



# TOWN OF KITTERY

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## KITTERY TOWN COUNCIL

### COUNCIL CHAMBERS

July 12, 2021

6:00PM

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The public may attend the meeting in person or remotely via Zoom.

Attendees via Zoom will be recognized during the public hearings and public comment portion of the meeting. Please note, the Town is testing its hybrid meeting technology. Every effort will be made to make this run smoothly, however some technical difficulties may occur as the Town implements this new approach. **To register via Zoom:**

[https://us02web.zoom.us/webinar/register/WN\\_dI7g5cHNTBCYLXU3LoJdSA](https://us02web.zoom.us/webinar/register/WN_dI7g5cHNTBCYLXU3LoJdSA)

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

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

Comments received by **noon on the day of the meeting** will become part of the public record and may be read in whole or in summary by the Council Chair.

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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 28, 2021

8. Interviews for the Board of Appeals and Planning Board
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.
  - a. (070121-1) The Kittery Town Council moves to receive a presentation from the UNH Capstone Project.
10. PUBLIC HEARINGS
  - a. (070121-2) The Kittery Town Council moves to hold a public hearing to authorize the Town Manager to enter into a Net Energy Billing Credit Agreement.
  - b. (070121-3) The Kittery Town Council moves to hold a public on a New Victualer's license application from La Fritanga mobile food unit.
11. DISCUSSION
  - a. Discussion by members of the public (three minutes per person)
  - b. Chairperson may read written comments into the record.
  - c. Chairperson's response to public comments.
12. UNFINISHED BUSINESS
13. NEW BUSINESS
  - a. Donations/gifts received for Council disposition:

(070121-4) The Kittery Town Council moves to approve a donation in the amount of \$2,500.00 to be deposited into account 5023-43600.
  - b. (070121-5) The Kittery Town Council moves to approve a renewal Liquor license application from Misto! Located at 436 US Route 1, Kittery, Maine.
  - c. (070121-6) The Kittery Town Council moves to approve a renewal Victualer's license application from Misto! Located at 436 US Route 1, Kittery, Maine.
  - d. (070121-7) The Kittery Town Council moves to approve an application for a Special Activity Amusement Permit, for Misto! Located at 436 US Route 1, Kittery, Maine.
  - e. (070121-8) The Kittery Town Council moves to approve a renewal Liquor license application from the Corner Pub, located at 4 Wallingford Square, Kittery.

- f. (070121-9) The Kittery Town Council moves to appoint Tim Carven to the Shellfish Conservation Committee for a term to expire 12/31/2024.
- g. (070121-10) The Kittery Town Council moves to appoint Erin Kempster to the Shellfish Conservation Committee for a term to expire 12/31/2024.
- h. (070121-11) The Kittery Town Council moves to approve a request from the Great New England Craft and Artisan Shows, for sign placement in various parts of the town.
- i. (070121-12) The Kittery Town Council moves to accept the resignation of Anne Formalarie from the Conservation Commission.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

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

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: July 8, 2021

KITTERY TOWN COUNCIL Unapproved Minutes  
June 28, 2021 Council Chambers  
6:00PM

1 1. Call to Order

2 Chair Thomson called the meeting to order at 5:57 p.m.

3 2. Introductory

4 3. Pledge of Allegiance

5 4. Roll Call

6 Councilors present: Chair Jeffrey Thomson, Jeffrey Pelletier, George Dow, Vice Chair  
7 Judith Spiller, Cyrus Clark, Cameron Hamm, and Mary Gibbons Stevens.

8 5. Agenda Amendment and Adoption

9 Chair Thomson cast one vote for the agenda as presented.

10 6. Town Manager's Report

11 The Town Manager reported: MS4 update, Short Term Rental Licenses, Speed Study  
12 on State Road, Whipple Road sidewalk update, signage at Fort Foster and Seapoint  
13 Beach.

14 Upcoming Dates: Senior Tax Credit applications due – July 1, 2021 Town Hall and  
15 online, Town Hall will be closed in observance of the holiday – July 5, 2021, Beaches  
16 Working Group applications deadline – July 6, 2021 at the Town Clerk's office, Concerts  
17 on Frisbee Commons – Tuesdays, beginning July 13, 2021 6:30PM, at the Kittery  
18 Community Center, Wednesday Night Movies – Wednesdays, beginning July 14, 2021  
19 9PM, at the Kittery Community Center, and Friday Funnies Comic Series – Fridays,  
20 beginning July 16, 2021 6:30PM, at the Kittery Community Center.

21 7. Acceptance of Previous Minutes

22 June 14, 2021 – Regular Meeting

23 Under 4. Oath of Office to Newly Elected Officials, adding the existing Councilors  
24 renewed their oaths as well. Chair Thomson cast one for the acceptance of the June 14,  
25 2021 minutes as amended.



26 8. Interviews for the Board of Appeals and Planning Board.

27 9. a. (060321-1) The Kittery Town Council moves to interview the following candidates  
28 for two (2) vacancies on the Board of Appeals for terms to expire 12/31/2024. The  
29 applicants are as follows:

- 30 • Robert Gray
- 31 • Robert Kaszynski
- 32 • Colin McGuire

33 Chair Thomson asked Robert Gray, Robert Kaszynski, and Colin McGuire four interview  
34 questions. Councilor Dow moved to appoint Robert Kaszynski and Robert Gray to the  
35 Board of Appeals, seconded by Councilor Clark.

36 Motion Carried 7-0-0

37 10. All items involving the town attorney, town engineers, town employees or other town  
38 consultants or requested offices.

39 11. PUBLIC HEARINGS

40 12. a. (060321-2) The Kittery Town Council moves to hold a public hearing on Title 5  
41 and Title 16 – Marijuana.

42 Councilor Clark recused himself from the public hearing on Title 5 and Title 16 –  
43 Marijuana.

44 Wendy Turner, 621 Haley Road, Kittery Point, Maine, is a medical caregiver and stated  
45 the Town officials are over stepping with this ordinance and feels the ordinance is in  
46 violation of the state statues. Chair Tomson asked the Town Manager to respond to Ms.  
47 Turner’s concerns about the ordinance violating the state statues.

48 Ed Wilson, 6 Page Street, Kittery, Maine, voiced his concerns about the traffic, parking,  
49 and the clientele that retail marijuana may bring into the town.

50 Jim VanKennen, 19 Short Farm Road, Kittery, Maine, expressed his concerns for the  
51 safety of the caregivers if their names and addresses become public record.

52 Brian Early, 123 Rogers Road, Kittery, Maine, stated his concerns about Title 5 and  
53 Title 16 – Marijuana.

54 Deborah Driscoll, 10 Pepperrell Terrace, Kittery Point, Maine, stated she felt the  
55 ordinance was little heavy handed on the local caregivers and said local businesses are  
56 more important than allowing corporate retail to come into Kittery.

57 Allen Shepard an attorney in Kennebunk, Maine, spoke on behalf of his client and  
58 asked about the application process.

59 Ryan Bailey, 16 Charles Hill Road, Kittery Point, Maine, stated he had concerns with  
60 where the marijuana retail spaces would be located.

61 Julie Cutting owner of Green Blossom, LLC asked to consider the following changes to  
62 the ordinance, only allow one license per applicant and amending the five-store retail  
63 cap to separate out adult use retail and caregiver retail.

64 Karen Kalmar, 191 Brave Boat Harbor Road, Kittery Point, Maine, expressed her  
65 concerns and stated that staff's current recommendation to remove the 1,500ft buffer  
66 between retail marijuana stores could prove to be a mistake.

67 Lainey McCarty, 30 Heron Point Lane, Kittery Point, Maine asked that the Council not  
68 include the Medical Marijuana Home Establishments with all the regulations being  
69 discussed for the retail establishments.

70 Council Pelletier moved to discuss Title 5 and Title 16 – Marijuana, seconded by  
71 Councilor Dow.

72 Motion Carried 6-0-1

73 Chair Thomson, Vice Chair Spiller, Councilor Dow, Councilor Hamm, Councilor  
74 Pelletier, and Councilor Stevens for in favor. Councilor Clark abstained.

75 The Town Council had a discussion with the Town Manager about Title 5 and Title 16 –  
76 Marijuana.

77 Adam Causey the Planning and Development Director gave an overview on the retail  
78 buffer distance.

79 Councilor Stevens moved to hold a workshop on July 19, 2021, to further discuss Title 5  
80 and Title 16 – Marijuana with the Town staff, the Town Manager and the Planning  
81 Board, seconded by Councilor Hamm.

82 Motion Carried 6-0-1

83 Chair Thomson, Vice Chair Spiller, Councilor Dow, Councilor Hamm, Councilor  
84 Pelletier, and Councilor Stevens for in favor. Councilor Clark abstained.

85 13. DISCUSSION

86 a. Discussion by members of the public (three minutes per person)

87 Brian Early, 123 Rogers Road, Kittery, Maine, commented he appreciated the having  
88 the Council minutes being posted for viewing.

89 b. Chairperson may read written comments into the record.

90 Chair Thomson displayed pictures from a resident showing furniture being burned at  
91 Seapoint Beach.

92 Todd Thayer, 8 Thaxter Lane, Kittery Point, Maine, sent a picture of a branch torn from  
93 a bush to be used as firewood and stated he was bringing this to the Councils attention  
94 because the Town and the State consider the wetlands behind our homes to be a  
95 "wetland of significance" and it is protected by a long list of environmental regulations.

96 Anne MacPherson and Simon Green, 2 Paul Street, Kittery, Maine, inquiring why dogs  
97 are no longer allowed in John Paul Jones Park.

98 Christine Kelly, 73 Government Street #5, Kittery, Maine, wrote regarding concern over  
99 the recent signs posted at John Paul Jones Park that prohibit dogs.

100 c. Chairperson's response to public comments.

101 Chair Thomson addressed the issues at Seapoint Beach and said the Beach working  
102 group is being formulated and hopefully there will be some positive action taken in the  
103 very near future.

104 Chair Thomson gave Christine Kelly, Anne MacPherson and Simon Green, other  
105 options for greenspaces in the Town where dogs are allowed and he stated that no  
106 dogs at John Paul Jones Park was a part of the changes made in Title 6 enacted last  
107 October.

108 14. UNFINISHED BUSINESS - None

109 15. NEW BUSINESS

110 a. Donations/gifts received for Council disposition

111 a. (060321-3) The Kittery Town Council moves to accept a donation in the amount of  
112 \$50,000 to be deposited into account #4060-43602.

113 Moved by Vice Chair Spiller, seconded by Councilor Pelletier.

114 Motion Carried 7-0-0

115 b. (060321-4) The Kittery Town Council moves to schedule a public hearing on July  
116 12, 2021 to authorize the Town Manager to enter into a Net Energy Billing Credit  
117 Agreement.

118 The Town Manager gave an overview of the Net Energy Billing Credit Agreement.

119 Moved by Vice Chair Spiller, seconded by Councilor Pelletier.

120 Motion carried 7-0-0

121 c. (060321-5) The Kittery Town Council moves to approve the repair of headstones  
122 and gravesites at Orchard Grove Cemetery as proposed by the Orchard Grove  
123 Sexton, in accordance with 13 MRS §1371.

124 Moved by Councilor Dow, seconded by Vice Chair Spiller.

125 Motion Carried 7-0-0

126 d. (060321-6) The Kittery Town Council moves to appoint Patricia Moore, Assistant  
127 Town Manager as Acting Town Manager from July 12, 2021 through July 16, 2021,  
128 while Town Manager is on vacation.

129 Moved by Councilor Dow, seconded by Vice Chair Spiller.

130 Motion Carried 7-0-0

## 131 16. COUNCILOR ISSUES OR COMMENTS

132 Councilor Pelletier – None

133 Councilor Stevens wanted to thank Chair Thomson for recognizing Juneteenth.

134 Councilor Hamm – None

135 Councilor Clark stated fires at Seapoint Beach should continue with only firewood, he  
136 also thanked Kennebunk Savings Bank for their \$50,000 donation and finally Councilor

137 Clark gave information on how Marijuana businesses and/or caregivers can legally get a  
138 bank account.

139 Councilor Dow – None

140 Vice Chair Spiller mentioned residents had contacted her about cars speeding on  
141 Bartlett Road and requested police present, also she received pictures of the algae at  
142 Spruce Creek and asked if the Town could look into it. Vice Chair Spiller stated the last  
143 time she had gone to John Paul Jones Park she had stepped into some dog waste.

144 Chair Thomson stated he had received some correspondences regarding a possible  
145 marker to recognize Rock Rest and Councilor Stevens volunteered to be the Council  
146 liaison. Chair Thomson also spoke about the Shipyard traffic not yielding for pedestrians  
147 in the crosswalk and also being on their cell phones.

148 17. COMMITTEE AND OTHER REPORTS

149 a. Communications from the Chairperson - None

150 b. Committee Reports - None

151 18. EXECUTIVE SESSION - None

152 19. ADJOURNMENT

153 Councilor Dow moved to adjourn at 8:07 p.m., seconded by Councilor Pelletier.

154 Motion Carried 7-0-0

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.

**Building a Flood Resilient Kittery:  
Working Waterfront and Transportation Corridors**

SUST 750 Sustainability Capstone

John Hurley, Parker Philbrick, Hallie Contois, Sarah Kfoury, and Steven Rizzo

Dr. Cameron Wake, Project Advisor

University of New Hampshire

May 2021

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## I. Introduction

In addition to being a long-term focus of scientific research, climate change is a common term in today's vernacular. Anthropogenic climate change is often represented as an increase in average global temperatures, primarily caused by anthropogenic release of carbon dioxide and other greenhouse gases, and it is responsible for major changes occurring in earth's climate system, ecosystems, and social systems. There are several positive feedback loops that enhance initial perturbations in the climate system, including the ice-albedo feedback loop. As the climate warms, sea ice melts. Less surface area of sea-ice then allows more solar radiation to be absorbed by the darker (lower albedo) ocean, further raising the temperature of the water, and subsequently the globe itself. The feedback loop continues as warmer temperatures melt more sea-ice. Higher temperatures in the atmosphere and the ocean produce unpredictable and often extreme weather patterns, and sea-level rise occurs due to both melting of polar ice sheets and glaciers, and expansion of ocean water as it becomes warmer.

Around the globe, coastal communities are at risk of catastrophic damage from flooding, storm surge, and rising seas driven by anthropogenic climate change. In New England, flooding is already a frequent occurrence, which causes extreme concern for coastal communities. Storm surges from Nor'easter storms combined with high tides have wreaked havoc on coastal communities, damaging private property as well as natural and manufactured capital (Duprey 2020). Natural capital consists of all the living and nonliving components of natural ecosystems, such as coastal salt marshes and floodplains. This type of capital can protect inland ecosystems and human made infrastructure by absorbing storm surges and flooding. Manufactured capital is infrastructure built by people and relied on by society, such as roads, buildings, telecommunication systems, stormwater collection systems, and seawalls. This type of infrastructure is often built to withstand a certain level of stress, but aging and increasingly-damaging weather events put this type of infrastructure at risk of being destroyed or not serving its intended purpose.

Kittery, Maine is a coastal town on Maine's southern border with a land area of 17.8 square miles, a population of approximately 9,500 (US Census), and over 30 miles of coastline. Kittery is bordered by York, ME and Eliot, ME inland, and is bordered by the Atlantic Ocean, Piscataqua River, Spruce Creek, and Spinney Creek on the coast. The town is a popular tourist destination and is the location of the Portsmouth Naval Shipyard. It is vulnerable to sea level rise due to the length of the coastline and the high amount of coastal development.

The New England states that border the Gulf of Maine have begun implementing programs to address climate change-related hazards. The Massachusetts Municipal Vulnerability Preparedness (MVP) grant program awards cities and towns with funding to complete vulnerability assessments and develop resiliency plans to mitigate the effects of climate change. Over 200 municipalities across Massachusetts have participated in the program (MAPC 2018). After cities and towns complete the vulnerability assessment, they can apply for the MVP Action Grant, which helps fund implementation of their policies and resilience strategies at a municipal level. Like the MVP Program, Massachusetts also has the Coastal Resilience Grant Program. This program funds technical support for municipalities across the state for education on climate impacts, vulnerability assessments, redesign of critical infrastructure, and shoreline restoration. Under this program, many towns have written adaptation plans and some have implemented their plans. Common hazards that have been identified throughout Massachusetts' coastal towns have been sea level rise, coastal flooding, severe storm/storm surge, extreme cold, heat/drought,

increased precipitation, and high winds. Recommendations for adapting to these hazards include wetland restoration, road system resiliency, improving reliability of critical infrastructure, increasing the height of seawalls, adapting critical transportation infrastructure to sea level rise, elevating low lying bridges, and maintaining barrier dunes and beaches.

Places like Nantucket and Gloucester have identified high risk infrastructure have developed plans to address their vulnerabilities. According to the Town of Nantucket Community Resilience Building Workshop Summary of Findings (2019), Nantucket identified sea level rise as the top hazard facing the town. They then identified wetland restoration, road system resiliency, and improving reliability of critical infrastructure, among others, as recommendations to improve resilience. Going forward, Nantucket will pursue the MVP Action Grant to address the recommendations. According to the Gloucester Community Resilience Workshop Summary of Findings (MAPC 2018), Gloucester identified sea level rise, extreme cold, heat/drought and high winds as the most significant climate change-related hazards facing the town. They also identified critical transportation infrastructure and facilities that are vulnerable. With the help of the MVP Program, they came up with recommendations such as increasing the height of their seawall, adapting their Wastewater Treatment Plant to sea level rise, elevating critical low-lying bridges, and dune restoration.

New Hampshire coastal towns have begun to identify the risk of sea-level rise and have implemented some ways in which their coasts can build more resilience. The New Hampshire Coastal Adaptation Workgroup, New Hampshire Coastal Risk and Hazards Commission, Rockingham Planning Commission, University of New Hampshire, and Seabrook-Hampton Estuary Alliance are all groups fully or partially directed towards making a more flood resilient New Hampshire Coast. Specifically, the City of Portsmouth is assessing the vulnerabilities of sea-level rise in this area and through the Coastal Resilience Initiative (Kirshen et al. 2013) and have been working towards developing strategies on ways that the community's infrastructure can be altered in order to mitigate the flood risk . Elevations were mapped to display where flooding is most likely to occur and how it will influence the infrastructure, saltmarsh, wetlands, etc. within that area. Similar to the City of Portsmouth, the towns of Seabrook, Hampton, and Hampton Falls are working towards protecting and preserving the estuary habitats in their recreational and commercial areas (SHEA, 2019). Along with studying "From Tides to Storms" and having meetings with the Coastal Hazards Adaptation Team, there have been discussions regarding outreach events, and the Seabrook-Hampton Estuary Alliance has received grants from the NH Charitable Foundation to manage the local estuaries along with a Technical Assistance Grant which funds the discussion tables and a series of outreach projects (SHEA, 2019).

The *Maine Won't Wait* climate plan emphasizes the importance of greenhouse gas reduction in the long-term, but also recognizes that immediate adaptation action must be taken in the short-term. The plan is to incorporate official state sea-level rise projections into regulations by 2022, and to develop and implement updated land-use regulations, laws, and practices by 2024 (Maine Climate Council, 2019). This same plan looks to commit to managing 1.5 feet of sea level rise by 2050, and 3.9 feet of sea level rise by 2100. The plan also recommends preparing to manage for 3.0 feet of sea level rise by 2050 and 8.8 feet of sea level rise by 2100. With the flood risk increasing in coastal areas due to sea-level rise, it is also important to consider the future development and where and future influx of people moving into Maine will live (Schauffler, 2020). A key element for Maine to make the required changes is to appoint local leaders, adopt

plans, and use tools for climate resistance. These are the key steps presented in Strategy F of the Maine Won't Wait climate plan.

Cities and towns across the region, including Kittery, Maine, have begun to plan for how they will build resilience to the inevitable environmental, social, and economic repercussions of sea-level rise and coastal flooding. Kittery's coast is lined with natural and manufactured capital, from its small downtown with restaurants and shops to its schools to the Portsmouth Naval Shipyard to its forests and beaches and salt marshes. Much of this is at risk in the coming decades due to increased coastal flooding and sea-level rise. Kittery has made some initial efforts to address coastal flooding, such as the establishment of a Kittery Climate Adaptation Committee in April 2019 that will address the impacts of climate change by recommending policy changes, projects, and objectives. Kittery has also worked with FEMA to create a FEMA Flood Insurance Map overlay to their town GIS software to help residents see if their property is at risk. It is crucial to approach the issues in a way that considers the needs and possible contributions of the natural resources, current and future Kittery residents, policymakers, private landowners, owners of critical manufactured capital, coastal businesses, and tourists. While these are steps in the right direction, they are initial steps, and more will need to be done to help prepare Kittery for the future.

This paper seeks to: 1) assess waterfront natural and manufactured capital that is at risk for coastal flooding, 2) evaluate the resilience efforts in Kittery in relation to other efforts from other New England coastal communities, and 3) gather recommendations to mitigate the negative impacts of sea-level rise on Kittery, Maine.

## II. Methods

A variety of methods were used in this project to gather new information, synthesize existing knowledge, and develop comprehensive and organized results. These methods included research using the internet and reading reports to obtain information regarding the approaches to sea level rise taken by other towns, states, and independent groups. GIS software and Excel spreadsheets with the assessed value of Kittery properties was used to produce summary tables of properties at risk of flooding and visual representations of flood risk. Interviews with key stakeholders were used to explore vulnerabilities to flooding and climate resilience efforts in Kittery.

### *Desk Research and Background Information*

Three New England States and the town of Kittery, Maine were examined to better understand coastal resiliency projects and programs currently in place. The topics explored included reports by state officials, FEMA maps, grants and funding, and historic data. Since each state's approach is different, background information was collected in more than one way. Lists of city and town grants aided in the search for information regarding many flood protection efforts in Massachusetts. Maine and New Hampshire did not have an accessible collection of grant data, so background data was accumulated by looking through municipal websites, state grants, and projects carried out by the state and municipalities. All the information was organized by state and transferred over to excel files for ease of use and analysis. These excel sheets included town names, type of grant, and specific planning and actions the town was taking. This will allow the

information to be presented in a way that could be easily understood by the reader. This information will be used for future recommendations for the town of Kittery.

#### *Mapping and Vulnerability Assessment*

Geographic Information Systems software was used to visualize sea level rise/storm surge (SLR/SS) scenarios along the Kittery seacoast at high astronomical tide (HAT), HAT plus 3.9 feet of SLR, HAT plus 6.1 feet of SLR, and HAT plus 10.9 feet of SLR. Data for the maps was provided by the Maine Geological Survey and analyzed using ArcMap software. The maps produced were re-creations of SLR maps previously produced by the Alexandra Duprey on behalf of the Kittery Climate Action Committee (Duprey, 2020). These maps are considered “bathtub models” and assume a steady and even increase in hightide lines and does not account for damage caused waves. The maps were used to produce a comprehensive list of properties in Kittery that would be at risk of flooding at each of the SLR/SS scenarios. This was accomplished by using ArcMap’s “Intersect” geoprocessing feature to create a table that combined the SLR/SS scenarios layer, computed by Christian Halsted of the Maine Geological Survey, with a layer of land parcels in Kittery. This list was then sorted using Microsoft Excel and property values were provided by the Kittery Planning Department. A visual assessment of flood risk on buildings was performed by observing flood ranges over aerial imagery on the map. This information allowed for a comprehensive assessment of flood risk to be produced that expanded on previous knowledge by offering both a visual representation of areas at risk as well as an approximate estimate of the value of properties at risk of flooding in each storm surge scenario. This information quantifies and supports the final recommendations.

#### *Informative Discussions*

To gather more information on past, current, and future programs, as well as known problems and possible solutions, select Kittery stakeholders and municipal staff were asked a series of questions. This included, but was not limited to, town planner and town officials, harbor master, Kittery Climate Adaptation Committee representatives, and state officials. Questions were curated to extract specific information relevant to the topic of study and were not intended to yield yes or no answers. All interviews took place via phone call or Zoom.

### **III. Results**

#### *Massachusetts Current Practices*

Massachusetts towns have been making plans and implementing measures through the MVP Action Grant and the Coastal Resilience Grant Program to reduce damage from flooding due to sea level rise. The MVP Action Grant “offers financial resources to municipalities that are seeking to advance priority climate adaptation actions to address climate change impacts resulting from extreme weather, sea level rise, inland and coastal flooding, severe heat, and other climate impacts.” We looked at towns along the coastline to better understand what may and may not work for the town of Kittery. Some of the common strategies across the state included plans for both natural capital, manufactured capital, and public education/awareness. In order to reduce wave energy, storm surge, and the damage from flooding, some towns have implemented a living shoreline along their beaches. A living shoreline uses trees, sand, dunes, rocks and other

natural materials to accomplish this. Another common theme in MA was putting an emphasis on educating the public regarding flood risk, which is important to towns' push for more resiliency. Other measures that have been taken include the reconfiguration of existing structures, the creation of floodable parks in a vulnerable area, permeable pavement, the construction of higher seawalls, and raising existing roads out of a potential flood zone.

Towns in Massachusetts have benefited from the system of applying for state-funded grants, as these programs provide funds for vulnerability assessments, provide recommendations for further action, and provide a grant specifically for taking action by implementing policies. Kittery, and the surrounding NH and Maine seacoast towns would benefit from a grant program similar to the MA MVP Program.

#### *New Hampshire Current Practices*

Similar to towns of Massachusetts, New Hampshire has assessed the risk of coastal flooding and storm-surge (Wake et al. 2019) created a variety of potential plans, received grant money, as well as even implementation of some projects. Looking closely at the coastal communities of New Hampshire; specifically Rye, Seabrook, Hampton, North Hampton, Hampton Falls, New Castle, Portsmouth, and Durham, all have evaluated the risk of flooding in these communities and begun to brainstorm possible projects and plans (Rockingham Planning Commission, 2015). Although there has been plenty of risk assessment and planning, there has been minimal specific implementation in these towns and action focused projects. For example, there have only been ordinances and projects completed in Rye, Hampton, Portsmouth, and Durham. One exemplary project is the Wagon Hill Farm Restoration in Durham, NH. Due to the consistent erosion of marsh ecosystems on the shore of Wagon Hill Farm, the University of New Hampshire and the Town of Durham are working together to prevent erosion via the careful design and constructions of a living shoreline (Strafford Regional Planning Commission, 2021). This project will help to stabilize the shoreline while also protecting the shore from flooding by adding natural infrastructure.

#### *Maine Current Practices*

Most Maine towns are in the early stages of preparing for the risks of coastal flooding and storm-surges related to climate change. Towns that are similar to Kittery in terms of location and threat level include Kennebunk, Wells, and York, ME. These three towns are part of the *Tides, Taxes, and New Tactics: Planning for Sea Level Rise and Coastal Adaption in Southern Maine* program which has been created by SMPDC. As of May 2020, all of these towns are in the research and planning stages. Portland has begun the process of designing structural changes to high-risk areas that would make them more resilient against rising tides and coastal flooding, however that is about the extent that Maine towns have gone in terms of coastal flooding resilience (Woodard & Curran). Saco attempted to get a grant that would allow them to protect Camp Ellis, however, they were not successful in attaining the grant and have gone back to rework their plan.

#### *Kittery Current Practices*

We assessed the programs and committees currently in place in Kittery that will help with climate adaptation. Currently, there are no climate adaptation infrastructure projects underway. Kittery, however, has worked with different stakeholders and institutions to assess what is vulnerable, as well as best practices in the event of severe flooding.

### *2020 Coastal Hazard Planning Best Practices Report*

One report we identified was the 2020 Coastal Hazard Planning Best Practices Report. This project was completed in 2020 by Alexandra Duprey, a Sustainability Fellow at the University of New Hampshire. This report addressed the need for research on coastal hazard issues in Kittery. Due to its geographical location, Kittery has many natural and manufactured capital assets at risk of coastal flooding, as well as roads in flood paths that could leave people stranded. More specifically, this report was broken into five sections, each outlining a key aspect. One section addressed key vulnerabilities in Kittery related to sea level rise and storm surge. The next section performed basic vulnerability mapping at 4 flood scenarios:

- High Astronomical Tide (HAT) for the year 2020
- HAT + 3.9 feet of sea level rise/storm surge
- HAT + 6.1 feet of sea level rise/storm surge
- HAT + 10.9 feet of sea level rise/storm surge

These “bathtub” scenarios were overlaid on maps using GIS software. The report also identified current efforts (federal, state, regional and town level), created an overview of natural and manufactured capital strategies, and listed key recommendations with time frames for the town (Duprey 2020). We used the Duprey report as a basis for our GIS maps and risk assessment.

### *Summary and Recommendations Report for the Town of Kittery, ME | Maine Flood Resilience Checklist (SMPDC 2020)*

This report was identified as a summary report of a workshop with Kittery stakeholders, discussing sea level rise, best practices, and the Maine Flood Resilience Checklist. The Maine Flood Resilience Checklist (FRC) is an assessment tool developed by the Maine Coastal Program. The FRC was designed to aid Maine coastal communities in identifying local flood risks, as well as evaluating their vulnerability to flooding related hazards and identifying specific actions each community can take in enhancing flood resilience. The workshop identified regulatory and land use strategies, policy strategies, as well as future studies and information needed, and information that should be shared.

### *Kittery Climate Adaptation Committee (<https://www.kitteryme.gov/climate-adaptation-committee>)*

The Kittery Climate Adaptation Committee was created by the Kittery Town Council in 2019 in response to studies and reports on coastal flooding, and was charged to seek ways to create a more resilient Kittery as climate change progresses and sea-levels continue to rise. The committee is able to make recommendations for ordinances, policies, projects, and objectives related to sea level rise; to address actions to make Town properties more flood resilient; to establish three distinct subcommittees: Built and Natural Landscape Impacts, Energy Efficiency and Public Health and Safety; and to work with neighboring communities and the state of Maine to create a more resilient community.

## **Risk Assessment**

The risk assessment produced flood maps of Kittery and rough data on the flood risk to Kittery properties under different sea-level rise/storm surge. Figure 1 shows the whole of Kittery, including the parcel divisions and all the flooding scenarios considered in this analysis.

Figure 1 shows the full extent of the coastal flooding that is projected in Kittery. The Excel analysis used the intersection of the flood scenarios and the parcels to determine which parcels were at risk. The Map Package used to create these images will be available in the appendix. All maps and analysis used this data as the baseline.

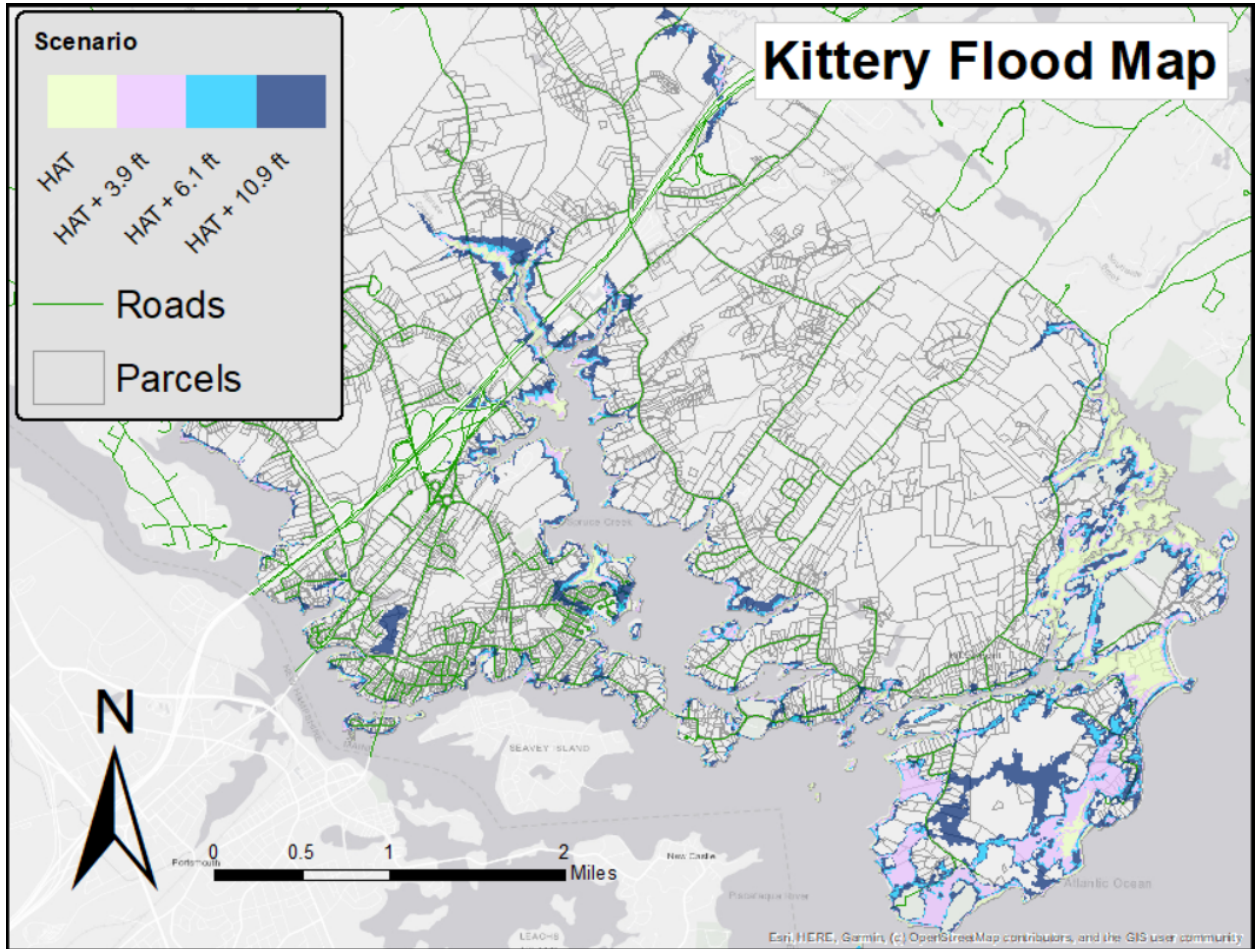


Figure 1: Map of town of Kittery showing potential flooding associate with the high astronomical tide (HAT) combined sea-level rise/storm surge scenarios of HAT +3.9 feet (current 100-yr storm), HAT + 6.1 feet (projected 2050 100-yr storm), and HAT +10.9 feet (projected 2100 100-yr storm)

### Transportation Corridors

The risk assessment attempted to assess the potential impact of sea level rise on important roadways in Kittery. The results will be presented here in the form of maps and tables.

Figure 2 shows an enlarged portion of the flood map, particularly the intersection of Route 1 and Interstate 95 over Spruce Creek. This image shows the extent of the flooding and demonstrates that a flood would close off these key transportation corridors. Figure 3 shows the impact of a projected 100-year flood in 2100 on the roads of Kittery.

Though difficult to pinpoint, this flooding scenario would create some level of flooding at over 50 locations in Kittery, Maine (Figure 3) with the length of roadway at risk of flooding ranging from 1,400 feet under the current HAT to over 32,000 feet under the HAT + 10.9 feet of sea-level rise/storm surge scenario (Table 1). Approximately 10 of these locations occur along Route 103, which is listed as a level 2 priority road. It is challenging at this time to accurately assess the potential damage a flooded road may suffer.

*Table 1: Length of roadways at risk of flooding under high astronomical tide (HAT) and three sea-level rise/storm surge scenarios.*

<b>Risk at HAT</b>	<b>Risk at HAT + 3.9 ft</b>	<b>Risk at HAT + 6.1 ft</b>	<b>Risk at HAT + 10.9 ft</b>
1,429 feet	6,550 feet	10,701 feet	32,113 feet

Flooded roads could prevent passage through Kittery until roads drain and are repaired, if necessary. Bridges on Route 103 over Spruce Creek and on Crockett Neck Road were also determined to be at risk. Damage to a bridge would incur a high cost to the asset owner for repair and may close the transportation corridor for several months while repairs occur.



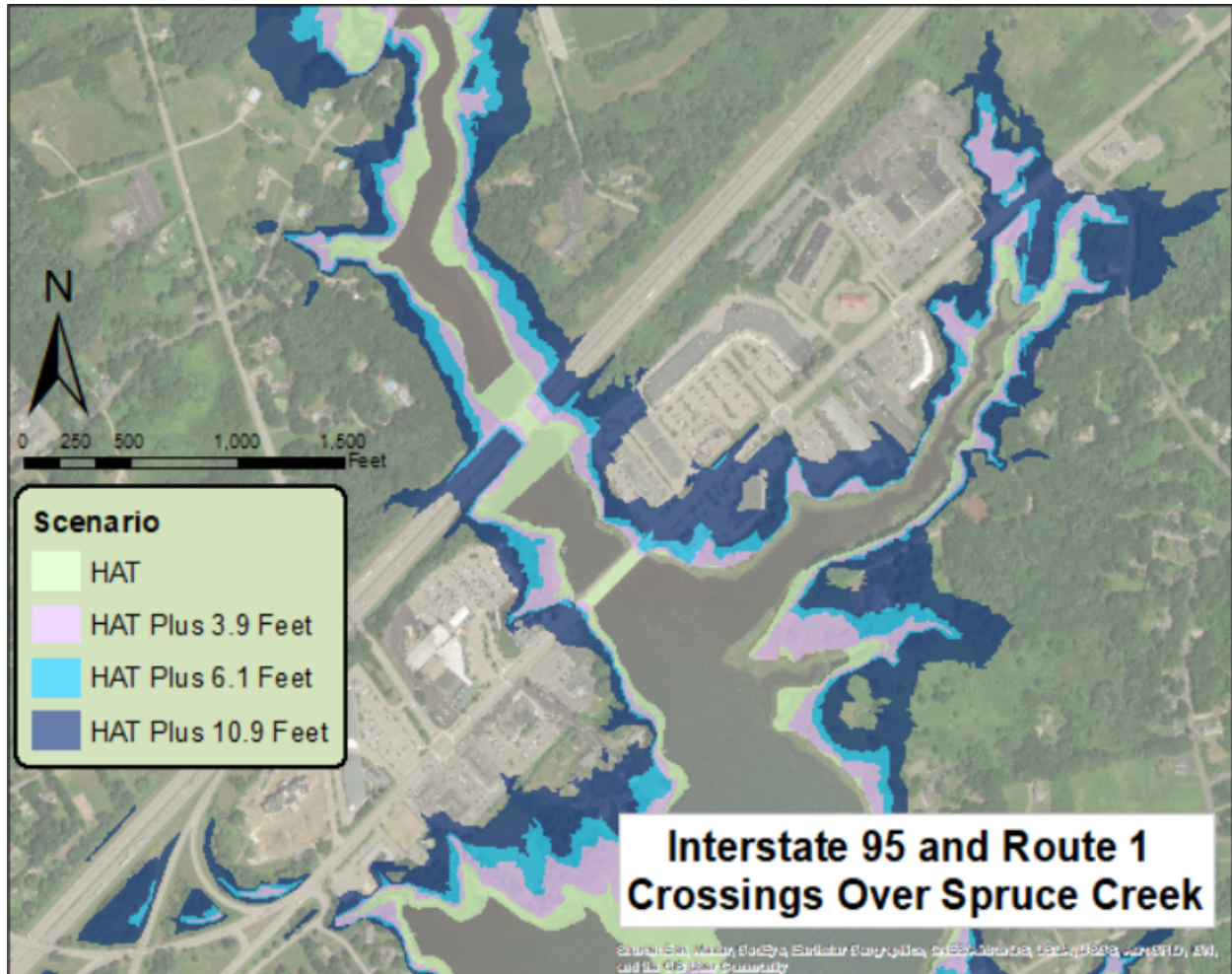


Figure 2: An example of the flood risk to working waterfronts and two major transportation corridors in Kittery for under high astronomical tide (HAT) and three sea-level rise/storm surge scenarios.

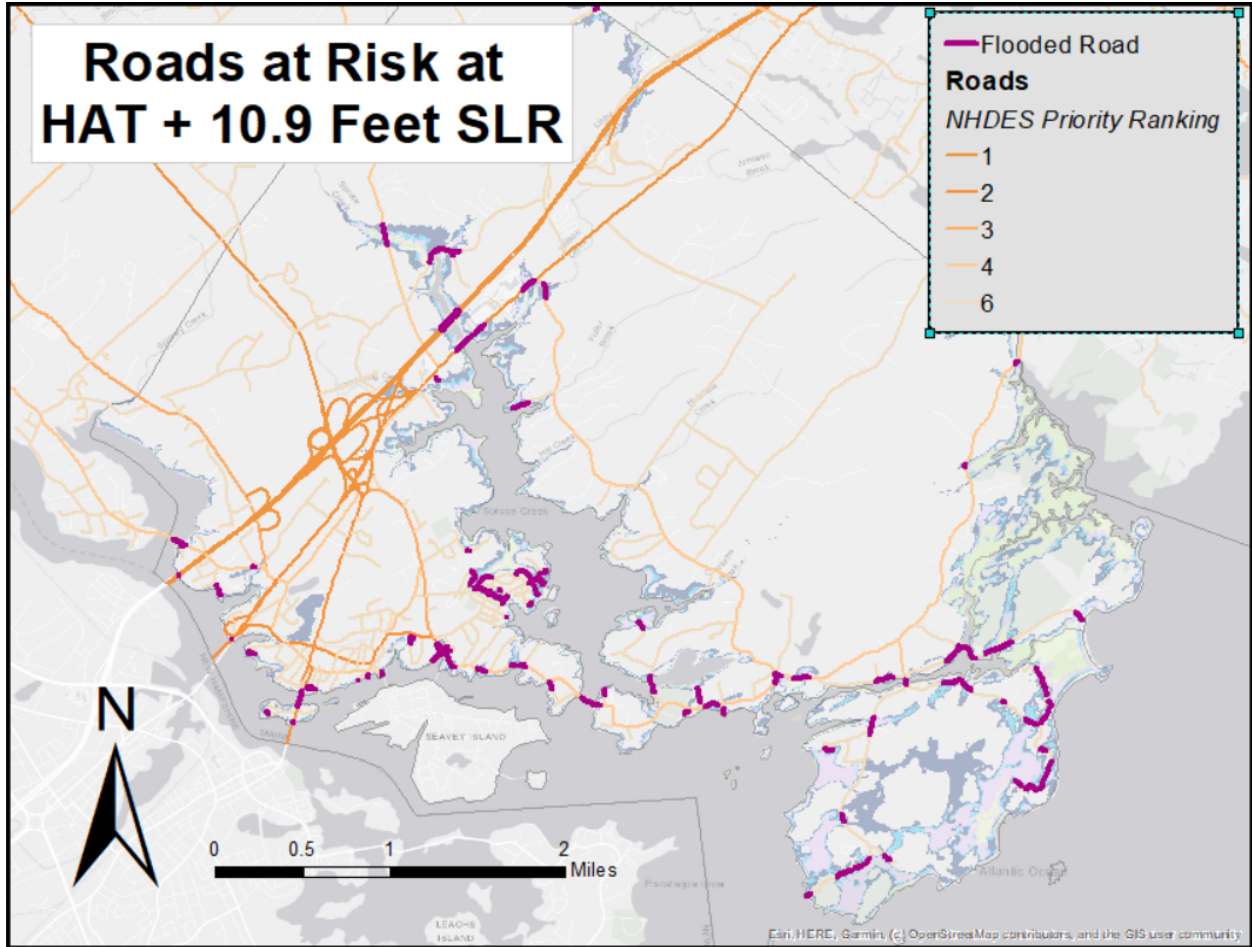


Figure 3: Map of road segments that could be flooded under a 10.9-foot sea-level rise/storm surge scenario. Road information from Maine DOT.

#### *Parcel-by-Parcel Risk Assessment*

The Town of Kittery has 4,438 parcels containing 4,845 assessed properties. As of the spring of 2021, the total assessed value of the parcels alone is \$965,061,617 and the total value of all property improvements is \$1,223,222,960, for a grand total of \$2,188,063,677 worth of real estate in the Town of Kittery, Maine. The following table is the result of a risk assessment based on GIS data, flood mapping, and assessed property values provided by the Town of Kittery.

SLR Scenario	Number and Percentage of Parcels at Risk  <i>% of total number of assessed properties in Kittery</i>	Number and Percentage of Buildings at Risk  <i>% of total number of assessed properties in Kittery</i>	Value of Parcels at Risk  <i>% of total town parcel values</i>	Value of Land Improvements at Risk  <i>% of total town improvements value</i>	Total Economic Value at Risk  <i>% of total town property value</i>
H.A.T. (2020)	673 <i>13.9%</i>	24 <i>0.5%</i>	\$302 M <i>31.34%</i>	\$4.8 M <i>0.4%</i>	\$307 M <i>14.0%</i>
3.9 ft SLR (100 yr flood 2020)	848 <i>17.5%</i>	76 <i>1.6%</i>	\$389 M <i>40.35%</i>	\$34 M <i>2.8%</i>	\$424 M <i>19.3%</i>
6.1 ft SLR (100 yr flood 2050)	943 <i>19.5%</i>	156 <i>3.2%</i>	\$410 M <i>42.5%</i>	\$75 M <i>6.14%</i>	\$485 M <i>22.2%</i>
10.9 ft SLR (100 yr flood 2100)	1281 <i>26.4%</i>	426 <i>8.8%</i>	\$493 M <i>51.07%</i>	\$193 M <i>15.8%</i>	\$687 M <i>31.4%</i>

*Table 2: Assessed value of properties and buildings at risk of flooding during high astronomical tide (HAT) and three sea-level rise/storm surge scenarios.*

These totals show the amount of property that will be at risk in any given scenario. The italicized percentages compare the at-risk value to the total value for the whole town of Kittery. For this assessment, protection provided by natural and manufactured capital was not considered, and the “at-risk value” as calculated includes the full cost of parcels and buildings regardless of whether the flooding came in contact with part or all of the building or parcel. For example, a parcel that is worth \$10,000 will be assessed as \$10,000 at risk regardless of whether a scenario shows 10% flooding or 100% flooding. Because of this, the true cost of damage will likely be a fraction of these totals. Another important factor is land use.

Type of Property	# of Properties with this Land Use in all of Kittery	At Risk at HAT + 10.9 ft SLR			
		Parcel Count	Building Count	Assessed Value at Risk	Tax Revenue at Risk
US GOVERNMENT-OWNED	22	21	2	\$ 59,484	
MUNICIPAL-OWNED	64	5	7	\$ 301,763	
MIXED USE	28	6	3	\$ 66,238	\$ 854
COMMERCIAL	203	48	23	\$ 1,893,302	\$ 24,423
INDUSTRIAL	27	7	0	\$ 35,740	\$ 461
FARMLAND	6	0	0	\$ -	
NON-MUNICIPAL PUBLIC WELFARE	93	26	4	\$ 69,325	
MIXED USE	14	2	2	\$ 29,223	\$ 376
RESIDENTIAL	4351	1128	385	\$ 6,337,949	\$ 81,759
COMMERCIAL HOUSING	16	3	0	\$ 17,941	\$ 231
STATE-OWNED	7	4	0	\$ 29,369	
<b>Grand Total</b>	<b>4831</b>	<b>1250</b>	<b>426</b>	<b>\$ 8,840,339</b>	<b>\$ 218,002.83</b>

*Table 3: Assessed value of different types of property and buildings at risk of flooding from the during high astronomical tide (HAT) + 10.9 feet of sea-level rise/storm surge scenario.*

This table gives an approximation of different types of properties are at risk in the 10.9 ft SLR/SS scenario. As shown, privately owned residential properties make up approximately three quarters of the value at risk. Commercial properties accounted for most of the remainder. This table also displays an estimate of property taxes at risk each year if major flooding or repeated damage makes property inhabitable for the future.

### **Informative Discussions Summary**

A total of eight individuals were asked 6 questions to help gain more background information on Kittery and their current work on coastal resilience. These individuals were all stakeholders in the community, including municipal employees of Kittery, residents, and those with a connection to the working waterfront.

#### *Similar Themes Among Discussions: Transportation Corridor*

Out of all the discussions, one thing was blatantly clear. All of the people we spoke to acknowledged that sea level rise is happening, and Kittery needs build resilience to coastal flooding. Areas of concern varied. Most agreed that Interstate 95, Route 1, and Route 103 over Spruce Creek are of concern. Each of these roads lie low over the tidal Spruce Creek. In an event of a 100-year storm, flooding and damage could make it impossible for emergency vehicles to pass, and for residents to evacuate. Route 103 is also a unique case, as it was

determined the span sits on rollers on top of concrete pillars, and a storm surge event could lift the span off its foundation. Many said that since these are state and federal owned and managed, it is critical that the Town of Kittery collaborate with the State of Maine in terms of developing and implementing solutions.

#### *Similar Themes Among Discussions: Working Waterfront*

Concern was also expressed regarding working waterfronts. Most agreed that the Portsmouth Naval Shipyard is of major concern, however, it is not in the town's jurisdiction, as it is federally owned and operated. Workers, including many Kittery residents, rely on it for their jobs, and it could cause national security issues if compromised. Tourism and related jobs could be threatened as well. Many expressed concerns with Fort Foster, and potential impacts could result in revenue and seasonal jobs. Many acknowledge that local restaurants and lobster wharfs on the water are at significant risk, and many have already experienced flooding during recent winter storms.

#### *Similar Themes Among Discussions: Manufactured Capital*

Many agree that homes and infrastructure are at risk. Most acknowledge concerns with the transportation corridors mentioned earlier, and say it will cause commute delays, and potentially very serious issues in emergency situations. One individual pointed out that these main roads may need to be eventually abandoned, and smaller neighborhood roads will become the main roads. Many also mentioned that high-value homes along the coast of Gerrish Island, as well as Spruce and Chauncey Creek and the Back Channel, will see increasing amounts of damage in future year. When asked about what Kittery would do in order to compensate for the loss of tax revenue if these properties were abandoned, most acknowledge that there is no plan, or said they do not know what could be done. There is also a consensus that new homes should not be built in current and potential future flood zones, and that is something the town should consider creating an ordinance for.

#### *Similar Themes Among Discussions: Natural Capital*

Many agreed that natural capital and ecosystems are at risk. Much of Kittery's "hard coast" is natural lands, granite ledge, and salt marshes. In an event of a 100-year storm, this would absorb much of the energy from large storm surges. But many expressed concern about the effect this would have on the wildlife. While not much is possible to protect this wildlife, some suggested that these ecosystems could be important for controlling flooding in Kittery. Some suggested that ordinances be created to restrict building in low-lying areas, which would allow storm surge to collect and protect infrastructure. Negative impacts on coastal habitats will also have negative impacts on the tourism industry, as people may not have the opportunity to use the beach or eat at coastal restaurants.

#### *Similar Themes Among Discussions: Next Steps*

There appears to be a consensus regarding next steps need to be taken now to build resilience to coastal flooding, now and in the future. Some suggest that Kittery hold community discussions,

not only to inform the public on coastal flooding risk, but also to gain information, ideas, and opinions. Kittery has already held several of these types of workshops, and more should be planned. Most people agreed that no more homes should be built on the coast, and that all land not built on should be conserved. Ordinances could be created that allows Kittery to prohibit building at certain low elevations or in certain floodplains. And conserving these areas will not only protect manufactured capital in the future but create natural capital that can reduce damage to manufactured capital. Some suggested that the town invest in infrastructure that is at risk, and others prefer a focus on building new infrastructure away from flood zones. Finally, a few suggested that Kittery should look into expanding and strengthening its stormwater management system and build it up in a way that allows for areas to flood during high tide, and drain effectively as the tide draws out.

## **IV. Discussion**

### *Key Vulnerabilities*

The Route 1 and Interstate 95 bridges that run over Spruce Creek are highly vulnerable areas that are not only valuable to Kittery, but to the entire state. They are two of the primary transportation routes that allow the movement of tens of thousands of cars per day (even more on weekends) through Kittery and if they were damaged, detours would affect every vehicle person trying to travel north into Maine or southward into New Hampshire. A closure of 95 or Rt 1 would have significant economic and safety impacts on the entire state.

The Portsmouth Naval Shipyard is also rather vulnerable to coastal flooding. The shipyard sees minor coastal flooding at the current HAT scenario, as do its two main points of entry. Gate 2, located on Route 103, is how hundreds to thousands of workers get to and from work. Flooding will cause commuting delays, and could cut the island off from the mainland, making it impossible for people to leave and for emergency personnel to enter and exit. While this has been identified as a risk, it has been acknowledged that this is a federal matter, and that Kittery does not have much say as to what happens there. However, the flooding and closure of Route 103 by Gate 2 of the shipyard would also have wide ranging impacts on traffic flow in Kittery.

Figure 3 and the GIS data associated with it provides a starting point for a deeper risk assessment. The locations where flooding is most likely to occur will be the best location to install stormwater Best Management Practices (BMPs) or employ other resilience techniques.

Working waterfronts, including fishing piers, restaurants, and shops along the back channel are also at risk of flooding. This would affect boat access to the water and have a negative impact on the working waterfront jobs in Kittery. Along with working waterfront this would negatively affect recreational access to the ocean and businesses that source their seafood locally. Local wildlife may also suffer from runoff that may be washed into the ocean from the land's surface.

The parcel-based risk assessment performed using GIS and Excel shows an estimate of the potential maximum financial impact of flooding associated with each SLR scenario, based purely on elevation data, and focused only on property values. Other factors will also affect the results, such as lost business revenues, fewer Kittery residents in the long run, repeated home repairs and

mitigation, and damages to non-real estate property such as vehicles. Actual damages could be reduced by flood mitigation provided by natural and manufactured capital such as seawalls and waterproofed structures. Based on this study, a home that is at risk during a certain flood scenario is unlikely to be damaged to the full cost of the structure or property. A more likely scenario is partial property damage and possible water damage to basements, or ground-level structural damage. This damage can likely be repaired for a fraction of the cost of the property but may be damaged frequently. Properties that are at risk so frequently may require repairs multiple times a year, installation of flood resilience upgrades, or they may become completely unlivable, which poses a risk to individual homeowners and the town's tax revenue over time. In addition, our analysis only considered a "bathtub" model, and does not account for structural damage related to storm surge and waves.

## **V. Recommendations**

Currently, much of Kittery's response to climate adaptation is in the planning stages. Steps have been made in the right direction when it comes to the Kittery Climate Adaptation Committee, etc. However, we found that many other communities have already made it to the implementation phase for climate resiliency. Based on that, we have come up with recommendations for the following areas:

### *Local Programs*

York, Wells, and Kennebunk are all part of the Tides, Taxes, and New Tactics program working with MIT SIC (Massachusetts Institute of Technology Science Impact Collaborative) with the goal of preparing coastal towns in Maine for rising sea levels and coastal flooding. We recommend that Kittery look into this program to see whether they can get any assistance from a group with experience in this field.

### *Working Waterfront*

We recommend an in-depth assessment of all jobs and businesses that are at risk of flooding from the three SLR/SS scenarios. Not all jobs are at risk of flooding in Kittery, but many vital occupations are close sea level. Occupations such as lobstermen and fishermen, shipyard workers, and restaurant workers are at risk. Many businesses, such as Warren's Lobster House and SeaView Lobster Company already see flooding during significant weather events. The Town of Kittery and Kittery businesses and residents should begin to explore what to protect, what to adapt to, and what to retreat from. Another occupation at risk are emergency first responders. We recommend Kittery look at its transportation corridors and ensure there is safe passage to all parts of Kittery in the event of a major storm.

In Massachusetts, many coastal towns have plans in the works to better adapt to rising sea levels. For short term relief, Quincy has plans to construct a higher seawall. More concrete plans in the works include deployable flood walls in East Boston, permeable pavement in Winthrop, construction of living shorelines in Newbury, and preliminary analysis of storm tide pathways throughout Scituate. Similar to Quincy Massachusetts, Rye and Hampton, New Hampshire have also built both rock wall and sand barriers in hopes to protect the shoreline from sea-level rise (Rockingham Planning Commission, 2015).



### *Transportation Corridors*

We recommend an immediate and comprehensive assessment of the Interstate 95, Route 1, and Route 103 bridges over Spruce Creek. As stated before, we identified these bridges as sites of concern. We acknowledge that these bridges are out of the jurisdiction of the town, but we recommend that Kittery begin coordinating with the State of Maine and the Federal government to ensure safe passage over Spruce Creek in the future. An immediate assessment and strong dialogue will ensure that these bridges will get the attention needed to prevent any issues or disaster. It is in the town's best interest to future-proof these roads, as blockage or bridge failure could create dangerous situations in case of emergency evacuation and create impassible situations for residents and emergency services. This goes for low-lying roads, culverts, and bridges as well.

We also recommend Kittery enhance their existing stormwater management systems to accommodate storm surge and flooding. Flooding on low lying roads will become prevalent during high tides, so it would be imperative that drainage be as fast as possible to eliminate ponding. Solutions could include additional, high volume culverts, or permeable pavement surfaces that towns such as Hull, Newbury, and Lynn have incorporated.

### *Manufactured Capital*

We recommend an in-depth assessment of all properties we identified as at risk for coastal flooding, focusing on structures and manufactured capital. 31.4% of property value will be at risk of flooding by 2100. Using the "bathtub" model used in our report, as well as in *A Town in High Water: Coastal Hazard Planning Practices for Kittery* by A. Duprey, it is hard to estimate the true total economic value of manufactured capital that will be at risk. We encourage further research into the mechanics behind these flooding scenarios to understand, more in depth, what will be at risk. Using our models, we value the total economic value of buildings at risk for flooding to be \$195 million by 2100. Many of these properties may be abandoned. This will result in a large deficit of property tax revenue of upwards of \$200,000 per year at the current tax rate of \$12.90 per thousand dollars, without considering the lost income taxes and local business patronage if homeowners leave Kittery. Many of the coastal properties are worth significantly more than properties inland, which adds to the deficit. We recommend that Kittery educates landowners so they may undertake their own professional risk assessments, since individually assessing properties is outside the scope of this project. Kittery may offer resources to its citizens to help them in these efforts.

Since coastal properties will likely become unsafe to access, we recommend Kittery explore the route of land buybacks, or offer incentives to encourage inland land use and development, or build in existing areas that aren't at risk of flooding to eliminate sprawl. Encouraging development inland will reduce the risks of living in flood zones, protecting citizens and emergency services, and encouraging people to stay in Kittery.

A look at Portland's *Bayside Adapts* program allows for third party contractors to design shorelines that are highly adapted to rising tides and storm surges. Similar strategies can be used to obtain different insights and broaden the range of ideas for building resilience.



### *Natural and Conserved Areas (Natural Capital)*

We found that, although rising seas will adversely alter coastal ecosystems, those coastal ecosystems also provide ecosystem services that protect inland residences and structures. We recommend a move to create ordinances to limit construction and development in low-lying areas. By keeping low-lying parcels undeveloped, they can act as storm water and energy storage, diverting it away from residences. Kittery already has this, in the form of Seapoint Beach and Fort Foster. They are beneficial in that they help defend against storm surge and protect areas further inland.

Durham, New Hampshire is where the Wagon Hill Farm living shoreline conservation project has been successfully implemented (Strafford Regional Planning Commission 2021). Not only does this project restore these living shorelines, but it assists in stormwater drainage along with minimizing the erosion in the area.

### *Areas of value for the visitor economy*

Kittery Foreside, Fort Foster, and Seapoint Beach are all areas that attract visitors to Kittery. Along with tourism, there are many seasonal and full year jobs at risk in these areas from potential damage to infrastructure. Kittery could encourage business to redevelop outside of risk areas and build more resilient infrastructure. Kittery should also begin planning the future of its major tourism locations. There is no doubt that areas such as Fort Foster have great intrinsic value to the town, residents, and its visitors, but it will and has flooded and been damaged by strong coastal storms (e.g., March 2018). We recommend that Kittery investigate the potential loss of tourism revenue as sea-level rise and flood risk increase, with expected impacts on the tourism economy.

### *Education/Community Outreach*

Community involvement will be key in raising awareness and implementing practices that will prepare Kittery for a more flood resilient future. Community outreach and public information sessions will be key in informing the public on safety risks involving coastal flooding, as well as gain information, ideas, and opinions from citizens to improve response by the Town and by residents. Examples of this can be seen in surrounding local coastal communities. In New Hampshire, they have assessed the vulnerabilities and provided awareness to the towns (Coastal Adaptation Hazards Commission, 2016; New Hampshire Coastal Risk and Hazards Commission, 2016). Kittery itself hosts the Kittery Block Party in Wallingford Square every summer. This would be an excellent place to share information pertinent to coastal adaptation. It is important that citizens of all ages and demographics be involved in this process. School programs could be implemented as well, or coastal adaptation programming could be incorporated in existing curriculum to help bring awareness in school-aged children.

## **VI. Conclusion**

Kittery's coast is already at risk of significant flooding from large coastal storms. Hurricane Sandy (2012) and Winter Storm Riley (2018) are more recent example that show New England is vulnerable to flooding from large coastal storms, and the science suggests that stronger hurricanes will likely become more prevalent as climate change continues to affect the planet and its weather

patterns. A basic assessment of quantitative and qualitative risk proves that Kittery's local economy, real estate market, and recreational spaces could suffer significantly in the case of a major coastal storm, and the risk will only increase in the future as sea-levels continue to rise. However substantial coastal resilience efforts can and should be considered, discussed, and implemented by the public sector, private sector, and residents to make Kittery a viable and vibrant place to live and work for many generations to come.

It is evident that there is a lot that Kittery could do to prepare for the future. Community involvement is likely the most important step, followed closely by a need to assess key transportation corridors. Planning for coastal adaptation will only be successful if a majority of residents agree that there is a problem, that they are at risk, and that they can help in preparing Kittery for the future. Kittery should begin working with the State and Federal governments to assess the transportation corridors that are not under municipal jurisdiction and develop a plan to future proof them. This report is represents an early step in a long journey of adaptations and improvements to make Kittery a great and resilient place to live for centuries to come.

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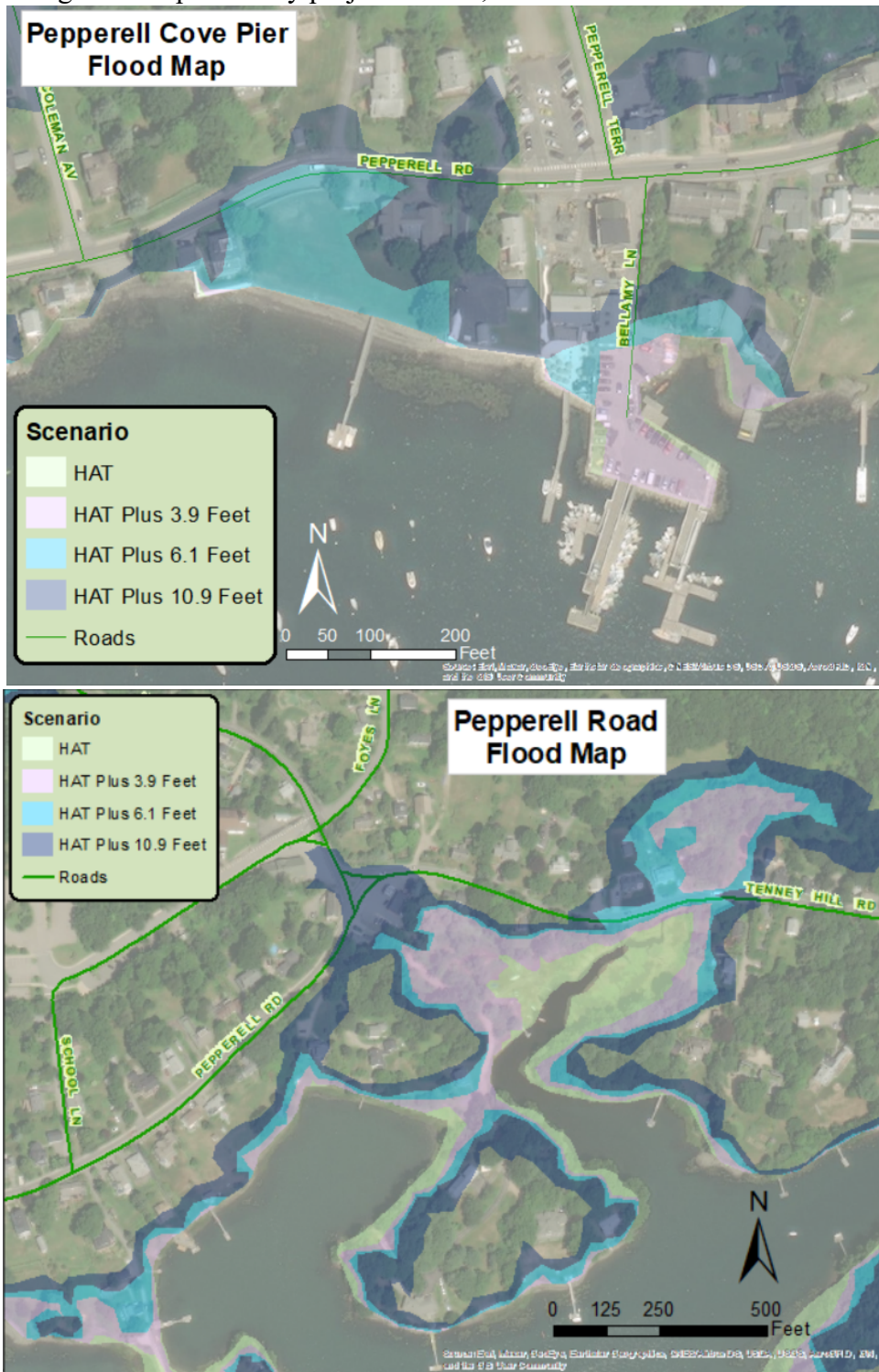
## **Appendix A: Assessed Property Value at Risk Analyses**

All analyses of properties that could be affected by sea-level rise and storm surge in Kittery are available in an Excel Workbook available from project mentor Dr. Cameron Wake (E-mail: [cameron.wake@unh.edu](mailto:cameron.wake@unh.edu))

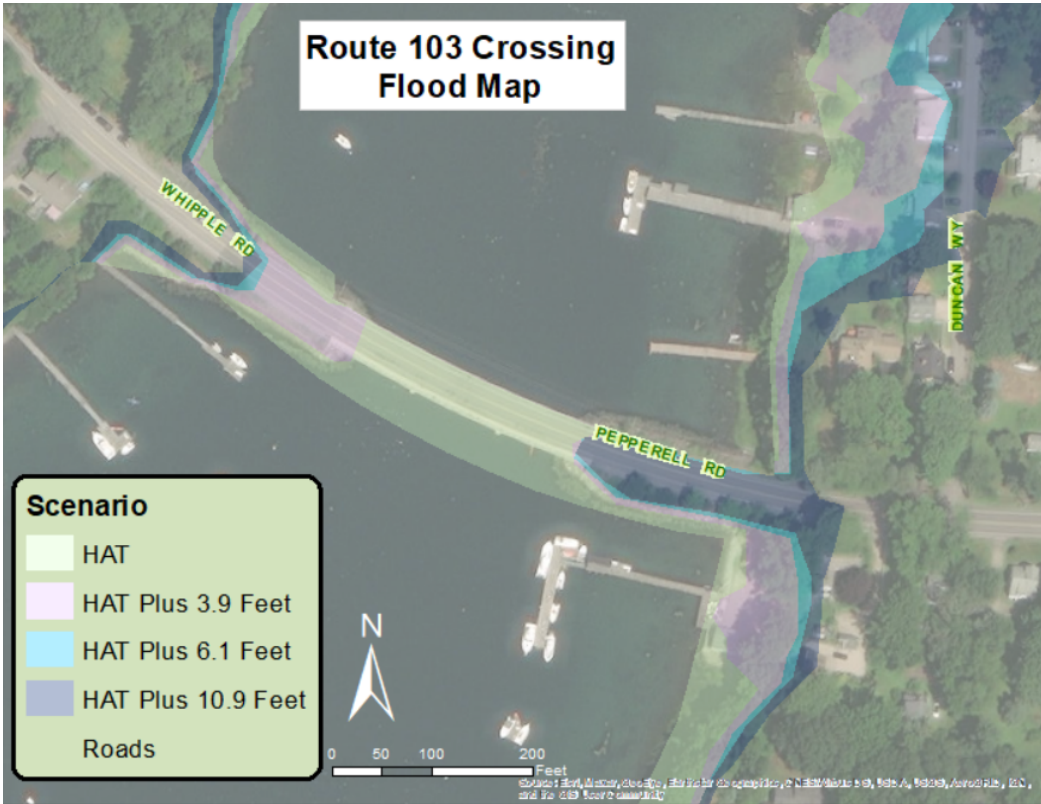
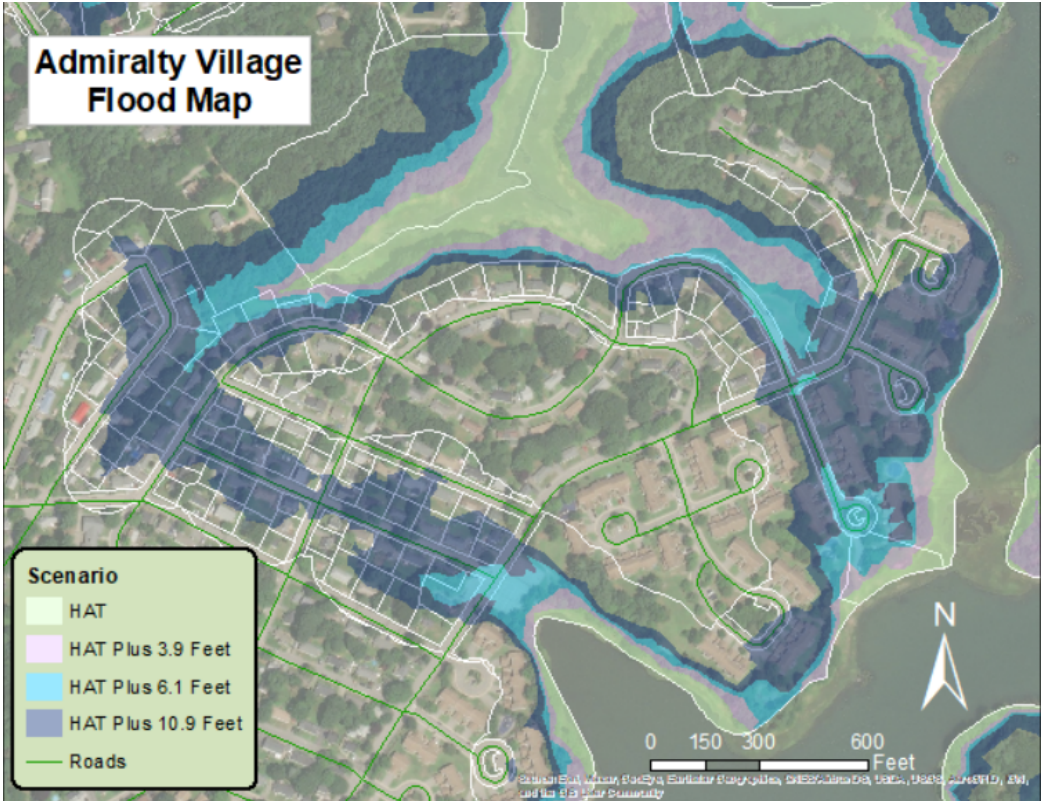
This file contains the Land Use Assessment, the Property Value Assessment, and the Roads at Risk Assessment, along with two other sheets containing source data.

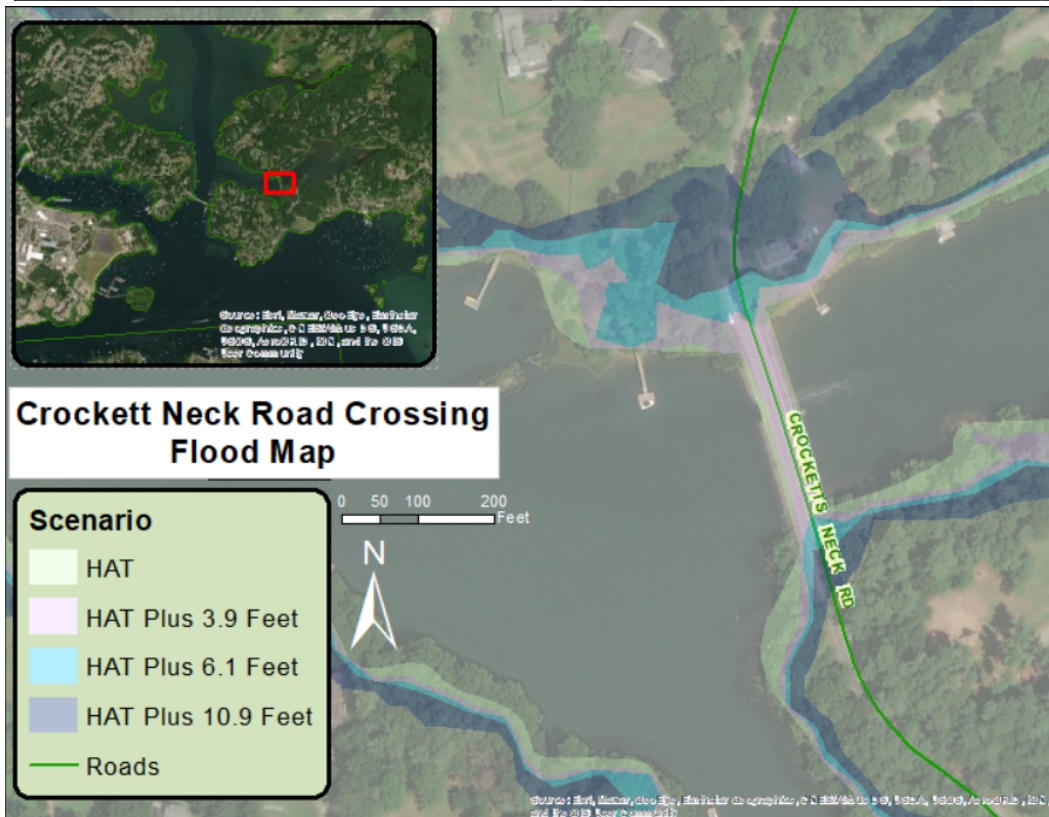
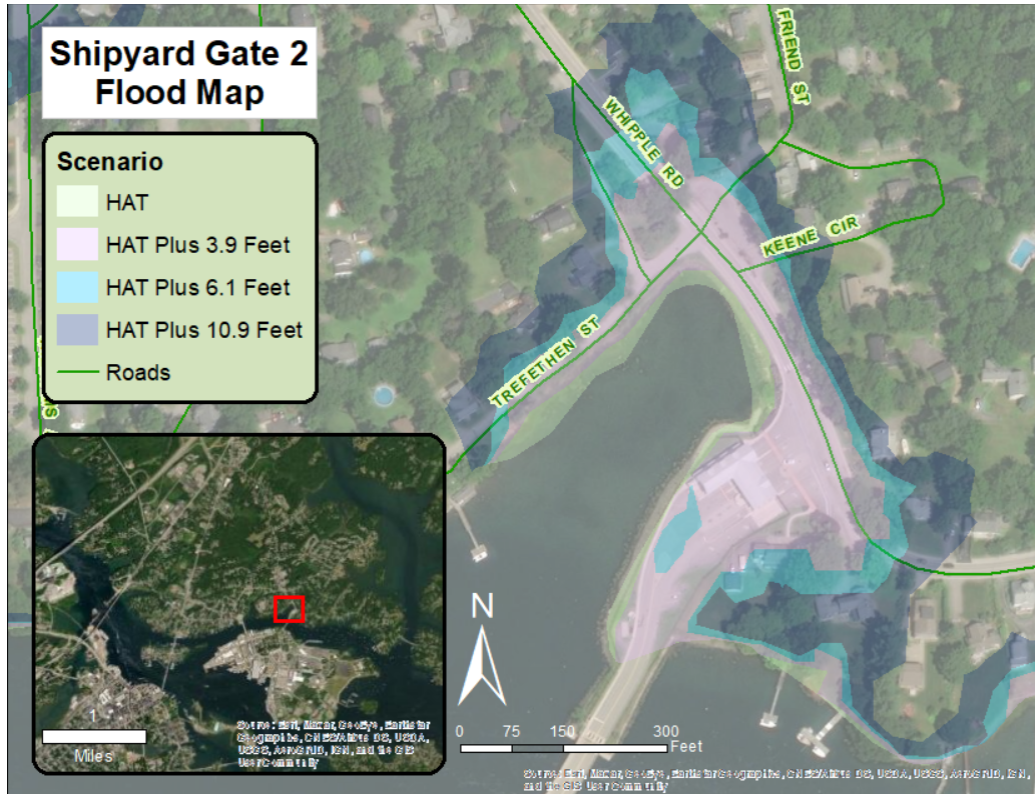
## Appendix B: Mapping and GIS Data

The Map Package can be provide by project mentor, Dr. Cameron Wake.

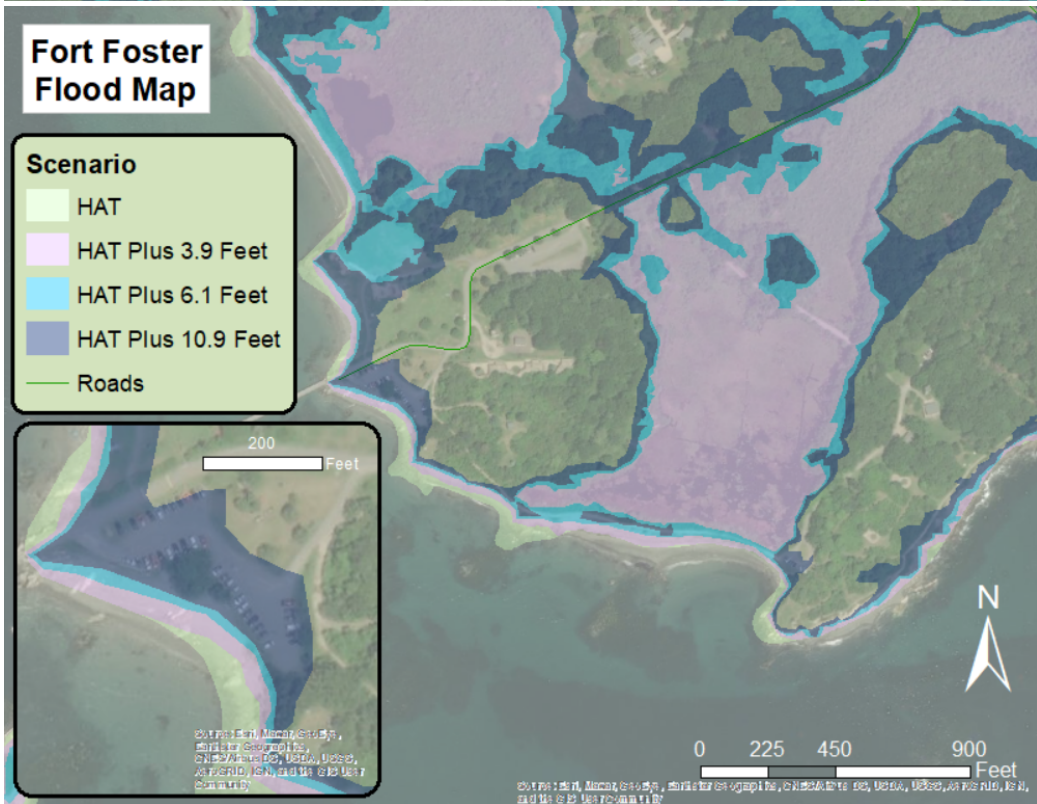
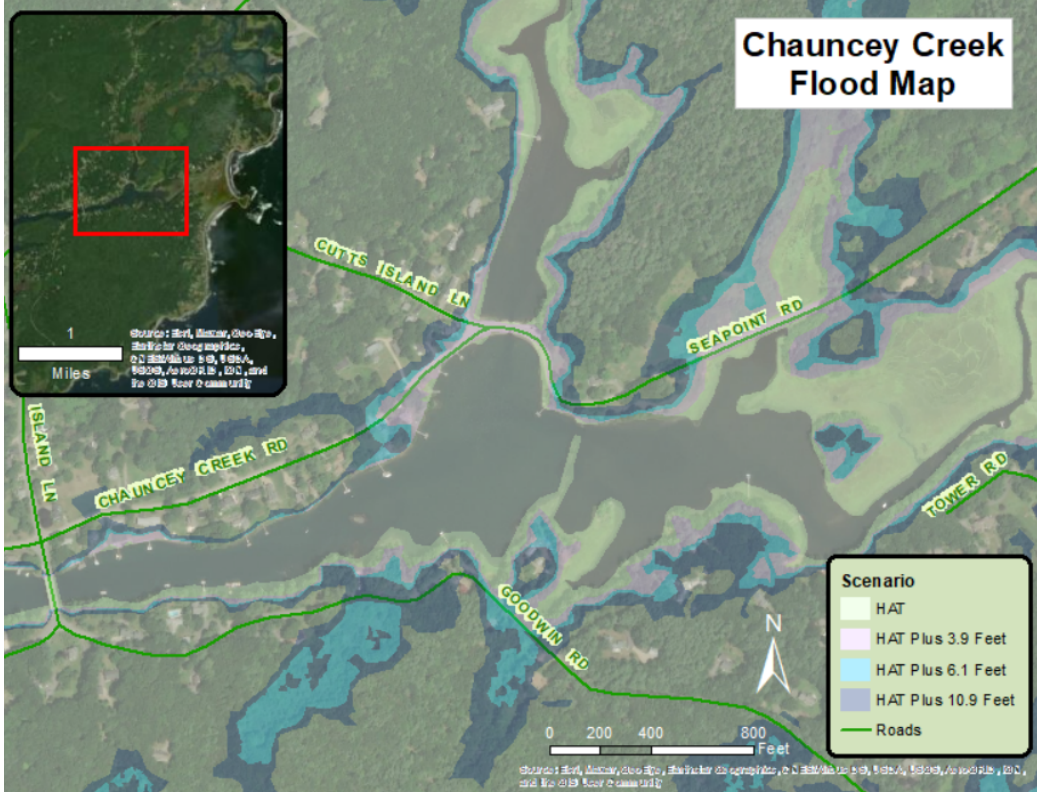




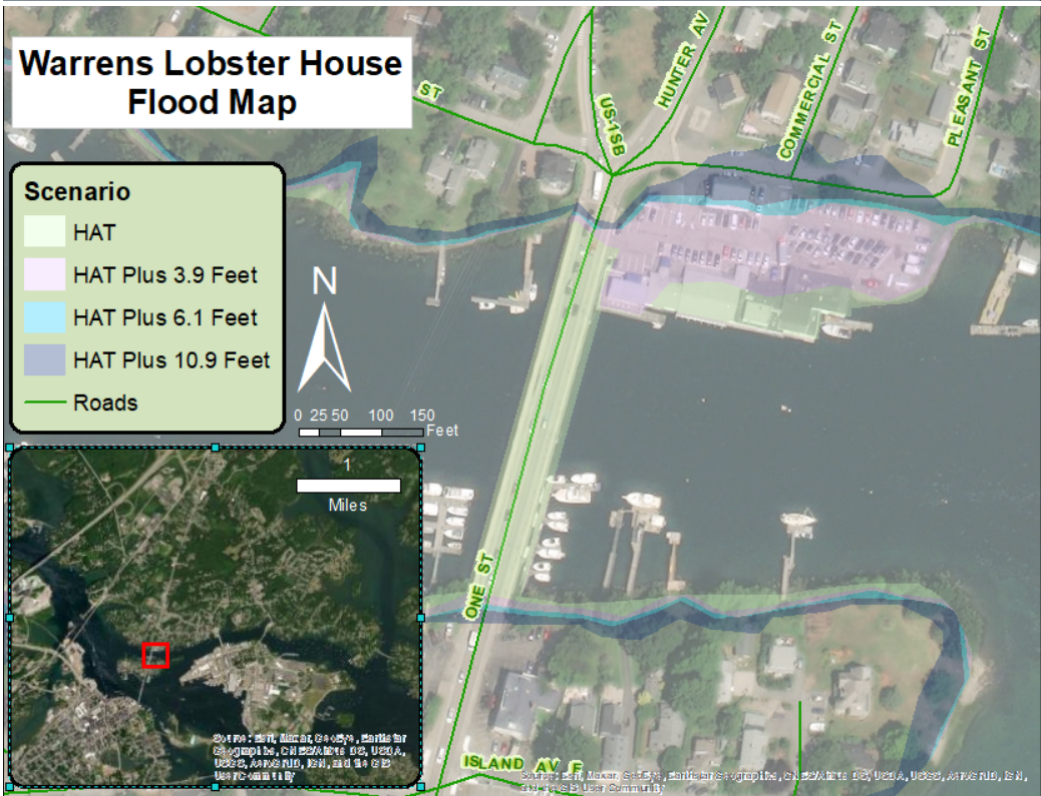
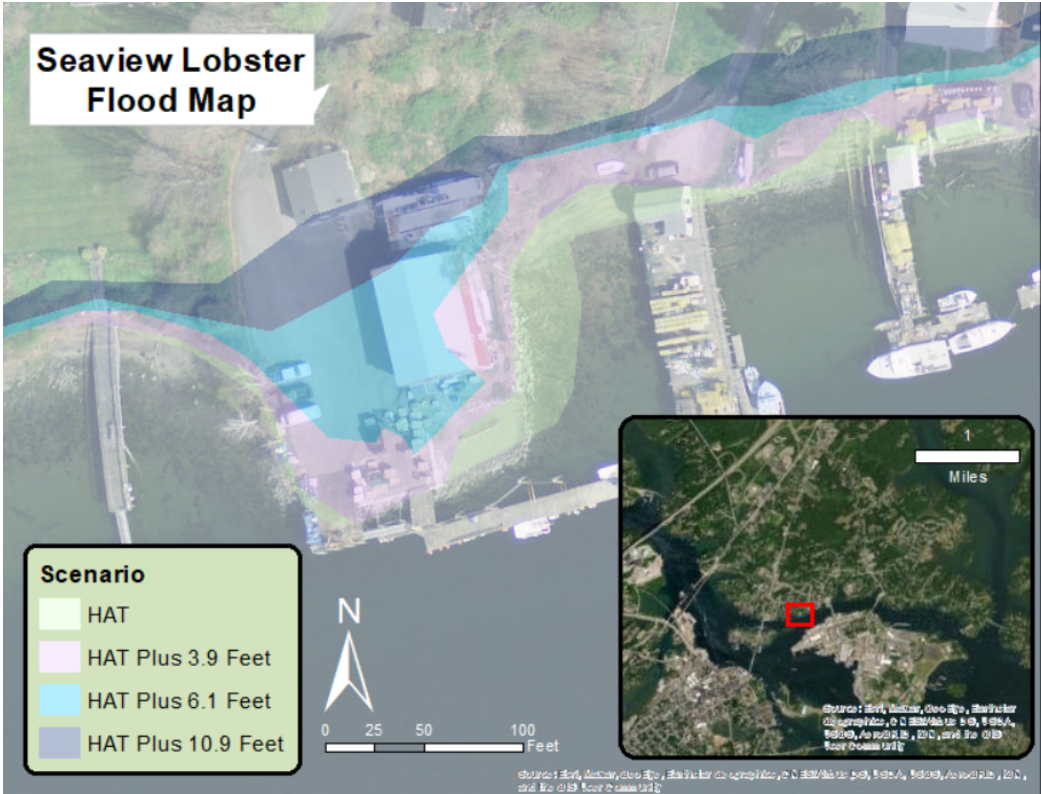














**TOWN OF KITTERY**  
**200 Rogers Road, Kittery, ME 03904**  
**Telephone: 207-475-1329**

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**REPORT TO TOWN COUNCIL**

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Date: June 28, 2021  
Update: July 12, 2021  
From: Kendra Amaral, Town Manager  
Subject: Net Energy Billing Credit Program – 20 Year Agreement  
Councilor Sponsor: Chairperson Jeffrey Thomson

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**EXECUTIVE SUMMARY**

The Town of Kittery, working with five other communities in York County to advance a net energy billing credit effort that gains the Town access to solar energy, generated in Maine, while lowering electricity costs for the Town. This program is being developed under the State of Maine's Net Energy Billing Credit program.

Following a competitive procurement process, the collaborative selected Encore Renewable Energy. Encore offers a viable project, with predictable and beneficial savings, and proposal terms that include the Town retaining the Renewal Energy Credits.

The contract is under negotiation now and is expected to be ready to be executed mid-July.

**PROPOSED SOLUTION/RECOMMENDATION**

Approve the Town Manager to enter into the twenty-year agreement for the net energy billing credits.

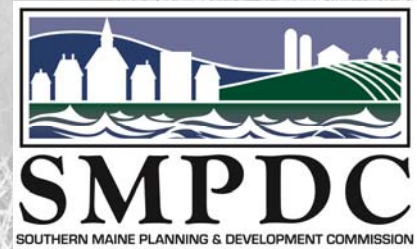
**ATTACHMENTS**

- Solar Energy Presentation
- Draft Enactment

# Solar Energy for Kittery

with the Southern Maine Solar  
Collaborative

Karina Graeter, Sustainability Coordinator







## Key Terms

- **Utility:** investor owned electricity transmission and distribution company (Central Maine Power)
- **Renewable Energy Credit (REC):** the environmental attributes associated with generation from a renewable energy facility (1 REC = 1 MWh of generation)
- **Net Energy Billing:** program authorized under LD 1711
  - **Net energy billing rate** – value (\$) per MWh of generation issued by the utility from a qualified project (solar or wind farm)
  - **Net energy billing credits (NEBCs):** credits issued on your utility bill based on the net energy billing rate and volume of power allocated
  - **Net energy billing credits Agreement (NEBCA):** legal agreement to purchased credits
    - Secure contracts gives developers the ability to finance a new solar project.

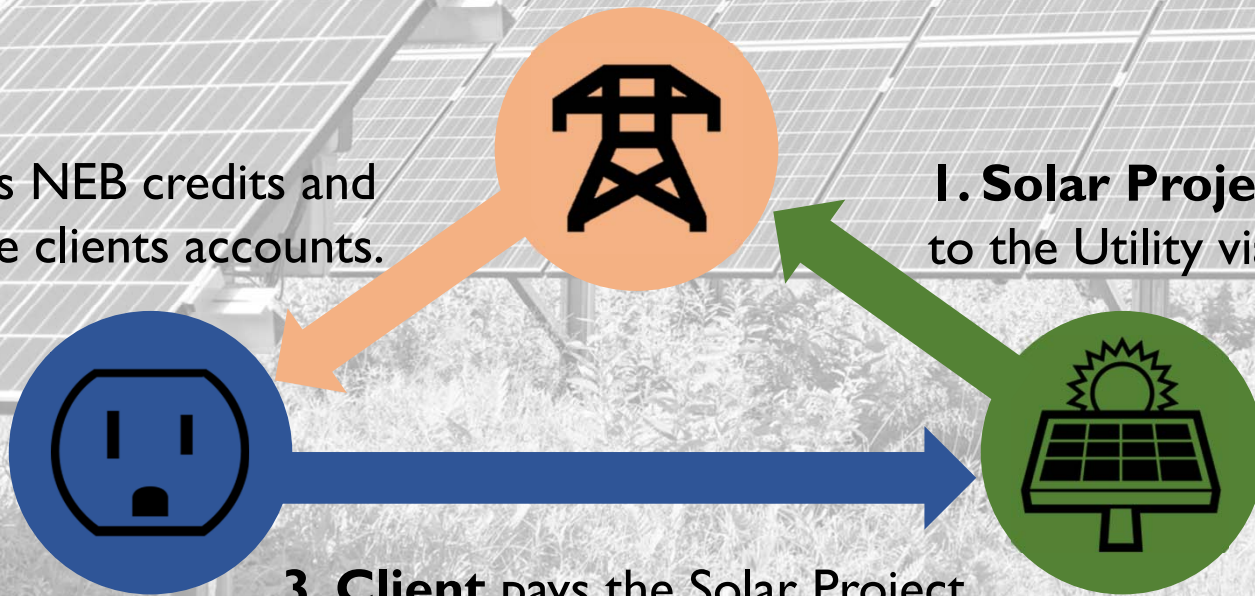


# Municipalities have opportunity to purchase discounted solar energy credits through the Maine Net Energy Billing (NEB) program

**2. Utility** issues NEB credits and applies them to the clients accounts.

**1. Solar Project** delivers electricity to the Utility via the electricity grid

**3. Client** pays the Solar Project Developer for the credits at a discount rate.







## Typical NEBCA structure

- Third party ownership: finances, constructs, owns and operates the solar facility somewhere within the utility service territory
- Allocation: amount of solar farm generation the buyer would like to procure
  - Depends on buyer's needs, anywhere from 20% - 80% of electricity usage
- Buyer enters into a NEBCA: typical 20 year contract term (consistent with legislation)

## REC ownership: can be optional to the buyer

- Project owner can retain the RECs
- Customer can retain ownership of RECS
  - RECs may be retired to meet municipality's carbon emission goals
  - RECs may be sold (Lots of price volatility, but typically worth \$20-\$30 per 1 MWh REC)





# Southern Maine Solar Collaborative

A multi-town effort to negotiate a Net Energy Billing Credit Agreement (NEBCA) for all (OOB, Kennebunkport, Ogunquit, Fryeburg, Waterboro, and Kittery)

1. Single RFP for a solar developer to enter into NEBCAs with all municipalities
2. One bid selected, with standard contract agreed on for all municipalities
3. Municipalities negotiate and sign final NEBCAs individually with developer





## Bids Summary

- 7 Proposals Submitted
- 9 Offers for Price of Discounted Net Energy Billing Credits (NEBCs)
  - **Percent discount:** relative to NEBC rate
    - 5 offers ranging from 15% – 27.5% discount
  - **Fixed rate:** same rate for NEBCs over the 20-year term
    - 4 offers ranging from \$0.0927 – \$0.1042 per kwh





# Bidders

- **Ameresco:** publicly traded international corporation
- **Ampion:** Not a developer but a market contractor
- **Citizens:** For profit subsidiary of nonprofit Citizens Energy Corporation
- **Encore:** New England-based B corporation
- **EDPR:** publicly traded international corporation
- **Hep:** US subsidiary of publicly traded German corporation
- **US Solar:** MN-based privately held corporation





# Bid Evaluation

Company:	
SMSC Solar Bid Evaluation	Suggested Weight (%)
Category	
<b>Financial benefits (70)</b>	
Risk	22
Cost	42
RECs	4
<b>Company info (18):</b>	
Company financial strength	4
Maine experience/understanding of ME energy laws	8
Similar project experience	8
Responsiveness to RFP	1
<b>Other (12):</b>	
Commercial operation date/Project approval status	5
Education: outreach/online performance monitoring access	3
Site/environmental impact/greenfield, brownfield?	1
Location in member community?	1
Use of local labor/ suppliers	1
<b>Total</b>	<b>100</b>





## Bid Finalist: Encore Renewable Energy

- 27.5% discount (highest discount offered)
- Renewable Energy Credits (RECs) included
- Energy from 2 solar farms in Athens, Maine
- Solar farms are furthest along in development pipeline and not subject to large delays with CMP
- NE company with Maine experience (Cape Elizabeth, Augusta, CES solar consortium)
- Experience net metering with municipalities and schools

Kittery savings estimates:  
Purchases NEBCs to compensate for 77% of electricity spending

Net savings:

**TOWN OPERATIONS: \$66,300** per year  
**SCHOOL OPERATIONS: \$26,000** per year  
**\$1.1M** over 20 years!



## General NEBCA Terms

- **20-year contract** between Town & Encore Renewable Energy
- **27.5% discount** every year, with **RECs included**
- **Early Termination** if:
  - Projects are not completed on time
  - Projects fail to produce electricity adequately
  - Town is not able to appropriate the funds
- **If Encore sells projects:** Contracts would transfer in full to new owner.



# Next Steps

- Finalize NEBCA with Encore Renewable energy
- Start receiving NEBCs once solar farms are operational in Q4 2021 or Q1 2022
- Do not pay anything until solar farms are generating electricity
- **77% of Kittery's municipal electricity will be from Maine solar energy!**



**KITTERY TOWN CODE –  
NET ENERGY BILLING CREDIT AGREEMENT**

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

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in  
6 Sections 1.01, 2.07(3), and 6.11(3) of the Town Charter; and 30-A MRS §3001, pursuant to its  
7 powers that authorize the town, under certain circumstances, to provide for the public health,  
8 welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing  
9 state or federal laws; and

10 **WHEREAS**, the Town of Kittery seeks to diversify its electricity sources to include a significant  
11 amount of generation from renewable energy sources; and

12 **WHEREAS**, the Town of Kittery joined with five other communities to engage in a net energy  
13 billing credit project to achieve the goal and receive beneficial credits to lower energy costs; and

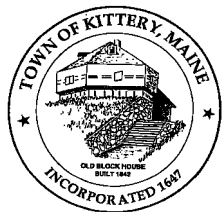
14 **WHEREAS**, the collaborative engaged in a competitive procurement process, and selected  
15 Encore Renewable Energy for their ability to deliver on the project objectives and beneficial cost  
16 savings;

17 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN  
18 CHARTER §§2.14 and 6.11(3), THE TOWN OF KITTERY HEREBY ORDAINS APPROVAL  
19 FOR THE TOWN MANAGER TO EXECUTE A TWENTY-YEAR AGREEMENT FOR THE NET  
20 ENERGY BILLING CREDIT PROGRAM.

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

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

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



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

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

Applicant's Name \_\_\_\_\_  
*please print*

Applicant's Address \_\_\_\_\_  
*please print*

Applicant's mailing address if different from above: \_\_\_\_\_

Applicant's Email address (required) \_\_\_\_\_

Date of Birth \_\_\_\_\_ Applicant's Telephone Number: \_\_\_\_\_

Business Name: \_\_\_\_\_  
*please print*

Business Address: \_\_\_\_\_  
*please print*

Business Telephone Number: \_\_\_\_\_

Signature of Applicant  DATE: \_\_\_\_\_

LICENSE FEE: \$ \_\_\_\_\_

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

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



**FRIENDS OF RICE PUBLIC LIBRARY**  
**C/O DONALD OR MERRY CRAIG**  
2 FOLLETT LANE  
KITTERY POINT, ME 03905

PEOPLES UNITED BANK  
peoples.com

2812

91-7218/2211  
50408  
CHECK NUMBER

4/29/2021


PAY TO THE ORDER OF **Town Of Kittery - Rice PL**

\$ \*\*2,500.00

Two Thousand Five Hundred Only\*\*\*\*\*

DOLLARS

Rice Public Library  
8 Wentworth Street  
Kittery, Maine 03904

  
AUTHORIZED SIGNATURE

MEMO

Children's Summer Reading Program

To: Kittery Town Council

From: Ric Public Library

Date: 4/30/21

For your consideration.

The donation shall be deposited into the Library donation fund (Account # 5023/43600). This donation is from the Friends of Rice Public Library. They want these funds to be dedicated for the use of the Rice PL Children's summer reading program.

Thank you,

Lee Perkins

Friends of Rice Public Library  
C/O Donald or Merry Craig  
2 Follett Lane  
Kittery Point, ME 03905

April 30, 2021

On behalf of the Friends of the Rice Public Library please accept this check in the amount of \$2500. We would like these funds to be dedicated for the use of the Rice PL Children's summer reading program.

We are all excited with the upcoming Library expansion

Best Regards,

Don and Merry Craig

Co-treasures for FRPL



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

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

*Refer to Section V for the License Fee Schedule on page 9*

5. Business records are located at the following address:

436 US Rte 1 Kittery, Maine 03904

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

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

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

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

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

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

Yes  No

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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes  No

If yes, please provide details: \_\_\_\_\_  
 \_\_\_\_\_

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
Suzanne Schepis-Greef	9-28-60	Boston
Oliver A. Greef	8-17-92	Los Angeles

Residence address on all the above for previous 5 years

Name	Address:	Suzanne Schepis Greef	373 Southside Rd. York, ME
Name	Address:	Oliver Greef	288 Pleasant St. Eliot, ME
Name	Address:		
Name	Address:		

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

Yes  No

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

\_\_\_\_\_

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

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

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

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

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

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

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

Name: Suzanne Schepis Giney Date of Conviction: 2014

Offense: Driving to Endanger Location: \_\_\_\_\_

Disposition: settled

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

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

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

SSG6, LLC PO. BOX 153 York ME 03909

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

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

\_\_\_\_\_  
Bistro, Deck, Backyard  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: church  
Distance: 1.5 miles

**Section II: Signature of Applicant(s)**

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

*Please sign and date in blue ink.*

Dated: June 15, 2021

  
Signature of Duly Authorized Person

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

Suzanne Schepis - Grey  
Printed Name Duly Authorized Person

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



**Section III: For use by Municipal Officers and County Commissioners only**

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

Dated: \_\_\_\_\_

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

County Commissioners of \_\_\_\_\_ County

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

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau**

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

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

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

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

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

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

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

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

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

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

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

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

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

## Section V: Fee Schedule

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

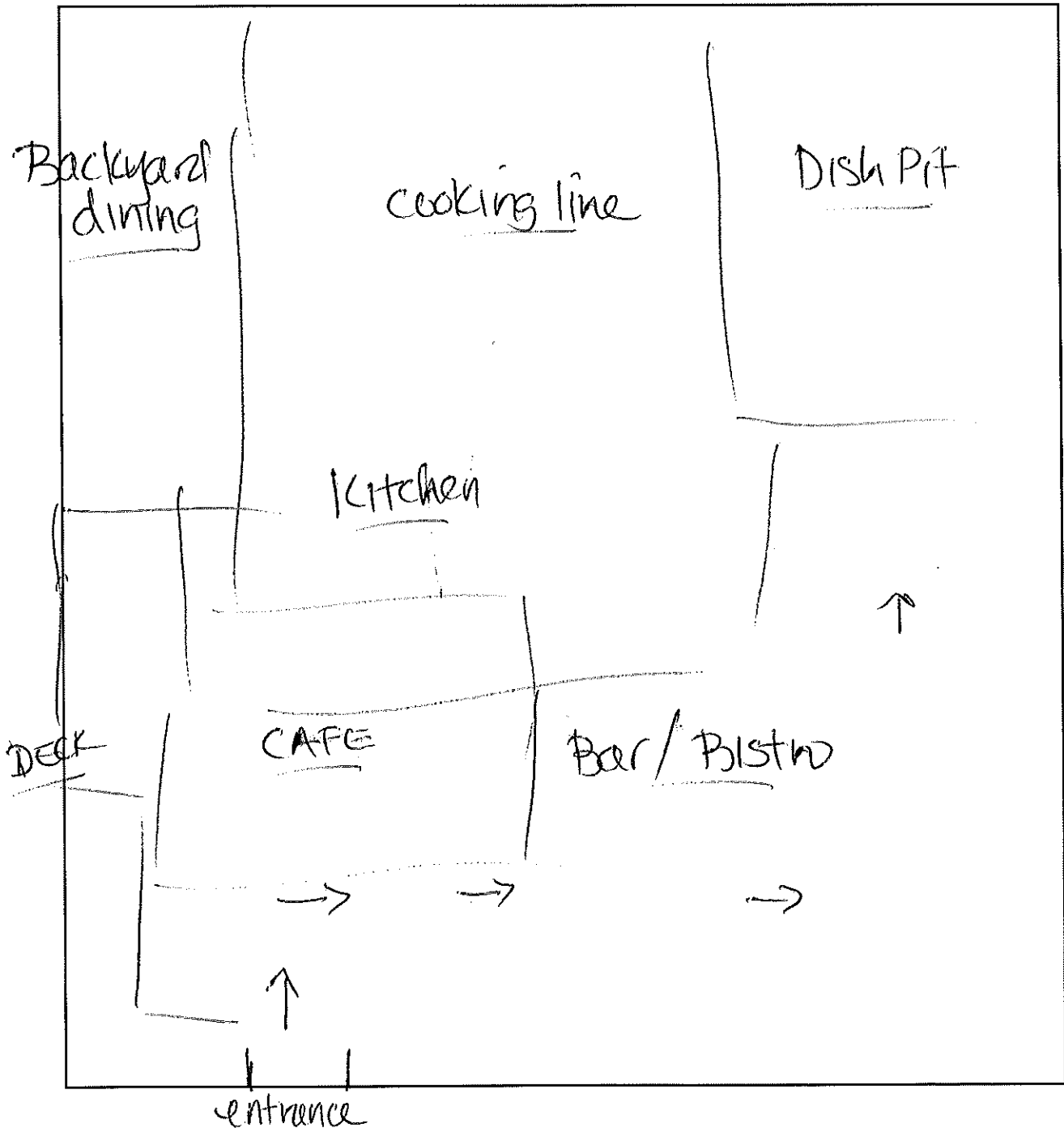
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

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

**Section VI Premises Floor Plan**

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

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



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

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

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

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

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Suzanne Schepis-Greeff	373 Southside Rd York, ME	9.28.60	owner	100%

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



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

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

Applicant's Name Suzanne Schepis-Gray  
*please print*

Applicant's Address 373 Southside Rd York ME 03909  
*please print*

Applicant's mailing address if different from above: \_\_\_\_\_

Applicant's Email address (required) mistocafebistro@gmail.com

Date of Birth 9-28-60 Applicant's Telephone Number: 207-752-4422

Business Name: Suzanne's Village Cafe + Bistro LLC  
*please print*

Business Address: 436 US Rte 1 Kittery 03904 *aka "Misto!"*  
*please print*

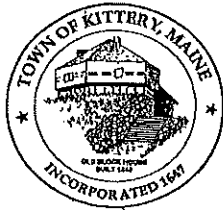
Business Telephone Number: 207-703-0606

Signature of Applicant [Signature] DATE: 6/24/21

LICENSE FEE: \$ 25.00

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

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



**TOWN OF KITTERY**  
Office of the Town Clerk  
200 Rogers Road  
Kittery, Maine 03904  
Phone 207-474-1328 Fax 207-439-6806

**APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT**  
**(Pursuant to 28-A M.R.S.A. Sec. 1054)**

Name, address and legal status of individual(s) or entity seeking to hold permit:

Suzanne's Village Cafe + Bistro LLC dba Musto!

Name and mailing address of the premises where the special activity/amusement will occur:

436 US Rte 1  
Kittery, ME 03904

Mailing address and telephone number of owner of the real estate:

SSG16, LLC 207 ~~708~~ 752-4422

Describe the specific portion of the premises where the special activity/amusement will occur:

bistro, deck, backyard

Set forth the specific time periods between which the special activity/amusement will occur:

Thurs-Sat nights 5-11pm Sun 12-8

Describe the specific activity or type of amusement for which the permit is requested:

indoor/outdoor music  
small bands/etc.

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes  No

If so, give the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

\_\_\_\_\_  
\_\_\_\_\_



Give any additional information to support your request for the permit sought herein:

trying to build business back post COVID

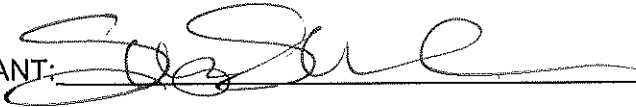
As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

chef/owner / Misto!

**NOTE:** In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: 6/24/21

SIGNATURE OF APPLICANT: 

APPLICANT'S NAME: Suzanne Schepis-Gray / Misto!  
*(please print)*

ADDRESS: 436 US Rte 7 Kittery  
*(please print)*

TELEPHONE NUMBER: 207 752-4422 (my cell)

**FEE: \$20.00 per year Must be renewed annually with liquor license.**

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



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

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

4 WILMINGTON SQ KIRBY, ME 03901

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

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

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

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

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

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

Yes  No

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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes  No

If yes, please provide details: \_\_\_\_\_

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

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

Name of Business	License Number	Complete Physical Address

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

*de*

Full Name	DOB	Place of Birth
GLEN JUDSON	7/10/62	MANCHESTER, NH
ANDREW BOGARD	8/20/54	PRINCETON NJ
MICHAEL LANDGANTON	9/16/58	FUSHING, NY

Residence address on all the above for previous 5 years

Name GLEN JUDSON	Address: 42 WASHINGTON RD RYE, NH 0384
Name ANDREW BOGARD	Address: 15 SPINKS CREDIT RD 22101, ME 03503
Name MICHAEL LANDGANTON	Address: 6/20/18 → 103 POPPESSELL RD KITBY PT, ME 03905
Name	Address: 2007-2018 578 WADLEY RD KITBY PT ME 03905

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

Yes  No

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

\_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

\* ELIOT SIRKIN 23 KIMBURN RD BEDFORD, NH 03110

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

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

ONE ROOM FRONT HOUSE 50 SEATS 10 SEAT BAR  
ONE KITCHEN  
2 REST ROOM  
1 ATTIC STORAGE

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: TRAP ACADEMY

Distance: 0.5 MILES

**Section II: Signature of Applicant(s)**

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

*Please sign and date in blue ink.*

Dated: 6/28/21

[Signature]  
Signature of Duly Authorized Person

GLENN JUDON  
Printed Name Duly Authorized Person

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

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

**Section III: For use by Municipal Officers and County Commissioners only**

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

Dated: \_\_\_\_\_

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

County Commissioners of \_\_\_\_\_ County

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

<b>Signature of Officials</b>	<b>Printed Name and Title</b>

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

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

§653. Hearings; bureau review; appeal

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

**A.** The bureau shall prepare and supply application forms.

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

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

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

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

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

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

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

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

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and



G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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

**A. Repealed**

**B.** If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Repealed**

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

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

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

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

## Section V: Fee Schedule

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

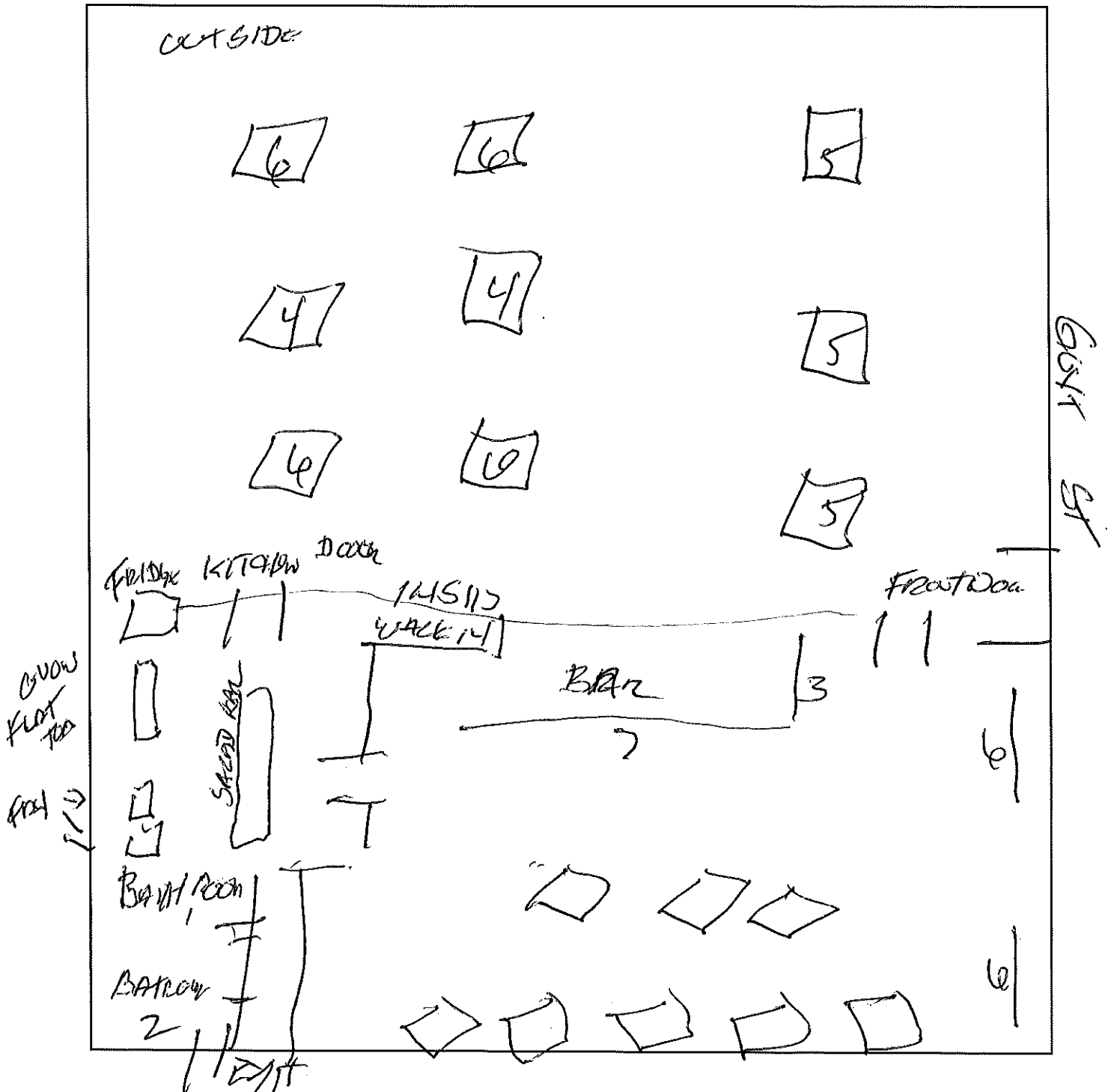
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

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

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

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



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

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

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

1. Exact legal name: CORNER PUB LLC
2. Doing Business As, if any: CORNER PUB
3. Date of filing with Secretary of State: 1/20 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 1/20
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
ALEX JOOIM	412 WASHINGTON RD RYE NH	7/10/62	OWNER	.33%
ANDREW EDGAR	SPINDY WOOD RD RYE ME	8/20/61	OWNER	.33%
MICHAEL WASHINGTON	103 PEPPER RD KILBUCK ME	2/16/58	OWNER	.33%

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

TOWN COUNCIL BOARDS AND COMMITTEES  
INTERVIEW FORM

TO: KITTERY TOWN COUNCIL

FROM: COUNCILOR Stevens and Todd Rollins

RE: APPOINTMENT TO Shellfish Conservation Center

DATE OF INTERVIEW: 6/28/21 at 4:30 a.m./p.m.

We have interviewed Tim Carven, on the date and time noted above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on 12-31-2024

Mary D. Stevens  
Todd Rollins (by MGS)  
Signatures

ATTENDANCE RECORD (for reappointments only)

Excellent \_\_\_\_\_  
Good \_\_\_\_\_  
Poor \_\_\_\_\_



TOWN COUNCIL BOARDS AND COMMITTEES  
INTERVIEW FORM

TO: KITTERY TOWN COUNCIL  
FROM: COUNCILOR Spillet and Todd Rollins  
RE: APPOINTMENT TO Shellfish Conservation Board

DATE OF INTERVIEW: 6/30/21 at 4:45 a.m./p.m.

We have interviewed Erin Kempster, on the date and time noted above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on 12/31/2024

[Signature]  
Todd Rollins  
Signatures

ATTENDANCE RECORD (for reappointments only)

Excellent \_\_\_\_\_  
Good \_\_\_\_\_  
Poor \_\_\_\_\_



Tuesday July 6, 2021

Dear Town Council,

My name is Jody Donohue, a resident of Kittery Point and the Director/Owner of The Great New England Craft & Artisan Shows. We offer juried Craft & Artisan shows for craftsmen throughout New England to offer their handmade high-quality creations.

I write today to request permission to post outdoor signs leading up to our shows on town property. These signs provide community notice. Signs are professional – placed strategically to ensure drivers vision is not blocked- posted 5 days prior to a show and removed within 24 hours of any show.

Questions, please ask and I hope to see you at one of our upcoming shows!

Thank you for your time and consideration.

For the Craftsmen,

Jody Donohue

23 Hiltons Run

Kittery Point, Maine 03905

603-321-9794

**SHOW DATES~ 2021:** July 31, August 21, August 28, (pending) September 3 weekend

**FIVE SIGNS** to be placed on town property~

End of Haley Rd (across from Candy store at intersections)

Near Fire Station at Stop Sign

Near Community Center lawn

Rotary near Dairy Queen

Stop sign at gas station – end of Whipple Rd (across from church)

Hello Anne and Karen

Anne I have also addressed this email to the Karen Estee, Town Clerk, in case she needs any information from you regarding your resigning from the Conservation Commission.

I will miss you very much as you have always been a person I can lean on and you do such an excellent job making sense of my letters! I am sure this will be a good move for you and your family even though it is a loss for KCC. I can only wish the very best for you and Rick always. Spoil those grandchildren heaps and enjoy them.

I will miss you as I am sure all of the members of the commission will. Take care.

Thank you,  
Earldean

**From:** Anne Formalarie <[anne\\_formalarie@yahoo.com](mailto:anne_formalarie@yahoo.com)>

**Sent:** Wednesday, June 30, 2021 8:02 PM

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**Subject:** Update

HI Everyone

Well, we signed a P&SA today with buyers of our Whippoorwill Lane home. It was such a tough decision for us, but our kids are dispersed, grand kids are getting older, the house is too big for 2 people, and the market is very good for sellers. We expect to close on August 18. Our Florida condo will be base camp; we plan to be 'free agents' and do lots of trips to hang out with family and friends.

-Anne