



TOWN OF KITTERY

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

KITTERY TOWN COUNCIL

NOVEMBER 9, 2020

6:00PM

The public may submit public comments for the DISCUSSION agenda item via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to TownComments@kitteryme.org.

The public may also participate in the meeting via Zoom webinar. **Register in advance for the webinar at https://us02web.zoom.us/webinar/register/WN_zCZFLERNT4-5o7_GT_6wJg**

After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during a public hearing.

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. Introductory
3. Pledge of Allegiance
4. Oath of Office to Newly Elected Officials
5. Roll Call
6. The Kittery Town Council moves to elect a Chairperson for the ensuing year
7. The Kittery Town Council moves to elect a Vice Chairperson for the ensuing year
8. Agenda Amendment and Adoption
9. Town Manager's Report

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.

10. Acceptance of Previous Minutes
11. Interviews for the Board of Appeals and Planning Board
 - a. (110120-1) The Kittery Town Council moves to interview the following candidates for two (2) vacancies on the Board of Appeals for appointment of all terms to expire 12/31/2023. The applicants are as follows:
 - Robert Kaszynski
 - Frederick Nohmer
 - Cameron Hamm
 - Robert Gray
12. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.
13. PUBLIC HEARINGS
 - a. (110120-2) The Kittery Town Council moves to hold a public hearing on a new Liquor License application for Inizia LLC, for AJ's Woodfired Pizza, 68 Wallingford Square, Kittery.
 - b. (110120-3) The Kittery Town Council moves to hold a public hearing on a new Victualer's License for Inizia LLC, for AJ's Woodfired Pizza, 68 Wallingford Square, Kittery.
 - c. (110120-4) The Kittery Town Council moves to hold a public hearing on a new Victualer's License for Scott Choppa of 580 US 1 Bypass, Portsmouth NH, for Sunny's Food Truck, located at Kittery Trading Post lot 301 US 1, Kittery.
14. DISCUSSION
 - a. The public may submit public comment in writing or raise their hand in the webinar for the DISCUSSION agenda
 - b. Chairperson may read written comments into the public record
 - c. Chairperson's response to public comments
15. UNFINISHED BUSINESS

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.

16. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. (110120-5) The Kittery Town Council moves to discuss Council Rules for the ensuing year.
- c. (110120-6) The Kittery Town Council moves to discuss appointments of Council members to standing and ad hoc committees.
- d. (110120-7) The Kittery Town Council moves to schedule a public hearing on amendments to Title 10 Love Lane One Way on November 23, 2020.
- e. (110120-8) The Kittery Town Council moves to approve the Memorandum of Understanding for Mutual Aid Assistance for Police and authorize the Town Manager to sign on the Council's behalf.
- f. (110120-9) The Kittery Town Council moves to appoint a Council Representative to meet with the Chair of the Climate Adaptation Committee to interview David Gibson for a term to expire 12/31/2023.

17. COUNCILOR ISSUES OR COMMENTS

18. COMMITTEE AND OTHER REPORTS

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

19. EXECUTIVE SESSION

- a. (110120-10) The Kittery Town Council moves to go into Executive Session pursuant to 1 MRS 405(6)(C) and (E) to consult with the Town Attorney to discuss a Credit Enhancement Agreement for 76 Dennett Road, where premature disclosures of the information would prejudice the bargaining position of the Council.

20. ADJOURNMENT

Posted: November 5, 2020

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.



TOWN OF KITTEERY

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 November 9, 2020

- 1. Election** – Thank you to the Town Clerk, Karen Estee, Deputy Clerk Kim Tackett, Election Warden Joyce Tobey, Deputy Warden Sandi Lutts, the Clerk's Office staff, and all of our election workers for a well-run election. The team worked tirelessly to administer this election properly and with a commitment to ensuring voters could exercise their right to vote during these challenging times.

This year brought an unusual set of circumstances with a national pandemic, high absentee voter participation, and overall high voter turnout. 4,821 absentee ballots were issued and 4,678 were received back. 1,804 voters came to the polls. Safety guidelines limited occupancy in the polling place, yet the lines moved and wait times were manageable after the polls opened.

Thank you also to the staff at the KCC, DPW, and Police Department who assisted throughout the process with setup, safety, and clean-up. Thank you to area businesses including Dominos and Lil's for donating food for the poll workers.

- 2. Legion Pond** – Attached please find the report from Maine DEP regarding their analysis of Legion Pond. They note a number of contributing factors to the condition of Legion Pond and recommend a number of steps to improve water quality in the pond.

We specifically asked Maine DEP about whether aerators would be effective, given their findings. They do not recommend this as a primary objective and recommended that if the Town wanted to aerate the pond anyway, we should first monitor diluted oxygen in the pond for up to two seasons to determine if oxygen depletion is even contributing to the algal blooms before investing both in the install and upkeep of an aeration system.

- 3. Out of State Registrations** – I last reported on the Police Departments efforts on out-of-state registrations in my August 24th report. At that time the first phase of the KPD plan involved town wide observations by several of the over-night patrols to identify possible violations. These efforts produced approximately 411 possible violators over a several week period. Many of these potential violations were confirmed exempt from the statutes for various reasons (guests, students, military, etc.).

Phase two of the approach was implemented in early October and involved direct education of the possible violators and issuance of warning notices. Officers have been placing warning notices on vehicles which had previously been identified as possible violators. Patrol officers are revisiting the identified locations and vehicles and checking for compliance. Those found to be in violation will have enforcement action taken, including Violation Citations or Summons where applicable.

4. **Adult Entertainment** – The Town Council requested I look into the legal opportunities to increase restrictions and regulations on adult entertainment establishments in Kittery. Attached please find the response from the Town Attorney.
5. **2020 Annual Goals Q3 Update** – Please see attached.

Upcoming Dates:

- Town Offices Closed for Veterans Day – November 11
- Town Offices Closed for Thanksgiving – November 26
- Letters to Santa – December 1-16, Kittery Community Center
- Gingerbread House Decorating (Take Home) – December 8, Kittery Community Center
- Dog Registration Deadline – January 31, Town Hall

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kendra', written in a cursive style.

Kendra Amaral
Town Manager

Legion Pond

Halligan, Addie <Addie.Halligan@maine.gov>

Tue 2020-10-20 09:59

To: Jessa Kellogg <JKellogg@kitteryme.org>;

Hi Jessa,

It has been interesting working with you and learning about Legion Pond over the past several months. This letter summarizes some of our findings, recommended next steps and resources for you to share with interested individuals and the Town.

Based on our watershed survey findings and water quality discussions, it's clear that it would be extremely challenging to restore this very small, artificial water body to a more pristine state. Unfortunately, Legion Pond is not eligible for grant funding under Maine DEP's 319 grant program, which focuses its limited resources on designated NPS Priority Watersheds (including Spruce Creek). I am not aware of other grant programs to help support pond restoration. That said, there are several steps that local citizens and the Town could take to help improve the pond's water quality, habitat and aesthetics.

I'm hesitant to think that Legion Pond will be able to return to its previous state, once occupied with Swans, as some landowners shared and restoration efforts would be costly. While this is disheartening to hear, I've outlined some recommendations below to at least attempt to improve, but not restore, Legion Pond. These tasks are likely too much to add to your plate, and I'd strongly recommend seeking the town's assistance in gathering a steering committee and a volunteer group that is interested in conducting water quality monitoring to gather data and conduct follow up on the actions described below:

- Town of Kittery in conjunction with the local group that borders the pond can apply for an Invasive Plant Control Grant (<https://www.maine.gov/dep/water/grants/invasive/index.html>) through DEP next year.
- Conduct watershed education about pet waste
- Determine and implement geese deterrence measures
 - Education/signage about not feeding the geese (especially near ballfield)
 - Close the gate at the ballfields to prevent geese from accessing them
 - Ask police about how often they use their "noise gun" for the geese – can they increase the frequency?
 - Buffer plantings along shoreline – especially determining best height to make the visual sight line of land for geese hard to see
- Conduct visits to residential sites that were found during the watershed survey to determine whether landowners can fix the erosion sites (particularly site 1-4 and 1-7, and others if landowners are willing.)
- Connect with June Boston to get details about how the ballfields are currently being fertilized and determined if there are opportunities or alternatives to reduce or eliminate fertilizer use.
- Water Quality Monitoring – suggest having the Town find volunteers who would like to take part in [Lake Stewards of Maines volunteer monitoring program](#) to conduct baseline monitoring

yearly, which would include measuring the transparency/clarity, temperature and dissolved oxygen. This volunteer group can further work with DEP Lakes Unit to do additional sampling.

I understand that this waterbody has significant meaning to those that have lived near it and I can only imagine it's been disheartening to see it change over time. I'd reiterate suggesting to the town that they explore whether there is local interest and energy for volunteers to conduct some of the recommendations above and conduct baseline sampling to see how it changes over time.

Best of luck,

Addie Halligan

Environmental Specialist III
Watershed Management Unit
Bureau of Water Quality
Maine Department of Environmental Protection
(207) 441-9057

Legion Pond Survey

June 25th, 2020

Surveyors: Jessa Kellogg (Town of Kittery), Addie Halligan (DEP), Amanda Pratt (DEP), Volunteers from Kittery Land Trust

Summary of key findings:

- Geese droppings all along the shoreline
 - Fertilizer on the ball fields
 - Pet waste – 2 dog bags found near storm drains (Site 1-2 & storm drain near Municipal parking lot by Legion Pond)
 - Erosion Sites (that may be contributing Phosphorus to Legion Pond): 1-3, 1-4, 1-5, 1-7, 10, 1-12, 2-1, 2-3. **Priority sites: Site 1-4 & 1-7.**
 - Site 1-1 Large Impervious Cover – could be affecting the temperature of runoff which can be a shock to aquatic life and affect the water quality of Legion Pond (however, could be expensive to install BMP here, especially since it may not be contributing nutrients, may not be a priority at this time).
 - Culvert that diverts the tributary near the ballfield underground is nearly completely submerged, filled with sediment, and the inlet could not be located. Culvert may be completely rusted out – however this project would be very expensive to address – but water monitoring could help determine the health of this tributary to rule it out or not.
 - Anecdotal Information
 - Jeff Thompson (Town councilman) shared that the state redid the road configuration in 1999 that may have contributing to decline of water quality in Legion Pond
 - There were active springs around the shoreline – could that have been clogged/filled?
 - The back section of the ballfields were fill, and therefore the tributary was redirected through a culvert
 - Legacy pollutants likely from Bus site, however, DEP was at the site during remediation and signed off on the remediation efforts. However, uncertain what could have gone into Legion Pond prior to the municipal taking over ownership of the site.
 - Invasive Plants in Legion Pond
 - Though not invasive, Duckweed was very prevalent and can choke the system
 - Curly Leaf Pondweed
 - European Naiad
- ➔ **The major culprits are likely the geese droppings, fertilizer on the ballfield, and potentially the higher priority erosion sites.**

Next Steps:

- Connect with June Boston to get details about how the ballfields are currently being fertilized and share these details with DEP


- Water Sampling – work with DEP to determine how best to sample the water quality, this would likely include sampling the outfalls, and possibly monitoring DO, temp and specific conductivity of the tributary by the ball field.
- Conduct residential site visits to determine whether landowners can fix the erosion sites (particularly site 1-4 and 1-7, and others if landowners are willing) or if they will need funding – look for funding sources.
- Town of Kittery - work with the local group that borders the pond to apply for an Invasive Plant Control Grant (<https://www.maine.gov/dep/water/grants/invasive/index.html>) through DEP next year.
- Education about Pet Waste
- Determine BMPs for Geese
 - Education/signage about not feeding the geese (especially near ballfield)
 - Close the gate at the ballfields to prevent geese from accessing them
 - Ask police about how often they use their “noise gun” for the geese – can they increase the frequency?
 - Buffer plantings along shoreline – especially determining best height to make the visual site line of land for geese hard to see, to deter them.

Sector	Site	Date	Surveyor Initials	Location	GPS Lat.	GPS Long.	Approximate distance from Legion Pond	Landowner Contacted?	Land Use	Issue	Area Affected	Recommendations	Impact	Tech Level	Cost
1	1	6/25/2020	AH, JK, CS	Sue's Seafood - 33 Old Post Road. Parcel 8-02			<100'	Not during survey but letter sent	Commercial	Impervious Cover - Temperature issue - Drainage from Large parking lot		Stormwater Controls - Stormwater Retrofits, Bacteria Cartridges (if bacteria is issue at outfall)	Medium overall, Low for Nutrients	High	High
1	2	6/25/2020	AH, JK, CS	Near 12 Cook St/Corner of Park and Old Post Road. Catchbasin #11			>100'	Not during survey but letter sent	Town Road	Pet Waste - Dog Bag on storm grate Bare Soil - sides of driveway eroded, sand/soil making it to catch basin ~5' away	1 bag 3x25 on each side of driveway	Remove Pet waste/ targeted education Cut slopes 2:1 and riprap or extend pavement, add vegetation before the catchbasin	Low	Low	Low
1	3	6/25/2020	AH, JK, CS	21 Old Post Road			<100'	Not during survey but letter sent	Residential				Low	Low	Low-Medium
1	4	6/25/2020	AH, JK, CS	37 Old Post Rd, Parcel 8-03A, Behind Food Pantry			<100' from catchbasin	Not during survey but letter sent	Commercial	Stockpiled bare soil, rills in driveway, sediment going directly into storm drain	Pile ~ 20x5x5 and driveway rilles ~100'longx6" wide	Cover pile. Reshape/Crown road, add vegetation to shoulder, install runoff diverters. Basin needs to be raised	medium-high	medium	medium (may high to reshare/pave road)
1	5	6/25/2020	AH, JK, CS	37 Old Post Rd, Parcel 8-03A - Infront Footprints Food Pantry			<100' from catchbasin	Not during survey but letter sent	commercial	Bare Soil - looks likeoverflow parking	15x20'	Gravel if driveway, vegetated buffer on edge adjacent to road	Low	low	low
1	6	6/25/2020	AH, JK, CS	Municipal Lot/all along shoreline of Legion Pond			adjacent		municipal lot, residential, ball fields	waterfowl droppings	entire shoreline/ball fields	Tall buffers, fencing, police chief sound alarm more frequently, shut the ballfield fence door	High	Low	Medium
1	7	6/25/2020	AH, JK, CS	46 Old Post Rd, Parcel 8-22, Maybe part of 44 Old Post Rd parcel 8-23			<100', adjacent to shoreline	Not during survey but letter sent	Residential	Bare Soil, geese poop, eroded road down to gathering spot adjacent to pond	Gathering Area ~ 30x40'	Install runoff diverters, reshape road,vegetate, erosion control mulch in gathering area, fence/buffer to prevent geese	Medium	Low	Low-Medium
1	8	6/25/2020	AH, JK, CS	Tobey Field - 78 Old Post Rd					Municipal	Fertilizer on ball fields, fertilizer flags	Need more info	Low impact fertilizing	Medium-High	Low	?

Sector	Site	Date	Surveyor Initials	Location	GPS Lat.	GPS Long.	Approximate distance from Legion Pond	Landowner Contacted?	Land Use	Issue	Area Affected	Recommendations	Impact	Tech Level	Cost
1	9	6/25/2020	AH, JK, CS	Behind ballfield, Outfall #101			Tributary to Legion Pond Outlet		Municipal	Tributary was rerouted through underground culvert, but culvert is completely submerged, looks rusted out, maybe ~1" of space for water to pass through -likely no bottom to culvert, cant locate inlet pipe		Next Step: Sample and investigate with dye (couldn't find inlet), look into town records - would be extremely expensive to replace.	Medium- Unsure	High	High
1	10	6/25/2020	AH, JK, CS	Kittery Inn & Suites - Back entrance. 70 U.S. Route 1 By-pass, Parcel 8-08			<100' to catch basin		Commercial	Road shoulder erosion on driveway, soil making it to catchbasin	20' x 3'	Armor ditch with stone or grass, or install proper ditch, or pave to edge	Medium- Low	Low	Medium
1	11	6/25/2020	AH, JK, CS	Behind Port Harbor Marine - 50 U.S. Route 1 By-pass, Parcel 8-14-1				Not during survey but letter sent	Commercial	1/2 of culvert placed on edge of parking lot sheds drainage from large parking lot directly into catch basin - No sediment though		Stormwater controls on site, vegetation instead of 1/2 culvert. looking powerwashing on site - any pollutants/nutrients washing off	Low	Low	Low
1	12	6/25/2020	AH, JK, CS	same site as 1-4, but on Side of Rays Auto - 37 Old Post Road, Parcel 8-03A			Directly into stormdrain		Commercial	Driveway eroding - soil going directly into storm drain Road should erosion/ditch erosion and rill erosion next to sidewalk	20x20'	repave, or berm to keep soil out if cant repave.	Low	Low	Medium
2	1	6/25/2020	AP	Corner of Paul St & Old Post Rd	43.09194	-70.7528	<100'	Not during survey but letter sent	State Road		5x8	Build up sidewalk, vegetate shoulder, plant trees and shrubs	low	low	low
2	2	6/25/2020	AP	Same As 1-3											
2	3	6/25/2020	AP	Catch basin across from 132 State Rd	43.09545	-70.7463			State Road	Steep unstable bank around catch basin	4x10	Stabilize inlet/outlet, reshape and riprap	Low	Medium	Medium

MEMORANDUM

TO: Kendra Amaral, Manager, Town of Kittery

FROM: Kristin M. Collins


DATE: October 27, 2020

RE: **Adult Entertainment Ordinance**

You asked to what extent the current Adult Entertainment Ordinance may be made more stringent within the parameters of the First Amendment. Generally speaking, the relevant law on this issue is set forth in the U.S. Supreme Court case of *City of Littleton, Colo. V. Z.J. Gifts D-4, LLC* (541 U.S. 774 (2004)). In that case, the owner of an adult bookstore challenged the City's adult business licensing ordinance as unconstitutional. The Supreme Court held that for the licensing scheme to satisfy First Amendment requirements, it must (1) provide speedy access to courts for review of adverse licensing decisions; and (2) apply neutral and nondiscretionary criteria, rather than censoring particular content or language.

Kittery's existing ordinance appears to satisfy both of these conditions. It does provide for appeal to the Superior Court. Its regulations are also focused on the layout and operations of these businesses, rather than the content of what they sell or display. Significant further regulations along these lines should be carefully considered to ensure they do not run afoul of the First Amendment.

While certain provisions like minimum staff age or further health or security requirements are content-neutral, there could still be a viable challenge to them if (1) they are prohibitively difficult or expensive to comply with; or (2) there is no rational basis for them. Whenever regulations have the effect of limiting constitutional speech or property rights, it is important to show that the regulation is both needed in order to address documented problems, and that it will actually help to directly address those problems.

Additional regulations that relate to behavior of patrons should be avoided, as the current ordinance is already quite restrictive. Regulations should not be considered if they are motivated by any bias against a protected class of people, or if they attempt to regulate conduct at adult-oriented businesses that is also occurring at other types of businesses without regulation.

We are comfortable that this is a strong and valid ordinance as written.

TOWN COUNCIL GOALS 2020

Work together respectfully toward consensus, capitalizing on our experiences and diversity. – **On going.**

Address proposals for Charter, Ordinance, and Policy changes for improving efficiency and effectiveness of the Town operations including:

- Title 5 - Business License Regulations – Short Term Rental ordinance approved.
- General – Direct Issuance of Civil Penalties for Ordinance Violations

Advance the Comprehensive Plan 5 Year Action Plan, specifically the following:

- Climate Adaptation Study (9.1, 9.2)
 - Complete climate adaptation assessments for flood resiliency and green-house gases and develop risk reduction and adaptation strategies – Flood resiliency analysis complete. GHG assessment in process. **Town application for EV Charging station in process.**
- Develop a Housing Plan/Affordable Housing Strategies (4.1)
 - Title 16 Amendments to incentivize affordable housing – **COMPLETE**
- Reduce dog and horse waste in open spaces (2.2)
 - Expand/enhance Title 6 Animal Control ordinance – **Phase 1 complete. Working Group being formed for Phase 2.**
- Ensure Town planning processes are open, transparent, informative, inclusive, respectful and welcoming (7.1)
 - Title 16 recodification to achieve development goals – **Planning Board review underway.**

Adopt a budget that is progressive, responsible, responsive to community expectations and needs, and visionary – moving the community forward. – Council amended goal to include 0% increase. **COMPLETE**

Give attention to Councilor expressed priorities, including:

- Retail marijuana ordinance – Draft in process.
- Advance JLUS recommendations to reduce PNSY traffic impacts – Council funded public transit launched. **Love Lane traffic calming demonstration implemented. Implementation effort launching in November.**
- Establish a long-range plan for the re-use or disposition of the Walker Street Fire Station and tax acquired property – Plan withdrawn due to cost.
- Begin design and funding strategy for sidewalk extension on Stevenson to Route 236 – **Engineering underway.**
- Short-term-rental ordinance - **COMPLETE**
- Transition to fully electronic packets to reduce paper use – In process

**TOWN MANAGER ANNUAL GOALS
STATUS REPORT – Q3**

2020 GOALS	STATUS	Update
Support Long Term Planning and Growth Management Objectives		
Propose and implement zoning amendments that support desired growth in the targeted growth areas including Route 1, and the Route 1 Bypass, and the Business Local zones, incorporate affordable housing incentives.	On going	Affordable Housing zoning amendments adopted. Staff working with PB on priorities related to dimensional standards, parking, and uses throughout zones.
Finish Title 16 recodification process and develop a plan to address identified policy issues	On going	Final KLIC review of draft Title 16 recodification completed. PB review underway.
Propose TIF amendments to provide relief to taxpayers and support desired growth	On going	Council approved dissolution of TIFS 1 & 2. TIF 3 amendment public hearing in Aug to give Council more flexibility on the % of captured value diverted to the TIF fund.
Develop zone amendments to promote the increase of housing stock	On going	Completed
Enhance Financial Stability		
Produce a 2021 budget that seeks to respond to service expectations of the community, and that is adequately justifiable in comparison to appropriate economic indicators, comparable communities, and supports implementation of town objectives	Complete	2021 budget approved with 1.34% reduction due to uncertainty surrounding COVID. Revaluation near complete and expected to reduce the mil rate. Tax commitment and mil rate setting completed.
Update and expand financial policies	In process	Comprehensive evaluation of financial policies in process and draft revisions are in development.
Maintain or improve bond rating	In process	Bond rating will occur near the end of the fiscal year. Developing reports and visuals for bond rating interview.

**TOWN MANAGER ANNUAL GOALS
STATUS REPORT – Q3**

Develop a comprehensive technology master plan to inform the capital improvement program	On going	Network reconstruction underway for Police Dept to stabilize the IT environment.
Improve Organizational Efficiency		
Improve organizational efficiency through implementation of technology and amendments to Charter, Ordinance and Policy	On going	Transitioned Dump Stickers, Fort Foster Passes and other services online. Updated GIS software to provide greater information. Parking ticket system online.
Implement the Comprehensive Plan 5 Year Action Plan, specifically focused on the following		
Support Climate Adaptation Committee's efforts	In process	Flood Resiliency Checklist process completed. Joined regional effort to develop strategies and plan for climate adaptation with other York County communities. Joined Coastal Communities grant to develop more effective training and tools for citizen scientist wetlands monitoring. Served on Gov Mill's Climate Council Transportation Working Group. Developing GHG emission inventory through ICLEI tool; applied for EV charging station at Town hall.
Complete JLUS study and identify funding for implementation of action plan	Complete	JLUS study completed in February. Implementation grant awarded in June. Consultant hired, Implementation Com begins meeting in Nov.
Finish Library design process and commence construction	In process	Design development phase complete. Construction Docs phase complete. Planning Board permits approved. Maine Historic adverse determination in negotiation. Bidding underway.
Town Assets and Infrastructure		
Develop recommendations for the reuse or disposition of various town owned or tax-acquired properties.	In process	Taylor Bldg Com reviewing RFPs and developing recommendations for Council. Acquired clean title for Old Post and Walker Street properties. Council approved option to direct proceeds from sale of tax-acquired properties to affordable housing program. Proposed transition from Walker St. ambulance bldg to Gorges Road; proposal withdrawn due to inability to make it cost neutral. Will revisit.

**TOWN MANAGER ANNUAL GOALS
STATUS REPORT – Q3**

Develop a sidewalk master plan for replacement, enhancement and addition of town sidewalks	In process	Engineering underway for Stevenson sidewalk. \$24,000 grant award for pedestrian/bike master plan through KACTS.
Develop and Sustain the Professional Staff		
Complete contract negotiations in a timely fashion	In process	Due to COVID, completed one-year extensions with all unions.
Plan for addressing increasing demands for police, fire and public works services	In process	Due to COVID, budget could not accommodate increase in staffing. COPS and SAFER grant applications submitted for Police and Fire. Police application was unsuccessful this round. Fire application was unsuccessful this round.



TOWN OF KITTERY, MAINE
TOWN CLERK'S OFFICE
 200 Rogers Road, Kittery, ME 03904
 Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED

DEC 10 2018

BY: MEM @ Jolan

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Robert J. Kaszynski

RESIDENCE: 4 COVE LANDING ; KITTERY, ME 03904

MAILING (if different) _____

E-MAIL ADDRESS: RKASZ@COMCAST.NET PHONE #: (Home) ²⁰⁷ 439-1768 (Work) ^{CELL 603} 566-0360

Please check your choice:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input checked="" type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> Port Authority | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: BA degree; US Army (LtC); US Postal Inspector

RELATED EXPERIENCE (Including other Boards and Commissions) _____

Past Board of Appeals member; Personnel Board member

PRESENT EMPLOYMENT: Retired (Federal Law Enforcement)

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

ANY KNOWN CONFLICT OF INTEREST (please read back of application): NONE

REASON FOR APPLICATION TO THIS BOARD: Community Involvement + Assistance

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.

Robert J. Kaszynski
 SIGNATURE OF APPLICANT

12-6-18
 DATE

Original App



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
DEC 12 2019
BY: [Signature]

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

Frederick (Rick) Nohmer

NAME: _____

RESIDENCE: 82 Goodwin Road, Kittery Point, ME 03905

MAILING (if different) _____

E-MAIL ADDRESS: rick.nohmer@gmail.com

PHONE #: (H) 207-703-0263 (W) 850-368-2352 (C) _____

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Board of Trustees of Trust Funds |
| <input checked="" 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"/> KCC Board of Directors |
| <input type="checkbox"/> Kittery Climate Adaptation Committee | <input type="checkbox"/> Library Advisory Committee |
| <input type="checkbox"/> Kittery Celebration Committee | Other _____ |

EDUCATION/TRAINING: BS, United States Military Academy, West Point, NY; MSA, Central Michigan

RELATED EXPERIENCE (Including other Boards and Commissions) Various other -

Former United States Army Garrison Commander (Town Manager); Assoc of the US Army;

Chair, YTC Cultural Board; Independence Fund, Volunteer; Gerrish Island Road Assoc (Resume upon request)

PRESENT EMPLOYMENT: NFCG, LLC-Consulting

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

ANY KNOWN CONFLICT OF INTEREST (please read back of application): None

REASON FOR APPLICATION TO THIS BOARD: To help build and improve the Kittery Community

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. *CNO mtes latley*

Please read the back of this application before signing.

[Signature]
SIGNATURE OF APPLICANT

10 Dec 19
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Cameron Hamm

RESIDENCE: 3 Philbrick Lane Unit 1

MAILING (if different) _____

E-MAIL ADDRESS: cjhamm19@gmail.com

PHONE #: (H) N/A (W) (207) 438-1000 (C) 913-609-1409

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

- | | |
|---|---|
| <u>6</u> Board of Appeals | <u>4</u> Board of Assessment Review |
| <u>6</u> Conservation Commission | <u>8</u> Board of Trustees of Trust Funds |
| <u>5</u> Comprehensive Plan Committee | <u>9</u> Shellfish Conservation Committee |
| <u>14</u> Education Scholarship Committee | <u>10</u> Economic Development Committee |
| <u>13</u> Parks Commission | <u>11</u> Kittery Port Authority |
| <u>2</u> Planning Board | <u>12</u> KCC Board of Directors |
| <u>1</u> Kittery Climate Adaptation Committee | <u>3</u> Library Advisory Committee |
| <u>7</u> Kittery Celebration Committee | Other _____ |

Bachelors of Science in Marine Engineering Systems

EDUCATION/TRAINING: _____

RELATED EXPERIENCE (Including other Boards and Commissions) _____

Club president of an ethical society that discussed current events. Vice-Chairman of the Regimental Honor Board of Midshipmen. Possesses leadership and communicative skills coupled with a strong desire to contribute and work with others!

PRESENT EMPLOYMENT: Portsmouth Naval Shipyard

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: To serve and to make a difference in this community I am new to.

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

12/15/2019

DATE



JAN 15 2020
JG

TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Bob Gray
RESIDENCE: 14 MANSON RD KITTERY ME 03904
MAILING (if different) SAME
E-MAIL ADDRESS: bobgray1@comcast.net
PHONE #: (H) 207-439-9613 (W) _____ (C) 207-337-4689

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

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

EDUCATION/TRAINING: H.S. EXTENSIVE OJT & JOB SPECIFIC TRAINING

RELATED EXPERIENCE (Including other Boards and Commissions) 42 years ENGINEERING
ENG. MANAGEMENT, SPECIFICATION & TEST PLAN WRITING, REVIEWING &
IMPLEMENTATION - PRESIDENT KITTERY HISTORICAL & NAVAL Soc. TOWN CELEBRATION
COMMITTEE

PRESENT EMPLOYMENT: RETIRED

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

ANY KNOWN CONFLICT OF INTEREST (please read back of application): NONE

REASON FOR APPLICATION TO THIS BOARD: Community Involvement

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.

Bob Gray
SIGNATURE OF APPLICANT

1/15/2020
DATE

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA:	YES <input type="checkbox"/> NO <input type="checkbox"/>

PRESENT LICENSE EXPIRES: _____

NEW application: Yes No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection (New Licensees/ Ownership Changes Only) Date : 10/30/20 Business hours: 11-6pm

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) | <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING |
| <input type="checkbox"/> OTHER: _____ | | |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Inizia LLC</u>	Business Name (D/B/A) <u>AS's Woodfired Pizza</u>
APPLICANT(S) –(Sole Proprietor) DOB:	Physical Location: <u>68 Wallingford Square</u>
DOB:	City/Town State Zip Code <u>Kittery ME 03904</u>
Address <u>144A Rogers Rd</u>	Mailing Address <u>144A Rogers Rd</u>
City/Town State Zip Code <u>Kittery ME 03904</u>	City/Town State Zip Code <u>Kittery ME 03904</u>
Telephone Number Fax Number <u>610 348 6048</u>	Business Telephone Number Fax Number <u>current 207-439-9700</u>
Federal I.D. # <u>84-3427589</u>	Seller Certificate #: or Sales Tax #:
Email Address: Please Print <u>welcome@Inizia.com</u>	Website: <u>asswoodgrillpizza.com</u>

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____

2. State amount of gross income from period of last license:

ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____

3. Is applicant a corporation, limited liability company or limited partnership? YES NO

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES NO

5. Do you own or have any interest in any another Maine Liquor License? Yes No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____
 Physical Location _____ City/Town _____
 6. If manager is to be employed, give name: Kevin Carr
 7. Business records are located at: 63 Wallingford Square (current owner) 1144a Rockford St
 8. Is/are applicants(s) citizens of the United States? YES NO
 9. Is/are applicant(s) residents of the State of Maine? YES NO ②
 10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Kevin Carr	7/21/1979	Poway, CA
Nicole Gula	12/08/74	Methuen, MA
Robert Martin	12/20/77	Fort Collins, CO

11. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: Kevin Carr	City: Kittery n Dover	State: ME/NH
Name: Nicole Gula	City: Dover Stratham Exeter	State: NH
Name: Joshua Garrett	City: Stratham NH Exeter	State: NH

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO
 Name: Robert Martin Date of Conviction: 9/12/18
 Offense: Misdemeanor Resisting Arrest Location: B. Herby
 Disposition: _____ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?
 Yes No If Yes, give name: _____
 14. Has/have applicant(s) formerly held a Maine liquor license? YES NO
 15. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) Pizza Restaurant with 36 seats (Pre-Covid) with on premise Beer/wine and delivery/Togo food
 17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: _____

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1.5 miles to Trip Academy, 0.2 mi St. Raphael's Church
 Which of the above is nearest? St. Raphael's

19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: Seller's Loan

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery ME on 10/20, 2020
Town/City, State Year
 Signature of Applicant or Corporate Officer(s) [Signature] Please sign in blue ink [Signature]
Signature of Applicant or Corporate Officer(s)
Robert J Martin Robert J Martin Kevin J Carr
Print Name Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications).....	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD) .]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW) .][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW) .]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW) .]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD) .]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD) .]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD) .]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW) .]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP) .]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD) ; 1999, c. 547, Pt. B, §78 (AMD) ; 1999, c. 547, Pt. B, §80 (AFF) .]

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.**

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____,
Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending

Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347 (overnight)
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

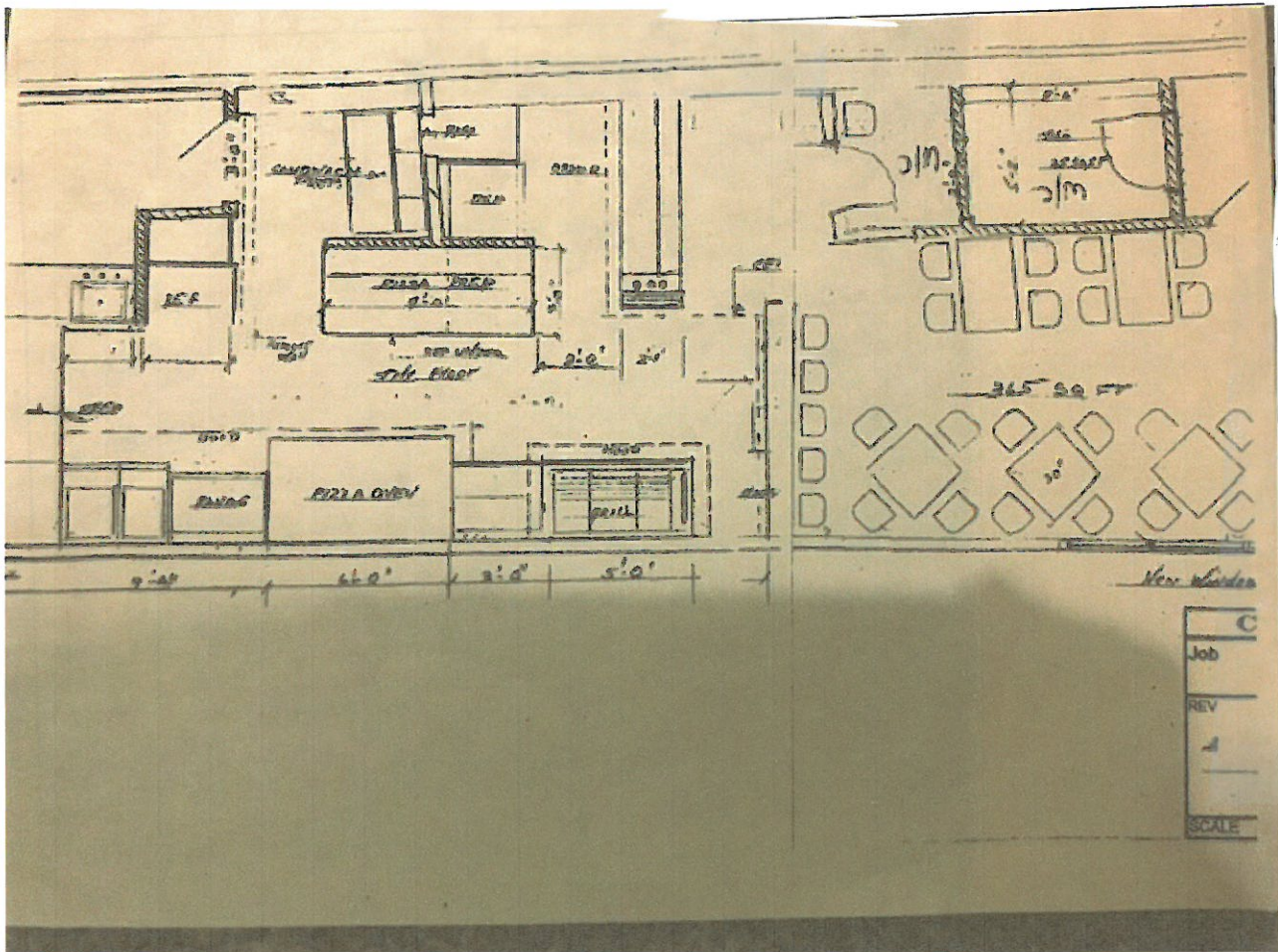


ON PREMISE DIAGRAM
 (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.

image0.jpeg



10/21/2020



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Inizia LLC
- Doing Business As, if any: Grilled. AJ's Wood Fired Pizza
- Date of filing with Secretary of State: 10/15/20 State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Robert Martin	618 Haley Rd Kittery ME 519 Haley Rd Kittery ME	12/20/77	owner	25
Joshua Garrett	4 Autumn Lane, Stratham NH 216A Front St Exeter NH	01/24/80	OWNER	25
Nicole Gula	4 Autumn Ln Stratham NH 216A Front St Exeter, NH	12/08/74	OWNER	25
Kevin Carr	144 A Rogers Rd Kittery, ME 131 State Rd Kittery, ME 44 Cushing St. Dover, NH	7/21/79	owner	25

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? Yes No

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: Robert Martin

Date of Conviction: _____

Offense: _____

Location of Conviction: Kittery, ME

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

10/18/20

Date

Joshua Garrett

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



TOWN OF KITTELY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Inizia LLC
(please print)

Applicant Address: office 144A Rogers Rd Kittery
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 610-348-6048

Business Name: AJ's Wood Grilled Pizza
(please print)

Business Address: 68 Wallingford Square Kittery, ME 03904
(please print)

Business Telephone Number: N/A (current owner - 207 - 439 - 9700)

Signature of Applicant: [Signature] DATE: 10/15/20

Applicant's Name: Robert J Martin
(please print)

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

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



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1313 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant's Name Scott M. Choppe
please print

Applicant's Address 580 US 1 Bypass Portsmouth, NH 03801
please print

Applicant's mailing address if different from above: _____

Applicant's Email address (required) SCOTTE@chillcatering.com

Date of Birth 2/27/65 Applicant's Telephone Number: 603.988.9859

Business Name: Sunny's Food Truck
please print

Business Address: 580 US 1 Bypass Portsmouth, NH 03801
please print

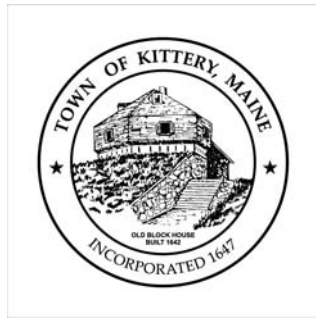
Business Telephone Number: 603.988.9859

Signature of Applicant Scott M. Choppe DATE: 10/20/20

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

KTP
Kittery, ME



TOWN OF KITTELY COUNCIL RULES

**AMENDED:
FEBRUARY 11, 2019**

COUNCIL RULES

Except as superseded by these rules, Robert's Rules of Order, Newly Revised, 11th Edition, govern the conduct of meetings.

SECTION ONE. REGULAR MEETINGS:

The regular meetings of the Council are held in the Council Chambers of the Town Hall on either the second or fourth Monday of each calendar month, or both. Routinely, only one regular meeting will be scheduled in July, August and December, except if the Chairperson and Town Manager deem it necessary to hold a second. Public proceedings commence at 6:00 p.m. whether or not preceded by an executive session.

When said meeting falls on a holiday or is otherwise postponed, the regular meeting is held on the following Wednesday, at the same time and place.

The date and venue of any regular meeting may be changed upon the vote of the Council, provided, however, that said change in date, or venue, will still provide for at least one regular meeting in each month.

SECTION TWO. SPECIAL MEETINGS:

Special meetings may be called by the Chairperson or by four members of the Town Council. Notice of such meeting must, when possible, be given at least twelve hours before the time for holding the meeting. The call for the meeting must set forth the matters to be acted upon and nothing else may be considered.

Special meetings include public comment time as provided at regular Council meetings, but such public comment is limited to the matters on the agenda for the meeting. Notices of such meetings must include the name(s) of the person(s) requesting the meeting.

SECTION THREE. COUNCIL ACTION:

The Town Council shall act only by ordinance, order, resolve, and by consensus.

Actions of the Council are recorded in the minutes of the Council meeting.

SECTION FOUR. EFFECTIVE DATE OF COUNCIL ACTIONS:

All actions of the Council, except ordinances, take effect immediately upon passage.

The effective date of ordinances is governed by Section 2.14, Paragraph 3 of the Town Charter.

SECTION FIVE. DUTIES OF THE CHAIRPERSON.

The Chairperson shall assume the chair at the time appointed for the meeting; call the members to order; provide for introductory and pledge of allegiance; cause the roll to be called; and, a quorum being present, proceed to conduct the business of the Council according to the published agenda.

The Chairperson shall preserve decorum and order; speak to points of order in preference to other members; and, decide all questions of order subject to an appeal to the Council by motion regularly made and seconded, and no other business is in order until the question on appeal be decided.

The Chairperson shall declare all votes, but if any member doubts a vote, the Chairperson shall cause a return of the members voting in the affirmative and in the negative without debate.

All persons wishing to speak, whether they be Council members or members of the general public must first be recognized by the Chairperson.

The Chairperson enjoys the same rights and privileges as other members of the Council, including the introduction and seconding of motions and participation in debate.

SECTION SIX. VICE CHAIRPERSON.

The position of Vice Chairperson is hereby established. The provisions of Charter Sec. 2.05 (1) apply for election to this position.

In the temporary absence or disability of the Chairperson, Charter Sec. 2.05 (3) and Section Five of these Council Rules govern the duties of the Vice Chairperson.

SECTION SEVEN. RECONSIDERATION OF THE VOTE.

When a vote is concluded, it is in order for any member who voted on the prevailing side to move a reconsideration thereof at the same or next regular meeting.

SECTION EIGHT. CONDUCT IN ADDRESSING THE COUNCIL.

Proper decorum befitting the gravity of their solemn duties, is expected of all Councilors during the conduct of meetings.

Councilors wishing to speak shall respectfully address the Chairperson, and confine their comments to the question under debate, or the issue the Councilor wants to raise.

No member may be interrupted by another, but for a point of order or to correct a mistake, and only upon recognition by the Chairperson.

SECTION NINE. MOTIONS IN WRITING

Motions must be reduced to writing if the Chairperson so directs.

SECTION TEN. SUSPENSION OF THE RULES.

The rules may not be dispensed with, or suspended, unless five members of the Council consent thereto. No rules may be adopted, amended, or deleted without notice in writing being given at the preceding regular meeting.

SECTION ELEVEN. VOTING:

Voting is by a randomly sequenced roll call. Councilors shall indicate their vote by a yes or no, or by abstention, when polled. No Councilor may be excluded from participation in debate on any question except as required by Town Charter or state statute, (currently Section 12.01 and 30-A MRS §2605, respectively). Councilors have the right to change their vote up to the time the vote is announced by the Chairperson.

Voting on Council Chairperson, Vice Chairperson, and for appointment to the Planning Board and Board of Appeals will be conducted in the following way:

- Nomination will require a motion and second
- Councilors shall indicate their vote by stating the name of one nominee or by abstention
- In case of a tie, the vote will be taken again. In the case of a second tie vote, the Council may either take another vote or continue the matter to the next Council meeting.

The vote must be recorded in the minutes of the meeting to indicate each Councilor's vote, or abstention.

SECTION TWELVE. AGENDA:

In order that advance notice of the matters to be discussed at Council meetings be afforded interested parties, all meetings of the Council will be conducted according to the agenda.

An agenda will be prepared for each regular meeting and posted by the Thursday preceding said meeting. Posting will be in a public area of the municipal building and of the U.S. Post Offices in Kittery and Kittery Point.

When practicable, an agenda will be prepared at least twelve hours in advance of a special meeting; delivered to all Council members and posted as previously provided.

All Town Manager's memoranda of interest to the Council members will be delivered to them at least seventy-two hours before a regular meeting.

All reports or proposals made to the Council, which require or request that an action be taken by the Council, are to be submitted in written form. The content will consist of the following, as appropriate:

- Executive Summary
- Statement of Need
- Background
- Facts Bearing on the Equation
- Current Situation
- Proposed Solution / Recommendation
- Rationale for the Proposed Solution (including costs)

The agenda consists of the following categories:

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
8. Interviews for Planning Board and Board of Appeals.
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

Persons who are represented by legal or engineering consultants, who are present and wish to address the Council, shall notify the Chairperson prior to the Council Call to Order of the subject they wish to speak on and will be heard at this time.

10. Public hearings
11. Discussion
 - a. Discussion by members of the public (3 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
 13. a. Donations/gifts received for Council disposition
14. Councilor issues or comment
15. Committee and other reports
 - a. Communications from the Chairperson
 - b. Committee reports
16. Executive session, if required
17. Adjournment

To the extent possible, matters to be discussed at a meeting by the town manager or Chairperson will be listed on the agenda under Chairperson Communications, or Town Manager's Report, respectively.

The category of Unfinished Business is specifically reserved for Council business discussed at a previous meeting that has been postponed or continued to the meeting for which the present agenda is prepared.

The New Business section of the agenda is reserved for those matters which a Councilor wishes to introduce anew.

Except as provided in Charter Article XI, no proposal for ordinances enactment, repeal, or amendment may lie before the Council unless introduced by a Council member.

In keeping with the policy regarding advance notice, Councilors are encouraged and requested to submit to the Town Clerk those matters which they wish to introduce under New Business by 4:00 p.m. on the Tuesday preceding the Thursday that the agenda is to be posted. The Town Clerk shall then place those matters on the agenda.

Immediately following the roll call, the Chairperson may amend and must adopt the agenda, except no matter requiring public notice may be added without such notice. Agenda amendment after adoption may be made only by majority vote.

SECTION THIRTEEN. DISCUSSION.

A. Discussion by members of the public (3 minutes per person)

Any person wishing to address the Town Council will be given an opportunity to do so in accordance with the following procedures.

1. The Public Discussion section of the agenda is reserved for members of the public who wish to address the Council on any matters listed on the agenda or on other matters they wish to bring to the Council's attention.
2. Any person wishing to have an item listed on the agenda under Public Discussion shall submit the matter to be discussed in writing to the Town Clerk by 4:00 p.m. on the Tuesday preceding the Thursday that the agenda is to be posted.
3. Persons wishing to address the Council during public discussion will signify their desire by raising their hand and, when recognized by the Chairperson, request permission to address the Council, giving their name and address, then designating the subject matter on which they desire to address the Council.
4. Members of the public, addressing the Council during the public discussion section of the agenda shall limit their statements to the Council, to no more than three minutes per person unless the Chairperson finds it necessary to allow more time.
5. Persons wishing to address the Council on an item which appears on the agenda after public discussion shall wait until the Chairperson announces the consideration of such item, at which time, after being recognized, they may address the Council on that particular item.

However, once the Council has begun its deliberation on the item, no person is permitted to address the Council unless the Chairperson, having determined that the Council's deliberations appear finished, and that the item under consideration is of great concern to members of the public gathered, permits persons in the audience to address the Council before closing the discussion and calling for Council vote.

B. Response to public comments.

In order to assure that the Council is speaking as one voice when responding to public comments all general responses shall be made by the Council Chairperson.

The Chairperson is responsible for any subsequent follow-up response to the speakers. In the event a member of the public addresses an issue to a particular Councilor, the Chairperson will invite such Councilor to respond directly, if that Councilor so desires.

SECTION FOURTEEN. COUNCIL POLICIES:

The Town Clerk shall maintain copies of Council rules and policies and provide same to the Rice Public Library.

To allow for the opportunity for full attendance, all workshops held by the Council will be scheduled for a Monday. When this is impossible to do, another night will be chosen by the Council at a regular Monday meeting.

No member of the Council may request a legal opinion relative to Town business from the Town's appointed attorneys without prior approval of a majority vote of the Council. All such requests must be made through the Town Manager.

SECTION FIFTEEN. STANDING COMMITTEES

In accordance with the Kittery Town Charter, Sec. 2.10(2) the Council establishes two standing committees consisting of the entire Council, as follows:

Financial

All budgetary matters
Any appropriation ordinance
Administrative relations
Grants, bequests, etc.

Legislative

Approvals: Permits, licenses
All non-appropriation ordinances
Appointments
Property transfers

SECTION SIXTEEN. COPY COSTS:

The cost charged by the Town for making copies of any materials, excluding those produced by the Planning Department, access to which the public is entitled, is twenty-five (25) cents a copy. Copies of the Council packets are to be made available to the media at ten (10) cents a page.

SECTION SEVENTEEN. COUNCILOR AWARENESS

The Council realizes that Councilors should make an effort to broaden and increase their knowledge of information and skills directly related to their responsibility to govern the Town, and that efforts should be made to appropriate funds for this purpose.

Prior to incurring and requesting reimbursement for such expenses, however, individual Councilors must obtain the approval of the Council. Such approval is required for any individual expense that would be paid from the Council Contingency or the Council Expense accounts.

Approved 02/27/89	Amended 09/27/99	Amended 12/17/01	Amended 09/27/10
Amended 12/28/92	Amended 11/22/99	Amended 09/16/02	Amended 01/09/12
Amended 06/26/95	Amended 05/31/00	Amended 10/28/02	Amended 09/10/12
Amended 01/03/96	Amended 10/30/00	Amended 08/24/09	Amended 02/11/13
Amended 01/10/96	Amended 03/19/01	Amended 11/23/09	Amended 03/25/13
Amended 12/09/96	Amended 07/02/01	Amended 08/23/10	Amended 01/27/14
Amended 11/28/16	Amended 01/08/18	Amended 11/14/18	Amended 02/11/19

TOWN COUNCIL STANDING ADHOC & COMMITTEE LIST

COUNCIL CHAIRPERSON / VICE CHAIR - 1 ST ORDER OF BUSINESS AFTER SWEARING IN

Chairperson -

Vice Chair -

Capital Improvement Committee (1 Council Rep)

Charles Denault

Climate Adaptation Committee

Judith Spiller

Matt Brock

Comprehensive Plan Implementation Committee (1 Council Rep)

Council Chairperson

Council Vice Chair

Economic Development Committee (1 Council Rep)

Kenneth Lemont

Education Scholarship Selection Committee (2 Council Reps)

Charles Denault

Jeffrey Pelletier

Kittery Community Center Board of Directors (1 Council Rep)

Jeffrey Pelletier (Until 3/31/21)

Trustees of Trust Funds (Council Chair serves as ex-officio member)

Chairperson

Kittery Land Issues Committee (1 Council Rep)

Judith Spiller

Disbursement Warrant for Town Employee Wages (Primary, Secondary, Tertiary)

Jeffrey Thomson

Cyrus Clark

Jeffrey Pelletier

Disbursement Warrant for Town Expenses (Primary, Secondary, Tertiary)

Cyrus Clark

Charles Denault

Kenneth Lemont

School Warrant for General Disbursements (Primary, Secondary, Tertiary)

Jeffrey Pelletier

Jeffrey Thomson

Matt Brock

York River Study Committee (1 Rep)

Judy Spiller

Taylor Building Committee (Ad Hoc) (2 Council Reps)

Matt Brock

Jeffrey Thomson

Library Building Committee (Ad Hoc) (2 Council Reps)

Charles Denault

Jeffrey Pelletier

Kittery Climate Adaptation Committee (2 Council Reps)

Judith Spiller

Matt Brock

Celebration Committee (1 Council Rep)

Jeffery Thomson

Library Advisory Board (1 Council Rep)

Judy Spiller

Housing Committee (1 Council Rep)

Matt Brock



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: November 9, 2020
From: Kendra Amaral, Town Manager
Subject: Trial Traffic Control – Love Lane One Way Permanent
Councilor Sponsor: Councilor Cyrus Clark

EXECUTIVE SUMMARY

The Town, working with MDOT, implemented a demonstration project on Love Lane, including a trial one-way designation to reduce the morning cut-through traffic, and installation of temporary pedestrian lanes on both sides of the road. The Council approved an emergency ordinance in September to implement the demonstration project for sixty days, starting October 12. The emergency ordinance is due to expire December 13.

The proposed amendment would make Love Lane a one-way permanently.

BACKGROUND

Love Lane has seen a great deal of cut through traffic, specifically in the early morning from the PNSY employees. This traffic impacts the quality of life and safety of the residents on Love Lane. The JLUS study identified a “road diet” for Love Lane as a catalytic strategy for addressing the PNSY traffic impacts on the town. A road diet can include the decrease of lane widths, addition of sidewalks and bicycle lanes, and other measures that reduce speeds, make the street safer for multi-modal transit and reduce cut-through traffic.

In October, the Town implemented the demonstration project which made Love Lane one-way from Lutts Avenue in a westerly direction, at all times. The designation does not apply to the two properties (commercial and mixed-use) that directly front State Road. The Town also installed temporary traffic bollards to establish pedestrian lanes on both sides of the road.

Adjustments had to be made early in the implementation of the demonstration project, as delivery services were unable to pull out of the travel lane to deliver packages. As a result, the bollards were moved to create greater gaps between them. This change was made within the first four days of implementation of the demonstration project.

The Police Department collected speed data and traffic counts prior to implementation of the demonstration project; and are currently collecting speed and traffic data with the one-way in place. The analysis of that data will be available for the November 23rd Council meeting.

Town staff and Councilors have been fielding written feedback from residents on and near Love Lane. The feedback has been primarily positive, with residents noting an improvement in quality of life, and safer pedestrian experiences.

The Town Manager has spoken with Captain Ettlich at the PNSY, who did not indicate any negative impacts on the shipyard traffic flow or operations.

The Town staff are hosting a Zoom meeting for the residents of Love Lane and the connector roads, to gather more input. That meeting is November 10th.

Additionally, the Town is seeking to collect feedback from residents that do not live on or adjacent to Love Lane. Though social media was awash with reactions initially, we have not received direct comment from residents outside of the Love Lane neighborhood.

Staff are also working to identify any shifts in traffic patterns caused by the demonstration project, namely increasing traffic backups on Old Post, the Bypass, Government Street, and the Memorial Circle during the morning commute as a result of the demonstration project.

STATEMENT OF NEED

Making the one-way designation for Love Lane is a matter of Council action. Signage is already in place, and preliminary enforcement completed.

Maintaining safe pedestrian lanes through the winter will be a challenge. Due to snow operations, the Town will need to remove the temporary bollards for the winter. Striping can be put in place of the bollards but striping is dependent on outside temperatures and the availability of the contractor. Estimated cost to stripe Love Lane is approximately \$500 - \$1,000.

Ultimately, sidewalks should be planned for Love Lane if it is intended to remain a one-way. Installing sidewalks will be a multi-million-dollar project. To fund this in the near term, the Town would have to abandon other commitments and identified priorities, issue debt, or significantly increase the CIP funding (raise taxes) to fund a project of this magnitude. Once sidewalks are installed the road cannot go back to a two-way road, due to width limitations. If the Council approves the permanent one-way designation, adding sidewalks to Love Lane will be placed on the "On the Horizon" list of projects incorporated into the CIP for future consideration.

PROPOSED SOLUTION/RECOMMENDATION

Schedule a public hearing to consider a permanent one-way designation for Love Lane.

ATTACHMENTS

- Draft Title 10 Amendments Love Lane One Way
- Draft Title 10 Enactment

- Public Comments received as of November 12, 2020

**TITLE 10
LOVE LANE ONE WAY**

AMEND § 10.2.1 One-way streets at all times to include Love Lane:

- 1 The following streets are designated one-way streets at all times:
- 2 A. Government Street, in an easterly direction, beginning 185 feet from the intersection of Otis
3 Avenue, to intersection of Walker and Wentworth Streets;
- 4 B. Hunter Street, in a northerly direction;
- 5 C. Jones Avenue, beginning 105 feet from its intersection with Walker Street, in a southerly direction
6 to Government Street;
- 7 D. Mitchell School Lane, from Route 103 to the Mitchell School playground;
- 8 E. Newmarch Street, in a southerly direction;
- 9 F. Traip Avenue, beginning at its southern intersection with Wentworth Street, in a northerly direction;
- 10 G. Williams Avenue, at its westerly intersection with Whipple Road, is to be one-way at its entrance in
11 a southerly direction for a distance of 180 feet, and one way in a northern direction at Map 9 Lot 15
12 to the intersection of Whipple Road.
- 13 H. Love Lane, in a westerly direction, from Lutts Avenue to 150 feet east of the intersection with State
14 Road.

**KITTERY TOWN CODE
TITLE 10
LOVE LANE ONE WAY**

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 address safety concerns for residents along Love Lane and
11 reduce cut through traffic resulting from the Portsmouth Naval Shipyard; and

12 **WHEREAS**, the Town implemented a 60-day demonstration project to test the benefits and
13 impacts of Love Lane being a one-way; and

14 **WHEREAS**, the one-way designation for Love Lane was proven to reduce traffic, increase
15 pedestrian safety, and the improve quality of life for Love Lane residents;

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

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 Kittery,
25 Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

26 **Attest:** {NAME}, _____ Town Clerk

love lane thanks you

Emily bailey <[REDACTED]>

Mon 10/19/2020 8:06 PM

To:town comments <tcomments@kitteryme.org>;

Hi,

I am sending a huge thanks to the town for the improvements in traffic on Love Lane. I live at 25 Love Lane, with my two children, age 8 and 14. Before this change, we were routinely almost side swiped by speeding cars when trying to walk our dog or walk bikes across the street (didn't even dare to start riding until we got to George st). Since the change, we have been able to walk, bike and scooter safely in the lanes marked off.

Not to mention, not having tons of traffic (some cars with loud music) during the wee hours of the morning.

THANK YOU - I hope you will make this trial permanent.

Emily

Love Lane one way trial period



Wed 10/21/2020 9:19 AM

To:town comments <tcomments@kitteryme.org>;

To whom it may concern,

I am writing to express my feelings about the one-way trial period.

I have been a resident on Love Lane for 10 years.

The improvements so far are numerous with an increase in safety and a decrease in noise being at the top.

No longer are we awoken at 4:30am each morning by loud motorists!

I am also free to play with my daughter in the front yard without fear of the excessively fast traffic.

There have been more pedestrians and cyclists and an all over neighborhood feel, which feels much more in line with our street and location.

When I have friends over to sit on my front porch, they comment on the reckless driving we experience daily, frequently asking if we've gone to the town about it.

I'm for the change and see only positives from this perspective.

Thank you for your consideration,

Isisanne Alis-Gooby
(19)

Sent from my iPhone

Love Lane One Way

Henry Linscott <[REDACTED]>

Thu 10/22/2020 10:25 AM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

Hello,

I am a resident of Love Lane who works at the shipyard. The one way has increased the safety for pedestrians by a LOT! Although it is taking some getting used to, I think the change to a one way is very good.

I would like to emphasize the increased safety. It has been a huge improvement when walking to work between hours of 430 am and 6 am. Walking to and from the Foreside and Rt 1 is much safer at all times. It was just a matter of time before someone gets clipped.

I encourage making the one way permanent.

Henry Linscott
14 Love Lane

Love Lane One Way Traffic

Michael O'Keefe 

Fri 10/23/2020 4:52 PM

To:town comments <tcomments@kitteryme.org>;

Town Council Members,

Thank you for the decision to try one way traffic on Love Lane. We've had the new traffic pattern for about two weeks and I enthusiastically support it and hope you will all vote to make it permanent. The improvement in pedestrian and auto safety and quality of life have been tremendous.

I know that the new traffic pattern is somewhat inconvenient for everyone but to me the improvement in safety and quality of life far, far outweigh the minor inconvenience of occasionally having to drive a little further. Some things that I've noted during the trial period are more families with young children walking along the road, fathers and sons playing catch during traffic lulls and young children riding bikes and scooters along the road. I think all of this is due to the increased safety created by the designated pedestrian walkways. I've even noticed groups of students walking home from school using the walkway. I had originally thought that improving quality of life by eliminating morning shipyard traffic was going to be the greatest benefit but now believe it's the increased road safety.

I urge you to please vote to make one way traffic on Love Lane permanent.

Sincerely,

Mike O'Keefe
43 Love Lane

Love Lane input

Liz Beebe <[REDACTED]>

Tue 10/20/2020 8:11 AM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

Hi!

I'm a resident of Love Lane and wanted to send my input that the change to a one way street has made me feel so much safer as a pedestrian. I live a little further from the road than most (#36) and am fairly new to the neighborhood so I didn't experience the early morning noise for very long. I do walk the road every day and prior to the one way adjustment cars were (way) too fast and it was a little scary walking without any sidewalk protection. I am for this change being permanent.

Thanks for your time,

Liz Beebe

Love Lane/one way experiment

Rex Richards <[REDACTED]>

Tue 10/20/2020 9:15 AM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; Kendra Amaral
<KAmaral@kitteryme.org>; town comments <tcomments@kitteryme.org>;

Town of Kittery Officials,

For the first time in fifteen years I can wake up naturally, without having my last three hours of sleep destroyed by motorcycles and trucks. Yes to keeping this permanent! We don't find it the least inconvenient, in fact the lack of two way traffic makes it much easier to park, as for safety, we have to park face out. We, like others on the street have noticed that traffic has slowed significantly and that there's less of it in general. It is much better this way. Thank you for your decision to give us the opportunity.

Rex Richards and David Greer
53 Love Lane, Kittery

Dryden House Stitching
Rex Richards
207-439-9378
www.sewdhs.com

Love Lane

Marcy Philbrook <[REDACTED]>

Tue 10/20/2020 3:56 PM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

To whom it may concern,

I have lived at 38 Love Lane for 28 years and it has been a wonderful street to live on for most of that time. Just 4-5 years ago I was woken up by traffic at 4:30 in the morning, shot up in bed and wondered what the heck was going on. It was bumper to bumper traffic outside my bedroom window. I was accustomed to a rush of traffic at 6:30 am, and that was kind of my alarm clock, but this was 2 hours early. Little did I know, the 4:30 am to 6:30 am traffic was to continue Monday through Friday from that day forward. I tried Bose noise cancelling headphones and even made myself a special doughnut shaped pillow so they wouldn't hurt my ears, and wore eye covers to stop the headlights flashing on my ceiling from keeping me awake, but nothing could help me sleep through that noise. Motorcycles rumbling with their radios blasting, tractor trailers, coach busses, diesel pickup trucks raced or sat in line on our small, narrow street (that doesn't even have room for sidewalks!) at ungodly dark hours. The first few cars start at about 4am. Even during the day, some people speed so fast that our mailman, Ralph, had to jump into a snowbank to keep from being killed. He started driving his route instead of walking because he said it was too dangerous. This one-way street experiment has been wonderful. Families have been walking with their children and dogs, we've seen many more cyclists, and cars are going much slower and more carefully. Yes, I have forgotten a few times and had to turn around and go around to come in the other way, and I'm sure it's not as easy for people to not zip through after going to Golden Harvest, but it has been like heaven for us. There are a few cars that speed through at 3:30 when the Navy Yard lets out, but that is tolerable.

Thank you for considering keeping the change permanent.

Sincerely,

Marcy Philbrook

38 Love Lane

Love Lane as a one way street

Joe Watts <[REDACTED]>

Tue 10/20/2020 4:47 PM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

Dear Kittery Friends,

I am emailing to offer my firm support of keeping Love Lane one way on a permanent basis.

I have lived at 27 Love Lane for over 20 years, and I have noticed a few changes in that time (one being an increasing amount of pedestrian and vehicle traffic). One constant, however, is that many, many cars use Love Lane as a route to and from the navy base. I recognize that PNS is a big employer, and I believe a long range strategic plan should be developed to help with overall traffic patterns in the Kittery Foreside area (perhaps this is already happening – if so, please forgive my ignorance). Having said that, I believe that changing Love Lane to a one way street is an overall improvement (with Government going one way, Love Lane the other, and Walker (the main route) in both directions).

I am certainly not a traffic expert. What I am is an expert at living on Love Lane. I have observed several cars speeding up and down Love Lane over the years – one crashing into a bunch of trees directly across the street from us. It has been challenging for me, as a seasoned driver with a spotless record, to exit my driveway due to people speeding by in each direction. Our kids – now 14 and 16 (and the 16 year old is in the process of getting her license) – grew up on Love Lane, and we have dogs. Going out onto the street has been a major concern of mine from a safety perspective over the years. It has been challenging to be a pedestrian or bike rider on Love Lane and, in some ways, to raise a family (don't get me wrong – we love Kittery and Love Lane – it's just the safety aspects).

In the short time the one way experiment has been in effect, I have noticed a reduction of traffic and a reduction of speed. Plus, it's a heck of a lot easier to leave your driveway when traffic is only coming in one direction. Additionally, the one way traffic enables pedestrians and bikers to share the road safely (this doesn't seem possible, from my perspective, when traffic is in two directions/two lanes).

I recognize that change can be difficult – I keep turning up Love Lane by TD Bank out of habit, only to have to turn and go around. In fact, from a traffic perspective, it is (in a minor way) inconvenient for us. But the benefits for us as residents, and I would speculate for everyone using the street (be it by car, motorcycle, foot, or bike), far outweigh what I have seen in place over the last few decades. I believe that safety on Love Lane has improved significantly since the implementation of the trial one-way street, and while I recognize there are inconveniences for many (including some folks on Love Lane), these inconveniences pale in comparison to the potential serious injury or loss of life caused by reverting the street back to the way it was prior to the current experiment.

So, I strongly support keeping Love Lane one way. And if for some reason this does not happen, I strongly support doing more to address the safety hazards on the street. I have seen comments on Facebook about speed bumps, a larger police presence, signage, etc. – and I would support all of these things. However, I

am not as confident that these things, even taken together, would do as much as simply keeping Love Lane one way.

I do support the broader community, including non-Kittery residents, who work at the PSN, and I am aware this poses inconveniences for them. I think any plan to keep Love Lane one way should be announced in conjunction with a broader, strategic effort to look at the overall traffic patterns in the area. Even if this plan is too hard to develop in the near future, I'm guessing some sort of committee/commission could be formed and announced simultaneously.

Finally, I thank you for your efforts and consideration, regardless of the income. No matter what you decide, some won't be happy. I appreciate your work and thoughtful consideration of this issue, regardless of the outcome. It's the least we can do, being from LOVE lane and all... 😊

Sincerely,

Joe Watts
27 Love Lane, Kittery, ME

Joe Watts
Chief Executive Officer
Star Island Corporation
Morton-Benedict House
30 Middle Street
Portsmouth, NH 03801
Pronouns: he, him, his
Phone: (603) 430-6272
Fax: (603) 430-6270
www.starisland.org
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Love Lane One Way Feedback

[REDACTED]

Tue 10/20/2020 5:55 PM

To: town comments <tcomments@kitteryme.org>;

Cc: Kendra Amaral <KAmaral@kitteryme.org>; Adam Causey <ACausey@kitteryme.org>; Cyrus Clark
<Kim D Smith' [REDACTED]>;

To Whom it May Concern :

My husband and I want to thank the Kittery Town Council for implementing this trial period on Love Lane which we hope will become permanent in the future.

We have lived on Love Lane for close to 40 years and it has always been a fairly quiet and safe road until the last few years. The morning traffic from State Road to Rogers Road -Monday through Friday has become unbearable starting as early as 430am-the back to back cars/vans/buses/motorcycles along with the loud engine noise/music/headlights has really effected our quality of life on this street. We have resorted to wearing headphones to block out the noise but to no avail. When the traffic is not backed up the cars FLY down Love Lane-some close to 50MPH !

What a HUGE difference in just one week has this one way trial made to our neighborhood ! The traffic and speed have cut down so we now are able to walk/bike without any fear of being hit. And in the morning we are not woken up at 430am ! People feel safe walking /bicycling with their children and dogs.

I would also recommend that the speed be reduced to 20MPH versus 25MPH as it seems to be a much safer speed. Yes it is a bit inconvenient not being able to go from State Road up Love Lane but we have all had to make adjustments this year and feel this is one we all can easily work with. We know this has caused some inconvenience for Kittery residents as they now are not able to use Love Lane as a "cut through" from the afternoon (shipyard) traffic but those of us that live on Love Lane this has been such a wonderful change to our quality of life.

We live on the corner of Love Ln/ George St and we have not noticed any additional overflow traffic to/from George St.

Thank you again for your consideration in maintaining the one way on Love Lane permanent.

Sincerely,
Kim Davis Smith
Ronald Smith
22 Love Lane

Love Lane One-way

Sarah Linscott <[REDACTED]>

Wed 10/21/2020 5:19 PM

To: Adam Causey <ACausey@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>; Cyrus Clark
; town comments <tcomments@kitteryme.org>;

I want to thank all of you for allowing this trial period for one-way traffic on Love Lane. The safety and quality of life of residents on this street have improved significantly since the implementation and I hope it remains a permanent one-way.

As you know, the street is narrow, long, windy, and hilly. When traffic went in both directions, the street felt dangerous to walk on and some drivers would drive well over the speed limit without consideration for others. The early morning cut through traffic was unbearably loud with some of the shipyard workers who were trying to get to the gates faster than those who stayed in line on the main roads.

I know the one-way is a bit of an inconvenience for all, but with time residents will get used to it if it becomes permanent.

Please consider making Love Lane a permanent one-way.

Sincerely,
Sarah Linscott (14 Love Lane)

Love Lane One- Way

Arianna Rothschild <[REDACTED]>

Thu 10/22/2020 2:47 PM

To: Kendra Amaral <KAmaral@kitteryme.org>; Adam Causey <ACausey@kitteryme.org>; Cyrus Clark
; town comments <tcomments@kitteryme.org>;

To Whom It May Concern:

I am writing to express my gratitude for the one- way trial on Love Lane. It is important to address what a special place Love Lane is. Having lived on Love Lane for just shy of 3 years, I am a newcomer to a very well- established, welcoming and warm part of Kittery. I am moved by how much attention those on our street put into the community, from affixing hearts to the telephone poles on Valentine's Day to a Love Lane exclusive Christmas party at the Philbrooks'. I received multiple gifts from neighbors including a hand sewn quilt following the birth of my son this year. Love Lane is truly an aptly named place and has a neighborhood quality that is a rare find in our conflicted world.

Really, the only complaint about living on Love Lane was the traffic caused by the Naval Shipyard in the mornings. We are on the corner of Love Lane and Pine Street, so this is a particularly troublesome spot as motorcycles tend to accelerate while cutting through Pine Street to avoid traffic. There is absolutely no consideration for residents during these early morning commuting times. It is commonplace for people to blare their stereo while in traffic. I used to take early morning walks, but had to adjust my schedule because walking down Pine Street in the morning at dawn became so risky. I woke up relieved on the weekend to silence in the early morning.

This past week was the first time in THREE YEARS that I felt confident to walk down to Golden Harvest because of the traffic limits. In fact, I felt comfortable enough to have my 4 month old son strapped to me on the walk. I will be so much more likely to walk or bike to "gourmet alley" for a shopping trip than to get in my car and drive to Hannford if the street remains a one way, I'm sure as will others in the Kittery Foreside. Looking out the window to see so many more walkers and bikers already has been uplifting. I understand that this change has been an inconvenience for some but it has improved the lives of my family and others in the area in such a short period of time and made our amazing community a drastically safer place, not to mention has improved my infant son's sleep.

I am so grateful for the Town Council's efforts, considerations and support in this trial. Although it will take some acclimating, it is an exercise of making a great place to live even better.

Sincerely,
Ari McLellan
11 Love Lane

Love Lane Changes

Nina Shore 

Thu 10/22/2020 8:04 PM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

Dear Town of Kittery Board,

Thank you for hearing us! I believe by taking this step of a one-way road, improves the livability on Love Lane. My heart lifted when I saw our first family walk down the street with children on bikes and scooters. The mornings have greatly improved with my not wearing bulky noise canceling headsets that did not eliminate most of the noise.

As stated by many, the noise and traffic has continually become worse over the 6 years we have lived here. I walked my dogs daily on Love Lane in fear and only at certain times of the day while having frequent brushes with disaster. I am surprised now on my daily walks that we could have even fit 2 cars on such a narrow street, although there are still drivers that continue to see this road as a raceway challenge. Walking dogs from home was too dangerous, and Fort Foster with the loose leash laws was not an option with 2 small vulnerable dogs. Walking pups became limiting.

So, thank you for hearing our complaints and concerns! Better yet, thank you for taking action in such positive directions! I hope these steps will help to trigger Kittery into a more desirable place for all to live. Change takes time. Please continue to make this one-way direction permanent and thank you for enforcing a leash law at Fort Foster. We appreciate your hard work! Thank you!!!

Nina Shore

42 Love Lane

Love Lane One-Way

Jared McLellan

Fri 10/23/2020 6:54 AM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark; town comments
<tcomments@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>;

To Whom It May Concern,

I greatly appreciate the Kittery Town Council's willingness to listen to the residents of Love Lane regarding one-way traffic.

Love Lane no longer being used as a morning cut-through has greatly improved my family's quality of life. The lack of common decency displayed by people traveling through a quiet neighborhood between 4:30 and 7:00 AM was astonishing. Being a cut-through street attracts a particular Machiavellian class of morning commuter. It's a person who is willing to speed down a residential street in order to improve their standing in line at the expense of fellow employees who properly planned their morning. These are the only people that the one-way would upset in the morning hours, while the people going with the flow of traffic will benefit.

Regardless of the morning traffic, because it's a part of living in Kittery and everyone has a sob story, the increased safety is justification for permanent implementation of a one-way. Love Lane is too narrow to accommodate any type of safe pedestrian use and two-way traffic simultaneously. Navigating a corner on foot is especially dangerous if two cars cross paths while you are rounding it. I've seen more pedestrians on the street now than during the summer, even with the weather cooling down. There are many young families on Love Lane who are now able to safely use the road they live on instead of viewing it as a hazard. I believe the increased safety for Love Lane residents outweighs minor inconveniences of one-way traffic. Thank you for your consideration.

Jared McLellan
11 Love Lane

Kendra Amaral

From: Glen Philbrook <[REDACTED]>
Sent: Sunday, October 25, 2020 10:55 AM
To: Kendra Amaral
Subject: Love Lane one way

Good morning all,

I felt the need to add my two cents about Love Lane being one way.

First I want to thank those town representatives that met with Love Lane residence a few weeks back. It showed me they sincerely cared about hearing from their constituents.

Since the beginning of this trial period of Love Lane being one way I've noticed vehicles traveling much slower and that may be because of the bollards. The road is now a much safer place for pedestrians and bicyclist.

For the many years I've lived here I always thought the street was too narrow for two way traffic and a bike and a walker. The speed limit is 25 and that is too fast for some of the corners and hills.

The biggest issue has been the Navy Yard traffic starting at 04:38 during sleeping hours for most of us. For me personally that's been my alarm clock for the last five years.

Love Lane has been used for a cut off to gain position on the yard for parking. On a humorous note, when going to the Kittery Community Campus I've actually had to use my directional to get out of my driveway at 05:45 because the line of cars have been bumper-to-bumper. Never is Love Lane heavy with traffic when the base lets out at any hour in the afternoon. I've learned that once they're off the base it's easy to get to the main roads that they need to travel home on. It's all about jockeying for position to get parking on the base in the morning.

The problem is the parking at the yard and the amount of traffic that needs to get to the yard. Residential streets off the main roads should not be used for the heavy amount of traffic.

Thank you again for your time and attention to this issue. I truly hope Love Lane becomes one-way permanently.

Glen Philbrook

38 Love Lane

I am responsible for any typing errors. I don't trust auto correct.

Sent from my wicked smaht fone.

Love Lane One Way

Karen O'Keefe <[REDACTED]>

Mon 10/26/2020 1:29 PM

To: town comments <tcomments@kitteryme.org>; acausey@kitteryme.com <acausey@kitteryme.com>; Cyrus Clark
KAmarel@kitteryme.org <KAmarel@kitteryme.org>;

I wanted to write to you and first of all thank you so much for all the work , help and support you all did to make the One Way Love Lane probation happen!! We cannot tell you how much we love it and how drastically different it is . I keep thinking I have moved . I realized the stress of the constant traffic , very loud noise and disruption this was causing me. The constant noise and traffic creates an atmosphere that is anything but relaxing and sleep was non existent from 4:30am on . It is wonderful during the day to not have thousands of cars on this road . The exhaust fumes also are terrible . We all live so close to the road so this has a huge impact on us all.

It is so comforting to feel so much safer walking and biking on our road . This road is so narrow and with the large trucks , cars that constantly came was so dangerous and I could never understand how this could be possibly allowed. We have spoken to so many walkers from all over town, (one young couple who come to Kittery from 30 mins away because they love to eat here and are so excited that Love Lane is one way they left their car in town and walked out street as it is "such a pretty road " . Kids are now seen walking on it in small groups which we never saw before / small children riding their bikes which we never saw either , and so many parents pushing strollers .

We know it's an inconvenience and change is hard - we also have to drive around the town to get here- but great positive quality and safety of this road has held a huge impact on all our lives .

We ask with so much gratefulness that this become permanent .

Thank you so much for understanding , all your help and support !!! Karen O'Keefe

Sent from my iPhonezb,

Love Lane

Ruth Randlett <[REDACTED]>

Tue 10/27/2020 6:28 AM

To: Kendra Amaral <KAmaral@kitteryme.org>; town comments <tcomments@kitteryme.org>; Cyrus Clark
Adam Causey <ACausey@kitteryme.org>;

Good Morning; Adam, Cyrus and Kendra,

I am writing with great appreciation. As a resident of Love Lane, the recent change from two-way to one-way has positively impacted many aspects of life on the street. The traffic and especially speed of traffic, has made it feel much safer to walk with my dog up and down Love Lane. As I am out on my multiple walks a day I have also noticed other people are utilizing the new "sidewalks" at a much more regular rate. It has been wonderful seeing families walking or on bikes enjoying themselves as well. Soon, I will be adding a stroller to the walks as well and I feel the one-way option makes it feel wildly safer to walk up and down the street.

Thank you for your consideration on keeping Love Lane one-way.

Best Wishes,

Ruth Randlett
Resident of One Love Lane

Love Lane

Terrie Enis <[REDACTED]>

Tue 10/27/2020 6:48 AM

To:town comments <tcomments@kitteryme.org>;

Dear Town Council,

The short trial period that Love Lane has been one-way has made a significant impact not only on the early morning noise but also on the entire neighborhood's quality of life and safety for all who drive and walk Love Lane.

We moved to Kittery for many reasons, Wallingford Square, the culture, the community center but the most important thing to us was the safety and ability to walk to anything one could ever need. Walking for groceries, healthcare, banking, pharmacy all those things will enable us to live long healthy life and we fell in love with Love Lane. The simple change you approved for a trial period has made a tremendously positive improvement to our lives!

We whole heartedly support a permanent change to making Love Lane one way. We understand that it can be an inconvenience because it is no longer a short cut, but when you come down to it, for those of us living on Love Lane everyday 24/7/365 was an inconvenience as we dealt with the traffic, the speed, the noise and the safety.

Thank you for considering Love Lane as a permanent one-way.

Best,
Terrie Enis
46 Love Lane.

Love Lane

Leslie Culbert <[REDACTED]>

Wed 10/28/2020 10:40 AM

To:town comments <tcomments@kitteryme.org>;

Cc:Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; Kendra Amaral
<KAmaral@kitteryme.org>;

Good morning,

I am writing to thank you for the one way trial on Love Lane! It has been really tough waking up to loud engines and radios from 4:30 until 6:30 in the morning for the last several years. It also has not felt safe to walk or bike! Most folks drive way too fast on this curving, hilly road! It has been so nice to see people walking and biking on our street, now that it feels safe! I hope this will continue and we can make it permanent!

Thank you again, Leslie

Sent from my iPad

Love Lane

Kari Economou <[REDACTED]>

Mon 11/2/2020 1:42 PM

To: Adam Causey <ACausey@kitteryme.org>; Cyrus Clark ; Kendra Amaral
<KAmaral@kitteryme.org>; town comments <tcomments@kitteryme.org>;

Good day!

First off we would like to thank you for not just listening to our concerns but taking prompt and thoughtful action. We have greatly appreciated and enjoyed our one-way trial period on Love Lane!

Yes, our street being one-way has caused inconvenience for our neighborhood residents and for the many who use our street as a "cut through." We understand that. We also believe that if our street remains one-way, in time as we remember to choose alternative routes prior to attempting to turn onto Love Lane against traffic, the inconvenience will become a memory.

It's hard to overstate the increase in our quality of life since one-way traffic was implemented. Our youngest doesn't wake up before the sun to the sound of shipyard traffic. We've regularly been walking the full length of our street with our children and getting to know more of our neighbors. And we feel safe while doing it! We don't have to yell to our children to get off the road when we hear a car approaching. And thinking ahead... Walks would still be possible during the winter when snow banks occupy what used to be our only escape from traffic. We could feel more at ease allowing our Shapleigh kids to take the late bus home from after school activities (bus drops are at either end of the street). We could feel more at ease when our kids walk to and from Traip (since no bus transport is offered given our proximity).

We understand the inconvenience that a one-way street brings, but we hope you'll consider making the change permanent. All of the quality of life contributions have been nice, but feeling like we can safely be on our street with our children has been priceless.

Thank you again for listening!

Aaron and Kari Economou

18 Love Lane

Kendra Amaral

From: roger cole <[REDACTED]>
Sent: Friday, October 16, 2020 9:45 PM
To: Judy Spiller-Personal; Kendra Amaral; David Rich
Subject: Love Lane Improvement!!

Hello,

I hope every Kittery resident is as enthused (an appreciative) as I am about the traffic calming initiatives on Love Lane!! Thanks to all and whoever else implemented this effort, and I hope the current traffic arrangement on Love Lane becomes permanent.

~Roger Cole

Kendra Amaral

From: Seth Gooby <[REDACTED]>
Sent: Tuesday, October 27, 2020 6:46 AM
To: Kendra Amaral
Subject: Love Lane Thank You!

Hello Kendra

I just wanted to send a quick note to let you know how happy we are with the Love Lane Traffic Pattern Change. We have been living on Love Lane since 2010 and this has been the first month in a long time that we were not woken up by the sound of stopped traffic, loud motorcycles, and grumbling trucks. I can also pull out of my driveway for work without having to wait for traffic to let me out.

The highlight though has to be watching my daughter play freely in the front yard without the fear of someone racing down the street. It has been lovely to see more people walking by the house, the neighborhood feels refreshed even amidst a global pandemic! Thanks for your consideration to keep Love Lane a one way and we appreciate you listening to our concerns

Keeping it Kitterrific!
Seth

P.s. once the traffic cones are removed and a more permanent pedestrian path is needed, might I suggest a multicolored rainbow walk or the street lined with hearts?!

[Sent from Yahoo Mail for iPhone](#)

From: [nancy.smith](#)
To: [Kendra Amaral](#)
Subject: Love Lane
Date: Tuesday, October 27, 2020 12:27:25 PM

To whom it may concern,

My name is Nancy Smith and I live at 20 Love Lane and have lived here for 49 yrs. I DO NOT like the one way for many reasons---I think that we are punishing the people who pay taxes here in town as most going to work on the Yard are from other towns, I know that the others that live on the street love this one way and yes I do like the fact that it is nice not to hear all the traffic in the morning . I would like to see it one way from 4am to 7am but was told this could not be done and I do not know why.

Thank you

Nancy Smith

One-Way Love Lane - we are loving it.

Dana Randlett <[REDACTED]>

Tue 11/3/2020 5:21 PM

To:Kendra Amaral <KAmaral@kitteryme.org>; Cyrus Clark ; acausey@kitterme.org
<acausey@kitterme.org>; town comments <tcomments@kitteryme.org>;

Dear Council Members,

The last couple weeks we have seen an amazing transformation on Love Ln, from a busy street to walkable neighborhood, and I wanted to thank you for putting together this trial.

We moved to Love Ln 3 years ago (our first house). We were drawn to Love Ln because of its proximity to the Kittery downtown as well as our desire to live in a neighborhood. Shortly after settling in, we discovered Love Ln certainly has a great proximity to downtown, but given the heavy volume of traffic, it lacked a neighborhood feel.

Quickly we found ourselves unconsciously creating walking routes for AM/PM dog walks that avoided Love Ln as well as some of its connecting streets. The traffic was heavy, fast, and difficult to manage. There are a couple "blind" sections and turns of the road that even in the day light made us nervous.

For the past couple weeks we have been free to change up our walks, enjoy walking the full length of Love Ln to pick up from shops on Rt 1, and see/greet other neighbors we'd not seen out and about before. For the last couple weeks, Love Ln has become the safe neighborhood we were originally searching for.

Certainly our vote is to keep Love Ln a "one-way Ln", a pedestrian friendly street, a neighborly street, and a safe street for Kittery residents to enjoy.

We appreciate your efforts and hope to learn more as this trial turns towards decision making.

Best,

Dana Randlett
One Love Ln.

--

Dana Randlett

Randlett Marine Services, LLC
207 232 9142
randlett.dana@gmail.com



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

REPORT TO TOWN COUNCIL

Meeting Date: November 9, 2020
From: Kendra Amaral, Town Manager
Subject: Mutual Aid Memorandum of Understanding – Police Services
Council Sponsor: N/A

EXECUTIVE SUMMARY

Chief Robert Richter, working with other York County Chiefs, are recommending execution of a Mutual Aid Memorandum of Understanding for Police Services that will expand the ability for a regional support system for police services for sixteen total agencies. The Town already is party to mutual aid agreements for police services with three individual towns in Maine. The Town is also part of mutual aid agreements for Fire and Public Works.

The proposed Police Mutual Aid agreement will create a consistent framework for the entire region. It addresses liability, supervisions, and operations if and when a Kittery Police Officer needs to be deployed to another community, or if Kittery needs assistance from other communities for its police service. This agreement will supersede the existing individual mutual aid agreements for the named communities.

This MOU is particularly timely, as COVID cases increase, and area Police Departments strategize how to cover shifts and provide public safety response as officers are quarantined due to COVID.

STATEMENT OF NEED

The York County Chiefs meet regularly to discuss common challenges and share ideas that can benefit the region. In their most recent meeting, they discussed the challenges of staffing a Police Department safely when their ranks are reduced as a result of COVID cases among staff.

Though the Town has individual mutual aid agreements with Eliot, Berwick, South Berwick and York, this broader agreement will create a larger network of available resources and make sure all participating communities' agreements are consistent.

The MOU was developed through collaboration of a number of communities. It has been reviewed by found to be compliant with state law and MMA Risk Pool policies. Per State Law, it requires approval of the Municipal Officers of the Town.

RECOMMENDATION

Authorize the Town Manager to execute the MOU on behalf of the Municipal Officers.

ATTACHMENTS

- Proposed Memorandum of Understanding for Mutual Aid – Police
- Existing Memoranda of Understanding for Mutual Aid – Police
- MRS 30-4 §2674 Aid to other law enforcement agencies

MEMORANDUM OF UNDERSTANDING
EXTENDED POLICE AUTHORITY AGREEMENT
MUTUAL AID ASSISTANCE

1 This agreement is entered into between the Chief Law Enforcement Officers of the Town of Berwick, City
2 of Biddeford, Town of Buxton, Town of Eliot, Town of Kennebunk, Town of Kennebunkport, Town of
3 Kittery, Town of North Berwick, Town of Ogunquit, Town of Old Orchard Beach, City of Saco, City of
4 Sanford, Town of South Berwick, Town of Wells, Town of York, York County Sheriff's Office, Maine,
5 located in the County of York, State of Maine. This agreement is duly executed by the authority
6 conferred upon them pursuant to Title 30-A, M.R.S.A. Subsection 2671, and Title 30-A, M.R.S.A.
7 Subsection 2674 as amended.

8 I. PREAMBLE

9 The expressed purpose of these terms and conditions of this document is to provide the requisite
10 structure by which police assistance can be requested and rendered. It is the express intention of all the
11 Chief Law Enforcement Officers for these provisions to be liberally interpreted and flexible in scope. The
12 chiefs in these communities recognize that the need for additional police manpower arise for various
13 reasons. The participants to this agreement are committed to protecting life and property of their
14 citizens and have agreed to enter into a mutual assistance compact for police services.

15 II. POLICE SERVICES

- 16 I. In accordance with M.R.S.A., it is explicitly agreed that the chief law enforcement officer or the
17 ranking on-duty law enforcement officer of one agency may request police assistance from the
18 chief law enforcement officer or the ranking on-duty officer at any time a request is necessary.
- 19 II. The request for assistance under this compact will be made only when the requesting agency has
20 exhausted or fully committed its available police manpower and/or resources, and/or where
21 additional manpower and/or resources are required to protect life or property, to maintain
22 order, to prevent the commission of criminal acts or to prevent the escape of a person who has
23 committed a criminal act.
- 24 III. Requests for assistance may be made by telephone, radio, police dispatcher or any other proper
25 means available. It is understood that the responding agency will extend its best effort to
26 provide assistance in these circumstances. Such assistance may include manpower, vehicles,
27 equipment, materials, etc.
- 28 IV. The amount of manpower and resources to be provided shall be the sole discretion of the Chief
29 of Police/Sheriff or his/her authorized designee of the responding agency who shall consider the
30 continuing police services required within his/her own jurisdiction.

- 31 V. It is expressly understood that the assistance is voluntary and does not require compulsory reply
32 when invoked. The form and duration of assistance to be provided shall be determined by the
33 responding agency. Any and all such services may be recalled at the discretion of the responding
34 agency.
- 35 VI. Police officers of the responding department shall have full authority and police powers as
36 granted under Title 30-A, M.R.S.A. Section 2674, that such officer shall have the authority to
37 exercise police powers in the jurisdiction of a party of this compact only when their assistance is
38 officially requested by the Chief of Police/Sheriff or his authorized representative.
- 39 VII. All Officers rendering aid to a requesting department shall have the same powers, duties and
40 privileges as do members of the requesting department.
- 41 VIII. When assistance is requested under this compact, the Chief of Police/Sheriff or his designee of
42 the requesting department shall be in charge of the entire police operation within his jurisdiction.
43 Police personnel, equipment and vehicles which are furnished by the responding agency shall
44 remain under the direct supervision of the responding agency's senior police official as so far as is
45 practical. Every effort will be made to coordinate the police action through the senior officers of
46 the responding agencies for direction to the responding agency's personnel.
- 47 IX. The responding agencies shall be responsible for the salaries and benefits of the responding
48 officers; for all equipment of the responding department that may be lost, damaged or
49 destroyed; and for any injuries to any personnel of the responding agency while providing aid to
50 the requesting agency.
- 51 X. The responding agency will assume its own liability incurred to any third party, except to the
52 extent attributable to command or operational decisions made by the requesting department.
- 53 XI. Each agency hereto has the right to unilaterally withdraw from this compact upon giving ten (10)
54 days written notice of intention to the other parties of the compact and thereafter the compact
55 shall become null and void at the end of said ten (10) days for the withdrawing agency.
- 56 XII. Any unforeseen problems developing as a result of this compact shall be resolved by the joint
57 actions of the Chiefs of Police/Sheriffs or their authorized agent.
- 58 XIII. This agreement constitutes the entire understanding between the agencies. Any modifications or
59 additions to the terms and provisions hereof shall be in writing and executed in the same manner
60 and with the same formality as this agreement.

61 XIV. This agreement shall remain in full force and effect from the date of this agreement unless other
62 arrangements are provided for pursuant to paragraph XI.

63 XV. This agreement shall supersede any existing mutual aid agreements for law enforcement services
64 previously executed by and between the individual communities.

65 This agreement is entered into by the Chiefs of Police/Sheriff of the undersigned agencies with the
66 formal consent of their Municipal Officers/County Commissioner.

67 **Berwick**

Biddeford

68 _____
69 Chief of Police

71 _____
72 Municipal Officer

74 **Buxton**

Eliot

75 _____
76 Chief of Police

78 _____
79 Municipal Officer

82 **Kennebunk**

Kennebunkport

83 _____
84 Chief of Police

86 _____
87 Municipal Officer

90 **Kittery**

North Berwick

91 _____
92 Chief of Police

94 _____

95 Municipal Officer

96

97 **Ogunquit**

98

99 Chief of Police

100

101

102 Municipal Officer

103

104

105 **Saco**

106

107 Chief of Police

108

109

110 Municipal Officer

111

112

113 **South Berwick**

114

115 Chief of Police

116

117

118 Municipal Officer

119

120

121 **York**

122

123 Chief of Police

124

125

126 Municipal Officer

Municipal Officer

Old Orchard Beach

Chief of Police

Municipal Officer

Sanford

Chief of Police

Municipal Officer

Wells

Chief of Police

Municipal Officer

York County

Sheriff

County Commissioner

MUNICIPAL ASSISTANCE COMPACT FOR POLICE PROTECTION

MEMORANDUM OF UNDERSTANDING

This compact is made this 15 day of MAY, 1996, by and among the Communities listed below, hereinafter referred to as participants.

Whereas, the participants have police forces, and
Whereas, the need arises from time-to-time for additional police manpower in each community, and
Whereas, the participants are desirous of protecting the life and property of their citizens, and,
Whereas, the participants are interested in entering into a mutual assistance compact for police protection.

NOW THEREFORE

It is agreed by and among the participants as follows:

1. The request for assistance under this compact will be made only when the requesting police agency has exhausted or fully committed its available manpower and/or resources are required to protect life or property, to maintain order, to prevent the commission of criminal acts, or to prevent the escape of a person who has committed a criminal act.
2. The request for assistance under this compact will be made only by the Chief of Police, or in his absence, by the sworn officer who has been authorized to act in his behalf in behalf of the Chief of Police, and may be agreed to only by the Chief (or designee) of the responding department.
3. That the amount of police manpower and resources to be provided shall be the sole discretion of the Chief of Police, or other authorized police official, of the responding department who must take into consideration the continuing amount of police protection required within his own jurisdiction.
4. Police Officers of the departments will have full authority as granted under Title 30 M.R.S.A. Section 2366. That such officers shall have authority to exercise police powers in the jurisdiction of a party to this compact only when their assistance is officially requested by the Chief of Police or his authorized representative.
5. When assistance is requested under this compact, the Chief of Police or his designee of the requesting department shall be in charge of the entire police operation within his jurisdiction.

6. While on duty, officers rendering aid to a requesting department shall have the powers, duties and privileges as do members of the requesting police department.
7. That each municipality shall pay the salaries and fringe benefits of its own officers.
8. That all equipment of the responding department which is lost, damaged or destroyed will be the responsibility of the owning department.
9. All personnel of a responding department injured while in the process of providing aid shall be compensated by the responding department.
10. Each department will assume its own liability incurred to any third party, except to the extent attributable to command or operational decisions made by the requesting department.
11. Mutual assistance shall also mean the sharing of electronic and/or written criminal or statistical data transmitted by computer or by any other agreed upon format between law enforcement agencies. The transmittal of electronic data shall be in a method and format arranged by the agencies. A communication cost arrangement of electronic data sharing shall be provided prior to the transmittal of any data between departments.
12. Each municipality hereto has the right to unilaterally withdraw from this compact upon giving seven (7) days advance written notice of its intention to do so to the other parties of the compact, and thereafter the compact shall be null and void at the end of the seven (7) days with respect to the withdrawing municipality.
13. Any unforeseen problems developing as a result of this compact shall be resolved by the joint actions of the Chiefs of Police or their authorized agents to the extent modifications to this agreement are necessary, paragraph 14 controls.
14. This compact agreement constitutes the entire understanding between the municipalities. Any modifications or additions to the terms and provisions hereof shall be in writing and executed in the same manner and with the same formality as this agreement.
15. This agreement shall remain in full force and effect. subject only to the conditions set forth in paragraph 12, supra.
16. This agreement is entered into by and among the participating municipalities with the formal written consent of their municipal officers.

COMMUNITY

Authorized by Chief DANA P. LAJOIE
Chief of Police, Town of SO. BERKSHIRE
Signature of Chief [Signature] 5-9-96

Authorized by Chief [Signature]
Chief of Police, Town of KITNEY
Signature of Chief: EDWARD F. STRONG

MUNICIPAL ASSISTANCE COMPACT FOR POLICE PROTECTION
MEMORANDUM OF UNDERSTANDING

This compact is made this 9th day of July, 1996, by and among the Communities listed below, hereinafter referred to as participants.

Whereas, the participants have police forces, and
Whereas, the need arises from time-to-time for additional police manpower in each community, and
Whereas, the participants are desirous of protecting the life and property of their citizens, and
Whereas, the participants are interested in entering into a mutual compact for police protection.

NOW THEREFORE

It is agreed by and among the participants as follows:

1. The request for assistance under this compact will be made only when the requesting police agency has exhausted or fully committed its available manpower and or resources are required to protect life or property, to maintain order, to prevent the commission of criminal acts, or to prevent the escape of a person who has committed a criminal act.
2. The request for assistance under this compact will be made only by the Chief of Police, or in his absence, by the sworn officer who has been authorized to act in his behalf in behalf of the Chief of Police, and may be agreed to only by the Chief (or designee) of the responding department.
3. That the amount of police manpower and resources to be provided shall be the sole discretion of the Chief of Police, or other authorize police official, of the responding department who must take into consideration the continuing amount of police protection required within his own jurisdiction.
4. Police Officers of the departments will have full authority as granted under Title 30 M.R.S.A. Section 2366. That such officers shall have authority to exercise police powers in the jurisdiction of a party to this compact only when their assistance is officially requested by the Chief of Police or his authorized representative.

5. When assistance is requested under this compact, The Chief of Police or his designee of the requesting department shall be in charge of the entire police operation within his jurisdiction.
6. While on duty, officers rendering aid to a requesting department shall have the powers, duties and privileges as do members of the requesting police department.
7. That each municipality shall pay the salaries and fringe benefits of its own officers.
8. That all equipment of the responding department which is lost, damaged or destroyed will be the responsibility of the owning department.
9. All personnel of a responding department injured while in the process of providing aid shall be compensated by the responding department.
10. Each department will assume its own liability incurred to any third party, except to the extent attributable to command or operational decisions made by the requesting department.
11. Mutual assistance shall also mean the sharing of electronic and or written criminal or statistical data transmitted by computer or by any other agreed upon format between law enforcement agencies. The transmittal of electronic data shall be in a method and format arranged by the agencies. A communication cost arrangement of electronic data sharing shall be provided prior to the transmittal of any data between departments.
12. Each municipality hereto has the right to unilaterally withdraw from this compact upon giving seven (7) days advance notice of its intention to do so to the other parties of the compact, and thereafter the compact shall be null and void at the end of the seven (7) days with respect to the withdrawing municipality.
13. Any unforeseen problems developing as a result of this compact shall be resolved by the joint actions of the Chiefs of Police or their authorized agents to the extent modifications to this agreement are necessary, paragraph 14 controls.
14. This compact agreement constitutes the entire understanding between the municipalities. Any modifications or additions to the terms and provisions hereof shall be in writing and executed in the same manner and with the same formality as this agreement.

15. This agreement shall remain in full force and effect, Subject only to the conditions set forth in paragraph 12, supra.
16. This agreement is entered into by and among the participating municipalities with the formal written consent of their municipal officers.

COMMUNITY

Authorized by Chief
Chief of Police, Town of
Signature of Chief

Al Boston
East Maine
Al Boston

Authorized by Chief
Chief of Police, Town of
Signature of Chief

Edward J. Shroy
KITTERY POLICE DEPT
KITTERY ME

6. While on duty, officers rendering aid to a requesting department shall have the powers, duties and privileges as do members of the requesting police department.
7. Each municipality shall pay the salaries and fringe benefits of its own officers.
8. All equipment of the responding department that is lost, damaged or destroyed will be the responsibility of the assisting department.
9. All personnel of the responding department injured while in the process of providing aid shall be compensated by the responding department.
10. Each department will assume its own liability, except to the extent attributable to command or operational decisions made by the requesting department.
11. Mutual assistance shall also mean the sharing of electronic and/or written criminal or statistical data transmitted by computer or by any other agreed upon format between law enforcement agencies. The transmittal of electronic data shall be in a method and format arranged by the agencies. A communication cost arrangement of electronic data sharing shall be provided prior to the transmittal of any data between departments.
12. Each municipality has the right to unilaterally withdraw from this compact upon giving seven (7) days advance written notice of its intention to do so to the other parties of the compact, and thereafter the compact shall be null and void at the end of the seven (7) days with respect to the withdrawing municipality.
13. Any unforeseen problems developing as a result of this compact shall be resolved by the joint actions of the Chiefs of Police or their authorized agents to the extent modifications to this agreement are necessary, paragraph 14 controls.
14. This compact agreement constitutes the entire understanding between the municipalities. Any modifications or additions to the terms and provisions hereof shall be in writing and executed in the same manner and with the same formality as this agreement.
15. This agreement shall remain in full force and effect subject only to the conditions set forth in paragraph 12.
16. This agreement is entered into by and among the participating municipalities with the formal written consent of their municipal officers.

COMMUNITY

Authorized by Chief _____
Chief of Police, Town of Berwick
Signature of Chief Jimmie Lorne

Authorized by Chief EDWARD F. STRONG
Chief of Police, Town of KITTERY ME.
Signature of Chief Edward F. Strong

MEMORANDUM OF UNDERSTANDING
EXTENDED POLICE AUTHORITY AGREEMENT
MUTUAL AID ASSISTANCE

This agreement is entered into between the Chief Law Enforcement Officers of the Town of York and the Town of Kittery, Maine, located in the County of York, State of Maine. This agreement is duly executed by the authority conferred upon them pursuant to Title 30A, M.R.S.A. Subsection 2671, and Title 30A, M.R.S.A. Subsection 2674 as amended.

I. PREAMBLE

The expressed purpose of these terms and conditions of this document is to provide the requisite structure by which police assistance can be requested and rendered. It is the express intention of both chiefs of police for these provisions to be liberally interpreted and flexible in scope. The chiefs in both communities recognize that the need arises from time to time for additional police manpower in each community and the participants are desirous of protecting life and property of their citizens and the participants are interested in entering into a mutual assistance compact for police protection.

II. EMERGENCY POLICE SERVICES

- I. In accordance with M.R.S.A. it is explicitly agreed that the chief law enforcement officer or the ranking on-duty law enforcement officer of one agency may request police assistance from the chief law enforcement officer or the ranking on-duty officer at any time an emergency request is necessary.
- II. The request for assistance under this compact will be made only when the requesting police agency has exhausted or fully committed its available police manpower and/or resources, and/or where additional manpower and/or resources are required to protect life or property, to maintain order, to prevent the commission of criminal acts or to prevent the escape of a person who has committed a criminal act.
- III. Requests for assistance can be transmitted by telephone, via police dispatcher, or other proper means available. It is understood that the responding agency will extend its best effort to provide aid in emergency circumstances. Such assistance may include any reasonable police service, i.e., manpower, vehicle, equipment, materials, etc.

- IV. The amount of police manpower and resources to be provided shall be the sole discretion of the Chief of Police or his/her authorized police official of the responding department who must take into consideration the continuing police protection required within his/her own jurisdiction.
- V. It is expressly understood that the assistance is voluntary and does not require compulsory reply when invoked. The form and duration of assistance to be provided shall be determined by the responding agency. It is further understood that any and all such services may be recalled at the sole discretion of the furnishing agency.
- VI. Police officers of the responding department will have full authority as granted under Title 30A, M.R.S.A. Section 2674, that such officer shall have authority to exercise police powers in the jurisdiction of a party of this compact only when their assistance is officially requested by the Chief of Police or his authorized representative.
- VII. All officers rendering aid to a requesting department shall have the same powers, duties and privileges as do members of the requesting police department.
- VIII. When assistance is requested under this compact, the Chief of Police or his designee of the requesting department shall be in charge of the entire police operation within his jurisdiction. Police personnel, equipment, and vehicles which are furnished by the responding agency shall remain under the direct supervision of the responding agencies senior police official so far as is practical. Every effort will be made to coordinate the police action through the senior officers of the responding agencies for direction to the responding agency's personnel.
- IX. The responding agencies shall be responsible for the salaries and fringe benefits of the responding officers; for all equipment of the responding department that may be lost, damaged, or destroyed; and for any injuries to any personnel of the responding agency while providing aid to the requesting agency.
- X. The requesting department will assume liability incurred to any third parties by personnel while under their command pursuant to this agreement.
- XI. Each municipality hereto has the right to unilaterally withdraw from this compact upon giving thirty (30) days written notice of intention to the other party of the compact and thereafter the compact shall be null and void at the end of said thirty (30) days.
- XII. Any unforeseen problems developing as a result of this compact shall be resolved by the joint actions of the chiefs of Police or their authorized agent.

XIII. This compact agreement constitutes the entire understanding between the municipalities. Any modifications or additions to the terms and provisions hereof shall be in writing and executed in the same manner and with the same formality as this agreement.

XIV. This agreement shall remain in full force and effect from the date of this agreement unless other arrangements are provided for pursuant to paragraph XI.

This agreement is entered into by the Chiefs of Police of the undersigned municipalities with the formal written consent of their Board of Selectmen, Town Council, or City Council.


AUTHORIZED BY CHIEF EDWARD F. STRONG CHIEF OF POLICE

KITTERY POLICE DEPARTMENT
DEPARTMENT

KITTERY, MAINE 03904
TOWN OF


SIGNATURE

Before me this 10th day of June, 1996:


NOTARY PUBLIC
my commission expires: 3/29/98

Signatures of Board of Selectmen, Town Council, or City Council.

Mary Anders

Lawrence Jackson

Michael Pitt

Carole J. McIntire

APPROVED BY BOARD OF SELECTMEN, TOWN OF YORK MAY 14, 1996.

§2674. Aid to other law enforcement agencies

Except as otherwise provided by municipal charter or ordinance, the municipal officers may authorize the chief of police or other designee to request other municipalities to provide law enforcement officers to assist the requesting municipality. The county commissioners may authorize the sheriff or other designee to request a municipality to provide law enforcement officers to assist the requesting county. The municipal officers may authorize the chief of police or other designee to provide law enforcement officers to assist other municipalities or counties when so requested by a properly authorized chief of police, sheriff or other designee of the requesting municipality or county. [PL 2013, c. 261, §2 (AMD).]

The authorizations of the municipal officers or county commissioners must be accompanied by an agreement between the requesting municipality or county and the responding municipality or county that specifies which governmental entity is liable, if any liability is determined to exist, for personal injury or property damage caused by or occurring to the law enforcement officers of the responding municipality or county in the course of assisting the requesting municipality or county. [PL 2013, c. 261, §2 (AMD).]

If the request for assistance is for a major unplanned incident that jeopardizes the health and welfare of the citizens of the requesting municipality or county and when delay may cause further jeopardy to life or property or in the case of jointly planned collaborative activity, the police chief of any municipality or sheriff of any county or the chief's or sheriff's designee may request assistance from or provide assistance to another municipality or law enforcement agency whether or not an agreement between the 2 parties exists. Each law enforcement department shall assume its own liability to a 3rd party, except for liability incurred by the command or operational decisions made by the requesting department, which must be assumed by the requesting department. For the purposes of this paragraph, "major unplanned incident" means an extraordinary emergency to which a law enforcement agency is unable to adequately respond that presents a substantial and imminent danger to the public safety and that necessitates the cooperation or assistance of other law enforcement agencies. [PL 2013, c. 261, §2 (AMD).]

The law enforcement officers of the responding municipality or county or law enforcement agency have the same authority as law enforcement officers within the limits of the requesting municipality or county, except as to the service of civil process, and, when assisting other municipalities, have the same privileges and immunities as when acting within their own jurisdiction. [PL 2013, c. 261, §2 (AMD).]

Notwithstanding section 501 and except as otherwise provided by municipal charter or ordinance, the municipal officers may authorize the chief of police or other designee to request a county sheriff to appoint as a deputy sheriff a municipal law enforcement officer who has satisfied the training requirements of Title 25, sections 2804-C and 2804-E. The authorization of the municipal officers must be accompanied by an agreement between the requesting municipality and the respective county that specifies the purpose and time period for which the authorization is granted and which governmental entity is liable, if any liability is determined to exist, for personal injury or property damage caused by or occurring to law enforcement officers of the municipality in the course of exercising their authority as deputy sheriffs. A municipal law enforcement officer appointed pursuant to this paragraph has the same authority as a deputy sheriff within the respective county, except as to the service of civil process, and has the same privileges and immunities as when acting within the officer's own jurisdiction. [PL 2015, c. 419, §1 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1999, c. 654, §1 (AMD). PL 2001, c. 65, §1 (AMD). PL 2013, c. 261, §2 (AMD). PL 2015, c. 419, §1 (AMD).

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