



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

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

Meeting Agenda  
February 3, 2022  
6:00 P.M.  
Hybrid Meeting

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The public may attend the meeting in person or remotely via Zoom. Attendees via Zoom will be recognized during the public hearings and public comment portion of the meeting. **Register in advance** via Zoom at:

[https://us02web.zoom.us/webinar/register/WN\\_QuBmPgu-Sjq5baseEsx7oA](https://us02web.zoom.us/webinar/register/WN_QuBmPgu-Sjq5baseEsx7oA)

After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during a public hearing.

The public may also submit public comments for the Public Hearing and the Public Segment of the agenda via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to [TownComments@kitteryme.org](mailto:TownComments@kitteryme.org).

**Comments received by noon on the day of the meeting will be read into the record by the KPA Chair.**

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1. Call to Order / Attendance
2. Pledge of Allegiance
3. Agenda Amendments and Adoption
4. Acceptance of Previous Minutes: January 6, 2022
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 “after the fact” application from Daniel & Bonnie Hannigan, 11 Pepperrell Road, Kittery Point, ME 03905 (Map 18, Lot 11-3) to build a pier connecting to an existing deck, as shown on Ambit Engineering drawing # C1, “Existing Conditions Plan”, dated 9/16/21. Agent Steve Riker, Ambit Engineering, Inc.

b. The Kittery Port Authority moves to accept an application from Daniel & Bonnie Hannigan, 11 Pepperrell Road, Kittery Point, ME 03905 (Map 18, Lot 11-3) for the modification of an existing structure consisting of the addition of a 3' x 45' gangway and a 10' x 20' float. Agent: Steven Riker, Ambit Engineering, Inc.

c. The Kittery Port Authority moves to accept an application from Christine E. Robichaud, 7 Rose Lane, Kittery, ME 03904 (Map 10, Lot 10) to add a float to mooring 617 in the back channel.

9. Public Segment (Three Mins.)

10. Unfinished Business

11. New Business

12. Committee and Other Reports

a. Communications from the Chairperson

13. Board Member Issues or Comments

14. Executive Session

15. Adjournment

- 1 1. Call to Order / Attendance
- 2 Chair Philbrook called the meeting to order at 6:00pm
- 3 Members present: Chair Philbrook, Bryan Bush, Vice Chair Patten, Steve Lawrence,
- 4 Niles Pinkham, and Alan Johnston. Absent member: John McCollett
- 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: December 2, 2021
- 9 Page 5. Line 110 name change to John Brady and Lise B. Sequin.
- 10 Chair Philbrook moved to approved the December 2, 2021 minutes as amended,
- 11 seconded by Mr. Lawrence.
- 12 Motion Carried 6-0-0
- 13 5. Harbormaster Report and Budget Report
- 14 The Harbormaster stated he obtained the permit from Army Corp for the float extension
- 15 at Traip Boat Ramp.
- 16 The Harbormaster was working on the Maine Department of Environmental Protection
- 17 Permit by Rule application of which the Army Corp permit is a prerequisite, he also
- 18 received a quote from one company, and he was reaching out to other companies for
- 19 quotes as well.
- 20 The Harbormaster said, he'd completed the work list for Maine Municipal Association
- 21 Risk Management.
- 22 The Harbormaster stated he helped with Stuff a Lobster Boat benefiting Kittery Holiday
- 23 Baskets.
- 24 The Harbormaster received quote for a Davit Replacement at Government Street pier,
- 25 and would be acquiring others.

26 The Harbormaster worked on the wash down system for Government Street, and will  
 27 meet with Steve Lawrence and Charlie Patten on design, it will basically, be the same  
 28 systems used by local businesses.

29 The Harbormaster stated he had completed all the required training for police  
 30 certification and required Maine Municipal Association training for 2021 year.

31 The Harbormaster was working on the details of the rebuild of all three seawalls at the  
 32 Isles of Shoals with the Army Corp, and the New Hampshire Authorities, he will notify all  
 33 boaters from our mailing list with the updated information, and stated the rebuild is  
 34 estimated to begin in April/May and continue through October 2022. The rebuild will  
 35 likely involve moorings being moved or dropped to the bottom to make channel for the  
 36 barges delivering rocks and equipment (up to 2 a day).

37 The Harbormaster stated he participated in Wreaths Across America by laying wreaths  
 38 in Pepperrell Cove, and he invited USCG who gladly agreed, and we used their 47'  
 39 motor life boat for the event.

40 The Harbormaster is working with Shellfish Committee regarding opening of Brave Boat  
 41 Harbor flats.

42

OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR EXPENSES	CURRENT YEAR REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 60,536.00	\$ 31,349.34	\$ 29,186.66	51.79
64020	PART TIME SALARIES	\$ 19,042.00	\$ 9,741.44	\$ 9,300.56	51.16
65010	POSTAGE	\$ 250.00	\$ 14.74	\$ 235.26	5.9
65020	TELEPHONE & INTERNET	\$ 1,950.00	\$ 955.17	\$ 994.83	48.98
65200	ELECTRICITY	\$ 1,800.00	\$ 794.66	\$ 1,005.34	44.15
65220	WATER	\$ 500.00	\$ 155.20	\$ 344.80	31.04
65240	DUMPSTERS/TRASH REMOVAL	\$ 1,000.00	\$ 684.00	\$ 316.00	68.4
65305	BOAT EQUIPMENT MAINTENANCE	\$ 3,500.00	\$ 3,291.34	\$ 208.66	94.04
65310	VEHICLE MAINTENANCE	\$ 1,500.00	\$ 2,281.51	\$ (781.51)	152.1
65311	GAS, GREASE, & OIL	\$ 1,500.00	\$ 637.69	\$ 862.31	42.51
65462	RIGGING	\$ 11,000.00	\$ 7,579.71	\$ 3,420.29	68.91
65463	SANITATION	\$ 2,500.00	\$ 1,074.00	\$ 1,426.00	42.96
65470	PROFESSIONAL DEVELOPMENT	\$ 1,500.00	\$ 975.00	\$ 525.00	65
65480	OTHER PROFESSIONAL/CONTRACTED	\$ 3,000.00	\$ -	\$ 3,000.00	0
65500	MAIN BLDG/GROUNDS WHARVES/HARB	\$ 5,000.00	\$ 2,889.66	\$ 2,110.34	57.79
65521	UNIFORMS	\$ 1,000.00	\$ 390.98	\$ 609.02	39.1
66010	OFFICE SUPPLIES	\$ 300.00	\$ -	\$ 300.00	0
66040	JANITORIAL SUPPLIES & SERVICES	\$ 500.00	\$ 108.88	\$ 391.12	21.78
<b>TOTAL</b>		<b>\$ 116,378.00</b>	<b>\$ 62,923.32</b>	<b>\$ 53,454.68</b>	<b>54.07%</b>

## FY 2022 YTD REVENUE

OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR REVENUE	CURRENT YEAR DIFFERENCE	PERCENT
43147	DINGHY FEES	\$ (10,000.00)	\$ (390.00)	\$ (9,610.00)	3.9
43148	TRANSIENT SLIP RENTAL	\$ (7,000.00)	\$ (16,266.00)	\$ 9,266.00	232.37
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (625.00)	\$ 125.00	125
43150	MOORING FEES	\$ (100,000.00)	\$ (1,296.00)	\$ (98,704.00)	1.3
43151	LAUNCH FEE	\$ (14,000.00)	\$ (7,673.75)	\$ (6,326.25)	54.81
43152	TRANSIENT MOORING	\$ (4,000.00)	\$ (13,198.00)	\$ 9,198.00	329.95
43153	WAIT LIST FEE	\$ (800.00)	\$ (474.00)	\$ (326.00)	59.25
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (1,998.00)	\$ (402.00)	83.25
43157	MOORING LATE FEE	\$ -	\$ -	\$ -	0
<b>43</b>	<b>TOTAL</b>	<b>\$ (138,700.00)</b>	<b>\$ (41,920.75)</b>	<b>\$ (96,779.25)</b>	<b>30.22%</b>

44 6. All Items involving Town Officials or Invited Guests

45 a. Kittery Police Chief requested to address the KPA in regards to the increased public  
46 safety demands on the Harbormaster Department.

47 The Police Chief Robert Richter addressed the KPA in regards to the increased public  
48 safety demands on the Harbormaster Department and wanted the KPA's support on  
49 buying the Harbormaster a new boat.

50 Chair Philbrook – No

51 Mr. Bush – Yes

52 Mr. Lawrence said he would need more information.

53 Vice Chair Patten - Yes

54 Mr. Johnston – Yes

55 Mr. Pinkham said the Harbormaster needed another boat, but maybe not the boat that  
56 was presented to the KPA.

57 Mr. McCollett - No

58 7. Public Hearing

59 a. The Kittery Port Authority moves to approve an application and hold a Public Hearing  
60 from Patricia A. Tobey, 60 Chauncey Creek Road, Kittery Point, ME 03905 (Map 45, Lot  
61 75) for the construction of a 20' x 6' fixed pier, 4' x 30' gangway, and a 10' x 14' float.

62 Agent: John Jarnagin

63 Mr. Lawrence moved to approve the application and hold a Public Hearing from Patricia  
64 A. Tobey, 60 Chauncey Creek Road, Kittery Point, ME 03905 (Map 45, Lot 75) for the  
65 construction of a 20' x 6' fixed pier, 4' x 30' gangway, and a 10' x 14' float, seconded by  
66 Mr. Pinkham.

67 Motion Carried 5-0-1

68 Mr. Lawrence, Mr. Johnston, Mr. Pinkham, Chair Philbrook, and Vice Chair Patten voted  
69 yes.

70 Mr. Bush abstained.

71 b. The Kittery Port Authority moves to approve changes to the Rules and Regulations,  
72 section 3.6.2 Temporary Mooring Program and Fees.

73 Mr. McCollett moved to amend 3.16.3 by deleting "Placement of the mooring in the  
74 Temporary Mooring Site Use Program is considered "unused" for the purpose of this  
75 section," seconded by Mr. Pinkham.

76 Motion Fails 2-4-1

77 Mr. McCollett, and Mr. Pinkham voted yes.

78 Mr. Lawrence, Mr. Bush, Mr. Johnston and Chair Philbrook voted no.

79 Vice Chair Patten abstained.

80 Chair Philbrook moved to approve the changes to the Rules and Regulations, section  
81 3.6.2 Temporary Mooring Program and Fees as presented, seconded by Mr. Lawrence.

82 Motion Carried 7-0-0

83 8. Piers, Wharves & Floats - None

84 9. Public Segment (Three Mins.) - None

85 10. Unfinished Business - None

86 11. New Business - None

87 12. Committee and Other Reports - None

88 a. Communications from the Chairperson - None

89 13. Board Member Issues or Comments

90 Mr. Pinkham – None

91 Mr. Lawrence thanked the Harbormaster for the support with the Buoy Tree and all the  
92 help he provided this past December.

93 Mr. Johnston – None

- 94 Vice Chair Patten – None
- 95 Mr. Bush asked the Harbormaster on the status of the Davit on Government Street.
- 96 Mr. McCollett – None
- 97 14. Executive Session - None
- 98 15. Adjournment
- 99 Chair Philbrook moved to adjourn at 7:14, seconded by Mr. Bush.
- 100 Motion Carried 7-0-0

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.



# LETTER OF TRANSMITTAL

**TO:** Town of Kittery  
Kittery Port Authority  
200 Rogers Rd Ext.  
Kittery, ME 03904

**FROM:**  
**AMBIT ENGINEERING, INC.**  
Civil Engineers and Land Surveyors  
200 Griffin Road, Unit 3  
Portsmouth, NH 03801  
Phone (603) 430-9282 Fax 436-2315

DATE: 1/25/2022	JOB NO. 3050.94
ATTENTION: Kittery Port Authority	
RE: After the Fact Application for Tidal Dock	
11 Pepperrell Road, Kittery Point, ME	

**WE ARE SENDING YOU**

<input type="checkbox"/> SHOP DRAWING	<input checked="" type="checkbox"/> ATTACHED	<input type="checkbox"/> UNDER SEPARATE COVER VIA
<input checked="" type="checkbox"/> PLANS	<input checked="" type="checkbox"/> COPY OF LETTER	<input type="checkbox"/> PRINTS
<input type="checkbox"/> SAMPLES	<input type="checkbox"/> CHANGE ORDER	<input type="checkbox"/> SPECIFICATIONS
	<input type="checkbox"/> OTHER	

COPIES	DATE	REVISION	DESCRIPTION
10		1/25/22	KPA After the Fact Application
10	9/21	1/24/22	Plan Set (full size)

**THESE ARE TRANSMITTED AS CHECKED BELOW**

FOR YOUR APPROVAL     
 FOR YOUR USE     
 AS REQUESTED  
 FOR BIDS DUE  
 FOR REVIEW AND COMMENT     
 RETURNED AFTER LOAN TO US

**REMARKS**

**COPY TO** File

If enclosures are not as noted, kindly notify us at once.





**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

25 January 2022

Kittery Port Authority  
200 Rogers Road  
Portland, ME 04103

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

This letter transmits a Kittery Port Authority "After-The-Fact" Permit Application for Piers, Wharves & Floats request to retain an existing tidal docking structure on the above referenced site along Barters Creek. The existing 6' x 79' was repaired/replaced without authorization.

It is unknown when the work was performed, but it was likely sometime between 2019 and October 2020 based on aerial photo interpretation. The owner/applicant did receive approval from the KPA to repair the existing dock in October 2018 at the request of the owner/applicants mortagor. That approval letter is attached for your reference.

The owner/applicant performed some other work on the property using a local contractor. The contractor permitted some of the work through the Town of Kittery and some of the work was unpermitted, which the owner/applicant was unaware of. For example, the existing stairs and landing that provide foot access to the existing wood pier were replaced without a permit, and that work has since been recitified under Building Permit BP-21-338, Issued 10/27/21.

The owner/applicant is well aware that a permit should have been granted by the KPA for the work on the existing pier. His willingness to engage Ambit Engineering and Riverside & Pickering Marine Contractors to permit the existing structure as well as permit a proposed gangway and float demonstrate a willingness to move forward in good faith.

A pier has existed on this parcel since at least 1992 based on aerial photos, and the owner/applicant believes a pier existed back to the 1950's as the property was once owned by his relatives who operated a commercial lobster fishing business at that time.

Attached to this application you will find an After-The-Fact Permit Plan-Sheet C2, a Dock Details Plan-Sheet D1. The plan set depicts the existing lot, jurisdictional areas, abutting parcels, existing structures, and impact areas. Also attached to this application you will find the following: USGS Project location map, tax map, recorded deed, and a photo log.

Please contact me if you have any questions or concerns regarding this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'SR' with a stylized flourish.

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.



TOWN OF KITTERY  
KITTERY PORT AUTHORITY

Map: 18  
Lot: 11-3  
Date Submitted:  
December 27, 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:

This is an After-the-Fact application to retain an existing 6' x 79' fixed wood pier supported by 16-6" x 6" wood piles.

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 **After-The-Fact**  No, there will be modifications

2. Property Owner(s): Daniel J. Hannigan & Bonnie Choate Hannigan

3. Property Address: 11 Pepperrell Road, Kittery Point, ME 03905

4. Telephone Number: 207-337-1135 (REQUIRED) Email: danhannigan@gmail.com (REQUIRED)

5. Property Size (Acres/SF): 1.08 acres/47,050 sq. ft. Zoning District(s): R-KPV

6. The shore frontage of this property is \_\_\_\_\_ 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:

Property owner submitted application for repair approved October 18, 2018. Attached for reference.

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

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. Plan set attached.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agent Name: Steven D. Riker Agent Firm: Ambit Engineering, Inc.

Agent Phone: 603-430-9282 (REQUIRED) Agent Email: sdr@ambitengineering.com (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: \_\_\_\_\_

**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.

Return to:  
Daniel Hannigan and Bonnie Hannigan  
PO Box 224  
Kittery Point, ME 03905

DEBRA L. ANDERSON, REGISTER OF DEEDS



Bk 17838 PG 249  
Instr # 2018046903  
11/06/2018 12:39:22 PM  
Pages 3 YORK CO

DLN: 1001840043142

### WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That we, **Nancy Piken** of 1771 Ringling Boulevard, Sarasota, FL 34236 and **Patrice McDaniel**, of 3996 Roberts Point Road, Sarasota, FL 34242, Trustees of the **Albert E. Crawford Trust**, udt **May 19, 2000** for consideration paid grant to **Daniel Hannigan and Bonnie Hannigan** of 30 Pinkhams Lane, Kittery Point, ME 03905, as joint tenants, with WARRANTY COVENANTS:

A certain lot or parcel of land off Pepperell Road, in the Town of Kittery, in Kittery Point, County of York and State of Maine, and being Lot #3 as shown and delineated on a certain plan entitled "Plan of Land of Albert E. Crawford, off Pepperell Road, Kittery Point, Maine, Thomas W. Harmon, Registered Land Surveyor", dated September 24, 1984, said plan recorded in the York County Registry of Deeds, Plan Book 132, Page 39, said lot or parcel of land being more particularly described as follows:

Maine R.E. Transfer Tax Paid

Beginning at a point in the Southwesterly corner of the lot or parcel herein conveyed said point of beginning being the Northwesterly corner of land now or formerly of James Mullins; thence running North 16° 23' 07" E a distance of three hundred and thirty-five and 29/100 (335.29) feet to a point set in the ground at the approximate top of the bank of Barter's Creek; thence turning and running South 29° 35' 49" E by and along Barter's Creek a distance of 74.01 feet to a point; thence turning and running South 27° 36' 13" E still by and along Barter's Creek a distance of one hundred thirty and 00/100 (130.00) feet to an iron pipe set in the ground; thence turning and running South 42° 36' 13" E still by and along Barter's Creek a distance of twenty-four and 17/100 (24.17) feet to an iron pipe set in the ground; thence turning and running South 48° 29' 52" E still by and along Barter's Creek a distance of forty-five and 70/100 (45.70) feet to an iron pipe set in the ground at the Northwesterly corner of Lot #1; thence turning and running South 12° 34' 38" W by and along Lot #1 a distance of thirty and 41/100 (30.41) feet to an iron pin set in the ground; thence turning and running South 20° 18' 29" W still by and along Lot #1 a distance of one hundred twenty 02/100 (120.02) feet to an iron pipe set in the ground; thence turning and running North 69° 41' 31" W and crossing a certain right of way shown and delineated on said plan a distance of forty and 00/100 (40.00) feet to an iron pipe set in the ground; thence turning and Twining North 77° 45' 11" West by and along Lot #2 a distance of one hundred fifty-nine and 90/100 (159.90) to an iron pipe set in the ground at the place of beginning.

Also conveying all of my right, title and interest in and to the right of ways and easements shown and delineated on the aforementioned plan.

3p → Red Door Title • 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 • (207) 358-7500

Together with and subject to all rights of ways and easements granted and reserved in previous deeds from the Grantor herein to James Mullins by deed dated August 19, 1985 and recorded in the York County Registry of Deeds in Book 3608, Page 159 and from Grantor herein to Donald M. Wallace and Barbara M. Wallace by deed dated October 1, 1984 and recorded in the York County Registry of Deeds in Book 3385, Page 257 as corrected by deed dated August 13, 1985 and recorded in the York County Registry of Deeds in Book 3605, Page 68 to which deeds reference is hereby made for more particular descriptions of the rights of ways and easements granted and reserved therein.

Meaning and intending to describe and convey the same premises conveyed to Nancy Piken and Patrice McDaniel, Successor Trustees of the Albert E. Crawford Trust, a Trust Dated May 19, 2000 by virtue of a deed of Albert E. Crawford dated September 8, 2000 and recorded in the York County Registry of Deeds at Book 10219, Page 26.

The undersigned Nancy Piken and Patrice McDaniel, Trustees of the Albert E. Crawford Trust, udt May 19, 2000 and any amendments thereto, have full and absolute power in said Trust Agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustees have said power or are properly exercising said power to see to the application of any Trust Asset paid to the Trustees for a conveyance thereof. The trust has not been revoked and is still in full force and effect.

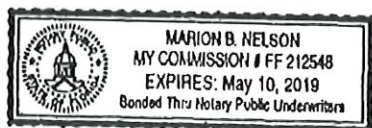
Executed this 1<sup>st</sup> day of November, 2018.

x Nancy Piken, Trustee of Albert E  
Nancy Piken, Trustee of the Albert E. Crawford Crawford  
Trust

State of Florida  
County of Sarasota

November 1, 2018

Then personally appeared before me the said Nancy Piken, Trustee of the Albert E. Crawford Trust and acknowledged the foregoing to be her voluntary act and deed.



Marion B. Nelson  
Notary Public/Justice of the Peace  
Commission expiration:

Red Door Title • 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 • (207) 358-7500

RE: 2018-19253

Page 2 of 3

Executed this 1<sup>st</sup> day of November, 2018.

x Patrice McDaniel Co. Trustee  
Patrice McDaniel, Trustee of the Albert E. Crawford Trust

State of Florida  
County of Sarasota

November 1, 2018

Then personally appeared before me the said Patrice McDaniel, Trustee of the Albert E. Crawford Trust and acknowledged the foregoing to be her voluntary act and deed.



Marion B. Nelson  
Notary Public/Justice of the Peace  
Commission expiration: |

26 October, 2021

To Whom It May Concern:

**RE: State of Maine Department of Environmental Protection Application for proposed docking structure within the previously developed 100' Tidal Buffer Zone and jurisdictional wetlands for Daniel J & Bonnie Choate Hannigan of 11 Pepperrell Rd. Kittery Point, ME 03905**

This letter is to inform the State of Maine DEP the Town of Kittery in accordance with State Law that the following entities:

Ambit Engineering, Inc.  
Riverside & Pickering Marine Contractors, Inc.

Are individually authorized to represent us as our agents in the approval process.  
Please feel free to call me if there is any question regarding this authorization.

Sincerely,



  
Bonnie Choate Hannigan  
Daniel J Hannigan  
11 Pepperrell Rd  
Kittery Point, ME 03905



Maine DEP-NRPA Application  
Daniel J. Hannigan & Bonnie Choate Hannigan  
Tidal Docking Structure Modification

SITE PHOTOGRAPHS  
Kittery Point, ME

Site Photograph #1

September 2021



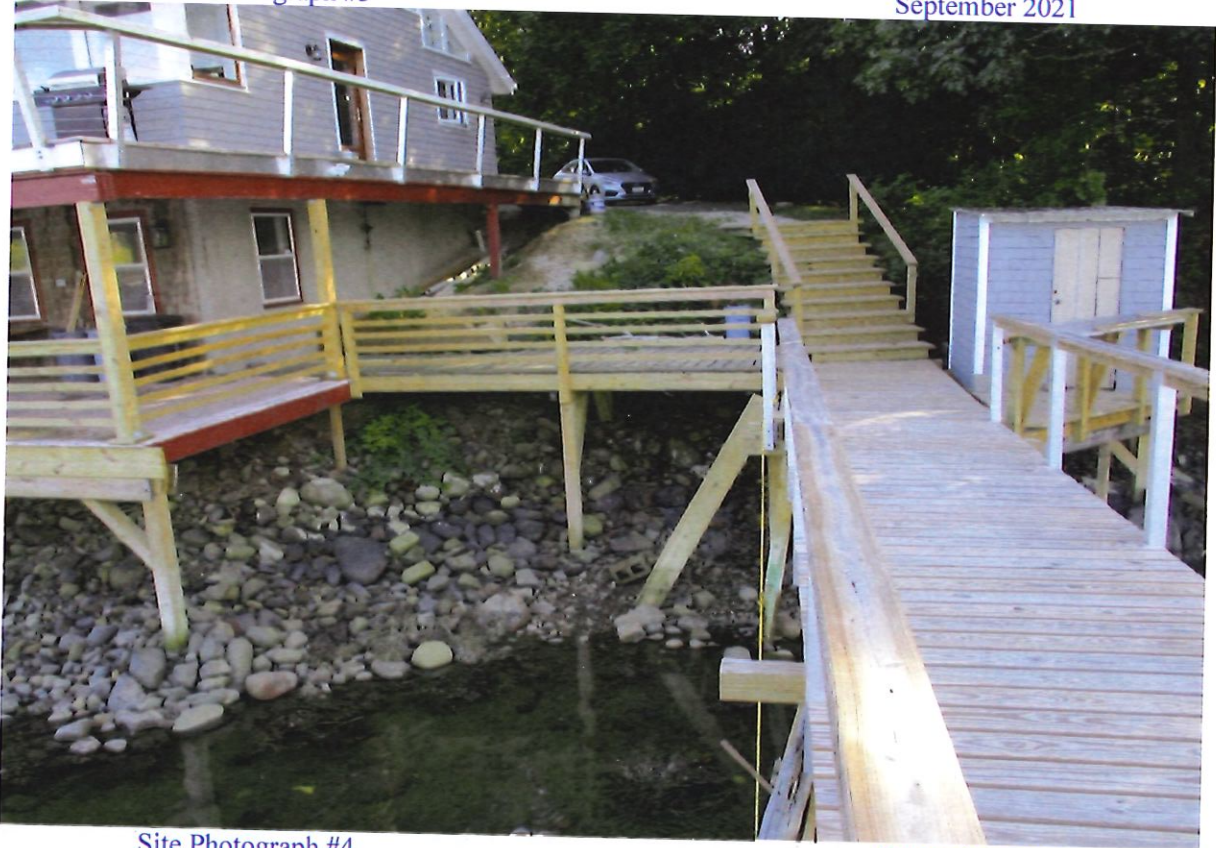
Site Photograph #2

September 2021



Site Photograph #3

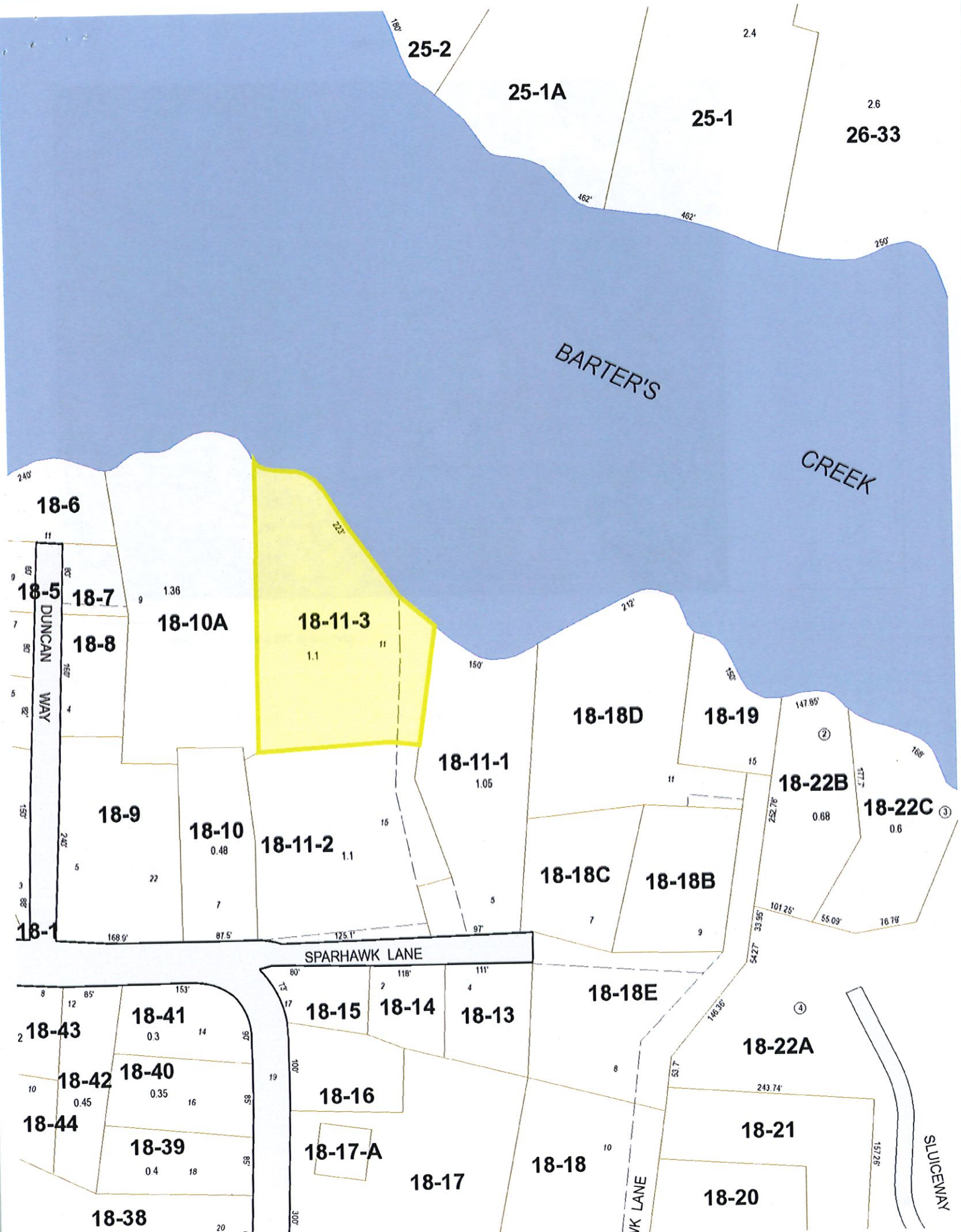
September 2021



Site Photograph #4

September 2021





25-2

25-1A

25-1

26  
26-33

BARTER'S  
CREEK

18-6

18-5

18-7

18-8

18-10A

18-11-3

18-11-1

18-18D

18-19

18-22B

18-22C

18-9

18-10

18-11-2

18-18C

18-18B

18-1

SPARHAWK LANE

18-18E

18-22A

18-43

18-41

18-15

18-14

18-13

18-42

18-40

18-16

18-21

18-44

18-39

18-17-A

18-17

18-18

18-20

18-38

VK LANE

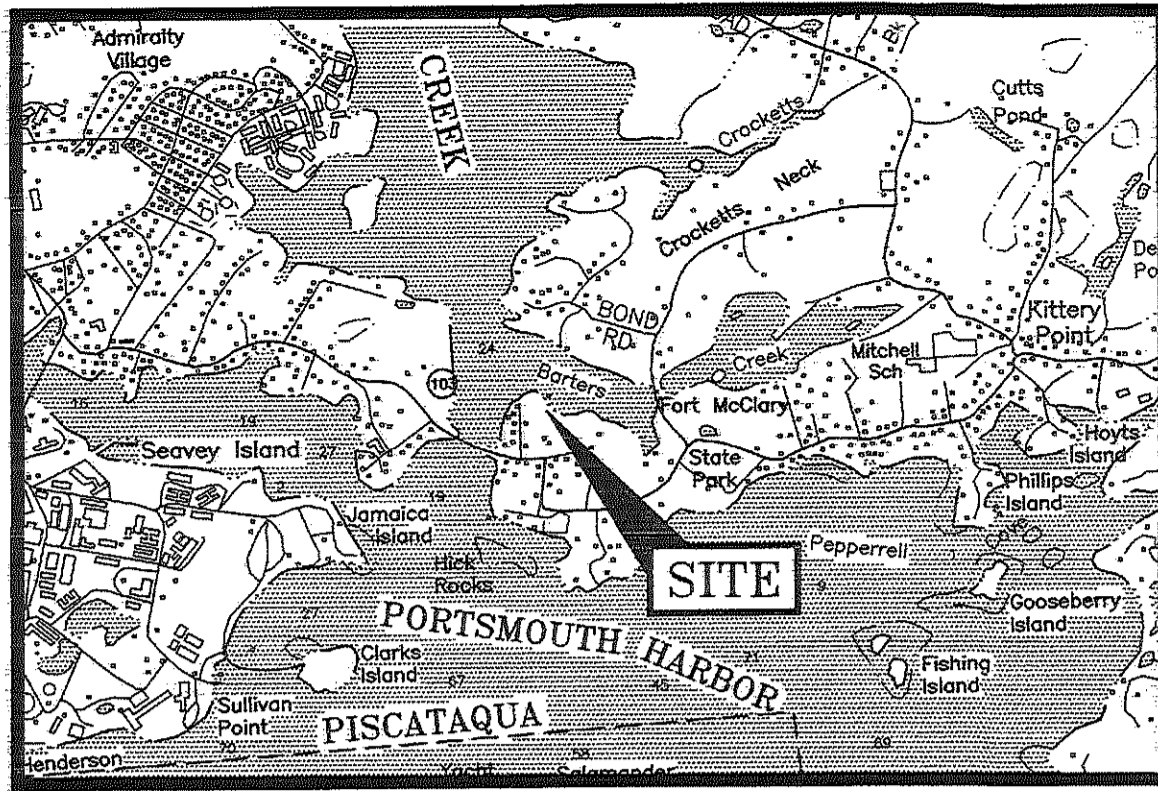
SLUICEMAN

### My Map

No legend



Copyright:© 2013 National Geographic Society, I-cubed



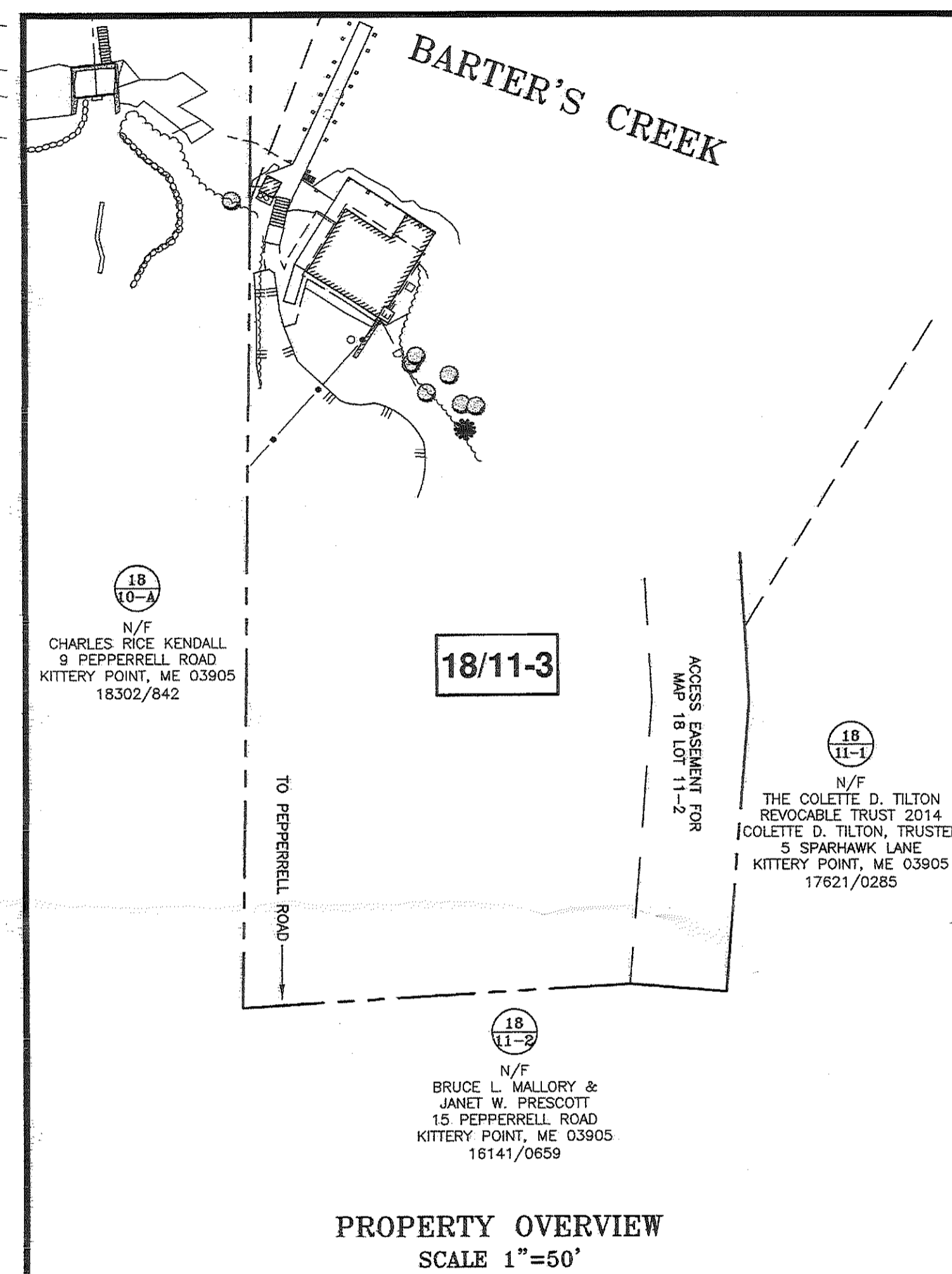
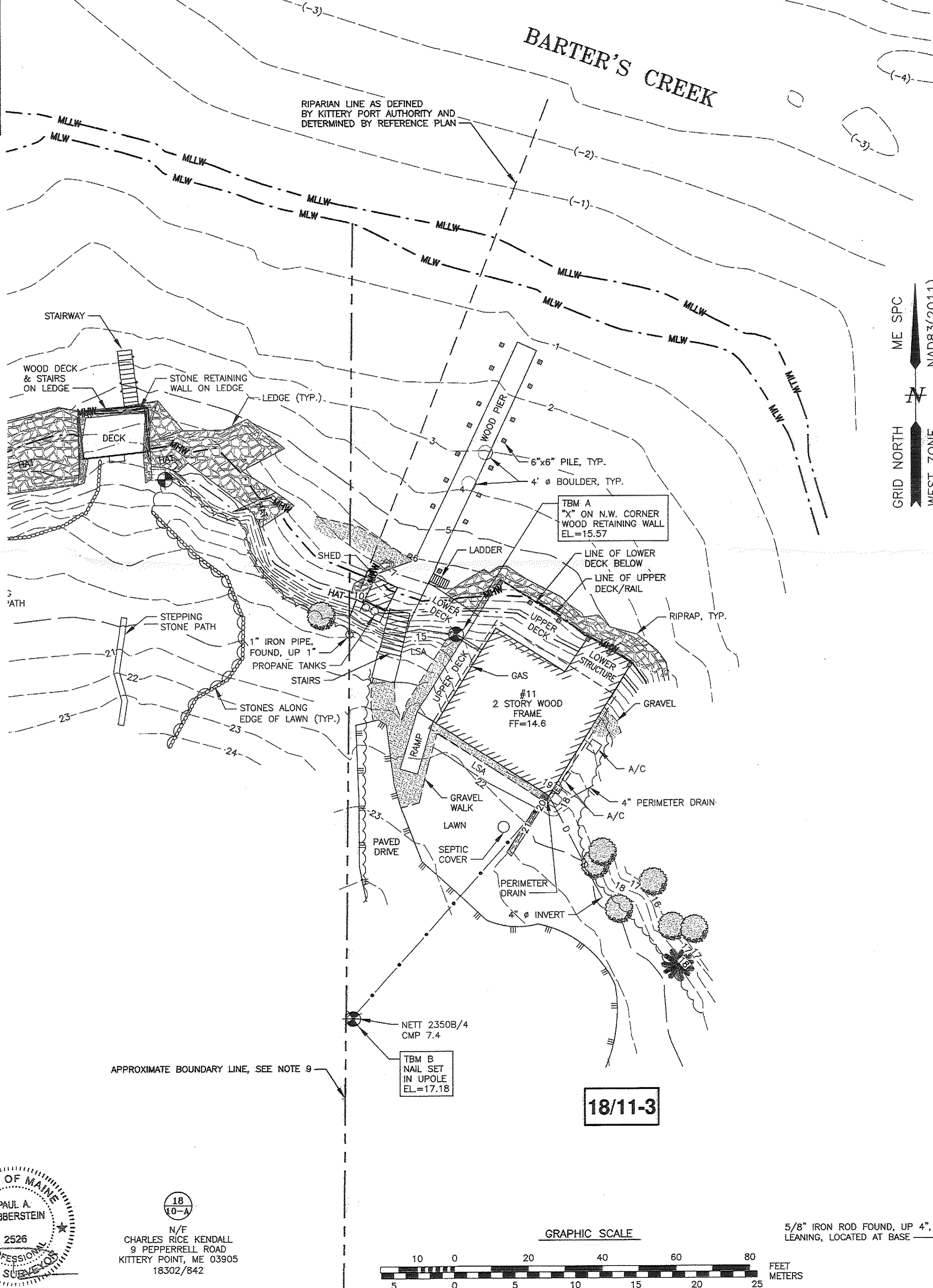
LOCATION MAP SCALE: 1" = 2000'

LEGEND:

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
YCRD	YORK COUNTY REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
○	RAILROAD SPIKE FOUND
○	IRON ROD/IRON PIPE FOUND
○	IRON PIPE FOUND
○	STONE/CONCRETE BOUND FOUND
---	APPROXIMATE PROPERTY BOUNDARY
---	BUILDING SETBACK
---	MEAN HIGH WATER LINE
---	MEAN LOW WATER LINE
---	MEAN LOWER LOW WATER LINE
---	MAINE DEP HIGHEST ANNUAL TIDE LINE
---	HAT
100	CONTOUR
97x3	SPOT ELEVATION
---	EDGE OF PAVEMENT (EP)
---	WOODS / TREE LINE
○	UTILITY POLE (w/ GUY)
EL.	ELEVATION
TBM	TEMPORARY BENCHMARK
TYP.	TYPICAL

PLAN REFERENCE:

1) EXISTING CONDITIONS PLAN MAP 18, PARCEL 11-3, 11 PEPPERRELL ROAD KITTERY POINT, MAINE, OWNER OF RECORD: DANIEL & BONNIE HANNIGAN 11 PEPPERRELL ROAD KITTERY POINT, MAINE 03905. PREPARED BY KIMBALL SURVEY & DESIGN, INC. DATED MARCH 6, 2019. NOT RECORDED.



**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-8282  
Fax (603) 436-2315

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

NOTES:

- PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 18 AS LOT 11-3.
- OWNER OF RECORD:  
DANIEL J. HANNIGAN & BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME 03905  
17838/249  
PLAN REFERENCE 1
- A PORTION OF THE PARCEL IS IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 2301710005D, EFFECTIVE 7/3/1986.
- EXISTING LOT AREA:  
47,050± S.F. (PER PLAN REFERENCE 1)  
1.08± AC. PER PLAN REFERENCE 1)
- PARCEL IS LOCATED IN RESIDENTIAL-KITTERY POINT VILLAGE ZONE.
- DIMENSIONAL REQUIREMENTS:  
MIN. LOT AREA: 40,000 S.F.  
FRONTAGE: 150 FEET  
SETBACKS: FRONT 40 FEET  
SIDE/REAR 15 FEET  
  
MAXIMUM STRUCTURE HEIGHT: 35 FEET  
MAXIMUM STRUCTURE COVERAGE: 20%  
MINIMUM OPEN SPACE: 15%
- VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION FROM NAVD88 TO MLLW BASED ON NOAA STATION 8419870 SEAVEY ISLAND PORTSMOUTH HARBOR. MLLW BEING 4.62 FEET LOWER THAN 0.00 NAVD88.
- THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON ASSESSOR'S MAP 18 LOT 11-3 IN THE TOWN OF KITTERY POINT.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES AS SHOWN ARE BASED ON THE PLAN REFERENCES LISTED HEREON. NO DEED RESEARCH OR BOUNDARY DETERMINATION WAS MADE TO CONFIRM OR REFUTE MATTERS SHOWN ON SAID PLANS FOR THE PURPOSES OF THIS PLAN. EASEMENTS, RESERVATIONS, ETC. THAT MAY EXIST ARE NOT SHOWN OR NOTED HEREON.
- HIGHEST ANNUAL TIDE LINE SHOWN AT ELEVATION 10.4 PER LOCATION SEAVEY ISLAND IN MAINE DEP HIGHEST ANNUAL TIDE (HAT) LEVELS FOR YEAR 2018.

**HANNIGAN RESIDENCE**  
11 PEPPERRELL ROAD  
KITTERY POINT, ME

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	9/16/21

REVISIONS

OWNER & APPLICANT:  
DANIEL J. HANNIGAN &  
BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME 03905

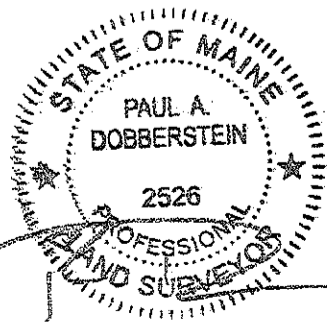
PREPARED BY:  
AMBIT ENGINEERING  
200 GRIFFIN ROAD UNIT 3  
PORTSMOUTH, N.H. 03801

SCALE 1"=20' SEPTEMBER 2021

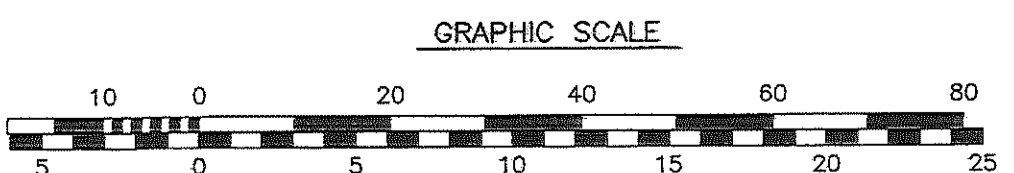
EXISTING CONDITIONS PLAN **C1**

PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:  
A) NO SURVEY REPORT HAS BEEN PREPARED.  
B) NO LAND DESCRIPTION HAS BEEN PREPARED.  
C) MONUMENTS HAVE NOT BEEN SET.  
D) THIS IS NOT A BOUNDARY SURVEY

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.

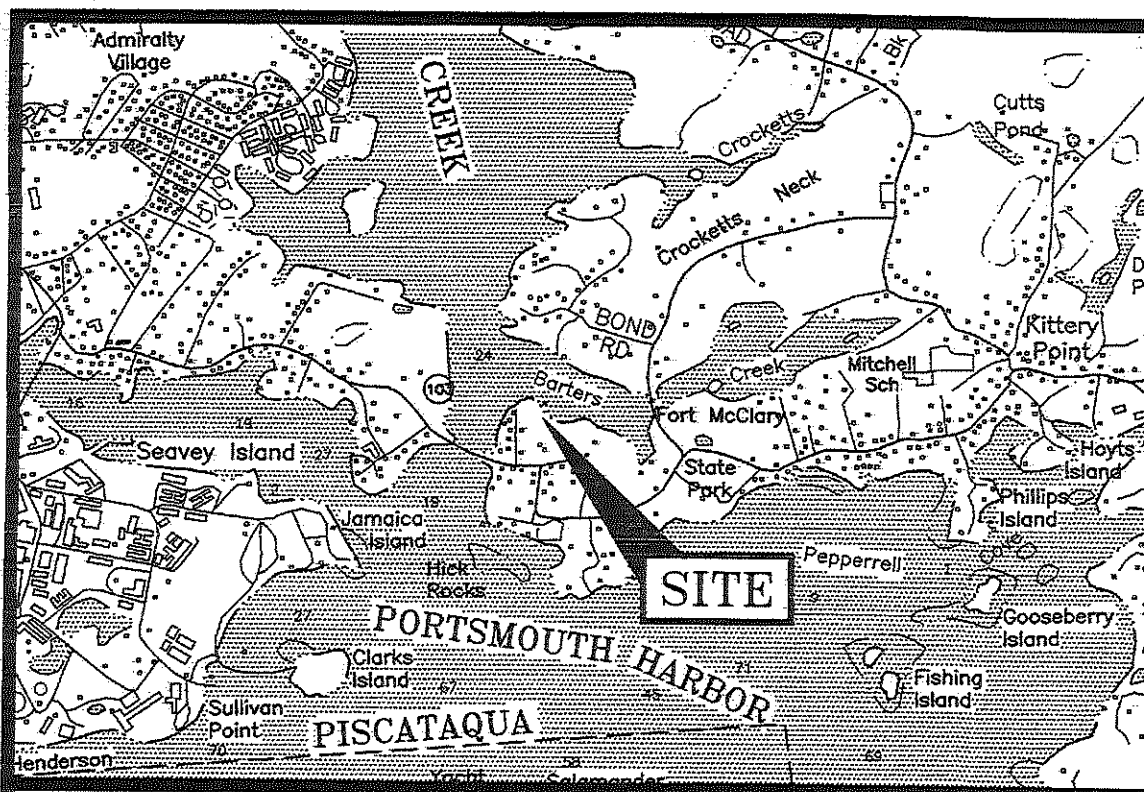


(18/10-A)  
N/F  
CHARLES RICE KENDALL  
9 PEPPERRELL ROAD  
KITTERY POINT, ME 03905  
18302/842



5/8" IRON ROD FOUND, UP 4".  
LEANING, LOCATED AT BASE

2021-09-16 10:30:00 AM  
 C:\Users\paula\OneDrive\Documents\Projects\11 Pepperrell Road\11 Pepperrell Road.dwg  
 PLOT DATE: 9/16/21 10:30:00 AM



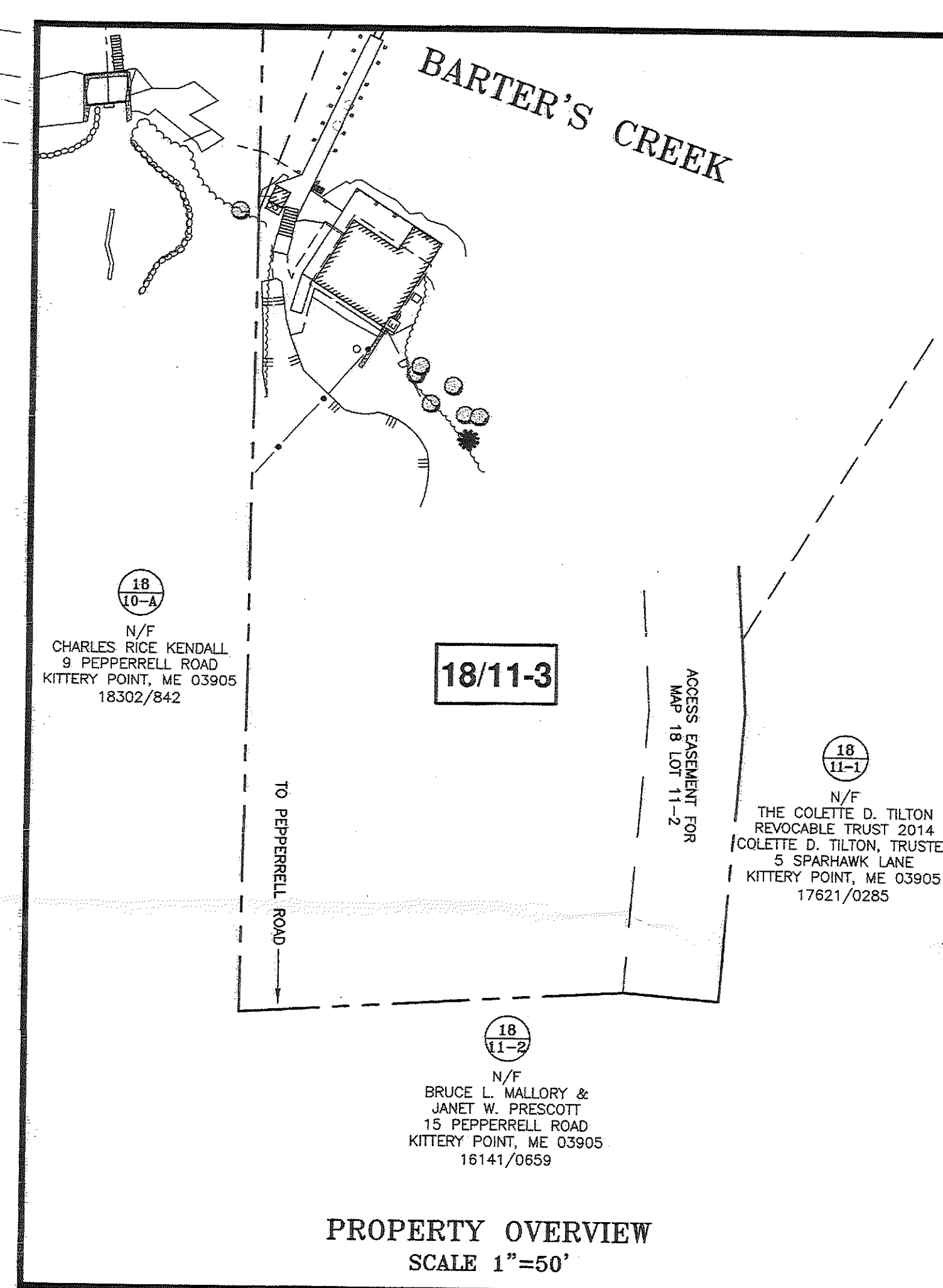
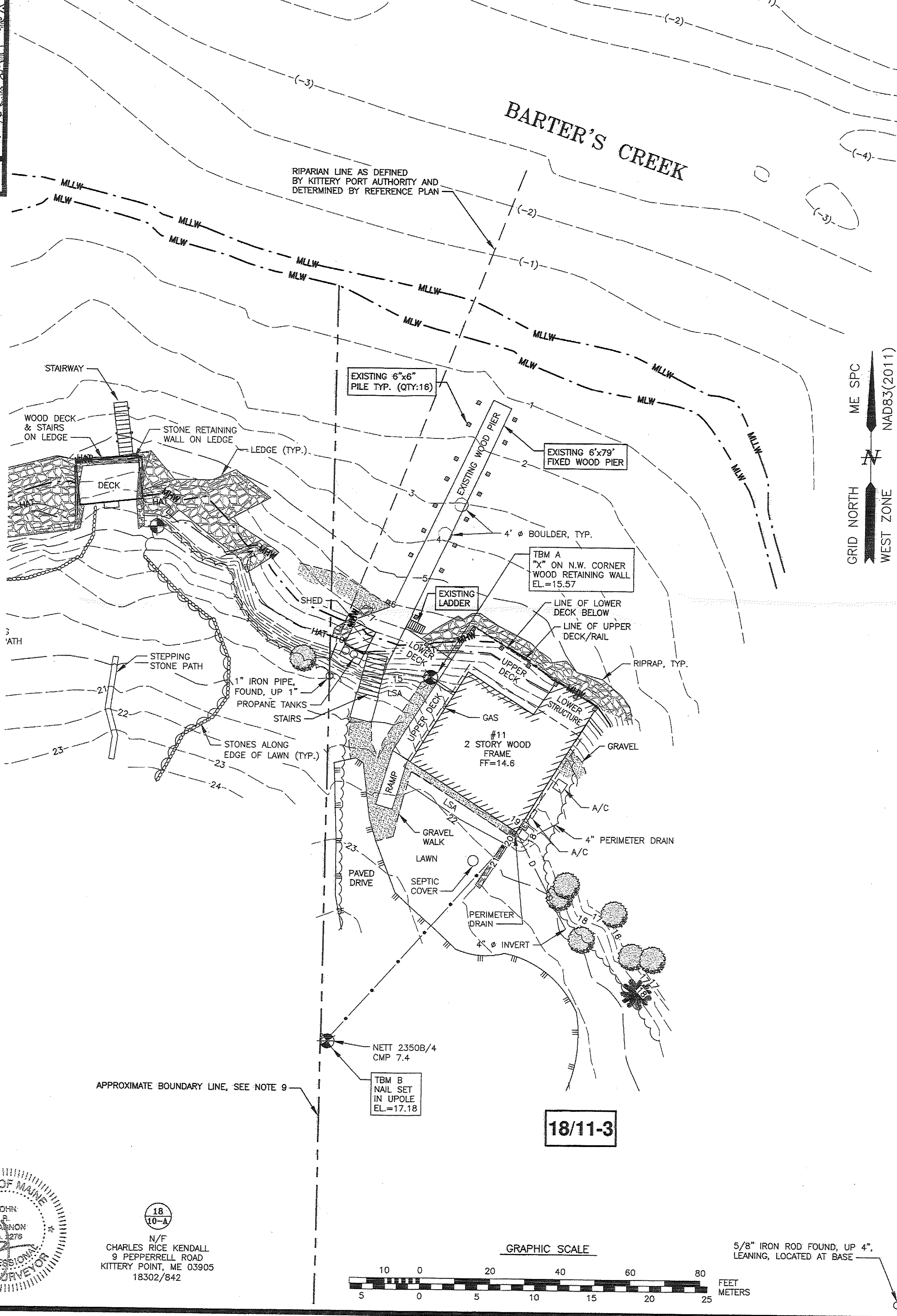
LOCATION MAP SCALE: 1" = 2000'

**LEGEND:**

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
YCRD	YORK COUNTY REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
D	RAILROAD SPIKE FOUND
O	IRON ROD/IRON PIPE FOUND
●	IRON PIPE FOUND
□	STONE/CONCRETE BOUND FOUND
---	APPROXIMATE PROPERTY BOUNDARY
---	BUILDING SETBACK
---	MEAN HIGH WATER LINE
---	MEAN LOW WATER LINE
---	MEAN LOWER LOW WATER LINE
---	MAINE DEP HIGHEST ANNUAL TIDE LINE
---	CONTOUR
100	SPOT ELEVATION
97x3	EDGE OF PAVEMENT (EP)
---	WOODS / TREE LINE
○	UTILITY POLE (w/ GUY)
EL	ELEVATION
TBM	TEMPORARY BENCHMARK
TYP.	TYPICAL

**PLAN REFERENCE:**

1) EXISTING CONDITIONS PLAN MAP 18, PARCEL 11-3, 11 PEPPERRELL ROAD KITTERY POINT, MAINE, OWNER OF RECORD: DANIEL & BONNIE HANNIGAN 11 PEPPERRELL ROAD KITTERY POINT, MAINE 03905. PREPARED BY KIMBALL SURVEY & DESIGN, INC. DATED MARCH 6, 2019. NOT RECORDED.



PROPERTY OVERVIEW SCALE 1"=50'

**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 436-9282  
Fax (603) 436-2315

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

- NOTES:**
- 1) PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 18 AS LOT 11-3.
  - 2) OWNER OF RECORD:  
DANIEL J. HANNIGAN & BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME 03905  
17838/249  
PLAN REFERENCE 1
  - 3) A PORTION OF THE PARCEL IS IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 2301710005D, EFFECTIVE 7/3/1986.
  - 4) EXISTING LOT AREA:  
47,050± S.F. (PER PLAN REFERENCE 1)  
1.08± AC. PER PLAN REFERENCE 1)
  - 5) PARCEL IS LOCATED IN RESIDENTIAL-KITTERY POINT VILLAGE ZONE.
  - 6) DIMENSIONAL REQUIREMENTS:  
MIN. LOT AREA: 40,000 S.F.  
FRONTAGE: 150 FEET  
SETBACKS: FRONT 40 FEET  
SIDE/REAR 15 FEET  
  
MAXIMUM STRUCTURE HEIGHT: 35 FEET  
MAXIMUM STRUCTURE COVERAGE: 20%  
MINIMUM OPEN SPACE: 15%
  - 7) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION FROM NAVD88 TO MLLW BASED ON NOAA STATION 8419870 SEAVEY ISLAND PORTSMOUTH HARBOR. MLLW BEING 4.62 FEET LOWER THAN 0.00 NAVD88.
  - 8) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON ASSESSOR'S MAP 18 LOT 11-3 IN THE TOWN OF KITTERY POINT. THE EXISTING PIER WAS CONSTRUCTED WITHOUT KITTERY POINT AUTHORITY APPROVAL. THIS PLAN REPRESENTS THE RESULT OF THAT CONSTRUCTION.
  - 9) THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES AS SHOWN ARE BASED ON THE PLAN REFERENCES LISTED HEREON. NO DEED RESEARCH OR BOUNDARY DETERMINATION WAS MADE TO CONFIRM OR REFUTE MATTERS SHOWN ON SAID PLANS FOR THE PURPOSES OF THIS PLAN. EASEMENTS, RESERVATIONS, ETC. THAT MAY EXIST ARE NOT SHOWN OR NOTED HEREON.
  - 10) HIGHEST ANNUAL TIDE LINE SHOWN AT ELEVATION 10.4 PER LOCATION SEAVEY ISLAND IN MAINE DEP HIGHEST ANNUAL TIDE (HAT) LEVELS FOR YEAR 2018.

**HANNIGAN RESIDENCE  
11 PEPPERRELL ROAD  
KITTERY POINT, ME**

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	1/24/22
REVISIONS		

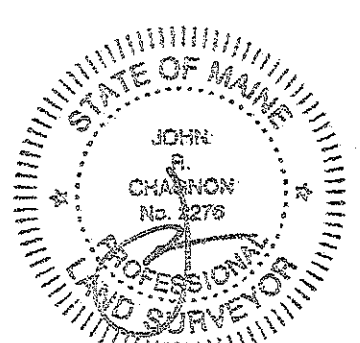
STATE OF MAINE  
JOHN CHAGNON  
PROFESSIONAL ENGINEER  
1.24.22  
SCALE 1"=20' JANUARY 2022

**AFTER-THE-FACT PERMIT PLAN**  
C2

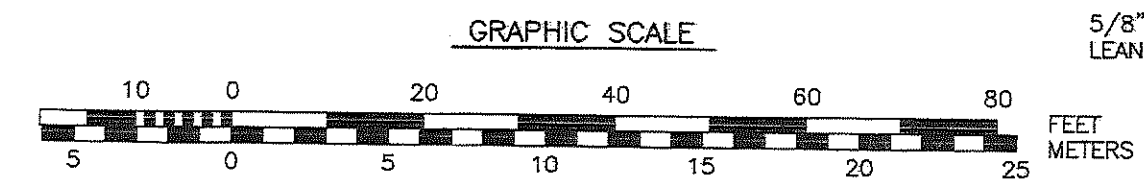
PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:  
A) NO SURVEY REPORT HAS BEEN PREPARED.  
B) NO LAND DESCRIPTION HAS BEEN PREPARED.  
C) MONUMENTS HAVE NOT BEEN SET.  
D) THIS IS NOT A BOUNDARY SURVEY

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.

JOHN R. CHAGNON, LLS #2276  
DATE 1.24.22



18/10-3  
N/F CHARLES RICE KENDALL  
9 PEPPERRELL ROAD  
KITTERY POINT, ME 03905  
18302/842



5/8" IRON ROD FOUND, UP 4", LEANING, LOCATED AT BASE

**SEQUENCE OF CONSTRUCTION**

- 1) MOBILIZATION OF A CRANE BARGE, PUSH BOAT, WORK SKIFF, MATERIALS AND PREFABRICATED COMPONENTS SUCH AS THE GANGWAY AND FLOAT TO THE SITE VIA AVAILABLE ACCESS.
- 2) MOBILIZATION OF EQUIPMENT TRUCKS TO THE SITE.
- 3) THE BARGE WILL BE POSITIONED ALONGSIDE THE PROPOSED LOCATION OF THE NEW DOCK AND WATERWARD OF ANY EMERGENT VEGETATION TO MINIMIZE IMPACTS
- 4) INSTALLATION OF THE SUB STRUCTURE WILL BE PERFORMED FROM A CRANE BARGE OR SKIFF TO REDUCE THE AMOUNT OF FOOT TRAFFIC IN THE INTERTIDAL AREA.
- 5) ALL WORK WILL BE PERFORMED AT LOW TIDE TO MINIMIZE SEDIMENTATION.
- 6) SUPER STRUCTURE OF THE PIER IS BUILT. MATERIALS ARE LIFTED FROM THE BARGE AND SET INTO POSITION BY THE CRANE.
- 7) ONCE THE PIER IS COMPLETE, THE GANGWAY AND FLOAT ARE BROUGHT INTO POSITION AND INSTALLED.

**HEAVY EQUIPMENT IN WETLANDS OR MUDFLATS**

OPERATING HEAVY EQUIPMENT OTHER THAN FIXED EQUIPMENT (DRILL RIGS, FIXED CRANES, ETC.) WITHIN WETLANDS SHALL BE MINIMIZED, AND SUCH EQUIPMENT SHALL NOT BE STORED, MAINTAINED OR REPAIRED IN WETLANDS, TO THE MAXIMUM EXTENT PRACTICABLE. WHERE CONSTRUCTION REQUIRES HEAVY EQUIPMENT OPERATION IN WETLANDS, THE EQUIPMENT SHALL EITHER HAVE LOW GROUND PRESSURE (TYPICALLY <3 PSI), OR IT SHALL BE PLACED ON SWAMP/CONSTRUCTION/TIMBER MATS (HEREIN REFERRED TO AS "CONSTRUCTION MATS" AND DEFINED AT APPENDIX A, ENDNOTE 4) THAT ARE ADEQUATE TO SUPPORT THE EQUIPMENT IN SUCH A WAY AS TO MINIMIZE DISTURBANCE OF WETLAND SOIL AND VEGETATION. CONSTRUCTION MATS ARE TO BE PLACED IN THE WETLAND FROM THE UPLAND OR FROM EQUIPMENT POSITIONED ON SWAMP MATS IF WORKING WITHIN A WETLAND. DRAGGING CONSTRUCTION MATS INTO POSITION IS PROHIBITED. OTHER SUPPORT STRUCTURES THAT ARE CAPABLE OF SAFELY SUPPORTING EQUIPMENT MAY BE USED WITH WRITTEN CORPS AUTHORIZATION (CATEGORY 2 AUTHORIZATION OR INDIVIDUAL PERMIT). SIMILARLY, THE PERMITTEE MAY REQUEST WRITTEN AUTHORIZATION FROM THE CORPS TO WAIVE USE OF MATS DURING FROZEN, DRY OR OTHER CONDITIONS. AN ADEQUATE SUPPLY OF SPILL CONTAINMENT EQUIPMENT SHALL BE MAINTAINED ON SITE. CONSTRUCTION MATS SHOULD BE MANAGED IN ACCORDANCE WITH THE CONSTRUCTION MAT BMPs AT [WWW.NAE.USACE.ARMY.MIL/MISSIONS/REGULATORY](http://www.nae.usace.army.mil/missions/regulatory)

**TIME OF YEAR WORK WINDOWS/RESTRICTIONS**

FOR ACTIVITIES WHERE WORK IS AUTHORIZED IN STREAMS AND TIDAL WATERS THAT CAUSES TURBIDITY OR SEDIMENT RE-SUSPENSION OR OTHER CONSTRUCTION RELATED DISTURBANCES, WORK MUST BE CONDUCTED DURING THE FOLLOWING T.O.Y. WORK WINDOWS (NOT DURING THE T.O.Y. RESTRICTIONS) UNLESS OTHERWISE AUTHORIZED BY THE CORPS UNDER CATEGORY 2 REVIEW:

	T.O.Y. RESTRICTION (NO WORK)	T.O.Y. WORK WINDOW (WORK ALLOWED)
NON-TIDAL WATERS	OCT. 01 THROUGH JUL. 14	JUL. 15 THROUGH SEP. 30
TIDAL WATERS	APR. 10 THROUGH NOV. 07	NOV. 08 THROUGH APR. 09

ALTERNATE WINDOWS AUTHORIZED UNDER CATEGORY 2 MAY INCLUDE SPECIES SPECIFIC WINDOWS RECOMMENDED BY THE MAINE DEPT. OF MARINE RESOURCES AND/OR MAINE DEPT. OF INLAND FISHERIES & WILDLIFE.

**FLOODPLAINS AND FLOODWAYS**

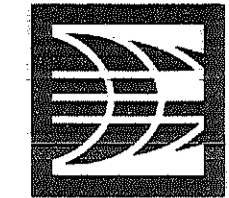
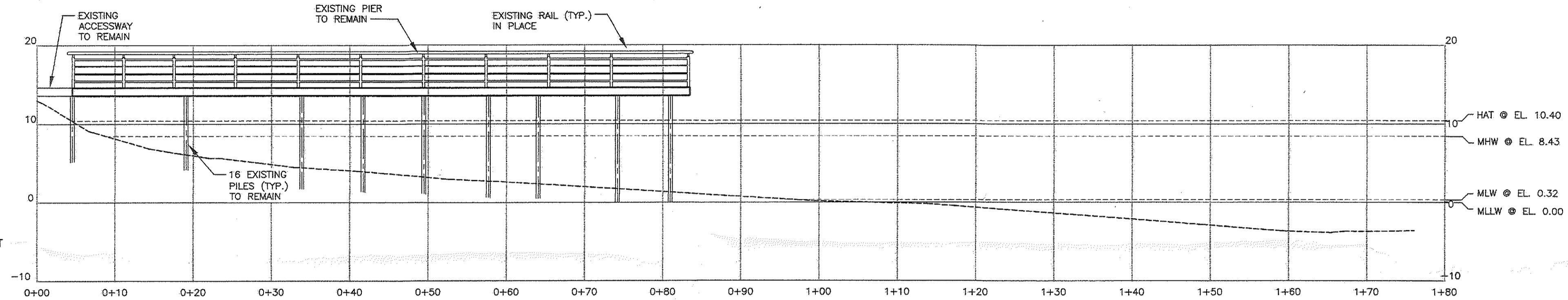
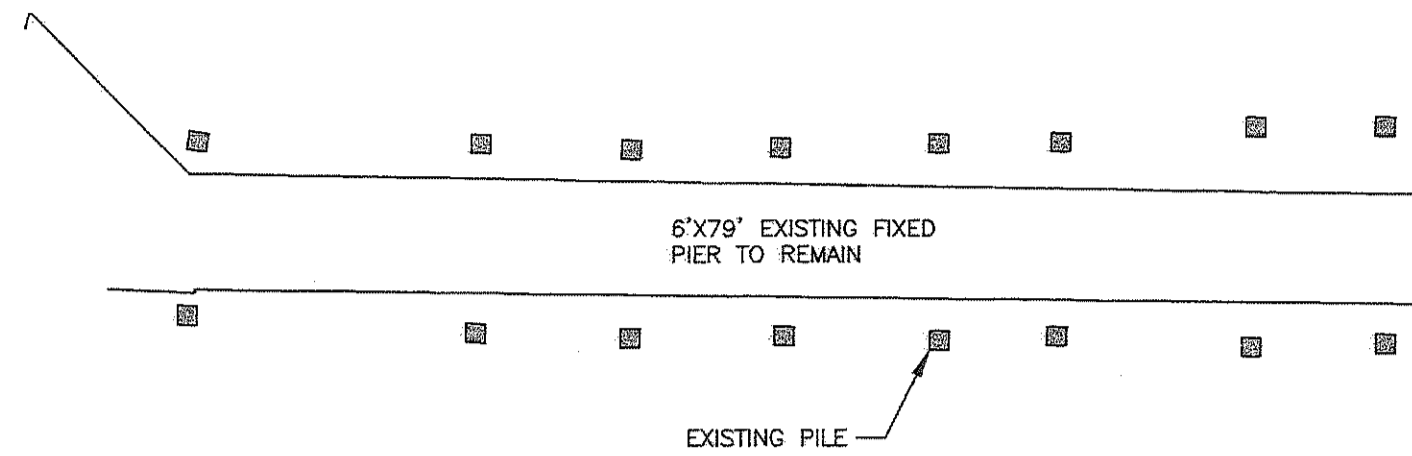
- APPROPRIATE MEASURES MUST BE TAKEN TO MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE.
- ACTIVITIES WITHIN 100-YEAR FLOODPLAINS MUST COMPLY WITH APPLICABLE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED STATE AND/OR LOCAL FLOODPLAIN MANAGEMENT PERMITTING REQUIREMENTS. PROPONENTS MAY NEED TO COORDINATE WITH FEMA AND APPLY FOR A FORMAL CHANGE TO THE FLOOD INSURANCE STUDY PRODUCTS OR FORWARD A SET OF PROJECT PLANS AND RELEVANT TECHNICAL DOCUMENTATION IN A DIGITAL FORMAT TO THE RISK ANALYSIS BRANCH CHIEF, MITIGATION DIVISION, FEMA, REGION 1, 99 HIGH STREET, BOSTON, MASSACHUSETTS 02110. APPLICANTS SHOULD PROVIDE A COPY OF ANY DOCUMENTATION TO THE CORPS ALONG WITH THE PCN.
- PROPONENTS MAY HAVE TO OBTAIN A FLOOD HAZARD DEVELOPMENT PERMIT ISSUED BY THE TOWN. INQUIRIES MAY BE DIRECTED TO THE MUNICIPALITY OR TO THE MAINE FLOODPLAIN MANAGEMENT COORDINATOR AT (207) 287-8063. SEE [HTTP://WWW.MAINE.GOV/DACF/FLOOD/](http://www.maine.gov/dacf/flood/)

**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 (OFTEN REFERRED TO AS SEASONAL STRUCTURES) SHALL BE STORED IN AN UPLAND LOCATION LANDWARD OF HIGHEST ANNUAL TIDE (H.A.T.) OR ORDINARY HIGH WATER (OHW) AND NOT IN WETLANDS, TIDAL WETLANDS, THEIR SUBSTRATE OR ON MUDFLATS. THESE SEASONAL STRUCTURES MAY BE STORED ON THE FIXED, PILE-SUPPORTED PORTION OF THE STRUCTURE THAT IS WATERWARD OF H.A.T. OR OHW. SEASONAL STORAGE OF STRUCTURES IN NAVIGABLE WATERS, E.G., IN A PROTECTED COVE ON A MOORING, REQUIRES CORPS APPROVAL AND LOCAL HARBORMASTER APPROVAL.

**SPAWNING, BREEDING, AND MIGRATORY AREAS.**

- JURISDICTIONAL ACTIVITIES AND IMPACTS SUCH AS EXCAVATIONS, DISCHARGES OF DREDGED OR FILL MATERIAL, AND/OR SUSPENDED SEDIMENT PRODUCING ACTIVITIES IN JURISDICTIONAL WATERS THAT PROVIDE VALUE AS FISH MIGRATORY AREAS, FISH AND SHELLFISH SPAWNING OR NURSERY AREAS, OR AMPHIBIAN AND MIGRATORY BIRD BREEDING AREAS, DURING SPAWNING OR BREEDING SEASONS SHALL BE AVOIDED AND MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE.
- JURISDICTIONAL ACTIVITIES IN WATERS OF THE UNITED STATES THAT PROVIDE VALUE AS BREEDING AREAS FOR MIGRATORY BIRDS MUST BE AVOIDED TO THE MAXIMUM EXTENT PRACTICABLE. THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY "TAKE" PERMITS REQUIRED UNDER THE USFWS'S REGULATIONS GOVERNING COMPLIANCE WITH THE MIGRATORY BIRD TREATY ACT OR THE BALD AND GOLDEN EAGLE PROTECTION ACT. THE PERMITTEE SHOULD CONTACT THE APPROPRIATE LOCAL OFFICE OF THE USFWS TO DETERMINE IF SUCH "TAKE" PERMITS ARE REQUIRED FOR A PARTICULAR ACTIVITY.



**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-9282  
Fax (603) 436-2315



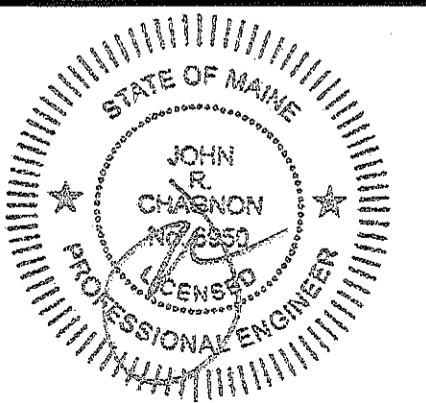
**NOTES:**

- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
- 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
- 3) EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL PRACTICES FIELD GUIDE FOR CONTRACTORS, MARCH 2015.
- 4) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION FROM NAVD88 TO MLLW BASED ON NOAA STATION 8420411 DOVER, COCHECO RIVER. MLLW BEING 3.93 FEET LOWER THAN 0.00 NAVD88.

**HANNIGAN RESIDENCE**  
**11 PEPPERRELL ROAD**  
**KITTERY POINT, ME**

0	ISSUED FOR COMMENT	1/24/22
---	--------------------	---------

NO.	DESCRIPTION	DATE
-----	-------------	------



OWNER & APPLICANT:  
DANIEL J. HANNIGAN &  
BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME. 03905

PREPARED BY:  
AMBIT ENGINEERING  
200 GRIFFIN ROAD UNIT 3  
PORTSMOUTH, N.H. 03801

SCALE: 1"=10' JANUARY 2022

**DOCK DETAILS** **D1**



# LETTER OF TRANSMITTAL

**TO:** Town of Kittery  
Kittery Port Authority  
200 Rogers Rd Ext.  
Kittery, ME 03904

**FROM:**  
**AMBIT ENGINEERING, INC.**  
Civil Engineers and Land Surveyors  
200 Griffin Road, Unit 3  
Portsmouth, NH 03801  
Phone (603) 430-9282 Fax 436-2315

DATE: 1/6/2022	JOB NO. 3050.94
ATTENTION: Kittery Port Authority	
RE: Application for Tidal Dock	
11 Pepperrell Road, Kittery Point, ME	

- WE ARE SENDING YOU**
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> SHOP DRAWING     | <input checked="" type="checkbox"/> COPY OF LETTER | <input type="checkbox"/> UNDER SEPARATE COVER VIA |
| <input checked="" type="checkbox"/> PLANS | <input type="checkbox"/> CHANGE ORDER              | <input type="checkbox"/> PRINTS                   |
| <input type="checkbox"/> SAMPLES          | <input type="checkbox"/> OTHER                     | <input type="checkbox"/> SPECIFICATIONS           |

COPIES	DATE	REVISION	DESCRIPTION
10	12/27/21		KPA Applications
10	9/21	12/23/21	Plan Set (full size)

**THESE ARE TRANSMITTED AS CHECKED BELOW**

- |   |  |                                       |
|---|--|---------------------------------------|
| <input checked="" type="checkbox"/> FOR YOUR APPROVAL | <input type="checkbox"/> FOR YOUR USE              | <input type="checkbox"/> AS REQUESTED |
| <input type="checkbox"/> FOR BIDS DUE                 |  |                                       |
| <input type="checkbox"/> FOR REVIEW AND COMMENT       | <input type="checkbox"/> RETURNED AFTER LOAN TO US |                                       |

**REMARKS**

**COPY TO** File

If enclosures are not as noted, kindly notify us at once.



MISCELLANEOUS PAYMENT RECPT#: 688931  
TOWN OF KITTEERY - LIVE  
200 ROGERS ROAD  
KITTEERY ME 03904

DATE: 01/10/22            TIME: 08:47  
CLERK: 220codeca        DEPT:  
CUSTOMER#: 0

PARCEL: 11 PEPPERRELL RD

CHG: 10            DESIGNATED ACCO            125.00

AMOUNT PAID:            125.00

PAID BY:            RIVERSIDE & PICKERIN  
PAYMENT METH: CHECK  
                  4153  
REFERENCE:        CV

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



TOWN OF KITTERY
KITTERY PORT AUTHORITY

Map: 18
Lot: 11-3
Date Submitted: January 6, 2022

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:
The project proposes the modification of an existing tidal docking structure on the above referenced site along Barbers Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel.

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 [x] No, there will be modifications

2. Property Owner(s): Daniel J. Hannigan & Bonnie Choate Hannigan

3. Property Address: 11 Pepperrell Road, Kittery Point, ME 03905

4. Telephone Number: 207-337-1135 (REQUIRED) Email: danhannigan88@gmail.com (REQUIRED)

5. Property Size (Acres/SF): 1.08 acres/47,050 sq. ft. Zoning District(s): R-KPV

6. The shore frontage of this property is ~320 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 [x] 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] Agent-See Authorization Date: December 27, 2021

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Agent Name: Steven D. Riker Agent Firm: Ambit Engineering, Inc.

Agent Phone: 603-430-9282 (REQUIRED) Agent Email: sdr@ambitengineering.com (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: December 27, 2021

[Handwritten initials CW]



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Maine Department of Environmental Protection  
312 Canco Road  
Portland, ME 04103

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

This letter transmits a Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application request to permit the modification of an existing tidal docking structure on the above referenced site along Barters Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

Attached to this application you will find a ME DEP Permit Plan-Sheet C2, a Dock Details Plan-Sheet D1 and a Details Plan-Sheet D2. The plan set depicts the existing lot, jurisdictional areas, abutting parcels, existing structures, proposed work, and impact areas. Also attached to this application you will find the following: USGS Project location map, tax map, recorded deed, certified mail receipts for abutter notification, a field survey checklist, a coastal wetland characterization, a photo log, project description worksheets for docks, and a notice of intent to file.

Lastly, in utilizing the Maine Office of GIS, the site is located directly adjacent to Tidal Wading Bird and Waterfowl Habitat and Shellfish Beds.

Please contact me if you have any questions or concerns regarding this application.

Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office  
Maine Bureau of Lands  
Kittery Town Clerk  
Maine Historic Preservation Commission  
Houlton Band of Maliseet Indians  
Aroostook Band of Micmacs  
Passamaquoddy Tribe of Indians-Indian Township Reservation  
Passamaquoddy Tribe of Indians-Pleasant Point Reservation  
Penobscot Nation

26 October, 2021

**To Whom It May Concern:**

**RE: State of Maine Department of Environmental Protection Application for proposed docking structure within the previously developed 100' Tidal Buffer Zone and jurisdictional wetlands for Daniel J & Bonnie Choate Hannigan of 11 Pepperrell Rd. Kittery Point, ME 03905**

This letter is to inform the State of Maine DEP the Town of Kittery in accordance with State Law that the following entities:

Ambit Engineering, Inc.  
Riverside & Pickering Marine Contractors, Inc.

Are individually authorized to represent us as our agents in the approval process.  
Please feel free to call me if there is any question regarding this authorization.

Sincerely,

  
Bonnie Choate Hannigan

Daniel J Hannigan  
11 Pepperrell Rd  
Kittery Point, ME 03905

**From:** [Maine Dept. of Environmental Protection](#)  
**To:** [Kuerstin Fordham](#)  
**Subject:** Dept. of Environmental Protection Payment Portal  
**Date:** Thursday, December 16, 2021 12:15:43 PM

---

Thank you for submitting this payment to the Dept. of Environmental Protection. Below is a copy of the information and payment the agency will receive.

- Applicant Name: **Daniel Hannigan**
- Activity Location: **Kittery, ME**
- First Name: **Kuerstin**
- Last Name: **Fordham**
- Company Name: **Riverside & Pickering Marine Contractors**
- Street Address: **34 Patterson Lane**
- Town/City: **Newington**
- State or Province: **New Hampshire**
- Country: **United States**
- Zip Code: **03801**
- Phone Number: **6034272824**
- Email Address: **kuerstin@riversideandpickering.com**
- Fee Type: **Natural Resources Protection Act (Individual Permit)**
- Customer Number:
- Invoice Number:
- Spill Number:
- Payment Amount: **543.00**
- Additional Comments:

Your information will be reviewed and you may be contacted if more information is needed or if there are additional questions.

## Kuerstin Fordham

---

**From:** noreply@informe.org  
**Sent:** Thursday, December 16, 2021 12:16 PM  
**Subject:** DEP Payment Receipt

## Payment Receipt Confirmation

Your payment was successfully processed.

### Transaction Summary

Description	Amount
DEP Payment Portal	\$543.00
Service Fee	\$2.00
Maine.gov Total	\$545.00

### Customer Information

**Customer Name** Kuerstin Fordham  
**Company Name** Riverside & Pickering  
Marine Contractors  
**Local Reference ID** 1617144615  
**Receipt Date** 12/16/2021  
**Receipt Time** 12:16:09 PM EST

### Payment Information

**Payment Type** Credit Card  
**Credit Card Type** VISA  
**Credit Card Number** \*\*\*\*\*8942  
**Order ID** 59457036  
**Billing Name** Riverside Marine  
Construction

### Billing Information

**Billing Address** 34 Patterson Lane  
**Billing City, State** Newington, NH  
**ZIP/Postal Code** 03801  
**Country** US  
**Phone Number** 6034272824

This receipt has been emailed to the address below.

**Email Address** kuerstin@riversideandpickering.com

# APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

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

<b>1. Name of Applicant:</b> Daniel J. Hannigan & Bonnie Choate Hannigan		<b>5. Name of Agent:</b> Steven D. Riker    Ambit Engineering, Inc.		
<b>2. Applicant's Mailing Address:</b> 11 Pepperrell Road, Kittery Point, ME 03905		<b>6. Agent's Mailing Address:</b> 200 Griffin Road, Unit 3, Portsmouth, NH 03801		
<b>3. Applicant's Daytime Phone #:</b> 207-337-1135		<b>7. Agent's Daytime Phone #:</b> 603-430-9282		
<b>4. Applicant's Email Address (Required from either applicant or agent):</b> danhannigan88@gmail.com		<b>8. Agent's Email Address:</b> sdr@ambitengineering.com		
<b>9. Location of Activity: (Nearest Road, Street, Rt.#)</b> 11 Pepperrell Road		<b>10. Town:</b> Kittery	<b>11. County:</b> York	
<b>12. Type of Resource: (Check all that apply)</b>	<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		<b>13. Name of Resource:</b> Barters Creek	
			<b>14. Amount of Impact: (Sq.Ft.)</b> Fill: 2 sq. ft. direct for piles Dredging/Veg Removal/Other: 335 sq. ft. indirect for shading	
<b>15. Type of Wetland: (Check all that apply)</b>	<b>FOR FRESHWATER WETLANDS</b>			
	<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 checked="" type="checkbox"/> Other <u>Tidal wetland</u>	<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
<b>16. Brief Activity Description:</b> The project proposes the addition of a 3' x 45' gangway and a 10' x 20' onto an existing wood pier located on the subject property.				
<b>17. Size of Lot or Parcel &amp; UTM Locations:</b>		<input checked="" type="checkbox"/> 47,050 square feet, or <input checked="" type="checkbox"/> 1.08 acres    UTM Northing: <u>-70.71562</u> UTM Easting: <u>43.08452</u>		
<b>18. Title, Right or Interest:</b> <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement				
<b>19. Deed Reference Numbers:</b> Book#: 17838    Page: 249		<b>20. Map and Lot Numbers:</b> Map #: 18    Lot #: 11-3		
<b>21. DEP Staff Previously Contacted:</b>		<b>22. Part of a larger project:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>23. Resubmission of Application?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>After-the-Fact:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>24. Written Notice of Violation?:</b> <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		<b>25. Previous Wetland Alteration:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>26. Detailed Directions to the Project Site:</b>				
<b>27. TIER 1</b>		<b>TIER 2/3 AND INDIVIDUAL PERMITS</b>		
<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Narrative Project Description <input checked="" type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> Statement of Avoidance & Minimization <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC		<input 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 checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input type="checkbox"/> Erosion Control/Construction Plan <input checked="" type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input checked="" type="checkbox"/> Appendix A and others, if required <input type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required		
<b>28. FEES Amount Enclosed:</b> \$543.00				

**CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2**

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

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

**DEP SIGNATORY REQUIREMENT**

**PRIVACY ACT STATEMENT**

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

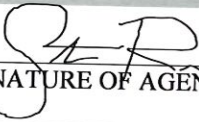
**CORPS SIGNATORY REQUIREMENT**

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

**DEP SIGNATORY REQUIREMENT**

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

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



SIGNATURE OF AGENT/APPLICANT

Date: December 23, 2021

**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.**

(pink)



08/08

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

Please take notice that

Daniel J. Hannigan & Bonnie Choate Hannigan

11 Pepperrell Road, Kittery Point, ME 03905

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

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

December 31, 2021

*(anticipated filing date)*

The application is for

Modification of a tidal docking structure consisting of the addition of a gangway and float

*(description of the project)*

to the existing fixed wood pier.

at the following location:

11 Pepperrell Road, Kittery Point, ME 03905

*(project location)*

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

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

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

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

- MDEP, Central Maine Regional Office, 17 State House Station, Augusta, Maine 04333
- MDEP, Southern Maine Regional Office, 312 Canco Road, Portland, Maine 04103
- MDEP, Eastern Maine Regional Office, 106 Hogan Road, Bangor, Maine 04401

(blue)

**PUBLIC NOTICE FILING AND CERTIFICATION**

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

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

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


**CERTIFICATION**

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

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

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

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

  
\_\_\_\_\_  
Signature of Applicant or authorized agent

                    12/23/21                      
Date

(blue)

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

Name of applicant: Daniel J. Hannigan & Bonnie Choate Hannigan Phone: 207-337-1135

Application Type: Maine DEP NRPA Individual

Activity Type: (brief activity description) Modification of an existing tidal dock

Activity Location: Town: Kittery Point Court: York

GIS Coordinates, if known: LAT: -70.71562 LON: 43.08452

Date of Survey: 9/15/21 Observer: Steven D. Riker Phone: 603-430-9282

	Distance Between the Proposed Visibility Activity and Resource (in Miles)			
	0-¼	¼-1	1+	
1. Would the activity be visible from:				
A. A National Natural Landmark or other outstanding natural feature?	~	~	x	
B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?	~	~	x	
C. A state or federal trail?	~	~	x	
D. A public site or structure listed on the National Register of Historic Places?	~	x	~	Bray House
E. A National or State Park?	~	x	~	Fort McClary
F. 1) A municipal park or public open space?	~	x	~	Fort McClary
2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities?	~	x	~	Fort McClary
3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river?	x	~	~	
2. What is the closest estimated distance to a similar activity?	x	~	~	
3. What is the closest distance to a public facility intended for a similar use?	x	~	~	
4. Is the visibility of the activity seasonal? (i.e., screened by summer foliage, but visible during other seasons)		xYes	~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?		xYes	~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](http://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)

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

NAME OF APPLICANT: Daniel J. Hannigan & Bonnie Choate Hannigan PHONE: 207-337-1135

APPLICATION TYPE: Maine DEP NRPA Individual

ACTIVITY LOCATION: TOWN: Kittery Point COUNTY: York

ACTIVITY DESCRIPTION:  fill  pier  lobster pound  shoreline stabilization  
 dredge  other: Addition of float and gangway to existing pier

DATE OF SURVEY: 9/15/21 OBSERVER: Steven D. Riker

TIME OF SURVEY: 2:35 PM TIDE AT SURVEY: 12:54 PM low tide @ Seavey Island

SIZE OF DIRECT IMPACT OR FOOTPRINT (square feet):

Intertidal area: 2 sq. ft. for piles Subtidal area: None

SIZE OF INDIRECT IMPACT, if known (square feet):

Intertidal area: 335 sq. ft. indirect from shading Subtidal area: None

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: 9')  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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 periwinkle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SIGNS OF SHORELINE OR INTERTIDAL EROSION?  yes  no

PREVIOUS ALTERATIONS?  yes  no Existing deck

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....** Owner/applicant does not yet own a boat. Purchased the property in November 2018 and the fixed wood pier existed at that time.

My boat(s) requires a draft of \_\_\_\_\_ feet.  
My boat(s) is \_\_\_\_\_ 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: \_\_\_\_\_  
Appendix B attached



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

Appendix A attached



**WHAT FACILITIES ARE NEARBY?**

The nearest public boat launch is located in Kittery approximately 1 miles from the project location.  
(town) (distance)

The nearest public, commercial, or private marina is located in Kittery approximately 1 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: 96 for Back Channel Mooring as of 7/10/21
- I have contacted the local Harbor Master. Name: John Brosnihan  
Phone: 207-451-0829

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.  
\_ 2 \_ pilings of \_ 12" \_ 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: \*Existing \_\_\_\_\_ 78 \_\_\_\_\_ feet  
 Width of fixed section: \*Existing \_\_\_\_\_ 6 \_\_\_\_\_ feet  
 Length of ramp: \_\_\_\_\_ 45 \_\_\_\_\_ feet  
 Dimensions of float: \_\_\_\_\_ 10 \_\_\_\_\_ feet wide by \_\_\_\_\_ 20 \_\_\_\_\_ feet long  
 Distance the structure will extend below mean low water (MLW): \_\_\_\_\_ 31 \_\_\_\_\_ feet  
 Depth of water at the fixed end of the structure: \_\_\_\_\_ 0 \_\_\_\_\_ feet  
 Depth of water at the float at low tide: \_\_\_\_\_ 1 \_\_\_\_\_ feet  
 Depth of water at the float at high tide: \_\_\_\_\_ 8.25 \_\_\_\_\_ 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

## ALTERNATIVES ANALYSIS

This project proposes the modification of an existing tidal docking structure on the above referenced site along Barbers Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

Project design alternatives have been explored to provide safe boating access/dockage, and safe foot access to the structure itself, while also minimizing impacts to the adjacent tidal resource to the greatest extent practicable. Due to the fact that the existing pier exists, adding a gangway and a float in the existing location represents the least impacting alternative. Completely removing the existing fixed wood pier and re-location that pier in another location along the applicant's shoreline would greatly increase the direct and indirect impact of the proposed project, notwithstanding the impact associated with removing the existing fixed wood pier.

The property owners require a tidal docking structure on their property as the public boat launch/marina is located 1 mile from the project site in Kittery, ME, and is very congested during the boating season. The Town of Kittery Harbormaster has 173 people on the wait list for a mooring in the Pepperrell Cove area as of October 7, 2021. Additionally, the nearest privately owned marina, Great Cove Boat Club, has waiting list over 1 year for a slip.

Lastly, the length of the structure is necessary to achieve sufficient use during most of the tidal cycle as the proposed float is positioned to have between 1 and 2 feet of water depth on an average tide. The proposed float skids will provide bottom protection for the float when the low tide is lower than average further reducing impact to the substrate.

The shoreline associated with the site consists of a bluff that peaks at approximate elevation 20', with a very steep slope leading to the tidal resource area with an average approximate grade of 83% that extends to the H.A.T. located at elevation 10.4'. The substrate below the H.A.T. is characterized as a combination of boulder/cobble beach and mixed coarse & fines which is occasionally vegetated with rockweed (*Ascophyllum* spp. and *Fucus* spp.).

In conclusion, the modification of the existing structure, combined with the project design and components demonstrate that the project is the least impacting alternative while providing reasonable use for the property owners.

## **CONSTRUCTION DETAILS-SEQUENCE**

This project proposes the modification of an existing tidal docking structure on the above referenced site along Barbers Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine wooden piles.

The fixed pier will be constructed of wood with an associated wooden railing for safety. The fixed pier and float storage platform will be supported by 10 piles, driven to refusal. These piles will be driven utilizing a crane barge from the water. These piles will be CCA treated lumber which 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. Details for the fixed pier, gangway, and floats are provided in the plan set, located on "Dock Details-Sheet D1".

Modification of the dock is anticipated to take approximately 3 days. A crane barge will mobilize to the site with equipment and materials. The gangway and float are pre-fabricated off site and are mobilized to the site via crane barge. The piles to secure the float are installed via a vibratory hammer and then the crane barge is used to bring the float and gangway into place for installation. A construction sequence is also provided in the plan set, located on "Details-Sheet D2".

The proposed float and gangway will be seasonal structures. The gangway will be stored on the fixed pier, and the float will be removed and towed from the site for winter storage.

No erosion control devices are required for the tidal docking component of the project. There will be no exposed soils or vegetation removal required to complete the installation of the float and gangway. Driving of piles is a process that does not expose soils, nor require excavation of any kind. Foot traffic and trenching for standard silt fence installation would cause disturbance far in excess of those from the project itself. There is nothing in regards to the proposed modification that would provide an opportunity for erosion. Work on the portion of the structure located over wetland resource will be performed utilizing a crane barge at low tide eliminating erosion and potential for sedimentation.



# WETLAND FUNCTIONS AND VALUES ASSESSMENT

## INTRODUCTION

This report provides an assessment of the functions and values of the tidal wetland system located within a parcel of land located at 11 Pepperrell Road, Kittery Point, Maine. The property is identified as Tax Map 18, Lot 11-3, is approximately 1.08 acres in size, and is located to the north of Pepperrell Road and to the south of Barter's Creek. The lot is developed and contains a single family home with associated driveway. The surrounding land use is residential.

Wetlands on the project site were assessed by Steven D. Riker, New Hampshire Certified Wetland Scientist on September 15, 2021 in accordance with the 1987 United States Army Corps of Engineers' Wetlands Delineation Manual (Routine Delineation Method), and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0, January 2012. The functions and values of these wetlands were assessed using the United States Army Corp of Engineers' Highway Methodology Workbook Supplement (ACOE, September 1999).

Thirteen functions/values were assessed and evaluated for the wetland area, which include groundwater recharge/discharge, floodflow alteration, fish/shellfish habitat, sediment/toxicant retention, nutrient removal, production export, sediment shoreline stabilization, wildlife habitat, endangered species habitat, visual quality aesthetics, educational/scientific value, recreation and uniqueness/heritage. Functions are considered "principal" if they are found to be an important or critical component of the wetland. Functions and values may also be "principal" if they provide a special or unique value to society.

## DISCUSSION

For the purpose of this assessment, the tidal wetland directly associated with the subject parcel was evaluated. This tidal wetland is contiguous with other wetlands located along Barter's Creek, the Piscataqua River, and on a larger scale, the Atlantic Ocean. This assessment examines those functions and values of the tidal wetland area located directly adjacent to the subject parcel, and the proposed tidal docking structure. Also, for the purposes of the assessment, the freshwater wetland and tidal wetland will be referred to as Wetland A, as both systems are located directly adjacent to each other, and also provide similar functions and values.

As described above, the wetland, herein referred to as Wetland A, receives hydrology from the daily tide cycle, and surrounding upland runoff, to a lesser extent. Tidal flow associated with Barter's Creek and the Piscataqua River provides hydrology to Wetland A. During a dropping tide, water flows southwesterly within the Piscataqua River where it empties into the Atlantic Ocean.

There are 2 wetland classes associated with the wetland resources that exist on the subject parcel. According to the "Classification of Wetlands and Deepwater Habitats of the United States" (USFWS 1979). The tidal flat associated with the parcel would be classified as an estuarine intertidal unconsolidated shore cobble-gravel wetland system that is regularly flooded by the tides (E2US1N). The subtidal area associated with the parcel would be classified as a marine subtidal unconsolidated bottom mud wetland system (M2UB3L).

Wetland A performs sediment/toxicant retention, nutrient removal, floodflow alteration, sediment/shoreline stabilization and uniqueness/heritage as principal functions and values and is also capable of providing fish and shellfish habitat, production export, wildlife habitat, recreation, and educational/scientific value.

## **IMPACT ASSESSMENT**

This project proposes the modification of an existing tidal docking structure on the above referenced site along Barbers Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

Given the nature of the project, it is anticipated that there will be no affect on the wetland's ability to perform the above identified functions and values. The tidal docking structure will not impede tidal flow or alter hydrology, it will not deter use by wildlife species that currently use the wetland area, it will not impede any migrational fish movement, it will not contribute to pollution, degradation, or erosion, and it will not have a visual impact as the surrounding properties are previously developed and some already contain similar structures. Impacts associated with tidal docking structures are insignificant as tidal docks are designed to minimize impact, do not contribute to additional stormwater or pollution, and do not impede fish migration or deter use by wildlife species. Given that the tidal dock will be supported by piles it will therefore not impede tidal flow or alter hydrology, will not impact migrational movement of fish and wildlife, and will not provide a barrier or alter hydrology, therefore preserving the functionality of the adjacent wetland resources.

The tidal docking structure is comparable to others in the immediate area, therefore having no impact from an aesthetic or navigational standpoint.

Lastly, following construction, the wetland will still be able to perform its principal functions which are sediment/toxicant retention, nutrient removal, floodflow alteration, sediment/shoreline stabilization and uniqueness/heritage as the tidal docking structure will have no interference with the natural processes that are integral to these functions.

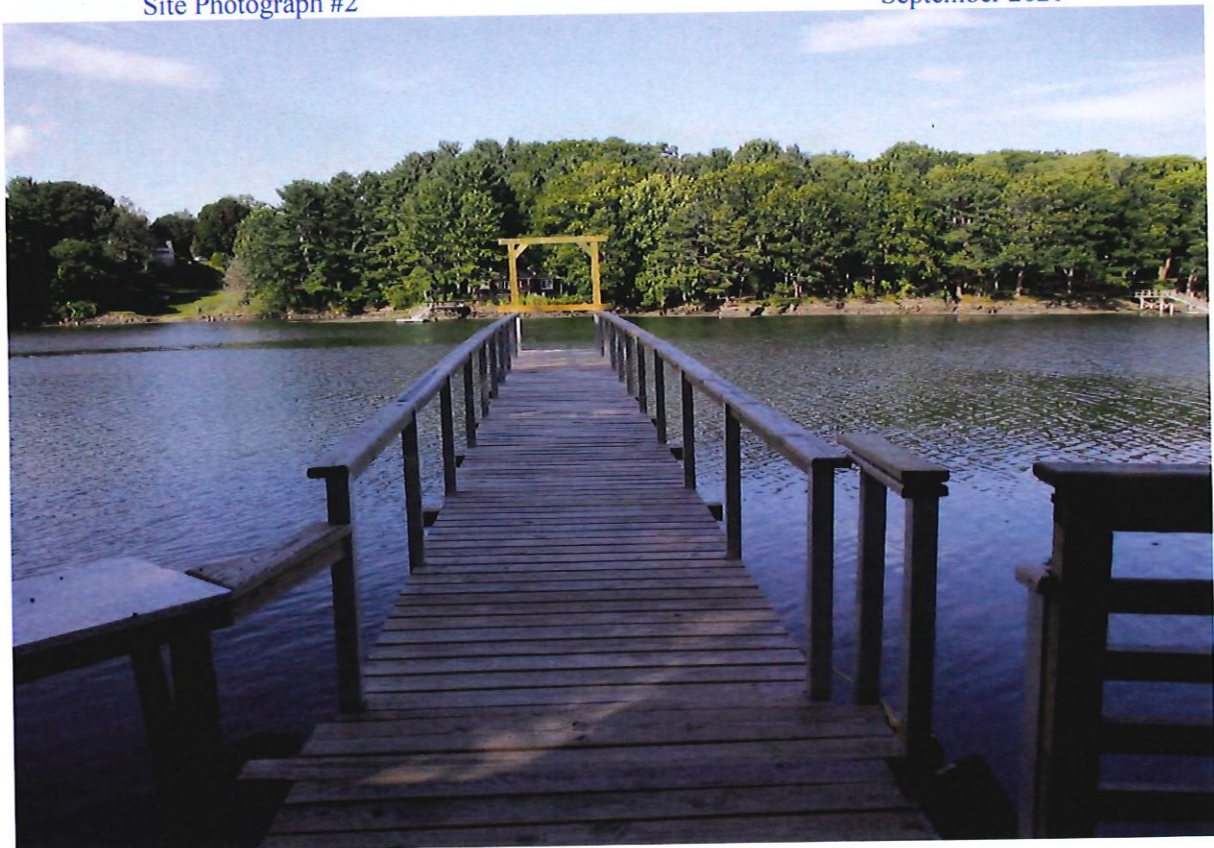
Site Photograph #1

September 2021



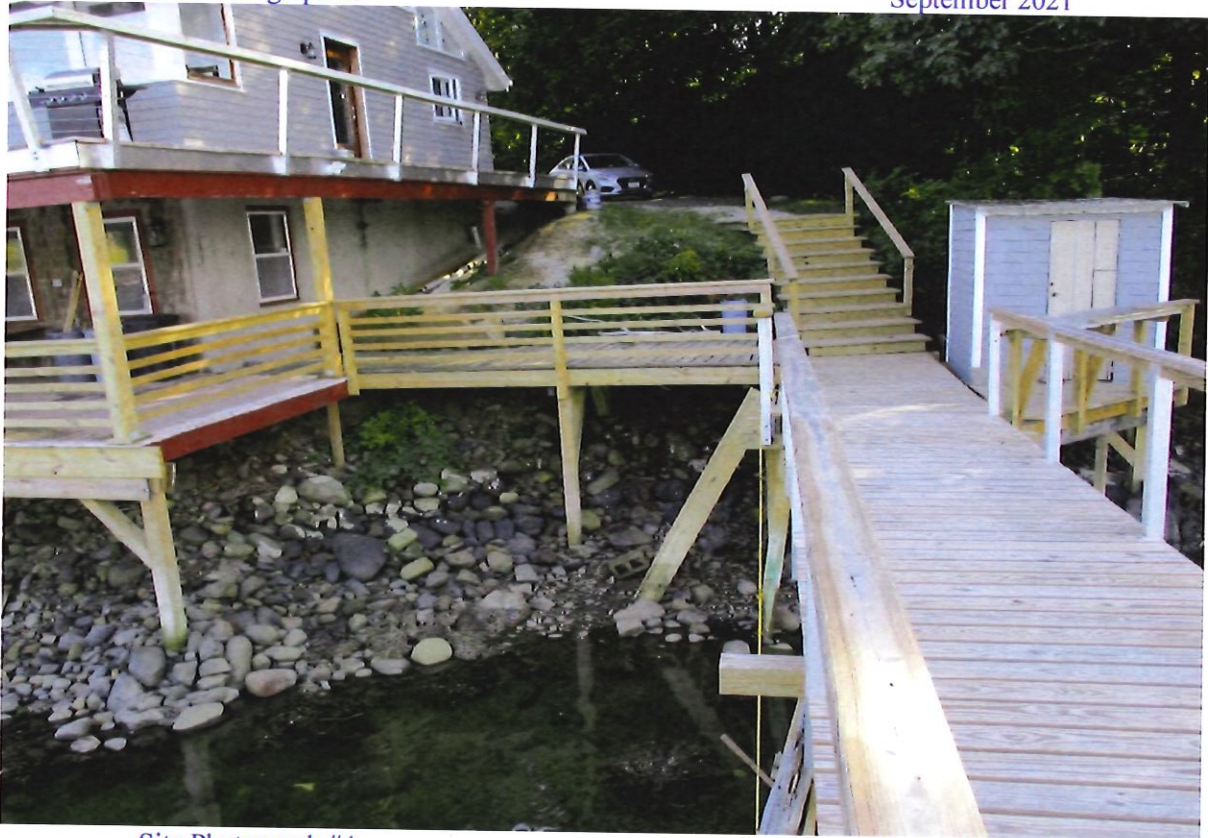
Site Photograph #2

September 2021



Site Photograph #3

September 2021



Site Photograph #4

September 2021





**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Maine Bureau of Parks and Lands  
Maine Department of Agriculture, Conservation & Forestry  
22 State House Station  
Augusta, ME 04333

**Re: NRPA Individual Permit Application**  
**Tax Map 18, Lot 11-3**  
**11 Pepperrell Road**  
**Kittery Point, ME**

To Whom it May Concern:

This letter transmits a request to review the attached Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application.

Please contact me if you have any questions or concerns regarding this application, or if you need any additional information to complete a review.

Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Maine Historic Preservation Commission  
55 Capitol Street  
65 State House Station  
Augusta, ME 04333

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

This letter transmits a request to review the attached Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application, per Section 106 of the National Historic Preservation Act of 1996.

Please contact me if you have any questions or concerns regarding this application, or if you need any additional information to complete a review.

Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Tribal Historic Preservation Officer  
Penobscot Nation  
Cultural and Historic Preservation Department  
12 Wabanaki Way  
Indian Island, ME 04468

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

Enclosed for your use is a Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application request for the modification of an existing tidal docking structure on the above referenced site along Barbers Creek.

This project proposes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

Attached to this application you will find a "MEDEP Permit Plan- Sheet C2" which depicts the existing lot, jurisdictional areas, abutting parcels, existing structures, proposed work, and impact areas. Also attached to this application you will find the following: USGS Project location map, tax map, recorded deed, certified mail receipts for abutter notification, a field survey checklist, a coastal wetland characterization, a photo log, project description worksheets for docks, and a notice of intent to file.

Lastly, in utilizing the Maine Office of GIS, the site is located directly adjacent to Tidal Wading Bird and Waterfowl Habitat and Shellfish Beds.

Please contact me if you have any questions or concerns regarding this application.

Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Tribal Historic Preservation Officer  
Passamaquoddy Tribe of Indians  
Pleasant Point Reservation  
PO Box 343  
Perry, ME 04667

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

Enclosed for your use is a Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application request for the modification of an existing tidal docking structure on the above referenced site along Barters Creek.

This project proposes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

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Please contact me if you have any questions or concerns regarding this application.

Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office





**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Tribal Historic Preservation Officer  
Passamaquoddy Tribe of Indians  
Indian Township Reservation  
PO Box 301  
Princeton, ME 04668

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

Enclosed for your use is a Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application request for the modification of an existing tidal docking structure on the above referenced site along Barbers Creek.

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Respectfully submitted,

Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Tribal Historic Preservation Officer  
Aroostook Band of Micmacs  
7 Northern Road  
Presque Isle, ME 04769

**Re: NRPA Individual Permit Application  
Tax Map 18, Lot 11-3  
11 Pepperrell Road  
Kittery Point, ME**

To Whom it May Concern:

Enclosed for your use is a Maine Department of Environmental Protection, Natural Resources Protection Act Individual Permit Application request for the modification of an existing tidal docking structure on the above referenced site along Barbers Creek.

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Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December 2021

Tribal Historic Preservation Officer & Environmental Planner  
Houlton Band of Maliseet Indians  
88 Bell Road  
Littleton, ME 04730

**Re: NRPA Individual Permit Application**  
**Tax Map 18, Lot 11-3**  
**11 Pepperrell Road**  
**Kittery Point, ME**

To Whom it May Concern:

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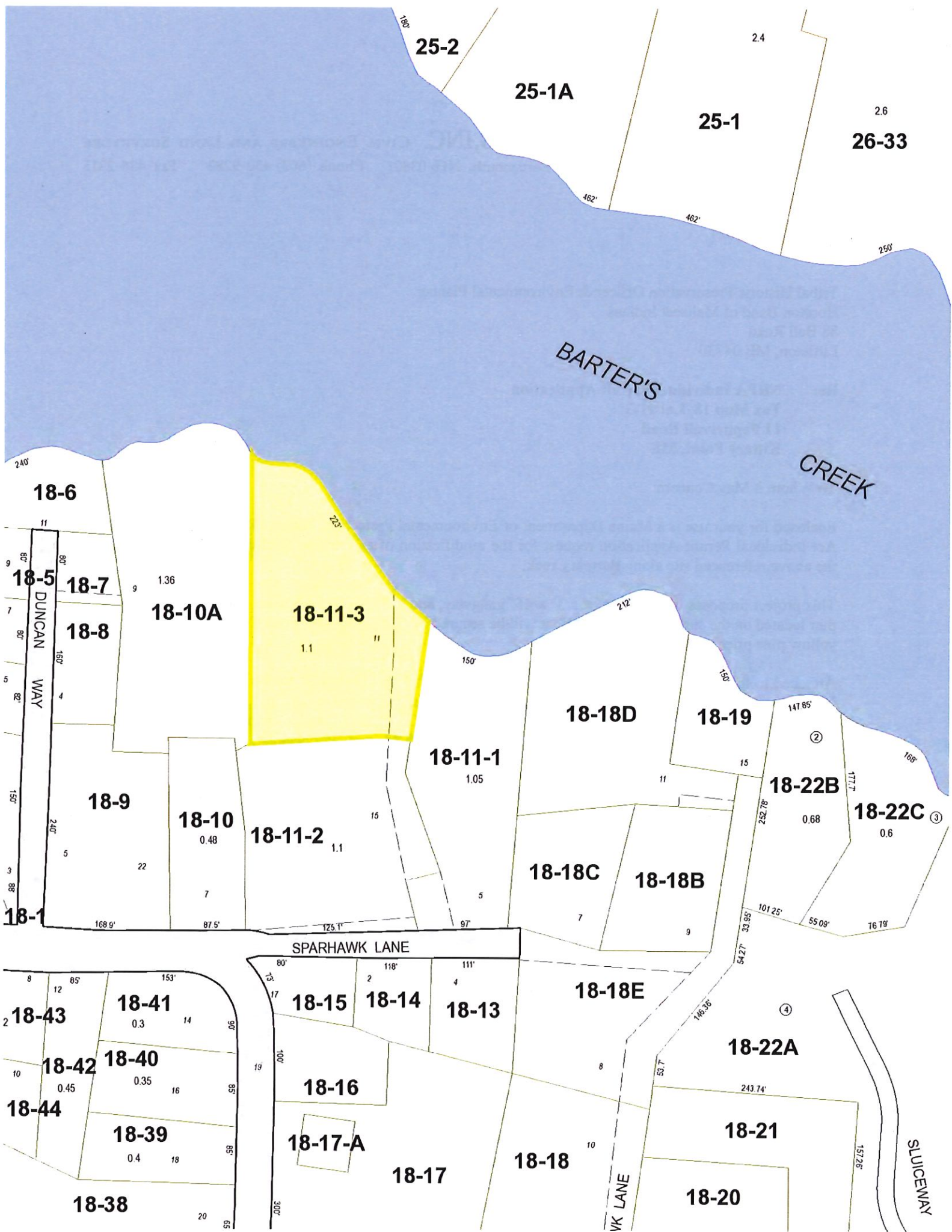
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Steven D. Riker, CWS  
NH Certified Wetland Scientist/Permitting Specialist  
Ambit Engineering, Inc.

Cc: US Army Corp of Engineers, Maine Project Office



25-2

25-1A

25-1

26-33

BARTER'S CREEK

18-6

18-5

18-7

18-8

18-10A

18-11-3

18-11-1

18-18D

18-19

18-9

18-10

18-11-2

18-18C

18-18B

18-22B

18-22C

18-1

SPARHAWK LANE

18-43

18-41

18-15

18-14

18-13

18-18E

18-22A

18-42

18-40

18-16

18-17-A

18-17

18-18

18-21

18-44

18-39

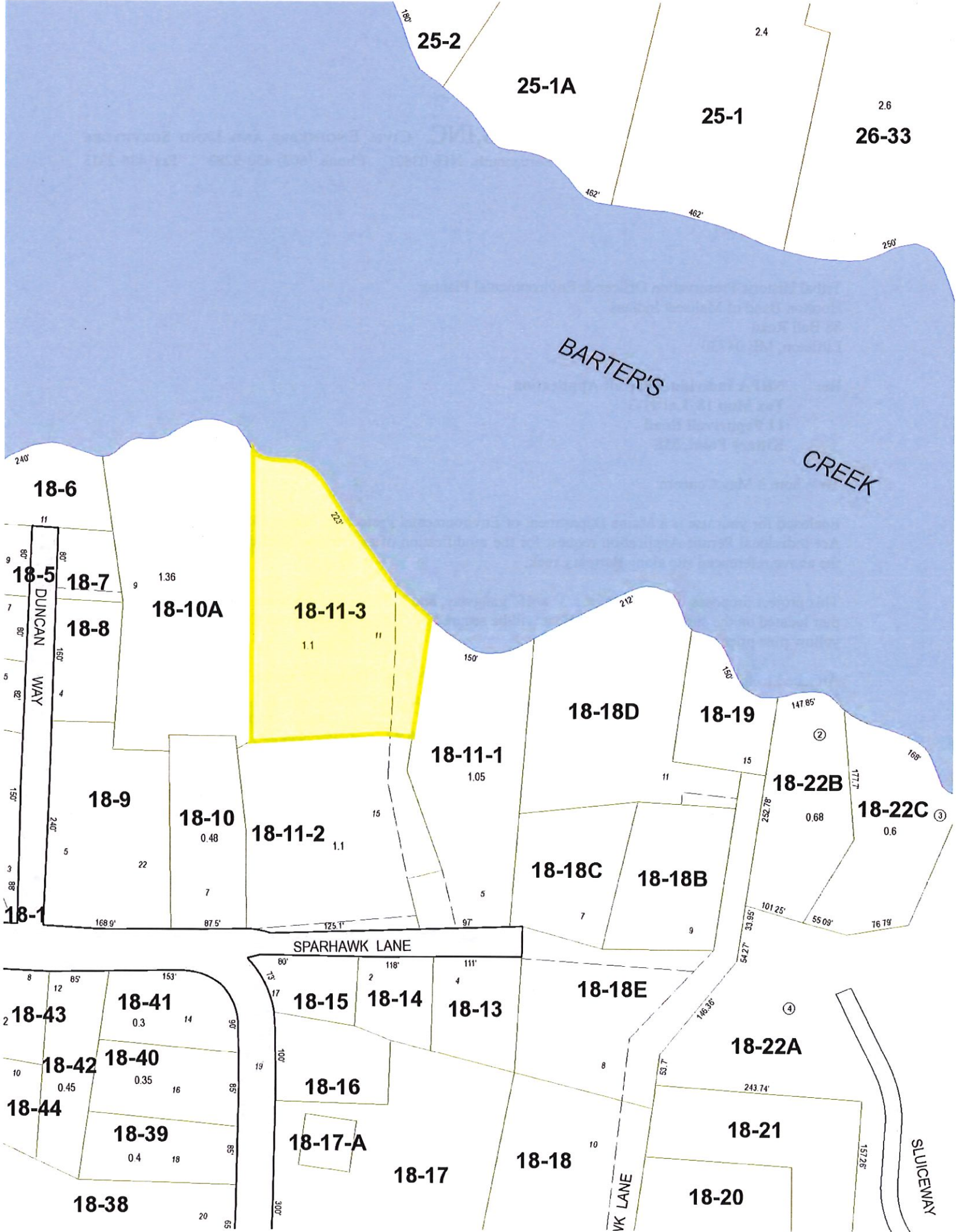
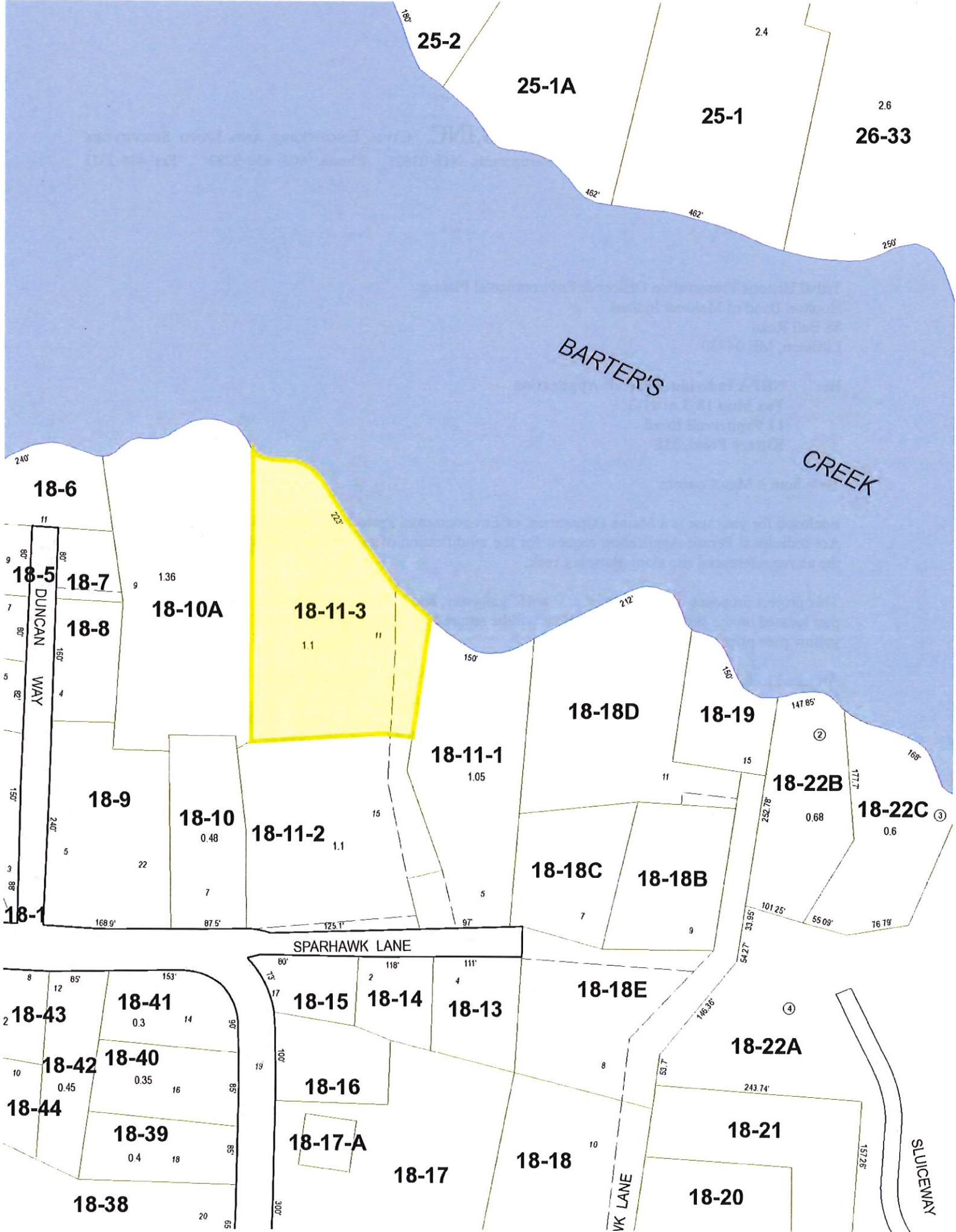
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18-38

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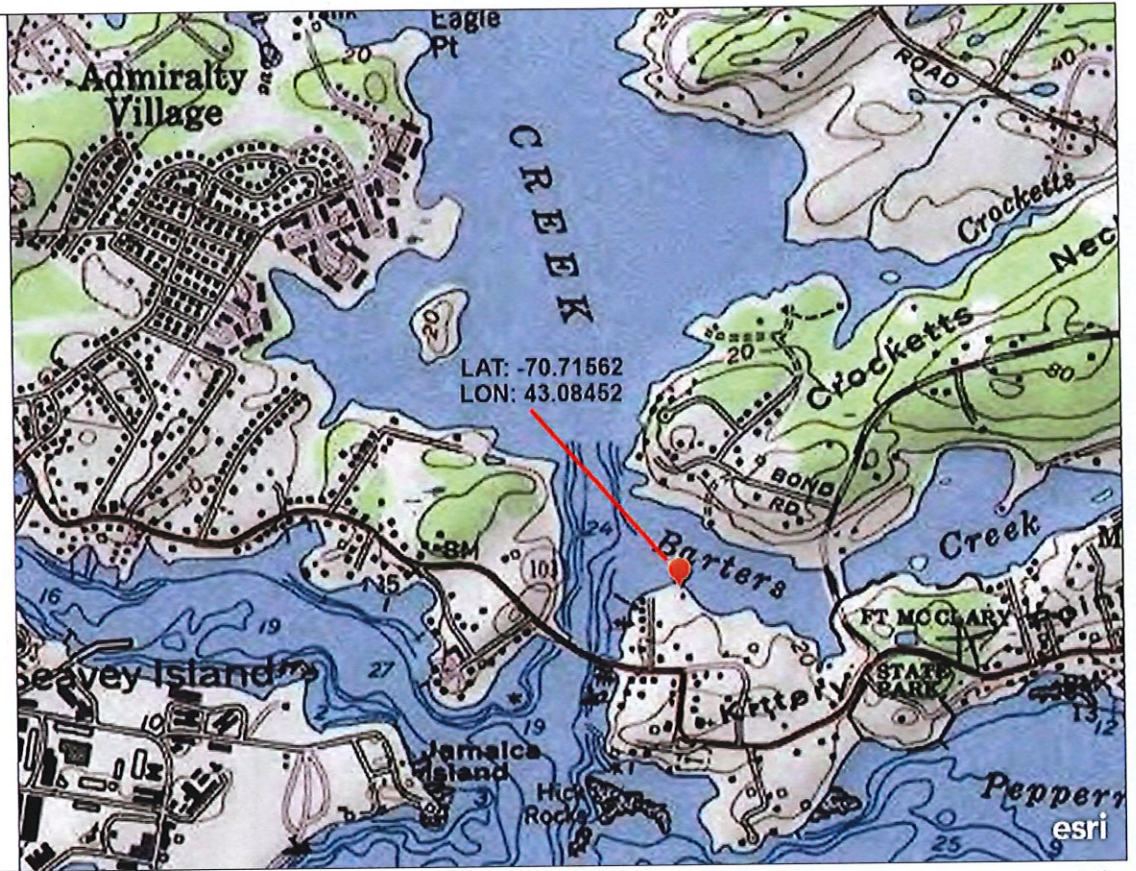
DUNCAN WAY

VK LANE



### My Map

No legend



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**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December, 2021

Charles Rice Kendall  
9 Pepperrell Road  
Kittery Point, ME 03905

**RE: Maine Department of Environmental Services, Natural Resources Protection Act Permit Application for construction of a tidal docking structure for Daniel J. Hannigan, 11 Pepperrell Road, Kittery Point, ME.**

Dear Property Owner,

Under the Maine Department of Environmental Protection, this letter is to inform you in accordance with State Law that a Natural Resources Protection Act Permit Application will be filed with the Maine Department of Environmental Protection (DEP) for a permit to construct a tidal docking structure, **at the above mentioned property** on behalf of your abutter **Daniel J. Hannigan**,

This letter is sent to inform you as an abutter to the above-referenced property (according to local Municipal records) that **Daniel J. Hannigan** proposes a project that requires construction in areas under jurisdiction of the Maine DEP.

Plans are on file at this office, and once the application is filed, plans that show the proposed project will be available for viewing during normal business hours at the office of the **Kittery** clerk, **Kittery Town Offices**, or once received by Maine DEP, at the offices of the Maine DEP, 312 Canco Road, Portland, ME 04103, (207)822-6300. It is suggested that you call ahead to the appropriate office to ensure the application is available for review.

Please feel free to call if you have any questions or comments.

Sincerely,

Steven D. Riker  
NH Certified Wetland Scientist/Permitting Specialist

**CERTIFIED MAIL/Return Receipt Requested**



**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December, 2021

Colette D. Tilton Revocable Trust 2014  
Collete D. Tilton Trustee  
5 Sparhawk Lane  
Kittery Point, ME 03905

**RE: Maine Department of Environmental Services, Natural Resources Protection Act Permit Application for construction of a tidal docking structure for Daniel J. Hannigan, 11 Pepperrell Road, Kittery Point, ME.**

Dear Property Owner,

Under the Maine Department of Environmental Protection, this letter is to inform you in accordance with State Law that a Natural Resources Protection Act Permit Application will be filed with the Maine Department of Environmental Protection (DEP) for a permit to construct a tidal docking structure, **at the above mentioned property** on behalf of your abutter **Daniel J. Hannigan**,

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Sincerely,

Steven D. Riker  
NH Certified Wetland Scientist/Permitting Specialist

**CERTIFIED MAIL/Return Receipt Requested**





**AMBIT ENGINEERING, INC.** CIVIL ENGINEERS AND LAND SURVEYORS  
200 Griffin Road, Unit 3, Portsmouth, NH 03801 Phone (603) 430-9282 Fax 436-2315

23 December, 2021

Bruce L. Mallory & Janet W. Prescott  
15 Pepperrell Road  
Kittery Point, ME 03905

**RE: Maine Department of Environmental Services, Natural Resources Protection Act Permit Application for construction of a tidal docking structure for Daniel J. Hannigan, 11 Pepperrell Road, Kittery Point, ME.**

Dear Property Owner,

Under the Maine Department of Environmental Protection, this letter is to inform you in accordance with State Law that a Natural Resources Protection Act Permit Application will be filed with the Maine Department of Environmental Protection (DEP) for a permit to construct a tidal docking structure, **at the above mentioned property** on behalf of your abutter **Daniel J. Hannigan**,

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Please feel free to call if you have any questions or comments.

Sincerely,

Steven D. Riker  
NH Certified Wetland Scientist/Permitting Specialist

**CERTIFIED MAIL/Return Receipt Requested**

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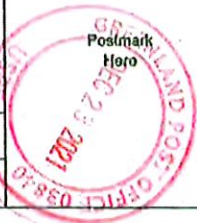
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**5 SPARKMAN LANE**  
City, State, ZIP+4®  
**KITTEN POINT, ME 03905**

PS Form 3800, April 2015 PSN 7530-02-000-3047 See Reverse for Instructions

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Sent To  
**CHARLES RICE KENDALL**  
Street and Apt. No., or PO Box No.  
**9 PEPPERELL ROAD**  
City, State, ZIP+4®  
**KITTEN POINT, ME 03905**

PS Form 3800, April 2015 PSN 7530-02-000-3047 See Reverse for Instructions

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Total Postage and Fees	\$

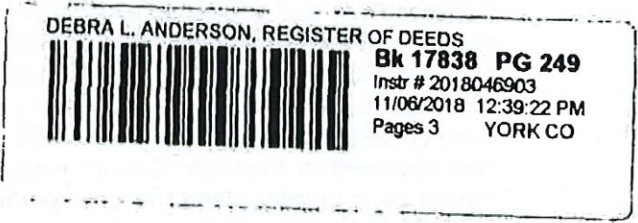


Sent To  
**MALORY & PRESCOTT**  
Street and Apt. No., or PO Box No.  
**15 PEPPERELL ROAD**  
City, State, ZIP+4®  
**KITTEN POINT, ME 03905**

PS Form 3800, April 2015 PSN 7530-02-000-3047 See Reverse for Instructions

Return to:  
Daniel Hannigan and Bonnie Hannigan

P O Box 224  
Kittery Point, ME 03905



DLN: 1001840043142

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS: That we, **Nancy Piken** of 1771 Ringling Boulevard, Sarasota, FL 34236 and **Patrice McDaniel**, of 3996 Roberts Point Road, Sarasota, FL 34242, Trustees of the **Albert E. Crawford Trust**, udt **May 19, 2000** for consideration paid grant to **Daniel Hannigan and Bonnie Hannigan** of 30 Pinkhams Lane, Kittery Point, ME 03905, as joint tenants, with WARRANTY COVENANTS:

A certain lot or parcel of land off Pepperrell Road, in the Town of Kittery, in Kittery Point, County of York and State of Maine, and being Lot #3 as shown and delineated on a certain plan entitled "Plan of Land of Albert E. Crawford, off Pepperrell Road, Kittery Point, Maine, Thomas W. Harmon, Registered Land Surveyor", dated September 24, 1984, said plan recorded in the York County Registry of Deeds, Plan Book 132, Page 39, said lot or parcel of land being more particularly described as follows:

Maine R.E. Transfer Tax Paid

Beginning at a point in the Southwesterly corner of the lot or parcel herein conveyed said point of beginning being the Northwesterly corner of land now or formerly of James Mullins; thence running North 16° 23' 07" E a distance of three hundred and thirty-five and 29/100 (335.29) feet to a point set in the ground at the approximate top of the bank of Barter's Creek; thence turning and running South 29° 35' 49" E by and along Barter's Creek a distance of 74.01 feet to a point; thence turning and running South 27° 36' 13" E still by and along Barter's Creek a distance of one hundred thirty and 00/100 (130.00) feet to an iron pipe set in the ground; thence turning and running South 42° 36' 13" E still by and along Barter's Creek a distance of twenty-four and 17/100 (24.17) feet to an iron pipe set in the ground; thence turning and running South 48° 29' 52" E still by and along Barter's Creek a distance of forty-five and 70/100 (45.70) feet to an iron pipe set in the ground at the Northwesterly corner of Lot #1; thence turning and running South 12° 34' 38" W by and along Lot #1 a distance of thirty and 41/100 (30.41) feet to an iron pin set in the ground; thence turning and running South 20° 18' 29" W still by and along Lot #1 a distance of one hundred twenty 02/100 (120.02) feet to an iron pipe set in the ground; thence turning and running North 69° 41' 31" W and crossing a certain right of way shown and delineated on said plan a distance of forty and 00/100 (40.00) feet to an iron pipe set in the ground; thence turning and Twining North 77° 45' 11" West by and along Lot #2 a distance of one hundred fifty-nine and 90/100 (159.90) to an iron pipe set in the ground at the place of beginning.

Also conveying all of my right, title and interest in and to the right of ways and easements shown and delineated on the aforementioned plan.

3p → Red Door Title • 1 New Hampshire Avenue, Suite 320 Portsmouth NH 03801 • (207) 358-7500

Together with and subject to all rights of ways and easements granted and reserved in previous deeds from the Grantor herein to James Mullins by deed dated August 19, 1985 and recorded in the York County Registry of Deeds in Book 3608, Page 159 and from Grantor herein to Donald M. Wallace and Barbara M. Wallace by deed dated October 1, 1984 and recorded in the York County Registry of Deeds in Book 3385, Page 257 as corrected by deed dated August 13, 1985 and recorded in the York County Registry of Deeds in Book 3605, Page 68 to which deeds reference is hereby made for more particular descriptions of the rights of ways and easements granted and reserved therein.

Meaning and intending to describe and convey the same premises conveyed to Nancy Piken and Patrice McDaniel, Successor Trustees of the Albert E. Crawford Trust, a Trust Dated May 19, 2000 by virtue of a deed of Albert E. Crawford dated September 8, 2000 and recorded in the York County Registry of Deeds at Book 10219, Page 26.

The undersigned Nancy Piken and Patrice McDaniel, Trustees of the Albert E. Crawford Trust, udt May 19, 2000 and any amendments thereto, have full and absolute power in said Trust Agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustees have said power or are properly exercising said power to see to the application of any Trust Asset paid to the Trustees for a conveyance thereof. The trust has not been revoked and is still in full force and effect.

Executed this 1<sup>st</sup> day of November, 2018.

x Nancy Piken Trustee of Albert E  
Nancy Piken, Trustee of the Albert E. Crawford Crawford  
Trust

State of Florida  
County of Sarasota

November 1, 2018

Then personally appeared before me the said Nancy Piken, Trustee of the Albert E. Crawford Trust and acknowledged the foregoing to be her voluntary act and deed.



Marion B. Nelson  
x Notary Public/Justice of the Peace  
Commission expiration:

Executed this 1<sup>st</sup> day of November, 2018.

x Patrice McDaniel Co-Trustee  
Patrice McDaniel, Trustee of the Albert E. Crawford Trust

State of Florida  
County of Sarasota

November 1, 2018

Then personally appeared before me the said Patrice McDaniel, Trustee of the Albert E. Crawford Trust and acknowledged the foregoing to be her voluntary act and deed.



Marion B. Nelson  
Notary Public/Justice of the Peace  
Commission expiration:



## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

Maine Ecological Services Field Office

P. O. Box A

East Orland, ME 04431

Phone: (207) 469-7300 Fax: (207) 902-1588

<http://www.fws.gov/mainefieldoffice/index.html>

In Reply Refer To:

December 23, 2021

Consultation Code: 05E1ME00-2022-SLI-0415

Event Code: 05E1ME00-2022-E-01507

Project Name: 11 Pepperrell Road Dock Modification

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

To Whom It May Concern:

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

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

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

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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

This species list also identifies candidate species under review for listing and those species that the Service considers species of concern. Candidate species have no protection under the Act but are included for consideration because they could be listed prior to completion of your project. Species of concern are those taxa whose conservation status is of concern to the Service (i.e., species previously known as Category 2 candidates), but for which further information is needed.

If a proposed project may affect only candidate species or species of concern, you are not required to prepare a Biological Assessment or biological evaluation or to consult with the Service. However, the Service recommends minimizing effects to these species to prevent future conflicts. Therefore, if early evaluation indicates that a project will affect a candidate species or species of concern, you may wish to request technical assistance from this office to identify appropriate minimization measures.

Please be aware that bald and golden eagles are not protected under the Endangered Species Act but are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). Projects affecting these species may require development of an eagle conservation plan: [http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html) Information on the location of bald eagle nests in Maine can be found on the Maine Field Office Web site: <http://www.fws.gov/mainefieldoffice/Project%20review4.html>

Additionally, wind energy projects should follow the wind energy guidelines: <http://www.fws.gov/windenergy/> for minimizing impacts to migratory birds and bats. Projects may require development of an avian and bat protection plan.

Migratory birds are also a Service trust resource. Under the Migratory Bird Treaty Act, construction activities in grassland, wetland, stream, woodland, and other habitats that would result in the take of migratory birds, eggs, young, or active nests should be avoided. Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm> and at:

<http://www.towerkill.com>; and at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>

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

Attachment(s):

- Official Species List



## **Official Species List**

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

This species list is provided by:

**Maine Ecological Services Field Office**

P. O. Box A

East Orland, ME 04431

(207) 469-7300

## Project Summary

Consultation Code: 05E1ME00-2022-SLI-0415  
Event Code: Some(05E1ME00-2022-E-01507)  
Project Name: 11 Pepperrell Road Dock Modification  
Project Type: SHORELINE USAGE FACILITIES / DEVELOPMENT  
Project Description: The project proposes the modification of an existing tidal docking structure on the above referenced site along Barters Creek. The modification includes the addition of a 3' x 45' gangway, and a 10' x 20' float to an existing fixed wood pier located on the subject parcel. The float will be secured by two (2) 12" diameter CCA treated southern yellow pine piles.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.08468475,-70.7156012619437,14z>



Counties: York County, Maine

## Endangered Species Act Species

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

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

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

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

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

### Mammals

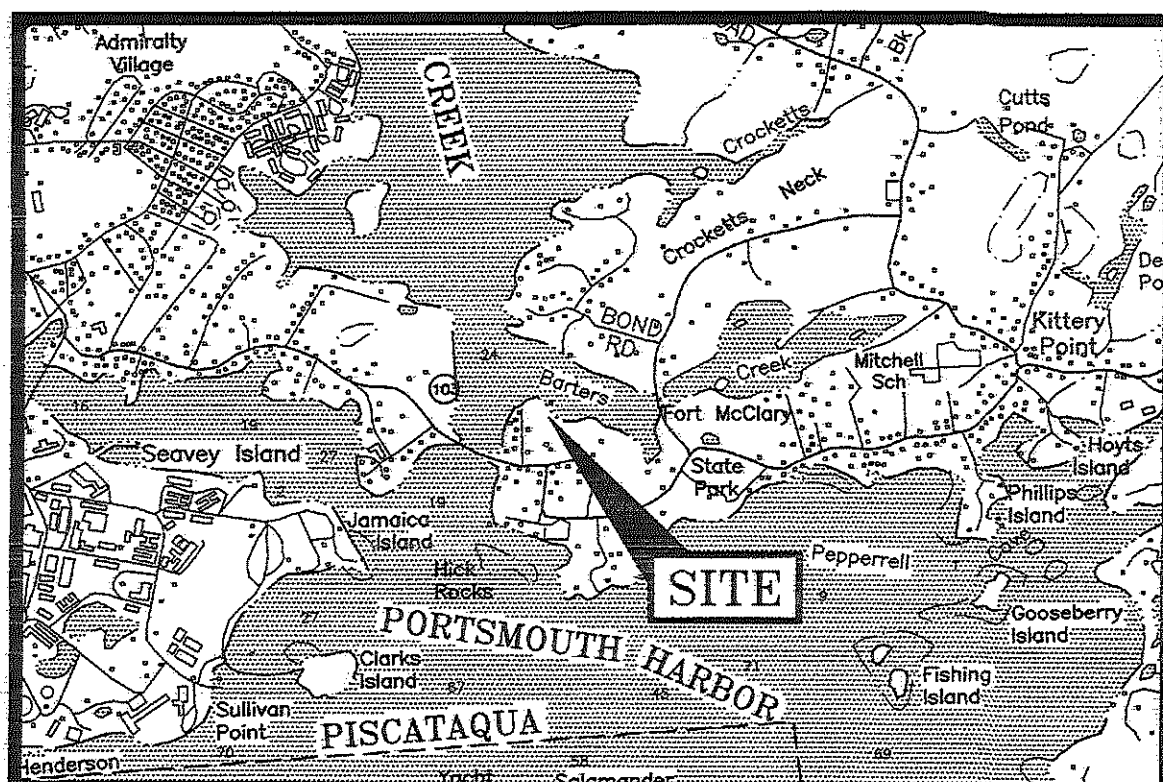
NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Birds

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

### Critical habitats

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

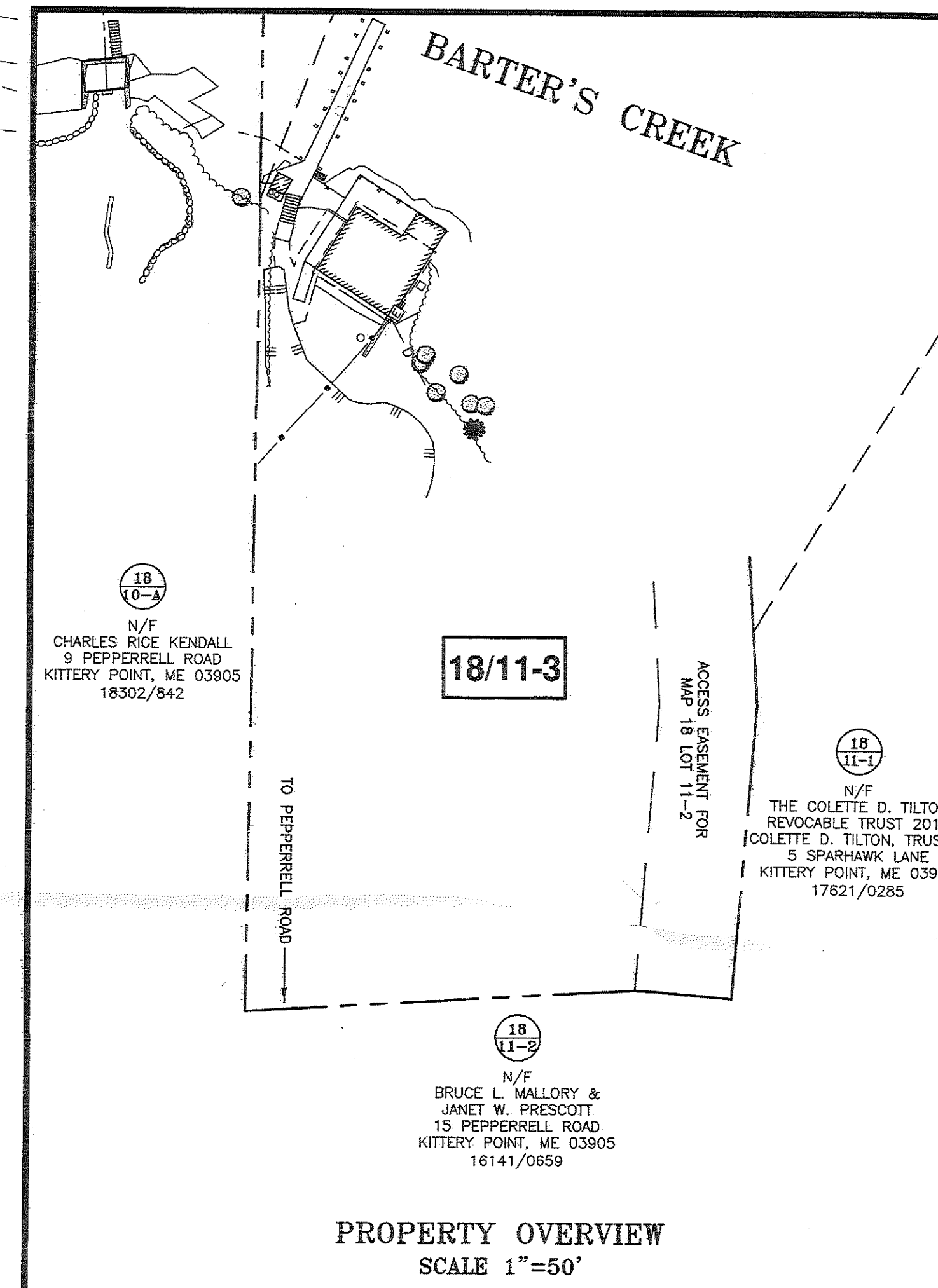
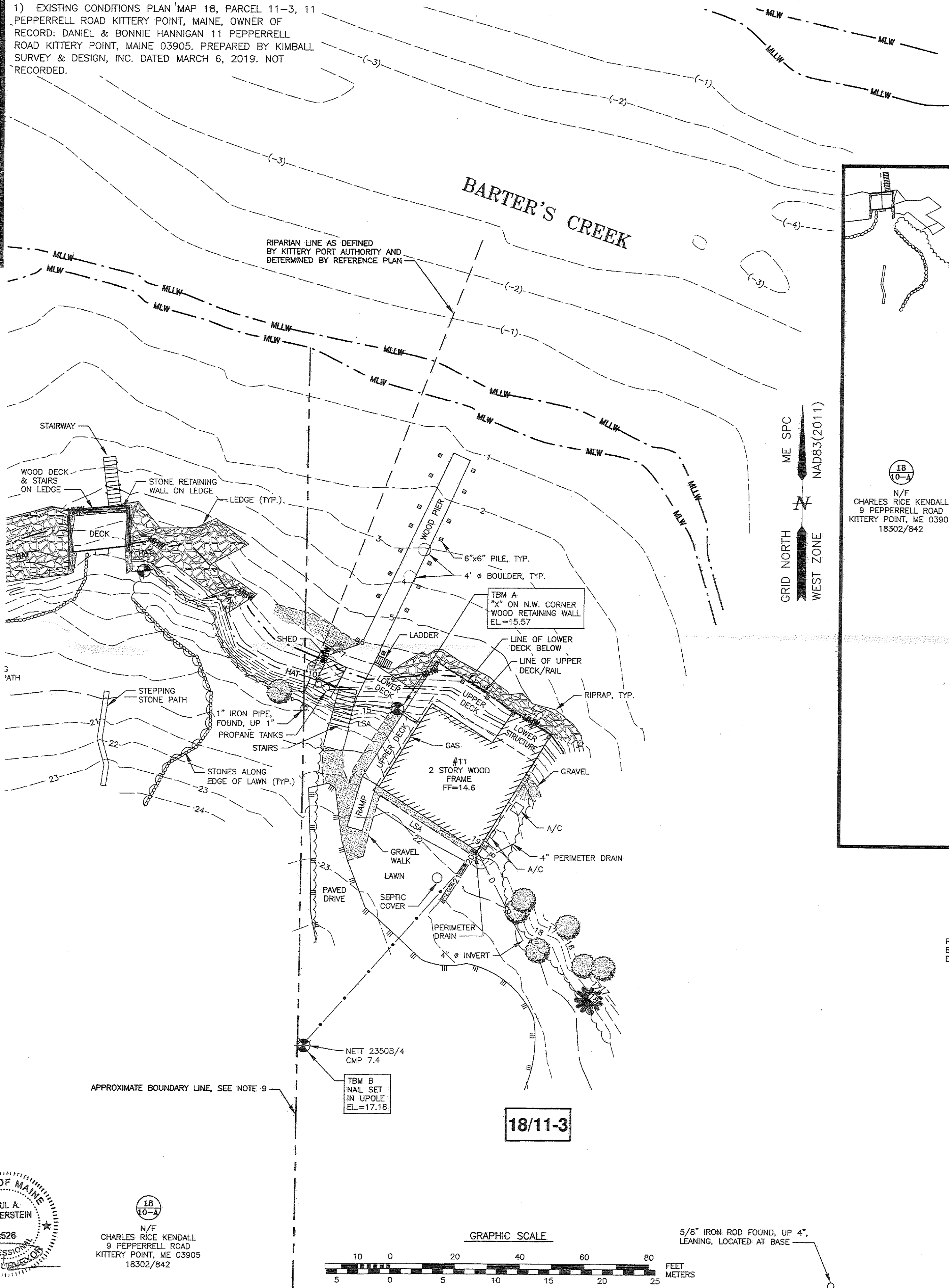


LOCATION MAP SCALE: 1" = 2000'

LEGEND:

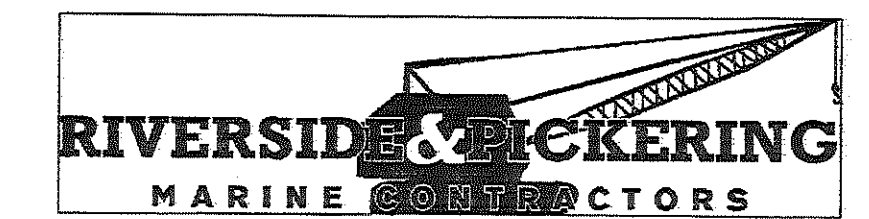
- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- YCRD YORK COUNTY REGISTRY OF DEEDS
- 11/21 MAP 11 / LOT 21
- RAILROAD SPIKE FOUND
- IRON ROD/IRON PIPE FOUND
- IRON PIPE FOUND
- STONE/CONCRETE BOUND FOUND
- - - APPROXIMATE PROPERTY BOUNDARY
- - - BUILDING SETBACK
- - - MHW MEAN HIGH WATER LINE
- - - MLW MEAN LOWER WATER LINE
- - - MLLW MEAN LOWER LOW WATER LINE
- - - HAT MAINE DEP HIGHEST ANNUAL TIDE LINE
- 100 CONTOUR
- 97x3 SPOT ELEVATION
- EDGE OF PAVEMENT (EP)
- WOODS / TREE LINE
- UTILITY POLE (w/ GUY)
- EL ELEVATION
- TBM TEMPORARY BENCHMARK
- TYP. TYPICAL

PLAN REFERENCE:  
 1) EXISTING CONDITIONS PLAN MAP 18, PARCEL 11-3, 11 PEPPERRELL ROAD KITTERY POINT, MAINE, OWNER OF RECORD: DANIEL & BONNIE HANNIGAN 11 PEPPERRELL ROAD KITTERY POINT, MAINE 03905. PREPARED BY KIMBALL SURVEY & DESIGN, INC. DATED MARCH 6, 2019. NOT RECORDED.



PROPERTY OVERVIEW SCALE 1"=50'

**AMBIT ENGINEERING, INC.**  
 Civil Engineers & Land Surveyors  
 200 Griffin Road - Unit 3  
 Portsmouth, N.H. 03801-7114  
 Tel (603) 430-9282  
 Fax (603) 436-2315



NOTES:

- 1) PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 18 AS LOT 11-3.
- 2) OWNER OF RECORD:  
 DANIEL J. HANNIGAN & BONNIE CHOATE HANNIGAN  
 11 PEPPERRELL ROAD  
 KITTERY POINT, ME 03905  
 17838/249  
 PLAN REFERENCE 1
- 3) A PORTION OF THE PARCEL IS IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 2301710005D, EFFECTIVE 7/3/1986.
- 4) EXISTING LOT AREA:  
 47,050± S.F. (PER PLAN REFERENCE 1)  
 1.08± AC. PER PLAN REFERENCE 1)
- 5) PARCEL IS LOCATED IN RESIDENTIAL-KITTERY POINT VILLAGE ZONE.
- 6) DIMENSIONAL REQUIREMENTS:  
 MIN. LOT AREA: 40,000 S.F.  
 FRONTAGE: 150 FEET  
 SETBACKS: FRONT 40 FEET  
 SIDE/REAR 15 FEET  
 MAXIMUM STRUCTURE HEIGHT: 35 FEET  
 MAXIMUM STRUCTURE COVERAGE: 20%  
 MINIMUM OPEN SPACE: 15%
- 7) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION FROM NAVD88 TO MLLW BASED ON NOAA STATION 8419870 SEAVEY ISLAND PORTSMOUTH HARBOR. MLLW BEING 4.62 FEET LOWER THAN 0.00 NAVD88.
- 8) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON ASSESSOR'S MAP 18 LOT 11-3 IN THE TOWN OF KITTERY POINT.
- 9) THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES AS SHOWN ARE BASED ON THE PLAN REFERENCES LISTED HEREON. NO DEED RESEARCH OR BOUNDARY DETERMINATION WAS MADE TO CONFIRM OR REFUTE MATTERS SHOWN ON SAID PLANS FOR THE PURPOSES OF THIS PLAN. EASEMENTS, RESERVATIONS, ETC. THAT MAY EXIST ARE NOT SHOWN OR NOTED HEREON.
- 10) HIGHEST ANNUAL TIDE LINE SHOWN AT ELEVATION 10.4 PER LOCATION SEAVEY ISLAND IN MAINE DEP HIGHEST ANNUAL TIDE (HAT) LEVELS FOR YEAR 2018.

HANNIGAN RESIDENCE  
 11 PEPPERRELL ROAD  
 KITTERY POINT, ME

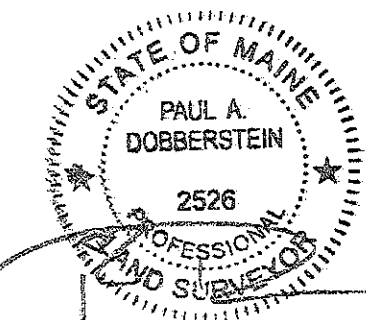
NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	9/16/21
REVISIONS		

PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:

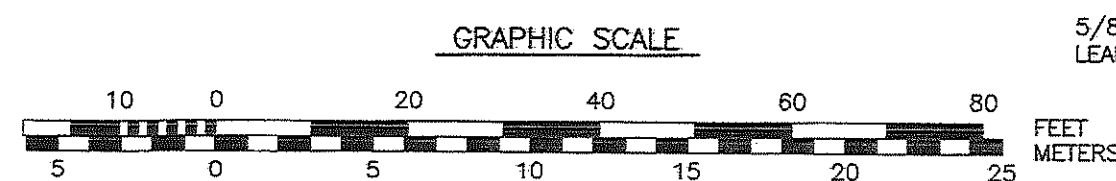
- A) NO SURVEY REPORT HAS BEEN PREPARED.
- B) NO LAND DESCRIPTION HAS BEEN PREPARED.
- C) MONUMENTS HAVE NOT BEEN SET.
- D) THIS IS NOT A BOUNDARY SURVEY.

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.

PAUL A. DOBBERSTEIN, PLS #2526  
 DATE



18/10-4  
 N/F CHARLES RICE KENDALL  
 9 PEPPERRELL ROAD  
 KITTERY POINT, ME 03905  
 18302/842



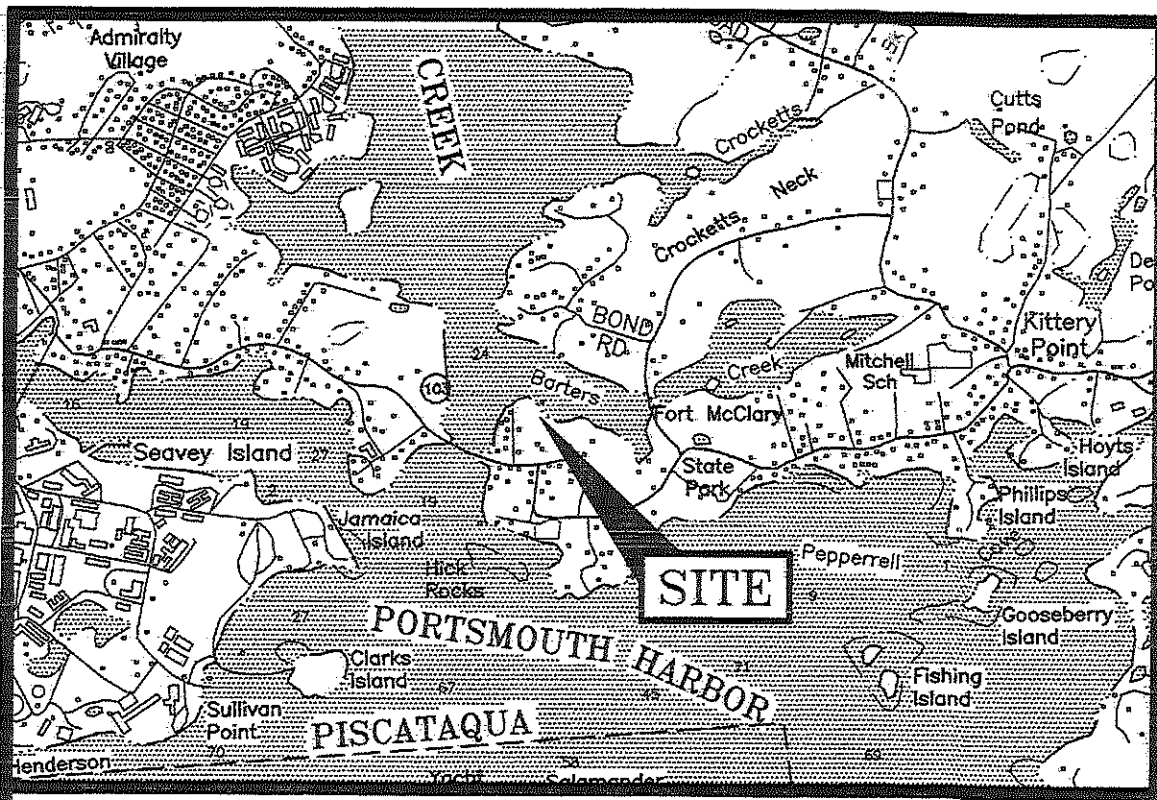
OWNER & APPLICANT:  
 DANIEL J. HANNIGAN &  
 BONNIE CHOATE HANNIGAN  
 11 PEPPERRELL ROAD  
 KITTERY POINT, ME 03905

PREPARED BY:  
 AMBIT ENGINEERING  
 200 GRIFFIN ROAD UNIT 3  
 PORTSMOUTH, N.H. 03801

SCALE 1"=20' SEPTEMBER 2021

EXISTING CONDITIONS PLAN

C1



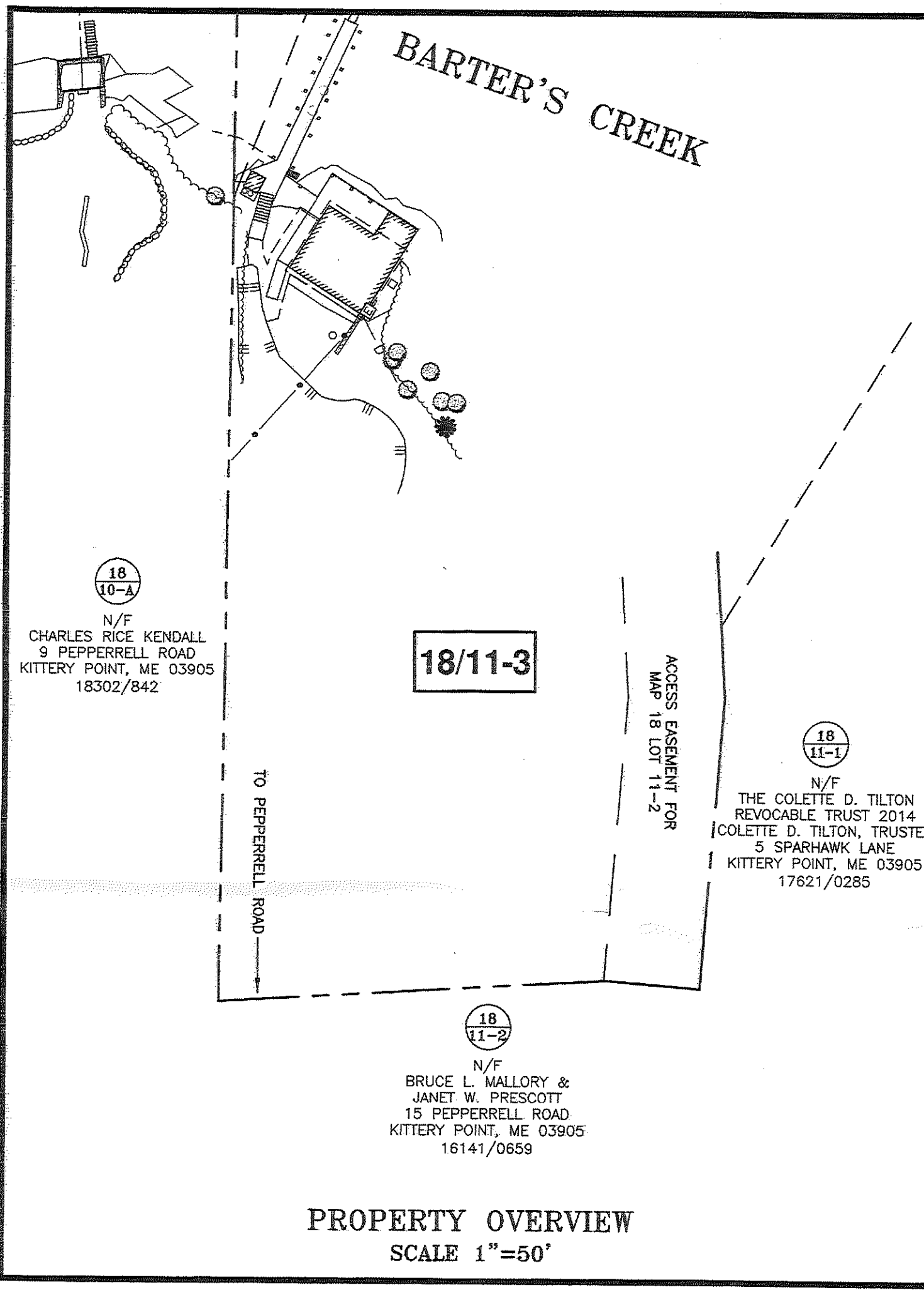
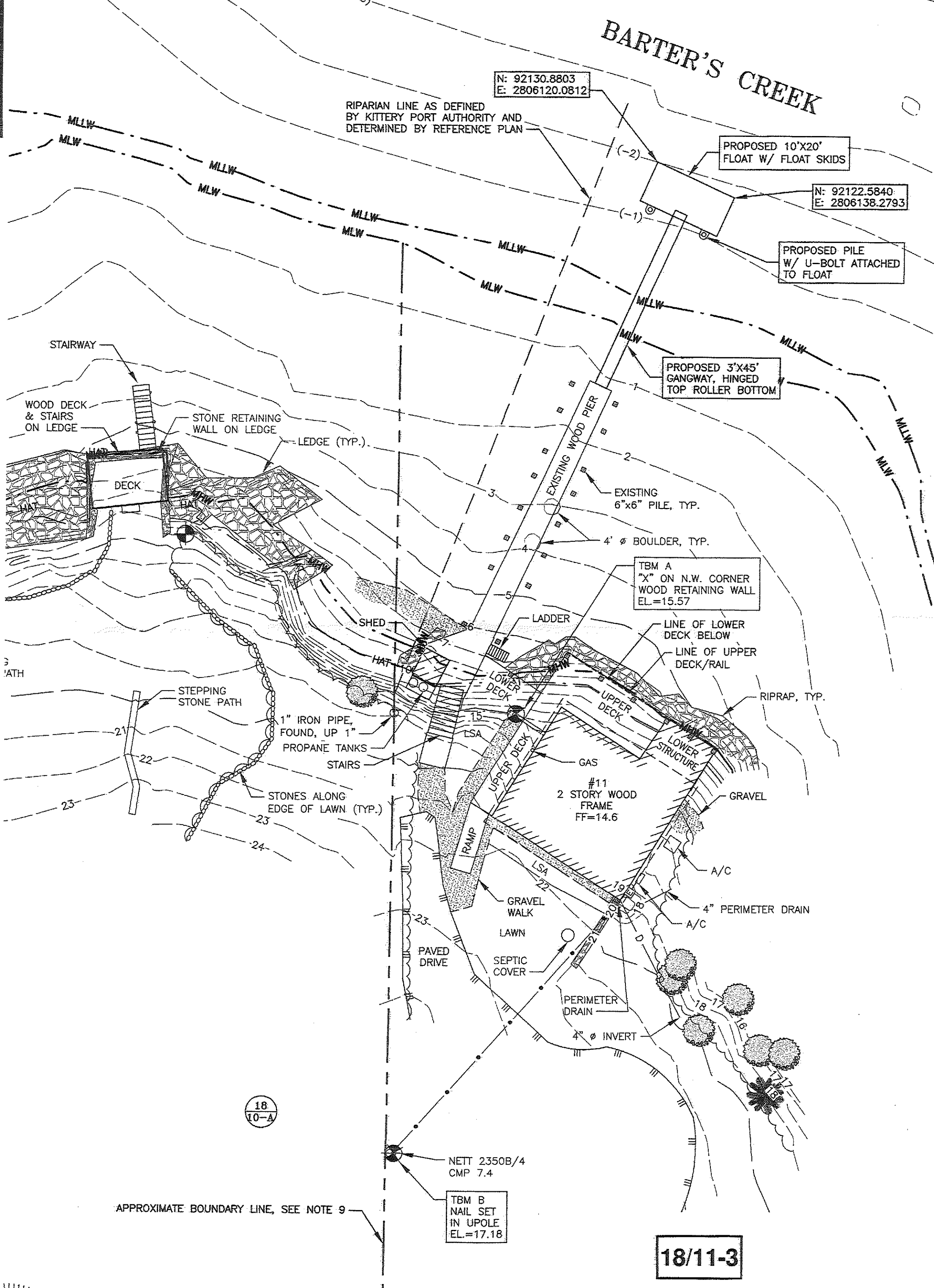
LOCATION MAP SCALE: 1" = 2000'

**LEGEND:**

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
YCRD	YORK COUNTY REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
□	RAILROAD SPIKE FOUND
○	IRON ROD/IRON PIPE FOUND
⊙	IRON PIPE FOUND
⊠	STONE/CONCRETE BOUND FOUND
---	APPROXIMATE PROPERTY BOUNDARY
---	BUILDING SETBACK
---	MEAN HIGH WATER LINE
---	MEAN LOW WATER LINE
---	MEAN LOWER LOW WATER LINE
---	MAINE DEP HIGHEST ANNUAL TIDE LINE
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⊕	UTILITY POLE (w/ GUY)
EL	ELEVATION
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TYP.	TYPICAL

**PLAN REFERENCE:**

1) EXISTING CONDITIONS PLAN MAP 18, PARCEL 11-3, 11 PEPPERRELL ROAD KITTERY POINT, MAINE, OWNER OF RECORD: DANIEL & BONNIE HANNIGAN 11 PEPPERRELL ROAD KITTERY POINT, MAINE 03905. PREPARED BY KIMBALL SURVEY & DESIGN, INC. DATED MARCH 6, 2019. NOT RECORDED.



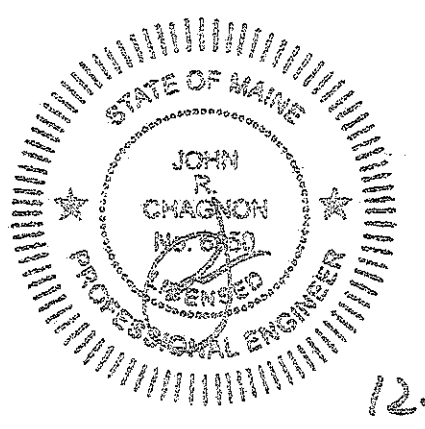
**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-9282  
Fax (603) 436-2315

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

- NOTES:**
- PARCEL IS SHOWN ON THE TOWN OF KITTERY ASSESSOR'S MAP 18 AS LOT 11-3.
  - OWNER OF RECORD:  
DANIEL J. HANNIGAN & BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME 03905  
17838/249  
PLAN REFERENCE 1
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1.08± AC. PER PLAN REFERENCE 1)
  - PARCEL IS LOCATED IN RESIDENTIAL--KITTERY POINT VILLAGE ZONE.
  - DIMENSIONAL REQUIREMENTS:  
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MINIMUM OPEN SPACE: 15%
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  - THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED GANGWAY AND FLOAT TO BE ATTACHED TO THE EXISTING PIER ON ASSESSOR'S MAP 18 LOT 11-3 IN THE TOWN OF KITTERY POINT.
  - THIS IS NOT A BOUNDARY SURVEY. BOUNDARY LINES AS SHOWN ARE BASED ON THE PLAN REFERENCES LISTED HEREON. NO DEED RESEARCH OR BOUNDARY DETERMINATION WAS MADE TO CONFIRM OR REFUTE MATTERS SHOWN ON SAID PLANS FOR THE PURPOSES OF THIS PLAN. EASEMENTS, RESERVATIONS, ETC. THAT MAY EXIST ARE NOT SHOWN OR NOTED HEREON.
  - HIGHEST ANNUAL TIDE LINE SHOWN AT ELEVATION 10.4 PER LOCATION SEAVY ISLAND IN MAINE DEP HIGHEST ANNUAL TIDE (HAT) LEVELS FOR YEAR 2018.

**HANNIGAN RESIDENCE  
11 PEPPERRELL ROAD  
KITTERY POINT, ME**

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	12/23/21
REVISIONS		



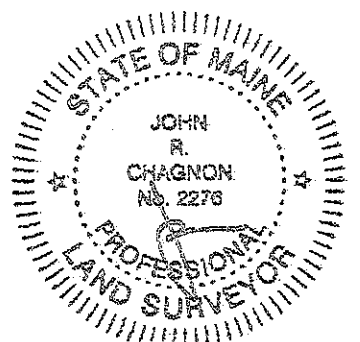
12.23.21

SCALE 1"=20' SEPTEMBER 2021

**ME DEP PERMIT PLAN** **C2**

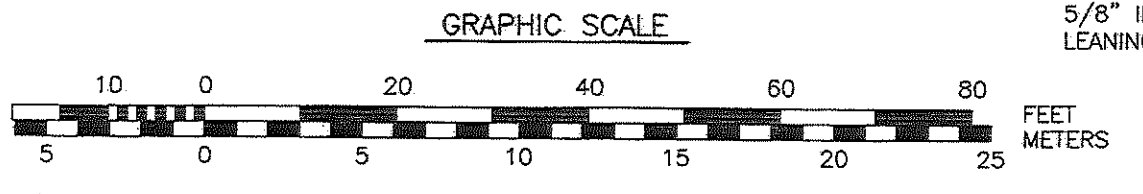
PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:  
A) NO SURVEY REPORT HAS BEEN PREPARED.  
B) NO LAND DESCRIPTION HAS BEEN PREPARED.  
C) MONUMENTS HAVE NOT BEEN SET.  
D) THIS IS NOT A BOUNDARY SURVEY

THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CHAPTER 90 STANDARDS OF PRACTICE, EFFECTIVE DATE APRIL 1, 2001 EXCEPT AS NOTED ON THIS PLAN.



12.23.21  
DATE

JOHN R. CHAGNON, PLS #2276



5/8" IRON ROD FOUND, UP 4", LEANING, LOCATED AT BASE

**SEQUENCE OF CONSTRUCTION**

- 1) MOBILIZATION OF A CRANE BARGE, PUSH BOAT, WORK SKIFF, MATERIALS AND PREFABRICATED COMPONENTS SUCH AS THE GANGWAY AND FLOAT TO THE SITE VIA AVAILABLE ACCESS.
- 2) MOBILIZATION OF EQUIPMENT TRUCKS TO THE SITE.
- 3) THE BARGE WILL BE POSITIONED ALONGSIDE THE PROPOSED LOCATION OF THE NEW DOCK AND WATERWARD OF ANY EMERGENT VEGETATION TO MINIMIZE IMPACTS.
- 4) INSTALLATION OF THE SUB STRUCTURE WILL BE PERFORMED FROM A CRANE BARGE OR SKIFF TO REDUCE THE AMOUNT OF FOOT TRAFFIC IN THE INTERTIDAL AREA.
- 5) ALL WORK WILL BE PERFORMED AT LOW TIDE TO MINIMIZE SEDIMENTATION.
- 6) SUPER STRUCTURE OF THE PIER IS BUILT. MATERIALS ARE LIFTED FROM THE BARGE AND SET INTO POSITION BY THE CRANE.
- 7) ONCE THE PIER IS COMPLETE, THE GANGWAY AND FLOAT ARE BROUGHT INTO POSITION AND INSTALLED.

**HEAVY EQUIPMENT IN WETLANDS OR MUDFLATS**

OPERATING HEAVY EQUIPMENT OTHER THAN FIXED EQUIPMENT (DRILL RIGS, FIXED CRANES, ETC.) WITHIN WETLANDS SHALL BE MINIMIZED, AND SUCH EQUIPMENT SHALL NOT BE STORED, MAINTAINED OR REPAIRED IN WETLANDS, TO THE MAXIMUM EXTENT PRACTICABLE. WHERE CONSTRUCTION REQUIRES HEAVY EQUIPMENT OPERATION IN WETLANDS, THE EQUIPMENT SHALL EITHER HAVE LOW GROUND PRESSURE (TYPICALLY <3 PSI), OR IT SHALL BE PLACED ON SWAMP/CONSTRUCTION/TIMBER MATS (HEREIN REFERRED TO AS "CONSTRUCTION MATS" AND DEFINED AT APPENDIX A, ENDNOTE A) THAT ARE ADEQUATE TO SUPPORT THE EQUIPMENT IN SUCH A WAY AS TO MINIMIZE DISTURBANCE OF WETLAND SOIL AND VEGETATION. CONSTRUCTION MATS ARE TO BE PLACED IN THE WETLAND FROM THE UPLAND OR FROM EQUIPMENT POSITIONED ON SWAMP MATS IF WORKING WITHIN A WETLAND. DRAGGING CONSTRUCTION MATS INTO POSITION IS PROHIBITED. OTHER SUPPORT STRUCTURES THAT ARE CAPABLE OF SAFELY SUPPORTING EQUIPMENT MAY BE USED WITH WRITTEN CORPS AUTHORIZATION (CATEGORY 2 AUTHORIZATION OR INDIVIDUAL PERMIT). SIMILARLY, THE PERMITTEE MAY REQUEST WRITTEN AUTHORIZATION FROM THE CORPS TO WAIVE USE OF MATS DURING FROZEN, DRY OR OTHER CONDITIONS. AN ADEQUATE SUPPLY OF SPILL CONTAINMENT EQUIPMENT SHALL BE MAINTAINED ON SITE. CONSTRUCTION MATS SHOULD BE MANAGED IN ACCORDANCE WITH THE CONSTRUCTION MAT BMPs AT [WWW.NAE.USACE.ARMY.MIL/MISSIONS/REGULATORY](http://www.nae.usace.army.mil/missions/regulatory)

**TIME OF YEAR WORK WINDOWS/RESTRICTIONS**

FOR ACTIVITIES WHERE WORK IS AUTHORIZED IN STREAMS AND TIDAL WATERS THAT CAUSES TURBIDITY OR SEDIMENT RE-SUSPENSION OR OTHER CONSTRUCTION RELATED DISTURBANCES, WORK MUST BE CONDUCTED DURING THE FOLLOWING T.O.Y. WORK WINDOWS (NOT DURING THE T.O.Y. RESTRICTIONS) UNLESS OTHERWISE AUTHORIZED BY THE CORPS UNDER CATEGORY 2 REVIEW:

	T.O.Y. RESTRICTION (NO WORK)	T.O.Y. WORK WINDOW (WORK ALLOWED)
NON-TIDAL WATERS	OCT. 01 THROUGH JUL. 14	JUL. 15 THROUGH SEP. 30
TIDAL WATERS	APR. 10 THROUGH NOV. 07	NOV. 08 THROUGH APR. 09

ALTERNATE WINDOWS AUTHORIZED UNDER CATEGORY 2 MAY INCLUDE SPECIES SPECIFIC WETLANDS RECOMMENDED BY THE MAINE DEPT. OF MARINE RESOURCES AND/OR MAINE DEPT. OF INLAND FISHERIES & WILDLIFE.

**FLOODPLAINS AND FLOODWAYS**

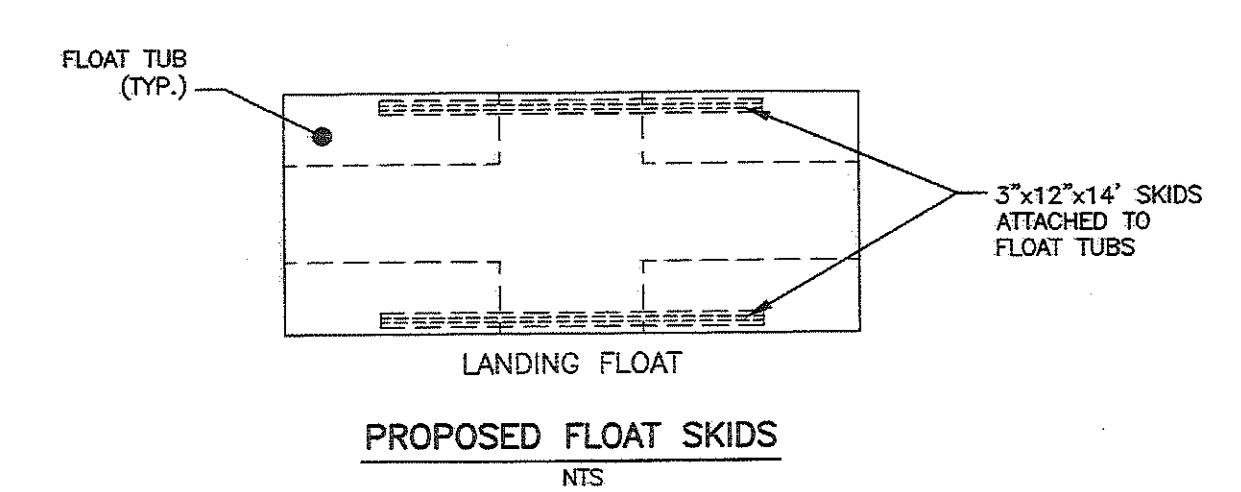
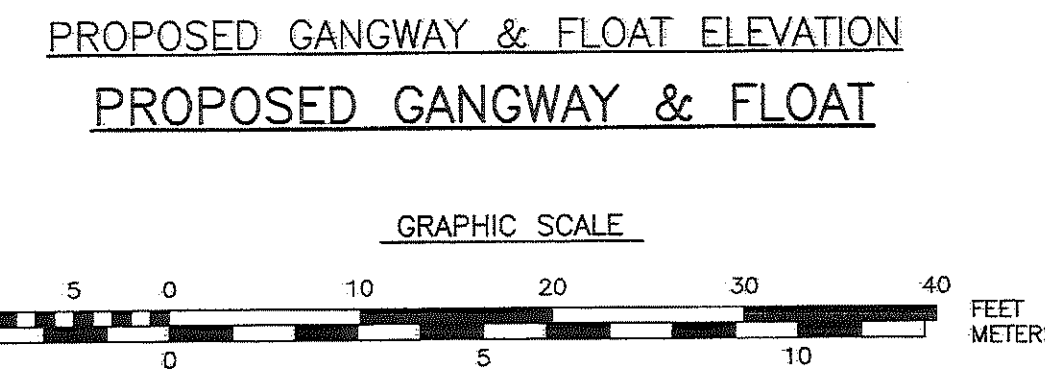
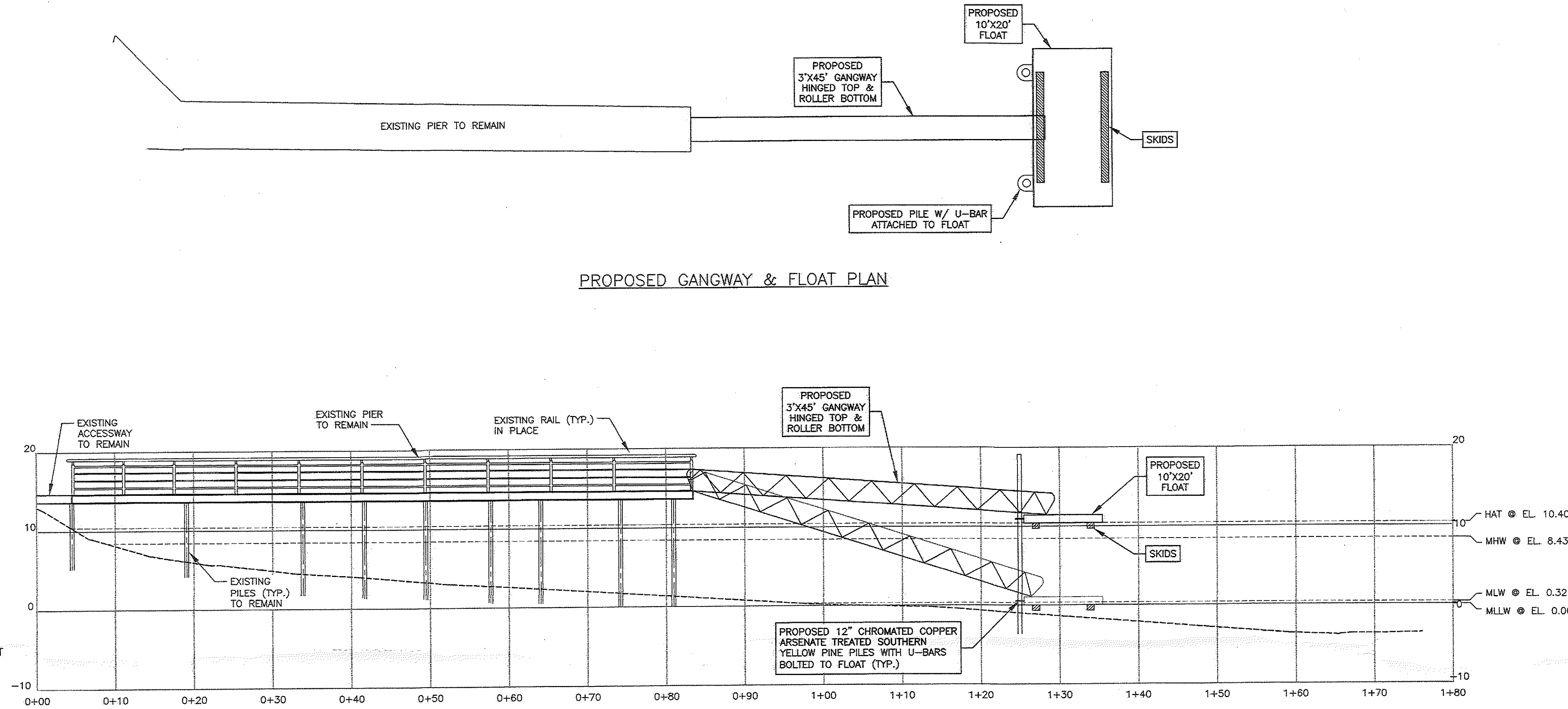
- APPROPRIATE MEASURES MUST BE TAKEN TO MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE.
- ACTIVITIES WITHIN 100-YEAR FLOODPLAINS MUST COMPLY WITH APPLICABLE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED STATE AND/OR LOCAL FLOODPLAIN MANAGEMENT PERMITTING REQUIREMENTS. PROPONENTS MAY NEED TO COORDINATE WITH FEMA AND APPLY FOR A FORMAL CHANGE TO THE FLOOD INSURANCE STUDY PRODUCTS OR FORWARD A SET OF PROJECT PLANS AND RELEVANT TECHNICAL DOCUMENTATION IN A DIGITAL FORMAT TO THE RISK ANALYSIS BRANCH CHIEF, MITIGATION DIVISION, FEMA, REGION 1, 99 HIGH STREET, BOSTON, MASSACHUSETTS 02110. APPLICANTS SHOULD PROVIDE A COPY OF ANY DOCUMENTATION TO THE CORPS ALONG WITH THE PCN.
- PROONENTS MAY HAVE TO OBTAIN A FLOOD HAZARD DEVELOPMENT PERMIT ISSUED BY THE TOWN. INQUIRIES MAY BE DIRECTED TO THE MUNICIPALITY OR TO THE MAINE FLOODPLAIN MANAGEMENT COORDINATOR AT (207) 287-8063. SEE [HTTP://WWW.MAINE.GOV/DACF/FLOOD/](http://www.maine.gov/dacf/flood/)

**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 (OFTEN REFERRED TO AS SEASONAL STRUCTURES) SHALL BE STORED IN AN UPLAND LOCATION LANDWARD OF HIGHEST ANNUAL TIDE (H.A.T.) OR ORDINARY HIGH WATER (OHW) AND NOT IN WETLANDS, TIDAL WETLANDS, THEIR SUBSTRATE OR ON MUDFLATS. THESE SEASONAL STRUCTURES MAY BE STORED ON THE FIXED, PILE-SUPPORTED PORTION OF THE STRUCTURE THAT IS WATERWARD OF H.A.T. OR OHW. SEASONAL STORAGE OF STRUCTURES IN NAVIGABLE WATERS, E.G., IN A PROTECTED COVE ON A MOORING, REQUIRES CORPS APPROVAL AND LOCAL HARBORMASTER APPROVAL.

**SPAWNING, BREEDING, AND MIGRATORY AREAS**

- JURISDICTIONAL ACTIVITIES AND IMPACTS SUCH AS EXCAVATIONS, DISCHARGES OF DREDGED OR FILL MATERIAL, AND/OR SUSPENDED SEDIMENT PRODUCING ACTIVITIES IN JURISDICTIONAL WATERS THAT PROVIDE VALUE AS FISH MIGRATORY AREAS, FISH AND SHELLFISH SPAWNING OR NURSERY AREAS, OR AMPHIBIAN AND MIGRATORY BIRD BREEDING AREAS, DURING SPAWNING OR BREEDING SEASONS SHALL BE AVOIDED AND MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE.
- JURISDICTIONAL ACTIVITIES IN WATERS OF THE UNITED STATES THAT PROVIDE VALUE AS BREEDING AREAS FOR MIGRATORY BIRDS MUST BE AVOIDED TO THE MAXIMUM EXTENT PRACTICABLE. THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY "TAKE" PERMITS REQUIRED UNDER THE USFWS'S REGULATIONS GOVERNING COMPLIANCE WITH THE MIGRATORY BIRD TREATY ACT OR THE BALD AND GOLDEN EAGLE PROTECTION ACT. THE PERMITTEE SHOULD CONTACT THE APPROPRIATE LOCAL OFFICE OF THE USFWS TO DETERMINE IF SUCH "TAKE" PERMITS ARE REQUIRED FOR A PARTICULAR ACTIVITY.



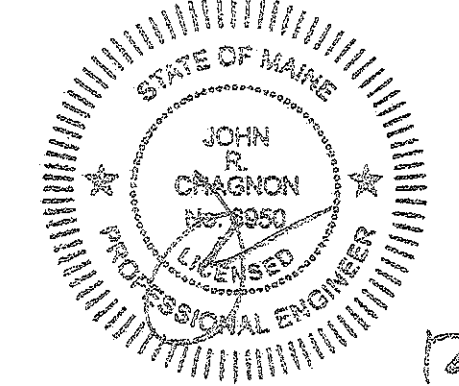
**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-9282  
Fax (603) 436-2315

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

- NOTES:**
- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
  - 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
  - 3) EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL PRACTICES FIELD GUIDE FOR CONTRACTORS, MARCH 2015.
  - 4) NUMBER OF PILES TO BE DRIVEN FOR DOCKING STRUCTURE NOT TO EXCEED 2 AS DEPICTED ON PROPOSED DOCK ELEVATION. ALSO NOTE TIME OF YEAR AND NOISE RESTRICTIONS FOR DRIVING OF PILES.
  - 5) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION FROM NAVD88 TO MLLW BASED ON NOAA STATION 8420411 DOVER, COCHECO RIVER. MLLW BEING 3.93 FEET LOWER THAN 0.00 NAVD88.

**HANNIGAN RESIDENCE**  
11 PEPPERRELL ROAD  
KITTERY POINT, ME

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	12/23/21
REVISIONS		



OWNER & APPLICANT:  
DANIEL J. HANNIGAN &  
BONNIE CHOATE HANNIGAN  
11 PEPPERRELL ROAD  
KITTERY POINT, ME. 03905

PREPARED BY:  
AMBIT ENGINEERING  
200 GRIFFIN ROAD UNIT 3  
PORTSMOUTH, N.H. 03801

SCALE: 1"=10' NOVEMBER 2021

**DOCK DETAILS** **D1**

**Morgan Densley <morgandensley@gmail.com>**

1/11/2022 5:13 AM

## 7 Rose Lane - Robichaud - Float - KPA Application

To Harbor Master <kpa@kitteryme.org> Copy CHRIS ROBICHAUD <crobichaud66@comcast.net>

---

Good Morning Chairwoman Philbrook & Harbormaster Brosnihan

On behalf of my Mother-In-Law, Christine Robichaud, owner of 7 Rose Lane. I am submitted application to install a mooring system to secure a 8x24 float in the Back Channel in front of her house, which will retain the existing mooring number of 617, that she has.

Attachment #1: Application with supporting documents.

Attachment #2: Army Corp. of Engineers Federal authorization to install a float in the Back Channel with supporting documents.

I am currently on a ship, so my connectivity is limited, yet emails are fairly reliable. I plan to be back in Kittery on the morning of Wed. 19 Jan '22, yet if there is additional items needed in order for this application to be deemed complete (i.e. payment of \$125), I can make arrangements for a check to be dropped off at the Town Hall. Additionally, we would greatly appreciate this application to be put on the agenda for the 3 Feb '22 meeting.

Best Regards,

Morgan Densley  
Cell: (207) 632-5527

---

- 7 Rose Lane - KPA Application.pdf (2 MB)
- NAE-2021-03097-PERMIT.pdf (1 MB)

MISCELLANEOUS PAYMENT RECPT#: 690016  
TOWN OF KITTEERY - LIVE  
200 ROGERS ROAD  
KITTEERY ME 03904

DATE: 01/19/22                    TIME: 14:21  
CLERK: 220codeca                DEPT:  
CUSTOMER#: 0

PARCEL: 7 Rose Lane

CHG: 10            DESIGNATED ACCO            125.00

REVENUE:  
1 1111            43149                            125.00  
KPA APPLICATION FEES  
REF1:                            REF2:

CASH:  
1000            11011                            125.00  
CHECKING

AMOUNT PAID:                    125.00

PAID BY:            Christine Robichaud  
PAYMENT METH: CASH

REFERENCE:            CV

AMT TENDERED:            150.00  
AMT APPLIED:              125.00  
CHANGE:                    25.00



JAN 19 2022 PM 2:23

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:

Install Helical Moorings and Elastic Rode to Securely Moor a 8'X24' Float in the Back Channel

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): Christine E. Robichaud

3. Property Address: 7 Rose Lane, Kittery, ME

4. Telephone Number: (603) 498-3027  
(REQUIRED)

Email: crobichaud66@comcast.net  
(REQUIRED)

5. Property Size (Acres/SF): 0.45 acres / 19,602 Sq. Ft. Zoning District(s): R-U (Residential Urban)

6. The shore frontage of this property is 340' 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: *Christine E. Robichaud* Date: 6 NOV 2021

Property Owner Signature: *Christine E. Robichaud* Date: 6 NOV 2021

Agent Name: N/A Agent Firm: N/A

Agent Phone: N/A Agent Email: N/A  
(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: \_\_\_\_\_ Date: \_\_\_\_\_



# 150 foot Abutters List Report

Kittery, ME  
November 06, 2021

## Subject Property:

Parcel Number: 10-10  
CAMA Number: 10-10  
Property Address: 7 ROSE LANE

Mailing Address: ROBICHAUD, CHRISTINE E.  
7 ROSE LANE  
KITTERY, ME 03904

---

## Abutters:

Parcel Number: 10-11  
CAMA Number: 10-11  
Property Address: 114 WHIPPLE ROAD

Mailing Address: ROOTS, ROBERT C  
114 WHIPPLE ROAD  
KITTERY, ME 03904-1351

Parcel Number: 10-12  
CAMA Number: 10-12  
Property Address: 3 KEENE TERRACE

Mailing Address: MCBRIDE, MEKEEL D  
3 KEENE TERRACE  
KITTERY, ME 03904-1302

Parcel Number: 10-13  
CAMA Number: 10-13  
Property Address: 7 KEENE TERRACE

Mailing Address: SCRATCH 34, LLC  
PO BOX 953  
MILFORD, NH 03055

Parcel Number: 10-14  
CAMA Number: 10-14  
Property Address: 108 WHIPPLE ROAD

Mailing Address: COMSTOCK, TR, DONALD JR  
108 WHIPPLE ROAD  
KITTERY, ME 03904

Parcel Number: 10-7  
CAMA Number: 10-7  
Property Address: 118 WHIPPLE ROAD

Mailing Address: KIRBY, SCOTT EDWIN  
1023 CATHERINE STREET  
KEY WEST, FL 33040

Parcel Number: 10-8  
CAMA Number: 10-8  
Property Address: 116 WHIPPLE ROAD

Mailing Address: PITT-WOOLL, SARAH A  
116 WHIPPLE ROAD  
KITTERY, ME 03904-1341

Parcel Number: 10-9  
CAMA Number: 10-9  
Property Address: 5 ROSE LANE

Mailing Address: SAVOIE, EDMUND SAVOIE, SHANNON  
5 ROSE LANE  
KITTERY, ME 03904



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

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



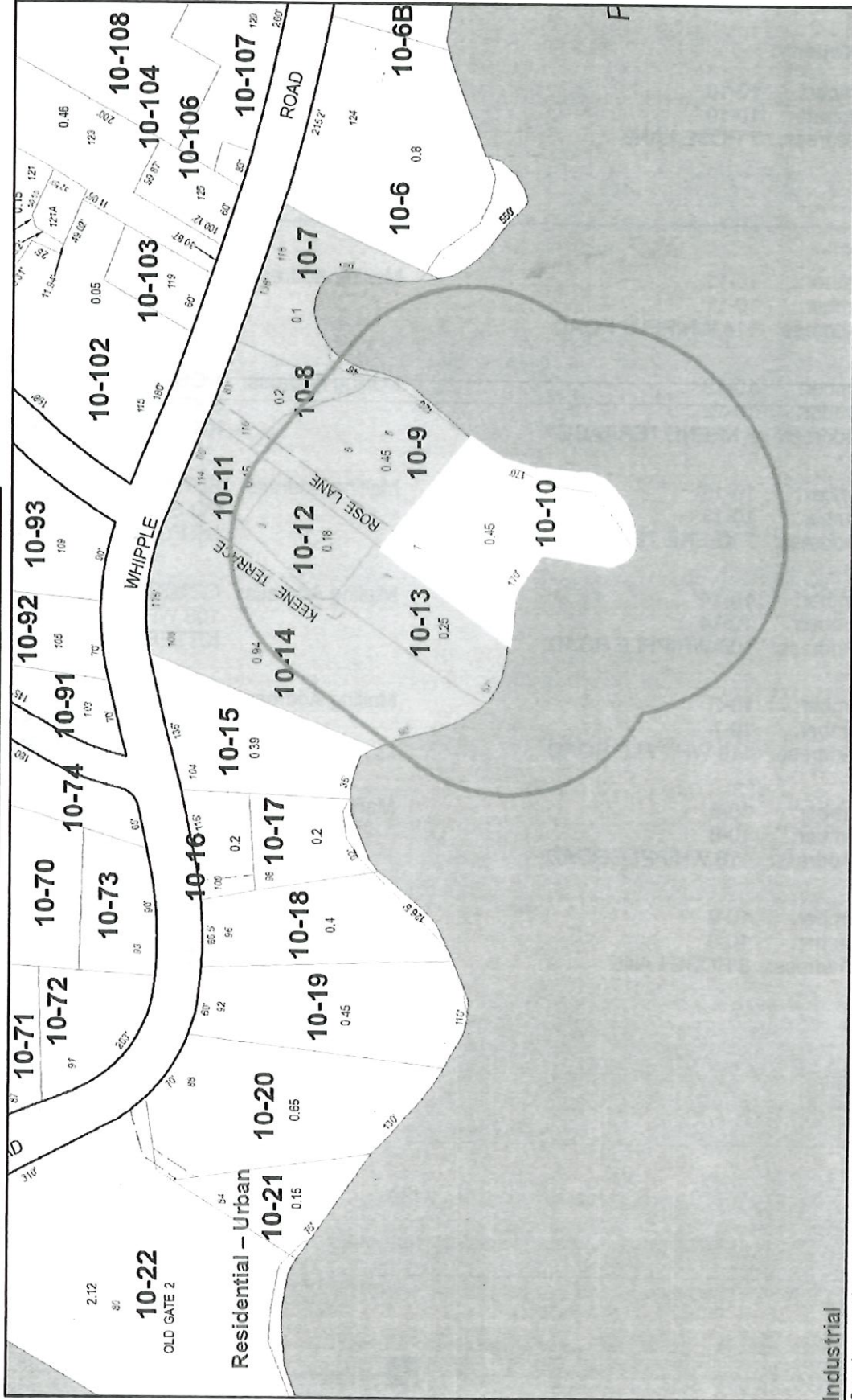
Kittery, ME

November 6, 2021

1 inch = 137 Feet



www.cai-tech.com



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

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THEODORE F. WEAVER and VIRGINIA H. WEAVER, a married couple, of 7 Rose Lane, Kittery, County of York, of State of Maine (being unmarried), for consideration paid, grant to ARTHUR WILLIAM ROBICHAUD AND CHRISTINE E. ROBICHAUD, a married couple, of 783 Old Woods Road, Columbus, County of Franklin, State of Ohio of with Warranty Covenants the land in Town of Kittery, York County, State of Maine.

RECEIVED YORK S.S.  
96 JAN -2 AM 10:21

ATTEST: *Shirley M. Moore*  
REGISTER OF DEEDS

733 Old Woods Road, Columbus, OH  
 43335-1248  
 (ECCC)

A certain lot or parcel of land with the buildings thereon situated in the Town of Kittery, in the County of York and State of Maine, and bounded and described as follows, viz: Commencing at an iron post or hub at the westerly corner of land now or formerly of Katherine Stacy on the line of land now or formerly of H. J. Hubbard, at a point two hundred and forty-six (246) feet and seven (7) inches (measured by the fence between said Stacy's land and the land of William Brown) from the highway leading from Kittery to Kittery Point, known as Whipple Road; thence running on a course of south forty-five degrees (45°) east a distance of one hundred twenty-six (126) feet, more or less, to high water mark of the Cove or inlet of the Piscataqua River on the easterly side of said Stacy land; thence by said River at the line of high water mark, southerly and westerly around a small island or peninsula (at times surrounded by water) to a mark in the ledge of rocks adjoining land of said Hubbard, being in line with the fence above referred to; thence by land of said Hubbard northeasterly a distance of one hundred forty-three (143) feet, more or less, to the point of beginning, subject to and with the benefit of the rights, privileges and easements set forth in detail in the deed of William F. Pinkham to Hannah Carrie Lane dated July 28, 1891, and recorded in the York County Registry of Deeds, Book 446, Page 118, and further set forth in an instrument dated March 10, 1911, recorded in said Registry of Deeds, Book 599, Page 280, to which said Pinkham and Lane were parties.

Meaning and intending to convey the same premises conveyed to THEODORE F. WEAVER AND VIRGINIA H. WEAVER by Warranty Deed of EDA L. CLOUGH dated April 9, 1952, recorded in the York County Registry of Deeds in Book 1204, Page 507.

THEODORE F. WEAVER and VIRGINIA H. WEAVER ~~XXXX~~ said grantor, joins as grantor and releases all rights by descent and all other rights.

Witness their hand and seal this 29<sup>th</sup> day of December 1995

*Jeffery J. Clark*  
to both

*Theodore F. Weaver*  
THEODORE F. WEAVER  
*Virginia H. Weaver*  
VIRGINIA H. WEAVER

The State of Maine YORK ss. December 29 1995.

Then personally appeared the above named THEODORE F. WEAVER AND VIRGINIA H. WEAVER

and acknowledged the foregoing instrument to be their free act and deed,  
Before me, *Jeffery J. Clark*  
Justice of the Peace - Attorney at Law - Notary Public  
*Jeffery J. Clark*



BK 17388 PGS 738 - 739 12/21/2016 10:25:08 AM  
 INSTR # 2016054818 DEBRA ANDERSON  
 RECEIVED YORK SS REGISTER OF DEEDS

**QUITCLAIM DEED**

**KNOW ALL By THESE PRESENT** that **ELISABETH DENSLEY**, with a mailing address of 29 Cemetery Road, Greenland, New Hampshire 03804, for consideration paid, hereby grants to **CHRISTINE E. ROBICHAUD**, with a mailing address of 7 Rose Lane, Kittery, Maine 03904, with **QUITCLAIM COVENANTS**, a certain parcel of land, together with the buildings thereon, situated in the Town of Kittery, County of York and State of Maine and being further bounded and described as follows:

Beginning at an iron post or hub at the westerly corner of land now or formerly of Katherine Stacy on the line of land now or formerly of H. J. Hubba03804rd, at a point 246.07' (measured by the fence between said Stacy's land and the land of William Brown) from the highway leading from Kittery to Kittery Point, known as Whipple Road; thence running on a course of S 45° E 126', more or less, to the high water mark of the Cove or inlet of the Piscataqua River on the easterly side of said Stacy land; thence by said River at the high water mark southerly and westerly around a small island or peninsula (at times surrounded by water) to a mark in the ledge of rocks adjoining land of said Hubbard, being in line with the fence above referred to; thence by land of said Hubbard northeasterly 143', more or less, to the point of beginning.

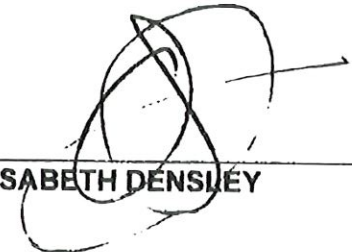
The above-describe property is conveyed **SUBJECT TO** and **TOGETHER WITH** the benefit of the rights, privileges and easements set forth in detail in the deed of William F. Pinkham to Hannah Carrie Lane dated July 28, 1891 and recorded in the York County Registry of Deeds at Book 446. Page 118, and further set forth in an instrument dated March 10, 1911 and recorded in the York County Registry of Deeds at Book 599, Page 280, to which said Pinkham and Lane were parties

For title reference see deed of Theodore F. Weaver and Virginia H. Weaver, dated December 29, 1995 and recorded in the York County Registry of Deeds at Book 7675, Page 237.

The purpose of this deed is to release to her mother all right, title and interest the Grantor may have in the above-described property as a result of her father's, Arthur Robichaud's, death on January 30, 2008.

**IN WITNESS WHEREOF**, **ELISABETH DENSLEY** has caused this instrument to be signed this 12<sup>th</sup> day of December, 2016.

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 ELISABETH DENSLEY

NO R.E. TRANSFER TAX PAID

STATE OF New Hampshire  
County of Rockingham

December 12, 2016

Then personally appeared the above-named, **ELISABETH DENSLEY**, and acknowledged the foregoing instrument to be her free act and deed.



Before me

Jennifer A. Allen  
Notary Public  
Print Name: Jennifer A. Allen

③  
2999 → TITRE SOURCE 1187 THORN RUN ROAD STE 600 CORAOPUS, PA 15108



BK 17388 PGS 740 - 741 12/21/2016 10:25:08 AM  
 INSTR # 2016054819 DEBRA ANDERSON  
 RECEIVED YORK SS REGISTER OF DEEDS

**QUITCLAIM DEED**

**KNOW ALL By THESE PRESENT** that **JOHNATHAN B. ROBICHAUD**, with a mailing address of 8 Silveridge Road, York, Maine 03909, for consideration paid, hereby grants to **CHRISTINE E. ROBICHAUD**, with a mailing address of 7 Rose Lane, Kittery, Maine 03904, with **QUITCLAIM COVENANTS**, a certain parcel of land, together with the buildings thereon, situated in the Town of Kittery, County of York and State of Maine and being further bounded and described as follows:

Beginning at an iron post or hub at the westerly corner of land now or formerly of Katherine Stacy on the line of land now or formerly of H. J. Hubbard, at a point 246.07' (measured by the fence between said Stacy's land and the land of William Brown) from the highway leading from Kittery to Kittery Point, known as Whipple Road; thence running on a course of S 45° E 126', more or less, to the high water mark of the Cove or inlet of the Piscataqua River on the easterly side of said Stacy land; thence by said River at the high water mark southerly and westerly around a small island or peninsula (at times surrounded by water) to a mark in the ledge of rocks adjoining land of said Hubbard, being in line with the fence above referred to; thence by land of said Hubbard northeasterly 143', more or less, to the point of beginning.

The above-describe property is conveyed **SUBJECT TO** and **TOGETHER WITH** the benefit of the rights, privileges and easements set forth in detail in the deed of William F. Pinkham to Hannah Carrie Lane dated July 28, 1891 and recorded in the York County Registry of Deeds at Book 446. Page 118, and further set forth in an instrument dated March 10, 1911 and recorded in the York County Registry of Deeds at Book 599, Page 280, to which said Pinkham and Lane were parties


NO R.E. TRANSFER TAX PAID

For title reference see deed of Theodore F. Weaver and Virginia H. Weaver, dated December 29, 1995 and recorded in the York County Registry of Deeds at Book 7675, Page 237.

The purpose of this deed is to release to his mother all right, title and interest the Grantor may have in the above-described property as a result of his father's, Arthur Robichaud's, death on January 30, 2008.

**IN WITNESS WHEREOF**, **JOHNATHAN B. ROBICHAUD** has caused this instrument to be signed this 21 day of December, 2016.

Witness   
 Lisa Gainty

  
**JOHNATHAN B. ROBICHAUD**

STATE OF ~~MAINE~~ NH  
County of ~~YORK~~ Rockingham

December 21, 2016

Then personally appeared the above-named, **JOHNATHAN B. ROBICHAUD**, and acknowledged the foregoing instrument to be his free act and deed.

Seal

Before me



Notary Public  
Print Name:

Lisa Gainty

LISA GAINTY  
NOTARY PUBLIC  
STATE OF NEW HAMPSHIRE  
MY COMMISSION EXP AUG. 14, 2018

277 → TITLE SOURCE

(3)





REPLY TO  
ATTENTION OF

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

Regulatory Division  
CENAE-RDC

December 6, 2021

Christine Robichaud  
7 Rose Lane  
Kittery, Maine 03904

Ms. Robichaud:

We recently reviewed your proposal to install and maintain an 8-foot x 24-foot float with four helical moorings on your current mooring identified locally as "#617" located within the Back Channel of the Piscataqua River at Kittery, Maine (Lat/Lon 43.084617°N; -70.731150°W).

On October 14, 2020, we issued General Permits that, subject to our discretion, eliminates the need for individual Department of the Army permits for certain work that is regulated in the State of Maine. Your project as proposed and as shown on the attached plans received by the Corps qualifies for a general permit under the Self-Verification category. No further action is necessary from the Corps on this project.

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

Please refer to identification number NAE-2021-03097 in any correspondence concerning this project. If you have any questions on this matter, please contact Colin Greenan of my staff at 978-318-8676 or [colin.m.greenan@usace.army.mil](mailto:colin.m.greenan@usace.army.mil) at our Augusta, Maine Project Office.

Good luck with your project.

Sincerely,

Digitally signed by Colin  
Greenan  
Date: 2021.12.06 10:05:04  
-05'00'

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



**Section VI: Self-Verification Notification Form**  
(for all tidal and non-tidal projects in Maine subject to Corps jurisdiction)

**US Army Corps  
of Engineers®**  
New England District

At least two weeks before work commences, complete all fields (write "none" if applicable) below or use the fillable form found at [www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/](http://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/). The two-week lead time is not required for emergency situations. **Send this form, an Official Species List, and project plans to the following email address: [cenae-r-me@usace.army.mil](mailto:cenae-r-me@usace.army.mil)**

Maine Project Office  
U.S. Army Corps of Engineers  
442 Civic Center Drive, Suite 350  
Augusta, Maine 04330

State Permit #: \_\_\_\_\_  
Date of State Permit: \_\_\_\_\_  
State Project Manager: \_\_\_\_\_

Permittee: Christine Robichaud  
Address, City, State, Zip: 7 Rose Lane, Kittery ME 03904  
Email, Phone: crobichaud66@comcast.net - Cell: 603-498-3027

Agent: N/A  
Address, City, State, Zip: N/A  
Email, Phone: N/A

Contractor: TBD  
Address, City, State, Zip: TBD  
Email, Phone: TBD

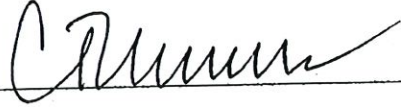
Project Name: 7 Rose Lane (Back Channel) Float  
Address, City, State, Zip: 7 Rose Lane, Kittery ME 03904  
Lat °N, Long °W: Lat: 43-05.077 N Long: 070-43.869 W Tax Map/Lot: 10 - 10  
Waterway Name: Back Channel, Kittery ME  
Description of Work: Install Helical Moorings and Elastic Rode to securely moor a 8'x24' Float

Proposed Starting Date: 1 APR 2022 Proposed Finish Date: 1 APR 2022  
Area of wetland impact (SF): Permanent: \_\_\_\_\_ Temporary: \_\_\_\_\_  
Area of waterway impact (SF): Permanent: \_\_\_\_\_ Temporary: \_\_\_\_\_

Work will be done under the following Section V General Permits (circle all that apply):  
I. Inland Waters and wetlands: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23  
II. Navigable Waters: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

Have MHPC and all five federally-recognized tribes in Maine been notified of the proposed work? \_\_\_\_\_ Yes  No

*Your signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions for Self-Verification under the Maine General Permit.*

Permittee Signature:  Date: 5 NOV 2021

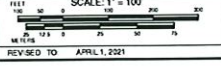


THIS MAP IS FOR REFERENCE PURPOSES - IT IS NOT VALID FOR LEGAL  
 RECORDATION OR CONVEYANCE  
 THE TERRITORY SHOWN IS THE MAIN STATE PLANE COORDINATE SYSTEM NAD 83  
 ORIGINAL MAPPING BY JAMES E. COOKMILL & ASSOCIATES, NEW ORLEANS, LOUISIANA



REVISED & REPRINTED BY  
 CAI Technologies  
 117 Forest Street, Suite 100  
 Kittery, ME 03904  
 603.882.4444

LEGEND  
 PARCEL NUMBER .....  
 PARCEL ACRES .....  
 RECORD NUMBER .....  
 BIRTH/DEATH NUMBER .....  
 RECORD ID NUMBER .....  
 ROAD OF BARRIERS .....  
 COMMON DRIVE RIGHT .....  
 WATER .....  
 STATE ISLAND U.S. NAVY



PROPERTY MAPS  
**KITTERY**  
 MAINE

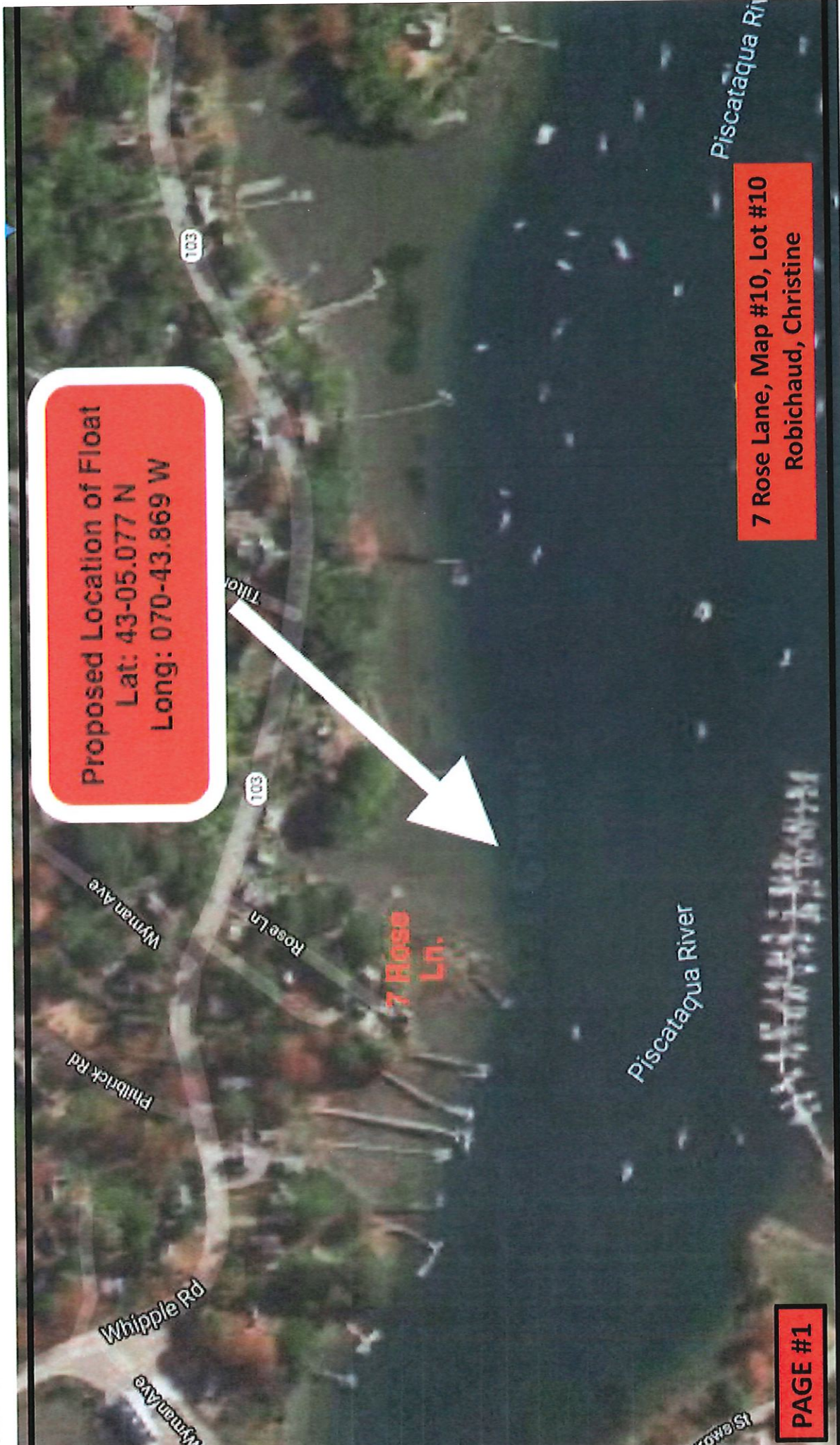


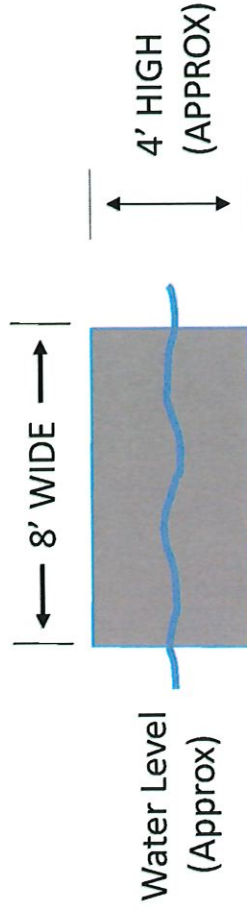
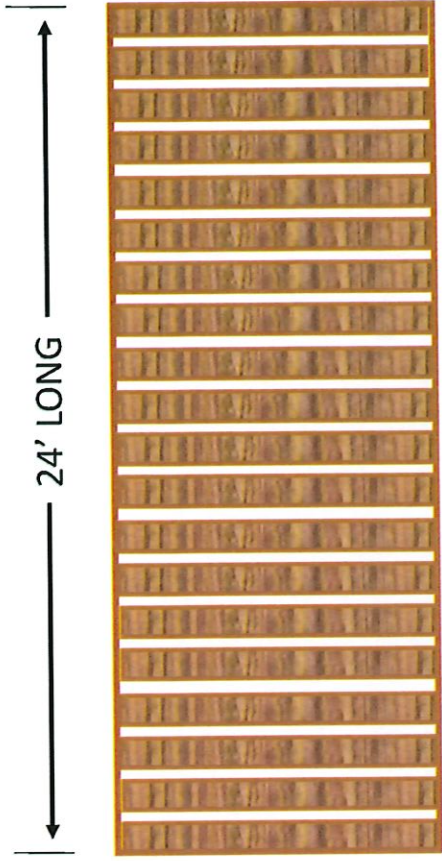
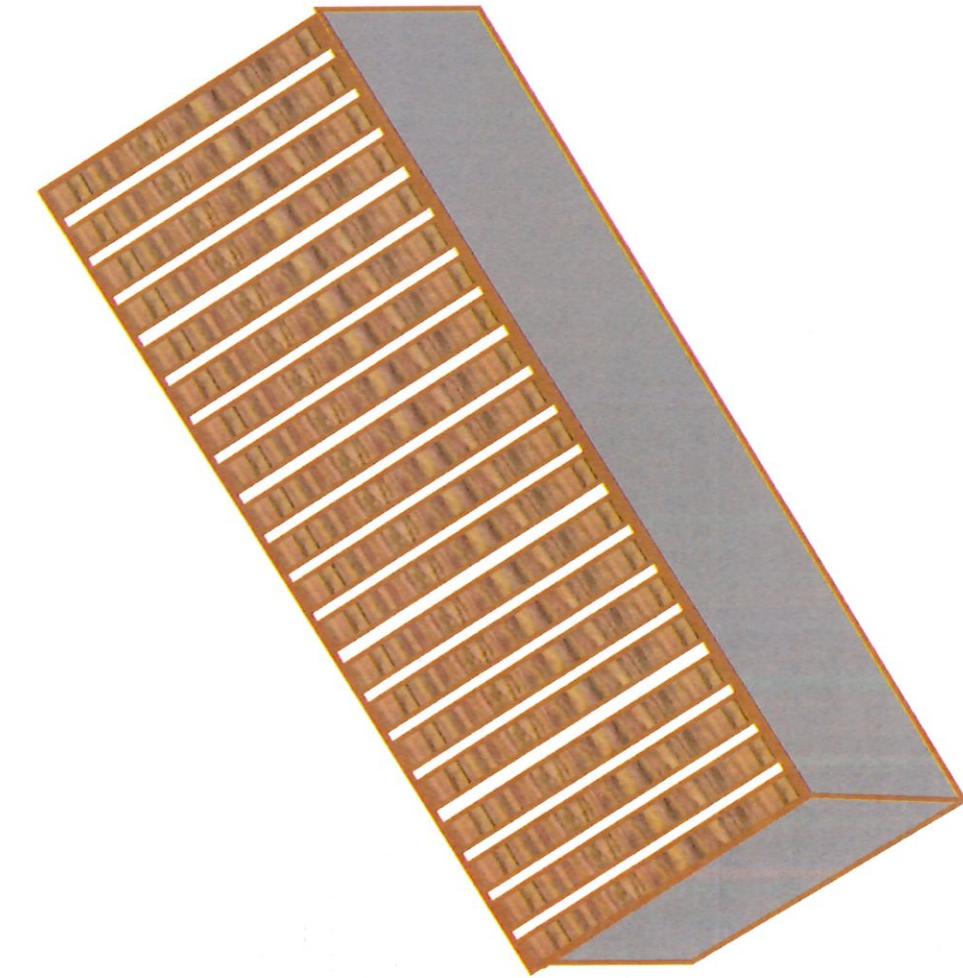
MAP NO.  
**10**

Proposed Location of Float  
Lat: 43-05.077 N  
Long: 070-43.869 W



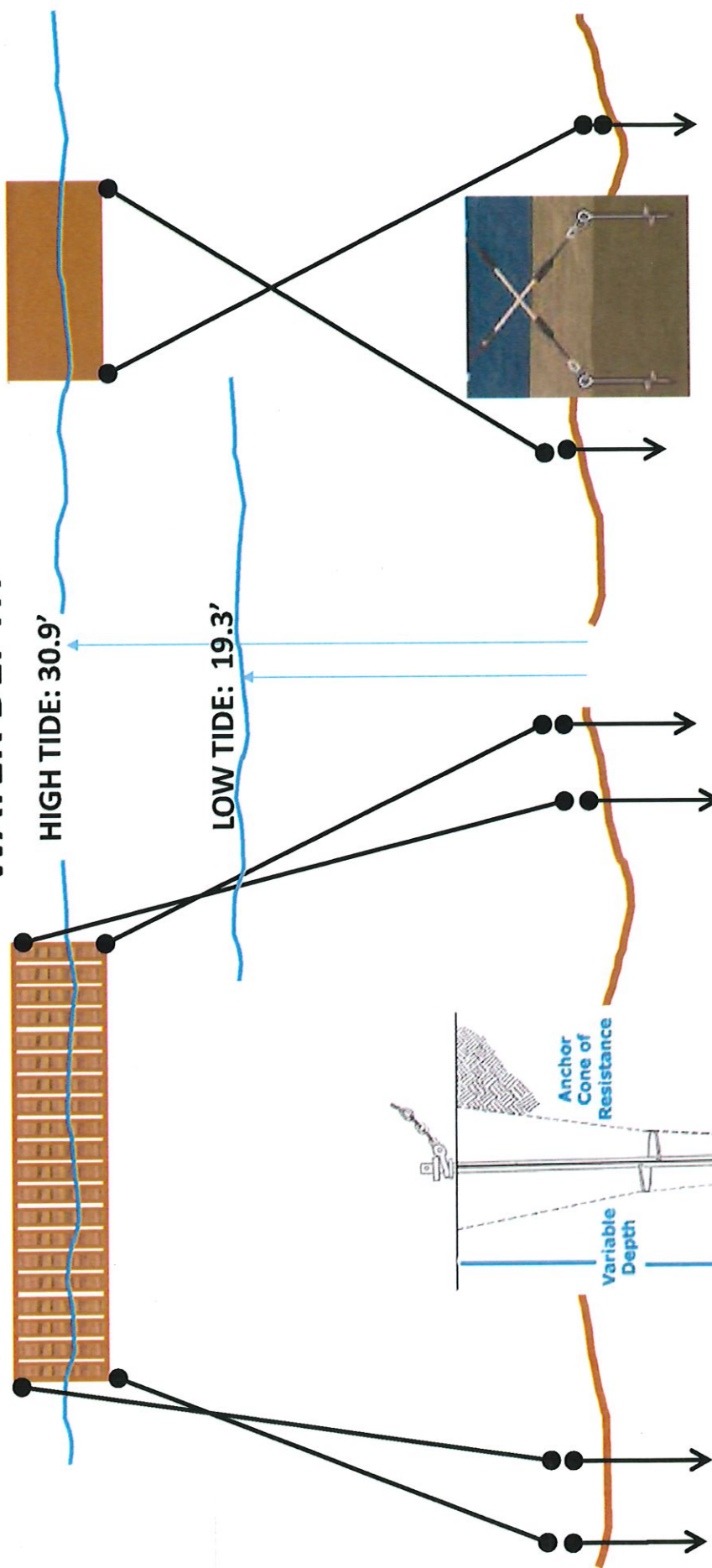
7 Rose Lane, Map #10, Lot #10  
Robichaud, Christine





7 Rose Lane, Map #10, Lot #10  
Robichaud, Christine  
Float Sketch (Not to Scale)

# WATER DEPTH



7 Rose Lane, Map #10, Lot #10  
Robichaud, Christine  
Float Mooring Arrangement