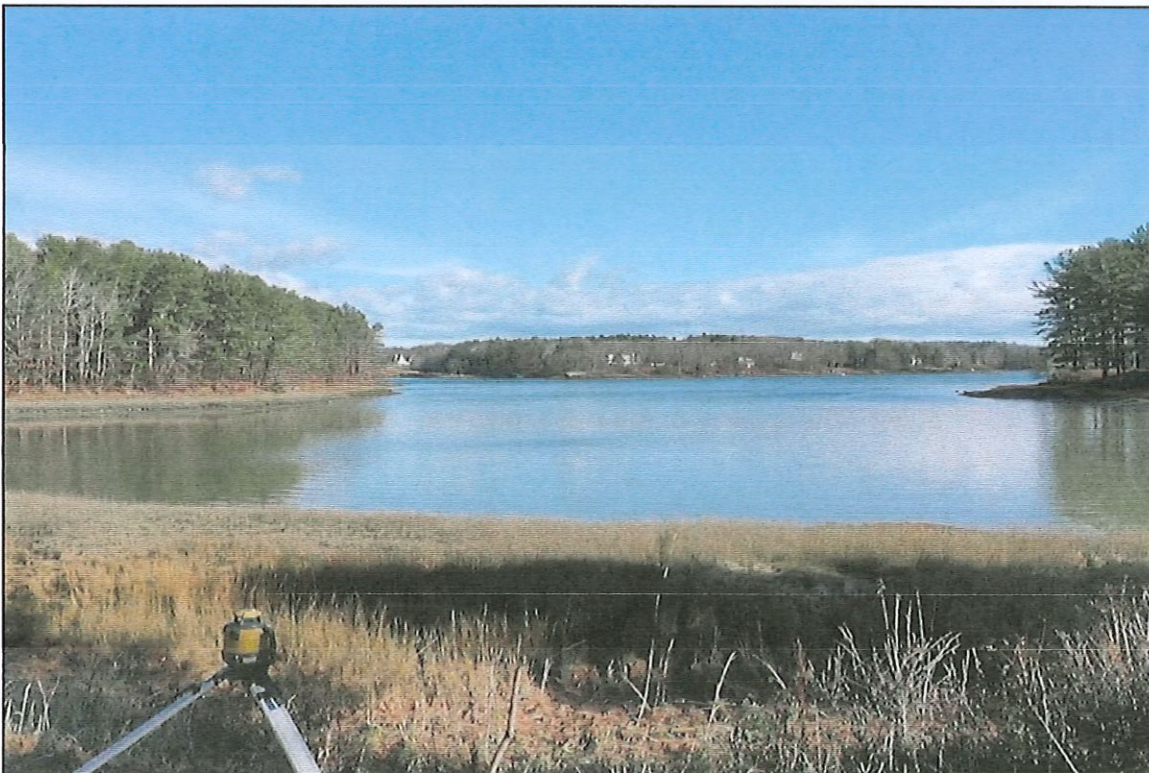
Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of project.
Source: Google Earth. Date: May 4, 2018.



Photograph Two. Drone imagery showing overview of project site. Red arrow indicates project site.
Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.



Photograph Three. Drone image showing mudflats – float will be constructed with float skirts. Red arrow indicates project site. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.



Photograph Four. Facing northeasterly – view of intertidal area and project site. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.



Photograph Five. view of intertidal substrates in location of proposed dock. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.



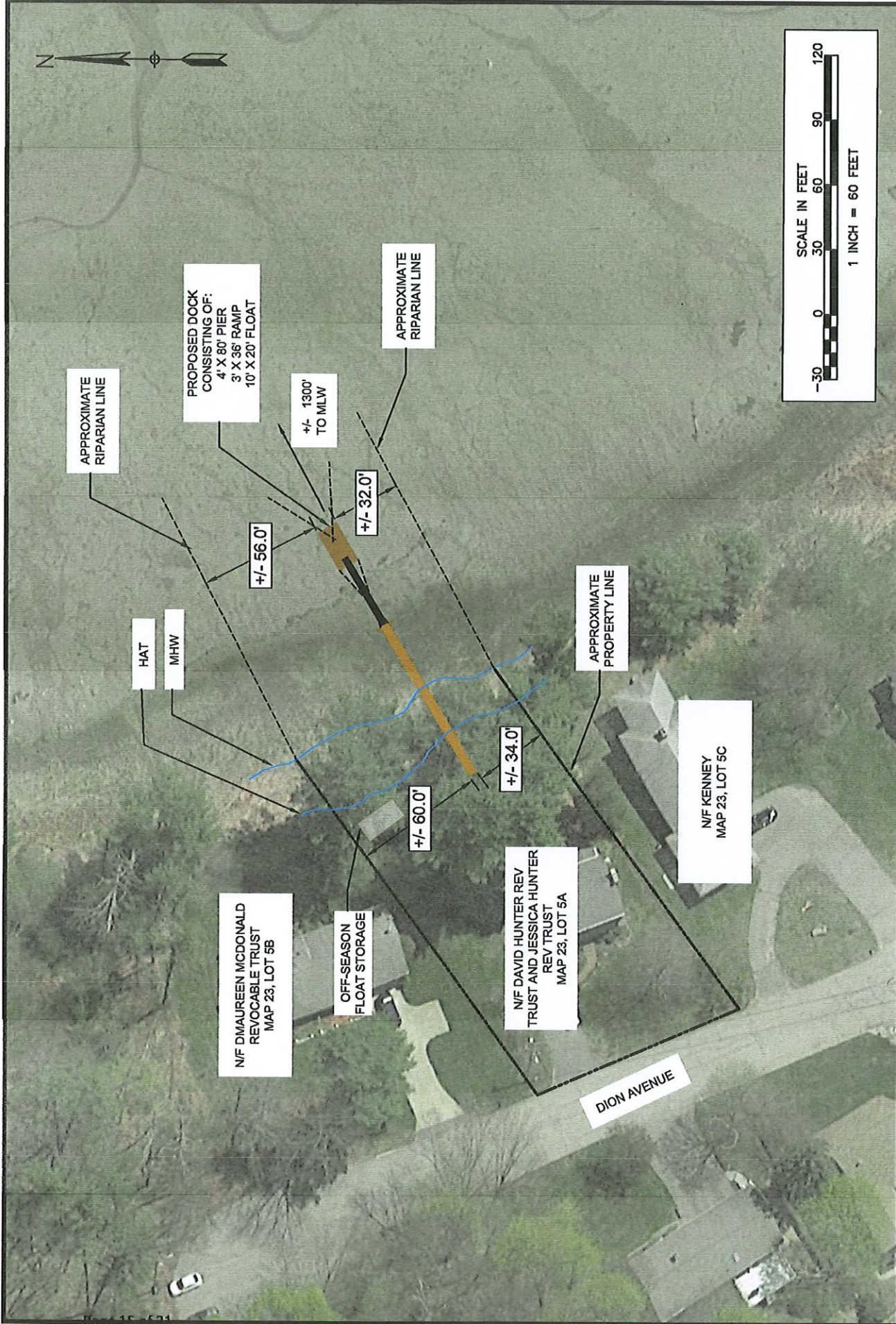
Photograph Six. Facing southerly - view of surrounding area. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.



Photograph Seven. Additional drone image of project site. Red arrow indicates project site. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.

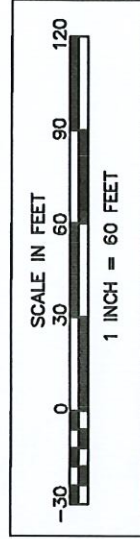
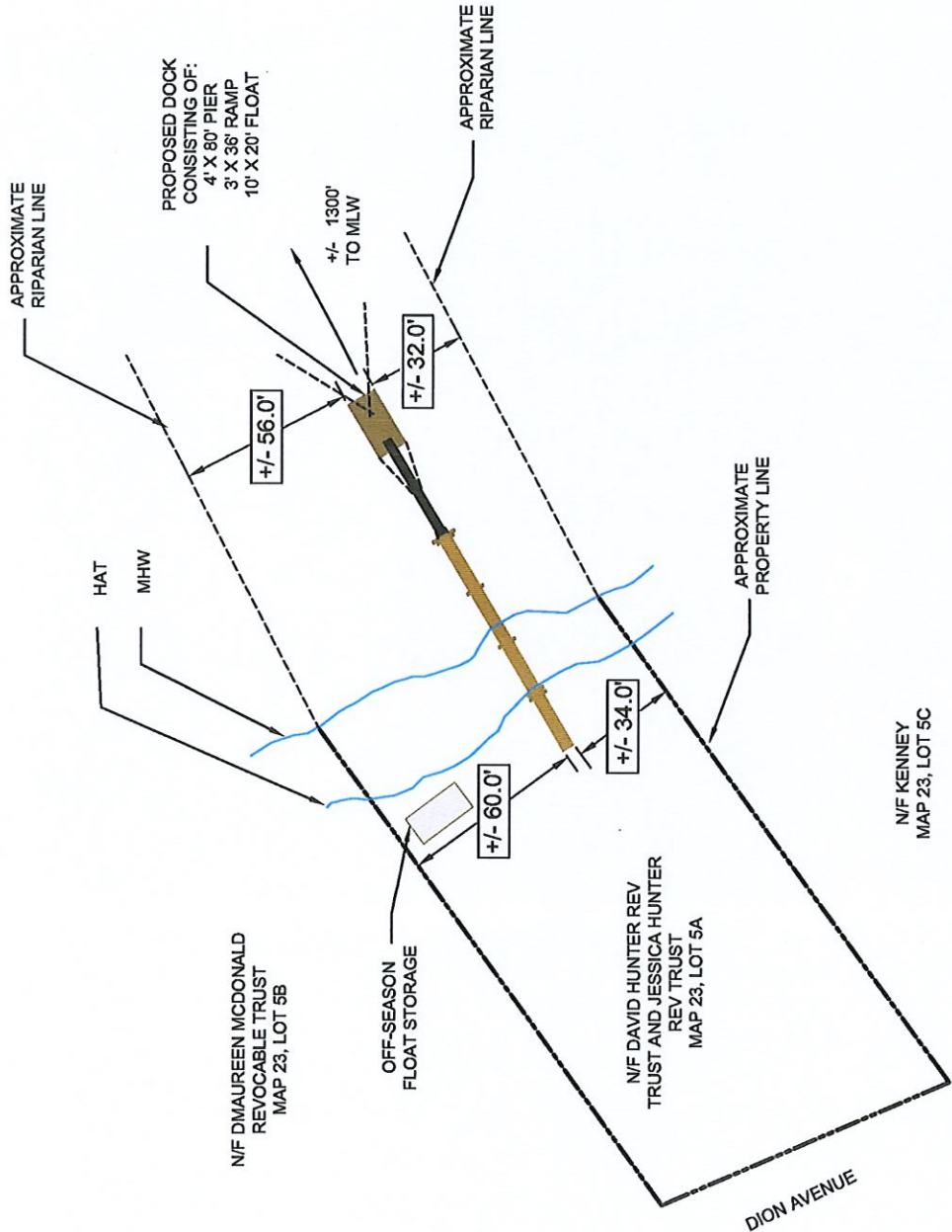


Photograph Eight. Facing northerly – view of surrounding area. Photographer: Tim Forrester, Atlantic Environmental, LLC Date: November 28, 2022.

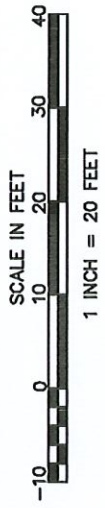
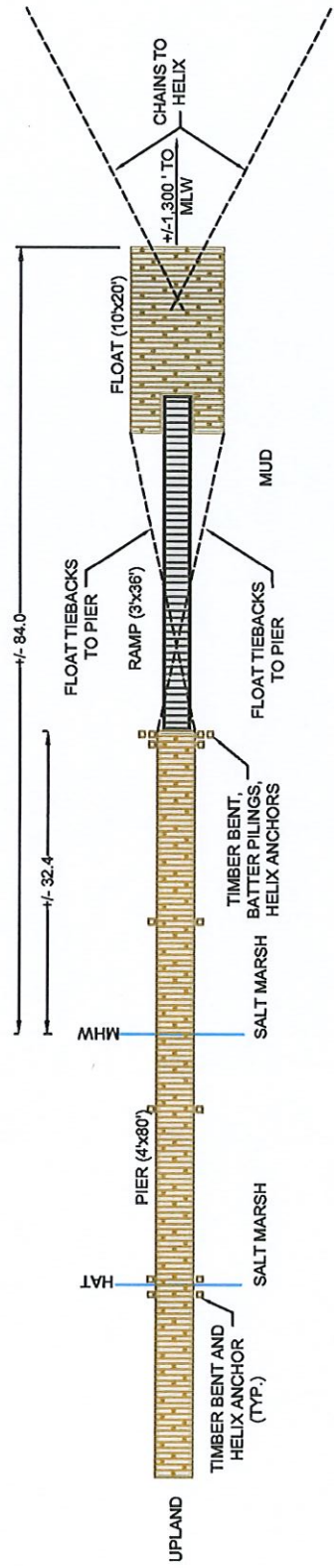
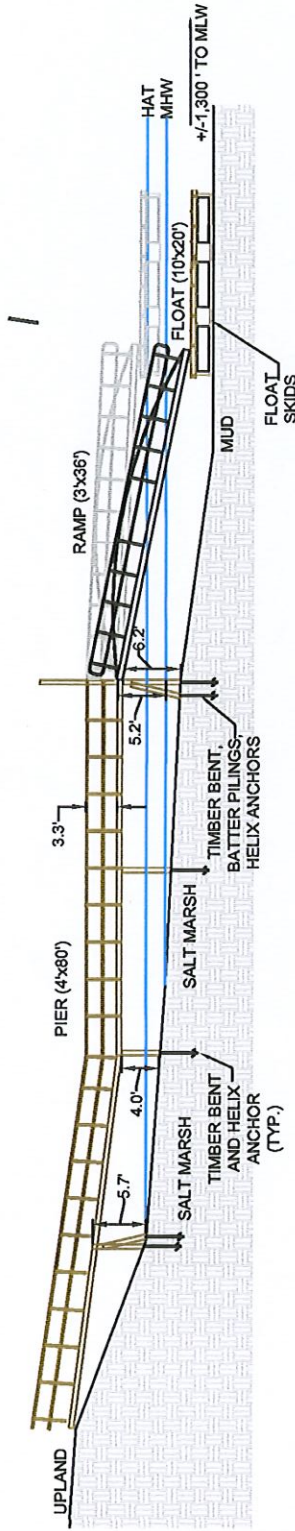


<p>Sheet 1 of 3</p>	<p>Plan View of the Proposed Dock for David and Jessica Hunter located at 50 Dion Avenue, Kittery Maine.</p>	<p>Date: 2/7/2023 Revised: Project: Hunter, Kittery Drafted By: TAF/LCV</p>	<p>ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tim@atlanticenviromaine.com</p>
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FOR PERMITTING PURPOSES



- NOTES:
- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
 - 2) 8" X 8" PILING AND HELIX ANCHORS WILL SUPPORT THE PROPOSED PIER.
 - 3) HELIX ANCHORS WILL BE DRIVEN TO REFUSAL IN THE SUBSTRATES.
 - 4) FLOAT WILL BE CONSTRUCTED WITH FLOAT SKIDS AND SECURED IN PLACE WITH FLOAT TIEBACKS TO THE PIER ON THE INBOARD SIDE AND TIEBACK AND HELIX ON THE OUTBOARD SIDE.
 - 5) RAMP WILL BE STORED ON THE PIER AND FLOAT WILL BE HAULED OUT AND STORED IN AN UPLAND LOCATION ON THE APPLICANT'S PROPERTY.
 - 6) NO VEGETATION WILL BE REMOVED FOR THE CONSTRUCTION OF THE DOCK.
 - 7) EROSION CONTROLS WILL BE MAINTAINED AS NECESSARY UNTIL THE SITE IS STABILIZED.



Sheet
3
of
3

Plan View and Cross Section View of the Proposed Dock for David and Jessica Hunter located at 50 Dion Avenue, Kittery Maine.

Date: 2/17/2023
Revised:
Project: Hunter, Kittery
Drafted By: TAF/LCV

ATLANTIC ENVIRONMENTAL LLC.
Environmental Consultants
135 River Road, Woolwich, ME 04579
(207) 837-2199
tim@atlanticevirmaine.com



FOR PERMITTING PURPOSES

EXHIBIT 6.0: CONSTRUCTION PLAN

The pier will be supported with pilings and helix anchors as described in **Exhibit 1.0**. Any CCA-treated lumber used for the construction of the pier will be cured on dry land for 21 days prior to the start of construction.

All materials will be transported to the site from the adjacent upland area. In addition, construction access will take place from the upland. The helix anchors will be installed hydraulically. The anchors are held in place and the power head winds the helix into the ground, resulting in minimal soil disturbance. The ramp and float will be constructed off-site and set in place once the pier is constructed. It is not anticipated that measurable soil disturbance will occur as a result of the construction of the pier given the use of helix anchors and construction methods. The construction of the dock should take approximately one (1) to two (2) weeks.

EXHIBIT 7.0: EROSION CONTROL PLAN

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

DLN:1002140154338

QUIT-CLAIM DEED


KNOW ALL BY THESE PRESENT that ANNE McCOOEY, with a mailing address of 1155 Islington Street #16, Portsmouth, New Hampshire 03801, Successor Trustee of the MAUREEN QUIRK REVOCABLE TRUST of 2008, for consideration paid, Grants to DAVID C. HUNTER, Trustee of the David C. Hunter Revocable Trust u/t/a dated Mary 16, 2007, as amended and restated and JESSICA L. HUNTER, Trustee of the Jessica L. Hunter Revocable Trust u/t/a dated May 16, 2007, as amended and restated, both with a mailing address of 225 Wibird Street, Portsmouth, New Hampshire 03801, as Joint Tenants, the land in Kittery, in York County, State of Maine, together with the buildings thereon, and being No. 41 on a Plan entitled, "PORTION OF PROPERTY OF JOSEPH DION, KITTERY, YORK COUNTY, MAINE, SURVEYED BY MOULTON ENGINEERING CO., INC. JANUARY 1964, ALBERT MOULTON, C.E." filed in the York County Registry of Deeds in Plan Book 41, Page 46. Said lot is further bounded and described as follows:

BEGINNING on the easterly side of Dion Avenue, at a point 78.12 feet southerly from line of Rogers Park, property of the Town of Kittery; thence turning and running South 6° 32' 10" East by said Dion Ave 100 feet to a hub; thence turning and running North 71° East, 159.33 feet by Lot No. 40; thence turning and running North 10° 08' West 79.06 feet, to a hub; thence turning and running North 2° 45' West, 20.34 feet, to Lot No. 42; thence turning and running South 71° West by said Lot No. 42, 155.63 feet, to said Dion Avenue and place of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to Maureen Quirk as Trustee of Maureen Quirk Revocable Trust of 2008 by deed of Maureen Quirk, f/k/a Maureen J. Wooles dated December 1, 2008 and recorded at the York County Registry of Deeds at Book 15530, Page 193. MAUREEN QUIRK died on November 3, 2020; ANNE McCOOEY is the Successor Trustee.

IN WITNESS WHEREOF, our hands this 21st day of July, 2021.

The Maureen Quirk Revocable Trust of 2008



Witness

By: 

ANNE McCOOEY,
Successor Trustee

Maine R.E. Transfer Tax Paid

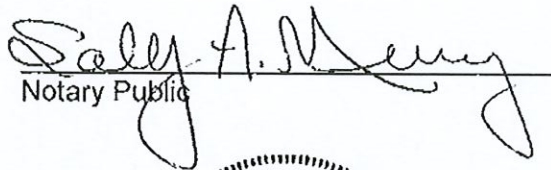
STATE OF MAINE

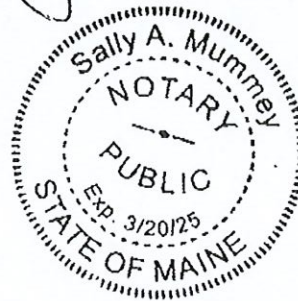
County of York

July 21, 2021

Then personally appeared the above-named, **ANNE McCOOEY**, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

Before me,


Notary Public





DEPARTMENT ORDER

IN THE MATTER OF

DAVID HUNTER REVOCABLE TRUST &) NATURAL RESOURCES PROTECTION ACT
JESSICA HUNTER REVOCABLE TRUST) COASTAL WETLANDS ALTERATION
Kittery, York County) SIGNIFICANT WILDLIFE HABITAT
RESIDENTIAL PIER SYSTEM) WATER QUALITY CERTIFICATION
L-30233-4P-A-N (approval))
L-30233-TW-B-N (approval)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S. §§ 480-A–480-JJ, Section 401 of the Clean Water Act (33 U.S.C. § 1341), and Chapters 310, 315, and 335 of Department rules, the Department of Environmental Protection (Department) has considered the application of DAVID HUNTER REVOCABLE TRUST AND JESSICA HUNTER REVOCABLE TRUST (applicants) with the supportive data, agency review comments, public comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. Summary: The applicants propose to construct a residential pier system consisting of a four-foot-wide by 80-foot-long pier supported with 14, eight-inch square pilings and helix anchors. A three-foot-wide by 36-foot-long ramp would connect the pier to a 10-foot-wide by 20-foot-long float on skids. The float would be secured in place with tiebacks to the pier and helix anchors. The project is located at 550 Dion Road in the Town of Kittery.

The pier system would directly alter approximately 12 square feet of salt marsh habitat as a result of piling installation. Approximately 536 square feet of intertidal area, roughly 240 square feet of which is salt marsh habitat, would be indirectly impacted by the pier system as a result of shading from the structures. The pier would be constructed at greater than 1H:1W to minimize indirect impacts to the salt marsh vegetation through shading. The project is located in a Tidal Waterfowl and Wading Bird Habitat (TWWH), which is a Significant Wildlife Habitat as defined in the Natural Resources Protection Act (NRPA).

B. Current Use of the Site: The 0.35-acre property contains a single-family residence located adjacent to Broad Cove on Spruce Creek. The parcel is identified as Lot 5A on Map 23 of the Town of Kittery's tax maps.

2. EXISTING SCENIC, AESTHETIC, RECREATIONAL OR NAVIGATIONAL USES:

The NRPA, in 38 M.R.S. § 480-D(1), requires applicants to demonstrate that the proposed project will not unreasonably interfere with existing scenic, aesthetic, recreational, and navigational uses.

In accordance with Chapter 315, *Assessing and Mitigating Impacts to Scenic and Aesthetic Uses* (06-096 C.M.R. ch. 315, effective June 29, 2003), the applicants submitted a copy of the Department's Visual Evaluation Field Survey Checklist as Appendix A to the application along with a description of the property and the proposed project. The applicants also submitted several photographs of the proposed project site and surroundings including an aerial photograph of the project site.

The proposed project is located in Broad Cove of Spruce Creek, which is a scenic resource visited by the general public, in part, for the use, observation, enjoyment, and appreciation of its natural and cultural visual qualities. The project is located within 0.25 mile of Rogers Park. Rogers Park is a 27-acre public park that contains walking trails with some shorefront access and views of Spruce Creek. Properties near the proposed project contain similar and visible residential structures and pier systems. According to the Department's GIS system, four similar pier structures are located within 0.25 mile of the proposed project site on the south side of the cove.

To reduce visibility of the pier system from the scenic resource, the applicants have minimized the length of the permanent structure to the greatest extent practicable and propose to construct the pier system in a manner similar to the existing pier structures in the surrounding area. No trees or vegetation are proposed to be removed for the installation of the pier system.

The Department staff utilized the Department's Visual Impact Assessment Matrix in its evaluation of the proposed project and the Matrix showed an acceptable potential visual impact rating for the proposed project. Based on the information submitted in the application and the visual impact rating, the Department determined that the location and scale of the proposed activity is compatible with the existing visual quality and landscape characteristics found within the viewshed of the scenic resource in the project area.

The Department of Marine Resources (DMR) reviewed the project and stated that the proposed project should not cause any significant adverse impact to navigation or recreation based on the nature of the project and its location.

3. SOIL EROSION:

The NRPA, in 38 M.R.S. § 480-D(2), requires the applicant to demonstrate that the proposed project will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

Construction access and material transport would occur from the upland area. The helix anchors would be installed hydraulically, which would result in minimal soil disturbance. The ramp and float would be constructed off-site and set in place once the pier is completed. No vegetation is proposed to be removed as a result of the proposed project.

The Department finds that the activity will not cause unreasonable erosion of soil or sediment nor unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.

4. HABITAT CONSIDERATIONS:

The NRPA, in 38 M.R.S. § 480-D(3), requires applicants to demonstrate that the proposed project will not unreasonably harm significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

The project is proposed along the shoreline of, and extending into, Spruce Creek. According to the Department's Coastal Wetland Characterization form completed by Flycatcher, LLC and submitted as Appendix B in the application, habitat present on-site consists of salt marsh and mud flat with less than 5% slopes. Marine worms were commonly found, and clams were occasionally found.

In review comments dated April 21, 2023, DMR stated that habitat in the intertidal area is high salt marsh grading to mudflat. Shellfish harvesting is prohibited in this location. Soft-shell clams and marine worms have been documented in the area, but no eelgrass resources are known to exist in the project location. DMR concluded that the project, as proposed, would have some impacts to marine resources and habitat. The float would rest on soft bottom habitat during low tides. The seasonal nature of the structure as well as the skids proposed for the float would help to minimize compaction of the area. However, any boats tied up at the float would bottom out on the flat during low tides, increasing the area of compaction.

According to the Department's GIS database, the proposed project is located within a TWWH. In review comments dated May 15, 2023, the Maine Department of Inland Fisheries and Wildlife (MDIFW) recommended deck board spacing of ¾-inch over the saltmarsh to minimize shading impacts. In an email response dated May 16, 2023, the applicants agreed to incorporate ¼-inch deck spacing versus the standard ⅛-inch spacing. The applicants explained that children would be utilizing the residential pier system, and they had safety concerns with ¾-inch spacing such as the potential for toes to slip between the deck boards. The applicants further stated that the pier stringers and thickness of the deck boards would block light penetration regardless of deck spacing. They stated that some studies have found that the most effective means to minimize the potential for shading impacts on marsh vegetation is to elevate the pier a minimum of 1H:1W. The proposed pier would be four feet in width; it is designed to be five feet eight inches in height at the landward end of the pier where marsh habitat begins. Considering the angle of the sun, and a height greater than the pier width, the applicants determined

that greater deck board spacing would provide little increase in light penetration to the marsh vegetation. In response to the revised deck spacing of ¼ inch, in an email dated May 17, 2023, MDIFW stated that, since all piers create impacts to the resource, ¾-inch spacing is the typical recommendation to help minimize those impacts because it allows more light penetration than ¼-inch spacing.

Through the use of float skids and the seasonal removal of the ramp and float, the applicants have minimized impacts to on-site habitat. The applicants have also incorporated greater deck spacing to encourage light penetration to the salt marsh vegetation beneath. Though the deck spacing of ¼-inch is not fully in line with the recommendation from MDIFW, the Department determined that the resultant impacts are not unreasonable. Thus, the Department finds that the applicants have minimized impacts to the greatest extent practicable.

The Department finds that the activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

5. WATER QUALITY CONSIDERATIONS:

The applicants propose to use lumber treated with chromated copper arsenate (CCA) to construct the pier. To protect water quality, all CCA-treated lumber must be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

Provided that CCA-treated lumber is cured as described above, the Department finds that the proposed project will not violate any state water quality law, including those governing the classification of the State's waters.

6. WETLANDS AND WATERBODIES PROTECTION RULES:

The applicants propose to directly alter 12 square feet of coastal salt marsh to construct the proposed residential pier system. The proposed pier, seasonal ramp, and seasonal float would cause indirect impacts to 526 square feet of coastal wetland, including 240 square feet of salt marsh habitat. Coastal wetlands are wetlands of special significance.

The *Wetlands and Waterbodies Protection Rules*, 06-096 C.M.R. ch. 310 (last amended November 11, 2018), interpret and elaborate on the Natural Resources Protection Act (NRPA) criteria for obtaining a permit. The rules guide the Department in its determination of whether a project's impacts would be unreasonable. A proposed project would generally be found to be unreasonable if it would cause a loss in wetland area, functions and values and there is a practicable alternative to the project that would be less damaging to the environment. Each application for a NRPA permit that involves a coastal wetland alteration must provide an analysis of alternatives in order to demonstrate that a practicable alternative does not exist.

A. **Avoidance.** An applicant must submit an analysis of whether there is a practicable alternative to the project that would be less damaging to the environment and this analysis is considered by the Department in its assessment of the reasonableness of any impacts. Additionally, for activities proposed in, on, or over wetlands of special significance the activity must be among the types listed in Chapter 310, § 5(A) or a practicable alternative less damaging to the environment is considered to exist and the impact is unreasonable. A pier is a water dependent use and its proposed construction is among the activities specifically provided for in Chapter 310, § 5(A)(1)(c).

The applicants submitted an alternatives analysis for the proposed project as Exhibit 2, completed by Flycatcher, LLC., and dated February 9, 2023. The purpose of the project is to gain partial-tide access to the coastal wetland for swimming and recreational boating, including kayaking and paddleboarding. The applicants considered the no-action alternative through the use of public or private marina and docking facilities. The nearest public boat launch is located approximately 1 mile from the project site. The applicants determined that the need to trailer and launch their boat on a regular basis was too restrictive. Additionally, the launch is not conducive to swimming. Several private marinas are located in close proximity to the proposed project. The Kittery Point Yacht Yard is closest, at approximately 1.8 miles from the property. The applicants determined that, similar to the public boat dock, the marinas do not provide readily available access to the coastal resource for boating and are not favorable for swimming. Additionally, the maintenance of the slip was determined to not be cost effective. Thus, the no-action alternative was rejected. The applicants considered constructing a temporary dock, but the annual cost for installation and removal of the structure would eventually exceed the cost of the permanent pier and would likely result in greater impacts to the coastal wetland during the installation and removal process. The applicants also considered alternate locations on-site. The proposed project was designed at the proposed location because it does not require vegetation removal. The preferred alternative was developed to provide reasonable partial-tide access to the coastal wetland while minimizing impacts to the resource. The pier would be constructed greater than four feet in height over the intertidal vegetation to minimize shading effects to the salt marsh.

B. **Minimal Alteration.** In support of an application and to address the analysis of the reasonableness of any impacts of a proposed project, an applicant must demonstrate that the amount of coastal wetland to be altered will be kept to the minimum amount necessary for meeting the overall purpose of the project. The applicants minimized the length of the pier to reach navigable waters on a partial-tide basis. The hydraulic installation of helix anchors would minimize soil disturbance and direct impacts to the coastal wetland. The ramp and float would be in place seasonally and would be removed off-site to an upland area when not in use.

C. **Compensation.** In accordance with Chapter 310, § 5(C)(6)(b), compensation may be required to achieve the goal of no net loss of coastal wetland functions and values. This project will not result in over 500 square feet of fill in the resource, which is the threshold over which compensation is generally required. Further, although the proposed

project would have some adverse impact on marine resources and wildlife habitat on-site through the compaction of soil and the potential decrease in saltmarsh biomass resulting from shading effects, the impacts are anticipated to be reasonable. The proposed project is similar in size, composition, orientation, and design to previously authorized residential pier systems in the vicinity. Furthermore, the applicants have undertaken measures to minimize potential negative impacts from the pier system. For these reasons, the Department determined that compensation is not required.

The Department finds that the applicants have avoided and minimized coastal wetland impacts to the greatest extent practicable, and that the proposed project represents the least environmentally damaging alternative that meets the overall purpose of the project.

7. OTHER CONSIDERATIONS:

The Department finds, based on the design, proposed construction methods, and location, the proposed project will not inhibit the natural transfer of soil from the terrestrial to the marine environment, will not interfere with the natural flow of any surface or subsurface waters, and will not cause or increase flooding. The proposed project is not located in a coastal sand dune system, is not a crossing of an outstanding river segment, and does not involve dredge spoils disposal or the transport of dredge spoils by water.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S. §§ 480-A–480-JJ and Section 401 of the Clean Water Act (33 U.S.C. § 1341):

- A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses.
- B. The proposed activity will not cause unreasonable erosion of soil or sediment.
- C. The proposed activity will not unreasonably inhibit the natural transfer of soil from the terrestrial to the marine or freshwater environment.
- D. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel corridor, freshwater, estuarine, or marine fisheries or other aquatic life.
- E. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.
- F. The proposed activity will not violate any state water quality law including those governing the classifications of the State's waters provided that CCA-treated lumber is cured as described in Finding 5.
- G. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

- H. The proposed activity is not on or adjacent to a sand dune.
- I. The proposed activity is not on an outstanding river segment as noted in 38 M.R.S. § 480-P.

THEREFORE, the Department APPROVES the above noted application of DAVID HUNTER REVOCABLE TRUST AND JESSICA HUNTER REVOCABLE TRUST to construct a residential pier system as described in Finding 1, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. Standard Conditions of Approval, a copy attached.
2. The applicants shall take all necessary measures to ensure that their activities or those of their agents do not result in measurable erosion of soil on the site during the construction of the project covered by this approval.
3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
4. All CCA-treated lumber shall be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.

DONE AND DATED IN AUGUSTA, MAINE, THIS 23rd DAY OF MAY 2023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: 
 For: Melanie Loyzim, Commissioner

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

MB/L30233ANBN/ATS#90659/90794

<p>FILED May 25th, 2023 State of Maine Board of Environmental Protection</p>



Natural Resources Protection Act (NRPA) Standard Conditions

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCES PROTECTION ACT, 38 M.R.S. §§ 480-A ET SEQ., UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. Approval of Variations From Plans. The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. Compliance With All Applicable Laws. The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. Erosion Control. The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. Compliance With Conditions. Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. Time frame for approvals. If construction or operation of the activity is not begun within four years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits may include information submitted in the initial application by reference. This approval, if construction is begun within the four-year time frame, is valid for seven years. If construction is not completed within the seven-year time frame, the applicant must reapply for, and receive, approval prior to continuing construction.
- F. No Construction Equipment Below High Water. No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- G. Permit Included In Contract Bids. A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- H. Permit Shown To Contractor. Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

Revised September 2016



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

DAVID & JESSICA HUNTER
DAVID HUNTER REVOCABLE TRUST
JESSICA HUNTER REVOCABLE TRUST
50 DION AVENUE
KITTERY, MAINE 03904

CORPS PERMIT # NAE-2023-00335
CORPS GP#s 3
STATE ID# NRPA

DESCRIPTION OF WORK:

Install and maintain a 4-ft wide x 80-ft long pile-supported pier with a 3-ft wide x 36-ft long seasonal ramp leading to a 10-ft wide x 20-ft long seasonal float below the mean high water mark of Shepherds Hill Cove off 50 Dion Ave at Kittery, ME. This work is shown on the attached plans entitled "PROJECT LOCATION" in one sheet dated "2/7/2023", "Plan View" in two sheets dated "2/7/2023", and "Plan View and Cross Section View" in one sheet dated "2/7/2023".

See GENERAL and SPECIAL CONDITIONS attached.

LAT/LONG COORDINATES: 43.097291° N -70.732966° W USGS QUAD: KITTERY, ME

I. CORPS DETERMINATION:

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

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: 23FEB2023 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/?p=136:4:0

Natalie Bingham
NATALIE BINGHAM
PROJECT MANAGER
MAINE PROJECT OFFICE

Colin Greenan
FOR 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-2023-00335**

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. **These forms are attached after the plans.**

SPECIAL CONDITION

1. All piles and associated helix anchors 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.



TOWN OF KITTERY

Code Enforcement Office

200 Rogers Road, Kittery, ME 03904

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

CEO@kitteryme.org

KITTERY PORT AUTHORITY APPLICATION ACCEPTANCE MEMO

From: Craig Alfis, Code Enforcement

To: Charles Patten, Port Authority Chair

Subj: Acceptance of Application, Moored Float in Area of Fort Foster

Mr. Chair,

Code Enforcement and Planning staff have reviewed the application for a moored float structure off the shore of Fort Foster and found it to be complete. The application requests the following:

1. The installation of a 24' x 26' float; and
2. The installation of two (2) 12' x 24' wing floats.

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; and
- Plans showing the approximate location and shape of the float;

This project is covered under USACE Maine General Permit #3, Structures, Floats and Lifts for self-verification. Therefore, no USACE individual permit is required. If the Port Authority votes to accept the application, an in-depth review will be performed by Code and Planning staff.

Signed,

Craig Alfis, Code Enforcement Officer

207-475-1308

ceo@kitteryme.org



KPA-23-13

Port Authority Application

Status: Active

Submitted On: 6/21/2023


Primary Location


0 PEPPERRELL ROAD
KITTERY, ME 03905

Owner


HAMES, JENNIFER
6 ROBERTS ROAD SOUTH
BERWICK, ME 03908

Applicant

 kevin mccoole

 207-703-4691

 kevinmccoole94@gmail.com

 244 PLEASANT STREET
Eliot, ME 03903

Project Discription

Description of Project*

Approve Float Placement for Piscataqua Youth Sail Association (PYSA) Float which stores High School sailing/racing dinghys supporting local high school teams including Traip Academy who started a team with Marshwood in 2023. Float is comprised of 3 interconnected floats, the main 24X26 foot float with two 12X24 wing floats/ramps connected with 6 connector pins each for easy disassembly and storage. Each wing stores 4 racing dinghys (420s) which are secured with individual cradles with port, starboard and bow tie downs. Placement of float between Fishers Island and Fort Foster (Note location specified in this application is a placeholder). Float is not permanent and will support Spring and Fall School Seasons and will then be pulled and stored. Commercial grade Float & Wings built by Riverside Pickering Marine (Gunner Ek can vouch for it's structural integrity). Per Riverside Pickering float will be secured with two 6000 LB blocks, one on each end of the float with a bridle connected by 50' of 1/2 inch chain to each block (see uploaded picture and diagram).

PYSA is a 501c3 supporting the funding of local high school sailing teams in the Pisacatua River Region. Current assets include the Float with Wings, decommissioned Kittery Harbormaster Launch (approved 6/12/23 by Kittery Town Council) for ferrying kids to and from the float from Pepperell Cove, 8 420 Racing Dinghys from the US Naval Academy, multiple inflatable coach boats, Helly Hanson Dry Suits, US Sailing Certified Coaches, and funding for insurance and operational support as required. Program is supported by Traip/Mashwood/Portsmouth Athletic Directors with 2024 interest from Berwick Academy, York High School, as well as others plus over 20+ business' and 200+ sailors to date.

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

No

Are any waivers from the performance standards in the Kittery Port Authority Rules & Regulations requested?*

No

Type of Project

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

No

Property Information

Name of the property owner(s)

Piscataqua Youth Sailing Association, Kevin McCoolle (President)

Property Address

Telephone Number

207-703-4691

Email Address

kevinmccoolle94@gmail.com

Size of the Property ?

Zoning District

Shore Frontage Footage ?

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 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 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 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	Date Application Completed
Kevin McCoole	6/19/23
Name of Property Owner	Agent Name
Agent Firm	Agent Phone
Agent Email	

History

Date	Activity
6/13/2023, 8:58:13 AM	kevin mccoole started a draft of Record KPA-23-13
6/21/2023, 6:19:23 AM	kevin mccoole submitted Record KPA-23-13
6/21/2023, 11:55:47 AM	completed payment step Fee Payment on Record KPA-23-13
6/21/2023, 11:55:49 AM	approval step Application Completeness Review was assigned to Craig Alfis on Record KPA-23-13
6/29/2023, 12:02:16 PM	Craig Alfis approved approval step Application Completeness Review on Record KPA-23-13
6/29/2023, 12:02:18 PM	approval step Application Placed on Agenda was assigned to Carrie Varao on Record KPA-23-13
7/5/2023, 1:12:48 PM	kevin mccoole added attachment PYSA FLOAT AND RACE COURSE PROPOSED LOCATIONS.pdf to Record KPA-23-13
7/5/2023, 1:20:11 PM	Carrie Varao approved approval step Application Placed on Agenda on Record KPA-23-13
7/5/2023, 1:20:13 PM	approval step Town Planner Upland Development Review was assigned to Maxim Zakian on Record KPA-23-13
7/5/2023, 1:20:13 PM	approval step Code Enforcement Upland Development Review was assigned to Craig Alfis on Record KPA-23-13

Date	Activity
7/6/2023, 8:01:26 AM	Craig Alfis approved approval step Code Enforcement Upland Development Review on Record KPA-23-13
7/6/2023, 3:17:39 PM	Maxim Zakian approved approval step Town Planner Upland Development Review on Record KPA-23-13
7/6/2023, 3:17:41 PM	approval step Port Authority Approval Uploaded was assigned to Carrie Varao on Record KPA-23-13

Timeline

Label	Activated	Completed	Assignee	Due Date
✓ Application Completeness Review	6/21/2023, 11:55:48 AM	6/29/2023, 12:02:16 PM	Craig Alfis	-
✓ Town Planner Upland Development Review	7/5/2023, 1:20:12 PM	7/6/2023, 3:17:39 PM	Maxim Zakian	-
✓ Code Enforcement Upland Development Review	7/5/2023, 1:20:12 PM	7/6/2023, 8:01:26 AM	Craig Alfis	-
✓ Application Placed on Agenda	6/29/2023, 12:02:18 PM	7/5/2023, 1:20:11 PM	Carrie Varao	-
💰 Fee Payment	6/21/2023, 6:19:24 AM	6/21/2023, 11:55:47 AM	kevin mccoole	-
✓ Port Authority Approval Uploaded	7/6/2023, 3:17:40 PM	-	Carrie Varao	-
✓ Building Permit Received	-	-	-	-

TRAIIP SAIL TEAM LOCATIONS

FLOAT AND COURSE POSSIBLE LOCATIONS

Piscataqua River

Legend

- Feature 1
- Feature 2
- Fort Foster Playground
- PYSA FLOAT LOCATION
- Whaleback Light Observation Point, Fort?
- Wood Island
- Wood Island Life Saving Station

PIN REPRESENTS
CENTER OF RACE
COURSE CIRCLE

PYSA RACE COURSE LOCATION

RACE COURSE CIRCLE IS
APPROXIMATELY 400
FEET IN DIAMETER

PYSA FLOAT LOCATION

N 43 03.930 W 070 41.921

Wood Island

Wood Island Life Saving Station

800 ft

N

NEW HAMPSHIRE



piscataqua youth
SAILING ASSOCIATION

*Piscataqua Youth Sailing Association Float constructed by Riverside Pickering Marine in 2023,
including Doug Anderson's 6/17/23 proposal for securing float*

