



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

July 23, 2018

Council Chambers

Workshop
5:00 p.m.

The Kittery Town Council will meet with the Town Manager and Planning Board to discuss proposed amendments to Title 16 to add a new mixed use neighborhood zone.

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

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes – **June 11th, 2018**
8. Interviews for the Board of Appeals and Planning Board – **None**
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
10. PUBLIC HEARINGS – **None**
11. DISCUSSION
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments
12. UNFINISHED BUSINESS
13. NEW BUSINESS
 - a. Donations/gifts received for Council disposition.

(070218-1) The Kittery Town Council moves to accept donations from the Active Retirement Association in the amount of \$200 to be deposited into the KCC Donations account ending in 2063.

- b. Kittery Town Council moves to approve the disbursement warrants.
- c. (070218-2) The Kittery Town Council moves to schedule a public hearing to amend Title 2- Recreation Department for August 27,2018.
- d. (070218-3) Kittery Town Council moves to schedule a public hearing to amend Title 16 to add a new mixed-use neighborhood zone on August 27, 2018.
- e. (070218-4) The Kittery Town Council moves to a sign a Release Deed to Stephen Meade, for property located at 34 Stevenson, Kittery, Maine, identified as Assessor's Tax Map 29, Lot 27.
- f. (070218-5) The Kittery Town Council moves to reconsider the proposed Title 15- Code of Ethics of the Kittery Town Code.
- g. (070218-6) The Kittery Town Council moves to approve a multi-year agreement for a Public Safety Answering Point service with the town of York, Maine.
- h. (070218-7) The Kittery Town Council moves to sign a Release Deed, to 38 Littleworth Road, LLC for property located at 28 Adams Road, Kittery, Maine, identified as Assessor's Tax Map 60, Lot 32.
- i. (070218-8) The Kittery Town Council moves to schedule a public hearing on August 27th, 2018 to approve the ballot language for the Comprehensive Plan Referendum to be placed on the ballot for the November 6th, 2018 municipal election.
- j. (070218-9) The Kittery Town Council moves to appoint Finance Director, Patricia Moore as acting Town Manager for the periods of August 20 through August 24, 2018 and September 11 through September 14, 2018.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

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

16. EXECUTIVE SESSION

- a. (070218-10) The Kittery Town Council moves to go into executive session in accordance with M.R.S. 36 §841 (2) (E) to consider an application for a hardship abatement due to poverty or infirmity.

17. ADJOURNMENT

Posted: July 19, 2018



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 July 23, 2018

1. **Maine Turnpike** – Enclosed in your packets is the 4 Year Project Plan for the Maine Turnpike Authority, with those projects scheduled for the Kittery area highlighted. The MTA is accepting comments on the Plan through August 12th.

I have already requested MDOT and MTA consider installing the Intelligent Transportation System (ITS) prior to the Piscataqua Bridge work commencing. ITS signs tell drivers how many minutes it will take to drive a particular distance or reach a certain location, based on the current traffic conditions. The installation of ITS prior to construction will hopefully cut down on some cut through traffic from Route 95. Based on the Council's support of reducing cut-through traffic, I will submit a written comment to MTA that reiterates this request.

It would be worthwhile for the Town to also consider submitting comments about the Guide Sign Modifications project. This project will effectively eliminate destination information, such as which exit to use for the outlet malls. I would recommend the comment focus on requesting a delay in the signage replacement until the existing signs have reached the end of their useful life. Council consensus is requested on this matter.

2. **Procurement Updates** – With the start of the fiscal year, we have been issuing requests for bids and proposals to coincide with planned and potential capital projects. We are currently seeking proposals for conversion of the streetlights to LED, design/build services for the replacement of Government Street Wharf, and consulting services on the recodification of Title 16.

Other items in the drafting stage include the surplus of the wind turbine, design services for Phase 2 of Emery Field, and a compensation (required every 10 years) and classification study for administrative, professional, and non-union positions among other projects.

3. **Library Committee Updates** – All three Library Committees have been actively meeting. We have recently created "Committee" pages on our website for the Rice Building Committee and the Taylor Building Committee. These pages will have agendas, minutes and other relevant information regarding their work. We are recording the Rice Building Committee meetings. The recordings can be viewed on the Meeting Video Archive on our website.

Upcoming Dates:

- Nomination Forms Available – Beginning July 19, 2018, Town Clerk's Office
- Lobster Luncheon – July 26, 11:30AM, Kittery Community Center
- National Night Out – August 7, 6PM, Kittery Community Center
- Library End of Summer Movie Night – August 24, 7:30PM, Fort Foster

Respectfully Submitted,

Kendra Amaral
Town Manager

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

Kittery Projects Highlighted

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Using 30 Year Asset Model dated 5/11/18

For Board Review & Approval 6/28/2018 and Public Comment July 2018

Year	Mile Marker	Project Name Underpass - Maine Turnpike under local road bridge or trail Overpass - Maine Turnpike on bridge over local road, river, or railroad	Municipality	Preliminary Construction Only Value for Project Not including the Engineering	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/ Design Years	Estimated Year(s) of Construction
2019	0.2 to 1.1	Median Safety Improvements	Kittery	\$2,500,000	Median safety improvements on Turnpike necessary to prepare for Part-time Shoulder Use from Exit 7 in NH to Exit 3 in Maine, being approximately 1 mile, to be coordinated with MaineDOT I-95 Piscataqua River Bridge Repair Project (2019-2021). Scope: Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement. Timing & phasing pending further study.	36	2018-2020	2019-2022
	1 to 25	Guide Sign Modifications	Kittery, York, Ogunquit, Wells, Kennebunk	\$750,000	Phase 4- Guide sign modifications. Kittery Exits to be coordinated with MaineDOT I-95 Piscataqua River Bridge repair project.	6	2015-2018	2019-2021
	7.3 & 8.8	York Toll Plaza Replacement	York	\$40,000,000 (Funded 2017 & 2018)	Construction of new 15 lane ORT Plaza (9 cash lanes & 6 ORT lanes), building, parking lot and access road from Chase's Pond Road, and related mitigation work. Demolition/removal of existing plaza, building and access road. Pending court and Board decision.	36	2005-2018	2018-2021
	10.6	Mountain Road Underpass Bridge Repair	York	\$372,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials. Likley a 3-4 week bridge closure.	3	2018	2019
	13.8	North Berwick Road Underpass Bridge Repair	Ogunquit	\$394,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials. Likley a 3-4 week bridge closure.	3	2018	2019
	15.2	Ogunquit River Culvert Improvement	Ogunquit	\$50,000	Culvert Repairs.	3	2018	2019
	17.3	Littlefield Road Emergency Vehicle Ramp	Wells	TBD	Improve safety for the traveling public and MTA workers and improve efficiency by improving existing slip ramp to allow plow trucks to reverse direction on local road instead of using center median openings. Will be reviewed with municipal officials.	4	2018	2019
	19	Exit 19/Rt 109 Improvements	Wells	\$670,000	Make Improvements to intersection of Exit 19 & Route 109 in accordance with the 2017 TY Lin Study prepared for the Town, MTA and MaineDOT. Scope includes traffic signals, pavement markings, and signs.	4	2018	2019
	21.4	Merriland River Culvert Repair	Wells	\$25,000	Culvert Repairs.	3	2018	2019
	25.5	Exit 25 Interchange Pavement Rehabilitation	Kennebunk	\$1,450,000	Pavement rehabilitation. Project to be coordinated and likley bid with the Service Plaza parking lot improvements.	3	2018	2019-2020
	25.5	Kennebunk Service Plaza Parking Lot Improvements	Kennebunk	\$5,000,000	Parking Lot improvements and pavement rehabilitation to increase car and truck parking to meet current demands.	24	2018-2019	2019-2020
	25.5	Kennebunk Service Area Fuel System Replacement	Kennebunk	\$4,600,000	Fuel System replacement at Service Plaza. (Summer 2018 bid, Fall 2018 SB and Spring 2019 NB)	6	2017-2018	2018-2019
	25.5	Kennebunk Maintenance Garage	Kennebunk	\$815,000	Extend 16 bays in 2 buildings 15' to allow room to work around plow trucks. Project delayed and bundled due to lack of bids. Being re-bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	36	36" and 42" Culvert Slipline	Saco	\$230,000	36" culvert slipline and 42" culvert slipline near toll plaza under ramps. Will be bid in 2018.	1	2018	2019
	44.3	Exit 44 Toll Plaza	Scarborough	\$19,000,000 (Funded in 2016)	Construction of an 8 lane ORT Plaza (4 cash lanes & 4 ORT lanes).	30	2015-2016	2016-2019
	44.3 to 51.2	Mainline Pavement Rehabilitation	Scarborough, South Portland, Portland	\$5,400,000	Pavement rehabilitation	4	2018	2019
	44.6	Cummings Road Underpass Bridge Replacement	Scarborough	\$10,122,000 (funded in 2018)	Bridge Replacement - (Bid Fall 2018)	18	2017-2018	2019-2020
	44.9	Exit 45 Interchange Reconstruction	South Portland	\$35,000,000	Replace substandard toll plaza with two new plazas (north bound and south bound) and related ramps, replace existing substandard bridge, and correct geometric deficiencies with consideration of a possible future westerly connection. First phase likely to be a contract for Pre-load. Subject to permits in 2019.	36	2017-2019	2019-2021
	45.5	Crosby Maintenance Garage Improvements	South Portland	\$968,000	Extend 19 bays in 3 buildings 15' to allow room to work around plow trucks. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	46.7	Stroudwater River Overpass (NB & SB) Bridge Rehabilitation	Portland	\$10,800,000	Bridge Rehabilitation - redeck, replace rail, and widen to maintain 2 lanes of traffic during construction and for future widening of mainline. Schedule subject to permting.	18	2017-2018	2019-2020
	47.9	MCRR Overpass (NB & SB) Bridge Rehabilitation	Portland	\$8,900,000	Bridge Rehabilitation - redeck, replace rail, and widen to maintain 2 lanes of traffic during construction and for future widening of mainline. Schedule subject to permitting.	18	2016-2018	2019-2020
	49	Warren Avenue Overpass (NB & SB) - PBR Bridge Rehabilitation	Portland	\$11,614,000	Bridge Rehabilitation - Project is to raise substandard under clearance and rehab superstructure. Adding width to current bridge to maintain 2 lanes of traffic during construction of project. Subject to further study. Working with the City of Portland to lower Warren Avenue if possible and cost effective.	24	2017-2019	2019-2020
	50	Riverside Industrial Parkway Emergency Vehicle Ramp	Portland	TBD	Improve safety for the traveling public and MTA workers and improve efficiency by improving existing slip ramp to allow plow trucks to reverse direction on local road instead of using center median openings. Will be reviewed with municipal officials.	4	2018	2019
	58	Cumberland Service Plaza Fuel System Replacement	Cumberland	\$1,550,000	Replace existing underground fuel tanks at Service Plazas likley in fall 2019 & spring 2020.	4	2018	2019-2020
	59	Gray Service Plaza Fuel System Replacement	Gray					
	62.3	Pleasant River Culvert Repair	Gray	\$300,000	Culvert Repair	3	2018	2019
	63.3	Gray Maintenance Garage Improvements	Gray	\$408,000	Extend 8 bays 15' to allow room to work around plow trucks. Project delayed and bundled due to lack of bids. Being re-bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	64.3	Route 26 Underpass Bridge Repair	Gray	\$564,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Bridge raising under review. Traffic impacts including short term closure with a 3-4 week detour likely & timing of other bridge projects in area will be reviewed with municipal officials.	3	2018	2019
	65.25	Cole Brook Culvert Repair	Gray	\$250,033	Culvert Repair	3	2018	2019

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

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2019 Continued	68.6	Bennett Road Emergency Vehicle Ramp	New Gloucester	TBD	Improve safety for the traveling public and MTA workers and improve efficiency by improving existing slip ramp to allow plow trucks to reverse direction on local road instead of using center median openings. Will be reviewed with municipal officials.	3	2018	2019
	72.9	Foster Brook Culvert Repair	Auburn	\$50,000	Culvert Repair	3	2018	2019
	77	Auburn Maintenance Garage Improvements	Auburn	\$255,000	Extend 5 bays 15' to allow room to work around plow trucks. Town consultation in 2018. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	78.9	Androscoggin River Overpass (NB & SB)	Auburn, Lewiston	Funded in 2018	Bridge Repair - Substructure repairs. Bid in 2018 with Cobbosseecontee River Bridge rehabilitation project.	12	2017	2018-2020
	82.7	Webster Road Underpass	Lewiston	\$320,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials. Likely a 4-6 week bridge closure.	3	2018	2019
	92	Litchfield Maintenance Garage Improvements	Litchfield	\$306,000	Extend 6 bays 15' to allow room to work around plow trucks. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	95.6	Plains Road Underpass Bridge Repair	Litchfield	\$476,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials. Likely a 4-6 week bridge closure.	3	2018	2019
	99.2	Cobbosseecontee River Overpass (NB & SB) Bridge Rehabilitation	Litchfield	\$4,900,000 (Funded in 2018)	Bridge Rehabilitation - Bid 2018. Widen shoulders only, redeck, substructure repairs. Down to one lane each direction during construction.	24	2017-2018	2018-2020
	102.5	I-295 Southbound Underpass Bridge Rehabilitation	West Gardiner	Funded in 2018	Bridge Rehabilitation - Widen deck and substructure for new deceleration lane, new concrete deck. Build in 2 phases while keeping 2 travel lanes open.	18	2017	2018-2020
	103	West Gardiner I-295 Toll Plaza	West Gardiner	\$21,200,000	New ORT Plaza 800' north of existing toll plaza, 6 cash lanes and 4 ORT lanes proposed.	36	2017-2018	2019-2021
		Roof Replacement	TBD	\$100,000	To be defined.	4	2018	2019
		Bridge Preservation	TBD	\$600,000	Application of clear protective coating to concrete surfaces & other minor repairs.	4	2018	2019
		Clear Zone Improvements & Guardrail	TBD	\$775,000	Guardrail and other work to improve clear zone.	4	2018	2019
		Drainage & Slope Repairs	TBD	\$224,000	To be defined Fall 2018 and winter 2018 for repairs in summer 2019.	4	2018	2019
		Pavement Crack Sealing	TBD	\$100,000	To be defined Fall 2018 and winter 2019 for repairs in summer 2019.	4	2018	2019
		Miscellaneous Culvert Repairs	TBD	\$400,000	Culvert Repairs. Locations to be defined.	4	2018	2019
		Variable Message Signs, CCTV and Communication Center Upgrades	TBD	\$250,000	To be defined.	4	2018	2019
		**2019 Project Engineering & Inspection Annual Budget This amount from 30 yr. plan dated 5/11/18 includes the Planning or Design funds for projects that list 2019 in column titled "Planning/Design Years"	Kittery to Augusta	\$17,648,412	Planned annual budget for general engineering, construction contract development & management, project planning, permitting, design and construction inspection/administration for all projects.	12	2019	-
TOTAL NEW FUNDING 2019 (includes Engineering)				\$132,814,445				

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

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Year	Mile Marker	Project Name Underpass - Maine Turnpike under local road bridge or trail Overpass - Maine Turnpike on bridge over local road, river, or railroad	Municipality	Preliminary Construction Only Value for Project Not including the Engineering	Preliminary Work Scope	Anticipated Project Duration (Months)	Planning/ Design Years	Estimated Year(s) of Construction
2020	0.2 to 1.1	Median Safety Improvements	Kittery	(Funded in 2019)	Work necessary to prepare for Part-time Shoulder Use from Exit 7 in NH to Exit 3 in Maine, being approximately 1 mile. These median safety improvements will be coordinated with MaineDOT I-95 Piscataqua River Bridge Repair Project (2019-2021). Scope: Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	36	2018-2020	2019-2022
	0.2 to 1.1	Shoulder Improvements North Bound & South Bound	Kittery	\$3,000,000	Reconstruct right hand shoulders (northbound and southbound) to be used for future part-time use as a 4th lane from Piscataqua River Bridge to Exit 3 (NB) and Exit 2 (SB). To be coordinated with MaineDOT I-95 Piscataqua River bridge repair project.	6	2018-2020	2019-2022
	1 to 25	Guide Sign Modifications	Kittery, York, Ogunquit, Wells, Kennebunk	(Funded in 2019)	Phase 4- Guide sign modifications. Kittery Exits to be coordinated with MaineDOT I-95 Piscataqua River Bridge repair project.	6	2015-2018	2019-2021
	6.2	Cider Hill Emergency Vehicle Ramp	York	TBD	Improve safety for the traveling public and MTA workers and improve efficiency by improving existing slip ramp to allow plow trucks to reverse direction on local road instead of using center median openings. Will be reviewed with municipal officials.	4	2019	2020
	7.3 & 8.8	York Toll Plaza Replacement	York	\$40,000,000 (Funded 2017)	Construction of new 15 lane ORT Plaza (9 cash lanes & 6 ORT lanes), building, parking lot and access road from Chase's Pond Road, and related mitigation work. Demolition/removal of existing plaza, building and access road. Pending court and Board decision.	36	2005-2018	2017-2021
	17.3	Littlefield Road Underpass Bridge repair	Wells	\$410,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2019	2020
	19.9	Burnt Mill Road Emergency Vehicle Ramp	Wells	TBD	Improve safety for the traveling public and MTA workers and improve efficiency by improving existing slip ramp to allow plow trucks to reverse direction on local road instead of using center median openings. Will be reviewed with municipal officials.	4	2019	2020
	25.5	Exit 25 Interchange Pavement Rehabilitation	Kennebunk	(funded in 2019)	Pavement rehabilitation. Project to be coordinated and likley bid with the Service Plaza parking lot improvements.	3	2018	2019-2020
	25.5	Kennebunk Service Area Parking Lot Improvements	Kennebunk	(funded in 2019)	Parking Lot improvements and pavement rehabilitation to increase car and truck parking to meet current demands.	24	2018-2019	2019-2020
	25.5	Kennebunk Maintenance Garage	Kennebunk	(funded in 2019)	Extend 16 bays in 2 buildings 15' to allow room to work around plow trucks. Project delayed and bundled due to lack of bids. Being re-bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	33.4	Boom Road Underpass Bridge Repair	Saco	\$375,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2019	2020
	35.5 to 44.3	Mainline Pavement Rehabilitation	Saco, Scarborough	\$10,700,000	Pavement rehabilitation	5	2019	2020
	44	Exit 44 North Bound Off Ramp	Scarborough	\$2,400,000	Improve safety of Exit 44 north bound off ramp by lengthening & adding second departing lane.	6	2018-2019	2020
	44.6	Cummings Road Underpass Bridge Replacement	Scarborough	See 2019	Bridge Replacement. (Bid Fall 2018)	18	2017-2018	2019-2020
	44.9	Exit 45 Interchange Reconstruction	South Portland	See 2019	Replace substandard toll plaza with two new plazas (north bound and south bound) and related ramps, replace existing substandard bridge, and correct geometric deficiencies with consideration of a possible future westerly connection. Second phase is to build new north bound and south bound toll plaza and ramps and new bridge. Subject to permits in 2019.	36	2017-2019	2019-2021
	45.5	Crosby Maintenance Garage Improvements	South Portland	(funded in 2019)	Extend 19 bays in 3 buildings 15' to allow room to work around plow trucks. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	46.7	Stroudwater River Overpass (NB & SB) Bridge Rehabilitation	Portland	(funded in 2019)	Bridge Rehabilitation - redeck, replace rail, and widen to maintain 2 lanes of traffic during construction and for future widening of mainline. Schedule subject to permting.	18	2017-2018	2019-2020
	47.9	MCRR Overpass (NB & SB) Bridge Rehabilitation	Portland	(funded in 2019)	Bridge Rehabilitation - redeck, replace rail, and widen to maintain 2 lanes of traffic during construction and for future widening of mainline. Schedule subject to permitting.	18	2016-2018	2019-2020
	49	Warren Avenue Overpass (NB & SB) Bridge Rehabilitation	Portland	(funded in 2019)	Bridge Rehabilitation - Project is to raise substandard under clearance and rehab superstructure. Adding width to current bridge to maintain 2 lanes of traffic during construction of project. Subject to further study. Working with the City of Portland to lower Warren Avenue if possible and cost effective.	18	2017-2018	2019-2020
	58	Cumberland Service Plaza Fuel System Replacement	Cumberland	(funded in 2019)	Replace existing underground fuel tanks at Service Plazas.	4	2018	2019-2020
	59	Gray Service Plaza Fuel System Replacement	Gray					
	63.3	Gray Maintenance Garage Improvements	Gray	(funded in 2019)	Extend 8 bays 15' to allow room to work around plow trucks. Project delayed and bundled due to lack of bids. Being re-bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	77	Auburn Maintenance Garage Improvements	Auburn	(funded in 2019)	Extend 5 bays 15' to allow room to work around plow trucks. Town consultation in 2018. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	78.9	Androscoggin River Overpass (NB & SB)	Auburn, Lewiston	Funded in 2018	Bridge Repair - Substructure repairs. Bid in 2018 with Cobbosseecontee River Bridge rehabilitation project.	12	2017	2018-2020
	83.7	Grove Street Underpass Bridge Raising & Repair	Sabattus	\$402,000 TBD	Raise Bridge & Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	5	2019	2020
	92	Litchfield Maintenance Garage Improvements	Litchfield	(funded in 2019)	Extend 6 bays 15' to allow room to work around plow trucks. Being bid in 2018 with 4 other locations.	5	2017-2018	2019-2020
	92.6	Litchfield Mechanic Garage Construction	Litchfield	\$2,500,000	Constructing new 5 Bay mechanics garage at the Litchfield Maintenance.	6	2018-19	2020
	93.3	Route 197 Underpass Bridge Raising & Repair	Litchfield	\$624,000 TBD	Raise bridge. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials. Other bridge repair items to be reviewed.	5	2019	2020
	99.2	Cobbosseecontee River Overpass (NB & SB) Bridge Rehabilitation	Litchfield	\$4,900,000 (Funded in 2019)	Bridge Rehabilitation - Bid Late 2018. Widen shoulders only, redeck, substructure repairs.	24	2017-2018	2018-2020
	102	Exit 102 Gardiner/Litchfield Interchange Underpass Bridge Repair	West Gardiner	\$680,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Raise bridge. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	5	2019	2020
	102.5	I-295 Southbound Underpass Bridge Rehabilitation	West Gardiner	(Funded in 2018)	Bridge Rehabilitation - Widen deck and substructure for new deceleration lane, new concrete deck. Build in 2 phases while keeping 2 travel lanes open.	18	2017	2018-2020

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

Kittery Projects Highlighted

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2020 Continued	103	West Gardiner I-295 Toll Plaza	West Gardiner	\$21,200,000 (Funded 2019)	New ORT Plaza 800' north of existing toll plaza,6 cash lanes and 4 ORT lane proposed.	36	2017-2018	2019-2021
		Electrical/Mechanical Upgrades	TBD	\$250,000	To be defined.	4	2019	2020
		Bridge Preservation	TBD	\$600,000	Application of clear protective coating to concrete surfaces.	4	2019	2020
		Variable Message Signs, CCTV and Communication Center Upgrades	TBD	\$250,000	To be defined.	4	2019	2020
		Guide Sign Modifications	Kennebunk to West Gardiner	\$350,000	Phase 5- Guide sign modifications - Locations being reviewed. Service Plaza signage to be included.	3	2015-2019	2020
		Drainage & Slope Repairs	TBD	\$469,000	To be defined Fall 2019 and winter 2020 for repairs in summer 2020.	4	2019	2020
		Pavement Crack Sealing	TBD	\$100,000	To be defined Fall 2019 and winter 2020 for repairs in summer 2020.	4	2019	2020
		Clear Zone Improvements & Guardrail	TBD	\$500,000	Guardrail and other work to improve clear zone.	4	2019	2020
		**2020 Project Engineering & Inspection Annual Budget This amount from 30 yr. plan dated 5/11/18 includes the Planning or Design funds for projects that list 2020 in column titled "Planning/Design Years"	Kittery to Augusta	\$13,748,834	Planned annual budget for general engineering, construction contract development & management, project planning, permitting, design and construction inspection/administration for all projects.	12	2020	-
TOTAL NEW FUNDING 2020 (includes Engineering)				\$33,332,834				

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

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2021	0.2 to 1.1	Median Safety Improvements	Kittery	(Funded in 2019)	Work necessary to prepare for Part-time Shoulder Use from Exit 7 in NH to Exit 3 in Maine, being approximately 1 mile. These median safety improvements will be coordinated with MaineDOT I-95 Piscataqua River Bridge Repair Project (2019-2021). Scope: Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	36	2018-2020	2019-2022
	0.2 to 1.1	Shoulder Improvements North Bound & South Bound	Kittery	(Funded in 2020)	Reconstruct shoulders to be used for future part-time shoulder use as a 4th lane from Exit 2 into NH. To be coordinated with MaineDOT I-95 Piscataqua River bridge repair project.	6	2018-2020	2019-2022
	0.2	Intelligent Transportation System for I-95 Piscataqua River Bridge	Kittery	\$2,500,000	Install intelligent transportation System on High-level Bridge as part of MaineDOT I-95 Piscataqua River Bridge Repair Project for operation of the propsoed part-time shoulder as a travel lane during peak traffic periods. Funding shown is portion of overall project and propsoed MTA share.	12	2018-2020	2021
	0.6	Dennett Road Overpass Bridge Painting	Kittery	\$936,000	Bridge Painting - Clean and paint steel superstructure.	4	2020	2021
	1 to 25	Guide Sign Modifications	Kittery, York, Ogunquit, Wells, Kennebunk	(Funded in 2019)	Phase 4- Guide sign modifications. Kittery Exits to be coordinated with MaineDOT I-95 Piscataqua River Bridge repair project.	6	2015-2018	2019-2021
	1.25	Route 236 Underpass Bridge Repair	Kittery	\$1,660,000	Bridge Repair - Deck repairs, membrane, and repave. Traffic impacts to be discussed with MaineDOT and Municipal officials. To be coordinated with MaineDOT I-95 bridge repair schedule.	6	2019-2020	2021
	1.6	Ramp H Underpass Bridge Painting	Kittery	\$373,000	Bridge Painting - Clean and paint steel superstructure. To be coordinated with MaineDOT I-95 bridge repair schedule.	4	2020	2021
	2.2	Spruce Creek Overpass Bridge Repair	Kittery	\$692,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. To be coordinated with MaineDOT I-95 bridge repair schedule.	4	2020	2021
	2.2 to 6.8	Mainline Pavement Rehabilitation	Kittery to York	\$5,800,000	Pavement rehabilitation To be coordinated with MaineDOT I-95 bridge repair schedule.	4	2020	2021
	6.8	York Maintenance 5 Bay Building Construction	York	\$1,000,000	New building for additional truck and equipment storage.	6	2019-2020	2021
	7.3 & 8.8	York Toll Plaza Replacement	York	\$40,000,000 (Funded 2017 & 2018)	Construction of new 15 lane ORT Plaza (9 cash lanes & 6 ORT lanes), building, parking lot and access road from Chase's Pond Road, and related mitigation work. Demolition/removal of existing plaza, building and access road. Pending court and Board decision.	36	2005-2018	2018-2021
	13 to 18.7	Mainline Pavement Rehabilitation	York, Ogunquit, Wells	\$7,200,000	Pavement rehabilitation	5	2020	2021
	15.21	Tatnic Road Underpass Bridge Repair	Ogunquit	\$419,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2020	2021
	25	Kennebunk Service Plaza Pavement Rehabilitation	Kennebunk	\$1,500,000	Pavement rehabilitation	4	2020	2021
	28.3	Limerick Road Underpass Bridge Repair	Arundel	\$491,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	4	2020	2021
	31.6	Exit 32 SB Off Ramp Widening	Biddeford	\$2,400,000	Make improvements to interchange including lengthening southbound deceleration ramp, pending study.	4	2018-2020	2021
	35.7	Exit 36 Saco Interchange South Bound Off Ramp Widening	Saco	\$3,000,000	Add additional ramp lane for southbound off ramp. Pending study.	6	2018-2020	2021
	43 to 49	Median Safety Improvements	Scarborough, South Portland, Portland, Westbrook	\$7,700,000	Funding shown is phase 1- approximately 3 miles. May occur in a later year. Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	36	2019-2020	2020-2024
	44 to 49	Mainline Widening Lane Addition (SB Only)	Scarborough, South Portland, Portland	\$28,000,000	Possible extention of 3 lane section north to TBD location north of Exit 48. Scope and timing pending final PAM PAC input, Study team and MTA staff recommendations, Board decision, and permitting.	24	2017-2020	2021-2022
	45 to 49	Mainline Widening Lane Addition (NB Only)						
	44.6	Cummings Road Underpass Bridge Replacement	Scarborough	See 2019	Bridge Replacement - (Bid Fall 2018)	18	2017-2018	2019-2020
	44.9	Exit 45 Interchange Reconstruction	South Portland	See 2019	Replace substandard toll plaza with two new plazas (north bound and south bound) and related ramps, replace existing substandard bridge, and correct geometric deficiencies with consideration of a possible future westerly connection. Second phase to build new north bound and south bound toll plaza and ramps and new bridge continued. Subject to permits in 2019.	36	2017-2019	2019-2021
	45.6	Crosby Maintenance 5 Bay Garage Construction	South Portland	\$1,000,000	New building for additional truck and equipment storage.	6	2019-20	2021
	45 to 48	Guide Sign Replacement	South Portland to Portland	N/A (Funding in Widening Cost)	Reset and replacement of interchange guide signs Exit 45-Exit 48. To be coordinating with mainline widening.	6	2017-2020	2021
	58	Cumberland Service Plaza Pavement Rehabilitation	Cumberland	\$400,000	Cumberland Service Plaza Pavement Rehabilitation.	7	2020	2021
	59	Gray Service Plaza Pavement Rehabilitation	Gray	\$400,000	Gray Service Plaza Pavement Rehabilitation.	7	2020	2021
	68.6	Bennett Road Underpass Bridge Repair	New Gloucester	\$420,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Raise bridge 4". Traffic impacts to be discussed with municipality.	5	2020	2021
	89.1	Marsh Road Underpass Bridge Repair	Sabattus	\$397,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts to be discussed with municipality.	5	2020	2021

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

Kittery Projects Highlighted

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Using 30 Year Asset Model dated 5/11/18

For Board Review & Approval 6/28/2018 and Public Comment July 2018

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	103	West Gardiner I-295 Toll Plaza	West Gardiner	\$21,200,000 (Funded 2019)	New ORT Plaza 800' north of existing toll plaza,6 cash lanes and 4 ORT lane proposed.	36	2017-2018	2019-2021
2021 Continued	103	West Gardiner Service Plaza Pavement Rehabilitation	West Gardiner	\$950,000	West Gardiner Service Plaza Pavement Rehabilitation.	7	2020	2021
		Bridge Preservation	TBD	\$600,000	Application of clear protective coating to concrete surfaces.	4	2020	2021
		Drainage & Slope Repairs	TBD	\$392,000	To be defined Fall 2020 and winter 2021 for repairs in summer 2021.	4	2020	2021
		Clear Zone Improvements & Guardrail	TBD	\$500,000	Guardrail and other work to improve clear zone.	4	2020	2021
		Pavement Crack Sealing	TBD	\$100,000	To be defined Fall 2020 and winter 2021 for repairs in summer 2021.	4	2020	2021
		**2021 Project Engineering & Inspection Annual Budget This amount from 30 yr. plan dated 5/11/18 includes the Planning or Design funds for projects that list 2021 in column titled "Planning/Design Years"	Kittery to Augusta	\$11,049,916	Planned annual budget for general engineering, construction contract development & management, project planning, permitting, design and construction inspection/administration for all projects.	12	2021	-
TOTAL NEW FUNDING 2021 (includes Engineering)				\$77,379,916				

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

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For Board Review & Approval 6/28/2018 and Public Comment July 2018

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2022	0 to 2.2	Mainline Pavement Rehabilitation	Kittery	\$2,830,000	Pavement rehabilitation. To be coordinated with MaineDOT I-95 bridge repair and part time shoulder use projects.	5	2021	2022
	0.2 to 1.1	Median Safety Improvements	Kittery	(Funded in 2019)	Work necessary to prepare for Part-time Shoulder Use from Exit 7 in NH to Exit 3 in Maine, being approximately 1 mile. These median safety improvements will be coordinated with MaineDOT I-95 Piscataqua River Bridge Repair Project (2019-2021). Scope: Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	36	2018-2020	2019-2022
	0.2 to 1.1	Shoulder Improvements North Bound & South Bound	Kittery	(funded in 2020)	Reconstruct shoulders to be used for future part-time shoulder use as a 4th lane from Exit 2 into NH. To be coordinated with MaineDOT I-95 Piscataqua River bridge repair project.	5	2018-2020	2019-2022
	4.8	Beech Ridge Road Bridge Painting	York	\$622,000	Bridge Painting - Clean and paint steel superstructure.	2	2021	2022
	10.6	Mountain Road Underpass Bridge Painting	York	\$365,000	Bridge Painting - Clean and paint steel superstructure.	3	2021	2022
	11.9	Clay Hill Rd Bridge Painting	York	\$474,000	Bridge Painting - Clean and paint steel superstructure.	3	2021	2022
	18.7 to 23.3	Mainline Pavement Rehabilitation	Wells to Kennebunk	\$5,920,000	Pavement rehabilitation	5	2021	2022
	19	B&M Railroad North Bound & South Bound Bridge Repair	Wells	\$1,200,000	Mainline bridge repair. Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	3	2021	2022
	19.1	Sanford Road North Bound & South Bound Bridge Repair	Wells	\$910,000	Mainline Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	3	2021	2022
	19.3	Wells Interchange North Bound & South Bound Bridges Repair	Wells	\$548,000	Mainline Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	3	2021	2022
	35.7	Exit 36 Saco Interchange North Bound On Ramp Widening	Saco	\$2,300,000	Add additional ramp lane for northbound on ramp. Pending Study.	5	2018 - 2021	2022
	35.7	Exit 36 Saco Interchange Pavement Rehabilitation	Saco	\$1,038,175	Pavement rehabilitation.	3	2021	2022
	35.75	Saco Interchange Bridge Over RR Rehabilitation	Saco	\$840,000	Bridge Rehabilitation, includes widening the bridge to accommodate new lane for NB on ramp.	5	2021	2022
	43 to 49	Median Safety Improvements	Scarborough, South Portland, Portland, Westbrook	(funded in 2021)	Funding shown is phase 1- approximately 3 miles. May occur in a later year. Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	36	2019-2020	2021-2022
	43 to 49	Median Safety Improvements	Scarborough, South Portland, Portland, Westbrook	\$7,700,000	Funding shown is phase 2- approximately 3 miles. Remove existing grass median and guardrail, upgrade drainage to closed drainage system, install median concrete barrier with inside safety shoulders, place bituminous pavement (timing & phasing pending further study).	24	2017-2021	2022-2023
	44 to 45	Mainline Widening	Scarborough, South Portland, Portland	\$3,200,000	Mainline Widening - Pending Study and Permitting. A continuation of work from 2021.	12	2017-2021	2021-2022
	44.3	I-295 SB Bridge Rehabilitation	Scarborough	\$4,000,000	Bridge Rehabilitation including new deck.	18	2019-2021	2022-2023
	44.5	I-295 Payne Road SB Bridge Rehabilitation	Scarborough	\$3,800,000	Bridge Rehabilitation including new deck.	18	2019-2021	2022-2023
	44.51	I-295 Payne Road NB Bridge Rehabilitation	Scarborough	\$3,800,000	Bridge Rehabilitation including new deck.	18	2019-2021	2022-2023
	62.9	Center Road Bridge Painting	Gray	\$393,000	Bridge Painting - Clean and paint steel superstructure.	3	2021	2022

Maine Turnpike Authority DRAFT 4-year Capital Investment Plan (2019-2022)

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	86.1	Route 9 Bridge Repair	Sabattus	\$540,000	Bridge Repair - Substructure repairs, deck repairs, membrane, and repave. Traffic impacts & timing of other bridge projects in area will be reviewed with municipal officials.	3	2021	2022
2022 Continued	102 & 103	Exit 102 & Exit 103 Pavement Rehabilitation	West Gardiner	\$2,080,000	Pavement rehabilitation	3	2021	2022
		Bridge Preservation	TBD	\$600,000	Application of clear protective coating to concrete surfaces and other needed repair at misc. locations.	4	2021	2022
		Drainage & Slope Repairs	TBD	\$403,000	To be defined Fall 2020 and winter 2021 for repairs in summer 2021.	4	2021	2022
		Clear Zone Improvements & Guardrail	TBD	\$500,000	Guardrail and other work to improve clear zone.	4	2021	2022
		Pavement Crack Sealing	TBD	\$125,000	To be defined Fall 2020 and winter 2021 for repairs in summer 2021.	4	2021	2022
		**2022 Project Engineering & Inspection Annual Budget This amount from 30 yr. plan dated 5/11/18 includes the Planning or Design funds for projects that list 2022 in column titled "Planning/Design Years"	Kittery to Augusta	\$7,825,508	Planned annual budget for general engineering, construction contract development & management, project planning, permitting, design and construction inspection/administration for all projects.	12	2021	-
TOTAL NEW FUNDING 2022 (includes Engineering)				\$52,013,683				

**Kittery Town Council
June 11, 2018
Regular Meeting – 6:00 p.m.
Council Chambers**

1. Call to Order: Chairperson Lemont called the meeting to order at 6:00 p.m.

2. Introductory: Chairperson Lemont read the introductory.

3. Pledge of Allegiance: Chairperson Lemont led those present in the Pledge of Allegiance.

4. Roll call: Answering the roll were Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Matthew Brock, Gary Beers, Vice-Chairperson Charles Denault and Chairperson Kenneth Lemont.

5. Agenda Amendment and Adoption: Councilor Thomson wanted to add item "13j" under New Business: *"The Kittery Town Council moves to release grant match funds in the amount of \$10,000 from unassigned funds, unencumbered surplus, as approved by the voters at the June 13, 2017 Town Meeting, to be deposited in the Ogden Foundation Program Developer Account #2210 as the second installment in the town's match for the Kittery Community Center Program Developer contract."*

Councilor Thomson said as the Chair may remember, when the town first received the grant, we gave an initial \$10,000 match and agreed to give another \$10,000 at the end of the fiscal year to add additional hours to the position at the Kittery Community Center.

Chairperson Lemont cast one vote to accept the agenda as amended.

Chairperson Lemont said he had eye surgery on Friday and he cannot see out of his left eye and jokingly mentioned that the Councilors on his left will not be recognized this evening.

6. Town Manager's Report: Town Manager Amaral first wanted to thank all who came out for the Sarah Mildred Long bridge ceremony. She said it wasn't technically an opening ceremony because the bridge has been open for a little while, but it was a nice ceremony. She said that Vice-Chairperson Denault joined her and they had nice speaking programs. She said we provided items for the time capsule that will be buried in the park on the Kittery side.

Town Manager Amaral also showed everyone the picture book of the Sarah Mildred Long bridge she received and said it will be on display at the Town Hall through June 30th and then it will be donated to the Library so that any one who is interested will have a chance to look at it.

Town Manager Amaral said for this meeting, she has included in Council's packets a quarterly annual goal update of where she is in fulfilling the goals that the Town Council has set out for her. She said she would like to highlight a few of them. She said in supporting long-term planning, she hired a Director of Planning and Economic Development, and she is very excited about that.

Town Manager Amaral said that she has been working with the developer looking to do work on the Sowerby parcel, the old nursing home, and they have received grants to get that done. She said they have also contacted the property managers on Route 1 on the re-zoning of Route 1. She said the Mixed Use re-zone, the Business Park, is a new zone and will be going before the Planning Board on

June 14th. She said Councilor Brock's efforts is that he has started a working group for inclusionary housing.

Town Manager Amaral said that the Title 16 Recodification is going out this week. She said they have produced a FY'19 budget to keep a stable tax rate and have worked closed with the School Dept. and will keep an eye on any increases put forward that will affect the mill rate. She said that they will be bringing liens in line and processing them.

Town Manager Amaral said that they are working on a Facility Master Plan with the Building Maintenance Supervisor, Scott Lincoln. She said Mr. Lincoln showed her where they are today to keep the costs down, and what to put away each year to replace everything from roofs to mechanical, plumbing and electrical systems in the building.

Town Manager Amaral said that the Safety Committee has been active coming up with options to keep employees safer and lower the Workers' Comp. costs. She said our mod rate has gone down from 1.23 to 1.17, which is lower than it has been in recent years.

Town Manager Amaral said they are continuing to work on getting the word out on volunteer opportunities in the town.

Town Manager Amaral said that Chairperson Lemont's Property Tax Relief program got approved last month and they are developing clear guides for the residents which will be effective July 1st. She said they need to wait and see what they have in funding after tomorrow. She said to make sure that the residents understand all options under State law.

Town Manager Amaral said that Central Maine Power has approved an amendment to their existing agreement to allow the town to install Variable Speed monitoring signs on CMP poles. She said as you know these are signs that show the speed limit and how fast you are driving.

Town Manager Amaral said that the Request for Proposals has gone out for the Route 236 traffic study for the intersections of Aroma Joe's, Fernald Road and Bolt Hill Road to address safety issues that would allow for improvements to the road.

Town Manager Amaral said to join her in congratulating Todd Henley who will be Assistant Recreation Director. She said he has been with the Rec. Dept. for over 10 years and was part of the initial team in the transition to the KCC building. She said he has successfully overseen the After-School program, senior program and the development of KCC marketing materials. She said he will serve in a critical role within the department rounding out #2 on the team leading the KCC forward. She said his appointment is effective June 25th.

Town Manager Amaral noted some upcoming dates: Election/Town Meeting Secret Ballot is tomorrow from 8 am to 8 pm at the Kittery Community Center, Janice Grady's Retirement Party is June 13th at 6:00 p.m. at the KCC and the Kittery Block Party is June 16th 10:00 a.m. – 4:00 p.m. in the Foreside.

Chairperson Lemont asked if there any questions.

Councilor Thomson said he had a quick one, on item #3, the Variable Speed Radar signs. He wanted to know, if he is reading what the Town Manager is saying correctly, that the town has to go through a process with Central Maine Power in order to put up signs on their power poles, but anyone within a 200-mile radius can plaster the damn yard sale signs on the poles?

7. Acceptance of Previous Minutes – 5/14/18 Regular Meeting

Chairperson Lemont cast one vote to place on file the minutes of May 14, 2018 as amended.

8. Interview for the Board of Appeals and Planning Board - none

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

Chairperson Lemont said this is the best part of the meeting. He said the Town Council and the Town Manager get the opportunity to recognize two employees who are retiring for their outstanding service to the town. He said they will take them in order of seniority.

b. (060118-2) The Kittery Town Council moves to recognize Janice Grady for 35 years of dedicated service as the Kittery Recreation Director.

Chairperson Lemont read the agenda item.

COUNCILOR THOMSON MOVED UNANIMOUS CONSENT ON WHAT CHAIRPERSON LEMONT STATED, SECONDED BY VICE-CHAIRPERSON DENAULT.

Chairperson Lemont said he would like to recognize and congratulate Janice Grady on her retirement of 35 years of exceptional service as Recreation Director. He said Janice has accomplished so much during her time with the Town of Kittery, securing grant funding and scholarships, spearheading programs and events for residents and growing revenue close to one million dollars for the FY2017-18 budget. He said her achievements are undoubtedly highlighted by the transformation of the Recreation Department.

Chairperson Lemont thanked Ms. Grady for her many years of outstanding contributions to the community and congratulated her on her well-deserved retirement. He asked her to come forward and presented her with a certificate, card and a bouquet of flowers as a small token of their appreciation. Everyone applauded.

Chairperson Lemont asked Ms. Grady if she had anything that she would like to say.

Ms. Grady replied that he knew she was never at a loss of words. From the podium, she said since she will be speaking a lot on Wednesday she will keep it brief. She said it has been her pleasure to work for the Town of Kittery for 35 years and that it has been different almost every year. She said she still will be leaving with passion and is a little afraid of that, but it is challenging and exciting to know that the Kittery Community Center will be in good hands with all of you, and Jeremy and Todd.

Chairperson Lemont asked for a roll call.

Roll call began with Councilor Dennett, who had a question.

Councilor Dennett said he thought that Councilor Thomson had already done that when he moved by unanimous consent.

Chairperson Lemont thanked Councilor Dennett for mentioning that.

a. (060118-1) The Kittery Town Council moves to recognize John Brosnihan for his 17 years of dedicated service as a Sergeant in the Kittery Police Department.

COUNCILOR THOMSON MOVED BY UNANIMOUS CONSENT TO RECOGNIZE AND CONGRATULATE JOHN BROSNIHAN FOR HIS 17 YEARS OF SERVICE IN HIS CAPACITY AS SERGEANT OF THE KITTERY POLICE DEPT. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION.

Chairperson Lemont thanked Sgt. Brosnihan for his 17 years of commendable service for the Town of Kittery. He said that John joined the Police Dept. in 2001 as a police officer and served as IMC Records Coordinator from 2012-2014 when he was promoted to Sergeant. He said he served as the Communications Center supervisor of the computer systems and participated in the upgrade of the dispatch center.

Chairperson Lemont said although Sgt. Brosnihan is retiring from the Police Dept., he is excited to welcome him in his new role as Harbor Master. He said that John brings his maritime experience in the Coast Guard and thanked him for his service.

Chairperson Lemont presented him with a certificate.

Sgt. Brosnihan said he is truly blessed to have been here for so many years and he could not be prouder and happier. He said there are others who have been in the Police Dept. longer than he has.

Police Chief Soucie asked Sgt. Brosnihan's family to join him and presented Sgt. Brosnihan with a retirement badge and an ID card. He said typically they do this during a service ceremony.

Chairperson Lemont asked Sgt. Brosnihan if he wanted to speak.

Sgt. Brosnihan said not without a microphone and thanked everyone.

Chairperson Lemont thanked both John Brosnihan and Janice Grady for their many years of dedicated service to the Town of Kittery.

10. PUBLIC HEARINGS

a. (060118-3) The Kittery Town Council moves to hold a public hearing in accordance with Sec. 6.06 (3) of the Kittery Town Charter and adopts the 2018-19 Municipal, Adult Education, Capital Improvement and Enterprise Fund budgets.

Chairperson Lemont opened the public hearing at 6:22 p.m. and asked if anyone wished to speak to, for or against this item. Seeing none, he closed the public hearing.

Chairperson Lemont said he would like the Town Manager to speak.

Town Manager Amaral said there is an update in Council's packets on the bottom-line budgets. She said there is a projected total of over \$12 million dollars in the budget, and a sheet for the Sewer budget follows that. She said on page two, there is a breakdown of responses to Councilor Thomson's question on what would happen if additional funds were added to the budget and what the projected mill rate would be. She said that the projected mill rate is \$16.99 and the table shows what the mill rate would be if Council were to add \$10,000, \$12,000 or \$15,000 to the budget.

Town Manager Amaral said the budget is very conservative and she wants to make sure to have information Council needs to respond to the question asked.

COUNCILOR THOMSON MOVED THAT THE GENERAL GOVERNMENT FUND FOR COUNCIL LINE ITEM OF \$7,350 TO \$12,350, THUS MAKING THE TOTAL GENERAL GOVERNMENT FUND \$946,206.

Councilor Beers wanted to know if he was adding \$12,000?

Councilor Thomson replied he was adding \$5,000 to the figure.

Chairperson Lemont asked for a second.

VICE-CHAIRPERSON DENAULT SECONDED THE MOTION.

Vice-Chairperson Denault said it is against his training from previous Town Councils to change figures after the Town Manager has put forth her proposal. He said his assertion is that sometimes they do not see certain things until it is too late. He said he would support Councilor Thomson's change here but asked for Council's indulgence as he would like to make a change.

Chairperson Lemont asked if Vice-Chairperson Denault was speaking to the amendment?

Vice-Chairperson Denault replied yes, he would support Councilor Thomson's change now, but then he would like to make a change.

Councilor Dennett said Mr. Chairman.

Chairperson Lemont said yes.

Councilor Dennett wanted to know how they can support an amendment until they put forth a motion and did not have a main motion.

Chairperson Lemont asked Councilor Dennett to please repeat the question.

Councilor Dennett asked how is it possible to have an amendment to the motion when they do not have a main motion such as approving the General Government Fund total of \$941,206?

Chairperson Lemont thanked Councilor Dennett and said he was right and asked what would he do without him?

COUNCILOR BEERS MOVED APPROVAL OF THE FY18-19 MUNICIPAL BUDGET IN THE AMOUNT OF \$12,631,787, SECONDED BY COUNCILOR PELLETIER.

Councilor Thomson said following Councilor Dennett's lead, he would like to amend Councilor Beer's motion and again add \$5,000 to the Council's line.

COUNCILOR THOMSON MOVED TO AMEND THE MOTION FOR A TOTAL MUNICIPAL BUDGET OF \$12,636,787, WITH \$5,000 ADDED TO THE COUNCIL LINE. COUNCILOR BEERS SECONDED THE MOTION.

Chairperson Lemont asked if Vice-Chairperson Denault wanted to make an amendment.

Vice-Chairperson Denault said yes, but he would like to save it for Councilor Comments.

Chairperson Lemont asked if he wanted to bring forward the amendment and they could act now and then have a discussion.

Councilor Brock said he had a question for Councilor Thomson and asked him to explain what is the purpose of the additional \$5,000?

Councilor Thomson replied he mentioned a couple of weeks ago how he felt our Town Manager is significantly underpaid for the work she is doing and the level of responsibility she has and he wanted an opportunity to address this in the Fall. He said he originally asked for an additional \$15,000 to the Council line, but then she (Ms. Amaral) showed him what the impact would be on the mill rate for \$5,000, \$10,000 and \$15,000. He said that she would like to move forward with an adopted rate of \$16.99. He said he agreed to change his request to \$5,000 which would be a mill rate of \$16.99 and that is his point. He said rather than have to scramble to find funding that was not appropriated, to add money now so they could have something to talk about later on in the year.

Councilor Brock said to follow up, he is not asking Council to make a determination tonight on whether or not to increase the salary for the Town Manager, but to reserve the funds and we will discuss this in the Fall and wanted to know if that is correct.

Councilor Thomson replied that is correct.

ROLL CALL VOTE WAS TAKEN ON THE AMENDED MOTION, 7-0. SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

Chairperson Lemont said this brings us to a roll call on the main motion. He asked if Vice-Chairperson Denault wanted to discuss an amendment.

Vice-Chairperson Denault wanted to make a motion to amend the total budget to \$12,656,787. He said there is \$331,910 in the Fire Dept. budget right now.

VICE-CHAIRPERSON DENAULT MOVED TO ADD \$20,000 TO THE BUDGET TO PURCHASE A RESCUE BOAT FOR THE FIRE DEPT. THAT WILL BE AFFORDABLE AND EASY TO MANAGE. CHAIRPERSON LEMONT SECONDED THE MOTION FOR DISCUSSION.

Vice-Chairperson Denault said he supported the shared services for a long time but this will potentially protect our citizens in a larger way by having a rescue boat with the Fire Dept. He said there are three ways we can do this: add \$20,000 to the Fire Dept. budget; add \$20,000 and withhold same until the Fire Chief and the Town Manager can assess the necessity and third, applying for public safety funds to purchase the rescue boat for the Fire Dept. He said this money is obtained when new people or businesses move into town.

Vice-Chairperson Denault said he is not sure how to go with it. He said the Town Manager is planning on working with the Kittery Port Authority and the Coast Guard to review shared services and to see what services are required by us for being a coastal community. He said with that being said, we will probably be better if we waited until the Fall when the mill rate is set in September and what comes in on valuations. He said they can approach it at the same time and he wanted to have some discussion before he withdraws his motion.

Chairperson Lemont asked if this was a previous request and he is attempting to put it back in, and if not, was it requested through CIP?

Vice-Chairperson Denault answered he did not think it was CIP. He said this issue was discussed four years ago when they were talking about shared services with the Port Authority. He said they had a fire rescue the other day with the Fire Dept. and the Coast Guard for a water rescue and saved two people. He said the response was delayed because they had to get the key to the Harbor Master's boat. He said every second counts when someone is drowning. He said he would like to hear the Town Manager's thoughts on it.

Councilor Beers said he certainly acknowledges the validity of the prospective need but he is opposed to the motion for a number of reasons. He said arbitrarily Council is not involved in administrative responsibilities and activities and this has not been brought forward by the department or the Town Manager nor was it addressed or considered through the Capital Improvement Project program. He said this is a highly structured process and he thought they should leave it to that.

Councilor Brock wanted to know, following up on Councilor Beer's comments, if this is correct that the request came from the Fire Dept.

Town Manager Amaral replied no, it did not.

Councilor Brock thanked the Town Manager.

Councilor Dennett said he got lost in the discussion and asked what was the amount?

Chairperson Lemont responded \$20,000.

Councilor Dennett said he believed it was discussed in the paper, on the somewhat lack of protocol on the rescue. He said the Town Manager was trying to work out a protocol with the various parties in the future and he would prefer to see the result of that before approving any money at this point.

Councilor Thomson said he believes in the sentiment; however, it needs to be addressed and they have an appropriate process which starts with the Town Manager. He said she did correspond with us after the event last week and indicated she would meet with the affected parties to develop a strategy, moving forward. He said she has an estimated \$12 million dollars valuation growth, which is a conservative figure and it may come in more. He said if they find out that is the case when they set the mill rate in September, they can have the appropriate public hearing for additional supplemental appropriation to the FY'19 budget at that time.

Vice-Chairperson Denault said he would withdraw his amendment for now and thought that was a great plan. He said he did speak to the Town Manager earlier, who said she will work this out with the Kittery Port Authority, the Fire Dept. and the Coast Guard. He said he wanted to make sure he had Council support.

Chairperson Lemont said he appreciated Vice-Chairperson Denault recognizing a problem and for his passion in moving forward to find a resolution, but he is sure that through the leadership of Chief O'Brien and together with the Chair of the Port Authority, the Coast Guard and the Town Manager, they will come up with a resolution for the short term and Council can address this in the Fall. He withdrew his second.

352 **ROLL CALL VOTE WAS TAKEN ON THE MAIN MOTION, 7-0. SEVEN IN FAVOR, NONE**
353 **OPPOSED, MOTION CARRIES.**

354
355 **COUNCILOR THOMSON MOVED THE KITTERY ADULT ED. BUDGET IN THE AMOUNT OF**
356 **\$86,765 BE APPROPRIATED AS PRESENTED, SECONDED BY COUNCILOR BEERS. ROLL**
357 **CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0. SEVEN IN FAVOR, NONE**
358 **OPPOSED, MOTION CARRIES.**

359
360 **COUNCILOR THOMSON MOVED TO APPROPRIATE \$1,703,281 FOR THE CAPITAL**
361 **IMPROVEMENT BUDGET AS PRESENTED, SECONDED BY COUNCILOR BEERS. ROLL CALL**
362 **VOTE WAS TAKEN WITH ALL IN FAVOR, 7-0. SEVEN IN FAVOR, NONE OPPOSED, MOTION**
363 **CARRIES.**

364
365 **COUNCILOR THOMSON MOVED THAT THE SEWER ENTERPRISE FUND ACCOUNT FOR FY-19**
366 **AND THE SEWER EXPENSES IN THE AMOUNT OF \$2,589,501 BE APPROPRIATED AS**
367 **PRESENTED, SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN WITH ALL**
368 **VOTING IN FAVOR, 7-0. SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.**

369
370 Chairperson Lemont recognized Councilor Dennett had a question.

371
372 Councilor Dennett wanted to know, now that we are finished with that item, what is the grand total that
373 was approved?

374
375 Councilor Thomson responded with the sewer the total commitment is \$24,546,734, which includes the
376 Municipal budget, Adult Education, CIP and School.

377
378 Councilor Dennett asked if it included the school?

379
380 Councilor Thomson replied yes.

381
382 Councilor Beers said whatever the paper says plus \$5,000.

383
384 Councilor Dennett wanted to know just what is approved tonight?

385
386 Councilor Beers replied what it says plus the \$5,000.

387
388 Chairperson Lemont asked Councilor Dennett if he was all set.

389
390 Councilor Dennett said no.

391
392 Patti Moore, Finance Director, spoke from the floor and said \$14,426,833.

393
394 Councilor Dennett asked her if she was sure of that.

395
396 Councilor Thomson asked for a second.

397
398 Councilor Dennett said the Municipal Budget is \$12,636,787, Adult Ed., \$88,765 and CIP \$1,703,281
399 and are adding the Sewer \$2,589,501.

400
401 Ms. Moore said that the Sewer Expenses are separate.

Councilor Dennett wanted to know, through the Chair, what is the total approved for tonight?

Councilor Thomson replied \$17,018,334.

Chairperson Lemont thanked Councilor Thomson.

Councilor Dennett thanked Chairperson Lemont.

b. (060118-4) The Kittery Town Council moves to hold a public hearing to receive comments on Town Meeting Articles 2 through 9 for the June 12th Election.

Chairperson Lemont opened the public hearing at 6:43 p.m. and asked if anyone wished to speak to, for or against the articles. Seeing none, he closed the public hearing.

c. (060118-5) The Kittery Town Council moves to hold a public hearing and hereby adopts an Amendment to Appendix A – Sewer Service Rates.

Chairperson Lemont opened the public hearing at 6:44 p.m. and asked if anyone wished to speak to, for or against the amendment.

Mr. Vern Gardner said his purpose for being here is to ask the individual members of the Town Council to exercise caution in the future. He said they have been fortunate to have a dept. that has worked for the last 9 years to maintain a stable sewer rate, until today. He said they are now saddled with payment on a \$12 million-dollar expansion project. He said the taxpayers are somewhat responsible for this because we voted based on information relayed to us by the Town Council.

Mr. Gardner said he would like to quote from a letter to the editor dated June 5, 2013, #1 "\$360,000 obligations a year will be absorbed by new bond costs and will have no impact on the rates from the 21 infrastructure sewer projects, #2 in the same letter to the editor, all costs will be paid for by new users and not current taxpayers and third, connections would \$2500-5,000 payable over 10 years in lieu of septic field replacement (\$10,000-\$15,000 a year plus connection fees.) He said the author of the letter was Gary Beers who went on to say that his strongest recommendation was to vote yes.

Mr. Gardner said, by comparison there was a letter to the editor 3 days later, June 18th, from David Linscott who took exception, noting that the average home will have a fee of \$75 per quarter. He went on to say that as for Mr. Beer's statement that primarily all costs will be paid by new users, he had major concerns with that. He said here it is five years later and Mr. Linscott was 100% correct.

Mr. Gardner said at the March 13th 2013 Town Council Meeting, Debra Driscoll asked who was going to pre-pay the sewer rate, was it the new users or the taxpayers? He said Mr. Beers was wrong in saying the cost is \$360,000 – it is actually \$577,675, plus principal and interest; he was wrong when he said new users would pay for the project and he was wrong when he said the fee would be \$2,500-\$5,000 per year.

Mr. Gardner said he would ask the taxpayers to understand that we are now in a financial hole. He said not only do we have to pay \$12 million dollars for this boondoggle, but it has also raised the competitive advantage in attracting investors who depend upon minimum risk and stability. He said, according to the Town Manager's report, Kittery has the highest tax rate among similar towns. He said thank you very much.

Chairperson Lemont asked if there were any other comments and seeing none, closed the public hearing.

COUNCILOR THOMSON MOVED TO ADOPT THE AMENDMENT TO APPENDIX A, SEWER SERVICE RATES AS HEARD THIS EVENING, SECONDED BY VICE-CHAIRPERSON DENAULT.

Chairperson Lemont asked if there was any discussion.

Councilor Dennett said he knows what the motion maker has said, but he should set forth the fee schedule for the record.

Councilor Thomson said the fee is increased to a minimum quarterly to \$75. He pointed to Councilor Beers.

Chairperson Lemont acknowledged Councilor Beers.

Councilor Beers said the rates are being increased quarterly 1,000 cubic feet, or fraction thereof, from \$75.00 to \$100.00 per 100 cu. ft. and in excess of 1,000 cu. ft. from \$5.00 to \$7.46 per 100 cubic feet.

Chairperson Lemont thanked Councilor Beers and asked if there was any further discussion?

Councilor Thomson said sorry if he misspoke. He said also, at their workshop, Council decided rather than not looking at this for 8+ years, we would set in stone to review rates formally every three years to avoid this kind of occurrence.

Vice-Chairperson Denault said, echoing Councilor Thomson, the fact we went 8 years without moving it is sad because we have to go up this big a jump, and if we did it more incrementally, it probably would be an easier pill to swallow, but he does support it.

Councilor Brock said just one other comment. He said it is his understanding that the consulting firm they retained to evaluate the situation, said, essentially, we are running an increasing deficit and this is intended to address that. He wanted to know if that is correct.

Chairperson Lemont answered yes, the Sewer Enterprise Fund deficit is impacting the General Fund and asked the Town Manager if that is correct.

Councilor Brock said then he would support it.

Town Manager Amaral replied yes, right now the Enterprise Fund owes the General Fund.

ROLL CALL VOTE WAS TAKEN WITH SEVEN VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

d. (060118-6) The Kittery Town Council moves to hold a public hearing and hereby ordains an Amendment to Title 13 – Rates and Charges.

Chairperson Lemont opened the public hearing at 6:50 p.m. and asked if anyone wished to speak to, for or against the amendment. Seeing none, he closed the public hearing.

COUNCILOR BEERS MOVED THAT THE KITTERY TOWN COUNCIL HEREBY ORDAINS AN AMENDMENT TO TITLE 13 – RATES AND CHARGES AS PRESENTED, SECONDED BY

COUNCILOR THOMSON. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

e. (060118-7) The Kittery Town Council moves to hold a public hearing on an application from York Food Group, LLC, for a Victualer's License for Burrito Betty's Food Truck at 345 U.S. Route One in Kittery.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and the establishment is in compliance with the Kittery Town Code.

Chairperson Lemont opened the public hearing at 6:52 pm and asked if anyone wished to speak to, for or against the application. Seeing none, he closed the public hearing.

COUNCILOR THOMSON MOVED THE TOWN COUNCIL APPROVE THE APPLICATION FROM YORK FOOD GROUP, LLC FOR A VICTUALER'S LICENSE FOR BURRITO BETTY'S FOOD TRUCK TO BE LOCATED AT 345 U.S. ROUTE ONE, KITTERY. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

f. (060118-8) The Kittery Town Council moves to hold a public hearing on an application from Starbucks Corporation for a Victualer's License for Starbucks Coffee store #7907 at 306 U.S. Route 1 in Kittery.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and the establishment is in compliance with the Kittery Town Code.

Chairperson Lemont opened the public hearing at 6:53 p.m. and asked if anyone wished to speak to, for or against the application. Seeing none, he closed the public hearing.

COUNCILOR THOMSON MOVED THAT THE KITTERY TOWN COUNCIL APPROVE AN APPLICATION FROM STARBUCKS CORPORATION FOR A VICTUALER'S LICENSE FOR STARBUCKS COFFEE STORE #7907 AT 306 U.S. ROUTE 1 IN KITTERY. COUNCILOR PELLETIER SECONDED THE MOTION.

Chairperson Lemont had one question of the Town Clerk and wanted to know if this was a renewal application.

Ms. Maurice replied it was a new application.

ROLL CALL VOTE WAS TAKEN WITH SEVEN VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

11. DISCUSSION - NONE
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments
12. UNFINISHED BUSINESS - NONE
13. NEW BUSINESS

- 555 a. Donations /gifts received for Council disposition:

556
557 (060118-9) The Kittery Town Council moves to accept a donation in the amount of \$200 from
558 David Leavitt to be deposited into account #2063-43600 KCC Fundraising.

559
560 **COUNCILOR THOMSON MOVED TO ACCEPT THE DONATION FROM DAVID LEAVITT IN THE**
561 **AMOUNT OF \$200 TO BE DEPOSITED IN SAID ACCOUNT, SECONDED BY COUNCILOR**
562 **PELLETIER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE**
563 **OPPOSED MOTION CARRIES.**

- 564
565 b. (060118-10) The Kittery Town Council moves to approve the disbursement warrants.

566
567 Chairperson Lemont asked Councilor Beers if the sewer and municipal warrants were in due form?
568 Councilor Beers replied that they were.

569
570 Chairperson Lemont asked Councilor Pelletier if the School payable was in due form.

571
572 Councilor Pelletier replied that it is.

573
574 Chairperson Lemont read the amounts: Town, \$125,033.34; Sewer, \$2,639.91 and School,
575 \$339,224.88.

576
577 **COUNCILOR THOMSON MOVED THAT THE DISBUREMENT WARRANTS BE PAID AS**
578 **PRESENTED, SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE**
579 **VOTE, 7-0, MOTION CARRIES.**

- 580
581 c. (060118-11) The Kittery Town Council moves to approve a one-day extension of the service
582 area of the premises externally on the current liquor license for Sonmat Inc., 7 Wallingford Square, from
583 9:00 a.m. – 10:00 p.m. for the Kittery Block Party on June 16, 2018.

584
585 **COUNCILOR THOMSON MOVED THAT TOWN COUNCIL APPROVE A ONE-DAY EXTENSION OF**
586 **THE SERVICE AREA OF THE PREMISES EXTERNALLY ON THE CURRENT LIQUOR LICENSE**
587 **FOR SONMAT INC., 7 WALLINGFORD SQUARE, FROM 9:00 A.M. – 10:00 P.M. FOR THE**
588 **KITTERY BLOCK PARTY ON JUNE 16, 2018. COUNCILOR PELLETIER SECONDED THE**
589 **MOTION. ROLL CALL VOTE WAS TAKEN WITH SEVEN IN FAVOR, NONE OPPOSED, MOTION**
590 **CARRIES.**

- 591
592 d. (060118-12) The Kittery Town Council moves to appoint recommended citizen
593 representatives to the Library Building Committee.

594
595 **COUNCILOR THOMSON MOVED THAT THE FOLLOWING PEOPLE BE APPOINTED TO THE**
596 **LIBRARY BUILDING COMMITTEE: JAMES ANDERSON, TIMOTHY BROCHU, FRAN FARR,**
597 **MARGARET MEYERS AND JENNIFER BREWER, AS RECOMMENDED. VICE-CHAIRPERSON**
598 **DENAULT SECONDED THE MOTION.**

599
600 Chairperson Lemont asked the Town Manager if she would like to make a few comments.

601
602 Town Manager Amaral understood that what they did with Council has been approved. She said the
603 two members of the Library Board were appointed and put forward the names that are before Council.
604 She said this has been discussed and they came up with a great group of folks to move forward.
605

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, MOTION CARRIES,

e. (060118-13) The Kittery Town Council moves to appoint recommended citizen representatives to the Taylor Building Committee.

COUNCILOR THOMSON MOVED THAT THE FOLLOWING BE APPOINTED TO THE TAYLOR BUILDING COMMITTEE: ROGER COLE, BARRY FITZPATRICK AND JAN LAMONT-RODONETS, AS RECOMMENDED. COUNCILOR PELLETIER SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN, 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

f. (060118-14) The Kittery Town Council moves to accept the resignation of David Lincoln from the Economic Development Committee.

COUNCILOR THOMSON MOVED THAT THE KITTEY TOWN COUNCIL ACCEPT THE RESIGNATION OF DAVID LINCOLN FROM THE ECONOMIC DEVELOPMENT COMMITTEE AS REQUESTED AND THAT A LETTER OF THANKS BE SENT TO HIM FOR HIS SERVICE. COUNCILOR PELLETIER SECONDED THE MOTION.

Chairperson Lemont said he would like to echo those comments, Dave did an outstanding job with his work on the Economic Development Committee and he was fortunate to have worked with him.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

g. (060118-15) The Kittery Town Council moves to release \$4,000 from the Wetlands Preservation Fee Fund for the Fort Foster mapping of invasive species.

COUNCILOR THOMSON MOVED THAT THE TOWN COUNCIL RELEASE \$4,000 FROM THE WETLANDS PRESERVATION FEE FUND FOR THE FORT FOSTER MAPPING OF INVASIVE SPECIES AFTER THE MANAGER HAS ENLIGHTENED US WITH THIS REQUEST. COUNCILOR PELLETIER SECONDED THE MOTION.

Town Manager Amaral said this was brought forward by the Parks Commission and they are trying to work with them on this as well. She said they have been working with the vendor who does the spraying, but the challenge is he is not quite sure where to do that. She said he has been using time trying to find the invasive species.

Town Manager Amaral said that Shay Roberts did research on how to do mapping the invasive species for better control of them. She said she brought this information forward to the Parks Commission, who brought this to the attention of the Conservation Commission, who recommended using the Wetland Mitigation Funds. She said this was brought forward to the Planning Board as well, who recommended proceeding with using those funds. She said the cost is \$3,705 but they rounded up to make it an even \$4,000 to make sure they had enough in case there is an incidental thing added on and we can address that.

Chairperson Lemont asked if there was any discussion.

Councilor Brock wanted to know if the money was for the purpose of mapping but it is not for treating, is that correct?

Town Manager Amaral replied yes.

Councilor Brock asked where is the funding for treatment coming from?

Town Manager Amaral replied it is in the operating budget.

Councilor Brock said he hoped they had enough and that there is a significant problem out there.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

h. (060118-16) The Kittery Town Council moves to approve an easement for Central Maine Power for Map 10, Lot 5 for a utility pole and guywires associated with the Whipple Road project.

COUNCILOR THOMSON MOVED TO APPROVE AN EASEMENT FOR CENTRAL MAINE POWER FOR MAP 10, LOT 5 FOR A UTILITY POLE AND GUYWIRES ASSOCIATED WITH THE WHIPPLE ROAD PROJECT. COUNCILOR PELLETIER SECONDED THE MOTION.

Chairperson Lemont asked if there was any discussion.

Councilor Dennett said he must advise Council that they do not have an easement to look at and approve because it has not been prepared. He said they had requested the form from Central Maine Power for information so they could come up with an agenda item, and they were supposed to send it, but we have not seen it yet. He said he did not disagree with the concept for CMP to do this and he thought that will keep them out of trouble. He said the Town Manager can execute the document.

COUNCILOR DENNETT MOVED TO AMEND THE MOTION TO APPROVE THE CONCEPT OF AN EASEMENT RATHER THAN APPROVING THE EASEMENT FOR CENTRAL MAINE POWER FOR A UTILITY POLE AND GUYWIRES ASSOCIATED WITH THE WHIPPLE ROAD PROJECT, MAP 10, LOT 5 AND SECONDED BY VICE-CHAIRPERSON DENAULT. VOICE VOTE WAS TAKEN AND ALL WERE IN FAVOR OF THE AMENDMENT, 7-0, AYE, NONE OPPOSED, MOTION CARRIES.

VOICE VOTE WAS TAKEN ON THE MAIN MOTION, AND ALL WERE IN FAVOR, AYE 7-0, NONE OPPOSED MOTION CARRIES.

i. (060118-17) The Kittery Town Council moves to schedule their summer meetings for July 23rd and August 27th, 2018.

COUNCILOR BEERS MOVED TO SCHEDULE THE TOWN COUNCIL SUMMER MEETINGS FOR JULY 23RD AND AUGUST 27TH, SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, AYE, NONE OPPOSED, MOTION CARRIES.

j. (060118-18) The Kittery Town Council moves to release grant match funds in the amount of \$10,000 from unassigned funds, unencumbered surplus, as approved by the voters at the June 13, 2017 Town Meeting, to be deposited in the Ogden Foundation Program Developer Account #2210 as the second installment in the town's match for the Kittery Community Center Program Developer contract.

COUNCILOR THOMSON MOVED TO RELEASE GRANT MATCH FUNDS IN THE AMOUNT OF \$10,000 FROM UNASSIGNED FUNDS, UNENCUMBERED SURPLUS, AS APPROVED BY THE VOTERS AT THE JUNE 13, 2017 TOWN MEETING, TO BE DEPOSITED IN THE OGDEN FOUNDATION PROGRAM DEVELOPER ACCOUNT #2210 AS THE SECOND INSTALLMENT IN

THE TOWN'S MATCH FOR THE KITTERY COMMUNITY CENTER PROGRAM DEVELOPER CONTRACT. COUNCILOR BEERS SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

14. COUNCILOR ISSUES OR COMMENTS

Vice-Chairperson Denault said he had complaints passed on to him that citizens tried to deposit hazardous waste at the dump and were told that they do not do that anymore. He wanted to know, through the Chair, if the Town Manager could get back to us on that as he thought that they did deposit household hazardous waste once a year.

Vice-Chairperson Denault said he was honored to be brought to Wood Island to see first-hand what the National Guard is doing and he was blown away. He said some footings have been poured and a barge actually brings the cement embankments to the island. He said he got a tour of the building. He said the National Guard is doing plumbing and wiring and it is nice to see. He said they are interested in the preservation of the history of the island, they found an ink well from the U.S. Treasury as well as a bottle and a bunch of other things. He said it is interesting and would like Council consensus to do a resolution to the National Guard for their help and the citizens thought it was great.

Vice-Chairperson Denault said a resident on State Road handed him a petition which basically requests the Town Council put together a report, bring it through the proper channels and work with Town Manager to respectfully request the speed limit be 25 mph from intersection .8 miles forward at 35 mph. He said only one person did not want to sign but the traffic has geared up, the noise and speed and lack of enforcement has impacted 23 people in the neighborhood.

Vice-Chairperson Denault said he wanted to go back to what he was speaking to earlier. He appreciates their support of the Town Manager with the boat from the Kittery Port Authority, the Fire Chief and the Coast Guard but the cost of human life should not be delayed because of a broken window pane.

Councilor Thomson thanked the Town Manager and the Department Heads for their work on the FY'19 budget, which is never an easy process. He said they try to maintain appropriate services while trying to maintain a stable tax rate. He said the smallest amount is always a mind-speeding task.

Councilor Thomson said he is in a position to thank Janice Grady – this is her last budget she has done and thanked her for her service.

Councilor Thomson said he wanted to remind Council that at the Feb. 13, 2017 Town Council meeting, that they will receive a number of J-1 workers and reminded them they did pass a motion that Kittery-based employers have hired them. He said this is student-sponsored and that such students are welcome in Kittery.

Chairperson Lemont said he has gotten two calls from people being attacked at the park by dogs. He said the State Police held a workshop with the Police Chief and the discussion centered around that a few dog owners are ruining it for other citizens who do control their dogs.

15. COMMITTEE AND OTHER REPORTS

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

Councilor Beers said the Library Transition Committee met June 5th for the second time and have a full scope of what is necessary to transition the library becoming a town department, whether the town may be able to accept the assets of the library as gifted by the Town Charter or by the voters and whether the Rice Public Library Board of Directors may choose to become a town board or remain a private corporation, this will be worked out. He said the Committee's first report will be in September.

16. EXECUTIVE SESSION – NONE

17. ADJOURNMENT

VICE-CHAIRPERSON DENAULT MOVED TO ADJOURN THE MEETING AT 7:14 P.M., IN HONOR OF JOHN BROSNIHAN AND JANICE GRADY FOR THEIR MANY YEARS OF SERVICE TO THE TOWN OF KITTERY, SECONDED BY COUNCILOR THOMSON. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0. MOTION CARRIES.

Respectfully submitted,

Barbara Boggiano
Recording Secretary



ACTIVE RETIREMENT ASSOCIATION

Expand Your World

www.unh.edu/ARA

July 6, 2018

Jeremy Paul, Director/General Manager
Kittery Community Center
120 Rogers Road
Kittery, ME 03904

Dear Jeremy:

On behalf of the Board of Directors and general membership of the Active Retirement Association, I want to thank you for permitting us to utilize the facilities of the Kittery Community Center to hold our meetings and programs this past year. With thanks and great appreciation, the Board has voted unanimously to approve the enclosed \$200 donation to KCC.

While our members come from throughout the greater seacoast regions of New Hampshire and Maine, ARA is thrilled to be able to utilize your incomparable facilities. Your flexibility and cooperation has been instrumental in building and maintaining our relationship and we are grateful.

Thanks to you and the entire KCC community for sharing your important resource with all of us!

Warmly,

Deidre Prescott
President

ACTIVE RETIREMENT ASSOCIATION

P.O. BOX 421
DURHAM, NH 03824

54-7001/2114

2968

DATE 6-30-18



PAY TO THE
ORDER OF

Littery Community Center

two hundred

\$ *200* -



DOLLARS

Eagle Money Fund



FEDERAL SAVINGS
BANK

DOVER, NEW HAMPSHIRE 03820

MEMO

Curlye Dot

MP

Security Features
Printed on Back
Check on Back

Deposit to
2063
Fundraising Account



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: July 23, 2018
From: Kendra Amaral, Town Manager
Subject: Title 2 Revision – Recreation Department Name Change
Councilor Sponsor: Chairperson Kenneth Lemont

Since the Kittery Community Center (KCC) opened in May 2012, there has been a bit of an “identity crisis” for the Recreation Department. We are now at an advantageous point to transition the name of the department to the “Kittery Community Center”. This transition requires amendment to Title 2.

BACKGROUND

The KCC is the building and grounds and the Recreation Department is the managing occupant. All staff have been hired as Recreation Department employees. KCC defines the building and grounds. The phones are answered “Kittery Community Center”; our sports leagues are Kittery Recreation Department. Our emails are @kitteryrecreation.com while our web site is Kittery Community Center. All social media is Kittery Community Center, all staff is employed by the Kittery Recreation Department, and our logo is the Kittery Community Center.

The KCC has recently begun a rebranding process that includes a new logo, website, program guide, and social media campaign to better reflect our vibrant facility and services. This rebranding process, in conjunction with a name change, will tie everything together as a cohesive brand.

STATEMENT OF NEED

The proposed solution is to change the department name to the Kittery Community Center to be more cohesive, less confusing and to streamline communications. The name change will make it easier for users to understand that the Community Center’s staff and the Recreation Department staff are one in the same.

To effect the renaming of the department, reference to the Recreation Department needs to be amended in Title 2. This process will also be used to incorporate existing positions not reflected in Title 2, and to bring Title 2 in line with the applicable Collective Bargaining Agreements. Specifically, this is seen in with the inclusion of the Recreation Clerk, and the merging of the Sports/SAFE Coordinator role. In both cases these positions have existed and are already filled by staff. The proposed changes in Title 2 will not create new roles or add to the staffing of the KCC.

The costs associated with this change will be minimal and will only include banners and staff time for website and social media changes. Everything except the production of banners can be done in-house. This was anticipated in the FY2019 budget and is estimated to cost no more than \$500. There are no expensive signs to replace as none at the KCC have the Recreation Department name on them.

PROPOSED SOLUTION/RECOMMENDATION

Approve Title 2 Revisions as presented.

ATTACHMENTS

- Proposed Title 2 Amendments
- Proposed Enactment
- New Kittery Community Center Logo

1 § 2.4.4.1 ~~Recreation Director/General Manager.~~ Kittery Community Center Director

2 ~~The purpose of the position of Recreation Director/General Manager is to manage, supervise and direct~~
 3 ~~the day-to-day operations of the Kittery Community Center and Recreation Department in the Town of~~
 4 ~~Kittery. In addition this person will serve as the general manager of the KCC and will manage the Frisbee~~
 5 ~~Annex as well as the Cole Street facility. This position reports to the Town Manager. Duties include, but~~
 6 ~~are not limited to: development and implementation of Recreation Department policy, adheres to KCC~~
 7 ~~policies implemented by the BOD, purchasing, maintaining records and files, supervising staff, directing~~
 8 ~~activities, preparing budgets, scheduling building maintenance and repairs, maintaining records, and~~
 9 ~~performing additional tasks as assigned by the Town Manager.~~

10 The purpose of the position of Kittery Community Center Director is to manage, supervise and direct the
 11 day-to-day operations of the department, and its associated facilities. Duties include, but are not limited
 12 to: coordination of recreational activities and programming, development and implementation of town
 13 and department policies, purchasing, maintaining records and files, supervising staff, directing activities,
 14 preparing budgets, scheduling building maintenance and repairs, supporting the Kittery Community
 15 Center Board of Directors, and performing additional tasks as assigned.

16 § 2.4.4.2 **Secretary/Bookkeeper.**

17 The purpose of the position of Secretary/Bookkeeper is to provide administrative, secretarial and
 18 bookkeeping support for the ~~Recreation Department of the Town~~Kittery Community Center. ~~This position~~
 19 ~~reports to the Recreation Director.~~ Duties include, but are not limited to, accounting of all
 20 revenue/receipts/deposits: Active Net~~ticketing system~~ registrations and reports; providing customer
 21 relations; registering participants for programs; tracking payments; processing mail; and performing
 22 additional tasks as assigned ~~by the Recreation Director.~~

23 § 2.4.4.3 ~~Assistant Recreation Director/Assistant General Manager.~~ Kittery Community Center
 24 Assistant Director

25 ~~The purpose of the position of Assistant Recreation Director/Assistant General Manager is to assist the~~
 26 ~~Recreation Director/General Manager in coordinating recreational activities and programming for Kittery~~
 27 ~~Recreation as well as the Kittery Community Center. This position exercises independent, professional~~
 28 ~~judgment and initiative in implementing and administering the policies of the Recreation Department.~~
 29 ~~The position also directs the work of the Department in accordance with applicable laws under the~~
 30 ~~direction of the Director/General Manager. This person is responsible for the Active Net recreation~~
 31 ~~registration program and all of the added components; that includes, but is not limited to, scheduling,~~
 32 ~~payments, bookkeeping, POS, etc. This position also is in charge of training all necessary staff on the~~
 33 ~~Active Net system. This position is the direct supervisor for receptionists and the Sports Coordinator.~~
 34 ~~This position is responsible for scheduling and planning special events for the entire Department activities~~
 35 ~~and scheduling those of the Kittery Community Center. Scheduling of the facility includes, but is not~~
 36 ~~limited to, theater events; weddings; memorials; kitchen usage; Fort Foster pavilions; fields; gym usage;~~
 37 ~~etc. Other duties may be required and assigned by the Recreation Director/General Manager. This~~
 38 ~~position reports to the Recreation Director/General Manager.~~

39 The purpose of the position of Kittery Community Center Assistant Director is to assist the Director in
 40 coordinating recreational activities and programming. Duties include, but are not limited to: scheduling
 41 and planning special events, supervising staff, overseeing the Sports/SAFE Coordinator, scheduling
 42 rentals of facilities and recreational areas, working with customers, and performing additional tasks as
 43 assigned.

44 § 2.4.4.4 ~~Safe Alternatives for Enrichment (S.A.F.E.) Coordinator.~~ SAFE Coordinator

45 ~~The purpose of the position of S.A.F.E. Coordinator is to coordinate, direct and supervise the after-school~~
 46 ~~program named "Safe Alternatives for Enrichment and the Summer Playground Program." This position~~

~~reports to the Recreation Director. Duties include, but are not limited to, supervising staff; directing activities; coordinating workshops; tracking payments; planning special events; providing programming; and performing additional tasks as assigned by the Recreation Director.~~

The purpose of the position of Sports/SAFE Coordinator is to coordinate, direct and supervise Kittery Community Center after-school program named "Safe Alternatives for Enrichment", the Summer SAFE Program, and the department's recreational sports programs. Duties include but are not limited to: supervising staff; ensuring conformance with institutional regulations of the State of Maine's day-care licensing provisions; scheduling of fields; directing activities; coordinating workshops; tracking payments; planning special events; providing programming; and performing additional tasks as assigned.

~~§ 2.4.4.5 Program Coordinator.~~

~~The Program Coordinator is responsible for implementing, coordinating and supervising the Town's sports programs for all ages and adventure-based programming on a year-round basis and involvement in managing sports programs, including supervising of up to 100 volunteer coaches. This position will have a flexible workweek, with some weekend or evening hours expected during the winter months. The individual will generally work five days a week, 40 hours, with different days off, depending upon programming. This position reports to the Recreation Director.~~

~~§ 2.4.4.6-5 Recreation Supervisor.~~

~~The position of Recreation Supervisor is responsible for implementing, coordinating and supervising the Town's marketing and public relations, including recruiting centers related to Kittery Recreation and Kittery Community Center. This position acts as the safety and training coordinator and instructs and documents all of the annual training for all staff. The Recreation Supervisor will be certified as an instructor for first aid, CPR and AED. This position supervises the state-licensed day-care center, and Safe Alternatives for Enrichment Program (SAFE) all year and its personnel. Responsibilities include coordination of a volunteer program and Over 55 programming. This position reports to the Recreation Director.~~

The purpose of the position of Recreation Supervisor is to coordinate the Kittery Community Center's public relations efforts and assist in the development and implementation of programs. Duties include, but are not limited to: implementing, coordinating and supervising the Kittery Community Center's marketing and public relations, overseeing the Summer Adventure Program, developing programs for adults and seniors, coordinating and providing annual safety training for all staff, and performing additional tasks as assigned.

~~§ 2.4.4.7-6 Early Childcare Supervisor/Head Teacher.~~

~~The purpose of the position of Early Childcare Supervisor/Head Teacher is to plan, organize, implement and coordinate the services of the child-care program for the Kittery Recreation Department. Under general supervision of the Recreation Director, the Early Childcare Supervisor is the head teacher and operates the child-care program in conformance with institutional regulations and State of Maine day-care licensing provisions. Responsibilities include the overall management of the early childhood program and its operation, facilitating, planning and coordinating the children's educational programs and activities for ages two through five years old. This position supervises the part-time preschool staff.~~

The purpose of the position of Early Childcare Supervisor/Head Teacher is to plan, organize, implement and coordinate the services of the child-care program for the Kittery Community Center. Duties include, but are not limited to: serving as head teacher, managing the early childhood program and its operation, supervising staff, facilitating, planning and coordinating the children's educational programs and activities for ages two through five years old, and ensuring conformance with institutional regulations of the State of Maine's day-care licensing provisions, and performing additional tasks as assigned.

~~§ 2.4.4.8 Sports Coordinator.~~

~~The position of Sports Coordinator is responsible for implementing, coordinating and general oversight of the Recreation Department's sports programs for all ages including the adventure based programming under the direction of the Assistant Director. Responsibilities include organizing summer sports camps, supervising after school open gym, representative to travel sports, and supervising evening and weekend sports programs. This position will be proficient in first aid and CPR. This position reports to the Assistant Director/Assistant General.~~

~~§ 2.4.4.9-7~~ **Head Custodian.**

~~The purpose of the position of Head Custodian is to manage the janitorial/cleaning duties of the Kittery Community Center. The person in this position will be responsible for performing varied custodial and light maintenance duties. This position manages all full time and part time custodians. The work requires the use of standard tools, general cleaning supplies, minor equipment, snow blower, buffer, and some carpentry tools. This position reports to the Recreation Director/General Manager.~~

The purpose of the position of Custodian is to perform the janitorial/cleaning duties of the Kittery Community Center. Duties include, but are not limited to: performing varied custodial and light maintenance duties, and performing additional tasks as assigned.

~~§ 2.4.4.10-8~~ **Assistant Early Childcare Supervisor/Head Teacher.**

The purpose of the ~~full time~~ position of Assistant Early Childcare Supervisor/Head Teacher is to assist in the planning, organization, implementation and coordination of services of the early child-care program for the Kittery Community Center as well as serving as a head teacher, and performing additional tasks as assigned.

~~§ 2.4.4.11-9~~ **Lead ~~Preschool~~ Teacher.**

The purpose of the ~~full time~~ position of Lead ~~Preschool~~ Teacher is to provide preschool children with professional educational and creative experiences both in the inside classroom and in the outdoor classroom. ~~Lead Teachers will~~ Duties include, but are not limited to: instilling a love of learning in their students and focusing on working with the individual student to learn at his or her own pace, and performing additional tasks as assigned.

~~§2.4.4.12-10~~ **Facility Maintenance Supervisor**

The purpose of ~~this the~~ position of Facility Maintenance Supervisor is to manage the custodian staff and building maintenance responsibilities of the Kittery Community Center, Town Hall, and other municipal facilities as assigned. Duties include, but are not limited to: overseeing town facility maintenance programs, coordinating and performing varied custodial and building maintenance functions; supervising all custodians at the Community Center, Town Hall and other buildings as assigned. ~~This position report to the Community Services Director/General Manager.~~

§2.4.4.11 Recreation Clerk

The purpose of this position is to provide customer service to the general public. Duties include but are not limited to: providing reception and cashier duties, facilitating program registrations, providing other administrative support, and performing additional tasks as assigned.

KITTERY TOWN CODE TITLE 2
RECREATION DEPARTMENT NAME CHANGE AND UPDATE

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

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

WHEREAS, the Kittery Community Center opened in 2012; and

WHEREAS, there has been a growing confusion regarding what the Recreation Department is relative to the Kittery Community Center; and

WHEREAS, the Town is now at an advantageous point to transition the name of the Recreation Department to the Kittery Community Center to alleviate the confusion and effect a full rebranding of the Kittery Community Center; and

WHEREAS, Title 2 also needs to be updated to reflect the current staff positions at the Kittery Community Center, and to achieve consistency in the format of the purposes for this department;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 2 OF THE TOWN CODE, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____,

20____, by: _____ {NAME} Motion to approve by Councilor

_____ {NAME}, as seconded by Councilor _____ {NAME} and

passed by a vote of _____.

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

Attest: {NAME}, _____ Town Clerk



KITTERY

COMMUNITY CENTER

The art of active living.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: July 23, 2018
From: Kendra Amaral, Town Manager
Subject: Neighborhood Mixed Use Zone (Business Park Zone)
Councilor Sponsor: Chairperson Kenneth Lemont

Following an extensive review and development process, the administration, in collaboration with the Kittery Open Space Advisory Committee (repurposed for this effort), and the Economic Development Committee, is pleased to be advancing zoning amendments to the former Business Park Zone. These amendments were developed to support investment in and build-out of one of Kittery's primary "target growth areas".

OVERVIEW

Business Park Use Study

In 2016, the Economic Development Committee was fielding information from a parcel owner within the Business Park Zone about potential development opportunities. The owner was seeking town support to utilize the Tax Incentive Financing district to invest in roads, water, and power access to his parcel. At the time, the EDC wished to better understand the opportunities and challenges with development of the whole zone, prior to providing the Council with a recommendation on the specific request. The EDC and Council agreed to pursue a land-use study as a prudent next step.

In 2017, Southern Maine Planning and Development Commission was engaged to conduct the land-use study. The scope included identifying the build-out options for the full zone and determine the best possible layout for roads, access to water, and three-phase power to support that build-out. The consultant team, working with staff and the owners of the parcels, evaluated the physical conditions of the land, the zoning regulations, and the market opportunities.

The study was completed in August of 2017. Its primary conclusion was that the wetlands and vernal pools serve as the most significant impediment to development in the zone. The zoning regulations further restricted the site, such that beneficial development was all but stifled. Recommendations included adjusting zoning to maximize the limited pockets of developable land that existed between the wetlands.

The complete study was provided to the Council and is available on our Projects tab on our website.

Zoning Amendment Development

In July of 2017, the Council was advised of the plan to utilize the Kittery Open Space Committee as a working group to develop ideas on zoning amendments for the Business Park zone. KOSAC includes representatives from a majority of the land-use focused boards, commissions, and committees in town including Council, Planning, Board of Appeals, Conservation Commission,

Economic Development Committee, Parks Commission, Kittery Land Trust, and the Comp Plan Update Committee. Over the fall and winter, KOSAC worked with staff on the zoning amendment. The result is a new “Neighborhood Mixed-Use” zone in place of the Business Park Zone.

KOSAC’s work was guided by the understanding that the zone is designated as a targeted growth area, the majority of the land is undevelopable due to wetlands, and this particular area of town is truly a fitting place for new growth given its location, its natural buffers with other neighborhoods, and its access to major road systems. KOSAC finalized their process in February, supporting the main principals of the zoning amendment being brought forward.

Neighborhood Mixed-Use (Business Park Zone)

Attached is the draft zoning for the Neighborhood Mixed Use. Our goal is to see an area that attracts a diverse demographic of residents, workers and visitors. The zone:

- Establishes pockets of population and street-level activity surrounded by large amounts of natural open space;
- Incentivizes Best Management Practices (BMPs) and Low Impact Development (LIDs) practices for stormwater management through wetland setback bonuses;
- Supports the town’s interests in wetland protection and eliminates drawn out disputes and costly peer reviews of wetland evaluations by requiring the wetland professional on a project to be selected by the town;
- Maximizes the limited uplands for development through higher density options;
- Allows mixed-use and multi-unit residential development instead of single-family units;
- Encourages vibrant street-level activity through setback standards, incentivized parking under buildings, and “liner-building” buffers;
- Incentivizes paths and trails through parking requirement bonuses.

Planning Board Review

The Planning Board discussed the proposed amendments at a number of meetings, and held a public hearing on June 14, 2018. The Planning Board sought increases in density, and expressed divergent opinions on the height allowance (50 feet, or up to 70 feet if parking is constructed under the building). The Planning Board also discussed whether affordable housing incentives could be incorporated into the zone.

The Planning Board voted 4-2 in favor of recommending the zoning amendment to the Town Council. The Planning Board is now being asked to consider a change in zone boundaries.

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Proposed Title 16 Amendments
- Proposed Enactment
- Planning Board Minutes related to proposed zoning amendment
- Letter from Chief O’Brien regarding building height
- Map of current and proposed zone boundaries (for illustration purposes only, the Planning Board has not voted on a recommendation of the boundaries yet)

REPLACE in 16.2 DEFINITIONS Best Management Practice

Best Management Practice (BMP)

~~Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of water bodies. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.~~

Best Management Practice (BMP) means a structure or practice designed to minimize the flushing by stormwater and the discharge of pollutants to waterbodies by temporarily storing and treating urban runoff. BMPs shall be used to achieve four stormwater management objectives identified by Maine DEP: effective pollutant removal, cooling, channel protection and flood control.

ADD to 16.2 DEFINITIONS Liner Building and Low Impact Development

Liner building means a building that lines the edge of a street or other public space. Liner buildings are typically used to shield public space, like a street or sidewalk, from something less desirable to view, such as a parking garage. They can also be used to enclose a space such as protecting a courtyard from a busy street. Where allowed, a liner building may be a minimum of 8 feet deep and a maximum of 14 feet deep.

Low Impact Development (LID) means the site-based process of developing land while minimizing impacts on water resources and infrastructure. LID replicates the natural hydrology of a site.

AMEND 16.3 Table of Zones

16.3.1.2 Establishment of zones.

To implement the provision of this title, the Town is divided into the following base and overlay zones:

A. Base zones.

~~Business—Park~~Mixed Use – Neighborhood

~~B-PK~~MU-N

REPLACE 16.3.2.10 Business – Park - BP with the following:

16.3.2.10 Mixed Use – Neighborhood (MU-N)

A. Purpose: To encourage higher density, mixed-use development that provides increased housing opportunities and a desirable setting for business while balancing such increased development with environmentally-conscious and ecologically sensitive use of land.

B. Permitted Uses.

1. Accessory buildings and uses including minor or major home occupations;
2. Art studio/gallery;
3. Business and professional offices;
4. Business Services;
5. Conference Center;
6. Convalescent care facility;
7. Convenience Store, neighborhood grocery facilities excluding the sale of gasoline;
8. Day care facility;
9. Dwellings, limited to the following:
 - i. Multiunit residential;
 - ii. Dwelling units on the upper floors of a mixed-use building that is served by public sewer;
10. Eldercare facility, attached dwelling units only
11. Elderly daycare facility;
12. Food Store;
13. Grocery store;
14. Hospital;
15. Hotel;
16. Industry, light (less than or equal to twenty thousand (20,000) square feet in gross floor area);
17. Inn;
18. Liner buildings, as part of a mixed-use building;
19. Low intensity recreation;
20. Nursing care facility, long term;
21. Personal services;
22. Public open space or recreation;
23. Public utility facilities including substations, pumping stations, and treatment facilities;
24. Repair service;
25. Research and development;
26. Restaurant;
27. Retail use, not to exceed thirty thousand (30,000) square feet in gross floor area unless part of a mixed-use building;
28. Selected commercial recreation, except shooting and archery ranges;
29. Shop in pursuit of trades;
30. Specialty food and/or beverage facility.
31. Theater;
32. Veterinary hospital;

C. Special Exception Uses.

1. Commercial kennel;

2. Commercial parking lot or garage
3. Construction services
4. Equipment sales and rentals (only on lots with frontage on Route 236)
5. Gas service station (only on lots with frontage on Route 236);
6. Industry, light (greater than twenty thousand (20,000) square feet in gross floor area);
7. Mass transit station;
8. Mechanical service;
9. New or used motor vehicle sales, (only on lots with frontage on Route 236);
10. Repair garage; (only on lots with frontage on Route 236)
11. Retail use, greater than thirty thousand (30,000) square feet in gross floor area and less than fifty thousand (50,000) square feet in gross floor area;

D. Other Uses.

Additional commercial/business uses may be considered by the Planning Board if:

1. The use is not listed above and;
2. The use is not defined by 16.2.

Such uses will be considered special exceptions uses and must be reviewed by the Board based on the following criteria:

1. If the use is consistent with the Comprehensive Plan and zoning district purposes and
2. If the use meets special exception criteria found in 16.6.4.4.

In addition, the use must meet one or both of the following criteria:

1. If the proposed use has substantially similar impacts as a listed use.
2. If the proposed use is compatible with existing uses within the zoning district for which it is proposed.

E. Standards.

1. All development and the use of land in the MU-N zone must meet the following standards. Kittery's Design Handbook illustrates how these standards can be met. In addition, the design and performance standards of Chapters 16.8 and 16.9 must be met unless noted otherwise below.

All submissions must include a lighting plan. Hours of operation and number of employees for businesses must also be provided.

2. The following space standards apply:

Minimum land area per dwelling unit – mixed-use building:

4,000 square feet for first residential unit plus 3,000 square feet for each additional unit, no

minimum land area for
business or commercial uses
when combined in a
building with residential
uses except that the total lot
size must be at least 20,000
square feet.*

NOTE:

*1) ADA-compliant units may be located on the first floor
through a special exception permit by the Planning Board but only
50% of the first floor may be such ADA- compliant residential units.

Minimum land area per dwelling unit – multiunit residential:

4,000 square feet for
first unit, plus 2,500
square feet for each
additional unit up to 16
units per acre of lot size.
Total lot size must be a
minimum of 20,000
square feet.

Mixed-use or multiunit residential buildings which encompass at
least 50% of required parking within the building

Two additional
residential units may be
added to each story
above the parking with
no additional land area
required

Mixed-use buildings which encompass at least 50% of required
parking within the building and include a liner building for non-
residential uses buffering parking from the street:

One additional
residential unit may be
added to each story with
no additional land area
required.

Minimum land area per bed for long-term nursing care and
convalescent care facilities that are connected to public sewer

2,000 square feet

Minimum land area per residential unit for eldercare facilities which
are connected to public sewer

3,000 square feet

112	<u>Minimum lot size</u>	<u>20,000 square feet</u>
113	<u>Minimum street frontage</u>	<u>75 feet</u>
114	<u>Minimum front setback on Route 236</u>	<u>30 feet</u>
115	<u>Minimum front setback on Dennett Road</u>	<u>40 feet</u>
116	<u>Minimum front setback on Martin Road</u>	<u>40 feet</u>
117	<u>Maximum front setback all other roads</u>	<u>20 feet</u>
118	<u>Spacing between buildings</u>	<u>15 feet*</u>
119	<u>Maximum rear and side setbacks</u>	<u>20 feet**</u>

120 **NOTES:**

121 * Or as required by the Fire Department or State Fire Marshall's office.

122 ** Except as may be required by the buffer provisions
 123 of this Code, and where the side and/or rear yards of a
 124 proposed nonresidential use abut a residential zone or
 125 use in which case a minimum of forty (40) feet is required.
 126 See Landscaping, Screening and Buffer requirements.

<u>Maximum building height</u>	<u>50 feet* (exclusive of solar apparatus)</u> <u>*Buildings which encompass all required parking may be 70 feet.</u> <u>Additional public safety impact fees apply</u>
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127	<u>Maximum impervious and outdoor stored material coverage</u>	<u>70%*</u>
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128 ***NOTE:**

129 1) With Best Management Practices (BMPs) and Low Impact
 130 Development Practices (LIDs) as defined in 16.2 and based on Maine
 131 DEP's Maine Stormwater Best Management Practices Manual,
 132 Volumes I - III, as amended from time to time, incorporated in site
 133 design, otherwise 60%. Maximum on-site stormwater infiltration is the
 134 desired and measurable outcome.

135	<u>Minimum setback from streams, water bodies and wetlands</u>	<u>in accordance with</u>
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Table 16.9*

***NOTES:**

1) With Best Management Practices (BMPs) and Low Impact Development Practices (LIDs) as defined in 16.2 and based on Maine DEP's Maine Stormwater Best Management Practices Manual, Volumes I - III, as amended from time to time, incorporated in site design, then wetland setbacks pursuant only to Maine Department of Environmental Protection (MDEP) Rules Chapters 305 and 310.

Without Best Management Practices (BMPs) and Low Impact Development Practices (LIDs) as defined in 16.2 and based on Maine DEP's Maine Stormwater Best Management Practices Manual, Volumes I - III, as amended from time to time, incorporated in site design, wetland setbacks pursuant to Kittery Town Code Title 16, Table 16.9.

2) The Town shall retain expert consultation (qualified wetland scientist and/or Maine-certified soil scientist) to determine wetland delineations and classifications and to perform soil testing as needed, all of which shall be paid for by the applicant at the time of sketch plan. The qualified wetlands scientist and/or Maine certified soil scientist must determine through field investigation the presence, location and configuration of wetlands on the area proposed for use. Any wetland alterations proposed must also be reviewed by the Town's consultant(s) at the applicant's expense. These requirements are in addition to engineering, stormwater management/BMPs, traffic or other types of peer review that may also be required.

Minimum open space:

<u>Lot size less than 100,000 square feet</u>	<u>15 percent*</u>
<u>Lot size greater than 100,000 square feet</u>	<u>25 percent*</u>

***NOTE:**

1) This requirement may be met by a payment-in-lieu to the Wetland Mitigation Fund. These fees shall be set by Town Council. Landscaping, screening and buffer requirements must still be met.

3. Parking:

Parking is encouraged within buildings. New or revised surface parking areas, garages, and entrances to parking within buildings shall be located to the rear of buildings. If a rear location is not achievable, as determined by the Planning Board, parking, garages and

entrances to parking shall be located to the side of the building. Screening and/or fencing is required for surface parking areas along a street. See 8. Landscaping, Screening and Buffers. Parking requirements are based on the Institute of Transportation Engineers (ITE) parking generation rates.

Joint use agreements (between businesses and residences) for parking are encouraged. A plan describing how joint use parking needs will be met is required as part of any development that proposes such parking and must be reviewed and approved by the Planning Board.

Parking requirements for non-residential uses may be met partially or in full by parking on the street except that no parking is allowed on Route 236, Dennett Road, and Martin Road. Such on-street parking plans must be reviewed by planning staff prior to submission and then reviewed and approved by the Planning Board.

Electric car charging stations are allowed in parking lots but must not interfere with pedestrian movement on sidewalks.

a. Parking for development that includes trails and low intensity recreation:

Development that includes the creation of public trails and low intensity recreational opportunities such as wildlife observation stations or boardwalks may apply the pertinent off-street parking standards below. All other off-street parking standards as found in 16.8.9.4 shall apply.

<u>Multiunit residential buildings and mixed-use buildings that include residential</u>	<u>1 parking space for studio and one bedroom dwelling units</u>
	<u>1.5 parking spaces for two bedroom dwelling units plus 1 guest parking space per every 4 dwelling units.</u>
	<u>2 parking spaces for more than two bedroom dwelling units</u>

4. Loading Docks, Overhead Doors, Service Areas and Outdoor Storage Areas:

Loading docks and overhead doors must be located on the rear or side of the building. Loading docks must be screened from view by adjacent residential uses. This screening shall consist of the following:

a. A fence, constructed of a material similar to surrounding buildings, of sufficient height as determined by the Planning Board to accomplish the screening. No fence may be less than six feet tall.

All service areas for dumpsters, compressors, generators and similar items as well as any outdoor storage areas must be screened by a fence at least six feet tall, constructed of a

material similar to surrounding buildings, and must surround the service or storage area except for the necessary ingress/egress.

5. Site Design

Site design and building placement shall be attentive to the surrounding environment including sun, wind and shade patterns related to proposed and existing buildings. A sun/shade analysis may be required by the Planning Board.

6. Energy and Sustainability

Energy efficiency is allowed and encouraged through the use of solar power, geothermal, and other alternative and sustainable power sources.

7. Building Design Standards

New buildings must meet the general design principles set forth in the Design Handbook except as noted below. In general, buildings should be oriented to the street from which they derive frontage, with the front of the building facing the street. The front façade must contain the following:

- a. A front door for pedestrian access
- b. Windows

Flat roofs, proposed to locate heating, cooling, or other such mechanical or electrical apparatus off the ground, are acceptable provided that such apparatus are screened from view and the screening is designed as an integral part of the building to aid both aesthetics and noise attenuation. Flat roofs proposed for the purpose of solar array installations are also acceptable.

8. Landscaping, Screening and Buffers:

A landscape plan prepared by a registered landscape architect is a submission requirement. However, a landscape plan done by other design professionals may be allowed at the Planning Board's discretion.

Native trees, shrubs and herbaceous plantings are preferred and shall be drought and salt tolerant when used along streets. A diversity of tree species (3-5 species per every 12 trees) are required to provide greater resiliency to threats from introduced insect pests and diseases.

Any required plantings approved by the Planning Board that do not survive must be replaced within one year.

a. Landscaping along the street frontage of each building must consist of one of the following:

- i. Street Trees. A minimum of one street tree must be planted for each 20 feet of street frontage. Trees may be planted in groups or spaced along the frontage. However, trees must be planted to ensure survival, using silva cells, bioretention cells or tree

- 235 wells. Trees shall be a minimum of 2.5”caliper and 12 feet high at the time of
 236 planting. Existing large healthy trees must be preserved if practical and will count
 237 towards this requirement.
- 238 ii. Pocket Park. The park must be at least 200 square feet. A minimum of three trees and
 239 a bench for sitting are required. Park must be vegetated with ground cover except for
 240 walkways.
- 241 b. Surface parking areas that abut a street shall provide screening in one of the following
 242 ways:
- 243 i. One tree per 25 feet of street frontage backed by a fence constructed of a material
 244 similar to surrounding buildings which must screen the parking area from the street
 245 except for necessary vehicular and pedestrian access. Trees must be at least
 246 2.5”caliper and 12 feet high at the time of planting
- 247 ii. A combination of trees and shrubs including at least 50% evergreen species, all at
 248 least 6 feet high at time of planting, in a planting bed at least 8 feet wide. Plantings
 249 must be sufficient, as determined by the Planning Board, to screen the parking area
 250 from the street except for necessary vehicular and pedestrian access. Planting beds
 251 may be mulched but no orange or red-dyed mulching material may be used.
- 252 c. A minimum of 10% of any surface parking area consisting of 10 or more parking spaces
 253 must be landscaped with trees and vegetated islands. This requirement is in addition to
 254 the screening requirements in b. above if the parking area abuts a street. Bioretention
 255 cells and rain gardens can be utilized to meet the landscaping requirements and perform
 256 stormwater management.
- 257 d. Buffers required between non-residential uses and residential uses must be forty feet wide
 258 and consist of one of the following as determined by the Planning Board:
- 259 a. Existing natural woodland and vegetation
 260 b. Existing natural woodland augmented by the planting of additional trees
 261 consisting of a variety of species at least 2.5”caliper and 12 feet high
 262 c. A fence at least six feet high, constructed of material similar to surrounding
 263 buildings, with plantings of trees and shrubs at least 6 feet tall on either side of the
 264 fence.
- 265 9. Open Space
 266 Open space must be provided as a percentage of the total parcel area including freshwater
 267 wetlands, water bodies, streams and setbacks. Required open space must be shown on the site
 268 plan with a note dedicating it as open space. The open space must be situated to protect
 269 significant natural features and resources, minimize environmental impacts and promote an
 270 aesthetically pleasing site.

- a. Wherever possible, large healthy trees and areas with mature tree cover shall be included in the open space.
- b. Location of open space shall promote the continuity of open space networks across adjacent parcels
- c. Where possible, open space and open space networks shall include public trails and low intensity recreational opportunities.

10. Special Situations

Expansions or modifications of 1,000 square feet or less to existing uses are exempt from landscaping, screening and buffer requirements.

11. Conditions for Approving Special Exception Uses in the Neighborhood Mixed Use Zone

All applications must include a narrative describing why the use proposed will promote the general welfare (specifics may be found in Chapter 2 Definitions for **special exception**) of the Town of Kittery, how the use proposed will meet the special exception criteria found in 16.6.4.4 and how the proposed development will adapt and relate to the natural environmental conditions found on the site.

REMOVE from 16.3.2.17 the Business Park Zone

16.3.2.17 Shoreland Overlay Zone OZ-SL.

~~(10) Business—Park Zone (B-PK).~~

~~(a) Permitted uses.~~

~~[1] The following land uses are permitted for projects that are cluster mixed use developments:~~

~~[a] Art studio/gallery;~~

~~[b] Mass transit station;~~

~~[c] Public open space recreational uses, recreational facilities, and selected commercial recreation;~~

~~[d] Research and development; and~~

~~[e] Public utility facilities, including substations, pumping stations, and sewage treatment facilities.~~

~~[2] The following land uses are permitted for projects that are not cluster mixed use developments:~~

~~[a] Accessory uses and buildings.~~

~~(b) Special exception uses. The following uses are permitted in a cluster mixed use development as a special exception:~~

~~[1] Business and professional offices;~~

~~[2] Business services;~~

~~[3] Commercial parking lot or parking garage;~~

~~[4] Conference center;~~

~~[5] Cluster residential development;~~

~~[6] Grocery, food store, convenience store, including gas station;~~

- ~~[7] Mechanical services, excluding junkyard;~~
- ~~[8] Motel, hotel, rooming house, inn;~~
- ~~[9] Personal service;~~
- ~~[10] Place of public assembly, including theater;~~
- ~~[11] Repair services;~~
- ~~[12] Restaurant;~~
- ~~[13] Retail uses and wholesale businesses, excluding used car lots and junkyards;~~
- ~~[14] School (including day nursery), university, museum, hospital, municipal or state building or use, church, or any other institution of educational, religious, philanthropic, fraternal, political or social nature;~~
- ~~[15] Shops in pursuit of trade;~~
- ~~[16] Veterinary hospital;~~
- ~~[17] Warehousing and storage; and~~
- ~~[18] Specialty food and/or beverage facility.~~

REMOVE from 16.3.2.19 the Business Park Zone

16.3.2.19 Resource Protection Overlay Zone OZ-RP

- ~~(10) Business Park Zone (B-PK).~~
- ~~(a) Permitted uses — cluster and noncluster development.~~
- ~~[1] Public open space recreational use.~~
- ~~(b) Special exception uses — cluster development.~~
- ~~[1] Public utility facilities, including substations, pumping stations and sewage treatment facilities.~~
- ~~(c) Special exception uses — noncluster. Special exception uses for projects not designed as a cluster mixed-use development include:~~
- ~~[1] Accessory uses and buildings.~~

ADD NEW SUBSECTION to 16.7.8.4 Exemptions to Net Residential Acreage Calculations

16.7.8.4 Exemptions to Net Residential Acreage Calculations

- A. The maximum number of dwelling units for residential development not subject to subdivision is based on minimum land area per dwelling unit defined in Chapter 2 Definitions of this Title.
- B. The creation of dwelling units subject to subdivision within existing buildings that are connected to town sewer and are located in the Mixed Use -Kittery Foreside; Mixed Use-Badgers Island; Residential Village; Business Local; or Business Local -1 zones are exempt from the net residential acreage calculations in 16.7.8.4. Total number of dwelling units permitted is determined by dividing the gross lot area by the minimum land area per dwelling unit allowed in the zone. The exemption is allowed in the above base zones when subject to the Shoreland Overlay Zone.
- C. The Mixed-Use – Neighborhood Zone (MU-N) is exempt from Title 16.7.8.2 Net Residential Acreage Calculation but is subject to the minimum land area per dwelling unit as defined

in Chapter 2 Definitions except that 50% of all wetlands may be subtracted, rather than 100%.

REMOVE from 16.8.11.2 the Business Park zone

16.8.11.2 Permitted zones.

A. Cluster residential development is permitted in various zones as indicated in Chapter 16.3.

~~B. Cluster mixed-use development is permitted only in the Business Park (B-P) Zone.~~

REMOVE from 16.8.11.6 the Business Park Zone

16.8.11.6 Standards.

E. Open space requirements.

(5) Open space must also be for preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover as identified in the applicant's written statement. In the ~~Business Park (BP)~~ Mixed Use - Neighborhood Zone, open space may be both man-made and natural. Man-made open space must be for the development of recreational areas, pedestrian ways and aesthetics that serve to interconnect and unify the built and natural environments.

~~F. In the Business Park (BP) Zone, the maximum building height is 40 feet. If the Planning Board finds that provisions for firesafety are adequate to allow buildings of greater height, then the Board may allow a building height of up to 60 feet as a part of the development plan review and approval process.~~

REMOVE from 16.8.11.7 the Business Park Zone

16.8.11.7 Open space dedication and maintenance.

C. If any, or all, of the open space is to be reserved for ownership by the residents and/or by commercial entities, the bylaws of the proposed homeowners' or similar governing association for commercial owners (~~in the Business Park Zone~~) and/or the recorded covenants must specify maintenance responsibilities and be submitted to the Planning Board prior to approval. See Subsection A above.

KITTERY TOWN CODE TITLE 16
REZONING OF BUSINESS PARK TO MIXED USE - NEIGHBORHOOD

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

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

WHEREAS, the Town has identified a certain zone as a target development area for over a decade; and

WHEREAS, following a development study in 2017 it was determined that the current land use regulations for the zone were serving as critical impediments to achieving the development associated with a target development area; and

WHEREAS, the Kittery Town Council seeks to rezone the area to support the type of development appropriate for the location and topographical conditions of the targeted development area;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 16 OF THE TOWN CODE, AS PRESENTED.

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

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

Attest: {NAME}, _____ Town Clerk

ITEM 4 – Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone.

Town Manager, Kendra Amaral, gave an overview of the proposal to rezone the former business park. She explained a parcel owner, Bill Cullen, who worked with the Economic Development Committee, proposed the Town add infrastructure. The Town would have needed to utilize \$1.2 million in TIFF to fund for roads, three face power and water. The EDC questioned if that approach was the best investment of TIFF funds. Manager Amaral explained a highest best use type study was conducted through SMPCD and listed the criteria. She added the study results determined the impediment to development in the zone was the wetlands not the infrastructure. Also, zoning was very vague and the developers were not sure what development is allowed. The Town Manager explained they are looking at zoning revisions and worked with KOSAC. The result was given to the Board to provide a zoning based on what we want to see rather than what we want to prevent. It was discovered that two thirds of the area is undevelopable. The upland can handle activity and density. Town Manager Amaral reviewed what she and KOSAC looked at, which included open space to support walkways and paths. She described the methods they used and explained the bonus incentives for developers. They are looking to create a vibrant neighborhood. She added the DEP and Army Corps. of Engineers does not deem this area high on their list of wetlands of interest. Notices were sent out to abutters of the current zone and the Town wants to engage them in conversation. She added they are seeing to move boundaries to Route 236. She thanked all those who participated in the KOSAK process. Chair Grinnell thanked the Town Manager for her excellent overview.

Ms. Connor explained the map in the Board packet is from the highest and best use study and doesn't follow the current zoning boundaries of the park. Town Manager Amaral explained Ms. Connor, a zoning expert, has reviewed this. She added the Town will be looking to recodify Title 16 and the new planning director will be on board on April 17th.

Vice Chair Kalmar reviewed her following comments for changes:

- Why aren't warehousing and wholesale businesses limited for special exceptions?
- Line 86- requested Ms. Connor to reword this to be less ambiguous regarding parking;
- Line 93 – add a definition of liner building;

- Line 110 – verify the Fire Chief has no concerns of no minimum space between buildings;
- Specify the Town's peer review engineer will determine if LIDS and BMPS are adequate as opposed to the developer;
- Line 157- ask at what rate the open space payment in lieu will be;
- Line 246 – add language ensuring a diversity of species of trees and shrubs of more than two species;
- Line 284 – what is intention to take out criteria condition of approval for special exception uses in Title 16.6.4.4.

Mr. Dunkelberger asked to have a type of catchall under special use to cover future uses. Town Manager Amaral would like to see a more manageable description of uses that makes more sense than what the Town has now. Discussion ensued of the appropriate language to include to point out special use will be at the Planning Board's discretion.

Mr. Ledgett asked how the square footage limitations were determined. Ms. Connor explained what she looked at target density of 15 residential units per acre and she also looked at the density requirement for communities that resembled is envisioned for the park. Mr. Ledgett requested this be looked at to see if there is a better way to specify density other than incrementally per square foot.

Mr. Fitch commented he liked the village concept and questioned the mixed-use building requirement to have commercial on the first floor and residential on the upper floors. Ms. Connor replied a mixed use with residential is spelled out because there are different standards, such as more density, and do not have to meet any additional land use requirements. Town Manager Amaral added residential will be allowed as well. Discussion of micro apartments ensued.

Mr. Alesse suggested controlled environment agriculture which allows people to farm vertically. Mr. Alesse described what he learned about this and thinks it should be encouraged. It is environmentally clean and has a high production rate.

The Town Manager explained she has been in conversations with the Water District who are showing an interest in the area as well. Mr. White pointed out to put more into paragraphs 5, 6 and 7 to work towards an energy efficiency bonus. Town Manager Amaral informed him they are not including solar panels as part of the building height. She added the land is 90 acres and estimated a third is developable.

Chair Grinnell asked of the amount of money in the TIFF. The Town Manager informed her that the Town has recently discovered they have been inaccurately funding the TIFFs for the three districts and it is being addressed. She also explained the TIFF process.

Chair Grinnell expressed her concern the 50 ft. height allowance will influence other zones. Town Manager Amaral commented it could be beneficial in other areas.

Ms. Connor will make the adjustments based on the comments and the Board will look at this again at the April 26th meeting. It was noted the Town Council may want to have a workshop with the Planning Board.

ITEM 5 – Affordable Housing/Workforce Housing Discussion. Review and discuss Maine Housing (Maine State Housing Authority) information and next steps following the February 22nd Affordable & Workforce Housing Forum.

Chair Grinnell informed the Board after she attended the affordable and workforce housing meeting, she is keeping this topic as a priority. She explained she has met with Vice Chair Kalmar, Ms. Connor and Mr. Brock. from Town Council, and they decided to set up an ADHOC committee that will be looking into this issue. She added the committee will have eight board members from different Boards, a resident and the new planner. Chair Grinnell requested Planning Board members contact Ms. Connor if they are interested in participating and a tentative meeting is planned for next week. Chair Grinnell explained she also met with Marissa Day who will be sending her information from the Route One project. Representatives from Fair Tide will be included as well. Chair Grinnell wanted residents to know they are working on affordable and workforce housing and the information from the Maine State Housing Authority will be added to the website

ITEM 6 – Board Member Items / Discussion A. Planning Board Action Item List B. Other

Board members reviewed their action list and updated it as follows:

#1 – omit; #2 – omit; #3 – keep but lower priority; #4 – keep; #5 – keep; #6 – keep and remove former planner's name; #7 – keep; #8 – omit; #9 – omit; #10 – keep; #11 – omit; #12 – give to Jessa Kellogg; #13 – Town Planner will work on this; #14 – omit; #15 – omit; #16 – keep; #17 – keep; #18 keep and move up priority.

Ms. Connor will update the list. She will add the Foreside report, air B&Bs; and business park mixed use as items.

OLD BUSINESS

ITEM 1– Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion, Set public hearing. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Set public hearing date.

The Board reviewed the proposal that included the changes discussed from a previous meeting. Ms. Connor addressed Mr. Ledgett's comment to look at other than typical square footage for density calculations. After discussions, the Planning Department has decided not to deviate from the way most of the other zones calculate density and they will look at his suggestion in the future. She suggested a time to discuss this would be during the recodification of Title 16.

Ms. Connor informed the Board the energy and sustainability remains the same but the Comprehensive Plan mentions it and Kittery needs to explore this. When the energy committees make their recommendations, they can add those guidelines into this document.

Ms. Connor also informed the Board they have had discussions with CMA, who have had a contract with the Town since 2005 and have agreed to review the best management practices for stormwater for the business park. They also agreed to outsource if they feel they lack the expertise on a matter. She added CMA is recommending the drainage structures be allowed to be in the wetland setbacks in this zone.

Mr. Ledgett suggested creating an incentive for developers to build inclusionary housing. He added the incentive could be density. He also suggested seeking comments from developers if this proposal will work for users. He recommended the Inclusionary Housing Working Committee review this document. Ms. Connor commented one of the barriers to having inclusionary housing in this district is the high cost to add the infrastructure and the environmental constraints of the area. Staff will bring this document to the Inclusionary Housing Working Committee for review.

Mr. Dunkelberger commented of adding language to allow consideration of uses not contemplated before. He feels the list "Other Uses" in the document is limiting and does not like the term similar noted on lines 57 and 58 on Page 2D. He referred to language on Page 7 of Conditions for Approving Special Exception Uses. He suggested

removing the word “similar” to allow the Planning Board to decide if project is beneficial for Kittery using the criteria outlined in the document.

After discussion, the Board was in consensus to have the planning staff make the suggested changes and bring them back to the Board and asked the Inclusionary Housing Committee to review the document.

Vice Chair Kalmar suggested the following changes:

- Add liner building to the list of definitions;
- Lines 97 and 102 - specify all the parking required must be encompassed in the building;
- She asked for an explanation for change in density. Ms. Connor explained it was suggested in the original study to have 15 units per acre and after receiving several comments from other committees who want to see more density it was changed. It is now 14 units per acre for mixed-use and 16 units for multi-unit residential;
- Spacing between buildings should be cleared by the Fire Chief before the public hearing.
- Add more tree species of deciduous and evergreens diversity. Earle Dean Wells explained the number of species depends on the number of trees in the area.

The Board questioned the maximum height of a building the Fire Department's trucks can manage. Mr. Causey reported he has spoken with the Fire Chief and 50 ft. is the height limit now. Ms. Connor will remove the 60 ft. height limit from the document.

The Board determined a public hearing will not be schedule until they review the next draft with the changes highlighted.

NEW BUSINESS

ITEM 2 – MS4 (Municipal Separate Storm Sewer Systems) Presentation and Q&A.
Jessa Kellogg, MS4 Coordinator and Shoreland Resource Officer will present.

Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator presented the annual MS4 General Permit for Stormwater Discharges. She explained a stormwater permit is administered by Maine DEP and the Town is required to ensure there is no discharge of polluted stormwater going into the waters of the State. She read over the required six minimum control measures. She explained the areas the Planning Board

Mr. Dunkelberger suggested the applicant to draw the property line straight. Mr. Yassa agreed if he can maintain the tree line between the two homes.

Discussion of the division of the two lots will be reviewed by the Board to ensure each lot has adequate frontage and the ROW is designed to ensure the two lots are legally conforming. Mr. Mende explained the waiver for the roadway width is because of the low traffic condition and not creating more road than they need.

The Board asked the applicant to give attention to the staff comments and is subject to the Fire Chief's review.

Mr. Dunkelberger moved to accept the sketch plan application dated April 13, 2018 as complete and approve the sketch plan for Sami Yassa requesting consideration of a right-of-way for a 3.04 +/- acre parcel located on Bond Road (Tax Map 25 Lot 12) in the Residential Kittery Point Village zone (R-KPV) and the Shoreland Overlay zone (OZ-SL-250).

Mr. Ledgett seconded the motion

The motion carried 6-0-0.

OLD BUSINESS

ITEM 4 - Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion, Set public hearing. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Set public hearing date.

Town Manager Amaral reviewed some items from the last meeting. She has followed up with Mr. Fitch and Mr. Ledgett regarding the proposal to add affordable or inclusionary housing to the proposed neighborhood. She explained she does not feel this should be incorporated at this time. The Inclusionary Working Group is still in the process of deciding how to handle inclusionary housing. She asked the Board to move forward with the understanding that once the working group has a plan for inclusionary housing, this item can be reopened and added.

Mr. Dunkelberger suggested the following changes:

- Page 2, Lines 64-67 - change No. 1 to "If the use is consistent with the Comprehensive Plan and Zoning District purposes and/or one or more of the following:

- Change No. 3 to “If the proposed use is compatible with the listed uses of that zone”.

Ms. Connor reported she has already made similar changes to those items.

Vice Chair Kalmar had the following changes:

- Under D “Other Uses”, Line 67 - move No. 4 – to No. 1.
- Line 192 – change the word “is” to “are”.
- On Page 4, Lines 144, 153 and 160 - insert language “as amended from time to time” for Volume I – III.

Ms. Connor read over her changes since the last review and reported the Town’s Fire Chief will give his opinion on the building separation and building height.

Mr. Dunkelberger moved to schedule a public hearing for comment on the proposed amendment to 16.3.2.10 for June 14, 2018.

Mr. Ledgegett seconded the motion.

The motion carried 6-0-0.

Item 5 – Board Member Items/Discussion

Mr. Ledgegett informed the Board he conducted a review of the housing impact on the Town for accessory dwelling units and short-term rentals as a follow up from previous Board discussion. He described the results of his review and believes this is an item the Board should be examining soon and requested comments for the next meeting.

Vice Chair Kalmar requested staff to inform them of their priorities and projects to help the Board set their priorities. She added the Board’s action list has several Number 1 priorities. After discussion, the Board agreed to have one item as priority Number 1.

Ms. Wells informed the Board the State has a new program for mitigation of vernal pools and wetland areas called SAMP. This will impact the business park property and she passed out information of the program to the Board.

Item 6 - Town Planner Items

None.

Item 7 - Adjournment

CALL TO ORDER

ROLL CALL

Present: Karen Kalmar, Dutch Dunkelberger, Mark Alesse, Drew Fitch, Russell White, Ronald Ledgett

Late arrival: Ann Grinnell

Staff: Kathy Connor, Interim Planner; Adam Causey, Director of Planning and Development; Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator

Advisory: Earldean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – May 24, 2018

Line 173 – remove repeated line.

Mr. Dunkelberger moved to accept the Minutes of May 24, 2018 as amended.

Mr. Ledgett seconded the motion.

The motion carried 6-0-0.

PUBLIC COMMENT

Vice Chair Kalmar opened the public comment segment of the meeting. There being no comments, Vice Chair Kalmar closed the public comment.

PUBLIC HEARING

ITEM 1 – Neighborhood Mixed Use (formerly Business Park) Zoning District Public Hearing, Vote to Recommend. Take public comment. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Vote whether to recommend to Town Council.

Vice chair opened

Vice Chair Kalmar opened the public hearing.

Rich Balano, 3 Oxpoint Drive, explained he is against the proposal and questioned how liner buildings will be used. He also shared his concern of the building height allowance of 70 feet because he feels it will change the character of the Town. He referred to the current and

proposed Comprehensive Plans and read the preamble that refers to Kittery as a small town. He urged the Board to amend the height requirement to 40 ft.

Bill McCarthy, 27 Adams Drive, reiterated Mr. Balano's concerns and commented the Town should be careful of raising heights of buildings. He added he believes the 40 ft. height limit serves the Town well.

There being no further comments, Vice Chair Kalmar closed the public hearing.

Mr. Alesse expressed his concern of the definition of permitted uses under B and of the inclusion of public utility facilities, which includes sewage, being compatible with housing. He added the height maximum is too high and believes it does not make sense because the Town would need to purchase new fire equipment.

Mr. Ledgett had the following concerns and comments:

- Line 65 - Other Uses - Title 16.6.6 is a Board of Appeals' requirement and he questioned why it is included.
- He would prefer the building height being above 40 ft. if it would benefit reasonably priced residences and he is concerned it could set a precedence in other areas in Town.
- Line 149, Page 4 – suggested the word “only” be taken out. Ms. Connor agreed.
- Lines 211 – 213 – “Public Parking Access for Trails” Ms. Connor explained there will be on street parking when the streets are developed and added they discussed the reduction in parking with code staff as well.
- Line 272 – Ms. Connor defined pocket park.
- Line 347 – Mr. Ledgett questioned this paragraph and Ms. Connor explained she provided “A-B” for context, with “C” being the amendment.

Mr. Fitch explained the Inclusionary Housing Working Group was in consensus at their last meeting to wait until they are ready to add inclusionary housing incentives for this proposal.

Mr. Dunkelberger pointed out the proposal is a test and he agrees with the height limit as written because it allows flexibility and will be conducive with the area.

Vice Chair Kalmar commented that the height will add density which is difficult for that area. She also reminded the Board and the public if the proposal is sent to the Town Council, there will be another public hearing.

Mr. White explained he is concerned with the height but would agree with the limit if it is contained in this zone only. He added the areas of developable land is low for this area, so the standards need to be different from other areas of Town. He would like to see incentives for inclusionary housing in the future and understands this will not happen right away. He pointed out the Town Council is responsible of deciding if the Town needs another fire truck to service the height.

Vice Chair Kalmar encouraged Board members and the public to express their concerns to the Town Council.

Ms. Connor addressed Mr. Alesse's comments regarding the public utility facilities and explained there is discussion that the water district may consider that location. She also pointed out Title 16.8.11.6 has language that allows the height of 60 ft. for cluster developments and mixed-use cluster developments if the fire department is satisfied with their ability to service the building.

**Mr. Dunkelberger moved to recommend the modified plan to the former Business Park Zone, now called the Neighborhood Mixed Use Zone to the Town Council.
Mr. White seconded the motion.**

The motion carried 4-2-0. (Mr. Ledgett and Mr. Alesse opposed).

OLD BUSINESS

ITEM 2 – Miller Road – Major Subdivision Preliminary Plan Review Action: Accept or deny application, Set public hearing date. Owners Paul E. and Peter J. McCloud and Applicant Joseph Falzone request consideration of a 6-lot conventional subdivision on land along Miller Road (Tax Map 59 Lot 20) in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones. Agent is Ken Wood, Attar Engineering.

Vice Chair Kalmar recused herself from this item.

Mr. Wood provided an overview of the project. He added the preliminary plan is submitted and meets the requirements. He informed the Board the plan will have slight changes because discussions took place between the applicant, a representative from his office and an abutter, Jeff Clifford. Mr. Wood explained the change is regarding water discharge and he described how this will be accomplished and how it will preserve more trees on Miller Road.

The following staff comments were addressed:

- Note 1 – The applicant agreed to add the 40 ft. front yard setback number to the plans and will add a note describing the site as wooded. Mr. Wood explained the Board packets include an amended FEMA Flood Zone Map and they have received the Letter of Map Amendment (LOMA), which is also copied and submitted with the preliminary plan. The applicant does not own the property and has a purchase and sale agreement to do so when the plans are approved. The plan will also show the 50 ft. buffer along Miller Road.
- The erosion and sediment control plan will be the same but with less disturbance because of the added swales along Miller Road.
- Note 3 –Pedestrians can walk down the street to get to the open space.
- Note 5 - Stormwater easement calculations for Lot 1 will be on the final plan and will meet the requirement.



Town of Kittery, Maine

Fire Department

3 Gorges Road
Kittery, Maine 03904
Tel (207) 439-2262

Chief David O'Brien
firechief@kitteryme.org

MEMORANDUM

10 May 2018

To: Adam Causey; Town of Kittery Planner

Subj: Height Limitations

Adam:

Thank you for the opportunity to meet with you and the Town Manager to discuss the potential for allowing an increase in building height in certain areas of town. Currently the Fire Department has a 75' aerial ladder that allows us to service buildings up to 50' in height. This height restriction is a product of being capable of placing men and equipment on a roof up to this height and also meet criteria defined by the Insurance Service Office (ISO) that penalizes communities for having buildings higher than what is deemed serviceable by available aerial apparatus. Kittery's 75' aerial ladder currently meets the ISO requirements and full value was awarded Kittery during the recent ISO review.

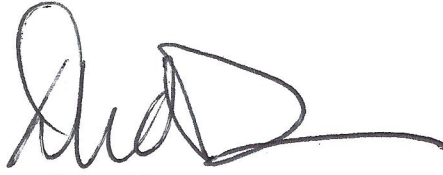
The Fire Department has diligently worked to lower our rating over the last few years and are proud of our Class 4 rating, a drop from a Class 6 only 17 years ago. An increase in building height will affect our ability to service the taller buildings and could affect our ISO rating. However, the Fire Department believes that by increasing unit density by allowing taller structures in certain areas may be good for the town.

With this in mind the Fire Department makes the following proposal in support of increasing height limitations in certain areas of our community. We recommend the height limitation be raised from 50' to 70'. We support this with the caveat that as buildings are built, public safety impact fees and other funding mechanisms are put in place to allow for the trade of our current ladder and upgrade to a short wheel base, single axle, 107' aerial ladder. This type of aerial ladder is of sufficient length to allow service to a 70' high structure and also capable of meeting the demands of tight and narrow roadways that we have in some areas of Kittery.

We propose a transition period for this process. If agreed upon, this change should be allowed to go forward prior to the Fire Department upgrading to a longer aerial ladder. The transition to the longer ladder may be phased as buildings are built and impact fees and other funding streams are collected. We envision the possibility of after the second completed building we start the process of replacement. During this time we will work to strengthen our mutual aid agreements with the Shipyard and Portsmouth Fire Departments on use of their 105' ladder and 100' tower respectively. This would include an automatic mutual aid agreement for these specific buildings where either the Shipyard or Portsmouth would respond automatically upon receiving an alarm. Please understand this is only a temporary fix to the situation and cannot be looked at as a long term solution.

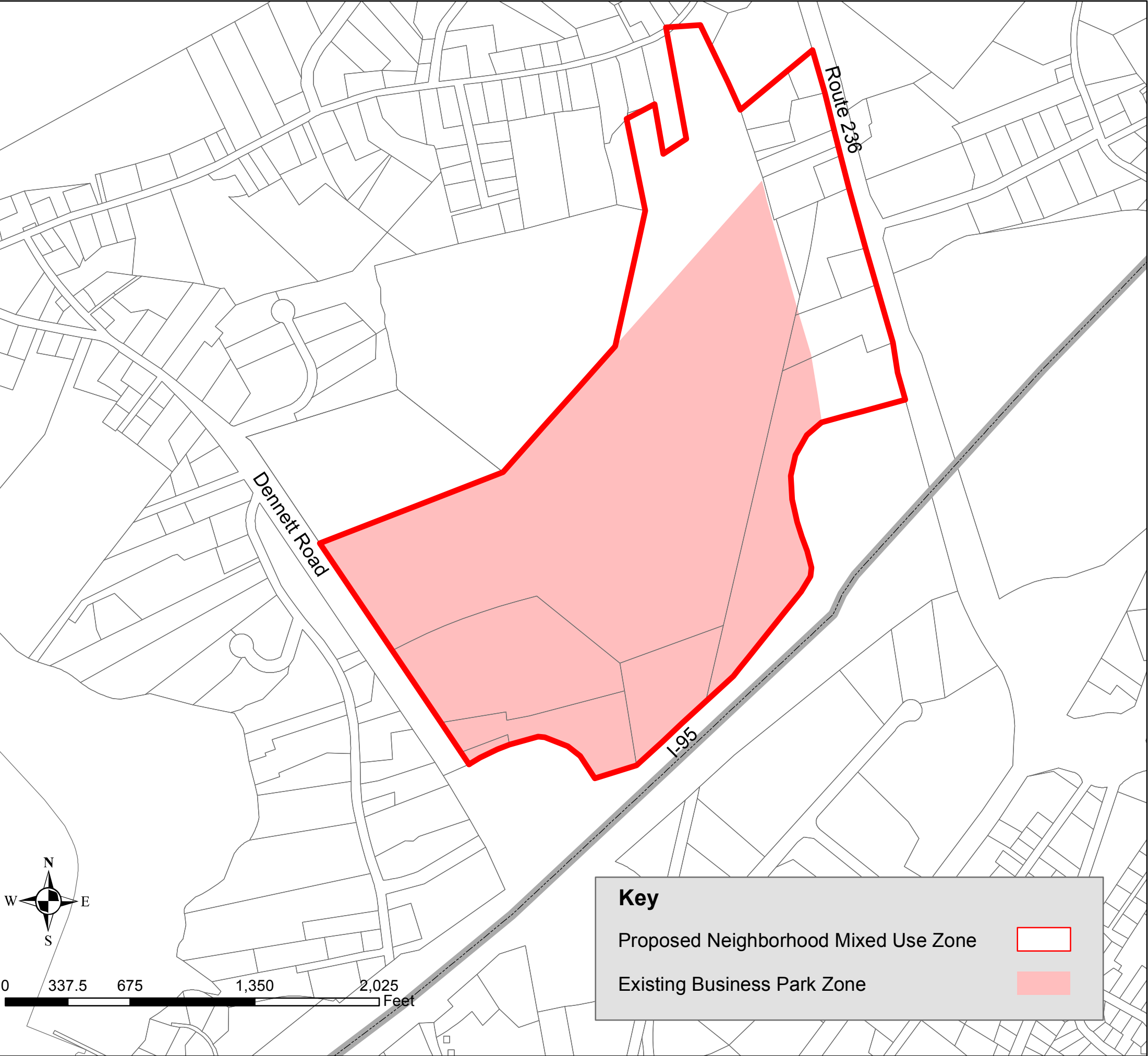
Subj: Height Limitations (cont.)

We look forward to continued discussion on this subject with you and the Planning Board. Please do not hesitate to forward questions or concerns to me as I believe there is much more to learn, discuss and understand in regards to increased density and building height.

A handwritten signature in black ink, appearing to read 'D. W. O'Brien', with a long horizontal flourish extending to the right.

D. W. O'Brien
Chief Fire Officer III

cc: Town Manager



List of Parcels Proposed for Inclusion
in Proposed Neighborhood Mixed Use Zone

Map and Lot	Street Address	Current Zoning
12-3-1	98 Dennett Road	Portion in R-S and B-PK
21-18	1 Route 236	Portion in C-2 and B-PK
21-18A	7 Route 236	C-2
21-19A	11 Route 236	C-2
21-19	15 Route 236	C-2
21-20	17 Route 236	C-2
21-21	21 Route 236	C-2
20-12	25 Route 236	C-2
20-13	27 Route 236	C-2
20-14	31 Route 236	C-2
20-14A	29 Route 236	C-2
20-17	37 Route 236	C-2
20-15	33 Route 236	C-2
6-15B	76 Dennett Road	B-PK
6-16A	70 Dennett Road	B-PK
13-4	Dennett Road	B-PK

Intended for planning purposes only by the Town of Kittery.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: July 23, 2018
From: Kendra Amaral, Town Manager
Subject: Release Deed Map 29 Lot 27 – Second Release
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The Town Council is being requested to execute a second Release Deed for Map 29 Lot 27, 34 Stevenson Road in order to resolve a recently discovered outstanding lien. A municipal release deed is required because 18 months has passed since the notice of liens.

BACKGROUND

The Council approved a release deed in January of this year that resolved four liens dating back to 1972.

The property is scheduled for another sale. Through the most recent title search, an attorney found an additional lien from 1971 that was not released.

Book/Page	Commitment Year	Principal	Interest	Fees	Total
1910/213	1971	479.67	19.16	1.00	499.83

The interest on the unpaid taxes has been computed as a simple interest at 9% annually. 9% represents the average maximum interest allowable by state law from 1991 to 2017.

Lien Notice	Years	Owed	Interest/Year	Total Interest	Total Due
1971	47	\$499.83	\$44.98	\$2,114.28	\$2,614.11

Payment will be due prior to recording of the Release Deed.

PROPOSED SOLUTION/RECOMMENDATION

Approve the Release Deed as presented.

MUNICIPAL RELEASE DEED

34 STEVENSON AVENUE, KITTERY

The Town of Kittery (the 'Town'), a municipal corporation existing under the laws of the state of Maine and located in the County of York, State of Maine, releases to

STEPHEN MEADE

with a mailing address of 150 ROLLING WOOD ROAD, ELIOT, MAINE 03905 any interest the Town may have in a certain lot or parcel of land with any improvements located thereon, located in the Town of Kittery, now or formerly owned by MERNA BURGOYNE and recorded in the York County Registry of Deeds in Book 1816 Page 487 and further shown as Map 29 Lot 27 on the Town of Kittery Assessor's Tax Maps, as may have been acquired by the Town by virtue of a Tax Lien Certificates on record in said Registry, Book 1910 Page 213.

The sole purpose of this Municipal Release Deed is to release to the Grantee herein any interest which the Town may have acquired in the property described by virtue of delinquent taxes through and including any current taxes due.

IN WITNESS WHEREOF, the Town of Kittery, acting through its Municipal Officers, has caused this Municipal Release Deed to be signed.

DATE: _____

BY: _____

Kenneth Lemont

Frank L. Dennett

Gary Beers

Jeffrey D. Thomson

Matthew Brock

Jeffrey Pelletier

Charles H. Denault, Jr.

State of Maine

York, ss.

Personally appeared the above named Municipal Officers and acknowledged the foregoing instrument to be their free act and deed in said capacity and the free act and deed of the Town of Kittery, Maine.

Before me, _____

Name: Kim R. Tackett

Notary Public - My commission expires November 26, 2020



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: July 23, 2018
From: Kendra Amaral, Town Manager
Subject: Update to Multi-Year Agreement for Public Safety Answering Point Services
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The Town of York is seeking an update to the Public Safety Answering Point Memorandum of Understanding it has with its service communities. Such that the Memorandum of Understanding represents a multi-year agreement and is being amended from the prior version approved by the Council in 2007, I am seeking Council approval to execute the updated MOU.

STATEMENT OF NEED

York has been providing PSAP services for Kittery for a number of years. We are required to have a designated PSAP as it serves as the point that 911 calls are directed to first. In recent years, the state has added new requirements for quality assurance reporting, for implementation of electronic dispatch protocols, and employee certifications.

The Town has been pleased with the PSAP services provided by York.

The updated MOU reflects the impact of the evolving dispatch requirements and indicates the price Kittery will be charged for PSAP services for the next three years. Based on the US Census 2016 ACS Population Estimate, Kittery has a population of 9,614. The cost will equate to \$26,438.50 in Year 1 (FY19), 28,842 in Year 2 (FY20), and \$31,245.50 in Year 3 (FY21). The Town paid \$26,067.50 in FY18 and budgeted \$28,000 in FY19 anticipating the price increase from York.

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Updated Memorandum of Understanding
- Existing Memorandum of Understanding (approved 2007)
- Proposed Enactment
- Excerpt of Council Minutes

MEMORANDUM of UNDERSTANDING
BETWEEN THE TOWN OF YORK COMMUNICATION'S CENTER
AND THE TOWN OF KITTERY
FOR PSAP E 9-1-1 CALL HANDLING

Adopted January 22, 2018

AGREEMENT made June 21, 2018, by and between the Town of York, a municipal corporation located in the County of York and State of Maine (hereinafter "York"), and the Town of Kittery, (hereinafter collectively, the "parties") for the provision of Public Safety Answering Point E 9-1-1 call taker services to the various municipalities.

WHEREAS, the Maine Emergency Services Communication Bureau (ESCB) was created by the legislature to develop standards and plans as well as implement and maintain oversight authority for the E 9-1-1 system in the cities and towns throughout Maine; and

WHEREAS, the primary goal of a Public Safety Answering Point (PSAP) Center is to provide emergency call taking services for all emergency service providers in the Municipality; and

WHEREAS, the Maine Legislature has directed the Public Utilities Commission to reduce the number of State-funded PSAPs to between 16 and 24; and

WHEREAS, the parties, do not receive State funding for the operation of their own PSAPs, and

WHEREAS, the Town of York has offered to serve as a "regional PSAP Center"; and

WHEREAS, the parties wish to preserve and maintain, to the greatest extent possible, standards which offer their citizens a high level of response while being fiscally responsible as well; and

WHEREAS, the residents of the parties deserve and expect the availability of all public safety resources; and that such resources shall be provided in the most expeditious manner; now, therefore, be it

RESOLVED, that the operation of the Regional PSAP Center shall be as described below:

Section 1. Operation and Costs

- A. The PSAP Center shall be under the direct control and supervision of the Chief of Police of the York Police Department and/or his designee (Communications Center Manager)
- B. A Governance Committee consisting of representatives of the municipalities the PSAP Center serves shall be formulated. The Governance Committee shall make recommendations concerning the operation of the PSAP to the Communications Center's Manager and will work to resolve issues that may arise from the operations. The Committee shall meet as necessary to resolve any issues.
- C. The Communication Center's Manager will work with the parties various Department Heads to ensure compliance with all sections of this agreement, thereby fostering mutual cooperation and effective use of all emergency resources.
- D. The Communication Center's Manager shall ensure compliance with all pertinent ESCB rules, regulations and guidelines concerning operation of a PSAP Center and E 9-1-1 system.
- E. The fees charged to each community shall be based on the American Fact Finder US Census 2016 ACS 5 Year Population Estimate at \$2.75 per capita the first fiscal year FY19, \$3.00 the second fiscal year FY2020 and \$3.25 the third fiscal year FY2021. Each community will be billed on a semi-annual basis in September and January.
- F. The agencies represented in this agreement recognize the complexities involved and realize this regional effort will require continuous review and improvement. On occasion, problems or concerns between agencies or disciplines will occur. First line supervisors assigned to those agencies, departments, or organizations experiencing those concerns shall work to resolve such issues at their level. Should the issue rise to the level of Chief of Police and a resolution is not reached in satisfaction of all parties, the issue shall be brought before the PSAP Governance Committee for action.

Section 2. Dispatch Procedures.

- A. The York PSAP Center shall provide only E 9-1-1 call-transfer functions for those municipalities who utilize a separate communications center unless specifically contracted to provide other services. The dispatching of public safety agencies in those municipalities shall be done by their respective municipal communication centers. Those agencies' dispatchers must maintain the appropriate certifications as required by the State of Maine specifically but not limited to Emergency Medical Dispatcher (EMD) certification, Emergency Fire Dispatcher (EFD) certification and Emergency Police Dispatcher (EPD) certification once they become mandated by the ESCB.
- B. E 9-1-1 and other emergency calls received for member municipalities with public safety agencies shall be transferred as quickly and efficiently as possible, and within the guidelines established by the ESCB.
- C. All citizens requesting the non-emergency services of a specific municipal police or fire agency shall be directed to the appropriate municipal communication center to be handled.
- D. This memorandum of understanding in no way precludes any public safety agency from requesting assistance from any other public safety agency, pursuant to any existing agreement between those agencies.
- E. Any party may terminate their agreement with twelve months written notice to the other party or parties, unless a shorter period is mutually agreed to.

- F. The York PSAP Center shall provide E 9-1-1 call-transfer functions once this MOU has been signed and upon agreement with the ESCB.
- G. Dispatch center supervisors shall provide the York Communication Manager with copies of certification of all dispatchers (full or part time) for each of the protocols mandated by the ESCB. Dispatch centers will insure that the York Communications Center shall be notified as soon as possible as to the need to cover calls when certified dispatchers are not available.
- H. For every instance that a participating agency fails to provide a certified dispatcher as required by Section 2-A above, a penalty of \$100.00 will be assessed for each E 9-1-1 call for the Towns of Kittery or Eliot that must be handled by the York PSAP. (Penalties will be assessed to the dispatching agency which is Kittery).

Section 3. Effective Date.

The conditions and procedures outlined in this Memorandum of Understanding shall be in full force and effect upon the date of the signing of this agreement by those municipalities and the transfer of 911 services to the York Communication Center by the ESCB.

Section 4. Agreements.

The signatures of the following shall effectuate compliance with the terms and conditions of this Memorandum of Understanding.

Kittery- Police Chief Date

York – Police Chief Date

Town Manager Date

Town Manager Date

**TOWN OF KITTERY
APPROVAL OF A MULTI-YEAR AGREEMENT
FOR PUBLIC SAFETY ANSWERING POINT SERVICES**

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

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

WHEREAS, Kittery is required to have Public Safety Answering Point services; and

WHEREAS, The Town of York has been providing such services since 2007; and

WHEREAS, the Town of York is seeking to update the Memorandum of Understanding for the services; and

WHEREAS, the updates are agreeable to the Town of Kittery;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY APPROVAL OF A MULIT-YEAR AGREEMENT AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____,

20____, by:_____ {NAME} Motion to approve by Councilor

_____ {NAME}, as seconded by Councilor _____ {NAME} and

passed by a vote of _____.

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

Attest: {NAME}, _____ Town Clerk



TOWN OF YORK, MAINE

Police Department

Douglas P. Bracy
Chief of Police

(207) 363-4444

Mailing Address:
36 Main Street
York, Maine 03909

Facsimile

(207) 363-1035

Committed
to excellence

MEMORANDUM of UNDERSTANDING
BETWEEN THE TOWN OF YORK COMMUNICATION'S CENTER
AND THE TOWNS OF KITTELY, ELIOT, SOUTH BERWICK,
BERWICK, AND OGUNQUIT
FOR PSAP E 9-1-1 CALL HANDLING
Adopted - 03/12/07

AGREEMENT made March 12, 2007, by and between the Town of York, a municipal corporation located in the County of York and State of Maine (hereinafter "York"), and the Towns of Kittery, Eliot, South Berwick, Berwick, and Ogunquit (hereinafter collectively, the "parties") for the provision of Public Safety Answering Point E 9-1-1 services to the various municipalities.

WHEREAS, the Maine Emergency Services Communication Bureau (ESCB) was created by the legislature to develop standards and plans as well as implement and maintain oversight authority for the E 9-1-1 system in the cities and towns throughout Maine; and

WHEREAS, the primary goal of a Public Safety Answering Point (PSAP) Center is to provide emergency call taking services for all emergency service providers in the Municipality; and

WHEREAS, the Maine Legislature has directed the Public Utilities Commission to reduce the number of State-funded PSAPs to between 16 and 24; and

WHEREAS, the parties, currently served by several PSAP Centers, will not continue to receive State funding to continue operation of their PSAPs beyond October 2007; and

WHEREAS, the Town of York has offered to serve as a "regional PSAP Center"; and

WHEREAS, the parties wish to preserve and maintain, to the greatest extent possible, standards which offer their citizens a high level of response while being fiscally responsible as well; and

WHEREAS, the residents of the parties deserve and expect the availability of all public safety resources; and that such resources shall be provided in the most expeditious manner; now, therefore, be it

RESOLVED, that the operation of the Regional PSAP Center shall be as described below:

Section 1. Operation and Costs

- A. The PSAP Center shall be under the direct control and supervision of the Chief of Police of the York Police Department and/or his designee (Lieutenant Technical Services & Communications)
- B. A Governance Committee consisting of representatives of the municipalities the PSAP Center serves shall be formulated. The Governance Committee shall make recommendations concerning the operation of the PSAP to the center's communication's supervisor (Lieutenant Technical Services & Communications) and will work to resolve issues that may arise from the operations. The Committee shall meet at least quarterly.
- C. The communication's supervisor of the PSAP Center will work with the parties various Department Heads to ensure compliance with all sections of this agreement, thereby fostering mutual cooperation and effective use of all emergency resources.
- D. The communication's supervisor shall ensure compliance with all pertinent ESCB rules, regulations and guidelines concerning operation of a PSAP Center and E 9-1-1 system.
- E. Any additional costs incurred for the operation of the PSAP Center, its systems, personnel and equipment, other than that which is covered by the ESCB shall be borne by the parties. *Additional costs incurred as a result of additional equipment or manpower above the current two dispatchers on duty twenty four hours a day shall be borne by the parties not to include the Towns of York and Ogunquit who already pay the full cost of the two dispatchers already on duty.*
- F. *The additional costs shall be divided based on a percentage of E-911 calls received for the specific municipality during any such period. These figures will be calculated as they occur and notifications will be made within 7 days of such occurrence with billing being made on a quarterly basis.*
- G. The agencies represented in this agreement recognize the complexities involved this regional effort will require continuous review and improvement. On occasion, problems or concerns between agencies or disciplines will occur. First line supervisors assigned to those agencies, departments, or organizations experiencing those concerns shall work to resolve such issues at their level. Should the issue rise to the level of Chief of Police and a resolution is not reached in satisfaction of all parties, the issue shall be brought before the PSAP Governance Committee for action.

Section 2. Dispatch Procedures.

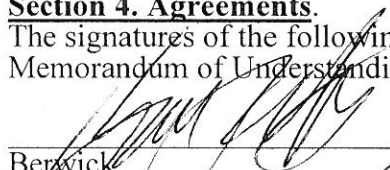
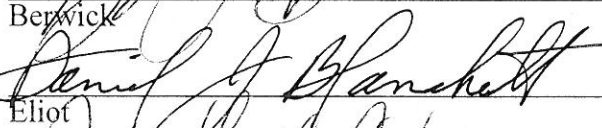
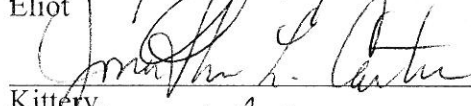
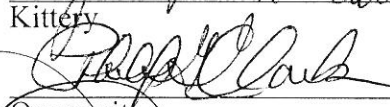
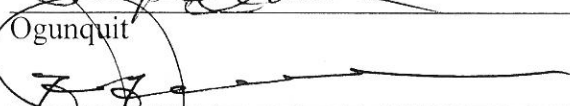
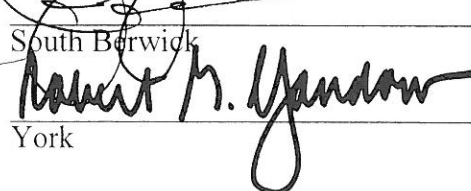
- A. The York PSAP Center shall provide only E 9-1-1 call-transfer functions for those municipalities with a communications center. The dispatching of public safety agencies in those municipalities shall be done by their respective municipal communication centers. Those agencies' dispatchers must maintain the appropriate certifications as required by the State of Maine as well as Emergency Medical Dispatcher certification.
- B. E 9-1-1 and other emergency calls received for member municipalities with public safety agencies shall be transferred as quickly and efficiently as possible, and within the guidelines established by the ESCB.
- C. All citizens requesting the non-emergency services of a specific municipal police or fire agency shall be directed to the appropriate municipal communication center to be handled.
- D. This memorandum of understanding in no way precludes any public safety agency from requesting assistance from any other public safety agency, pursuant to any existing agreement between those agencies.
- E. Any party may terminate their agreement with six months written notice to the other party or parties, unless a shorter period is mutually agreed to.
- F. The York PSAP Center shall provide E911 call-transfer functions once this MOU has been signed and upon agreement with the ECSB. (*TBA)

Section 3. Effective Date.

The conditions and procedures outlined in this Memorandum of Understanding shall be in full force and effect upon the date of the signing of this agreement by those municipalities and the transfer of 911 services to the York Communication Center by the ESCB.

Section 4. Agreements.

The signatures of the following shall effectuate compliance with the terms and conditions of this Memorandum of Understanding.

 Berwick	5/17/07 Date
 Eliot	5/17/07 Date
 Kittery	3-30-07 Date
 Ogunquit	5/18/07 Date
 South Berwick	05/18/07 Date
 York	3.16.07 Date

**EXCERPT FROM MINUTES OF KITTERY TOWN COUNCIL
MARCH 26, 2007**

THE KITTERY TOWN COUNCIL MOVES TO AUTHORIZE THE TOWN MANAGER TO SIGN A REVISION OF THE MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF YORK AND OTHER COMMUNITIES TO PROVIDE PSAP E-911 SERVICES.

Chairman Shwaery said Council gave Town Manager Carter their blessing to sign a draft of a memorandum of understanding which went to the town of York, and that MOU had been slightly altered. The Chairman asked the Town Manager to carry on from there.

Town Manager Carter introduced Chief Edward Strong who had been a part of this. The changes to the MOU lent clarity to (e.) how the costs would be appropriated and (f.) was a new item the additional costs should be divided based on a percentage of E-911 calls received for the specific municipality during any such period. These figures would be calculated as they occur and notifications would be made. It really didn't change anything it clarifies the MOU with these two slight amendments. It is their recommendation (the Chief's and the Manager's) that the Council instructs the Manager to sign on their behalf. This issue came up in July of 2006; the Public Utilities Commission required a consolidation of Public Safety Answering Points (PSAP, the point where the 911 call is answered). The Public Utilities Commission reduced the number of PSAP's in the state and what they (Chief Strong and Town Manager Carter) had done was to bring the towns of South Berwick, Berwick, Eliot, Kittery, Ogunquit, and York together. The town of York would be the single PSAP for that region. What this would mean would be the calls would be answered in York and then transferred to Kittery for dispatch purposes. The Town Manager didn't think the state had done them any favors because it would be less efficient. The cost savings to the state would be in hardware and software costs. Their hope was that this system would lead to a regional dispatch program.

Chief Strong added that they were going from an efficient system to an inefficient system because it was mandated. The town of York was gracious enough to step up and take on the chore at no additional cost to Kittery at that time. It was unknown at that time how much of a burden would be placed on the York dispatch center to answer those calls. In the future they may have to share calls amongst all of the departments that go through your York for that service. In the budget there would be an additional cost in line charges, Kittery would have to pay for their direct ring down lines from York which would forward the 911 calls.

Chairman Shwaery asked if there were any questions for Chief Strong.

Councilor Thomson stated that Town Manager Carter had indicated that the 911 call would originally be answered in York and then transferred to the community of its origin and asked if that was correct. He asked if someone called 911 would be immediate answer on the other end be the community they're calling from or the call center in York.

Chief Strong answered the protocol would be that they would know who was calling before they answered because it comes up on the computer screen. They would know what town it was from and they would answer E-911 emergency center what is your emergency as they're doing that it would be

transferred to the dispatch. As the dispatch center takes over the E-911 call center would shut down with the exception of medical services.

Councilor Spiller asked if her recollection was that they were anxious to do this before the state actually assigned them to a PSAP somewhere before they could negotiate their own PSAP.

Chief Strong answered yes, but then the state would only allow 3 PSAPs instead of 11 within York County; there would only be 26 PSAPs within the State of Maine. It was the state that made Kittery and the other town managers decide where the three PSAPs would be within York County. The reason they consolidated the southern portion taking in the Berwick's and up to Ogunquit was because it makes sense in the future to have one regional dispatch center.

Chairman Shwaery asked if they were any further questions for Chief Strong. The Chair asked if there was a motion to authorize the Town Manager.

COUNCILOR THOMPSON MADE THE MOTION TO AUTHORIZE THE TOWN MANAGER, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL WAS TAKEN ON THE MOTION, WITH ALL IN FAVOR. MOTION PASSED 7/0.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: July 23, 2018
From: Kendra Amaral, Town Manager
Subject: Release Deed Map 60 Lot 32
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The Town Council is being requested to execute a Release Deed for Map 60 Lot 32, 28 Adams Road in order to resolve outstanding lien issues related to the sale of the property to a new owner. A municipal release deed is required because 18 months has passed since the notice of liens.

BACKGROUND

The property was owned by Wallace and Gladys Lamont. Total outstanding recorded liens on the property are:

Book/Page	Commitment Year	Principal	Interest	Fees	Total
15961/706	2010	858.88	598.71	92.71	1,550.30
16167/123	2011	885.55	422.03	85.03	1,392.61
16434/125	2012	893.01	359.65	86.94	1,339.60
16693/688	2013	930.81	314.71	84.54	1,330.06
16877/201	2014	875.15	238.50	90.82	1,204.47
17095/30	2015	892.40	177.13	95.29	1,164.82
17298/940	2016	901.03	120.10	90.88	1,112.01
17545/287	2017	869.91	53.72	91.37	1,015.00
GRAND TOTAL					\$10,108.87

Payment will be due prior to recording of the Release Deed.

PROPOSED SOLUTION/RECOMMENDATION

Approve the Release Deed as presented.

MUNICIPAL RELEASE DEED

28 ADAMS ROAD, KITTERY

The TOWN OF KITTERY (the 'Town'), a municipal corporation existing under the laws of the State of Maine and located in the County of York, State of Maine, releases to

with a mailing address of

any interest the Town may have in a certain lot or parcel of land with any improvements located thereon, located in the Town of Kittery, County of York and State of Maine, now or formerly owned by _____ and recorded in the

York County Registry of Deeds in Book / Page _____ and further shown as Map-Lot _____ on the Town of Kittery Assessor's Tax Maps, as may have been acquired by the Town by virtue of any of the following Tax Lien Certificates on record in said Registry of Deeds:

- | | | |
|----|------|------|
| 1. | Book | Page |
| 2. | Book | Page |
| 3. | Book | Page |
| 4. | Book | Page |
| 5. | Book | Page |
| 6. | Book | Page |
| 7. | Book | Page |
| 8. | Book | Page |

The sole purpose of this Municipal Release Deed is to release to the Grantee herein any interest which the Town may have acquired in the property described by virtue of delinquent taxes through and including the current taxes due.

IN WITNESS WHEREOF, the Town of Kittery, acting through its municipal officers, has caused this Municipal Release Deed to be signed.

DATE: _____

TOWN OF KITTERY

WITNESS

By _____
KENNETH LEMONT

FRANK L. DENNETT

GARY BEERS

JEFFREY D. THOMSON

MATTHEW BROCK

JEFFREY PELLETIER

CHARLES H. DENAULT, JR.

STATE OF MAINE
YORK, ss.

Personally appeared the above named Municipal Officers and acknowledged the foregoing instrument to be their free act and deed in said capacity and the free act and deed of the Town of Kittery, Maine.

Before me,

Print Name: Karen Estee

Notary Public

My commission expires August 4, 2023

07/11/2018 11:34
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TOWN OF KITTEERY
Real Estate Tax Statement

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PARCEL: 60-32

LOCATION: 28 ADAMS ROAD

CURRENT OWNER:

LAMONT, WALLACE F & GLADYS M
C/O KEN ADAMS
28 ADAMS ROAD
KITTEERY ME 03904-5569
USA

CURRENT STATUS:

SQ FT: 17,424
LAND VALUATION: 61,500
BUILDING VALUATION: 12,000
EXEMPTIONS: 23,400
TAXABLE VALUATION : 50,100

LEGAL DESCRIPTION:

YELLOW 1972 MIDWAY MODULAR

DEED DATE: 01/01/1900 BOOK/PAGE: 1928//26

INTEREST DATE: 07/11/2018

YEAR	TYPE	BILL		BILLED	PRIN DUE	INT DUE	TOTAL DUE
	INST	CHARGE					
2018	RE-R	183629					
	1	TXRE TX		275.61	275.61	13.37	288.98
	2	TXRE TX		275.52	275.52	7.56	283.08
	3	TXRE TX		275.52	275.52	2.01	277.53
				826.65	826.65	22.94	849.59
2017	LIEN	111					
	1	TXRE TL		869.91	869.91	53.72	923.63
		COLL TL		10.00	10.00	.00	10.00
		RECORDING		19.00	19.00	.00	19.00
17545-287		REC TL		19.00	19.00	.00	19.00
		CERT TL		6.56	6.56	.00	6.56
		DEMAND FEE		5.00	5.00	.00	5.00
		ACCINT TL		31.81	31.81	.00	31.81
				961.28	961.28	53.72	1,015.00
				961.28	961.28	53.72	1,015.00
2016	LIEN	60117					
	1	TXRE TL		901.03	901.03	120.10	1,021.13
		CERT TL		6.49	6.49	.00	6.49
		DEMAND FEE		5.00	5.00	.00	5.00
17298-940		RECORDING		19.00	19.00	.00	19.00
		COLL TL		10.00	10.00	.00	10.00
		RECORDING		19.00	19.00	.00	19.00
		ACCINT TL		31.39	31.39	.00	31.39
				991.91	991.91	120.10	1,112.01
				991.91	991.91	120.10	1,112.01

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YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2015	LIEN	122				
	1	TXRE TL	892.40	892.40	177.13	1,069.53
		CERT TL	6.74	6.74	.00	6.74
17095-30		DEMAND FEE	5.00	5.00	.00	5.00
		COLL TL	10.00	10.00	.00	10.00
		RECORDING	19.00	19.00	.00	19.00
		RECORDING	19.00	19.00	.00	19.00
		ACCINT TL	35.55	35.55	.00	35.55
			987.69	987.69	177.13	1,164.82
			987.69	987.69	177.13	1,164.82
2014	LIEN	2014134				
	1	TXRE TL	875.15	875.15	238.50	1,113.65
		DEMAND FEE	5.00	5.00	.00	5.00
16877-201		CERT TL	6.49	6.49	.00	6.49
		FEE TL	48.00	48.00	.00	48.00
		ACCINT TL	31.33	31.33	.00	31.33
			965.97	965.97	238.50	1,204.47
			965.97	965.97	238.50	1,204.47
2013	LIEN	2013119				
	1	TXRE TL	930.81	930.81	314.71	1,245.52
		DEMAND FEE	5.00	5.00	.00	5.00
16693-688		CERT TL	6.11	6.11	.00	6.11
		FEE TL	36.00	36.00	.00	36.00
		ACCINT TL	37.43	37.43	.00	37.43
			1,015.35	1,015.35	314.71	1,330.06
			1,015.35	1,015.35	314.71	1,330.06
2012	LIEN	2012100				
	1	TXRE TL	893.01	893.01	359.65	1,252.66
		DEMAND FEE	5.00	5.00	.00	5.00
16434-125		CERT TL	5.75	5.75	.00	5.75
		FEE TL	36.00	36.00	.00	36.00
		ACCINT TL	40.19	40.19	.00	40.19
			979.95	979.95	359.65	1,339.60
			979.95	979.95	359.65	1,339.60
2011	LIEN	11114				
	1	TXRE TL	885.55	885.55	422.03	1,307.58
		DEMAND FEE	5.00	5.00	.00	5.00
16167-123		CERT TL	11.08	11.08	.00	11.08
		FEE TL	36.00	36.00	.00	36.00
		ACCINT TL	32.95	32.95	.00	32.95

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YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
	INST	CHARGE				
			970.58	970.58	422.03	1,392.61
			970.58	970.58	422.03	1,392.61
2010	LIEN	100				
	1	TXRE TL	858.88	858.88	598.71	1,457.59
		DEMAND FEE	5.00	5.00	.00	5.00
15961-706		CERT TL	5.54	5.54	.00	5.54
		FEE TL	36.00	36.00	.00	36.00
		ACCINT TL	46.17	46.17	.00	46.17
			951.59	951.59	598.71	1,550.30
			951.59	951.59	598.71	1,550.30
GRAND TOTALS			8,650.97	8,650.97	2,307.49	10,958.46

**OFFICIAL BALLOT
KITTERY, MAINE
NOVEMBER 6, 2018**

1 **Shall the town vote to adopt the Comprehensive Plan Update 2015 - 2025?**

2 Explanation: A copy of the Comprehensive Plan Update 2015-2025 Executive
3 Summary and Volumes 1 through 3 are available at the Town Hall, Kittery Community
4 Center, and Rice Public Library. The Comprehensive Plan Update Committee
5 developed the Comprehensive Plan Update following an extensive public input and
6 drafting process. The plan has been deemed to be consistent with the goals and
7 guidelines of the Growth Management Act (30-A MRS §§ 4312 - 4350) by the
8 Department of Agriculture, Conservation and Forestry. The Comprehensive Plan
9 serves as the town's basis for land use and zoning ordinances. It also serves as a
10 framework for town government's annual and multi-year goals and objectives.

**Review and Adoption Schedule
2015 - 2025 Comprehensive Plan**

DATE	ACTION	NOTES
COMPLETE	Update Executive Summary and Action Plan	Update documents with comments and input received from the Planning Board in July.
COMPLETE	Issue Updated Executive Summary and Action Plan	Provide as an "FYI" to Council in packets.
COMPLETE	CPUC and Town Council Workshop	CPUC to lead a workshop with Council and to gather input on the Comp Plan Exec Summary & Action Plan content.
COMPLETE	CPUC 30-Day Public Hearing Notice Issued (required by MRS)	Issued March 22nd.
COMPLETE	CPUC Public Hearing and Final Edits	Public Hearing April 24th, 6PM Council Chambers
COMPLETE	Submit revised plan to state for review	State confirmed the plan is still consistent.
July 23	Council Schedule Public Hearing on Ballot Measure	
August 27	Council Hearing on Ballot Measure	
November 06	Comprehensive Plan Vote to Adopt	