



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

Council and Kittery Port Authority Workshop- FNP
Council Chambers – 5:00p.m.

May 29, 2019

Kittery Town Council
Regular Meeting
6:00 p.m.

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

(050319-1) The Kittery Town Council moves to recognize the recipients of the 2019 Educational Recycling Scholarships, End 68 Hours of Hunger and Odyssey of the Minds.

10. PUBLIC HEARINGS

- a. (050319-2) The Kittery Town Council moves to hold a public hearing on a New Victualer's License application from Coppa Magica Gelato (Mobile Food Truck) located at 230 State Rd. US Route 1 Bypass Kittery, Maine.
- b. (050319-3) The Kittery Town Council moves to hold a public hearing for a New Victualer's License application for Wicked Mini Donuts (Mobile Food Truck) located at Kittery Premium Outlets, US Route 1 Kittery, Maine.

- c. (050319-4) The Kittery Town Council moves to hold a public hearing on a New Victualer's License application for Pinks Lobster Rolls (Mobile Food Truck) located at Kittery Premium Outlets, US Route 1, Kittery Maine.
- d. (050319-5) The Kittery Town Council moves to hold a public hearing and Ordain Amendments to Title 8 E- 911 Street naming.
- e. (050319-6) The Kittery Town Council moves to hold a public hearing on a New Victualer's License application for BBQ Betty's Smokehouse (Mobile Food Truck) located at 230 US Route 1 Kittery.

11. DISCUSSION

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

12. UNFINISHED BUSINESS -

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. (050319-7) The Kittery Town Council moves to approve the disbursement warrants.
- c. (050319-8) The Kittery Town Council moves to schedule a public hearing on June 10, 2019 for Amendments to Title 2 – Library Positions.
- d. (050319-9) The Kittery Town Council moves to approve a request from Traip Academy class of 2019's Project Graduation to hold a fundraiser at the Kittery Resource Recovery Facility on June 1st, from 9-5 rain date of June 8th.
- e. (050319-10) The Kittery Town Council moves to approve a request from the Kittery Community Center to place banners at various businesses throughout the town to publicize the Kittery Block Party scheduled for June 15th.
- f. (050319-11) The Kittery Town Council moves to approve a renewal Liquor License application from Town Pizza 15 Wentworth St., Kittery.
- g. (050319-12) The Kittery Town Council moves to approve a renewal Victualer's License application from Frisbee's Wharf located at 88 Pepperrell Rd., Kittery Point.

- h. (050319-13) The Kittery Town Council moves to approve a renewal Victualer's License application from El Grand Rodeo (Mobile Food Truck) located at 230 US Route 1, Kittery.
- i. (050319-14) The Kittery Town Council moves to approve a renewal Viewing Booth License for Amazing.Net located at 92 Route 236 Kittery.
- j. (050319-15) The Kittery Town Council moves to approve a renewal Victualer's License application for Chick-fil-A (Mobile Food Truck) located at Kittery Premium Outlets Route 1 Kittery.
- k. (050319-16) The Kittery Town Council moves to authorize the release of funds in the amount of \$250.00 from unassigned funds (unencumbered surplus) as approved by the voters at the June 12, 2018 Town Meeting and to deposit said funds into account #101740-68427 Expense Self-insurance Claims to cover the cost of the deductible for an insurance claim.
- l. (050319-17) The Kittery Town Council moves to approve a renewal Victualer's License application for the Bistro 1828 located at 88 Pepperrell Road Kittery Point.

- 14. COUNCILOR ISSUES OR COMMENTS
- 15. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports
- 16. EXECUTIVE SESSION
- 17. ADJOURNMENT

Posted: May 23, 2019



TOWN OF KITTERY
Office of the Town Manager
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806
kamaral@kitteryme.org

Town Manager's Report to the Town Council
May 29, 2019

- 1. Joint Land Use Study** – The project team has launched a survey for residents and shipyard workers to provide additional information about the impacts of the PNSY on the surrounding area. To participate in the survey, please visit the Town's website and look for the Joint Land Use Study page on the Projects tab.
- 2. Government Street Wharf Project** – The project is expected to be complete in the next few weeks. Projections for the remainder of the project have it coming in on budget and on time. Total budget for the project is \$498,500 funded through a warrant article appropriation from the undesignated reserve fund (\$450,000) and KPA Facility capital reserve funds. We will be working with the Port Authority and Council to schedule a ribbon cutting for the new wharf soon after completion.
- 3. Fort Foster Invasive Plant Management Plan**– The Parks Commission, Conservation Commission, and staff met with FB Environmental to discuss priorities for the development of the Fort Foster Invasive Plant Management Plan. Once developed, the plan will be utilized in conjunction with the invasive map and provide a multi-year/multi-faceted strategy to address the the invasive plants impacting both the natural flora and animal habitat.
- 4. Maine National Guard at Fort Foster** – The Maine National Guard is setting up their camp at Fort Foster and preparing for Phase 2 of the Wood Island restoration project. They are working with WILSSA to replace the south seawall, and perform additional electrical and plumbing work. The Maine National Guard is expected to be at Fort Foster through June. We are currently working with WILSSA on planning an event to commemorate the work being accomplished this year on the island.

Upcoming Dates:

- Absentee Ballots Available – Town Clerk's Office
- Spruce Creek Buffer Planting Volunteer Day – May 30, 8AM, Rustlewood Farm
- Property Taxes Due – May 31
- Voter Registration Night – June 5, 6PM – 8PM Town Hall
- Joint Land Use Study Open House – June 5, 4:30PM-7PM, Kittery Community Center
- Town Meeting Election & School Budget Validation – June 11, 8AM – 8PM, Kittery Community Center

Respectfully Submitted,

Kendra Amaral
Town Manager

Scholarship Recipients for 2019

<u>Students</u>	<u>Amount</u>	<u>College and Field of Study</u>
Tiana Webster	\$850	Attending Maine College of Art
Emma Kemp	\$1,250	Attending Smith College
Amy Leung	\$1,250	Attending Purdue University Global
Rachel Jones	\$850	Attending University Orono
Rachel Potter	\$1,250	Attending University of New England
Lily Kemp	\$850	Attending Wheaton College
Isabell Woollacott	\$850	Attending Tufts University
Mohamed Hasan Shaikh	\$850	Attending University of New England
<u>Other Recipients</u>		
Odyssey of the Minds	\$1,000	
End 68 Hours of Hunger	\$1,250	
Total Scholarships Issued	\$10,250	



TOWN OF KITTERY
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**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Kathryn Kelley dba Coppa
(please print) Magica

Applicant Address: PO Box 316, York, ME 03909 Gelato
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): 7-23-80 Applicant's Telephone Number: 207 703 8227

Business Name: Coppa Magica Gelato (mobile unit)
(please print) 230 US Rte 1

Business Address: PO Box 316, York, ME 03909 Kittery
(please print)

Business Telephone Number: 207 703 8227

Signature of Applicant: [Signature] DATE: 5/13/19

Applicant's Name: Kathryn Kelley
(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 KITTEERY
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**APPLICATION FOR VICTUALERS, INNKEEPERS,
 AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Arthur (Chip) Andrews
Wicked Mini Donuts, LLC
 (please print)

Applicant Address: WMD 7 York St. York, Me 03909
 (please print)

Applicant's mailing address if different from above: Home 65 Cutts Rd. Kittery, Me 03904

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 603-205-2283

Business Name: Wicked Mini Donuts
 (please print)

Business Address: 7 York St. York Me 03909
 (please print)

Business Telephone Number: 207-606-0086

Signature of Applicant: Chip Andrews DATE: 4/9/18

Applicant's Name: Chip Andrews
 (please print)

* Location: Outlets at Kittery, Rt 1, Kittery Me

LICENSE FEE: \$ 50⁰⁰

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

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



OUTLETS

AT KITTERRY

Outlets at Kitterry
283 US Route 1
Suite #13
Kitterry, ME 03904
207.439.6822
OutletsatKitterry.com

April 11, 2019

Stephen Wilson - Code Enforcement Officer
Town Of Kitterry
200 Rogers Road Rd.
Kitterry, Maine 03904

Re: Wicked Mini Donuts

Dear Stephen,

This letter is to inform the town approval board, that the Outlets at Kitterry is granting permission via a vending agreement for Chip and Anne Andrews to have a Mini Donut cart in a designated area at Outlet 1- 283 US Rte. 1 in Kitterry.

If you have any questions or need further information, please feel free to contact me.

Thank you.
Respectfully,

Mari T. O'Neil CMD
General Manager
Outlets at Kitterry

SAVE MORE. LIVE MORE.



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

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Pink Fisheries
(please print)

Applicant Address: 67 Depot Rd Eliot ME 03903
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): 11-21-76 Applicant's Telephone Number: 401-692-5972

Business Name: Pink's Lobster Rolls
(please print)

Business Address: Kittery Premium Outlets #2, Route 1 Kittery
(please print)

Business Telephone Number: _____

Signature of Applicant: Rebecca Kent Harmon DATE: 4/29/19

Applicant's Name: Rebecca Kent Harmon
(please print)

LICENSE FEE: \$ 50

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

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

May 8, 2019

Rebecca Kent-Harmon
Pink Fisheries, LLC
Pink's Lobster Rolls
67 Depot Road
Eliot, ME 03903

Dear Pink Fisheries, LLC:

Enclosed is Lease Agreement # 7861-0519-11050 for the period of 5/24/2019 to 10/14/2019. Please execute all copies of the lease agreement and also initial the Addendum plus the following paragraphs: 3. Right of Early Termination; 8. Security/Damage Deposit; 10. Indemnity & Exculpation of Landlord; 13. Return of Space; 16. (a) No Hawking; 19. Covenant Against Infringement; Please return all copies of the executed leases by 5/24/2019. A fully executed copy will then be returned to you for your file.

Please read the enclosed document carefully as once it is fully executed, its terms and conditions will govern any relationship between the parties. The Lease Agreement sets forth an early termination right for the Landlord. The contractual right provides the Landlord flexibility with regard to the Space on account of the short term of the Lease. No verbal promises or representations have been made to you or anyone acting on your behalf which conflict in any way with the terms and conditions of the Lease Agreement.

Please refer to the Insurance paragraph for your insurance coverage. A **Certificate of Insurance and completed Form W-9 must be received at the Mall Management Office five (5) days prior to your lease start date before the store can open.** The additional insured paragraph must read as follows:
KITTERY PREMIUM OUTLETS, LLC, a Delaware limited liability company, its Managing Agent, Simon Property Group, Inc., and their respective officers, directors, shareholders, members, partners, parents, subsidiaries, related and affiliated entities, agents, servants, and employee

All rent payments, in the form of a business or personal check, should be made payable to:
KITTERY PREMIUM OUTLETS, LLC, a Delaware limited liability company at remittance address:
Kittery Premium Outlets_KIT
Attn: Management Office
375 US Route 1, Suite 220, Box 6
Kittery, ME 03904

The prepaid rent and security deposit amounts shown on the attached lease agreement must be paid with separate checks. Please do not combine both prepaid rent and security deposit into one check.

Any and all permits must be obtained and all city and government regulations must be met, where applicable.

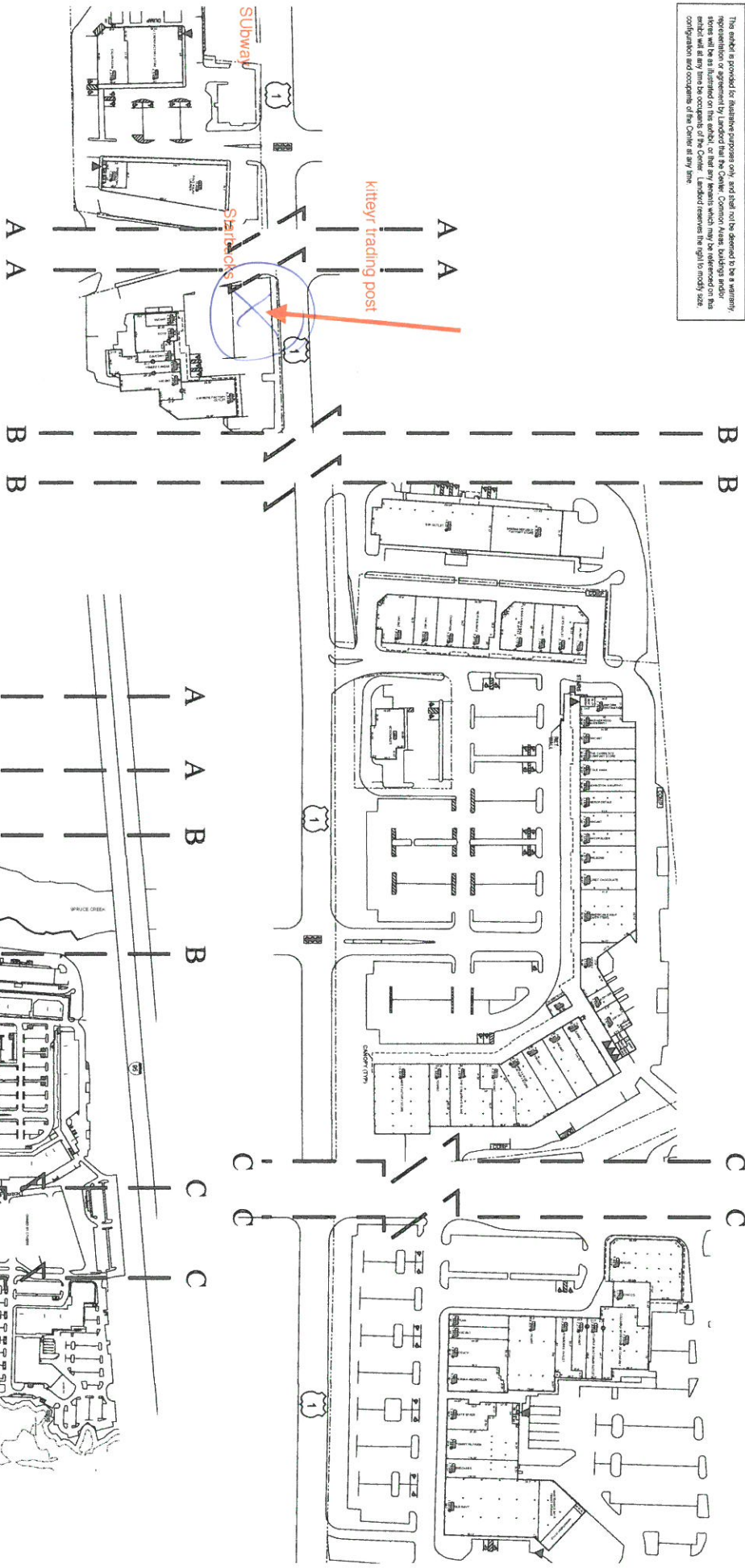
Please note the attached does not constitute an offer or promise to lease, and is subject to approval by Landlord and Landlord lenders. It is also not a promise to hold a space nor a commitment to finalize or negotiate a lease. The lease agreement should not be changed or modified in any way. The lease will not be binding and enforceable until it has been fully executed by both Tenant and Landlord. Landlord reserves the right to withdraw and reject any offer to enter into a lease agreement.

If you should have any questions, please call our office at 207.439.6548.

Sincerely,

Allison Silvernail
Office Administrator

This exhibit is provided for illustrative purposes only, and shall not be deemed to be a warranty, representation or agreement by Landlord that the Center, Common Areas, buildings and/or stores will be as illustrated on this exhibit, or that any tenants which may be referenced on this exhibit will at any time be occupants of the Center. Landlord reserves the right to modify size, configuration and occupancy of the Center at any time.



Legend
 (TENANT NAME) - Under Construction
 (TENANT NAME) - NFR Unit
 ▲ Priority Business
 ● Change of Elevation

Center Plan
 0 80 160

Project Data
 Total GFA 280,136

Kittery Premium Outlets
 306 US Route 1
 Kittery, ME 03904
 CORP # 7881 **SIMON**
PREMIUM OUTLETS

Modified February 04, 2019



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

REPORT TO TOWN COUNCIL

Meeting Date: April 22, 2019
UPDATED: May 29, 2019
From: Kendra Amaral, Town Manager
CC: Dutch Dunkelberger, Planning Board Chair
Subject: Title 8 – E-911 Street Naming
Sponsor: Chairperson Judith Spiller

EXECUTIVE SUMMARY

The State of Maine Emergency Services Communication Bureau recommends communities adopt an Addressing Ordinance that clearly defines local standards for the addressing of streets and buildings to comply with/enhance emergency response capabilities. The Town of Kittery currently does not have an addressing ordinance. Municipal authority to address is granted under the Home Rule Powers in Title 30-A.

The proposed ordinance establishes a framework for addressing in Kittery that is tied directly to the State's E 9-1-1 addressing requirements, and establishes the "Addressing Officer" as the authority for making naming decisions consistent with the ordinance.

OVERVIEW

To best protect the public, and the personnel involved in providing police, fire and emergency medical services, the Town should set street addresses in a manner that is grounded in model "addressing" practices for E 9-1-1. Confusing addressing such as like-street names, inconsistency in numbering patterns, and other challenges impacts response times for emergency services. This is particularly important as we utilize GIS and Computer Aided Dispatch to provide emergency services, and as more and more residents are seeking services using cellular technology rather than land lines.

The issue of standards for addressing were brought to the forefront as the Town was working with a property developer on their street name plans. It was pointed out to the Town that absent an Addressing Officer and ordinance, street naming requirements are merely advisory. This ordinance addresses the gap identified.

The ordinance was developed using the Enhanced E 9-1-1 Addressing Officer Manual, Seventh Edition as a source reference. It has been reviewed and refined by the Police Chief, Fire Chief, DPW Commissioner, and the team in the Planning and Development Office.

Though this doesn't necessarily create a conflict with Title 16, 16.8.3 in terms of new street names, it does create an overlapping process. We will work with the Planning Board to determine whether that should be addressed immediately, or wait for the recodification to resolve.

PROPOSED SOLUTION/RECOMMENDATION

Approve as proposed.

ATTACHMENTS

- Proposed Title 8 Amendment
- Proposed Enactment
- Related Section of Title 16 - Street Names

For more information about the Enhanced 9-1-1 Addressing Officer Manual visit www.maine.gov/maine911

1 **ADD: Chapter 8.4. Street Addressing** as follows:

2 **CHAPTER 8.4 Street Addressing**

3 **8.4.1. Purpose**

4 The purpose of this ordinance is to conform to Enhanced 9-1-1 standards, as
5 established by the Maine Public Utilities Commission, and enhance the rapid location of
6 properties in an emergency or call for law enforcement, fire, rescue, and emergency
7 medical services in Kittery.

8 **8.4.2. Authority**

9 A. The Addressing Officer, as designated by the Town Manager, is authorized to assign
10 road names and street numbers to all properties, both on existing and proposed roads
11 in accordance with this ordinance. The Town Manager may designate more than one
12 Addressing Officer as needed.

13 B. The Addressing Officer is responsible for and authorized to provide all required
14 addressing information to the state agency responsible for the implementation of
15 Enhanced 9-1-1 service.

16 **8.4.3. Definitions**

17 For the purpose of this chapter only, the following definitions apply:

18 **Road** means any highway, road, street, avenue, lane, fire lane, private way, a Planning
19 Board approved right-of-way or similar paved, gravel, or dirt ways.

20 **Street Numbers** means addresses assigned for the purpose of physical location and
21 Enhanced 9-1-1

22 **Building** means a residential, commercial or industrial building that will be occupied by
23 one or more persons. This excludes sheds and accessory structures that do not contain
24 dwelling or businesses and are not places where the general public gather.

25 **8.4.4. Naming System**

26 All roads that serve two or more principal buildings will be named regardless of whether
27 the ownership of the road is public or private. Assignment of a road name does not
28 constitute or imply acceptance of the road as a public way. The following criteria will
29 govern the naming system:

30 A. No two roads will be given the same or similar name (Ex. Pine Road and Pine
31 Lane).

32 B. No two roads will have similar sounding names (Ex. Beech Lane and Peach Lane,
33 Beech Lane and Beach Lane).

34 C. Each road will have the same name throughout its entire length.

35 D. Special characters such as hyphens, apostrophes, periods or decimals will not be
36 allowed.

37 ~~Roads which join or are in alignment with roads abutting, or neighboring properties,~~
38 ~~must bear the same name.~~

39 E. Single family dwellings and single lot access driveways will not be named unless
40 road naming is required as part of a Planning Board condition of approval (if
41 required), or if the Addressing Officer deems it necessary for emergency response
42 purposes.

43 F. No road name may duplicate or be similar sounding to road names in the Town of
44 Eliot.

45 **8.4.5. Road Name Signs**

46 Road name signs must be in compliance with the following:

47 A. Road name signs are to be furnished and installed by the developer of a new
48 public or private road, and by the private road owner(s) for existing private roads.

49 B. The material, size, and location of road name signs are to be approved by the
50 Commissioner of Public Works.

51 C. Road name signs for private roads will include “private” or an abbreviation thereof
52 on the sign.

53 D. Road name signs must be posted at intersections.

54 E. Private road owners must maintain the surrounding vegetation to allow for proper
55 visibility of the signs from all directions.

56 F. Road name signs must have a name that is approved by the Addressing Officer.

57 **8.4.6. Numbering System**

58 **8.4.6.1 Street Number System**

59 The following criteria will govern the street numbering system:

60 A. Odd numbers will appear on the left side of the road, in ascending order. Even
61 numbers will appear on the right side of the road, in ascending order.

62 B. All numbers will radiate from the center of town, beginning from the intersection of
63 Walker Street, Wentworth Street, and Wallingford Square. Numbering will begin at
64 the intersection nearest to the point of origin.

65 C. For dead end roads, numbering will originate at the intersection of the adjacent road
66 and terminate at the dead end.

67 D. For all new subdivisions and developments where possible, street numbers will be
68 assigned every 50 (fifty) feet along both sides of the road. In more densely
69 developed areas a 25 (twenty five) foot, or smaller, numbering interval may be used
70 as appropriate.

71 E. Street numbers may not be based on zoning or lot road frontage.

72 F. In cases where using a numbering interval is not possible, the Addressing Officer will
73 assign the building the most appropriate street number relative to its location and the
74 street numbers of neighboring buildings.

75 G. The number assigned to each building will be that of the numbering interval falling
76 closest to the center of the driveway or to the location of the front door.

- 77 H. Street numbers for buildings that have a front door facing one road and the driveway
78 accessing another will be determined based on the ease of location for emergency
79 responders.
- 80 I. Every building with more than one principle use or occupancy, except an Accessory
81 Dwelling Unit, will have a separate number for each use or occupancy. Duplexes will
82 have two separate numbers. Apartment buildings will have one street number with
83 apartment numbers (Ex. 235 Maple Road, Apt 2.)
- 84 J. Fractional numbers (Ex. 37 ½) are prohibited.
- 85 K. Alpha-numeric (Ex. 4A) is not allowed. If new numbers are required on a road that
86 does not conform to 9-1-1 standards, the road will be renumbered subject to
87 approval of the Police Chief.

88 8.4.6.2. Numbering in Special Developments

- 89 A. Cul-de-sacs will be dissected from the middle of the road. Buildings on the left of
90 the cul-de-sac will be numbered with odd numbers. Buildings on the right will be
91 numbered with even numbers. Numbers must not wrap around the cul-de-sac in
92 case of future road extension (Ex. all even numbers around the cul-de-sac are
93 prohibited).
- 94 B. Single family homes with an approved attached or detached Accessory Dwelling
95 Unit will be required to use the primary residence address and a “Unit A”
96 designation following. (Ex. 76 Somewhere Road, Unit A).
- 97 C. A detached secondary dwelling that is not an Accessory Dwelling Unit but located
98 on a shared lot of record must be issued a separate street number. If there are no
99 available numbers on the road, the dwelling will be numbered with a unit number
100 secondary to the primary residence. In such cases an approved sign or post
101 bearing both numbers will be installed and maintained out of the right of way, at the
102 intersection of the driveway entrance and at the road servicing the property.
- 103 D. Apartment Buildings will be numbered with one street number followed by
104 apartment numbers. The apartment building number must be clearly displayed on
105 the building exterior. For multi-unit buildings with more than one entrance and/or
106 common area, a sign must be provided at each entrance and must indicate what
107 units are served by the entrance.
- 108 E. Commercial Buildings or Offices located in one primary building will be numbered
109 with one number followed by suite or unit numbers.

110 8.4.6.3. Street Number Display

111 All owners of buildings will display and maintain in a conspicuous place on said building,
112 or near the paved road, the assigned street numbers in the following manner:

- 113 A. All buildings must bear a distinctive street number in accordance with and as
114 designated upon the street-numbering map on file with the Town’s assessing
115 department.
- 116 B. No person may affix, or allow to be affixed, a different street number from the one
117 designated on the street-numbering map.

- 118 C. The number must be plainly visible from the road.
119 D. The number must be displayed on the front of the residence or building in the
120 vicinity of the front door or entry and/or the side facing the road.
121 E. Numbers must be of a color that contrasts with the background color and must be
122 a minimum of 4 inches in height. Numbers must be visible at all times of the year,
123 night or day, and in all weather conditions.
124 F. Where the building is over 100 (one hundred) feet from the edge of the road, the
125 assigned number must be displayed:
126 (1) on a post, fence, wall, mailbox, or on some structure at the property line
127 adjacent to the walk or access drive to the building. The post/sign is not
128 considered a structure which must conform to zoning ordinance setbacks.
129 (2) in a visible location outside of the Town's right-of-way unless for unique
130 visibility reasons the sign may be located within the outer right of way limits
131 with the written permission of the Commissioner of Public Works prior to
132 installation.
133 (3) such that vegetation surrounding the sign is maintained to allow for visibility
134 of the sign from all directions.
135 G. Street number and unit number must be displayed on detached secondary
136 dwelling units that are not an Accessory Dwelling Unit and are located on the
137 same lot as the primary dwelling unit.
138 H. For multi-unit buildings the building number must be displayed on the exterior of
139 the building. If more than one entrance and/or common area exists, a sign must
140 be provided at each entrance and must indicate what units are served by each
141 entrance.

142 **8.4.7. New Construction and Subdivisions**

- 143 A. A Road Naming application must be submitted to the Addressing Officer with the
144 proposed road name prior to a sub-division approval being granted. The applicant will
145 show the approved road name on the subdivision final plan. The applicant will mark on
146 the plan every 50 (fifty) feet, using lines or dots, in the center of the roadway to aid the
147 assignment of street numbers to buildings subsequently constructed.
148 B. Whenever any building is constructed or developed it will be the duty of the property
149 owner to obtain a street number from the Addressing Officer as soon as the driveway is
150 constructed and construction of the building starts.
151 C. A number will be displayed on a temporary post outside of the right of way but visible
152 from the road within 30 days of receiving the street number.
153 D. Final numbers must be installed prior to issuance of a Certificate of Occupancy.
154 E. If new construction on an unnamed road creates two or more principle buildings on
155 the road, the roadway must be named in accordance with Section 8.4.4. and a Road
156 Naming application must be filed to the Addressing Officer.

157 **8.4.8. Unnamed Existing Private Roads.**

158 A. The Addressing Officer may require private unnamed roads to be named for
159 emergency response purposes. The Addressing Officer will notify road owner(s). Upon
160 notification the road owner(s) will have 30 days to apply for a road name. If the owner(s)
161 fail to file a Road Naming application the Addressing Officer will assign a name to the
162 road in accordance with the provisions of this ordinance.

163 B. The owner(s) of a private, unnamed road may voluntarily apply to the Addressing
164 Officer to name the road.

165 **8.4.9. Road Name Change.**

166 The owner(s) of a private road may apply to change a road name. The property
167 owner(s) must notify all property owners with frontage on the private road of the
168 application.

169 **8.4.10. Effective Date of Street Address**

170 A. The Addressing Officer will notify in writing each affected property owner and the US
171 Postal Service, Emergency Services, and Town Departments of a new or changed road
172 name or street number.

173 B. The road owner(s) and/or property owner(s) assigned a new road name or street
174 number address must post or display the new road name and/or street numbers, within
175 60 (sixty) days of issuance of the notification.

176 **8.4.11. Enforcement**

177 Any person who, after being notified by the Addressing Officer, any law enforcement
178 officer of the Town, or the Code Enforcement Officer fails to comply with any of the
179 provisions of this chapter will be subject to a fine of \$150.00 (one hundred fifty dollars)
180 per violation, per day.

**KITTERY TOWN CODE TITLE 8 PROPOSED AMENDMENT –
STREET ADDRESSING**

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

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

10 **WHEREAS**, the Town of Kittery seeks to maintain its addressing in accordance with state
11 standards for enhanced 9-1-1 emergency communication operations; and

12 **WHEREAS**, an ordinance is needed to establish an Addressing Officer and to enact regulations
13 that direct how street addressing will occur; and

14 **WHEREAS**, the ordinance proposed aligns with the Maine Public Utilities Commission
15 Emergency Services Communication Bureau Manual;

16 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN
17 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS TITLE 8, CHAPTER 8.4
18 STREET ADDRESSING.

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

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

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

§ 16.8.3.1. Names.

Streets which join or are in alignment with streets of abutting or neighboring properties must bear the same name. Names of new streets may not duplicate, nor bear phonetic resemblance to, the names of existing streets within the municipality and are subject to the approval of the Planning Board.

§ 16.8.3.2. Signs provided.

Street name signs are to be furnished and installed by the developer; the type, size and location to be approved by the Commissioner of Public Works.



TOWN OF KITTEERY
 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.): E.M.R. Foods L.L.C.
 (please print)

Applicant Address: 3 Libby Lane Apt. 3D Cape Neddick ME 03902
 (please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 207-219-2924

(Food Truck)
 Business Name: BBQ Betty's Smokehouse - 230115 Rte 1
 (please print)

Business Address: 3 Libby Lane Apt. 3D Cape Neddick ME 03902
 (please print)

Business Telephone Number: 207-219-2924

Signature of Applicant: Scott Ramsey DATE: 5/20/19

Applicant's Name: Scott Ramsey
 (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 KITTELY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: May 29, 2019
From: Kendra Amaral, Town Manager
Subject: Title 2 Amendments – Library Department
Councilor Sponsor: Chairperson Judy Spiller

EXECUTIVE SUMMARY

The Town Council accepted the gift of the Library assets in principal, effective on or about July 1, 2019. A required next step is to incorporate the Library positions into the Town's Personnel Ordinance.

The Library Director will be a non-union position, as is all other department heads. The other full-time library positions will be incorporated into the Teamsters Clerical Unit. Work is underway with the union to add the positions and specific work conditions into the collective bargaining agreement.

Ms. Paro, the Town's Human Resources Generalist, is working with Library staff to begin the onboarding process effective July 1. The Town will honor the Library's hiring date for employees, for the purposes of longevity and paid-time-off calculations.

PROPOSED SOLUTION/RECOMMENDATION

Approve the as proposed.

ATTACHMENTS

- Title 2 - Proposed Amendments
- Title 2 - Enactment

1 **ADD Article 9 to Chapter 2.4 Personnel Positions Established as follows:**

2 **2.4.9.1 Library Director**

3 The purpose of the Library Director position is to manage, supervise and direct the day-to-day
4 operations of the library and its associated facilities. Duties include, but are not limited to:
5 coordinating library collection management, programming, developing and implementing
6 department policies and Minerva consortium policies, purchasing, maintaining records and files,
7 supervising staff and volunteers, grant writing preparing budgets, scheduling building
8 maintenance and repairs and performing additional tasks as assigned by the Town Manager.

9 **2.4.9.2 Youth Services Supervisor**

10 The purpose of the Youth Services Supervisor position is to supervise and administer library
11 programs and collections that fosters an atmosphere for children, caregivers and young adults
12 that leads to a lifetime of reading. Duties include, but are not limited to: maintaining and
13 evaluating the children's' and young adults' collections, planning, supervising and conducting
14 programs, creating marketing materials programs, grant writing, and performing additional tasks
15 as assigned by the Library Director.

16 **2.4.9.3 Technical Services Supervisor**

17 The purpose of the Technical Services Supervisor position is to prepare and organize materials in
18 the library making them easily accessible to patrons and staff. Duties include, but are not limited
19 to: cataloguing and processing library materials, administering Minerva cataloging policies,
20 maintaining online collections, assisting in the selection of collection materials, coordinating
21 library adult programs, and performing additional tasks as assigned by the Library Director.

22 **2.4.9.4 Circulation Services Supervisor**

23 The purpose of the Circulation Services Supervisor position is to oversee the circulation of
24 materials in the library ensuring that all patrons' visits are valuable. Duties include, but are not
25 limited to: overseeing and staffing the circulation desk, assisting patrons with materials access,
26 maintaining a vibrant library website and museum pass program, administering Minerva
27 software and policies, administering inter-library loan invoices, updating computer equipment,
28 generating and maintaining statistics and reports, and performing additional tasks as assigned by
29 the Library Director.

30 **2.4.9.5 Library Assistant**

31 The purpose of the Library Assistant position is to assist in the delivery of library services to
32 patrons, assist staff, and perform additional tasks as assigned by the Library Director.

33 **ADD Library Department to Chapter 2.5 as follows:**

<u>Section</u>	<u>Position</u>	<u>Established By</u>
<u>Library Department</u>		
<u>2.4.9.1</u>	<u>Library Director</u>	<u>Council</u>
<u>2.4.9.2</u>	<u>Youth Services Supervisor</u>	<u>Union contract</u>
<u>2.4.9.3</u>	<u>Technical Services Supervisor</u>	<u>Union contract</u>
<u>2.4.9.4</u>	<u>Circulation Services Supervisor</u>	<u>Union contract</u>
<u>2.4.9.5</u>	<u>Library Assistant</u>	<u>Union contract</u>

**KITTERY TOWN CODE TITLE 2 –
LIBRARY DEPARTMENT**

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

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

10 **WHEREAS**, the Rice Public Library is becoming a department of the Town of Kittery effective
11 July 1, 2019 upon the acceptance of a gift of assets from the Library Board of Directors; and

12 **WHEREAS**, the positions associated with the regular operation of the Library need to be
13 incorporated into the Town’s Personnel Ordinance and Code;

14 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN
15 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS TITLE 2, PERSONNEL and
16 ADMINISTRATION AMENDMENTS OF THE TOWN CODE, AS PRESENTED.

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

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

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

Karen Estee

From: Tia Perez <tt11480@hotmail.com>
Sent: Friday, May 10, 2019 7:38 AM
To: Karen Estee
Cc: dperkins@vectorfive.com
Subject: Project Graduation Fundraiser

Good Morning Karen,

Thank you for taking the time to chat with me yesterday. Per our conversation, I am a volunteer parent raising money for the Traip Academy class of 2019's project graduation. We would like to ask permission to hold a fundraiser at the Kittery Dump. I understand that we have missed the deadline for May 18th therefore we would like to try for June 1st with a rain date of June 8th. Our plan is to have two parents collecting donations starting from 9 am to 5 pm. We will set up just outside the exit gate to the dump with signs showing who our organization is. Please let me know if you need any further information for the town to make a decision.

Thank you,

Tia



Kittery Community Center
120 Rogers Road, Kittery, ME 03904
(p) 207-439-3800 • (f) 207-439-1780
www.kitterycommunitycenter.org

Director
Assistant Director
Recreation Supervisor
Early Childhood Supervisor

Jeremy Paul
Todd Henley
Valerie Lachapelle
Jess Labbe

To: Kendra Amaral, Town Manager
Kittery Town Council Chairperson Judy Spiller
Kittery Town Councilors
From: Jeremy Paul, Director
Re: Kittery Block Party Sign Permit Requests
Date: May 10, 2019

The 2019 Kittery Block Party is scheduled for Saturday, June 15th.

The Kittery Block Party Committee is requesting authorization from Council to place banners at the following locations to help publicize the event. All locations will place the banner at their respective establishments. All establishments are playing major roles in the sponsorship of this Community Event. We'd like to have the banners up from May 30-June 17.

The locations are:

- Rice Public Library-each building location
- Bob's Clam Hut
- York Hospital Kittery
- Kittery Trading Post
- Kennebunk Savings
- Lil's Café

In addition, the Kittery Block Party Committee is requesting authorization from Council to post directional signs/arrows in the traffic circle and other spots around town. These stake signs would be posted Friday night/Saturday morning and be picked up immediately at the conclusion of the Block Party.

The Kittery Block Party is a celebration of local art, culture and food that fosters lasting relationships and strengthens community in a fun neighborhood atmosphere enjoyable to all ages. The Kittery Block Party will feature artisans, artists, non-profits, area farmers, and restaurants – with an emphasis on “local” – as well as other community involvement. There will be a children's area, live entertainment throughout the day, demonstrations and educational exhibits. This event is sure to entice, educate, and entertain all ages. KBP is a rain or shine event, and there is no admission fee.

Vendor booths will be set up in well-known downtown Kittery. This easily navigable neighborhood will host booths and entertainment from Government Street through Wallingford Square and up Walker and Wentworth Streets. The Block Party's main venue is compact and walkable, making everything easily accessible from the centrally located main stage area on the corner of Walker Street and Government Street.

3127

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
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:	

NEW application: Yes No

PRESENT LICENSE EXPIRES 7-8-2019

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV) RESTAURANT/LOUNGE (Class XI) CLASS A LOUNGE (Class X)
- HOTEL (Class I,II,III,IV) HOTEL, FOOD OPTIONAL (Class I-A) BED & BREAKFAST (Class V)
- CLUB w/o Catering (Class V) CLUB with CATERING (Class I) GOLF COURSE (Class I,II,III,IV)
- TAVERN (Class IV) QUALIFIED CATERING OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>CHIOS PIZZA INC</u> <u>9-30-43</u>		Business Name (D/B/A) <u>TOWN PIZZA REST.</u>	
APPLICANT(S) --(Sole Proprietor) DOB: <u>9-30-43</u>		Physical Location: <u>15 WENTWORTH</u>	
DOB:		City/Town	State
Address <u>49 GRIFFIN RD</u>		<u>MITTERY</u>	<u>ME</u>
City/Town	State	Zip Code	
<u>PORTSMOUTH</u>	<u>N.H</u>	<u>03801</u>	<u>03904</u>
Telephone Number	Fax Number	Business Telephone Number	Fax Number
<u>603) 436 1061</u>		<u>207 439 1265</u>	
Federal I.D. #	Seller Certificate #: or Sales Tax #:		
<u>010361702</u>	<u>5875</u>		
Email Address: Please Print	Website:		

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

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 229410 LIQUOR \$ 45015
- Is applicant a corporation, limited liability company or limited partnership? YES NO 229410
If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you own or have any interest in any another Maine Liquor License? Yes No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License #	Name of Business	(Use an additional sheet(s) if necessary.)
Physical Location	City / Town	

5. Do you permit dancing or entertainment on the licensed premises? YES NO
6. If manager is to be employed, give name: _____
7. Business records are located at: 15 WENTWORTH ST MITTERY ME 03904
8. Is/are applicant(s) citizens of the United States? YES NO
9. Is/are applicant(s) residents of the State of Maine? YES NO
10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
STAMATIA MIMINAS	9-30-43	GREECE
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
49 GRIFFIN RD PORTSMOUTH NH 03801		

11. 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: _____ Date of Conviction: _____
- Offense: _____ Location: _____
- Disposition: _____ (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____
13. Has/have applicant(s) formerly held a Maine liquor license? YES NO
14. Does/do applicant(s) own the premises? Yes No If No give name and address of owner:
SOTIRIS REEL STATE LLC 49 GRIFFIN RD PORTSMOUTH NH 03801
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____
TOWN PIZZA REST
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____
17. 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? 500 FT
Which of the above is nearest? church
18. 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: _____

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.
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 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) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

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: KITTEERY on MAY 6- 2019 , 20 19
Town/City, State Date

 Stamatia MIMINA
 Signature of Applicant or Corporate Officer(s)
 STAMATIA MIMINA
 Print Name

Please sign in blue ink

 Signature of Applicant or Corporate Officer(s)

 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 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.

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.**

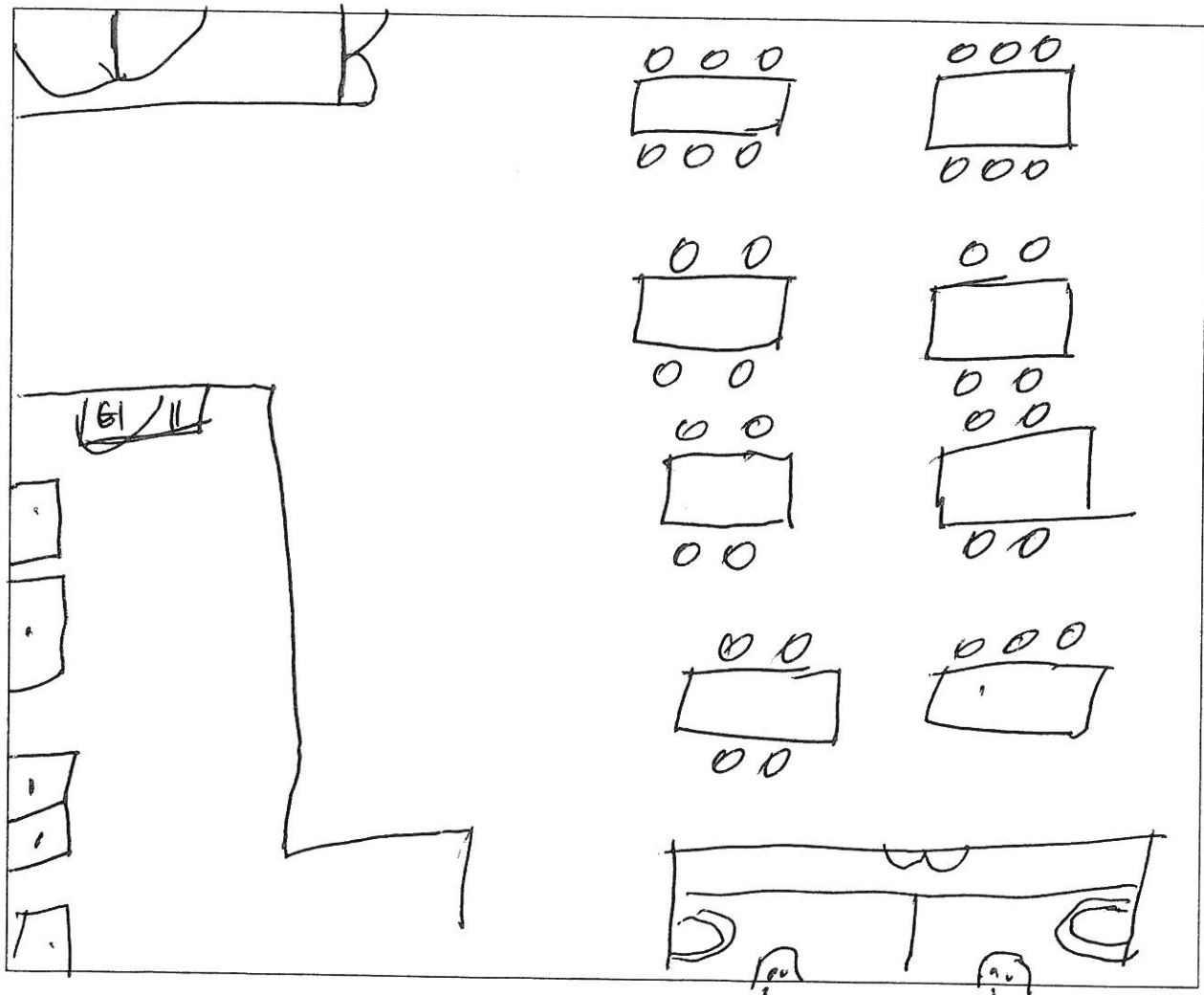
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

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 of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





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: CHIOS PIZZA INC
- Doing Business As, if any: TOWN PIZZA RESTA. JUN 9-1997
- Date of filing with Secretary of State: _____ 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 %
<u>Stamatia MIMINAY</u>	<u>49 GRIFFEN RD PORTSMOUTH NH 03884</u>	<u>9-30-43</u>		<u>100%</u>

(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. Is any principal person involved with the entity a law enforcement official?

Yes No If Yes, Name: _____ Agency: _____

8. 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

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

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

Stamatia MIMINAS
Signature of Duly Authorized Person

Date

MAY 6- 2019

STAMATIA MIMINAS
Print Name of Duly Authorized Person

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

Wharf

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

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

Applicant Address: 88 Peppercorn Road
(please print) Kittery Point ME

Applicant's mailing address if different from above: same 03905

Date of Birth (Sole Proprietor): 8-21-63 Applicant's Telephone Number: 207-475-5500

Business Name: Frisbear Wharf
(please print)

Business Address: 88 Peppercorn Road
(please print) Kittery Point ME 03905

Business Telephone Number: 207-703-2028

Signature of Applicant: [Signature] DATE: 5-7-2019

Applicant's Name: Donna Ryan
(please print)

LICENSE FEE: \$ 25.00

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

Applicant Address: 23 Sage Brush Dr., Scarborough, ME 04074
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 614-254-4976

Business Name: El Grand Rodeo
(please print) Food Truck - 230 US Rt - Kittery

Business Address: 147 Western Ave, South Portland, ME 04106
(please print)

Business Telephone Number: 207-773-8851

Signature of Applicant: [Signature] DATE: 04/25/2019

Applicant's Name: Ilse Fernandez
(please print)

LICENSE FEE: \$ 25.00

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 KITTEERY
Office of the Town Clerk
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1313 Fax: (207) 439-6806

APPLICATION FOR VIEWING BOOTHS LICENSE

Name of applicant: Capital Video Corporation
 (please print)

Applicants Address: 44 Bedson Road Cranston RI 02910 Telephone No.: 401-464-4800
 (please print)

Business Name: Amazing.net
 (please print)

Business Address: 92 Route 236 Kittery ME 03904 Telephone No.: 207-439-6285
 (please print)

Business Mailing Address: 44 Bedson Road Cranston RI 02910
 (please print)

Name of Owner: Capital Video Corp Name of Operator: _____
 (please print) (please print)

Number of Viewing Booths to be Licensed: 8

Have you ever had a license to conduct such a business denied or revoked? Yes ___ No

If so, describe the circumstances specifically:

Additional information: _____

\$ 160.00 Annual License Fee: \$20.00 per Viewing Booth

SIGNATURE OF APPLICANT: [Signature] DATE: 4/1/19

APPLICANTS NAME: Gay J. Kler
 (please print)

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

5/29
Agenda



TOWN OF KITTEERY, MAINE

200 Roger Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806

Date issued to CEO 5/9/2019

TO: Karen Estee, Interim TOWN CLERK
FROM: SHELLY BISHOP, ASSISTANT CODE ENFORCEMENT OFFICER
RE: BUSINESS SITE INSPECTION

NAME OF BUSINESS: Capital Video Corporation (Amazing.Net)

BUSINESS LOCATION 92 Rte 236, Kittery

BUSINESS PHONE #: 614-254-4976 or 207-773-8851

NAME OF APPLICANT:

___ VICTUALERS LICENSE ___ RENEWAL

___ LIQUOR LICENSE ___ NEW ___ RENEWAL

___ SPECIAL ACTIVITY AMUSEMENT PERMIT

X OTHER **Viewing Booth License**

A site inspection was conducted at the establishment listed above on 5/21/2019.
I recommend the Town Council approve the above-mentioned license/permit for this establishment.

___ A site inspection was conducted on _____ and failed due to the following deficiencies: _____

A re-inspection will be done on _____.

[Signature]
Code Enforcement Officer

5/21/2019
Date



TOWN OF KITTERY, MAINE

200 Roger Road, Kittery, ME 03904
Telephone: (207) 439-1313 Fax: (207) 439-6806

Date issued to the Police Chief: 05/09/2019

TO: Karen Estee, (Interim) TOWN CLERK

FROM: Robert Richter, CHIEF OF POLICE

RE: BUSINESS LICENSE BACKGROUND CHECK

NAME OF BUSINESS: Capitol Video Corporation DBA Amazing.Net

BUSINESS LOCATION: 92 Route 236 Kittery

VICTUALERS LICENSE

LIQUOR LICENSE

SPECIAL ACTIVITY AMUSEMENT PERMIT

OTHER Viewing Booth License (Renewal)

A local records check and a check on any previous problems with the establishment listed above have been conducted. I recommend that the Town Council grant the license contingent on the applicant passing the background check through the State of Maine.

A local records check and a check on any previous problems with the establishment listed above have been conducted, and I do not recommend the Town Council approving the above-mentioned license/permit for this establishment. Please see my attached comments.

Robert Richter, Chief of Police

5.10.2019

Date



TOWN OF KITTERY
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.): Mike Lawson
(please print)

Applicant Address: 141 Maynard St Northborough Ma 01532
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 508-948-9270

Business Name: Green Mountain LLC; d.b.a Chick-fil-A Westborough
(please print) *Truck located at outlets.*

Business Address: 286 Turnpike Road Westborough Ma 01581 #2
(please print)

Business Telephone Number: 508-366-8407

Signature of Applicant: *Mike Lawson* DATE: 5/7/2019

Applicant's Name: Mike Lawson
(please print)

LICENSE FEE: \$ 25.00

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

Bistro

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

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Bistro 1828 LLC
(please print)

Applicant Address: 88 Peppercorn Road
(please print)

Applicant's mailing address if different from above: 87 Whippu Road
Kittery Point Rd.

Date of Birth (Sole Proprietor): 9-4-84 Applicant's Telephone Number: 603 988 7332

Business Name: Bistro 1828
(please print)

Business Address: 88 Peppercorn Road
Kittery Point ME 03905
(please print)

Business Telephone Number: 207-703 2028

Signature of Applicant: Eidos Aris DATE: 5-8-2019

Applicant's Name: EIDOS ARIS
(please print)

LICENSE FEE: \$ 25.00

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

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

Payee: Town of Kittery
Company: MMA Property and Casualty Fund

Policy #: P31130PC2018

Adjuster: Debra Marquis
Invoice #:

Check Number: 51439
Check Date: 5/9/2019
Check Total: \$ 7,271.97
From Date:
Through Date:

Client #	Loss Date	Claim #	Claimant Name	L-O-B	Comment	Payment Transaction	Amount
31130	3/25/2018	219P0954-0001	Town of Kittery	APD		Non-Total Loss	7,271.97



Maine Municipal Association

Property & Casualty Pool
PO Box 9109
Augusta, ME 04332-9109

52-7436
2112

Bangor Savings - MMA PC Pool
3 State Street
Bangor, ME 04402

51439

Date: 5/9/2019
CHECK NO. 51439

NOT VALID AFTER 1 YEAR FROM DATE

AMOUNT
\$ 7,271.97

Claimant: 219P0954-0001 Town of Kittery

PAY **SEVEN THOUSAND TWO HUNDRED SEVENTY-ONE DOLLARS AND 97 / 100**

TO THE
ORDER
OF
Town of Kittery
200 Rogers Rd
Kittery, ME 03904

Second Signature required if amount over \$20,000

