



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

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

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

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

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.

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

1. Call to Order / Attendance
2. Pledge of Allegiance
3. Agenda Amendments and Adoption
4. Acceptance of Previous Minutes: February 3, 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 construct a pier connecting to an existing deck, as shown on Ambit Engineering drawing # C1, “Existing Conditions Plan”, dated 9/16/21. Agent: Steven 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 Touchdown Capital LLC, 23 Bond Road, Kittery Point, ME 03905 (Map 25, Lot 9) to construct a 4' x 8' access ramp, a 4' x 75' permanent timber pier with access stairs down to adjacent beach, a 3' x 40' seasonal gangway and a 10' x 30' main float. Agent: Tidewater Engineering & Surveying Inc.

d. The Kittery Port Authority moves to accept an application from The Inhabitants of Kittery (Town Of Kittery), 12 Williams Ave, Kittery, ME 03904 (Map 9, Lot 17) for the modification of an existing float structure by adding a 6' x 24' angled float, two (2) 500lb anchors, and the addition of up to 18 additional 10' x 17" x 6' ramp planks to an existing boat ramp.

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

REMOTE

FEBRUARY 3, 2022

- 1 1. Call to Order / Attendance
- 2 Vice Chair Patton called the meeting to order at 6:00 p.m.
- 3 Member present: Vice Chair Patton, Niles Pinkham, John McCollett, and Brian Bush
- 4 Members absent: Steve Lawrence, Alan Johnston, and Chair Philbrook.
- 5 2. Pledge of Allegiance
- 6 3. Agenda Amendments and Adoption
- 7 Under 8. Piers, Wharves & Floats, 8.b After gangways insert two pilings.
- 8 8. c change the word accept to approve.
- 9 Vice Chair Patton cast one vote to approve agenda as amended.
- 10 4. Acceptance of Previous Minutes: January 6, 2022
- 11 Amend page 3, line 57 change from Mr. Mc Collett no to Mr. Mc Collett said he would
- 12 need more information to make an informed decision.
- 13 Vice Chair Patton approved the January 6, 2022 minutes as amended.
- 14 5. Harbormaster Report and Budget Report
- 15 The Harbormaster reported he had completed the State of Maine Department of Labor
- 16 Safety inspection work list.
- 17 The Harbormaster submitted to the Maine Department of Environmental Protection
- 18 Permit by Rule, an application for the Traip float extension, obtained letters of approval
- 19 for Traip from the Department of Marine Resources, and Maine Inland Fisheries and
- 20 Wildlife, as well as received two quotes for the Traip project to date.
- 21 The Harbormaster stated he was applying for a \$3000.00 no match grant from Maine
- 22 Municipal Association Risk Management Services, and a MacDonald Safety
- 23 Enhancement Grant for the lighting of the ramp and floats at Traip.
- 24 The Harbormaster mentioned he had been having some preliminary conversations with
- 25 USCG and ACOE regarding the KPYY conversion to floats. USCG supports the project.
- 26 The Harbormaster said he has attended NH Dredge Committee meeting as it relates to
- 27 all projects surrounding the Piscataqua river including the Isles of Shoals seawall
- 28 projects. The following is from the slide show: "Basically, it looks to be funded and

29 started this season. Still have not hired a company so no news on what will need to
 30 happen with the moorings out there yet. They are working with property owners
 31 regarding rights of way access to the islands and building temporary ramps. The project
 32 could extend two seasons. The work will be done between April and November due to
 33 weather and sea conditions during winter.”

34 The Harbormaster congratulated Chuck Moran for being appointed Shellfish Warden for
 35 Kittery and has been working with the Town Manager and Shellfish Committee on a
 36 strategy to reopen the Brave Boat Harbor flats.

37 The permit renewals have started, and to date 78 mooring have been renewed, 101
 38 waitlist have been renewed, 28 launch permits have been sold, collected excise tax on
 39 29 boats, and 4 moorings are enrolled in the temp program.

FY 2022 YTD EXPENSES

OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR EXPENSES	CURRENT YEAR REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 60,536.00	\$ 36,092.74	\$ 24,443.26	59.62
64020	PART TIME SALARIES	\$ 19,042.00	\$ 9,741.44	\$ 9,300.56	51.16
65010	POSTAGE	\$ 250.00	\$ 18.45	\$ 231.55	7.38
65020	TELEPHONE & INTERNET	\$ 1,950.00	\$ 1,117.89	\$ 832.11	57.33
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	\$ 3,106.73	\$ 1,893.27	62.13
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
TOTAL		\$ 116,378.00	\$ 68,050.22	\$ 48,327.78	58.47%

40

FY 2022 YTD REVENUE

OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR REVENUE	CURRENT YEAR DIFFERENCE	PERCENT
43147	DINGHY FEES	\$ (10,000.00)	\$ (1,000.00)	\$ (9,000.00)	10
43148	TRANSIENT SLIP RENTAL	\$ (7,000.00)	\$ (16,266.00)	\$ 9,266.00	232.37
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (875.00)	\$ 375.00	175
43150	MOORING FEES	\$ (100,000.00)	\$ (7,772.28)	\$ (92,227.72)	7.77
43151	LAUNCH FEE	\$ (14,000.00)	\$ (7,846.75)	\$ (6,153.25)	56.05
43152	TRANSIENT MOORING	\$ (4,000.00)	\$ (13,198.00)	\$ 9,198.00	329.95
43153	WAIT LIST FEE	\$ (800.00)	\$ (556.00)	\$ (244.00)	69.5
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (1,998.00)	\$ (402.00)	83.25
43157	MOORING LATE FEE	\$ -	\$ -	\$ -	0
41	TOTAL	\$ (138,700.00)	\$ (49,512.03)	\$ (89,187.97)	35.70%

42 6. All Items involving Town Officials or Invited Guests

43 7. Public Hearing - None

44 8. Piers, Wharves & Floats

45 a. The Kittery Port Authority moves to accept an “after the fact” application from Daniel
46 & Bonnie Hannigan, 11 Pepperrell Road, Kittery Point, ME 03905 (Map 18, Lot 11-3) to
47 build a pier connecting to an existing deck, as shown on Ambit Engineering drawing #
48 C1, “Existing Conditions Plan”, dated 9/16/21. Agent Steve Riker, Ambit Engineering,
49 Inc.

50 Postponed until March 3, 2022 KPA meeting.

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

55 Postponed until March 3, 2022 KPA meeting.

56 c. The Kittery Port Authority moves to approve an application from Christine E.
57 Robichaud, 7 Rose Lane, Kittery, ME 03904 (Map 10, Lot 10) to add a float to mooring
58 617 in the back channel.

59 Moved by Mr. Pinkham, seconded by Mr. Bush.

60 Motion Carried 4-0-0

61 9. Public Segment (Three Mins.)

62 10. Unfinished Business - None

63 11. New Business - None

64 12. Committee and Other Reports - None

65 a. Communications from the Chairperson

66 Vice Chair Patton relayed a message from Chair Philbrook about an application coming
67 from the Kittery Point Yacht yard to replace some of their existing moorings in the back
68 channel with some 80 ft. long wood floats. Vice Chair Patton suggested prior to this
69 meeting the board should review their rules and regulations regarding wood floats.

70 13. Board Member Issues or Comments

71 Mr. Bush wanted to speak to the board about cleaning up the back channel and the
72 navigation in regards to what Tom Allen is trying to do, it's been something the board
73 has wanted for a long time.

74 14. Executive Session - None

75 15. Adjournment

76 Mr. Bush moved to adjourn at 6:37 p.m., seconded by Mr. Pinkham.

77 All were in favor.

78 Submitted by Kim Tackett

79 Disclaimer: The following minutes constitute the author's understanding of the meeting.
80 Whilst every effort has been made to ensure the accuracy of the information, the
81 minutes are not intended as a verbatim transcript of comments at the meeting, but a
82 summary of the discussion and actions that took place. For complete details, please
83 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
KITTEERY 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 Email: danhannigan@gmail.com

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 Agent Email: sdr@ambitengineering.com

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.

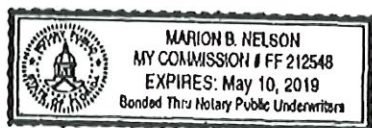
Executed this 1st day of November, 2018.

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

Executed this 1st 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



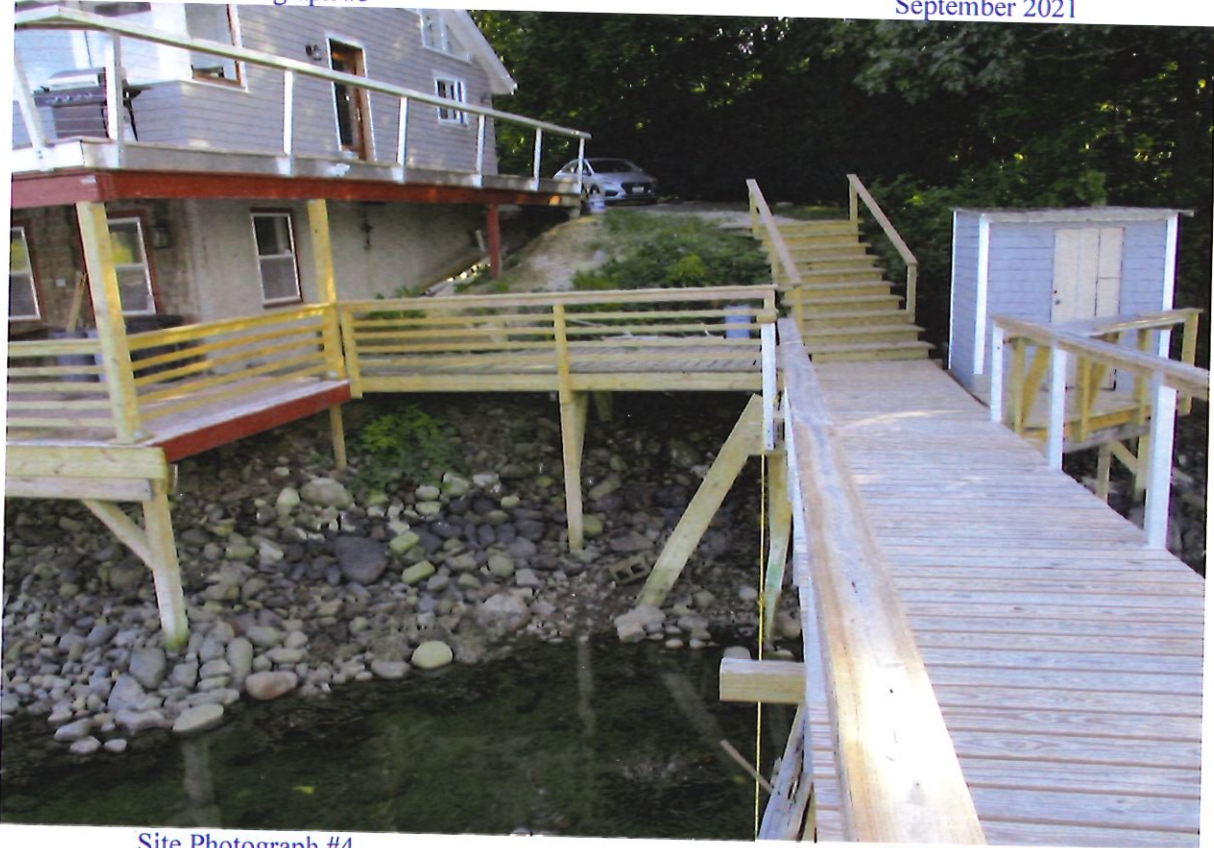
Site Photograph #2

September 2021



Site Photograph #3

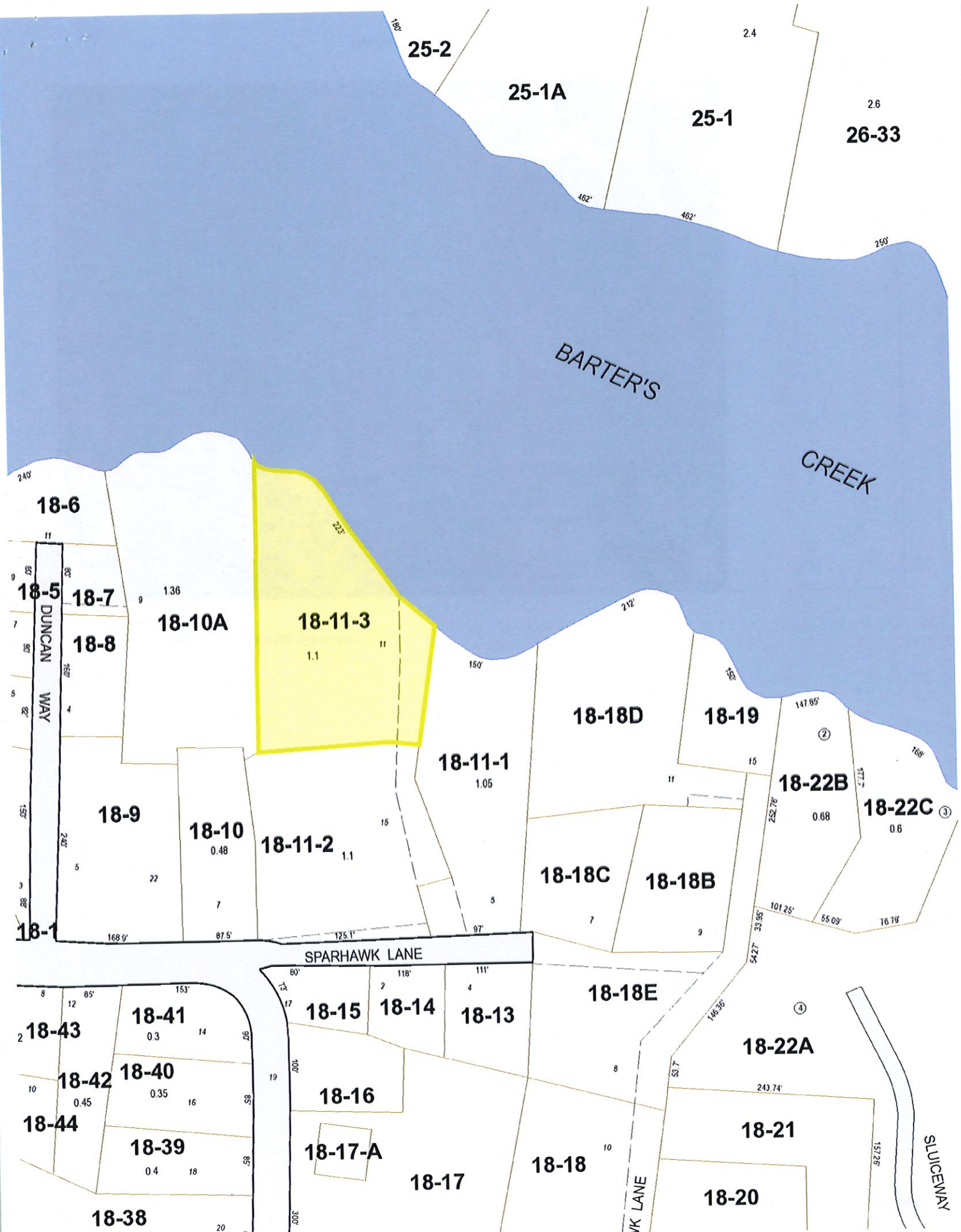
September 2021



Site Photograph #4

September 2021





25-2

25-1A

25-1

26-33

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

18-17-A

18-17

18-18

18-21

18-44

18-39

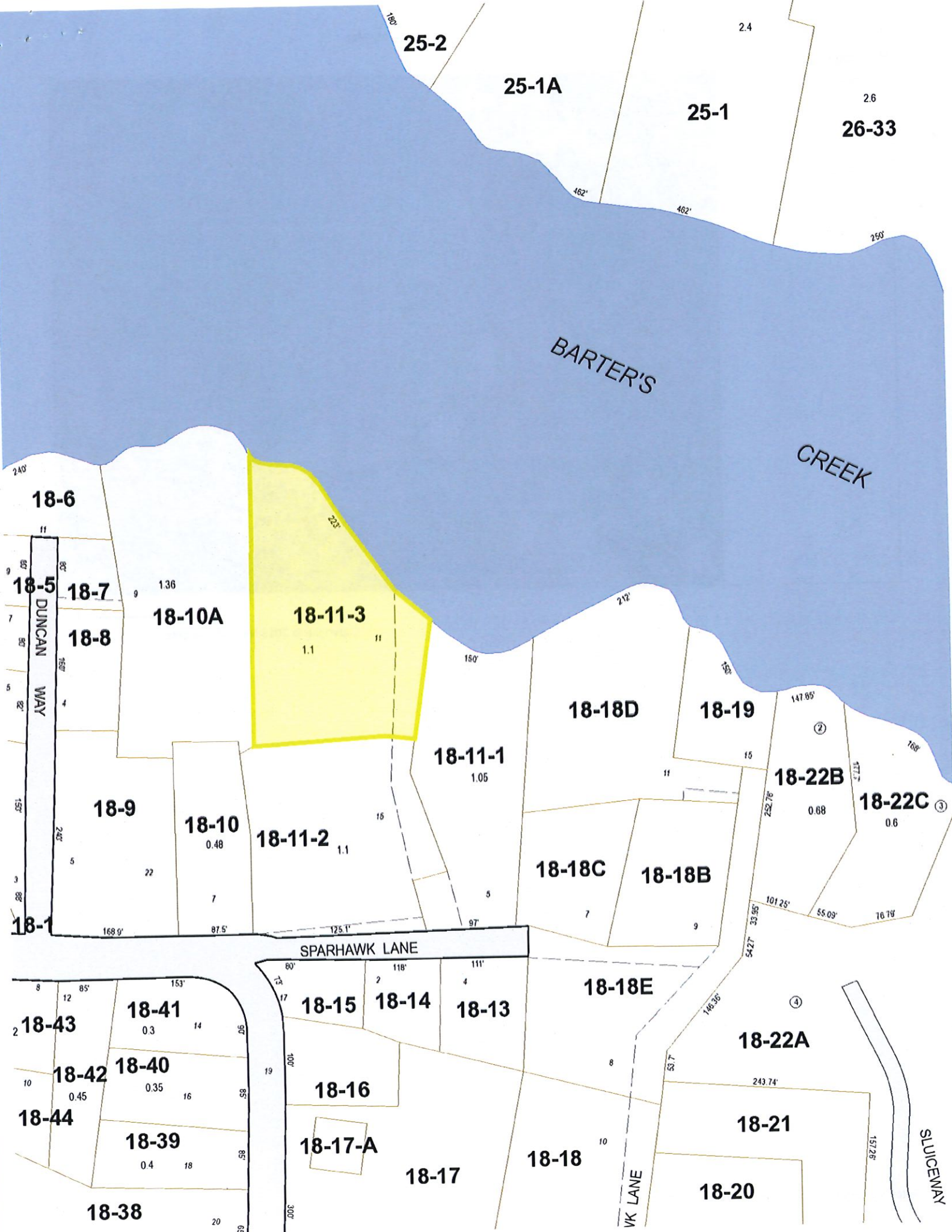
18-20

18-38

SLUICEMAN

DUNCAN WAY

VK LANE

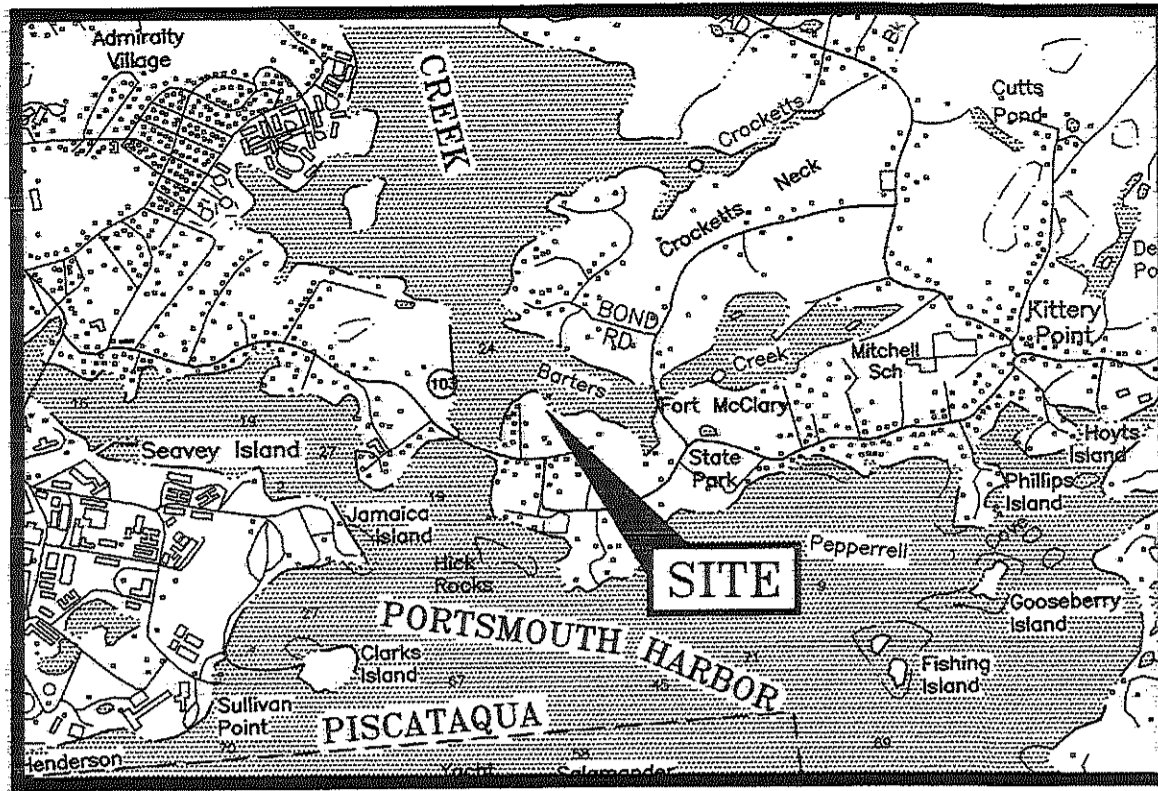


My Map

No legend



Copyright:© 2013 National Geographic Society, I-cubed

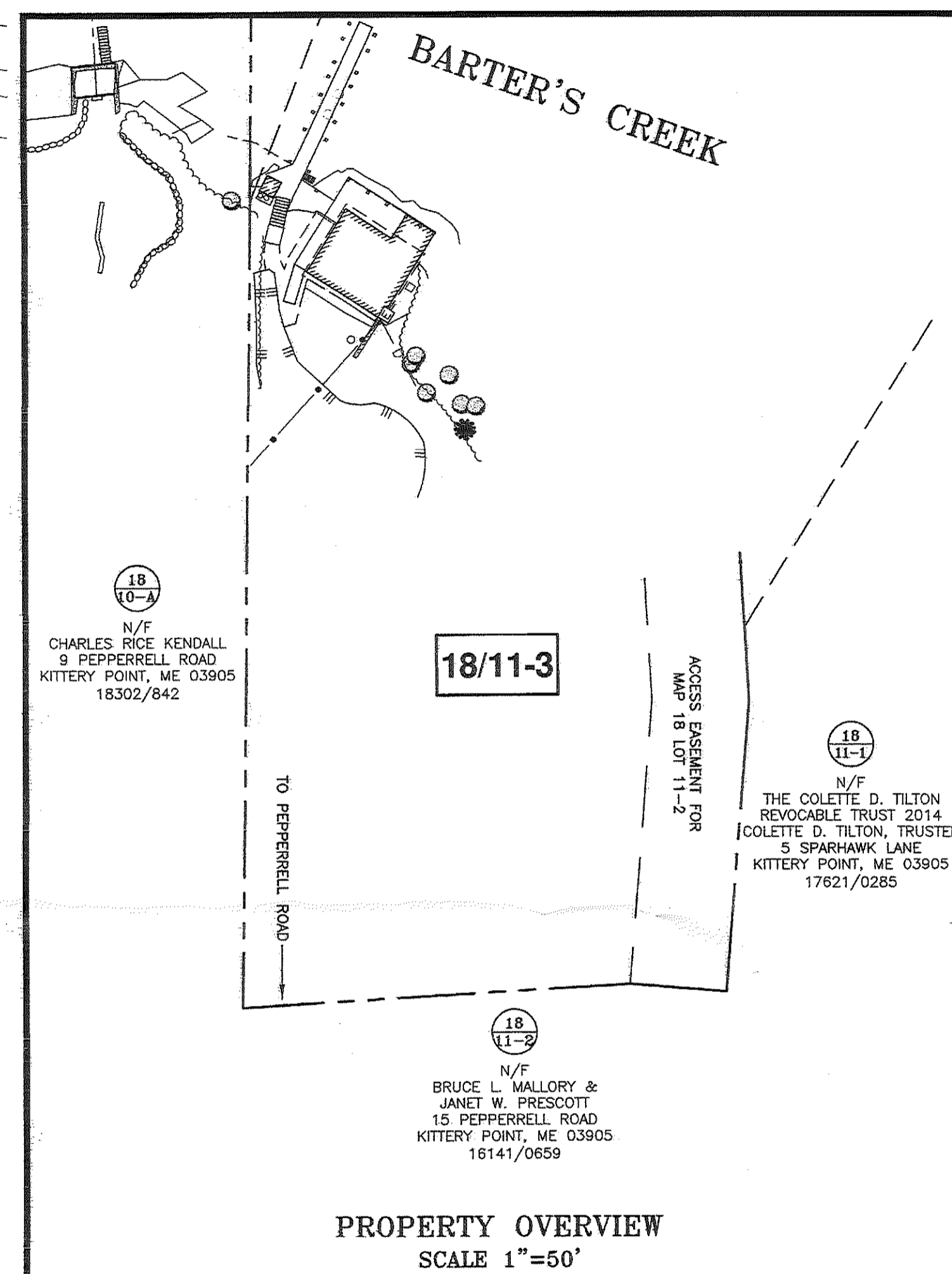
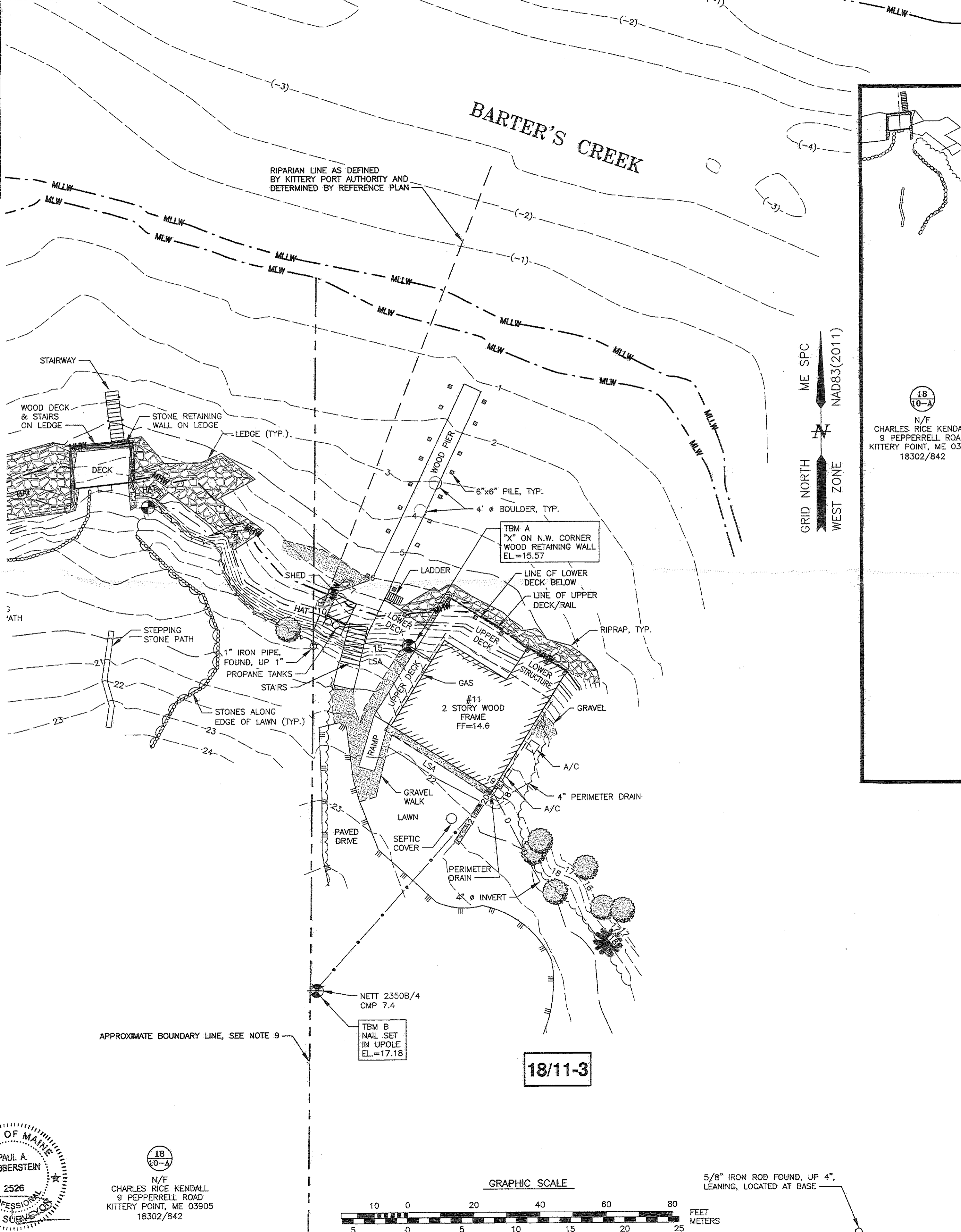


LOCATION MAP SCALE: 1" = 2000'

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 SEAVY 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 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	9/16/21

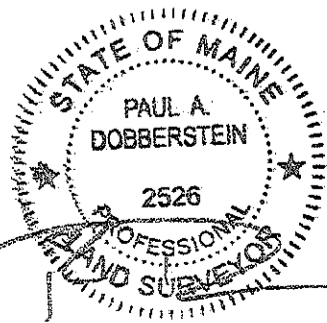
REVISIONS

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

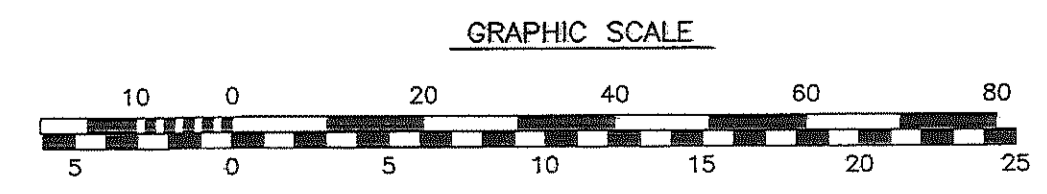
PREPARED BY:
 AMBIT ENGINEERING
 200 GRIFFIN ROAD UNIT 3
 PORTSMOUTH, N.H. 03801

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

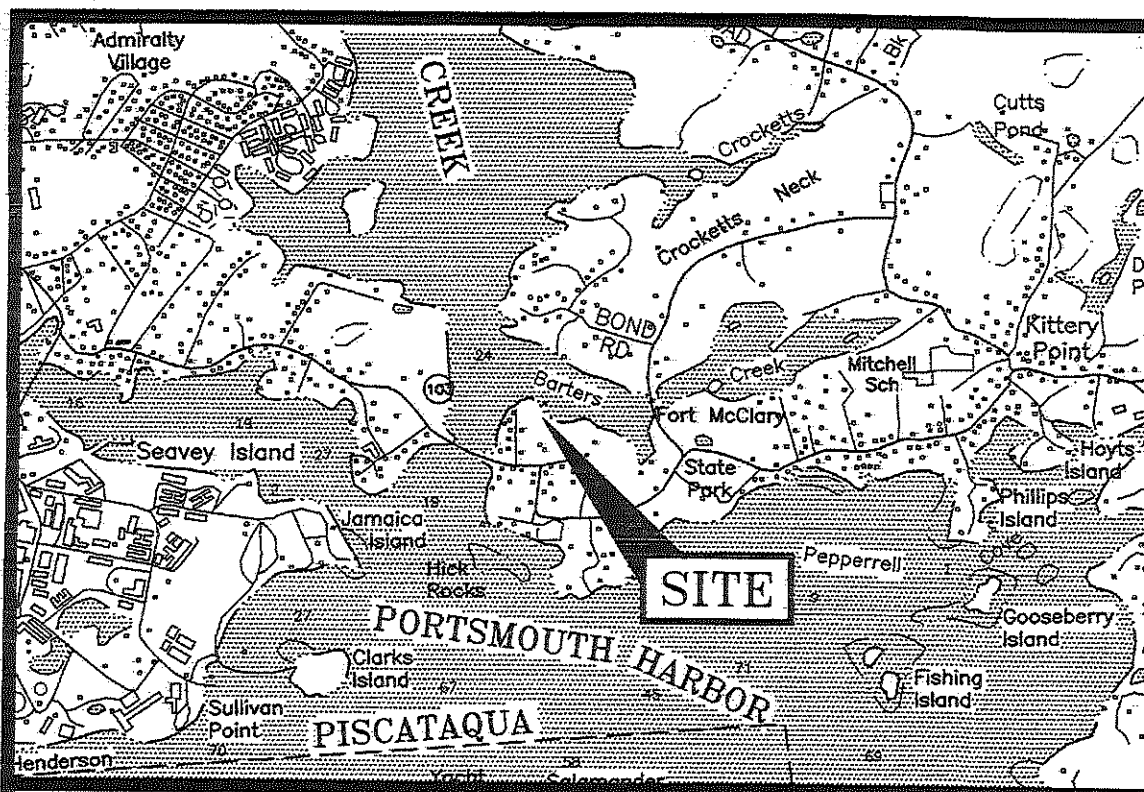


PAUL A. DOBBERSTEIN, PLS #2526
 DATE

SCALE 1"=20' SEPTEMBER 2021

EXISTING CONDITIONS PLAN

C1



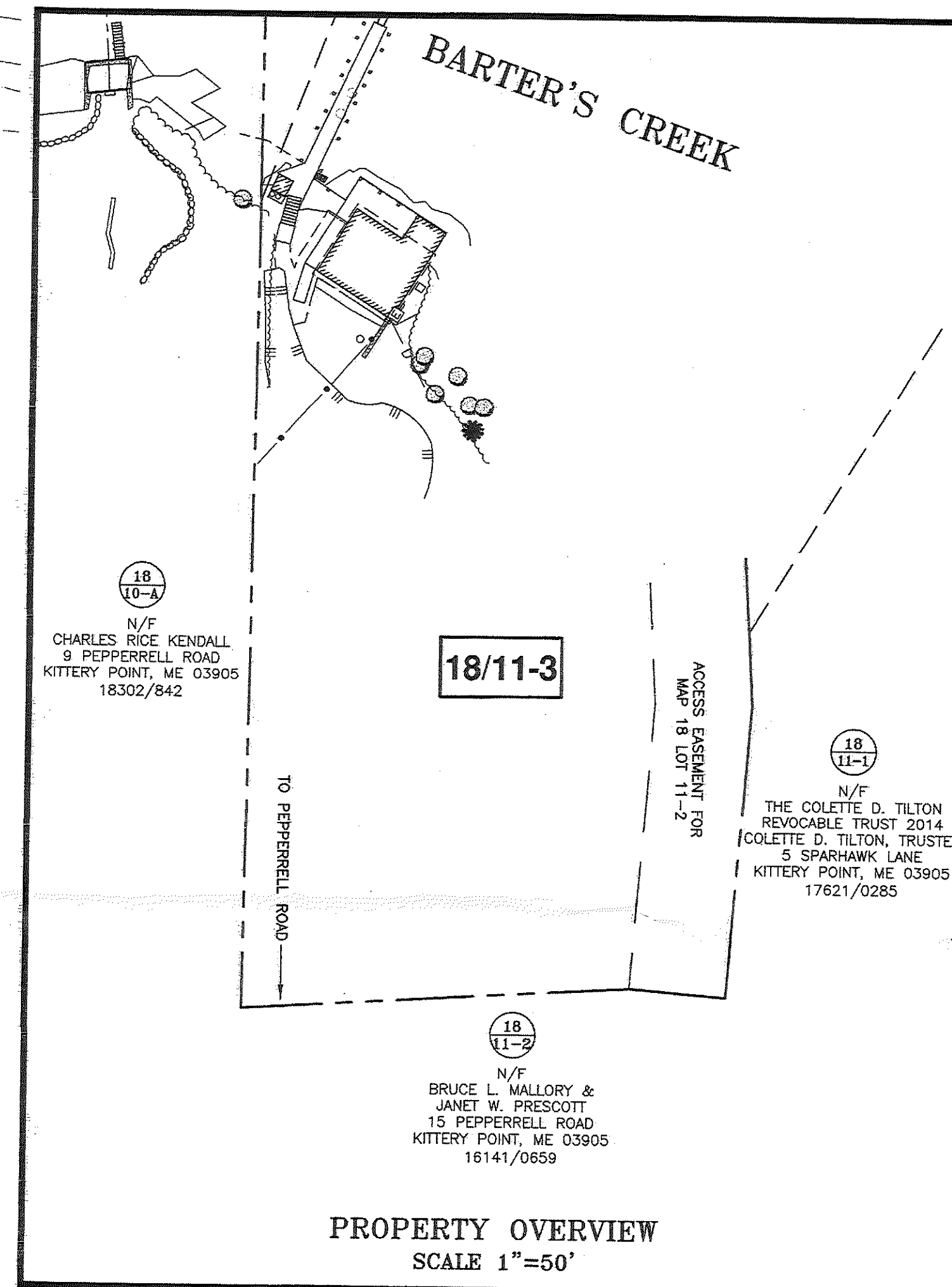
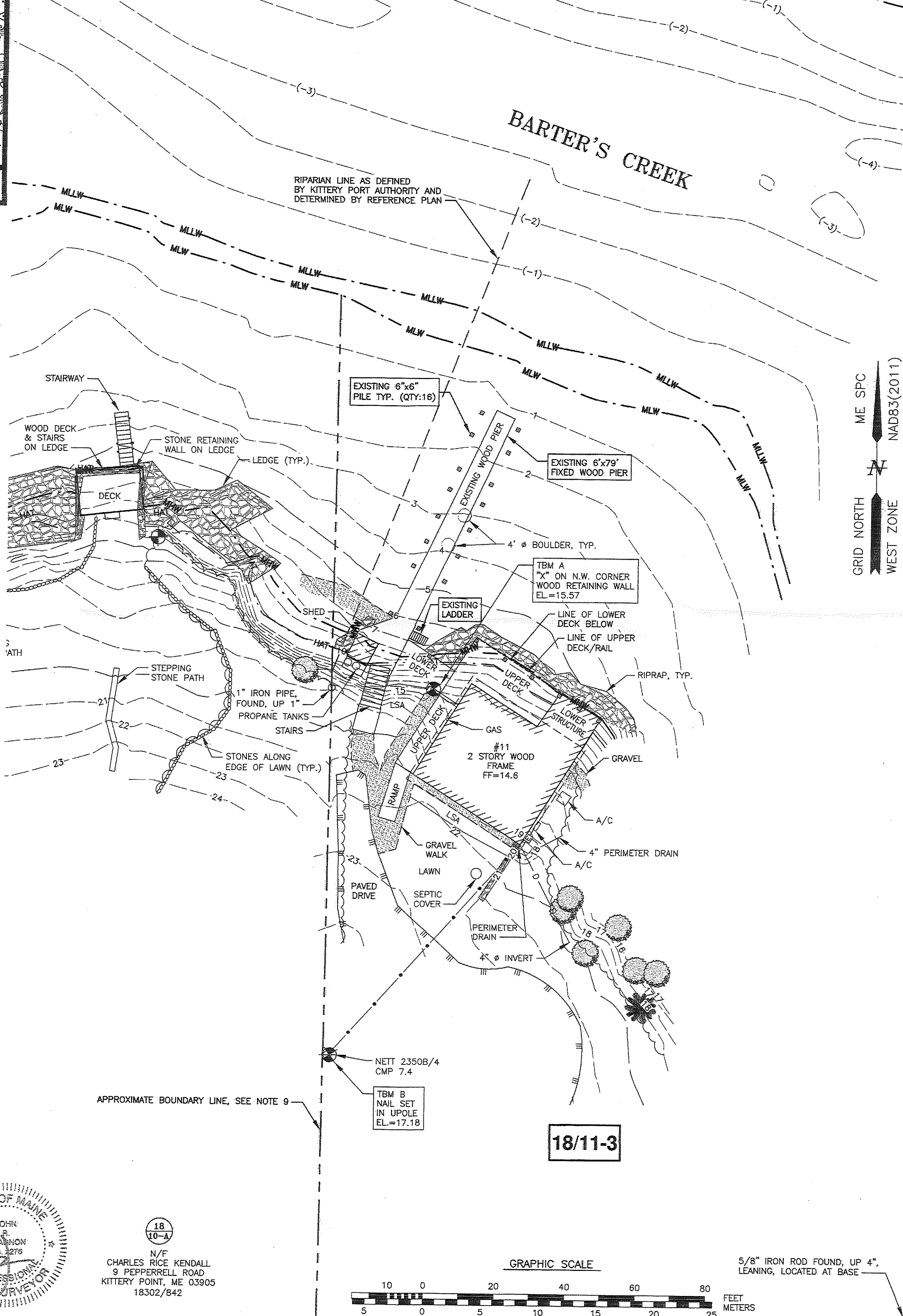
LOCATION MAP SCALE: 1" = 2000'

LEGEND:

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
YCRD	YORK COUNTY REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
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
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PLAN REFERENCE:

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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
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1.08± AC. PER PLAN REFERENCE 1)
- 5) PARCEL IS LOCATED IN RESIDENTIAL-KITTERY POINT VILLAGE ZONE.
- 6) DIMENSIONAL REQUIREMENTS:
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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

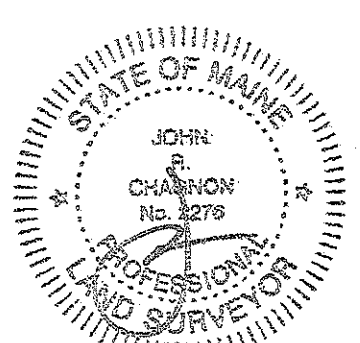
SCALE 1"=20' JANUARY 2022

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

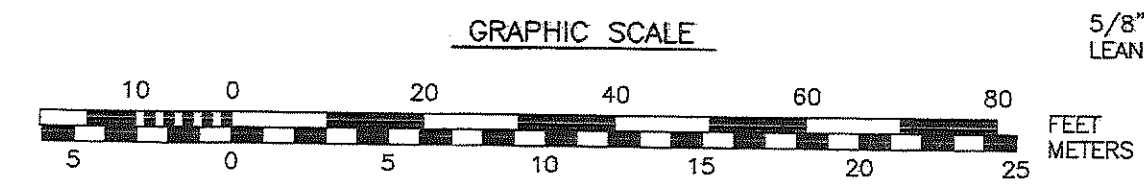
PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:
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B) NO LAND DESCRIPTION HAS BEEN PREPARED.
C) MONUMENTS 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.

DATE 1.24.22
JOHN R. CHAGNON, LLS #2276



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

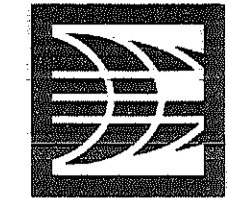
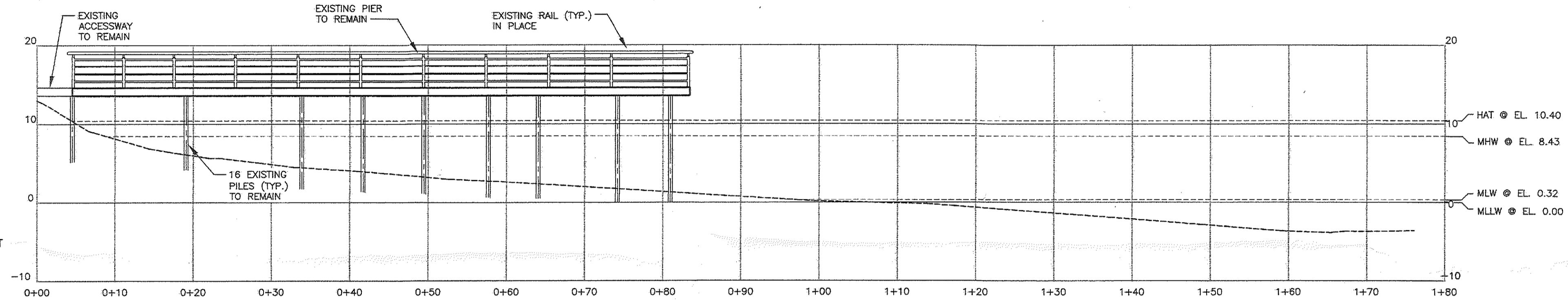
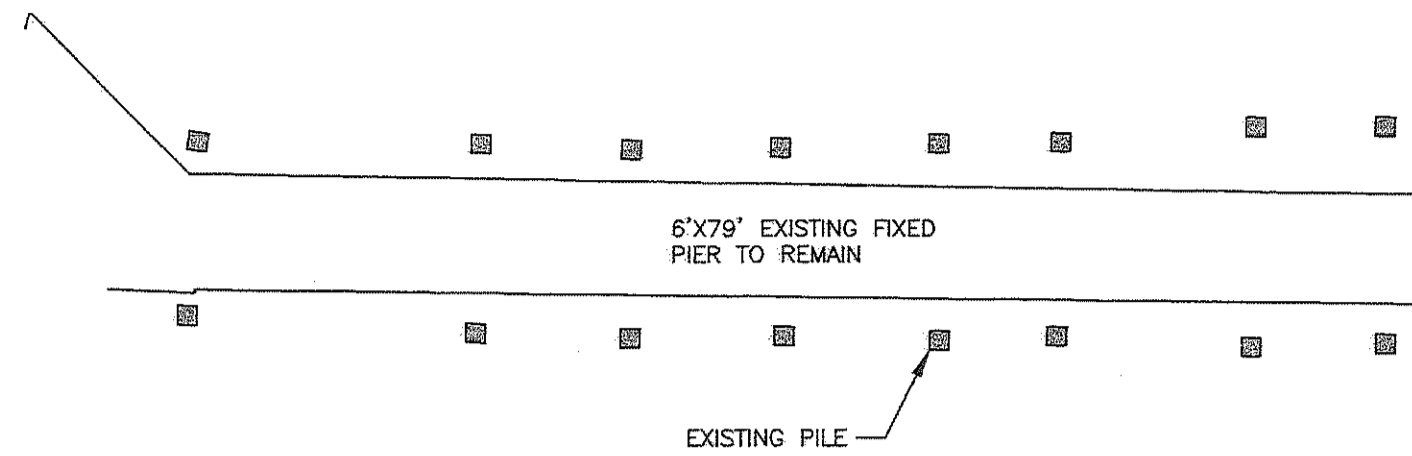
- APPROPRIATE MEASURES MUST BE TAKEN TO MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE.
- ACTIVITIES WITHIN 100-YEAR FLOODPLAINS MUST COMPLY WITH APPLICABLE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED STATE AND/OR LOCAL FLOODPLAIN MANAGEMENT PERMITTING REQUIREMENTS. PROponents MAY NEED TO 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



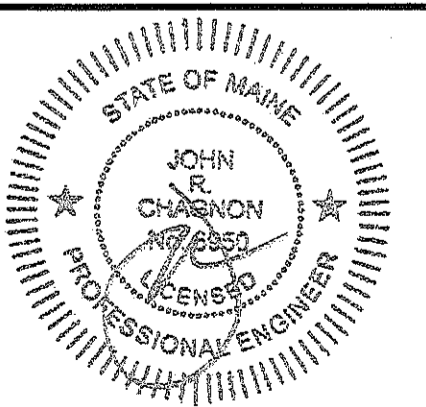
NOTES:

- 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**

1/24/22 10:58 AM C:\Users\jchagnon\OneDrive\Documents\Projects\11 Pepperrell Road, Kittery Point, ME\11 Pepperrell Road, Kittery Point, ME.dwg
 1/24/22 10:58 AM C:\Users\jchagnon\OneDrive\Documents\Projects\11 Pepperrell Road, Kittery Point, ME\11 Pepperrell Road, Kittery Point, ME.dwg



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

- 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.

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 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 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

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**

1. Name of Applicant:		Daniel J. Hannigan & Bonnie Choate Hannigan		5. Name of Agent:		Steven D. Riker Ambit Engineering, Inc.						
2. Applicant's Mailing Address:		11 Pepperrell Road, Kittery Point, ME 03905		6. Agent's Mailing Address:		200 Griffin Road, Unit 3, Portsmouth, NH 03801						
3. Applicant's Daytime Phone #:		207-337-1135		7. Agent's Daytime Phone #:		603-430-9282						
4. Applicant's Email Address (Required from either applicant or agent):			danhannigan88@gmail.com		8. Agent's Email Address:			sdr@ambitengineering.com				
9. Location of Activity: (Nearest Road, Street, Rt.#)			11 Pepperrell Road		10. Town:		Kittery		11. County:		York	
12. Type of Resource: (Check all that apply)		<input type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain			13. Name of Resource:			Barters Creek				
					14. Amount of Impact: (Sq.Ft.)			Fill: 2 sq. ft. direct for piles				
								Dredging/Veg Removal/Other: 335 sq. ft. indirect for shading				
15. Type of Wetland: (Check all that apply)		<input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input type="checkbox"/> Open Water <input checked="" type="checkbox"/> Other <u>Tidal wetland</u>			FOR FRESHWATER WETLANDS							
		<i>Tier 1</i>		<i>Tier 2</i>		<i>Tier 3</i>						
		<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft. <input type="checkbox"/> 10,000-14,999 sq ft		<input type="checkbox"/> 15,000 - 43,560 sq. ft.		<input type="checkbox"/> > 43,560 sq. ft. or smaller than 43,560 sq. ft., not eligible for Tier 1						
16. Brief Activity Description:		The 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.										
17. Size of Lot or Parcel & UTM Locations:		<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>							
18. Title, Right or Interest:		<input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement										
19. Deed Reference Numbers:		Book#: 17838 Page: 249		20. Map and Lot Numbers:		Map #: 18		Lot #: 11-3				
21. DEP Staff Previously Contacted:				22. Part of a larger project:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		After-the-Fact:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
23. Resubmission of Application?:		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, previous application #		Previous project manager:						
24. Written Notice of Violation?:		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved:		25. Previous Wetland Alteration:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
26. Detailed Directions to the Project Site:												
27. TIER 1				TIER 2/3 AND INDIVIDUAL PERMITS								
<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				
28. FEES Amount Enclosed:		\$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.

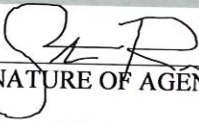
CORPS SIGNATORY REQUIREMENT

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. 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.

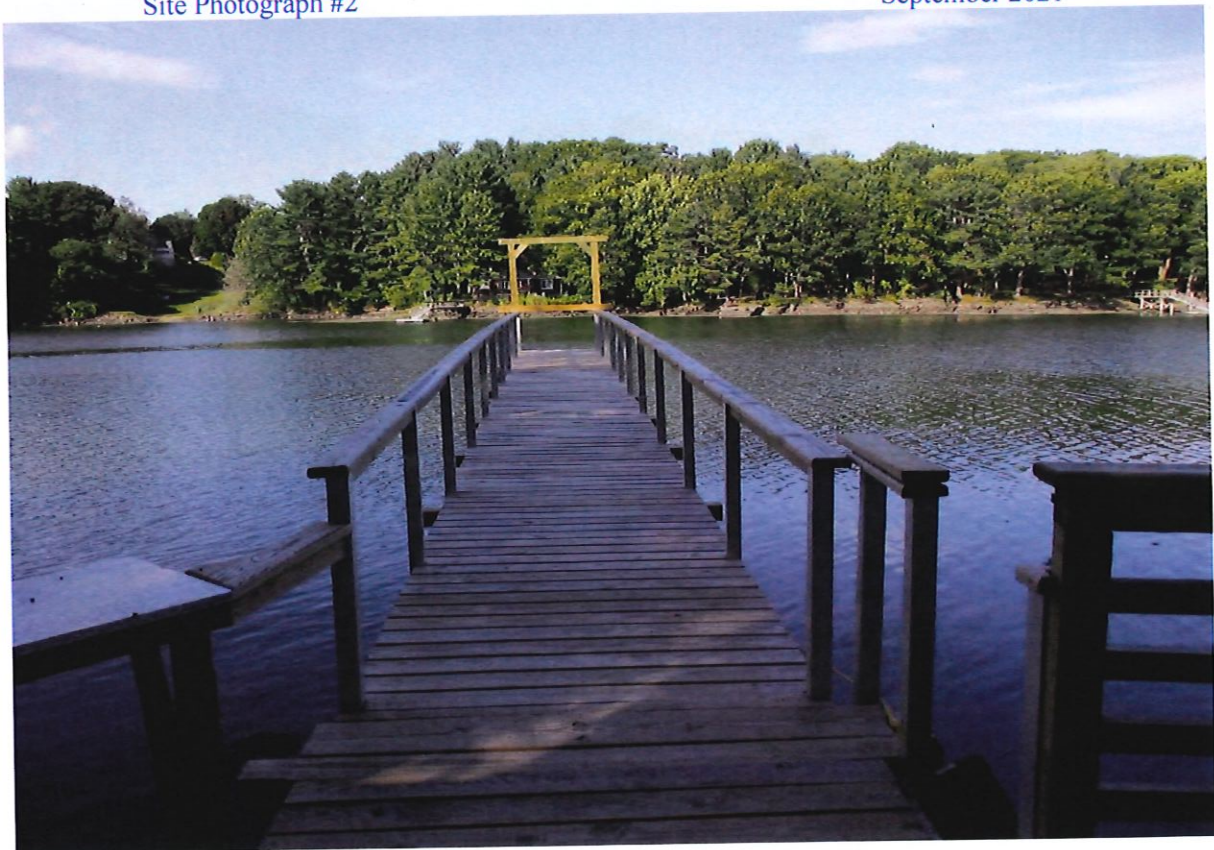
Site Photograph #1

September 2021



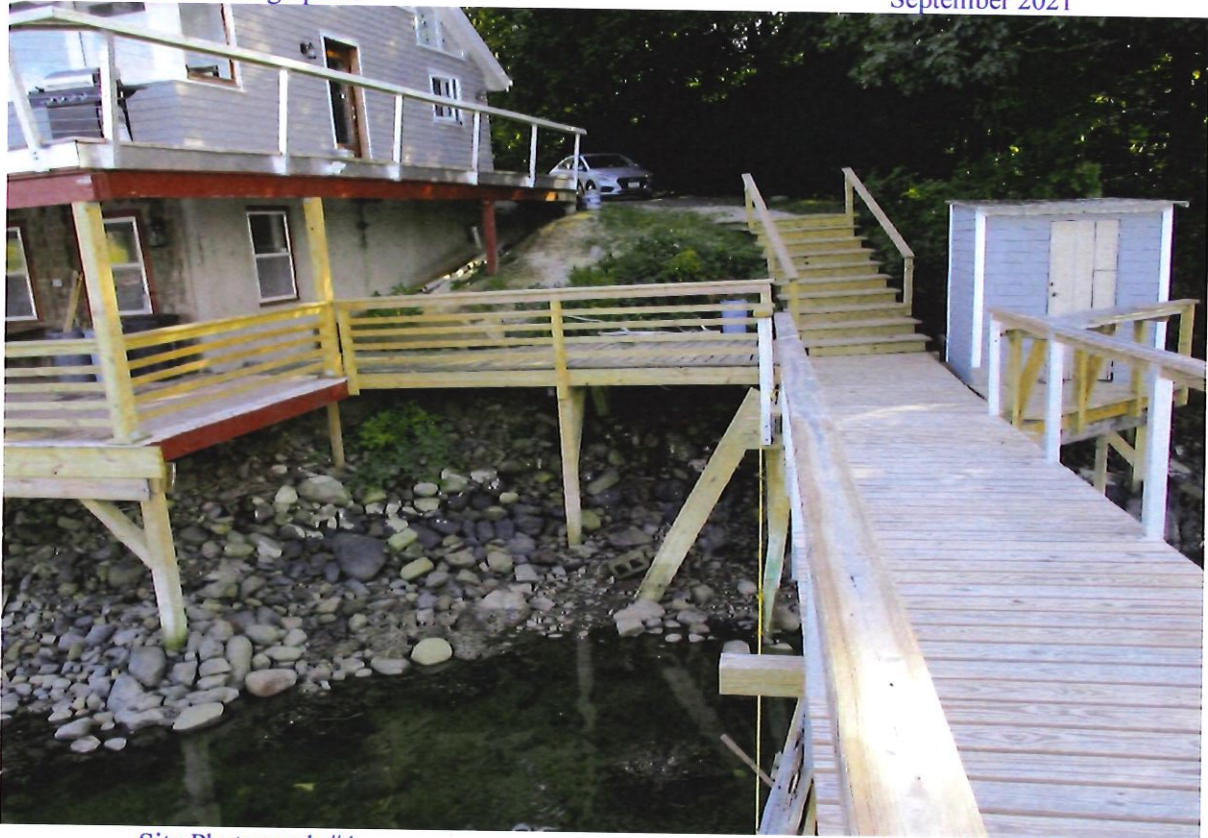
Site Photograph #2

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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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
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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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 & 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:

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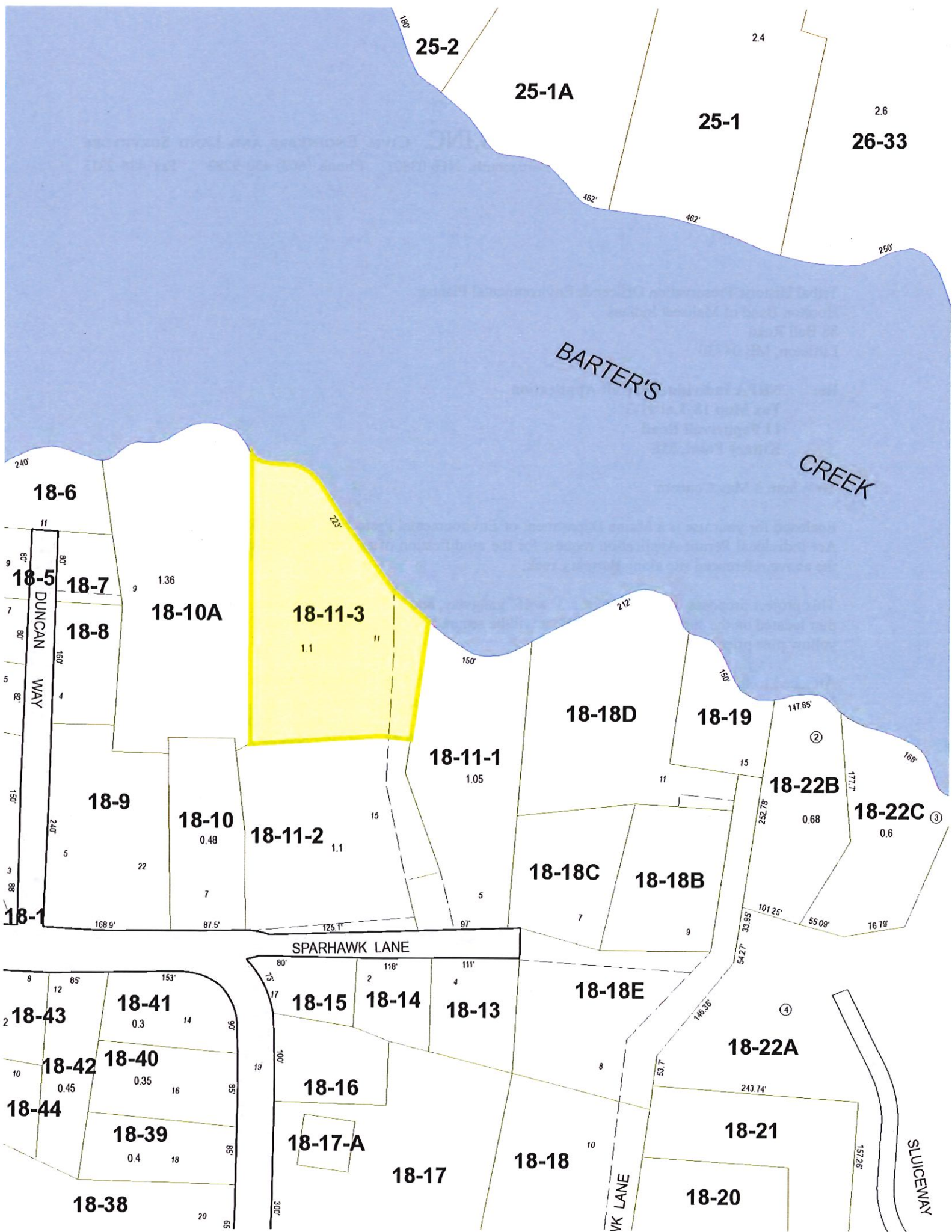
Lastly, in utilizing the Maine Office of GIS, the site is located directly adjacent to Tidal Wading Bird and Waterfowl Habitat and Shellfish Beds.

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



25-2

25-1A

25-1

26-33

BARTER'S CREEK

18-6

18-5

18-7

18-10A

18-11-3

18-8

18-18D

18-19

18-11-1

18-22B

18-22C

18-9

18-10

18-11-2

18-18C

18-18B

18-1

SPARHAWK LANE

18-43

18-41

18-15

18-14

18-13

18-18E

18-22A

18-42

18-40

18-16

18-44

18-39

18-17-A

18-17

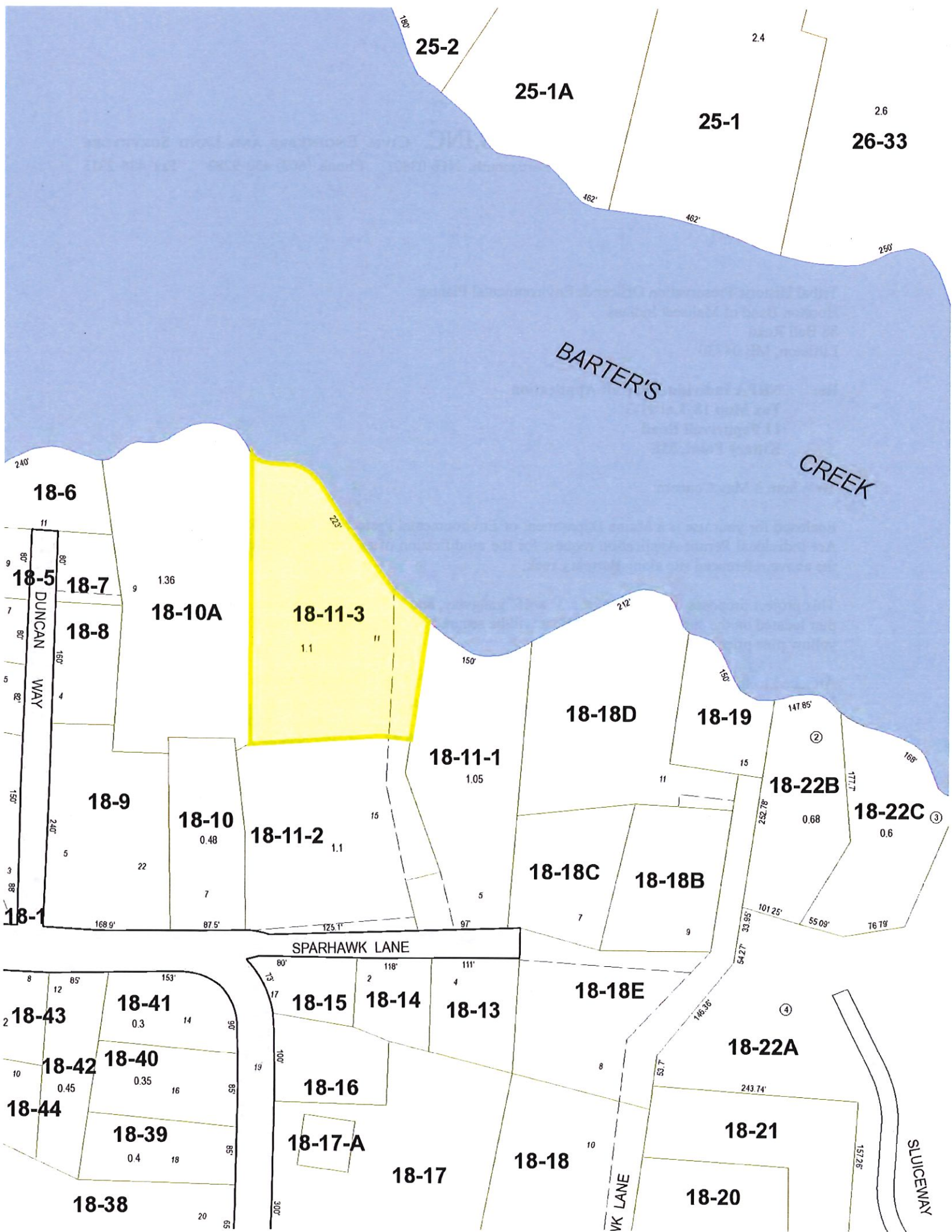
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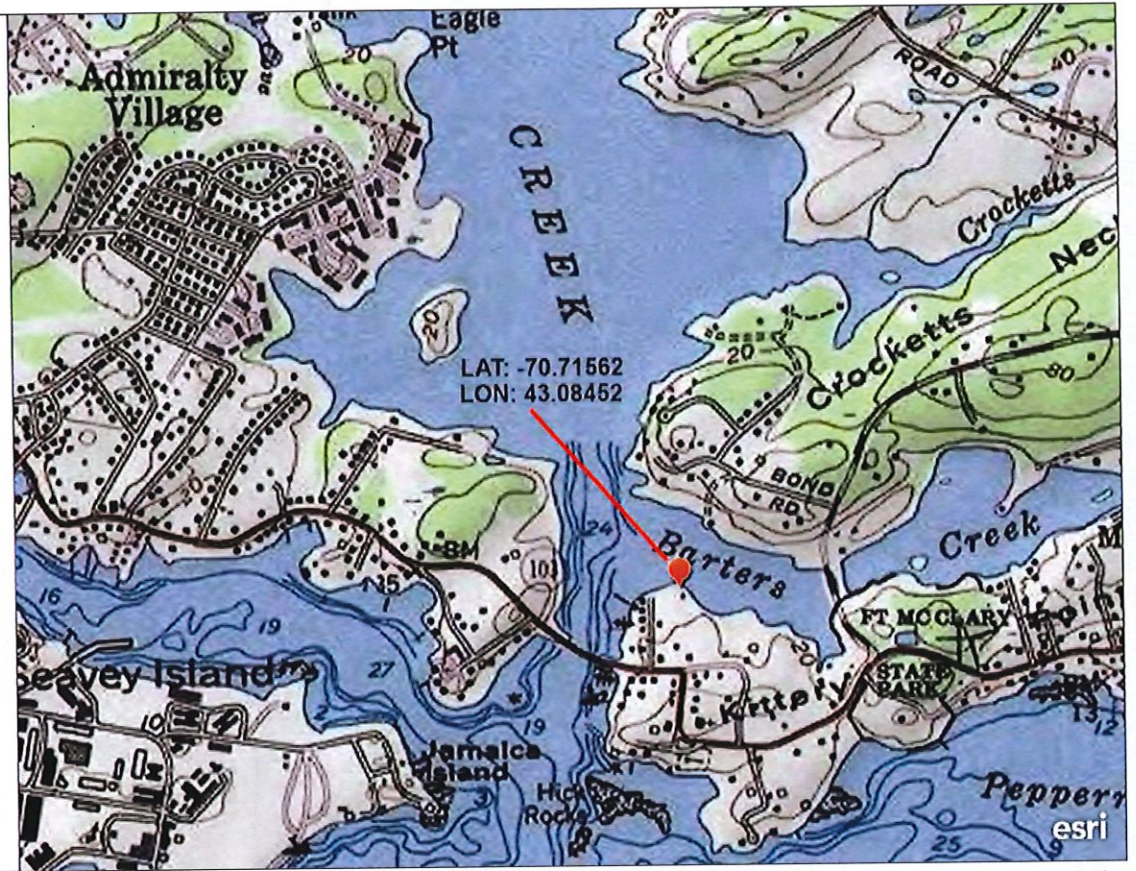
18-20

SLUCEMAY



My Map

No legend



Copyright:© 2013 National Geographic Society, i-cubed

Ambit Engineering Abutter List
HANNIGAN
11 PEPPERELL ROAD
KITTERY POINT, ME

Job # 3050.94

Applicant/Owner(s)

Map	Lot	Deed	Owner (s) First/Trust	Owner(s) Last, Trustee	Mailing Address	City	State	Zip
18	11-3	17838/249	DANIEL J. HANNIGAN	BONNIE CHOATE HANNIGAN	PO BOX 224	KITTERY POINT	ME	3905
Engineer Ambit Engineering Civil Engineers & Land Surveyors								
					200 Griffin Road, Unit #3	Portsmouth	NH	03801
Other Consultants								
Other Consultants								
Other Consultants								
Job #	3050.94	Abutters						
Map	Lot	Deed	Owner(s) First/Trust	Owner(s) Last /Trustee	Mailing Address	City	State	Zip
18	10A	18302/842	CHARLES RICE	KENDALL	9 PEPPERELL ROAD	KITTERY POINT	ME	03905
18	11-1	17621/0285	COLETTE D. TILTON TRUST	COLETTE D. TILTON REVOCABLE TRUST 2014	5 SPARHAWK LANE	KITTERY POINT	ME	03905
18	11-2	16141/0659	BRUCE L. MALLORY	JANET W. PRESCOTT	15 PEPPERELL ROAD	KITTERY POINT	ME	03905



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**,

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

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**,

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

42374 8902 2000 0350 0000 3088 1374

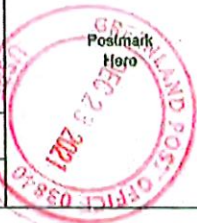
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OFFICIAL USE

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



Sent To
TILTON
Street and Apt. No., or PO Box No.
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

42367 8902 2000 0350 0000 3088 1367

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



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

42359 8902 2000 0350 0000 3088 1328

U.S. Postal Service™
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Domestic Mail Only

3050.94

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OFFICIAL USE

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

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 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 1st 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 1st 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 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 Fisheries¹, 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

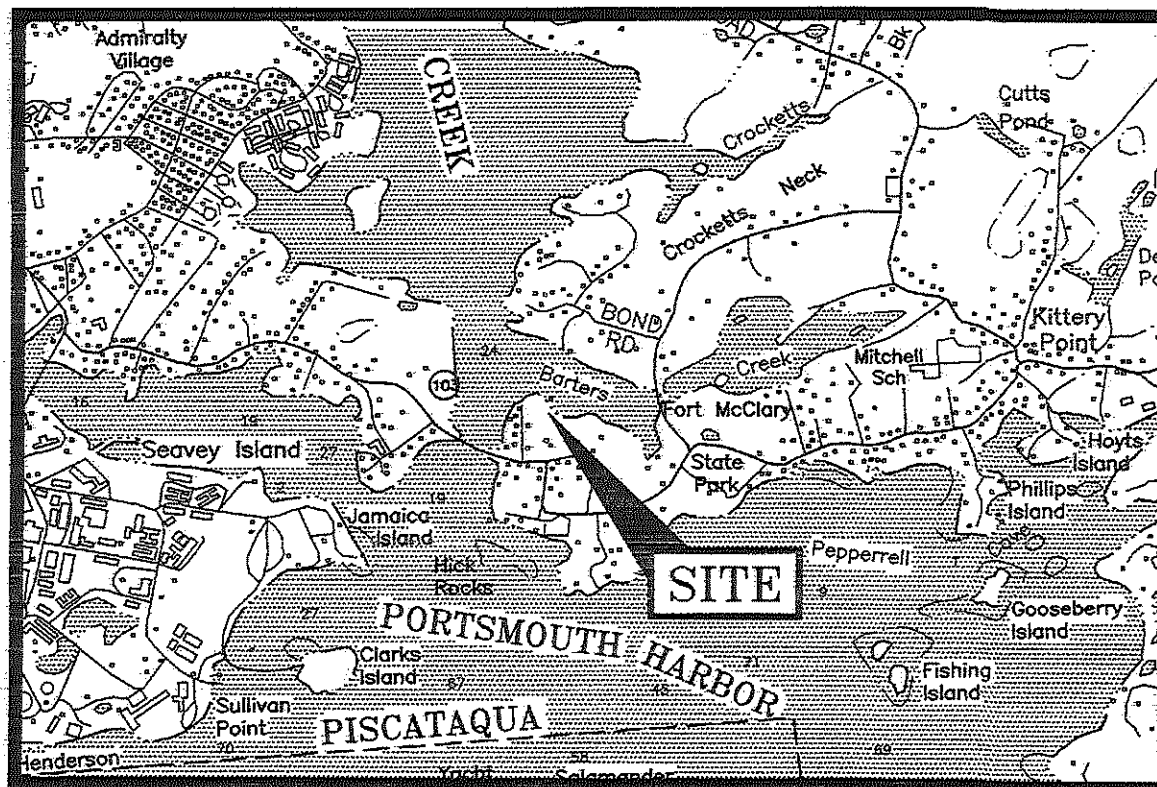
NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

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: https://ecos.fws.gov/ecp/species/2083	Endangered

Critical habitats

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

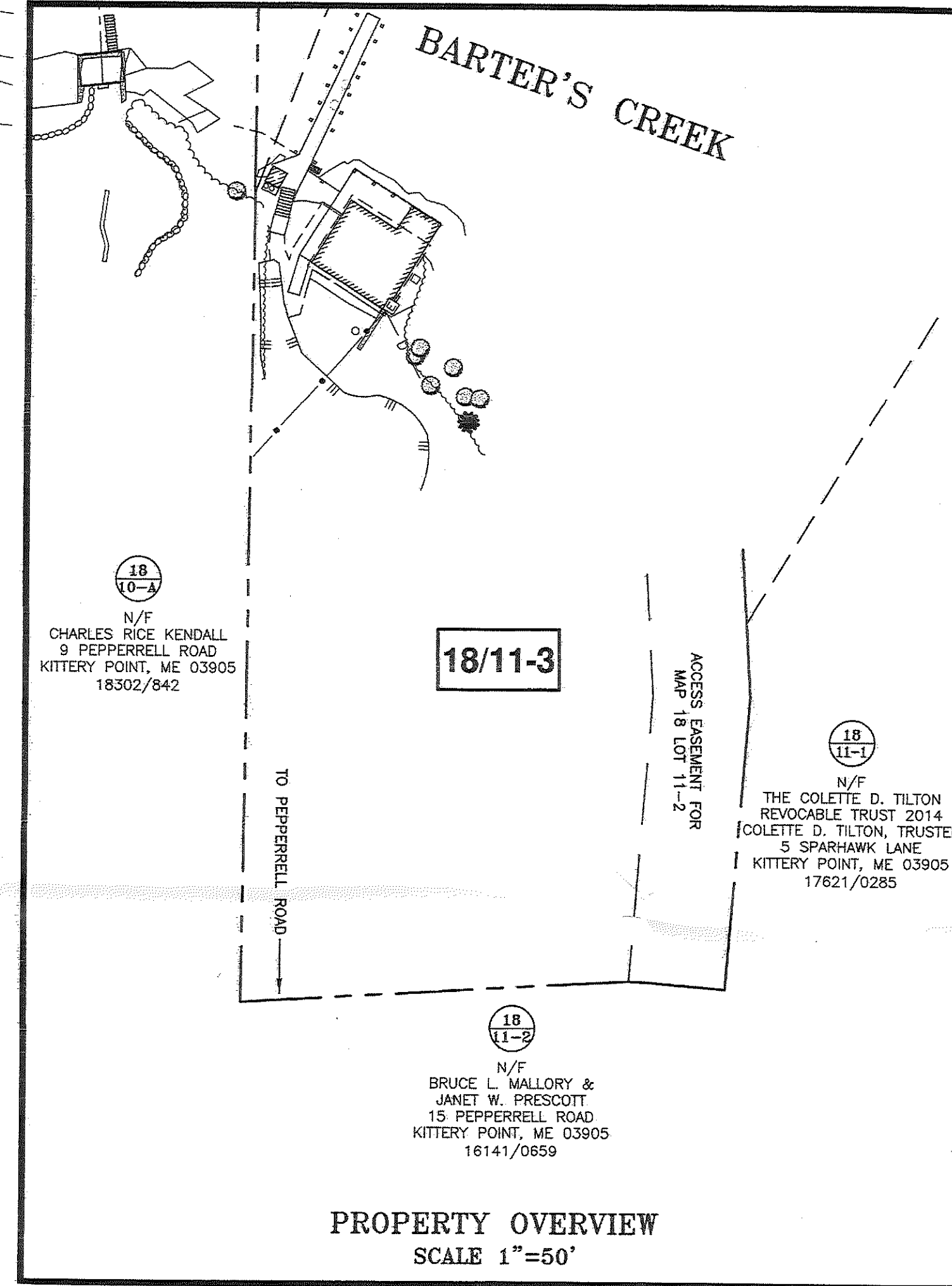
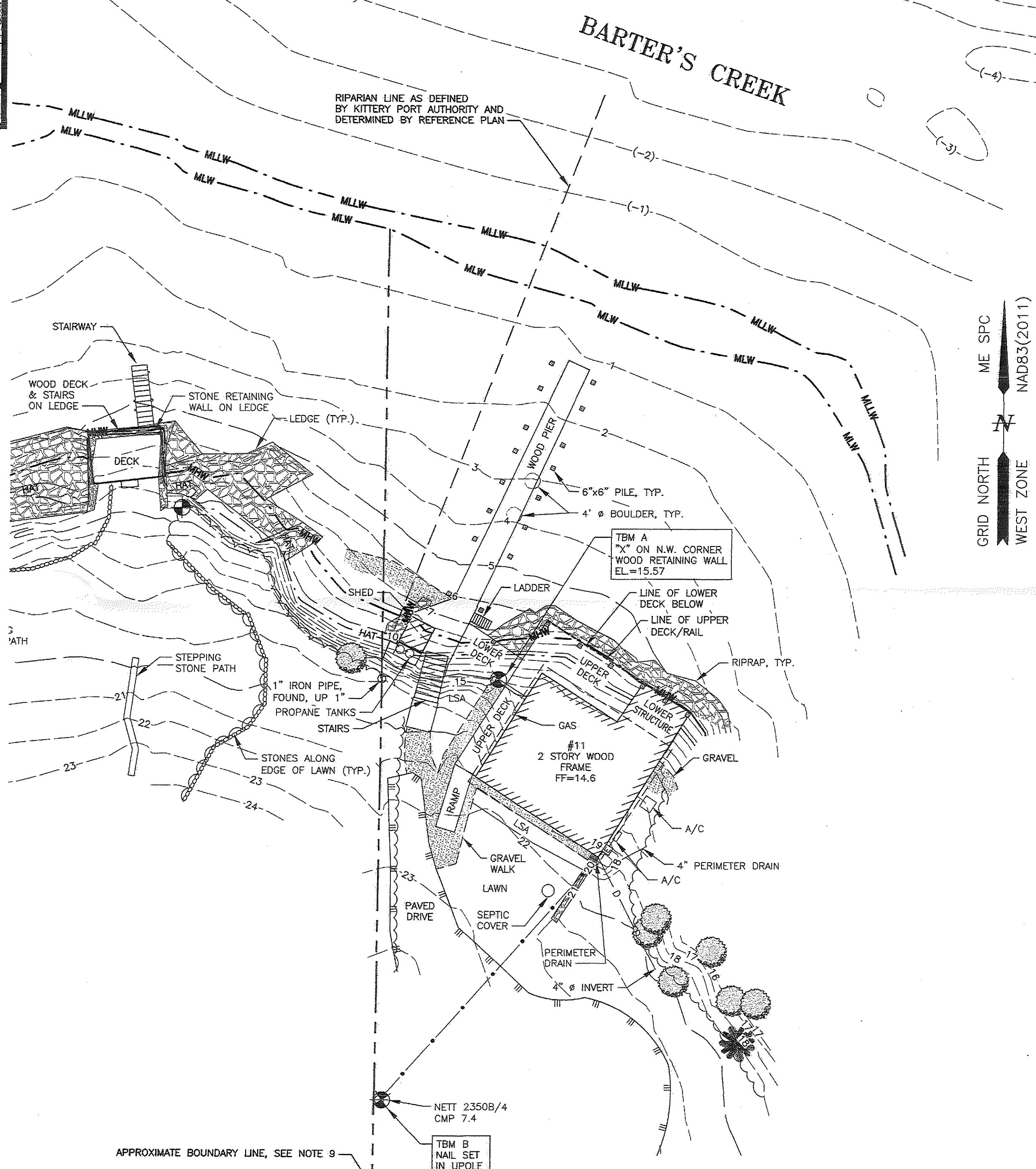


LOCATION MAP SCALE: 1" = 2000'

LEGEND:

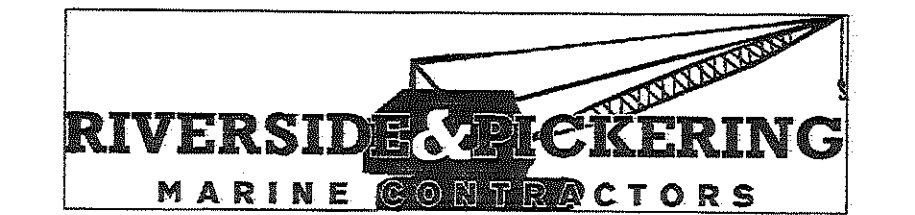
N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
YCRD	YORK COUNTY REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
○	RAILROAD SPIKE FOUND
○	IRON ROD/IRON PIPE FOUND
○	IRON PIPE FOUND
○	STONE/CONCRETE BOUND FOUND
---	APPROXIMATE PROPERTY BOUNDARY
---	BUILDING SETBACK
---	MEAN HIGH WATER LINE
---	MEAN LOWER WATER LINE
---	MEAN LOWER LOW WATER LINE
---	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) 438-2315



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:

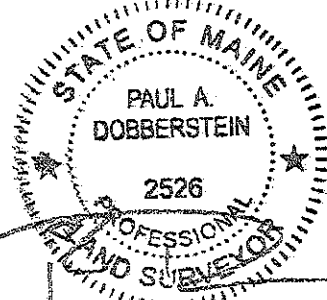
MIN. LOT AREA:	40,000 S.F.
FRONTAGE:	150 FEET
SETBACKS: FRONT	40 FEET
SIDE/REAR	15 FEET
MAXIMUM STRUCTURE HEIGHT:	35 FEET
MAXIMUM STRUCTURE COVERAGE:	20%
MINIMUM OPEN SPACE:	15%
- 7) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS (±0.2'). REDUCTION 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

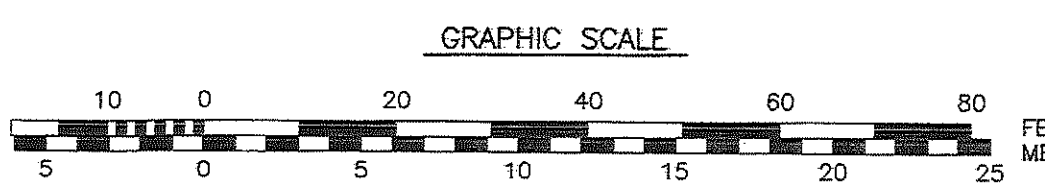
NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	9/16/21
REVISIONS		

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.



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

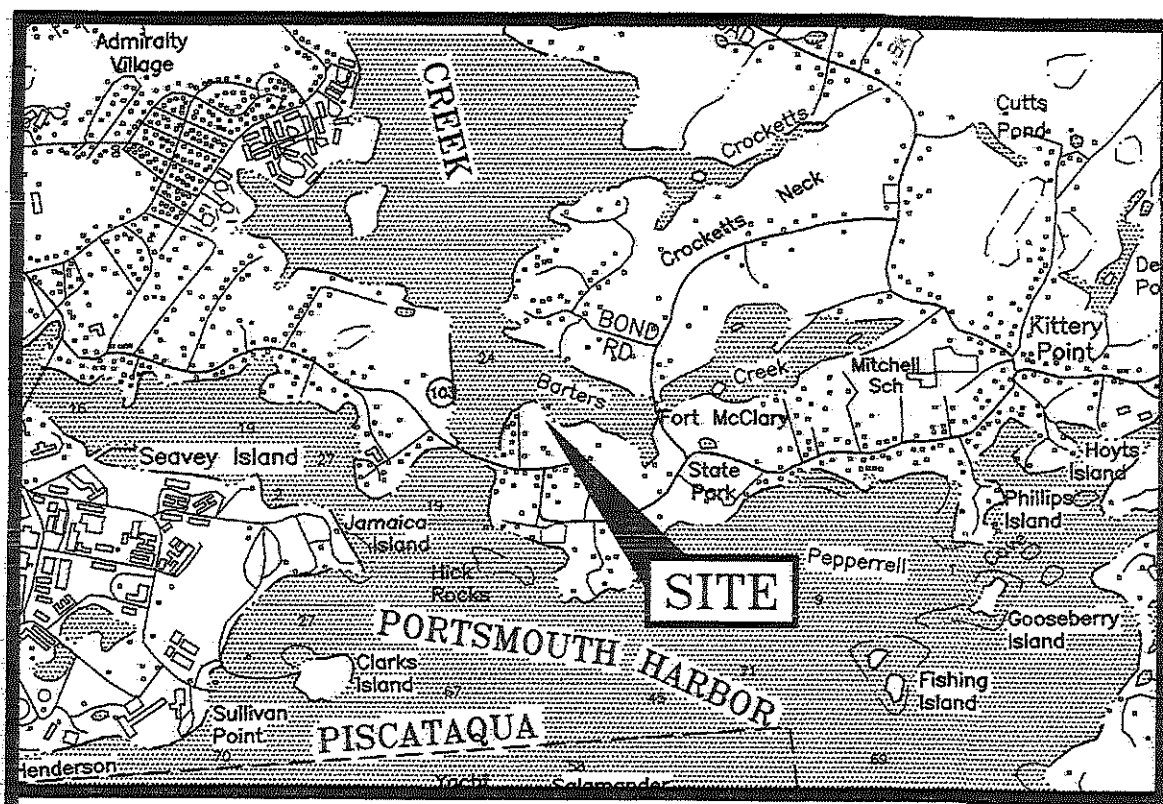


OWNER & APPLICANT:
 DANIEL J. HANNIGAN &
 BONNIE CHOATE HANNIGAN
 11 PEPPERRELL ROAD
 KITTERY POINT, ME 03905

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

SCALE 1"=20' SEPTEMBER 2021

EXISTING CONDITIONS PLAN **C1**



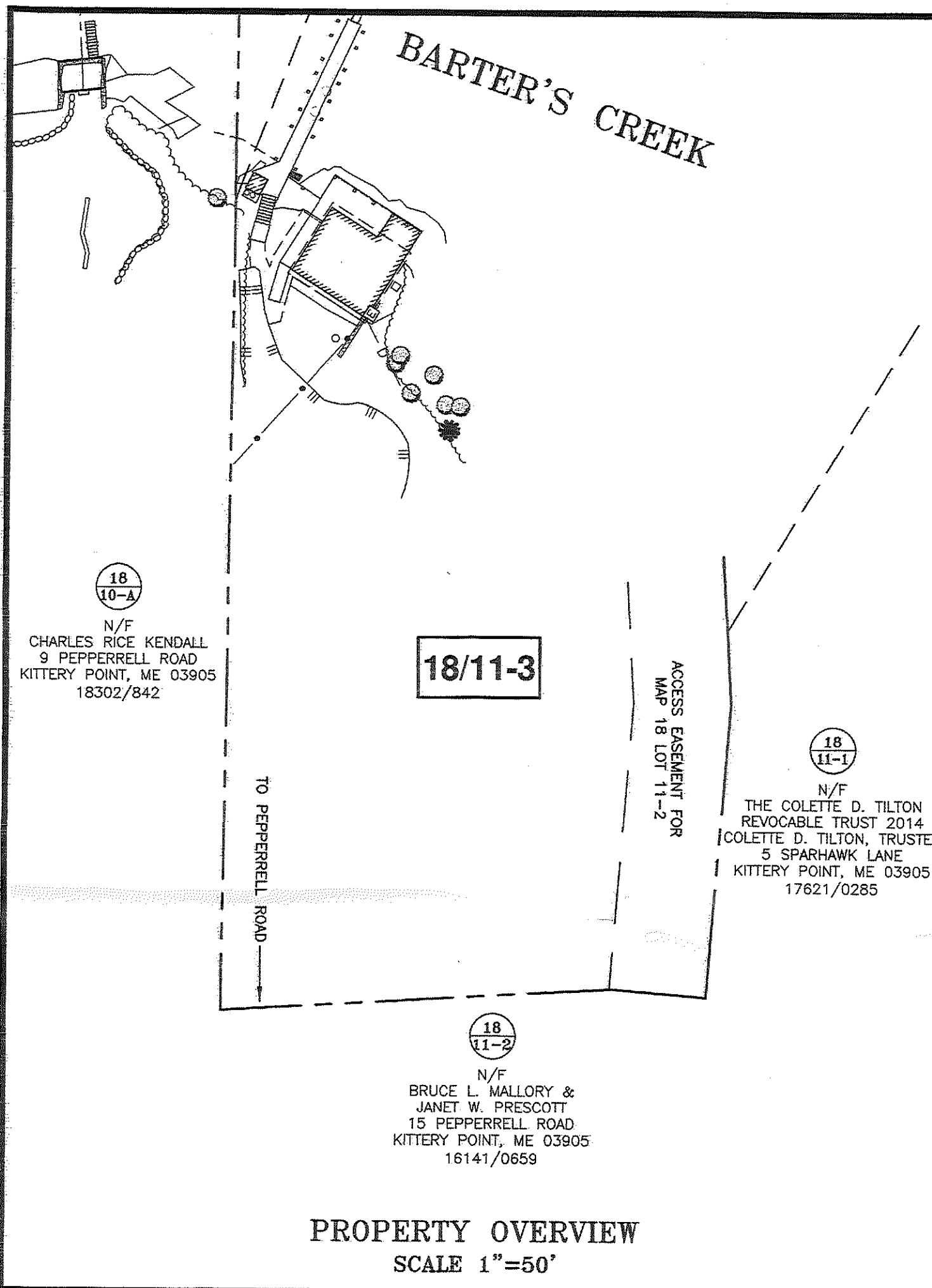
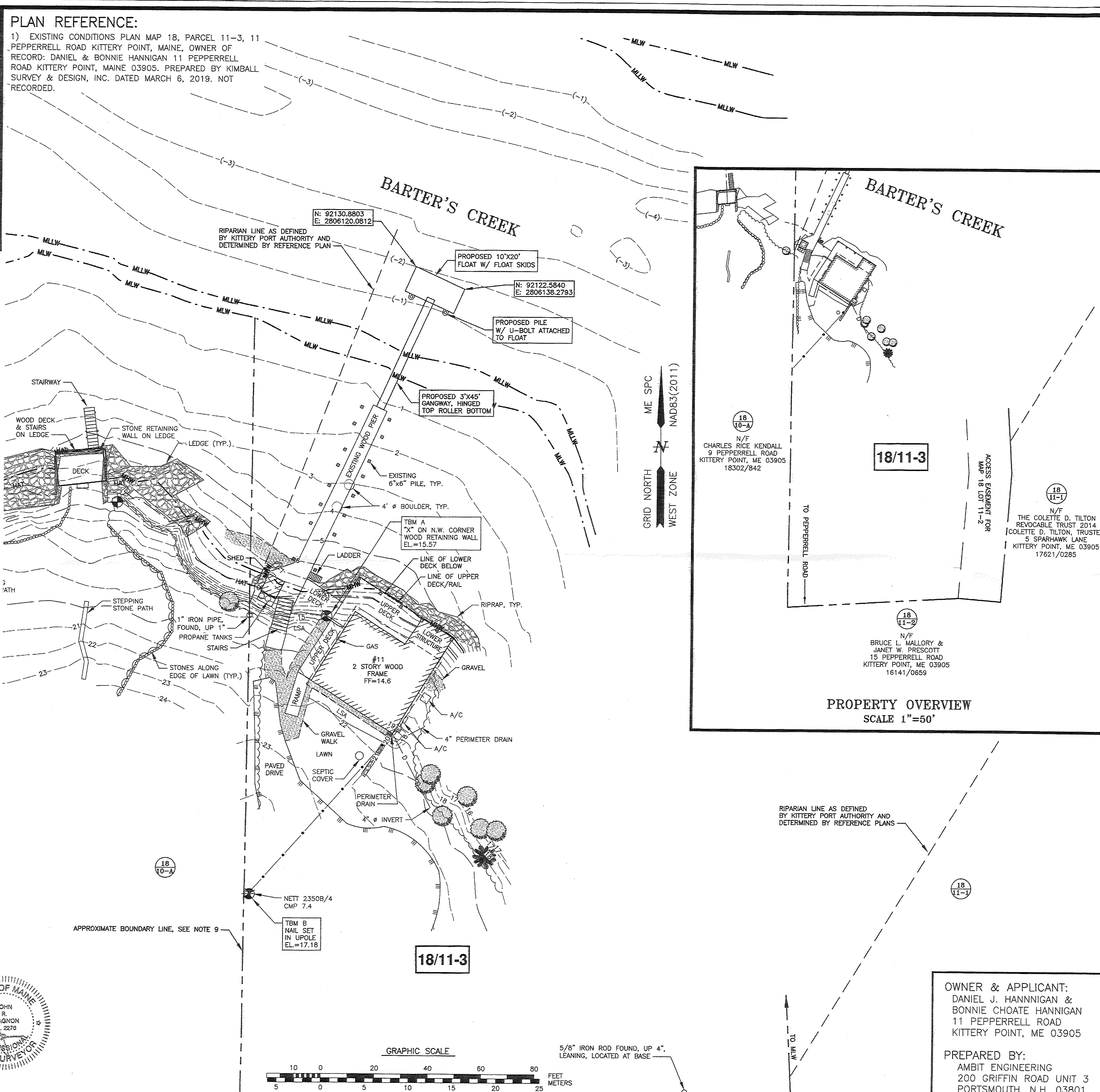
PLAN REFERENCE:

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.

LOCATION MAP SCALE: 1" = 2000'

LEGEND:

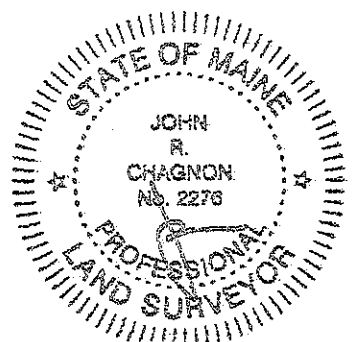
- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- YCRD YORK COUNTY REGISTRY OF DEEDS
- MAP 11 / LOT 21
- RAILROAD SPIKE FOUND
- IRON ROD/IRON PIPE FOUND
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- WOODS / TREE LINE
- UTILITY POLE (w/ GUY)
- ELEVATION
- TEMPORARY BENCHMARK
- TYP. TYPICAL



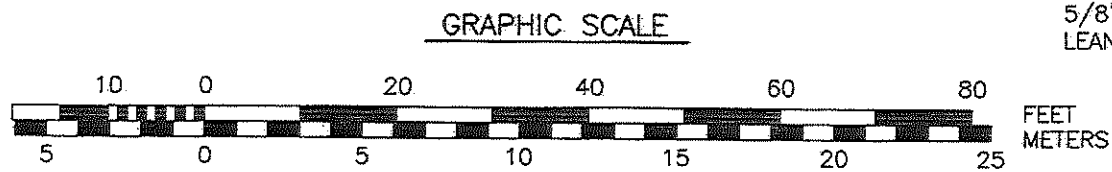
PURSUANT TO CHAPTER 90 PARTS 1 AND 2 OF THE SURVEY STANDARDS OF PRACTICE AS ADOPTED BY THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, THE FOLLOWING EXCEPTIONS TO PART 2 ARE NOTED:

- NO SURVEY REPORT HAS BEEN PREPARED.
- NO LAND DESCRIPTION HAS BEEN PREPARED.
- MONUMENTS HAVE NOT BEEN SET.
- 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, PLS #2276
DATE 12.23.21



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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 - EXISTING LOT AREA:
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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
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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		

STATE OF MAINE
JOHN R. CHAGNON
PROFESSIONAL ENGINEER
12.23.21

SCALE 1"=20' SEPTEMBER 2021

ME DEP PERMIT PLAN **C2**

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

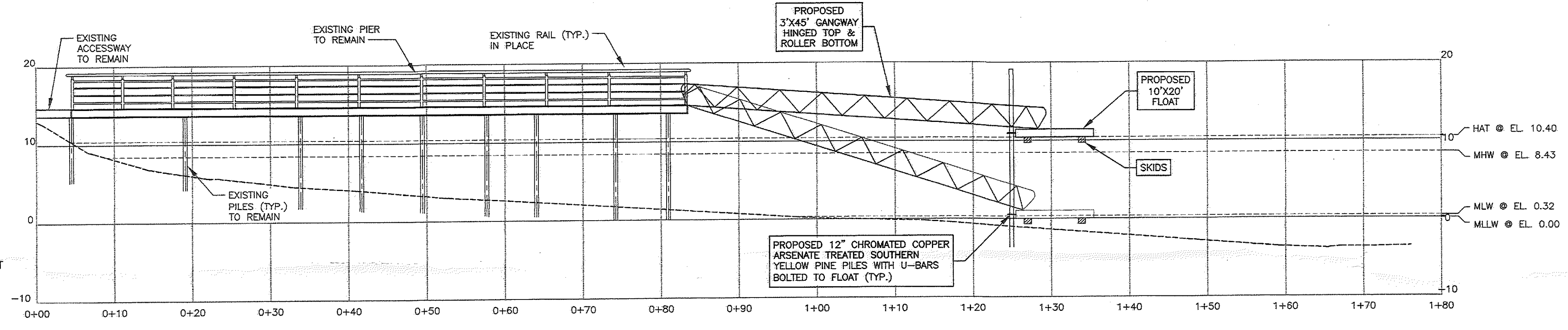
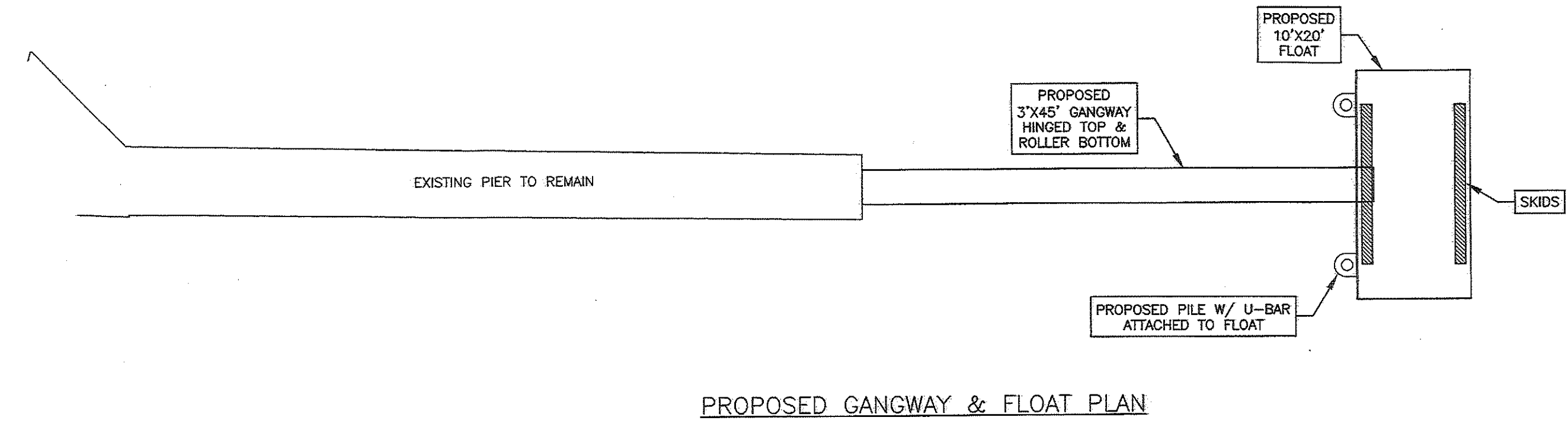
- APPROPRIATE MEASURES MUST BE TAKEN TO MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE.
- ACTIVITIES WITHIN 100-YEAR FLOODPLAINS MUST COMPLY WITH APPLICABLE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED STATE AND/OR LOCAL FLOODPLAIN MANAGEMENT PERMITTING REQUIREMENTS. PROPONENTS MAY NEED TO 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

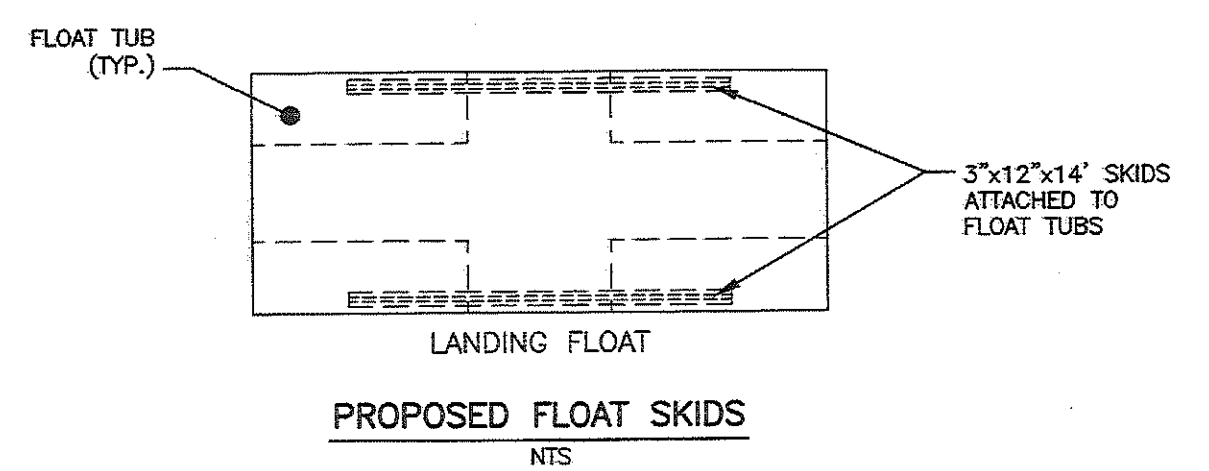
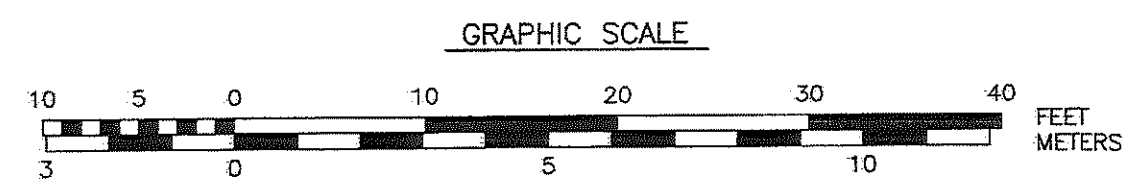
SEASONAL OR RECREATIONAL STRUCTURES SUCH AS PIER SECTIONS, FLOATS, AQUACULTURE STRUCTURES, ETC. THAT ARE REMOVED FROM THE WATERWAY FOR A PORTION OF THE YEAR (OFTEN REFERRED TO AS SEASONAL STRUCTURES) SHALL BE STORED IN AN UPLAND LOCATION LANDWARD OF HIGHEST ANNUAL TIDE (H.A.T.) OR ORDINARY HIGH WATER (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.



PROPOSED GANGWAY & FLOAT ELEVATION
PROPOSED GANGWAY & FLOAT



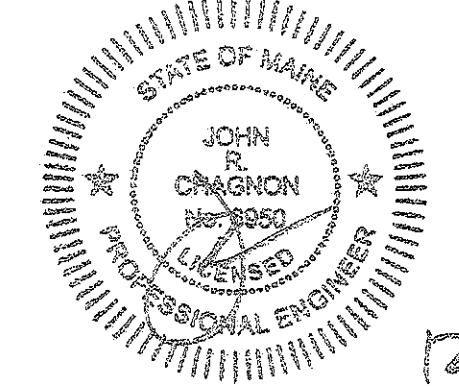
AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

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**

February 2, 2022

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



Re: Proposed residential pier
23 Bond Road (Tax Map 25 Lot 9)

To Whom It May Concern:

Attached is an application submitted on behalf of Touchdown Capital, LLC for a proposed residential pier, gangway and float located on 23 Bond Road (Tax Map 25 Lot 9) in Kittery, Maine. At this time, we have received approval from the United States Army Corps of Engineers for the proposed pier (approval enclosed). An Individual NRPA application was submitted to Maine DEP on November 9, 2021 and is currently being reviewed. We will forward a copy of the MDEP permit to you once approved. A copy of the full Individual NRPA application can be provided upon request.

The following documentation is enclosed for your consideration:

1. Application Form
2. Letter of Authorization
3. Town GIS Project Location Map
4. Abutter's List
5. Legal Interest: Property Deed
6. Project Narrative
7. Site Photographs
8. ACOE Permit #2021-03061
9. Maine DEP Individual NRPA Application Form
10. Proposed Pier & Float Plan

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

Sincerely,

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

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

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

Enclosures



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:

4' x 8' access ramp, a 4' x 75' permanent timber pier with access stairs down to adjacent beach, a 3' x 40' seasonal gangway and 10' x 30' main float extending off the applicant's property.

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): Touchdown Capital, LLC Tidewater Engineering & Surveying, Inc. has been authorized as agent for dock permitting and design.

3. Property Address: 23 Bond Road, Kittery Point, ME 03905

4. Telephone Number: (207) 439-2222 Email: ryan@tidewatercivil.com

5. Property Size (Acres/SF): 23,165 SF/0.53 Acres Zoning District(s): Residential- Kittery Point Village Shoreland Overlay Resource Protection Overlay

6. The shore frontage of this property is 193 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

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: Martin A. Jean Date: 1/18/22

Property Owner Signature: Martin A. Jean Date: 1/18/22

Agent Name: Ryan McCarthy, P.E., P.L.S Agent Firm: Tidewater Engineering & Surveying, Inc.

Agent Phone: (207) 439-2222 Agent Email: ryan@tidewatercivil.com

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:

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.

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



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KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



ATTACHMENT 1: AGENT LETTER OF AUTHORIZATION

October 6, 2021

Re: Letter of Agent Authorization
Proposed Pier & Float Structure: 23 Bond Road, Kittery Point, ME 03905
Reference Job No. 20-146

To Whom It May Concern:

This letter is to inform the Town of Kittery, the Maine Department of Environmental Protection, and the U.S. Army Corps of Engineers that Tidewater Engineering & Surveying, Inc. and Riverside & Pickering Marine Contractors, Inc. are hereby authorized to represent Touchdown Capital LLC as its agents in permitting a proposed pier and float structure on the property. Said property is located at 23 Bond Road in Kittery Point, Maine.

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

Sincerely,

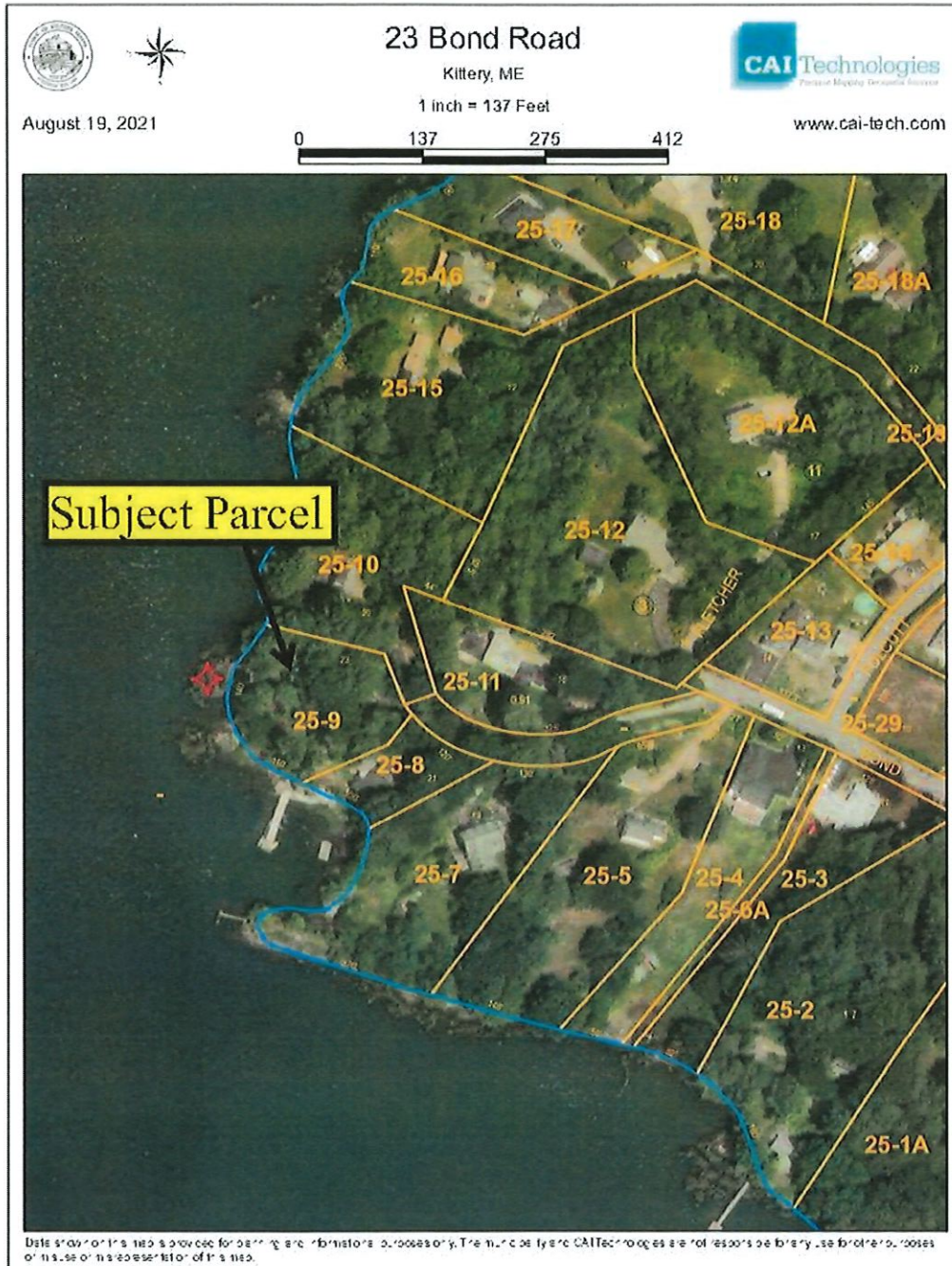
A handwritten signature in cursive script that reads "Martin R. Irani".

Martin R. Irani
Sole Member and Manager
Touchdown Capital LLC
16266 Dorilee Lane
Encino, CA 91436
Email: martinirani@gmail.com

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



ATTACHMENT 2: TOWN GIS PROJECT LOCATION MAP



ATTACHMENT 3: ABUTTERS LIST

KITTERY PORT AUTHORITY APPLICATION
 APPLICANT: TOUCHDOWN CAPITAL, LLC
 LOCATION: 23 BOND ROAD, KITTERY, ME



ATTACHMENT 3: ABUTTER'S LIST



150 foot Abutters List Report

Kittery, ME
 August 18, 2021

Subject Property:

Parcel Number: 25-9
 CAMA Number: 25-9
 Property Address: 23 BOND ROAD

Mailing Address: TOUCHDOWN CAPITAL, LLC
 11100 SANTA MONICA BLVD SUITE 600
 LOS ANGELES, CA 90025

Abutters:

Parcel Number: 25-10
 CAMA Number: 25-10
 Property Address: 20 BOND ROAD

Mailing Address: LUTTS, SANDRA A
 20 BOND ROAD
 KITTERY POINT, ME 03905

Parcel Number: 25-11
 CAMA Number: 25-11
 Property Address: 18 BOND ROAD

Mailing Address: GLIDDEN TR, GEORGE B FRANK TR,
 MARJAN
 GBG REV TR 2003/MF REV TR 2003 PO
 BOX 729
 PORTSMOUTH, NH 03802-0729

Parcel Number: 25-12
 CAMA Number: 25-12
 Property Address: 3 FLETCHER LANE

Mailing Address: THOMAS, JOHANNA
 3 FLETCHER LANE
 KITTERY POINT, ME 03905

Parcel Number: 25-7
 CAMA Number: 25-7
 Property Address: 19 BOND ROAD

Mailing Address: DRAPER, TR, WILLIAM H. III WILLIAM H.
 DRAPER REV TR
 1600 EL CAMINO REAL, SUITE 155
 MENLO PARK, CA 94025

Parcel Number: 25-8
 CAMA Number: 25-8
 Property Address: 21 BOND ROAD

Mailing Address: MESSIER TR, VICTOR R MESSIER TR,
 WENDY KIM
 V R & W K MESSIER REV LIV TR 2330
 JASMINE STREET
 HONOLULU, HI 96816-3110



8/18/2021

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 misuses or misrepresentation of this report.

Page 1 of 1

Abutters List Report - Kittery, ME

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



ATTACHMENT 4: PROPERTY DEED

DLN# 1002040107199

NANCY E HAMMOND, REGISTER OF DEEDS
E-RECORDED Bk 18350 PG 321
Instr # 2020040234
08/21/2020 10:45:47 AM
Pages 2 YORK CO

TRUSTEE DEED

Maine R.E. Transfer Tax Paid

Know all by these presents that I, THOMAS EDMUND DORSZ, TRUSTEE OF THE CORILLA BEVAN DORSZ REVOCABLE TRUST with a mailing address of 104 Mercer Ct, #13-2B, Frederick, Maryland 21701, for consideration paid, by the power conferred by law, and every other power, grant to TOUCHDOWN CAPITAL, LLC, a California limited liability company, with a mailing address of 11100 Santa Monica Blvd., Suite 600, Los Angeles, California 90025, the real property situated in the Town of Kittery, County of York and State of Maine, described as follows:

SEE EXHIBIT A ATTACHED HERETO

I hereby covenant that I am the Trustee pursuant to said Trust; that said Trust is still in full force and effect; that I have the power thereunder to convey as aforesaid; and that, in making this conveyance, I have, in all respects, acted pursuant to the authority vested in and granted to me therein.

The current property address is 23 Bond Road, Kittery Tax Map 25, Lot 9.

Witness my hand and seal this 12th day of August 2020.

THE CORILLA BEVAN DORSZ REVOCABLE TRUST

WITNESS

THOMAS EDMUND DORSZ, TRUSTEE

County of Frederick

STATE OF MARYLAND

August 12, 2020.

Then personally appeared the above named THOMAS EDMUND DORSZ, IN HIS SAID CAPACITY AS TRUSTEE OF THE CORILLA BEVAN DORSZ REVOCABLE TRUST and acknowledged the foregoing instrument to be his free act and deed.



Before me,

Notary Public
Print Name: Angela Lynn Gregory
Commission Expires: 12/8/22

Ballou & Bedell
408 US Route One, 2nd Floor
York Maine 03909 (207) 363-5300

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



EXHIBIT A

Property: 23 Bond Road, Kittery, Maine

A certain lot or parcel of land with the buildings thereon, situate at Crockett's Neck, so-called, in said Kittery, County of York and State of Maine, and bounded and described as follows:

BEGINNING at a hub on the shore of Spruce Creek at line of land now or formerly of Arthur and Cassandra Lutts;

Thence running South 51° East by land now or formerly of Lutts, 140 feet, to a hub near a telephone pole;

Thence South 11° West by the line of a private way, 60 feet, to the northeasterly terminus of the sideline of Bond Road;

Thence southwesterly by the end of said Bond Road to a hub at the southwesterly sideline of said road;

Thence South 65° West by land now or formerly of E. David Hardy and Ruth Hardy, 41 feet to a hub;

Thence South 86° West by land now or formerly of said Hardys, 94 feet, to the shore of said Spruce Creek;

Thence by the shore of said Creek north westerly and northeasterly, approximately 250 feet, to the place of beginning.

TOGETHER with all riparian rights on Spruce Creek adjoining said lot.

Being the same premises conveyed by Corilla B. Dorsz, a/k/a Corilla Bevan Dorsz to Thomas Edmund Dorsz, Trustee of The Corilla Bevan Dorsz Revocable Trust by deed dated February 16, 2012 and recorded at York County Registry of Deeds in Book 16269, Page 516.

Ballou & Bedell
408 US Route One, 2nd Floor
York Maine 03909 (207) 363-5300

ATTACHMENT 5: PROJECT NARRATIVE

1. INTRODUCTION/PURPOSE:

The subject parcel has frontage on Spruce Creek in Kittery, Maine and the owner/applicant is seeking approval of a proposed docking structure to provide them with safe and efficient access to the coastal resource for recreational purposes such as boating, rowing and fishing. The applicant currently owns a 25' Wellcraft Sportsman boat that is being stored at Captain Don's in Seabrook, NH. They will also use the dock to launch their kayaks and paddleboards.

2. PROJECT SUMMARY:

The proposed project consists of installing a 4' x 8' permanent ramp that provides access to a 4' x 16' post supported boardwalk and a 4' x 59' pile-supported permanent fixed timber pier. The fixed pier will be supported by ten (10) 12" diameter timber piles. A 3' x 40' aluminum gangway will extend from the end of the fixed pier to a 10' x 30' main float. A 24' portion of the perpendicularly oriented main float will extend southerly of the aluminum gangway, allowing for boats to be docked on either side of the float. Four concrete mooring blocks will anchor the main float, connected with 1/2" marine grade chain. The proposed fixed pier, gangway and float system will extend northwest from a rocky outcropping on the applicant's shoreline and will not be located within the riparian setbacks. No other docking structure is proposed.

3. HISTORICAL KNOWLEDGE:

The property was purchased by the applicant in 2020 and the historical use or access to the water is unknown. Review of aerial photographs from 1992 to present do not show evidence of previously existing docks or boats being launched from the property. The property located to the southeast of the applicant's property (Tax Map 25, Lot 8), contains a 60 foot +/- fixed pier with float. The property located to the north (Tax Map 25 Lot 10) contained a 50 foot +/- fixed pier.

4. ADJACENT STRUCTURES:

Tax Map 25 Lot 8: Contains a 60 foot +/- fixed pier with float.

Tax Map 25 Lot 10: Contains a 50 foot +/- fixed pier.

5. OFF-SEASON STORAGE:

During the off-season, the 3' x 40' gangway will be stored on the fixed pier. The 10' x 30' float will be removed and stored off-site on uplands by a third-party company.

6. LOCATION-BASED IMPACT MITIGATION:

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

- 1) Provides the shortest length required to reach a sufficient depth of water for their watercraft at low tide, thereby minimizing impacts to the resource.
- 2) The proposed float is positioned beyond the lowest annual tide and will not rest on the substrate at any tide. This will eliminate scour, surface impacts and the need for float skids.
- 3) The proposed fixed pier does not extend beyond the mean low water mark and will remain in the intertidal zone.
- 4) All components of the docking system comply with the 25-foot riparian setbacks.
- 5) Access to the pier will be via a 4' x 8' timber ramp that extends from the upland lawn area. This ramp will connect to a 4' x 16' post-supported boardwalk that will provide direct access to the pier, gangway and float, reducing impact from foot traffic in the sensitive intertidal zone.
- 6) The uplands adjacent to the proposed pier are developed as lawn area and will not require the removal of any trees or other vegetation to provide access to the proposed dock system.

7. ALTERNATIVES ANALYSIS:

- 1) Do Nothing: This alternative would be for the applicant to access the shoreline and waterway directly, without using a dock or float system. This alternative was not pursued for the following reasons:
 - a. The existing shoreline and tide fluctuations do not provide safe access and berthing of motorized vessels. Vessels would rest directly on the intertidal surface, causing direct impacts and damage to the intertidal zone.
 - b. Without a docking structure that permits access to deep water, the owners are likely to walk and drag smaller boats across the sensitive intertidal habitat instead. This will cause more impacts to the resource than the proposed option.
 - c. The owners will be limited in the type of activities they seek to enjoy on Spruce Creek and connected waterbodies.
- 2) Seasonal Dock and Float System: This alternative would be for the applicant to purchase and install a seasonal docking system that would allow access to Spruce

creek during a portion of the year. This alternative was not pursued for the following reasons:

- a. The installation and removal of a seasonal dock system would cause bi-annual impact to the intertidal zone when sections of the dock are installed and removed during spring and fall months.
 - b. The nature of the intertidal zone at the site would require a seasonal dock system that was prohibitively long (similar in length to the proposed permanent fixed pier) to allow watercraft to remain waterborne during low tides. A seasonal dock of such length would be subject to extreme tidal forces and weather conditions, something beyond the capacity and rating of most seasonal dock systems.
 - c. A shortened seasonal dock system would mean any watercrafts attached to the seasonal floats would sit on the surface of the intertidal zone during low tide, increasing impacts to the sensitive resource and habitats.
- 3) Reduce Length: Another alternative would be to reduce the length of the proposed docking structure. This was not pursued for the following reasons:
- a. The main float will rest on the surface of the intertidal zone during low tide, increasing impacts to the sensitive resource and habitats.
 - b. Any watercrafts attached to the floats will also sit on the surface of the intertidal zone, increasing impacts to the sensitive resource and habitats.
 - c. The surface of the intertidal zone consists of a mixture of exposed ledge, rock, gravel, sand and mud. These surfaces will cause the floats to sit unbalanced and increase the likelihood of damage. The watercrafts could also rest, rock and scrape on the abrasive ledge, rock and gravel surface and cause significant damage to the hull of the watercrafts. This could lead to holes in the hull, submerging the watercraft and potential discharge of fuel into the river, all of which would be harmful to the resource.

8. STATEMENT OF DESIGNED DOCK HEIGHT

The 100-year flood elevation published by FEMA is elevation 9.0 feet (NGVD29) which corresponds to elevation 8.25' (NAVD88), the elevation depicted on the plans. As depicted in the profile view of the attached plan, the bottom surface of the lowest horizontal member of the pier is designed to be located at elevation 10' (NAVD88), approximately 20 inches above the 100-year flood elevation. Tidewater Engineering & Surveying has designed the dock at this elevation for the following reasons:

- 1) Tax Map 25 Lots 8 and 10 both have fixed piers that are located at similar heights. The owner of Tax Map 25, Lot 8 stated that her father rebuilt a previous dock on the

property at a higher elevation because the former dock was completely submerged during the flood of 1987.

- 2) Overwater structures such as docks, piers, ramps and floats have been shown to negatively impact fish, wildlife and vegetation within sensitive areas such as the intertidal and subtidal zones. A majority of these adverse impacts can be mitigated by allowing natural light to penetrate and filter through the dock structure. By designing the dock at elevation 10', more light is allowed to penetrate below the dock's surface, reducing the loss of habitat for native vegetation and wildlife.

9. CONSTRUCTION PLAN

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

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

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

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

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

Piling Installation	3 days
Fixed Pier & Boardwalk Installation	5 days
Gangway/Float Installation	2 days

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Total Construction Duration 10 days

10. EROSION CONTROL PLAN

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

The dock system will be supported by pilings either driven in earth or pinned to the ledge surface. No open excavation is proposed or necessary within the resource or below the highest annual tide. Installation of the fixed pier primarily occurs from the barge and from staging supported by the pilings/pier to minimize foot traffic on the intertidal substrate. As such, the disturbance from foot traffic and digging on the resource to install siltation barriers (i.e. silt fence, filtration socks, etc.) around the perimeter of the project site will exceed the disturbance from installing the pilings. In addition, maintaining said siltation measures through tide cycles, strong currents and wave action would be difficult and result in further foot traffic on the resource.

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

11. SITE CONDITION REPORT

The site plan enclosed as Attachment 8 depicts two-foot contours, existing resource boundaries, the area of the resource to be altered, activity location and dimensions and wetland/waterbody classification. The permanent section of the proposed docking system is located within both upland areas and the intertidal zone. The fixed pier is supported on timber pilings and extends approximate 51 feet beyond the highest annual tide line. The fixed pier is not proposed to extend beyond mean low water as depicted on the site plan.

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

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



The surface of the resource and intertidal zone within the project limits includes exposed ledge outcroppings, rocky shoreline, gravel (mixed coarse & fine aggregates) and substrates with high clay content (mud). Large outcroppings of ledge predominate several portions of the shoreline on the property. Large boulders are scattered close to the shoreline embankment and rest on a mixed cobble and gravel surface. As you extend further toward Spruce Creek, the substrate transitions to finer aggregates with higher clay content. Rockweed becomes prevalent and covers areas of exposed ledge and gravelly mudflats that include a mixture of coarse and fine aggregate. For more detailed information, please refer to the enclosed *Appendix B: MDEP Coastal Wetland Characterization: Intertidal and Shallow Subtidal Field Survey Checklist*.

A profile view of the proposed docking system is provided within Attachment 8. This view provides a clear representation of the proposed docking system with respect to the substrate and the tidal elevations experienced at this site, including LAT, MLW, MHW, HAT and the 100-year flood elevation. The 100-year flood elevation published by FEMA is elevation 9.0 feet (NGVD29) which corresponds to elevation 8.25' (NAVD88), the elevation datum depicted on the plans. As depicted in the profile view, the bottom surface of the lowest horizontal member of the pier is located approximately 20 inches above the 100-year flood elevation.

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

KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



ATTACHMENT 6: PROJECT SITE PHOTOS TAKEN ON OCTOBER 15, 2021

Photo 1: View showing dock alignment, looking west



KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Photo 2: View showing dock alignment from lawn area, facing west (low tide)



KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Photo 3: View of intertidal zone from water's edge, facing southeast (low tide)



KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Photo 4: View of proposed dock alignment, looking east toward residence (low tide)



KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Photo 5: View of Abutter's Pier (Tax Map 25 Lot 8)



KITTERY PORT AUTHORITY APPLICATION
APPLICANT: TOUCHDOWN CAPITAL, LLC
LOCATION: 23 BOND ROAD, KITTERY, ME



Photo 6: View of abutter's pier (Tax Map 25 Lot 10)





REPLY TO
ATTENTION OF

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

MAINE GENERAL PERMITS (GPs)
AUTHORIZATION LETTER AND SCREENING SUMMARY

Touchdown Capital, LLC.
16266 Dorilee Lane
Encino, CA 91436

CORPS PERMIT # NAE-2021-03061
CORPS GP# 3
STATE ID# L-29439-4P-A-N / TW-B-N

DESCRIPTION OF WORK:

The project involves installation and maintenance of a 4' by 8' ramp, a 4' x 75' pile supported pier, a 3' by 40' gangway that connects to a 10' by 30' float located at 23 Bond Road in Kittery, Maine. The pier will be supported with 12- 12" diameter timber piles. Only 8 of the 12 piles are located below the mean high tide (MHW). The structure will extend a maximum of about 100' beyond the MHW. The float will be secured with 4 – 16 sq. ft. concrete mooring blocks. This work is shown on the attached two sheets titled "PROPOSED PIER & FLOAT PLAN", dated "Nov. 9, 2021".

See GENERAL CONDITIONS attached.

LAT/LONG COORDINATES: 43.087256° N -70.716933° W USGS QUAD: KITTERY, MAINE

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. **Your work is therefore authorized by the U.S. Army Corps of Engineers under the Federal Permit, the Maine General Permits (GPs) which can be found at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Maine-General-Permit/>** Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation. Please review the GPs, including the GPs conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GPs requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 45 of the GPs (page 19) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GPs on October 14, 2025. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 14, 2026.

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

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

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

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 15 DEC 2021 LEVEL OF REVIEW: SELF-VERIFICATION: PRE-CONSTRUCTION NOTIFICATION: X

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

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

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 978-318-8486 at our Augusta, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at: http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0

AMANDA L. T. SAYLES
PROJECT MANAGER

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

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

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

APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT
 → PLEASE TYPE OR PRINT IN BLACK INK ONLY

1. Name of Applicant: Touchdown Capital, LLC		5. Name of Agent: Ryan McCarthy, PE, PLS, Tidewater Engineering & Surveying, Inc.							
2. Applicant's Mailing Address: 16266 Dorilee Lane Encino, CA 91436		6. Agent's Mailing Address: 1021 Goodwin Road, Unit 1 Eliot, ME 03903							
3. Applicant's Daytime Phone #: See agent info		7. Agent's Daytime Phone #: (207) 439-2222							
4. Applicant's Email Address (Required from either applicant or agent): See agent info		8. Agent's Email Address: ryan@tidewatercivil.com							
9. Location of Activity: (Nearest Road, Street, Rt.#) 23 Bond Road		10. Town: Kittery							
		11. County: York							
12. Type of Resource: (Check all that apply) <input checked="" type="checkbox"/> River, stream or brook <input type="checkbox"/> Great Pond <input checked="" type="checkbox"/> Coastal Wetland <input type="checkbox"/> Freshwater Wetland <input type="checkbox"/> Wetland Special Significance <input type="checkbox"/> Significant Wildlife Habitat <input type="checkbox"/> Fragile Mountain		13. Name of Resource: Spruce Creek Direct Impacts							
		14. Amount of Impact: (Sq.Ft.) Potential Indirect Impacts → 666 sf +/- pier/floats Fill: 7 sf pilings / 64 sf moorings Dredging/Veg Removal/Other:							
15. Type of Wetland: (Check all that apply) <input type="checkbox"/> Forested <input type="checkbox"/> Scrub Shrub <input type="checkbox"/> Emergent <input type="checkbox"/> Wet Meadow <input type="checkbox"/> Peatland <input checked="" type="checkbox"/> Open Water <input type="checkbox"/> Other _____		FOR FRESHWATER WETLANDS							
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">Tier 1</th> <th style="width: 33%;">Tier 2</th> <th style="width: 33%;">Tier 3</th> </tr> <tr> <td> <input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft. <input type="checkbox"/> 10,000-14,999 sq ft. </td> <td> <input type="checkbox"/> 15,000 – 43,560 sq. ft. </td> <td> <input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1 </td> </tr> </table>		Tier 1	Tier 2	Tier 3	<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft. <input type="checkbox"/> 10,000-14,999 sq ft.	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1
Tier 1	Tier 2	Tier 3							
<input type="checkbox"/> 0 - 4,999 sq ft. <input type="checkbox"/> 5,000-9,999 sq ft. <input type="checkbox"/> 10,000-14,999 sq ft.	<input type="checkbox"/> 15,000 – 43,560 sq. ft.	<input type="checkbox"/> > 43,560 sq. ft. or <input checked="" type="checkbox"/> smaller than 43,560 sq. ft., not eligible for Tier 1							
16. Brief Activity Description: Construct a 4' x 8' access ramp, a 4' x 75' permanent timber pier with access stairs down to adjacent beach, a 3' x 40' seasonal gangway and 10' x 30' main float extending off the applicant's property.									
17. Size of Lot or Parcel & UTM Locations: <input type="checkbox"/> _____ square feet, or <input checked="" type="checkbox"/> 0.53 acres		UTM Northing: 4771935 UTM Easting: 360248							
18. Title, Right or Interest: <input checked="" type="checkbox"/> own <input type="checkbox"/> lease <input type="checkbox"/> purchase option <input type="checkbox"/> written agreement									
19. Deed Reference Numbers: Book#: 18350 Page: 321		20. Map and Lot Numbers: Map #: 25 Lot #: 9							
21. DEP Staff Previously Contacted: No		22. Part of a larger project: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
23. Resubmission of Application?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, previous application # _____ Previous project manager: _____							
24. Written Notice of Violation?: <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved: _____ 25. Previous Wetland Alteration: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
26. Detailed Directions to the Project Site: South on Rt. 95 to Kittery (Rt. 236) take exit 2 onto Rt. 236 South. At traffic circle, take 3rd right onto ME-236 S. In 1.1 miles, continue onto Whipple Rd. In 1.1 miles, continue onto Pepperrell Road. In 0.5 miles, take turn left onto Crockett Neck Road. In 0.2 miles, turn left onto Bond Road. At the intersection with Fletcher Lane, bear left. The property is located at the end of the road.									
TIER 1		TIER 2/3 AND INDIVIDUAL PERMITS							
<input type="checkbox"/> Title, right or interest documentation <input type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Narrative Project Description <input type="checkbox"/> Plan or Drawing (8 1/2" x 11") <input checked="" type="checkbox"/> Photos of Area <input type="checkbox"/> Statement of Avoidance & Minimization <input type="checkbox"/> Statement/Copy of cover letter to MHPC		<input checked="" type="checkbox"/> Title, right or interest documentation <input checked="" type="checkbox"/> Topographic Map <input checked="" type="checkbox"/> Copy of Public Notice/Public Information Meeting Documentation <input type="checkbox"/> Wetlands Delineation Report (Attachment 1) that contains the Information listed under Site Conditions <input checked="" type="checkbox"/> Alternatives Analysis (Attachment 2) including description of how wetland impacts were Avoided/Minimized <input checked="" type="checkbox"/> Erosion Control/Construction Plan <input type="checkbox"/> Functional Assessment (Attachment 3), if required <input type="checkbox"/> Compensation Plan (Attachment 4), if required <input checked="" type="checkbox"/> Appendix A and others, if required <input checked="" type="checkbox"/> Statement/Copy of cover letter to MHPC <input type="checkbox"/> Description of Previously Mined Peatland, if required							
28. FEES Amount Enclosed: (CODE 4P) \$451 + \$113 = \$564									
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2									

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

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

DEP SIGNATORY REQUIREMENT

PRIVACY ACT STATEMENT

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

CORPS SIGNATORY REQUIREMENT

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

DEP SIGNATORY REQUIREMENT

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

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



 SIGNATURE OF AGENT/APPLICANT

Date: 11/9/2021

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.

LEGEND

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

GENERAL NOTES:

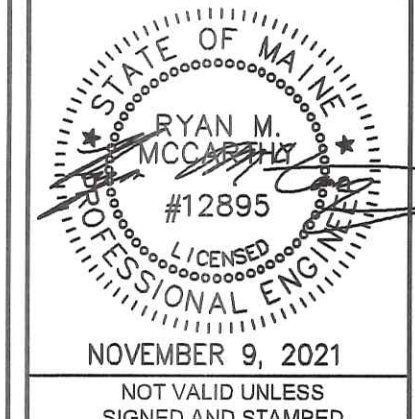
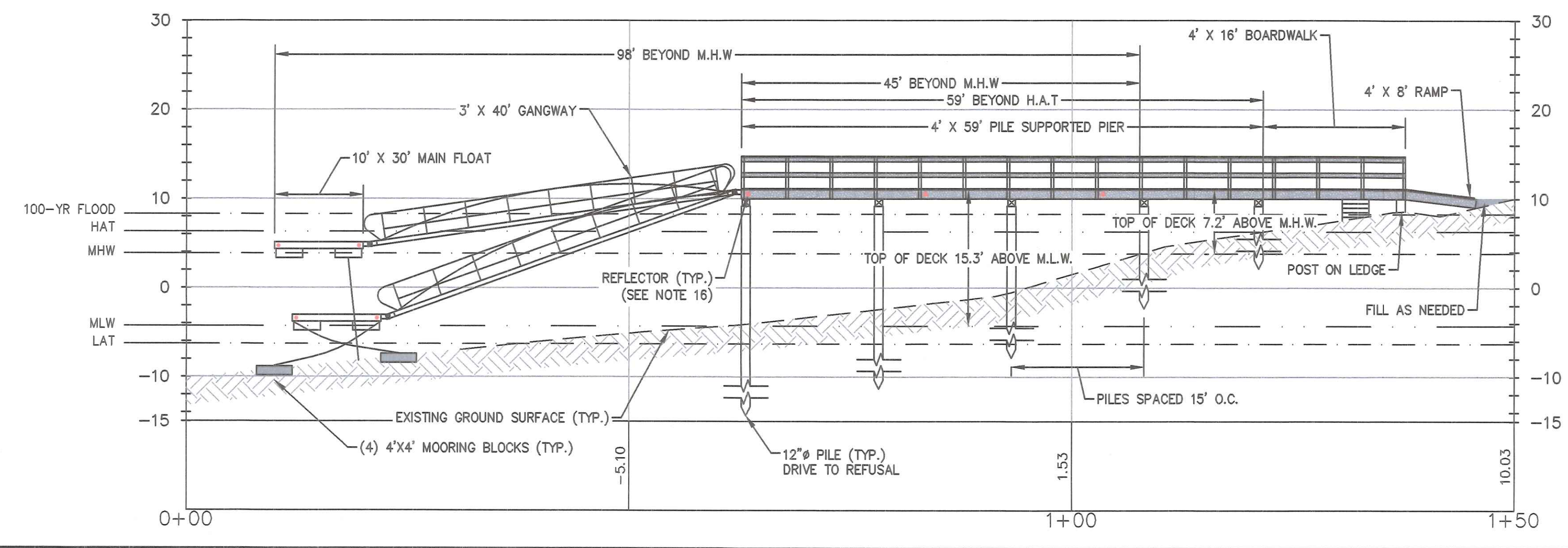
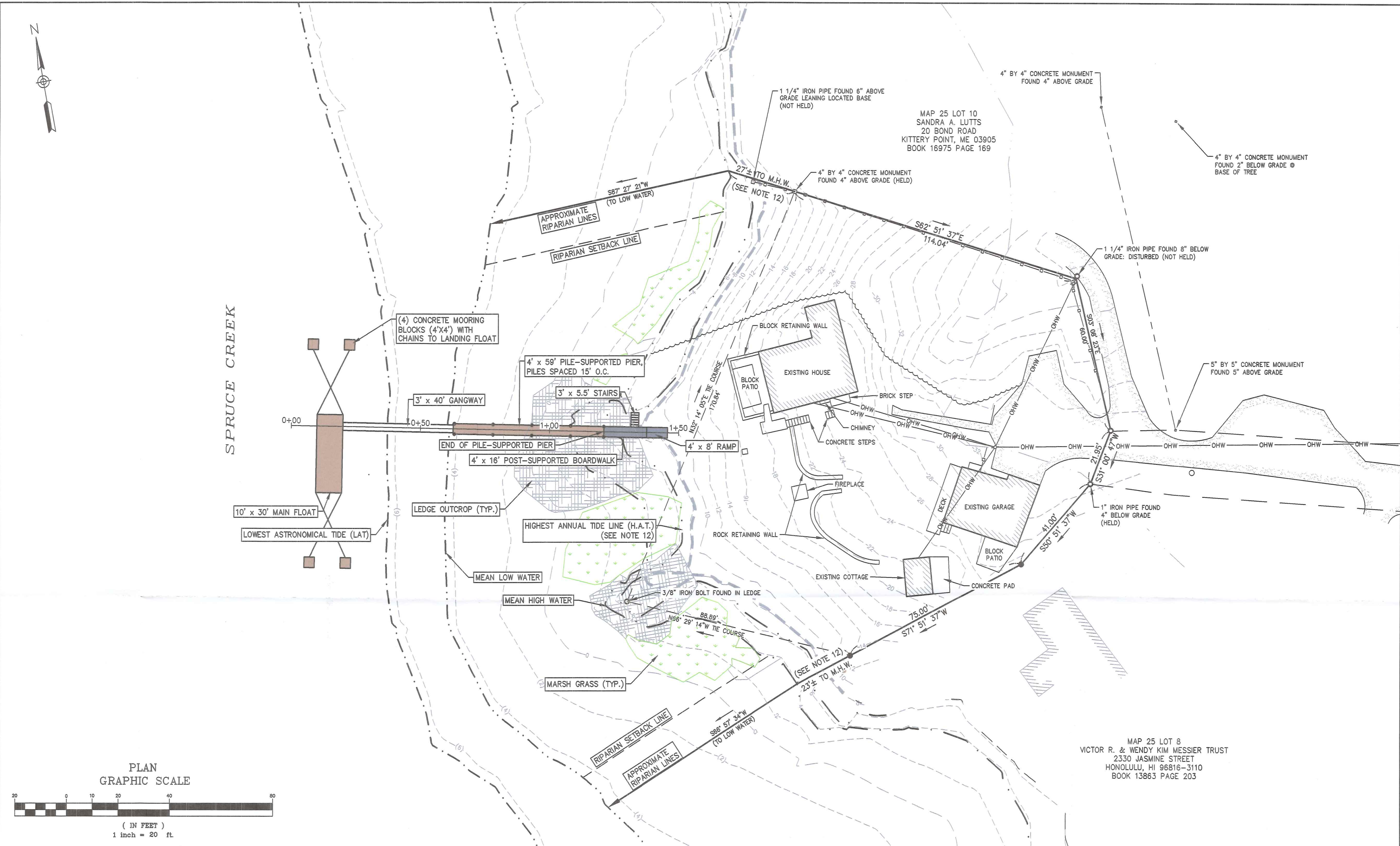
1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF A PROPOSED FIXED PIER, SEASONAL GANGWAY, SEASONAL MAIN FLOAT AND ASSOCIATED ACCESS RAMP TO BE LOCATED ON MAP 25 LOT 9 IN KITTERY, ME. SAID PLAN SHALL BE USED FOR APPLYING FOR PERMITS FROM THE TOWN OF KITTERY, MAINE DEPT. OF ENVIRONMENTAL PROTECTION AND U.S. ARMY CORPS OF ENGINEERS.
2. OWNER OF RECORD:
TOUCHDOWN CAPITAL, LLC
16266 DORILEE LANE
ENCINO, CA 91436
Y.C.R.D. BOOK 18350 PAGE 321
3. THE PROPERTY IS LOCATED WITHIN THE TOWN OF KITTERY RESIDENTIAL-KITTERY POINT VILLAGE ZONING DISTRICT, SHORELAND OVERLAY DISTRICT, AND RESOURCE PROTECTION OVERLAY DISTRICT. ZONING REGULATIONS ARE SUBJECT TO CHANGE. OWNER SHALL CONFIRM ALL ZONING REGULATIONS WITH THE TOWN OF KITTERY PRIOR TO ANY DEVELOPMENT.
4. BASIS OF BEARING IS MAINE STATE PLANE (NAD83) WEST ZONE, US FOOT.
5. ELEVATIONS AND TOPOGRAPHY SHOWN HEREON CORRESPOND TO NAVD88.
6. THE BOUNDARY SHOWN HEREON IS BASED ON REFERENCE PLAN 1.
7. THE RIPARIAN LIMITS SHOWN HEREON WERE CALCULATED USING THE COLONIAL METHOD.
8. THE INTENT OF THE TIE COURSES SHOWN HEREON ARE TO PROVIDE A MATHEMATICAL MEANS OF RELATING THE PROPERTY SIDELINES TO EACHOTHER. THE TIE COURSES ARE NOT INTENDED TO LIMIT ANY RIGHT, TITLE OR INTEREST THE OWNER MAY HAVE TO THE LAND EXTENDING BEYOND THE TIE COURSE TO LOW WATER.
9. ABUTTER LINES SHOWN HEREON SHALL BE CONSIDERED APPROXIMATE AND ARE FOR REFERENCE PURPOSES ONLY. ABUTTER LINES SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
10. UTILITY LOCATIONS SHOWN ON THESE PLANS ARE APPROXIMATE AND MAY NOT BE ENTIRELY ACCURATE OR COMPLETE.
11. THE 2018 HIGHEST ANNUAL TIDE (H.A.T.) ELEVATION PUBLISHED BY MAINE DEP FOR THE PISCATAQUA RIVER BETWEEN SEAVEY ISLAND AND KITTERY POINT IS ELEV. = 6.3' (NAVD88). THE H.A.T. ELEVATION IS USED TO DELINEATE THE UPLAND EDGE OF THE COASTAL RESOURCE FOR REGULATORY PURPOSES UNDER THE MANDATORY SHORELAND ZONING ACT.
12. TIDAL ELEVATIONS: THE FOLLOWING TIDAL ELEVATIONS WERE OBTAINED FROM DATA PUBLISHED BY N.O.A.A. FOR TIDE STATION 8419870 SEAVEY ISLAND, ME. ALL ELEVATIONS CORRESPOND TO NAVD88.
MEAN HIGHER-HIGH WATER (MHHW) 4.22'
MEAN HIGH WATER (MHW) 3.81'
MEAN LOW WATER (MLW) -4.30'
MEAN LOWER-LOW WATER (MLLW) -4.62'
LOWEST ASTRONOMICAL TIDE (LAT) -6.29'
13. THE 100-YEAR FLOOD ELEVATION OF THE PISCATAQUA RIVER IS ELEVATION 9.0' (NGVD29) PER FEMA FIRM 230171 005D. THIS ELEVATION CONVERTED TO THE DATUM SHOWN HEREON IS 8.25' (NAVD88).
14. THE PROPOSED DEVELOPMENT SHOWN HEREON IS SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF KITTERY, MAINE DEP AND U.S. ARMY CORPS OF ENGINEERS. OWNER/CONTRACTOR SHALL OBTAIN ALL PERMITS NECESSARY PRIOR TO ANY CONSTRUCTION AND IS RESPONSIBLE FOR COMPLYING WITH ALL CONDITIONS OF SAID PERMITS.
15. REFLECTOR SHALL BE NO LESS THAN 3 INCH DIAMETER AND SHALL BE INSTALLED AS FOLLOWS:
• PIER: EVERY 20 FEET FROM END OF PIER, BOTH SIDES
• FLOATS: WITHIN 12 INCHES OF EACH CORNER

REFERENCE PLANS:

1. "EXISTING CONDITIONS SURVEY OF LAND LOCATED AT 23 BOND ROAD KITTERY, YORK COUNTY, MAINE" PREPARED BY TIDEWATER ENGINEERING & SURVEYING, INC. DATED JANUARY, 2020. UNRECORDED.



SPRUCE CREEK



NOVEMBER 9, 2021	NOT VALID UNLESS SIGNED AND STAMPED
1/26/22	DATE:
1	NO.
REVISOR	REVISION DESCRIPTION
	REVISED PIER KITTERY TOWN PLANNER COMMENTS
	SUBMISSION/REVISION DESCRIPTION

TIDEWATER
ENGINEERING & SURVEYING, INC.
89 Route 236 Suite 3, Kittery, ME 03904
(207)439-2222 • www.tidewatercivil.com

PROPOSED PIER & FLOAT PLAN
ON LAND LOCATED AT
23 BOND ROAD
KITTERY, YORK COUNTY, MAINE

PREPARED FOR:
TOUCHDOWN CAPITAL, LLC
16266 DORILEE LANE
ENCINO, CA 91436

JOB #: 20-146
DATE: NOV. 9, 2021
SCALE: 1" = 20'
SHEET: 1 OF 1



TOWN OF KITTERY
KITTERY PORT AUTHORITY

Map:	<u>9</u>
Lot:	<u>17</u>
Date Submitted:	<u>2/15/22</u>

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:

Modification of existing float system at the Traip Public Boat Ramp by adding a 6'x24 ft angled float along ramp secured with the use of two (2) 500 pound pyramid anchors and 5/8 chain. Adding up to eighteen 10'x17"x6" ramp planks at bottom of ramp.

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): Inhabitants of Kittery

3. Property Address: 12 Williams Avenue, Kittery ME 03904

4. Telephone Number: 207-439-0452
(REQUIRED)

Email: kpa@kitteryme.org
(REQUIRED)

5. Property Size (Acres/SF): 7.25 Acres

Zoning District(s): R-U

6. The shore frontage of this property is 900 ft +/- 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:

3rd modification permit requested for Traip public boat ramp since 1999. Available upon request.

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

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

Applicant Signature: [Signature] Date: 2/15/2022

Property Owner Signature: [Signature] Date: 2/15/2022

Agent Name: N/A

Agent Firm: _____

Agent Phone: N/A
(REQUIRED)

Agent Email: _____
(REQUIRED)

APPLICATION FEE (\$125). Include a check payable to the Town of Kittery. Additional funds may be required to pay for other direct costs necessary to complete the application process, not including application fees. Title 3, Chapter 3.3

Fee Paid, Amount: _____ 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.



150 foot Abutters List Report

Kittery, ME
February 15, 2022

Subject Property:

Parcel Number: 9-17
CAMA Number: 9-17
Property Address: 12 WILLIAMS AVENUE

Mailing Address: INHABITANTS OF KITTERY 12 WILLIAMS AVENUE TRAIPI ACADEMY 200 ROGERS ROAD KITTERY, ME 03904-1428

Abutters:

Parcel Number: 10-39A
CAMA Number: 10-39A
Property Address: 32 WILLIAMS AVENUE

Mailing Address: CONNELL, MOIRA C. EDWARDS, DAVID C. 32 WILLIAMS AVE KITTERY, ME 03904

Parcel Number: 4-80
CAMA Number: 4-80
Property Address: WALLINGFORD SQUARE

Mailing Address: UNITED STATES OF AMERICA 300 WESTGATE CENTER DRIVE HADLEY, MA 01035

Parcel Number: 9-1
CAMA Number: 9-1
Property Address: WHIPPLE ROAD

Mailing Address: INHABITANTS OF KITTERY WILLIAMS AVE/WHIPPLE ROAD ROAD ISLAND 200 ROGERS ROAD KITTERY, ME 03904-1428

Parcel Number: 9-10
CAMA Number: 9-10
Property Address: 37 WILLIAMS AVENUE

Mailing Address: GOTTEL, DEBRA A. 37 WILLIAMS AVE KITTERY, ME 03904-1750

Parcel Number: 9-10A
CAMA Number: 9-10A
Property Address: 21 WILLIAMS AVENUE

Mailing Address: JACOBSON, CHRISTOPHER JACOBSON, MOLLY 21 WILLIAMS AVENUE KITTERY, ME 03904

Parcel Number: 9-11
CAMA Number: 9-11
Property Address: 39 WILLIAMS AVENUE

Mailing Address: HADWEN, DAVID M 738 ISLINGTON STREET PORTSMOUTH, NH 03801

Parcel Number: 9-12
CAMA Number: 9-12
Property Address: 43 WILLIAMS AVENUE

Mailing Address: PAWLEK, STANLEY PAWLEK, SOPHIE 43 WILLIAMS AVENUE KITTERY, ME 03904-1750

Parcel Number: 9-133
CAMA Number: 9-133
Property Address: 10 ROGERS ROAD

Mailing Address: 10 ROGERS ROAD LLC 32 ROUTE 236 KITTERY, ME 03904

Parcel Number: 9-134
CAMA Number: 9-134
Property Address: 5 WHIPPLE ROAD

Mailing Address: BWF MANAGEMENT LLC 5 WHIPPLE ROAD KITTERY, ME 03904-1700

Parcel Number: 9-135
CAMA Number: 9-135
Property Address: 9-11 WHIPPLE ROAD

Mailing Address: HART, DIANE LAWRENCE, GEORGE W. 9 WHIPPLE ROAD KITTERY, ME 03904



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150 foot Abutters List Report

Kittery, ME
February 15, 2022

Parcel Number: 9-135 CAMA Number: 9-135-A Property Address: 9 WHIPPLE ROAD	Mailing Address: NANCY G. ROY REV. TRUST OF 2020 ROY, NANCY G. TR 9 WHIPPLE ROAD KITTERY, ME 03904
Parcel Number: 9-135 CAMA Number: 9-135-B Property Address: 11 WHIPPLE ROAD	Mailing Address: BARRY, THOMAS M 11 WHIPPLE ROAD KITTERY, ME 03904
Parcel Number: 9-136 CAMA Number: 9-136 Property Address: 15 WHIPPLE ROAD	Mailing Address: GARDINER, SCOTT PO BOX 552 RYE BEACH, NH 03871
Parcel Number: 9-136 CAMA Number: 9-136-1 Property Address: 15 WHIPPLE ROAD	Mailing Address: GOODRICH, TR, LAUREN GOODRICH FAMILY TRUST, LAUREN A 13 WHIPPLE ROAD KITTERY, ME 03904
Parcel Number: 9-136 CAMA Number: 9-136-2 Property Address: 13 WHIPPLE ROAD	Mailing Address: GOODRICH, TR, LAUREN GOODRICH FAMILY TRUST, LAUREN A 13 WHIPPLE ROAD KITTERY, ME 03904
Parcel Number: 9-136 CAMA Number: 9-136-3 Property Address: 17 WHIPPLE ROAD	Mailing Address: GARDINER, SCOTT PO BOX 552 RYE BEACH, NH 03871
Parcel Number: 9-15 CAMA Number: 9-15 Property Address: 36 WHIPPLE ROAD	Mailing Address: NARROW GAUGE HOLDINGS LLC PO BOX 233 PORTSMOUTH, NH 03802-0233
Parcel Number: 9-15 CAMA Number: 9-15-1-1 Property Address: 36 WHIPPLE ROAD #1	Mailing Address: VEINO IV, JAMES L 36 WHIPPLE RD UNIT #1 KITTERY, ME 03904
Parcel Number: 9-15 CAMA Number: 9-15-1-2 Property Address: 36 WHIPPLE ROAD #2	Mailing Address: ROSS, HEIDI A 36 WHIPPLE ROAD KITTERY, ME 03904-1737
Parcel Number: 9-15 CAMA Number: 9-15-1-3 Property Address: 36 WHIPPLE ROAD #3	Mailing Address: BAILEY, JOHNATHAN L. BAILEY, EMILY WIGGIN 36 WHIPPLE ROAD UNIT 3 KITTERY, ME 03904
Parcel Number: 9-15 CAMA Number: 9-15-1-4 Property Address: 36 WHIPPLE ROAD #4	Mailing Address: CASSINELLI, RONALD CASSINELLI, ELAINE PO BOX 111 KITTERY, ME 03904
Parcel Number: 9-15 CAMA Number: 9-15-1-5 Property Address: 36 WHIPPLE ROAD #5	Mailing Address: GOODWIN, HENRY JAMES GOODWIN, CATHERINE MEADE HARRIS 41 DEPOT ROAD STRATHAM, NH 03885



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150 foot Abutters List Report

Kittery, ME
February 15, 2022

Parcel Number: 9-15
CAMA Number: 9-15-1-6
Property Address: 36 WHIPPLE ROAD #6

Mailing Address: TRUTOR, KRISTINE LINNEA
36 WHIPPLE ROAD #6
KITTERY, ME 03904

Parcel Number: 9-15
CAMA Number: 9-15-2-1
Property Address: 3 WILLIAMS AVENUE #1

Mailing Address: PACHECO, SARAH M.
9 MEADOWBROOK LANE
LITCHFIELD, NH 03052

Parcel Number: 9-15
CAMA Number: 9-15-2-2
Property Address: 3 WILLIAMS AVENUE #2

Mailing Address: SEWELL, VICTORIA
3 WILLIAMS AVENUE #2
KITTERY, ME 03904

Parcel Number: 9-15
CAMA Number: 9-15-2-3
Property Address: 3 WILLIAMS AVENUE #3

Mailing Address: PALMER, ADAM R,
3 WILLIAMS AVENUE #3
KITTERY, ME 03904

Parcel Number: 9-15
CAMA Number: 9-15-2-4
Property Address: 3 WILLIAMS AVENUE #4

Mailing Address: DENARO, PAUL
1702 WOLFRUN LANE
PANAMA CITY, FL 32405

Parcel Number: 9-15
CAMA Number: 9-15-2-5
Property Address: 3 WILLIAMS AVENUE #5

Mailing Address: BERUBE, JAKE D.
18 PENNYMEADOW WALK
WELLS, ME 04090

Parcel Number: 9-15
CAMA Number: 9-15-2-6
Property Address: 3 WILLIAMS AVENUE #6

Mailing Address: RUSSELL, PATRICK H.
3 WILLIMAS AVENUE #6
KITTERY, ME 03904

Parcel Number: 9-16
CAMA Number: 9-16
Property Address: 24 WILLIAMS AVENUE

Mailing Address: BEANE, DOUGLAS J BEANE, KAREN E
24 WILLIAMS AVENUE
KITTERY, ME 03904

Parcel Number: 9-16A
CAMA Number: 9-16A
Property Address: 26 WILLIAMS AVENUE

Mailing Address: WILKINSON, SHARI JENNER, DONALD
26 WILLIAMS AVENUE
KITTERY, ME 03904

Parcel Number: 9-16B
CAMA Number: 9-16B
Property Address: 28 WILLIAMS AVENUE

Mailing Address: CLARK, FRANCIS C BARTOLOMEI, JANE E
28 WILLIAMS AVENUE
KITTERY, ME 03904-1702

Parcel Number: 9-18
CAMA Number: 9-18
Property Address: 6 WILLIAMS AVENUE

Mailing Address: L'ITALIEN, DENNIS D L'ITALIEN, SHARI L
6 WILLIAMS AVENUE
KITTERY, ME 03904-1702

Parcel Number: 9-19
CAMA Number: 9-19
Property Address: 4 WILLIAMS AVENUE

Mailing Address: MELHORN, LUCILLE B
4 WILLIAMS AVENUE
KITTERY, ME 03904-1702



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150 foot Abutters List Report

Kittery, ME
February 15, 2022

Parcel Number: 9-2 CAMA Number: 9-2 Property Address: 7 WILLIAMS AVENUE	Mailing Address: SULLIVAN III, EDWIN E SULLIVAN, CATHERINE S 7 WILLIAMS AVENUE KITTERY, ME 03904-1750
Parcel Number: 9-20 CAMA Number: 9-20 Property Address: 26 WHIPPLE ROAD	Mailing Address: BURKE, HEATHER R. MCGUIRE, COLIN G. 26 WHIPPLE ROAD KITTERY, ME 03904
Parcel Number: 9-21 CAMA Number: 9-21 Property Address: 20-22 WHIPPLE ROAD	Mailing Address: BARTLEY, MARCEL R BARTLEY, DEBORAH A 2600 LAKE SHORE ROAD, UNIT 17 GILFORD, NH 03249
Parcel Number: 9-22 CAMA Number: 9-22 Property Address: 16 WHIPPLE ROAD	Mailing Address: KIMBALL, DANA P 6 BRIDGEVIEW TERRACE KITTERY, ME 03904-1523
Parcel Number: 9-23 CAMA Number: 9-23 Property Address: WHIPPLE ROAD	Mailing Address: ECO VENTURES 6 BRIDGEVIEW TERRACE KITTERY, ME 03904
Parcel Number: 9-24 CAMA Number: 9-24 Property Address: 6-8 WHIPPLE ROAD	Mailing Address: R C BISHOP OF PORTLAND 510 OCEAN AVENUE PORTLAND, ME 04103
Parcel Number: 9-24 CAMA Number: 9-24A Property Address: 6-8 WHIPPLE ROAD	Mailing Address: SAINT RAPHAELS CHURCH PARISH 6 WHIPPLE ROAD KITTERY, ME 03904-1739
Parcel Number: 9-25 CAMA Number: 9-25 Property Address: 28 WENTWORTH STREET	Mailing Address: KOLK, MARTIN H & WOLFE, KYLE A WOLFE, NEVA A 28 WENTWORTH STREET KITTERY, ME 03904-1721
Parcel Number: 9-27 CAMA Number: 9-27 Property Address: 40 TRAIPI AVENUE	Mailing Address: RANDALL, AURISE A 40 TRAIPI AVENUE KITTERY, ME 03904-1716
Parcel Number: 9-28 CAMA Number: 9-28 Property Address: 36 TRAIPI AVENUE	Mailing Address: 20-22 HAM STREET LLC 2 GREENLEAF WOODS DRIVE UNIT 201 PORTSMOUTH, NH 03801
Parcel Number: 9-29 CAMA Number: 9-29 Property Address: 32 TRAIPI AVENUE	Mailing Address: SAEVARSSON, ERLING I 32 TRAIPI AVENUE KITTERY, ME 03904
Parcel Number: 9-3 CAMA Number: 9-3 Property Address: 11 WILLIAMS AVENUE	Mailing Address: MCNABB, KENNETH F MCNABB, SUSAN F 11 WILLIAMS AVENUE KITTERY, ME 03904-1750



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150 foot Abutters List Report

Kittery, ME
February 15, 2022

Parcel Number: 9-4
CAMA Number: 9-4
Property Address: 15 WILLIAMS AVENUE

Mailing Address: COLLINS TRS, DAVID R & DEBORAH C
DRC & DCC REV TRUSTS
15 WILLIAMS AVENUE
KITTERY, ME 03904

Parcel Number: 9-5
CAMA Number: 9-5
Property Address: 17 WILLIAMS AVENUE

Mailing Address: WHEELER, WILLIAM R WHEELER,
WILMA
17 WILLIAMS AVENUE
KITTERY, ME 03904-1750

Parcel Number: 9-6
CAMA Number: 9-6
Property Address: 19 WILLIAMS AVENUE

Mailing Address: BRUNING, ANNA
19 WILLIAMS AVENUE
KITTERY, ME 03904

Parcel Number: 9-7
CAMA Number: 9-7
Property Address: 29 WILLIAMS AVENUE

Mailing Address: WILKINS, JEANNE Y
29 WILLIAMS AVENUE
KITTERY, ME 03904-1750

Parcel Number: 9-8
CAMA Number: 9-8
Property Address: 31 WILLIAMS AVENUE

Mailing Address: HOVEN, ERICA J KANE, ROBERT D
31 WILLIAMS AVENUE
KITTERY, ME 03904

Parcel Number: 9-9
CAMA Number: 9-9
Property Address: 35 WILLIAMS AVENUE

Mailing Address: DUFFY, EARL A
35 WILLIAMS AVENUE
KITTERY, ME 03904-1750

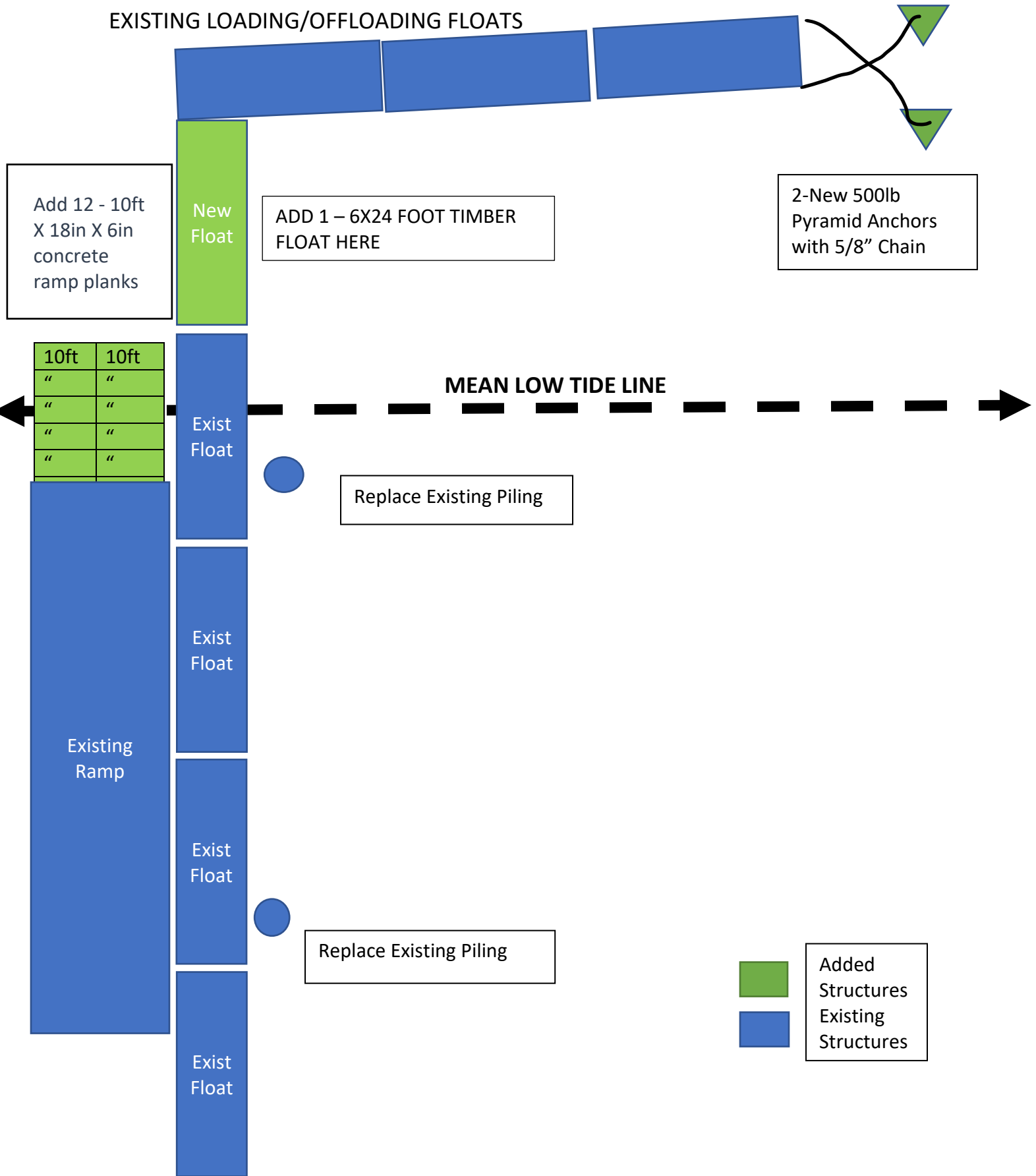


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Traip Public Boat Ramp and Flat Extension Project

EXISTING LOADING/OFFLOADING FLOATS









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 29, 2021

John J. Brosnihan
Harbormaster, Town of Kittery
120 Rogers Road
Kittery, Maine 03904

Mr. Brosnihan:

This concerns Department of the Army Programmatic General Permit, number NAE-2007-02272, which authorized the placement of fill in less than 2,210 SF (0.05 acres) of intertidal zone of the Piscataqua River in conjunction with the reconstruction of the existing boat launch ramp at Traip Academy off Williams Avenue at Kittery, Maine on October 12, 2007.

In accordance with your recent request, the previous authorization is hereby amended to authorize the replacement of 2 deteriorated timber piles, installation and maintenance of a single timber pile and installation and maintenance of a 6-ft. wide x 26-ft. long float. This work is shown on the attachment received by our office on December 28, 2021.

All other conditions of the original permit remain in full force and effect.

We continually strive to improve our customer service. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

A handwritten signature in black ink, appearing to read "Frank J. Del Giudice", is written over a horizontal line.

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



Replace Piling

Replace Piling

Add New Piling Here

Add 6x26' Float Here

Google



REPLY TO
ATTENTION OF

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

**MAINE GENERAL PERMIT (GP)
AUTHORIZATION LETTER AND SCREENING SUMMARY**

Kittery Port Authority
Attn: Michael Blake
200 Rogers
Kittery, Maine 03904

CORPS PERMIT # NAE-2007-02272 Amendment
CORPS PGP ID# 14-066
STATE ID# PBR

DESCRIPTION OF WORK:

replace 3-10'x10' deteriorated floats attached perpendicular to a line of base floats extending parallel to the Traip Academy Boat launch previously authorized per NAE-1999-01953, with 3- 8'x 20' floats extending west at an 110 degree angle from the line of base floats in the Back Channel of the Piscataqua River off Williams Road Kittery, Maine as shown on the attached plans entitled "Traip Academy Boat Launch Kittery, Maine Floating Dock Site Plan and Details by Wright-Pierce". in 1 sheet.

See Attached Conditions:

LAT/LONG COORDINATES : 43.08570 N 70.73955 W USGS QUAD: ME-Kittery

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP). Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 41 of the GP (page 18) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

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

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. **This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.**

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

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: Feb 27, 2014 LEVEL OF REVIEW: CATEGORY 1: _____ CATEGORY 2: X

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

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

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.htm>

Rodney A. Howe
RODNEY A. HOWE
SENIOR PROJECT MANAGER
MAINE PROJECT OFFICE

129 3-4-2014
FRANK J. DEL GIUDICE DATE
CHIEF, PERMITS & ENFORCEMENT BRANCH
REGULATORY DIVISION



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

**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
GENERAL PERMIT
NO. NAE-2007-02272**

1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).

2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-0003
EXPIRES: 31 August 2012

Public reporting burden for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This Information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED FEB 21 2014	4. DATE APPLICATION COMPLETE
--------------------	----------------------	---------------------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME: First - Michael Middle - N Last - Blake Company - Military Port Authority E-mail Address - kpw@kittery.mil.gov		8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) First - Middle - Last - Company - SAME E-mail Address -	
6. APPLICANT'S ADDRESS: Address - 200 Rogers Rd City - Kittery State - ME Zip - 03904 Country - US		9. AGENT'S ADDRESS Address - Same City - State - Zip - Country -	
7. APPLICANT'S PHONE NOS. W/AREA CODE. a. Residence 603-834-2326 b. Business 207-451-0829 c. Fax		10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business c. Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Michael Blake to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Traip Boat Launch Float Replacement and Realignment	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Back Channel of Piscataqua River	14. PROJECT STREET ADDRESS (if applicable) Address Williams Road City - Kittery State - Maine Zip - 03904
15. LOCATION OF PROJECT Latitude: °N 43.05.138 Longitude: °W 070.44.389	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Map 9 Municipality Kittery Section - Lot 17 Township - Kittery Range -	

17. DIRECTIONS TO THE SITE
Rte 236E to Rte 103. Left on Williams Ave, behind Traip High School

18. Nature of Activity (Description of project, including features)

Replace 3 - 10'x10' deteriorated floats with 3 - 8'x20' larger floats including a minor reconfiguration at the outer end as shown on the project plans.

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

Increase usability at low water hours, adding safety for boaters launching and hauling out. Presents added benefit to commercial small fishermen to exist better with recreational boaters.

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

20. Reason(s) for Discharge

N/A

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

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
N/A	N/A	N/A

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

Acres N/A

Or

Liner Feet N/A

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

N/A

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

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

Address -- Traip Academy which is Town owned land

City -- Kittery

State -- Maine

Zip -- 03904

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

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
DEP	Pending				
SHIP	Maine DOT			11-26-2013	
Bureau parks & Lands	Easement	1075-E-36		12-30-2014	

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

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

SIGNATURE OF APPLICANT

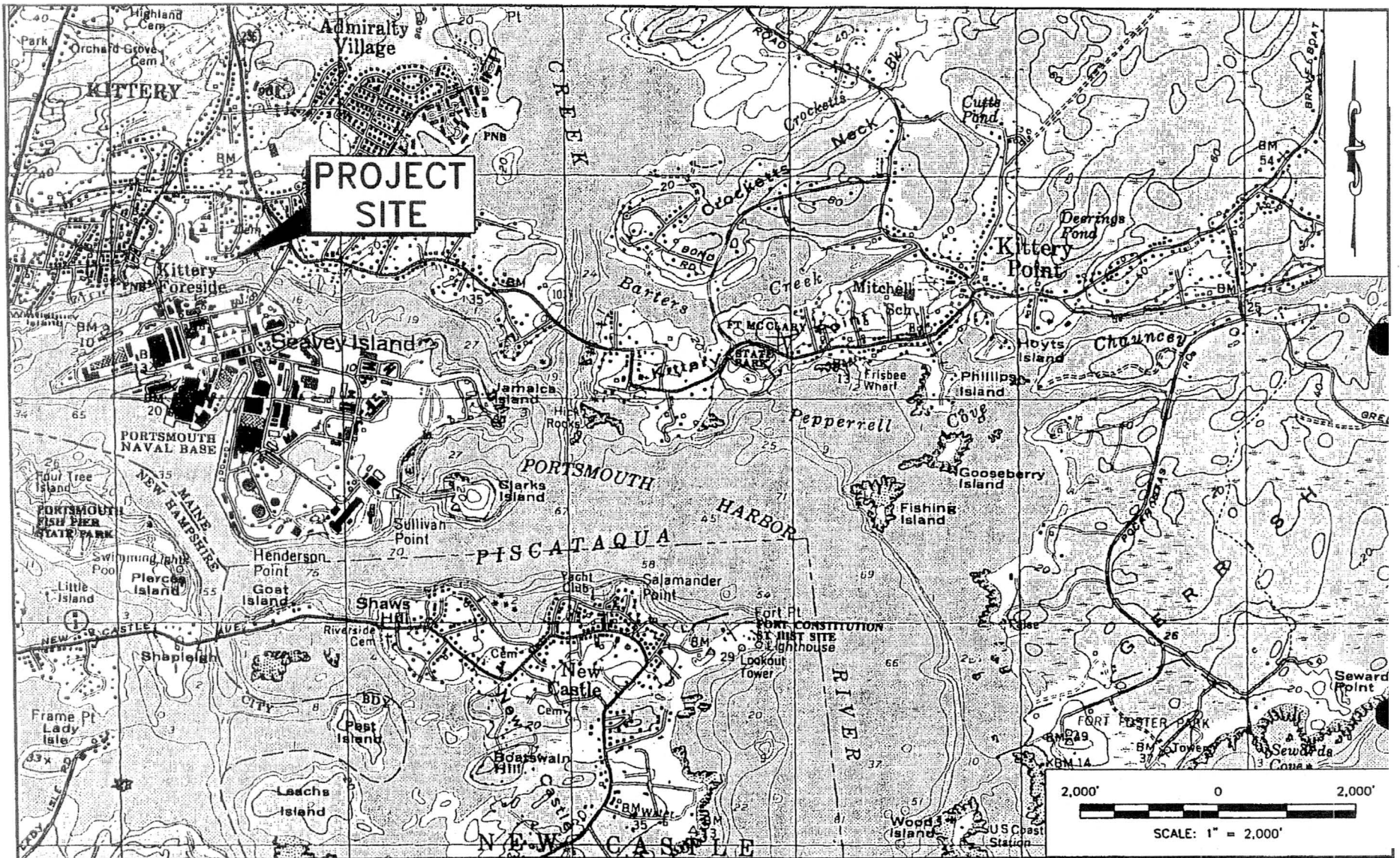
DATE

SIGNATURE OF AGENT

DATE

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

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



**Pine Tree
Engineering**

53 Front Street
Bath, Maine 04530
Tel: (207) 443-1508
Fax: (207) 442-7029

Civil/Environmental Engineering • Surveying

**TRAP ACADEMY BOAT LAUNCH
USGS LOCATION MAP**

PLACE: PISCATAQUA RIVER
TOWN: KITTERY
COUNTY: YORK
STATE: MAINE

APPLICATION BY:

TOWN OF KITTERY

DATE

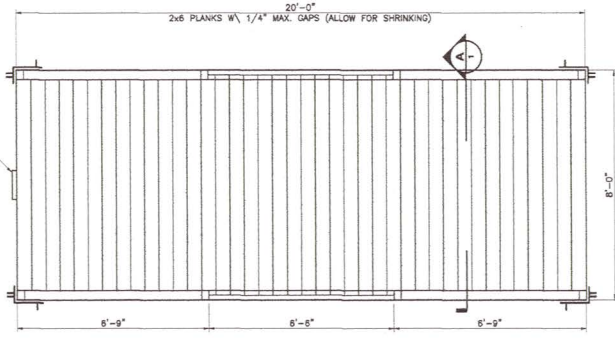
MARCH 19, 2007

EXHIBIT 1

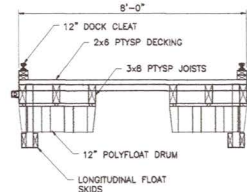
LAST SAVED BY: CDH | 1/29/2014 10:06 AM

TRAP ACADEMY BOAT LAUNCH VIG | 1:4:56 | 1/29/2014 10:52:40 AM | CDH

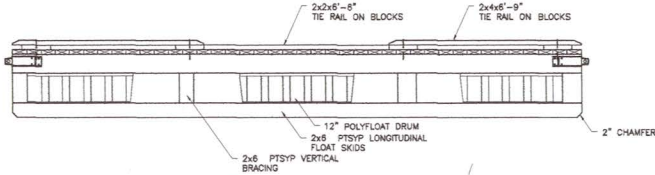
C:\WORK\WB14\KITTEKY\TRAPACADEMYBOATLAUNCH\VIG\TRAPACAD\DRAWING



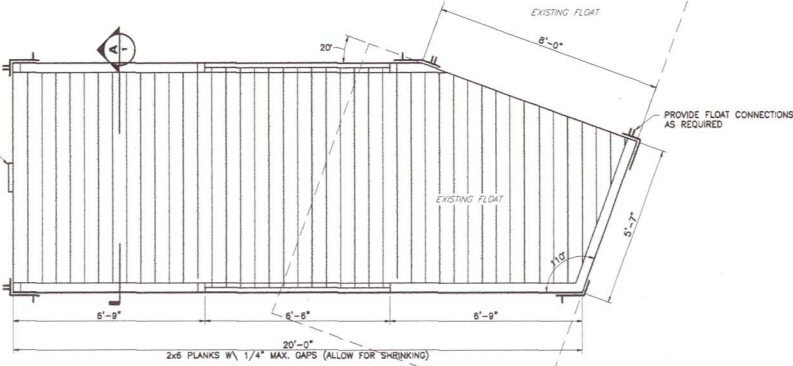
PLAN-FLOAT "A"
SCALE: 1/2"=1'



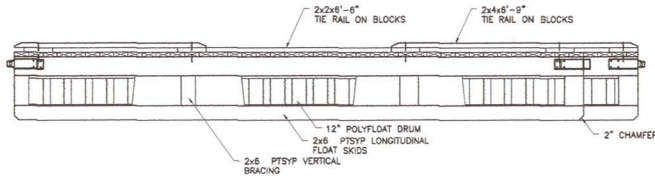
SECTION-FLOAT "A/B"
SCALE: 1/2"=1'



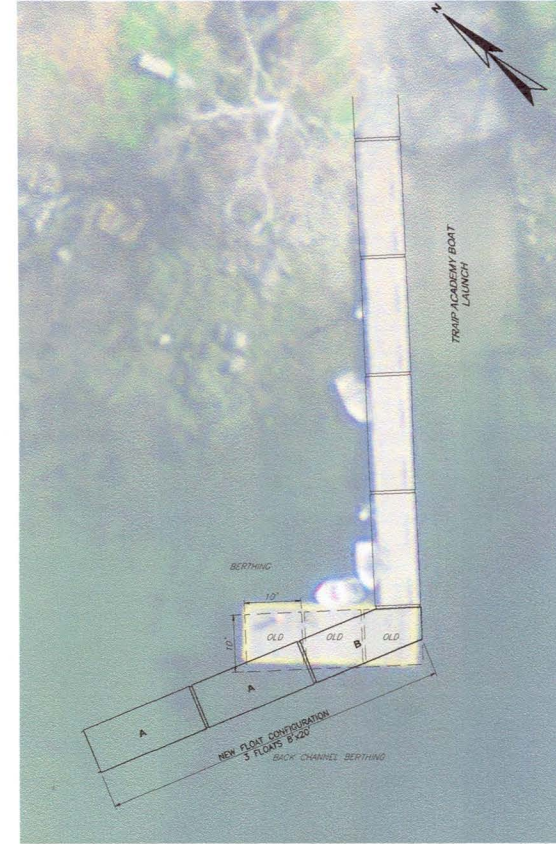
SIDE ELEVATION-FLOAT "A"
SCALE: 1/2"=1'



PLAN-FLOAT "B"
SCALE: 1/2"=1'



SIDE ELEVATION-FLOAT "B"
SCALE: 1/2"=1'



PLAN
SCALE: 1"=10'

NO.	DATE	BY	CHKD.	APP'D.	PROJECT NO.

WRIGHT-PIERCE
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TRAP ACADEMY
TRAP ACADEMY BOAT LAUNCH
KITTEKY, ME
FLOATING DOCK SITE PLAN AND DETAILS

DRAWING
FIG-1

Howe, Rodney A NAE

From: Harbor Master [kpa@kitteryme.org]
Sent: Thursday, February 20, 2014 11:54 AM
To: Howe, Rodney A NAE
Subject: [EXTERNAL] FW: Traip float request

From: Harbor Master
Sent: Thursday, February 20, 2014 11:52 AM
To: 'rodney.a.howe@asuce.army.mil'
Subject: Traip float request

February 20, 2014

Mr. Howe

The following explanation of the Traip float replacement SHIP project is taken from my Report to Town Council regarding statement of need.

The Traip boat launch floats are in need of upgrading because of the age of the current float system, as well as an exponential demand in use from local recreational boaters and fishermen.

Currently, the three floats in place are about ten years old and have foam billets for floatation. The size of the float configuration is positioned so that at low tide the access on the inboard sides are useless as they dry out.

The increase in use calls for not only an increase in size but a new alignment with the low water line so as to increase its usability during low tide hours.

Safety of boaters will be increased because in times of rapid ebb and flow of the current in the back channel, boaters waiting their turn to haul out will be able to safely tie up temporarily while waiting for those ahead of them in line.

As this facility is used more by local lobstermen as well as recreational fishermen, we will be able to allow more access to the float configuration.

The KPA had enlisted a professional civil engineer to assist in the float design as well as method of anchoring the new floats to the bottom.

I appreciate your time assisting us in this project, and if you need any further information please let me know.

Sincerely,

Michael Blake

Kittery Harbormaster

BEST MANAGEMENT CONDITIONS

(1) All areas of wetlands and/or waters which are disturbed during construction shall be restored to their approximate original elevation (but not higher) and condition by careful protection, and/or removal and replacement, of existing soil and vegetation. In addition, if upland clearing, grubbing, or other construction activity results in, or may result in, soil erosion with transport and deposition into a wetland or waterway, devices such as geotextile silt fences, sediment trenches, etc., shall be installed and properly maintained to minimize such impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.

(2) Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize adverse impacts on waters and wetlands during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.

(3) No temporary fill (e.g., access roads, meadow mats, cofferdams) may be placed in waters or wetlands unless specifically authorized by this permit. If temporary fill is used, it shall be disposed of at an upland site and suitably contained to prevent its subsequent erosion into a water of the U.S., and the area shall be restored to its original contours (but not higher). During use, such temporary fill must be stabilized to prevent erosion or, in the case of flowing water (rivers or streams), clean washed stone should be used.

(4) When temporary fill is placed in wetlands or waters for the purpose of supporting excavation equipment which will perform trenching operations, protective geotextile fabric shall first be placed in two parallel strips, separated by the location and width of the future trench. This does not apply to meadow mats.

(5) To prevent slumping of sediment or peat into waters of the U.S., dredging shall not occur within _____ feet of the marsh edge. In addition, no equipment will traverse, be placed, or stored on the marsh vegetation. Any equipment that must traverse vegetated wetlands will be supported by mats, or low ground pressure equipment will be used.

(6) The height of the proposed structure (up to 4 feet wide) will be a minimum of 4 feet high over the grade of the marsh surface (measured from the bottom of the support stringer I-beam to marsh substrate). The height of the proposed structure (4 feet wide or greater) shall be designed and constructed such that the pier width to height ratio is 1:1 over salt marsh vegetation.



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

*copy
 Ramp Rebuilt
 for reference*

REPLY TO:
 ATTENTION OF:

**MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
 AUTHORIZATION LETTER AND SCREENING SUMMARY**

Town of Kittery
 C/o Sue Douglas
 Pine Tree Engineering, Inc.
 53 Front Street
 Bath, Maine 04530

CORPS PERMIT # NAE-2007-02272
 CORPS PGP ID# 07-333
 STATE ID# L-

DESCRIPTION OF WORK:

To place fill in less than 2,210 SF (0.05 acres) of inter tidal zone of the Piscataqua River in conjunction with the reconstruction of the existing boat launch ramp at Traip Academy off Williams Avenue at Kittery, Maine as shown on the attached plans.
SEE ATTACHED CONDITIONS

LAT-LONG COORDINATES : 43.0856994 N 70.739548085 W USGS QUAD: Kittery, ME

I. CORPS DETERMINATION:

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

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

II. STATE ACTIONS: PENDING [X] ISSUED [] DENIED [] DATE 5/15/07

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 9/9/07 LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2: X

AUTHORITY: SEC 10 , 404 10/404 X, 103

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

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT (Y) / N (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA_NO , USF&WS_NO , NMFS_NO , SHPO_NO , THPO_NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office.

Rodney A. Howe
 RODNEY A. HOWE
 SENIOR PROJECT MANAGER
 MAINE PROJECT OFFICE

Frank J. Del Giudice 12 Oct 2007
 FRANK J. DEL GIUDICE DATE
 CHIEF, PERMITS & ENFORCEMENT BRANCH
 REGULATORY DIVISION



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

**ADDITIONAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
NO. NAE-2007-02272
TOWN OF KITTEERY
TRAIP ACADEMY BOAT LAUNCH
KITTEERY, MAINE**

1. This permit authorizes impacts to only those areas of wetlands shown on the attached project plans entitled TRAIP ACADEMY BOAT LAUNCH, KITTEERY, MAINE in three sheets dated MARCH 19, 2007. No other filling, clearing or other disturbance in wetlands shall occur. Any additional proposals that would further impact wetlands will require additional permitting.
2. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
3. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
2. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM

MAE-2007-02272

Use with DEP Regulation, Chapter 305)

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant: (owner)		Town of Kittery			Applicant Mailing Address:		200 Rogers Road			
Town/City:		Kittery			State:		Maine			
Zip Code:		03904	Daytime Telephone No: (Include area code)		(207) 439-1633 EXT. 329		Project Location: (town)		Kittery	
County:		York		Map #:	9	Lot #:	17		Name of Wetland or Waterbody:	Back Channel - Piscataqua River
Name of Agent:		Stephen C. DeWick, P.E.				Agents Telephone No: (include area code)		(207) 443-1508		
Detailed Directions to Site:		Traveling south on Route 1 in Kittery, turn left onto Route 103 (Whipple Road). Travel about 0.8 mile to Williams Ave on right. Travel through Academy parking lot to ramp.								
					UTM Northing: (if known)		UTM Easting: (if known)			
Description of Project:		Reconstruction of existing 20' wide boat ramp, with four floats, concrete abutment, two steel piles, pavement, and landscaping.								
					Part of a larger project?		Yes	✓	No	

(CHECK ONE) This project: does does not involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, have read and will comply with all of the standards in the Sections checked below.

- Sec. (2) Act. Adjacent to Protected Natural Res.
- Sec. (3) Intake Pipes
- Sec. (4) Replacement of Structures
- Sec. (5) REPEALED
- Sec. (6) Movement of Rocks or Vegetation
- Sec. (7) Outfall Pipes
- Sec. (8) Shoreline stabilization
- Sec. (9) Utility Crossing
- Sec. (10) Stream Crossing
- Sec. (11) State Transportation Facilities
- Sec. (12) Restoration of Natural Areas
- Sec. (13) F&W Creation/Enhance/Water Quality Improvement
- Sec. (14) REPEALED
- Sec. (15) Public Boat Ramps
- Sec. (16) Coastal Sand Dune Projects
- Sec. (17) Transfers/Permit Extension
- Sec. (18) Maintenance Dredging

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that *this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.*

I have attached the following required submittals. NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach a check for \$55 (non-refundable) made payable to: "Treasurer, State of Maine".
- Attach a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach all other required submissions as outlined in the PBR Sections checked above.

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	4/30/07
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Keep a copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. Work carried out in violation of any standard is subject to enforcement action.

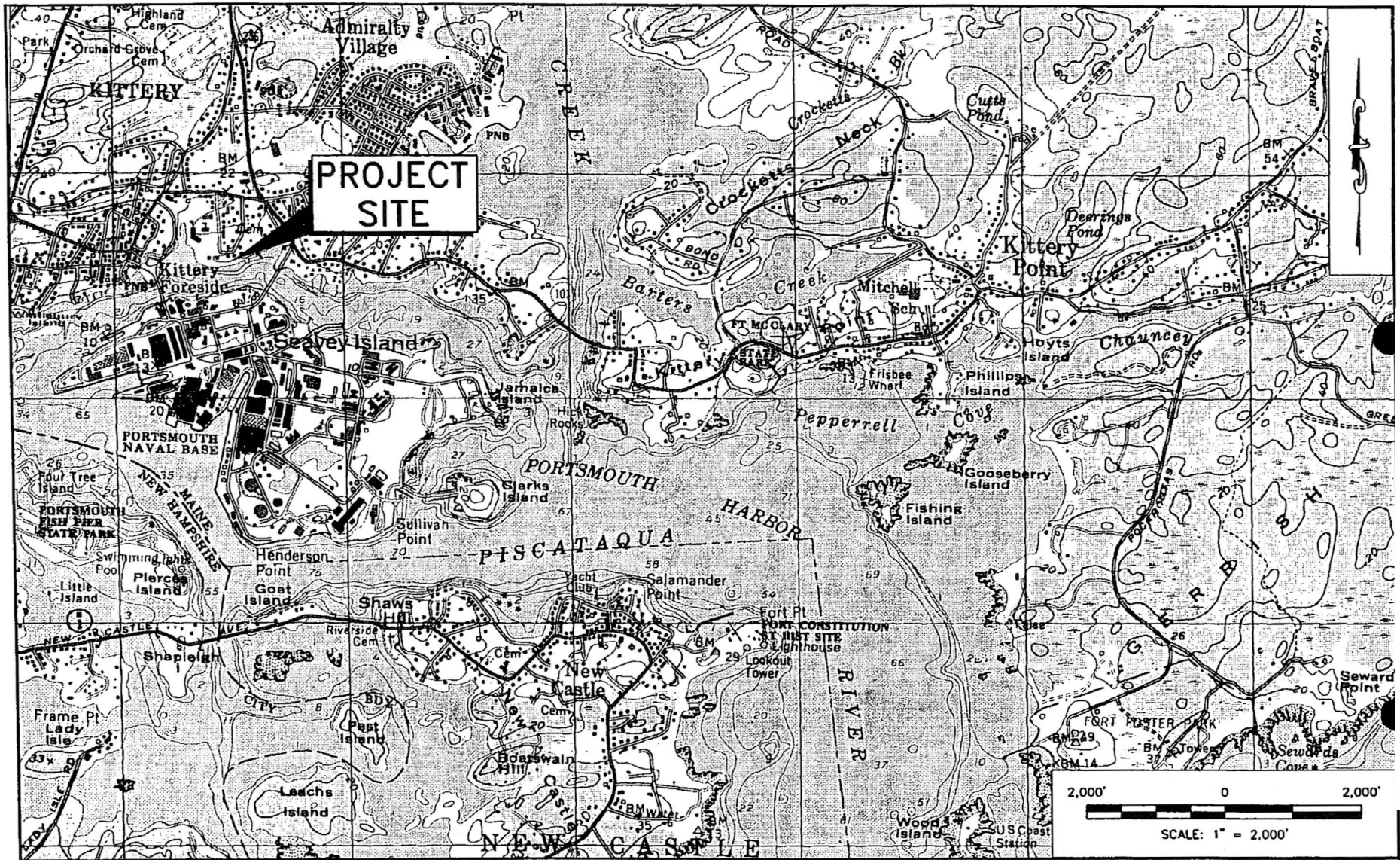
AUGUSTA DEP
 STATE HOUSE STATION 17
 AUGUSTA, ME 04333-0017
 (207)287-2111

PORTLAND DEP
 312 CANCO ROAD
 PORTLAND, ME 04103
 (207)822-6300

BANGOR DEP
 106 HOGAN ROAD
 BANGOR, ME 04401
 (207)941-4570

PRESQUE ISLE DEP
 1235 CENTRAL DRIVE
 PRESQUE ISLE, ME 04769
 (207)764-0477

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	



PROJECT SITE

Pine Tree Engineering

53 Front Street
 Bath, Maine 04530
 Tel: (207) 443-1508
 Fax: (207) 442-7029

Civil/Environmental Engineering • Surveying

**TRAIPI ACADEMY BOAT LAUNCH
 USGS LOCATION MAP**

PLACE: PISCATAQUA RIVER
 TOWN: KITTERY
 COUNTY: YORK
 STATE: MAINE

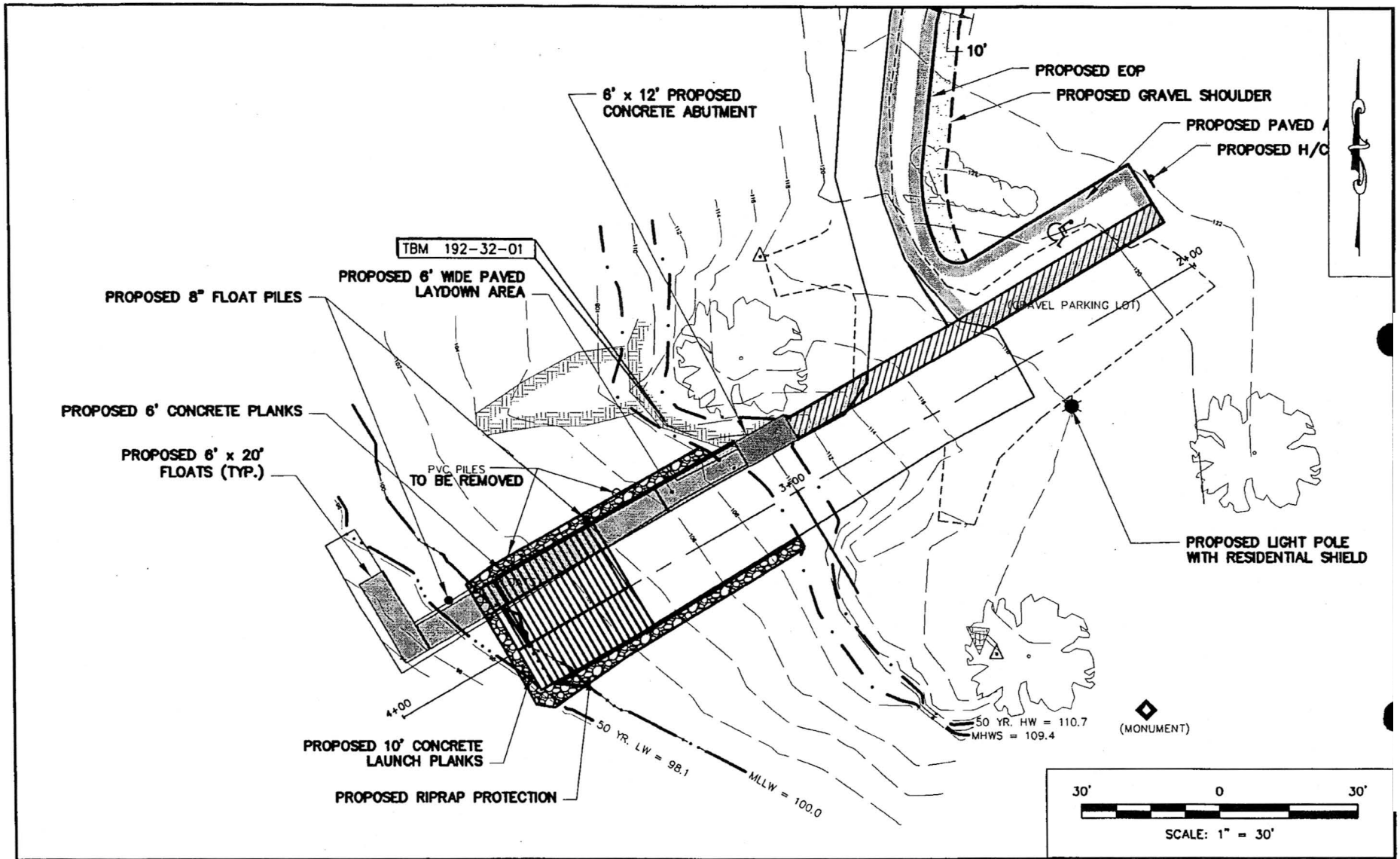
APPLICATION BY:

TOWN OF KITTERY

DATE

MARCH 19, 2007

EXHIBIT 1



Pine Tree Engineering
 53 Front Street
 Bath, Maine 04530
 Tel: (207) 443-1508
 Fax: (207) 442-7029
 Civil/Environmental Engineering • Surveying

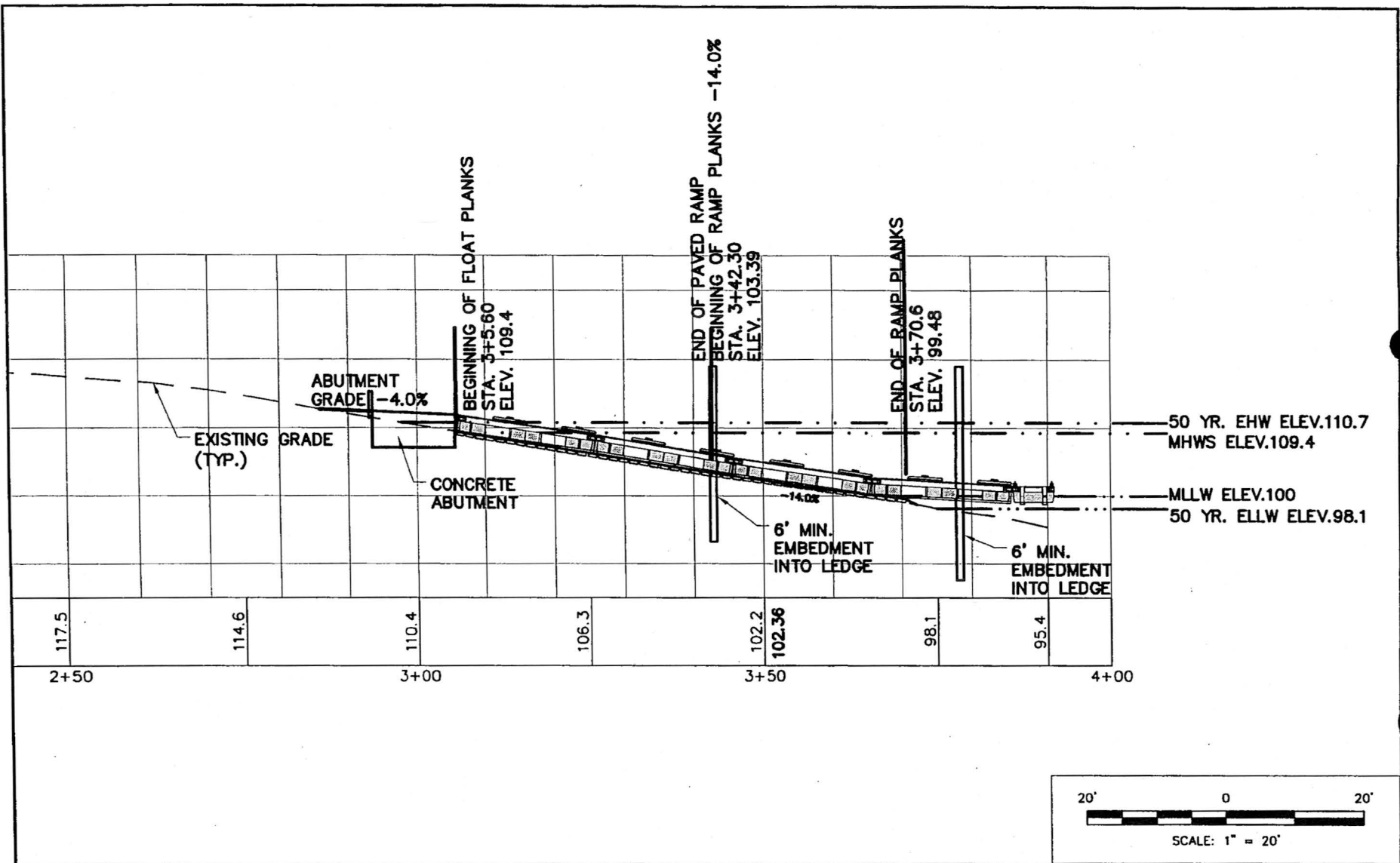
TRAIPI ACADEMY BOAT LAUNCH
 PROPOSED SITE PLAN

PLACE: PISCATAQUA RIVER
 TOWN: KITTERY
 COUNTY: YORK
 STATE: MAINE

APPLICATION BY:
 TOWN OF KITTERY

DATE
 JULY 30, 2007

EXHIBIT 2



Pine Tree Engineering

53 Front Street
 Bath, Maine 04530
 Tel: (207) 443-1508
 Fax: (207) 442-7029

Civil/Environmental Engineering • Surveying

**TRAIPI ACADEMY BOAT LAUNCH
 PROFILE**

PLACE: PISCATAQUA RIVER
 TOWN: KITTERY
 COUNTY: YORK
 STATE: MAINE

APPLICATION BY:

TOWN OF KITTERY

DATE

JULY 30, 2007

EXHIBIT 3



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

COPY ORIGINAL PERMIT

REPLY TO ATTENTION OF

**DEPARTMENT OF THE ARMY PROGRAMMATIC GENERAL PERMIT
 STATE OF MAINE, SUMMARY OF SCREENING AND STATUS**

TOWN OF KITTERY PORT AUTHORITY
 P.O. BOX 808
 KITTERY, MAINE 03904

CORPS PERMIT # 199901953
 CORPS PGP ID# 99-422
 STATE ID# _____

DESCRIPTION OF WORK AS ON ATTACHED STATE APPN:

Install and maintain a line of 3, 24'x 4' floats extending southwest from shore, parallel to an existing boat ramp, and leading to a fourth 24'x 4' float attached perpendicular to the northwest the back channel of the Piscataqua River at Kittery, Maine.

I. STATE ACTIONS: PENDING [], ISSUED [], DENIED [] DATE _____

LEVEL OF STATE REVIEW: PERMIT BY RULE: X, TIER 1: _____, TIER 2: _____, TIER 3: _____, (NRPA)

II. EXCLUSIONS:	APPLIES	N/A		APPLIES	N/A
St. John/St. Croix	[]	[x]	Navigation	[]	[x]
Historic Properties	[]	[x]	New/Extended Boating Fac.	[]	[x]
Nat'l Refuge/Forest/Park Serv.	[]	[x]	National Wild & Scenic R.	[]	[x]
Threat/Endangered Species	[]	[x]	N.H./Canadian Waters	[]	[x]
Corps Navigation Project	[]	[x]	Projects requiring EIS	[]	[x]

UTM GRID COORDINATES N: 4771586 E: 358504 USGS QUAD: KITTERY, ME

III. FEDERAL ACTIONS:

DATE STATE FILE REVIEWED: 8/25/99 (PGP JP MEETING)

LEVEL OF CORPS REVIEW: CATEGORY 1: _____ CATEGORY 2: X

AUTHORITY: SEC 10 X, 404 _____, 10/404 _____, 103 _____

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO, USF&WS NO, NMFS NO

We have determined that your project as proposed and as shown on the plans submitted to the Corps is eligible under the State of Maine Programmatic General Permit. Accordingly, other than possibly performing a compliance inspection (condition 22 of the permit) at some later date, we do not plan to take any further action on this project

Please note that all work is subject to the conditions contained in the general permit and any additional special conditions listed on any attached sheets. No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained.

Additional Special conditions Attached: YES NO (CIRCLE ONE)

If you have any questions on this matter, please contact Shawn Mahaney or Rod Howe of my staff at 207-623-8367 at our Manchester, Maine Project Office.

Jay L. Clement
 JAY L. CLEMENT
 SENIOR PROJECT MANAGER
 MAINE PROJECT OFFICE

David H. Killoy 9/28/99
 DAVID H. KILLOY, P.E., C.P.G. DATE
 CHIEF, PERMITS & ENFORCEMENT SECTION
 REGULATORY BRANCH

199901953

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-003
Expires October 1996

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

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. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
--------------------	----------------------	------------------	-------------------------------

ITEMS BELOW TO BE FILLED BY APPLICANT

5. APPLICANT'S NAME Town of Kittery Port Authority	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) John V McCullett Kittery Harbor Master
6. APPLICANT'S ADDRESS PO Box 808 Kittery Me 03904	9. AGENT'S ADDRESS PO Box 808 Kittery Me 03904
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence b. Business 439 0912 439 0452	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business SAME

STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Traip Academy Ramp Floats	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Back channel (NAVY YARD)	14. PROJECT STREET ADDRESS (if applicable)
15. LOCATION OF PROJECT York COUNTY Me STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

17. DIRECTIONS TO THE SITE

From Augusta 955 TO Route 236 S exit Kittery South on 236 TO Route 103 (By OSCO'S) Right on to 103 TO WILLIAMS AVE. LEFT ON TO WILLIAMS AVE TO Traip Academy Parky Lot. Ramp is on SW end of school grounds

19
 18. Nature of Activity (Description of project, include all features)
 1. FLANTS For people Launching Thore boats
 2. place for dingys used by mooring holders

18. Project Purpose (Describe the reason or purpose of the project, see instructions)
 Boatrump This has been Approved by Kithy P.A.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge
 NO vegetation in Area All Rocks

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

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

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

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

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

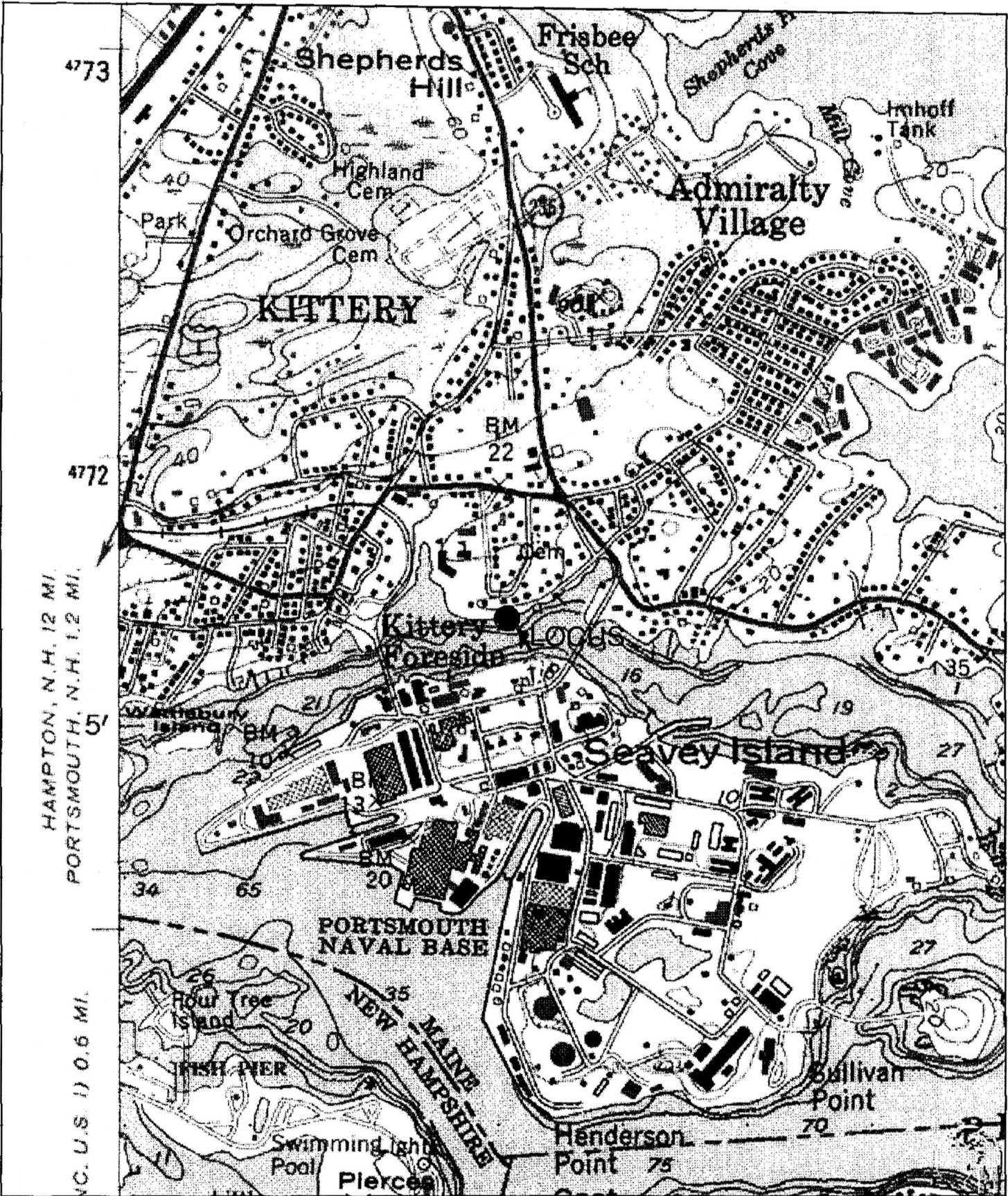
AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.
 Signature of Applicant: John V. McArthur
 Date: 15 July 99
 Signature of Agent: _____
 Date: _____

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 14 has been filled out and signed.

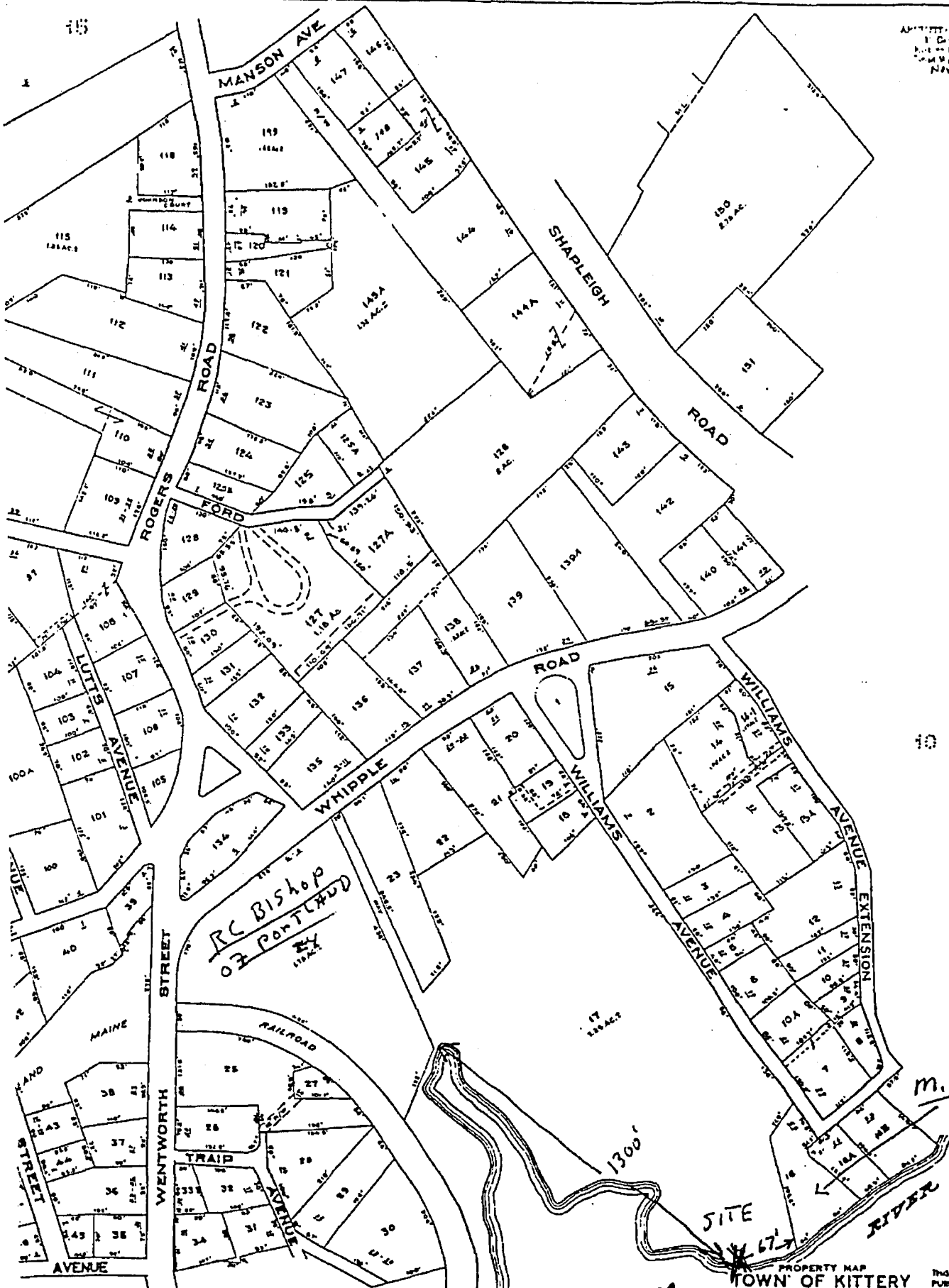
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations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



Name: KITTERY
 Date: 9/23/99
 Scale: 1 inch equals 1000 feet

Location: 19 358497 4771621
 Caption: TOWN OF KITTERY
 FLOATS
 KITTERY, ME

APR 1977, 78 IN 207-78-1141
11 South Island Lane
York - Down Maine 07908
Land Map of York, MA
Nov. 1976



REVISED DEC. 1995 BY
ANDERSON-LIVINGSTON ENGINEERS, INC.
U.S. 914, 1 YORK, Maine

PISCATAQUA

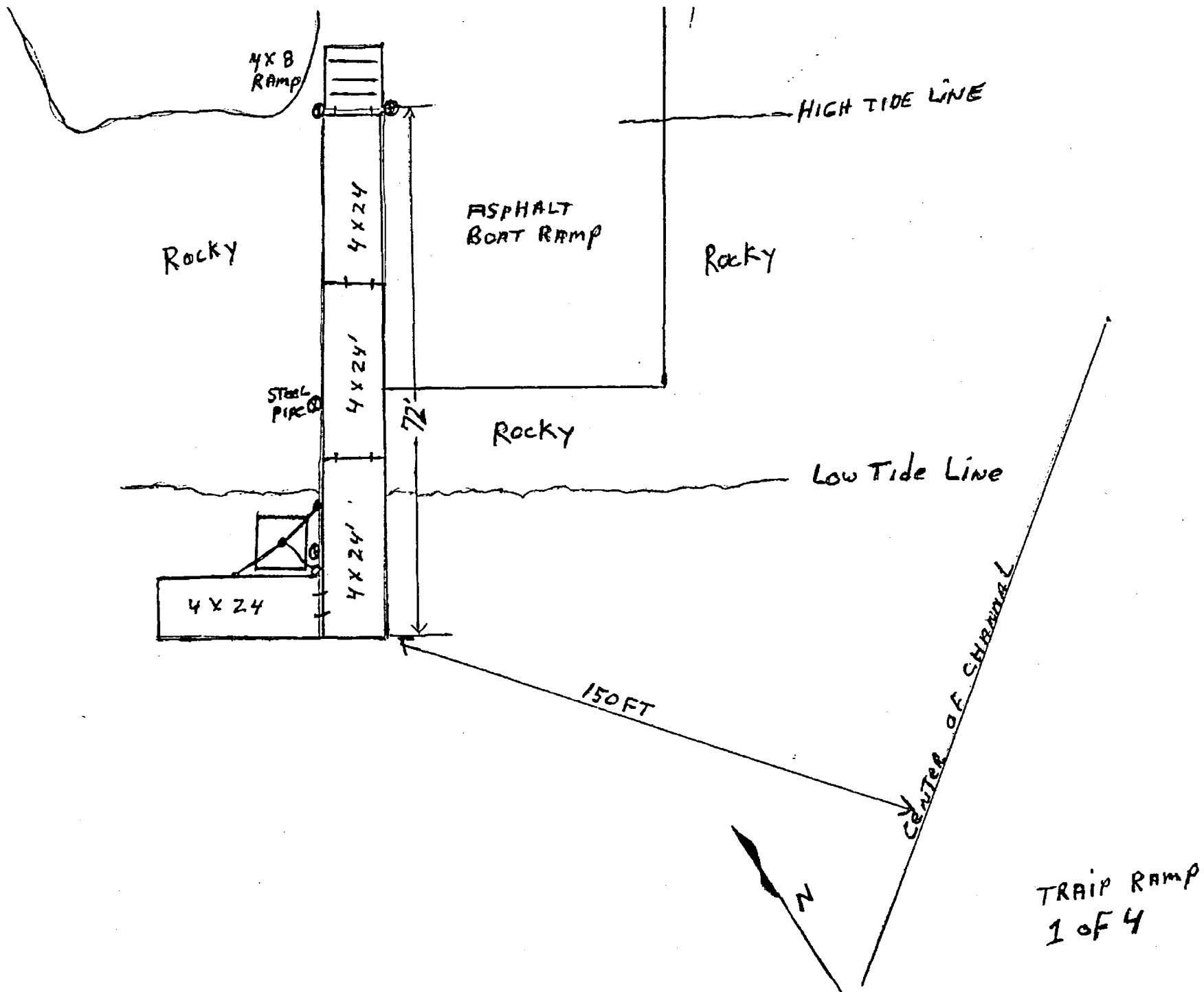
PROPERTY MAP
TOWN OF KITTERY
YORK COUNTY, MAINE
PREPARED BY

THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY. NOT TO BE
USED FOR CONVEYANCES.

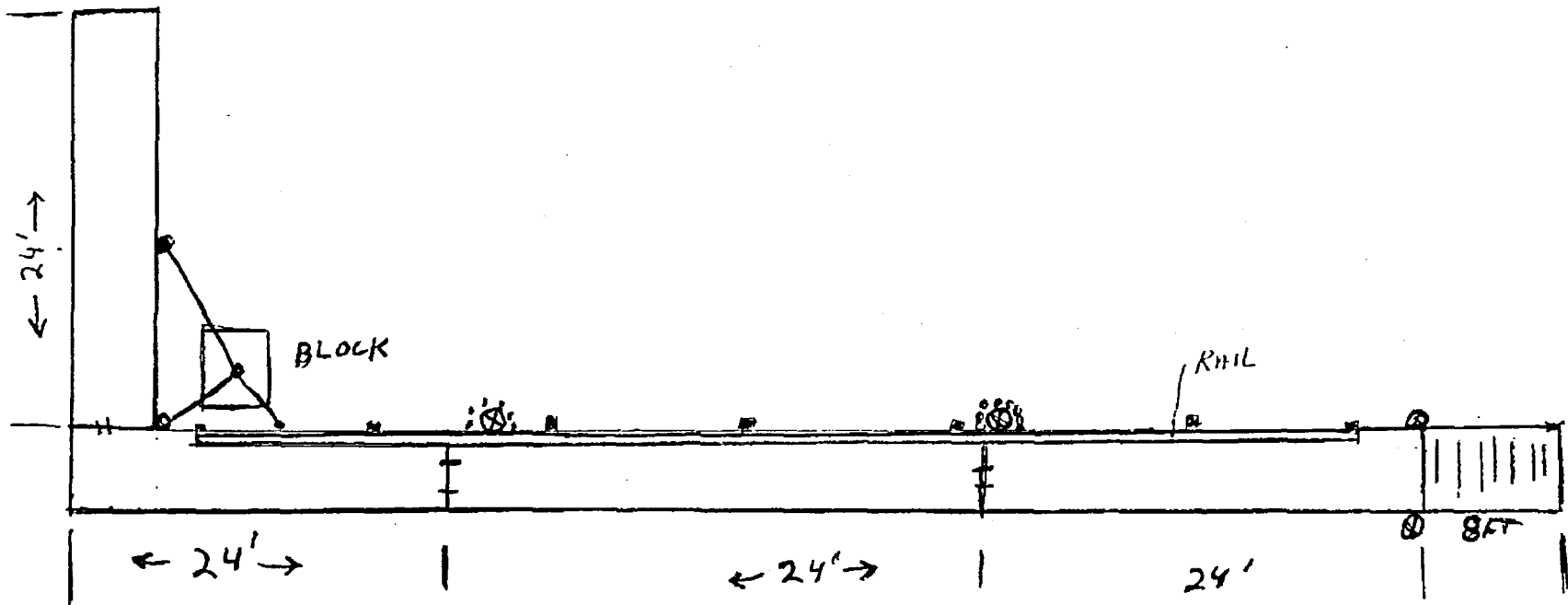
JAMES W. SEWALL COMPANY
SCALE 1" = 100'

OLD TOWN, MAINE

M. LORRINE
Frisbee



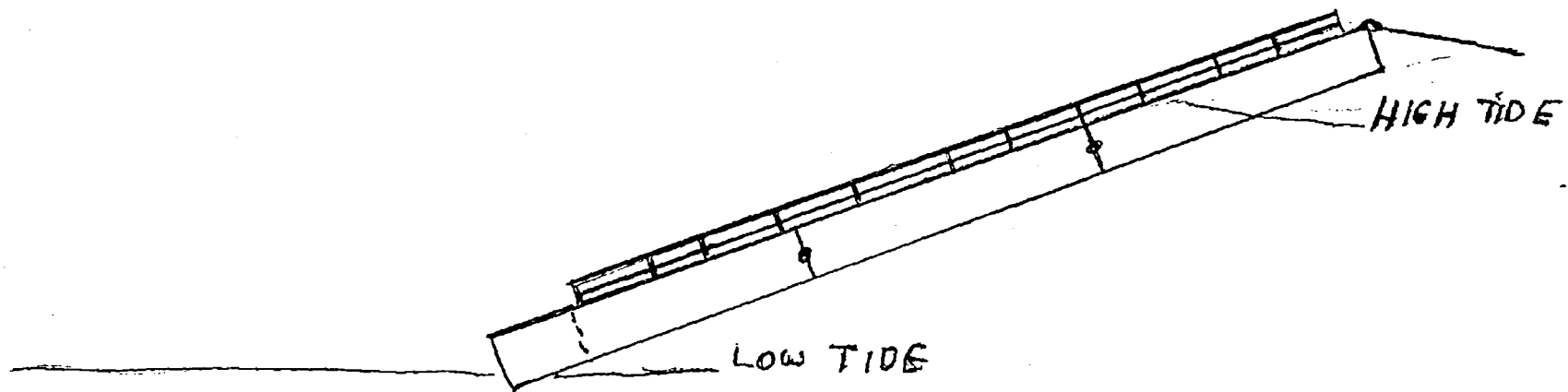
TOP VIEW LOCATION MAP
NOT TO SCALE



TOP VIEW
DETAILS

TRAP RAMP
2 OF 4

NOT TO SCALE



TRAIL RAMP
3 OF 4

ELEVATION, LOOKING UP RIVER



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

REPLY TO:
 ATTENTION OF:

**MAINE PROGRAMMATIC GENERAL PERMIT (PGP)
 AUTHORIZATION LETTER AND SCREENING SUMMARY**

Town of Kittery
 C/o Sue Douglas
 Pine Tree Engineering, Inc.
 53 Front Street
 Bath, Maine 04530

CORPS PERMIT # NAE-2007-02272
 CORPS PGP ID# 07-333
 STATE ID# L-

DESCRIPTION OF WORK:

To place fill in less than 2,210 SF (0.05 acres) of inter tidal zone of the Piscataqua River in conjunction with the reconstruction of the existing boat launch ramp at Traip Academy off Williams Avenue at Kittery, Maine as shown on the attached plans.
SEE ATTACHED CONDITIONS

LAT-LONG COORDINATES : 43.0856994 N 70.739548085 W USGS QUAD: Kittery, ME

I. CORPS DETERMINATION:

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

You must perform the activity authorized herein in compliance with all the terms and conditions of the PGP [including any attached Additional Special Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary. Also, this permit requires you to notify us before beginning work and allow us to inspect the project. Hence, you must complete and return the attached Work Start Notification Form(s) to this office no later than 2 weeks before the anticipated starting date. (For projects requiring mitigation, be sure to include the MITIGATION WORK START FORM).

II. STATE ACTIONS: PENDING [X] ISSUED [] DENIED [] DATE 5/15/07

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

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 9/9/07 LEVEL OF REVIEW: CATEGORY 1: CATEGORY 2: X

AUTHORITY: SEC 10 , 404 10/404 X, 103

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

ESSENTIAL FISH HABITAT (EFH): EFH PRESENT (Y) / N (CIRCLE ONE)

IF YES: Based on the terms and conditions of the PGP, which are intended to ensure that authorized projects cause no more than minimal environmental impacts, the Corps of Engineers has preliminary determined that this project will not cause more than minimal adverse effects to EFH identified under the Magnuson-Stevens Fisheries Conservation and Management Act.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA NO , USF&WS NO , NMFS NO , SHPO NO , THPO NO

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office.

Rodney A. Howe
 RODNEY A. HOWE
 SENIOR PROJECT MANAGER
 MAINE PROJECT OFFICE

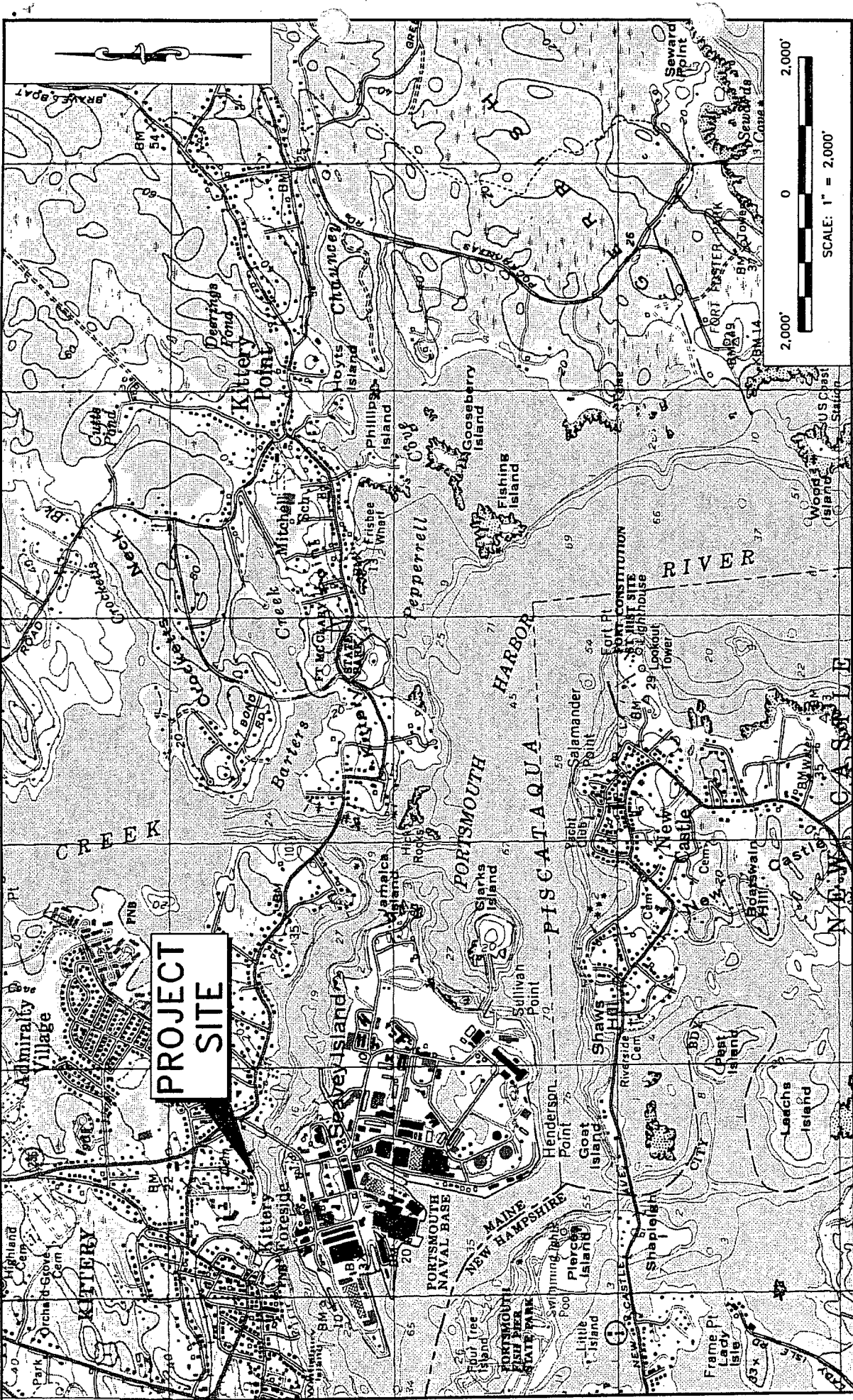
Frank J. Del Giudice 12 Oct 2007
 FRANK J. DEL GIUDICE DATE
 CHIEF, PERMITS & ENFORCEMENT BRANCH
 REGULATORY DIVISION



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

**ADDITIONAL CONDITIONS FOR
DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
NO. NAE-2007-02272
TOWN OF KITTERY
TRAIP ACADEMY BOAT LAUNCH
KITTERY, MAINE**

1. This permit authorizes impacts to only those areas of wetlands shown on the attached project plans entitled TRAIP ACADEMY BOAT LAUNCH, KITTERY, MAINE in three sheets dated MARCH 19, 2007. No other filling, clearing or other disturbance in wetlands shall occur. Any additional proposals that would further impact wetlands will require additional permitting.
2. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
3. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
2. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.



DATE
 MARCH 19, 2007

TRAIP ACADEMY BOAT LAUNCH
 USGS LOCATION MAP

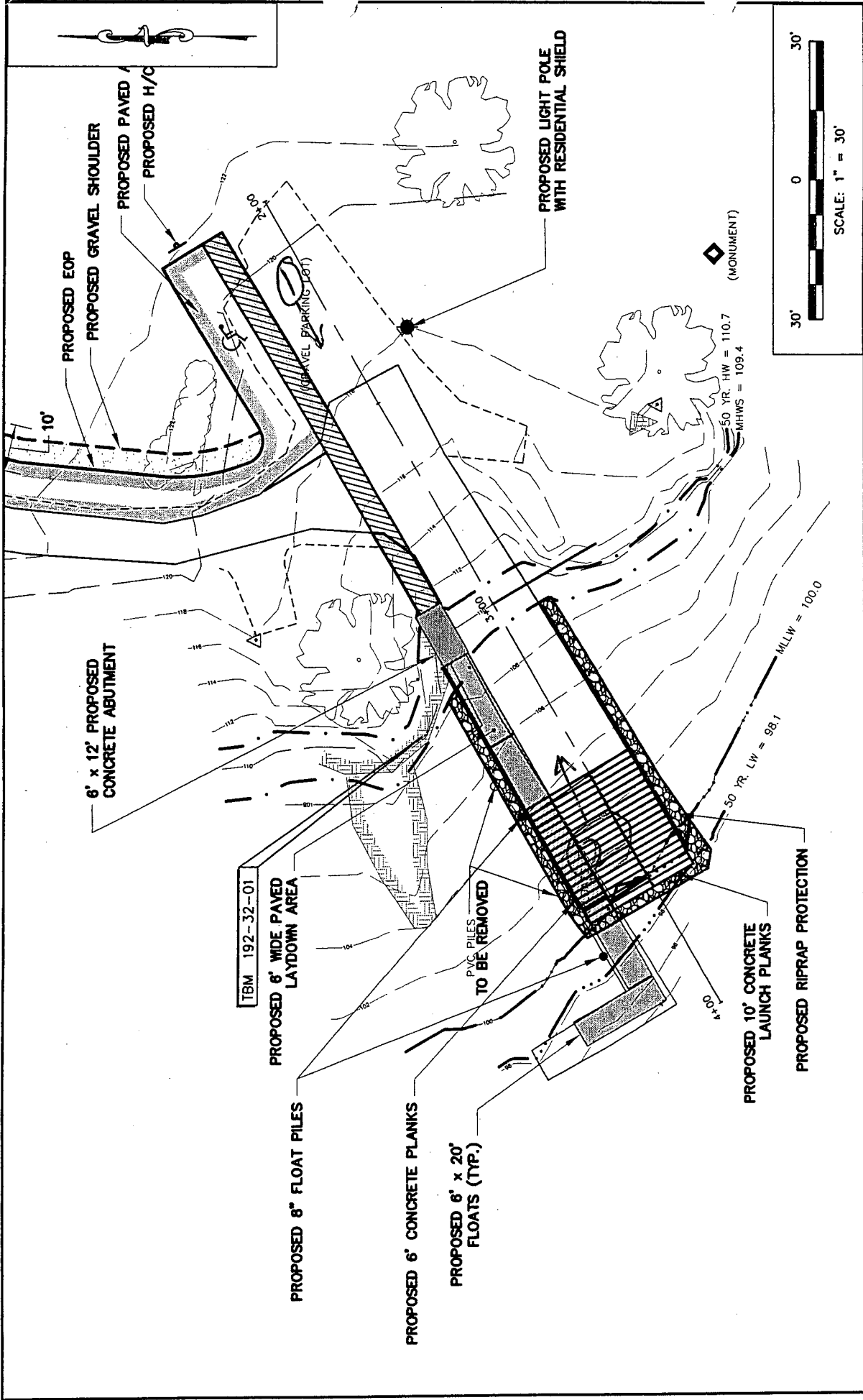
APPLICATION BY:
 TOWN OF KITTERY

PLACE: PISCATAQUA RIVER
 TOWN: KITTERY
 COUNTY: YORK
 STATE: MAINE

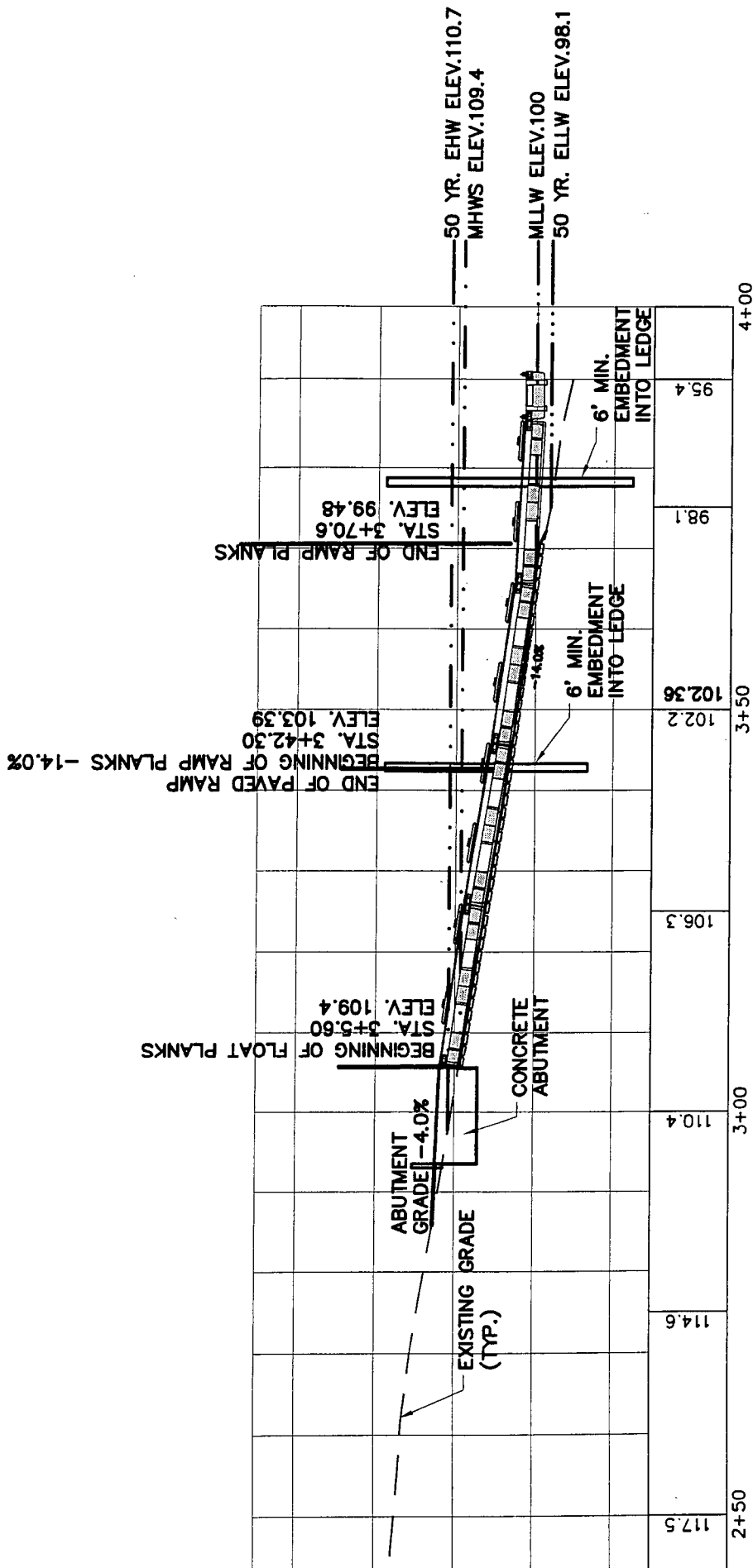
Pine Tree Engineering
 Civil/Environmental Engineering • Surveying

53 Front Street
 Bath, Maine 04530
 Tel: (207) 443-1508
 Fax: (207) 442-7029

EXHIBIT 1



Pine Tree Engineering Civil/Environmental Engineering • Surveying 53 Front Street Bath, Maine 04530 Tel: (207) 443-1508 Fax: (207) 442-7029	TRAIPI ACADEMY BOAT LAUNCH PROPOSED SITE PLAN		DATE JULY 30, 2007
	APPLICATION BY: TOWN OF KITTERY	PLACE: PISCATAQUA RIVER TOWN: KITTERY COUNTY: YORK STATE: MAINE	EXHIBIT 2



Pine Tree Engineering Civil/Environmental Engineering • Surveying 53 Front Street Bath, Maine 04530 Tel: (207) 443-1508 Fax: (207) 442-7029	TRAIP ACADEMY BOAT LAUNCH PROFILE		DATE JULY 30, 2007
	APPLICATION BY: TOWN OF KITTERY		EXHIBIT 3
PLACE: PISCATAQUA RIVER TOWN: KITTERY COUNTY: YORK STATE: MAINE		TOWN OF KITTERY	

**REQUEST FOR APPROVAL
OF TIMING OF ACTIVITY
(DMR)**

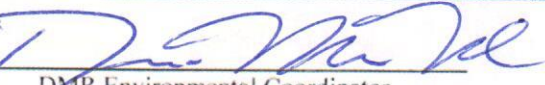
This form is for use in obtaining approval from the **Department of Marine Resources (DMR)** for the timing of certain projects in accordance with Chapter 305 Permit by Rule Standards.

To be filled out by applicant: (Instructions are on the back of this form)

1.	Applicant's name:	<u>Inhabitants of Kittery</u>
	Address:	<u>200 Rogers Rd</u> <u>Kittery ME 03904</u>
	telephone:	<u>207 332 2656</u>
	Agent Email:	<u>Jbrosohan@kitterypolice.com</u>
2.	I plan to perform the following activity (please check the appropriate box):	
	<input type="checkbox"/>	Sec. 3 Intake pipes (tidal waters only)
	<input checked="" type="checkbox"/>	Sec. 4 Replacement of structures (tidal waters only)
	<input type="checkbox"/>	Sec. 7 Outfall pipes (tidal waters only)
	<input type="checkbox"/>	Sec. 9 Utility crossings (any location if performed between Oct. 2 and July 14)
	<input type="checkbox"/>	Sec. 12 Restoration of natural areas (tidal waters only)
	<input checked="" type="checkbox"/>	Sec. 15 Public boat ramps (tidal waters only)
	<input type="checkbox"/>	Sec. 18 Maintenance dredging (tidal waters only)
3.	Brief description of project: [please include the name of the stream or waterbody, if known]	
	<u>ADD 6'x26' FLOAT ALONG BOAT RAMP. REPLACE 2 EXISTING PILING</u> <u>ADD 1 ADDITIONAL PILING. INSTALL 32-10FTx18" x 6" CONCRETE</u> <u>RAMP PLANKS AT PUBLIC BOAT RAMP 12 WILLIAMS AVE</u> <u>BACK CHANNEL OF PISCATAQUA RIVER</u>	
4.	I plan to perform this activity between the dates of <u>3/1/22</u> and <u>8/31/22</u> .	
	(start date)	(end date)
5.	I have included a map showing the location of my project. *[Please note that if no location map is provided, no approval will be granted by DMR]	
6.	Send completed form to: DMR Environmental Coordinator P.O. Box 8, West Boothbay Harbor, ME 008-04575	

For agency use only:

The Department has reviewed the proposed timing of the activity identified above and:	
<input checked="" type="checkbox"/>	approves of the project's timing as proposed.
<input type="checkbox"/>	requires that the project's timing be changed to occur between _____ and _____
	(end date) (start date)
<input type="checkbox"/>	Other comments: _____

	<u>1 Feb 2022</u>
DMR Environmental Coordinator	Date

Kittery Boat Launch

Write a description for your map.

Legend

- 12 Williams Ave
- Feature 1
- Feature 2
- Kittery Public Boat Launch
- Lil's Cafe
- USS Albacore Museum
- Walgreens



Kittery Boat Launch

Write a description for your map.

Legend

- 12 Williams Ave
- Feature 1
- Feature 2
- Kittery Public Boat Launch
- Lil's Cafe
- USS Albacore Museum
- Walgreens



**REQUEST FOR APPROVAL
OF ACTIVITY
(DIF&W)**

This form is for use in obtaining approval from the **Department of Inland Fisheries and Wildlife (DIF&W)** for the timing/location of certain projects in accordance with Chapter 305 Permit by Rule Standards.

To be filled out by applicant: (Instructions are on the back of this form)

1. **Applicant's name:** _____

Address: _____

telephone: _____

2. I plan to perform the following activity (please check the appropriate box):

Sec. 9 Utility crossings (if performed between Oct. 2 and July 14)

Sec. 10 Stream crossings (if performed between Oct. 2 and July 14)

Sec. 15 Public boat ramps (any location)

Sec. 16 Activities in coastal sand dunes (moving sand between April 1 and September 1)

Sec. 20 Activities in existing developed areas located in/on/over high or moderate value inland waterfowl & wading bird habitat or shorebird nesting, feeding and staging areas if:

cutting or removing vegetation in a shorebird roosting area

an activity in any shorebird area is performed between July 15 and September 15

a new activity in a moderate value inland waterfowl and wading bird habitat is performed between April 15 and July 31

3. Brief description of project: [please include the name of the stream or waterbody, if known]

4. I plan to perform this activity between the dates of _____ and _____.
(start date) (end date)

5. I have included a map showing the location of my project.

***[Please note that if no location map is provided, no approval will be granted by DIF&W]**

6. Send completed form to the appropriate regional office of the Department of Inland Fisheries and Wildlife. A map of the regions and the regional office addresses has been attached to this form.

For agency use only:

The Department has reviewed the proposed timing of the activity identified above and:

approves of the project's timing/location as proposed.

requires that the project's timing be changed to occur between _____ and _____.
(end date) (start date)

requires that the project's location be changed as shown on the plan (Section 20 Activity Only)

DIF&W representative

Position

Date

Getting Approval

1. When do I need to get approval from the Department of Inland Fisheries & Wildlife (DIF&W) before filing a Permit by Rule Notification Form with the DEP?

You need to get approval for the timing of your project if it involves:

- constructing a submerged utility crossing between October 2 and July 14 (Section 9 of PBR),
- constructing a stream crossing between October 2 and July 14 (Section 10 of PBR),
- constructing a boat ramp (Section 15 of PBR), or
- moving sand in an area seaward of a frontal sand dune between April 1 and September 1 (Section 16 of PBR)
- certain activities in, on or over a shorebird nesting, feeding or staging area or inland waterfowl and wading bird habitat depending on the time of the year (Section 20 of PBR)

2. Why does the DIF&W care about when I construct my project or, in the case of cutting in a significant wildlife habitat (sec. 20 of PBR), where I do the cutting?

The DIF&W is responsible for managing the health and welfare of Maine's inland fish and wildlife, including the habitat used by these species. The DIF&W knows which streams and lakes are particularly important for fish and other wildlife. They also know when certain kinds of activities should or shouldn't take place in our lakes and streams. For this reason, DIF&W biologists need to review the potential impacts on our fish and wildlife by activities taking place in protected natural resources. The DIF&W has specific concerns about those activities described above that take place in the winter and spring. In the case of cutting in a SWH, DIF&W may feel that relocating a path may result in fewer disturbances to the birds using the habitat.

3. How do I get DIF&W approval?

Simply fill out the applicant section of the form: write your name and address; check the box in front of the activity you are proposing; write a brief description of what your project involves; and fill in the dates when you plan to do the work. Then mail this form, along with a location map, to the appropriate regional office. **[Without a location map, DIF&W cannot properly review your project and the form will be returned to you unapproved.]** The regional office boundaries, their addresses and their telephone numbers are shown on the state map included in this packet of information. Once received, a DIF&W biologist will check the location of your project. If there are concerns about your project's impact on fish or wildlife during the time you propose to construct your project, the DIF&W biologist will recommend an alternative time to construct the project. If there are no concerns, the biologist will simply check off the form and return it to you: no change in plans will be required of you.

4. How long will it take to get DIF&W approval?

The DEP has asked that DIF&W staff review the "Request for Approval" within 2 weeks of receiving it. Once reviewed, DIF&W will return the form directly to you. You then submit the form to the department along with the PBR Notification Form.

5. What if DIF&W doesn't approve the timing of my project?

If the dates you propose for construction are not approved by the DIF&W, the biologist will recommend another time when the work can take place. If you do not feel you can construct your project during the new dates approved by the biologist, you will need to contact the Regional Fisheries Biologist at the appropriate DIF&W regional office. The addresses and phone numbers of the regional offices can be found on the state map identifying the regional boundaries. It may be possible for you and the DIF&W to agree on a different time frame if certain aspects of your project are changed.

From: [DEP, PBR Notification](#)
To: [John Brosnihan](#)
Subject: RE: Southern Maine Regional Office-Town of Kittery-Inhabitants of Kittery-NRPA PBR Part 1 of 1
Date: Wednesday, February 2, 2022 11:58:27 AM

Hi John, I received your application and I will log it into the database. Then I will send your email to the project manager who will definitely read this information.

Thanks,
Toby

From: John Brosnihan <jbrosnihan@kitterypolice.com>
Sent: Wednesday, February 2, 2022 9:59 AM
To: DEP, PBR Notification <DEP.PBRNotification@maine.gov>
Subject: Southern Maine Regional Office-Town of Kittery-Inhabitants of Kittery-NRPA PBR Part 1 of 1

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all,

So this is my first attempt at this so please be gentle with me. I have a quick question but I'm not sure if anyone actually reads this part of the email. If I decide to use helical moorings and chain at the end of the face docks rather than a new piling. Do I need to do another application? I was told that you guys really like the use of Helical Moorings and its an option for me so I wanted to see what you guys thought? Right now the way the docks are set up, that end is held by two mushroom anchors and crossed chain. So if you prefer I do it that way, please let me know what I would have to do for you guys!

Thanks and I hope this isn't all messed up!

John J. Brosnihan
Harbormaster
Town of Kittery Maine
e. jbrosnihan@kitterypolice.com
p. 207-451-0829
f. 207-439-7151

Payment Receipt Confirmation

Your payment was successfully processed.

Transaction Summary

Description	Amount
DEP Payment Portal	\$2
Service Fee	
Maine.gov Total	\$2

Customer Information

Customer Name John Brosnihan
Company Name
Local Reference ID 0118425671
Receipt Date 2/1/2022
Receipt Time 01:47:27 PM EST

Payment Information

Payment Type Credit Card
Credit Card Type VISA
Credit Card Number *****5796
Order ID 60092774
Billing Name John Brosnihan

Billing Information

Billing Address 54 Courtney Lane
Billing City, State Eliot, ME
ZIP/Postal Code 03903
Country US
Phone Number 2073322656
This receipt has been emailed to the address below.
Email Address johnbroz@gmail.com