

## KITTERY TOWN COUNCIL Approved Minutes

May 23, 2022, 6:00PM

### COUNCIL CHAMBERS

#### 1. Call to Order

Chair Spiller called the meeting to order at 6:00 p.m.

#### 2. Introductory

#### 3. Pledge of Allegiance

Before the Pledge of Allegiance Chair Spiller wanted to recognize the passing of Coach Scott and the tragedy which occurred in Buffalo, New York.

#### 4. Roll Call

Councilors present: Chair Judith Spiller, Councilor Cyrus Clark, Councilor Cameron Hamm, Councilor Mary Stevens, Councilor Colin McGuire, and Jeffrey Pelletier.  
Councilors present on ZOOM Vice Chair George Dow Councilor.

#### 5. Agenda Amendment and Adoption

Chair Spiller cast one vote for the agenda as presented.

#### 6. Town Manager's Report

The Town Manager reported on: Rice Public Library, Whipple Sidewalk Project, Upcoming Dates: Sharing Roads – Cars, Bikes, Walkers – May 25, 6PM, Zoom; registration required, Real Estate & Personal Property taxes are due on May 31, 2022, at the Town Hall, Memorial Day Ceremony is on May 28, 2022, at 9:30AM located at Orchard Grove Cemetery, KEEP Property Tax Payment Plan applications are due on June 1, 2022, at the Town Hall, Voter Registration Night is on June 8, 2022, at 6PM - 7PM, located at the Town Hall, and the Town Meeting/School Budget Validation Referendum/State Primary Election is on June 14, 2022, from 8AM to 8PM, located at the Kittery Community Center.

#### 7. Acceptance of Previous Minutes

- May 9, 2022 Regular Meeting

All were in favor to approve the May 9, 2022 regular meeting minutes.

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

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

a. (050322-1) The Kittery Town Council moves to receive the Educational Recycling Scholarship recipients' presentation. The recipients are as follows:

Councilor Clark presented the recipients with the Educational Recycling Scholarships.

- Emily Sweeney
- Lilly Kemp
- Emma Ackerman
- Emma Dawson-Webb
- Olivia Kallay
- Mary Lombardi

## 10. PUBLIC HEARINGS

a. (050322-2) The Kittery Town Council moves to continue the public hearing from April 11, 2022 on Title 16 – Affordable Housing BL and BL1 amendments.

Emily Flinkstrom, Director of Fair Tide, member of the Housing Committee, and a Kittery resident spoke in support of Title 16 – Affordable Housing BL and BL1 amendments, as well as made some suggestions.

Deborah Driscoll, 9 Pepperrell Terrace, Kittery said if the Council moved forward on the amendments, she hoped they would consider the 100% affordable proposals, and to be sure there is plan the town can implement.

Suzy Courage Johnson, 13 Cromwell Street, Kittery, wrote she thinks the town should not designate a mere 25% of rental structures for "Affordable Housing". Make laws which reflect total inclusion in who is permitted to live and exist by allowing ALL units 100% Affordable Housing.

Karen Kalmar, 191 Brave Boat Harbor Road, Kittery Point, urged the Council to consider alternatives in making these areas of Kittery an "urbanite" center, and said it won't get us the diversity of housing we want.

Ron Ledgett, 45 Crockett Neck Road, Kittery Point, stated on further consideration it is now plain to me that the proposed change to BL benefits developers at the expense of Kittery residents. While I cannot undue my prior Planning Board vote I am making it clear that I no longer endorse the change as proposed.

Matt Brock, 50 Goodwin Road, Kittery Point, and Chair of the Housing Committee wrote years after the citizens of Kittery stated emphatically, through the Comprehensive Plan, that they want affordable housing to support a diverse community, this Town Council now has the opportunity to take a substantial step towards that goal: approve the rezone of the BL and BL1 zones, he also suggested two changes.

Adam Causey, Director of Planning & Development for the Town of Kittery tried to address the questions and concerns which were brought to his attention at the workshop.

Chair Spiller moved to postpone action on Title 16 – Affordable Housing BL and BL1 amendments until July 18, 2022, seconded by Councilor Clark.

Motion Carried 6-1-0

Councilor Hamm voted no.

b. (050322-3) The Kittery Town Council moves to hold a public hearing on the FY23 Municipal Budget.

Chris Andrews, 3 Deer Ridge Lane, Kittery stated he opposed the FY23 Municipal Budget.

Jeff Thomson, 25 Old Post Road, Kittery spoke in support of the FY23 Municipal Budget.

Chair Spiller moved to accept the FY23 Municipal Budget as presented, seconded by Councilor Stevens.

Motion Carried 7-0-0

c. (050322-4) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Friends 4 OBA – Food Truck, located at 69 Water Street, Exeter, NH.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

d. (050322-5) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Smokin' Phil's Belly Bustin' BBQ – Food Truck, located at 27 Bonin Road, Monmouth, ME.

Moved by Councilor Stevens, seconded by Councilor Hamm.

Motion Carried 7-0-0

e. (050322-6) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Clyde's Cupcakes – Food Truck, located at 27 Greenleaf Drive, Exeter, NH.

Moved by Councilor McGuire, seconded by Councilor Hamm.

Motion Carried 7-0-0

f. (050322-7) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from M&G Mobile Gourmet – Food Truck, located at 159 Stebbins Street, Belchertown, MA.

Moved by Councilor Stevens, seconded by Councilor Clark.

Motion Carried 7-0-0

g. (050322-8) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from The Corner Pub located at 4 Wallingford Square, Kittery.

Moved by Councilor Hamm, seconded by McGuire.

Motion Carried 7-0-0

h. (050322-9) The Kittery Town Council moves to hold a public hearing on a new Liquor License application from the Corner Pub located at 4 Wallingford Square, Kittery.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

## 11. DISCUSSION

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

Ella Hamilton of Kittery wrote how excited she was to announce that she had been selected as the Ms. Teen Kittery Maine again for 2023.

b. Response to public comment directed to a particular Councilor

c. Chairperson's response to public comments

## 12. UNFINISHED BUSINESS - None

## 13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(050322-10) The Kittery Town Council moves to accept a donation from William Quirk in the amount of \$750.00 to be deposited into the Thresher Memorial fund.

Moved by Councilor Stevens, seconded by Councilor Hamm.

Motion Carried 7-0-0

b. (050322-11) The Kittery Town Council moves to approve the annual renewal of the Victualer's License applications for 2022-23.

Moved by Councilor Stevens, seconded by Councilor Clark.

Motion Carried 7-0-0

c. (050322-12) The Kittery Town Council moves to approve a Special Activity Amusement Permit from AJ's Wood Grill Pizza, located at 68 Wallingford Square, Kittery.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

d. (050322-13) The Kittery Town Council moves to schedule a public hearing on July 18, 2022 on a Marijuana License for Tree Tips 3 LLC, located at 8 Dexter Lane, Unit 8, Kittery.

Moved by Councilor Hamm, seconded by Councilor McGuire.

All were in favor.

e. (050322-14) The Kittery Town Council moves to schedule a public hearing on June 13, 2022 on amendments to Title - 12 Shellfish.

Moved by Councilor McGuire, seconded by Councilor Hamm.

All were in favor.

f. (050322-15) The Kittery Town Council moves to schedule a public hearing on June 13, 2022 on amendments to Title 16 – Affordable Housing Mixed Use Neighborhood.

Moved by Councilor Clark, seconded by Vice Chair Dow.

All were in favor.

g. (050322-16) The Kittery Town Council moves to schedule a public hearing on June 13, 2022 on amendments to Title 10 Gorges Road Parking.

The Town Manager gave an overview on the amendments to Title 10 Gorges Road Parking.

Moved by Councilor McGuire, seconded by Councilor Clark.

All were in favor.

h. (050322-17) The Kittery Town Council moves to schedule a public hearing on June 13, 2022 on the Town Meeting articles.

Moved by Councilor Clark, seconded by Councilor Hamm.

All were in favor.

i. (050322-18) The Kittery Town Council moves to accept the resignation of Rich DeMarco from the Parks Commission.

Moved by Councilor Clark, seconded by Councilor McGuire.

Motion Carried 7-0-0

j. (050322-19) The Kittery Town Council moves to approve a sign request from Kittery Harborside Garden Club to place signs about Town the week of May 23, 2022 to advertise the annual plant sale on Saturday May 28, 9AM to 1PM at the Lions Club.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

k. (050322-20) The Kittery Town Council moves to approve a sign and banner request from the Kittery Block Party Committee to place signs and banners about Town from June 1 to June 20 to advertise this Community Event which will be held on June 18.

Moved by McGuire, seconded by Councilor Hamm.

Motion Carried 7-0-0

l. (050322-21) The Kittery Town Council moves to nominate Town Manager Kendra Amaral to the MMA's Legislative Policy Committee (LPC).

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

m. (050322-22) The Kittery Town Council moves to set their summer meeting schedule for July 18 and August 15, 2022.

Moved by Councilor Steven, seconded by Councilor McGuire.

Motion Carried 7-0-0

#### 14. COUNCILOR ISSUES OR COMMENTS

Councilor Stevens commented on Coach Scott being a wonderful Coach and resident of Kittery, and she also spoke about the DEI Committee.

Councilor Hamm mentioned he will not be attending the Council meetings for the next couple of months due to work.

Councilor McGuire spoke about the housing discussion and what Kittery needs to continue to grow with more affordable housing for younger families.

Vice Chair Dow commented on the passing of Bart Scott and stated he was a terrific man.

#### 15. COMMITTEE AND OTHER REPORTS

##### a. Communications from the Chairperson

Chair Spiller mentioned that she and the Town Manager met with the head of the Kittery Land Trust and their acquisitions committee.

Chair Spiller also informed the Council on June 2, 2022 6pm at the Kittery Community Center the Kittery Climate Action Now Group will be sponsoring the second Kittery solarize session.

b. Committee Reports

16. EXECUTIVE SESSION - None

17. ADJOURNMENT

Councilor Hamm moved to adjourn at 7:49 pm, seconded by Councilor Stevens.

All were in favor

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.