

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 March 11, 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
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. (030124-01) The Kittery Town Council moves to accept the annual report from the Housing Committee.

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.

(030124-02) The Kittery Town Council moves to accept a donation from the Lester A. and Dorothy M. Avery Fund to the George Smart Santa Fund, account #1372.

- b. (030124-03) The Kittery Town Council moves to schedule a public hearing on Title 10 – Seapoint Road Parking Clarification for March 25, 2024.

- c. (030124-04) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Conservation Committee to interview Rosemary Charlesworth for a three-year term on the Conservation Committee.

- d. (030124-05) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Parks Commission to interview Antoneil Banton for a three-year term on the Parks Commission.

- e. (030124-06) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Board of Assessment Review to interview Antoneil Banton for a three-year term on the Board of Assessment Review.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

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

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: March 6, 2024

From: [Make A Grant](#)
To: [Jillian Richards](#)
Subject: NHCF Designated Award Letter
Date: Monday, February 19, 2024 8:18:27 AM

Date: February 16, 2024

To: Ms. Jillian Richards
Town of Kittery, ME
200 Rogers Road
Kittery, ME 03904

Grant ID#: 157411

Re: Lester A. and Dorothy M. Avery Fund (4046-1)

Your organization is the beneficiary of a fund held by the New Hampshire Charitable Foundation. The amount of the payment is \$3,979.09. The fund purpose language is included with this memo as a reminder of how distributions from this fund may be used.

Your check will be mailed within 7-10 business days.

Grant awards are made only for charitable purpose(s) as specified in the language for this fund. Your deposit of grant award checks signifies your intent to comply with the purpose(s) designated by the donor and confirms that you understand that the expenses covered by this grant will be for charitable purposes.

If your IRS tax status should change, please contact us immediately.

If you have questions about the grant check, grant purpose, or Terms of Award, please refer to our FAQ www.nhcf.org/checkmintfaq. If you still need assistance or if this email has reached you in error, please contact us at checkmint@nhcf.org.

FUND PURPOSE LANGUAGE:

“for the George Smart Santa Fund”



NEW HAMPSHIRE
 CHARITABLE FOUNDATION
 37 Pleasant Street
 Concord, NH 03301

151 125



TOWN OF KITTEERY, ME
 200 ROGERS ROAD
 KITTEERY ME 03904-1483



PAYMENT SUMMARY

GRANT ID: **GE-D24-157411-1** CHECK AMOUNT: **3,979.09**
 CHECK DATE: **02/16/2024**

| GRANT PURPOSE: | AMOUNT |
|---|--------------|
| George Smart Santa Fund - designated distribution. | 1.00- |

PLEASE REFER TO EMAILED GRANT AWARD LETTER FOR DETAILS OF THIS PAYMENT.

By cashing this check you agree to comply with New Hampshire Charitable Foundation's Terms of Award. To view the Foundation's Terms of Award and Frequently Asked Questions, please visit <http://www.nhcf.org/TermsOfAward>. Email checkmint@nhcf.org with updated email addresses or questions that are not answered in the FAQ.

(Detach Here)



NEW HAMPSHIRE
 CHARITABLE FOUNDATION
 37 Pleasant Street
 Concord, NH 03301

54-153/114

CHECK DATE
 02/16/2024

CHECK NUMBER
 0000286812

THREE THOUSAND NINE HUNDRED SEVENTY NINE DOLLARS 09 CENTS

\$*****3,979.09

TO
 THE
 ORDER
 OF:

TOWN OF KITTEERY, ME
 200 ROGERS ROAD
 KITTEERY ME 03904-1483

Citizens Bank
 875 Elm St
 Manchester, NH 03101

Michael G. Hill
 Michael G. Hill

330512735111



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200 Rogers Road, Kittery, ME 03904
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REPORT TO TOWN COUNCIL

Meeting Date: March 11, 2024
From: Kendra Amaral, Town Manager
Subject: Title 10 – Seapoint Road Parking Clarification
Councilor Sponsor: Chairperson Judy Spiller

OVERVIEW

The Town received requests to address issues with parking along the roadside and adjacent to the protected marshland on Seapoint Road.

In addition and in conjunction with reviewing the complaints Police Chief Richter noted the current ordinance references pole numbers that are no longer present along this road.

The proposed amendment will clarify where parking is prohibited and allow the Town to install signage that is clearer about parking areas.

In conjunction with the work on the parking regulations, the staff will install natural barriers (aka boulders) along the curve adjacent to the bridge to prevent parking along this section of road. The town currently posts temporary no-parking signage during peak season; however the signage is often moved, blown over, or thrown into the creek. The natural barriers will be more effective in preventing parking at this busy curve.

PROCESS

Staff met with residents in the immediate area to learn more about the challenges, investigate pole numbers, and observe the erosion of road embankment and deterioration of the adjacent marshland.

Staff also met with representatives from the National Fish and Wildlife Service responsible for the management of the Rachel Carson Reservation to discuss parking, access to the trail, and measures to help protect the natural areas.

Finally, a letter was sent to the abutters of Seapoint Road outlining the proposed changes and seeking input and feedback. As of February 26th, only one resident has responded, and their feedback was in support of the proposed amendments and measures.

PROPOSED SOLUTION/RECOMMENDATION

Adopt the amendment as proposed.

ATTACHMENTS

- Draft Title 10 – Seapoint Road Parking Clarification
- Draft Title 10 – Seapoint Road Parking Clarification Enactment
- Map of Impacted Area
- Sample Abutter Letter

**TITLE 10: VEHICLES AND TRAFFIC
STOPPING AND STANDING
SEAPOINT ROAD**

1. AMEND § 10.3.1.1 Prohibited at all times as follows:

Parking is prohibited at all hours in the following locations:

Seapoint Road, ~~north side, from the New England Telephone pole number 4 in a westerly direction for 2,298 feet~~ excepting in areas designed by the Town.

~~Seapoint Road, south side, from the New England Telephone pole number 4 in a westerly direction for 250 feet~~

~~Seapoint Road, western end of the designated parking area along Seapoint Road, a distance of 220 feet in a westerly direction~~

KITTERY TOWN CODE
TITLE 10
STOPPING AND STANDING
SEAPOINT ROAD

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

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

10 **WHEREAS**, the Town was alerted to safety concerns of adjacent neighbors relative
11 to parking in restricted areas on Seapoint Road; and

12 **WHEREAS**, it was found, upon reviewing the ordinance, that utility poles, used as
13 delineators of areas and distances for parking restrictions, no longer exist on the
14 road; and

15 **WHEREAS**, the Town desires to ensure the parking regulations for Seapoint Road
16 are clear to motorists and enforcement personnel;

17 **NOW THEREFORE**, IN ACCORDANCE WITH TITLES 30-A MRS §3001 AND TOWN
18 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE
19 10 OF THE TOWN CODE, AS PRESENTED.

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

24 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of
25 Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____ ,
26 Chairperson

27 **Attest:** {NAME}, _____Town Clerk



Kittery, ME

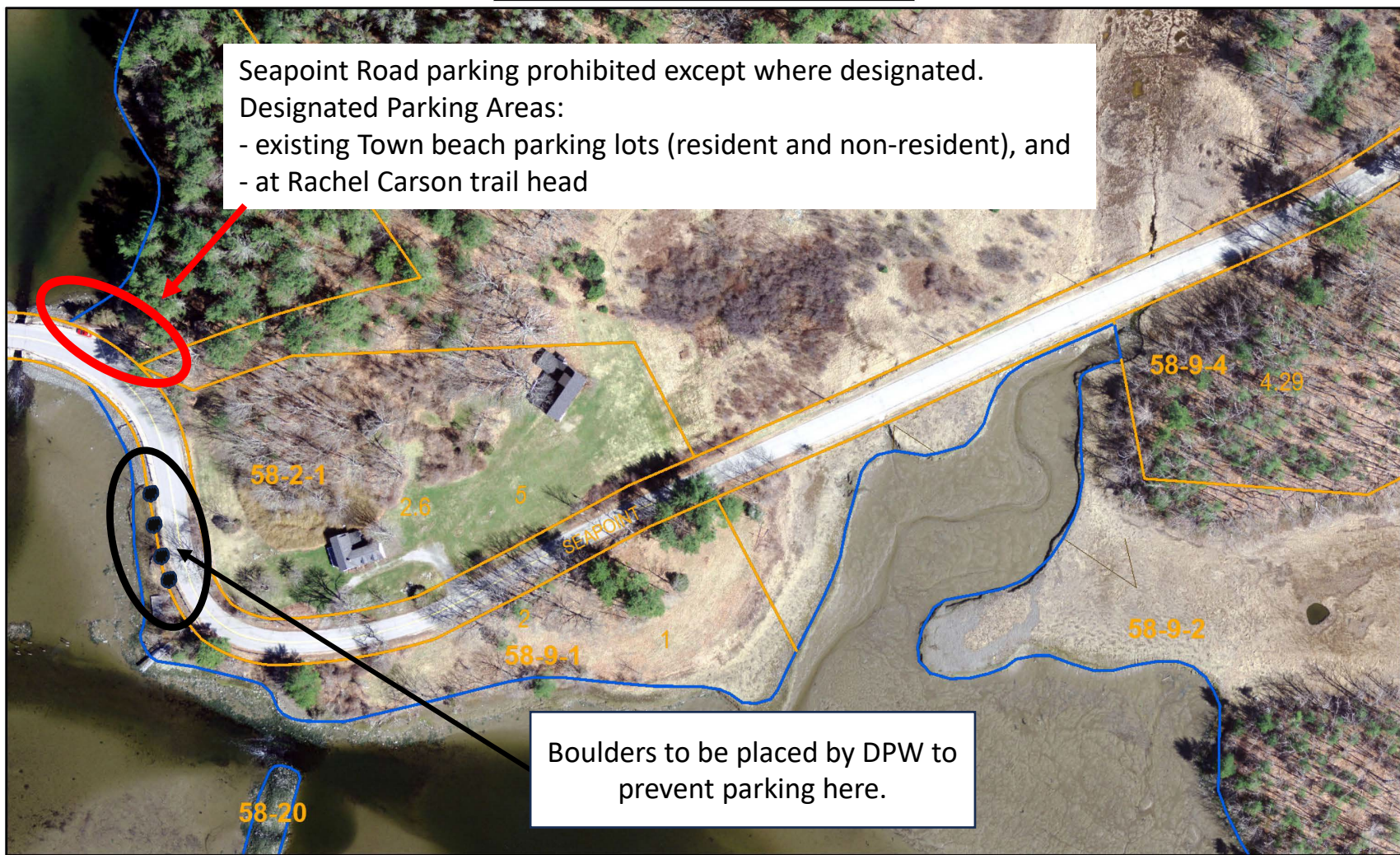
1 inch = 137 Feet

0 137 274 411



www.cai-tech.com

Seapoint Road parking prohibited except where designated.
Designated Parking Areas:
- existing Town beach parking lots (resident and non-resident), and
- at Rachel Carson trail head



Boulders to be placed by DPW to prevent parking here.

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.



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

February 7, 2024

Dear Property Owner,

This letter is to inform you the Town is considering proposing an amendment to Town Code Title 10: Vehicles and Traffic to clarify and reinforce the parking restrictions on Seapoint Road from the bridge to the beach. This amendment is being considered at the request of residents in the neighborhood.

Enclosed please find a map indicating what the proposed Title 10 amendments will accomplish in terms of parking regulations/restrictions. The Town is also considering installing boulders in the area indicated on the map, to physically prevent cars from parking at this dangerous curve. Parking regulations are decided upon by the Town Council, following a posted public hearing.

We are reaching out to invite you to share your thoughts on the potential parking regulations and control measures the Town is considering. If the neighborhood in the impacted area is not opposed to the changes, we anticipate moving forward the proposal to the Town Council at their March 11, 2024 meeting.

Please note: For the purpose of engaging direct abutters, this notice was sent to all property owners with frontage on Seapoint Road, and property owners within 500 feet of the bridge. There is no intent to exclude potential interested community members. The information provided herein is public record. Any action of the Council will take place in open session, with the agenda posted in advance on the Town website, at the Kittery Resource Recovery Facility, Town Hall, and the local post offices.

If you have any questions, support or oppose the proposed change, or wish to discuss the proposed change in greater detail, please do not hesitate to contact me at 207-475-1329 or kamaral@kitteryme.org. To stay current on Town meetings, agenda, and activities please consider signing up for E-Alerts at www.kitteryme.gov, follow us on Facebook and Instagram @KitteryTownHall, and on LinkedIn @town-of-kittery-maine, and watch Channel 22 on Comcast.

Sincerely,

Kendra Amaral
Town Manager



TOWN OF KITTERY

Office of the Town Clerk

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1313 | Fax: 207-439-6806

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Rosemary CHARLESWORTH (Romy)
 RESIDENCE: 37 CUTTS ISLAND LANE, KITTERY POINT
 MAILING (if different) P.O. Box 185 KITTERY POINT 03905
 E-MAIL ADDRESS: romycworth@gmail.com
 PHONE #: (H) _____ (W) _____ (C) 917.834.0879

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input checked="" type="checkbox"/> Conservation Commission | <input type="checkbox"/> Board of Trustees of Trust Funds |
| <input type="checkbox"/> Comprehensive Plan Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Kittery Port Authority |
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Kittery Land Issues Committee |
| <input type="checkbox"/> Kittery Housing Committee | <input type="checkbox"/> Kittery Climate Adaptation Committee |
| <input type="checkbox"/> KCC Board of Directors | <input type="checkbox"/> Library Advisory Committee |
| | Other _____ |

EDUCATION/TRAINING: BA, BFA, Lifetime of interest in nature + science

RELATED EXPERIENCE (Including other Boards and Commissions): not
passionate interest in preserving natural resources, WILDLIFE HABITAT,
open spaces/biodiversity in our community.

PRESENT EMPLOYMENT: freelance photo researcher / semi-retired

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY Yes No

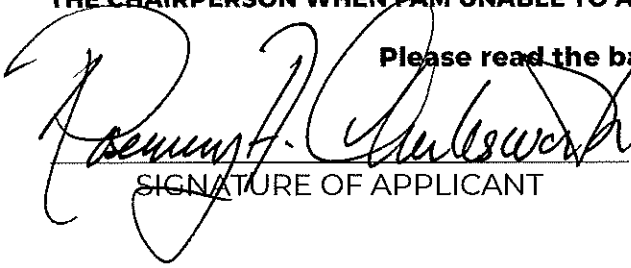
ANY KNOWN CONFLICT OF INTEREST (please read back of application): no

REASON FOR APPLICATION TO THIS BOARD: passionate interest in preserving our seacoast natural resources and its importance in climate adaptation

I HAVE HAVE NOT ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION

IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.


SIGNATURE OF APPLICANT


DATE

Title 30-A: MUNICIPALITIES AND COUNTIES

§2605. Conflicts of interest

1. Voting. The vote of a body is voidable when any official in an official position vote on any question in which that official has a direct or an indirect pecuniary interest.

4. Direct or indirect pecuniary interest. In the absence of actual fraud, an official of a body of the municipality, county government or a quasi-municipal corporation involved in a question or in the negotiation or award of a contract is deemed to have a direct or indirect pecuniary interest in a question or in a contract where the official is an officer, director, partner, associate, employee or stockholder of a private corporation, business or other economic entity to which the question relates or with which the unit of municipal, county government or the quasi-municipal corporation contracts only where the official is directly or indirectly the owner of at least 10% of the stock of the private corporation or owns at least a 10% interest in the business or other economic entity.

When an official is deemed to have a direct or indirect pecuniary interest, the vote on the question or the contract is not voidable and actionable if the official makes full disclosure of interest before any action is taken and if the official abstains from voting, from the negotiation or award of the contract and from otherwise attempting to influence a decision in which that official has an interest. The official's disclosure and a notice of abstention from taking part in a decision in which the official has an interest shall be recorded with the clerk or secretary of the municipal or county government or the quasi-municipal corporation.

A. This subsection does not prohibit a member of a city or town council or a member of a quasi-municipal corporation who is a teacher from making or renewing a teacher employment contract with the municipality or quasi-municipal corporation for which the member serves.

6. Avoidance of appearance of conflict of interest. Every municipal and county official shall attempt to avoid the appearance of a conflict of interest by disclosure or by abstention.

From: [kitteryme via kitteryme](#)
To: [Jillian Richards](#); [Jennifer Wheeler](#)
Subject: Form submission from: Town of Kittery Board & Committee Application
Date: Wednesday, February 28, 2024 2:56:43 PM

Submitted on Wednesday, February 28, 2024 - 2:56pm

Submitted by anonymous user: 138.162.0.41

Submitted values are:

Name: ANTONEIL BANTON

Residence: 134 GEE RD

Mailing (if different): PO BOX 714, PORTSMOUTH, NH 03802

E-Mail Address: ANTONEIL.BANTON@GMAIL.COM

Cell Phone Number: 6035312358

Home Phone Number: :

Work Phone Number:

Board, Committee & Commission Choices:

- Board of Appeals
- Board of Assessment Review
- Board of Trustees of Trust Funds
- Diversity, Equity & Inclusion Committee
- Housing Committee
- Kittery Community Center Board of Directors
- Parks Commission
- Planning Board
- Port Authority

Rank Choices By Priority:

Planning Board

Board of Assessment Review

Board of Appeals

Housing Committee

DEI Committee

Kittery Community Center Board of Directors

Parks Commission

Port Authority

Board of Trustees of Trust Funds

Education/Training: Bachelors of Arts General Studies (SNHU)

Related Experience (Including other Boards and Commissions): None

Present Employment: Portsmouth Naval Shipyard

Are You a Registered Voter in the Town of Kittery? Yes

Do You Have Any Conflicts of Interest? none that I am aware of

Reason for Application to this Board: I believe this town could se an outsiders perspective.

I have attended at least two meetings of the board for which application is being made: Have not

I agree to attend all meetings, except for illness/emergency & will advise the Chair when unable to attend: Agree

Signature: A. S. Banton

The results of this submission may be viewed at:

<https://www.kitteryme.gov/node/71141/submission/18361>