



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

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

**Meeting Agenda
September 2, 2021
6:00 P.M.**

1. Call to Order / Attendance
2. Pledge of Allegiance
3. Agenda Amendments and Adoption
4. Acceptance of Previous Minutes: July 1, 2021
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 accept an application from Ruth Lawrence, 19 Pleasant Street, Kittery, ME 03904 (Map 4, Lot 35A) to replace windows and doors in an existing commercial boat house, address cosmetic issues and add a deck to the second story for an exit.
 - b. The Kittery Port Authority moves to accept an application from Nicholas and Meredith Starr, 56 Tidewater Way, Kittery, ME 03904 (Map 47, Lot 18-3-2) for the construction of a 70'x3' fixed pier, 26'x3' gangway and a 10'x18' float. Agent is Duncan Mellor, Civil Works New England.
9. Public Segment (Three Mins.)
10. Unfinished Business
11. New Business
 - a. Yearly By-law Review
12. Committee and Other Reports

- a. Communications from the Chairperson
 - * Dredging Pepperrell Cove up-date
- 13. Board Member Issues or Comments
- 14. Executive Session
- 15. Adjournment

1 1. Call to Order / Attendance

2 Chair Philbrook called meeting to order at 5:57 p.m.

3 Members present: Chair Philbrook, Vice Chair Patten, Bryan Bush, John McCollett, Alan
4 Johnston, Niles Pinkham and Steve Lawrence.

5 2. Pledge of Allegiance

6 3. Agenda Amendments and Adoption

7 Chair Philbrook cast one vote for the agenda as presented.

8 4. Acceptance of Previous Minutes: June 3, 2021

9 Corrections on lines 9 and 10, Chair Philbrook moved to accept the May 6, 2021
10 minutes as amended, seconded by Mr. Bush.

11 Lines 105 and 106 to read, Chair Philbrook approved a change from mooring blocks to
12 Helix moorings for Ronald Vargo, 36 Pocahontas Road, Kittery Maine 03905.

13 Chair Philbrook moved to approve the June 3, 2021 minutes as amended, seconded by
14 Mr. Bush.

15 Motion Carried 7-0-0

16 5. Harbormaster Report and Budget Report

17 The Harbormaster installed the new axle to Frisbee Ramp as well as a system to keep it
18 from moving sideways during winds and tides. The Harbormaster also installed a new
19 plastic UHMW under the Pepperrell Ramp flapper.

20 The Harbormaster stated he had recovered a few dinghies that got away from their
21 dinghy docks. He also moved several moorings due to overcrowding and made room for
22 customers to get larger boats in.

23 The Harbormaster refurbished 2 small No Wake buoys for the season, there may be a
24 delay in delivery of replacements due to shortages of materials.

25 The Harbormaster is working with DPW and an electrician in preparation of electric
26 service. An electrician will be getting permits from the state and DPW will be doing site
27 work.

28 The ramp will be closed for a portion of the day due to the blacktop being removed and
29 will advise the permit holders of the date. The Harbormaster is also working with the
30 Kittery Sewer Department on the wash down system for Government Street.

31 The Harbormaster scheduled an inspection of the facilities on July 15, 2021, with Maine
32 Municipal Association which will include Traip, Pepperrell Cove, Government Street and
33 the equipment.

34 The Harbormaster, at KPA Chair's request, investigated the floats affixed to town
35 property on Old Ferry Lane and he made contact with 2 of 3 owners of the floats and
36 told them the floats had to be removed because the floats were on town property. The
37 residents stated that these structures have been in place for a very long time and they
38 did not understand why the floats could no longer be there. The Harbormaster explained
39 that none of the structures were permitted and that the residents could not get permits
40 because the property is Town owned. Some of the residents mentioned contacting the
41 KPA.

42 The Harbormaster stated he was appointed as Co-Chair of the Area Maritime Security
43 Sub Committee for Northern New England. The Harbormaster and the Deputy
44 Harbormaster were asked to assist in a security zone of an outbound US Navy asset
45 along with Maine Marine Patrol, US Coast Guard and New Hampshire Marine Patrol.

46 The Harbormaster stated that the new fishing signs were installed at Kittery Point bridge
47 as well as PFD requirements on town docks and ramps.

48 The Harbormaster made arrangements for the Government Street and the Pepperrell
49 Cove hoists to be inspected and certified in the next few weeks.

50 The Harbormaster reported on the budget.

51 6. All Items involving Town Officials or invited guests

52 7. Public Hearing

53 a. The Kittery Port Authority moves to hold a public hearing and approve an application
54 from Scott Moffat 144 Rogers Road, Kittery, Maine 03904 (Map 22, Lot 31) for the
55 construction of a 6' x 90' pier, 3' x 45' aluminum ramp, and a 12' x 30' float.

56 Chair Philbrook stated the measurements were slightly different than the measurements
57 on the application, in reviewing the application after the site walk. She had noticed that
58 the measurements on the application didn't match the drawing from the float company.
59 Chair stated that Mr. Moffat change the measurements on the front page of the
60 application to reflect the measurements on the drawing.

61 Chair Philbrook asked Mr. Moffat if he wanted her to read the findings of fact or accept
62 the July 1, 2021, KPA minutes as findings of fact. Mr. Moffat agreed to accept the July
63 1, 2021 KPA, minutes as findings of fact.

64 Chair Philbrook moved to approve the application from Scott Moffat 144 Rogers Road,
65 Kittery, Maine 03904 (Map 22, Lot 31) for the construction of a 6' x 90' pier, 3' x 50'
66 aluminum ramp, and a 10' x 30' float, seconded by Mr. Bush.

67 Motion Carried 6-0-1

68 Chair Philbrook, Vice Chair Patten, Mr. Bush, Mr. Johnston, Mr. Pinkham, and Mr.
69 Lawrence voted in favor, Mr. McCollett abstained.

70 8. Piers, Wharves & Floats - None

71 9. Public Segment (Three Mins.)

72 Jay and Susan Tennant, 19 Old Ferry Lane, Kittery, Maine, expressed their concerns
73 regarding how can the Town request the removal of a float, that has been there for over
74 twenty-years. Mr. and Mrs. Tennant stated they had received permission to have the
75 float from John McCollett a prior Harbormaster.

76 Chair Philbrook responded by saying the decision was ultimately up to the Town
77 Council and she would be meeting with the Town Manager about this issue.

78 Unfinished Business - None

79 11. New Business - None

80 12. Committee and Other Reports - None

81 a. Communications from the Chairperson - None

82 13. Board Member Issues or Comments

83 Mr. McCollett - None

84 Mr. Pinkham spoke about the signs at the Kittery Point bridge.

85 Mr. Johnston commented on the all the signs there are on restricting where people can
86 fish.

87 Mr. Lawrence expressed his concerns regarding the speed of boats in the main channel
88 after dark.

89 Vice Chair Patton stated he would like more member participation on site walks.

90 Mr. Bush expressed his concerns regarding the boat traffic going way above the wake
91 speed in the back channel.

92 Chair Philbrook spoke about the extreme low tide at Pepperrell Cove.

93 14. Executive Session - None

94 15. Adjournment

- 95 Mr. Lawrence moved to adjourn at 6:55 p.m., seconded by Mr. Bush.
96 All were in favor.

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.



TOWN OF KITTERY
KITTERY PORT AUTHORITY

Map: _____
Lot: _____
Date Submitted: _____

Application for
PIERS, WHARFS, FLOATS AND OTHER MARINE-RELATED STRUCTURES

Contact: kpa@kitteryme.org

Website: kitteryme.gov

NOTE: Ten (10) sets of plans, applications, maps and other necessary information are required at submittal.

The following application is submitted for the construction, modification, reconstruction of a:

Remodal of existing commercial boat house. Keeping the structure the same size; updating doors, windows, & cosmetic issues. Adding a deck to upper story, providing an exit.

1. This project is an in-kind repair/replacement, which will not expand, move, or modify the style of the existing structure:

- Yes, it is in-kind repair
- No, there will be modifications

2. Property Owner(s): Ruth Lawrence

3. Property Address: 19 Pleasant St., Kittery, Me 03904

4. Telephone Number: 207-752-2685 (REQUIRED) Email: _____ (REQUIRED)

5. Property Size (Acres/SF): 6,733 SF Zoning District(s): Foreside MU-KF

6. The shore frontage of this property is 67 feet, measured at the high water line in a straight line, stake to stake.

7. This is my first Kittery Port Authority application for this property: Yes No

If No, please explain:
Permit 2020 to add ramp/gangway for safety

8. LEGAL INTEREST: The applicant demonstrates a legal interest in the property by including a copy of the following: Deed, Purchase and Sale Agreement

9. CONSTRUCTION PLAN: Provide a description of the property showing all proposed construction showing the lot lines and exact positions of the proposed structure with dimensions and elevations from readily identifiable reference points.

Applicant Signature: Ruth Lawrence Date: 7/11/21

Property Owner Signature: Ruth Lawrence Date: 7/11/21

Agent Name: _____ Agent Firm: _____

Agent Phone: _____ (REQUIRED) Agent Email: _____ (REQUIRED)

APPLICATION FEE (\$125). Include a check payable to the Town of Kittery. Additional fees may be charged for direct costs (i.e. legal notices, engineering review, etc.) necessary to complete the review of the application per Town Code, Title 3, Chapter 3.3

Fee Paid, Amount: _____ Date: _____

UPON RECORDING, PLEASE RETURN TO:

Forman, Clark, Pockell & Kalinski, P.A.
P.O. Box 1330
Londonderry, New Hampshire 03053

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, Ronald B. Lawrence, a married person, presently having a mailing address of P.O. Box 221, Kittery Point, Maine 03905, for consideration paid of \$1.00, **GRANT TO** Ruth I. Lawrence and Ronald B. Lawrence, as Trustees of The Ruth I. Lawrence Revocable Trust, a revocable trust established pursuant to a revocable trust agreement dated September 28, 2000, by and between Ruth I. Lawrence, as Grantor and Ruth I. Lawrence and Ronald B. Lawrence, as Trustees and presently having a mailing address of P.O. Box 221, Kittery Point, Maine 03905, the following, with Warranty Covenants:

A certain tract or parcel of land, together with the buildings and improvements thereon, if any, situated on the northeasterly shore of the Piscataqua River in the Town of Kittery, County of York and State of Maine, and being more particularly bounded and described as follows:

Commencing at a point adjoining the shore line to the Piscataqua River and land formerly of Manent, and more recently described in deed from Earl B. Smith, Jr., et al to Ignazio J. Geraci dated September 21, 1979, and recorded in the York County Registry of Deeds in Book 2569, Page 95, being the southerly corner of the parcel herein conveyed and running thence N 61° 07' W a distance of 67 feet by and along said shore line and a seawall designating the southwesterly boundary hereof, to a point adjoining land formerly of Helen L. Keene; thence turning and running in a northeasterly direction by and along said land of Keene a distance of 99 feet, more or less, to a point adjoining land now or formerly of George W. Tobey et al, which point lies 10 feet, more or less, southeasterly from the easterly corner of the former dwelling house of said Keene; thence turning and running in a southeasterly direction by and along said land now or formerly of Tobey a distance of 74 feet, more or less, to a point adjoining the aforesaid land formerly of Manent, now of said Geraci; thence turning and running by said land of Geraci S 45° 08' W a distance of 48 feet, more or less, to a point; thence continuing by and along said Geraci land S 38° 38' W a distance of 46.2 feet to the shore line of the Piscataqua River and the point of beginning.

Together with any rights which the Grantor may have in and to the land lying between an extension of the northwesterly and southeasterly boundaries hereof to the low water mark of said Piscataqua river and conveying also to the Grantee the right to use a 20 foot right of way leading from Pleasant Street, so-called, to and across the property now or formerly of George W. Tobey et al, the same is presently located for access to the parcel hereby conveyed.

No Transfer Tax

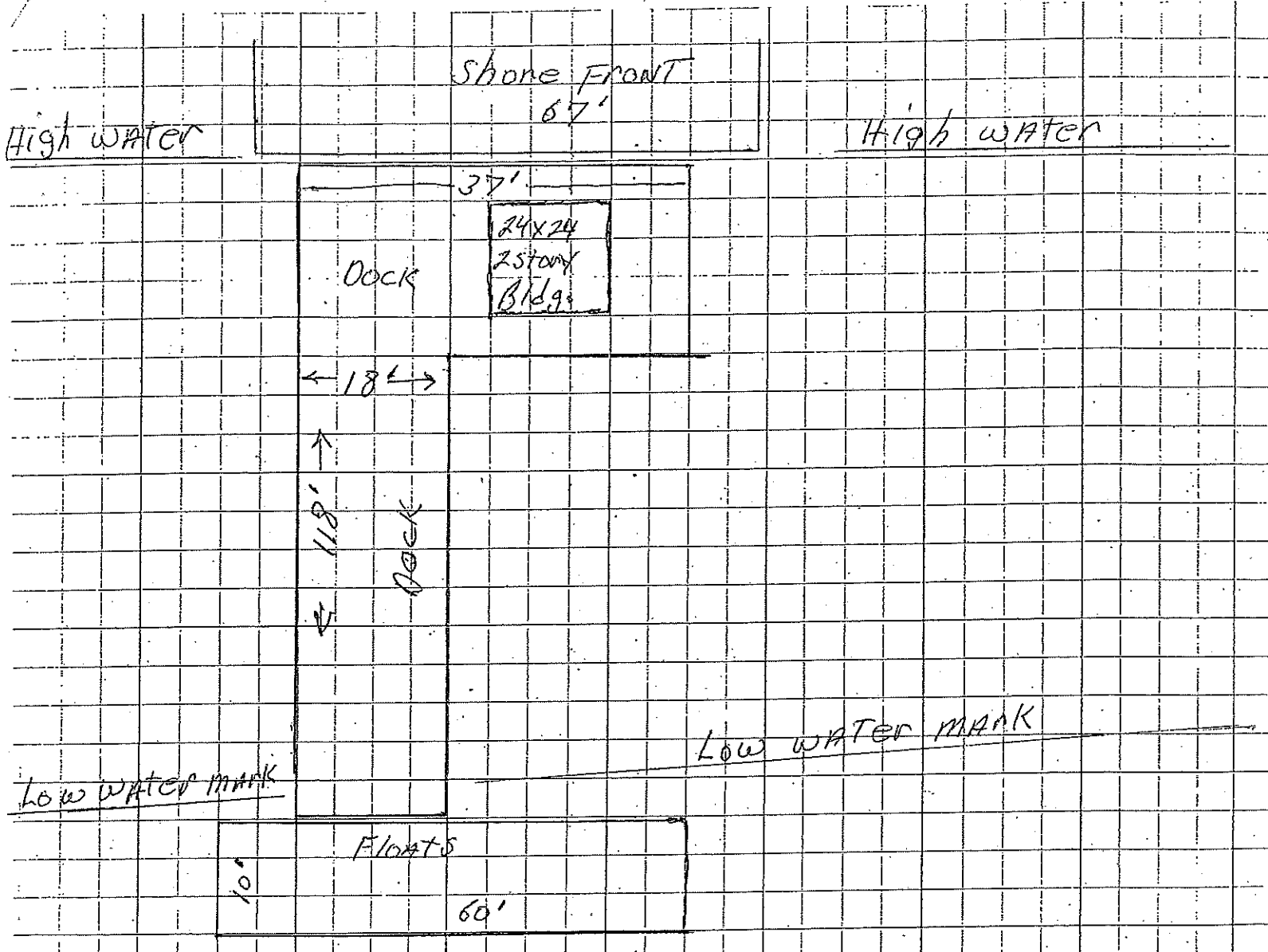
SITE PLAN

Description Commercial Fish Pier
Name of project BACK CHANNEL KITTERY
Name of waterbody PISCATAPOWA RIVER
Map # 4 Lot # 35A
Scale NO SCALE

Owner's name RONALD LAWRENCE
Address PO BOX 221 473 HALEY RD.
KITTERY PT. ME. 03905

Show mean low-water and mean high-water marks.
An approximation of mean low-water is made by observation of low tide using a 0.00 tide.

Date 4/24/02



Everything is correct

#2 PROPERTY OF: ZIGORIS GEMEL

EAST LOT 1100'S

GRASS AREA

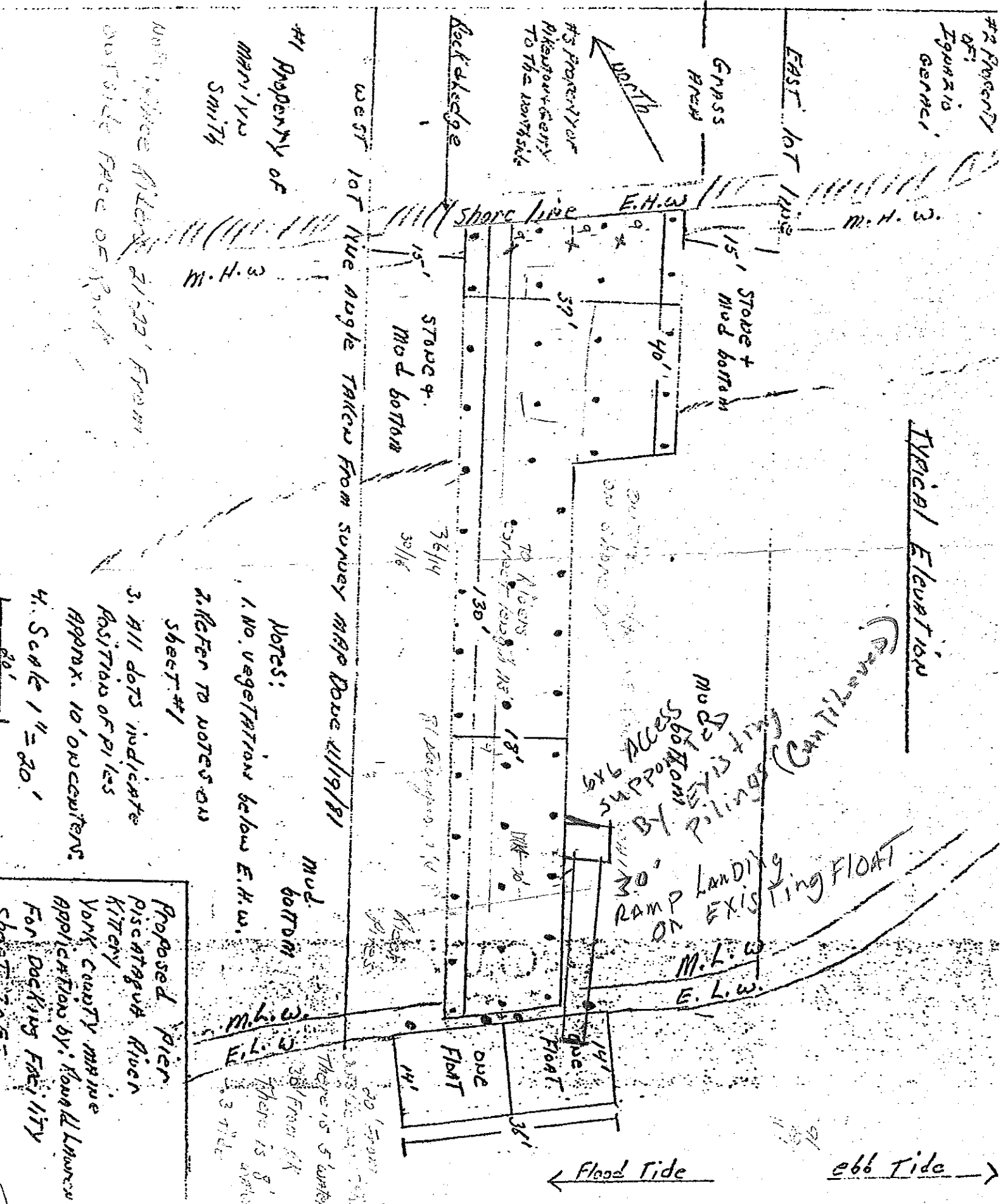
#3 PROPERTY OF: Pleasant Company TO THE WENTSIDE

Rock dredge

#1 PROPERTY OF: MANNING SMITH

NOTE: THESE PILES ARE 2100' FROM OUTSIDE FACE OF ROCK

Typical Elevation



WEST LOT NINE ANGLE TAKEN FROM SUNNY MAP DATE 11/19/81

NOTES:

- 1. NO. VEGETATION BELOW E.H.W.
- 2. REFER TO NOTES ON SHEET #1
- 3. ALL DOTS INDICATE POSITIONS OF PILES APPROX. 10' OCCURENCE.
- 4. SCALE 1" = 20'

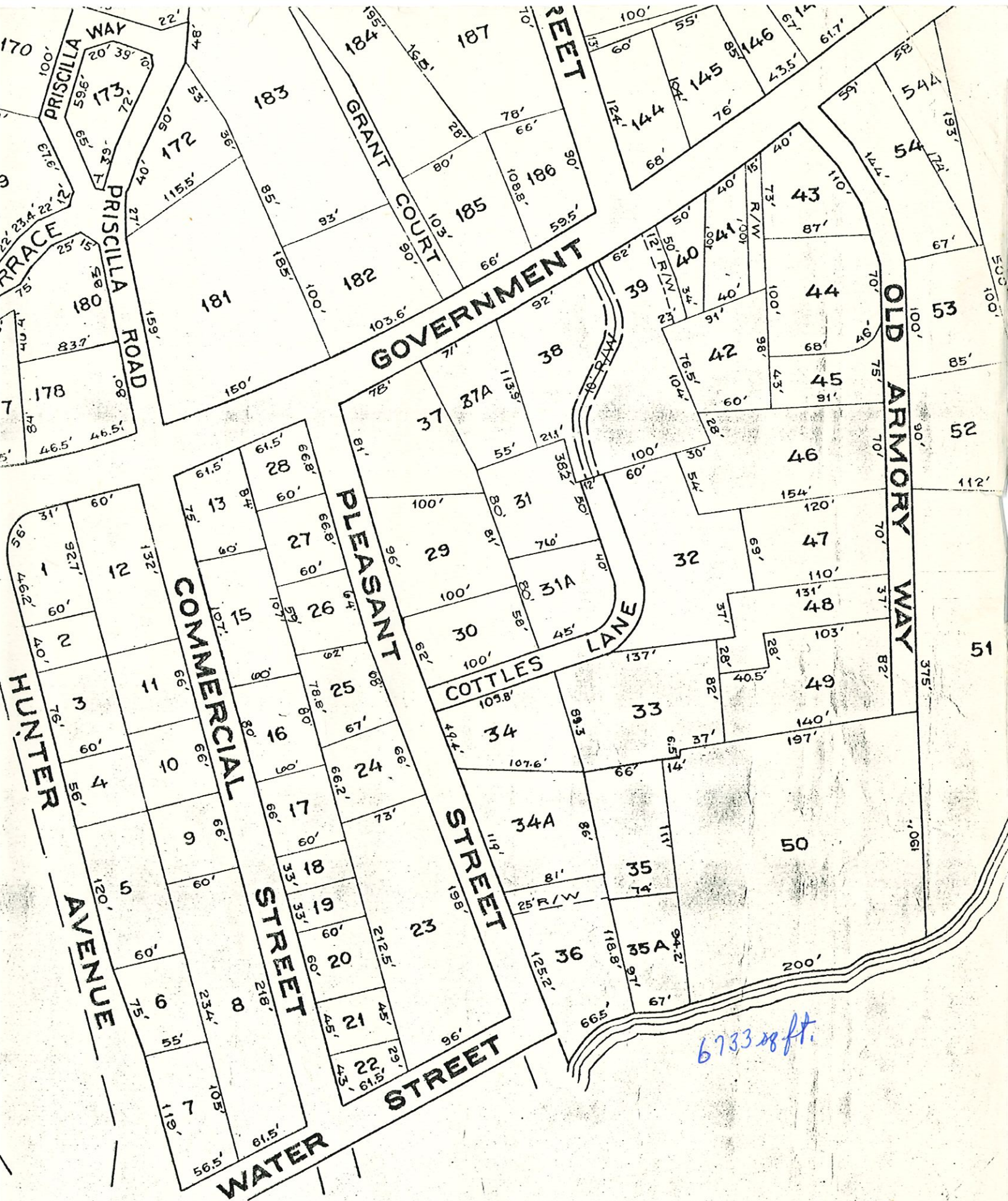
Proposed Pier
 Piscataquet River
 Kitey
 York County Marine
 Application by: Ronald Lawrence
 For Docking Facility
 Sheet 1 of 2

There is 5' water
 36' from E.L.W.
 There is 8'
 37' tide

MUD BOTTOM ACCESS BY RAMP ON EXISTING FLOOR

(Continued)
 RAMP ON EXISTING FLOOR

Flood Tide ← ebb Tide →



6733.88 ft.

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AUG 10 2021 PM 3:34



TOWN OF KITTERY
KITTERY PORT AUTHORITY

Map: 47
Lot: 18-3-2
Date Submitted: 8/10/2021

Application for
PIERS, WHARFS, FLOATS AND OTHER MARINE-RELATED STRUCTURES

Contact: kpa@kitteryme.org Website: kitteryme.gov

NOTE: Ten (10) sets of plans, applications, maps and other necessary information are required at submittal.

The following application is submitted for the construction, modification, reconstruction of a:

residential pier 70' x 3', 26' x 3' gangway and a 10' x 18' float

1. This project is an in-kind repair/replacement, which will not expand, move, or modify the style of the existing structure:

Yes, it is in-kind repair No, there will be modifications

2. Property Owner(s): Nicholas Starr + Meredith Starr

3. Property Address: 56 Tidewater Way Kittery ME 03904

4. Telephone Number: 860-982-4835 Email: Nicholas.mstarr@gmail.com
(REQUIRED) (REQUIRED)

5. Property Size (Acres/SF): 2.1 Acres Zoning District(s): R-RL

6. The shore frontage of this property is 435 feet, measured at the high water line in a straight line, stake to stake.

7. This is my first Kittery Port Authority application for this property: Yes No
If No, please explain:

8. LEGAL INTEREST: The applicant demonstrates a legal interest in the property by including a copy of the following: Deed, Purchase and Sale Agreement

9. CONSTRUCTION PLAN: Provide a description of the property showing all proposed construction showing the lot lines and exact positions of the proposed structure with dimensions and elevations from readily identifiable reference points.

Applicant Signature: [Signature] Date: 8/9/2021

Property Owner Signature: [Signature] Date: 8/9/2021

Agent Name: Duncan Mellor Agent Firm: Civilworks New England / Haight Engineering

Agent Phone: 603-749-0443 Agent Email: dmellor@civilworksne.com
(REQUIRED) (REQUIRED)

APPLICATION FEE (\$125). Include a check payable to the Town of Kittery. Additional fees may be charged for direct costs (i.e. legal notices, engineering review, etc.) necessary to complete the review of the application per Town Code, Title 3, Chapter 3.3

Fee Paid, Amount: \$125.00 Date: 8/10/21

INSTRUCTIONS FOR FILLING OUT PORT AUTHORITY APPLICATION

- a. Attach Town Tax Map of Lot.
 - b. Attach Plan of lot with location and dimensions of the proposed structures or alterations to existing structures.
 - c. Attach list of abutters within 150 ft. (include those over water) of applicant’s shorefront property line.
 - d. Attach proof of legal interest in property.
 - e. Attach a drawing of the proposed structure showing the top, side and end views with all principal dimensions. Side view showing elevation of top of deck above mean low water:
- A. Identify a fixed reference point on shore from which all seaward measurements are to be made.
 - B. Piers are not to exceed 100 feet beyond the normal high water mark nor extend below the mean low water mark, whichever is shorter. Pier, ramp and floats may not extend more than 150 feet beyond high watermark.
 - C. The maximum height of pier deck surface may not exceed 6 feet above the normal high water mark, and the handrails shall not exceed a height above the deck surface of 42” without the specific approval of the KPA.
 - D. The Port Authority may grant a waiver from the specifications of these regulations provided that, due to special circumstances of the specific application, the granting of a waiver will not adversely impair the public health, safety and general welfare, use of public waters, navigation or harm the environment. All such waivers must be supported by sufficient findings of fact.

Submittals must be received a minimum of 21 days prior to a scheduled Port Authority meeting.

Port Authority Procedure (Sequence of Events):

- 1. The Port Authority meets the first Thursday of every month. The Chairperson prepares the agenda seven days prior to the meeting.
- 2. The Port Authority Chairperson reviews the application for completeness and, if complete, places the application on the KPA agenda for discussion at the next meeting.
- 3. The Port Authority reviews the application. Once accepted, a site walk may be scheduled, and a public hearing set for the following meeting.
- 4. The Port Authority issues a notice of decision following review at the public hearing.
- 5. Once the Port Authority approval is granted, an applicant must apply for a building permit with the Code Enforcement Officer. No building permit will be issued until all approvals and permits are received, and application related fees are paid in full.

Other Permits required by State and Federal Agencies (not inclusive):

Maine Department of Environmental Protection
312 Canco Road
Portland, ME 04103
(207) 822-6300

US Army Corps of Engineers
Maine Project Office
675 Western Avenue, #3
Manchester, ME 04351
(207) 623-8367

Department of Conservation (for structures below mean low water mark)
Bureau of Parks and Lands
State House Station #22
Augusta, ME 04333

Planning Board review *may* be required if there is upland development (Title 16.11 Marine Related Development). All Port Authority applications are reviewed by planning and code enforcement staff for Title 16 applicability at the time of application submittal and prior to review by the Port Authority.

MISCELLANEOUS PAYMENT RECPT#: 671214
TOWN OF KITTERY - LIVE
200 ROGERS ROAD
KITTELY ME 03904

DATE: 08/10/21 TIME: 15:30
CLERK: 220codeca DEPT:
CUSTOMER#: 0

PARCEL: 56 TIDEWATER WAY

CHG: 10 DESIGNATED ACCO 125.00

AMOUNT PAID: 125.00

PAID BY: NICHOLAS STARR
PAYMENT METH: CHECK
 1045
REFERENCE: CV

AMT TENDERED: 125.00
AMT APPLIED: 125.00
CHANGE: .00

Return to:
Nicholas M. Starr
225 Walden Street, Apt. #2
Cambridge, MA 02140

DLN 1001940060507

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS: That **Nicholas M. Starr**, of 225 Walden Street, Apt. #2, Cambridge, MA 02140, for consideration paid grant(s) to **Nicholas M. Starr and Meredith Lindsey**, of 225 Walden Street, Apt. #2, Cambridge, MA 02140, as Joint Tenants, with QUITCLAIM COVENANTS:

A certain lot or parcel of land, with the buildings thereon, situated in the Town of Kittery, County of York and State of Maine, identified as "Proposed Parcel B" on a plan entitled, "Proposed Division of Land For Property at 30 Haley Road Kittery, York County, Maine Owned By Michael E. Chenery and Mary J. Chenery," prepared by North Easterly Surveying, Inc. dated July 13, 2017, recorded at the York County Registry of Deeds at Plan Book 390, Page 30, and further described as follows:

Beginning at an iron rod located on the northerly sideline of an Existing 40' Right-of-Way, being the southeasterly-most corner of the parcel herein conveyed, and the southwesterly-most corner of Proposed Parcel A, as shown on said plan; thence, N 02° 08' 59" W along the sideline of Proposed Parcel A a distance of 194.54 feet to an iron rod; thence, N 50° 28' 38" W along the sideline of Proposed Parcel A a distance of 104.41 feet to an iron rod; thence N 82° 11' 04" W along the sideline of Proposed Parcel A a distance of 126 feet, more or less, to the southerly sideline of Wilson Creek; thence, in a generally southwesterly direction along the southerly sideline of Wilson Creek a distance of 650 feet, more or less, to a point on the southerly sideline of said Wilson Creek; thence, S 82° 11' 04" E a distance of 435 feet, more or less, to an iron pipe; thence, continuing S 82° 11' 04" E a distance of 250 feet to an iron pipe; thence, S 07° 48' 56" W a distance of 50 feet to an iron pipe located on the northerly sideline of the Existing 40' Right-of-Way; thence, S 82° 11' 04" E along the northerly sideline of the Existing 40' Right-of-Way a distance of 162.81 feet to the point of beginning.

Also conveyed is a one-sixth undivided interest in and to the fee interest of a certain forty (40) foot wide strip of land which extends from the westerly sideline of the Haley Road in a south-westerly, southeasterly and northwesterly direction along Lots A, B, and C (all references to Lots A, B and/or C refer to the lots as identified on "Plan of Lots, Haley Road, Kittery, Maine for Howard Mann" dated June, 1985 by Anderson Associates and recorded with the York County Registry of Deeds in Plan Book 144, Page 36 - the above described "Proposed Parcel B" comes out of Lot B) and labeled a Right-of-Way as shown on the above referred to Plan and hereinafter referred to as the Right-of-Way. However, this one-sixth interest is conveyed subject to the following restrictions

Maine R.E. Transfer Tax Paid

and conditions which shall be considered as covenants running with the land and shall be binding on the grantees, their heirs and assigns and shall be enforceable at law or in equity by the owner or owners of Lots No. A, B, or C as shown on said Plan:

1. Said Right-of-Way shall only be used by the owners of Lots A, B, and C and their invited guests to gain access to and exit from Lots A, B, and C from the westerly sideline of the Haley Road, on foot or with vehicles.
2. No buildings or structures of any kind, whether of a permanent or temporary character, shall be erected or placed on said Right-of-Way.
3. No cars or other vehicles shall be parked or abandoned on said Right-of-Way.
4. Said Right-of-Way may be used by owners of A, B, and C for the installation and maintenance of utility line easements.
5. By their acceptance of this deed to a portion of Lot B, the grantees, their heirs and assigns agree to assume and be liable for one-sixth of the cost of repairing and maintaining that section of the Right-of-Way that abuts the length of Lot No. A and one-half of the cost of repairing and maintaining that section of the Right-of-Way that abuts the length of Lot No. B; and further agree to cooperate in all reasonable efforts to repair and maintain said section of the Right-of-Way that abuts Lots A and B and pay their share of all bills for repair and maintenance within thirty (30) days of when said bills are submitted. The owners of Lot B shall not be liable for the cost of repairing and maintaining that section of the Right-of-Way that abuts Lot C.

The above premises are further conveyed subject to certain "Notes" which "Notes" shall be binding on the grantees, their heirs and assigns.


Said Notes read as follows:

1. There shall be no aerials other than normal TV antennas.
2. There shall be no above ground pools or metal buildings.
3. There shall be no outdoor lighting of mercury vapor or so-called moonbeam type or any lighting of more than 150 watts per unit.
4. There shall be no mobile or manufactured home allowed.

Meaning and intending to describe and convey the same premises conveyed to Nicholas M. Starr by virtue of a deed of Michael E. Chenery and Mary J. Chenery dated August 30, 2017 and recorded in the York County Registry of Deeds at Book 17554, Page 673.

Quitclaim Deed
30 Haley Rd Kittery Maine

Executed this 28 day of May, 2019.




Nicholas M. Starr

State of MA

County of Suffolk

Then personally appeared before me on this 28 day of May, 2019, the said Nicholas M. Starr and acknowledged the foregoing to be his voluntary act and deed.


Notary Public/Justice of the Peace
Commission expiration: March 19, 2021



Abutters:

Parcel Number:

47-13

Property Address:

86 HALEY ROAD

Address:

ALLEY, ELAINE J

Mailing Address:

86 HALEY ROAD

KITTERY, ME 03904-5402

Parcel Number:

47-17-2

Name:

HUNTRESS, BRUCE E HUNTRESS,

CRISTINE M

Mailing Address:

6 CREEK CROSSING

KITTERY, ME 03904

Parcel Number:

47-18-3-1

50 TIDEWATER WAY

Name:

JABOUR, EVERETT G. & SUE L.

JABOUR, JOHN V.

Address:

50 TIDEWATER WAY

KITTERY, ME 03904

Parcel Number:

47-18-4-1

Property Address:

78 TIDEWATER WAY

Name:

THE SUSANA LECLAIR REV. TRUST

Mailing Address:

PO BOX 936

YORK HARBOR, ME 03911

Parcel Number:

47-18-4-2

Property Address:

77 TIDEWATER WAY

Name:

THE SUSANA LECLAIR REV. TRUST

Mailing Address:

P.O. BOX 936

YORK HARBOR, ME 03911

Parcel Number:

47-25

Property Address:

340 US ROUTE 1

Name:

SPRUCE CREEK RETAIL OUTLET LLC.

Mailing Address:

117 KENDRICK STREET STE 350

NEEDHAM HEIGHTS, MA 02494

Parcel Number:

47-25a

Property Address:

350 US ROUTE 1

Name:

SPRUCE CREEK RETAIL OUTLET LLC.

Mailing Address:

117 KENDRICK STREET STE 350

NEEDHAM HEIGHTS, MA 02494

**PUBLIC NOTICE:
NOTICE OF INTENT TO FILE**

Please take notice that
Nicholas Starr of 56 Tidewater Way, Kittery, ME 03904
is intending to file a Natural Resources Protection Act permit application with Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S. §§ 480-A thru 480-BB on or about July 22, 2021. The application is for: Residential dock at Wilson Creek, Kittery.

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 Canco Road, Portland, Maine 04103

Department of Environmental Protection
 Bureau of Land & Water Quality
 17 State House Station
 Augusta, Maine 04333
 Telephone: 207-287-7688

FOR DEP USE
 ATS # _____
 L- _____
 Total Fees: _____
 Date: Received _____

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→ PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant: Nicholas Starr		5. Name of Agent: Civilworks New England							
2. Applicant's Mailing Address: 56 Tidewater Way, Kittery, Maine 03904		6. Agent's Mailing Address: 181 Watson Rd, Dover, New Hampshire, 03820							
3. Applicant's Daytime Phone #: 960-982-4835		7. Agent's Daytime Phone #: 603-749-0443							
4. Applicant's Email Address (Required from either applicant or agent): nicholasmstarr@gmail.com		8. Agent's Email Address: dmellor@civilworksne.com							
9. Location of Activity: (Nearest Road, Street, Rt.#) 56 Tidewater Way		10. Town: Kittery	11. County: York						
12. Type of Resource: (Check all that apply) <input 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		13. Name of Resource: Wilson Creek							
		14. Amount of Impact: (Sq.Ft.) 3.2	Fill: Dredging/Veg Removal/Other:						
15. Type of Wetland: (Check all that apply) <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input type="checkbox"/> Other _____		FOR FRESHWATER WETLANDS							
		<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"/> > 43,560 sq. ft. or 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 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 smaller than 43,560 sq. ft., not eligible for Tier 1							
16. Brief Activity Description: The activities involved include constructing a 70 foot long fixed pier and a seasonal float that will be supported at low tide.									
17. Size of Lot or Parcel & UTM Locations: <input type="checkbox"/> square feet, or <input checked="" type="checkbox"/> 2.1 acres		UTM Northing: 4775005 mN UTM Easting: 359534 mE							
18. Title, Right or Interest: <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement									
19. Deed Reference Numbers: Book#: 17974 Page: 41		20. Map and Lot Numbers: Map #: 47 Lot #: 18-3							
21. DEP Staff Previously Contacted: No		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
23. Resubmission of Application?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, previous application # _____ Previous project manager: _____							
24. Written Notice of Violation?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved: _____							
26. Detailed Directions to the Project Site: Going East on Route 1 from the Kittery Outlets turn right onto Haley rd immediately after Yummies Candy Co. Take the first right onto the dirt road and the destination will be on the right in about a quarter m/e.		25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS							
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input 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 type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input 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 type="checkbox"/> Appendix A and others, if required <input type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required							
28. FEES Amount Enclosed: \$543									
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)."



Date: 8/10/21

SIGNATURE OF AGENT/APPLICANT

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.

CIVILWORKS NEW ENGLAND

181 WATSON ROAD

P.O. BOX 1166

DOVER, NH 03821-1166

PHONE: 603.749.0443 FAX : 603.749.7348

MEMORANDUM

Date: July 19, 2021

To: Regulatory Agencies

From: Duncan Mellor, PE

Principal Coastal Engineer

Re: Starr Dock-Kittery of 6-21-21, NRPA Attachments

Site Description:

The site is located in Kittery, Maine on the banks of tidal wetland area behind the Kittery Outlet Malls. The address of the site is 56 Tidewater Way in Kittery, Maine on Wilson Creek, off Spruce Creek. There is a slope of wooded area leading down to a steeper transition from woods to salt marsh. There is approximately 60 feet of salt marsh then a 1 to 2 foot drop to the mud flat. The slope of the mud flat from the edge to the low tide stream is shallow and constant.

Attachment 1 (Activity Description):

The activity that will be taking place includes constructing a permanent pier over the salt marsh and installing a removable floating dock connected to the pier with a gangway. The pier will be 70 feet long, plus a 13 ft long shore ramp in the woods, both 3.3 feet wide with at least 3.3 feet of vertical clearance from the salt marsh level to the bottom of the stringers. This height to width ratio is in accordance with "Shading Impacts of Small Docks and Piers on Salt Marsh Vegetation in Massachusetts Estuaries" by Logan et al. which concludes that a 1:1 height to width ratio allows for adequate biomass growth under the pier. The floating dock will have the dimensions of 18 feet long by 10 feet wide. The floating dock will have skids on the bottom which will limit the impact area of the floating dock on the environment during low tide. The skids will have dimensions 1 ft by 18 ft and will primarily rest on two 2 ft by 10 ft mooring blocks. Both the skids and blocks will be under the floating dock area.

The impact area of the pier is determined by the number of piles and the area of each pile. With 14 piles of diameter 6.5" (impact area of 0.23 square feet each) the total impact area of the pier will be 3.2 square feet. Of the 14 piles, eight are below the mean high water line (MHW) and six are above. Only four of the six above MHW are in the salt marsh with an impact area of 0.9 square feet. The piles below MHW have a total impact area of 1.8 square feet.

CIVILWORKS NEW ENGLAND

Attachment 2 (Alternative Analysis Report):

The proposed layout was selected to minimize impacts. A possible alternative approach for boat access could be walking across the salt marsh to an abutment securing the gangway and float. This would not provide all tide access and would damage the salt marsh grasses. The current approach of installing a pier and floating dock has some temporary construction phase impacts walking on the salt marsh, but lesser impacts once the dock is built.

Attachment 3 (Vicinity Map):

See attached figures.

Attachment 4 (Area Photographs):

See attached photos.

Attachment 5 (Drawings):

See attached drawings.

Attachment 6 (Additional Plans):

See attached plans.

Attachment 7 (Construction Plan):

The construction of this project will have minimal impacts. The small diameter helical piles will be driven with a hand held auger system which eliminates the need for heavy equipment on the salt marsh and mud flats.

Attachment 8 (Erosion Control Plan)

Not applicable, no soil disturbing activity.

CIVILWORKS NEW ENGLAND

Attachment 9 (Site Condition Report)

See attached existing conditions plan, report, and Appendix B.

Attachment 10 (Notice of Intent to File)

See attached document.

Attachment 11 (MHCP Submittal)

See attached form.

Attachment 12 (Functional Analysis) :

The proposed pier and float will be located on the salt marsh and mud flat intertidal zone while starting on the wooded slope. The benthic life density of the salt marsh and mud flat ranges from absent to abundant containing both plants and animals. The field observation was made on 06/21/2021 at 2:00 pm on an ebb tide, low tide occurred at 2:54 PM. During this field observation efforts were made to look in the mud at select spots and to lift up rocks and logs to check for wildlife.

Eastern Mudsnail *Tritia obsoleta* Abundant in runoff streams

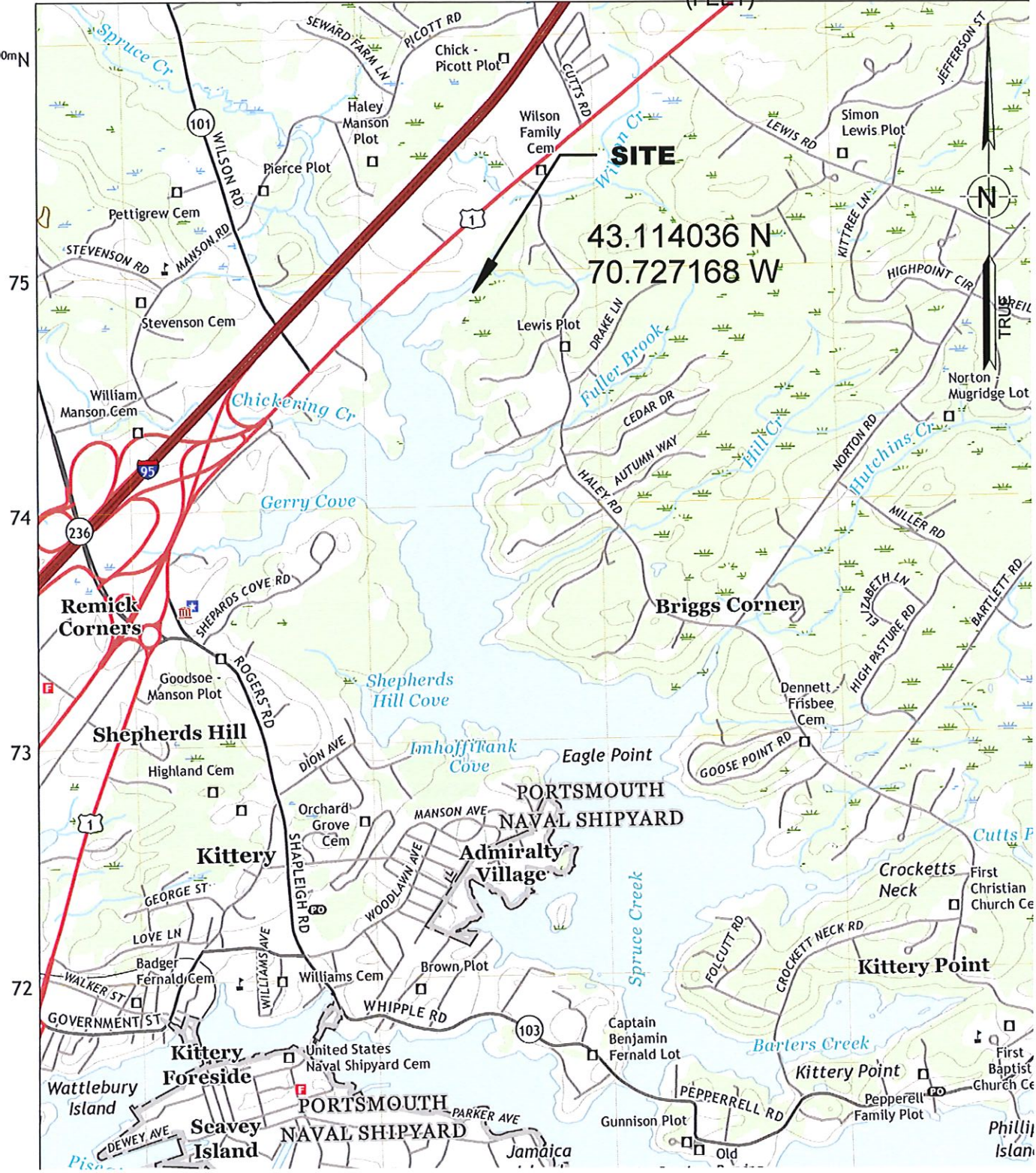
Atlantic Ribbed Mussel *Geukensia demissa* Rare, only empty shells found

Fiddler Crab *Leptuca pugilator* Rare, found on boundary of salt marsh and mud

European Green Crab *Carcinus maenas* Rare, body found on edge of salt marsh

Green Algae *Chaetomorpha* Abundant, algae mats found near mud flat edge

-70.7500° 2000 0 2000 4000 6000
 43.1250° 358000mE 59 60 (FEET) 61



VICINITY MAP

STARR DOCK
 56 TIDEWATER WAY
 KITTERY, MAINE

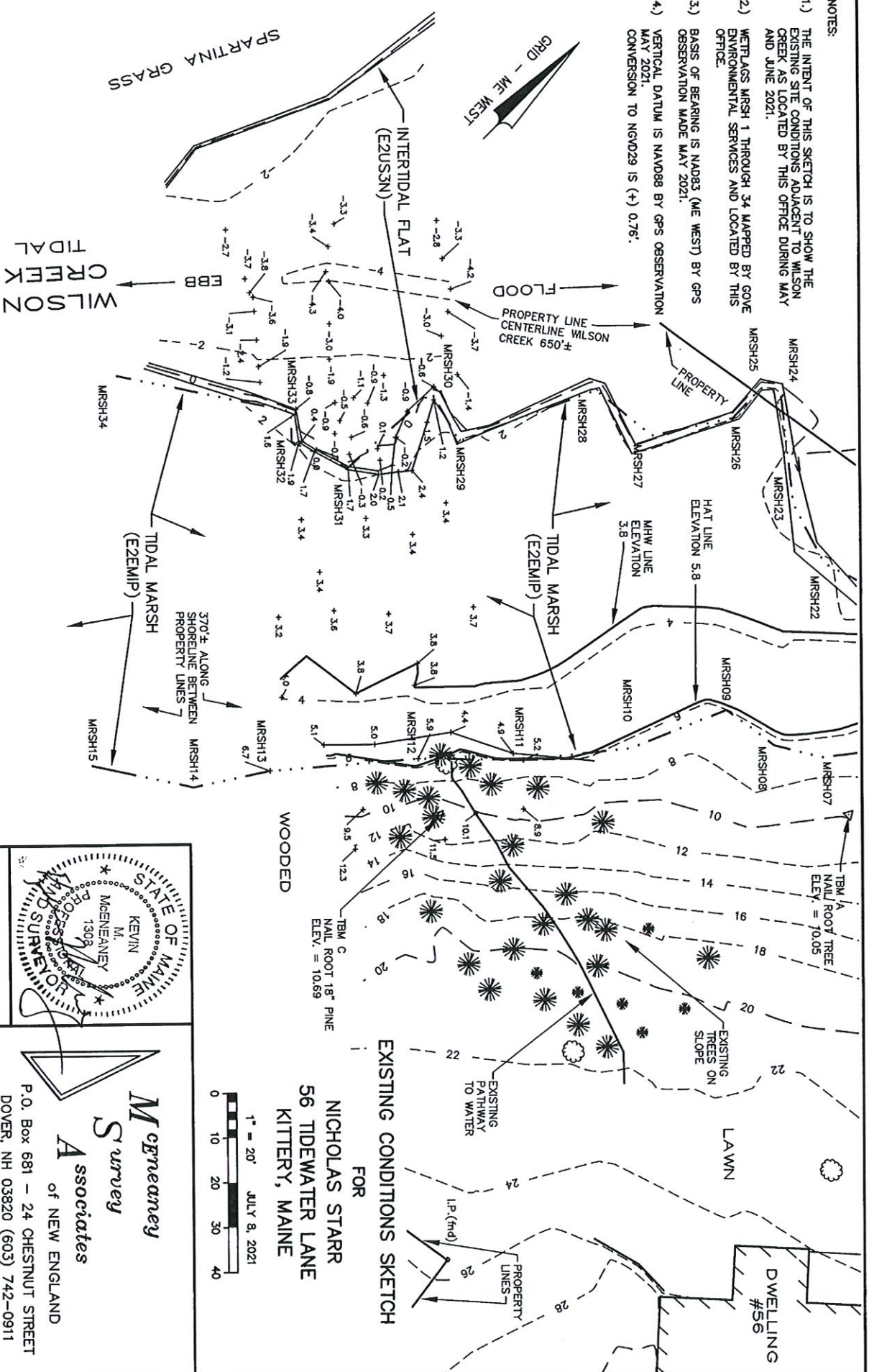
CIVILWORKS NEW ENGLAND
 CIVIL & WATERFRONT ENGINEERING
 181 Watson Road, P.O. Box 1166
 Dover, New Hampshire 03820
 (603) 749-0443

DATE 6-24-2021
 PROJ: 21023

VICINITY MAP

NOTES:

- 1) THE INTENT OF THIS SKETCH IS TO SHOW THE EXISTING SITE CONDITIONS ADJACENT TO WILSON CREEK AS LOCATED BY THIS OFFICE DURING MAY AND JUNE 2021.
- 2) WETPLAS MRSH 1 THROUGH 34 MAPPED BY GOVE ENVIRONMENTAL SERVICES AND LOCATED BY THIS OFFICE.
- 3) BASIS OF BEARING IS NAD83 (ME WEST) BY GPS OBSERVATION MADE MAY 2021.
- 4) VERTICAL DATUM IS NAVD88 BY GPS OBSERVATION MAY 2021. CONVERSION TO NGVD29 IS (+) 0.76'.



PROJECT No - 21-2355 FILE= 2355 \DWSS \21-2355

NOT TO BE RECORDED

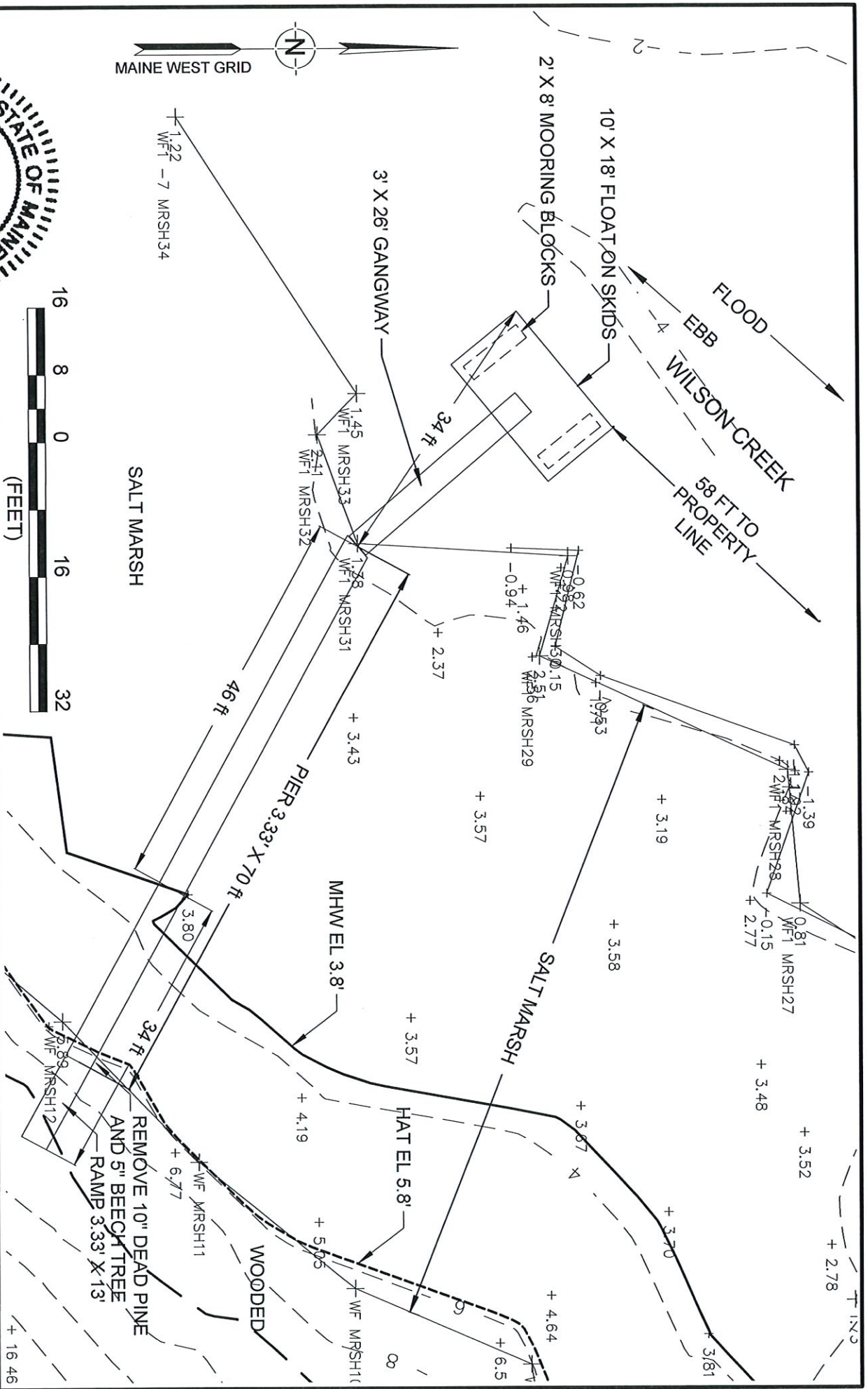
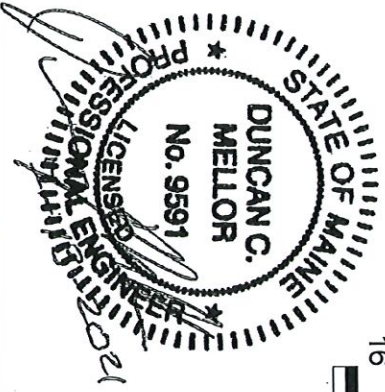
* SURVEYING * PLANNING * CONSULTING *



Moeneaney
Survey
Associates
of NEW ENGLAND
P.O. Box 681 - 24 CHESTNUT STREET
DOVER, NH 03820 (603) 742-0911

FOR
NICHOLAS STARR
56 TIDEWATER LANE
KITTERY, MAINE

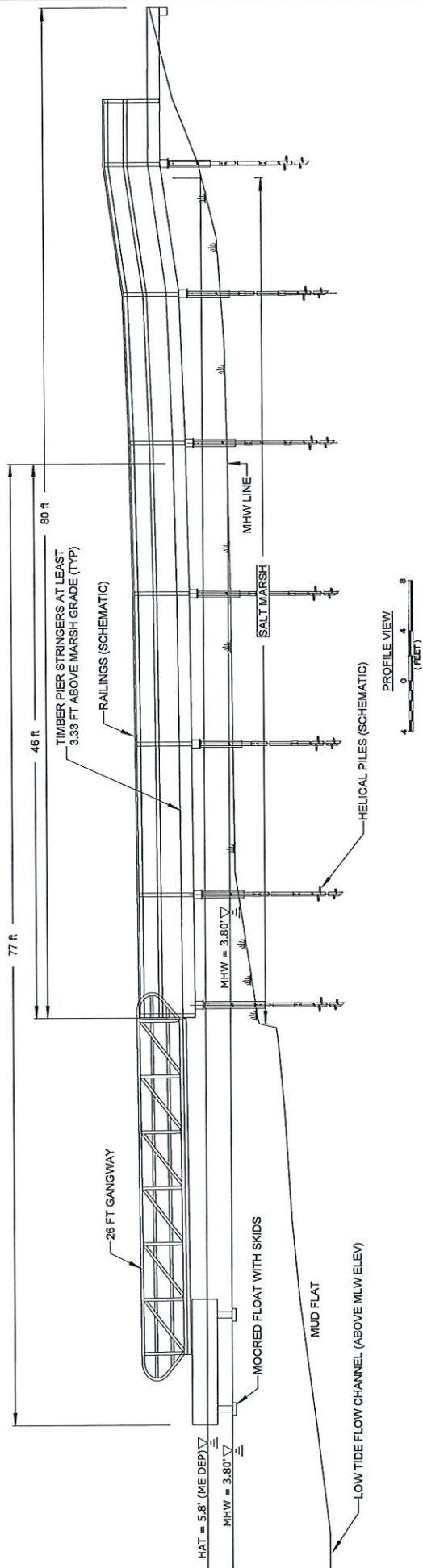




DATE:	7-13-2021
SCALE:	AS SHOWN
DRAWN BY:	DCM
DESIGN BY:	DCM
APPROVED BY:	NS
PROJECT:	21023
FILE:	21023 STARR,INC
NO.	
REVISION	
APP'D	
DATE	

CIVILWORKS NEW ENGLAND
 CIVIL & WATERFRONT ENGINEERING
 181 Watson Road, P.O. Box 1166
 Dover, New Hampshire 03820
 (603) 749-0443

STARR DOCK
 56 TIDEWATER WAY
 KITTERY, MAINE



NOTES:

1. THE PIER CROSS THE SALT MARSH WILL BE CONSTRUCTED TO MINIMIZE SHADING INCLUDING A NARROW DECK (3.33 WIDE) AND THE STRINGERS BEING HIGHER THAN A 1:1 RATIO OF HEIGHT TO WIDTH ABOVE THE SUBSTRATE. MINIMUM DISTANCE ACROSS THE MARSH AND DECKING SET WITH 3/4" PLANK GAPS.
2. THE PIER PILES ALSO MINIMIZE IMPACTS TO THE MARSH, BEING STEEL HELICAL PILES INSTALLED WITH A WALK-IN DRIVE MOTOR (NO TRACKED EQUIPMENT). THE STEEL PILES WILL BE PROTECTED FOR LONG LIFE CYCLE WITH 6 INCH PVC PIPE SLEEVES OVER THE STEEL PILES. THIS RESULTS IN LESS IMPACTS THAN WOULD BE CAUSED BY TRADITIONAL TIMBER PILES.
3. THE FLOAT WILL BE BUILT WITH SKIDS TO ELEVATE THE FLOAT 18 INCHES ABOVE THE CREEK BOTTOM. THE FLOAT LOCATION WAS SELECTED TO BE OVER FIRMER CREEK BED NEAR THE CENTER OF THE CREEK, BUT ALSO TO KEEP A DOCKED BOAT OUT OF THE NARROW LOW TIDE CHANNEL.
4. DIMENSIONS ALONG CENTERLINE.

TIDAL RELATIONSHIPS TO NAVD88 DATUM & 1983-2001 TIDAL EPOCH
 NOAA TIDE STATION 8419870 SEAVEY ISLAND, KITTERY, ME

FEMA 100 YR FLOOD = 8.2'
 MEAN DEP HAT = 5.8'
 MEAN HIGH WATER = 3.8'
 NAVD88 = 0.0'
 MEAN LOW WATER = -4.3'
 MEAN LOWER LOW WATER = -4.6'

FIGURE 3 PROFILE

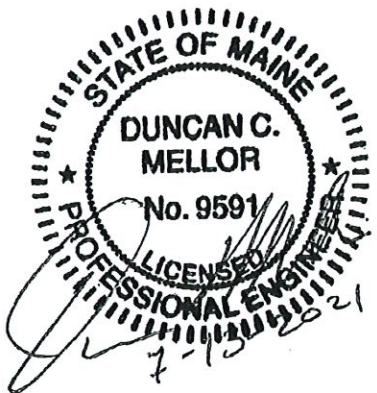
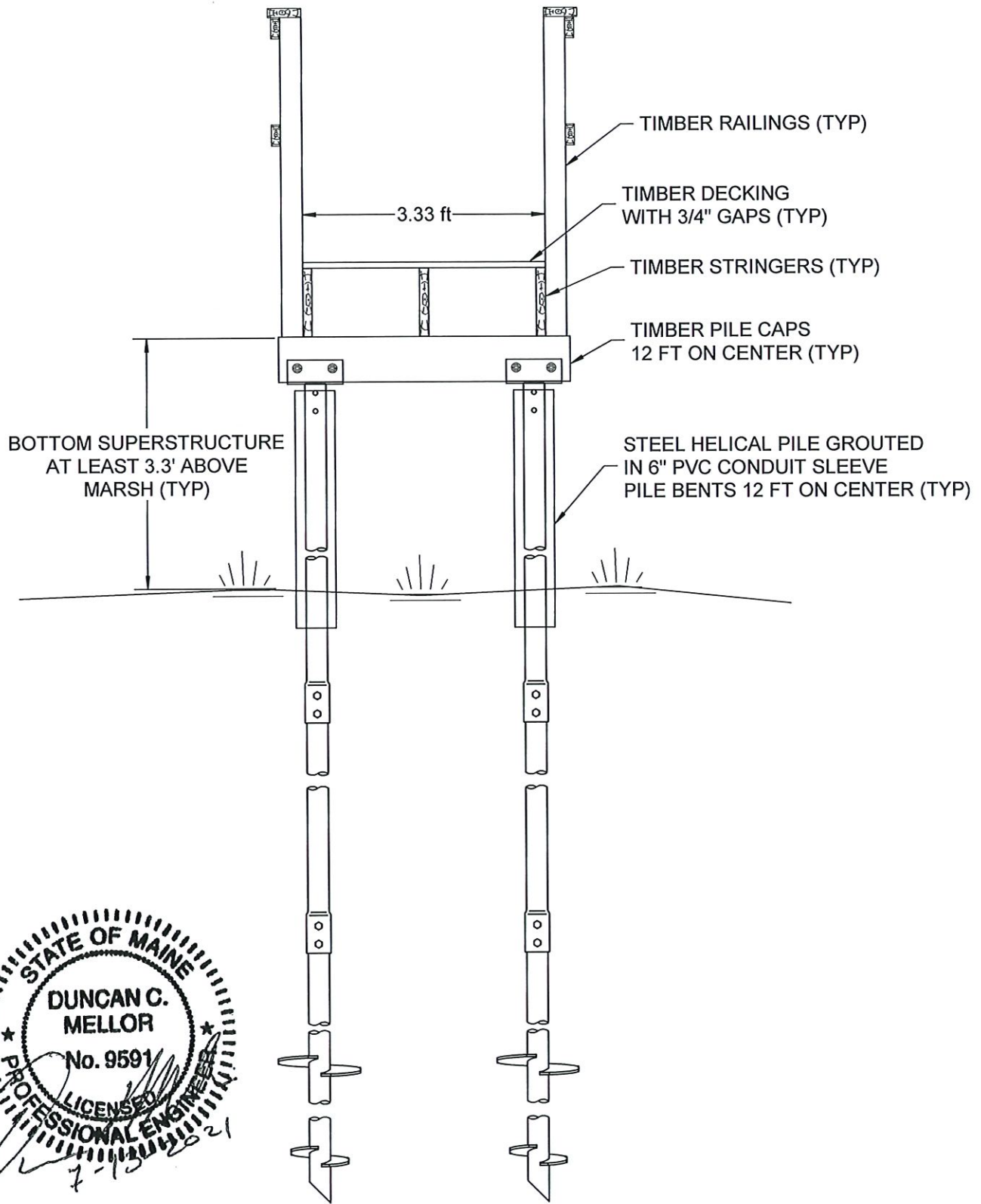
STARR DOCK
 56 TIDEWATER WAY
 KITTERY, MAINE

WILSON CREEK
 YORK COUNTY

DATE	7-2-2021	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.
SCALE	AS SHOWN									
DRAWN BY	JCM									
DESIGN BY	JCM									
APPROVED BY	JCM									
PROJECT	NO. 9591									
FILE NUMBER	NO. 9591									
REVISION										
DATE										

CIVILWORKS NEW ENGLAND
 351 Watson Road, P.O. Box 1166
 Dover, MA 01929





DOCK CROSS SECTION (TYP)

STARR DOCK
56 TIDEWATER WAY
KITTERY, MAINE

CIVILWORKS NEW ENGLAND

181 Watson Road, P.O. Box 1166
Dover, New Hampshire 03820
(603) 749-0443

DATE 6-17-2021
PROJ: 21023

FIGURE 4



Photo 1 The path from the owner's house to the proposed pier looking west (towards the channel).
Taken 6-21-21 at 2:00 PM EST.



Photo 2 The location of the proposed ramp to the pier looking west. Taken 6-21-21 at 2:00 PM EST.



Photo 3 The location of the proposed pier looking east. Taken 6-21-21 at 2:00 PM EST.



Photo 4 The location of the proposed ramp and float looking west. Taken 6-21-21 at 2:00 PM EST.

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

Name of applicant: Nicholas Starr Phone: 960-982-4835

Application Type: NRPA Permit

Activity Type: (brief activity description) Construction of pier and floating dock

Activity Location: Town: Kittery County: York

GIS Coordinates, if known: _____

Date of Survey: 6-21-2021 Observer: Matthew Dowling Phone: 603-749-0443

	Distance Between the Proposed Visibility Activity and Resource (in Miles)		
	0-¼	¼-1	1+
1. Would the activity be visible from:			
<i>A. A National Natural Landmark or other outstanding natural feature?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>C. A state or federal trail?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>D. A public site or structure listed on the National Register of Historic Places?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>E. A National or State Park?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>F. 1) A municipal park or public open space?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river?</i>	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/> Yes	<input checked="" 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/nnl/Registry/USA_map/states/Maine/maine.htm . In addition, unique natural areas are listed in the Maine Atlas and Gazetteer published by DeLorme.

(pink)

Most Maine State and National Wildlife Refuges, Sanctuaries, and Preserves and State Game Refuges are listed in the Maine Atlas and Gazetteer published by DeLorme.

Most State and federal trails are listed in the Maine Atlas and Gazetteer published by DeLorme. In addition, the Maine Department of Conservation maintains a list of state parks with trails that can be searched by county at: www.state.me.us/doc/parks/programs/db_search/index.html

Maine sites and structures listed on the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended, can be searched by town at: www.cr.nps.gov/nr/research/nris.htm

In addition, State historic sites can be found at: www.state.me.us/doc/parks/programs/db_search/index.html A partial listing of historic sites in Maine can be found in the Maine Atlas and Gazetteer published by DeLorme.

A listing of Maine State Parks can be found at: www.state.me.us/doc/parks/programs/db_search/index.html or in the Maine Atlas and Gazetteer published by DeLorme. Acadia National Park on Mount Desert Island is Maine's only National Park.

For guidance on completing this field survey checklist, please contact Licensing staff in the Division of Land Resource Regulation at the following offices:

(Headquarters)
Central Maine Regional Office
17 State House Station
Ray Building, Hospital Street
Augusta, Maine 04333
(207) 287-7688 or
toll free at 1-800-452-1942

Eastern Maine Regional Office
106 Hogan Road
Bangor, Maine 04401
(207) 941-4570 or
toll free at 1-888-769-1137

Northern Maine Regional Office
1235 Central Drive
Presque Isle, Maine 04769
(207) 764-0477 or
toll free at 1-888-769-1053

Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103
(207) 822-6300 or
toll free at 1-888-769-1036

(pink)

APPENDIX B

MAINE'S COASTAL WETLANDS: COASTAL WETLAND CHARACTERIZATION GUIDELINES

(Partly derived from Maine's Coastal Wetlands: Volume II)

Guidelines for the sampling and assessment of coastal wetlands have been developed by the Department of Environmental Protection to standardize habitat characterizations and functional assessments of coastal wetlands as required by the Natural Resources Protection Act (NRPA). The NRPA requires all applicants to characterize coastal wetland areas occurring in the location or vicinity of a proposed activity. Intertidal and/or subtidal characterizations are required for the following activities: fill, crib-supported or subtidal piers, lobster pounds, shoreline stabilization, or dredging. Activities impacting over 500 square feet of coastal wetland require a functional assessment performed by a professional wetland scientist unless the Department determines that the activity will have minimal adverse impact on the functions and values of the wetland.

This checklist satisfies the requirement for Attachment 12, Wetland Delineation Report, described in Part II of the NRPA application for coastal wetlands located only in intertidal areas and subtidal areas less than one foot in depth. The checklist is required for all activities impacting coastal wetlands to provide information describing coastal habitats and assess their most critical functions and values with the least amount of sampling effort possible, providing DEP licensing staff and biologists with information. The information provided will be used to determine whether the Department will require further sampling and assessment. This checklist does not substitute for any other NRPA application requirements.

SURVEY METHODS:

Following the methods below, survey and photograph the activity area on an ebb tide.

1. Walk throughout the activity area and note the location and measurements of all dominant habitat types. If not part of an application, complete an overhead drawing of the activity area. The overhead drawing should include the location and types of vegetation, boundaries of habitat types, sample locations, the location of spring high tide, mean high water and mean low water, and contours, if possible.
2. Take photographs of activity area and habitat types. (Include date, time, tide cycle and location of each photograph).
3. Search throughout the entire activity site, turning over rocks, wood, and algal mats, and look for any identifiable organisms present on the surface of the habitat, list the organisms found if known, and estimate their relative abundance. Complete the Checklist.
4. Using a clam rake or shovel, turn over sediments at random locations throughout the intertidal zone (at least one per zone, high, mid and low). Look for any identifiable organisms present in the sediments and estimate their relative abundance. Mark location on overhead drawing. Complete the Checklist.

PLEASE NOTE: Some activities may require quantitative benthic analysis of the sediments. Examples of such activities include dredges, lobster pounds, and fill activities consisting of over 500 square feet. Determination of sampling requirements may be made through consultation with DEP licensing staff and biologists. Guidelines for quantitative benthic sampling can be provided on request.

DEFINITIONS:

Area of Impact:

Direct Impact: The footprint of a proposed activity; e.g. area of dredge, area covered by cribs, base of riprap.

Indirect Impact: The area surrounding a proposed activity that will potentially be affected by the activity; e.g. shoreline adjacent to riprap, salt marsh areas, shaded areas. NOTE: The area of indirect impact will vary from site to site and should be determined on a case by case basis by the consultant, the applicant, and DEP staff.

(pink)

Timing of Survey Work: The date, time of day, and tidal height of sampling. Ideally, surveys should be conducted between May 1 and November 30 on an ebb or flood tide. Surveys may be conducted at other times of year, if necessary. Include the timing of low tide on the survey date. If the activity will extend into the low intertidal and/or shallow subtidal, the survey should be conducted on a negative or zero tide.

Energy Levels:

Exposed/High energy: Area exposed to oceanic swell and wind waves. Wind fetch (i.e. direction of origin) unlimited. Water velocity exceeds 2 meters/second.

Partially exposed/Moderate energy: Oceanic swell attenuated by offshore reefs, islands, or headlands, but shoreline is substantially exposed to wind waves. Typical of cobble or gravel fields. Water velocity between 1 and 2 meters/second.

Semi-protected/Low energy: Shoreline protected from sea swell, but it may receive waves generated by moderate fetch. Typical of gravel or unconsolidated muddy sediments. Water velocity less than 1 meter/second.

Protected/Low energy: No sea swell, little or no current, and restricted wind. Typical of unconsolidated muddy sediments. Water velocity less than 1 meter/second.

Drainage on Intertidal Flats: The amount of water left on intertidal area after ebb tide.

Habitats: description of activity site and adjacent areas

Sand Beach: exposed environments containing at least 75% sand.

Boulder/cobble Beach: exposed environments dominated by boulders and/or loose rounded rocks.

Sand Flat: protected and semi-protected environment dominated by sandy sediment.

Mixed Coarse & Fines: semi-protected environment consisting of a mixture of rocks, boulders, gravel, sand, cobbles, and mud.

Rocky Shore: semi-protected to moderate consisting of rocks, boulders, or ledge.

Salt Marsh: persistent near shore emergent grass habitats.

Ledge: stable bedrock

Mud Flat: protected environments containing at least 75% mud

Eelgrass: intertidal and subtidal grass habitat.

Relative Abundance: the frequency of an organism at or adjacent to the activity site

Absent: Organism is physically absent from the specific area.

Scattered or occasional: A limited number of a specific organism found only after a thorough investigation of the habitat *or* organisms occurring in small (<1/2 square foot) patches or small clumps throughout the zone.

Common: Specific organism found readily with little investigation, but not visually obvious; found repeatedly and/or occurring in numerous patches throughout habitat.

Abundant: Specific organism is visually obvious throughout area with limited or no habitat disturbance.

(pink)

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

NAME OF APPLICANT: Nicholas Starr PHONE: 960-982-4835

APPLICATION TYPE: NRPA Permit

ACTIVITY LOCATION: TOWN: Kittery COUNTY: York

ACTIVITY DESCRIPTION: fill pier lobster pound shoreline stabilization
 dredge other: _____

DATE OF SURVEY: 6-21-2021 OBSERVER: Matthew Dowling

TIME OF SURVEY: 14:00 TIDE AT SURVEY: Ebb

SIZE OF DIRECT IMPACT OR FOOTPRINT (square feet):
Intertidal area: 3.2 square feet Subtidal area: 0 square feet

SIZE OF INDIRECT IMPACT, if known (square feet):
Intertidal area: 527 square feet Subtidal area: 0 square feet

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
clams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
marine worms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
rockweed	<input checked="" 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 checked="" type="checkbox"/>	Mud Snails

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)

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....

My boat(s) requires a draft of 1.5 feet.
My boat(s) is 20 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: See Appendix B



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



WHAT FACILITIES ARE NEARBY?

The nearest public boat launch is located in Kittery approximately 3.4 miles from the project location.
(town) (distance)

The nearest public, commercial, or private marina is located in Kittery approximately 2.9 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: 200 people

I have contacted the local Harbor Master.

Name: Nicholas Starr Phone: 960-982-4835

I currently use the following for my boat: Mooring Marina



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

MATERIALS:

- The structure will be supported by pilings.
14 pilings of 6.5 inches in diameter
- 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: 83 feet
Width of fixed section: 3.33 feet
Length of ramp: 26 feet
Dimensions of float: 10 feet wide by 18 feet long
Distance the structure will extend below mean low water (MLW): 0 feet
Depth of water at the fixed end of the structure: 2.1 feet
Depth of water at the float at low tide: 0 feet
Depth of water at the float at high tide: 6 feet
Dimensions of any proposed buildings (e.g. bait shed):
_____ feet high by _____ feet wide by _____ feet long

ACCESS:

During construction, my project site will be accessed via:

- Land
- Beach/intertidal area
- Water/barge

**PUBLIC NOTICE:
NOTICE OF INTENT TO FILE**

Please take notice that
Nicholas Starr of 56 Tidewater Way, Kittery, ME 03904
is intending to file a Natural Resources Protection Act permit application with Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S. §§ 480-A thru 480-BB on or about July 22, 2021. The application is for: Residential dock at Wilson Creek, Kittery.

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 Canco Road, Portland, Maine 04103

REGULAR MEETINGS.

Except as superseded by these by-laws, Robert's Rules of Order, Newly Revised, 10th Edition, governs the conduct of meetings.

The regular meetings of the Port Authority are held ~~in the Council Chambers of Town Hall,~~ generally on the first Thursday of each calendar month. Public proceedings commence at 6:00 p.m. whether or not preceded by an executive session or workshop.

When said meeting falls on a holiday or is otherwise postponed, the regular meeting is held on the following Wednesday, at the same time ~~and place.~~

The Port Authority Chair may cancel a regular meeting provided there are no permit applications waiting to be accepted or approved.

The date ~~and venue~~ of any regular meeting may be changed upon the vote of the Port Authority, ~~provided, however, that said change in date, or venue, will still provide for at least one regular meeting in each month.~~

Minutes of all meetings and workshops must be recorded. Said minutes must be reviewed, corrected and approved by the Board at the next regular meeting. Copies of approved minutes are to be furnished to the Town Clerk, following approval.

Attendance of members is expected at all regular and special meetings. A member failing to attend three (3) regular meetings during one (1) fiscal year; without being excused by the Board forfeits the office.

SPECIAL MEETINGS.

Special meetings may be called by the Chair or by four members of the Board. Notice of such meeting must, when possible, be given at least twelve hours before the time for holding the meeting. The call for the meeting must set forth the matters to be acted upon and nothing else may be considered.

Special meetings include public comment time as provided at regular meetings, but such public comment is limited to the matters on the agenda for the meeting. Notices of such meetings must include the name(s) of the person(s) requesting the meeting.

QUORUM.

A quorum consists of four or more members. The Chair determines whether a quorum is present. A member who must abstain due to a legal conflict of interest in a particular case may not be counted in determining whether a quorum is present for that issue.

ADJOURNMENT

All efforts will be made to conclude the business of any meeting no later than 10:00p.m., when automatic adjournment is ordered unless a member moves to extend the deadline for a certain period, or to a time specific, but in no case later than 11:00pm; and, which is duly seconded and approved by a simple majority.

2021 Rules and Regulation Changes

3.9. Vessels Moored so as Not to Impede Navigation or to Endanger Other Vessels

3.9.1. ~~No more than one vessel may occupy a single mooring site without said vessels being occupied.~~ All mooring sites, whether now existing or hereinafter set, must be in such a way that the vessels will not impede navigation within the harbor, nor endanger other vessels.

3.9.2. If the Harbormaster finds that any vessel is moored as to impede navigation or to endanger other vessels, the Harbormaster may direct that the owner of the vessel takes corrective action; or in the alternative, may order that the mooring be removed from the site or relocated. In requiring the removal of a mooring because of its danger to other moorings, the mooring last set is to be the first removed.

3.9.3. Any person so ordered by the Harbormaster, shall take corrective action as ordered within forty-eight (48) hours; provided, however, that if the Harbormaster finds an emergency requiring immediate action to prevent injury to life or damage to property, the mooring or any vessel attached thereto may be caused to be immediately removed and relocated. Any expense involved is to be borne by the owner of the mooring or vessel being removed.

[3.9.4. Rafting of vessels either on a mooring site or at anchor is prohibited, unless permission is granted by the harbormaster and all vessels are occupied and the mooring permit holder is present.](#)

2.5. Public Wharves and Landings

2.5.1. Obstruction No person may obstruct by any means whatsoever, the free use of public piers, docks, floats and other common landing places. Vessels may not remain tied to the wharf or float for a period longer than thirty (30) minutes except by permission of the Harbormaster. Vessels in violation will be removed or caused to be removed by the Harbormaster and charged storage fees.

2.5.2. Tying to Public Facilities A. Any vessel tied to public piers, docks, floats, and other common landing areas causing damage to adjacent watercraft or property will be removed or caused to be removed by order of the Harbormaster. B. Hourly dockage is permitted on Pepperrell Pier on designated transient slips only. Hourly dockage is limited to a maximum of 2 hours per vessel per slip. Charges for hourly dockage are calculated in 60-minute blocks as set forth in Appendix A. C. Hourly dockage will be allowed if slips have not been reserved for transient vessels for overnight stays. Hourly dockage will be allowed on a first come first serve basis.

2.5.3. Emergency Repair Vessels requiring emergency repair may be tied to public piers, docks, floats, or other common landing areas for a maximum of twenty-four- (24-) hours with approval of the Harbormaster. Extension of time is at the discretion of the Harbormaster.

2.5.4. Public Nuisance No person may loiter, create a public nuisance or partake of alcoholic beverages on public piers, docks, floats, or other common landing areas.

2.5.5. Closure of Facilities Public piers, docks, floats, and other common landing areas may be closed for reasons of public safety or threats to natural resources.

2.5.6. Town Hoist Use A. Town hoists may not be used for launching or landing of vessels. B. Loads must not exceed the posted hoist limit. C. The Harbormaster may prohibit a user from using the hoist if found to be operating it unsafely or in violation of the Rules and Regulations. AMENDED: January 2, 2020 11

2.5.7. Swimming A. No person may dive from, swim or skin-dive without permission of the Harbormaster, within thirty (30) feet of Town-owned floats. B. Persons swimming in mooring fields, anchorages, and channels must have a safety buoy attached to them.

2.5.8. Tying of Dinghies to Town Floats A. All dinghies, skiffs, or tenders tied to public floats must allow at least ten (10) feet of line between the float and vessel. B. Dinghies more than twelve feet six inches (12' 6") in length may be tied to a public float with written permission of the Harbormaster. C. All dinghies tied to public piers, docks, floats and other common landing areas are to be maintained and bailed free of water. Unmaintained dinghies may be removed and charged storage fees. D. Dinghies must prominently display the mooring number on the inboard side of the transom using numbers no less than two- (2-) inches in height and in contrasting color. E. Except where permitted by the Harbormaster, all dinghies must be removed from public floats before float-out in October of each year. Any unauthorized dinghies remaining after this date will be removed and charged storage fees as set forth in Appendix A.

2.5.9. Storage of Personal Property on Town Piers, Floats, and Landings A. Personal property, such as cradles, motor vehicles, vessels, and floats may not be stored on town wharves, piers, floats or landings. B. A Loading Zone, as designated by the Harbormaster, may be used by mooring holders and Facility Use Permit holders for loading and unloading of gear including but not limited to lobster traps, fishing gear and other items in transit. Items in transit mean items are being actively loaded or unloaded to and from vessels. C. Gear may be stored or placed by mooring holders and Facility Use Permit holders in designated areas for no more than twenty-four (24) hours at any given time, unless otherwise permitted by the Harbormaster. Gear must be placed or stored in a manner that allows safe access to vessels and public piers, docks, floats and common landing areas. Gear must be stacked or stored in an orderly manner. The gear stacked or stored from an individual vessel may not exceed one half of any designated storage area on town wharves, piers, floats, or landings at any time.

[2.5.10. Children 12 and under must be accompanied by an adult at all times on Town owned parking lots, piers, ramps and floats and children 10 and under must have a life jacket on while using ramps and floats.](#)

Carrie Varao

From: K Ph <nowakekp@aol.com>
Sent: Wednesday, July 28, 2021 2:45 PM
To: Carrie Varao
Subject: Fwd: Dredge Engineering

Begin forwarded message:

From: Kendra Amaral <KAmaral@kitteryme.org>
Subject: RE: Dredge Engineering
Date: July 26, 2021 at 12:51:47 PM EDT
To: Kelly Philbrook <nowakekp@aol.com>
Cc: Charles Patten <charliepatten@comcast.net>, Harbor Master <kpa@kitteryme.org>

Hi Kelly,

Not a pain.... just trying to make sure we moving forward in the right direction.

Sorry, you are right about engineering costs for FNP area; I went back and checked my notes from an 11/18 meeting with ACOE. We would need to pay for the engineering, testing and permit for the non-FNP regardless.

I don't know about how the filling would go either. Removal of the material means that there is a net reduction in material to contribute to a fill but I don't know how the fluid dynamics of that area combined with the tide would contribute to new fill coming in. Agreed though an engineer would need to weigh in on that.

Just so I understand, the KPA priority is FNP with the goal of piggybacking on that for non-FNP areas, based on the goal of saving enough funds to pay for the non-FNP project and concerns that advancing the non-FNP area alone would not have an acceptable outcome.

We will still press forward with the engineer. ACOE permits are good for five years and it will give us a clearer picture of what is needed, what the non-FNP area will cost, and what the impact of going out of order would do to depths in the area.

I'll update the KPA in Sep on the RFP process.

Thanks
Kendra

From: K Ph <nowakekp@aol.com>
Sent: Monday, July 26, 2021 9:00 AM
To: Kendra Amaral <KAmaral@kitteryme.org>
Cc: Charles Patten <charliepatten@comcast.net>; Harbor Master <kpa@kitteryme.org>
Subject: Re: Dredge Engineering

Hi

Sorry to be a pain. I think the discussion at that meeting was to prioritize the areas outside the FNP we would want to see dredged in addition to the FNP. When we first looked at this there were a few other areas identified as potential areas. At the meeting we took all the potential areas and identified the areas shaded as priority because they are the areas with the most traffic. The mooring field is the priority and the non-FNP areas were added because it is needed. I am not an engineer and I'll admit this way out of my ballpark of knowledge but I feel like if we do one or the other, the areas we don't do will just fill in quickly. I know at one time one of the KPA members proposed having rock from an FNP up in the river at the turning basin dumped by fishing island to mitigate wave action. This was eventually rejected by the KPA and Kittery because engineers could not say with certainty that by doing this they would change the tide patterns and cause Pepperrell Cove to receive more sand and silt. The old timers in Kittery swear that the filling in of Pepperrell Cove is coming from Chauncey Creek because of the way the tides run around Fishing Island. Again they were not engineers just old fishermen.

My fear is that if we move forward dredging the non-FNP areas it will be for not if we don't also do the FNP at the same time. Also having the areas dredged around the piers doesn't seem to be productive if the channel into the area is not dredged. In other words we have deep water at the piers, if you can get there.

I guess my understanding was we were going to make applying to the ACOE the priority and start saving big time in hope we could afford to dredge around the mooring areas too when the time came.

I am assuming the ACOE has changed their rules as a few years back an ACOE representative came down to discuss the dredging of Pepperrell Cove with the Harbormaster and KPA and he said the ACOE had already done soil samples etc. At the time he said the only cost to Kittery for the FNP would be removing the moorings and putting them aback after dredging. At the time the application process was intensive and the data required was way out of our realm of knowledge and support from the town was minimal. I can't remember if it was Nancy Colbert Puff or the replacement we had temporarily before you came that was also at the meeting.

Again sorry to be a pain,
Kelly

On Jul 26, 2021, at 8:21 AM, Kendra Amaral <KAmaral@kitteryme.org> wrote:

The meeting that the KPA discussed the proposed map area (Feb 4), I thought prioritized an area just outside the FNP; where the depths are significantly less. We have to pay for the engineering regardless of whether the dredge project is in the FNP or not; so right now it is just a matter of clarifying scope and funding additional engineering costs for a larger project area (if any).

My comment was that the area outside of the FNP would be quicker to get done by piggybacking onto a PNSY project, since they are dredging regularly. Then the only factor is coming up with the funds to pay for the dredge outside the FNP. ACOE will not fund dredging outside the FNP even if they are here dredging in the FNP. That was the piggy back discussion we had earlier in the year.

K

From: K Ph <nowakekp@aol.com>
Sent: Monday, July 26, 2021 7:57 AM
To: Kendra Amaral <KAmaral@kitteryme.org>
Cc: Charles Patten <charliepatten@comcast.net>; Harbor Master <kpa@kitteryme.org>
Subject: Re: Dredge Engineering

Hi

Thank you for the heads up and keeping us in the loop. Will we be also applying to ACOE for the mooring area that is part of the FNP? I feel that getting the FNP part of the mooring field should be the priority. The ACOE has help us to very tight restrictions because the area is an FNP and it has been over 100 years since Kittery was dredged. I hope I am just confused, because I read this as saying the ACOE will not be doing any of it. The non-FNP areas were around the piers and floats etc. I assumed we would be doing both the FNP and the non-FNP at the same time.

Thanks
Kelly

On Jul 23, 2021, at 3:09 PM, Kendra Amaral <KAmaral@kitteryme.org> wrote:

Hi Kelly and Charlie

I am working on a draft RFP for engineering services for a dredge in Pepperrell Cove. I hope to have the draft finalized in August. It appears we will be better served by trying to piggy back on a PNSY dredge than ACOE since the project identified by the KPA is not FNP and PNSY dredges with sufficient frequency to allow us to anticipate and plan for funding needs.

I'll have an update for the KPA in Sep (I hope) on the engineering effort.

Please let me know if you have any questions.

Thank you,
Kendra

<FNP AREA DREDGE SELECT MAP.pdf>