



# TOWN OF KITTERY

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

## Council Chambers – 5:00p.m.

### TIF WORKSHOP

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

February 24, 2020

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.
  - a. (020220-1) The Kittery Town Council moves to receive a presentation from the Joint Land Use Study.
10. PUBLIC HEARINGS -
11. DISCUSSION
  - a. Discussion by members of the public (three minutes per person)
  - b. Response to public comment directed to a particular Councilor
  - c. Chairperson's response to public comment

12. UNFINISHED BUSINESS

- a. (020220-2) The Kittery Town Council moves to amend their previous motion and change the public hearing date for Title 6 – Animal Control to March 23, 2020.

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. (020220-3) The Kittery Town Council moves to approve the disbursement warrants.
- c. (020220-4) The Kittery Town Council moves to approve a renewal liquor license application from Rudders Public House, 70 Wallingford Square, Kittery.
- d. (020220-5) The Kittery Town Council moves to approve a renewal liquor license application from Ore Nell's BBQ, 2 Badgers Island West, Kittery.
- e. (020220-6) The Kittery Town Council moves to approve a renewal liquor license application from Loco Coco Taco's 36 Walker Street, Kittery.
- f. (020220-7) The Kittery Town Council moves to schedule a Public Hearing on March 9<sup>th</sup> to Amend TIF's.
- g. (020220-8) The Kittery Town Council moves to schedule a Public Hearing on March 9<sup>th</sup> to approve a Warrant Article to appropriate \$500,000 for the Wood Island Pier for the June 9, 2020 Town Meeting Secret Ballot Election and make their recommendations on the article.
- h. (020220-9) The Kittery Town Council moves to schedule a Public Hearing on March 9<sup>th</sup> to approve a Warrant Article to expand the Gorges Road Station and Surplus the Walker Street Fire Station for the June 9, 2020 Town Meeting Secret Ballot Election and make their recommendations on the article.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

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

16. EXECUTIVE SESSION –

17. ADJOURNMENT

Posted: February 20, 2020



# 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 February 24, 2020

- 1. Kittery/York Border** – We have received a communication from the York Town Manager that they have engaged a law firm to advance their claim against Kittery. As we both have legal representation engaged on this, communications will primarily go through the attorneys going forward. The next step will be for York to file suit in Superior Court in accordance with MRS 30-A §2852.
- 2. Bus Route to Kittery Foreside** – COAST is finalizing plans to alter its shuttle service to the PNSY effective this summer. The current service goes directly to the shipyard once in the morning and once in the afternoon. The limited service has proved to be problematic for employees who need a more flexible option, work overtime, variable shifts.

The plan under consideration will bring the existing COAST Bus Route 44 from Portsmouth to the Kittery Foreside, hourly, on weekdays, and connect Routes 14, 13 and 100 in Portsmouth to the Foreside. The bus service will be available to the general public rather than limited to shipyard employees. The stops along the route are still being worked out, and will likely include 3 or 4 locations in the general Foreside area.

The service will require financial support from Kittery and the PNSY to maintain and operate. Public transit generally requires subsidy, as fares cannot be affordable and sustain the operating costs associated with the service. Fares are expected to be \$1.50 per ride or \$52 for a monthly pass.

Mass transit to Kittery is identified as a catalytic strategy in the Joint Land Use Study, and has the potential to appeal to more employees on the shipyard as an alternative mode of transit to work. The service will also connect general customers and employees to the Foreside during peak travel and parking demand-times, reducing vehicle congestion. Mass transit also helps to lower the greenhouse gas emissions, as it provides a means of transporting more than one person per vehicle.

### Upcoming Dates:

- Voter Registration Night – February 26, 6PM to 7PM, Town Hall
- Absentee Ballots Deadline to Request – February 27, 6PM, Town Hall
- Presidential Primary & Special Referendum Election – March 3, 8AM to 8PM, KCC
- Maine Bicentennial Presentation – March 5, 6PM, Traip Academy
- Mooring Permit Renewals Due – April 15, Harbormaster or Online

Respectfully Submitted,

  
Kendra Amaral  
Town Manager

**§2852. Disputed boundary lines**

When a controversy over a boundary line exists between adjoining municipalities, either may file a complaint with the Superior Court stating the facts and requesting that the line be run. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**1. Commissioners appointed.** The court, after due notice to all parties, shall appoint 3 commissioners.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**2. Ascertain and describe line.** The commissioners, after giving the interested municipal officers at least 10 days' written notice of the time and place of meeting, shall ascertain the line and describe it by courses and distances.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**3. Temporary markers.** The commissioners shall set temporary markers to indicate the established line.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**4. Report.** The commissioners shall report their proceedings to the court.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**5. True line.** When the court accepts the report, the line established by the commissioners becomes the true line for every municipal purpose, and the court shall order the interested municipalities to replace the temporary markers with monuments as provided in section 2851, subsection 7.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**6. Expense.** Each municipality shall pay an equal share of the expense of erecting monuments.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**7. Compensation of commissioners.** The court shall allow the commissioners a proper compensation for their services and issue a warrant for its collection from the interested municipalities in equal proportions.  
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular Session of the 129th Maine Legislature and is current through October 1, 2019. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.



# TOWN OF KITTERY AND PORTSMOUTH NAVAL SHIPYARD **JOINT LAND USE STUDY**

EXECUTIVE SUMMARY - JANUARY 2020



## WHAT IS A JLUS?

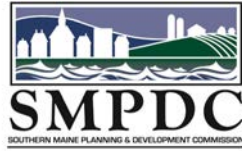
The Town of Kittery and Portsmouth Naval Shipyard Joint Land Use Study (JLUS) represents an opportunity for the Town of Kittery, Southern Maine Planning & Development Commission (SMPDC), regional jurisdictions, States of Maine and New Hampshire, and Portsmouth Naval Shipyard (PNSY) to strengthen their existing partnership, understand and address the issues impacting both the Navy and communities throughout the region, and establish a blueprint for mutually beneficial actions to support military readiness, and continued community growth and economic development.

Extensive public outreach and engagement occurred throughout the JLUS planning process. The JLUS Policy Committee and JLUS Working Group helped facilitate the JLUS planning process and development of the document. Each committee, together with affected stakeholders, participated directly with the project team to provide technical assistance, feedback, and decision-making.

A series of 24 Compatibility Factors were evaluated to identify and address issues that may have an adverse impact upon continued military operations at PNSY, or upon community growth and economic development

throughout the region. The compatibility analysis led to development of recommendations that include prioritized strategies and actions, responsible parties, timeframe, and possible funding sources to address identified compatibility issues. While Comprehensive, these recommendations should be considered a starting point for future studies, grant applications, and implementation actions to come.

The Town of Kittery and SMPDC sponsored the JLUS with funding support from the Department of Defense (DoD) Office of Economic Adjustment. The JLUS was created by the community and for the community.



Five communities, Three regional planning commissions, and several local, regional, and state organizations and agencies were active partners working with the Portsmouth Naval Shipyard and Town of Kittery on the collaborative planning effort:

### POLICY COMMITTEE MEMBERS

CAPT. DANIEL ETLICH	Commander, PNSY
CAPTAIN DAVID HUNT	Former Commander, PNSY
KURTIS KRUG	Executive Officer, PNSY
TREVOR THAYER	Executive Director, PNSY
JEN BRICKETT	Regional Planner, MaineDOT
DANA LEE	Town Manager, Eliot
STEVE BURNS	Town Manager, York
LUCY ST. JOHN	Senior Planner, New Hampshire DOT
DEANE RYKERSON	State Representative
JOHN BOHENKO	City Manager, Portsmouth
PETER STITH	Principal Planner, City of Portsmouth
STEVE BUCK	City Manager, Sanford
JIM NIMON	Director, Sanford Economic Growth Council
MARK LAWRENCE	Maine State Senator
TIM ROACHE	Executive Director, Rockingham Planning Commission
JEN CZYSZ	Executive Director, Strafford Regional Planning Commission
MARGIT MYERS	DOD Office of Economic Adjustment
KENDRA AMARAL	Town Manager, Kittery

### WORKING GROUP MEMBERS

JACKIE JOHNSTON	Community Liaison, PNSY
ADAM CAUSEY	Director of Planning & Development, Town of Kittery
PAUL SCHUMACHER	Souther Maine Planning and Development Commission
REBECCA GROVER	GoMaine Director/ Maine Turnpike Authority
DAVE WALKER	Assistant Director, Rockingham Planning Commission
SCOTT BOGLE	Senior Transportation Planner, Rockingham Planning Commission
COLIN LENZ	Senior Transportation Planner, Strafford Reg'l Planning Commission
CHRIS MANN	PNSY - Naval Facilities Engineering Command (NAVFAC)
SAMUEL SCOTT	Transportation Director, YCCAC
BOB CURRIE	Assistant Transportation Director, YCCAC
DOT MORIN	Town Planner, Eliot
DOUGLAS GREENE	Town Planner, York
DYLAN SMITH	Director, COAST
RAD NICHOLS	Director of Operations, COAST
MICHAEL WILLIAMS	Regional Planner, MaineDOT
JEN BRICKETT	Senior Planner, New Hampshire DOT
LUCY ST. JOHN	Director of Planning and Development, Sanford
BETH DELLA VALLE	

### OTHER INTERESTED PARTIES

BONNIE POTHIER	Senator King's Office
ALEX PELCZAR	Senator Collin's Office
PAM TRINWARD	Congresswoman Pingree's Office
DANNA EDDY	Congressional and Public Affairs Officer, PNSY
GARY HILDRETH	Assistant Public Affairs Officer, PNSY
KRISTOPHER TIERNAN	PNSY- Naval Facilities Engineering Command (NAVFAC)

## TOWN OF KITTERY AND PORTSMOUTH NAVAL SHIPYARD JOINT LAND USE STUDY

*This study was prepared under contract with the Town of Kittery, Maine, with financial support from the Office of Economic Adjustment, Department of Defense. The content does not necessarily reflect the views of the Office of Economic Adjustment.*

# JLUS PROCESS AND PUBLIC OUTREACH

The JLUS process is designed to create a locally relevant document that builds consensus and obtains support from the various stakeholders involved. It becomes a roadmap for future studies, grant applications, and implementation actions. To achieve the JLUS goals and objectives, the process included a public outreach program with a variety of participation opportunities for interested and affected parties.

Two committees, comprised of municipal, regional, state, and federal representatives guided the development of the JLUS:

- A **Policy Committee** provided overall guidance and approval, meeting quarterly through 2019.
- A **Working Group** comprised of technical staff from each policy member organization met regularly throughout the course of the study to guide data collection, review findings, deliberate strategies, and review materials shared with the policy committee and the public.

From the beginning of the study, local and regional stakeholders were engaged to inform their constituents about the JLUS and involve them in understanding, addressing, and resolving the most important issues. Stakeholders include individuals, groups, organizations, and governmental entities interested in, affected by, or affecting the outcome of the JLUS findings and recommendations.

## WHO WE SPOKE TO

### COMMITTEES

- Policy Committee
- Working Group

### STAKEHOLDERS

- Local Jurisdictions (counties and cities)
- Department of Defense (DOD) officials (including Office of Economic Adjustment representatives)
- Portsmouth Naval Shipyard
- Local, regional, and state planning agencies
- Local, regional, and state transportation agencies
- Local, regional, and state government representatives
- Military organizations
- Non-governmental organizations
- The general public (including residents and landowners)



## HOW WE COMMUNICATED

### MEETINGS

- Targeted roundtables
  - Transportation
  - Regional Governance
  - Planning
  - Kittery neighbors
- Stakeholder interviews
- Public open houses
- Shipyard visit

### OTHER METHODS

- Project updates and fact sheets
- Project website
- Media articles
- Surveys







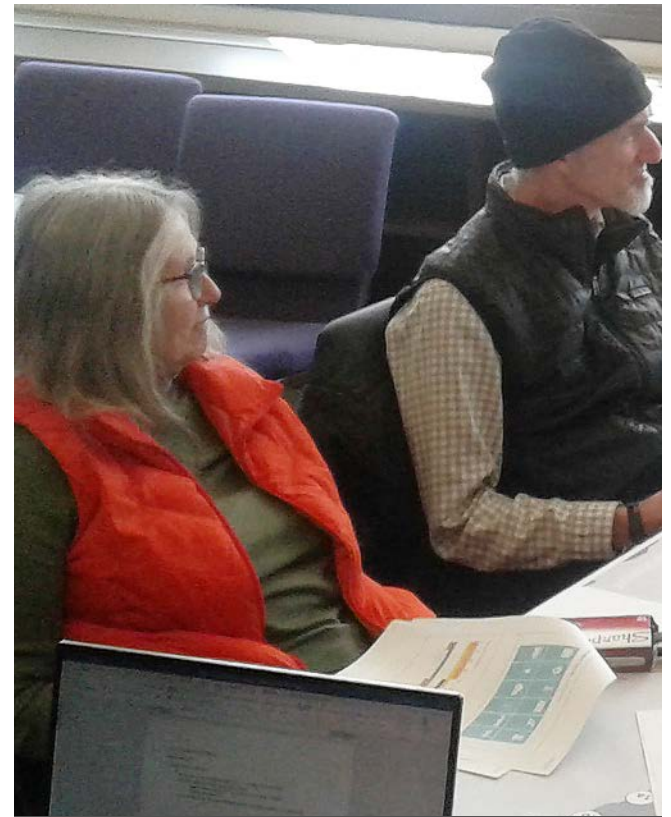
Public Open House - June 2019



Roundtable Session - March 2019



PNSY Pop-up - July 2019



Roundtable Session - March 2019

# JLUS STUDY AREA

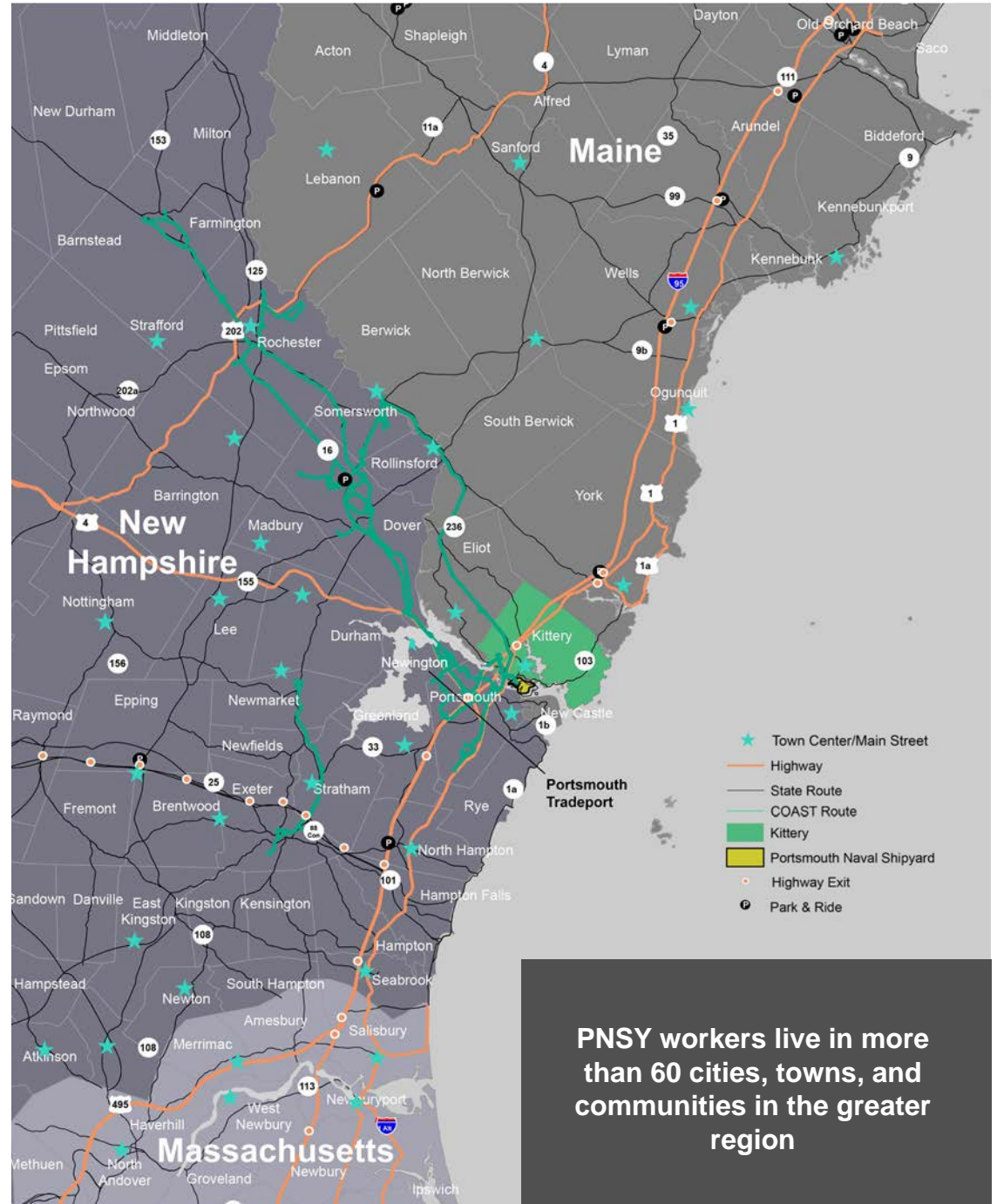
## THE INSTALLATION

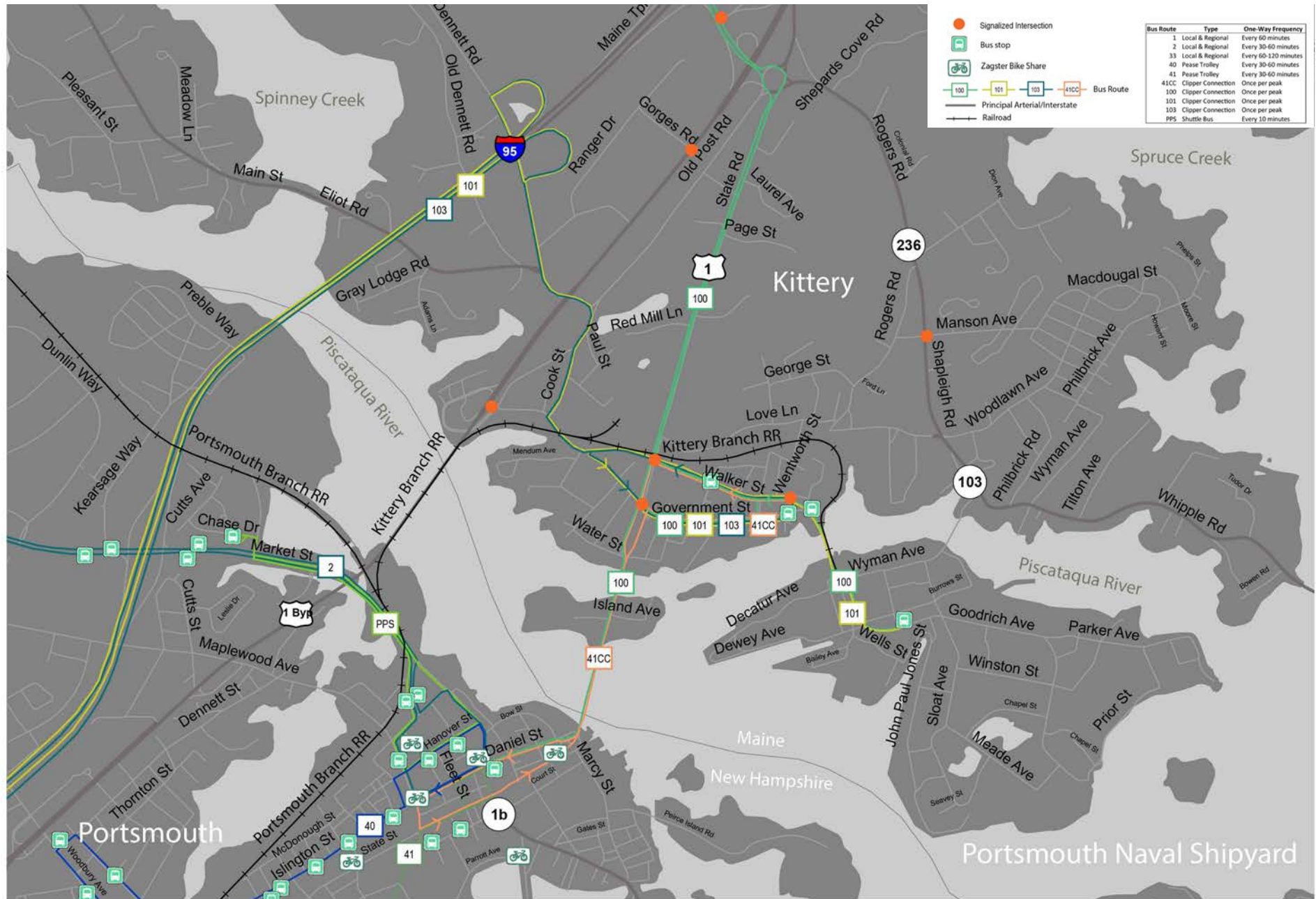
PNSY has been in operation since 1800 at its location 50 miles north of Boston. It is situated on Seavey Island in southeastern Maine on the Piscataqua River, bounded to the north by the Town of Kittery and to the south by the City of Portsmouth, New Hampshire. The installation is accessed by water from the Atlantic Ocean and by land via one of only two gate/checkpoint bridges landing in Kittery's Foreside neighborhood. The Installation comprises 297 acres, including the main island, the two access checkpoints (Gate 1 and Gate 2), and housing both on (26 units) and off-site (approximately 200 units) located in Kittery.

The shipyard employs more than 7,000 full-time workers, in addition to approximately 2,000 contractors.

## JLUS STUDY AREA

The study area includes all land near the shipyard that may impact current or future military operations, or be impacted by activities within the Town of Kittery and the region at large. While this includes the greater region from which workers commute on a daily basis, the town of Kittery and communities nearest to the PNSY are of primary focus, with a focused sub-area for more detailed analysis defined by the Route 1 roundabout (Memorial Circle) to the north of PNSY, the Maine Turnpike (I-95) to the west, downtown Portsmouth to the south, and Spruce Creek to the east.





PNSY's location presents both challenges and opportunities in transportation choices

# KEY FINDINGS

## THE REGION IS GROWING WITH THE HIGHEST LEVELS OF GROWTH FURTHER INLAND

Between 2010 and 2017, populations have increased in most towns in the region surrounding PNSY, with Kittery, York and Portsmouth growing between 2-6%. The population of Kittery in 2018 was approximately 9,500.

Towns further west from PNSY have -- and are expected to continue to see -- the highest growth in the next 15 years. From 2010-2017, towns such as Eliot and Wells grew between 6 and 14%. These inland communities are not along the region's major highway and transit corridors.



## AVAILABILITY OF AFFORDABLE HOUSING IS CAUSING PNSY WORKERS TO MOVE FARTHER AWAY

The growth in housing cost is arguably the largest contributor to regional congestion impacts from the PNSY. While the majority of PNSY workers once lived within walking distance, Kittery housing prices today are not affordable for over 70% of its residents. Less than 7% of shipyard workers live in Kittery today, with thousands pushed toward inland towns with lower housing costs, such as Sanford, Berwick and Rochester, NH.



## ROADWAY CONGESTION IS IMPACTING LENGTHS OF COMMUTE TIMES FOR PNSY WORKERS

Nearest its two gates, shipyard traffic makes up the vast majority of cars in both the AM and PM peak periods on streets within the Town of Kittery, such as Walker Street, Government Street, and Shapleigh Road. Outside Kittery, PNSY traffic is a notable portion of regional traffic on some roadways, particularly Rt. 236, though shipyard workers travel an hour or more before the peak hour of other regional traffic.



**PNSY WORKERS ARE USING BIKING, WALKING, CARPOOLS AND TRANSIT TO GET TO WORK MORE THAN THE REST OF THE REGION**

PNSY workers drive alone **10-15% less** than people in the surrounding region of Rockingham County, NH and York County, ME.

Nonetheless, the convenience of driving—especially given the dispersed supply of housing that workers can afford—makes the use of other modes somewhat limited. Transit routes to the shipyard are well-utilized, but insufficient transit coverage exists to capture more workers.



**PNSY ECONOMIC ACTIVITY HAS SIGNIFICANTLY GROWN IN 20 YEARS BUT THE REGION IS OVERLY RELIANT ON ITS ECONOMIC CONTRIBUTION**

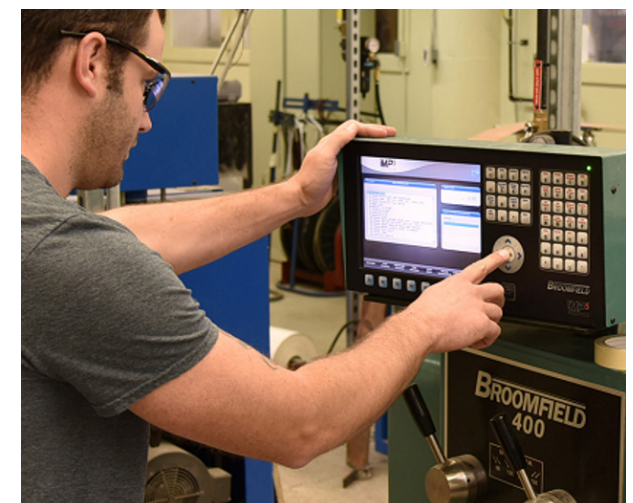
In 2018, PNSY generated the largest single economic impact in southern Maine at \$882.6 million, of which 62% is civilian payroll. Approximately 10% of the Town of Kittery's workforce is employed by PNSY. Additional impact comes from spending at Kittery business by military personnel and civilian jobs supporting the shipyard.

In an attempt to diversify the local job base, the Town has initiated efforts to promote business diversification through its primary economic development areas.



**NEEDS FOR NEW, SKILLED WORKERS ARE INCREASING AS EXPERIENCED PNSY WORKERS RETIRE**

Finding skilled workers has been a growing problem for the PNSY due to two primary trends. First, attractive high-technology employment options have grown outside of Maine, with young workers drawn to growing jobs centers like Boston and many other cities around the country. Second, local housing costs have grown dramatically, making many young workers leave the region for lower-cost parts of the country where similar or greater pay is possible.



# COMPATIBILITY ANALYSIS

The goal of compatibility planning is to promote an environment where both community and military entities communicate, coordinate, and implement mutually supportive actions that allow both to achieve their respective objectives.

Compatibility, as it relates to military readiness, can be defined as the balance or compromise between community needs and interests and military needs and interests. A number of factors assist in determining whether community and military plans, programs, and activities are compatible or in conflict with each other. For the JLUS, **24 compatibility factors** were analyzed, and a core set of **10 key issues**.



**HOUSING**



**REGIONAL COORDINATION**



**COMMUNICATIONS**



**ECONOMIC RESILIENCE**



**ENVIRONMENTAL**



**TRAFFIC AND TRAVEL SAFETY**



**CONGESTION**



**TRANSIT**



**PARKING**



**BIKING AND WALKING**

**The objectives of the PNSY, Town of Kittery and Southern Maine Planning and Development Commission are an important consideration as all partners of the JLUS look for opportunities to synchronize their efforts for the long-term benefit of the region.**

#### **PNSY MISSION**

We are Portsmouth. Together we are honor bound to support and defend the Constitution of the United States. We do so proudly by maintaining, repairing and modernizing our Navy's submarines so that they can go in harm's way, defeat our enemies in war and return their crews home safely.

#### **PNSY VISION**

People love to work at Portsmouth. Their passion, dedication, innovation and unified effort ensure we will always be the Navy's Center of Excellence for submarine maintenance.

#### **PNSY VALUES**

We define Portsmouth every day through our service. With this service comes great responsibility; to our families, to each other, to our heritage, and to our Nation. We meet these responsibilities by living up to the values embodied in our Declaration of Excellence and the Navy's core values of honor, courage, and commitment.

#### **VISION FOR KITTERY FORESIDE NEIGHBORHOOD (Kittery 2015-2025 Comprehensive Plan)**

The Foreside is a thriving, historic neighborhood that includes Maine's earliest working waterfront. We envision a future for the Foreside that benefits the entire town by:

- Maintaining the historic, working-class character and scale of the Foreside;
- Preserving Foreside building stock by adopting a preference for creative or adaptive reuse of existing buildings;
- Ensuring the availability of integrated workforce housing in the Foreside;
- Encouraging walking and biking in the Foreside;
- Preserving the Foreside's working waterfront; and
- Protecting and expanding green space in the Foreside

#### **VISION FOR SOUTHERN MAINE PLANNING AND DEVELOPMENT COMMISSION**

The purpose of SMPDC is to strengthen local municipal self-government while combining total resources for meeting regional challenges beyond individual capacities; to serve as a mutual forum to identify, study, and bring into focus regional challenges and opportunities; provide organizational support to enable communication and coordination among governments and agencies concerned with regional issues and opportunities; to act as an advocate where membership directs; and to exercise such powers as the member municipalities may delegate.

# PEOPLE-CENTERED ANALYSIS RESULTS & RECOMMENDATIONS

## SUMMARY OF COMPATIBILITY ANALYSIS RESULTS

### COORDINATION + COMMUNICATION



Military installations and agencies that oversee their jurisdictions should maintain open lines of communication for shared issues. PNSY and the Town of Kittery have informal communication channels established.

### PUBLIC + MILITARY BASE SAFETY



Population growth and increased recreational activity near installations can lead to safety issues. PNSY has strong and defined boundaries both on land and in water for the protection of both parties, ensuring ongoing compatibility.

### LEGISLATIVE INITIATIVES



Federal, state, or local laws and regulations may have impact on installation's ability to conduct missions because of development limitations. This is not applicable to PNSY and the Town of Kittery.

### CULTURAL RESOURCES



The presence of cultural resources (including Native American resources) may prevent or restrict military development. However, no applicable resources have been identified within the JLUS study area.





## SUMMARY OF RECOMMENDED STRATEGIES

### REGIONAL COORDINATION ISSUES

#### CATALYTIC STRATEGY

- **Regional funding partnerships**  
Regions that work collaboratively attract greater state and Federal assistance.

#### SUPPORTING STRATEGIES

- **Regional committee participation**
- **Quarterly planning meetings**
- **Regional data sharing**

### COMMUNICATION ISSUES

#### CATALYTIC STRATEGY

- **Formal joint communications plan**  
Formalizing the good lines of communications that exist today preserves them for the future.

#### SUPPORTING STRATEGIES

- **Social media public engagement**
- **Emergency communications program**



**Preserving regional communications platforms for the future is essential.**



**Members of both JLUS committees should continue their coordination.**

# NATURAL RESOURCE ANALYSIS RESULTS AND RECOMMENDATIONS

## SUMMARY OF COMPATIBILITY ANALYSIS RESULTS

### SCARCE NATURAL RESOURCES



Valuable natural resources (oil, natural gas, minerals, water) which may be located on military installations can impact land utilization and military operations. There are no identified resources on land dedicated to PNSY.

### RESILIENCE



Sea level rise and other events resulting from climate fluctuations may present operational and planning challenges. Various studies show that there may be existing vulnerable areas that require further mitigation efforts.

### THREATENED SPECIES



Threatened species and their habitats may require special development considerations for PNSY. There are currently adequate procedures in place for protection of species that may be impacted by PNSY activity.

### MARINE ENVIRONMENT



Regulatory or permit requirements protecting marine and ocean wildlife may impact the military's ability to conduct water-based operations, training exercises, or testing. No current issues have been raised that impact PNSY's capabilities.

### LAND/AIR/SEA SPACES



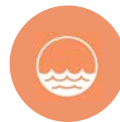
Adequate supply is necessary for the military to accomplish effective training, testing and operational missions. Current PNSY land constraints have resulted in the pursuit of off-base development, as needed. On-base development is planned efficiently as possible.

### AIR QUALITY



To achieve operations safely, air quality with the lowest level of pollutants possible (as Federally and State-regulated) is required. Current conditions do not pose a threat to operations or to the health of PNSY and the public.

### WATER QUALITY + QUANTITY



Adequate supply of good quality water should be available for use by the installation and surrounding communities as the area develops. There are currently very limited freshwater resources in the Town of Kittery, which PNSY is also reliant upon. Additional long-term measures to secure water supply should be explored.

### NATURAL FEATURES



The likeliness of natural events, such as floods, may require special development considerations and should be included early in the planning process. There are currently procedures in place for PNSY facilities that may be vulnerable.



## SUMMARY OF RECOMMENDED STRATEGIES

### ENVIRONMENTAL ISSUES

#### CATALYTIC STRATEGY

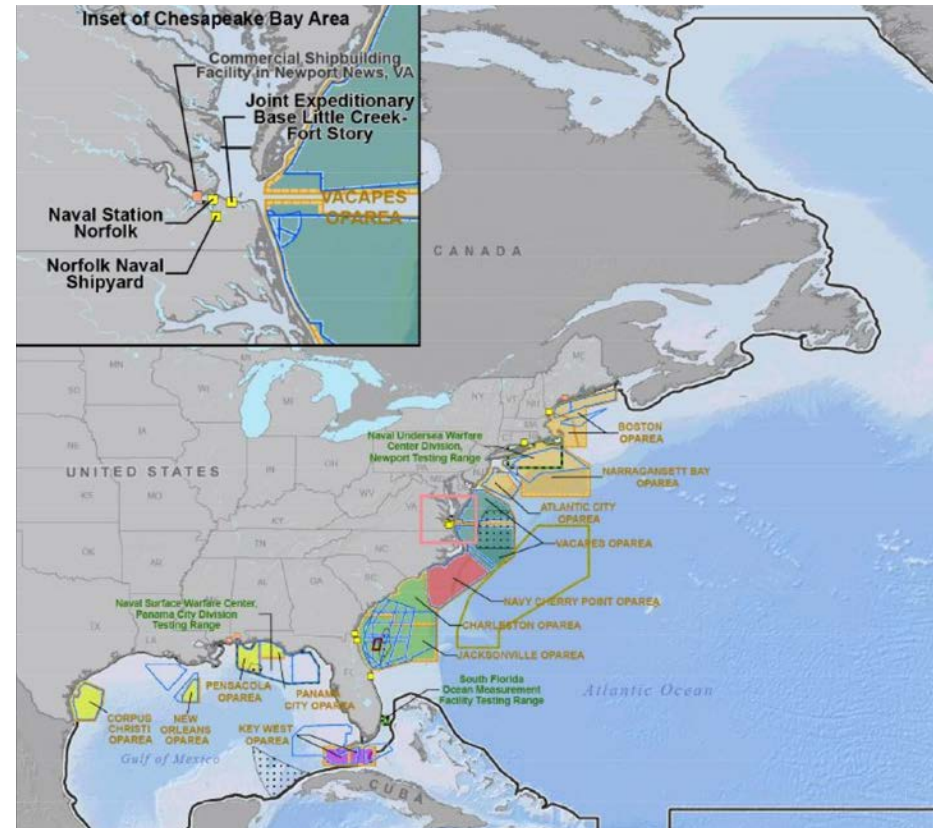
- **Community/military resilience partnership**  
While Climate Forecasts May Vary, Any Unanticipated Flooding Can be Costly to PNSY and the Region.

#### SUPPORTING STRATEGY

- **Ensure compatibility of wind energy projects**



As a waterfront installation, PNSY has regularly dealt with potential flooding, but extreme events pose greater challenges.



Off-shore wind projects can provide needed renewable energy, but military operations must be understood during planning.

# DEVELOPMENT RELATED RESULTS AND RECOMMENDATIONS

## SUMMARY OF COMPATIBILITY ANALYSIS RESULTS

### DEVELOPMENT FACTORS

#### LAND USE



Federally-owned land is not subject to local zoning or land development regulations, but adjacent land uses may impact continued military operations or pose a public safety issue. There are no existing incompatibilities with adjacent lands in Kittery. However the limited land available to PNSY for any expansion to accommodate future operations may impact its overall mission.

#### LIGHT + GLARE



Light sources on or adjacent to the installation may impact installation neighbors or certain installation. Thanks to open lines of communication over the years, any negative lighting impacts have been immediately corrected.

#### LOCAL HOUSING AVAILABILITY



Adequate housing supply in a variety of options and prices is essential to support the growing PNSY workforce. Housing should be available near the installation, when possible. There is significant disparity between available supply in Kittery and what workers are able to afford. A number of solutions should be investigated.

#### ENERGY DEVELOPMENT



Energy developments from oil/gas, solar, wind, geothermal and/or biofuels could pose compatibility issues related to vertical obstructions or water quality/quantity. No definitive energy developments with potential impact on PNSY have been identified.

#### SPECTRUM INTERFERENCE



Frequency capacity is critical for maintaining existing/future missions. Electronic signals can be impeded by structures, or objects, or competing frequencies. No sources which could cause potential interference have been identified in the area surrounding PNSY.

#### DUST/SMOKE/STEAM



If sufficient in quantity, emissions may reduce visibility during flight operations or cause equipment damage (including from artillery exercises or industrial activities). There are no known activities or facilities at or near PNSY which may cause a compatibility issue.

#### NOISE + VIBRATION



Noise generated from operations on PNSY as well as from its traffic may have impact on people in adjacent areas of the community as well as animals. PNSY generates varying levels of noise and vibration; however measures are in place to help mitigate their impact, and open lines of communication between PNSY and the Town of Kittery are kept to address any issues.

#### SAFETY ZONES



Areas which support PNSY activities that may pose higher risks to public safety (both on land and in water) should be restricted to development. For PNSY's island location, water safety zones are defined as well as procedures to maintain security and public safety.

#### ANTI-TERRORISM/FORCE PROTECTION



PNSY personnel, facilities and its secure information require protection from outside threats, ranging from cyber-threats to protection during external emergency events to encroachment of PNSY boundaries through development. PNSY indicates no existing or planned development along the coastline poses a security threat, and other procedures are in place to manage its overall security.

#### VERTICAL OBSTRUCTIONS



Obstructions by buildings or structures such as cell towers may encroach upon sightlines required by the installation. PNSY's mission does not include flight operations and there are no existing structures that have been identified as causing a potential incompatibility.

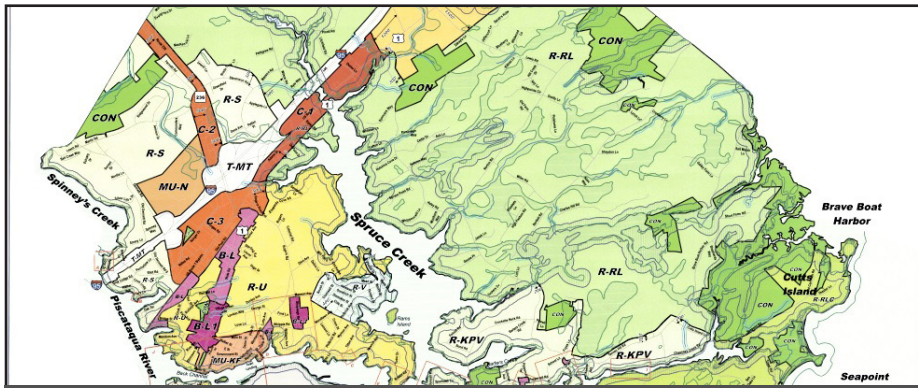
## SUMMARY OF RECOMMENDED STRATEGIES HOUSING ISSUES

### CATALYTIC STRATEGY

- **Rezone to improve affordability**  
Incentivizing the development of local workforce housing helps reduce regional traffic

### SUPPORTING STRATEGY

- **Mixed-income housing program**



Recent zoning changes encourage workforce housing, but more incentives are needed.



Denser housing is only affordable with the right incentives for developers.

## ECONOMIC RESILIENCE

### CATALYTIC STRATEGY

- **Promote mixed-use development**  
More local services and destinations for shipyard workers strengthens the local economy while reducing peak traffic loads.

### SUPPORTING STRATEGIES

- **Promote manufacturing and commercial spin-offs**
- **Integrate JLUS findings into the next Comprehensive Economic Development Strategy (CEDS) Update**

Image Source: Woodland Commons

# TRANSPORTATION RELATED RESULTS AND RECOMMENDATIONS

## SUMMARY OF COMPATIBILITY ANALYSIS RESULTS

### INFRASTRUCTURE CAPACITY



Extension and maintenance of infrastructure (including bridges that provide access to PNSY) should support consistent vehicle access long-term as well as support capacity from anticipated growth and development. However, long-term construction work may cause particular travel and access interruptions. While there are no projected extension or maintenance works on roads and bridges leading to PNSY that would have a potential impact, upcoming regional roadwork may lengthen commute times.

### ROAD CAPACITY + CONGESTION



Local and regional capacity and congestion may impact whether PNSY workers are able to efficiently carry out their work. Particular locations in Kittery have been identified that are prone to daily congestion at peak travel periods for PNSY workers. Various approaches for reducing congestion (both on the road and programmatically) should be considered.

## SUMMARY OF RECOMMENDED STRATEGIES

### BIKING AND WALKING ISSUES

#### CATALYTIC STRATEGY

- **Design street for bike and pedestrian appeal**  
Local congestion threatens those walking and biking, but simple improvements can make Kittery safer and more attractive for commuting without a car.

#### SUPPORTING STRATEGIES

- **Love Lane / Route 103 road diets**
- **Protected bike lanes on bridges**
- **Kittery bikeshare program**
- **Boost bike awareness**

### TRAVEL AND TRAFFIC SAFETY ISSUES

#### CATALYTIC STRATEGY

- **Traffic calming improvements**  
Efforts to slow shipyard traffic in nearby neighborhoods will improve safety and compatibility with nominal impact to worker access.

#### SUPPORTING STRATEGIES

- **Increase speed and safety enforcement**
- **Walking and biking safety signs**
- **Clear truck route signage**

## CONGESTION ISSUES

### CATALYTIC STRATEGIES

- **Extend regional transit**  
Expanding successful existing vanpool, carpool, and transit networks will reduce vehicle traffic, helping all commuters

### SUPPORTING STRATEGIES

- **Expand car/vanpool incentives**
- **Controls on contractor parking and access**
- **Staggered work shifts / telework options**
- **Gate efficiency solutions**
- **Traffic signals near the gate**
- **Bus-only lane on Walker Street**

## TRANSIT ISSUES

### CATALYTIC STRATEGIES

- **New Regional Park and Rides**  
Multiple creative regional solutions can create a network of shared travel options accessible from regional park & rides.

### SUPPORTING STRATEGIES

- **Regional employer partnerships for transit**
- **Extend communication channels for the Navy's TIP program**
- **Commuter river ferry**

## PARKING ISSUES

### CATALYTIC STRATEGY

- **Rail spur Park and Ride**  
A nearby park & ride facility can reduce gate traffic delays by conveying workers on shuttles a short distance-- potentially along the local rail spur.

### SUPPORTING STRATEGIES

- **Incentivize Park and Ride landowners**
- **New off-yard parking facility**
- **Downtown Kittery parking map**
- **Adjust downtown parking pricing**
- **Increase parking enforcement downtown**
- **Park and pedal program**

## TOWN OF KITTERY AND PORTSMOUTH NAVAL SHIPYARD JOINT LAND USE STUDY

Three JLUS documents are available to the public, elected and appointed officials, and the military for educational and communication purposes. These documents are as follows:

### **JLUS EXECUTIVE SUMMARY BROCHURE**

The JLUS Executive Summary Brochure can be used as a quick reference to explain the purpose of a JLUS and provides an overview of the JLUS compatibility factors, their analysis and recommended strategies.

### **JLUS REPORT**

The JLUS Report presents an overview of the JLUS planning process, purpose and objectives of the study and the recommended Implementation Plan. The report presents a concise description of the following:

- JLUS project study area
- Population profile and economic overview of PNSY, the Town of Kittery, and the general region
- Summary of the analysis of 24 identified compatibility factors within 10 key issue areas
- Set of recommended strategies and action items to mitigate or prevent incompatibility

### **JLUS FACT SHEETS**

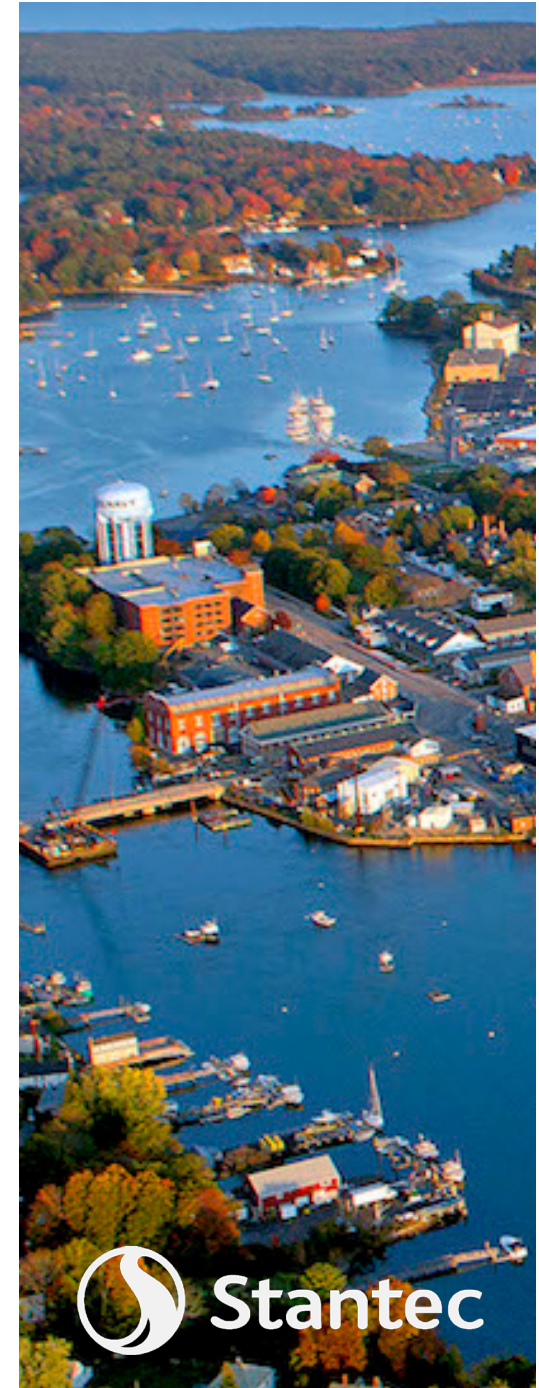
The JLUS Fact Sheets provide a brief summary of progress at various stages of the study, including highlights of data and early analysis, key findings, status of the project timeline, and explanation of the intended team approach and next steps.

*This study was prepared under contract with the Town of Kittery, Maine, with financial support from the Office of Economic Adjustment, Department of Defense. The content does not necessarily reflect the views of the Office of Economic Adjustment.*

---

For Additional Information, Contact:

Tom Reinauer, Transportation Director  
Southern Maine PDC and Kittery Area MPO  
110 Maine Street, Suite 1400  
Saco, ME 04072  
207-571-7065 ext. 105  
[www.smpdc.org](http://www.smpdc.org)







STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I:    Licensee/Applicant(s) Information;  
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <u>JKrestaurants LLC</u>	Business Name (D/B/A): <u>Rudders Public House</u>
Individual or Sole Proprietor Applicant Name(s): <u>Jacqueline Kilty</u>	Physical Location: <u>70 Wallingford square Kittery ME</u>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <u>5 Melanies ct. Kittery ME 03904</u>
Mailing address, if different from DBA address: <u>5 Melanies ct. Kittery, ME 03904</u>	Email Address: <u>JKrestaurants1@gmail.com</u>
Telephone #                      Fax #: <u>603-767-5691 *</u>	Business Telephone #                      Fax #: <u>207-703-2324</u>
Federal Tax Identification Number: <u>46-2212350</u>	Maine Seller Certificate # or Sales Tax #: <u>1161509</u>
Retail Beverage Alcohol Dealers Permit:	Website address: <u>www.Rudderspublichouse.com</u>

1. New license or renewal of existing license?                       New     Renewal

If a renewal, please provide the following information:

Your current license expiration date: \_\_\_\_\_

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$ 532,129.      Beer, Wine or Spirits: \$ 566,163      Guest Rooms: —

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer)                       Wine                       Spirits

3. Indicate the type of license applying for: (choose only one)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input checked="" type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI) | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)  | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)               | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course with auxiliary and mobile cart options<br>(Class I, II, III, IV) |   | <input type="checkbox"/> Tavern<br>(Class IV)         |
| <input type="checkbox"/> Qualified Caterer  | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only)    |   |
| <input type="checkbox"/> Other: _____   |   |   |

*Refer to Section V for the License Fee Schedule*

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

\_\_\_\_\_

5. Business records are located at the following address:

5 Melanies Ct. Kittery, ME 03904

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes  No If Yes, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Jacqueline Kilty	10/29/67	Rye, N.Y
Joseph Kaszuba	1/3/65	Ipswich, MA

Residence address on all the above for previous 5 years

Name Jacqueline Kilty	Address: 5 melanie Ct Kittery, ME
Name Joseph Kaszuba	Address: 4 Williams Rd S. Berwick, ME
Name	Address:
Name	Address:

9. Is the licensee/applicant(s) citizens of the United States?  Yes  No

10. Is the licensee/applicant(s) a resident of the State of Maine?  Yes  No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

- Yes  No  
 Not applicable – licensee/applicant(s) is a sole proprietor

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine?  Yes  No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

- Yes  No

If Yes, provide name of law enforcement officer and department where employed:

---

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

\_\_\_\_\_

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

1 Room Restaurant / Lounge - Diagram attached

20. 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?

Name: Church (Second Christian Congregational)

Distance: 1/2 mile

**Section II: Signature; Fee; Delivery of application**

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

*Please sign and date in blue ink.*

Dated: Feb. 4, 2020

Jacal Kilty  
Signature of Duly Authorized Person\*

\_\_\_\_\_  
Signature of Duly Authorized Person\*

Jacqueline Kilty  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

\*The person signing this application must appear in Section VII on this application.

**Section III: For use by Municipal Officers and County Commissioners only**  
**Approval of an application for an on-premises liquor license**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: 12/25/2019

Check only one:      City                    Town                    Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application?    Municipal Officers  
     County Commissioners of \_\_\_\_\_ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Approval Expires in 60 Days**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§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.

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.

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.

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.

**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;

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;

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;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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

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.

**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. Repealed**

**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.

**4. Repealed**

**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.

**Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.



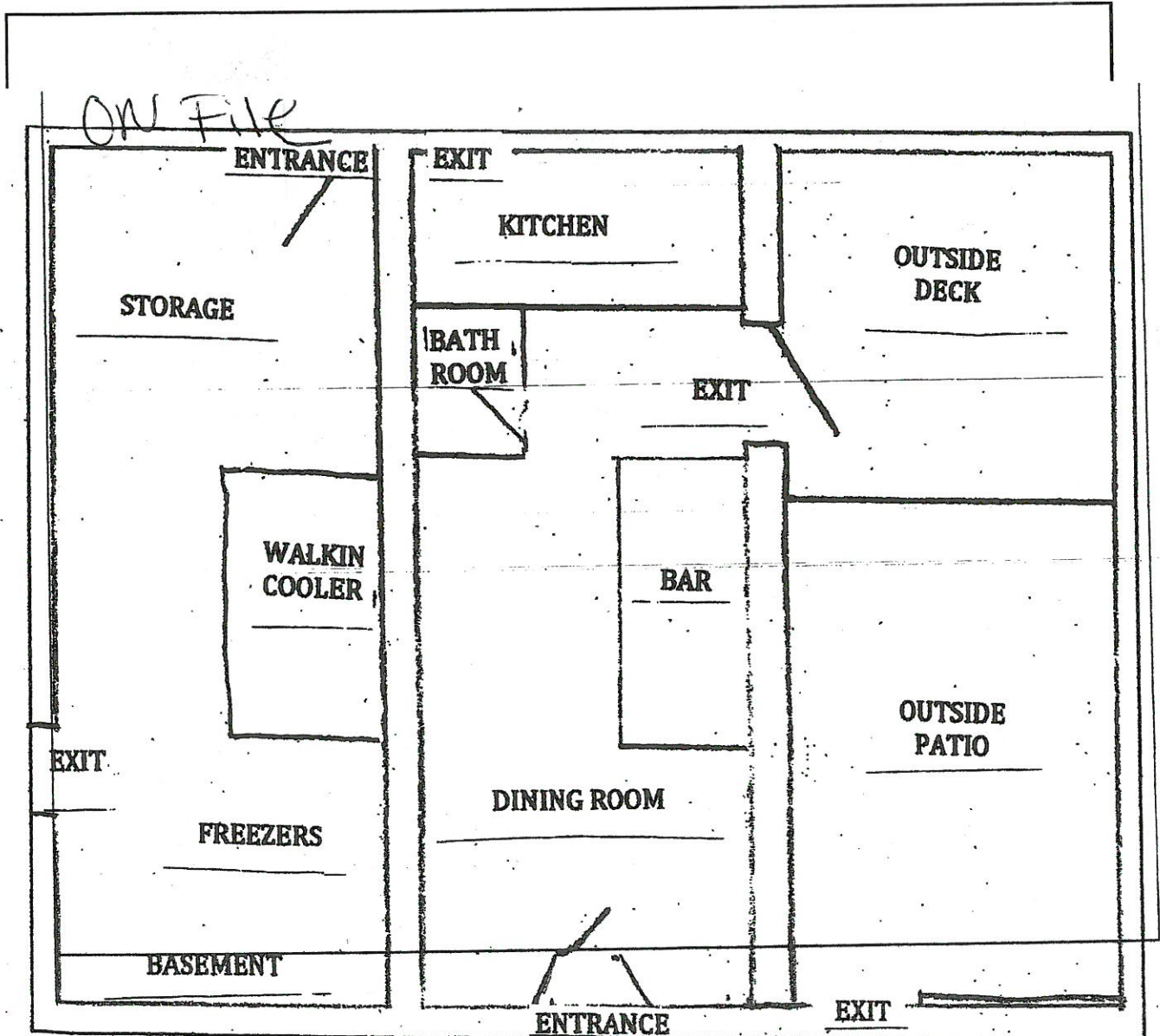
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00
<b>Self-Sponsored Events</b>	This class is for Qualified Caterers Only	\$ 700.00

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



On Premise Application Rev. ~~12/2018~~ Replace 10/2018

Page 7 of 9

## Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: JK Restaurants LLC
2. Doing Business As, if any: Rudders Public House
3. Date of filing with Secretary of State: March 4, 2013 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Jacqueline Kilty	5 Melanies Ct. Kittery, ME	10/25/67	owner	100%

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



STATE OF MAINE  
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:    Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I:    Licensee/Applicant(s) Information;  
 Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): Stateline Restaurant, LLC	Business Name (D/B/A): Ore Nell's BBQ
Individual or Sole Proprietor Applicant Name(s): James McSharry	Physical Location: 2 Badgers Island West, Kittery, ME 03904
Individual or Sole Proprietor Applicant Name(s): David Vargas	Mailing address, if different: 1 Middle Street, Suite 1, Portsmouth, NH 03801
Mailing address, if different from DBA address: 1 Middle Street, Suite 1, Portsmouth, NH 03801	Email Address: staci@jumpinjays.com
Telephone #                      Fax #: 603-766-3474	Business Telephone #                      Fax #: 207-703-2340
Federal Tax Identification Number: 82-4061857	Maine Seller Certificate # or Sales Tax #: 1189759
Retail Beverage Alcohol Dealers Permit: CAR-2018-10830	Website address: www.orenellsbbq.com

1. New license or renewal of existing license?                       New     Renewal

If a renewal, please provide the following information:

Your current license expiration date: 03/19/2020

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food:    \$ 937,804.82                      Beer, Wine or Spirits:    \$ 367,767.24                      Guest Rooms: \_\_\_\_\_

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer)                       Wine                       Spirits

3. Indicate the type of license applying for: (choose only one)

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)                              | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)  | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course with auxiliary and mobile cart options<br>(Class I, II, III, IV) |  | <input type="checkbox"/> Tavern<br>(Class IV)         |
| <input type="checkbox"/> Qualified Caterer  | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

Other: \_\_\_\_\_

*Refer to Section V for the License Fee Schedule*

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

\_\_\_\_\_

5. Business records are located at the following address:

1 Middle Street, Suite 1, Portsmouth, NH 03801

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes  No If **Yes**, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
James McSharry	01/24/1967	Norwalk, CT
David Vargas	11/20/1977	Westminster, CA

Residence address on all the above for previous 5 years	
Name James McSharry	Address: 58 Pleasant Point Drive, Portsmouth, NH 03801
Name David Vargas	Address: 142 Manson Avenue, Kittery, ME 03904
Name	Address:
Name	Address:

9. Is the licensee/applicant(s) citizens of the United States?  Yes  No

10. Is the licensee/applicant(s) a resident of the State of Maine?  Yes  No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

- Yes  No
- Not applicable – licensee/applicant(s) is a sole proprietor

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine?  Yes  No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

- Yes  No

If Yes, provide name of law enforcement officer and department where employed:

---

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

Madison Street, LLC, PO Box 764, Portsmouth, NH 03802

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

We are a full service BBQ style restaurant with 40 seats inside and 20 seats outside (spring - fall).





**Section III: For use by Municipal Officers and County Commissioners only**  
**Approval of an application for an on-premises liquor license**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: \_\_\_\_\_.

Check only one:      City                    Town                    Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application?    Municipal Officers  
     County Commissioners of \_\_\_\_\_ County

**Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Approval Expires in 60 Days**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§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.

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.

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.

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.

**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;

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;

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;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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

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.

**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. Repealed

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.

4. Repealed

**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.

#### **Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its [Retail Beverage Alcohol Dealers](https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers) permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

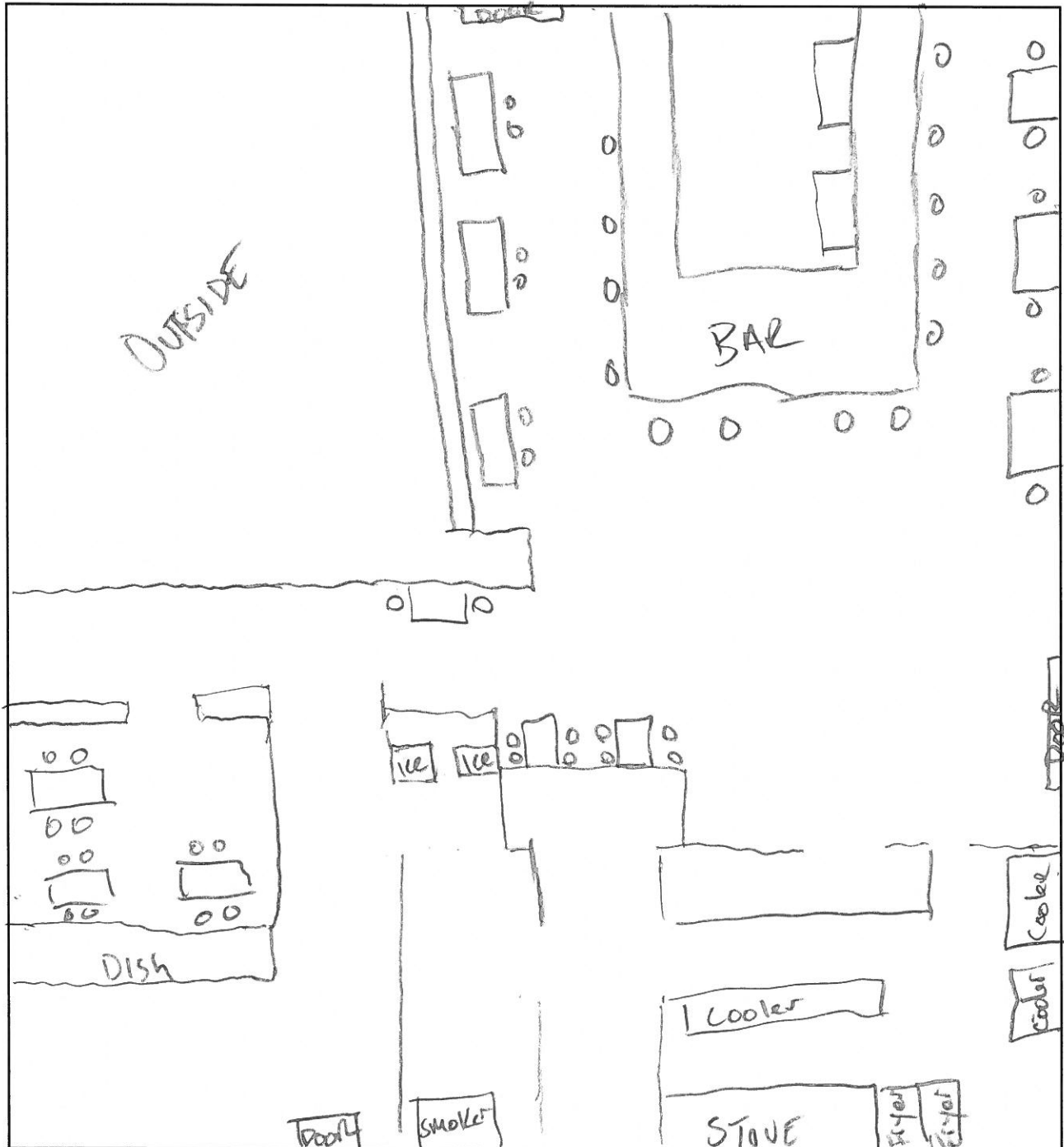
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00
<b>Self-Sponsored Events</b>	This class is for Qualified Caterers Only	\$ 700.00

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Stateline Restaurant, LLC
2. Doing Business As, if any: Ore Nell's BBQ
3. Date of filing with Secretary of State: 01/24/2018 State in which you are formed: NH
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 03/02/2018
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
James McSharry	58 Pleasant Point Drive	01/24/1967	Member	70.0000
	Portsmouth, NH 03801			
David Vargas	142 Manson Avenue	11/20/1977	Member	30.0000
	Kittery, ME 03904			

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



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

---

**REPORT TO TOWN COUNCIL**

---

Meeting Date: February 24, 2020  
From: Karen Estee, Town Clerk  
Subject: Loco Coco Taco's Liquor License

---

Loco Coco Taco's is in the middle of a transfer of ownership. The prospective buyer has been approved for a Liquor License. The current owner's license will expire on March 9, 2020.

Therefore, we need to issue a license to the current owner because he cannot use the prospective buyer's Liquor License. This is a safety net for the current owner, so they can still operate.

When final papers are passed the new owner's license will be in place so they can operate.



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;  
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <u>LOCO COCO'S TACOS CORP.</u>	Business Name (D/B/A): <u>LOCO COCOS TACOS</u>
Individual or Sole Proprietor Applicant Name(s): <u>Luis A Valdez president</u>	Physical Location: <u>36 Walker St Kennebunk 03904</u>
Individual or Sole Proprietor Applicant Name(s): <u>Ramona G. Valdez Vicepresident</u>	Mailing address, if different:
Mailing address, if different from DBA address: <u>36 Walker St.</u>	Email Address: <u>valdezluis13@yahoo.com</u>
Telephone #      Fax #: <u>(207) 438-9372      (207) 438-9289</u>	Business Telephone #      Fax #: <u>Same</u>
Federal Tax Identification Number: <u>20-1162123</u>	Maine Seller Certificate # or Sales Tax #: <u>1079200</u>
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license?       New       Renewal

If a renewal, please provide the following information:

Your current license expiration date: March 09, 2020

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 2,500,000 <sup>Millions</sup> Beer, Wine or Spirits: 500,000.00 Guest Rooms: \_\_\_\_\_

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

Malt Liquor (beer)       Wine       Spirits



3. Indicate the type of license applying for: (choose only one)

- Restaurant (Class I, II, III, IV)
- Class A 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)
- Golf Course with auxiliary and mobile cart options (Class I, II, III, IV)
- Tavern (Class IV)
- Qualified Caterer
- Self-Sponsored Events (Qualified Caterers Only)

Other: \_\_\_\_\_

*Refer to Section V for the License Fee Schedule*

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

\_\_\_\_\_

5. Business records are located at the following address:

36 Walker St. Kittery ME 03904

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes  No If Yes, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License?  Yes  No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Luis A. Valdez	01/26/1966	Mexico
Ramona G. Valdez	08/29/1956	Biddeford Maine
Sami Scardina	10/7/1976	Portsmouth NH

Residence address on all the above for previous 5 years

Name	Luis A. Valdez	Address:	9 Eliot Shores Lane Eliot 03903
Name	Rama G. Valdez	Address:	9 Eliot Shores Lane Eliot 03903
Name	Sami Scardina	Address:	
Name		Address:	

9. Is the licensee/applicant(s) citizens of the United States?  Yes  No

10. Is the licensee/applicant(s) a resident of the State of Maine?  Yes  No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes  No

Not applicable – licensee/applicant(s) is a sole proprietor

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine?  Yes  No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes  No

If Yes, provide name of law enforcement officer and department where employed:

---

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States?  Yes  No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license?  Yes  No

17. Does the licensee/applicant(s) own the premises?  Yes  No

If No, please provide the name and address of the owner:

\_\_\_\_\_

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

20. 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?

Name: Catholic Church St. Raphael Parish

Distance: 1/2 Mile

**Section II: Signature; Fee; Delivery of application**

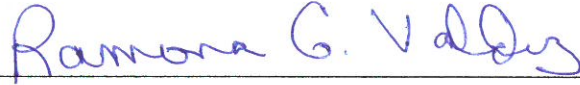
By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

*Please sign and date in blue ink.*

Dated: Feb 11 2020

  
Signature of Duly Authorized Person\*

Luis A. Valdez  
Printed Name Duly Authorized Person

  
Signature of Duly Authorized Person\*

Ramona G. Valdez  
Printed Name of Duly Authorized Person

\*The person signing this application must appear in Section VII on this application.

**Section III: For use by Municipal Officers and County Commissioners only**  
**Approval of an application for an on-premises liquor license**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: \_\_\_\_\_.

Check only one:      City                    Town                    Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application?    Municipal Officers  
     County Commissioners of \_\_\_\_\_ County

**Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Approval Expires in 60 Days**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§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.

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.

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.

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.

**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;

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;

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;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

12 spots Employee parking/parking

Handicap

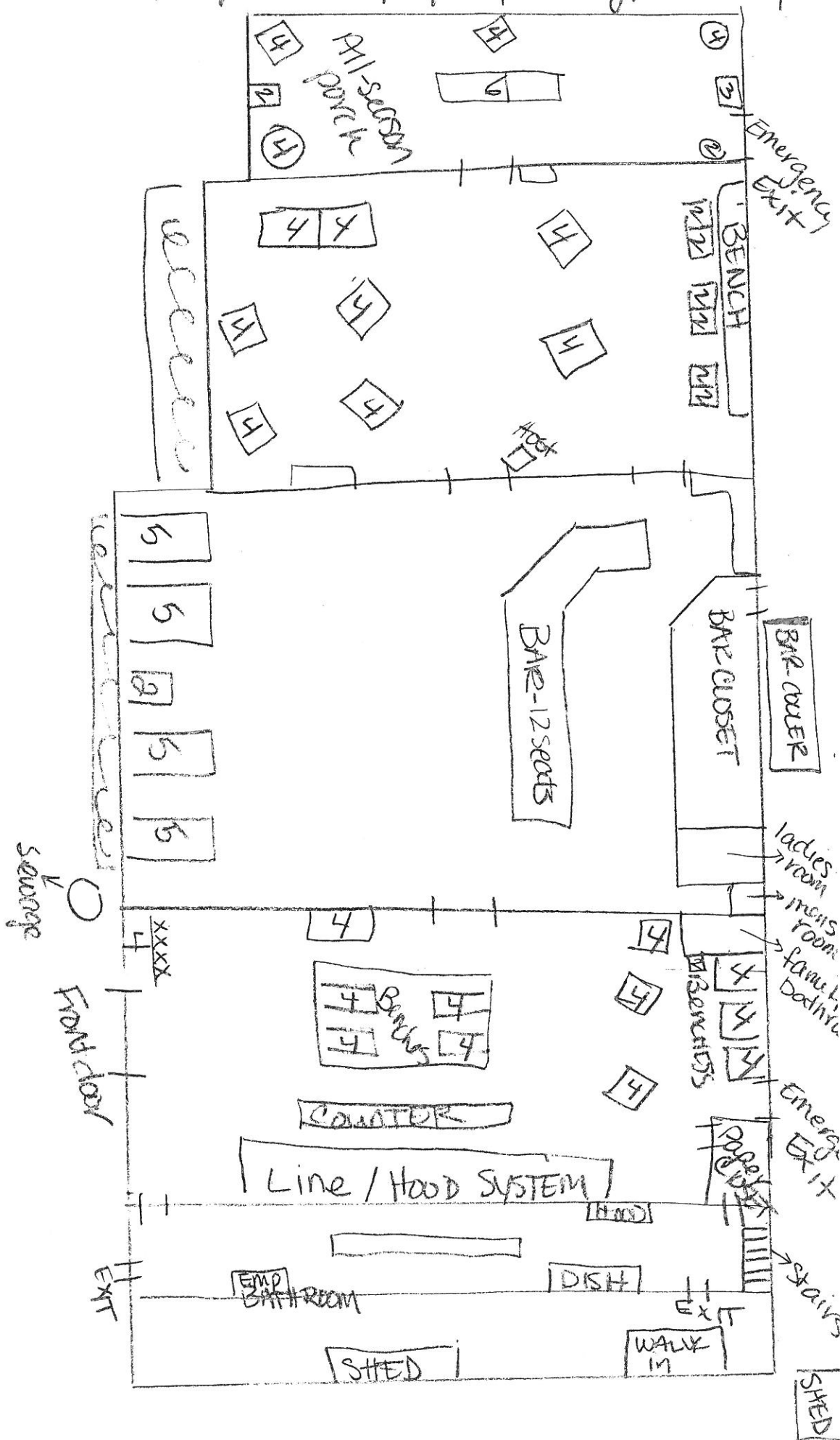
EXIT

PARKING

WHEELER ST  
ENT

Handicap

Handicap

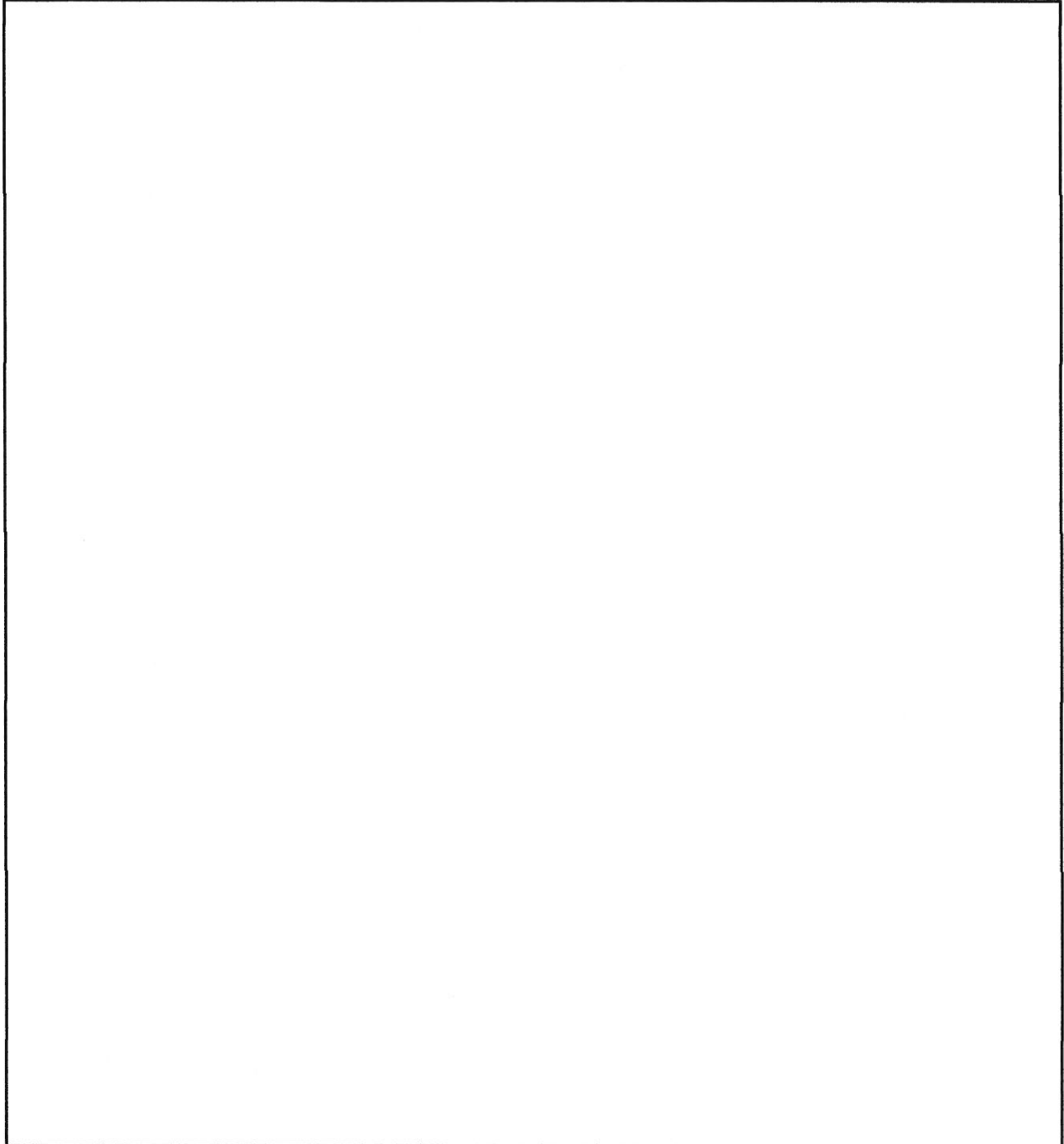


Parking lot with 12 spots

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the applicant to draw and label a floor plan of their premises.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: Loco Coco's Tacos Corp.
2. Doing Business As, if any: Loco Coco's Tacos
3. Date of filing with Secretary of State: May 18 2004 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Lois A. Valdez	9 Eliot Shores Lane <sup>Eliot ME</sup>	1/26/60	President	50%
Romona G. Valdez	9 Eliot Shores Lane <sup>Eliot ME</sup>	8/29/50	Vice president	50%

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



# TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

---

## REPORT TO TOWN COUNCIL

---

Meeting Date: February 24, 2020  
From: Kendra Amaral, Town Manager  
Subject: TIF Districts No. 1 and No. 2  
Councilor Sponsor: Chairperson Judy Spiller

---

### EXECUTIVE SUMMARY

The Tax Increment Financing Districts No. 1 and No. 2 were approved in December of 2010 and last thirty years. The districts are segregating approximately \$219,994 annually from the Municipal budget. The current accumulated balance in these two district-funds is approximately \$655,527. The Districts do not expire until approximately 2040.

Development over the past five years in the two districts have occurred irrespective of the district designations and without the need for public infrastructure investment. The developments have added to the Town's tax valuation, however the generated tax revenue from the added value is segregated from the municipal budget and not usable for general municipal operations.

The districts were adopted in 2010 primarily to spur job creation. Ten years later, the town's unemployment rate is 2.7% compared to a state average of 2.9% and a national average of 3.5%. The development goals of the town have shifted to affordable housing, multi-modal transit, and the reduction of greenhouse gas emissions. These two districts no longer align with the development goals for the identified parcels.

At this time, the recommendation is to dissolve Districts No. 1 and No. 2 and appropriate the accumulated tax revenue funds to specific capital and infrastructure that carries forward the general vision of the districts.

Additionally, it is recommended that the Town analyze the opportunity for new TIF districts that are transportation and housing oriented, and associated with parcels where these priorities are best located.

### BACKGROUND

TIF Districts No. 1 and No. 2 were created in a three-TIF district package in late 2010. The two districts include parcels primarily along Route 1 with one section covering Pepperrell Cove. The parcels are not contiguous.

The public facilities, improvements and programs identified for the districts include roads to facilitate commercial development, improvements to roads directly related to or made necessary by the districts,

trolleys and trolley stops, sewer and water system improvements, economic development planning, and administrative expenses associated with development.

Of the parcels in the two districts, multiple development projects have been permitted and constructed including: Hampton Inn & Suites (30-41), Landmark Hill (67-02), Weathervane Site (38-13), Sowerby Parcel/Nursing Home (60-24), Yankee Settlement (66-24/25), Pepperrell Cove (27-49/50). The projects are advancing without public road, sewer or water infrastructure enhancements, or credit enhancement agreements. District No. 1 has increased in value by \$1,790,300 and District No. 2 has increased in value by \$10,853,000.

The increased value is sheltered from state funding calculations and county tax assessments. The Town does not qualify for state aid for education. If dissolved, the increased value will add 0.85% to the total valuation used to calculate revenue sharing and the county tax assessment. By comparison, the Town's revaluation effort, currently underway, is expected to add approximately 10% to the total valuation. Removing the valuation sheltered by the districts will have an overall negligible impact in light of the revaluation effort underway.

The total balances for Districts 1 and 2, combined is \$655,527. These funds must be transferred to the general fund if the districts are dissolved, or the funds become unusable. They can then be appropriated for projects that generally relate to the goals of the TIFs or other uses deemed beneficial by the Council. Based on the general goals of the two districts and the Town's expressed priorities, the following uses are proposed:

*GIS Upgrade*

\$40,000 for GIS upgrade. The project is already underway and is expected to be complete within six months. The project is being funded by the three TIF districts. The proposed allocation represents District No. 1 and No. 2's portion of the project costs. The GIS upgrade will provide a more accurate GIS mapping of Kittery's parcels, zones, wetlands, vernal pools, infrastructure, and other features important to property owners, investors, and planners analyzing development options. This project supports the overall goal of supporting development in the districts.

*Repaving of Route 1*

\$400,000 for repaving Route 1 in FY23 (See CIP). This project is part of the pavement management plan and is expected to cost approximately \$1M, excluding drainage, sidewalk and intersection upgrades. The CIP has allocated \$600,000 in FY23. It has been the Town's intention to use TIF funding to support the additional cost of the repaving project, as a means of maintaining existing infrastructure that serves the districts.

*Mass Transit*

\$115,000 seed funding to bring mass transit to Kittery. COAST is altering its bus service to the Shipyard. The new proposed service will provide a public fixed route bus service to the Foreside that runs hourly, on weekdays. The Town and PNSY will need to share in the operational costs for the service.

Additionally, the Town is working with COAST on a proposal to bring a fixed route bus service to the Mall Road area. This would come with both an operational and capital cost. Efforts are underway to identify federal and state funding; however, some financial support will be required by the Town to launch the service.

Mass transit to Kittery serves a number of objectives including reducing vehicle congestion and parking constraints in the Foreside, reducing greenhouse gas emissions by providing a reliable alternative mode of transit, and appealing to the next generation of residents and workers seeking car-free or car-limited living and employment options. This proposal is in line with the district project goals of bringing a “trolley” service to Kittery.

The above proposals total \$555,000; leaving \$100,000 left for other needs. The Council can choose to pass this to the unassigned fund balance, or use it for other purposes deemed beneficial to the town. Based on Council priorities expressed with the acceptance of the FY21-FY25 CIP, the following is recommended:

*Sidewalks, Ped/Bike Plans*

\$100,000 for engineering for sidewalk extension on Stevenson Road and for seed funding for a Pedestrian/Bike Master Plan that identifies priorities for sidewalk and bike infrastructure investment and a plan for short/mid/long term objectives to inform the annual budget and CIP development. Estimated cost of engineering for the Stevenson Road extension is \$85,000. Both the engineered plans and the master plan will set the Town up for implementation grants from MDOT and the MPO in future funding cycles.

## **PROPOSED SOLUTION/RECOMMENDATION**

Amend Title 3 to eliminate TIF Districts No. 1 and No. 2 and appropriate funds as recommended.

## **ATTACHMENTS**

- DRAFT Title 3 TIF District Amendment
- Appropriation Recommendations
- DRAFT Enactment to Dissolve Districts 1 & 2
- DRAFT Enactment to Appropriate Funds

**Title 3**  
**Municipal Development and Tax Increment Financing Districts**

**AMEND Title 3 as follows:**

**§ 3.4.1 District designations and adoption.**

Municipal development and tax increment financing district(s) are hereby designated, to be known as ~~District No. 1 (Mixed Use), District No. 2 (Route 1 Shopping Corridor), and District No. 3 (Business Park Mixed Use Neighborhood)~~, and herewith is adopted the development program for such districts; such designations and adoptions to be pursuant to the following findings, terms and provisions. District No. 1 and District No. 2 are hereby terminated and dissolved.

**§ 3.4.2 Findings and determinations.**

The Town Council hereby finds and determines that:

A. At least 25%, by area, of the real property within the districts as herein designated, meets at least one of the following statutory criteria:

- (1) Must be a blighted area;
- (2) Must be in need of rehabilitation, redevelopment or conservation work; or
- (3) Must be suitable for commercial uses;

B. The total area of the individual districts does not exceed 2% of the total acreage of the Town, and the total area of all three districts within the Town does not exceed 5% of the total acreage of the Town;

C. The original assessed value of all existing and proposed tax increment financing districts does not exceed 5% of the total value of equalized taxable property within the Town as of March 31, 2010; and

D. The designation of the districts and pursuit of the development program will make a contribution to the economic growth and well-being of the Town and the surrounding region and will contribute to the betterment of the health, welfare and safety of the inhabitants of the Town, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

**§ 3.4.3 Retention of captured assessed value.**

Pursuant to the provisions of Title 30-A M.R.S. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the development program is hereby established as set forth in the development program.

**§ 3.4.4 Submission authority.**

The Town Manager is hereby authorized, empowered and directed to submit the proposed designation of the districts and the proposed development program for the districts to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of Title 30-A M.R.S. § 5226. The Town Manager is hereby authorized, empowered and directed to complete any actions

31 necessary to dissolve Districts No. 1 and No. 2.

32 § 3.4.5 **Full force and effect.**

33 The foregoing designation of the district(s) and the adoption of the development program for the districts  
34 automatically becomes final and takes full force and effect upon receipt by the Town of approval of the  
35 designation of the districts and adoption of the development program by the State of Maine Department of  
36 Economic and Community Development, without requirement of further action by the Town, the Town  
37 Council or any other party.

38 § 3.4.6 **Development program revisions.**

39 The Town Manager is hereby authorized and empowered, as may be necessary from time to time, to make  
40 such revisions to the development program for the districts as the Town Council deems reasonably necessary  
41 or convenient in order to facilitate the process for review and approval of the districts by the State of Maine  
42 Department of Economic and Community Development, or for any other reason, so long as such revisions  
43 are not inconsistent with this chapter or the basic structure and intent of the development program.

44 § 3.4.7 **Credit enhancement agreements (CEA).**

- 45 A. Credit enhancement agreement(s) that may be entered into by the Town and one or more developers;  
46 description of the terms and conditions of any such agreement(s), contract(s) and obligation(s) to be  
47 entered into by the Town is set forth in the Maine DECD model agreement as part of the application to  
48 the state. Any such agreement is to be in the form approved by the Town Council with any changes  
49 thereto as determined appropriate by the Town Council after public hearing.
- 50 B. Any credit enhancement agreement is to set forth the obligations of the Town to return to the applicable  
51 developer each year during the term of any such agreement the applicable tax increment (developer's  
52 share) as described in the model agreement.
- 53 C. Any obligation of the Town to make such payments is to be a limited obligation payable solely from  
54 that portion of the tax increment constituting the tax increment (developer's share) actually paid by the  
55 applicable developer as property tax and does not constitute a general debt or obligation on the part of  
56 the Town or a general obligation or charge against or pledge of the faith and credit or taxing power of  
57 the Town.

58 § 3.4.8 **No use without development.**

59 With establishment of the district(s) and implementation of the development program, no tax revenues  
60 generated for the development program may be used for municipal improvements, ~~or other reason,~~ until and  
61 unless private development within the district(s) is approved, warranting the need for such improvements. An  
62 exception to that criterion is an amount from each district, if available, ~~approved by Council as part of the~~  
63 ~~annual capital improvement program process~~ for the purpose of funding economic development  
64 administration.

**KITTERY TOWN CODE  
TITLE 3  
TAX INCREMENT FINANCING DISTRICTS**

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 of Kittery approved the designation of Tax Increment Financing District  
11 No. 1 – Mixed Use, and Tax Increment Financing District No. 2 – Route 1 Shopping Corridor by  
12 ordinance in 2010; and

13 **WHEREAS**, the Council finds that the intended use of Captured Assessed Value tax revenues  
14 is no longer in the best interest of the Town as described in the Development Programs;

15 **WHEREAS**, the Council finds that future tax revenues in these Tax Increment Financing  
16 Districts should be made available for uses not currently allowed by the Development Programs;  
17 and

18 **WHEREAS**, based on the foregoing, the Council finds that these Tax Increment Financing  
19 Districts are no longer necessary or effective for their established purposes;

20 **NOW THEREFORE**, IN ACCORDANCE WITH TITLES 30-A MRS §3001 AND §5226, AND  
21 TOWN CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS as follows:

- 22 • Amendment to Title 3 of the Town Code as Presented;
- 23 • Captured tax revenues remaining in the restricted accounts for these Tax Increment  
24 Financing Districts shall be transferred to the Town’s General Fund and made available  
25 for appropriation to fund any lawful expense; and
- 26 • The Town Manager shall be authorized to complete any actions necessary to dissolve  
27 the Tax Increment Financing Districts No. 1 and No. 2.

28 **INTRODUCED** and read in a public session of the Town Council on the \_\_\_\_ day of \_\_\_\_\_,  
29 20\_\_\_\_, by: \_\_\_\_\_ {NAME} Motion to approve by Councilor  
30 \_\_\_\_\_ {NAME}, as seconded by Councilor \_\_\_\_\_ {NAME} and  
31 passed by a vote of \_\_\_\_\_.

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

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

**TOWN OF KITTERY  
TAX INCREMENT FINANCING DISTRICT FUNDS  
TRANSFER OF APPROPRIATIONS**

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 6.09(4) 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 Council found the Tax Increment Financing Districts No. 1 and No. 2 to no  
11 longer be necessary or effective for their established purposes;

12 **WHEREAS**, the Council transferred the tax revenues remaining in the restricted accounts for  
13 these Tax Increment Financing Districts to the General Fund and made them available for  
14 appropriation; and

15 **WHEREAS**, the Town Manager has submitted a written request to transfer the funds to various  
16 reserve accounts to fund activities and projects consistent with the Town Council's goals;

17 **NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER**  
18 **§6.09(4) THE TOWN OF KITTERY HEREBY ORDAINS THE TRANSFER OF FUNDS AS**  
19 **PRESENTED.**

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

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

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

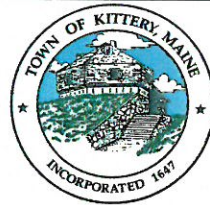


Report to Council

TAX INCREMENT FINANCING FUNDS

DRAFT: February 24, 2020

AVAILABLE		\$ 655,527	
FUND		PURPOSE	
4002	Right of Way	\$ 400,000	Route 1 Repaving in FY23
4122	Zoning Recodification and GIS Upgrade	\$ 40,000	GIS Upgrade (underway)
NEW	Mass Transit	\$ 115,000	Seed funding: Fixed Bus Route Foreside, Capital for Bus Route to Mall Road
4002	Right of Way	\$ 100,000	Stevenson Sidewalk Ext Engineering, Ped/Bike Master Plan
<b>BALANCE TO REMAIN IN GENERAL FUND</b>		<b>\$ 527</b>	



# Town of Kittery, Maine

## *Kittery Municipal Development Districts Proposal*



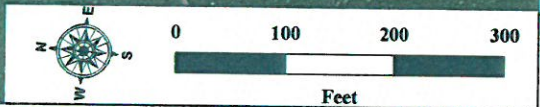
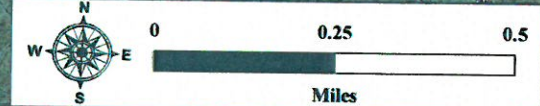
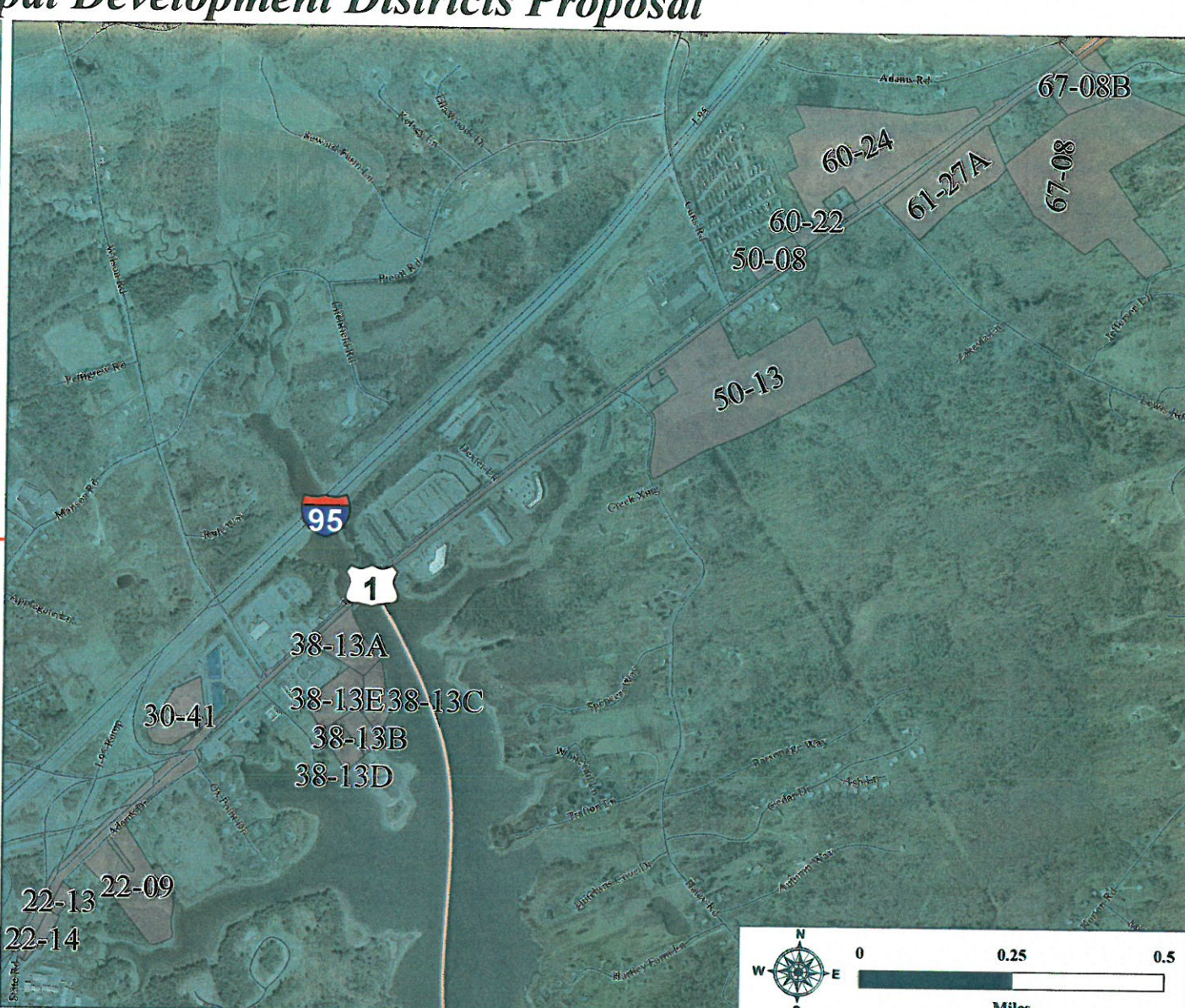
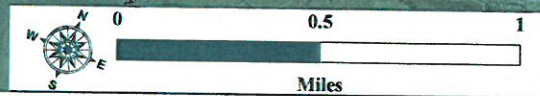
Date: 11/9/2010





# Town of Kittery, Maine

## Kittery Municipal Development Districts Proposal



**WOOD ISLAND PIER  
WARRANT ARTICLE**

Article X. Shall the town vote to authorize the Town Council enter into a grant agreement with Wood Island Life Saving Station, a private 501(c) 3 organization, and transfer up to \$500,000 from unassigned funds (unencumbered surplus) and appropriate and expend up to and no more than \$500,000 for the grant to support construction of a public pier at Wood Island?

Town Council Recommends – Vote: Yes \_\_\_\_ No \_\_\_\_

**Explanation:**

This article will provide public funds from the Town of Kittery for the amount of up to, but not to exceed, \$500,000 for the construction of a pier to serve Wood Island, a town owned property, and the Wood Island Life Saving Station Museum operated by the Wood Island Life Saving Station Association.

The Town Council will develop and enter into a grant agreement that establishes the grant terms and conditions, and the public access requirements for the pier.

**GORGES ROAD STATION EXPANSION  
WARRANT ARTICLE**

Article X. Shall the town vote to authorize the Town Council to transfer up to \$ 400,000 from unassigned funds (unencumbered surplus) and appropriate and expend up to \$400,000 for the expansion of the Gorges Road Fire Station to house the ambulance service; and to surplus and sell, in accordance with Town Ordinance, the Walker Street Fire Station, located at 25 Walker Street, with sale proceeds, equal to cost of the Gorges Road Fire Station expansion, returned to the unassigned funds, and any other proceeds in excess of the expansion costs, assigned in a manner approved by the Town Council?

Town Council Recommends – Vote: Yes \_\_\_\_ No \_\_\_\_

Explanation:

The Town Council has determined that the Gorges Road Fire Station is a more advantageous site for the ambulance service than the current Walker Street Fire Station. The Gorges Road station will require an expansion to house the ambulance service, to include two ambulance bays, a small living quarters for bunking of staff, an office area, and an upgrade to the existing kitchen. Upon completion of the expansion, the Walker Street station will be sold, with proceeds directed to reimburse the expenditures made from undesignated funds toward the Gorges Road Station. The Council will direct the allocation of any excess proceeds in accordance with the Town Code. The Walker Street station is appraised at \$\_\_\_\_\_.