

TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 | Fax: (207) 439-6806
towncomments@kitteryme.org | www.kitteryme.gov

Kittery Town Council January 8, 2024 | 6:00 PM | Council Chambers & Zoom

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.

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_988IIY17Qu-yb7YAh8J4ow

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.

1. Call to Order
2. Land Acknowledgement & Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes
 - October 23 – Regular Meeting
 - November 13 – Regular Meeting
 - November 27 – Regular Meeting
 - December 11 – Regular Meeting

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.
10. PUBLIC HEARINGS
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.

(010124-01) The Kittery Town Council moves to accept a donation from William & Judith Smart in the amount of \$150.00 to be deposited into the George Smart Santa Fund, account #1372.
 - b.(010124-02) The Kittery Town Council moves to adopt the 2024 Annual Goals.
 - c. (010124-03) The Kittery Town Council moves to approve an application from Millenium Running for their annual Eastern States Road Race event to be held on March 17, 2024.
 - d.(010124-04) The Kittery Town Council moves to reappoint Maribeth Girard to the Kittery Community Center Board of Trustees for a three-year term to expire December 31, 2026.
 - e.(010124-05) The Kittery Town Council moves to appoint Jeff Thomson to the Capital Improvement Plan Committee for a three-year term to expire December 31, 2027.
 - f. (010124-06) The Kittery Town Council moves to appoint Priscilla Ford to the Housing Committee for a three-year term to expire December 31, 2027.
 - g.(010124-07) The Kittery Town Council moves to appoint Barry Hayes to the Shellfish Committee for a three-year term to expire December 31, 2027.

h.(010124-08) The Kittery Town Council moves to discuss a petition for a request for a sewer extension on Rogers Road.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

a.Communications from the Chairperson

b.Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: January 4, 2024



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 | www.kitteryme.gov

Town Manager's Report to Town Council January 8, 2024

- 1. Presidential Primary Election** – Absentee ballot applications are now available for the Presidential Primary Election. **The Presidential Primary Election will be held at the Kittery Community Center from 8AM to 8PM on March 5.**

This is a “semi-open” primary, meaning if someone is enrolled in a qualified party, they may only vote in that party’s primary. If someone is unenrolled (has no party affiliation) they may choose which party’s primary they will vote in.

To request an absentee ballot, register to vote, change enrollment, or for more information about the Presidential Primary Election, please contact the Town Clerk’s Office at 207-475-1313 or visit kitteryme.gov/elections.

- 2. Coastal Flooding and Storm Survey** – We are continuing to ask residents and businesses who snapped photos of area flooding, storm surge and coastal storm impacts from the December storm to please share the photos and information with us through our Coastal Flooding and Extreme Weather Events Survey.

The photos we have collected from prior storms has been invaluable in our applications for FEMA disaster relief funding and climate adaptation and resiliency grant funding for restoration of public infrastructure, and stormwater, road, and drainage improvements.

To submit your storm related photos and for more information visit www.surveymonkey.com/r/KitteryStorms.

- 3. Walker/Wentworth Sidewalk Project** – MaineDOT has awarded the construction contract for the Walker/Wentworth Sidewalk rehabilitation and expansion project. The winning bid came in at \$2,451,875. The Town is expected to contribute approximately \$350,000 to the project, with MDOT and KACTS covering the remainder.

A pre-construction meeting with MDOT and the contractor is expected to take place later in the spring. At that time we will be able to discuss traffic management (both car and pedestrian) during the project and get a better sense of the schedule of implementation. It is currently unclear whether this project will or will not start before the annual Block Party, and subsequently how it will impact the Block Party planning.

To note, this project will be managed by MDOT, not the Town directly. We will be participating in the construction meetings and intend to strongly advocate for limiting the impacts on the Foreside while getting the project done as swiftly as possible.

Information about the construction schedule will be shared with the Foreside neighborhood, Portsmouth Navy Shipyard, and town residents and businesses as we learn more.

4. Upcoming Dates:

- Absentee Ballot Applications Available – Town Clerk, Town Hall
- Town Offices Closed for Martin Luther King Jr. Day – January 15
- Route 1 Feasibility Study Input Session – January 24, 6PM, Town Hall
- Dog License Renewal Deadline – January 31, 2024, Town Clerk’s Office

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kendra', with a long horizontal flourish extending to the right.

Kendra Amaral
Town Manager



Absentee ballot applications are now available at Town Hall for the March 5, 2024 Presidential Primary Election. Voters can request an absentee ballot until 6:00 PM on February 29, 2024.

- **Request by phone: 207-475-1313**
- **Request online at 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 AM - 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.

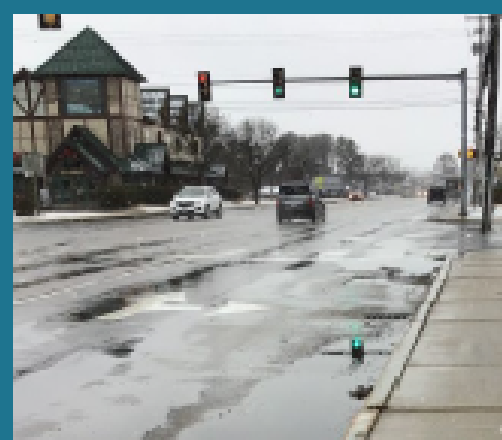
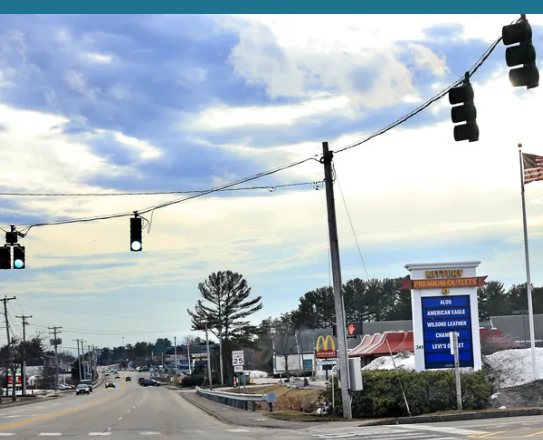
FOR MORE INFORMATION, VISIT: WWW.KITTERYME.GOV/ELECTIONS

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

ROUTE 1 CORRIDOR FEASIBILITY STUDY PUBLIC INPUT SESSION



The Town is undertaking a grant-funded study with the Maine Department of Transportation (MaineDOT) to evaluate how Route 1, north of Memorial Circle to the Town of York border, should be improved for traffic safety, and enhanced mobility for pedestrians and cyclists.



WE WANT TO HEAR FROM YOU!

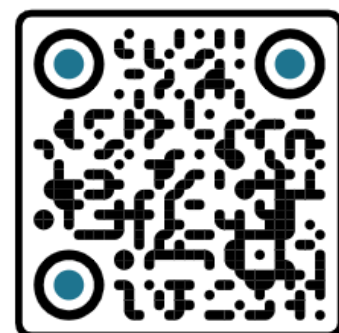
Hear from the project team, review draft design alternatives and configurations for the roadways, intersections and bike/ped facilities throughout the Route 1 corridor, and provide comments and feedback.

Feedback gathered at the meeting will be used during the study to help make Route 1 safer and more attractive for those living, working, traveling, and shopping in the area.



January 24, 2024 | 6:00 PM
Council Chambers & Zoom

SCAN ME



For more information, please scan the QR code above or visit:

WWW.KITTERYME.GOV/ROUTE1STUDY

TOWN OF KITTERY



IS YOUR DOG LICENSED AND READY FOR 2024?

It's time to get your four-legged friends ready for the New Year by getting their dog licenses renewed.



The Town of Kittery makes licensing a breeze with options to renew in person, online or by mail. For more information, please scan the QR code below or visit:

WWW.KITTERYME.GOV/DOGLICENSE

SCAN ME



DEADLINE TO RENEW: JANUARY 31, 2024



TOWN OF KITTERY

2024 FORT FOSTER SEASON PASSES AVAILABLE NOW

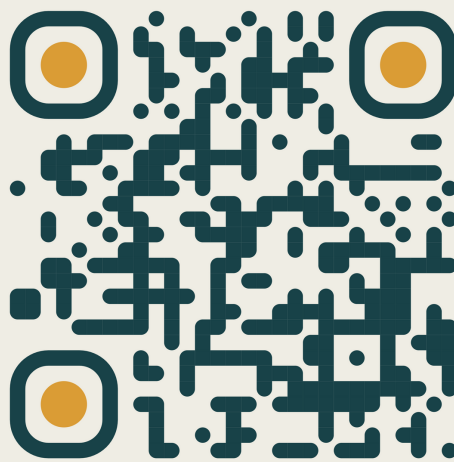


2024 Fort Foster Season Passes are now available online and at Town Hall during regular business hours.

Season Pass holders may request up to five (5) walk-in/bike-in Season Passes for their household to use, at no additional cost.

For more information, or to purchase your pass, please scan the QR code or visit our website:

www.kitteryme.gov/fortfoster



SCAN ME



WOW KITTERY!

The Kittery community is truly remarkable!

Since reopening the Freebie Barn in January 2023, our community members and volunteers have donated and diverted over 13,000 lbs. from the waste stream!



BUT DOES THAT REALLY MAKE A DIFFERENCE?



The answer is YES!

Diverting 13,000 lbs. of waste from the waste stream is the equivalent of preventing approximately 19 metric tons of greenhouse gas emissions from releasing into our atmosphere.



NEW FOR 2024!

The Freebie Barn Keeps Getting Better

The Town of Kittery Freebie Barn is back for 2024, in collaboration with the Climate Adaptation Committee and Kittery Climate Action Now (KCAN).

Since it reopened in 2023, community members have donated and diverted **over 13,000 lbs.** from the waste stream. But we're not done yet!

WHAT IS THE FREEBIE BARN?

The Freebie Barn is a place to drop off, pick up, and swap common, reusable items. The goal of the Freebie Barn is to prevent items that still have a useful life and purpose, from being put into the waste stream and landfills.



WHAT IS NEW AT THE FREEBIE BARN?

The Freebie Barn's schedule will now include hours on Wednesdays AND Saturdays (**dependent on volunteer availability**).

The Freebie Barn will no longer observe themed monthly drop-offs. Residents are also welcome to donate or take home items during regular operating hours, as space allows.

The Freebie Barn will continue utilizing Community Partners to ensure items that still have useful life can be repurposed by those in need.



WHEN IS THE FREEBIE BARN OPEN?

Beginning in January 2024, the Freebie Barn will observe regular operating hours on Wednesdays, and Saturdays!

Freebie Barn: Open to the public for item drop-offs and pick-ups at the KRRF:

- Wednesdays from 11 AM - 3 PM
- Saturdays from 9 AM - 1 PM



Note: The Freebie Barn's hours will be dependent on volunteer availability.

DO YOU STILL NEED VOLUNTEERS?

Yes, every month! The Freebie Barn is a volunteer-operated program and requires engaged citizens like YOU to help make it a success. **The more volunteers we have, the more hours we can offer, so sign up today!**

For more information, or to sign up to be a Freebie Barn volunteer, scan the QR code here or visit: www.kitteryme.gov/freebiebarn



SCAN ME

KITTERY TOWN COUNCIL
October 25, 2023

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1. Call to Order

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

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilors present: Councilor Bragg, Councilor Dow, Councilor Clark, Councilor Hamm, Councilor Stevens, Vice Chair McGuire and Chair Spiller

5. Agenda Amendment and Adoption

The Kittery Town Council moves to honor the service and dedication of George V. Dow IV to the Town of Kittery and the Kittery Town Council.

All were in favor of adopting agenda as amended.

Chair Spiller read a letter of appreciation of George V. Dow IV thanking him for his many contributions to the Town of Kittery. Chair Spiller gave him a proclamation.

Councilor Dow thanked everyone and stated that every minute was worth it to serve his community.

A group photo was taken to honor Councilor Dow.

Chair Spiller spoke about her time working with Councilor Dow.

Vice Chair McGuire spoke about his time working with Councilor Dow.

Councilor Clark stated that it was a pleasure to work with Councilor Dow.

Councilor Hamm thanked Councilor Dow for being a great inspiration to him.

Councilor Stevens spoke about her experience working with Councilor Dow.

Councilor Bragg thanked Councilor Dow for his mentoring.

27 6. Town Manager's Report

28 Town Manager spoke about her experience working with Councilor Dow.

29 Town Manger reported on Energy Efficiency Community Block Grant, Draft Climate Action
30 Plan Strategies Input, Veterans Day Observance and KRRF Hours and the November 7
31 Election.

32 Upcoming Dates:

33 Community First Non-Profit Fair – October 25

34 Save Kittery Waters CreekSmart Pledge Event – October 25

35 Resource Recovery Facility Extended Hours

36 Trick or Treat – October 30

37 Real Estate Taxes Due – October 31

38 Climate Action Open House – November 1

39 Voter Registration Night at Town Hall – November 2

40 Veterans Harvest Luncheon – November 9

41 Housing Advocacy Boot Camp – November 15

42

43 Vice Chair McGuire asked for more information on next steps for the Energy Grant.

44 Town Manager responded.

45

46 Councilor Dow thanked the Town Clerk for providing the extra time for Voter registration night
47 as well as thanking the KRRF for extending their hours for the residents.

48

49 Chair Spiller spoke about the Efficiency Grant and asked the Town Manager to talk a little bit
50 about the FLAP Grant.

51 Town Manager responded.

52

53 Chair Spiller also asked about the Hydrologic Study.

54 Town Manager responded.

55

56

57 7. Acceptance of Previous Minutes

- 58
 - September 25, 2023 – Regular & Executive Session Meeting

59 All were in favor of accepting minutes as presented.

60 8. Interviews for the Board of Appeals and Planning Board

61

62 9. All items involving the town attorney, town engineers, town employees or other town
63 consultants or requested offices.

64 10. PUBLIC HEARINGS

65 a.(100223-01) The Kittery Town Council moves to hold a public hearing on a Title 12
66 Shellfish Conservation.

67 Town Manager gave an overview.

68 Move that in accordance with Title 30A MRS § 3001 town charter § 2.14 the town of Kittery
69 hereby ordains amendments to Title 12.6 to the town code and amend appendix A as
70 presented by Councilor Dow, seconded by Councilor Bragg

71 Motion passes

72 7-0-0

73

74

75 11. DISCUSSION

76 a. Discussion by members of the public (three minutes per person)

77 b. Response to public comment directed to a particular Councilor

78 c. Chairperson's response to public comments

79 12. UNFINISHED BUSINESS - None

80 13. NEW BUSINESS

81 a. Donations/gifts received for Council disposition.

82 i. (100223-02) The Kittery Town Council moves to accept a donation from
83 William S. Quirk in the amount of \$750.00 to be deposited into the Thresher
84 Memorial Park fund, account #5007.

85 Moved to accept the donation by Councilor Hamm, seconded by Vice Chair McGuire.

86 Chair Spiller asked how the town was doing with funding to maintain this fund.

87 Town Manager responded.

88

89 Councilor Dow asked what the yearly cost might be for this fund.

90 Town Manager responded.

91

92 Chair Spiller thanked Mr. Quirk for his generous donation.

93

94 Motion passes

95 7-0-0

96

97 b.(100223-03) The Kittery Town Council moves to schedule a public hearing on
98 November 13, 2023 for a new Liquor License for Board LLC, 5 Shapleigh Rd,
99 Kittery.

100 Move to schedule the public hearing by Councilor Hamm, seconded by Councilor Clark

101 All were in favor.

102 c. (100223-04) The Kittery Town Council moves to schedule a public hearing on
103 November 27, 2023 on Title 10 Three Way Stop Dennett Ext/Martin Road.

104 Town Manager gave an overview.

105 Move to schedule the public hearing by Vice Chair McGuire, seconded by Councilor Clark.

106 All were in favor.

107 d. (100223-05) The Kittery Town Council moves to schedule a public hearing on
108 November 27, 2023 on Title 16 Housing to Comply with LD2003.

109 Town Manager gave an overview.

110 Move to schedule the public hearing by Councilor Hamm, seconded by Councilor Stevens.

111 All were in favor.

112 e. (100223-06) The Kittery Town Council moves to set the December meeting
113 schedule to be December 11, 2023 only.

114 Move to set the schedule for December 11, 2023 only by Councilor Stevens, seconded by
115 Councilor Hamm.

116 Motion passes

117 7-0-0

118

119 f. (100223-07) The Kittery Town Council moves to approve a request from the Traip
120 Academy Project Graduation Committee to hold a toll booth at the Resource
121 Recovery Facility on November 25, 2023 between 8:00am and 2:15pm.

122 Move to approve the request by Councilor Hamm, seconded by Councilor Dow.

123 All were in favor.

124 g. (100223-08) The Kittery Town Council moves to appoint the Council representatives
125 to the School Social Emotional Learning and Diversity, Equity & Inclusion
126 Committees.

127 • Social Emotional Learning – Councilor Bragg

128 • Diversity, Equity & Inclusion Committee – Councilor Stevens

129 Move the appointments as specified by Vice Chair McGuire, seconded by Councilor Hamm.

130

131 Motion passes

132 7-0-0

133

134 h.(10023-09) The Kittery Town Council moves to approve a petition request from Gary
135 Reiner to extend the Sewer main to 17 Page Street.

136

137 Town Manager gave an overview.

138

139 Move to approve the petition request by Councilor Dow, seconded by Councilor Bragg.

140

141 Motion passes

142 7-0-0

143

144 14. COUNCILOR ISSUES OR COMMENTS

145 Councilor Bragg thanked Councilor Dow for the past year.

146 Councilor Clark thanked Councilor Dow for everything he does for the Town and not just what
147 he has done on Council but everything else he is involved with.

148 Councilor Hamm thanked Councilor Dow for all he has done and also thanked all the Traip
149 Students for hosting Candidates night. He thanked all those who attended and supported him.

150 Councilor Stevens also thanked Councilor Dow. She stated that she was sorry she missed
151 candidates' night as she was traveling for her daughter's wedding, but she will be watching
152 and she encourages anyone who did not see it or attend to also watch it.

153 Vice Chair McGuire asked Councilor Dow to not be a stranger as his opinion will still matter.
154 He also thanked the Town staff for their efforts in the additional hours for voter registration. He
155 also encouraged everyone that is of age to vote as it is impactful and to inform the younger
156 generations of its importance.

157 15. COMMITTEE AND OTHER REPORTS

158 a.Communications from the Chairperson

159

160 Chair Spiller clarified what the Council voted on in regards to the Town Managers salary
161 increase.

162 Councilor Stevens wanted to voice her support for the Councils decisions last week and she
163 supports the Town Manager and her hard work for the Town.

164

165 Chair Spiller talked about the Climate Strategies and asked everyone to take some time to look
166 through them and to give the Chair or the Town Manger their feedback.

167

168 Chair Spiller wanted to address a comment made at Candidates Night regarding unanimous
169 votes. She stated that many of the items they are presented with are procedural items that do

170 not necessarily warrant anything other than a yes vote. She stated that the Council's goal is to
171 come up with something that works for as many people as possible with as little damage done
172 to the community.

173
174 Chair Spiller thanked Councilor Dow for his role on Council.

175
176 b. Committee Reports

177 Councilor Dow thanked everyone for their kind words. He congratulated Councilor Hamm for
178 his efforts at Candidates Night. He stated that Councilor Hamm came prepared to answer all
179 the questions asked of him and his responses to them were very thought out. Councilor Dow
180 also stated that it is so important for residents to come out and vote and that their votes do
181 matter.

182 Councilor Stevens stated that she has used Councilor Dow's story of the time he lost by 1 vote
183 for Council one year, to show the importance of every single vote.

184 Councilor Bragg discussed the Planner Academy that was held on Saturday. She thanked
185 those involved and encouraged others to attend in the future as it is very informative.

186 16. EXECUTIVE SESSION

187 17. ADJOURNMENT

188
189 Councilor Dow moves to adjourn at 6:55 PM, seconded by Vice Chair McGuire.

190
191 All were in favor.

192
193
194 Submitted by Jennifer Wheeler

195
196 Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst
197 every effort has been made to ensure the accuracy of the information, the minutes are not
198 intended as a verbatim transcript of comments at the meeting, but a refer to the video of the
199 meeting on the Town of Kittery website.

1
2 **KITTERY TOWN COUNCIL**
3 **November 13, 2023**

4
5 1. Call to Order

6 Chair Spiller called the meeting to order.

7 2. Introductory

8 3. Pledge of Allegiance

9 4. Oath of Office to Newly Elected Officials

10 Deputy Town Clerk, Jennifer Wheeler, administered the oath for Councilor Hamm and
11 Councilor Mason.

12 5. Roll Call

13 Councilors present- Councilor Mason, Councilor Stevens, Councilor Clark, Councilor Hamm,
14 Councilor Bragg, Councilor McGuire, Councilor Spiller

15 6. Election of Council Chair and Council Vice Chair

16 Councilor McGuire nominated Councilor Spiller for Chair, seconded by Councilor Clark.

17 Motion passes 7-0-0

18 Councilor Clark nominated Councilor McGuire, seconded by Councilor Hamm.

19 Motion passes 7-0-0

20 7. Agenda Amendment and Adoption

21 Chair Spiller moves to add New Business 15. f. The Kittery Town Council moves to appoint
22 Michael O'Keefe to the Kittery Port Authority for a five-year term per § 4.11.2 expiring
23 December 31, 2028.

24 Chair Spiller casts one vote in favor of adoption as amended.

25 8. Town Manager's Report

26 Town Manager congratulated the newly appointed Councilors.

27 Town Manager reported on the November 7th Election and thanked the Town Clerk and her
28 staff for their hard work throughout the election process. Town Manager also thanked the
29 Kittery Police Department, The Kittery Community Center and the DPW for their assistance
30 and the behind the scenes work on the election. She also reported on the
31 Walker/Wentworth/Gate 1 and misinformation worthy of correction.

32 Town Manager also congratulated Sergeant Gary Eaton on his recent retirement.

33 Upcoming Dates:

34 Used Coat & Boot Drive – November 19

35 Housing Advocacy Boot Camp – November 15

36 Freebie Barn – Closed in December

37 Holiday Parade and Tree Lighting – December 2

38 Town Offices and Services Closed Thanksgiving – November 23, 24

39

40 Councilor Stevens conveyed her frustrations with the continued discussion of the
41 misinformation put out there by a former Councilor.

42

43 Chair Spiller stated that she agrees with Councilor Stevens.

44

45 9. Acceptance of Previous Minutes

46 10. Interviews for the Board of Appeals and Planning Board

47

48 11. All items involving the town attorney, town engineers, town employees or other town
49 consultants or requested offices.

50 12. PUBLIC HEARINGS

51 a.(110123-01) The Kittery Town Council moves to hold a public hearing on a new
52 Liquor License for Board LLC, 5 Shapleigh Rd, Kittery.

53 Chloe Scala, owner of Board, stated that she would like to amend the address on the
54 application to include suite 108 and to change the landlord's name to Driscoll Realty Inc. She
55 continued to say that they are very excited to be a part of Kittery and gave a brief overview of
56 her establishment.

57 Move forth the application with said amendments by Councilor Clark, seconded by Councilor
58 Bragg.

59 Motion passes

60 7-0-0

61

62

63 13. DISCUSSION

64 a. Discussion by members of the public (three minutes per person)

65

66 George Dow, 1 Bartlett Road, wanted to congratulate Councilor Hamm and Councilor Mason.
67 He also thanked Councilor Bragg for appearing at the school committee meeting and speaking
68 on the mental health aspect of the Lewiston tragedy. Mr. Dow stated that he agrees with
69 Councilor Stevens statements about the misinformation and told Chair Spiller that he will miss
70 her and appreciated her comments regarding what he believes was gun laws. He believes that
71 maybe the change can start within our Kittery community.

72

73 Jeff Thomson, congratulated the new Councilors who were appointed. He stated that based on
74 the results of the election the vast majority of the community is very pleased with the Town
75 Councils direction. Mr. Thomson also stated that he too, agrees with Councilor Stevens
76 comments earlier. He asked the Council to work on the maximization of non-property tax
77 revenue and the reimbursement for military dependents for the 2024 goals.

78

79 b. Response to public comment directed to a particular Councilor

80 c. Chairperson's response to public comments

81 Chair Spiller agreed with Mr. Thomson that our efforts need to be stronger when trying to
82 obtain more reimbursement for military dependents.

83 14. UNFINISHED BUSINESS -

84 15. NEW BUSINESS

85 a. Donations/gifts received for Council disposition.

86 b.(110123-02) The Kittery Town Council moves to discuss Council Rules for the
87 ensuing year.

88 c. (110123-03) The Kittery Town Council moves to discuss appointments of Council
89 members to standing and ad hoc committees.

90 d.(110123-04) The Kittery Town Council moves to appoint a Councilor along with the
91 Chair of the Shellfish Conservation Committee to interview Barry Hayes for a three-
92 year term on the Shellfish Conservation Committee.

93 Chair Spiller moves to appoint Councilor Bragg to interview Barry Hayes, seconded by
94 Councilor Clark.

95 Motion passes

96 7-0-0

97

98 e.(110123-05) The Kittery Town Council moves to approve a request from the Fire
99 Department to conduct a boot drive on November 25 at the Resource Recovery
100 Facility, and December 9 on the Mall Road/Route 1, to raise funds for local, holiday-
101 related charities.

102 Move to approve by Vice Chair McGuire, seconded by Councilor Stevens.

103 Motion passes

104 7-0-0

105

106 f. The Kittery Town Council moves to appoint Michael O'Keefe to the Kittery Port
107 Authority for a five-year term per § 4.11.2 expiring December 31, 2028.

108

109 Move to appoint Michael O'Keefe to the Port Authority by Councilor Stevens, seconded by
110 Councilor Bragg.

111

112 Motion passes

113 7-0-0

114

115

116 16. COUNCILOR ISSUES OR COMMENTS

117 Councilor Hamm thanked everyone who supported him who helped him run a good campaign.
118 He stated that Chair Spiller spoke really well about the mass shooting in Lewiston and is
119 optimistic that gun laws will change. He also expressed his disappointment on question 8 on
120 the ballot and believes that question is a very slippery slope. He also wanted to note that he
121 agrees with Councilor Stevens remarks on the misinformation and he wanted the employees
122 involved to know that Council sees them and that they are going to do better.

123 Councilor Clark congratulated the new Councilors on their appointments.

124 Councilor Bragg, spoke about getting the Town of Kittery named a Purple Heart Town. She
125 asked the Council to approve allowing the Town Manager to look into the process. She also
126 spoke about Mainspring's groundbreaking and asked anyone who can make it to attend and
127 show them our community's support.

128 Councilor Mason stated that it is an honor to be there and said that all the support he received
129 was humbling.

130 Vice Chair McGuire congratulated Councilor Hamm and Councilor Mason. He thanked former
131 Councilors Dow and Thomson for coming in and speaking. Vice Chair also expressed his
132 appreciation for the Town Clerk and her staff on the election. He noted that he is unfortunately
133 out of town for the date on the groundbreaking of Mainsprings but supports them completely.
134 Lastly, he expressed his happiness with the ethics code that has been adopted within the
135 Supreme Court and was disappointed in the eliminationist language entering the political
136 discourse.

137 Chair Spiller asked the Town Manager to put together a chicken ordinance for residential
138 zones in Kittery. She also mentioned that she got a message from a concerned citizen about
139 the lack of any kind of signal or slowing mechanism at the transfer station. Chair Spiller wanted
140 to remind everyone that there is an upcoming workshop November 20 for LD2003, the holiday
141 parade is on December 2 and that December 11 is the only meeting for that month. She stated

142 that she believes that we have an exciting year coming up with a great Council, an excellent
143 Town Manager and an outstanding staff.

144 17. COMMITTEE AND OTHER REPORTS

145 a.Communications from the Chairperson

146 b.Committee Reports

147 18. EXECUTIVE SESSION

148 19. ADJOURNMENT

149
150 Councilor Bragg motioned to adjourn, seconded by Councilor Hamm.

151
152 All were in favor.

153
154
155
156 Submitted by Jennifer Wheeler

157
158 Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst
159 every effort has been made to ensure the accuracy of the information, the minutes are not
160 intended as a verbatim transcript of comments at the meeting, but a refer to the video of the
161 meeting on the Town of Kittery website.

Kittery Town Council
November 27, 2023

1
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4
5
6 1. Call to Order

7 Chair Spiller called the meeting to order.

8 2. Land Acknowledgement & Introductory

9 3. Pledge of Allegiance

10 4. Roll Call

11 Councilor's present- Councilor Bragg, Councilor Mason, Councilor Clark, Councilor
12 Hamm, Councilor Stevens, Vice Chair McGuire, Chair Spiller

13 5. Agenda Amendment and Adoption

14 Chair Spiller casts one vote in favor of adopting as amended.

15 6. Town Manager's Report

16 Town Manager reported on PFAS Water Line Project, Branding and Universal
17 Design, Gorges Road Fire Station Ribbon Cutting, Route 236/Dennett Road
18 Hydrological Study Final Presentation, Fiscal Year 2024 Quarter 1 Financial Report
19 and Calendar Year 2023 Q3 Annual Goals and Comprehensive Plan Implementation
20 Report.

21 Upcoming Dates:

22 Freebie Barn Closed – Month of December

23 Shellfish Day Licenses Available – Beginning December 1

24 Kittery Holiday Parade and Tree Lighting – December 2

25 Gorges Road Fire Station Ribbon Cutting – December 7

26 Economic Recovery Hub Application Deadline – December 7

27 Holly Jolly Trolley – December 8

28 Fill a Boot Fundraiser – December 9

29 Rte 236/Dennett Road Hydrological Study – December 14

30
31
32 7. Acceptance of Previous Minutes

- 33
- October 11, 2023 – Regular Meeting

34 • October 11, 2023 – Executive Session

35

36 All were in favor of accepting as presented.

37

38 8. Interviews for the Board of Appeals and Planning Board- None

39 9. All items involving the town attorney, town engineers, town employees or
40 other town consultants or requested offices.

41 10. PUBLIC HEARINGS

42 a.(110223-01) The Kittery Town Council moves to hold a public hearing on
43 Title 16 – Housing to Comply with LD2003.

44 Town Manager gave an overview of LD2003.

45 Mary Alice LaPoint, member of the Conservation Commission in Kittery, read a
46 statement from the Commission. In the statement they asked to strike the word
47 coastal before wetlands (amendment 16.3.2 line 15) which would result in excluding
48 both coastal and upland/wetlands from lot area calculations and close the fresh
49 water loophole. Ms. LaPoint asked Council to be sure about the language within the
50 proposed changes before voting to be sure that it does not open any loopholes.

51 Clayton Smith, Kittery resident and a member of the Conservation Commission,
52 stated that we are losing wetlands due to development and would like to see more
53 time spent on this issue to be sure to it is done right.

54 Lisa Linehan, resident of Kittery, stated that she is there to represent the Kittery
55 Land Trust. Ms. Linehan read a statement from the Kittery Land Trust in which they
56 stated their concerns about density adjustments relating to wetlands, remedy
57 ambiguities associated with the term in land area in chapter 16 as well as the
58 remedy and apparent ambiguities in the recently revised paragraph 16.5.18.b.

59 Cliff Clifford, 27 Miller Rd, talked about some of the ambiguities in the Kittery Land
60 Trust's letter.

61 Debbie Driscoll, resident of Kittery, stated the Public Hearing notice only states
62 housing to comply with LD2003 and does not mention any other changes to
63 zoning and feels as though that should be all they vote on tonight.

64 Melissa Paley, Kittery Point resident, asked that Council not to confuse the need for
65 housing with the need to protect the areas that keep our community resilient
66 against storms. She stated that wetlands are critical parts of our community.

67 John Succi, 46 Old Post Rd, discussed an example of wetland zoning changes of
68 Willand Pond, Somersworth, NH and the effects it had there.

69 Chair Spiller read an email from Matt Brock, Chair of the Housing Committee,
70 where he discussed the discretionary zoning changes stating that he supports
71 them and feels they will still maintain important protections to the environment.

72 Chair Spiller read an email from Emily Flinkstrom, Executive Director of Fair Tide,
73 where Mrs. Flinkstrom urged Council to please adopt changes to Title 16 before
74 them. She declared that these changes will aid in the housing crisis here in Kittery.

75 Councilor Stevens moves that in accordance with Title 30A MRS § 3001 and Town
76 Charter 2.4 the Town of Kittery ordain amendments to Town Code Title 16 Land Use
77 and Development code as presented, seconded by Councilor Hamm.

78 Councilor Clark reminded everyone that the deadline for LD2003 is for the 31st and
79 there will be no time to go back and adopt changes if they send this back to the
80 Planning Board.

81 Vice Chair McGuire clarified that the Town is looking differently at limited growth
82 areas vs. targeted growth areas and that we are adopting more restrictive approach
83 in limited growth areas and expansion in the targeted growth areas.
84 Town Manager confirmed this is correct.

85
86 Vice Chair McGuire asked for clarification on upland zones.
87 Town Manager responded.

88
89 Chair Spiller confirmed that we are not changing setbacks.

90
91 Councilor Stevens discussed information she learned at the workshop on the
92 changes proposed and asked for clarification on the impervious surface work.
93 Town Manager and Chair Spiller responded.

94
95 Councilor Stevens then asked what the potential impact on the wetlands might be
96 and if it is possible to take another look at the Towns setbacks rules and
97 requirements.

98
99 Councilor Hamm stated that he believes the proposal made is an example of
100 finding middle ground between the environment and development.

101
102 Vice Chair McGuire asked for clarification on the presentation given by the Planning
103 Board and how the members voted.

104 Town Manager responded.

105

106

107 Councilor Stevens asked about issues brought up by Mr. Clifford regarding the
108 language dealing with the minimal land area vs. lot area.
109 Town Manager responded.

110
111 Councilor Stevens asked what the impact may be if we follow Mrs. LaPoint's
112 suggestion of removing the word coastal from wetlands.
113 Director of Planning and Development, Jason Garnham responded.

114
115 Motion passes
116 7-0-0
117

118 b.(110223-02) The Kittery Town Council moves to hold a public hearing on
119 Title 10 – Three Way Stop Dennett Ext/Martin Road.

120 Town Manager gave an overview.

121 Lisa Linehan, 11 Ridgewood Drive, stated that she walks that way everyday and has
122 had to jump into a yard of a home because of cars coming by too fast. She believes
123 that it is a really dangerous corner and supports a 3 way stop.

124 Chair Spiller read an email from Marcia Peverly, who declared that she believes a 3-
125 way stop will cause more accidents than reducing them. She suggested possibly
126 having a sign with flashing LED lights around it, permanent signs that flash your
127 speed or reducing the corner speed to 10 MPH.

128 Chair Spiller read an email from Ted Marsters, Martin Rd, declared that it is his belief
129 that the neighborhood is in support of these signs. He would like Kittery leadership
130 to consider the following to make the streets even more safe; solid white lines on
131 both sides of the two roads to mark the shoulders, speed tables and related signage
132 and caution lights placed at strategic locations and additional signage and
133 cautionary lighting to announce the new stop signs.

134 Councilor Stevens moves that in accordance with Title 30A MRS § 3001 and town
135 charter § 2.14 the Town of Kittery hereby ordains amendment to Title 10 of the Town
136 code as presented, seconded by Councilor Hamm.

137 Councilor Clark asked if there would be flashing stop signs?
138 Town Manager responded.

139
140 Councilor Stevens stated that she agrees with Councilor Clark about the flashing
141 stop signs being a good idea with a change like this.

142
143 Chair Spiller stated that when the stop signs were installed at Seapoint and Cutts
144 Island Lane were installed people were quickly compliant with them.

145 Councilor Stevens asked if the committee was looking at white lines for
 146 pedestrians.
 147 Town Manager responded.
 148
 149 Motion passes
 150 7-0-0
 151
 152
 153 c. (110223-03) The Kittery Town Council moves to hold a public hearing on
 154 Tree Tips 3, LLC 8 Dexter Lane Marijuana License (Change in ownership).

155 Nick Friedman, owner of Tree Tips 3, wanted to introduce himself and let Council
 156 know he would be happy to answer any questions they may have.

157 Vice Chair asked for clarification that the Town has more restrictive rules than the
 158 State does.

159 Town Manager responded.

160 Move to approve the change of ownership as presented by Vice Chair McGuire,
 161 seconded by Councilor Bragg.

162 Motion passes
 163 6-0-1
 164 Councilor Clark abstained from the vote.
 165
 166 d.(110223-04) The Kittery Town Council moves to hold a public hearing on a
 167 new Victualers License for Board, LLC 5 Shapleigh Road Unit 108, Kittery.
 168 **Upon necessary approval from Code Enforcement.**

169 Move to issue the Victualers license for Board LLC contingent upon Code
 170 Enforcements approval by Vice Chair McGuire, seconded by Councilor Bragg.

171 Motion passes
 172 7-0-0
 173
 174
 175 11. DISCUSSION

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

179 12. UNFINISHED BUSINESS - None

180 13. NEW BUSINESS

181 a. Donations/gifts received for Council disposition.

182 b.(110223-05) The Kittery Town Council moves to approve Council rules for
183 the ensuring year.

184 Motion passes

185 7-0-0

186

187 c. (110223-06) The Kittery Town Council moves to approve the appointments
188 of Council members to standing and ad hoc committees.

189 Chair Spiller read through current committees and verified the current members
190 from Council.

191 Councilor Bragg asked to be removed from the Diversity and Equity Committee.
192 Chair Spiller volunteered to be added in place of Councilor Bragg.

193 Chair Spiller moved the appointments with the changes noted, seconded by
194 Councilor Hamm.

195 Councilor Stevens asked if Councilor Mason would be on any.

196 Chair Spiller stated that he would like to have some time to get familiar with and
197 catch up on each first before volunteering his commitments.

198 Motion passes

199 7-0-0

200

201 d.(110223-07) The Kittery Town Council moves to appoint a Councilor along
202 with the Chair of the Kittery Port Authority to interview Todd Endres for a
203 five-year term on the Kittery Port Authority.

204 Move to appoint Councilor Mason to interview Todd Endres by Chair Spiller,
205 seconded by Vice Chair McGuire.

206 Motion passes

207 7-0-0

208

209 e.(110223-08) The Kittery Town Council moves to appoint a Councilor along
210 with the Chair of the Educational Scholarship Committee to interview
211 Sarah Nohmer for a 2-year term on the Education Scholarship Committee.

212 Move to appoint Councilor Hamm along with the chair of Educational Scholarship
213 Committee to interview Sarah Nohmer by Chair Spiller, seconded by Councilor
214 Clark.

215 Motion passes
216 7-0-0

217
218 f. (110223-09) The Kittery Town Council moves to accept the resignation from
219 Chris Perkins from the Capital Improvement Plan Committee.

220 Vice Chair McGuire expressed his gratitude for Mr. Perkins expertise and help over
221 the years.

222 Move to accept resignation with thanks by Vice Chair McGuire, seconded by
223 Councilor Clark

224 Motion passes
225 7-0-0

226
227 g.(110223-10) The Kittery Town Council moves to schedule a public hearing
228 on December 11, 2022 on Title 13 – Municipal Property Tax Assistance
229 Maximum.

230 Town Manager gave an overview.

231 All were in favor.

232
233 14. COUNCILOR ISSUES OR COMMENTS

234 Councilor Mason stated that we need to keep LD2003 and keeping the other
235 setbacks top of mind.

236 Councilor Clark stated that we only have one postman in the Town of Kittery and
237 thanked him for his extra hard work this season.

238 Councilor Hamm stated that there was a housing advocacy bootcamp that he
239 attended and learned a lot from it. He mentioned that he had a conversation with a
240 resident in town who thought that we should take care of our current residents
241 before expanding housing within the town. Councilor Hamm believes that “we” are
242 always trying to be better for the people here now and who will be here tomorrow.
243 He closed with a book recommendation called Paved Paradise, which discusses
244 how America is over parked.

245 Councilor Stevens had an opportunity to attend the Traip Academy musical and
246 thought that it was very good. She stated that she felt it was really interesting to
247 see how all the students, faculty and parents pulled it together.

248 Vice Chair McGuire also thanked our postman. He also stated that he was very
249 disappointed the 8th Circuit has ruled and hollowed out a major section to the
250 voting rights act. Lastly, he expressed his sadness to hear of the shooting in
251 Vermont.

252 Chair Spiller stated that she hopes to see everyone at the parade this weekend.

253 15. COMMITTEE AND OTHER REPORTS

254 a.Communications from the Chairperson

255 b.Committee Reports

256 16. EXECUTIVE SESSION

257 17. ADJOURNMENT

258

259 Move to adjourn by Councilor Bragg, seconded by Councilor Hamm.

260

261 All were in favor of adjournment.

262

263

264 Submitted by Jennifer Wheeler

265

266 Disclaimer: The following minutes constitute the author's understanding of the
267 meeting. Whilst every effort has been made to ensure the accuracy of the
268 information, the minutes are not intended as a verbatim transcript of comments at
269 the meeting, but a refer to the video of the meeting on the Town of Kittery website.

Kittery Town Council
December 11, 2023

1
2
3
4
5 1. Call to Order

6 Chair Spiller called the meeting to order.

7 2. Land Acknowledgement & Introductory

8 3. Pledge of Allegiance

9 4. Roll Call

10 Councilors present- Councilor Bragg, Councilor Clark, Councilor Hamm, Councilor
11 Stevens, Vice Chair McGuire, Chair Spiller

12 Councilors not present- Councilor Mason

13 5. Agenda Amendment and Adoption

14 Chair Spiller casts one vote in favor of adoption as presented.

15 6. Town Manager's Report

16 Town Manager reported on the Holiday Parade, National Fish and Wildlife
17 Foundation Grant and the Freebie Barn.

18 Upcoming Dates:

19 Freebie Barn Closed – Month of December

20 Rte 236/Dennett Road Hydrological Study – December 14

21 Breakfast with Santa – December 16

22 Town Hall Closed Holidays – December 25, 2023 and January 1, 2024

23 Dog License Renewal Deadline – January 31, 2024
24

25 Councilor Stevens asked about the staff who were involved in getting the grants for
26 our community.

27 Town Manager responded.
28

29 Chair Spiller stated that the ribbon cutting for the expansion on the Gorges Road
30 Fire Department was a very nice ceremony.
31
32

33 7. Acceptance of Previous Minutes-None

34 8. Interviews for the Board of Appeals and Planning Board

35 9. All items involving the town attorney, town engineers, town employees or
36 other town consultants or requested offices.

37 a.(120123-01) The Kittery Town Council moves to receive a presentation from
38 Dr. Cameron Wake, the Chair of the Climate Adaptation Committee on
39 the Climate Action Plan Strategies.

40 Chair Spiller introduced Cameron Wake.

41 Dr. Cameron Wake gave a presentation on climate action strategies.

42 Councilor Stevens asked Dr. Wake to discuss how all scientists agree on climate
43 change and the effects that it is having on earth.

44 Dr. Wake responded.

45

46 Chair Spiller introduced Thomas Morley, the community planning and liaison officer
47 at the Naval Shipyard.

48 Mr. Morley gave a presentation on climate change and the Navy's involvement.

49 Councilor Hamm asked Mr. Morley if the traffic associated with the shipyards
50 employees is on the Shipyard's radar of discussion and change.

51 Mr. Morley responded.

52

53 Chair Spiller stated that the National Fish and Wildlife Foundation Grant was a
54 result of the work that the climate adaptation committee had done. She thanked
55 the committee as well as the Town Manager for all their help and hard work in
56 getting grants like this for the Town.

57

58

59 10. PUBLIC HEARINGS

60 a.(120123-02) The Kittery Town Council moves to hold a public hearing on
61 Title 13 – Municipal Property Tax Assistance Maximum.

62 Town Manager gave an overview.

63

64 Chair Spiller moves that in accordance with Titles 30A MRS § 3001 and Town Charter
65 § 2.14, the Town of Kittery hereby ordains amendments to Title 13.4.3 of the Town
66 Code and amended appendix A as presented, seconded by Councilor Hamm.

67 Councilor Hamm asked the Town Manager asked if the funds would be coming
68 from the Town's money.

69 Town Manager responded.

70 Motion passes

71 6-0-0

72

73 11. DISCUSSION

74 a. Discussion by members of the public (three minutes per person)

75

76 Robert McDonough, 48 Old Post Rd, stated that he is a member of Parks
77 Committee as well as a recent member of the Climate Action Committee. He stated
78 that he is very proud of the work that is being done within the community and that
79 we should be appreciative of the expertise that we have.

80

81 Melissa Paley, founding member of the Kittery Climate Action Now group, stated
82 that there are a lot of people in the committee that really care about this topic and
83 will work hard to implement this. She also thanked Chair Spiller, Cameron Wake
84 and all involved.

85

86 Patty Chesney, asked about the communication in regards to getting involved
87 within the community and helping people to understand things. She
88 recommended people look into jumping worms.

89

90 Romey Charlesworth, stated that it can sometimes be difficult finding information
91 and asked that minutes be posted more regularly for planning board and give
92 more details within them. She also stated that she is grateful for the Climate action
93 groups. Lastly, she stated that some strategies are best implemented by Town
94 Ordinances and asked who organizes and makes those happens.

95

96 b. Response to public comment directed to a particular Councilor

97

c. Chairperson's response to public comments

98 Chair Spiller read an email from Suzanne Johnson who reported that she would like
99 to see one of Maine's edible seaweed companies replace Warrens Lobster.

100 Chair Spiller read an email from Nancy Lovett, who thanked the Town Manager and
101 climate adaptation task force for the direction provided over the last several years
102 as a plan was developed and moved forward.

103 Chair Spiller thanked everyone who has supported the climate action planning
104 efforts.

105 Chair Spiller responded to the question for how to get information within the town.
106 She also responded to the concerns about minutes being posted. Chair Spiller
107 stated that the minutes are very close to up to date.

108 Vice Chair McGuire also stated that the Kittery Town Hall Facebook page is also an
109 excellent source of information as well as signing up for e alerts on the town
110 website.

111 12. UNFINISHED BUSINESS - None

112 13. NEW BUSINESS

113 a. Donations/gifts received for Council disposition.

114 b.(120123-03) The Kittery Town Council moves to approve the Climate Action
115 Plan Strategies.

116 Move to accept by Chair Spiller, seconded by Councilor Bragg.

117 Chair Spiller stated that the strategies will soon be accompanied by a foundational
118 document that will outline some various relations Dr Wake discussed earlier.

119 Vice Chair McGuire stated that he is impressed with the quality of the expertise we
120 have in town.

121 Motion passes

122 6-0-0

123

124 c. (120123-04) The Kittery Town Council moves to discuss the 2024 Annual
125 Goals.

126 d.(120123-05) The Kittery Town Council moves to appoint Todd Endres to the
127 Kittery Port Authority for a five-year term to expire December 31, 2028.

128 Moves to appoint Todd Endres by Councilor Stevens, seconded by Councilor Clark

129 Motion passes

130 6-0-0

131

132 e. (120123-06) The Kittery Town Council moves to appoint a Councilor along
133 with the Chair of the Housing Committee to interview Priscilla Ford for a

134 three-year term on the Housing Committee.

135 Move to appoint Chair Spiller to interview Priscilla Ford by Vice Chair McGuire,
136 seconded by Councilor Hamm.

137 Motion passes
138 6-0-0

139
140 f. (120123-07) The Kittery Town Council moves to appoint a Councilor along
141 with the Chair of the Capital Improvement Committee to interview Jeff
142 Thomson for a three-year term on the Capital Improvement Committee.

143 Move to appoint Councilor Stevens to interview Jeff Thomson by Councilor Bragg,
144 seconded by Councilor Hamm.

145 Motion passes
146 6-0-0

147
148 g.(120123-08) The Kittery Town Council moves to appoint a Councilor along
149 with the Chair of the Economic Development Committee to interview
150 Douglas Basnett for a three-year term on the Economic Development
151 Committee.

152 Move to appoint Vice Chair McGuire to interview Douglas Basnett by Councilor
153 Hamm, seconded by Councilor Clark.

154 Motion passes
155 6-0-0

156
157 h.(120123-09) The Kittery Town Council moves to accept resignations from
158 the following members of the Conservation Committee.

- 159
- Karen Saltus
 - Edwin Thompson
- 160

161
162 Move to accept resignations with thanks by Vice Chair McGuire, seconded by
163 Councilor Hamm.

164
165 Motion passes
166 6-0-0

167
168
169 i. (120123-10) The Kittery Town Council moves to reappoint the following
170 Board and Committee members; all terms are for three years and will
171 expire December 31, 2026 unless otherwise noted.

- 172 • Frederick Nohmer – Board of Appeals
- 173 • Joyce Tobey – Board of Trustees of Trust Funds
- 174 • Erin Kempster – Climate Adaptation
- 175 • David Gibson – Climate Adaptation
- 176 • Jeffrey Clifford – Capital Improvement Plan
- 177 • Gerri Luke – KCC Board of Directors
- 178 • Rose Eppard – KCC Board of Directors
- 179 • Gale Turner – Parks Commission
- 180 • Maureen Bilodeau – Parks Commission
- 181 • Russell White – Planning Board
- 182 • Charles Patten – Port Authority (5-year term, expires 12/31/2028)
- 183 • Steven Lawrence – Port Authority (5-year term, expires 12/31/2028)

184
185 Move to re appoint all member s by Councilor Stevens, seconded by Councilor
186 Hamm.

187
188 Motion passes
189 6-0-0

190
191
192 14. COUNCILOR ISSUES OR COMMENTS

193 Councilor Stevens stated that the E Alerts are the best way to get information on
194 the town. She also thanked everyone working on the climate action plan.

195 Councilor Hamm thanked Dr. Wake and the Chair as well as everyone involved with
196 the climate action plan. He also stated that he will be on military leave from January
197 to April. He also talked about patriotism in our country and community.

198 Councilor Clark stated that he believes living without social media provides a better
199 life.

200 Councilor Bragg stated the holidays can be hard on people and hopes that those
201 people know that they are not alone, please reach out to local resources and to
202 never feel guilty or embarrassed.

203 Vice Chair McGuire wanted to acknowledge the fire department and thanked
204 everyone who attended the holiday parade. He also agrees that the E Alerts are the
205 best way to find information within the town. Lastly, he wished everyone a happy
206 holiday season.

207 Chair Spiller thanked everyone for a productive and positive year. She also wished
208 everyone a happy holiday and hopes that people remember the victims of the
209 Lewiston mass shooting and hopes to see change on laws regarding assault
210 weapons in the new year.

211

212 15. COMMITTEE AND OTHER REPORTS

213 a.Communications from the Chairperson

214 b.Committee Reports

215 16. EXECUTIVE SESSION

216 17. ADJOURNMENT

217

218 Motion to adjourn by Councilor Bragg, seconded by Councilor Hamm.

219

220 All were in favor.

221

222 Submitted by Jennifer Wheeler

223

224 Disclaimer: The following minutes constitute the author's understanding of the
225 meeting. Whilst every effort has been made to ensure the accuracy of the
226 information, the minutes are not intended as a verbatim transcript of comments at
227 the meeting, but a refer to the video of the meeting on the Town of Kittery website.

WILLIAM C. SMART
JUDITH P. SMART

52-7445/2112

4394

PH: 207-439-4703
36 MENDUM AVENUE
KITTELY, ME 03904-1505

DATE Dec 14, 2023

PAY TO THE
ORDER OF

George Smart Santa Fund

\$ 150.00

One hundred fifty + 00/100

DOLLARS



Security Features
Included
Details on Back.

TD BANK

FOR

W.C. Smart

MP





TOWN COUNCIL & TOWN MANAGER ANNUAL GOALS 2024 DRAFT

Town Council Goals Council Conduct

- Continue to conduct Council business respectfully as we work toward consensus and capitalize on our experiences and diversity
- Encourage and support new, creative ideas and reasonable risk taking for the advancement of the community

Affordability

- Continue to support community conversations around understanding affordable housing and its role in Kittery (3.3, 4.1, 4.2, 8.5)
- Direct funding, where appropriate, to the Housing Fund (4.1, 4.2)
- Consider establishing Housing and Transportation TIFs in key areas of Town
- Support Joint Land Use Study strategies to address affordable housing and expanded transportation options.

Community

- Amend where necessary and appropriate, Town ordinances, policies, and practices to assure fairness, equity, and inclusion for all Kittery residents and visitors. (7.1)
- Support efforts of Traffic and Parking Ad Hoc Committee and adopt Traffic Calming and Parking Management policies (5.4)
- Guide evaluation and funding strategies for the implementation of the Memorial Field Rehabilitation and KCC Master Plan

Climate Resilience

- Identify funding strategies for key Climate Action Plan initiatives.
- Revise ordinances to require and permit only water-dependent uses along the shore (CAP 5)
- Adopt Low Impact Development ordinance to reduce impervious surfaces and preserve natural landscapes and native vegetation (CAP 2)
- Amend Shoreland Overlay Zone ordinance to respond to increasing storm surge and flooding. (CAP 5)
- Advance greater electrification of the Town's operations and fleet (9.2)
- Actively engage with regional partners to advocate for:
 - Statewide limits on residential use of fertilizers, pesticides, and herbicides (CAP 4)
 - Expansion of public transit in southern Maine (CAP 18)

Fiscal Responsibility and Town Services

- Adopt a budget that is progressive, responsible, responsive to community expectations and needs (7.4)
 - Encourage the Town Manager's continued assessment of Town needs and the effectiveness of Town service delivery (7.1)
-

Town Manager Goals

Support Council's efforts to implement the Comprehensive Plan 5 Year Action Plan (see Council Goals)

Launch the Comprehensive Plan Update and include robust public engagement and incorporation of various existing plans and input including the Climate Action Plan, DEI Committee review, Bike/Ped Master Plan, housing goals, Joint Land Use initiatives, Library Strategic Plan, among others.

Support long term planning and growth management objectives

- Identify programs, grants, and property acquisitions that retain or increase working waterfront access (6.1, 6.2)
- Recommend amendments to the Business Park Zone that reflect the hydrological study, community objectives, and market analysis (3.2, 3.5)
- Evaluate opportunities to establish TIF districts for housing and transportation.

Climate Action

- Inventory heat islands, street trees, shade areas, and develop plan to plant more trees and install shade trees. (CAP 6)
- Develop and implement community strategies for public health advisories about climate-related health risks (CAP 7)
- Working with PNS and York County Emergency Management review and update evacuation routes, signage, and maps to direct people away from flood and climate-related hazards (CAP 11)
- Implement DOE Energy Efficiency Block Grant to incentivize and support residential weatherization and energy efficiency improvements for low and mid-income residents (CAP 12)

Social and Racial Equity and Justice

- Develop programs, recognitions, and activities that engage the community and draw attention to the diversity of annual celebrations observed throughout the community
- Assist in the implementation of regular diversity education/engagement programs that bring community members together, celebrates the diversity of Kittery, and increases the sense of belonging for all people

Enhance Financial Stability

- Produce a 2024 budget that seeks to respond to service expectations of the community, and appropriately addresses unmet needs and responds to growing inflation (7.4)
- Propose a budget that sufficiently provides for the public safety needs of the community in the areas of Fire, Police and Dispatch.
- Engage in the upcoming successor collective bargaining agreements with the goal of balancing recruitment and retention of high-quality staff with affordability for the community.

Enhance Municipal Services

- Launch Police Citizens Academy and expand to other areas as appropriate
- Continue to implement short-term recommendations from Bike/Ped Master Plan (5.2, 5.3, 9.1)
- Finish development of the five-year strategic plan for the Library and present recommendations
- Develop a funding plan for the implementation of the Memorial Field Rehabilitation and KCC Master Plan
- Create a youth “club” that offers drop in/unscheduled youth activities at the KCC and increase
- Increase access to passive recreation opportunities for young adults by expanding the Pop Up game pod initiatives and other programs
- Continue to grow community awareness and access to official Town information by providing learning opportunities for navigating the Town’s website, social media accounts, and other community and input tools

From: [Mike Peabody](#)
To: [Jillian Richards](#)
Cc: [Permits](#)
Subject: Town of Kittery - Eastern States 20 Miler Permit Request
Date: Thursday, November 30, 2023 3:16:23 PM
Attachments: [KitteryTownRequest-EasternStates-2024.pdf](#)

Good afternoon Ms. Richards,

I hope this finds you well. At Millennium Running we are looking forward to next year and are beginning to submit our permits for 2024 events, including the annual Eastern States 20 Miler scheduled for 3/17/24.

I have attached a Permit Request Letter for the event to start at Traip Academy in the Town of Kittery. I'll be reaching out to Lt. Desjardins shortly to confirm the route and necessary Police Detail locations from KPD. We have also already submitted paperwork to the school district for the use of Traip Academy.

We are looking forward to working with the Town of Kittery to produce a fun, safe event at the Eastern States 20 Miler once again in 2024! Please let us know if you have any questions or need any additional information or documentation.

Thanks so much!

--

- Mike Peabody
Chief Operating Officer

Millennium Running - Events - Registration - Timing

mpeabody@millenniumrunning.com

Millenniumrunning.com

O: (603) 488-1186 x 2 for events, x 3 for my desk

C: (603) 505-6403



Millennium Running
138 Bedford Center Rd.
Bedford, NH 03110
Tel: 603-488-1186
www.millenniumrunning.com

November 30, 2023

Jillian Richards, Town Clerk
Town of Kittery
200 Rogers Road
Kittery, ME 03904
207-475-1313
JRichards@kitteryme.org

RE: Event Request - Eastern States 20 Miler & Half Marathon

Dear Ms. Richards,

I am writing you, on behalf of Millennium Running, for the Town of Kittery's approval for the Eastern States 20 Miler & Half Marathon to be held in the Town of Kittery on Sunday, March 17, 2024.

Eastern States Road Race has been a staple in the community for over 20 years and has always been well received by the public. We are excited to continue its legacy. As part of our permitting process, we have already requested and received approval from our "Registration Area" Host at Traip Academy. Additionally, it should be noted that we will not be serving any food or alcohol at the event.

We are requesting approval to utilize roadways including Whipple Rd, Shapleigh Rd, Rogers Rd/Wentworth St and Walker Street. Starting at Traip Academy, participants will run in the SB lane of Shapleigh Rd before turning onto Rogers Rd. At Walker St they will turn right until they turn left onto SB Route 1 (State Road / Newmarch Street), and cross the bridge into Portsmouth.

We will work closely with the Kittery Police Department to ensure proper coverage for the event. The estimated time of impact from the start of the race until all runners are across the border into Portsmouth, NH is from 11:00 AM until 11:38 AM.

The course map can be viewed at <https://www.mapmyrun.com/routes/view/5460428053>

This event will be making charitable donations to our official charity the Special Olympics, as well as numerous local high school organizations from Exeter, Winnacunnet, Oyster River, and Portsmouth High Schools. To date, Millennium has distributed over \$1.3 Million to local organizations from our signature events. We look forward to producing safe, first-class events for our running community while raising funds for our charitable partners.

Further information on the race can be found at <http://www.millenniumrunning.com/easternstates> or by contacting us directly (Permits@MillenniumRunning.com) with any questions and/or concerns.

Thank you,

Cullen Madden, Director of Operations
Millennium Running



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/08/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Management Group 12730 Coldwater Rd Ste 103 Fort Wayne IN 46845		CONTACT NAME: Liz Painter PHONE (A/C, No, Ext): (260) 338-2434 E-MAIL ADDRESS: lpainter@insmgt.com FAX (A/C, No): (765) 664-0761	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Granite State Insurance Company	NAIC # 23809
INSURED Road Runners Club of America/2024 and Its Member Clubs 1501 Langston Boulevard, Suite 140 Arlington VA 22209		INSURER B: National Union Fire Insurance Company of Pittsburgh, PA	19445
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 2024 \$1M A.I. Liability **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

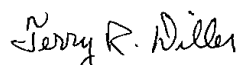
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Legal Liability to <input type="checkbox"/> Participant \$1,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: For Event Basis			AIL0003450335100	12/31/2023	12/31/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			AIL0003450335100	12/31/2023	12/31/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)			AID0003450335800	12/31/2023	12/31/2024	Excess Medical \$10,000 AD & Specific Loss \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS TO THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 03/17/24 The Eastern States INSURED RRCA CLUB/EVENT MEMBER: Millennium Running ATTN: Cullen Madden, 138 Bedford Center Road, Bedford NH 03110 Processed by RMV

CERTIFICATE HOLDER

CANCELLATION

03/17/24 Town of Kittery, ME 200 Rogers Road Kittery ME 03904	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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TOWN COUNCIL BOARDS AND COMMITTEES
INTERVIEW FORM

TO: KITTERY TOWN COUNCIL

FROM: COUNCILOR Stevens and Town Manager Amarat

RE: APPOINTMENT TO Capital Improvement Plan Com

DATE OF INTERVIEW: 12/13/23 at 2 a.m./p.m.

We have interviewed Jeffrey Thomson, on the date and time above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on 12/31/26

Mary S. Stevens
[Signature]
Signatures

ATTENDANCE RECORD (for reappointments only)

Excellent _____
Good _____
Poor _____

TO: KITTERY TOWN COUNCIL

FROM: COUNCILOR Spiller and Chair Hrusiy, Brock

RE: APPOINTMENT TO Horsing Comm. Hc

DATE OF INTERVIEW: 12/14/23 at 10 0 a.m./p.m.

We have interviewed Priscilla Ford, on the date and time noted above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on 12/31/27

ATTENDANCE RECORD: Excellent
Good
Poor

[Signature]
[Signature]
Signatures


COMMENTS:

TOWN COUNCIL BOARDS AND COMMITTEES
INTERVIEW FORM

TO: KITTERY TOWN COUNCIL
FROM: COUNCILOR Clark and Todd
RE: APPOINTMENT TO Shellfish Committee

DATE OF INTERVIEW: 12/13/23 + 12/20/23 at 4 a.m./p.m. (p.m.)

We have interviewed Barry Hayes, on the date and time above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on _____



Signatures


ATTENDANCE RECORD (for reappointments only)

Excellent _____
Good _____
Poor _____

Petition to Town Council,

We live on Rogers Road, very close to the Buckley Way sewer manhole. We request the town allow us to connect to it.


51-53 Rogers Road

 William Peirce

5 Johnson Court

 Ronald King

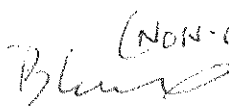

6 Johnson Court

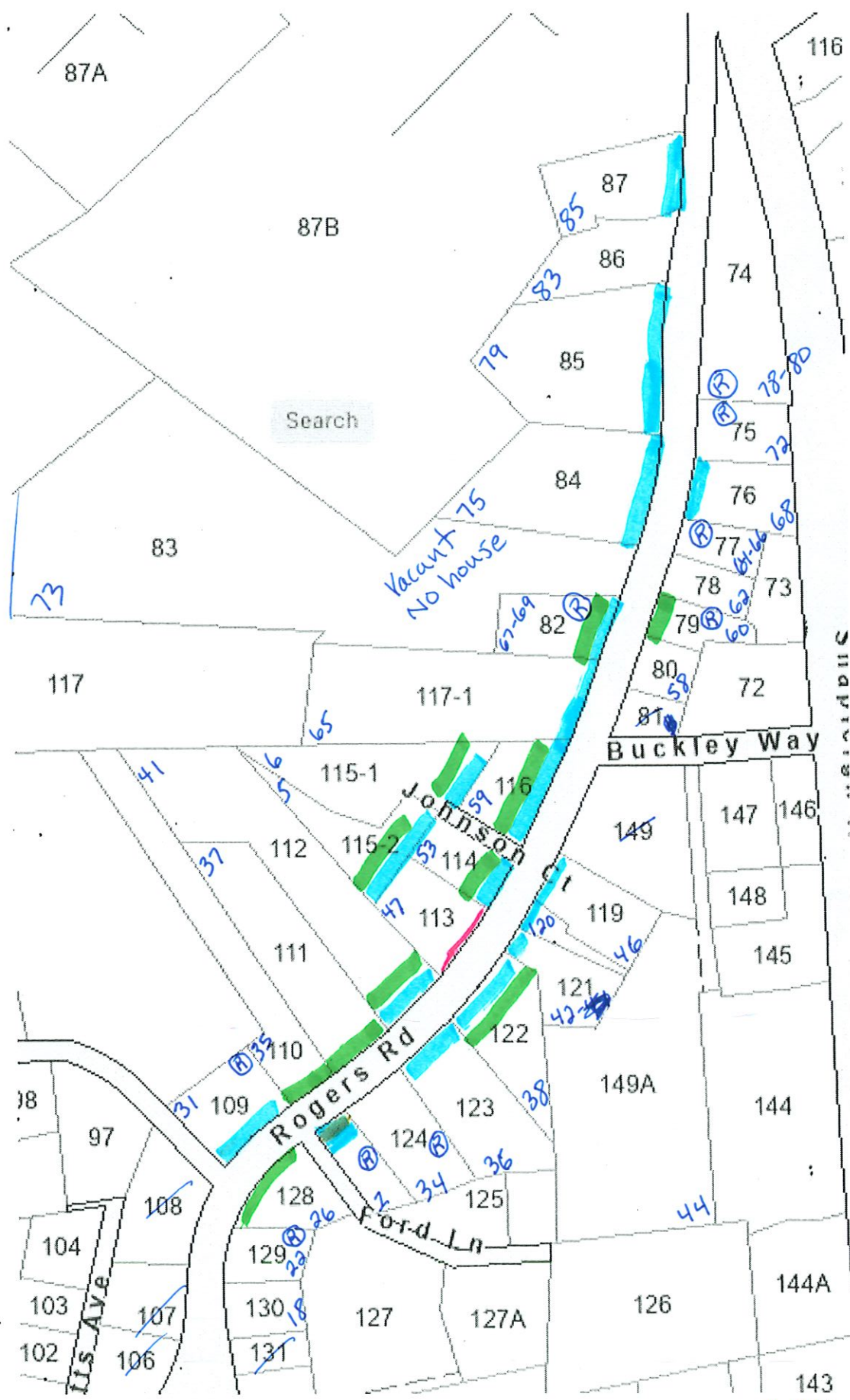
 MATTHEW HARGREAVES

59 Rogers Road

46 Rogers Road

1/2 Rogers Rd

 (NON-COMMITMENT) Bruce Cameron
 (NON-COMMITMENT) Melissa Platt



█ probably
█ for it
█ against
 (R) renter