

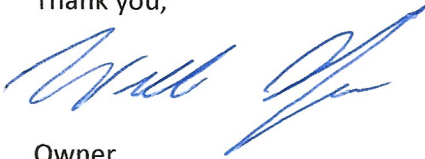
5/18/2023

To Jason Garnham and Town of Kittery Planning Board

I currently provide three parking spots for the fishing boats on my property. They use those spots from roughly 4am until they get off the boat at 3pm, generally Monday through Friday.

This letter is to serve as written permission for the Buoy Shack to use those spots on the off hours of the fishing crews and on the weekends.

Thank you,

A handwritten signature in blue ink, appearing to read "Will [unclear]".

Owner
One Badgers Island West LLC
Address: 1-3 Badgers Island West, Kittery Maine

Jason Garnham

From: Meg Taylor Aldrich <firstnamemeg@gmail.com>
Sent: Thursday, May 25, 2023 7:15 AM
To: Jason Garnham
Subject: Buoy ☐ Shack!

To Whom It May Concern,

We are in favor of expanding Buoy Shack seating! They are a respectful & courteous establishment! There is no other experience quite like it nearby!

Thank you,

Meg Aldrich

Jason Garnham

From: KARLA ARMENTI <armeka@comcast.net>
Sent: Wednesday, May 24, 2023 4:21 PM
To: Jason Garnham; Charlie Armenti
Subject: Buoy Shack

Hello Planning Board Members,

I'm writing to encourage you to allow Buoy Shack to expand its seating and not tie this to the parking spot issue. While we are residents of Portsmouth, we love walking over the bridge to spend time having a meal or drinks at Buoy Shack. Sometimes we ride bikes! In a community like Kittery and Portsmouth, it seems senseless to rely on an old parking to seat algorithm that is standardized for all businesses, without considering the type of services, layout, and location.

While there is a small parking lot on the premises, there is plenty of space on the lawn and around the lot for picnic tables and chair seating. Limiting seating that is commensurate to the number of cars in that small lot would punish the business by limiting its ability to serve the community and make money.

With that said, Buoy Shack does have additional parking spaces across the bridge that should be counted toward the seating limits.

Thank you for your time and consideration.

Karla Armenti

Portsmouth, NH (603) 714-2923

Jason Garnham

From: bejbyork@yahoo.com
Sent: Wednesday, May 24, 2023 4:59 PM
To: Jason Garnham
Subject: Buoy Shack

Hi Jason - I am writing in support of Buoy Shack. I live on Government Street and walk to everything - including Buoy Shack. Kittery Foreside is a walking destination for so many - and that includes Beach Pea, Golden Harvest and Carl's. This is why I live here. When there are concerts in Prescott Park, so many people park at Kittery Family Practice and walk over the bridge. Shipyard workers always walk, bike and use scooters to get to work.

This is exactly the vibe that makes Kittery what it is today - let's make sure Buoy Shack continues to be a great place on the water.

Thank you.
Barbara Armitage
52 Government Street, Apt 2

Jason Garnham

From: SUSAN AVIS <sjamountaintop@comcast.net>
Sent: Wednesday, May 24, 2023 5:31 PM
To: Jason Garnham
Subject: I walk to Buoys

To the Planning Board,

My name is Susan Avis and I reside at 9 Cook Street in Kittery. I am one of the lucky ones who gets to walk to Buoy Shack to sit, relax and have a bite to eat. I am unable to attend Thursday evening's Planning Board Meeting where this new establishment's seating capacity is being discussed.

Please consider allowing this local business to seat more people. Now that word has gotten out that this is an enjoyable and scenic place to frequent, I walk there only to find no available seating. There is plenty of room to accommodate more tables and guests.

Thank you.

Sincerely,
Susan J Avis
9 Cook Street, Unit 2
Kittery, Maine 03904

603 913-5247

Jason Garnham

From: Langdon Condo <langdon.condo@gmail.com>
Sent: Saturday, May 20, 2023 11:50 PM
To: Jason Garnham
Subject: Fwd: Buoy Shack Additional Parking and Seating Support

Jason

I echo all of Bob and Ann Gregerson's comments. We support all the proposed additions.

Ben and Barb Porter
Unit 2
9 Badgers IS W

Sent from my iPad

Begin forwarded message:

From: Bob & Ann Gregerson <rgregerson@comcast.net>
Date: May 20, 2023 at 7:56:30 PM GMT+2
To: JGarnham@kitteryme.org
Subject: Buoy Shack Additional Parking and Seating Support

To: Jason Garnham and the Kittery Planning Board

As owners of 9 Badgers Island West, Unit 3 we are writing in support of the Buoy Shack and their ownership for the approval of the additional parking that they are seeking at Foreside Dental. We are also supportive of the associated additional seating that Buoy Shack is seeking.

While parking on Badgers Island is a concern, it is shared by Morrison's, Ore Nell's, Buoy Shack, residents, businesses and other entities as part of a multi use island with a working waterfront. In addition, people take advantage of free parking on the island as they drag their beach chairs across the bridge to shows at Prescott Park.

To the best of our knowledge Buoy Shack is the only business that has directly reached out to hear from neighbors and more importantly to proactively work on an off site parking solution that benefits all.

We also support the additional seating as we directly witness Buoy Shack customers approaching by not only car, but by scooter, bicycle and walking from the surrounding areas.

Buoy Shack and it's owners are an asset to our community and we encourage the town to work with their ownership towards a positive outcome. They are unique in trying to be part of the solution as good neighbors.

Regards,

Ann & Bob Gregerson

9 Badgers Island West, Unit 3

Kittery, Maine 03904

Jason Garnham

From: Bill Fitzgerald <wfitz3@gmail.com>
Sent: Monday, May 22, 2023 8:01 AM
To: Jason Garnham
Subject: Buoy Shack

To the members of the Kittery Planning Board,

Balancing the economic and residential needs of the community is a constant challenge. Neap tides are hard to come by. But that's what the Buoy Shack is after.

I don't believe the parking accommodations sought by the Buoy Shack place undo hardship on the community. It is not a large restaurant, it is not going to become the area's latest hot spot for lively nightlife. The increase number of parking spots is moderate and is appropriate for the size of this business.

The Buoy Shack is an attractive, well managed addition to the Portsmouth/Kittery communities. It is the kind of business that enhances and promotes the area. I encourage you to approve the Buoy Shack's request.

Sincerely,

Bill Fitzgerald
35 Philip Road
Athol, Massachusetts

--

Bill Fitzgerald
35 Philip Road
Athol, MA 01331
203 650 1063

Jason Garnham

From: Bianca Monteiro <bfc76@gmail.com>
Sent: Saturday, May 20, 2023 12:39 PM
To: Jason Garnham
Subject: Buoy Shack support

Good afternoon Jason,

I'm Bianca Monteiro from 1079 Maplewood Ave in Portsmouth and I'm writing in support of increasing number of outdoor seating at the shack.

We go couple times a week and we only use scooters which is very convenient and no stress when it comes to parking. Thank you very much!

Bianca Monteiro

Jason Garnham

From: Bob & Ann Gregerson <rgregerson@comcast.net>
Sent: Saturday, May 20, 2023 1:56 PM
To: Jason Garnham
Subject: Buoy Shack Additional Parking and Seating Support

To: Jason Garnham and the Kittery Planning Board

As owners of 9 Badgers Island West, Unit 3 we are writing in support of the Buoy Shack and their ownership for the approval of the additional parking that they are seeking at Foreside Dental. We are also supportive of the associated additional seating that Buoy Shack is seeking.

While parking on Badgers Island is a concern, it is shared by Morrison's, Ore Nell's, Buoy Shack, residents, businesses and other entities as part of a multi use island with a working waterfront. In addition, people take advantage of free parking on the island as they drag their beach chairs across the bridge to shows at Prescott Park.

To the best of our knowledge Buoy Shack is the only business that has directly reached out to hear from neighbors and more importantly to proactively work on an off site parking solution that benefits all.

We also support the additional seating as we directly witness Buoy Shack customers approaching by not only car, but by scooter, bicycle and walking from the surrounding areas.

Buoy Shack and it's owners are an asset to our community and we encourage the town to work with their ownership towards a positive outcome. They are unique in trying to be part of the solution as good neighbors.

Regards,

Ann & Bob Gregerson

9 Badgers Island West, Unit 3

Kittery, Maine 03904

Jason Garnham

From: Liz Beebe <beebe@gmail.com>
Sent: Wednesday, May 24, 2023 6:03 PM
To: Jason Garnham
Subject: Buoy Shack

Hi!

I can't make the meeting but as a resident of Kittery and customer of the buoy shack we often walk there or ride our mopeds.
Extra seating would make it SO much easier to dine there, it's super limited right now and we want hidden gem eateries with great views to last!

Thanks so much,

Liz Beebe
[Check out my latest!](#)
BeebeMusic.com
323.333.7910

Jason Garnham

From: Linda Bellisle <lindabellisle@gmail.com>
Sent: Wednesday, May 24, 2023 1:02 PM
To: Jason Garnham
Subject: Bouy Shack

Dear Jason,

Please consider my vote for the Bouy Shack to be allowed to use their outdoor venue.

**Respectfully,
Linda Bellisle
9 Adams Lane #1
Kittery, ME 03904
Cell: 207-694-4257**

1.

Jason Garnham

From: Erin Brochu <brochuerin@gmail.com>
Sent: Wednesday, May 24, 2023 1:50 PM
To: Jason Garnham
Subject: Support Buoy Shack Extra seating

Hi Jason,

We can not make it to tomorrow's meeting, but I would like to support Buoy shack in expanding their seating to accommodate for more guests. We understand they've secured offsite parking at 12 Newmarch St if the lot is full. This is a great solution.

If we visit Buoy shack we will be walking with our family. We are one of many that visit them on foot/bike and do not need parking. There are many residents that live within walking distance of their beautiful restaurant. Please support Buoy Shack in allowing them to expand their seating and business.

Thanks,
Erin Brochu
6 School St Kittery

Jason Garnham

From: Colin Turner <ckturner@plymouth.edu>
Sent: Saturday, May 20, 2023 12:11 PM
To: Jason Garnham
Subject: Request for Planning Board Support to Expand Outdoor Seating for Pedestrians and Cyclists at The Buoy Shack

Hello Jason,

I hope this email finds you well. I am writing as a concerned resident and a supporter of local businesses in the town of Kittery, Maine. I would like to bring an important matter to your attention regarding the need to expand outdoor seating options for pedestrians and cyclists at The Buoy Shack and other local establishments.

Firstly, I would like to express my appreciation for the valuable work the Planning Board does in ensuring the growth and development of our community. As a resident, I deeply value the quality of life and the well-being of all individuals in our town. With that in mind, I believe it is crucial to address the lack of seating options available to those who choose to walk or bike to restaurants in Kittery.

Walking and biking are not only healthier transportation options but also significantly better for the environment. Many individuals, myself included, have made a conscious effort to reduce our reliance on cars, reduce traffic congestion, and decrease our carbon footprint. However, the current lack of outdoor seating for pedestrians and cyclists poses a significant challenge to enjoying dining experiences in our town.

By expanding the outdoor seating options at The Buoy Shack and other local restaurants, we can create a more inclusive and inviting atmosphere that caters to the needs of all residents and visitors. This will encourage more people to choose active modes of transportation, supporting healthier lifestyles and reducing the environmental impact associated with car usage.

Specifically, I would like to draw your attention to The Buoy Shack, a beloved establishment in our community. While they offer sufficient seating for patrons who arrive by car, their current seating arrangement fails to accommodate pedestrians and cyclists adequately. By working with the Planning Board to encourage and support the expansion of outdoor seating options at The Buoy Shack, we can help ensure that this restaurant and others like it can better serve all members of our community.

Expanding outdoor seating for pedestrians and cyclists is not only beneficial for the individuals involved but also for the overall well-being of our town. It promotes a sense of community, fosters a healthier lifestyle, and aligns with our shared commitment to environmental sustainability.

I kindly request that you bring this matter to the attention of the Planning Board and consider supporting initiatives that encourage The Buoy Shack and other local restaurants to expand their outdoor seating options. By doing so, we can create a more vibrant and inclusive dining experience for all residents and visitors to Kittery.

Thank you for your time and attention to this matter. I trust that you will recognize the value and importance of expanding outdoor seating for pedestrians and cyclists at The Buoy Shack and other local establishments, ultimately contributing to the overall well-being and sustainable development of our town.

Warm regards,

Colin Turner

Jason Garnham

From: VMC <vascan526@gmail.com>
Sent: Thursday, May 25, 2023 8:19 AM
To: Jason Garnham
Subject: Buoy Shack Support

Hello-

We strongly support expanded seating for the Buoy Shack! Last year we purchased a home in Kittery Foreside so that we could walk to bars and restaurants, such as the Buoy Shack, grocery stores, and all the wonderful stores both in the neighborhood and across the bridge.

Please allow the Buoy Shack to add tables so that they can continue to thrive! Last week we walked there only to be offered seating on the grass. This is not sustainable for a restaurant.

Thank you for your consideration.

Best,
Vasiliki Canotas
6 Otis Ave
03904

Sent from my iPhone

Jason Garnham

From: LINDA COHEN <linda0604@comcast.net>
Sent: Tuesday, May 23, 2023 6:43 PM
To: Jason Garnham; Kendra Amaral
Cc: Lou Greco; Susan Grodman; johnroukes@yahoo.com; laura.okeefe@comcast.net; russsouth@me.com; blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com; juliapendleton28@comcast.net; jeff@jsneng.com; Mary McCartney; Steven Epstein
Subject: RE: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

Good afternoon Director Garnham,

Thank you for your thoughtful email yesterday in response to our May 22 submission to you, the Town Planning Board and Town Manager Kendra Amaral.

First, we thank you for clarifying that the Buoy Shack's permitted use and current request pertains to *seating*, not *customers* --a point we had not fully appreciated. While the distinction is important legally, our primary concern is the dramatic increase in seating and the impact it will have on parking on the Island. So while the distinction is duly noted and appreciated by us, our concerns about the impact of the requested increase in seating on the residents of Badgers Island West remains.

Second, we also thank you for pointing out that a comprehensive study of parking and traffic on Badgers Island West is outside of the Planning Board's scope or authority. You note that you believe that the Town Manager is the proper venue for such a request and noted that we sent a copy of our email to Town Manager Amaral for her consideration.

Third, we respectfully suggest that if the Planning Board limits its decision making narrowly to traditional considerations on the Buoy Shack's pending request to increase its seating without considering all the other recent and pending changes on the Island that are relevant, the risk of a badly considered decision the Town will later regret is greatly enhanced. At a minimum, the Planning Board could recommend to Town Manager Amaral that a comprehensive study of parking and traffic on Badgers Island West be conducted soon. In addition, if the Planning Board decides on narrow grounds to grant the Buoy Shack's request to increase its seating, the Planning Board should make any approval to increase the seating at the Buoy Shack *temporary* for the 2023 season, so the decision can be reconsidered as part of a comprehensive review of traffic and parking on Badgers Island West.

Fourth, we would like to share a bit of recent history on Badgers Island West. For most of the nine years we have lived on Badgers Island West there was incremental change. However, in the last two years the scope and pace of change has increased dramatically. Badgers Island West is rapidly being transformed from a commercial and residential mixed use street to a primarily residential street. The Planning Board has at least three pending applications relating to properties on Badgers Island West. Each will have a significant impact on each other decision and on the current residents of the street. So the Planning Board can reach a perfectly sound decision on traditional narrow grounds, but such a decision may turn out to be unsound without considering the other pending applications and other factors at play. Furthermore, the input of other Town experts, included the police and firefighters, is clearly needed to reach a best possible decision. A more comprehensive decision making approach is called for given the totality of changes underway.

Fifth, there is concern by many, if not most, of the residents of Badgers Island West about the impact of all of the current and pending changes on their lives on Badgers Island West. The large number of residents who attended the site walk at the Buoy Shack site walk yesterday simply to listen to the Planning Board's interaction with the applicants is strong circumstantial evidence of the high level of concern by many of the residents of Badgers Island West. We strongly suspect an even larger number of residents will attend the public hearing on Thursday evening. The number of residents in attendance reflects the growing anxiety of many residents coming to the fore. We met a number of residents for the first time during yesterday's site walk. We saw many others whom we do know for the first time in months. Everyone came out because they realize the import of all the recent and pending changes on our street.

Please include this supplemental email in the packet for review by the Planning Board.

Respectfully submitted,

Ken and Linda Cohen

Kenneth and Linda Cohen

32 Badgers Island West, Unit 1

Kittery, Maine 03904-1692

linda0604@comcast.net

On 05/22/2023 2:50 PM EDT Jason Garnham <jgarnham@kitteryme.org> wrote:

Hi Linda,

Thanks for your email. I will include it in the packet for review by the Planning Board. All comments will be uploaded to the packet by Thursday afternoon at: [Planning Board Meeting | kitteryme](#). I will also briefly summarize the comments we receive during the meeting.

Please be advised that your interest in a comprehensive study of parking and traffic on Badgers Island is outside of the Planning Board's scope or authority. I see that you sent your email to the Town Manager for consideration; I believe this was the proper avenue for such a request.

Please also be advised that the Buoy Shack's permitted use and current request pertain to *seating*, not customers. I'm sure the building has an occupancy limit related to fire and safety codes but the parking and zoning requirements relate to (the number of) tables and chairs. This seems to be a common misunderstanding.

Please let me know if you have any other comments or questions between now and Thursday's planning board meeting. Thank you,

-Jason

Jason Garnham, AICP

Director of Planning and Development

Town of Kittery, ME

207-475-1307

jgarnham@kitteryme.org

From: LINDA COHEN <linda0604@comcast.net>

Sent: Monday, May 22, 2023 12:11 PM

To: Jason Garnham <JGarnham@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>

Cc: Lou Greco <Louisgreco9495@gmail.com>; Susan Grodman <grodmansusan@gmail.com>;

johnroukes@yahoo.com; laura.okeefe@comcast.net; russsouth@me.com;

blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com;

juliapendleton28@comcast.net; jeff@jsneng.com; Mary McCartney <Marylou746@gmail.com>; Steven Epstein <seps1957@gmail.com>

Subject: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

To : Jason Garnham, Director of Planning and Development

Members of the Town Planning Committee

Kendra Amaral, Town Manager

From: Kenneth and Linda Cohen

Date: May 22, 2023

We respectfully submit the following letter for the next Planning Board meeting this Thursday, May 25, 2023. We request that copies be made available to Planning Board Members in connection with the proposed modification of the Site Plan for 1-3 Badgers Island (Buoy Shack) to increase the number of customers authorized by the Town.

It is a mistake for the Planning Committee to consider the request by the Buoy Shack in isolation. Instead, a comprehensive review of parking on Badgers Island West is in order, if not overdue. To do less, will result in a short sided decision that the Town will come to regret and then need to revisit. Better to be proactive, rather than reactive.

We have lived at 32 Badgers Island West since 2014. In the last few years the character of Badgers Island West has changed dramatically and it is about to change significantly in the near future with the building of four townhouses at 39 Badgers Island and the conversion and expansion of the Green Pages main building at 35 Badgers Island into a 10 unit condominium (both applications pending). This Thursday, the Planning Board will be asked to review a proposed modification of the Site Plan for 1-3 Badgers Island (Buoy Shack) to increase the number of customers authorized by the Town. Together, this request, along with other recent changes, will dramatically affect an already tight street parking situation on Badgers Island West for the worse.

We have three recommendations:

First, I urge the Town to do a comprehensive review of parking on Badgers Island West. This comprehensive review should include consideration of resident only parking spaces and parking on one side of the road where the road narrows significantly.

Second, if the Town Planning Board grants the Buoy Shack's request to increase the number of customer from a 28 person occupancy to a 96 person occupancy, the granting of the request should be time limited to this season of 2023 so that it can be reconsidered as part of the comprehensive review recommended above.

Third, the Town lowered the speed limit on Badgers Island West to 25 miles per hour several years ago. Unfortunately, cars continue to speed around the Island and are endangering the safety of the residents (particularly the young children living on the Island). More police enforcement is needed.

The following analysis may be helpful.

There is a rapidly rising demand for parking on Badgers Island and a shrinking available parking supply.

Demand for parking is already tight and will increase dramatically in the near future because:

1. People park on Badgers Island West and walk into downtown Portsmouth to avoid paying parking fees in Portsmouth.
2. People working on the Island park their vehicles on the Badgers Island West while they are working.
3. Customers of the three restaurants on the Island park on Badgers Island West and the number of restaurant customers has dramatically increased. The recent successes of Ore Nell's BBQ and the Buoy Shack have dramatically increased the number of restaurant customers parking on the street. This is in addition to the long time customers of Morrison's Lobsters who also park on the street.
4. Customers with boats at one of the marinas on the Island park on Badgers Island West park, not only in designate marina lots, but on the street.
5. Residents, guests and especially service providers for the residents on the Island rely on street parking on Badgers Island West.
6. The two proposed developments of four townhouses at 39 Badgers Island and ten condominium units at 35 Badgers Island will almost double the number of residences on Badgers Island. Notably, the townhouse development at 39 Badgers Island proposes to have 4 parking spaces and the 35 Badgers Island development will have none, which will dramatically increase demand by these future residents for on street parking for their guests and service providers.

Supply of parking spaces available is rapidly shrinking because:

1. The supply of street parking space has already shrunk with the Town's February 2023 decision to prohibit parking on both sides of Badgers Island West for the first 250 feet of the road, upon entering off Route 1 from a westerly direction. The decision to do so has already shifted the parking further down Badgers Island West and we have not yet begun the "peak" summer months.
2. Historically, parking was in practice available at the large Green Pages parking lot located at 32 Badgers Island. That parking lot with 50 or so spaces relieved much of the congestion during peak times. In fact, the predecessor restaurant to Ore Nell's had an arrangement with Green Pages for their customers to park there and in recent years Green Pages employees worked remotely and the lot was otherwise vacant and available for the public to park in. The parking lot is now closed off in order to begin preparations for the development of four town house at 39 Badgers Island.

These current and future changes on the Island will dramatically worsen an already difficult parking situation for the current residents of Badgers Island West.

Parking is already at a premium and we at 32 Badgers Island (Badgers Landing Condominiums) rely on street parking for guests visiting us and for service providers who provide necessary services to our residents (e.g., landscaping, HVAC, fire safety systems, alarm systems, elevators, cleaning services, snow plowing, building maintenance and repair etc.) We have no guest parking on site and rely on street parking in front of our building and nearby.

We are not alone in this. Other condominiums on the Island (e.g., 27 Badgers Island West) rely on street parking for residents and service providers. In addition, the applicant for developing 35 Badgers Island West is proposing to rely on street parking for his 10 unit condominium.

Without assurances that parking is available in front of and near our condo and the other condos on the Island, those service providers will not be able to provide needed services and guests will be required to park a distance away in order to visit with us. Similarly, single family residents rely on on street parking in front of their residents for guests and service providers.

Parking on one side only on Badgers Island West is needed where the road narrows.

The February 2023 Town decision (which we support) to prohibit parking on both sides of Badgers Island West for the first 250 feet of the road was motivated safety concerns. There were bottlenecks which impeded vehicles from being able to drive in and out Badgers island West with their vehicles. More importantly, there was a need to leave enough room for emergency vehicles to be able to travel down the road. However, every solution creates new problems. The impact of the February decision was like squeezing on a balloon. When you squeeze on the balloon, it expands on the other end. That is what has already happened. Vehicles are now parking further down the road from 22 to 32 Badgers Island West. And the road is actually narrower along this segment of Badgers Island West than it is at the beginning of Badgers Island West where parking is now prohibited, as has been noted by my neighbor Julia Pendleton of 28 Badgers Island. We have already witnessed school buses having difficulty passing by our condo with vehicles parked on one side of the road along this segment. If parking continues to be permitted on both sides of the road from 22 to 32 Badgers Island West, buses and emergency vehicles will have difficulty passing through this segment of road. We will encounter the same problem further down Badgers Island West that motivated the February decision to ban parking along the initial entry way of Badgers Island West.

Vehicles continue to speed around Badgers Island West in violation of the speed limits.

We applaud the decision of the Town in recent years to reduce the speeding problem by lowering the speed limit to 25 miles per hour. We also support the placement a *Dead End* sign at the beginning of Badgers Island West to cut down on out of state motorists who speed down the Badgers Island West when the Memorial Bridge is closed, thinking it is a cut through, but then discovering that they are on an Island and then speed back to Route One. Despite these positive steps, speeding continues to be a real problem and it is not the occasional bad driver. Speeding is a frequent occurrence and it endangers residents, particularly the children who live on the Island and play and ride their bikes and scooters on Badgers Island West. We do not have a magic solution to these scofflaws other than to recommend more police enforcement of the speed limits.

Respectfully submitted,

Ken and Linda Cohen

Kenneth and Linda Cohen

32 Badgers Island West, Unit 1

Kittery, Maine 03904-1692

linda0604@comcast.com

Jason Garnham

From: Gwen Davis <gwendavis.mcs@gmail.com>
Sent: Wednesday, May 24, 2023 12:33 PM
To: Jason Garnham
Subject: Buoy Shack

Dear Mr. Garnham,

I am writing to a) show my support for a local business that I love and b) ask you and the town to allow the beautiful Buoy Shack to thrive in its gorgeous riverside location.

Everyone I know on both sides of the bridge was so excited when this simple, fun little restaurant opened. For once, people were walking over the bridge in THIS direction to have a drink or dine (except for the brief time The Point was open, I have spent my entire life walking over the bridge to Portsmouth for fun riverside dining) and reveling in the beauty of this side of the bridge. The scattering of Adirondack chairs, the picnic tables on the water... just gorgeous!

I was surprised to go down the other day and see the lawn empty, the riverfront empty except for three little picnic tables up by the parking lot. When I heard of the meeting this week, I vowed to go (although I don't think my schedule will allow it.) Everyone I know feels the same- hopefully they will at least make the time to write to voice their support. Our town is worthy of enjoyable, beautiful places, including the Buoy Shack. Please support them, too.

Thank you so much,
Gwen Davis

--

Gwen Davis, M.Ed.
(she, her, hers)
Maine Consulting Solutions
Education, Health, Living and Learning!
70 Love Lane Extension
Kittery, Maine
03904
(+1) (603) 520 8808

<https://www.airbnb.com/rooms/25403945?s=51>
<https://www.vrbo.com/1302576?unitId=1853726>

Jason Garnham

From: janet day <janetday2@mac.com>
Sent: Wednesday, May 24, 2023 6:42 PM
To: Jason Garnham
Subject: BUOY SHACK

We live directly across the river in Portsmouth and always walk over to the Buoy Shack for dinner. Please approve the request for additional tables.

Janet Day and Chris Brown

Sent from my iPhone

Jason Garnham

From: Dina Dudarevitch <dinad2@mac.com>
Sent: Wednesday, May 24, 2023 6:14 PM
To: Jason Garnham
Subject: Buoy Shack

Hello...

I can't make the planning meeting Thursday since I'll be out of town. When we go to the Buoy Shack, my friends park at my place and we walk over - I'd never drive over since I live right by Warrens. I support allowing more capacity especially since there is now extra parking at the dental practice and not clogging up the side roads.

Thank you for your time.

Dina Dudarevitch
6 Commercial St
Apt 2
Kittery

Sent from my iPhone

Jason Garnham

From: Kathy Giovando <kathygiovando@comcast.net>
Sent: Wednesday, May 24, 2023 4:26 PM
To: Jason Garnham
Subject: Bouy Shack

Subject: Support for Expanding Seating at The Bouy Shack

Dear Planning Board,

I am writing to express my support for the proposed expansion of seating at the Bouy Shack. As a member of the community, I believe that this establishment is an important part of our town and provides a valuable service to residents and visitors alike.

Many people walk and bike to the restaurant, and the current seating arrangements are often inadequate to meet demand. By expanding seating, we can ensure that more people are able to enjoy the restaurant's offerings and that it continues to thrive as a local business.

I urge you to consider this proposal carefully and to support the expansion of seating at [Restaurant Name]. Thank you for your time and attention.

Sincerely,

Katherine Giovando

Kathygiovando@comcast.net

Jason Garnham

From: Louis Greco <louisgreco9495@gmail.com>
Sent: Wednesday, May 24, 2023 10:48 PM
To: Jason Garnham
Subject: Buoy Shack

Good evening Jason,

Since I have already sent you an email expressing my opinion about increasing the seating capacity for the Buoy Shack, I will try not to repeat myself. I still oppose the increase in their desired seating. Their proposed idea of offsite parking is not feasible nor realistic. Let's face it, people are lazy. Expecting that patrons will park 1/3 of a mile away instead of the nearest on street parking spot is laughable. Also, who is going to enforce it? The Kittery police are not responsible for this and are far too busy anyway.

I was recently informed of a Facebook post by the Buoy Shack asking for patrons to show up at the meeting in a show of support. They misunderstand my comments. I support all local businesses. As long as they abide by the rules and regulations and do not infringe on anyone else's rights. Their business is not more important than the people that live around them. The business model that they put in front of the board to get approval, should be the plan that is followed. Unless the original plan was just to get approval, then ask for a variance. Either way, Badgers Island residents should not have to be burdened with their lack of foresight. The lack of parking on the island is not only an inconvenience, but also a safety concern.

Thank you for your time,
Louis Greco 32 Badgers Is W

Sent from my iPad

Jason Garnham

From: Kim Murray <kimj_murray@icloud.com>
Sent: Saturday, May 20, 2023 5:33 PM
To: Jason Garnham
Subject: Buoy Shack

I would like to show my support for the Buoy Shack. I realize that parking can be a problem on the island but as a tax payer of Kittery I would hope something can be done to help this business. Thank you, from Kim J. Murray of 22 Island Ave.

Sent from my iPhone

Jason Garnham

From: Katherine Shine Young <katherineshine@gmail.com>
Sent: Monday, May 22, 2023 8:52 AM
To: Jason Garnham
Subject: WRITING IN FAVOR FOR BUOY SHACK

Hello,

I am a Kittery resident. I have been a Kittery resident since 2014. I've also been local to the Seacoast area since 1985. I live within walking distance to BUOY Shack. My husband, daughter and I (and soon to be in-laws who are building next to us) walk down to the restaurant quite frequently. It's so great to have a space to enjoy the water, the views of Portsmouth, and our community. I am in support of their efforts to expand their seating area.

Not only will it increase revenue for the town of Kittery in regards to taxes, it will also potentially increase more tourism to our little downtown area. In addition it could potentially increase more jobs as they will need more assistance at the restaurant to serve those patrons.

Thank you so much. 7 Hunter Ave Kittery Maine.

- Katie Shine Young

Jason Garnham

From: James Kilmartin <jakilmartin@gmail.com>
Sent: Wednesday, May 24, 2023 5:47 PM
To: Jason Garnham
Subject: Buoy shack

Hi,

My wife and I live in portsmouth on commercial alley and walk over the bridge to patronize the Buoy Shack . We are planning to be frequent Buoy Shack visitors this year. Please support their accommodating folks like us who don't drive there -I've regularly seen numerous people doing as we do.

Good for Kittery !

Thanks for your consideration,

Jim

Jason Garnham

From: LINDA COHEN <linda0604@comcast.net>
Sent: Monday, May 22, 2023 12:11 PM
To: Jason Garnham; Kendra Amaral
Cc: Lou Greco; Susan Grodman; johnroukes@yahoo.com; laura.okeefe@comcast.net; russsouth@me.com; blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com; juliapendleton28@comcast.net; jeff@jsneng.com; Mary McCartney; Steven Epstein
Subject: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

To : Jason Garnham, Director of Planning and Development
Members of the Town Planning Committee
Kendra Amaral, Town Manager

From: Kenneth and Linda Cohen

Date: May 22, 2023

We respectfully submit the following letter for the next Planning Board meeting this Thursday, May 25, 2023. We request that copies be made available to Planning Board Members in connection with the proposed modification of the Site Plan for 1-3 Badgers Island (Buoy Shack) to increase the number of customers authorized by the Town.

It is a mistake for the Planning Committee to consider the request by the Buoy Shack in isolation. Instead, a comprehensive review of parking on Badgers Island West is in order, if not overdue. To do less, will result in a short sided decision that the Town will come to regret and then need to revisit. Better to be proactive, rather than reactive.

We have lived at 32 Badgers Island West since 2014. In the last few years the character of Badgers Island West has changed dramatically and it is about to change significantly in the near future with the building of four townhouses at 39 Badgers Island and the conversion and expansion of the Green Pages main building at 35 Badgers Island into a 10 unit condominium (both applications pending). This Thursday, the Planning Board will be asked to review a proposed modification of the Site Plan for 1-3 Badgers Island (Buoy Shack) to increase the number of customers authorized by the Town. Together, this request, along with other recent changes, will dramatically affect an already tight street parking situation on Badgers Island West for the worse.

We have three recommendations:

First, I urge the Town to do a comprehensive review of parking on Badgers Island West. This comprehensive review should include consideration of resident only parking spaces and parking on one side of the road where the road narrows significantly.

Second, if the Town Planning Board grants the Buoy Shack's request to increase the number of customer from a 28 person occupancy to a 96 person occupancy, the granting of the request should be time limited to this season of 2023 so that it can be reconsidered as part of the comprehensive review recommended above.

Third, the Town lowered the speed limit on Badgers Island West to 25 miles per hour several years ago. Unfortunately, cars continue to speed around the Island and are endangering the safety of the residents (particularly the young children living on the Island). More police enforcement is needed.

The following analysis may be helpful.

There is a rapidly rising demand for parking on Badgers Island and a shrinking available parking supply.

Demand for parking is already tight and will increase dramatically in the near future because:

1. People park on Badgers Island West and walk into downtown Portsmouth to avoid paying parking fees in Portsmouth.
2. People working on the Island park their vehicles on the Badgers Island West while they are working.
3. Customers of the three restaurants on the Island park on Badgers Island West and the number of restaurant customers has dramatically increased. The recent successes of Ore Nell's BBQ and the Buoy Shack have dramatically increased the number of restaurant customers parking on the street. This is in addition to the long time customers of Morrison's Lobsters who also park on the street.
4. Customers with boats at one of the marinas on the Island park on Badgers Island West park, not only in designate marina lots, but on the street.
5. Residents, guests and especially service providers for the residents on the Island rely on street parking on Badgers Island West.
6. The two proposed developments of four townhouses at 39 Badgers Island and ten condominium units at 35 Badgers Island will almost double the number of residences on Badgers Island. Notably, the townhouse development at 39 Badgers Island proposes to have 4 parking spaces and the 35 Badgers Island development will have none, which will dramatically increase demand by these future residents for on street parking for their guests and service providers.

Supply of parking spaces available is rapidly shrinking because:

1. The supply of street parking space has already shrunk with the Town's February 2023 decision to prohibit parking on both sides of Badgers Island West for the first 250 feet of the road, upon entering off Route 1 from a westerly direction. The decision to do so has already shifted the parking further down Badgers Island West and we have not yet begun the "peak" summer months.
2. Historically, parking was in practice available at the large Green Pages parking lot located at 32 Badgers Island. That parking lot with 50 or so spaces relieved much of the congestion during peak times. In fact, the predecessor restaurant to Ore Nell's had an arrangement with Green Pages for their customers to park there and in recent years Green Pages employees worked remotely and the lot was otherwise vacant and available for the public to park in. The parking lot is now closed off in order to begin preparations for the development of four town house at 39 Badgers Island.

These current and future changes on the Island will dramatically worsen an already difficult parking situation for the current residents of Badgers Island West.

Parking is already at a premium and we at 32 Badgers Island (Badgers Landing Condominiums) rely on street parking for guests visiting us and for service providers who provide necessary services to our residents (e.g., landscaping, HVAC, fire safety systems, alarm systems, elevators, cleaning

services, snow plowing, building maintenance and repair etc.) We have no guest parking on site and rely on street parking in front of our building and nearby.

We are not alone in this. Other condominiums on the Island (e.g., 27 Badgers Island West) rely on street parking for residents and service providers. In addition, the applicant for developing 35 Badgers Island West is proposing to rely on street parking for his 10 unit condominium.

Without assurances that parking is available in front of and near our condo and the other condos on the Island, those service providers will not be able to provide needed services and guests will be required to park a distance away in order to visit with us. Similarly, single family residents rely on on street parking in front of their residents for guests and service providers.

Parking on one side only on Badgers Island West is needed where the road narrows.

The February 2023 Town decision (which we support) to prohibit parking on both sides of Badgers Island West for the first 250 feet of the road was motivated safety concerns. There were bottlenecks which impeded vehicles from being able to drive in and out Badgers island West with their vehicles. More importantly, there was a need to leave enough room for emergency vehicles to be able to travel down the road. However, every solution creates new problems. The impact of the February decision was like squeezing on a balloon. When you squeeze on the balloon, it expands on the other end. That is what has already happened. Vehicles are now parking further down the road from 22 to 32 Badgers Island West. And the road is actually narrower along this segment of Badgers Island West than it is at the beginning of Badgers Island West where parking is now prohibited, as has been noted by my neighbor Julia Pendleton of 28 Badgers Island. We have already witnessed school buses having difficulty passing by our condo with vehicles parked on one side of the road along this segment. If parking continues to be permitted on both sides of the road from 22 to 32 Badgers Island West, buses and emergency vehicles will have difficulty passing through this segment of road. We will encounter the same problem further down Badgers Island West that motivated the February decision to ban parking along the initial entry way of Badgers Island West.

Vehicles continue to speed around Badgers Island West in violation of the speed limits.

We applaud the decision of the Town in recent years to reduce the speeding problem by lowering the speed limit to 25 miles per hour. We also support the placement a *Dead End* sign at the beginning of Badgers Island West to cut down on out of state motorists who speed down the Badgers Island West when the Memorial Bridge is closed, thinking it is a cut through, but then discovering that they are on an Island and then speed back to Route One. Despite these positive steps, speeding continues to be a real problem and it is not the occasional bad driver. Speeding is a frequent occurrence and it endangers residents, particularly the children who live on the Island and play and ride their bikes and scooters on Badgers Island West. We do not have a magic solution to these scofflaws other than to recommend more police enforcement of the speed limits.

Respectfully submitted,

Ken and Linda Cohen

Kenneth and Linda Cohen

32 Badgers Island West, Unit 1

Kittery, Maine 03904-1692

linda0604@comcastcomcast.net

Jason Garnham

From: Lynne Clemens <lynneaclemens@gmail.com>
Sent: Saturday, May 20, 2023 7:27 PM
To: Jason Garnham
Subject: The Buoy Shack seating

Good evening. I understand the Buoy Shack is looking to add seating. We moved to kittery last August and have been to The Buoy Shack several times and it has always been by foot. We even walk in the cold when Santa came to the Buoy! We live near the village and walk to ALL of our dining /drinking in Foreside and to the buoy and often into Portsmouth. That's the reason we moved to the section of town we did so we could walk to all dining. The seating is very tight there and I think adding seating would make it easier for locals to find a seat at The Buoy.

Thank you for your time.
Lynne and Paul Clemens
202 Coastal Woods Circle
Kittery.
Sent from my iPhone

Jason Garnham

From: Britt Manero <brittmanerodesign@comcast.net>
Sent: Thursday, May 25, 2023 9:00 AM
To: Jason Garnham
Subject: BUOY SHACK

Hello,

I am unable to make the meeting on the BUOY SHACK but wanted to let you know that so many of us visit Kittery and we walk to our favorite restaurants and the BUOY SHACK is one of them. I know parking is an issue but to not allow this great business the opportunity to thrive because of parking spaces is wrong. Especially for a very summer driven restaurant when people want to get outside and walk to and from their dining. The walk from the portsmouth parking is a bit longer but we have even done that. And from other locations in Kittery. The town of Kittery should look at allowing after hours parking at the York hospital lot ?, add meters if needed there. Other locations that close early that maybe willing to put meters in or allow evening parking. More creative way to fix parking issues for all of Kittery waterfront and Forside areas is needed especially with the additional housing being built on Dennett Road/rte95 we will have a needed in the very near future!

Let's get creative and allow businesses to thrive!!!!!!

Thank you,

Britt Manero

Sent from my iPhone

Jason Garnham

From: Janine McCallion <janinem27@yahoo.com>
Sent: Wednesday, May 24, 2023 3:53 PM
To: Jason Garnham
Subject: Buoy Shack

I would like to see the above eatery able to expand their seating capacity.

Janine McCallion
Kittery Me.

Sent from my iPad

Jason Garnham

From: Shawn McShane <smcshane802@gmail.com>
Sent: Wednesday, May 24, 2023 1:30 PM
To: Jason Garnham
Subject: Buoy Shack Parking & Seating

To Whom This May Concern - my husband and I would like to register our support of the Buoy Shack's application for the use of off site parking and to add more seats.

It's a great addition to the community.

Thank you, Shawn & Mike McShane

Jason Garnham

From: Jennifer Meister <jenjmeister@gmail.com>
Sent: Wednesday, May 24, 2023 4:59 PM
To: Jason Garnham
Subject: Buoy Shack seating

Dear Planning Committee,

Even though I am not a Kittery citizen, I feel I must comment on the seating capacity at the Buoy Shack. Ever since it opened last year, it has been a favorite of mine (as well as my neighbors). We always cross the bridge on foot to visit our favorite Kittery restaurants (Lil's for breakfast, Beach Pea for lunch, and both Festiva Lente, Ore Nell's, and the Buoy Shack for dinner.

The bridge is constantly crowded with people going back and forth; and not driving to dine out (on either side of the river) is one of the charms of living here.

Most people I have seen at the Buoy Shack do not drive there as it is so much easier to walk or ride or scooter there.

Please allow the their requested additional seating so we can all get enjoy that lobster dip this summer!

Respectfully submitted,

Jen Meister
Portsmouth, NH

Jason Garnham

From: Emily Miller <emknight821@gmail.com>
Sent: Wednesday, May 24, 2023 8:32 PM
To: Jason Garnham
Subject: Kittery resident in favor of buoy shack seating

Hi Jason,
My name is Emily Miller, a proud Kittery resident since 2020.

When my husband and I purchased our home we were thrilled to be in walking distance to kittery foreshore and the memorial bridge to Portsmouth, NH.

We love to walk down to Kit and Supply Co, Lils, Corner Pub, The Dram, Tulsi, Black Birch and Ornell's for kids story times, cruellers and dinner. We were so excited to add the Buoy Shack to the list of walkable local businesses for us last summer. We were able to walk down for many lobster rolls and made great memories enjoying cocktails and empanadas with the gorgeous view of the Piscataqua.

I was really disappointed to hear of the limited seating the town is enforcing on the Buoy Shack due to the issues with parking. This limitation does not really impact people parking on Badgers Island as people seemed to park there prior to the Buoy Shack but instead it does limit people like my family from being able to enjoy one of the establishments of our town.

I'm also disappointed as I feel this impacts the tourism that is one of the aspects of our town that gives us a buzz in the summer. I don't LOVE the long lines at Lils personally but I do LOVE to see the local businesses we frequent thrive, therefore I'm thankful for the tourists spending their money here in Kittery.

Limiting seating at Buoy Shack will not only send more local residents over the bridge to spend their money in NH but it will also keep most of the tourists over in Portsmouth too. So many tourists like to walk to bridge and come spend money here in Kittery, as a resident I'd like to encourage this as much as possible to help support our local small Maine businesses.

Please consider allowing Buoy Shack to add additional seating to allow them to serve those of us that walk, bike, and scooter so we can enjoy our summer in this beautiful place we are so lucky to call home.

Best,
Emily Miller
Sterling Road Resident

--

Emily Miller
Emknight821@gmail.com
[\(269\)760-4657](tel:(269)760-4657)

Jason Garnham

From: Nancy <boogielou41@yahoo.com>
Sent: Wednesday, May 24, 2023 6:37 PM
To: Jason Garnham
Subject: Buoy

As a resident of Kittery I look forward to walking to the Buoy to see a great sunset.
Sent from my iPad

Jason Garnham

From: Jeff Nawrocki <jeff@jsneng.com>
Sent: Tuesday, May 23, 2023 4:52 PM
To: Jason Garnham; 'LINDA COHEN'; Kendra Amaral
Cc: 'Lou Greco'; 'Susan Grodman'; johnroukes@yahoo.com; laura.okeefe@comcast.net; russsouth@me.com; blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com; juliapendleton28@comcast.net; 'Mary McCartney'; 'Steven Epstein'
Subject: RE: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

Hi Jason,

Can you also please submit the following for Thursday's meeting. Thank you.

Dear Planning board members,

The Buoy Shack knowingly obtained approvals for, generated a business plans for, and built a building around an approved occupancy of 28 seats based on on-site parking spaces available. Then, in their first year they grossly and blatantly violated their occupancy limits by a factor of approximately three. This was in disregard to, and disrespectful to yourselves, the Planning Board who set the limits; the Town and it's permitting process; other restaurants who abide by their restrictions, and the Badgers Island residents who had to put up with the crowds and noise. In addition, they had at least a couple special functions like Octoberfest and a Fair, with music. I doubt those were permitted events. The residents that live next door generally need to leave when these happen.

I also think it's important to clear up what the intent of a "seat" is since a recent email from Kittery staff said it was a physical seat, not an occupant. I find that very hard to believe as anyone eating and drinking has the same parking needs whether they are sitting on a wood chair, sitting on the ground, or standing. Common sense would say a seat is intended to be an occupant. If that is not the case, I guess other restaurants in town could fill up their yards with unlimited people drinking like a Frat party?

The Buoy Shack is asking for off-site Public Parking to increase capacity. There is no chance that the Public will park anywhere but the most convenient place, so I don't believe the board should consider this as a viable option. The Buoy Shack came into the last meeting and wanted an affirmative decision made immediately because they had already entered into a parking agreement. That again showed a disrespect for the process and residents.

We do understand that the "parking and traffic" situation on Badgers Island is not for this board to determine or resolve, but possibly is worth tabling this site plan adjustment until a later time when it is resolved? Put this discussion off for a year as they had planned their business based on 28. The parking and traffic situation is currently very active with the Town.

"If" one were to consider any additional seating, which I don't think should be considered based on their history and violations, the only reasonable consideration would be as follows. Allow staff only to park and walk into work. They have the ability and authority to force staff to park 0.3 miles away. That would free up the 4 staff parking spaces and they can free up the 3 fisherman's spaces if no conflict. That would gain them some seating, but not what they are requesting.

Badgers Island has always been mixed occupancy, but it is quickly changing into a primarily residential neighborhood. As business occupancies are sold, they turn into residences. Badgers Island has always had some small restaurants, but never any of this size and disruption. It doesn't make sense to allow a noisy operation to grow when the island is becoming quieter.

Please consider the tax paying residents of the Island ahead of the visiting public.

Thank you,
Jeff and Mary Nawrocki
24 Badgers Island West

Jeffrey S. Nawrocki, PE
President

JSN Associates, LLC
One Autumn Street
Portsmouth, NH 03801
Email: jeff@jsneng.com
Website: www.jsneng.com
Phone: (603) 433-8639 Ext. 206

From: Jason Garnham <JGarnham@kitteryme.org>
Sent: Monday, May 22, 2023 2:50 PM
To: LINDA COHEN <linda0604@comcast.net>; Kendra Amaral <KAmaral@kitteryme.org>
Cc: Lou Greco <Louisgreco9495@gmail.com>; Susan Grodman <grodmansusan@gmail.com>; johnroukes@yahoo.com; laura.okeefe@comcast.net; russsouth@me.com; blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com; juliapendleton28@comcast.net; jeff@jsneng.com; Mary McCartney <Marylou746@gmail.com>; Steven Epstein <seps1957@gmail.com>
Subject: RE: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

Hi Linda,
Thanks for your email. I will include it in the packet for review by the Planning Board. All comments will be uploaded to the packet by Thursday afternoon at: [Planning Board Meeting | kitteryme](#). I will also briefly summarize the comments we receive during the meeting.

Please be advised that your interest in a comprehensive study of parking and traffic on Badgers Island is outside of the Planning Board's scope or authority. I see that you sent your email to the Town Manager for consideration; I believe this was the proper avenue for such a request.

Please also be advised that the Buoy Shack's permitted use and current request pertain to *seating*, not customers. I'm sure the building has an occupancy limit related to fire and safety codes but the parking and zoning requirements relate to (the number of) tables and chairs. This seems to be a common misunderstanding.

Please let me know if you have any other comments or questions between now and Thursday's planning board meeting.
Thank you,
-Jason

Jason Garnham, AICP
Director of Planning and Development
Town of Kittery, ME
207-475-1307
jgarnham@kitteryme.org

From: LINDA COHEN <linda0604@comcast.net>
Sent: Monday, May 22, 2023 12:11 PM
To: Jason Garnham <JGarnham@kitteryme.org>; Kendra Amaral <KAmaral@kitteryme.org>

Cc: Lou Greco <Louisgreco9495@gmail.com>; Susan Grodman <grodmansusan@gmail.com>; johnroukes@yahoo.com; laura.okeefe@comcast.net; russouth@me.com; blakesbuildingco@gmail.com; sjunh87@gmail.com; langdon.condo@gmail.com; juliapendleton28@comcast.net; jeff@jsneng.com; Mary McCartney <Marylou746@gmail.com>; Steven Epstein <seps1957@gmail.com>

Subject: Thursday night Planning Board Meeting: Badgers Island West--The Need for a Comprehensive Review of Parking on Badgers Island

To : Jason Garnham, Director of Planning and Development
Members of the Town Planning Committee
Kendra Amaral, Town Manager

From: Kenneth and Linda Cohen

Date: May 22, 2023

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Third, the Town lowered the speed limit on Badgers Island West to 25 miles per hour several years ago. Unfortunately, cars continue to speed around the Island and are endangering the safety of the residents (particularly the young children living on the Island). More police enforcement is needed.

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Respectfully submitted,

Ken and Linda Cohen

Kenneth and Linda Cohen

32 Badgers Island West, Unit 1

Kittery, Maine 03904-1692

linda0604@comcast.com

Jason Garnham

From: SUZANNE NIXON <onionnorth@comcast.net>
Sent: Thursday, May 25, 2023 7:24 AM
To: Jason Garnham
Subject: Buoy Shack

Good morning,

My Husband and I have enjoyed the Buoy Shack and plan to continue to do so. We are in support of what is needed to expand their customer seating. We live local and bike to the Shack when we go so parking is not an issue for us. I do sympathize with the neighbors and believe that a reasonable plan could be put in place that appeases the neighbors, the business owners and the customers. We also live in a neighborhood that a busy local business operates and with effort things seem to be going well.

Thank you,

Suzanne Nixon

Eliot, ME

Jason Garnham

From: Laura O'Keefe <laura.okeefe@comcast.net>
Sent: Thursday, May 25, 2023 9:32 AM
To: Jason Garnham
Subject: Bouy Shack Off-site parking/occupancy (revised)

Jason,

I oppose the Buoy Shack's proposal to increase seating at the restaurant. While, I have no issue with the utilization of the off-site parking, I don't believe it will go far enough to alleviate the parking issues occurring on the island since the arrival of the Buoy Shack. I reside part year at 22 Badgers Island West, in the home owned by my parents, Russ and Linda Southworth. I appreciate the town's attempt to reduce the dangerous bottleneck that occurs at the entrance to the road by putting up the new no parking signs, but as one who lives in the section with those signs, I can say it has made little difference. There are cars parked in front of our home, within those zones almost every day. On sunny days when the Buoy Shack is busy, the entire zone is lined with cars. I have seen a total of two vehicles ticketed since the signs went up.

Pulling out from our driveway is becoming increasingly difficult. I have to creep out almost to the middle of the road (beyond the illegally parked cars along our fence) before I can see the cars driving up (from State Rd) and have had two uncomfortably close calls with other cars zooming up the road in just the last week. But my situation isn't nearly as bad as my neighbors who live further down, in the section after the split without the no parking signs. As I am sure they will state, the area after the split is becoming one big parking lot, with cars lined on both sides and filling the grassy section at the split on any warmer sunny day. I am happy I have no need to drive in that direction, but I will support my neighbors' appeals to restore the safety around their residences, as I have witnessed it firsthand. Others have also complained about the lack of parking for their own visitors and service people. I feel they should not have to endure that hardship either in order to accommodate a growing restaurant.

The Buoy Shack received approval for 28 seats. We have already experienced the negative impact on our community when they allow far more people than that, which they do on a regular basis...just drive by and count the people on any warm afternoon. I think the planning board should not only deny their proposal to increase seating, but they should actually hold them to the 28 seat occupancy limits that they have agreed to.

I can't make it to the meeting tonight, but want to make sure my opinion is recorded.

Respectfully,
Laura O'Keefe

Jason Garnham

From: Jon Parry <jon.h.parry@gmail.com>
Sent: Thursday, May 25, 2023 10:40 AM
To: Jason Garnham
Subject: Buoy Shack Site Plan Modification - 25 MAY 2023

Hello Jason,

I'm writing in support of Buoy Shack's requested increase in site seating arrangements. As a Foreside resident, I can certainly sympathize with parking challenges posed by close proximity of popular businesses and residents.

My family frequently walks to Badger's Island as opposed to using street parking, and we would like to encourage the Board to consider patrons that utilize non-automotive transport in the restaurant seating count. We recognize Buoy Shack's efforts to be a good neighbor by promoting alternative transportation methods and providing additional parking solutions for patrons (re:Foreside Dental lot). The number of cars and parking challenges on the island is not solely Buoy Shack's fault; there's more than one restaurant/business on Badger's Island.

Reading through additional comments by BIW residents, I agree, an appropriate consideration for possible additional signage and enforcement may be necessary, but those additional measures should not come as a penalty to Buoy Shack's business.

Thank you.

Regards,
Jon Parry
19 Jones Ave, Kittery
jon.h.parry@gmail.com

Jason Garnham

From: Sarah Pendleton <sjp365@icloud.com>
Sent: Wednesday, May 24, 2023 4:22 PM
To: Jason Garnham
Subject: Buoy Shack

The Buoy Shack is a great service to our community. Most patrons walk, ride bikes or scooter.

Please don't be like the Town of Rye who wants to save access to Rye Residents. Or those that live near Brave Boat Harbor who have successfully made it so others cannot enjoy the Harbor.

Sarah Pendleton
Portsmouth Resident

Jason Garnham

From: Rick Kunes <kunesrw1@gmail.com>
Sent: Saturday, May 20, 2023 7:59 PM
To: Jason Garnham
Subject: Buoy Shack Badger Island parking

To: Jason Garnham and the Kittery Planning Board

We are residents of 9 Badger Island West, Unit #6. We wish to express our support for approval of the Buoy Shack's additional parking at Foreside Dental and the associated increase in approved seating at their restaurant.

There are other restaurant businesses on Badger Island which do not seem to be held to the same standard as that being applied to Buoy Shack. Badger Island supports a mixture of residents and businesses that need help to achieve adequate parking for all. We commend Buoy Shack for their efforts to reach out to residents and make an effort to help resolve their parking problems.

Sincerely,

Eileen and Richard Kunes

Jason Garnham

From: Michael Rozumek <michaelrozumek@yahoo.com>
Sent: Thursday, May 25, 2023 11:24 AM
To: Jason Garnham
Subject: Buoy Shack seating

Dear members,

We can't say enough what an asset the Buoy Shack is to the Kittery/Portsmouth community. The location, the atmosphere, the staff, the owner and of course the food are all reasons we go there every weekend. Unfortunately, with such limited seating we are unable to get a seat and enjoy such a wonderful experience there. We live in downtown Portsmouth and walk over the bridge to the Shack along with many of our friends who live in Portsmouth. There are several parking options right across the bridge in Portsmouth for people to use and then walk over. It seems so unfair to us and to Buoy Shack to limit their seating because of parking. Please allow them to have the seating they had last year so we can all enjoy this wonderful establishment. The lack of seating will surely ruin their business.

Thank you,

Mike and Lainey Rozumek
Portsmouth, NH

[Sent from Yahoo Mail for iPhone](#)

Jason Garnham

From: John Sakovits <jsakovits@gmail.com>
Sent: Wednesday, May 24, 2023 4:01 PM
To: Jason Garnham
Subject: Buoy shack

Hello Jason

As a Patron of the Buoy Shack I will say there are fewer and fewer casual on the water restaurants these days and support any variance the buoy shack needs.

We have frequented the Buoy Shack quite often and they really do a great job and are an asset to Kittery

Thanks for your support

John Sakovits
Sent from my iPhone

Jason Garnham

From: Ned Savoie <ned@harbourlight.com>
Sent: Wednesday, May 24, 2023 4:07 PM
To: Jason Garnham
Subject: Buoy Shack Parking

Hello, I live in the Foreside and bike daily to work in Portsmouth and to all the local restaurants 90% of the time. Honestly, I wouldn't think of driving and trying to deal with parking. I have a cargo bike that fits my kid and my dog. Please consider bikers and walkers when you determine seating allowance.

Thanks!

Ned

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Ned Savoie
Creative Director

Harbour Light Strategic Marketing
Savvy Software, Inc.
3 Congress Street
2nd Floor Left
Portsmouth, NH 03801

[Telephone] 603.427.2821

[Facsimile] 603.427.0938

[Mobile] 603.828.2400

Jason Garnham

From: Kim Davis Smith <krsmith22@comcast.net>
Sent: Wednesday, May 24, 2023 5:50 PM
To: Jason Garnham
Cc: krsmith22@comcast.net
Subject: Buoy Shack occupancy/ Seating / Public Hearing May 25

Dear Jason,

I wanted to show my support for the Buoy Shack and their contribution to the Kittery Community. We live in the Foreside of Kittery as do many residents and are so fortunate to be able to leave our cars at home and walk/ bike to so many areas with the Buoy Shack being one for sure !

With their limited parking so many of us walk there to enjoy a fabulous meal and amazing view coming from Kittery and Portsmouth.

Please consider allowing their occupancy to expand and not based on the number of parking spaces they have (they have made arrangements for off site parking if needed as well)

Buoy Shack is a win win for us all and a PLUS to our Kittery community!

Thank you,

Ron and Kim Smith
22 Love Lane
Kittery, Maine 03904
207-439-3272

Sent from my Verizon, Samsung Galaxy smartphone

Jason Garnham

From: Dave Stewart <dbstew33@gmail.com>
Sent: Thursday, May 25, 2023 3:38 AM
To: Jason Garnham
Subject: Buoy Shack

I live at 186 Whipple Road and own two other properties in Kittery through a LLC. I am contacting you to express my support for small businesses in our town, like the Buoy Shack. In my opinion the Buoy Shack has done a great job of designing and creating a venue for food and drink that we can all be proud of when we come across the Memorial Bridge from Portsmouth. To me it reflects the vitality- and "coolness"- of our town. It would be a shame to lose their business. I would be hard pressed to think of a better way to use that property. Of course immediate neighbors would like it to be a small park or garden- but I expect that's not how it's zoned and someone owns it as an investment to provide livelihood and service to the community. I would be embarrassed for my town if we lose the Buoy Shack because of adverse regulations. It seems that the Wharf at Pepperrell Cove had some challenges related to limits on the number of outdoor seats and I really felt for those owners who have tried so hard to but something special for our community.

Thanks for reading and considering my comments in support of the Buoy Shack. I have great memories of biking there for drinks with my wife adult children. What a fantastic destination!

Sincerely,
David Stewart

Jason Garnham

From: Laura Stoll <lauralstoll@gmail.com>
Sent: Wednesday, May 24, 2023 5:07 PM
To: Jason Garnham
Subject: Buoy Shack

Hello Jason,

My name is Laura Stoll. My family and I live in Portsmouth and love to cross over the bridge and dine at the Buoy Shack. It's such a great asset to the community as there aren't that many places to eat on the water. Being in Portsmouth, our preferred method of transportation is walking, biking, and scootering. The Buoy Shack is so convenient being located just over the bridge and we love walking there. This is the case for a number of people, and especially important to note as we enter the busy tourist summer season. Most people will not be driving cars, rather they'll be out walking and exploring the town, see the Buoy Shack over the bridge and go and check it out on foot. Please support this restaurant. It's a gem!

Sincerely,
Laura Stoll
55 Lovell St, Portsmouth

Jason Garnham

From: Rinda Tucker <rindyray@gmail.com>
Sent: Thursday, May 25, 2023 10:18 AM
To: Jason Garnham
Subject: Buoy Shack Survival

Hi,

I cannot make the planning board meeting on the 25th but urge the Board to make more parking at the Buoy Shack. Incredible place, great food and amazing people!

Good luck!
Rinda