



# TOWN OF KITTERY

Office of the Town Manager

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## Town Manager's Report to the Town Council

July 13, 2020

1. **COVID-19 Update** – The State of Maine awarded the Town with a Keep Maine Healthy grant for approximately \$249,000 for equipment, supplies, staff costs, and technology to help the Town and local businesses implement the COVID-19 guidelines and keep the community safe. There is no match requirement for the grant.

The grant will be used to purchase barriers, sign boards, technology for additional contact-free services, semi-permanent and temporary signage, tools for enforcement, and additional Code Enforcement resources. The grant will also allow the Town to partner with the Town of York and the York Region Chamber of Commerce to support local businesses with information, signage, and resources to open and operate safely during the pandemic.

2. **COVID-19 Business Assistance** - When the Town launched its Kittery Together survey, seeking volunteers to help those in need during the pandemic, we asked respondents to indicate whether they would be interested in supporting local businesses. The response was very positive.

We have since been working on options to advance the idea. Specifically, the Planning Department and Economic Development Committee (EDC) have developed a grant program for local businesses to assist them with rent, supplies, and other costs associated with reopening and operating safely during the pandemic. Grant applications will be reviewed and approved by the EDC and grant awards will be for approved expenses only.

I am seeking Council consensus to establish the reserve fund needed for the program. The reserve fund will be accounted for separately from Town funds. Donations will be tax-deductible. All funds donated will go to grant recipients; no funds will be used for town operations or expenses.

3. **Joint Land Use Study Implementation Phase** – The Town, in partnership with the PNSY and SMPDC, has been awarded the JLUS Implementation grant from the Office of Economic Adjustment. The grant award was for \$252,000. The grant has a 10% match requirement, which will be accomplished through in-kind contribution of staff time.

The Joint Land Use Study was completed in February of 2020 after over a year of work with the PNSY, residents, businesses, neighboring communities, and regional planning and transportation agencies. The full report is available on the Town's website.

The implementation grant will focus on the catalytic strategies and priorities identified in the JLUS to address traffic congestion and parking issues caused by single occupancy vehicles, and improve communication between the PNSY, Kittery and regional partners.

The Council will be conducting a workshop at its next meeting to discuss the implementation strategies and provide input on priorities.

- 4. Town Hall Service Center Closed Election Day** – We will be closing the Service Counter at Town Hall on July 14, so we can adequately staff the election. Customers may access services online including registering vehicles, paying tax and sewer bills, applying for a Fort Foster pass, KRRF sticker, and other services. We will reopen for normal business hours on July 15. We apologize for the inconvenience in advance.
- 5. Emery Field Phase 2 Playground** – We will be launching an online survey in the coming days seeking input from residents on the playground design for the Emery Field Phase 2 project. There are three different concept designs being considered. Each option provides a concept of different types of play equipment. The options represent concepts; and are not intended to be the specific equipment or color selections.

Emery Field Phase 2 is funded in part by the CIP and in part by a \$300,000 grant from the LWCF. The project includes improvements to the parking lot, a new half-court for basketball, and pickleball courts. The project will also complete the perimeter walking path begun in Phase 1.

- 6. Natural Resources Conservation Program Applications** – Jessa Kellogg, our DPW Inspector, has submitted two letters of intent to the Natural Resources Conservation Program for grants totaling \$761,986. Attached are the letters.

The first is for the Legion Pond/Cook Preserve Habitat Management Project. This would be a joint effort with the Kittery Land Trust and focus on improving the water quality and habitat of the watershed around Legion Pond and the surrounding area. Funding request \$370,579 with an \$18,000 match.

The second is for the Fort Foster Habitat Management Project. Among other benefits, this project will support implementation of the invasive management plan developed by the Town last year and is critical to preserving the habitat in the park. Funding request \$391,407 with an \$24,000 match.

If the letters of intent are accepted, the Town will be invited to submit full grant applications. Notification of invitations is expected by the end of July. The match will be primarily met through in-kind contributions of staff time.

#### **Upcoming Dates:**

- State Primary Election and Town Meeting Ballot – July 14, 8AM to 8PM, KCC
- Nomination Papers for Council and School Committee Available Now - Town Clerk's Office

Respectfully Submitted,



Kendra Amaral  
Town Manager



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## Submission #114

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### Project Details

List the name of the project, the individual coordinating the project, and the sponsoring organization responsible for completing the proposed project.

**Project Title**

Legion Pond/Cook Preserve Habitat Management Project

### Project Location

Provide the town, region and street address of the property. If Map and Lot number are also available, please provide.

**Project Town Name** Town of Kittery

**Street Address 1** 52 Old Post Road Kittery ME 03904 (project location)

**Street Address 2** 200 Rogers Road Kittery ME 03904 (mailing address)

**Project Lot # for Project Location (if available)** Adjacent to Map 8 Lot 19

**MNRCP Regions**

Southern Maine

### Project Contact Information

Please list all relevant contact information. This may be different than the actual location of your project site.

**Sponsoring Organization**

Town of Kittery

**Contact's First Name** Jessa

**Contact's Last Name** Kellogg

**Project Contact Address Line 1** 200 Rogers Road

**Project Contact Address Line 2**

**Project Contact City** Kittery

**Project Contact State**

ME

**Project Contact Zip Code** 3904**Project Contact Phone #** 2074751321**Personal phone extension, if appropriate** x**Project Contact Email Address** jkellogg@kitteryme.org**Estimated Project Cost**

Please be sure to include all projected costs for **land acquisition, project design, construction, management, short-term monitoring and long-term stewardship.**

**Total Project Costs** \$ 388,579.00**MNRCPP Fund Request** \$ 370,579.00**Other Funding: \$ Amount** \$ 18,000**Other Funding: Sources**

\$13,000 (Town of Kittery Project Manager for project administration) and \$5,000 (Kittery Land Trust and volunteer services for buffer planting, goose fence installation, etc.)

**Project Details****Total Project Acres** 9**Project Type - please select all that apply**

- Restoration
- Enhancement

**Primary Conservation Method**

Restoration/Enhancement

**Project Description**

The Legion Pond and Cook Preserve Management Project will be administered by the Town of Kittery in partnership with the Kittery Land Trust. The project will focus on the restoration and enhancement of a 4-acre freshwater pond and adjacent 5-acre wetland complex that has been degraded by invasive plants and nutrient overloading, primarily from avian nutrients and decomposition of a submerged invasive plant. The pond is occupied by a large resident Canada Goose population that feed on an endless supply of Curly-leaved Pondweed (*Potamogeton crispus*), European naiad (*Najas minor*) and Duckweed species (*Lemna* spp. and *Wolffia*). The pondweed was first observed by Maine DEP biologists in 2009 and was the first occurrence of this plant in Maine. Pondweed now dominates the bottom of the pond and releases nutrients into the water column through decomposition. Duckweed populations commonly choke the entire pond surface from June through October as a result of the nutrient overload. The perimeter of the pond has upland invasive plants, both woody and herbaceous, and the Cook Wetland has Pondweed as well as other invasive plants. The project will focus on restoration and enhancement of the pond and wetland. While it is unrealistic to eliminate invasives completely, the project goals include plans to develop a long term management plan for

upland and aquatic habitats using Integrated Vegetation Management practices; manage invasive populations and restore basic functions; maintain native aquatic and buffer plants to increase biodiversity; provide flood control, fish nurseries, wildlife habitat for migratory birds and nutrient cycling; restore functioning, resilient and sustainable wetland habitat; restore native vegetation to the perimeter buffer zone to replace invasives, provide habitat for wildlife and filter sediment from upland runoff; maintain healthy, functioning wetlands to increase resiliency and sustainability from storm events and environmental disturbances; assess potential scenic enhancements and educational opportunities; maintain hydrological flow by clearing inflow and outflow culvert opening and the dam of debris and sediment; construct various conservation measures including bird houses; construct and maintain goose barriers, including fencing and tall vegetation between wetland and athletic fields; develop and implement a pre and post (six year) monitoring plan; monitor pre and post larval mosquito populations; monitor water quality of pond and wetlands; and work with MDIFW on re-establishing native fish populations once invasives are managed.

### **Description of Conservation Values on the Site**

Legion Pond is a 4-acre freshwater pond with marginal emergent vegetation (cattails) and unconsolidated bottom with a perimeter of 0.4 miles. The pond overflows through a small dam to the Cook Preserve wetland owned by the Kittery Land Trust, and is approximately 5 acres in size with emergent cattail marsh and pockets of open freshwater. The Cook Preserve wetland drains through an outflow culvert through commercially owned property that eventually reaches the tidal Piscataqua River. The perimeter of the Cook Preserve is approximately 0.9 miles. The Legion Pond and Cook Wetland system provides valuable habitat, high priority resting areas and food for migrating birds.

## **Resources**

**Please limit responses to names of resources or plans.** Additional descriptions may be entered above in the Description of Conservation Values on the site” or the “Project Description” as appropriate.

**If your project is within or adjacent to a Beginning with Habitat Focus Area, please list the focus area name** Plant and Animal Habitat, Water Resources and Riparian Habitat, Conserved Land and Undeveloped Habitat

**If your project is located within or adjacent to existing public or private conservation land, please list the name and owner** Legion Pond (publicly owned by Inhabitants of Kittery), Cook Preserve wetland (Kittery Land Trust conservation land)

**If your project within or adjacent to other natural resource priority areas (e.g., identified in regional or municipal plan, land trust strategic conservation plan, etc.), please list the priority area name and the name of the planning document with date** Town of Kittery Comprehensive Plan 2015-2025

**Please list any natural resources of significant value or rarity found on the project site** Inland Waterfowl/Wading Bird habitat

## **Proposed Conservation**

In the fields below, please choose your resource and then, in the text fields that will display after your choice is made, provide the acreage of each resource type that you propose to restore, enhance and/or preserve.

**Does your project contain a Freshwater Resource?** Yes

**Does your project contain Freshwater wetland, emergent (PEM)?** Yes

**Restored Acreage (PEM)** 4

**Enhanced Acreage (PEM)** 5

**Preserved Acreage (PEM)**

**Additional Comments (PEM)**

Restoration of Legion Pond (4 acres) and Enhancement of Cook Preserve wetland complex (5 acres)

**Does your project contain Freshwater wetland, forested (PFO)?** No

**Does your project contain Freshwater wetland, shrub-scrub (PSS)?** No

**Does your project contain a Freshwater River, Stream or Brook?** No

**Does your project contain a significant wildlife habitat, vernal pool?** No

**Does your project contain a significant wildlife habitat, vernal pool critical terrestrial habitat?** No

**Does your project contain a significant wildlife habitat, inland waterfowl and wading bird habitat?**  
Yes

**Restored Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)**

**Enhanced Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)** 5

**Preserved Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)**

**Additional Comments (significant wildlife habitat, inland waterfowl and wading bird habitat)**

Enhancement of Cook Preserve wetland complex (5 acres)

**Does your project contain a Coastal Resource?** No

## Other Habitat

Upland Buffer

**Restored Acreage (upland buffer)** .06

**Enhanced Acreage (upland buffer)** .09

**Preserved Acreage (upland buffer)**

**Additional Comments (upland buffer)**

## Map Upload

**PLEASE NOTE: A map is required and your application will not submit without one.**

Please attach a USBD Topographic map, or equivalent, showing the entire boundary of the proposed project, legal access, and adjacency of other public and private conservation lands.

**Project Map** [Legion Pond Cook Preserve.JPG](#)

# Submission #124

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## Project Details

List the name of the project, the individual coordinating the project, and the sponsoring organization responsible for completing the proposed project.

**Project Title**  
Fort Foster Habitat Management Project

## Project Location

Provide the town, region and street address of the property. If Map and Lot number are also available, please provide.

**Project Town Name**    Town of Kittery

**Street Address 1**    76 Pocahontas Road, Kittery Point ME 03905 (Project Location)

**Street Address 2**    200 Rogers Road, Kittery ME 03904 (Mailing Address)

**Project Lot # for Project Location (if available)**    Map 51 Lot 09

**MNRCP Regions**  
Southern Maine

## Project Contact Information

Please list all relevant contact information. This may be different than the actual location of your project site.

**Sponsoring Organization**  
Town of Kittery

**Contact's First Name**    Jessa

**Contact's Last Name**    Kellogg

**Project Contact Address Line 1**    200 Rogers Road

**Project Contact Address Line 2**

**Project Contact City**    Kittery

**Project Contact State**  
ME

**Project Contact Zip Code**    3904

**Project Contact Phone #**    2074751321

**Personal phone extension, if appropriate**     x

**Project Contact Email Address**     jkellogg@kitteryme.org

## Estimated Project Cost

Please be sure to include all projected costs for **land acquisition, project design, construction, management, short-term monitoring and long-term stewardship.**

**Total Project Costs**     \$ 415,407.50

**MNRCP Fund Request**     \$ 391,407.50

**Other Funding: \$ Amount**     \$ 24,000

**Other Funding: Sources**

\$13,500 (Town of Kittery Project Manager for project administration) and \$10,500 (volunteer services for assisting with buffer planting and invasive removal)

## Project Details

**Total Project Acres**     64

**Project Type - please select all that apply**

- Preservation
- Restoration

**Primary Conservation Method**

Invasives removal and revegetation, habitat creation

**Project Description**

The Fort Foster Habitat Management Project will focus on the restoration and enhancement of coastal and freshwater wetlands and buffer zones within the municipally owned and managed 88.90-acre park. Priority Resource Areas in the park include Marine Intertidal, Freshwater Wetland Emergent, Freshwater Wetland Scrub-Shrub and Freshwater Unconsolidated Bottom. The coastal and freshwater wetlands provide valuable habitat, high priority resting areas and food for migrating birds. All habitats in the project area have been degraded by poor hydrology, water quality and invasive plants, including submerged, floating and emergent aquatic plants as well as numerous species of upland plants. Adjacent upland areas will be enhanced to protect, buffer and support identified aquatic resource functions. Project goals include plans to maintain native aquatic and buffer plants to increase biodiversity; provide flood control, fish nurseries, wildlife habitat for migratory birds and nutrient cycling; restore functioning, resilient and sustainable wetland habitats; restore native vegetation habitat to wetlands and adjacent upland plants; maintain healthy, functioning wetlands to increase resiliency and sustainability from large waves, storm events and environmental disturbances; assess potential scenic enhancements and educational opportunities; and develop and implement a pre and post six year monitoring plan.

**Project Tasks:**

1. Implement the 2020 Fort Foster Invasive Species Management Plan using integrated Vegetation Management practices for invasive plants. This multi-year commitment includes minimizing impacts to non-target species through a series of techniques that allow native plant communities to increase while suppressing invasive plant species. Techniques include hand cutting, hand pulling, weed wrenching, hydraulic mowing and herbicide treatments by a certified applicator.
2. State, federal and local permitting
3. Planting of native plants to replace invasive plants and to provide habitat for wildlife
4. Endangered species habitat creation for the cottontail rabbit
5. Restore freshwater hydrological flow
6. Monitor water quality of wetlands
7. Monitor pre and post larval mosquito populations. Stagnant, degraded, invasive dominated wetland habitats provide ideal habitat for vector species associated with human disease, i.e. West Nile Virus, Eastern equine Encephalitis and Zika. Restored, functioning wetlands keep mosquito breeding in check by providing habitat for predatory fish and invertebrates
8. Remove large and small debris from intertidal zone



**Description of Conservation Values on the Site**

Fort Foster Park encompasses 88.90 acres on the southwest tip of Gerrish Island in Kittery. The park is a popular destination for hiking, dog-walking, birdwatching, and beach recreation. The park is bound by the Atlantic Ocean along the southeastern border, the Piscataqua River on the southwestern border and private property for the remaining perimeter. Fort Foster is comprised of wetland, upland, and shoreline ecosystems. Within the park there are three prominent coastal and freshwater wetlands that provide important functions including flood control, wildlife habitat, nurseries for fish and native aquatic plants, and nutrient cycling. Non-native, invasive plants (invasives) dominate entire sections of Fort Foster which infringe on native plant populations and lead to a loss of biodiversity that ultimately is harmful to native plant and animal communities. Fort Foster is home to New England Cottontail (endangered species) and Eastern Ribbon Snake (species of special concern), along with Tidal Waterfowl/Wading Bird habitat and Inland Waterfowl/Wading Bird habitat. Conservation priorities include targeting invasive species that have not fully established where the potential exists to completely eradicate them; contain, suppress, and exclude invasives; and to prevent invasion in areas that are not currently dominated by invasives.

**Resources**

**Please limit responses to names of resources or plans.** Additional descriptions may be entered above in the Description of Conservation Values on the site” or the “Project Description” as appropriate.

**If your project is within or adjacent to a Beginning with Habitat Focus Area, please list the focus area name** Plant and Animal Habitat, Water Resources and Riparian Habitat, Conserved Land and Undeveloped Habitat

**If your project is located within or adjacent to existing public or private conservation land, please list the name and owner** Fort Foster Park (public land owned by Inhabitants of Kittery)

**If your project within or adjacent to other natural resource priority areas (e.g., identified in regional or municipal plan, land trust strategic conservation plan, etc.), please list the priority area name and the name of the planning document with date** Fort Foster Park Invasive Species Management Plan (February 2020), Town of Kittery Comprehensive Plan 2015-2025

**Please list any natural resources of significant value or rarity found on the project site** New England Cottontail, Eastern Ribbon Snake, Tidal Waterfowl/Wading Bird, Inland Waterfowl/Wading Bird

**Proposed Conservation**

In the fields below, please choose your resource and then, in the text fields that will display after your choice is made, provide the acreage of each resource type that you propose to restore, enhance and/or preserve.

**Does your project contain a Freshwater Resource?** Yes

**Does your project contain Freshwater wetland, emergent (PEM)?** Yes

**Restored Acreage (PEM)** 10

**Enhanced Acreage (PEM)**

**Preserved Acreage (PEM)**

**Additional Comments (PEM)**

**Does your project contain Freshwater wetland, forested (PFO)?** Yes

**Restored Acreage (PFO)** 8

**Enhanced Acreage (PFO)**

**Preserved Acreage (PFO)**

**Additional Comments (PFO)**

**Does your project contain Freshwater wetland, shrub-scrub (PSS)?** Yes

**Restored Acreage (PSS)** 3

**Enhanced Acreage (PSS)**

**Preserved Acreage (PSS)**

**Additional Comments (PSS)**

**Does your project contain a Freshwater River, Stream or Brook?** No

**Does your project contain a significant wildlife habitat, vernal pool?** No

**Does your project contain a significant wildlife habitat, vernal pool critical terrestrial habitat?**

**Does your project contain a significant wildlife habitat, inland waterfowl and wading bird habitat?** Yes

**Restored Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)** 18

**Enhanced Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)**

**Preserved Acreage (significant wildlife habitat, inland waterfowl and wading bird habitat)**

**Additional Comments (significant wildlife habitat, inland waterfowl and wading bird habitat)**

**Does your project contain a Coastal Resource?** Yes

**Is your resource a coastal wetland, marine subtidal (M1)?** No

**Does your project contain a coastal wetland, marine intertidal (M2)?** Yes

**Restored Acreage (coastal wetland, marine intertidal (M2))**

**Enhanced Acreage (coastal wetland, marine intertidal (M2))**

**Preserved Acreage (coastal wetland, marine intertidal (M2))**

**Additional Comments (coastal wetland, marine intertidal (M2))**

**Does your project contain a coastal wetland, estuarine subtidal (E1)?** No

**Does your project contain a coastal wetland, estuarine intertidal (E2)?** No

**Does your project contain a significant wildlife habitat, tidal waterfowl and wading bird habitat?** Yes

**Restored Acreage (significant wildlife habitat, tidal waterfowl and wading bird habitat)**

**Enhanced Acreage (significant wildlife habitat, tidal waterfowl and wading bird habitat)**

**Preserved Acreage (significant wildlife habitat, tidal waterfowl and wading bird habitat)**

**Additional Comments (significant wildlife habitat, tidal waterfowl and wading bird habitat)**

**Does your project contain a significant wildlife habitat, shorebird feeding & staging areas?** Yes

**Restored Acreage (significant wildlife habitat, shorebird feeding & staging areas)**

**Enhanced Acreage (significant wildlife habitat, shorebird feeding & staging areas)**

Preserved Acreage (significant wildlife habitat, shorebird feeding & staging areas)

Additional Comments (significant wildlife habitat, shorebird feeding & staging areas)

## Other Habitat

Upland Buffer

Restored Acreage (upland buffer)    25

Enhanced Acreage (upland buffer)

Preserved Acreage (upland buffer)

Additional Comments (upland buffer)

## Map Upload

**PLEASE NOTE: A map is required and your application will not submit without one.**

Please attach a USBD Topographic map, or equivalent, showing the entire boundary of the proposed project, legal access, and adjacency of other public and private conservation lands.

Project Map    [Fort Foster Map.JPG](#)

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