



# TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904  
Telephone: (207) 475-1329 Fax: (207) 439-6806

## KITTERY TOWN COUNCIL COUNCIL CHAMBERS

April 10, 2023

6:00PM

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Meetings may be watched in person, on Channel 22, the Town's website, or Kittery Channel 22 Facebook page.

The public may submit public comments via email, US Mail, or by dropping off written comments at the Town Hall. Emailed comments should be sent to:  
[TownComments@kitteryme.org](mailto:TownComments@kitteryme.org).

The public may participate in person or via Zoom webinar. **To register for the Zoom webinar, click this link:**

[https://us02web.zoom.us/webinar/register/WN\\_ZpRxsBF\\_TbKfA1-0j6BRLA](https://us02web.zoom.us/webinar/register/WN_ZpRxsBF_TbKfA1-0j6BRLA)

**Written comments received by noon on the day of the meeting will become part of the public record and may be read in whole or in summary by the Council Chair.**

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1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes

- February 27, 2023

8. Interviews for the Board of Appeals and Planning Board.
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.
  - a. (040123-01) The Kittery Town Council moves to accept a presentation from the Kittery School Department on the FY24 Budget.

10. PUBLIC HEARINGS

- a. (040123-02) The Kittery Town Council moves to hold a public hearing on Title 16 – Stormwater Management (Will be postponed)

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS -

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. (040123-03) The Kittery Town Council moves to schedule a public hearing on April 24, 2023, on Title 12 – Camping.
- c. (040123-04) The Kittery Town Council moves to schedule a public hearing on April 24, 2023, on Title 10 – Cutts Island Lane Traffic Safety.
- d. (040123-05) The Kittery Town Council moves to schedule a public hearing on May 8, 2023 on the vacation of a paper street in accordance with 23 MRS §3027.
- e. (040123-06) The Kittery Town Council moves to schedule a public hearing on May 1, 2023, on the Town Meeting Referendum and School Budget Ordinances.
- f. (040123-07) The Kittery Town Council moves to schedule a public hearing on May 8, 2023 on a new Special Activity/Amusement permit from Rolling in the Mudd LLC dba When Pigs Fly Restaurant located at 460 US Rte 1, Kittery.
- g. (040123-08) The Kittery Town Council moves to approve a request from Harbourside Garden Club to post signage around Town from May 20, 2023 to May 27, 2023 for their annual plant sale.

h.(040123-09) The Kittery Town Council moves to appoint the proposed applicants to the Youth Ad Hoc Committee.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: April 6, 2023



# TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

kamaral@kitteryme.org

## Town Manager's Report to the Town Council

April 10, 2023

- 1. Homelessness Response Preparedness** – Our network of social service providers in Kittery and our Town staff met last week to discuss the homelessness crisis impacting southern Maine, and to develop a plan for response. Shelters in the immediate area are frequently full, and motel/hotel rooms will become scarce due to seasonal tourism. Many of those struggling to obtain shelter turn to living in tents, cars, and make-shift encampments.

We also know larger communities in our area are struggling with homeless encampments. We anticipate those in need of shelter will be forced to migrate around southern Maine until they can get into permanent housing. Communities up and down the seacoast are challenged with how to address these situations in a compassionate manner.

The social services group met to discuss how Kittery can respond to an encampment if one of significance arises in town. We discussed a number of action steps we will be taking including having essential supplies ready for deployment (gas cards, sleeping bags, water, portable cooking stoves), establishing GA relationships with campgrounds in the area for placement (akin to our local hotels/motels in the winter), and connecting with state agencies that can also be of assistance if needed for support.

I cannot express how grateful we are for this collaborative and supportive network of nonprofits and social agencies all working for those in need in our community. It is clear that we can do more when we work together.

- 2. Memorial Circle Beachgrass** – The DPW team has begun work on removing the beachgrass around Memorial Circle and replacing it with lower-height landscaping. The landscaping will be a mix of low bushes and some flowering perennials. The plant selection has been done in consultation with our vendor to ensure they are hearty enough along roadside settings where full sun, limited water, and salt are present, and do not require much maintenance. The project is expected to be completed before summer.
- 3. Kittery Community Center Master Plan** – A presentation and input gathering session on the KCC Master Plan concept plan will be held on Wednesday, April 12<sup>th</sup> at 6PM in Council Chambers. The KCC Master Plan is being developed to establish the most beneficial layout for passive and active recreation space, adequate parking, and site circulation. The master plan will include recommendations for implementation strategies including phasing, and provide budget estimates for each phase or component.

Visitors to the KCC grow each year as programs evolve and expand. This has led to conflicting uses of outdoor spaces, parking shortages, damage to the athletic field, and circulation challenges on the site. The existing playground is in need of replacement, and the athletic field is not ideally sited for play, grounds maintenance, and visitor parking/use.



We have been hesitant to invest in replacing or rehabilitating these existing uses, if their locations are not ideal for the longer-range site needs and constraints.

The master plan will help the Town invest wisely, by providing a comprehensive site layout and a phasing approach that maximizes the use of each outdoor component. The master plan will also support grant applications and fundraising for implementation.

The public is invited to attend in person or via Zoom or watch on Channel 22, or the Channel 22 Facebook page. For more information visit [www.kitteryme.gov/KCCMasterPlan](http://www.kitteryme.gov/KCCMasterPlan)

- 4. Applications for Absentee Ballots Available** – Applications for absentee ballots are available now at Town Hall and on the Town’s website for the upcoming June 13 Town Meeting and School Budget Validation Referendum. To apply for an absentee ballot or to register to vote, visit the Town Hall or the Town’s website, or contact the Town Clerk’s Office at 207-475-1313. Absentee ballots are expected to be mailed in early May.

For more information about the upcoming election, registering to vote, updating voter registration, or applying for an absentee ballot please visit [www.kitteryme.gov/elections](http://www.kitteryme.gov/elections).

- 5. April Freebie Barn** – April’s Freebie Barn theme is bicycles! Perfect timing for getting out and enjoying the warming weather.

Our Community Partner for April will be Apex Youth Connection. Apex connects Maine youth with their communities to ensure they have the personal skills and connections to support their transition to healthy, happy, productive adulthood.

Apex will be at the Community Swap on Sunday, April 30, at the KCC and will hold a bike repair workshop and provide one on one bike repair and advice. More details will be announced in April, but if you’ve got a bike that needs some TLC, get ready to bring it over to the Community Swap!

#### **Upcoming Dates:**

- Absentee Ballot Applications Available – Town Hall and at [www.kitteryme.gov/Elections](http://www.kitteryme.gov/Elections)
- KCC Campus Master Plan Input Session – April 12, 6PM, Town Hall
- York River Partnership Stewardship Committee Applications Due – April 14, Town Clerk
- Mooring Renewal Deadline – April 15, Harbormaster
- Observance of Patriots Day – Town Hall Closed – April 17
- Kittery Education Scholarship Deadline – April 21, Town Clerk’s Office
- Seacoast Environmental Film Festival – April 22, 8:30AM to 6PM, Kittery Community Center
- Freebie Barn Community Swap and Bike Repair – April 30, 8AM to 12PM, Kittery Community Center
- Town Meeting and School Budget Validation Referendum – June 13, 8AM to 8PM

Respectfully Submitted,



Kendra Amaral  
Town Manager



**Absentee ballot applications are now available for the June 13, 2023 Town Meeting & School Budget Validation Referendum Election. Voters can request an absentee ballot until 6:00 PM on June 8, 2023.**

- Request by phone: 207-475-1313 or 207-475-1312.
- Request online at [www.kitteryme.gov/elections](http://www.kitteryme.gov/elections).
- Request in person at the Customer Service Center:
  - Monday - Wednesday: 8:30 AM - 4:00 PM
  - Thursday: 8:30 AM - 6:00 PM
  - Friday: 8:30 PM - 1:30 PM

**PLEASE NOTE THAT ABSENTEE BALLOTS ARE NOT AVAILABLE AT THIS TIME.**

**As soon as the Town Clerk receives absentee ballots, they will be mailed out to those who have filed an application, and a notice will be posted online and at Town Hall announcing that they have arrived.**

**FOR MORE INFORMATION, VISIT: [WWW.KITTERYME.GOV/ELECTIONS](http://WWW.KITTERYME.GOV/ELECTIONS)**

**YOUR VOTE MATTERS, SO CAST YOUR BALLOT AND LET YOUR VOICE BE HEARD!**

# Kittery Community Center Master Plan

## Public Input Session

April 12, 2023 | 6:00 PM  
Council Chambers & Zoom

### WE'RE EXCITED

The Town of Kittery is developing a Campus Master Plan for the Kittery Community Center that will establish the most beneficial layout for passive and active recreation space, adequate parking and site circulation.

### WE WANT TO HEAR FROM YOU!

Join us for a Public Input Session to hear from the KCC Master Plan project team, view the proposed layout design and provide feedback.

Your input will help shape the future of the Kittery Community Center!

To learn more or register via Zoom, scan the QR code or visit: [www.kitteryme.gov/KCCMasterPlan](http://www.kitteryme.gov/KCCMasterPlan).





# WOW!

Way to go, Kittery! Since reopening the Freebie Barn in January 2023, our community has donated and diverted over 2,000 lbs. from the waste stream!

Learn more at:

[www.kitteryme.gov/freebiebarn](http://www.kitteryme.gov/freebiebarn)



## SO FAR WE'VE DONATED & DIVERTED OVER

# 2,000 LBS

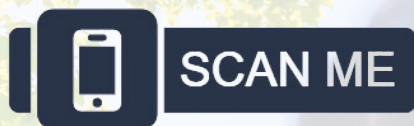




# KITTERY EDUCATIONAL SCHOLARSHIP

Funded from generous donations of redeemable containers from Kittery residents at the Kittery Resource Recovery Facility.

- **Applications are available at Town Hall or [www.kitteryme.gov/scholarship](http://www.kitteryme.gov/scholarship).**
- **Deadline to apply: April 21, 2023.**





KITTERY LAND TRUST PRESENTS

# SEACOAST ENVIRONMENTAL FILM FESTIVAL

New Date: Saturday, April 22, 2023  
Kittery Community Center - Star Theatre

GENEROUSLY SUPPORTED BY

Peter Lamb and Faith Harrington; Ralph E. Ogden Foundation  
Eldredge Lumber & Hardware, Mr. Fox Composting  
Altus Engineering, ARQ Architects

**8:30 AM** **CAFFEINE KICKOFF**  
Sponsored by LIL'S CAFE, BEACH PEA BAKING CO. AND WHITE HERON

**9:15 AM** **WELCOME**

**9:30 - 11:45 AM** **TRIPLE BOTTOM LINE - Protecting people, profits and the planet**  
**IT'S BEAN TOO HOT** (36 min)  
**SEEDING CHANGE** (51 min)  
**Panel Discussion**  
Sponsored by PLACEWORKS, VERIS WEALTH PARTNERS

**12:00 - 1:15 PM** **LUNCH BREAK and EXHIBIT HALL**

**1:30 - 3:15 PM** **SEA FARMING IN MAINE - Using the ocean to produce food, jobs and climate solutions**  
**OCEAN SOLUTIONS** (14 min)  
**MAINE COAST HARVEST SEA FARMING SERIES** (30 min)  
**Panel Discussion**  
Sponsored by OSPREY ECOLOGICAL SERVICES

**3:30 - 5:45 PM** **TAKING ON BIG AG - Challenging Monsanto to protect food sovereignty**  
**THE SEEDS OF VANDANA SHIVA** (81 min)  
**Panel Discussion**  
Sponsored by LEAGUE OF CONSERVATION VOTERS NH

Suggested donation \$5 per film or  
Day-long VIP pass for all films plus lunch \$50

Additional information and VIP tickets  
are available at [www.kitterylandtrust.org](http://www.kitterylandtrust.org)



# BOOKS & Big Ideas

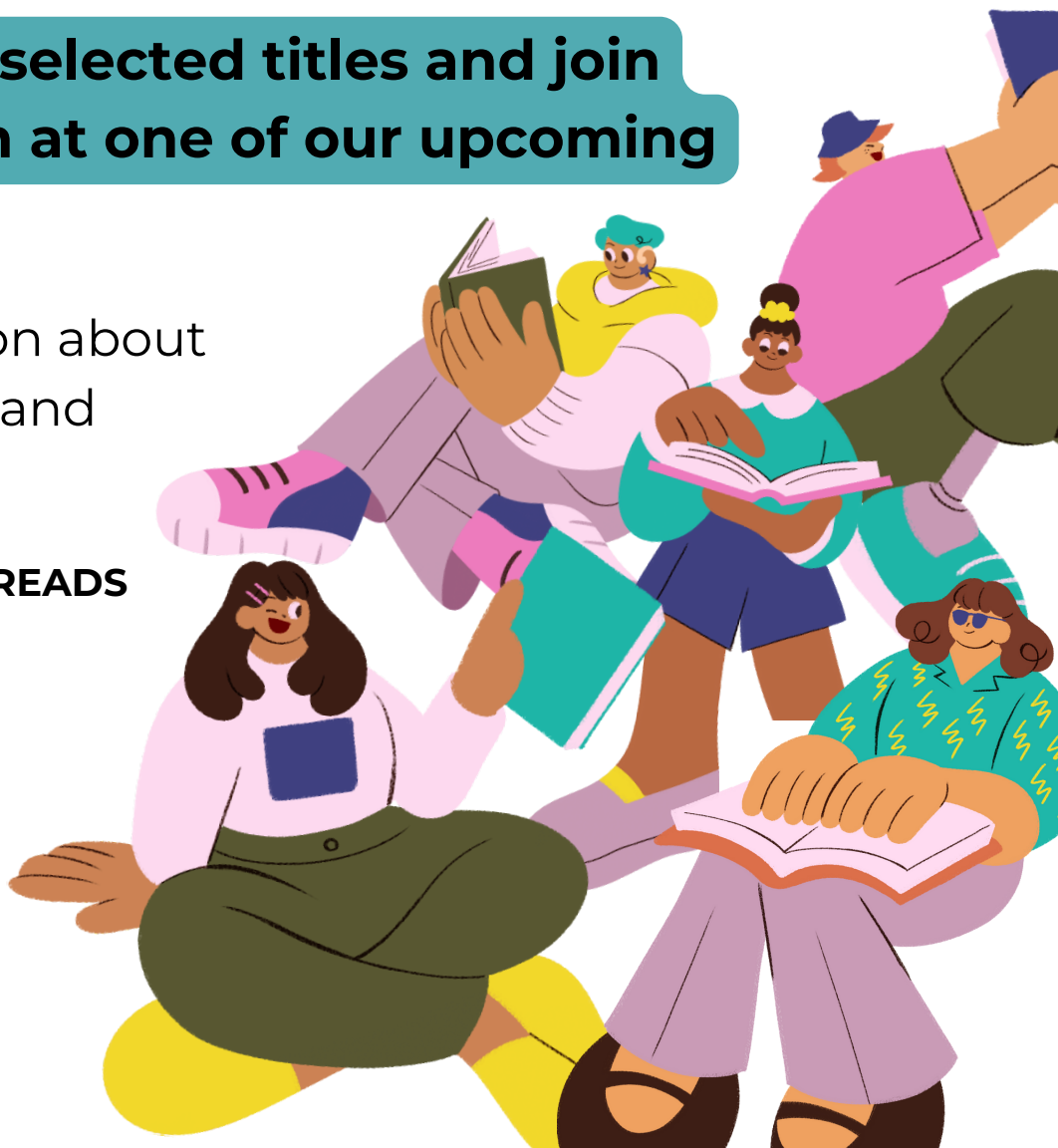
## A KITTERY COMMUNITY READ PROGRAM

By reading and sharing unique perspectives about topics that affect our friends and neighbors, we can foster community understanding and find creative solutions to help Kittery thrive.

**Read one of our selected titles and join the conversation at one of our upcoming public events.**

For more information about what we're reading and why, please visit:

[WWW.KITTERYME.GOV/READS](http://WWW.KITTERYME.GOV/READS)



**KITTERY TOWN COUNCIL**  
**February 27, 2023**  
**6:00PM**

1  
2  
3  
4  
5  
6 1. Call to Order

7 Chair Spiller called the meeting to order at 6:00 PM.

8 2. Introductory

9 3. Pledge of Allegiance

10 4. Roll Call

11 Councilors present: Councilor Bragg, Councilor Dow, Vice Chair McGuire, Chair Spiller

12 Councilors absent: Councilor Hamm (Military Leave), Councilor Clark (vacation) and Councilor  
13 Stevens (work commitment)

14 5. Agenda Amendment and Adoption

15 Chair Spiller moves to add 13. h. The Kittery Town Council moves to appoint Cheryl Daly to  
16 the Diversity, Equity and Inclusion Committee for a three-year term that expires on 12/31/2026.

17 Chair Spiller also moves to add 13. i. The Kittery Town Council moves to appoint Niles  
18 Pinkham to the Kittery Port Authority for a five-year term that will expire on 12/31/2028.

19 Chair Spiller cast one vote to accept the agenda as amended.

20 6. Town Manager's Report

21 Town Manager reported on the Recruitment and Retention Package as well as the Next Phase  
22 of Communication Plan Roll Out.

23 Upcoming Dates:

24 AARP Tax Aide – Kittery Community Center

25 KEEP Property Tax Payment Plan Applications – available now

26 Freebie Barn Community Swap – February 26, 9AM – 12PM

27 Municipal Career Event – March 1, 4PM

28 Seacoast Environmental Film Festival – March 4

29 Shamrock Shindig – March 9, 5:30PM - 7PM

30 York River Partnership Stewardship Committee Applications Due – April 14

31 The Stigma of Substance Abuse Free Lecture – April 20, 7PM

32



- 33 Councilor Dow asked about the age requirements for seasonal staff for Fort Foster as well as  
34 the pay.  
35 Town Manager responded.  
36  
37 Chair Spiller asked about SeeClickFix and its popularity.  
38 Town Manager responded.  
39  
40 Vice Chair McGuire asked if SeeClickFix could be done on the website as well as the app.  
41 Town Manager responded.  
42  
43  
44 7. Acceptance of Previous Minutes- None
- 45 8. Interviews for the Board of Appeals and Planning Board. - None
- 46 9. All items involving the town attorney, town engineers, town employees or other town  
47 consultants or requested offices. -None
- 48 10. PUBLIC HEARINGS-None
- 49 11. DISCUSSION
- 50 a. Discussion by members of the public (three minutes per person)  
51 b. Response to public comment directed to a particular Councilor  
52 c. Chairperson's response to public comments
- 53 12. UNFINISHED BUSINESS - None
- 54 13. NEW BUSINESS
- 55 a. Donations/gifts received for Council disposition. None
- 56 b.(020223-01) The Kittery Town Council moves to approve an application from the  
57 Kittery Outlets for their 2023 annual Sidewalk Sales Events.
- 58 Councilor Dow moves to approve, seconded by Vice Chair McGuire.  
59 Motion passes 4-0-0  
60
- 61 c. (020223-02) The Kittery Town Council moves to approve an application from  
62 Millennium Running for their annual Eastern States Road Race event to be held on  
63 March 26, 2023.
- 64 Councilor Dow moves to approve, seconded by Vice Chair Dow.  
65 Motion passes 4-0-0  
66
- 67 d.(020223-03) The Kittery Town Council moves to appoint William Peirce to the  
68 Housing Committee for a three-year term to expire December 31, 2026.

69 Vice Chair McGuire moves to appoint William Pierce to the Housing Committee for a three-  
70 year term, expiring on December 31, 2026, seconded by Councilor Bragg.  
71 Motion passes 4-0-0

72  
73 e. (020223-04) The Kittery Town Council moves to approve a pole relocation  
74 application from Central Maine Power for the corner of Dennett Road and Ranger  
75 Road.

76 Vice Chair moves to approve the relocation, seconded by Councilor Bragg.  
77 Motion passes 4-0-0

78  
79 f. (020223-05) The Kittery Town Council moves to create the Youth Recreation Ad  
80 Hoc Committee.

81 Councilor Bragg moves to create the Committee, seconded by Councilor Dow.

82  
83 Councilor Dow thanked Councilor Bragg for her dedication to the Youth in our community.

84  
85 Chair Spiller read a statement from Councilor Hamm who reported that he does think that the  
86 committee and skate park are a good idea but what the Youth really need in the community is  
87 affordable housing so they can afford to live here as they get older. He also reported that he  
88 believes the number of students on the committee should be increased.

89  
90 Chair Spiller commented that if the Committee does decide to pursue a skate park, that they  
91 find a non-residential neighborhood in which to build it due to the noise levels they create.

92  
93 Motion passes 4-0-0

94  
95 g. (020223-06) The Kittery Town Council moves to designate the Climate Adaptation  
96 Committee as the Climate Action Plan Task Force.

97 Chair Spiller moves to designate the Climate Adaptation Committee as the Climate Action Plan  
98 Task Force, seconded by Vice Chair McGuire.

99 Councilor Dow asked what the purpose behind this was and if the Committee would still exist.  
100 Chair Spiller responded.

101  
102 Motion passes 4-0-0

103  
104 h. The Kittery Town Council moves to appoint Cheryl Daly to the Diversity, Equity and  
105 Inclusion Committee for a three-year term that expires on 12/31/2026.

106  
107 Councilor Dow moved to appoint Cheryl Daly, seconded by Vice Chair McGuire.  
108 Motion passes 4-0-0

109  
110 i. The Kittery Town Council moves to appoint Niles Pinkham to the Kittery Port  
111 Authority for a five-year term that will expire on 12/31/2028.

112

113 Vice Chair moved to appoint Niles Pinkham, seconded by Councilor Dow.  
114 Motion passes 4-0-0

115  
116 14. COUNCILOR ISSUES OR COMMENTS

117 Chair Spiller read a statement from Councilor Hamm. He reported that he stands with  
118 Portsmouth, NH and their zero tolerance for hate based attacks. He also reported that in order  
119 to make all welcome in our town we need to provide more affordable housing.

120 Councilor Bragg stated that she is excited to work on the Ad Hoc team and that she will be  
121 scheduling the first brainstorming meeting sometime this month. She stated that it is very  
122 important to make the youth feel important and heard.

123 Councilor Dow asked the best way for residents to apply to be involved in the Ad Hoc  
124 committee.  
125 Councilor Bragg responded.

126  
127 Vice Chair McGuire stated that he is serving on the Kittery Block Party Committee and that  
128 they are seeking business sponsors as well as volunteers for the event. He also noted that he  
129 too stands for the folks in Portsmouth in their stand against hate.

130  
131 Chair Spiller stated that she spent time at Traip Academy with an instructor and they were  
132 brainstorming a combined effort between the Climate Adaptation Committee and one of the  
133 classes, a project surrounding climate change, specifically flooding. She stated that she is very  
134 impressed by the students work.

135  
136 15. COMMITTEE AND OTHER REPORTS

137 a. Communications from the Chairperson

138  
139 Chair Spiller stated that Blue Ocean Society reported that they accomplished 22 beach clean  
140 ups last year, 3 of which were in Kittery.

141  
142 b. Committee Reports

143 16. EXECUTIVE SESSION

144 17. ADJOURNMENT

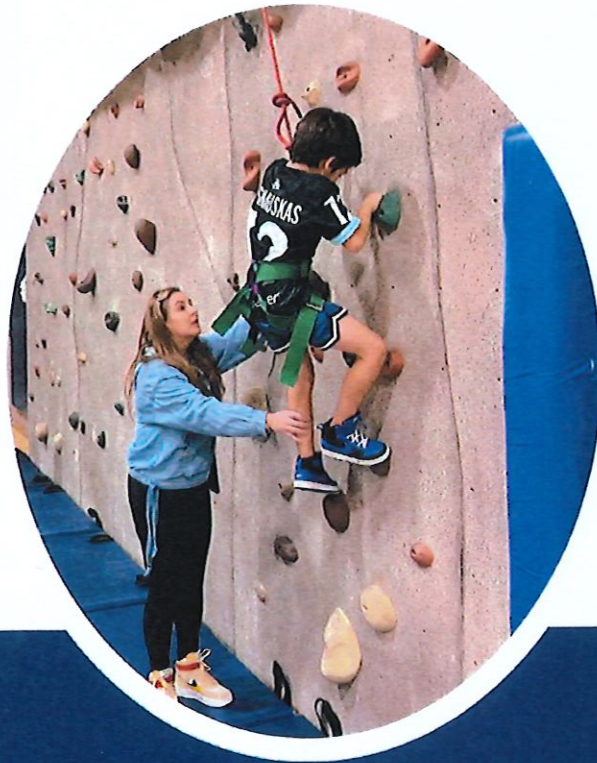
145  
146 Motion to adjourn made by Vice Chair McGuire at 6:34 PM, seconded by Councilor Bragg.  
147 All were in favor.

148  
149  
150 Submitted by Jennifer Wheeler

151  
152 Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst  
153 every effort has been made to ensure the accuracy of the information, the minutes are not  
154 intended as a verbatim transcript of comments at the meeting, but a refer to the video of the

155 meeting on the Town of Kittery website.

**Kittery School District  
FY24 Budget  
Town Council Presentation  
April 10, 2023**





TO: KITTERY TOWN COUNCIL  
FROM: ERIC WADDELL  
DATE: APRIL 5, 2023  
RE: FY24 SCHOOL BUDGET PROPOSAL

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I am pleased to provide you with the FY24 school budget as adopted by the Kittery School Committee at the March 28, 2023 business meeting. The budget reflects a tremendous amount of work from the Leadership Team, the Finance and Human Resources Departments, the Facilities, Finance, & Safety Committee, and the Kittery School Committee. I also value the input of School Committee officers, Chairwoman Dow and Vice Chair Cicero. I hope you will agree that the proposed FY24 budget meets the educational needs of the nearly 1000 students of the Kittery School District while respecting the ongoing support of the tax-paying residents and business owners of Kittery.

As I said at our March 7<sup>th</sup> Budget Workshop, an outstanding public school system is the backbone of a successful and vibrant community and impacts property value, economic growth, and the quality of life for all citizens. Three years have passed since COVID-19 first arrived in Maine, and although our nation may have broken the grip of the virus, and the public health emergency is set to expire in May, the turmoil and trauma of the past three years will affect our students for years to come. It punctuates the critical role public education plays and will continue to play in Maine.

Keeping our Vision's **Core Beliefs** close at hand during this budget-building process has been very helpful. The community collaboration behind the District's next Vision created a road map for the Team, and when questions arose or when we found ourselves at a crossroads, we were reminded of the Core Beliefs that helped to keep priorities straight:

- *We believe the Kittery School District is a community that respects, values, and welcomes all individuals. We strive to create a sense of belonging for all community members by seeking diversity, pursuing equity, and celebrating the value of the many different lived experiences among us.*
- *We believe in the importance of building strong, positive relationships within our school, our community, our country, and our world. Using local and global resources, we aim to provide students with engaging and connected learning opportunities.*

- *We believe in a curriculum that is personally relevant to students and reflects diverse perspectives and experiences. Through innovation and adaptability, we strive to empower students to develop a sense of identity, empathy, and thoughtful local and global citizenship.*
- *We believe it is our responsibility to meet the academic and social-emotional needs of all students. We foster and practice resilience, flexibility, a growth mindset, and empathy so that all students feel valued.*
- *We believe in structuring an educational environment that reflects the growth mindset and prepares students for success beyond K-12. We involve students in the development and direction of their own education.*

The School Committee also kept the following **four considerations** close at hand as we began our budget work several months ago:

- ✓ *Ensuring that our team of hardworking professional, paraprofessionals, support staff, and leaders are **paid a competitive wage** in order to keep them here and to capitalize on the investments that we have made in them. We further recognize that this effort is more important than ever before in a highly competitive job market.*
- ✓ *Providing a **top quality education** to our nearly 1000 Kittery students so they become citizens who want to live here and contribute to the Kittery community, and recognizing that in doing so, we are investing in our community.*
- ✓ *Understanding that an outstanding school system is the **backbone of a successful community** and impacts property values, economic growth, and quality of life for all citizens.*
- ✓ *Being **fiscally responsible to the taxpayers** in Kittery and understanding that the State of Maine identifies Kittery as a property-rich community with a rising property valuation. As a result, the State of Maine provides the District with no funding beyond a minimum level for special education costs. Many Kittery residents, particularly our large military-connected population (the largest in Maine) live modestly on a fixed income, making a tax increase problematic. We are optimistic that Kittery can balance our District's reliance on local tax revenue with the town's growing valuation and without an increase to the tax mil rate.*

Aside from those Core Beliefs and considerations, our budget-building process is driven also by several factors including:



- *Collective bargaining agreements* for our professional and support staff. The School Committee will soon be working with District #35 Painter & Allied Trade (custodians collective bargaining unit), so the School Committee must budget in order to negotiate in good faith.
- The importance of ensuring that our administrators and others who are employed under an **individual work agreement** are paid a fair and competitive wage.
- A recently approved three-year **transportation contract** (FY24, FY25, & FY26)
- **Debt service** on school renovation projects and the school facilities improvement bond that will continue through FY32.
- Escalating costs for **special education** along with rising student mental health issues that may prevent students from accessing their educational program without added support (a regional and national factor).
- A significant **military-connected student population** (the largest in the State of Maine) that we are exceedingly proud of and that also escalates costs with minimal **Federal Impact Aid** to offset those costs.

The School Committee began its work following Thanksgiving break with new proposals for the FY24 budget that we reviewed during the budget workshop process. These new proposals represent an ongoing program review of all three Kittery schools. The budget-building season gives us the window of opportunity not only to introduce new programs in our schools, but also to review existing programs and services to ensure that they are meeting our students' needs.

I've provided you with an updated summary of those new proposals including which ones made it into the FY24 budget proposal. It is not uncommon for new proposals to be considered for several years before they either fall off the list for consideration or before they are included at some level in the proposed budget. New proposals that do not get funded in FY24 may very likely be considered for FY25.

Allow me to review the staff/programming changes that would result from the FY24 proposed budget:

#### ADDITIONS

- **Assistant Principal ~ MITCHELL PRIMARY SCHOOL**
  - The complexities of the principalship have grown remarkably in recent years. Student needs, family expectations, and societal concerns related to school safety have created the need for two administrators in each building. Years ago, Mitchell Primary School and Shapleigh School shared an assistant principal (in fact, it was Ms.



Gamache who served in that role), but we determined that the greater need at the time was at Shapleigh School. That is no longer the case; all schools need a full-time assistant principal in order for the school to function effectively and safely, and to make the job of the principal manageable.

- **Part-time Financial Literacy Teacher ~ TRAIIP ACADEMY**
  - Financial literacy classes teach students the basics of money management: budgeting, saving, debt, investing, and giving. That knowledge lays a foundation for students to build strong money habits early on and avoid many of the mistakes that lead to lifelong money struggles. We know that financial literacy classes help students make better financial decisions later in life. Thanks to a current special educator with a dual certification in Business Education, Traip Academy has been able to offer several financial literacy classes for all students who elect to take them. With the retirement announcement of this particular teacher, the District needs to hire a part-time financial literacy teacher in order to continue offering these important classes.
  
- **Increase Part-time School Counselor to Full-time Status ~ TRAIIP ACADEMY**
  - Until the current year, Traip Academy has employed one full-time school counselor and another at 60%. This proposal increases the 60% school counselor to full-time. Thanks to ESSER III funds, we were able to employ the part-time school counselor on full-time status during the current school year. However, those funds will no longer be available; therefore, in order to maintain two full-time school counselors at Traip Academy, we must include the cost of a 40% school counselor in the FY24 general fund. Of course, no one can dispute the need for two full-time school counselors in a high school in 2023. The college and career support alone can keep two counselors busy for sure. Add in the social, emotion, and mental health needs of adolescents and it becomes readily apparent that a high school of 280 students requires two full-time school counselors.
  
- **Coordinator of Special Projects (1 year only) ~ DISTRICT**
  - The Special Projects Coordinator will manage both new and existing projects for the Superintendent of Schools which may include (but are not limited to) technology services, employee certification, Gifted/Talented services, ESL services, NWEA testing, ESEA, ESSER III, teacher evaluation. Currently, these responsibilities are managed by the assistant superintendent (in addition to her responsibilities related to curriculum, instruction, assessment, and professional



development). The Coordinator will work 156 days (approximately 3 days/week) from August 1, 2023 to June 30, 2024.

With the retirement of the current assistant superintendent (June 30, 2023), the District will seek a replacement (Curriculum Director) effective Jul 1, 2023. In an effort to transition the new Curriculum Director effectively, the District will employ the Special Projects Coordinator to manage a number of programs/tasks currently managed by the assistant superintendent or another member of the Leadership Team. The goal is to ensure that the new Curriculum Director is able to effectively focus on curriculum, instruction, assessment, and professional development without being overwhelmed with the additional tasks that have crept into the role of the current assistant superintendent. This will benefit the new Curriculum Director as well as the staff members affiliated with the ancillary programs (technology team, G/T teachers, ESL teachers, etc.). The position will be fully grant funded through ESSER III.

- **Increase Data Manager Position to Full-Time Status ~ DISTRICT**
  - Currently, the District Data Manager works 215 days/year. However, in 2023, the position requires a full-time employee who is accessible to District leaders at all times. We live in a data-driven world. From School nutrition and transportation to student learning data and communication with families and staff, everything relies on accurate data in platforms that must 'speak' to each other. The need for a full-time data specialist is indisputable and was recognized by the Leadership Team as a high priority.
  
- **Increase Half-time ESL Teacher to Full-time Status ~ DISTRICT**
  - With a growing ESL student population, we must increase our staffing from 1.5 FTE to 2 full-time ESL teachers. The ESL program needs require a full-time person at Traip Academy for both direct and supported instruction. That would leave another full-time employee to cover the needs at Mitchell Primary School and Shapleigh School. That includes both direct instruction, supported services, meeting with families, writing ILAP plans, administering the state-required annual tests, and facilitating the ILAP meetings. In addition, this person will help the school nurses coordinate primary health care needs.
  
- **Licensed Clinical Social Worker (partial general funding) ~ DISTRICT**
  - Thanks to ESSER III, the District has employed a LCSW since the fall of 2021. In year three, we must absorb half of the LCSW in the general fund. We will be able to cover the other half through ESSER III (an American Rescue Plan grant). However, it is important to note that ESSER III must

be fully obligated by September 30, 2024, so the District will need to fully fund the LCSW in FY25.

## REDUCTIONS

There are no planned staffing or programming reductions in this FY24 budget.

The adopted FY24 budget seeks a tax revenue contribution from the Kittery taxpayers of **\$18,201,309.90**. This represents a 3.94% increase (or \$689,624.55) over FY23. Overall, the FY24 budget reflects a 4.33% expense increase. Full details of FY24 Expenses and Revenue Projections are attached.

## HEALTH & DENTAL INSURANCE RATES

The one final expense that remains an estimate is the District's contribution to FY24 increases to employees' **health and dental insurance benefit**. I have budgeted for a 5% increase based on an analysis of our past Medical/Loss Ratios and corresponding rate increases. The District is obligated to cover up to an 8% rate increase. Anything over an 8% increase is picked up by the employees.

Rate increases to the health and dental insurance for FY24 will not be released until early April which makes that an expense variable. If the rate increase for FY24 is less than 5%, the savings will remain in the budget at the end of FY24. It will show up in the **Unassigned Fund Balance** in the FY24 financial audit.

The Unassigned Fund Balance will be allocated to **Carry Forward Revenue** in the FY26 budget or to the **dedicated reserve funds**, or it may be held for future use for up to three years in accordance with State statute. Effective October 18, 2021, school units may carry forward up to 9% (through FY25) of the prior fiscal year's budget for future use and to use those funds for school purposes during the next three years. Beginning in FY26, that carry forward amount is reduced to 5% until which time the statute is revised.

*Finally, included in these materials are the following:*

- *FY24 New Proposals*
- *FY24 Expenses & Revenue Projections*
- *October 1<sup>st</sup> Enrollment History (1983 – present)*
- *Kittery School District Demographics*

*efw040423*



## FY24 BUDGET ~ NEW PROPOSAL REQUESTS

SCHOOL/DEPT. ADMINISTRATOR	DESCRIPTION	COST	FUNDING SOURCE	Action Taken by LT
MPS (Gamache)	Assistant Principal	\$129,740.00	Operational Budget	Include in FY24 Budget
	Increase: Ed Tech III to Unit A Teacher position (Tech)	\$28,532.00	Operational Budget	Defer to FY25 Budget
	Addition: part time Financial Literacy Teacher	\$37,757.00	Operational Budget	Include in FY24 Budget
Traip Academy (Drisko)	Increase: 2/5 School Counseling Position	\$30,000.00	Operational Budget	Include in FY24 Budget
	Transition Specialist	\$26,100.00	Operational Budget	Defer to FY25 Budget
Special Services (Durgin)	Coordinator of Special Projects (1 Year Only)	\$75,542.54	ESSERF III	Include in FY24 Budget
Superintendent. (Waddell)	Increase: Data Manager position to 260 days (FTE); increase from 215 to 260 days	\$12,786.00	Operational Budget	Include in FY24 Budget
Technology (Woodside)	Increase: 1/2 time ESL teacher to full time	\$52,600.00	Operational Budget	Include in FY24 Budget
ESL District (Woodside)	Social Worker: part ESSER 3 and part General Fund	\$53,802.00	Operational Budget	Include in FY24 Budget
Social Worker (Woodside)	Shapleigh School Boys & Girls Lacrosse Teams	\$14,100.00	Operational Budget	Defer to FY25 Budget
Athletics (Roberge)	<b>TOTAL COST:</b>	<b>\$460,959.54</b>		

GENERAL FUND (Included in FY24 Budget)	\$316,685.00
ESSERF III (Grant Funded in FY24 Budget)	\$75,542.54

## EXPENSES

### FISCAL YEAR 2024 SCHOOL BUDGET

Row Labels	Sum of FY24 BUDGET	Sum of FY23 BUDGET	Sum of Amount Change	Sum of Field2
01-REGULAR INSTRUCTION	8,242,753.00	7,991,346.00	251,407.00	3.15%
02-SPECIAL INSTRUCTION	4,581,907.00	4,392,472.00	189,435.00	4.31%
03-CTE (VOC)	7,824.00	6,752.00	1,072.00	15.88%
04-OTHER INSTRUCTION	376,237.00	366,157.00	10,080.00	2.75%
05-STUDENT & STAFF SUPPORT	2,388,951.00	2,212,623.00	176,328.00	7.97%
06-SYSTEM ADMINISTRATION	910,482.00	832,571.00	77,911.00	9.36%
07-SCHOOL ADMINISTRATION	1,295,562.00	1,113,698.00	181,864.00	16.33%
08-TRANSPORTATION	776,905.00	715,541.00	61,364.00	8.58%
09-FACILITIES	1,554,489.00	1,411,669.00	142,820.00	10.12%
10-DEBT	469,938.00	697,793.00	(227,855.00)	-32.65%
11-SCHOOL NUTRITION/OTHER	640,000.00	240,000.00	400,000.00	166.67%
<b>Grand Total</b>	<b>21,245,048.00</b>	<b>19,980,622.00</b>	<b>1,264,426.00</b>	<b>6.33%</b>

			printed: 3/2/23	
% Increase without Transfers	20,845,048.00	19,980,622.00	864,426.00	4.33%



## REVENUE FISCAL YEAR 2024 SCHOOL BUDGET

Description	2024 Budget	2023 Budget	2022 Budget	Budget Change	% Change
LOCAL EPS ALLOCATION-GEN FUND	\$ 11,701,298.90	\$ 11,741,869.00	\$ 10,850,497.00	\$ (40,570.10)	-0.35%
ADDITIONAL LOCAL FUNDS-GEN FUN	\$ 6,030,073.00	\$ 5,072,023.35	\$ 5,222,810.00	\$ 958,049.65	18.89%
LOCAL DEBT SERVICE-GEN FUND	\$ 469,938.00	\$ 697,793.00	\$ 720,996.95	\$ (227,855.00)	-32.65%
	<b>\$ 18,201,309.90</b>	<b>\$ 17,511,685.35</b>	<b>\$ 16,794,303.95</b>	<b>\$ 689,624.55</b>	<b>3.94%</b>
	\$ -	\$ -	\$ -	(0.00)	
Description	2024 Budget	2023 Budget	2022 Budget	Budget Change	% Change
STATE EPS ALLOCATION-GEN FUND	\$ 1,730,348.10	\$ 1,578,236.65	\$ 1,723,871.28	\$ 152,111.45	9.64%
CARRY FORWARD BAL-GEN FUND	\$ 935,190.00	\$ 500,000.00	\$ 325,877.00	\$ 35,190.00	7.04%
IMPACT AID-GEN FUND	\$ 350,000.00	\$ 350,000.00	\$ 400,000.00	\$ -	0.00%
MAINECARE/MEDICAID-GEN FUND	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ (5,000.00)	-16.67%
CO/XTRA-CUR INCOME K-8-GF	\$ -	\$ 2,500.00	\$ 2,500.00	\$ (2,500.00)	-100.00%
CO/XTRA-CUR INCOME 9-12-GF	\$ -	\$ 5,000.00	\$ 5,000.00	\$ (5,000.00)	-100.00%
RENTAL OF PROPERTY-GEN FUND	\$ -	\$ -	\$ -	\$ -	0.00%
MISC SALES & REFUNDS-GEN FUND	\$ 3,200.00	\$ 3,200.00	\$ 3,200.00	\$ -	0.00%
<b>TOTALS</b>	<b>\$ 3,043,738.10</b>	<b>\$ 2,468,936.65</b>	<b>\$ 2,490,448.28</b>	<b>\$ 174,801.45</b>	<b>7.08%</b>
EXPENSES	\$ 21,245,048.00	\$ 19,980,622.00	\$ 19,284,752.23	\$ 1,264,426.00	6.33%
AMOUNT FROM TAXPAYERS	<b>\$ 18,201,309.90</b>	<b>\$ 17,511,685.35</b>	<b>\$ 16,794,303.95</b>		

printed: 3/27/23

CARRY FORWARD	\$ 935,190.00	\$ 500,000.00	\$ 325,877.00
FOR FUTURE USE	\$ 545,000.00	\$ 573,623.00	
TRANSFER TO RESERVE ACCOUNTS	\$ 200,000.00	\$ 700,000.00	\$ 205,000.00
Per Audit Unassigned	\$ 1,680,190.00	\$ 1,773,623.00	\$ 530,877.00
FY22 Unassigned			

	2024 TRANSFERS IN	2023 TRANSFERS	CURRENT FUND BALANC	NEW FUND BALANCE
Maintenance Reserve-Vehicle	\$ 10,000.00	\$ 10,000.00	\$ 47,719.07	\$ 57,719.07
Maintenance Reserve-Maintenance	\$ 250,000.00	\$ 300,000.00	\$ 283,771.65	\$ 533,771.65
Maintenance Reserve-Equipment	\$ 40,000.00	\$ 40,000.00	\$ 80,080.99	\$ 120,080.99
Technology	\$ 240,000.00	\$ 140,000.00	\$ (177,273.85)	\$ 62,726.15
Special Education	\$ 200,000.00	\$ 250,000.00	\$ 265,308.81	\$ 465,308.81
Unemployment			\$ 170,443.37	\$ 170,443.37
Unfunded Liabilities		\$ 100,000.00	\$ 400,494.81	\$ 400,494.81
Success			\$ 20,810.79	\$ 20,810.79
TO BE ALLOCATED				
	<b>\$ 740,000.00</b>	<b>\$ 840,000.00</b>	<b>\$ 1,091,355.64</b>	<b>\$ 1,831,355.64</b>

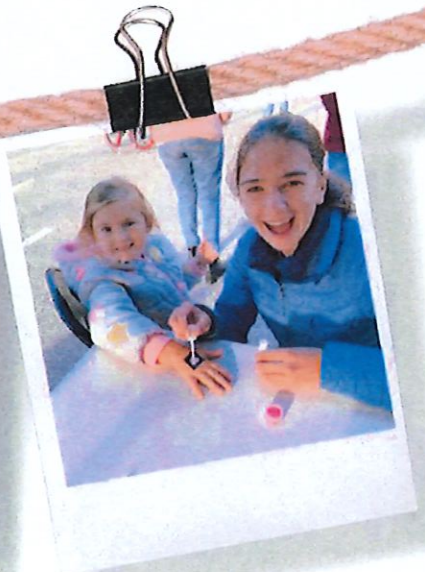
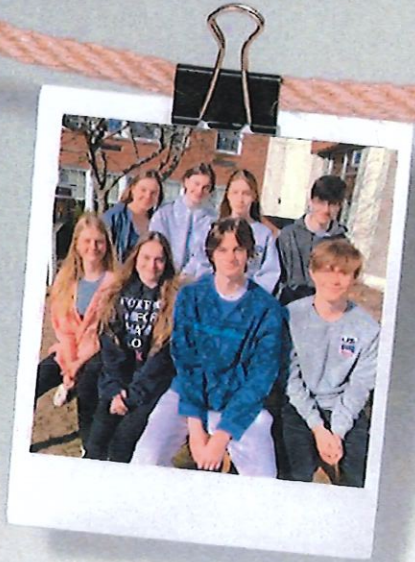


## OCTOBER 1st Enrollment ~ (Students attending Kittery Schools)

YEAR	SpEd	K	1	2	3	4	5	6	7	8	9	10	11	12	Elem.	Sec.	TOTAL
2022-23	--	77	72	71	90	69	74	77	76	74	69	83	70	56	680	278	958
2021-22	--	73	66	88	66	75	76	79	84	72	87	69	55	66	679	277	956
2020-21	--	63	83	66	69	78	74	82	69	96	73	54	69	67	680	263	943
2019-20	--	100	70	82	82	78	85	73	97	82	62	74	70	71	749	277	1026
2018-19	--	76	85	78	78	86	72	96	90	69	72	69	77	50	730	268	998
2017-18	--	96	86	82	99	76	100	89	79	77	71	79	50	58	784	258	1042
2016-17	--	90	86	88	77	101	91	81	78	81	75	56	61	60	773	252	1025
2015-16	--	91	97	90	101	91	88	74	85	78	62	72	61	73	795	268	1063
2014-15	--	95	98	103	97	88	84	81	87	71	76	70	72	62	804	280	1084
2013-14	--	105	104	101	95	87	80	86	76	73	83	78	55	59	807	275	1082
2012-13	--	109	98	100	89	79	89	77	77	82	77	72	70	63	800	282	1082
2011-12	--	107	102	88	81	84	64	72	76	66	69	74	67	63	740	273	1013
2010-11	--	100	92	84	99	59	78	86	69	70	70	68	59	80	737	277	1014
2009-10	--	96	78	90	64	78	76	66	76	69	70	74	72	62	693	278	971
2008-09	--	90	87	69	77	74	67	81	78	64	70	84	72	88	687	314	1001
2007-08	--	88	70	78	79	72	77	83	64	78	95	79	96	89	689	359	1048
2006-07	--	76	77	82	83	80	82	69	75	98	83	94	90	88	722	355	1077
2005-06	--	79	93	86	74	81	70	73	105	80	105	91	87	58	741	341	1082
2004-05	--	87	97	84	85	68	78	103	81	113	101	93	65	65	796	324	1120
2003-04	--	97	85	99	62	79	99	86	112	108	113	65	66	96	827	340	1167
2002-03	6	96	88	57	86	101	88	111	110	118	80	88	93	71	861	332	1193
2001-02	8	94	68	85	104	94	122	116	122	71	105	101	76	74	884	356	1240
2000-01	5	78	82	106	94	121	120	122	73	89	119	70	78	87	890	354	1244
1999-00	6	82	99	94	117	106	105	65	87	109	86	95	81	77	870	339	1209
1998-99	--	89	96	108	105	108	71	76	105	82	102	85	70	87	840	344	1184
1997-98	6	91	111	112	114	71	78	100	90	84	109	74	77	63	857	323	1180
1996-97	--	121	111	129	76	82	117	82	93	87	86	96	67	74	898	323	1221
1995-96	--	118	115	81	86	125	77	100	97	81	103	76	83	85	880	347	1227
1994-95	--	129	91	100	129	91	95	100	88	91	79	95	89	65	914	328	1242
1993-94	--	93	104	130	104	112	108	86	93	69	97	100	69	81	899	347	1246
1992-93	--	103	137	103	116	105	93	91	90	93	98	77	82	79	931	336	1267
1991-92	--	150	114	132	112	104	99	97	88	100	75	79	77	88	996	319	1315
1990-91	--	117	138	117	100	99	99	87	103	81	94	84	84	74	941	336	1277



# *You Matter!*







**TOWN OF KITTERY**  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1329 Fax: 207-439-6806

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**REPORT TO TOWN COUNCIL**

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Meeting Date: March 13, 2023  
Update: April 10, 2023  
From: Kendra Amaral, Town Manager  
CC: Dutch Dunkelberger, Planning Board Chair  
Subject: Title 16 – Stormwater Management  
Sponsor: Chairperson Judy Spiller

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**OVERVIEW**

Please see the attached report from Jason Garnham, Director of Planning and Development.

**UPDATE**

The Council is being requested to postpone the public hearing due to a delay in newspaper advertising. Per Maine Law, a public hearing must be advertised in a newspaper no less than 13 days prior to the public hearing. Due to the timing of submitting the advertisement and publication deadlines, we were unable to meet the 13-day minimum.

The proposed new public hearing date will be May 8, 2023.

**PROPOSED SOLUTION/RECOMMENDATION**

Adopt amendment to Title 16 as proposed.

**ATTACHMENTS**

- Staff Memo outlining updates to the draft ordinance
- Draft Title 16 – Stormwater Management
- Draft Title 16 – Stormwater Management Enactment
- Southern Maine Stormwater Ordinance Change Overview
- January 3, 2023 Integrated Environmental Engineering Report to Planning Board
- [Click here](#) for video of the February 23, 2023 vote on recommendation

**TITLE 16  
STORMWATER REQUIREMENTS**

**1. AMEND § 16.2.13 Violations as follows:**

D. Notice of violation and order (notice).

(5) Additionally, if there is a violation of § 16.5.19, Nonstormwater Discharge, the enforcement authority will order compliance by written notice of violation to that person, indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

(a) The elimination of nonstormwater discharges to the storm drainage system, including, but not limited to, disconnection of the premises from the MS-4;

(b) The immediate cessation of discharge practices or operations in violation of this section;

(c) At the person's expense, the abatement or remediation (in accordance with best management practices in DEP rules and regulations) of nonstormwater discharges to the storm drainage system and the restoration of any affected property; and/or

(d) The payment of fines, of the municipality's remediation costs, and of the municipality's reasonable administrative costs and attorneys' fees and costs. If abatement of a violation and/or restoration of affected property is required, the notice will set forth a deadline within which such abatement or restoration must be completed.

(e) If abatement of a violation and/or restoration of affected property is required, or if immediate cessation is not possible or if elimination of the Non-Stormwater Discharge is not possible within 60 days of identification of the source, the notice shall set forth a deadline within which such elimination, abatement, or restoration must be completed.

**2. AMEND § 16.3.2 Definitions as follows:**

QUALIFIED EROSION AND SEDIMENTATION CONTROL PROFESSIONAL – A person who is certified by Enviro-Cert International in erosion and sedimentation control practices or is certified by completing the Maine Department of Environmental Protection Erosion and Sedimentation Control Practices Workshop, or is a Maine Professional Engineer with at least two years' experience in designing Erosion and Sedimentation Control BMPs.

QUALIFIED POST-CONSTRUCTION STORMWATER INSPECTOR — A person who conducts post-construction stormwater management facilities inspections for compensation and who has received a Certification in Inspection and Maintenance of Stormwater BMPs ~~the appropriate training for the same~~ from the Maine Department of Environmental Protection or is a Professional Engineer in the State of Maine with an understanding of stormwater infrastructure and its required maintenance.

REGULATED SMALL MS4 — Any small municipal separate storm sewer system

36 (MS4) regulated by the State of Maine general permit for the discharge of stormwater  
37 from small municipal separate storm sewer systems, dated July 2013 ("general permit"), [renewed](#)  
38 [October 15, 2020, modified November 23, 2021 and any amendment or renewal thereof;](#)  
39 including all those located partially or entirely within an urbanized area (UA) and those  
40 additional small MS4s located outside an UA that as of the issuance of the general permit  
41 have been designated by the DEP as regulated small MS4s. The Town of Kittery is a regulated small  
42 MS4.

43 URBANIZED AREA (UA) — The areas of the State of Maine so defined by the ~~latest~~  
44 [inclusive sum of the 2000](#) decennial census [and the 2010 decennial census](#) by the U.S. Bureau  
45 of the Census.

46 **3. AMEND §16.5 General Performance Standards as follows:**

47 A. Basis/purpose/objectives.

48 (1) The Maine Department of Environmental Protection, through its ~~promulgation~~  
49 ~~of the "General Permit for the Discharge of Stormwater from Small Municipal~~  
50 ~~Separate Storm Sewer Systems" dated July 2013, has listed the Town of~~  
51 ~~Kittery as having a regulated small municipal separate storm sewer system~~  
52 ~~(small MS4); under this general permit, listing as~~ [listing of Kittery as](#) a regulated small MS4,  
53 necessitates enactment of this section as part of the municipality's stormwater  
54 management plan.

55 (2) The creation, initiation, origination and maintenance of the following  
56 nonstormwater discharges to the storm drainage system are allowed as long as  
57 they do not cause or contribute to a violation of the state's water quality  
58 standards:

59 (a) Flow. Landscape irrigation; diverted stream flows; rising groundwaters;  
60 uncontaminated groundwater infiltration [as defined at 40 CFR 35.2005(20)];  
61 uncontaminated pumped groundwater; uncontaminated flows from foundation  
62 drains; air-conditioning and compressor condensate; irrigation water; flows from  
63 uncontaminated springs; uncontaminated water from crawl space pumps;  
64 uncontaminated flows from footing drains; lawn watering runoff; flows from  
65 riparian habitats and wetlands; residual street wash water (where spills/leaks of  
66 toxic or hazardous materials have not occurred, unless all spilled material has been  
67 removed and detergents are not used); hydrant flushing and firefighting activity  
68 runoff; water line flushing and discharges from potable water sources; individual  
69 residential car washing; and dechlorinated swimming pool discharges, as defined as  
70 having ~~0.5~~ [0.05](#) ppm or less. Pools may only be emptied a minimum of 48 hours  
71 after any chemical treatments were added.

72 **4. AMEND §16.7 General Development Requirements as follows:**

73 **§ 16.7.10 Review process and submission requirements**

74 C. Preliminary plan review.

75 (4) Plan requirements.

76 (o) Erosion and sedimentation control plan ~~endorsed by the York County Soil~~  
77 ~~and Water Conservation District or the Town's engineering consultant~~  
78 prepared by a Qualified Erosion and Sedimentation Control Professional in  
79 accordance with the requirements of § 16.7.11.C;

80 **§ 16.7.11 Performance Standards and Approval Criteria**

81 C. Stormwater and surface drainage.

82 (1) Adequate provision must be made for drainage of all stormwater generated with  
83 the development and any drained groundwater through a management system of  
84 natural and constructed features. Where possible, existing natural runoff control  
85 features, such as berms, swales, terraces and wooded areas must be retained to  
86 reduce runoff and encourage infiltration of storm waters. Otherwise, drainage may  
87 be accomplished by a management system of constructed features such as swales,  
88 culverts, underdrains and storm drains.

89 (2) To ensure proper functioning, stormwater runoff control systems must be  
90 maintained in good working order per § 16.7.11D, Post-construction stormwater  
91 management.

92 (3) Where a development is traversed by a stream, river or surface water drainageway,  
93 or where the Planning Board or Director of Planning and Development determines  
94 that surface runoff should be controlled, easements and or drainage rights-of-way  
95 must be provided which conform substantially to the lines of existing natural  
96 drainage paths. The minimum width of the drainage easements or rights-of-way is  
97 30 feet.

98 (a) The minimum pipe size for any storm drainage pipe must be 12 inches.  
99 Maximum trench width at the pipe crown must be the outside diameter of  
100 the pipe plus two feet. The pipe must be bedded in a fine granular material,  
101 containing no stones larger than three inches, lumps of clay, or organic  
102 matter, reaching a minimum of six inches below the bottom of the pipe  
103 extending to six inches above the top of the pipe.

104 (b) Except for normal thinning and landscaping, existing vegetation must be left  
105 intact to prevent soil erosion.

106 (4) When proposed development does not require Maine Department of  
107 Environmental (MDEP) approval under MDEP Chapters 500 and 502, the  
108 following applies:

109 (c) Downstream drainage requirements must be studied to determine the  
110 effect of the proposed development. The storm drainage must not  
111 overload existing or future planned storm drainage systems downstream  
112 from the development. The developer is responsible for financing any  
113 improvements to existing drainage systems required to handle the

114 increased storm flows.

115 [2] All sediment and erosion control measures must be designed in  
116 accordance with MDEP's "Maine Erosion and Sediment Control  
117 BMPs," ~~March 2003~~ October 2016 or latest revision.

118 [5] Where the Board has required a stormwater management and  
119 erosion control plan and MDEP approval under Chapters 500 and  
120 502 is not required, said plan must be reviewed and approved by the Town's  
121 peer review engineer ~~endorsed by the York County Soil and Water~~  
122 ~~Conservation District~~.

123 (5) When proposed development does require Maine Department of Environmental  
124 (MDEP) approval under the latest revision of MDEP Chapters 500 and 502 or the  
125 Maine Construction General Permit, the Erosion and Sediment Control Standards of  
126 Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment  
127 Control, Appendix B – Inspections and Maintenance and Appendix C Housekeeping,  
128 shall apply.

129 D. Post-construction stormwater management.

130 (2) Authority. The Maine Department of Environmental Protection, through its  
131 dissemination of the general permit for the discharge of stormwater from small  
132 municipal separate storm sewer systems, has listed the Town of Kittery, Maine, as  
133 having a regulated small municipal separate storm sewer system (small MS4); under  
134 this general permit, listing as a regulated small MS4 requires enactment of this section  
135 as part of the Town's stormwater management program in order to satisfy the Post  
136 Construction minimum control measures ~~required by Part IV-D-5 ("Post construction~~  
137 ~~stormwater management in new development and redevelopment")~~.

138 (3) Applicability.

139 (d) Post-construction stormwater management plan compliance.

140 [1] General requirements. Any person owning, operating, leasing or having  
141 control over stormwater management facilities required by a post-  
142 construction stormwater management plan approved under the Town's  
143 subdivision, site plan or other zoning, planning or other land use ordinances  
144 must comply with that plan and demonstrate compliance with that plan as  
145 follows:

146 [a] ~~That person or a~~ A qualified post-construction stormwater inspector  
147 ~~hired by that person~~ must, at least annually, inspect the stormwater  
148 management facilities in accordance with all municipal and state

149 inspection, cleaning and maintenance requirements of the approved  
150 post-construction stormwater management plan;

151 [b] If the stormwater management facilities require maintenance ~~to~~  
152 ~~function as intended~~ by the approved post-construction stormwater  
153 management plan, that person must take corrective action(s) to  
154 address the deficiency or deficiencies within 60 days of identification  
155 of the deficiency. If 60 days is not possible, then the person shall  
156 propose an alternate expeditious schedule to complete the  
157 maintenance, which if approved by the Code Enforcement Officer  
158 must be met; and

159 [c] That person or a qualified post-construction stormwater inspector  
160 hired by that person must, on or by July 1 of each year, provide a  
161 copy of the annual inspection and a completed and signed  
162 certification to the Code Enforcement Officer in a form provided by  
163 the Town, certifying that the person has inspected the stormwater  
164 management facilities and that they are adequately maintained and  
165 functioning as intended by the approved post-construction  
166 stormwater management plan or that they require maintenance or  
167 repair, describing any required maintenance and any deficiencies  
168 found during inspection of the stormwater management facilities,  
169 and if the stormwater management facilities require maintenance or  
170 repair of deficiencies in order to function as intended by the  
171 approved post-construction stormwater management plan, the  
172 person must provide a record of the required maintenance or  
173 deficiency and corrective action(s) taken. If any deficiencies are still  
174 outstanding when the certification is submitted in accordance with  
175 paragraph [b] of this section, that person or a qualified post  
176 construction stormwater inspector shall provide documentation of  
177 completion of the maintenance within 30 days of completion.

178 **5. AMEND § 16.8 Subdivision Review as follows:**  
179 **§ 16.8.9. Review process and submission requirements.**

180 C. Preliminary plan review.

181 (6) Written submission requirements, preliminary plan.

182 (d) Erosion and sedimentation control plan ~~endorsed by the York County Soil~~  
183 ~~and Water Conservation District or the Town's engineering consultant~~ prepared  
184 by a Qualified Erosion and Sedimentation Control Professional in accordance  
185 with the requirements of § 16.8.10.E;

186 **§ 16.8.10 Performance standards and approval criteria.**

187 E. Stormwater and surface drainage.

188 (4) When proposed development does not require Maine Department of Environmental  
189 (MDEP) approval under MDEP Chapters 500 and 502, the following applies:

190 (c) Downstream drainage requirements must be studied to determine the effect of  
191 the proposed development. The storm drainage must not overload existing or  
192 future planned storm drainage systems downstream from the development. The  
193 developer is responsible for financing any improvements to existing drainage  
194 systems required to handle the increased storm flows.

195 [1] Wherever the storm drainage system is not within the right-of-way of a  
196 public street, perpetual easements must be provided to the Town allowing  
197 maintenance and improvement to the system.

198 [2] All sediment and erosion control measures must be designed in  
199 accordance with MDEP's "Maine Erosion and Sediment Control BMPs," ~~March~~  
200 ~~2003~~ [October 2016 or latest revision](#).

201 [3] Catch basins in streets and roads must be installed where necessary and  
202 located at the curblin. In parking lots and other areas, catch basins must be  
203 located where necessary to ensure proper drainage.

204 [4] Where soils require a subsurface drainage system, the drains must be  
205 installed and maintained separately from the stormwater drainage system.

206 [5] Where the Board has required a stormwater management and erosion  
207 control plan and MDEP approval under Chapters 500 and 502 is not required,  
208 said plan must be [reviewed and approved by the Town's peer review engineer](#)  
209 ~~endorsed by the York County Soil and Water Conservation District~~.

210 [6] Drainage easements for existing or proposed drainageways located  
211 outside a public way must be maintained and/or improved in accordance §  
212 16.8.10F, Post-construction stormwater management.

213 [\(5\) When proposed development does require Maine Department of Environmental](#)  
214 [\(MDEP\) approval under most current revision of MDEP Chapters 500 and 502 or the](#)  
215 [Maine Construction General Permit, the Erosion and Sediment Control Standards of](#)  
216 [Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment](#)  
217 [Control, Appendix B – Inspections and Maintenance and Appendix C Housekeeping,](#)  
218 [shall apply.](#)

219 F. Post-construction stormwater management.



220 (2) Authority. The Maine Department of Environmental Protection, through its dissemination  
221 of the general permit for the discharge of stormwater from small municipal separate storm  
222 sewer systems, has listed the Town of Kittery, Maine, as having a regulated small municipal  
223 separate storm sewer system (small MS4); under this general permit, listing as a regulated  
224 small MS4 requires enactment of this section as part of the Town's stormwater management  
225 program in order to satisfy the [Post Construction](#) minimum control measures ~~required by Part~~  
226 ~~IV-D-5 ("Post-construction stormwater management in new development and~~  
227 ~~redevelopment").~~

228 (3) Applicability.

229 (d) Post-construction stormwater management plan compliance.

230 [1] General requirements. Any person owning, operating, leasing or having control  
231 over stormwater management facilities required by a post-construction stormwater  
232 management plan approved under the Town's subdivision, site plan or other zoning,  
233 planning or other land use ordinances must [comply with that plan and](#) demonstrate  
234 compliance with that plan as follows:

235 [a] ~~That person or a~~ A qualified post-construction stormwater inspector ~~hired~~  
236 ~~by that person~~ must, at least annually, inspect the stormwater management  
237 facilities in accordance with all municipal and state inspection, cleaning and  
238 maintenance requirements of the approved post-construction stormwater  
239 management plan;

240 [b] If the stormwater management facilities require maintenance ~~to function~~  
241 ~~as intended~~ by the approved post-construction stormwater management  
242 plan, that person must take corrective action(s) to address the deficiency or  
243 deficiencies [within 60 days of identification of the deficiency. If 60 days is](#)  
244 [not possible, then the person shall propose an alternate expeditious](#)  
245 [schedule to complete the maintenance, which if approved by the Code](#)  
246 [Enforcement Officer must be met](#); and

247 [c] That person or a qualified post-construction stormwater inspector hired by  
248 that person must, on or by July 1 of each year, provide a [copy of the annual](#)  
249 [inspection and a](#) completed and signed certification to the Code  
250 Enforcement Officer in a form provided by the Town, certifying that the  
251 person has inspected the stormwater management facilities and that they  
252 are adequately maintained and functioning as intended by the approved  
253 post-construction stormwater management plan or that they require  
254 maintenance or repair, describing any required maintenance and any  
255 deficiencies found during inspection of the stormwater management  
256 facilities, and if the stormwater management facilities require maintenance  
257 or repair of deficiencies in order to function as intended by the approved  
258 post-construction stormwater management plan, the person must provide a



259 record of the required maintenance or deficiency and corrective action(s)  
260 taken. If any deficiencies are still outstanding when the certification is  
261 submitted in accordance with paragraph [b] of this section, that person or a  
262 qualified post construction stormwater inspector shall provide  
263 documentation of completion of the maintenance within 30 days of  
264 completion.

**KITTERY TOWN CODE –  
TITLE 16  
STORMWATER MANAGEMENT**

1 **AN ORDINANCE** relating to the municipality’s authority for Town governance to give due and  
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine  
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,  
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in  
6 Sections 1.01 and 2.07(3) of the Town Charter; and 30-A MRS §3001, pursuant to its powers  
7 that authorize the town, under certain circumstances, to provide for the public health, welfare,  
8 morals, and safety, and does not intend for this Ordinance to conflict with any existing state or  
9 federal laws; and

10 **WHEREAS**, the Town of Kittery is required to adopt updates to its stormwater management  
11 requirements in its Land Use Code by June 30, 2023 in accordance with its Maine Department  
12 of Environmental Protection stormwater permit; and

13 **WHEREAS**, the Town of Kittery recognizes improved management of stormwater on public and  
14 private development projects is necessary to protect Kittery’s water bodies and reduce water  
15 pollution from stormwater runoff carrying sediments, chemicals, and nutrients from roads and  
16 properties; and

17 **WHEREAS**, the proposed amendments to the Town’s Land Use Code reflect best management  
18 practices and proven strategies to reduce the negative impacts of stormwater runoff;

19 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN  
20 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENTS TO TOWN  
21 CODE, TITLE 16, LAND USE and DEVELOPMENT CODE, AS PRESENTED.

22 **INTRODUCED** and read in a public session of the Town Council on the \_\_\_\_ day of \_\_\_\_\_,  
23 20\_\_\_\_, by: \_\_\_\_\_ {NAME} Motion to approve by Councilor  
24 \_\_\_\_\_ {NAME}, as seconded by Councilor \_\_\_\_\_ {NAME} and  
25 passed by a vote of \_\_\_\_\_.

26 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,  
27 Maine on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, {NAME}, \_\_\_\_\_, Chairperson

28 **Attest:** {NAME}, \_\_\_\_\_ Town Clerk

# Ordinance Change Overview

(Required by the Stormwater Permit)

Focus: Erosion/Sediment Control Standards, Post Construction changes and Non-Stormwater Discharge changes to be adopted by 6/30/2023

Presented to Kittery Planning Board 1/12/2023

Kristie Rabasca,  
Integrated Environmental Engineering, Inc.  
Environmental Engineer



# Stormwater Ordinance Changes

- Ordinance changes required by General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer System (MS4 General permit)
- Town has been regulated by this since 2003.
- Previously presented to PB 5/26/2022 (if this looks familiar)

# Stormwater Ordinance Changes

## Maine DEP MS4 Permits

2003 – 2008

2008 – 2013

2013 – 2022

New Permit Began 7/1/2022

Stormwater Management Plan  
provides more detail.  
(Available on Public Works  
Stormwater Page)

## STORMWATER MANAGEMENT PLAN

FOR

TOWN OF KITTERY, MAINE




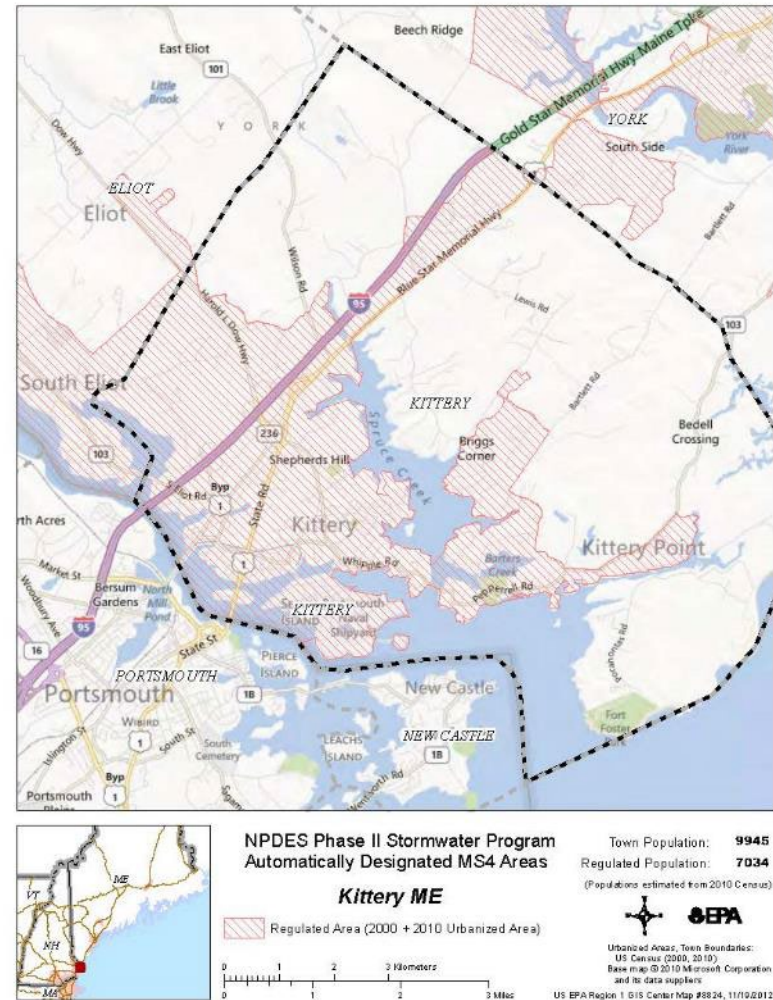
MS4 General Permit Effective July 1, 2022  
Initially Submitted to Maine DEP March 17, 2021  
Updated July 28, 2021 to address DEP comments  
Resubmitted as final September 3, 2021

# Stormwater Ordinance Changes

General Permit only required in Urbanized Area

- US census high density areas with lots of impervious surface
- Shown here in pink hashing (2000 and 2010 only, 2020 does not apply)

 Regulated Area (2000 + 2010 Urbanized Area)

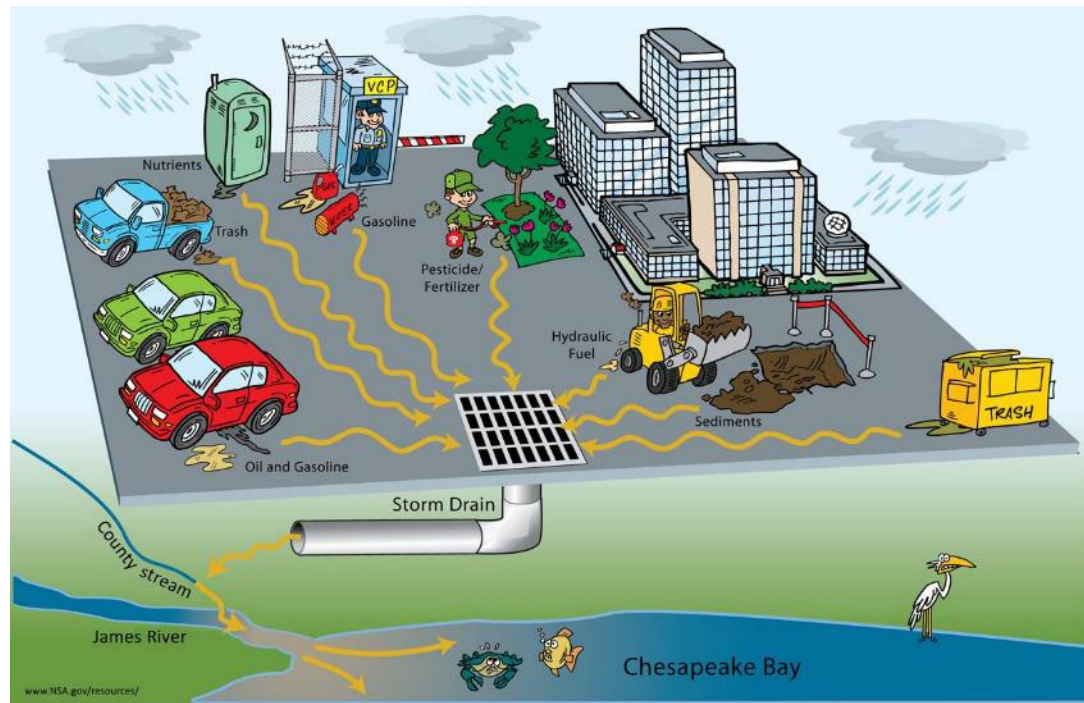


# Stormwater Ordinance Changes

High impervious cover (paved and roofed areas)

Allows pollutants to build up

Which are released to waters when it rains.



Graphic credit: [www.NSA.gov](http://www.NSA.gov)

# Stormwater Ordinance Changes

## Control Measures to Minimize Pollutants

1. Public Education/Outreach
2. Public Participation
3. Illicit Discharge Detection and Elimination
- 4. Construction Runoff Control**
5. Post Construction Runoff Control
6. Pollution Prevention/Good Housekeeping



# Erosion Sediment Control (ESC) Requirements

- “Create or Update an ordinance or other regulatory mechanism that requires the use of erosion and sediment control BMPs at construction sites consistent with the minimum standards outlined in Appendix C, *Erosion and Sedimentation Control, Inspections and Maintenance and Housekeeping* of this GP” by 6/30/2023.

MS4 Appendix C is same as Chapter 500 State Requirements in Appendices A, B, and C, including waste control for some additional items.

# Sampling of ESC Requirements

## Erosion Sediment Control (ESC) Requirements:

- ✓ Threshold is one acre or more of disturbance, or smaller sites if they are part of a larger common plan of development or sale that would disturb one acre or more.
- ✓ ESC Measures in place before construction begins
- ✓ Remain in place throughout construction
- ✓ Adequate and timely maintenance required

# Sampling of ESC Requirements

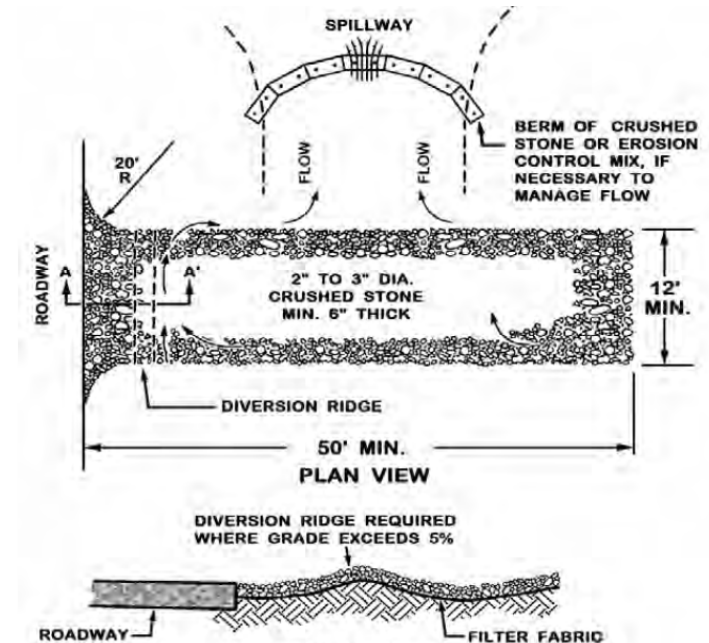
## Inspections During Construction – By Contractor/Developer

- ✓ Weekly,
- ✓ Before a rain event, and
- ✓ After a rain event (w/in 24 hours).
- ✓ Keep a log (for DEP and Town to inspect)
  
- ✓ When needed repair ESC BMPs as follows:
  - Initiate upon discovery
  - Complete before end of next workday
  - Allows completion within 7 days if longer needed, and
  - Prior to any rain event.

# Sampling of ESC Requirements

## Stabilized Construction Entrances

- ✓ Aggregate and filter fabric
- ✓ Protects public right of way
- ✓ Maintenance required until all areas are stabilized.





# Sampling of ESC Requirements

## Definitions and standards for Permanent Stabilization and Winter Construction

**6. Permanent stabilization:** If the area will not be worked for more than one year or has been brought to final grade, then permanently stabilize the area within 7 days by planting vegetation, seeding, sod, or through the use of permanent mulch, or riprap, or road sub-base. If using vegetation for stabilization, select the proper vegetation for the light, moisture, and soil conditions; amend areas of disturbed subsoils with topsoil, compost, or fertilizers; protect seeded areas with mulch or, if necessary, erosion control blankets; and schedule sodding, planting, and seeding so to avoid die-off from summer drought and fall frosts. Newly seeded or sodded areas must be protected from vehicle traffic, excessive pedestrian traffic, and concentrated runoff until the vegetation is well-established with 90% cover by healthy vegetation. If necessary, areas must be reworked and restabilized if germination is sparse, plant coverage is spotty, or topsoil erosion is evident. Permanent Stabilization Definitions are as follows:

- a. Seeded areas. For seeded areas, permanent stabilization means a 90% cover of the disturbed area with mature, healthy plants with no evidence of washing or rilling of the topsoil.
- b. Sodded areas. For sodded areas, permanent stabilization means the complete binding of the sod roots into the underlying soil with no slumping of the sod or die-off.
- c. Permanent mulch. For mulched areas, permanent mulching means total coverage of the exposed area with an approved mulch material. Erosion Control Mix may be used as mulch for permanent stabilization according to the approved application rates and limitations.
- d. Riprap. For areas stabilized with riprap, permanent stabilization means that slopes stabilized with riprap have an appropriate backing of a well-graded gravel or approved geotextile to prevent soil movement from behind the riprap. Stone must be sized appropriately. It is recommended that angular stone be used.
- e. Paved areas. For paved areas, permanent stabilization means the placement of the compacted gravel subbase is completed, provided it is free of fine materials that may runoff with a rain event
- f. Ditches, channels, and swales. For open channels, permanent stabilization means the channel is stabilized with a 90% cover of healthy vegetation, with a well-graded riprap lining, turf reinforcement mat, or with another non-erosive lining such as concrete or asphalt pavement. There must be no evidence of slumping of the channel lining, undercutting of the channel banks, or down-cutting of the channel.

**7. Winter construction:** "Winter construction" is construction activity performed during the period from November 1 through April 15. If disturbed areas are not stabilized with permanent measures by November 1 or new soil disturbance occurs after November 1, but before April 15, then these areas must be protected and runoff from them must be controlled by additional measures and restrictions.

- a. Site stabilization: For winter stabilization, hay mulch is applied at twice the standard temporary stabilization rate. At the end of each construction day, areas that have been brought to final grade must be stabilized. Mulch may not be spread on top of snow.
- b. Sediment barriers: All areas within 75 feet of a protected natural resource must be protected with a double row of sediment barriers.
- c. Ditch: All vegetated ditch lines that have not been stabilized by November 1, or will be worked during the winter construction period, must be stabilized with an appropriate stone lining backed by an appropriate gravel bed or geotextile unless specifically released from this standard by the Department.
- d. Slopes: Mulch netting must be used to anchor mulch on all slopes greater than 8% unless erosion control blankets or erosion control mix is being used on these slopes.

**8. Stormwater channels:** Each channel should be constructed in sections so that the section's grading, shaping, and installation of the permanent lining can be completed the same day. If a channel's final grading or lining installation must be delayed, then diversion berms must be used to divert stormwater away from the channel, properly-spaced check dams must be installed in the channel to slow the water velocity, and a temporary lining installed along the channel to prevent scouring.

# Sampling of ESC Requirements

These are already state requirements under Chapter 500.

Nominal Impact to Developers or Staff (Time and \$)



# Post Construction Ordinance changes

Has been a Kittery requirement since 2009

Requires private developments to:

- Maintain stormwater systems
- Certify annual to Town they have inspected and maintained

Updates required:

- Use a “Qualified” inspector
- Provide a copy of the inspection report
- Correct any maintenance issues within 60 days

# Non-Stormwater Discharge changes

This ordinance has been a Kittery requirement since 2004

Prohibits discharge of pollutants and illegal connections into storm drain system.

## Updates required:

Definition and “authority” updates for new permit

Requires immediate cessation of discharge

Requires a formal schedule if a connection cannot be eliminated within 60 days of identification.



# Low Impact Development update

- **Low Impact Development (LID)** - Means a broad approach to site planning that preserves natural resources, processes, and habitat, defines what portions of the site are suitable for development and then utilizes Stormwater Treatment Measures to manage runoff from the proposed developed impervious areas. In LID, Stormwater Treatment Measures using natural processes such as vegetated buffers are given preference over constructed treatment Stormwater Treatment Measures. The goals of LID are to minimize the environmental impacts of the development.

# Low Impact Development update

- **Town submitted an intent to adopt document to DEP in August 2022**
- **DEP sent out for Clean Water Act Public Comment**
- **Friends of Casco Bay commented**
- **DEP gave okay to adopt Kittery Submittal without changes.**
  
- **But DEP is also updating Chapter 500 and may incorporate LID, so we should HOLD. (changes not due until 6/30/2024, so okay to hold).**

# Low Impact Development update

Required LID Measure to address	Performance Standard	Model Ordinance Content
2. Protect the Natural Drainage System and others	Require the use of Maine Stream Smart Principles for crossings of Waters of the State	Submittals: Show Waters of the State on Project Plans Provide detailed plans Completed by Professional Engineer who has completed Audubon Stream Smart program

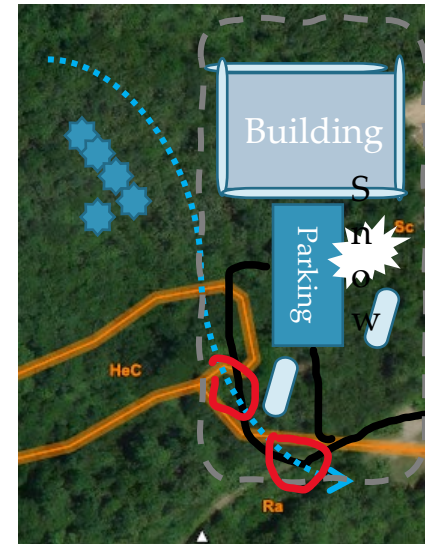


# Model Ordinance for Low Impact Development (LID) Strategies



1. Protect sensitive areas from development
  2. Limits of disturbance
  3. Main Stream Smart Crossings
  4. Parking stall size
  5. Requiring treatment of runoff
  6. Snow storage
  7. Tilling and soil testing if needed
  8. Use Native/Climate Resil. vegetation
- Any other optional items

Predevelopment – 2 acre wooded site, mostly type C and D soils (not well drained)  
One drainage area with one Drainageway  
 $T_c = 18$  minutes, flow length = 600 feet



Post development – 3-4 drainage areas  
Installation of Stream Smart crossings would preserve predevelopment Drainageway or could adjust roadways to avoid.



# Overview – Staff recommendations

3 proposed changes before you now have nominal impact to staff or development

Though MS4 requirements are only for Urbanized Area, staff recommends Town wide (consistent with historical application)

Staff also recommends adopting ESC standards in Chapter 500 by reference to facilitate understanding by developers and reviewers.

Maine DEP will be updating Chapter 500, so adoption by reference will likely prevent us from having to update standards again.

Note that Staff also recommends holding on implementation of Low Impact Development standards (begin ~September 2023 for 6/30/2024 adoption)



Ms. Jessa Kellogg  
Public Works Inspector  
200 Rogers Road Ext  
Kittery, ME 03904

January 3, 2023

**Subject: MS4 Stormwater Ordinance changes required to be implemented by 6/30/2023 and Low Impact Development Changes update – For Planning Board Consideration.**

Dear Ms. Kellogg:

This letter provides materials for review by the Planning Board related to three ordinance changes required by the General Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems (MS4s) as well as an update related to a fourth ordinance change for Low Impact Development.

**Changes required by 6/30/2023:** The changes listed below are required to be incorporated into the Kittery Code by 6/30/2023:

1. adoption of specific erosion and sedimentation control standards for proposed developments,
2. requiring timely maintenance of private stormwater infrastructure after construction and updating schedules for enforcement and
3. requiring timely removal of non-stormwater discharges from the Town's separated storm drain system.

The changes will be limited to several sections of Title 16 Land Use and Development Code.

We provided a brief overview of these requirements to the Town Council at their February 28, 2022 meeting, and a more detailed overview to the Planning Board at their May 26, 2022 meeting. We also reviewed these documents with the Kittery Land Issues Committee (KLIC) on 12/12/2022 and have incorporated changes based on their review and comment.

We have also updated the text of the non-stormwater discharge ordinance to better reflect the language in the MS4 General Permit.

The attachment to this letter provides an introductory overview of each of the three requirements and as well as proposed redline/strike out changes to the Code.

Because these changes must be codified by 6/30/2023, we understand the Planning Board intends to review them at their 1/12/2023 workshop to allow the Town Council to review the changes and hold public hearings in early 2023.

**LID Ordinance Updates required by 6/30/2024:** On 8/22/2022 we advised the Town Council about the above listed changes and reviewed the MS4 requirements to adopt Low Impact Development Standards. We provide a draft set of standards that the Town intended to adopt,

which were based on a Model Ordinance prepared under a Maine Coastal Program Grant. The draft set of LID standards were subsequently sent to the Maine DEP for Clean Water Act-based Public Comment. Maine DEP sent these out for Public Comment in September. Though there were comments from Friends of Casco Bay on the standards, the Maine DEP approved the Town's submittal without change, and the Town is clear to commence adoption of these standards.

The approval letter provided to the Town stated:

*The Department has no objection to the proposal as written. However, the Department would like the Town to be aware that the Department is in the process of commencing rulemaking to revise 06-096 Chapter 500, Stormwater Management. The rulemaking process will include stakeholder meetings to receive input from regulated entities, consulting firms, non-governmental organizations and other interested parties. Kerem Gungor in the Bureau of Land Resources will be the Department contact for this rulemaking and he will be reaching out to stakeholders for their participation in early to mid-March 2023.*

*The final rule is likely to contain clear, specific and measurable LID measures and techniques that the Town may want to incorporate into the final LID Ordinance to clarify expectations and the enforceability of the ordinance.*

As such, the Town may want to wait to adopt the LID changes until the Chapter 500 Rulemaking process has progressed so they can ensure there are no conflicts between the LID standards proposed by the Town and the LID standards that may be adopted statewide. We suggest postponing adoption of the LID standards until the Fall of 2023, when the Chapter 500 update schedule and content may be clearer.

**Closing:** I have held open the meeting dates you proposed to support review of these changes. If you have any questions about this information or need changes in advance of the meetings, please let me know. I can be reached at 207-415-5830 or via email [krabasca@integratedenv.com](mailto:krabasca@integratedenv.com).

Sincerely,

***Integrated Environmental Engineering, Inc.***



Kristie L. Rabasca, P.E., LEED AP BD + C

Attachments: Redline Strikeout proposed changes to Title 16 Land Use and Development Code to address MS4 General Permit requirements.

**1/3/2023 Proposed Changes to Kittery Land Use and Development Code to address MS4 Requirements by 6/30/2023**

**EROSION AND SEDIMENTATION CONTROL CHANGES**

Erosion and Sedimentation Control (ESC) standards must be incorporated into the Town's ordinances for any proposed development that disturbs one or more acres of land. The standards are listed in the MS4 General Permit, and are the same as the Maine DEP Chapter 500 standards for erosion and sedimentation control. Staff recommends incorporating the standards by reference to facilitate design and understanding by developers and reviewers.

One change we have made to the standards that is different than the State Chapter 500 regulations is to require that a Qualified Erosion and Sedimentation Control Professional prepare any Erosion and Sedimentation Control Plan. The proposed changes to the affected sections of the Land Use and Development Code are presented below (additions are shown in italics and underlined, deletions are shown as strikethrough):

**§ 16.3.2 Definitions**

*QUALIFIED EROSION AND SEDIMENTATION CONTROL PROFESSIONAL – A person who is certified by Enviro-Cert International in erosion and sedimentation control practices or is certified by completing the Maine Department of Environmental Protection Erosion and Sedimentation Control Practices Workshop, or is a Maine Professional Engineer with at least two years' experience in designing Erosion and Sedimentation Control BMPs.*

**16.7 General Development Requirements**

**§ 16.7.10 Review process and submission requirements**

C. Preliminary plan review.

(4) Plan requirements.

(o) Erosion and sedimentation control plan ~~endorsed by the York County Soil and Water Conservation District or the Town's engineering consultant~~ prepared by a Qualified Erosion and Sedimentation Control Professional in accordance with the requirements of § 16.7.11.C;

**§ 16.7.11 Performance Standards and Approval Criteria**

C. Stormwater and surface drainage.

(1) Adequate provision must be made for drainage of all stormwater generated with the development and any drained groundwater through a management system of natural and constructed features. Where possible, existing natural runoff control features,



such as berms, swales, terraces and wooded areas must be retained to reduce runoff and encourage infiltration of storm waters. Otherwise, drainage may be accomplished by a management system of constructed features such as swales, culverts, underdrains and storm drains.

- (2) To ensure proper functioning, stormwater runoff control systems must be maintained in good working order per § 16.7.11D, Post-construction stormwater management.
- (3) Where a development is traversed by a stream, river or surface water drainageway, or where the Planning Board or Director of Planning and Development determines that surface runoff should be controlled, easements and or drainage rights-of-way must be provided which conform substantially to the lines of existing natural drainage paths. The minimum width of the drainage easements or rights-of-way is 30 feet.
  - (a) The minimum pipe size for any storm drainage pipe must be 12 inches. Maximum trench width at the pipe crown must be the outside diameter of the pipe plus two feet. The pipe must be bedded in a fine granular material, containing no stones larger than three inches, lumps of clay, or organic matter, reaching a minimum of six inches below the bottom of the pipe extending to six inches above the top of the pipe.
  - (b) Except for normal thinning and landscaping, existing vegetation must be left intact to prevent soil erosion.

(4) When proposed development does not require Maine Department of Environmental (MDEP) approval under MDEP Chapters 500 and 502, the following applies:

(c) Downstream drainage requirements must be studied to determine the effect of the proposed development. The storm drainage must not overload existing or future planned storm drainage systems downstream from the development. The developer is responsible for financing any improvements to existing drainage systems required to handle the increased storm flows.

[2] All sediment and erosion control measures must be designed in accordance with MDEP's "Maine Erosion and Sediment Control BMPs," ~~March 2003~~ October 2016 or latest revision.

[5] Where the Board has required a stormwater management and erosion control plan and MDEP approval under Chapters 500 and 502 is not required, said plan must be reviewed and approved by the Town's peer review engineer ~~endorsed by the York County Soil and Water Conservation District~~.

(5) When proposed development does require Maine Department of Environmental (MDEP) approval under the latest revision of MDEP Chapters 500 and 502 or the Maine Construction General Permit, the Erosion and Sediment Control Standards of Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment

Control, Appendix B – Inspections and Maintenance and Appendix C Housekeeping, shall apply.

## § 16.8 Subdivision Review

### § 16.8.9. Review process and submission requirements.

C. Preliminary plan review.

(6) Written submission requirements, preliminary plan.

(d) Erosion and sedimentation control plan ~~endorsed by the York County Soil and Water Conservation District or the Town's engineering consultant~~ prepared by a Qualified Erosion and Sedimentation Control Professional in accordance with the requirements of § 16.8.10.E;

### § 16.8.10 Performance standards and approval criteria.

E. Stormwater and surface drainage.

(4) When proposed development does not require Maine Department of Environmental (MDEP) approval under MDEP Chapters 500 and 502, the following applies:

(c) Downstream drainage requirements must be studied to determine the effect of the proposed development. The storm drainage must not overload existing or future planned storm drainage systems downstream from the development. The developer is responsible for financing any improvements to existing drainage systems required to handle the increased storm flows.

[1] Wherever the storm drainage system is not within the right-of-way of a public street, perpetual easements must be provided to the Town allowing maintenance and improvement to the system.

[2] All sediment and erosion control measures must be designed in accordance with MDEP's "Maine Erosion and Sediment Control BMPs," ~~March 2003~~ October 2016 or latest revision.

[3] Catch basins in streets and roads must be installed where necessary and located at the curblin. In parking lots and other areas, catch basins must be located where necessary to ensure proper drainage.

[4] Where soils require a subsurface drainage system, the drains must be installed and maintained separately from the stormwater drainage system.

[5] Where the Board has required a stormwater management and erosion control plan and MDEP approval under Chapters 500 and 502 is not required, said plan must be *reviewed and approved by the Town's peer review engineer* ~~endorsed by the York County Soil and Water Conservation District.~~

[6] Drainage easements for existing or proposed drainageways located outside a public way must be maintained and/or improved in accordance § 16.8.10F, Post-construction stormwater management.

(5) When proposed development does require Maine Department of Environmental (MDEP) approval under most current revision of MDEP Chapters 500 and 502 or the Maine Construction General Permit, the Erosion and Sediment Control Standards of Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment Control, Appendix B – Inspections and Maintenance and Appendix C Housekeeping, shall apply.

## POST CONSTRUCTION STORMWATER MANAGEMENT CHANGES

Post-Construction Stormwater Management requirements have been part of the Town's code since 2009 to ensure that stormwater infrastructure that is owned by private developments is inspected and maintained. This portion of the Town's code requires maintenance in accordance with a Post Construction Stormwater Plan, annual inspections on the infrastructure and certification annually to the Town that the system has been maintained, inspected and is functioning as intended.

The 2022 MS4 General Permit requires that we update this ordinance to ensure any corrective measures identified by the owner or inspector are implemented within 60 days of identification or if that is not possible, in accordance with a schedule that is approved by the Code Enforcement Office. The 2022 MS4 General Permit also requires that any inspector (whether the Owner/Operator or a third-party) be a Qualified Inspector and that a copy of the inspection report be provided to the Town. We have updated the Definitions sections and General Development and Subdivision sections to incorporate the new requirements. The affected sections of the Land Use and Development Code are presented below:

### § 16.3.2 Definitions

QUALIFIED POST-CONSTRUCTION STORMWATER INSPECTOR — A person who conducts post-construction stormwater management facilities inspections for compensation and who has received *a Certification in Inspection and Maintenance of Stormwater BMPs* ~~the appropriate training for the same~~ from the Maine Department of Environmental Protection *or is a Professional Engineer in the State of Maine with an understanding of stormwater infrastructure and its required maintenance.* .

## 16.7 General Development Requirements

### § 16.7.11 Performance standards and approval criteria

D. Post-construction stormwater management.

(2) Authority. The Maine Department of Environmental Protection, through its dissemination of the general permit for the discharge of stormwater from small municipal separate storm sewer systems, has listed the Town of Kittery, Maine, as having a regulated small municipal separate storm sewer system (small MS4); under this general permit, listing as a regulated small MS4 requires enactment of this section as part of the Town's stormwater management program in order to satisfy the *Post Construction* minimum control measures ~~required by Part IV D 5 ("Post-construction stormwater management in new development and redevelopment")~~.

(3) Applicability.

(d) Post-construction stormwater management plan compliance.



[1] General requirements. Any person owning, operating, leasing or having control over stormwater management facilities required by a post-construction stormwater management plan approved under the Town's subdivision, site plan or other zoning, planning or other land use ordinances must comply with that plan and demonstrate compliance with that plan as follows:

- [a] ~~That person or a~~ A qualified post-construction stormwater inspector ~~hired by that person~~ must, at least annually, inspect the stormwater management facilities in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan;
- [b] If the stormwater management facilities require maintenance ~~to function as intended~~ by the approved post-construction stormwater management plan, that person must take corrective action(s) to address the deficiency or deficiencies within 60 days of identification of the deficiency. If 60 days is not possible, then the person shall propose an alternate expeditious schedule to complete the maintenance, which if approved by the Code Enforcement Officer must be met; and
- [c] That person or a qualified post-construction stormwater inspector hired by that person must, on or by July 1 of each year, provide a copy of the annual inspection and a completed and signed certification to the Code Enforcement Officer in a form provided by the Town, certifying that the person has inspected the stormwater management facilities and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the stormwater management facilities, and if the stormwater management facilities require maintenance or repair of deficiencies in order to function as intended by the approved post-construction stormwater management plan, the person must provide a record of the required maintenance or deficiency and corrective action(s) taken. If any deficiencies are still outstanding when the certification is submitted in accordance with paragraph [b] of this section, that person or a qualified post construction stormwater inspector shall provide documentation of completion of the maintenance within 30 days of completion.

## § 16.8 Subdivision Review

### § 16.8.10 Performance standards and approval criteria.

F. Post-construction stormwater management.

(2) Authority. The Maine Department of Environmental Protection, through its dissemination of the general permit for the discharge of stormwater from small municipal separate storm sewer systems, has listed the Town of Kittery, Maine, as having a regulated small municipal separate

storm sewer system (small MS4); under this general permit, listing as a regulated small MS4 requires enactment of this section as part of the Town's stormwater management program in order to satisfy the *Post Construction* minimum control measures ~~required by Part IV D 5 ("Post-construction stormwater management in new development and redevelopment")~~.

(3) Applicability.

(d) Post-construction stormwater management plan compliance.

[1] General requirements. Any person owning, operating, leasing or having control over stormwater management facilities required by a post-construction stormwater management plan approved under the Town's subdivision, site plan or other zoning, planning or other land use ordinances must comply with that plan and demonstrate compliance with that plan as follows:

- [a] ~~That person or a~~ A qualified post-construction stormwater inspector ~~hired by that person~~ must, at least annually, inspect the stormwater management facilities in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan;
- [b] If the stormwater management facilities require maintenance ~~to function as intended~~ by the approved post-construction stormwater management plan, that person must take corrective action(s) to address the deficiency or deficiencies within 60 days of identification of the deficiency. If 60 days is not possible, then the person shall propose an alternate expeditious schedule to complete the maintenance, which if approved by the Code Enforcement Officer must be met; and
- [c] That person or a qualified post-construction stormwater inspector hired by that person must, on or by July 1 of each year, provide a copy of the annual inspection and a completed and signed certification to the Code Enforcement Officer in a form provided by the Town, certifying that the person has inspected the stormwater management facilities and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the stormwater management facilities, and if the stormwater management facilities require maintenance or repair of deficiencies in order to function as intended by the approved post-construction stormwater management plan, the person must provide a record of the required maintenance or deficiency and corrective action(s) taken. If any deficiencies are still outstanding when the certification is submitted in accordance with paragraph [b] of this section, that person or a qualified post construction stormwater inspector shall provide documentation of completion of the maintenance within 30 days of completion.

## NONSTORMWATER DISCHARGE CHANGES

Nonstormwater Discharge prohibitions have been part of the Town's code since 2004 to ensure that pollutants are not discharged into the storm drain system (either by dumping or by direct connection). The 2022 MS4 General Permit requires that we update this section of the Land Use and Development Code to ensure that the source of an illicit discharge into the storm drain system is eliminated within 60 days of discovery, or if that is not possible, in accordance with a schedule that is approved by the Code Enforcement Office. We have updated § 16.2.13. Violations and penalties. And § 16.5.19. Nonstormwater discharge to incorporate these changes including updating some definitions in §16.3.2.

### § 16.3.2 Definitions

URBANIZED AREA (UA) — The areas of the State of Maine so defined by the ~~latest~~ *inclusive sum of the 2000* decennial census *and the 2010 decennial census* by the U.S. Bureau of the Census.

REGULATED SMALL MS4 — Any small municipal separate storm sewer system (MS4) regulated by the State of Maine general permit for the discharge of stormwater from small municipal separate storm sewer systems, dated July 2013 ("general permit"), *renewed October 15, 2020, modified November 23, 2021 and any amendment or renewal thereof*; including all those located partially or entirely within an urbanized area (UA) and those additional small MS4s located outside an UA that as of the issuance of the general permit have been designated by the DEP as regulated small MS4s. The Town of Kittery is a regulated small MS4.

### § 16.2.13. Violations and penalties.

D. Notice of violation and order (notice).

(5) Additionally, if there is a violation of § 16.5.19, Nonstormwater Discharge, the enforcement authority will order compliance by written notice of violation to that person, indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

- (a) The elimination of nonstormwater discharges to the storm drainage system, including, but not limited to, disconnection of the premises from the MS-4;
- (b) The *immediate* cessation of discharge practices or operations in violation of this section;
- (c) At the person's expense, the abatement or remediation (in accordance with best management practices in DEP rules and regulations) of nonstormwater discharges to the storm drainage system and the restoration of any affected property; and/or

(d) The payment of fines, of the municipality's remediation costs, and of the municipality's reasonable administrative costs and attorneys' fees and costs. If abatement of a violation and/or restoration of affected property is required, the notice will set forth a deadline within which such abatement or restoration must be completed.

(e) If abatement of a violation and/or restoration of affected property is required, or if immediate cessation is not possible or if elimination of the Non-Stormwater Discharge is not possible within 60 days of identification of the source, the notice shall set forth a deadline within which such elimination, abatement, or restoration must be completed.

### **§ 16.5.19. Nonstormwater discharge.**

#### A. Basis/purpose/objectives.

(1) The Maine Department of Environmental Protection, through its promulgation of the "~~General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems~~" dated July 2013, has listed the Town of Kittery as having a regulated small municipal separate storm sewer system (small MS4); ~~under this general permit, listing as listing of Kittery as~~ a regulated small MS4, necessitates enactment of this section as part of the municipality's stormwater management plan.

(2) The creation, initiation, origination and maintenance of the following nonstormwater discharges to the storm drainage system are allowed as long as they do not cause or contribute to a violation of the state's water quality standards:

- (a) Flow. Landscape irrigation; diverted stream flows; rising groundwaters; uncontaminated groundwater infiltration [as defined at 40 CFR 35.2005(20)]; uncontaminated pumped groundwater; uncontaminated flows from foundation drains; air-conditioning and compressor condensate; irrigation water; flows from uncontaminated springs; uncontaminated water from crawl space pumps; uncontaminated flows from footing drains; lawn watering runoff; flows from riparian habitats and wetlands; residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material has been removed and detergents are not used); hydrant flushing and firefighting activity runoff; water line flushing and discharges from potable water sources; individual residential car washing; and dechlorinated swimming pool discharges, as defined as having 0.5 0.05 ppm or less. Pools may only be emptied a minimum of 48 hours after any chemical treatments were added.





**TOWN OF KITTERY**  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1329 Fax: 207-439-6806

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**REPORT TO TOWN COUNCIL**

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Meeting Date: April 10, 2023  
From: Kendra Amaral, Town Manager  
Subject: Title 12 - Camping  
Council Sponsor: Chairperson Judy Spiller

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**OVERVIEW**

Members of the Town Council have expressed an interest in clarifying and consolidating the ordinances as they relate to camping in public parks, open space, and on public ways.

The proposed ordinance amendments remove individual camping regulations throughout various sections of Title 12 and consolidates them into a single chapter that addresses not just specific parks, but all publicly owned parks, open space, and rights of way.

**PROPOSED SOLUTION/RECOMMENDATION**

Approve the declaration as proposed.

**ATTACHMENTS**

- Draft Title 12 – Camping Amendment
- Draft Title 12 – Camping Enactment
- Fort Foster Rules (see special event)

## Chapter 12.11 CAMPING

### 1. Delete Camping from Seapoint and Crescent Beaches as follows:

~~§ 12.4.14 Camping prohibited.~~

~~Camping is prohibited from 11:00 p.m. to 6:00 a.m.~~

### 2. Delete Camping from Rogers Parks as follows:

~~§ 12.3.3 Restrictions.~~

~~H. — Camping is prohibited from 12:01 a.m. to 6:00 a.m., unless permitted by the Town Council.~~

### 3. Delete Camping from Town Farm Forest as follows:

~~§ 12.7.3 Restrictions.~~

~~H. — Camping is prohibited from 12:01 a.m. to 6:00 a.m., unless permitted by the Town Council.~~

### 4. Create a new Title 12.11 Camping as follows:

#### § 12.11.1 Definitions

The following terms have the meanings indicated in this section:

#### CAMPING

Camping is the setting up or occupation of any temporary shelter, tent, lean-to, or other temporary structure intended to provide its occupants with refuge from the weather and natural elements.

#### § 12.11.2 Prohibited

A. Camping is prohibited in public open space, on public rights of ways, and in Town parks excepting Fort Foster, from 11:00 p.m. to 6:00 a.m., unless permitted by the Town Council.

B. Camping in Fort Foster is permitted only upon approval of a special event permit, in accordance with Fort Foster rules.

#### § 12.11.3 Enforcement

A. This chapter is enforced by the Police Department and the Code Enforcement Officer.

B. The Town may remove any camping structure found in violation of this chapter.

#### § 12.11.4 Violation

A. Any violation of this chapter will be assessed a penalty of \$50.

B. Repeat offenders and/or those who fail to pay penalties in accordance with this Title may be issued a no trespass order for one year.

**KITTERY TOWN CODE**  
**TITLE 12**  
**CAMPING**

1 **AN ORDINANCE** relating to the municipality’s authority for Town governance to give due and  
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine  
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,  
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in  
6 Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that  
7 authorize the town, under certain circumstances, to provide for the public health, welfare,  
8 morals, and safety, and does not intend for this Ordinance to conflict with any existing state or  
9 federal laws; and

10 **WHEREAS**, the Town seeks to clarify and achieve consistency regarding its regulations on  
11 camping on public property, open space, or rights of way; and

12 **NOW THEREFORE**, IN ACCORDANCE WITH TITLES 30-A MRS §3001 AND TOWN  
13 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENTS TO TITLE 12  
14 OF THE TOWN CODE, AS PRESENTED.

15 **INTRODUCED** and read in a public session of the Town Council on the \_\_\_\_ day of \_\_\_\_\_,  
16 20\_\_\_\_, by: \_\_\_\_\_ {NAME} Motion to approve by Councilor  
17 \_\_\_\_\_ {NAME}, as seconded by Councilor \_\_\_\_\_ {NAME} and  
18 passed by a vote of \_\_\_\_\_.

19 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,  
20 Maine on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, {NAME}, \_\_\_\_\_, Chairperson

21 **Attest:** {NAME}, \_\_\_\_\_ Town Clerk



## **FORT FOSTER PARK POLICIES AND REGULATIONS**

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Fort Foster is a local treasure, steeped in history with trails, beaches, play areas and outdoor function space. Fort Foster is also a complex and vital natural resource providing habitat to native and endangered animals, plants and trees.

Please help the Town of Kittery protect this vital natural resource for our generation and generations to come.

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### **A. SCHEDULE AND HOURS OF OPERATIONS**

1. The park bathrooms and parking lots will be open on weekends, from 10AM to sunset, in May before Memorial Day and in September after Labor Day.
2. The park bathrooms and parking lots will be open seven days a week, from 10AM to 8PM or sunset, whichever is earlier, between Memorial Day and Labor Day, inclusive.
3. The park parking lots may be open October through April, excepting when snow or ice events have made the park roads and/or parking lots unsafe for vehicles.

### **B. PARKING AND VEHICLES**

1. The speed limit on all park roads is 5MPH.
2. Parking is allowed in designated areas only.
3. Non-motorized watercraft, windsurfers, sea kayaks and canoes may be brought in on car-tops or trailers. If trailers are used, the trailer must be parked with their vehicle after the visitor has dropped off their watercraft at Windsurfer's Beach.

### **C. USE OF PARK**

1. Use of the park is at own risk at all times.
2. There are no trash receptacles in the park. All litter, trash, and pet waste must be carried out. Littering is prohibited in accordance with Kittery Town Code and State Law.
3. Grills are provided for charcoal use only, and only for the purpose of cooking. Bonfires are not permitted.
4. Consumption of alcoholic beverages are prohibited by State Law.
5. The Town is not responsible for lost or stolen property or items.
6. There are no lifeguards on duty. Swimming is at own risk.
7. There is no swimming or diving allowed from the pier.
8. Non-motorized watercraft, windsurfers, sea kayaks and canoes may only be launched from Windsurfer's Beach.
9. Removal or destruction of any buildings, facilities, flora, or fauna is prohibited.
10. Use of metal detectors is prohibited.
11. Hunting is prohibited.



12. Scuba diving is only permitted at the designated Scuba Beach. Scuba diving is not permitted from the main beach area, or in areas signed as prohibited.
13. The Town Manager may close the beaches when water quality testing determines the water to be unsafe for human contact.

**D. DOGS AND OTHER ANIMALS**

1. With the exception of dogs, no domestic animals are allowed in the park.
2. Dogs are prohibited on Pier South Beach, as designated by signs, on weekends in May and September, and every day from Memorial Day to Labor Day, inclusive.
3. Dogs must be on leash 10AM to park closing on weekends in May and September, and every day from Memorial Day to Labor Day, inclusive.
4. Dogs must be on leash 10AM to 3PM from the day after Labor Day of one year, to the day before Memorial Day of the next year.
5. The maximum leash length allowed is 10 feet.
6. Visitors must immediately collect and secure pet waste while in the park. Visitors must maintain possession of their pet's waste while on public property; it may not be left behind for future retrieval.
7. Visitors may not bring in more than three dogs at any time while in the park.

**E. SEASON and DAY PASSES**

1. All pass fees are established by the Town Council in Appendix A of the Kittery Town Code.
2. No visitor may enter the park during park operating hours without a valid Season Pass or a Day Pass.
3. Season Passes are good for the calendar year in which they are issued.
4. Town residents or property owners, except organizations and corporations, may obtain a Resident Season Pass.
5. Proof of residency can be satisfied by one or more of the following showing a Kittery address:
  - a. Maine Driver's License
  - b. State of Maine ID
  - c. Maine vehicle registration
  - d. Utility bill
  - e. Personal check
  - f. Rent or lease agreement
  - g. Buyers order for a new home
  - h. Registered voter in Kittery
6. A season pass may be used by the season pass holder and their immediate family residing within the same household.
7. Town residents or property owners age 62 or older may obtain a Senior Citizen Season Pass.
8. Disabled American Veterans who are 100% disabled may obtain a free season pass upon presentation of a Federally issued 100% Disabled Veteran Identification Card or a Veterans Administration Awards Letter of Entitlement stating 100% disability.
9. All others may obtain a general Season Pass.
10. Season passes are assigned to a vehicle. To apply for a pass the applicant must provide proof of registration for the vehicle that will be associated with the pass. Once issued, the season pass

must be affixed to the vehicle, no higher than 4 inches from the bottom line of the driver's side of the windshield.

11. Failure to affix the Season Pass to the vehicle as directed will result in denied entrance or the requirement to purchase a day pass for that day. No exceptions will be made.
12. Replacement passes may be obtained if lost, for a fee. Receipt of the original pass purchase is required.
13. Up to five "pass cards" will be issued to each season pass holder and allows for entry on foot or bicycle for the pass holder.
14. Vehicles with a capacity of more than 15 passengers may not obtain or use a season pass. These vehicles must use a Day Pass to enter the park.
15. All other means of entry while the park is open will be through the purchase or issuance of a day pass.
16. Only one day pass purchase may be used for credit towards the purchase of a season pass. The day pass must have been purchased in the same calendar year as the season pass.

#### **F. RESERVATION OF PAVILIONS**

1. All pavilion reservation fees are established by the Town Council in Appendix A of the Kittery Town Code.
2. The pavilions may be reserved for group-use.
3. The maximum number permitted in any group is one hundred (100) people.
4. Groups may reserve a pavilion only once per season.
5. The reservation fee for a pavilion assures the reservation holder that the pavilion will be reserved for their use.
6. All groups reserving a pavilion must leave the area in as good condition as it was found. Future pavilion reservation or access to the park may be revoked, and/or fees to repair damage may be incurred.
7. All trash and waste must be removed by the group. Waste receptacles will not be provided by the Town.
8. Any group reserving a pavilion must leave the area by 7:00PM, or one hour before posted gate closing, whichever is earlier.
9. Reservation applications for the pavilion are available through the Town.
  - a. January 1 - April 15 - Reservations accepted from any Kittery group on a first come, first serve basis.
  - b. April 16-September 23 – Reservations accepted from the general public.
10. Two signs must be placed by the reservation holder, on the day of their reservation. One must be placed at the intersection of the Pier Road and the Pavilion Road, and the other at the Pavilion stating the following: PAVILION RESERVED TODAY - (NAME OF GROUP). Signs should be 2'X2'. Signs must be removed at the end of the day by the reservation holder.
11. Payment of the pavilion fee does not include the park entrance fee for visitors associated with the reservation. Visitor entrance fees will be collected at the gate.
12. Kittery based civic, social, or non-profit organizations will be allowed into the park for one day per season free of charges provided:
  - a. The reservation is made for weekends in May or September or weekdays from Memorial Day through Labor Day.

- b. The organization submits a written application to reserve the pavilion and for the fees to be waived at least 7 days prior to the desired date.
- c. Traip Class Reunions must be celebrating their 10th, 20th, 25th, or 50th anniversary for fees to be waived.

**G. SPECIAL EVENTS**

- 1. The park may be used for special events organized by the Town or Kittery-connected non-profits and community organizations upon approval of the Town Manager.
- 2. All special events must be compatible with the mission of the park.
- 3. The Town Manager will seek recommendations on applications for special events from the Parks Commission, Public Works Department, and any other Town department or state entity as may be relevant to the special event application.
- 4. Fees may be charged for special events to cover the costs of Town employees and resources needed for the special event (e.g., providing access to the park, bathroom facilities, etc.). Fees will be determined on a case-by-case basis, specific to the needs and nature of the special event.

**H. COMMERCIAL USE**

- 1. Commercial activities, such as selling merchandise and providing guided tours or instructional courses where participants pay a fee for the services, are prohibited from the park without prior approval of the Town Council.
- 2. Commercial tours involving non-motorized watercraft (e.g., sea kayak tours) are prohibited from launching within the park.

**I. AMENDMENTS**

- Approved as amended 06/09/97
- Approved as amended 09/03/97
- Approved as amended 12/20/99
- Approved as amended 04/24/00
- Approved as amended 05/29/02
- Approved as amended 08/23/04
- Approved as amended 06/27/05
- Approved as amended 09/26/05
- Approved as amended 01/28/08
- Approved as amended 04/14/08
- Approved as amended 10/16/13
- Approved as amended 11/24/14
- Approved as amended 06/26/17
- Approved as amended 01/24/19
- Approved as amended 03/28/22



**TOWN OF KITTERY**  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1329 Fax: 207-439-6806

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**REPORT TO TOWN COUNCIL**

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Meeting Date: April 10, 2023  
From: Kendra Amaral, Town Manager  
Subject: Title 10 – Cutts Island Lane Stop Intersection  
Council Sponsor: Chairperson Judy Spiller

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**OVERVIEW**

The Town received a request from residents of Chauncey Creek Road to provide traffic calming/speed reduction solutions. We are investigating several short-term options including variable speed signs, flashing stop beacons, and additional intermittent police presence.

In internal discussion regarding traffic calming in this area, the Police Chief recommended that the intersection of Cutts Island Lane and Chauncey Creek Road be changed to a stop intersection (from a yield intersection) to improve safety.

Though this does not directly address the residents' concerns regarding speeds on the other end of Chauncey Creek Road, the proposed amendment will improve safety overall for traffic in that area.

**PROPOSED SOLUTION/RECOMMENDATION**

Approve the declaration as proposed.

**ATTACHMENTS**

- Draft Title 10 – Cutts Island Lane Stop Amendment
- Draft Title 10 – Cutts Island Lane Stop Enactment
- Map of impacted area

**TITLE 10  
TRAFFIC SAFETY**

**1. ADD STOP INTERSECTION in §10.2.2.1 On public ways as follows:**

The following intersections are designated as stop intersections and stop signs are to be so erected:

**Stop Sign on**

**At Intersection With**

Chauncey Creek Road, southeast

Cutts Island Lane

Cutts Island Lane

Chauncey Creek Road, southeast

**2. DELETE YIELD INTERSECTION in §10.2.3 Yield intersections designated as follows:**

The following intersections are designated as yield intersections and yield signs are to be so erected:

**Yield Sign on**

**At Intersection with**

~~Cutts Island Lane~~

~~Chauncey Creek Road, southeast~~



**KITTERY TOWN CODE**  
**TITLE 10**  
**CUTTS ISLAND LANE/CHAUNCEY CREEK ROAD INTERSECTION**

1 **AN ORDINANCE** relating to the municipality's authority for Town governance to give due and  
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine  
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,  
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in  
6 Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that  
7 authorize the town, under certain circumstances, to provide for the public health, welfare,  
8 morals, and safety, and does not intend for this Ordinance to conflict with any existing state or  
9 federal laws; and

10 **WHEREAS**, the Town seeks to improve traffic safety at the intersection of Cutts Island Lane  
11 and Chauncey Creek Road by creating a stop intersection in lieu of the yield intersection  
12 currently in effect;

13 **NOW THEREFORE**, IN ACCORDANCE WITH TITLES 30-A MRS §3001 AND TOWN  
14 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 10  
15 OF THE TOWN CODE, AS PRESENTED.

16 **INTRODUCED** and read in a public session of the Town Council on the \_\_\_\_ day of \_\_\_\_\_,  
17 20\_\_\_\_, by: \_\_\_\_\_ {NAME} Motion to approve by Councilor  
18 \_\_\_\_\_ {NAME}, as seconded by Councilor \_\_\_\_\_ {NAME} and  
19 passed by a vote of \_\_\_\_\_.

20 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,  
21 Maine on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, {NAME}, \_\_\_\_\_, Chairperson

22 **Attest:** {NAME}, \_\_\_\_\_ Town Clerk



# Cutts Island Lane

Kittery, ME

1 inch = 137 Feet



www.cai-tech.com

March 22, 2023



	Water-poly		Cemetery		Property Line
	Map - Lot Labels		Property Hook		Public Road
	Right of Way		PWater		

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



Ann-Marie Waterhouse & Sara Simpson

10 Rudolph Avenue  
Kittery, ME 03904  
603-781-6329  
annmariejamie@gmail.com

March 29, 2023

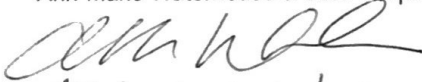
Kendra Amaral  
Town Manager  
Town of Kittery  
200 Rogers Road  
Kittery, ME 03904

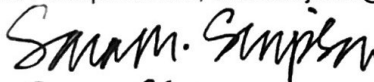
Dear Kendra,

We are requesting that the previously proposed road that would intersect Rudolph Avenue be abandoned by the Town of Kittery, Maine.

Abutters include:

Ann-Marie Waterhouse & Sara Simpson, 10 Rudolph Avenue, annmariejamie@gmail.com, 603-781-6329


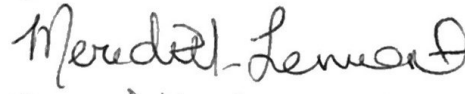
  
Ann-Marie Waterhouse

  
SARA SIMPSON  
Sara Simpson


Michelle Shields, 6 Rudolph Avenue, michelle@michelleshieldsdesign.com, 207-752-7623

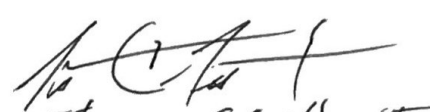
  
MICHELLE SHIELDS

Eric & Meredith Lemont, 11 Park Avenue, elemont@comcast.net, 207-289-5893

 &   
Eric Lemont                      Meredith Lemont

Anne Durgin-Gilbert & Steve Gilbert, 17 Park Avenue, 603-498-2773

  
Anne Durgin-Gilbert

  
Steven C Gilbert

Thank you,

Ann-Marie Waterhouse



# Paper Street Abandonment

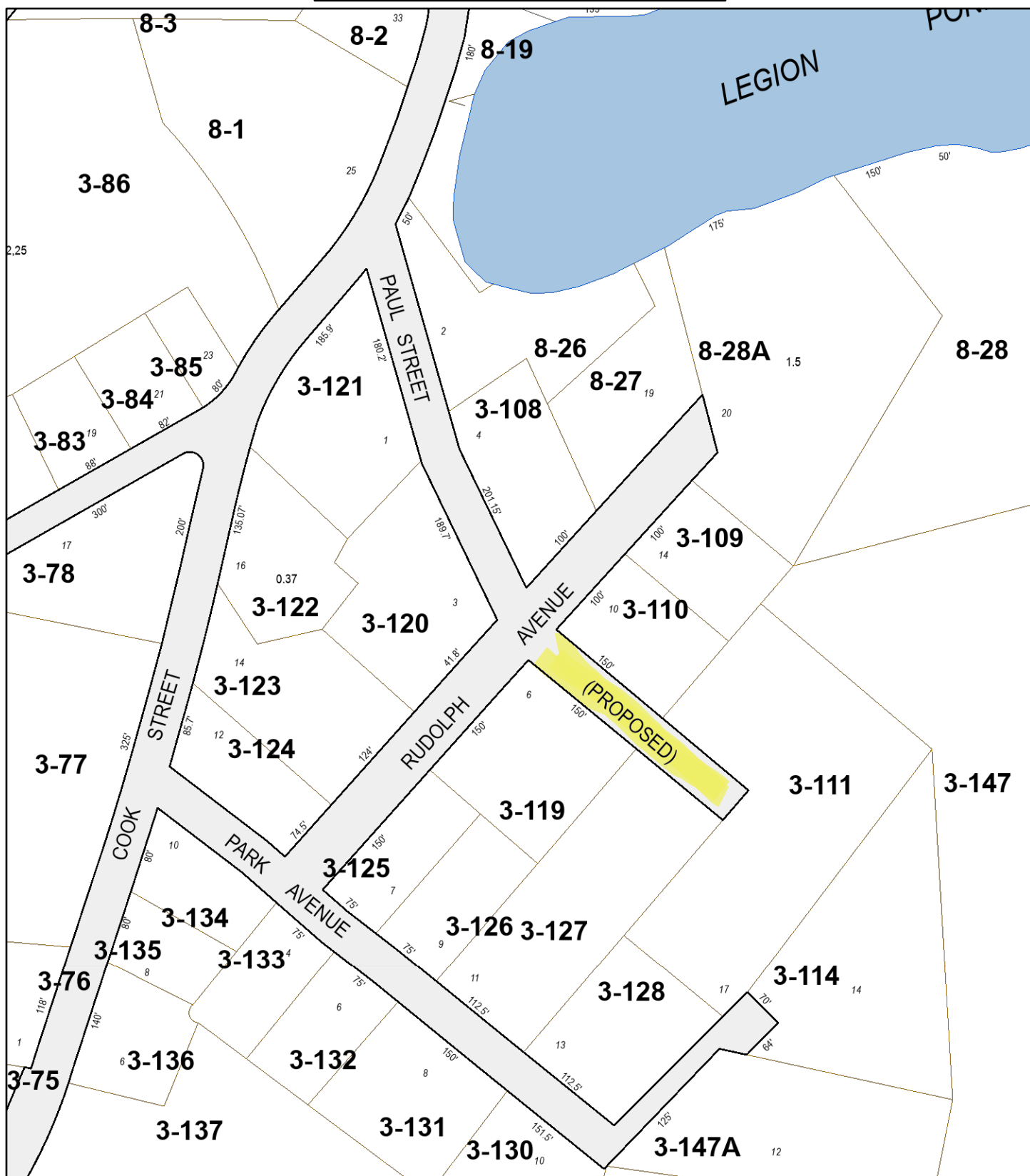
Kittery, ME

1 inch = 137 Feet



www.cai-tech.com

April 5, 2023



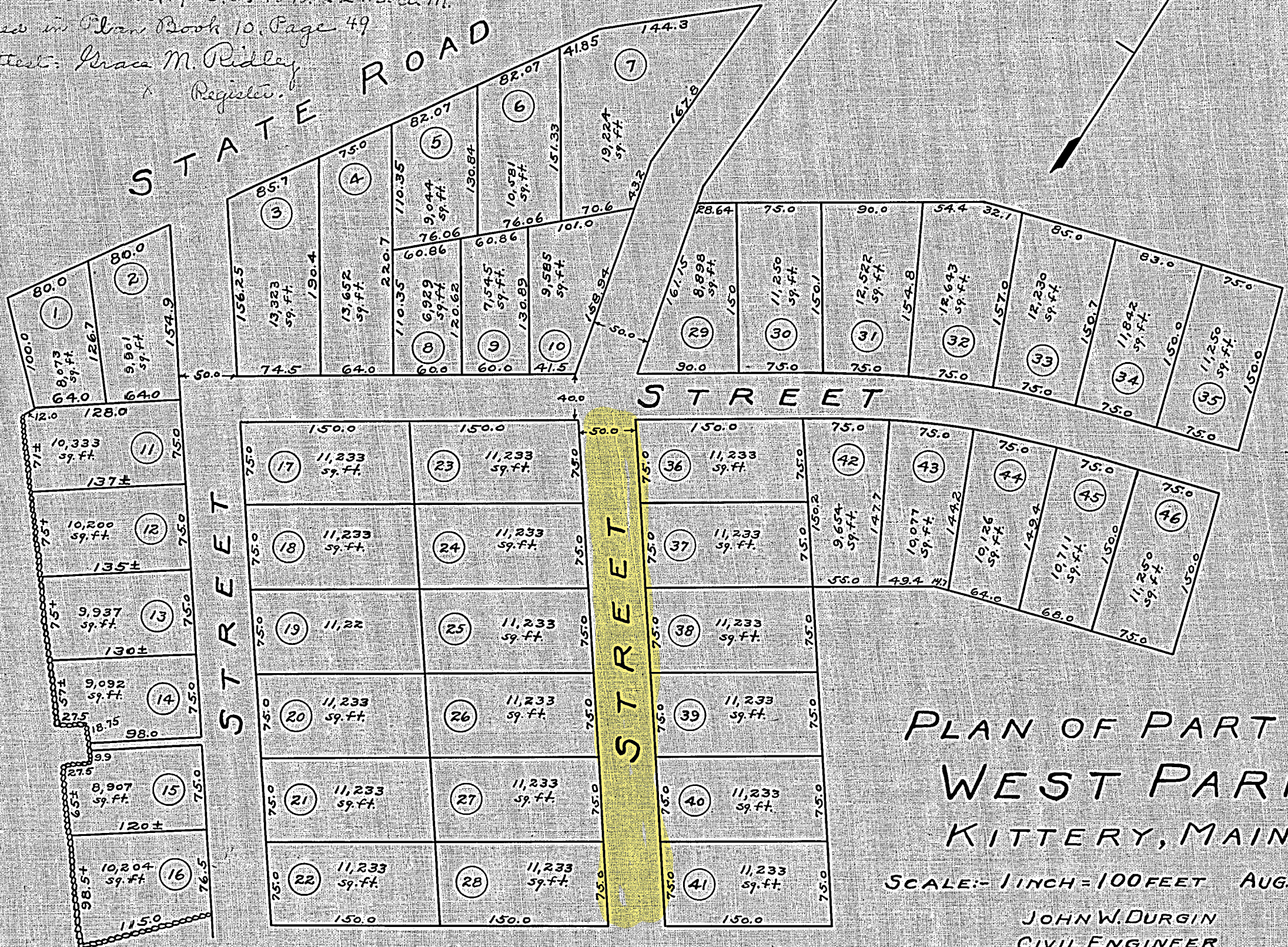
Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Received October 23, 1926, at 10 h. 22 m. A.M.

and filed in Plan Book 10, Page 49

Attest: *Grace M. Ridley*  
Register.



# PLAN OF PART OF WEST PARK KITTERY, MAINE

SCALE: - 1 INCH = 100 FEET AUG. 25, '26.

JOHN W. DURGIN  
CIVIL ENGINEER



# Know all Men by these Presents, That

West Park Realty Company a corporation organized by law and located at Kittery in the County of York and State of Maine

I.R.S.  
Fifty  
Cents

In consideration of one dollar and other considerations paid by Jason Gilmore and Kathleen L. Gilmore, husband and wife, both of said Kittery the receipt whereof it does hereby acknowledge, do es hereby give, grant, bargain, sell and convey unto the said Jason Gilmore and Kathleen L. Gilmore as joint tenants and to the survivor of them his or her Heirs and Assigns forever, a certain lot or parcel of land, with the situated in Kittery in said County of York in West Park, so called and bounded and described as follows: Said lot is No. 23 as delineated on a plan of Part of West Park made by John W. Durgin, C. E. and recorded in York County Registry of Deeds Plan Book 10 Page 49, and is bounded northerly by a Street 150 feet; easterly by a Street 75 feet; southerly by lot No. 24 150 feet and westerly by lot No. 17 on said plan.

To Have and to Hold, the aforegranted and bargained premises, with all the privileges and appurtenances thereof to the said Jason Gilmore and Kathleen L. Gilmore as joint tenants and to the survivor of them his or her heirs and assigns, to their use and behoof forever. And it does covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances; that it has good right to sell and convey the same to the said Grantees to hold as aforesaid; and that it and its successors shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, the said Grantor has caused this instrument to be executed for and in its behalf by James A. Borthwick its President and Ralph W. Junkins its Treasurer duly authorized

Witness my hand and seal this 31st. day of July in the year of our Lord one thousand nine hundred and thirty-seven.

Signed, Sealed and Delivered in presence of

Miriam Schurman

Now Hampshire

State of Maine, Rockingham, ss. July 31, 1937. the above named James A. Borthwick and Ralph W. Junkins

and acknowledged the above instrument to be their free act and deed. in their said capacity. (L.S.)

Before me, Paul W. Hobbs Notary Public Justice of the Peace



# Abutters List Report

Kittery, ME  
April 05, 2023

## Subject Property:

Parcel Number: N/A  
CAMA Number: N/A  
Property Address: Paper Street

---

## Abutters:

Parcel Number: 3-110  
CAMA Number: 3-110  
Property Address: 10 RUDOLPH AVENUE

Mailing Address: WATERHOUSE, ANN MARIE J  
WATERHOUSE, ANN MARIE J  
10 RUDOLPH AVENUE  
KITTERY, ME 03904

Parcel Number: 3-111  
CAMA Number: 3-111  
Property Address: 17 PARK AVENUE

Mailing Address: GILBERT, STEVEN C GILBERT, STEVEN  
C  
17 PARK AVENUE  
KITTERY, ME 03904-1546

Parcel Number: 3-119  
CAMA Number: 3-119  
Property Address: 6 RUDOLPH AVENUE

Mailing Address: SHIELDS, MICHELLE A SHIELDS,  
MICHELLE A  
6 RUDOLPH AVENUE  
KITTERY, ME 03904-1512

Parcel Number: 3-127  
CAMA Number: 3-127  
Property Address: 11 PARK AVENUE

Mailing Address: LEMONT, ERIC T. LEMONT, ERIC T.  
11 PARK AVENUE  
KITTERY, ME 03904



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

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

**§3027. Vacation of proposed town ways in land subdivision; revocation of dedication**

**1. Vacation of ways.** When proposed town ways have been described in a recorded subdivision plan and lots have been sold with reference to the plan, the municipal officers, after notice to the municipal planning board or office, may, on their own initiative, on petition of the abutting property owners or on petition of any person claiming a property interest in the proposed way, vacate in whole or in part proposed ways that have not been accepted. The municipal officers shall give best practicable notice, as defined in section 3026-A, subsection 1, of the proposed vacation to owners of lots on the recorded subdivision plan and their mortgagees of record. The notice must conform in substance to the following form:

NOTICE

(The municipal officers of) (A petition has been filed with the municipal officers of) \_\_\_\_\_ (Name of Town or City) \_\_\_\_\_ (propose to) (to vacate) the following (ways) (way) shown upon a subdivision plan (named) (dated) (and) recorded in the \_\_\_\_\_ County Registry of Deeds, Book of Plans, Volume \_\_\_\_\_, Page \_\_\_\_\_.

(Herein list or describe ways to be vacated)

If the municipal officers enter an order vacating (these ways) (this way) any person claiming an interest in (these ways) (this way) (adverse to the claims of the petitioners) must, within one (1) year of the recording of the order, file a written claim thereof under oath in the \_\_\_\_\_ County Registry of Deeds and must, within one hundred eighty (180) days of the filing of the claim, commence an action in the Superior Court in \_\_\_\_\_ County in accordance with the Maine Revised Statutes, Title 23, section 3027-A.

The municipal officers shall file an order of vacation with the municipal clerk that specifies the location of the way, the names of owners of lots on the recorded subdivision plan and the amount of damages, if any, determined by the municipal officers to be paid to each lot owner or other person having an interest in the way. Damages and reasonable costs as determined by the municipal officers must be paid by the petitioners, if any.

[PL 2015, c. 464, §6 (AMD).]

**2. Revocation of dedication.** A dedication of property or interest therein to the municipality described in a recorded subdivision plot plan may not be revoked or vacated by the dedicator unless no lot has been sold with reference to the plan, and unless an amended subdivision plan has been approved by the municipal subdivision review authority and recorded in the appropriate registry of deeds.

[PL 1981, c. 683, §2 (NEW).]

SECTION HISTORY

PL 1975, c. 711, §8 (NEW). PL 1981, c. 683, §2 (RPR). PL 1987, c. 385, §1 (AMD). PL 2015, c. 464, §6 (AMD).

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PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.



Ann-Marie Waterhouse & Sara Simpson

10 Rudolph Avenue  
Kittery, ME 03904  
603-781-6329  
annmariejamie@gmail.com

March 29, 2023

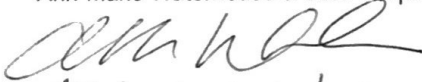
Kendra Amaral  
Town Manager  
Town of Kittery  
200 Rogers Road  
Kittery, ME 03904

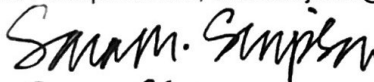
Dear Kendra,

We are requesting that the previously proposed road that would intersect Rudolph Avenue be abandoned by the Town of Kittery, Maine.

Abutters include:

Ann-Marie Waterhouse & Sara Simpson, 10 Rudolph Avenue, annmariejamie@gmail.com, 603-781-6329


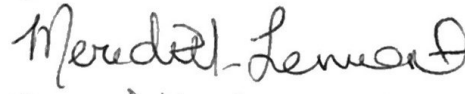
  
Ann-Marie Waterhouse

  
SARA SIMPSON  
Sara Simpson


Michelle Shields, 6 Rudolph Avenue, michelle@michelleshieldsdesign.com, 207-752-7623

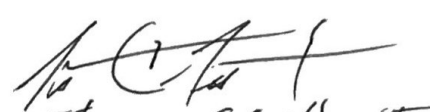
  
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Eric & Meredith Lemont, 11 Park Avenue, elemont@comcast.net, 207-289-5893

 &   
Eric Lemont                      Meredith Lemont

Anne Durgin-Gilbert & Steve Gilbert, 17 Park Avenue, 603-498-2773

  
Anne Durgin-Gilbert

  
Steven C Gilbert

Thank you,

Ann-Marie Waterhouse



**TOWN OF KITTERY**  
Office of the Town Clerk  
200 Rogers Road  
Kittery, Maine 03904  
Phone 207-475-1313 Fax 207-439-6806

**APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT**  
**(Pursuant to 28-A M.R.S.A. Sec. 1054)**

Name, address and legal status of individual(s) or entity seeking to hold permit:

Andrew Siegel (When Pigs Fly Restaurant); 15 Rams Head Ln; York,  
Maine 03909; Rolling in the mud LLC

Name and mailing address of the premises where the special activity/amusement will occur:

When Pigs Fly Restaurant, 460 US Route One, Kittery Maine  
03904

Mailing address and telephone number of owner of the real estate: 15 Rams Head Ln.,  
York, Maine 03909, (207) 450 1145

Describe the specific portion of the premises where the special activity/amusement will occur:

Front lawn dining area, inside roped off dining and  
bar area

Set forth the specific time periods between which the special activity/amusement will occur:

11:30 am - 9:00 pm

Describe the specific activity or type of amusement for which the permit is requested:

Live music appropriate for all ages.

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes \_\_\_  
No

If so, give the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

\_\_\_\_\_  
\_\_\_\_\_

(Over)

Give any additional information to support your request for the permit sought herein:

We are hoping to bring in some local artists to play music during our business hours. All music will be appropriate for a family friendly establishment and of an appropriate noise level.

As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

I Am the Owner

**NOTE:** In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: 3/29/2023

SIGNATURE OF APPLICANT: Andrew Siegel

APPLICANT'S NAME: Andrew Siegel  
(please print)

ADDRESS: 15 Rams Head Lane, York, ME 03909  
(please print)

TELEPHONE NUMBER: (207) 450-1145

**FEE: \$20.00 per year Must be renewed annually with liquor license.**

**PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE**

**From:** [Robert Richter](#)  
**To:** [Jillian Richards](#)  
**Subject:** RE: Special Activity / Amusement Application  
**Date:** Thursday, March 30, 2023 11:02:06 AM

---

We are good with this Jillian, thank you!

Bob



Robert Richter  
Chief of Police  
Kittery Police Department  
200 Rogers Rd.  
Kittery, ME 03904  
207-439-1638  
[www.KitteryPolice.com](http://www.KitteryPolice.com)



**F.B.I.N.A. 244**

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**From:** Jillian Richards <JRichards@kitteryme.org>  
**Sent:** Wednesday, March 29, 2023 11:35 AM  
**To:** Robert Richter <rrichter@kitterypolice.com>  
**Subject:** Special Activity / Amusement Application

Hi Chief,

I received an application from When Pig's Fly for a Special Activity / Amusement. Please find the application attached. Just need the PD's approval before I present it to the Council.

Thanks!

*Jillian Richards*  
Town Clerk



*Registrar of Voters*  
*General Assistance Administrator*  
Town of Kittery  
200 Rogers Road  
Kittery, ME 03904  
207-475-1313 [JRichards@kitteryme.org](mailto:JRichards@kitteryme.org)

**From:** [Richard Maina](#)  
**To:** [Jillian Richards](#)  
**Subject:** Re: Plant Sale Sign Request Information  
**Date:** Tuesday, April 4, 2023 9:42:56 AM

---

Hi Jillian

Thank you for your call and email. Here is our request .

The Harbourside garden club is requesting permission to display Signs for our annual plant sale, to be held on May 27 th. We would put the signs up a week prior to the sale.

Thank you  
Nancy Marina  
Harbourside garden club

On April 4, 2023, at 8:51 AM, Jillian Richards <[JRichards@kitteryme.org](mailto:JRichards@kitteryme.org)> wrote:

Hi Nancy,

Please just email me over a formal request for the signage to be put up for the plant sale.

Thank you!

*Jillian Richards*

*Town Clerk*

*Registrar of Voters*

*General Assistance Administrator*

Town of Kittery

200 Rogers Road

Kittery, ME 03904

207-475-1313 [JRichards@kitteryme.org](mailto:JRichards@kitteryme.org)