



TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda
August 10, 2023, @ 6:00 PM
VILLAGE FIRE STATION
32 North Street**

This is an in-person meeting but the public may join in Zoom webinar format

Join by **computer or mobile device** and click on:

<https://us06web.zoom.us/j/86944613368>

or go to **ZOOM** and enter the **webinar ID: 869 4461 3368**

By **phone** 1(929) 205 6099 US

1. Call to Order.
2. Approve the July 27, 2023, selectmen meeting minutes.
3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)
4. Review of the Town Hall subcommittee report.
5. Recognition of the resignation of the RSU 21 School Board member and discussion of the replacement process.
6. Presentation of proposed November 2023 ballot questions:
 - a. Comprehensive Plan updates.
 - b. Street Opening Permit updates.
7. New cruiser for the Police Department.
8. Authorize carryforwards from FY23.
9. Dyke Road Right of Way Agreement.
10. Request to waive Planning Board fees for the upcoming Beachwood neighborhood by the Kennebunkport Heritage Housing Trust.

11. Boat Launch presentation and updates.
12. Update on the Pier Rd Causeway project.
13. Update on the Cape Porpoise Pier project.
14. Request for Street Opening permit by George Burr & Sons Inc. for
 - a. Langsford Road
 - b. Ocean Avenue
15. Maine Municipal Association Annual Election.
16. Appoint Carolyn Muse to the Shade Tree Committee with an expiration date of June 2024.
17. Appoint Mike West to the Board of Assessment Review with an expiration date of June 2026.
18. Appoint Ella Boxall to the Climate Action Task Force with an expiration date of December 31, 2023.
19. Other Business.
20. Approve the August 10, 2023, Treasurer's Warrant.
21. Adjournment.

AGENDA ITEM DIVIDER

Town of Kennebunkport
Board of Selectmen Meeting
July 27, 2023
6:00 PM

MINUTES

Selectmen attending: Mike Weston, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra, Marybeth Gilbert.

1. Call to Order:

Chairman Weston called the meeting to order at 6:00 PM.

2. Approve the July 13, 2023, selectmen meeting minutes.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the July 13, 2023, selectmen meeting minutes. **Voted:** 5-0. **Motion passed.**

3. Approve the July 27, 2023, Treasurer's Warrant.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the July 27, 2023, Treasurer's Warrant. **Voted:** 5-0. **Motion passed.**

4. Executive Session per MRSA 1, §405-6C to consider the condition, acquisition, or the use of real or personal property.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to enter Executive Session per MRSA 1, §405-6C to consider the condition, acquisition, or the use of real or personal property. **Voted:** 5-0. **Motion passed.**

The Selectmen moved to the lounge for the Executive Session, which lasted an hour and 10 minutes.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to leave Executive Session. **Voted:** 5-0. **Motion passed.**

5. Adjournment.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to adjourn. **Voted:** 5-0. **Motion passed.**

The meeting adjourned at 7:30 PM.

Submitted by
Yanina Nickless,
Director of Support Services

AGENDA ITEM DIVIDER

Memorandum

To: Board of Selectmen

Fr: Mike Weston, Mary Beth Gilbert, and Laurie Smith

Re: Proposal to lower the tax impact of the Town Hall construction

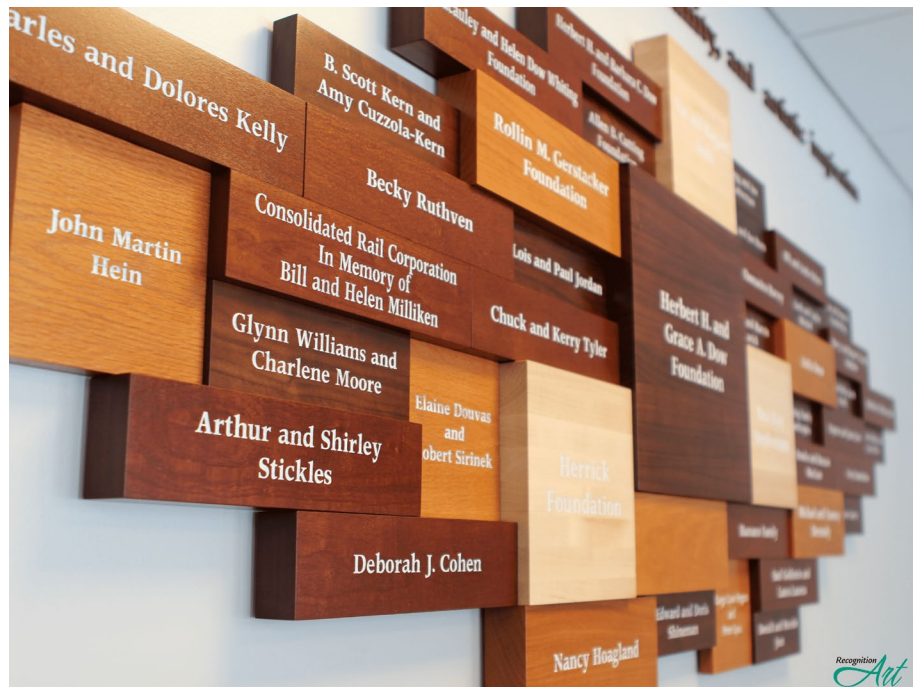
Dt: August 2, 2023

The Town Hall Building Committee made their presentation to the Selectboard at the July 13, 2023, meeting. During the presentation, we discussed the current costs for the project were estimated at \$8.8 million, assuming a 2024 construction start. The Board discussed ways in which we might attempt to lower the property tax impact and appointed the subcommittee of Mike Weston and Mary Beth Gilbert, along with Town Manager Laurie Smith. The members of the subcommittee met on three occasions and included Werner Gilliam, Chris Simeoni, and April Dufoe in these discussions. We also had members of the public – Alan & Jane Evelyn and James Mulvihill - reach out to discuss the subject with the committee.

At the July 13 meeting, staff discussed the options of selling the current Town Hall at 6 Elm Street, along with the use of capital reserves, to lower the bond required for construction. The estimate of \$1,000,000 from the sale of 6 Elm Street and the use of \$800,000 in reserves could decrease the bond amount by \$1.8 million. The subcommittee considered other revenues that might have a similar effect. One of the ideas presented was the potential to increase fees; however, upon closer examination, it was determined that the fee increases would not have the necessary magnitude to affect a reduction in a large capital cost. The committee began considering the sale of additional Town property. A review of a long list of Town properties found that most were in use or tax acquired. Due to the recent Supreme Court decision and Maine statute change, Towns are no longer able to gain financially from tax-acquired property sales. Therefore, these properties would not produce the desired effect. Upon further examination, the committee did find two properties that were deeded to the Town which could potentially be sold.

1. 49 Beachwood – the old Town Garage site. The lot is approximately 1 acre in size and is assessed at \$160,000. The Town has owned it since the 1950s and paid \$1.00 for the property originally. Our initial thoughts are it could sell for at least \$200,000.
2. School Street - McCabe Parcel – adjacent to Parson Field and Recreation Center. The lot is approximately 8 acres in size and can access water and sewer. The Town purchased the property in 2014 for \$385,000. We believe it could sell for at least \$500,000.

Another idea that was suggested by both the Evelyns and Mr. Mulvihill was the prospect of raising funds through naming rights in the new building. This idea was considered at length, including the perceptions of donations being tied to a “quid pro quo”, especially in a public building that should feel free from bias. The idea developed into the concept of targeting donations toward people who have contributed to the community. This then evolved into the vision of a memorial wall, where donations could recognize people and businesses in the community, such as the one to the right.



The grander vision would be to create a mural wherein the artwork can recognize families or individuals, such as the one on the left. The committee imagined a mural that reflects Kennebunkport's culture and heritage – perhaps a design featuring a boat on the water.

Should the Board be willing to consider all of these ideas, this *could* result in a \$3.0 million reduction to the bonded amount.

Town Hall Construction Cost	\$ 8,800,000
Sale of 6 Elm Street	\$ (1,000,000)
Use of Reserves	\$ (800,000)
Fundraising	\$ (500,000)
Additional Property Sales	\$ (700,000)
Bonds needed for project	\$ 5,800,000

Whatever the Town borrows will need to be paid back over a 20-year period on an annual basis. When we examined the property tax rate impacts of three bond amounts it varied greatly. The average annual difference between the \$8.8 million and \$5.8 million bonds is approximately \$220,000, or about \$0.06 on the tax rate.

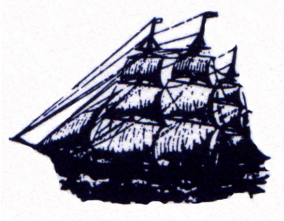
Bond Amount	Average Annual Payment	Tax Impact	\$ Impact Per \$100,000 value	\$ Impact Per \$500,000 value
\$8.8 million bond - 20 years	\$ 605,000	\$ 0.17	\$ 17.23	\$ 86.15
\$7.0 million bond - 20 years	\$ 497,000	\$ 0.14	\$ 14.15	\$ 70.77
\$5.8 million bond - 20 years	\$ 385,000	\$ 0.11	\$ 10.96	\$ 54.82

In addition to these potential savings, the Town will experience naturally occurring reductions in debt; please see the chart below. Between the years 2026 and 2029 (a 5-year period), the Town will save approximately \$480,000 annually in debt payments. Although the Town Hall bond will likely occur in the calendar year 2024, the first debt payment could be arranged to occur in FY 2026. By 2027, year one of the initial debt payment, the natural reduction in debt payments would be approximately \$300,000, or a decrease of \$0.09 in the tax rate.

Debt Retirements - FY26 - FY29			
Year	Project	Principal	Interest
2026	Wastewater	\$ 33,590.27	\$ 1,604.23
2027	Police	\$ 42,254.17	\$ 2,936.86
2027	Radio Tower	\$ 200,000.00	\$ 19,380.06
2028	Recreation	\$ 45,000.00	\$ 5,801.40
2029	Seawall	\$ 105,000.00	\$ 26,270.83
	Total:	\$ 425,844.44	\$ 55,993.39
	Grand Total		\$ 481,837.83

The subcommittee recommends that the Board consider these various ways in which we might move forward with this important and needed project while decreasing the effect on Kennebunkport property owners. The ballot before voters would authorize the bond for the Town Hall project but also approve the sale of properties, use of reserves, and potential fundraising opportunities.

AGENDA ITEM DIVIDER



KENNEBUNKPORT TOWN CLERK

MEMORANDUM

To: Laurie Smith, Town Manager
Board of Selectmen

Fr: Tracey O’Roak, Town Clerk

Re: RSU #21 Director vacancy

Dt: August 3, 2023

On July 28, 2023, Jameson Davis resigned as an RSU #21 School Board member. Her resignation is attached.

Per Title 20-A §1474 3. Filling Vacancies. *“The municipal officers of the municipality in which the director resided shall select an interim director for the municipality or subdistrict to serve until the next annual municipal election”*. Therefore, the appointed interim director will serve until Kennebunkport’s annual town meeting in June 2024. I have attached a copy of the statute.

Also attached is a basic application that interested individuals will complete and submit to the Town Clerk’s Office.

The suggested process is as follows:

1. Advertise the vacancy on our website and Facebook page as well as at the library, at town hall, and in The Post.
2. Request that applications be submitted to the Town Clerk’s office no later than 4:30 pm on Friday, September 1, 2023.
3. The Board of Selectmen will review the applications at the September 14, 2023, meeting. The applicants will be asked to attend in case the Board has any clarifying questions to ask them.
4. The Board can make the decision at the September 14, 2023, meeting or wait until September 28, 2023. Keep in mind that the Board will not be able to discuss the applications outside of a public meeting, so there may not be anything to gain by waiting until the September 28th meeting.

Other communities, including Kennebunk, have used a process very similar to this to fill vacancies in the past.

RSU21 SCHOOL BOARD RESIGNATION NOTICE

This letter serves as my (Jameson Davis) resignation from the RSU21 School Board, as of Friday, July 28th, 2023 (day of publication). The following is a synopsis of my decision and some reasons behind it.

When I decided to run for the Kennebunkport RSU21 school board position, it was with the best intentions – my comments around having the time and resources, unlike others, are and were genuine. My decision to resign now is difficult. However, the most important role I hold right now is as a MOTHER. As I've familiarized myself with the current policies and procedures of the district, it has become clear that the priorities of the RSU21 do not align with our family. This district is more concerned with DEI than with traditional education. I had an optimistic view that I could change, or at least influence rational discussion around the path our district is on – unfortunately, this won't be the case; the district and administration appear to be irredeemable. My husband and I have no intention of sending our children to this district.

My resources are better spent making sure my children are supported, educated, and loved in the best way possible. We do not believe this will be by going through the RSU21 district. My time and energy will be focused on creating and finding alternative learning resources for my children and the many, many other families in this district who do not agree with the direction it is going in. I cannot in good conscience support the extreme policies that have been implemented. The pervasive DEI agenda and the erosion of parental rights serves only to insert government where it does not belong. While I understand elections have consequences, it is every elected individuals' responsibility to represent the entirety of their constituents; at the very least, to foster open discussion and inclusion. This is not the case with the current board. As a board member, I have been repeatedly berated and disregarded by fellow board members (both past and present). Additionally, I have repeatedly witnessed community members be treated with disdain and disrespect during public commentary. At a recent board meeting, both board members and community members berated and humiliated a constituent who was voicing concerns over the current policies in the district. Not only was this out of order, it was disgraceful behavior unbecoming of our elected officials. In so many words, the community member was told to sit down and shut up because the comments represented the 'minority'. How ironic we have a board that feels they have the power and authority to decide which minorities they champion. The hypocrisy of the board's attitude and behavior is appalling.

HERE ARE SOME ROUGH STATISTICS ON THE JUNE 2023 ELECTION:

KENNEBUNK –

- 36% of voters left the school board candidate section blank
- 45% of voters voted the budget down or left the section blank

KENNEBUNKPORT –

- 43% of voters voted for the losing candidate
- 28% of voters voted the budget down or left the section blank

ARUNDEL –

- 49% of voters voted for the losing candidate
- 39% of voters voted the budget down or left the section blank

These numbers are not insignificant! The voices of ALL community members need to be listened to and respected. It's a shame that the people with the most power are not a well-rounded representation of the make-up of the three communities within RSU21. How much diversity, across all categories, are we representing with the people in power? The current school board (excluding me now) is made of ten women and one man, all of whom have similar levels of education and backgrounds; one particularly galling fact – everyone has AT LEAST one college degree.

I wish everyone the best and do not plan to go away completely. But my children and that core relationship must come first. Especially when our district is bent on creating policies, implementing curriculum and procedures, and encouraging trainings and readings that chip away at the foundation of our society.

For those interested, I will be working to better understand school choice and how we can implement that essential right in our district and across the state. This will allow families to meaningfully explore other education options and hopefully help to check the disgusting power our education systems have amassed under the guise of doing 'what's best for the students'.

All my best,
Jameson Davis

§1474. Vacancies

1. Definition of vacancy. A vacancy on a regional school unit board occurs:

- A. When the term of office of a regional school unit board director expires; [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]
- B. When a regional school unit board director changes residency from the municipality or subdistrict from which elected. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency; [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]
- C. On the death of a regional school unit board director; or [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]
- D. When a regional school unit board director resigns. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

In addition to paragraphs A, B, C and D, except in municipalities having a municipal charter, when a director is absent without excuse from 3 consecutive regular board meetings, the regional school unit board may declare that a vacancy exists.

[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

2. Regional school unit board. The regional school unit board shall notify the municipal officers of the municipalities within the regional school unit of a vacancy before the annual town meeting or before the regular municipal election.

[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

3. Filling vacancies. A vacancy on a regional school unit board must be filled according to this subsection.

A. The municipal officers of the municipality in which the director resided shall select an interim director for the municipality or subdistrict to serve until the next annual municipal election. The interim director shall serve until a successor is elected and qualified. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

B. The municipal officers shall provide at the next municipal or subdistrict election for the election of a director to fill the vacancy. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

SECTION HISTORY

PL 2007, c. 240, Pt. XXXX, §13 (NEW).

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BBA - SCHOOL BOARD POWERS AND RESPONSIBILITIES

SECTION B: BOARD GOVERNANCE AND OPERATIONS

BBA - SCHOOL BOARD POWERS AND RESPONSIBILITIES

The RSU 21 Board of School Directors shall have general charge of all the public schools of this unit and shall exercise such other responsibilities as specifically provided by law.

The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and his/her staff, who shall be held responsible for the effective administration and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, attorney generals' opinions, and similar mandates from the state and national levels of government, and recognizing the authority of the state, fulfills its mission as the governing body of a political subdivision by acting as follows in the execution of its duties:

1. Enacts policy;
2. Selects, employs and evaluates the Superintendent;
3. Provides for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the school system;
4. Prescribes the minimum standards needed for the efficient operation and improvement of the school system;
5. Requires the establishment and maintenance of records, accounts, archives, management methods and procedures incidental to the conduct of school business;
6. Approves the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
7. Estimates the funds necessary from taxes for the operation, support, maintenance and improvement of the school system;
8. Adopts courses of study;
9. Provides staff and instructional aids;

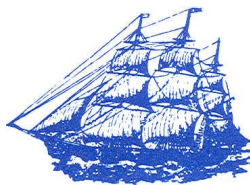
10. Evaluates the educational program to determine the effectiveness with which the schools are achieving the educational purposes of the school system;
11. Provides for the dissemination of information relating to the schools necessary for creating a well-informed public; and
12. Approves/disapproves personnel nominations from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions of all staff.

Legal Reference: 20-A MRSA § 1001

20-A MRSA § 1476

Adopted: 02/07/22

Section B



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Application for Interim RSU #21 Director

To the Town Clerk:

I hereby request to be considered for the interim RSU #21 School Board Director with a term to end in June 2024.

Signature of Applicant

Date

Preliminary Information

Name (Print):

Residence Address:

Phone:

Business Address:

Phone:

Mailing Address:

(if different)

E-mail Address:

What is your reason for wanting to serve on this board?

Membership in town, school or community organizations:

Organization	Dates	Activities
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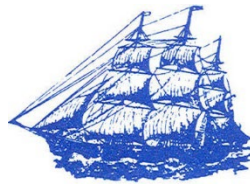
Briefly list your background, skills, experience or training you would like to mention.

Are you registered to vote in Kennebunkport? ☐ **Yes** ☐ **No**

Please return the completed application to:
Town Clerk,
6 Elm St., P.O. Box 566,
Kennebunkport, ME 04046

You will be contacted upon receipt.

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE
-INCORPORATED 1653-

To: Laurie Smith, Town Manager
Tracey O’Roak, Werner Gilliam
Fr: Michelle Radley, Planner
Re: Proposed Comprehensive Plan Revisions November 2023 Update
Dt: July 6th, 2023

After the initial passage of the Comprehensive Plan update last November, Town Staff received comments and needed revisions from the State. These revisions are minor in nature but are required for Kennebunkport’s Comprehensive Plan to be found complete and consistent by the State. Please find below a description of these revisions.

Revisions to Chapter 7 - Natural Resource

Revisions to this chapter include an update to the date of Chapter 7, and revisions to farm inventory. In response to a comment from a resident, we have removed an incorrectly identified farm and added Five Acre Farm to this list.

Revisions to Appendix A – Goals, Policies & Strategies

Revisions to this appendix include an update to the date of Appendix A, and the addition of 10 goals and strategies per state request. These revisions are minor and do not alter the spirit or major content of the plan. These changes are written to include that the town will maintain highlighted practices such as designated growth areas, providing training to the CEO, providing educational materials to the community, working collaboratively with land trusts, and so on. These practices are embodied throughout the plan and need to be added in the Goals, Policies, and Strategies Appendix to achieve state-level completeness and consistency. Subsequently, these additions have been numbered, and the following strategies have been renumbered as part of this revision.



Chapter 7

Natural Resources

KENNEBUNKPORT COMPREHENSIVE PLAN 2030
Volume 2

~~May 2022~~ June 2023

Symbol	Soil Type	Total Acres	Poorly & Very Poorly Drained	Farmland Soils ^a	Forest Soils (Group IIB)
AdC	Adams loamy sand, 8 to 15 percent slopes	4.50			
Ba	Beaches, sand	53.19			
BH	Beaches, sand-Hooksan complex, 0 to 8 percent slopes	1.61			
HU	Hooksan-Urban land complex, 0 to 8 percent slopes	18.16			
LnD	Lyman loam, 15 to 25 percent slopes, rocky	6.26			
LyE	Lyman-Rock outcrop complex, 15 to 80 percent slopes	317.14			
Pg	Pits, gravel	26.57			
RoC	Rock outcrop-Lyman complex, 3 to 15 percent slopes	5.59			
RoE	Rock outcrop-Lyman complex, 15 to 80 percent slopes	8.55			
ShA	Succotash sand, 0 to 3 percent slopes	6.37			
UH	Urban land-Hooksan complex, 0 to 8 percent slopes	117.90			
W	Water bodies	319.68			
Ur	Urban land	32.30			
Total Acres		12,960	4,762.7	1,122.3	143.4

^a Farmland soils in Kennebunkport consist primarily of soils of statewide importance. * denotes prime agricultural soils.

Agricultural Soils

Less than one acre in town is considered prime farmland. As defined by the US Department of Agriculture, prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crop and is available for these uses.¹⁶

Approximately 8.7% of soils are classified designated as *farmland of statewide importance*: areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.¹⁷

As noted in the 2012 Comprehensive Plan, sub-optimal growing

conditions and the high price of land are significant constraints on farming. However there are diverse business such as Blackrock Farm, Ewe and I, ~~Frinklepond Farm~~ **Five Acre Farm**, Adams Family Christmas Tree Farm, and Wolff Farm scattered throughout rural areas of town. The town is home to horses kept for riding and cattle and sheep farms. Several of these farms are located in the vicinity of the intersection of Gravelly Brook Road, Goose Rocks Road, and Arundel Road.

Local food production is an important component of reducing the ecological footprint of individuals and communities. The ecological footprint is the impact of a person or community on the environment, expressed as the amount of land required to sustain their use of natural resources.



Goals, Policies & Strategies

KENNEBUNKPORT COMPREHENSIVE PLAN 2030

Volume 2 Appendix A

~~May-June 2023~~

Introduction

The table of Goals, Policies, and Strategies that follows summarizes the action steps that are intended to guide implementation of the plan. This table will help the next generation of community leaders and officials understand the desire of the townspeople as they balance the events of the future, budgets, and tax rates. It is a road map for all to use and shall be referenced and utilized frequently as the routine tasks of local government are undertaken.

Although the table presented here has segmented parts corresponding to each Comprehensive Plan chapter, the strategies are as interconnected as the subjects of the chapters. Housing, natural resources, or the local economy may seem distinct and sometimes even counter to each other, however, these elements are inexorably linked and their reciprocal influence over each other blends true distinction. Similarly, the challenges brought by a changing climate cannot be separated out into a section of its own. Instead, adaptation and consideration of climate change has been addressed in each section because its effects will challenge the community in innumerable ways.

This plan aims to work collaboratively with residents, business owners, and regional partners on the challenges of sea-level rise, transportation, housing, and others that we share in southern Maine. Through adaptation we will strive to preserve Kennebunkport's historic integrity, protect natural resources, and strengthen the town's unique small-town character while improving economic vitality.

Responsible Parties List

<u>Entity</u>	<u>Acronym</u>	<u>Entity</u>	<u>Acronym</u>
Assessing Department	AD	Kennebunkport Historical Society	KHS
Beach Advisory Committee	BAC	Library Trustees and Staff	L
Board of Selectmen	BoS	Parks and Recreation Department	PRD
Budget Board	BB	Planning Board	PB
Cemetery Committee	KCC	Planning Department	PD
Cape Porpoise Archaeological Alliance	CPAA	Police Department	PoD
Chamber of Commerce	CoC	Public Health Department	PH
Code Enforcement Officer	CEO	Public Safety Committee	PSC
Conservation Commission	CC	Public Works Department	PW
Emergency Management	EM	Recreation Committee	RC
Finance Department	FD	RSU 21	RSU
Growth Planning Committee	GPC	Shade Tree Committee	STC
Harbormasters	HM	Shellfish Conservation Committee	SCC
Kennebunkport Heritage Housing Trust	KHHT	Solid Waste Committee	SWC
Kennebunk River Committee	KRC	Town Clerk	TC
Kennebunkport Business Association	KBA	Town Manager	TM
Kennebunkport Emergency Medical Services	KEMS	US Coast Guard	CG
Kennebunkport Conservation Trust	KCT	US Fish & Wildlife Service	FWS
Kennebunkport Consolidated School	KCS		

Timeframes: Short term = 0-3 years; Medium term = 3-5 years; Long term = 5+ years

Chapter 3: Historic Resources			Responsible Party	Timeframe
1	GOAL	PROMOTE AND PRESERVE LOCAL HISTORY AND HERITAGE.		
2	Policy	Promote awareness of the Town's history.		
3	Strategy	Prioritize Planning Board applicants who have knowledge of architectural history, historic preservation, and archaeology.	BoS	Ongoing
4	Strategy	Continue to teach local history at the Kennebunkport Consolidated School. Coordinate efforts between local historians, residents, parents, friends, and teachers at the Consolidated School.	RSU 21 & KCS	Ongoing
5	Strategy	Undertake a detailed, town wide survey of Kennebunkport's historic structures. Identify historic sites and areas. Identify historic buildings that are threatened by sea level rise and extreme weather events.	KHS	Medium Term
6	Strategy	Promote awareness of historic structures and districts that are listed in the National Register of Historic Places and the Historic American Building Survey.	KHS	Ongoing
7	Strategy	Update the historic building plaque program to include structures and sites dating to the mid-20 th century.	KHS	Short Term
8	Strategy	Develop audio recordings of self-guided walking tours of Kennebunkport's historically and architecturally significant sites. Erect interpretive signs.	KHS	Medium Term
9	GOAL	RECOVER DATA FROM PREHISTORIC AND HISTORIC ARCHAEOLOGICAL SITES.		
10	Policy	Protect and preserve prehistoric and historic sites until such time as data can be recovered by professional archaeologists.		
11	Strategy	Develop an ordinance to protect archaeological sites.	PD & CPAA	Medium Term
12	Strategy	Educate property owners and developers on the importance of archaeological remains and seek their cooperation to ensure that prehistoric and historic sites are left in an undisturbed state.	PD & CPAA	Ongoing
13	Strategy	Support the Kennebunkport Conservation Trust in its efforts to preserve the sites of historic European fishing settlements and Native American use of the Cape Porpoise area.	PB & KCT	Ongoing

14	Policy	Efforts to recover data from archaeological sites in coastal areas should be accelerated due to the increasing intensity of extreme weather events.		
15	Strategy	Support the rapid response efforts of the Cape Porpoise Archaeological Alliance and accelerate efforts to recover data from offshore shipwrecks.	PB & CPAA	Ongoing
16	GOAL	PROTECT AND PRESERVE HISTORIC STRUCTURES AND DISTRICTS.		
17	Policy	Preserve historic and architecturally significant structures and areas.		
18	Strategy	Educate property owners on tax incentives for the restoration and preservation of income producing property.	PD	Ongoing
19	Strategy	Advise property owners on improving a building's energy efficiency while preserving its historic character.	CEO	Short Term
20	Policy	Protect historic structures that are threatened by sea level rise and extreme weather events.		
21	Strategy	Work with the Silver Jackets and other experts to devise a plan to protect Dock Square buildings.	PD	Short Term
22	Goal	PRESERVE CEMETERIES AND GRAVEYARDS.		
23	Policy	Restore, maintain, and protect cemeteries and burial plots.		
24	Strategy	Research and document all cemeteries and burial plots. Seek permission from private property owners to allow access for restoration, monitoring, and necessary maintenance. Enlist volunteers to work with the Cemetery Committee to restore all sites.	KCC	Medium Term

Chapter 6: Housing

Responsible
Party

Timeline

1	GOAL	MEET THE DEMAND FOR AFFORDABLE HOUSING BY PROVIDING FOR A MIX OF HOUSING TYPES IN A BROAD RANGE OF PRICES.		
2	Policy	Incentivize the construction of year-round affordable housing units and create standards of eligibility for such units with preference for school and government employees, Kennebunkport residents, and persons employed in the Town.		
3	Strategy	Amend the LUO to include a definition of affordable housing.	PD	Short Term
4	Strategy	Consider the acquisition or use of Town-owned land for the construction of affordable year-round housing units.	BoS	Ongoing
5	Strategy	Consider amending the LUO to reduce minimum lot size requirements and increase allowable density within Growth Areas.	PB & PD	Short Term
6	Strategy	Encourage clustering of all types of housing units, including duplex and multi-plex units.	PB & PD	Short Term
7	Strategy	In subdivisions of 10+ dwelling units, the developer should set aside 10% as affordable units. In subdivisions of 5 to 9 dwelling units, at least one should be set aside. Alternately, the developer may consider an in-lieu fee.	PB, HHT & PD	Short Term
8	Strategy	Encourage the construction of accessory dwelling units for year-round use.	PB & PD	Ongoing
9	Strategy	Amend the LUO to allow accessory dwelling units (ADU) and home occupations to co-exist and utilize performance standards to regulate the appearance and potential impact of these uses within neighborhoods.	PB & PD	Short Term
10	Strategy	Allow the development of multi-plex (multi-family) housing, including rental units, in designated Growth Areas.	PB & PD	Short Term
11	Strategy	Encourage the development of assisted living and independent living facilities.	PB & PD	Ongoing
12	Strategy	To ensure a timely response by volunteer first responders, the Town should take steps to ensure that in-town housing options are affordable for first responders.	PSC, PB & BoS	Ongoing
13	Strategy	Support the Kennebunkport Heritage Housing Trust.	BoS	Ongoing

14	Strategy	Consider the establishment of a development impact fee to fund affordable housing.	PD	Short Term
15	Strategy	<u>Maintain locations in growth areas where mobile home parks are allowed pursuant to 30-A M.R.S.A. §4358(3)(M) and where manufactured housing is allowed pursuant to 30-A M.R.S.A. §4358(2).</u>	<u>PD & GPC</u>	<u>Ongoing</u>
16 5	GOAL	MINIMIZE THE ADVERSE IMPACTS OF CLIMATE CHANGE.		
17 6	Policy	Reduce the vulnerability of housing to climate change.		
18 7	Strategy	Educate homeowners about flood vulnerability.	CEO & PD	Short Term
19 8	Strategy	Seek grants from the Federal Emergency Management Agency and other state and federal agencies to assist property owners adapt to climate change.	PD	Ongoing
20 19	Strategy	Review current zoning codes, regulations, and policies to incorporate natural design elements and building practices such as Low Impact Design standards.	PD & PB	Short Term
21 0	Strategy	Consider climate impacts when identifying future growth areas.	PD, PB & GPC	Long Term
22 1	Strategy	Recommend where appropriate the reduction of width standards for roads that serve multiple buildings as a strategy to reduce impervious surfaces.	PD & PB	Medium Term
23 2	Strategy	Review and make recommendations for off-street parking requirements for residential use.	PD & PB	Medium
24 3	Strategy	Encourage builders and residents to install and maintain pervious material in appropriate locations.	PD & PB	Ongoing

Chapter 7: Natural Resources, Forest Resources, and Agricultural Resources

			Responsible Party	Timeframe
1	GOAL	PROTECT CRITICAL NATURAL RESOURCES, INCLUDING WETLANDS, TERRESTRIAL AND AQUATIC HABITAT, SAND DUNES, BEACHES, SCENIC VISTAS, AND UNIQUE NATURAL AREAS.		
2	Policy	Conserve and protect Kennebunkport's critical natural resources through conservation and education.		

3	Strategy	Support and collaborate with the Kennebunkport Conservation Trust to protect critical and important natural resources through purchase of land or easements from willing sellers.	KCT & CC	Ongoing
4	Strategy	Conduct a natural resources inventory to prioritize conservation and allocation of resources toward conservation, maintenance, and monitoring activities in areas with greatest co-occurrence of water features, important natural communities, listed animal and plant species, and undeveloped land.	CC & PD	Medium Term
5	Strategy	Collaborate with conservation partners to identify and make public a regional database of educational resources and information about critical habitat (including salt marshes), vulnerable species, and the impacts of development and human activity on natural resources.	CC, FWS & PD	Short Term
6	Policy	Minimize the impacts of development and human activity on natural resources.		
7	Strategy	Require that subdivisions and commercial developments maintain open space to the greatest extent practicable.	PB & PD	Short Term
8	Strategy	Encourage the use of native plants on public and private property.	PB & PD	Short Term
9	Strategy	Encourage developers to install street trees to enhance wildlife habitat and provide shade.	PB & PD	Short Term
10	Strategy	Conduct monitoring to evaluate the impact of pesticides and herbicides on natural resources and water resources and identify strategies to minimize impacts such as through alternative weed and pest controls and regulations as needed.	PD, CC & BAC	Short Term
11	GOAL	PROTECT RARE AND ENDANGERED SPECIES.		
12	Policy	Educate the public about rare and endangered species.		
13	Strategy	Collaborate with conservation partners to develop an education and outreach program to inform the public about the presence of endangered, rare, and significant species and how to avoid impacting these species.	CC, FWS & PD	Medium Term
14	Strategy	Work with the Maine DOT and Kennebunkport's Public Works Department to accommodate known migratory crossings of endangered reptiles and amphibians as part of road construction and repair projects. Continue to place caution signs at appropriate sites.	PW & PD	Ongoing

15	Strategy	Continue to place signage on beaches during plover nesting season.	PW	Ongoing
16	GOAL	PROTECT FOREST RESOURCES AND FARMLAND FROM THE NEGATIVE IMPACTS OF DEVELOPMENT.		
17	Policy	Support agricultural and forestry activities.		
18	Strategy	Support forestry and agricultural uses and activities such as agritourism, backyard chickens, farms, farm stands, and firewood sales.	PD	Short Term
19	Strategy	Review Town ordinances and regulations for consistency with Maine's Right to Farm Law (Title 7 MSRA, Chapter 6) to determine if local ordinances and regulations require strengthening.	PD & PB	Short Term
20	Strategy	Review Town ordinances and regulations for consistency with Article 1 Section 25 Establishing A Right to Food of the Constitution of the State of Maine	PD & PB	Short Term
21	Strategy	Amend the LUO to permit farmers' markets.	PB	Short Term
22	Strategy	Review and amend, as necessary, the LUO and subdivision regulations to develop performance standards to protect forest and farmland resources. Land developers should identify critical natural resources and utilize Beginning with Habitat maps and other data resources.	PD & PB	Short Term
23	GOAL	PROTECT NATURAL RESOURCES WHILE MANAGING FOR LOW IMPACT PUBLIC USE.		
24	Policy	Maintain and enhance open space recreational assets.		
25	Strategy	Coordinate with the Kennebunkport Conservation Trust to interconnect public and private conservation lands and trail systems including links to routes and facilities in neighboring communities.	CC & KCT	Medium Term
26	Strategy	Review use of Town-owned conservation lands to ensure activities do not damage or deplete natural resources.	CC & PD	Medium Term
27	Strategy	Periodically review the use of town properties and seek input from residents on uses of properties	CC & BoS	Medium Term
28	Policy	Provide access to conservation land.		
29	Strategy	Coordinate with the Kennebunkport Conservation Trust to inventory, and improve, as needed, parking, access, and trails at conservation land that is open to the public. When appropriate, support the KCT as it works toward improving accessibility to a range of users, physical abilities, and activities.	CC & KCT	Ongoing

30	Strategy	Form a committee to investigate opportunities to balance protection and enjoyment of natural resources with tourism and recreation opportunities.	CC, KCT & CoC	Short Term
31	Policy	Maintain and enhance scenic resources.		
32	Strategy	Inventory scenic resources and create an online map of scenic vistas.	PB & PD	Medium Term
33	Strategy	Add protection of scenic views and scenic resources to Site Plan Review Performance Standards.	PB & PD	Medium Term
34	Goal	ADAPT TO CLIMATE CHANGE.		
35	Policy	Enhance the resiliency of habitats and species.		
36	Strategy	Identify opportunities to accommodate marsh migration inland to protect this critically important resource from sea level rise.	PB, CC & PD	Short Term
37	Strategy	Encourage conservation of low-lying undeveloped uplands where coastal marshes, beaches, and other intertidal natural communities can migrate inland with sea level rise.	PB, CC, KCT & PD	Short Term
38	Strategy	Identify locations to enhance wildlife corridors to help create places for species to migrate and shift north as temperature increases and protect these areas. The Nature Conservancy's Resilient Lands mapping tool is a good resource for identifying resilient and connected networks.	PB, CC & PD	Medium Term
39	Strategy	Create and implement an invasive species management policy, including public outreach and education, and prepare to manage invasive species on town property.	PW, CC & PD	Short Term
40	Strategy	Educate property owners about impacts of climate change, such as extreme heat, drought, and changes in precipitation on habitats and species. Provide information to new homeowners.	CC & PD	Short Term
41	Policy	Increase community resilience.		
42	Strategy	Provide education about the role of shade trees in reducing heat and mitigating climate change and impacts.	STC	Short Term
43	Strategy	Engage in efforts to protect and restore protective natural features, such as floodplains, wetlands, marshes, dunes, and dune grass.	CC	Ongoing

Chapter 8: Water Resources

			Responsible Party	Timeframe
1	GOAL	PROTECT THE QUALITY AND QUANTITY OF WATER RESOURCES.		
2	Policy	Protect drinking water sources.		
3	Strategy	Collaborate with the City of Biddeford to ensure cross boundary protection of groundwater resources. Create an aquifer protection overlay district.	PB & PD	Medium Term
4	Strategy	Coordinate with the Kennebunk, Kennebunkport & Wells Water District (KKWWD) and area towns to protect regional drinking water resources.	PD	Ongoing
5	Strategy	Periodically review regulations to ensure that freshwater wetlands that provide important groundwater recharge are sufficiently protected.	PD	Medium Term
6	Policy	Protect water resources from the impacts of development and reduce the potential of water quality degradation.		
7	Strategy	Conduct a comprehensive review of the LUO and Subdivision Regulations to identify opportunities to strengthen provisions for water resource protection.	PB & PD	Medium Term
8	Strategy	Reduce the threshold percentage of impervious surface area that triggers the need for a stormwater management system under site plan review and increase the design standard for stormwater infrastructure to the 100-year storm event.	PB & PD	Medium Term
9	Strategy	Amend stormwater regulations to require that stormwater be managed onsite as opposed to allowing offsite mitigation.	PB & PD	Medium Term
10	Strategy	Amend the LUO and Subdivision Regulations to include green infrastructure and low impact development standards. Encourage complete streets and green streets.	PB & PD	Short Term
11	Strategy	Continue to follow best practices that achieves a balance of low salt application with roadway safety.	PW	Ongoing
12	Policy	Improve aquatic habitat.		
13	Strategy	When possible, follow Stream Smart road crossing policies to reduce the impact of road crossings on fish and other aquatic species and habitat.	PW & PD	Ongoing
14	Policy	Identify, monitor, and reduce sources of pollution.		
15	Strategy	Conduct regular water quality monitoring of Little River, Beaver Brook, Smith Brook, Batson River, and the Kennebunk River.	PH & PD	Ongoing

16	Strategy	Continue to monitor the impact of the sewer outfall in the Kennebunk River.	PW	Ongoing
17	GOAL	INCREASE COMMUNITY AWARENESS ABOUT WATER RESOURCE PROTECTION.		
18	Policy	Educate the public about water resource protection.		
19	Strategy	Include resources and links to information on water quality best management practices and pollutants (including invasive species, fertilizer, pesticide, herbicide use, septic failure, sedimentation, and hazardous substances) in town-wide mailings and post this information on the Town's website.	CC	Short Term
20	Strategy	Distribute educational material to property owners about the impacts of development, impervious surfaces, and disturbance of banks and riparian habitat on water bodies.	CC	Short Term
21	Strategy	Develop material on natural resource and water quality protection measures for owners of property including rental properties to make available to short term and seasonal renters.	CC	Short Term
22	Strategy	Conduct a public outreach campaign to increase awareness of the impact of septic systems on surface and groundwater.	CEO	Short Term
23	Policy	Manage water resources at a regional and watershed scale.		
24	Strategy	Collaborate with Kennebunk, Biddeford, Arundel, the York County Soil and Water Conservation District, and the Kennebunk River Committee, and land trusts in neighboring communities to protect water resources.	BoS, CC & KCT	Ongoing
25	Policy	Maintain healthy biological and ecological diversity.		
26	Strategy	Add a definition of vernal pool to the LUO that is consistent with ME DEP Chapter 335 rules.	PB & PD	Medium Term
27	Strategy	Coordinate with the City of Biddeford to adopt performance standards to protect vernal pools in the Biddeford/Kennebunkport Vernal Pool Complex.	PB & PD	Medium Term
28	GOAL	ADAPT TO THE IMPACTS OF CLIMATE CHANGE.		
29	Policy	Minimize the impacts of climate change to water resources and water infrastructure.		
30	Strategy	Adopt water conservation policies for properties on public water and educational measures to conserve water during droughts and encourage conservation and reuse of water resources.	BoS	Short Term

31	Strategy	Identify opportunities to lead, participate, and build from regional climate adaption efforts.	BoS, PB & PD	Ongoing
32	Strategy	Encourage homeowners to test private well water quality and to inform the Town of high salinity levels that may be due to saltwater intrusion.	CEO	Ongoing
33	Strategy	Investigate the vulnerability of public and private wells to sea level rise induced groundwater rise and to drought. Initiate planning for the potential future needs to expand the Town's drinking water and wastewater infrastructure if private wells and/or septic systems become unusable due to drought, salinity, or other contamination.	BoS & PD	Medium Term
34	Strategy	Identify and monitor buried hazards and registered storage tanks that may be impacted by rising groundwater and develop a plan to relocate them as necessary.	PD	Medium Term
35	Strategy	Provide education about climate change impacts such as increased and more frequent flooding of surface water, wetlands, and floodplains, and other low-lying areas.	PD	Short Term

Chapter 9: Marine Resources			Responsible Party	Timeframe
1	GOAL	ENSURE ACCESS TO COASTAL WATERS NECESSARY FOR COMMERCIAL FISHING, COMMERCIAL MOORING, DOCKINGS, AND RELATED FACILITIES.		
2	Policy	Cooperate with the Towns of Kennebunk and Arundel in the management of the tidal portions of the Kennebunk River.		
3	Strategy	Continue active participation in the Kennebunk River Committee as provided by the Inter-local Agreement.	KRC	Ongoing
4	Policy	Ensure safe, well-marked, and unimpeded use to both of the Town's major harbors.		
5	Strategy	Work with the harbormaster(s) and the Coast Guard to maintain clear markings of the channels.	HM & CG	Ongoing
6	Policy	Provide sufficient regulation to require safe and courteous operation of watercraft and maintenance of moorings.		

7	Strategy	Provide regulations to encourage the safe operation of watercraft in affected areas.	BoS & HM	Ongoing
8	Policy	Reserve a sufficient number of moorings to meet the needs of the commercial fishing industry.		
9	Strategy	Maintain separate mooring lists for commercial and pleasure craft to provide access for both uses in the harbors.	BoS & HM	Ongoing
10	Strategy	Continue to assign priority status to commercial fishermen for mooring spaces.	BoS & HM	Ongoing
11	Policy	Protect and support the marine resources industry.		
12	Strategy	The LUO should continue to allow marine resource uses in appropriate areas.	PD & PB	Ongoing
13	Strategy	Identify and assess appropriate sites for aquaculture.	HM, BoS, KCT & SCC	Medium Term
14	Strategy	Reduce the flow of nitrates into nearshore waters and eel grass habitat by expanding the Town's sewer service area.	PW, CC & PD	Long Term
15	Strategy	As the water temperature rises in the Gulf of Maine, assist local fishermen in transitioning to the harvesting of species that thrive in warmer waters.	PD	Long Term
16	Strategy	Support the provisions of the Land Use Ordinance that support the commercial fishing industry.	PB & PD	Ongoing
17	Policy	Keep Government Wharf & Cape Porpoise Pier well maintained, and Preserve the Working Waterfront		
18	Strategy	Maintain the Cape Porpoise Pier and Government Wharf and ensure that there is adequate access and amenities for commercial fishermen.	BoS & HM	Ongoing
19	Strategy	Educate individuals engaged in working waterfront activities about the working waterfront current use program.	A	Ongoing
20	Goal	ENSURE ACCESS TO PUBLIC BEACHES BY RESIDENTS AND SUMMER VISITORS, WHILE PROTECTING THE PRIVACY OF PROPERTY OWNERS IN THE VICINITY.		
21	Policy	Allow residents and visitors to enjoy the use of the Town's beaches.		
22	Strategy	Maintain signage marking public access to beaches.	PW & BAC	Ongoing
23	Strategy	Provide information regarding use of the beaches with all parking stickers.	BAC & TC	Ongoing
24	Strategy	Continue the use of public safety patrols on the beaches.	PoD	Ongoing

25	GOAL	PROTECT THE WATER QUALITY OF TIDAL RIVERS, STREAMS, MARSHES, AND COASTAL BEACHES		
26	Policy	Protect the health of recreational users of tidal areas and beaches.		
27	Strategy	Continue the partnership with Maine's Healthy Beaches Program and implement the recommendations in its " Summary Report of Enhanced Monitoring and Pollution Source Tracking Efforts in the Goose Rocks Beach Watershed, Kennebunkport ," published in February 2021.	BAC & PD	Short Term
28	Policy	Reduce contamination levels to allow shellfish harvesting and to meet all applicable water quality standards.		
29	Strategy	Work with the Maine Department of Environmental Protection to monitor and eliminate fecal coliform levels found in tidal waters.	BAC & PD	Ongoing
30	Strategy	Inspect subsurface wastewater disposal systems and enforce the applicable regulations. Enforce overboard discharge regulations.	CEO	Ongoing
31	Strategy	Pump outs should be provided in Cape Porpoise Harbor and the Kennebunk River and educate the public about the importance of the use of the pump outs.	BoS & HM	Short Term
32	Policy	Educate the public about the value of and need to protect salt marshes.		
33	Strategy	Create educational materials and assess need for regulation to promote regular maintenance on private septic systems, especially within areas adjacent to salt marshes.	CC & FWS	Short Term

Chapter 10: Energy

			Responsible Party	Timeframe
1	GOAL	REDUCE THE VOLUME OF GREENHOUSE GASSES GENERATED IN KENNEBUNKPORT		
2	Policy	Develop and implement community-wide strategies to reduce greenhouse gas (GHG) emissions.		
3	Strategy	Review LOU to ensure minimum regulatory hurdles which would allow all properties to install EV chargers.	PD	Short Term

4	Strategy	Investigate the benefits of adopting the state energy stretch code.	PD & CEO	Medium Term
5	Strategy	Remove barriers and encourage commercial development of a certain scale to include EV charging stations and be designed to exceed minimum energy code standards.	PB & PD	Short Term
6	Strategy	Continue to look for opportunities to expand bike and pedestrian paths to lessen dependence on conventional vehicles.	PD & PW	Ongoing
7	Policy	Strive to match or exceed the State of Maine's goals of a 45% reduction in GHG emissions by 2030, and 80% by 2050.		
	Strategy		BoS	
8	Strategy	Utilize Southern Maine Planning & Development Commission's calculations on Kennebunkport's GHG emissions in the transportation sector as a baseline to measure progress in the future.	PD & Bos	Ongoing
9	Strategy	Measure & monitor GHG emissions from municipal operations, and community wide by establishing a GHG emissions inventory and a plan for reducing emissions.	PD & Bos	Ongoing
10	Strategy	Develop a town wide climate action plan.	BoS & PD	Short Term
11	Strategy	Educate community members about steps they can take to reduce emissions and become more resilient	PD	Ongoing
12	Policy	Prepare the community for a changing climate.		
13	Strategy	Educate the community about current clean energy incentives and options.	PD	Ongoing
14	Strategy	Educate community members about how to prepare their property for the effects of a changing climate.	PD	Short Term
15	Policy	Reduce municipal fossil fuel consumption and implement municipal energy efficiency measures.		
16	Strategy	Continue to budget and plan for long-term energy efficiency equipment upgrades.	TM, BB, BoS	Medium Term
17	Strategy	Review the potential to install and operate renewable energy systems at municipal facilities.	BoS	Medium Term

18	Strategy	Continue to support the procurement of renewable energy for public facilities using bundled or unbundled Renewable Energy Certificates (RECs).	BoS	Ongoing
19	Strategy	Continue to collaborate with other municipalities to install and operate renewable energy systems for municipal and community use.	BoS & PD	Ongoing
20	Strategy	Track and benchmark building energy consumption and seek ways to improve energy efficiency in all facilities.	TM, Fin Dept.	Medium Term
21	GOAL	IMPROVE THE RELIABILITY OF KENNEBUNKPORT'S ELECTRICAL POWER SUPPLY		
22	Policy	Encourage local generation of renewable energy and decentralization of the electrical grid.		
23	Strategy	Amend the LOU to allow solar arrays (up to 10 acres) in appropriate locations with appropriate performance standards.	PB & PD	Medium Term
24	Strategy	Review LUO for hinderances to renewable energy systems and recommend amendments.	CEO & PD	Short Term

Chapter 11: Transportation			Responsible Party	Timeframe
1	GOAL	ENSURE THE TOWN'S TRANSPORTATION SYSTEM PROVIDES EFFICIENT, SAFE, AND CONNECTED ACCESS FOR THE COMMUNITY		
2	Policy	Maintain and improve transportation infrastructure and provide adequate facilities and equipment to do so.		
3	Strategy	Continue to update, prioritize, and fund the Town's plan for transportation improvements, maintenance, and repairs.	TM	Ongoing
4	Strategy	Maintain the Town's Street Acceptance Policy that requires sufficient public benefit for a street to be considered for acceptance as a public way.	BoS	Ongoing
5	Strategy	Maintain and invest in Town roads, including all necessary ditches, streams, culverts, and drainage structures, as well as capacity to accommodate pedestrian and bicycle use.	PW	Ongoing
6	Policy	Support a safe, efficient, and optimal use of the regional transportation system.		

7	Strategy	Collaborate with regional partners to identify solutions to meet needs of community.	BoS	Ongoing
8	Strategy	Work with the Maine Department of Transportation (MDOT) to improve pedestrian and bicycle connections between Cape Porpoise Square and Dock Square.	PD	Ongoing
9	Policy	Plan and prepare to accommodate electric vehicles (EV).		
10	Strategy	Identify locations for EV charging stations, according to Maine Clean Community recommendations, that would benefit the community.	PD	Short Term
11	Strategy	Ensure there are no unnecessary regulatory hurdles to installing EV charging stations on public or private property and support their procurement.	PB & PD	Short Term
12	Policy	Reduce traffic congestion.		
13	Strategy	Consider a traffic study to identify opportunities to reduce congestion in Dock Square.	BoS & PD	Medium Term
14	Strategy	Evaluate the need for new traffic patterns when considering higher density development in the growth areas.	PD	Long Term
15	Strategy	Evaluate the need for additional parking to service Dock Square.	BoS	Medium Term
16	Strategy	Advertise alternative transportation means for sightseeing and recreation to visitors of Kennebunkport.	CoC	Short Term
17	GOAL	INCREASE MULTI-MODAL TRANSPORTATION OPTIONS		
18	Policy	Meet the diverse transportation and public health needs of all residents and visitors by providing a safe, efficient, and adequate transportation network for all types of users.		
19	Strategy	Review complete street practices for relevant tools and ideas for Kennebunkport.	PD, PW	Medium Term
20	Strategy	Develop a long-term vision for a network of bicycle routes to serve the community and link to routes and facilities in neighboring communities.	PD, KCT, PW, PRD	Medium Term
21	Strategy	Consider a standard minimum sidewalk width for public streets. Identify areas of high pedestrian traffic in need of sidewalks.	PW & PD	Medium Term
22	Policy	Prioritize safety for pedestrians and bicyclists.		

23	Strategy	Identify and resolve any safety issues or concerns within the vicinity of the consolidated school.	RSU, Police, PW	Short Term
24	Strategy	Identify locations where a reduction in speed will minimize the potential pedestrian and bicycle fatalities and serious injuries.	PD, Police, PW	Short Term
25	Strategy	Request Maine DOT install bike routes near the school and along state roads.	BoS	Short Term
26	Strategy	Seek opportunities to integrate traffic calming methods into roadway improvements.	PD, PW	Ongoing
27	Policy	Provide amenities for bicyclists.		
28	Strategy	Encourage commercial property owners to install bike racks.	PB & PD	Ongoing
29	Strategy	Inventory existing public bike racks and identify locations where additional public racks are needed.	PD, PRD	Short Term
30	GOAL	INTEGRATE TRANSPORTATION AND LAND USE PLANNING		
31	Policy	Develop a connected network of streets and destinations.		
32	Strategy	Work with the Kennebunkport Conservation Trust to enhance trail connectivity.	PRD, KCT & PD	Ongoing
33	Strategy	Add criteria in subdivision regs that promote shared driveways and require developers to show future connectivity to adjacent parcels including roads and trails.	PB & PD	Short Term
34	Policy	Enhance access to waterfront, recreation, and other amenities.		
35	Strategy	Continue to issue beach parking stickers to residents and visitors.	BoS, Clerk	Ongoing
36	Policy	Maintain compatibility between transportation infrastructure and surroundings.		
37	Strategy	Coordinate with MDOT to ensure that transportation improvement projects on Route 9 and North Street are consistent with the character of the neighborhood.	PW	Ongoing
38	Strategy	Investigate the merits of separate roadway design standards for designated rural and growth areas for subdivisions.	PB & PD	Medium Term
39	Strategy	Consider identifying scenic byways for future preservation.	PB & PD	Medium Term
40	GOAL	REDUCE IMPACTS TO INFRASTRUCTURE FROM TO CLIMATE CHANGE		

41	Policy	Integrate climate risk assessment and adaptation planning into prospective transportation projects.		
42	Strategy	Conduct a comprehensive transportation vulnerability assessment to identify vulnerable assets and loss of connectivity due to sea level rise.	PD	Short Term
43	Strategy	Investigate impacts of groundwater rise and extreme heat on transportation infrastructure.	PD	Short Term
44	Strategy	Continue to upgrade culverts to withstand extreme weather events and greater precipitation.	PW	Ongoing
45	Strategy	Continue to upgrade and repair publicly owned seawalls.	BoS, PW	Ongoing
46	Strategy	Plan for the possibility that some town roads or segments of town roads may require elevation to avoid inundation due to sea level rise.	PD, BoS, PW, TM	Short Term

Chapter 12: Economy

			Responsible Party	Timeframe
1	GOAL	ACHIEVE A SUSTAINABLE BALANCE BETWEEN TOURISM AND MAINTAINING THE TOWN'S CHARACTER AND QUALITY OF LIFE FOR ALL ITS RESIDENTS		
2	Policy	Recognize the importance of seasonal visitors while maintaining Kennebunkport's scenic beauty and architectural heritage for the enjoyment of all.		
3	Strategy	Incorporate placemaking signage to designate specific points of interest.	PW & CoC	Medium Term
4	Strategy	Support the needs of the business community to attract tourists while at the same time assuring a high quality of life for residents.	PD & CoC	Ongoing
5	Policy	Recognize the important contributions by non-resident taxpayers.		
6	Strategy	Encourage involvement by non-resident taxpayers in community forums and other venues.	TM	Ongoing
7	GOAL	PROMOTE THE DEVELOPMENT AND VIABILITY OF LOCAL BUSINESSES.		
8	Policy	Develop and maintain local jobs for residents of all ages and backgrounds.		

9	Strategy	Update and simplify ordinance provisions governing home occupations.	CEO & PD	Short Term
10	Strategy	Investigate appropriate locations for food trucks and provide recommendations for ordinance amendments.	PD	Medium Term
11	Strategy	Explore innovative approaches to housing the tourist industry's seasonal workforce.	PD, CoC, KBA	Medium Term
12	Strategy	Create and promote a community brand featuring natural resources and cultural characteristics of the community.	PD & CoC	Medium Term
13	GOAL	MITIGATE POTENTIAL IMPACTS OF COMMERCIAL USES ON SURROUNDING NEIGHBORHOODS		
14	Policy	Manage commercial development and associated tourism to ensure the safety and enjoyment of residents and visitors.		
15	Strategy	Review past PB conditions of approval to identify commonly added standards that address specific adverse effects on residential neighborhoods to determine if the LUO adequately protects residential use and enjoyment.	PB & PD	Medium Term
16	Strategy	Encourage the PB to develop an ongoing reporting requirement for conditions of approval when appropriate	PB & PD	Medium Term
17	Strategy	Develop standards for businesses and small-scale professional offices so that they reflect the scale and character of the community.	PB & PD	Medium Term
18	Strategy	Review current policies for parking and traffic flow control provisions to ensure reduced congestion and provide a healthful, safe, and peaceful environment for residents and visitors.	PB & PD	Short Term
19	Strategy	Collaborate with the Town of Kennebunk and the business communities in Dock Square and Kennebunk Lower Village to manage tourism to ensure the safety and enjoyment of residents and visitors.	BoS, CoC & KBA	Ongoing
20	Strategy	Investigate and recommend standards for commercial enterprises that provide goods and services catered to a year-round community	PB & PD	Medium Term

Chapter 13: Public Facilities & Services			Responsible Party	Timeframe
1	GOAL	MAINTAIN A LOCALLY BASED PUBLIC-SCHOOL FACILITY.		
2	Policy	Continue to have a local public-school facility in Kennebunkport.		
3	Strategy	Ensure that Kennebunkport's municipal cost share for RSU 21 continues to support and maintain staff and facilities at consolidated school.	BoS	Ongoing
4	GOAL	ENSURE ADEQUATE MUNICIPAL OFFICE SPACE AND TECHNOLOGY FOR TOWN GOVERNMENT AND RELATED SERVICES.		
5	Policy	Provide adequate facilities for local government.		
6	Strategy	Continue to offer online municipal services to better serve the public, while maintaining an efficient workforce.	BoS	Ongoing
7	Strategy	Consider facility and staff needs assessment to be kept up to date with current and future internal and external needs.	TM, BoS, Dept. Heads	Medium Term
8	GOAL	PROVIDE PUBLIC SEWER SERVICE IN AREAS DESIGNATED AS GROWTH AREAS AND WHERE SEWER EXPANSION WILL BENEFIT ENVIRONMENTALLY SENSITIVE AREAS.		
9	Policy	Monitor and prepare for the need for sewage facilities in growth areas and where sewer expansion will benefit environmentally sensitive areas.		
10	Strategy	Assessment of existing wastewater infrastructure for both current and future design flows	PW	Medium Term
11	Strategy	Continually re-evaluate the rate of impact fees and user fees.	BoS & PW	Ongoing
12	Strategy	Ensure that the maintenance of aging sewer infrastructure is a priority.	BoS & PW	Ongoing
13	Strategy	Evaluate adding existing developed areas in environmentally sensitive locations onto public sewer	PW	Medium Term
14	Strategy	Adhere to the Maine Climate Council's recommendation to locate new critical infrastructures, such as pump stations and other wastewater infrastructure, away from areas that are at-risk from sea level rise and flooding.	BoS & PW	Ongoing
15	GOAL	PROVIDE ADEQUATE FACILITIES AND SERVICES TO MEET PUBLIC SAFETY NEEDS.		

16	Policy	Maintain an adequate police, fire, and ambulance service to protect the community and properties of Kennebunkport.		
17	Strategy	Support the continued needs of the Town's evolving fire service.	FC & BoS	Ongoing
18	Strategy	Ensure that adequate capital is appropriated for buildings, trucks, and equipment.	TM	Ongoing
19	Strategy	Continue to support mutual aid agreements for fire and ambulance service.	PSC, PC & BoS	Ongoing
20	GOAL	MAINTAIN KENNEBUNKPORT AS A TREE CITY USA COMMUNITY.		
21	Policy	Maintain an active Shade Tree Program.		
22	Strategy	When specified, require developers to plant shade trees in a manner consistent with a town-wide plan (specifications to be developed by the Shade Tree Committee) prioritizing the public roadways.	Shade Tree Committee, PB & PD	Medium Term
23	Strategy	Review and revise, if necessary, the town's current shade tree program to ensure adequate installation, maintenance, and replacement policies.	PB, STC & PD	Short Term
24	Strategy	Maintain large trees that provide shade	PW & STC	Ongoing
25	Strategy	Encourage the PB to maintain existing large trees that provide shade.	PB	Ongoing
26	GOAL	REDUCE SOLID WASTE.		
27	Policy	Encourage the reduction of solid waste and support and sustain a viable and creative recycling program.		
28	Strategy	Maintain a consistent and continuing educational program to keep citizens informed of recycling, hazardous waste disposal, composting, and other programs available for them to use.	PW, BoS	Ongoing
29	Strategy	Develop a program to assist commercial properties to actively participate in recycling programs.	PW, BoS	Short Term
30	Strategy	Reduce solid waste and increase composting and recycling by investigating things such as increasing the frequency of recycling pick-ups, supporting composting, pay-by-the bag solid waste, public recycling bins, etc.	PW, BoS Fin. Dept, PW	Short Term
31	Strategy	Encourage commercial businesses to implement a dedicated recycling policy.	PD, CoC	Short Term

32	GOAL	STRIVE FOR MUNICIPAL OPERATIONS THAT ARE SUSTAINABLE & RESILIENT.		
33	Policy	Lead by demonstrating sustainable values and practices.		
34	Strategy	Strive toward net zero by incorporating green building standards into RFPs and other consideration for public building projects.	BoS & PD	Ongoing
35	Strategy	Create an environmental impact policy when planning special town events to establish minimum standards.	BoS, TM, Dept. Heads	Short Term
36	Strategy	Integrate sustainability criteria into capital planning.	TM, BoS, Dept. Heads, BB	Ongoing
37	Strategy	<u>Locate new public facilities comprising at least 75% of new municipal growth-related capital investments in designated growth areas.</u>	<u>TM & BoS</u>	<u>Ongoing</u>
387	Policy	Operate a safe, clean, and efficient fleet of vehicles.		
398	Strategy	Prioritize carbon emissions reduction when purchasing new vehicles	BoS, PSC & PW	Short Term
4039	Strategy	Develop anti-idling policies for public fleet vehicles, contractors, suppliers, and vendors, when appropriate to reduce carbon emissions.	BoS, Dept. Heads, TM, BoS	Short Term
419	Policy	Incorporate climate change risk assessment and adaptation into public facilities and services planning		
421	Strategy	Develop criteria to include climate change vulnerability and risk assessment of projects that are proposed for inclusion in the capital improvement program.	TM, BoS	Short Term
432	Strategy	Develop a policy to utilize the Maine Climate Council's guidance on planning and preparing for sea level rise when identifying appropriate sites for new construction or redevelopment of town-owned structures and critical infrastructure.	PW, TM, BoS	Short Term

Chapter 14: Fiscal Capacity

			Responsible Party	Timeframe
1	GOAL	CONTINUE TO PLAN FOR AND FINANCE PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.		
2	Policy	Finance existing and future facilities and services in a cost-effective manner.		
3	Strategy	Identify cost effective opportunities when extending public sewer, water, and sidewalks when reviewing development proposals.	PB & PD	Ongoing
4	Strategy	Explore opportunities to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.	TM	Ongoing

Chapter 15: Recreation & Cultural Resources

			Responsible Party	Timeframe
1	GOAL	PROVIDE HIGH QUALITY PARKS AND RECREATIONAL FACILITIES AND THE FINEST PROGRAMS, ATHLETICS, EVENTS, AND LEISURE ACTIVITIES.		
2	Policy	Continue to offer an array of recreational and cultural programs, classes, and opportunities for residents of all ages and identify opportunities to enhance recreational and cultural resources.		
3	Strategy	Support the creation of a Parks Master Plan.	RC & PRD	Short Term
4	Strategy	Maintain and expand virtual recreation and cultural opportunities.	RC & PRD	Ongoing
5	Strategy	Identify locations for programs such as splash pad, sports fields, roller hockey, pickle ball, and other uses identified by the Parks and Recreation Department and residents as part of a Parks Master Plan.	RC & PRD	Short Term
6	Strategy	Identify public locations that could be used year-round for community gatherings as a part of a Parks Master Plan	RC & PRD	Short Term

7	Strategy	Involve residents in long-term recreational and cultural resource planning efforts.	RC & PRD	Ongoing
8	Strategy	Continue to support the Recreation Department in programming and facilities needs.	RC & BoS	Ongoing
9	Strategy	Encourage businesses, non-profits, and the RSU 21 to better communicate with residents and others about cultural programs in an organized and central location such as a community calendar.	L	Short Term
10	Strategy	Continue to host seasonal events that provide social and cultural opportunities for residents and visitors.	RC, L, KHS, CoC, KBA	Ongoing
<u>11</u>	<u>Strategy</u>	<u>Work with public and private partners to extend and maintain a network of trails for motorized and nonmotorized uses. Connect with regional trail systems where possible.</u>	<u>PD & CC</u>	<u>Ongoing</u>
<u>12</u>	<u>Strategy</u>	<u>Work with an existing local land trust or other conservation organizations to pursue opportunities to protect important open space or recreational land.</u>	<u>CC</u>	<u>Ongoing</u>
<u>13</u>	<u>Strategy</u>	<u>Provide educational materials regarding the benefits and protections for landowners allowing public recreational access on their property. At a minimum this will include information on Maine's landowner liability law regarding recreational or harvesting use, Title 14, M.R.S.A. §159-A.</u>	<u>PD</u>	<u>Ongoing</u>
14	GOAL	MAINTAIN AND EXPAND ACCESS TO THE SHORE AND RIVERS FOR RECREATIONAL USES.		
15	Policy	Enhance public access to the water for recreational use.		
<u>16</u>	Strategy	Create a public boat launch.	BoS, CC	Medium Term
<u>17</u>	Strategy	Where parking is appropriate, install signs that indicate points of interest, parking, and public rights-of-way to the water.	RC, PW	Medium Term
18	GOAL	PREPARE FOR CLIMATE CHANGE.		
19	Policy	Integrate climate vulnerability and adaptation into recreational planning efforts.		
<u>20</u>	Strategy	Identify undeveloped land that is vulnerable to sea-level rise and make recommendations on acquisition to act as flooding buffer.	CC & BoS	Short Term

21 ¹⁸	Strategy	Identify recreational assets that are vulnerable to sea level rise.	RC, PRD & PD	Short Term
22 ¹⁹	Policy	Incorporate adaptation strategies into facility design.		
23 ⁰	Strategy	Review parks for adequate canopy cover and plant additional shade trees when necessary.	RC & STC	Ongoing
24 ¹	Strategy	Evaluate the use of pervious surfaces and other green infrastructure in parks to reduce stormwater runoff.	RC & PW	Ongoing

Chapter 16: Hazard Mitigation			Responsible Party	Timeframe
1	GOAL	MITIGATE VULNERABILITY TO NATURAL HAZARDS, HUMAN-MADE HAZARDS, AND CLIMATE CHANGE.		
2	Policy	Plan and prepare for hazards.		
3	Strategy	Continue to participate in multi-hazard mitigation plan updates and encourage public participation in this process.	PSC	Ongoing
4	Strategy	Continue to partner with regional entities and communities to enhance evacuation route planning and community education on evacuation routes.	PSC	Ongoing
5	Strategy	Continue to partner with regional entities and communities to identify additional options for shelters.	PSC	Ongoing
6	Strategy	Incorporate planning for pandemics into existing hazard mitigation and emergency operations plans to increase preparedness for future pandemics.	EM & PH	Ongoing
7	Strategy	Encourage participation in the National Flood Insurance Program.	CEO, PD	Ongoing
8	Strategy	Evaluate the applicability of the Community Rating System in Kennebunkport.	CEO & BoS	Medium Term
9	Strategy	Educate the public about hazards and strategies to avoid potential damage and injury.	EM & PD	Ongoing
10	Strategy	Keep the Town's emergency operations plan current.	EMA	Ongoing
11	Strategy	Review and update as needed a disaster recovery policy to maintain municipal operations.	BoS, EM, HD	Ongoing

12	Policy	Increase community resilience to climate change impacts.		
13	Strategy	Complete the Maine Flood Resilience Checklist to assess coastal vulnerabilities.	PD	Short Term
14	Strategy	As part of the Climate Action Plan, assess non-coastal vulnerabilities to establish a comprehensive understanding of current and future climate change impacts to people, infrastructure, and natural resources.	PD	Short Term
15	Strategy	Seek applicable grant opportunities that will fund projects that will increase understanding of vulnerability and mitigate vulnerability.	PD	Ongoing
16	Strategy	Continue to participate in regional efforts to assess and mitigate vulnerability.	BoS & PD	Ongoing
17	Strategy	Continue to incorporate climate adaptation into future updates to the Comprehensive Plan.	GPC	Ongoing
18	Strategy	Incorporate hazard mitigation analysis review into planning and zoning reviews.	PB & PD	Medium Term
19	Strategy	Ensure adequate funding for emergency services, critical infrastructure protection, public health services, and hazard identification and mitigation.	BoS, BB, TM	Ongoing

Chapter 17: Regional Coordination

			Responsible Party	Timeframe
1	GOAL	COORDINATE WITH OTHER COMMUNITIES IN THE REGION		
2	Policy	Maintain cooperative agreements with nearby communities that are mutually beneficial.		
3	Strategy	Continue to participate in partnerships that support sustainability and resilience, multi-modal transportation, river management, aquifer protection, and other regional considerations.	BoS	Ongoing
4	Strategy	Continue to participate in regional partnerships that support public safety, education, communication, emergency management, and other basic services.	BoS	Ongoing

Chapter 18: Future Land Use			Responsible Party	Timeframe
1	GOAL	KEEP THE LAND USE ORDINANCE CURRENT AND ALIGNED WITH THE COMPREHENSIVE PLAN		
2	Policy	Regularly review and amend the LUO.		
3	Strategy	Identify necessary amendments to the LUO on an annual or regular basis.	PB & PD	Ongoing
4	Strategy	Perform a review of the LUO for consistency with the comprehensive plan and make recommendations for warrant articles.	PD	Medium Term
5	Strategy	Review uses in Free Enterprise and Farm and Forest Zones and make recommendations for warrant articles.	PD	Medium Term
6	Strategy	Create educational curriculum for boards and committees that are responsible for land use decisions and make available to the public.	PD	Short Term
7	GOAL	ENSURE ORDERLY GROWTH AND PREVENT SPRAWL.		
8	Policy	Encourage growth adjacent to current village centers. Growth should be compatible with and integrated with the existing infrastructure and built environment.		
9	Strategy	Conduct a build-out analysis on a periodic basis to understand opportunities and constraints to growth.	PD	Long Term
10	Strategy	Review the impact of Growth Management permits on a periodic basis to determine its effectiveness in directing growth in a manner that is consistent with this Comprehensive Plan.	GPC & PD	Short Term
11	Strategy	Develop a long-term plan for sewer and water expansion to accommodate future growth.	PW & PD	Long Term
12	Strategy	Incorporate Traditional Neighborhood Design (TND) principals in the subdivision regulations for growth areas.	PB & PD	Medium Term
13	Strategy	Review LUO to ensure consistency with LD 2003, An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.	PD	Short Term
14	Policy	<u>To coordinate the community's land use strategies with other local and regional land use planning efforts.</u>		

15	Strategy	Track new development in the community by type and location.	PD	Ongoing
16	Strategy	Provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.	TM, BB, & BOS	Ongoing
17	Policy	To support the level of financial commitment necessary to provide needed infrastructure in growth areas.		
18	Strategy	Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7.	PD & GPC	Long Term
19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	GOAL	ENSURE PUBLIC ACCESS TO THE COAST.		
20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Policy	Establish new public access points.		
21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Identify coastal properties that may be appropriate for more public access.	RC & PD	Medium Term
22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Promote land acquisition for the establishment of access for small watercraft.	BoS	Medium Term
23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	GOAL	PRESERVE KENNEBUNKPORT'S OPEN SPACE AND RURAL CHARACTER.		
24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Policy	Identify land that warrants protection and set priorities.		
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	In collaboration with the Kennebunkport Conservation Trust, identify goals and a process for land conservation and planning for climate change and present recommendations to Selectboard.	KCT, PD & CC	Ongoing
26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Support Kennebunkport Conservation Trust in its goals of connecting open space to allow habitat for wildlife and endangered species, and the enjoyment of the natural environment.	PB & PD	Ongoing
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Educate the public about the benefits of conservation easements.	CC	Ongoing
28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Establish a development impact fee to fund land conservation and recreation.	PD, TM & BoS	Medium Term
29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	GOAL	MAINTAIN KENNEBUNKPORT'S SMALL TOWN CHARACTER.		
30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Policy	Maintain the aesthetic, historic, and architectural character of Kennebunkport's neighborhoods.		
31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Strategy	Encourage connecting streets, a pedestrian-friendly environment, and small-scale, neighborhood commercial services that are geared toward serving local residents.	PB & PD	Ongoing

32 ²⁷	Strategy	Preserve Goose Rocks Beach as a safe, limited use, and family-oriented beach.	BoS & BAC	Ongoing
33 ²⁸	Strategy	Develop the Village Parcel in a manner that is consistent with Kennebunkport's small-town character.	PB & PD	Medium Term
34 ²⁹	GOAL	PLAN FOR A CHANGING CLIMATE.		
35 ⁰	Policy	Steer growth away from areas that will be vulnerable to hazards caused by climate change.		
36 ¹	Strategy	Develop standards for new development in areas that are vulnerable to sea level rise (SLR) and ground water rise that is induced by SLR.	PB & PD	Medium Term
37 ²	Strategy	Complete and maintain the inventory of Town-owned parcels and research allowed uses. Climate change impacts should be considered for future uses.	BoS & PD	Short Term

AMENDMENT TO CHAPTER 147, ARTICLE II

§ 147-14 **Permit required.**

No person, firm or corporation, including utility companies, may make any excavation for the construction, repair or replacement of any underground facility in any street, sidewalk or public parking lot without having first obtained a permit as herein required. Every permit granted shall specify the time during which the excavation may remain open, the place where the excavation may be made, and the approximate number of square yards that may be disturbed. This section shall not apply to the State of Maine for work performed within the State right of way.

§ 147-15 **Emergency excavations.**

Notwithstanding the provisions of § 147-14, emergency excavation for the construction, repair or maintenance of an underground facility in any street, sidewalk or public parking lot may be undertaken, provided that a permit is applied for on the first working day after such excavation is commenced.

§ 147-16 **Permit applications.**

A. Permit applications may be obtained at the Town office.

B. The permit application shall be completed by the owner of the property to be benefited by the work which necessitates the permit or by the owner's authorized representative. Where the excavation is undertaken by a utility company on its own behalf, the application shall be completed by such company.

C. A completed application, together with an application fee as set by the Board of Selectmen, shall be submitted to the Director of Public Works. The party applying for a permit must also file a map or sketch with the Director of Public Works, showing the location and size of any cuts to be made. ~~After review, the Director of Public Works shall forward the application to the Selectmen along with his recommendations.~~ The ~~Selectmen~~Director of Public Works, applying the standards of this article, may approve, approve with conditions, or deny the application, for any streets that are not under a 5-year moratorium. Any applications for street openings within a moratorium period will be forwarded to the Selectboard for disposition. . ~~After approval or approval with conditions by the Selectmen, the Director of Public Works shall issue a permit conditioned as required by the Selectmen.~~

[Amended 11-3-2020]

§ 147-17 **Bond.**

A. No such permit shall be issued unless and until the permittee has filed with the Town Clerk a performance bond in accordance with the following schedule:

- (1) Minimum of \$52,000 for cross-cut for all openings.;
(2) \$2,000 for parallel openings not exceeding 100 feet in length; or
(3) \$20 per foot for parallel openings in excess of 100 feet in length.

B. Such bond shall have as surety a corporation licensed to do business in the State of Maine as a surety company, and shall extend for a term of at least two years after completion of the project. An equivalent amount of cash or certified funds payable to the Town may be deposited for the same purpose in lieu of the surety bond required by this section.

C. The Selectmen may, in their discretion, require surety in an amount greater than those set forth in the preceding schedule ~~or, as recommended by the Public Works Director based on scope of work, for a term in excess of two years in projects~~ where they determine that the project, because of its nature, magnitude, or unusual circumstances, warrants such additional security.

D. Notwithstanding any of the above requirements, the Selectmen are hereby given the authority to allow utility companies to perform their own repairs, in lieu of posting any other surety or performance bond required by this section under the direction of the Public Works Director, ~~to instead post an annual bond of \$15,000 for the purposes set forth in this section.~~

E. Applicants other than utility companies may post an aggregate bond in January of each year to secure a designated number of cuts during that year. The terms of that bond and per-cut amount shall be as provided herein for single-cut bonds. Any portion of such an aggregate bond not used by December 31 of the year it was posted may not, without approval of the Board of Selectmen, be carried over to the following year.

§ 147-18 **Insurance.**

A certificate of insurance shall be required with limits of public liability coverage deemed by the Selectmen to be sufficient to provide adequate protection to the Town, its citizens and the general public.

§ 147-19 **Excavation; care required.**

A. Prior to excavation work, notice shall be given to the persons maintaining any underground facility, or to the municipal department or officer charged with the care thereof, which may be injured or affected by the making of any such excavation. Such

notice shall be made in accordance with state law, as described in 23 M.R.S.A. § 3360-A.

B. Every excavation must be done in a skillful manner. Each permittee shall obtain information as to the existence and location of all underground facilities and protect the same against damage.

C. No injury may be done to any underground facility in the making of excavations. In order to avoid such injury, an excavator may not use mechanical means of excavation when excavating within 18 inches of any unmarked underground facilities until such facilities have been exposed. Notwithstanding this limitation, mechanical means are permitted, as reasonably necessary, for initial penetration and removal of pavement, rock, or other materials requiring the use of mechanical means of excavation.

D. No damage may be done to any tree or shrub or the roots thereof in the making of any such excavation. The owner of such tree or shrub shall be compensated by the permittee for any damage done.

E. Except by permission of the Director of Public Works, an excavator may not leave open at any time a trench or excavation of a greater length than 200 feet.

F. The above requirements are not intended to supersede State or Federal requirements.

§ 147-20 **Restoring surface; minimum standards.**

A. Any person, firm or corporation making any excavation in or under any street, sidewalk or public parking lot shall restore the surface to its original condition or better, in accordance with the minimum standards contained herein.

B. Excavation work, including procedures and materials, shall conform to said minimum standards and to such other standards of the Director of Public Works as may be adopted by the Selectmen as a condition of permit approval.

C. Minimum standards shall include the following:

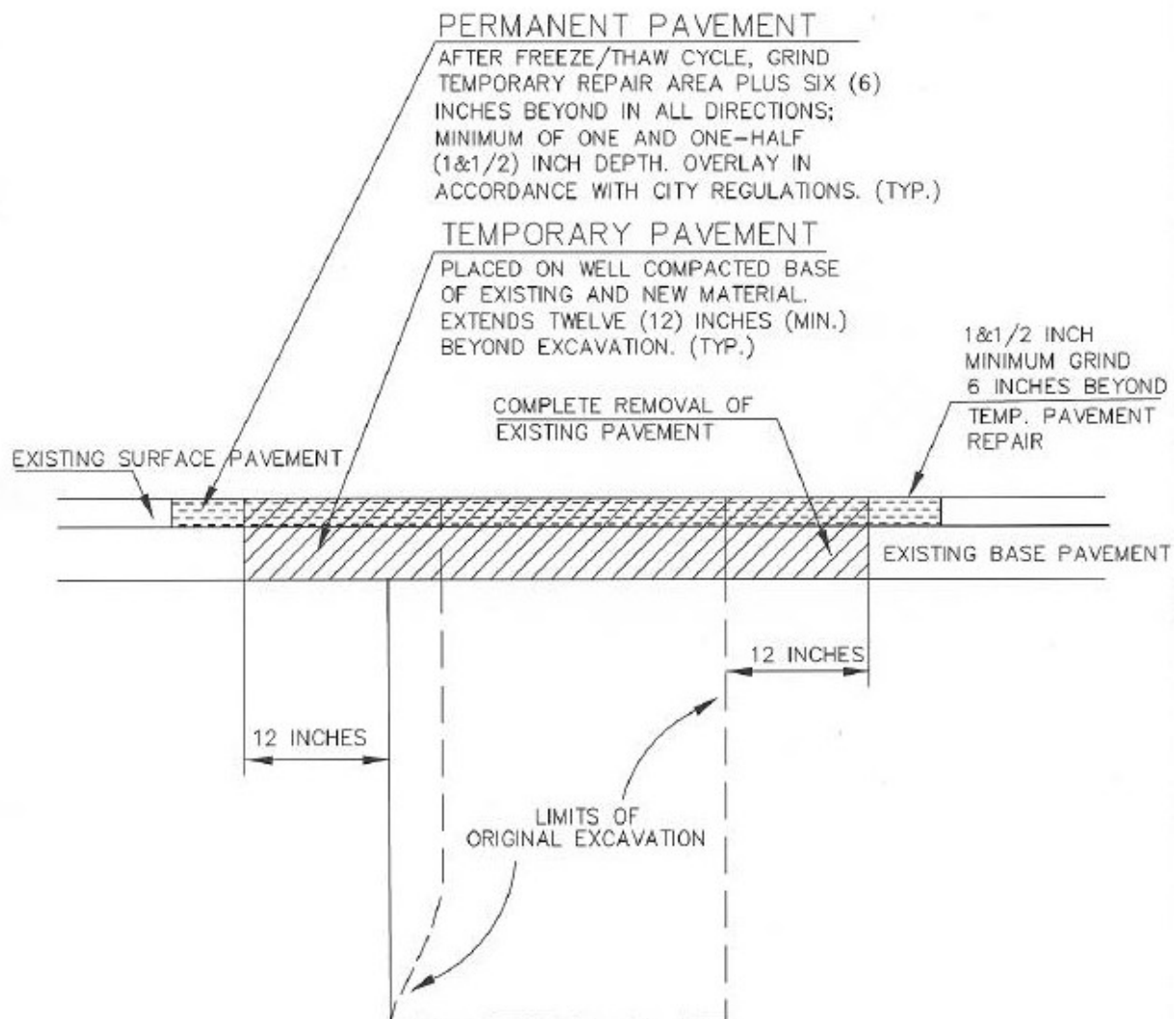
(1) In all cases, replaced bituminous asphalt shall include a grinded joint where it joins existing unimproved bituminous asphalt.

(2) Parallel, diagonal, cross or right-angle street ~~All street~~ openings temporary repairs shall be conducted in the following manner up to five feet in width or 10 feet in length shall:

- Pavement shall be saw cut with clean lines a minimum of 1 foot beyond the perimeter of the excavation.
- Be backfilled with $\frac{3}{4}$ " crushed packing gravel and compacted until 95% compaction is achieved.
- After proper compaction is achieved, ~~include~~ new bituminous asphalt consisting of 42.5 inches of binder or base mix (19mm) applied in two, 2" lifts should be installed and properly compacted. Tack coat shall be applied to all edges, or thickness equivalent to the existing bituminous asphalt, whichever is greater, and one inch of surface mix confined within the limit of the opening.

(3) All street opening permanent repairs shall be conducted in the following manner after one year/frost cycle (See detail/cross sections below.):

- Pavement shall be cold milled to a depth of 1-1.5 inches at a minimum distance of 6 inches beyond the perimeter of the temporary repair.
- Tack coat shall be applied to all milled surfaces at a rate of .06 - .08 gal./sq. yd
- The cold milled area will be overlayed with 9.5 mm surface mix asphalt as per MDOT requirements.



THE TWELVE (12) INCH PAVEMENT OVERCUT
 MEASUREMENT STARTS AT FURTHEST EDGE
 OF INTACT NATIVE SOILS. TRENCH WALL
 DISTURBANCE WILL IMPACT AMOUNT OF
 PAVEMENT REMOVAL REQUIRED.

CROSS SECTION OF TYPICAL EXCAVATION

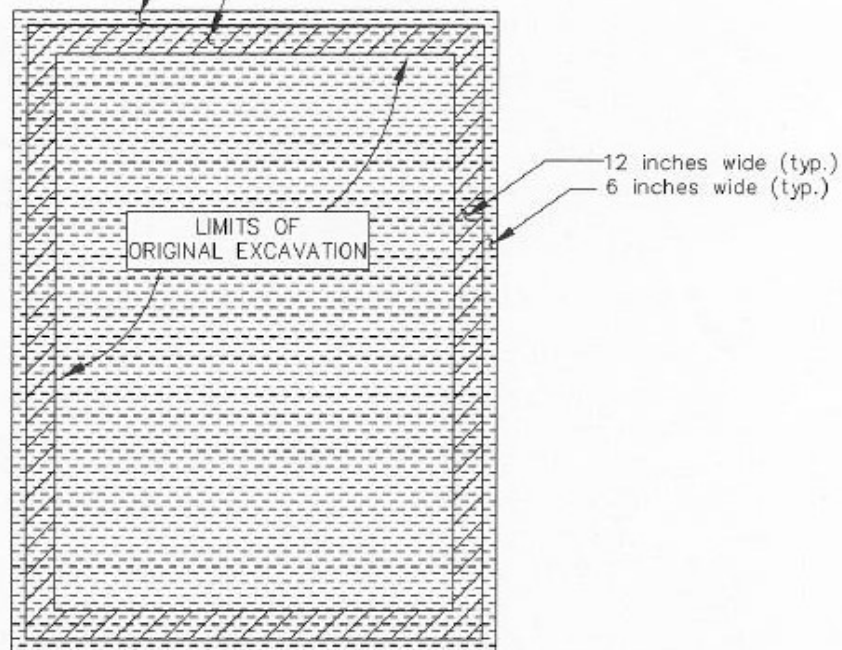
NOT TO SCALE

PERMANENT PAVEMENT

AFTER FREEZE/THAW CYCLE, GRIND
TEMPORARY REPAIR AREA PLUS SIX (6)
INCHES BEYOND IN ALL DIRECTIONS;
MINIMUM OF ONE AND ONE-HALF
(1&1/2) INCH DEPTH. OVERLAY IN
ACCORDANCE WITH CITY REGULATIONS. (TYP.)

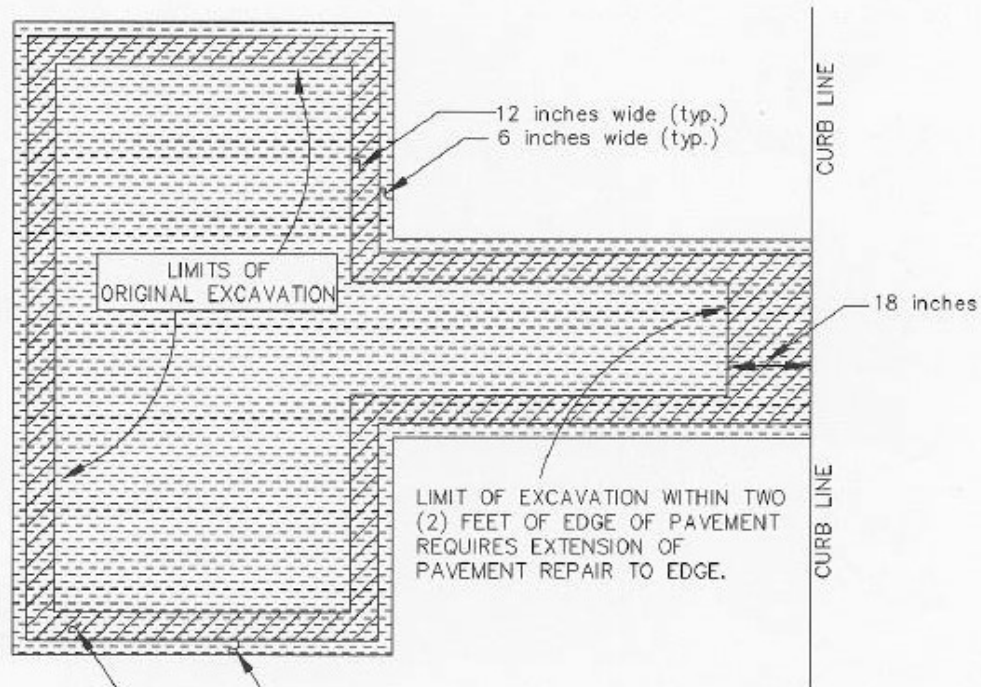
TEMPORARY PAVEMENT

PLACED ON WELL COMPACTED BASE
OF EXISTING AND NEW MATERIAL.
EXTENDS TWELVE (12) INCHES BEYOND
EXCAVATION. (TYP.)



PLAN VIEW OF MINOR EXCAVATION PAVEMENT REPAIR

NOT TO SCALE



PERMANENT PAVEMENT

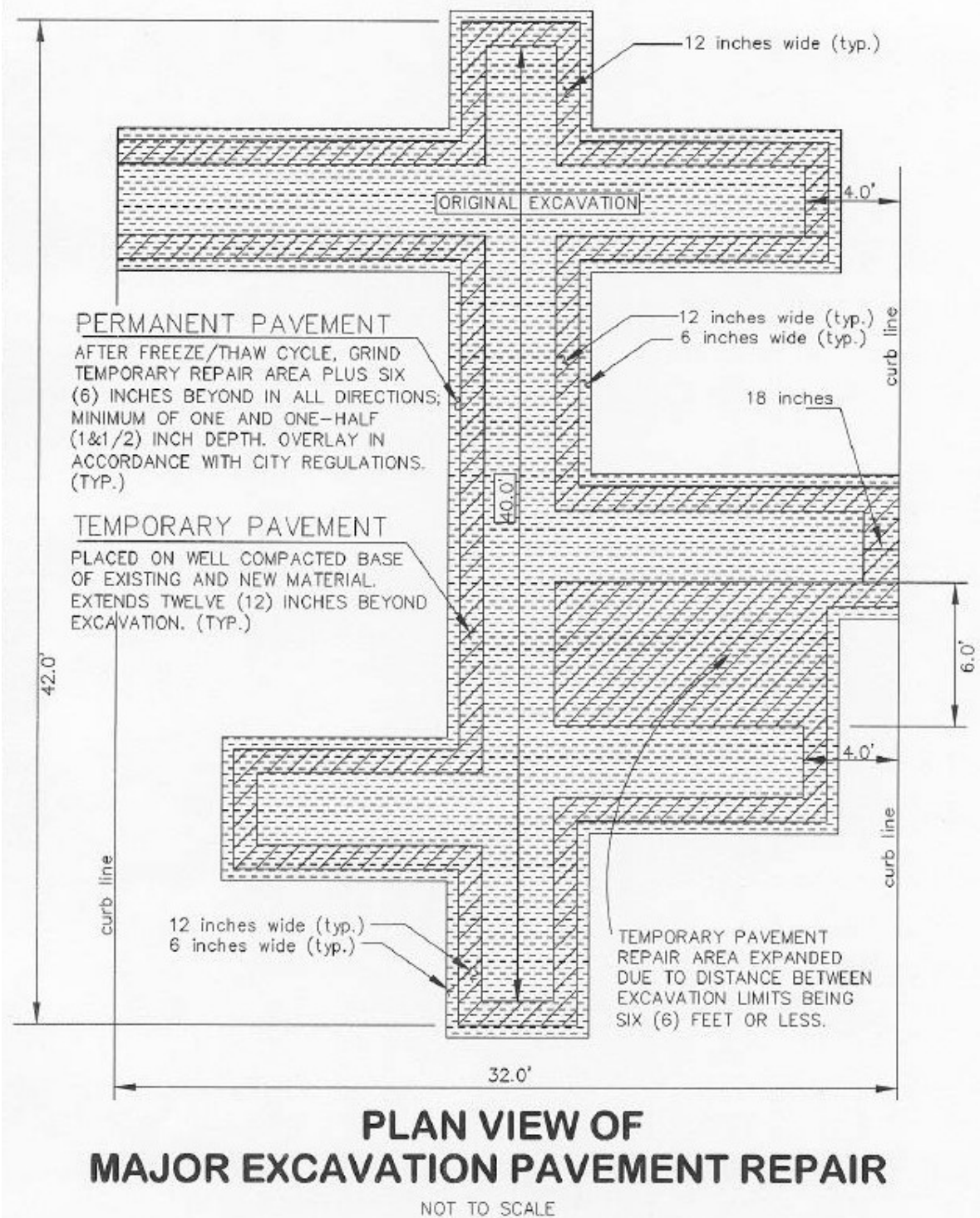
AFTER FREEZE/THAW CYCLE, GRIND TEMPORARY REPAIR AREA PLUS SIX (6) INCHES BEYOND IN ALL DIRECTIONS; MINIMUM OF ONE AND ONE-HALF (1&1/2) INCH DEPTH. OVERLAY IN ACCORDANCE WITH CITY REGULATIONS. (TYP.)

TEMPORARY PAVEMENT

PLACED ON WELL COMPACTED BASE OF EXISTING AND NEW MATERIAL. EXTENDS TWELVE (12) INCHES BEYOND EXCAVATION. (TYP.)

PLAN VIEW OF MINOR EXCAVATION PAVEMENT REPAIR

NOT TO SCALE



(3) Parallel, diagonal, cross or right-angle street openings in excess of five feet in width, but less than 10 feet in width, or up to 10 feet in length, but less than 20 feet in length, shall include new bituminous asphalt consisting of 2.5 inches of binder or base mix, or thickness equivalent to the existing bituminous asphalt, whichever is greater, confined

~~within the limit of the opening. The full width of the paved street or sidewalk shall be paved five feet beyond the end of the opening and five feet prior to the beginning of the opening with not less than one inch of surface mix.~~

~~(4) Parallel, diagonal, cross or right-angle street openings in excess of 10 feet in width or 20 feet in length shall include new bituminous asphalt consisting of 2.5 inches of binder or base mix, or thickness equivalent to the existing bituminous asphalt, whichever is greater, confined within the limit of the opening. The full width of the paved street or sidewalk shall be paved 20 feet beyond the end of the opening and 20 feet prior to the beginning of the opening with not less than one inch of surface mix.~~

§ 147-21 **Excavations in reconstructed streets.**

[Added 11-3-2020]

Whenever the Town has developed plans to reconstruct a street, the Town or its representative shall give written notice thereof to all abutting property owners, to the Town departments, and to all public utilities that have or may wish to lay pipes, wires or other facilities in or under the highway. Upon receipt of such written notice, such person or utility shall have 60 days in which to install or lay any such facility. If an extension of time is needed by a person or utility for the installation of such facilities, the person or facility shall make a written application to the Town during the sixty-day notice period explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed or extended and after such street has been reconstructed, no permit shall be granted to open such street for a period of five years from installation of hot-mixed asphalt surface course layer unless an emergency condition exists or unless the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. The above-mentioned five-year moratorium for street openings also pertains to all new public or private streets, i.e., new subdivisions or developments that have been accepted in accordance with Town specifications. The Town shall publish an annual street opening moratorium list with year of notice and year of expiration for each street. This section should not be construed to supersede Maine DOT street opening regulations for roads maintained by the State of Maine.

Restoring surface; minimum standards.

A. Any person, firm or corporation making any excavation in or under any street, sidewalk or public parking lot shall restore the surface to its original condition or better, in accordance with the minimum standards contained herein.

B. Excavation work, including procedures and materials, shall conform to said minimum standards and to such other standards of the Director of Public Works as may be adopted by the Selectmen as a condition of permit approval.

C. Minimum standards shall include the following:

(1) In all cases, replaced bituminous asphalt shall include a grinded joint where it joints existing unimproved bituminous asphalt.

(2) All street opening temporary repairs shall be conducted in the following manner as indicated in § 147-20 C.2 :

- Pavement shall be saw cut with clean lines a minimum of 1 foot beyond the perimeter of the excavation.
- Be backfilled with $\frac{3}{4}$ " crushed packing gravel and compacted until 95% compaction is achieved.
- After proper compaction is achieved, new bituminous asphalt consisting of 4 inches of binder or base mix (19mm) applied in two, 2" lifts should be installed and properly compacted. Tack coat shall be applied to all edges.

(3) All street opening permanent repair shall be conducted in the following manner after one year/frost cycle as indicated in § 147-20 C.2 with the exception of the increased milling/overlay distance requirement indicated below :

- Pavement shall be cold milled to a depth of 1.5 inches at a **minimum distance of 20 feet** beyond the perimeter of the temporary repair.
- Tack coat shall be applied to all milled surfaces at a rate of .06 - .08 gal./sq. yd
- The cold milled area will be overlayed with 9.5 mm surface mix asphalt as per MDOT requirements.

AGENDA ITEM DIVIDER

**KENNEBUNKPORT POLICE DEPARTMENT
101 Main Street
Kennebunkport, ME 04046**

MEMORANDUM

To: Laurie Smith, Town Manager
Fr: Police Chief Craig A. Sanford
Re: Cruiser Replacement
Dt: August 1, 2023

I have information from our local Ford dealer that the ordering and receipt of a new police vehicle are still unpredictable. Ford is still dealing with issues caused by the pandemic causing major delays and last-minute cancelation of orders. With this information, I contacted the supplier I used last year (McGovern Municipal), and they have cruisers available on the lot.

I am asking to be authorized to purchase the quoted vehicle for **\$39,115.35**. I have \$41,000 in the current budget for this purchase. The quote includes the trade-in of a 2018 Dodge Charger with 122,785 miles on the odometer. This reading does not include miles added for idle time: that would put the actual mileage well over 150,000 miles. I hope we can return to the normal bidding process next year.



Estimate

Date: 7/31/23

Customer ID:

To: Kennebunkport Police Department

Salesperson: Cory Prehl
978-302-8394

Qty	Item #	Description	Unit Price	Line Total
1.00	K8A	2023 Ford Police Interceptor Utility AWD Black	\$ 41,883.00	\$ 41,883.00
1.00	43D	Dark Car Feature	\$ 24.25	\$ 24.25
1.00	51R	Driver Side Unity LED Spotlight	\$ 383.15	\$ 383.15
1.00	549	Power Heated Mirrors	\$ 58.20	\$ 58.20
1.00	76R	Reverse Sensing System	\$ 266.75	\$ 266.75
1.00	53M	SYNC Voice Activated System	\$ -	\$ -
1.00	86P	Front Headlamp Housing	\$ -	\$ -
1.00	87R	Rear View Camera Relocate to Mirror	\$ -	\$ -
1.00	18D	Rear Liftgate Lock Disable Delete	\$ -	\$ -
1.00				\$ -
				\$ -
1.00	TRADE	VIN:2C3CDXAG6JH193407 (18 Dodge Charger 122,785 miles)	\$ (3,500.00)	\$ (3,500.00)
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -

Special Instructions:

Custom or Special Orders are Non-Refundable

This Estimate is for Budgetary Purposes and is Not a Guarantee of Cost for Services.

Estimate is Based on Current Information From Client About the Project Requirements

Actual Cost May Change Once Project Elements are Finalized

Vehicle Subtotal	\$42,615.35
Trade Subtotal	-\$3,500.00
Grand Total	\$39,115.35

AGENDA ITEM DIVIDER

MEMORANDUM

To: Select Board
Fr: Nicole Evangelista
Re: FY23 Carryforward Request
Dt: August 3, 2023

Each year, once the final invoices from FY23 have been paid, the Board considers carryforward requests from departments. Upon examination of the year-end figures, which are still pending, we anticipate a positive financial year-end result. We exceeded our budgeted revenue projections by \$356,000 and came in under \$1.6 million in expenses.

Please review the carryforward list that is attached, which totals \$192,320.

**Town of Kennebunkport
FY23 Carryforward Request**

Account Name	FY23 Balance	Amount	Justification
FY23 Budget Ending Balance - Admin	68,879.48		
Admin Salaries		3,000.00	Finance Vacation Coverage
Admin Salaries		3,000.00	Overtime Coverage
Admin Contingency		5,000.00	Administrative Support and Recognition of Departments
Admin Office Supplies		4,000.00	Fire Proof Filing Cabinet for Personnel Files
Total Admin		15,000.00	Article 5 General Government
FY23 Budget Ending Balance - Planning	47,022.95		
Planning Vehicles & Equipment		750.00	Body Repair to Subaru
Total Planning		750.00	Article 5 General Government
FY23 Budget Ending Balance - Police	189,145.79		
Police Salaries		10,000.00	Pay Rate Differential for Sergeant's Position
Police Training		5,800.00	NARCAN administration training - New State Mandate
Total Police		15,800.00	Article 6 Public Safety
FY23 Budget Ending Balance - Communications	73,182.97		
Communications Salaries		17,000.00	Dispatch Coverage During Training for New Employee
Total Communications		17,000.00	Article 6 Public Safety
FY23 Budget Ending Balance - Fire	8,806.27		
Fire Recognition		800.00	Regional Training Event
Fire Vehicles & Equipment		4,800.00	Body Work Car 1
Total Fire		5,600.00	Article 6 Public Safety
FY23 Budget Ending Balance - Health & Welfare	26,639.78		
Operating Supplies		1,000.00	Purchase Medical Supplies
Building Maintenance		1,300.00	Ramp Repair/Maintenance, Painting, Floorwork, Ceiling Light Repair
Unacceptable Waste		500.00	Disposal of Hazardous Waste
Total Health & Welfare		2,800.00	Article 7 Health & Welfare
FY23 Budget Ending Balance - Highway	119,837.80		
Highway		67,000.00	Pier Road Causeway Grant Match
Highway		25,000.00	S-Brook Culvert Replacement and Repairs
Highway Buildings		8,370.00	Reznor Heater, Material & Labor (supply lag)
Total Highway		100,370.00	Article 8 Public Works
FY23 Budget Ending Balance - Contingency	109,373.00		
Contingency - Salaries		25,000.00	Salary Market Adjustments
Contingency - Selectmen's		10,000.00	Boat Ramp and Other Projects (Unknown)
Total Contingency		35,000.00	Article 9 Recreation, Culture, Contingency
Total FY23 Carryforward Requests		192,320.00	

Town of Kennebunkport

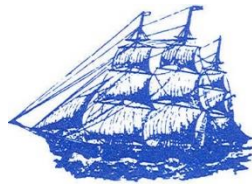
Statement of Revenues & Expenses as of June 30, 2023

FY23 Revenues	FY23 Budget	Received Thru 6/30	% of Budget
General Fund			
Property Tax Revenue	20,779,326	20,789,173	100%
Auto Excise	1,100,000	1,218,391	111%
Boat Excise	14,000	14,867	106%
State Revenue Sharing	185,000	240,046	130%
Homestead Exemption	90,228	108,405	120%
Local Road Assistance Program	40,000	43,224	108%
Tree Growth/Veterans Exemption	8,300	8,272	100%
General Assistance	1,000	183	18%
BETE Reimbursement	4,193	4,235	101%
PILOT (Payment in Lieu of Taxes)	13,500	10,000	74%
RSU-School Resource Officers	249,058	194,163	78%
Interest on Taxes	40,000	21,651	54%
Charges for Services	62,400	95,160	153%
Building/Plumbing Permits	570,000	596,385	105%
Parking Violations	50,000	42,324	85%
Goose Rocks Beach	200,000	259,751	130%
Short Term Rental Licenses	160,000	173,853	109%
Sale of Town Property	0	0	100%
Investment Income	30,000	328,130	1094%
Miscellaneous	12,000	17,649	147%
Transfer from Dock Square	301,000	301,000	100%
Transfer from Sewer	30,000	30,000	100%
Transfer from Capital Projects	700,000	700,000	100%
Transfer from SR/Recreation	445,000	445,000	100%
Use of Fund Balance	200,000	0	0%
Carryforwards	210,000	210,000	100%
Total Revenue	25,495,005	25,851,862	101%

FY23 Expenses	FY23 Budget	Expended Thru 6/30	% of Budget
General Fund			
General Government	1,258,815	1,173,390	93%
Legal	68,000	94,545	139%
Insurance	233,098	206,894	89%
Planning & Codes	687,230	640,207	93%
Police Dept/EMA/ACO	1,993,180	1,802,308	90%
Communications	578,305	505,122	87%
Fire Dept	471,358	462,552	98%
KEMS	200,000	200,000	100%
Harbormaster	51,900	13,681	26%
Solid Waste	578,436	517,454	89%
Health/Welfare/Social Services	215,773	187,244	87%
Public Restrooms	36,000	29,822	83%
Highway	1,221,600	1,101,762	90%
Fire Hydrants/Street Lights	168,324	153,826	91%
Shade Tree	61,181	44,175	72%
Cemetery/Parsons Way	18,755	16,153	86%
Recreation	341,845	307,116	90%
Graves/Cape Porpoise Libraries	169,550	169,550	100%
Goose Rocks Beach Advisory Reserve	51,738	59,476	115%
Overlay	860,774	71,885	8%
Contingency	139,000	29,627	21%
Agencies	10,475	9,144	87%
Capital Outlay	2,180,300	2,180,300	100%
Debt Service	1,246,931	1,242,630	100%
Education Appropriation	11,349,467	11,349,467	100%
County Appropriation	1,302,970	1,302,970	100%
Total Expenditures	25,495,005	23,871,301	94%

Budget Difference - End of FY23	(356,857)	1,623,704
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AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

-INCORPORATED 1653-

To: Kennebunkport Selectboard
Fr: Werner Gilliam Director of Planning and Development
Dt: August 1st, 2023
Re: Cliff Mix Dyke Rd Beach Access Agreement

Background

As part of a ROW Discovery Grant the town commissioned a survey of Dyke Road ROW (**Exhibit A**), and also known as the Old Seaweed Road (and the New Adams Road), which public right-of-way provides public access from the Kings Highway southerly down to the sea at Goose Rocks Beach. That survey discovered existing improvements located within the bounds of the Old Seaweed Road right-of-way on the western portion of the Mix Property, including a concrete post and wood rail fence, a stone wall and a granite boulder sea wall, as depicted on the Dow & Coulombe Plan, which collectively run more or less parallel with the easterly edge of the right-of-way. It has been documented and verified that some or all of the existing fencing, stone wall and seawall features shown on the Dow & Coulombe Plan may have extended continuously into the public right-of-way, for a period in excess of forty (40) years.

The Town and the Mixes share a mutual interest and desire to maintain the Old Seaweed Road public right-of-way, to remove invasive vegetation species from the area, and to replant native species that will help maintain the integrity and conservation of the sand dune.

Mix also wishes to:

- (a) construct and maintain certain improvements within the bounds of the Old Seaweed Road public right-of-way,
- (b) improve and maintain the features presently existing within the right-of-way, which improvements are shown on a plan prepared by Lower Village Survey dated November 22, 2022 (as revised July 8, 2023) **Exhibit B**

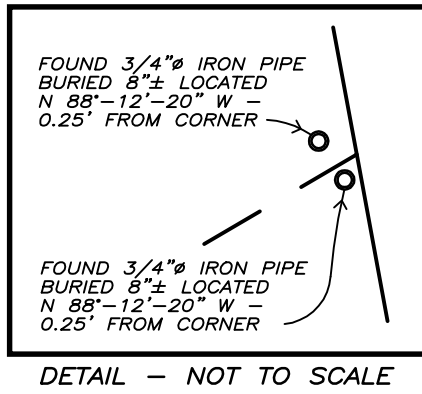
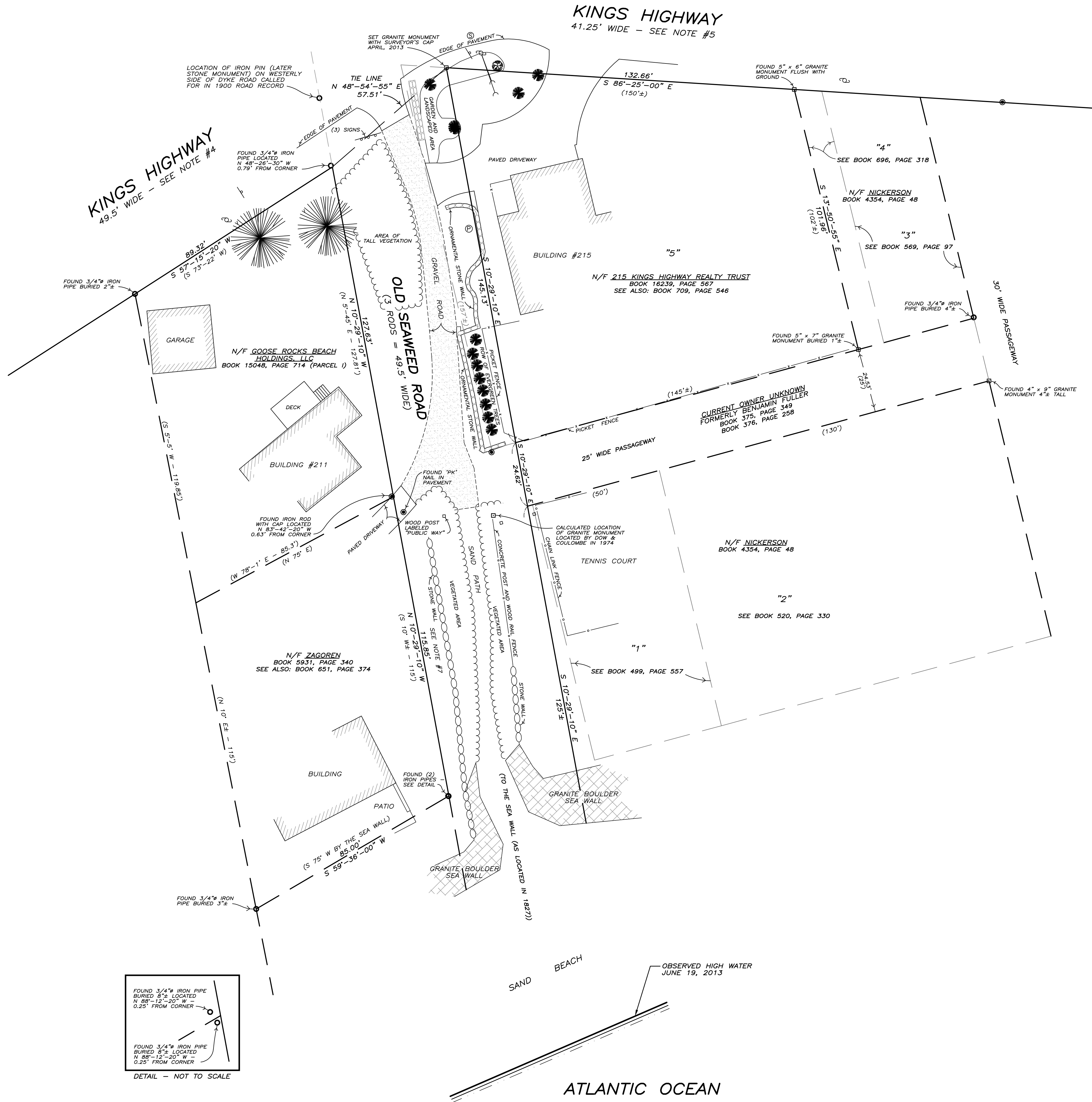
Proposed Agreement

The Town Attorney has reviewed all of the associated history and information and is recommending that we memorialize the current status of the Old Seaweed Road. This will ensure public access as is currently known and will prevent future encroachments.

In that spirit both parties wish to memorialize the terms of an agreement that addresses the contemplated vegetation removal and replanting project, formally recognize the existing improvements that currently exist in the area and authorizes new improvements that are anticipated to be undertaken in connection with the project.

As part of the agreement Mix acknowledges and admits to the Board of Selectmen, in accordance with 23 M.R.S. § 2952, that the extension of fencing and/or stone wall to the north in the area labeled on Exhibit B as Area #1 are improvements that encroach within and wrongfully occupy the true bounds and limits of the public right-of-way.

Except as otherwise provided herein, this Agreement does not address, delineate, diminish, or alter the Parties' respective property rights in relation to Old Seaweed Road; the width of Old Seaweed Road or the public right of way; the existence or legal effect of the existence of existing improvements located in or around Old Seaweed Road; or the boundary lines between property owned by Mix and the Town, if any.



LEGEND :

- SET IRON ROD WITH CAP
- ⊙ SEWER MANHOLE
- ⊙ COVER FOR UNDERGROUND PROPANE TANK
- ⊙ UTILITY POLE
- φ DIAMETER
- N/F NOW OR FORMERLY
- OU — OVERHEAD UTILITY LINES
- ⊖ STONE WALL OR ORNAMENTAL STONE WALL
- x — PICKET FENCE
- o — CHAIN LINK FENCE
- □ — CONCRETE POST AND WOOD RAIL FENCE

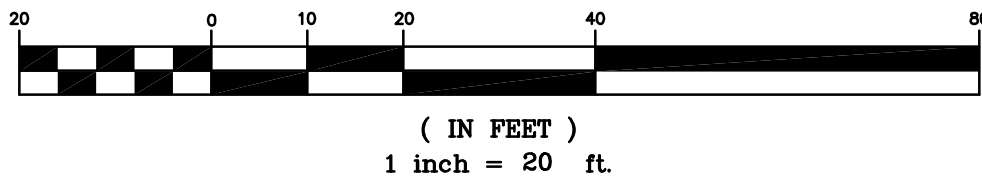
PLAN REFERENCES :

- "PROPOSED ROADS AT GOOSE ROCKS BEACH", DATED MAY, 1934, BY O. W. DWINAL.
- "PLAN SHOWING THE ROADWAY BETWEEN THE FEARING & DOW AND THE JOANNE LARRABEE PROPERTIES, GOOSE ROCKS BEACH, KENNEBUNKPORT, MAINE", DATED MAY 10, 1963, BY LIBBY & DOW (TOGETHER WITH ACCOMPANYING LETTER TO KENNEBUNKPORT SELECTMEN).
- "PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR THE TOWN OF KENNEBUNKPORT, MAINE", DATED JULY 15, 2010, BY DOW & COULOMBE, INC.

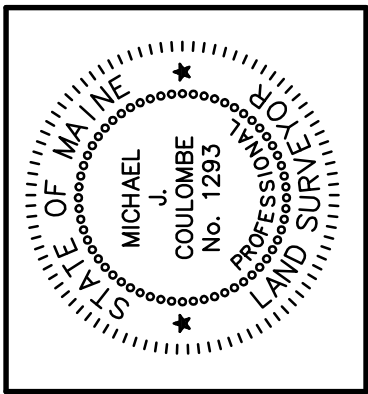
NOTES :

- TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS; CHAPTER 90, ADOPTED APRIL, 2001.
- SEE ACCOMPANYING SURVEYOR'S REPORT.
- THE LOCATION OF THE DYKE ROAD (KNOW KNOWN AS OLD SEAWEEED ROAD; A.K.A. NEW ADAMS ROAD) IS DESCRIBED IN THE COUNTY COMMISSIONERS' SESSIONS, ORDER AND LAYOUT, BOOK 16, PAGE 154, DATED DECEMBER 11, 1827.
- THE LOCATION OF KINGS HIGHWAY FROM THE WESTERLY LINE OF THE OLD LOCATION OF THE DYKE ROAD RUNNING SOUTHWESTERLY IS PER TOWN OF KENNEBUNKPORT LAYOUT RECORDS DATED DECEMBER 26, 1900 AND ACCEPTED AT TOWN MEETING MARCH 4, 1901 (TOWN RECORDS PAGE 509).
- THE LOCATION OF KINGS HIGHWAY FROM DYKE ROAD RUNNING NORTHEASTERLY IS PER TOWN OF KENNEBUNKPORT RECORDS, 1934, PAGE 79 (SHOWN ON PLAN REFERENCE #1).
- INFORMATION IN PARENTHESES COPIED FROM DEED AND PLAN REFERENCES.
- THE PARCEL OF LAND DESCRIBED IN BOOK 5931, PAGE 340 WAS CONVEYED WITH "ALSO ALL RIGHT TITLE AND INTEREST IN AND TO THAT STRIP OF LAND WHICH LIES ADJACENT TO AND EASTERLY OF THE ABOVE DESCRIBED PARCEL AND WESTERLY OF THE STONE BULKHEAD MARKING THE WESTERLY SIDE OF THE TRAVELLED WAY LEADING FROM THE KING'S HIGHWAY TO THE BEACH AND ALSO MARKING THE EASTERLY SIDELINE OF THE PREMISES AS THEY HAVE BEEN LONG OCCUPIED AS PART OF SAID ABOVE DESCRIBED PARCEL BY SAID GILPATRICKS AND THEIR PREDECESSORS IN TITLE".
- OLD SEAWEEED ROAD IS ALSO KNOWN AS DYKE ROAD, NEW ADAMS ROAD AND ADAMS ROAD.

GRAPHIC SCALE



Date	
Revision	
No.	



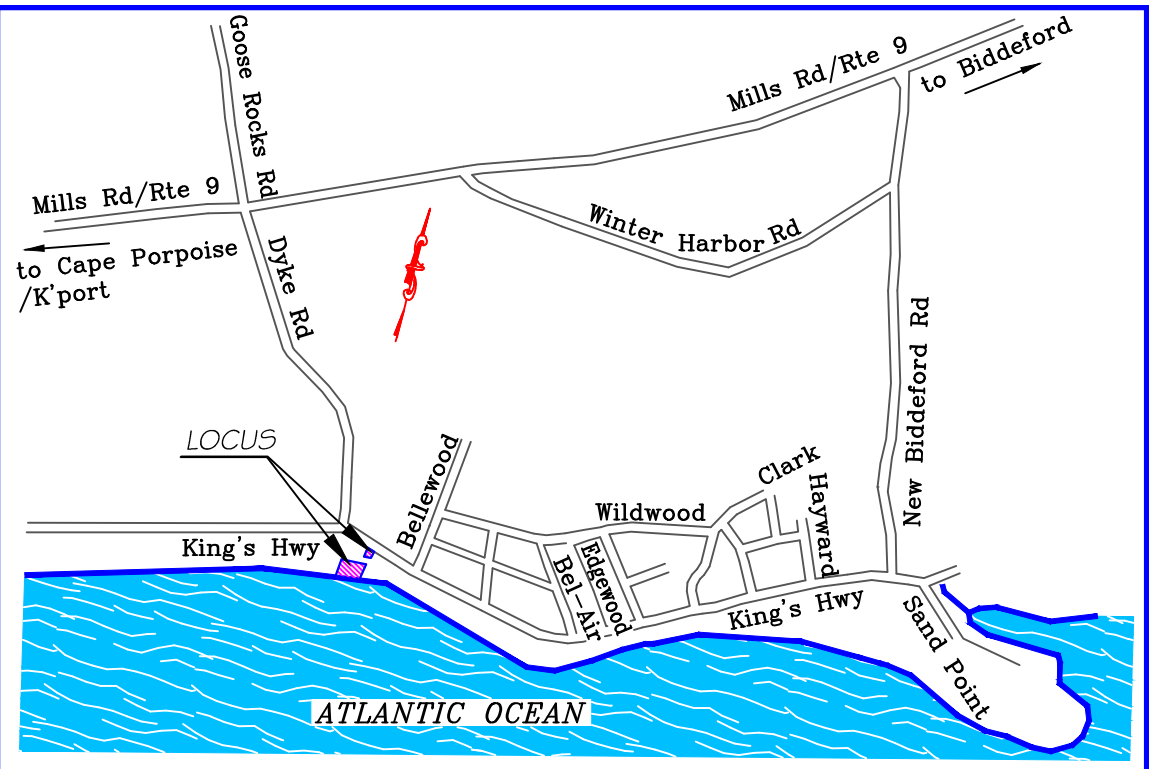
PLAN SHOWING A BOUNDARY SURVEY OF OLD SEAWEEED ROAD (FORMERLY KNOWN AS DYKE ROAD AND NEW ADAMS ROAD) MADE FOR THE TOWN OF KENNEBUNKPORT MAINE (MAILING ADDRESS : P. O. BOX 566, KENNEBUNKPORT, MAINE 04046) PARCEL LOCATED AT OLD SEAWEEED ROAD KENNEBUNKPORT MAINE

Dow & Coulombe, Inc.
Land Surveyors & Land Planners

13 Park Street, Saco, ME 04072
Telephone: 207-284-4521 • Fax: 207-284-4522

Date:	JULY 2, 2013
H. Scale:	Drawn by: MJC
Chk'd by:	App'd by: MJC
PDD	MJC
SHEET 1 OF 1	

ZONE-28
DWGS2013\REPORT OLD SEAWEEED



LOCATION MAP (Not to Scale)

AVERAGE GRADE CALCULATIONS

Spot Elevations				
10.72	10.84	10.90	11.06	11.13
10.86	11.30	11.30	11.19	11.51
12.88	12.91	13.49	13.84	13.90
13.70	13.24	12.84	13.46	13.77
13.91	13.77	13.38	12.92	13.01
Sum = 311.83				
Average Grade = 12.47				
(311.83 ÷ 25 Spot Elevations)				

LOT COVERAGE CALCULATIONS:

PARCEL A	Shoreland Zone	GRB Zone
Total Lot Area	= 4290 s.f.	= 4290 s.f.
Lot Coverage Areas:	(Nonvegetated)	(Structures Only)
Garage to Overhangs	= 86 s.f.	= 764 s.f.
Concrete Apron	= 40 s.f.	
Landscape Borders	= 43 s.f.	
TOTAL LOT COVERAGE	= 169 s.f.	= 764 s.f.

Percent of Lot Coverage in Shoreland Zone:

169 ÷ 4290 = **3.93%**

Percent of Lot Coverage in GRB Zone:

764 ÷ 4290 = **17.81%**

PARCEL B:		
Total Lot Area	= 21391 s.f.	= 21391 s.f.

Lot Coverage Areas:	(Nonvegetated)	(Structures Only)
House to Overhangs	= 2117 s.f.	= 2117 s.f.
Tennis Court	= 5389 s.f.	= 5389 s.f.
Sea Wall	= 3280 s.f.	
Crushed Stone	= 566 s.f.	
Bench	= 22 s.f.	
Concrete Steps	= 32 s.f.	
Concrete Hardscape	= 25 s.f.	
Landscape Borders	= 67 s.f.	
Wood Steps	= 9 s.f.	= 9 s.f.
TOTAL LOT COVERAGE	= 11507 s.f.	= 7515 s.f.

Percent of Lot Coverage in Shoreland Zone:

11507 ÷ 21391 = **53.79%**

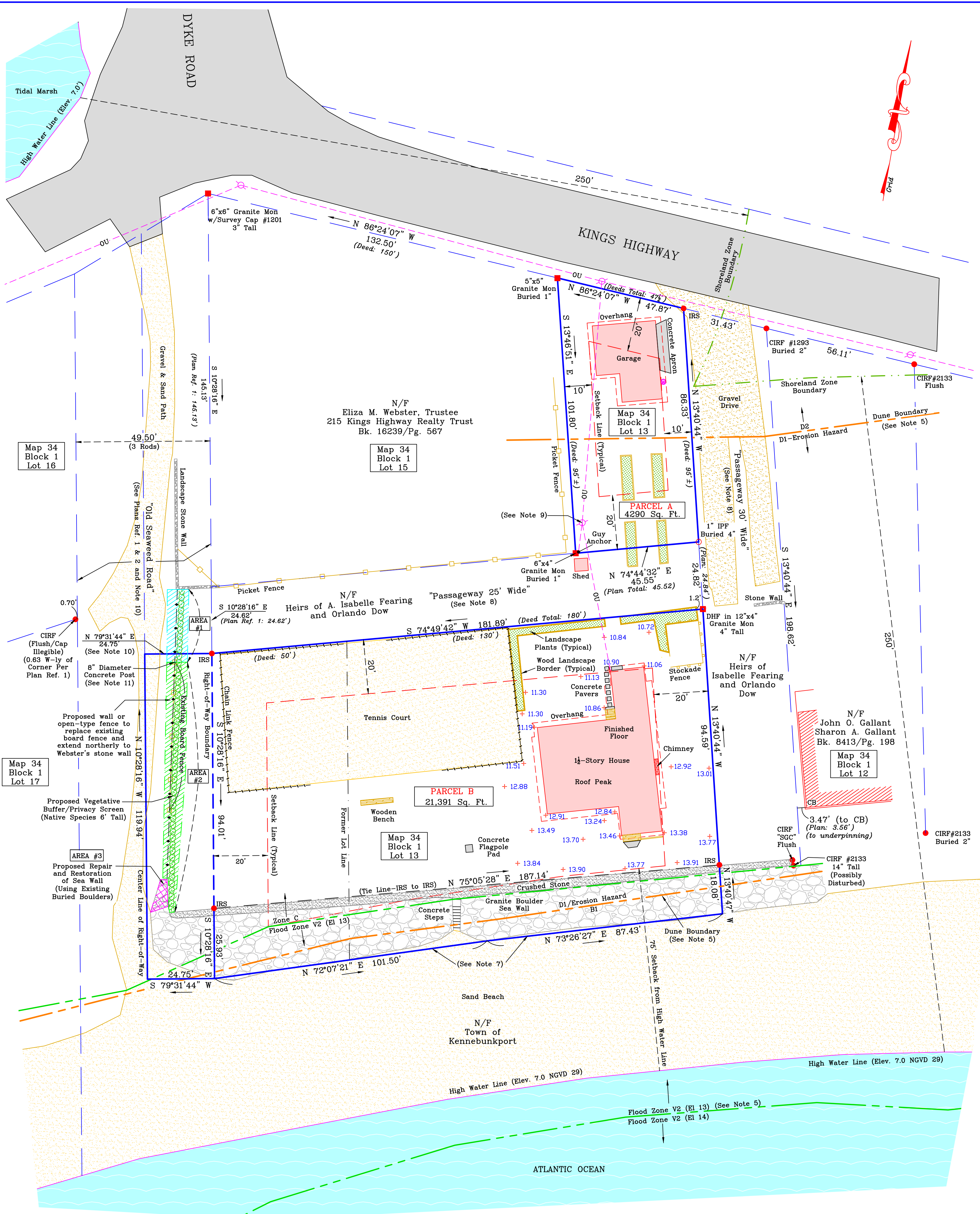
Percent of Lot Coverage in GRB Zone:

7515 ÷ 21391 = **35.13%**

LEGEND :

IRS ●	5/8" Rebar w/Survey Cap #2374 To Be Set
CIRF ●	Capped Iron Rod Found
IPF ○	Iron Pipe Found
MON ■	Granite Monument Found
DHF ■	Drill Hole Found in Granite Monument
—	Property Line
—	Abutter Approximate Property Line
—OU—	Overhead Utilities
—	Utility Pole
N/F	Now or Formerly
Bk./Pg.	Deed Book & Page
CB	Building Corner Board or Siding
11.52 +	Spot Grade
⊗	Water Shutoff

GRAPHIC SCALE 1" = 20'



LOCUS DEED REFERENCE:

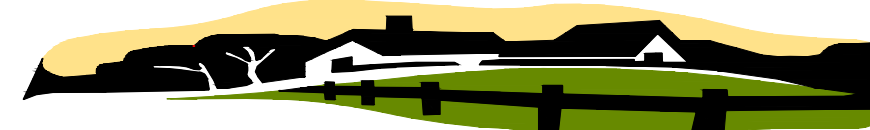
Deed Book 18021, Page 90
Owners of Record: Margaret P. Mix, Sarah C. Dorfmeister, Clifton P. Mix, & Douglas P. Mix

PLAN REFERENCES:

- "Plan Showing a Boundary Survey of Old Seaweed Road (Formerly Known as Dyke Road and New Adams Road) Made for The Town of Kennebunkport, Maine" dated July 2, 2013, by Dow & Coulombe, Inc.
- "Plan Showing the Roadway Between the Fearing & Dow and the Joanne Larrabee Properties, Goose Rocks Beach, Kennebunkport, Maine" dated May 10, 1963, Revised October 24, 1974, by Libby & Dow, Engineers.
- "Plan Showing a Standard Boundary Survey Made for Linda Mitchell, Kennebunkport, Maine" dated January 28, 1988, by Dow & Coulombe, Inc., recorded in York County Registry of Deeds in Plan Book 165, Page 47.
- "Standard Boundary Survey, Lots on Kings Highway, Goose Rocks Beach, Kennebunkport, Maine, for Thomas and Beverly L. Solir Irrevocable Trust" dated October 1994, by Ross Boundary Surveys.
- "Plan Showing Land at Goose Rocks Beach, Kennebunkport, ME." dated March 20, 1958, by Libby & Dow, Engineers., recorded in York County Registry of Deeds in Plan Book 21, Page 48.
- "Plan of Land of Leo J. Dunn, Goose Rocks, Kennebunkport, ME." dated June 20, 1954, Revised August 16, 1954, by Libby & Dow, Engineers, recorded in York County Registry of Deeds in Plan Book 20, Page 53.
- "Flood Insurance Rate Map - Town of Kennebunkport, Maine, York County - Community Panel Number 230170-0008B" Effective April 18, 1983.
- "Flood Insurance Rate Map - Town of Kennebunkport, Maine, York County - Community Panel Number 230170-0007B" Effective April 18, 1983.
- "Coastal Sand Dune Geology, Goose Rocks Beach, Kennebunkport, Maine" by Peter A. Slovinsky and Stephen M. Dickson, Open-File #11-97, 2011.

NOTES:

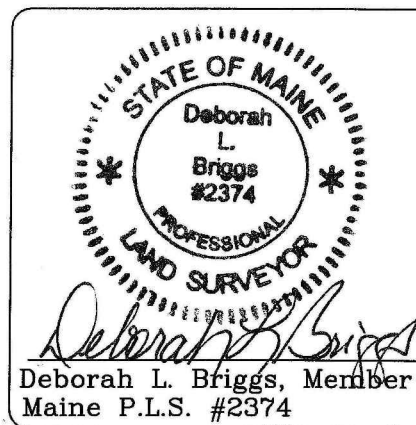
- The locus parcels are identified on the Town of Kennebunkport Tax Assessors Map 34, Block 1, as Lot 13. Both parcels are located in the Goose Rocks Zone and also entirely within the Shoreland Overlay Zone. Space and bulk standards in the Goose Rocks Zone are as follows:
Minimum Building Setbacks*
Front Yard = 20 feet
Side & Rear Yard = 15 feet
Maximum Lot Coverage = 20%
Minimum Lot Width = 100 feet
Maximum Height = 30 feet
Minimum Lot Area = 40,000 Sq. Ft.
*Per Town of Kennebunkport Land Use Ordinance Section 8.7.B. for nonconforming lots containing less than 10,000 square feet with any outside dimension of less than fifty (50) feet, the minimum setback requirements from the lot lines intersecting with such outside dimension of less than fifty (50) feet shall be reduced to ten (10) feet."
- Locus Parcel A contains 4,290 square feet (0.09 acre). Locus Parcel B contains 21,391 square feet (0.49 acre) calculated to the boundary at the base of the seawall shown and to the right-of-way line of "Old Seaweed Road."
- All bearings shown are oriented to Grid North per Maine State Plane Coordinate System West Zone.
- Elevations shown are based on RM-19 (Elev. 21.10' NGVD 1929) per Plan Ref. 7.
- Flood zone boundaries shown are based on scaled distances from Plan Ref. 8. Dune boundaries shown are based on scaled distances from Plan Ref. 9.
- The boundary of the locus parcel along Kings Highway is the apparent right-of-way line based on a record width of 2-1/2 rods (41.25 feet) per layout and acceptance recorded in Kennebunkport Town Reports of 1934, Page 79, monumentation found, and Plans referenced above.
- According to recent decision of the Maine Supreme Judicial Court on October 3, 2019, legal title to land seaward of the seawall in this area of Goose Rocks Beach is held by the Town of Kennebunkport for the benefit of the public. (See Almeder v. Town of Kennebunkport, 2019 ME 151.) The southerly boundaries of Locus Parcel B are shown hereon in a location that follows the base of the existing seawall.
- The locus parcels are benefitted by appurtenant easements over the 30-foot wide Passageway and the 25-foot wide Passageway as granted and for the purposes described in deeds from A. Isabelle Fearing and Orlando Dow to Joseph N. Palmer recorded in Book 520, Page 26; Book 569, Page 97; and Book 696, Page 318. Fee title to both of said Passageways is assumed to be owned by the heirs of A. Isabelle Fearing and Orlando Dow, subject to said easement rights.
- Locus Parcel A is subject to utility easement granted to Central Maine Power Company and New England Telephone & Telegraph Company dated September 22, 1981, recorded in Book 2877, Page 179.
- The "Old Seaweed Road" (formerly called Dyke Road and New Adams Road) was laid out as a public highway easement 3 rods (49.5 feet) wide as described in order and layout dated December 11, 1827, recorded in County Commissioners Records Volume 16, Page 154. The right-of-way boundaries of said road, which cannot be accurately affixed to the ground based on said description, are shown hereon in its apparent location based on Plan Ref. 1, monuments found, and the 3-rod width described in said layout. Fee title to Locus Parcel B is presumed to extend to the center line of said road right-of-way, subject to existing public easement rights.
- According to the current owner and descendant of Joseph N. Palmer (who purchased the property in several parcels in the early 1900s), Albert Palmer erected the board fence located within the "Old Seaweed Road" right-of-way, with the northerlymost fence post placed on an 8" concrete post poured over an existing granite monument.
- The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.
- Prior to any construction activities the location of setback lines shown should be verified by the local code enforcement officer to determine compliance with all applicable building requirements.
- This plan has been prepared according to the Standards of Practice adopted by the State of Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
 - No written report prepared
 - No new deed description prepared
 - No monuments set in center line of Old Seaweed Road



LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2625, Kennebunkport, ME 04046
Phone: 207-967-3545 e-mail: info@lowervillagesurveyco.com

STANDARD BOUNDARY SURVEY & SITE PLAN
WITH PROPOSED PRIVACY BORDER ALONG PUBLIC RIGHT-OF-WAY
797 KINGS HIGHWAY, KENNEBUNKPORT, MAINE
OWNED BY

**Margaret P. Mix, Sarah C. Dorfmeister,
Clifton P. Mix & Douglas P. Mix**
Mailing address: c/o Clifton P. Mix, 26 High Street, Farmington, CT 06032



REV. July 11, 2023 Added Labels and Outlines for Areas 1, 2, and 3
DATE: NOV. 30, 2022 217 KINGS HIGHWAY FILE #119-55 ROTATION 10° Right FIELD BK. 487-8

LAND SURVEYORS ** FORESTERS ** WETLAND DELINEATORS

AGREEMENT

The Margaret P. Mix Real Estate Trust, Clifton P. Mix, Sarah C. Dorfmeister, and Douglas P. Mix (“Mix”), the owners of property at 797 Kings Highway in Kennebunkport, York County, Maine (the “Property”), and the Town of Kennebunkport (the “Town”) (referred to collectively as “the Parties”) hereby enter this agreement regarding vegetation and improvements located in and around a sand path known as Old Seaweed Road (also known as Dyke Road and New Adams Road).

WHEREAS, Mix is the owner of a certain lot or parcel of land, with the building and improvements thereon, located off of Kings Highway, in the Town of Kennebunkport, County of York and State of Maine, on Kennebunkport Tax Map 34, Block 1, Lot 13, and as more particularly described in a deed from Margaret P. Mix to Margaret P. Mix and Clifton P. Mix, Co-Trustees of the Margaret P. Mix Real Estate Trust u/a October 30, 2019 dated December 11, 2019 and recorded in the York County Registry of Deeds in Book 18130, Page 709 (the “Mix Property”); and

WHEREAS, there exists a Town right-of-way to the west of the Mix Property commonly referred to as the Dyke Road ROW, and also known as the Old Seaweed Road (and the New Adams Road), which public right-of-way provides public access from the Kings Highway southerly down to the sea at Goose Rocks Beach (hereafter referred to as the Old Seaweed Road); and

WHEREAS, the boundaries of the Old Seaweed Road have been laid out by a boundary survey and depicted on a plan prepared by Dow & Coulombe, Inc., dated July 2, 2013, which plan is attached as **Exhibit A**, showing a three-rod road (approximately 49.5 feet wide), which road was laid out by the York County Commissioners as a town road in 1827; and

WHEREAS, there are now existing improvements (“Existing Improvements”) located within the bounds of the Old Seaweed Road right-of-way on the western portion of the Mix Property, including a concrete post and wood rail fence, a stone wall and a granite boulder sea wall, as depicted on the Dow & Coulombe Plan, which collectively run more or less parallel with the easterly edge of the right-of-way; and

WHEREAS, some or all of the existing fencing, stone wall and seawall features shown on the Dow & Coulombe Plan may have extended continuously into the public right-of-way, for a period in excess of forty (40) years; and

WHEREAS, the Parties share a mutual interest and desire to maintain the Old Seaweed Road public right-of-way, to remove invasive vegetation species from the area, and to replant native species that will help maintain the integrity and conservation of the sand dune; and

WHEREAS, Mix now wishes to (a) construct and maintain certain improvements within the bounds of the Old Seaweed Road public right-of-way, (b) improve and maintain the features presently existing within the right-of-way, which improvements described in (a) and (b) are shown on a plan prepared by Lower Village Survey dated November 22, 2022 (as revised July 8, 2023) and have been approved by the Board of Selectmen at its meeting on _____ and

attached hereto as **Exhibit B**, and (c) remove invasive vegetation species and replant and maintain native vegetation species in order to maintain the integrity and conservation of the sand dune; and

WHEREAS, the Parties wish to memorialize the terms of an agreement that addresses the contemplated vegetation removal and replanting project, the Existing Improvements that currently exist in the area, new improvements that are anticipated to be undertaken in connection with the project, and the rights of the parties with respect to the proposed work to be conducted and new improvements to be constructed and maintained within the public right-of-way of Old Seaweed Road.

NOW THEREFORE, the Parties hereby agree as follows:

1. The Parties enter this Agreement for other good and valuable consideration, the adequacy of which the Parties expressly acknowledge.
2. Mix will undertake, at its sole expense and liability, restoration and maintenance of the Existing Improvements, as well as construction of the improvements ("New Improvements") depicted on the Plan attached hereto as **Exhibit B** and approved by the Board of Selectmen at its meeting on _____. The New Improvements include: (a) the replacement of the existing board fence with a similar open-type fence (labeled on **Exhibit B** as Area #2); (b) an extension of that fence northerly to Webster's stone wall and southerly to a stone wall to be repaired and/or restored (labeled on **Exhibit B** as Area #1); (c) planting and maintenance of native vegetation species and removal of invasive species in accordance with a Vegetation Plan authorized by the Town; and (d) the restoration and maintenance of a granite boulder sea wall (labeled on **Exhibit B** as Area #3) (collectively, the "Improvements"). Mix agrees that the restoration and maintenance of the granite boulder sea wall shall not result in further narrowing or encroachment into the public right-of-way. Mix agrees that there will be no material change(s) to the proposed plantings, alterations, and improvements depicted on **Exhibit B** and the Vegetation Plan without the prior written approval of the Board of Selectmen.
3. Mix expressly acknowledges and covenants that said Improvements will be undertaken in compliance with all applicable local, state, and federal laws, including the requirement, if any, to obtain any governmental permit, license, or approval. This includes but is not limited to a Natural Resources Protection Act permit from the Maine Department of Environmental Protection.
4. Mix acknowledges, covenants, and assumes responsibility for the maintenance and upkeep of the Improvements contemplated herein and that the Town has no responsibility for any such maintenance and upkeep. Mix further understands that the Town may damage some of the Improvements in the process of winter snowplowing or other road maintenance and Mix agrees that the Town will have no responsibility or liability whatsoever for the repair of any such damage. Mix further acknowledges and understands that the Improvements may need to be disturbed to enable access for public safety purposes (police, fire, ambulance, and the like) and Mix releases the Town for damage for the same.

5. Mix acknowledges and admits to the Board of Selectmen, in accordance with 23 M.R.S. § 2952, that the extension of fencing and/or stone wall to the north in the area labeled on **Exhibit B** as Area #1 are improvements that encroach within and wrongfully occupy the true bounds and limits of the public right-of-way which boundaries are as depicted on the Dow & Coulombe Plan (**Exhibit A**). Except as otherwise provided herein, this Agreement does not address, delineate, diminish, or alter the Parties' respective property rights in relation to Old Seaweed Road; the width of Old Seaweed Road or the public right of way; the existence or legal effect of the existence of existing improvements located in or around Old Seaweed Road; or the boundary lines between property owned by Mix and the Town, if any. Except as otherwise provided herein, the Parties mutually agree and covenant that neither Party has acquired any additional rights by virtue of this Agreement, other than the express contractual rights set forth herein as adopted by the Board of Selectmen; that neither Party is waiving, releasing, or otherwise losing any right, claim, argument, defense, theory, remedy, or other legal position by virtue of this Agreement; and that both Parties expressly reserve all rights and claims that they had, currently have, or will have from the beginning of time to the present day regarding the subject matter herein.
6. Mix shall maintain general liability in amounts sufficient to protect itself against risks associated with undertaking the Improvements contemplated by this Agreement. Mix shall indemnify, defend and hold harmless the Town from any and all claims arising from Mix's performance under this Agreement, which obligation shall survive the termination of this Agreement. Nothing herein is intended to shift responsibility from the Town to Mix for any other liability or to waive governmental immunity protections that the Town may enjoy by law related to the use or maintenance of Old Seaweed Road by members of the public, including but not limited to the Maine Tort Claims Act, 14 M.R.S. § 8103.
7. This Agreement shall be recorded by Mix in the York County Registry of Deeds, with reference to the Deed of the Property to Mix dated July 30, 2019, and recorded in the York County Registry of Deeds at Book 18021, Page 90. Further reference shall be made to a Deed from Margaret P. Mix to the Margaret P. Mix Real Estate Trust, u/a October 30, 2019, and recorded in the York County Registry of Deeds at Book 18130, Page 709.
8. The terms and conditions of this Agreement shall be binding upon the Parties' successors and assigns, unless the Parties, or their successors and assigns, mutually agree in writing to amend or release the terms herein.

IN WITNESS WHEREOF, Mix has caused this instrument to be executed by Clifton Mix, thereunto duly authorized co-owner and representative, this _____ day of _____, 2023.

WITNESS:

By: _____

Clifton Mix
On behalf of the owners of 797 Kings
Highway, Kennebunkport, Maine

STATE OF MAINE

YORK, ss.

_____, 2023

Then personally appeared the above-named Clifton Mix, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Notary Public/ Maine Attorney-at-Law

Printed Name: _____

My Commission expires: _____

IN WITNESS WHEREOF, the TOWN OF KENNEBUNKPORT, acting by and through its Board of Selectmen has hereby executed this Agreement this ____ day of _____, 2023.

WITNESS:

TOWN OF KENNEBUNKPORT

Witness

By: _____
Donald Michael Weston, Board Member
and Chair

Witness

By: _____
Allen A. Daggett, Board Member
and Vice Chair

Witness

By: _____
Sheila W. Matthews - Bull, Board Member

Witness

By: _____
Jon D. Dykstra, Board Member

Witness

By: _____
Marybeth Gilbert, Board Member

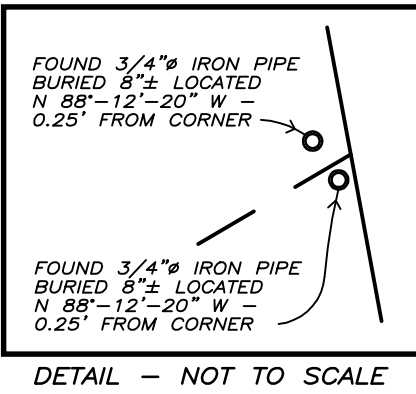
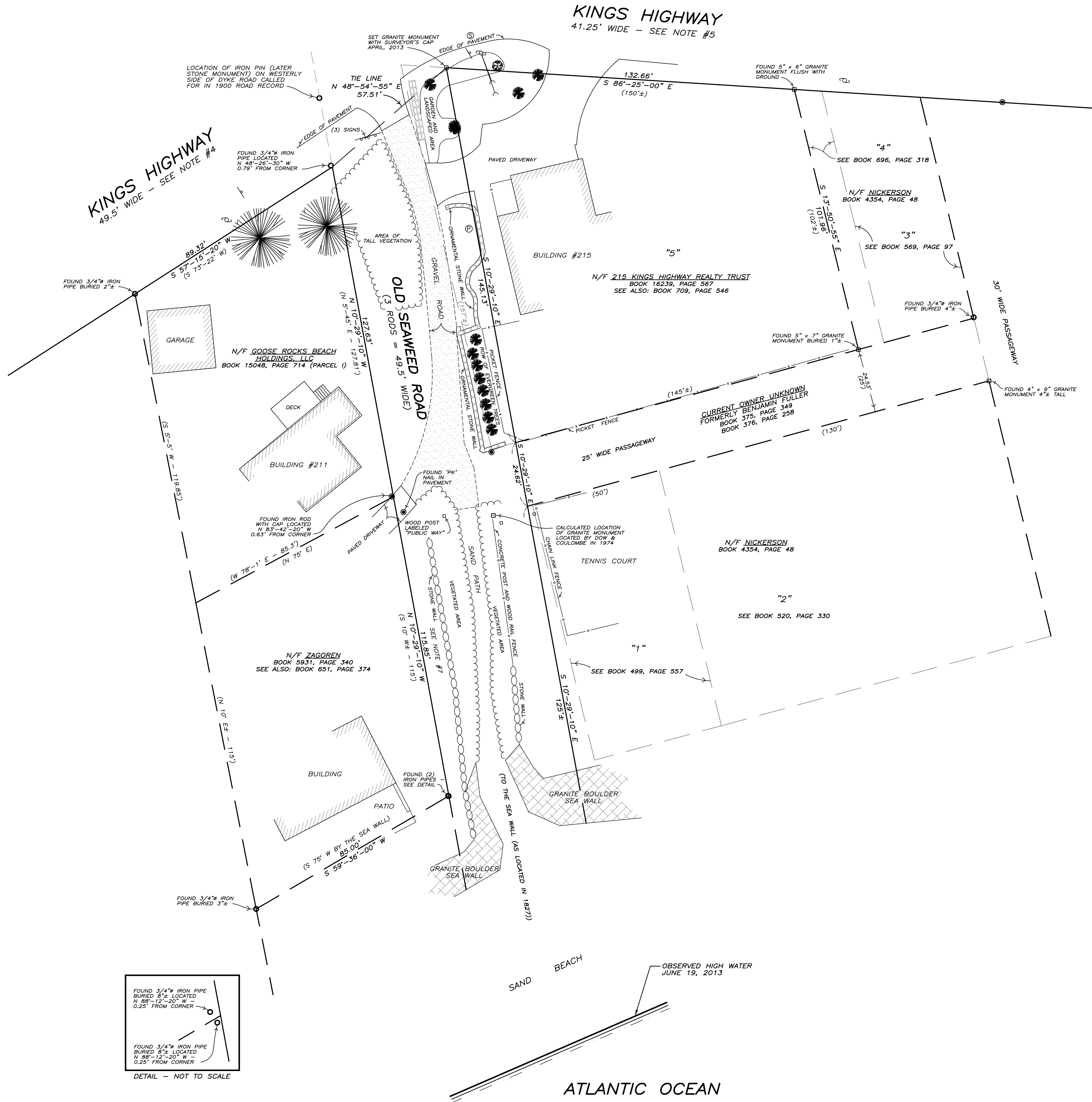
STATE OF MAINE
YORK, ss.

_____, 2023

Then personally appeared the above-named Donald Michael Weston, Board Member and Chair of the Board of Selectmen of the TOWN OF KENNEBUNKPORT, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of said TOWN OF KENNEBUNKPORT.

Before me,

Notary Public/ Maine Attorney-at-Law
Printed Name: _____
My Commission expires: _____



LEGEND :

- SET IRON ROD WITH CAP
- ⊙ SEWER MANHOLE
- ⊕ COVER FOR UNDERGROUND PROPANE TANK
- ⊖ UTILITY POLE
- φ DIAMETER
- N/F NOW OR FORMERLY
- OU — OVERHEAD UTILITY LINES
- ⊖⊖⊖⊖⊖⊖ STONE WALL OR ORNAMENTAL STONE WALL
- x — PICKET FENCE
- o — CHAIN LINK FENCE
- □ — CONCRETE POST AND WOOD RAIL FENCE

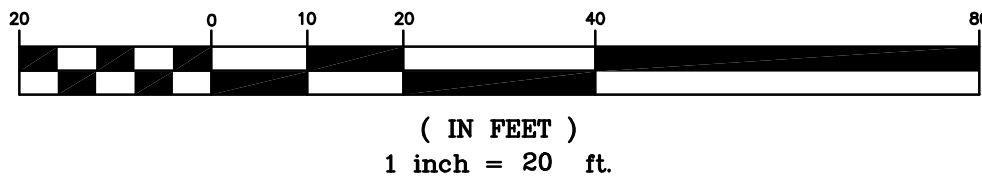
PLAN REFERENCES :

- "PROPOSED ROADS AT GOOSE ROCKS BEACH", DATED MAY, 1934, BY O. W. DWINAL.
- "PLAN SHOWING THE ROADWAY BETWEEN THE FEARING & DOW AND THE JOANNE LARRABEE PROPERTIES, GOOSE ROCKS BEACH, KENNEBUNKPORT, MAINE", DATED MAY 10, 1963, BY LIBBY & DOW (TOGETHER WITH ACCOMPANYING LETTER TO KENNEBUNKPORT SELECTMEN).
- "PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR THE TOWN OF KENNEBUNKPORT, MAINE", DATED JULY 15, 2010, BY DOW & COULOMBE, INC.

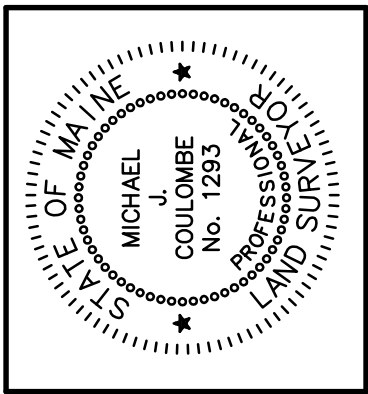
NOTES :

- TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS; CHAPTER 90, ADOPTED APRIL, 2001.
- SEE ACCOMPANYING SURVEYOR'S REPORT.
- THE LOCATION OF THE DYKE ROAD (KNOW KNOWN AS OLD SEAWEEED ROAD; A.K.A. NEW ADAMS ROAD) IS DESCRIBED IN THE COUNTY COMMISSIONERS' SESSIONS, ORDER AND LAYOUT, BOOK 16, PAGE 154, DATED DECEMBER 11, 1827.
- THE LOCATION OF KINGS HIGHWAY FROM THE WESTERLY LINE OF THE OLD LOCATION OF THE DYKE ROAD RUNNING SOUTHWESTERLY IS PER TOWN OF KENNEBUNKPORT LAYOUT RECORDS DATED DECEMBER 26, 1900 AND ACCEPTED AT TOWN MEETING MARCH 4, 1901 (TOWN RECORDS PAGE 509).
- THE LOCATION OF KINGS HIGHWAY FROM DYKE ROAD RUNNING NORTHEASTERLY IS PER TOWN OF KENNEBUNKPORT RECORDS, 1934, PAGE 79 (SHOWN ON PLAN REFERENCE #1).
- INFORMATION IN PARENTHESES COPIED FROM DEED AND PLAN REFERENCES.
- THE PARCEL OF LAND DESCRIBED IN BOOK 5931, PAGE 340 WAS CONVEYED WITH "ALSO ALL RIGHT TITLE AND INTEREST IN AND TO THAT STRIP OF LAND WHICH LIES ADJACENT TO AND EASTERLY OF THE ABOVE DESCRIBED PARCEL AND WESTERLY OF THE STONE BULKHEAD MARKING THE WESTERLY SIDE OF THE TRAVELLED WAY LEADING FROM THE KING'S HIGHWAY TO THE BEACH AND ALSO MARKING THE EASTERLY SIDELINE OF THE PREMISES AS THEY HAVE BEEN LONG OCCUPIED AS PART OF SAID ABOVE DESCRIBED PARCEL BY SAID GILPATRICKS AND THEIR PREDECESSORS IN TITLE".
- OLD SEAWEEED ROAD IS ALSO KNOWN AS DYKE ROAD, NEW ADAMS ROAD AND ADAMS ROAD.

GRAPHIC SCALE



Date	
Revision	
No.	



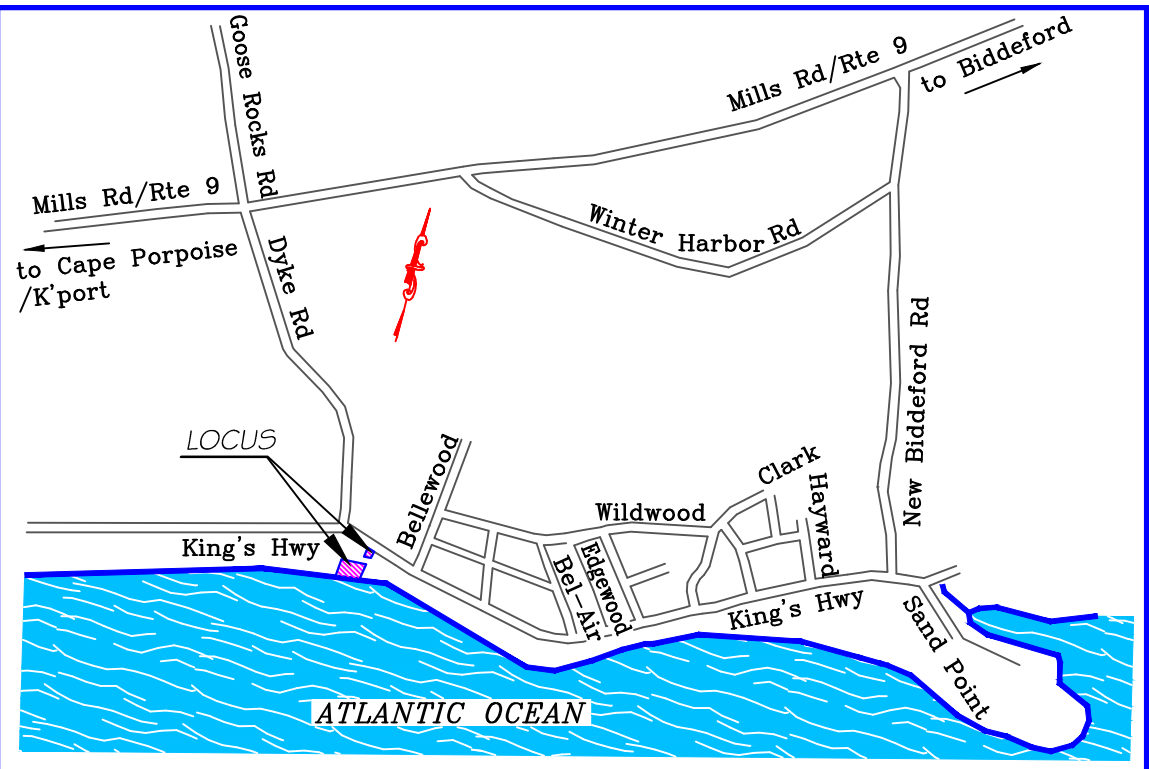
PLAN SHOWING A BOUNDARY SURVEY OF OLD SEAWEEED ROAD (FORMERLY KNOWN AS DYKE ROAD AND NEW ADAMS ROAD) MADE FOR THE TOWN OF KENNEBUNKPORT MAINE (MAILING ADDRESS : P. O. BOX 566, KENNEBUNKPORT, MAINE 04046) PARCEL LOCATED AT OLD SEAWEEED ROAD KENNEBUNKPORT MAINE

Dow & Coulombe, Inc.
Land Surveyors & Land Planners

13 Park Street, Saco, ME 04072
Telephone: 207-284-4521 • Fax: 207-284-4522

Date:	JULY 2, 2013
H. Scale:	Drawn by: MJC
Chk'd by:	App'd by: MJC
PDD	
SHEET 1 OF 1	

ZONE-28
DWGS2013\REPORT OLD SEAWEEED



LOCATION MAP (Not to Scale)

AVERAGE GRADE CALCULATIONS

Spot Elevations				
10.72	10.84	10.90	11.06	11.13
10.86	11.30	11.30	11.19	11.51
12.88	12.91	13.49	13.84	13.90
13.70	13.24	12.84	13.46	13.77
13.91	13.77	13.38	12.92	13.01
Sum = 311.83				
Average Grade = 12.47				
(311.83 ÷ 25 Spot Elevations)				

LOT COVERAGE CALCULATIONS:

PARCEL A	Shoreland Zone	GRB Zone
Total Lot Area	= 4290 s.f.	= 4290 s.f.
Lot Coverage Areas:	(Nonvegetated)	(Structures Only)
Garage to Overhangs	= 86 s.f.	= 764 s.f.
Concrete Apron	= 40 s.f.	
Landscape Borders	= 43 s.f.	
TOTAL LOT COVERAGE	= 169 s.f.	= 764 s.f.

Percent of Lot Coverage in Shoreland Zone:

169 ÷ 4290 = **3.93%**

Percent of Lot Coverage in GRB Zone:

764 ÷ 4290 = **17.81%**

PARCEL B:		
Total Lot Area	= 21391 s.f.	= 21391 s.f.

Lot Coverage Areas:	(Nonvegetated)	(Structures Only)
House to Overhangs	= 2117 s.f.	= 2117 s.f.
Tennis Court	= 5389 s.f.	= 5389 s.f.
Sea Wall	= 3280 s.f.	
Crushed Stone	= 566 s.f.	
Bench	= 22 s.f.	
Concrete Steps	= 32 s.f.	
Concrete Hardscape	= 25 s.f.	
Landscape Borders	= 67 s.f.	
Wood Steps	= 9 s.f.	= 9 s.f.
TOTAL LOT COVERAGE	= 11507 s.f.	= 7515 s.f.

Percent of Lot Coverage in Shoreland Zone:

11507 ÷ 21391 = **53.79%**

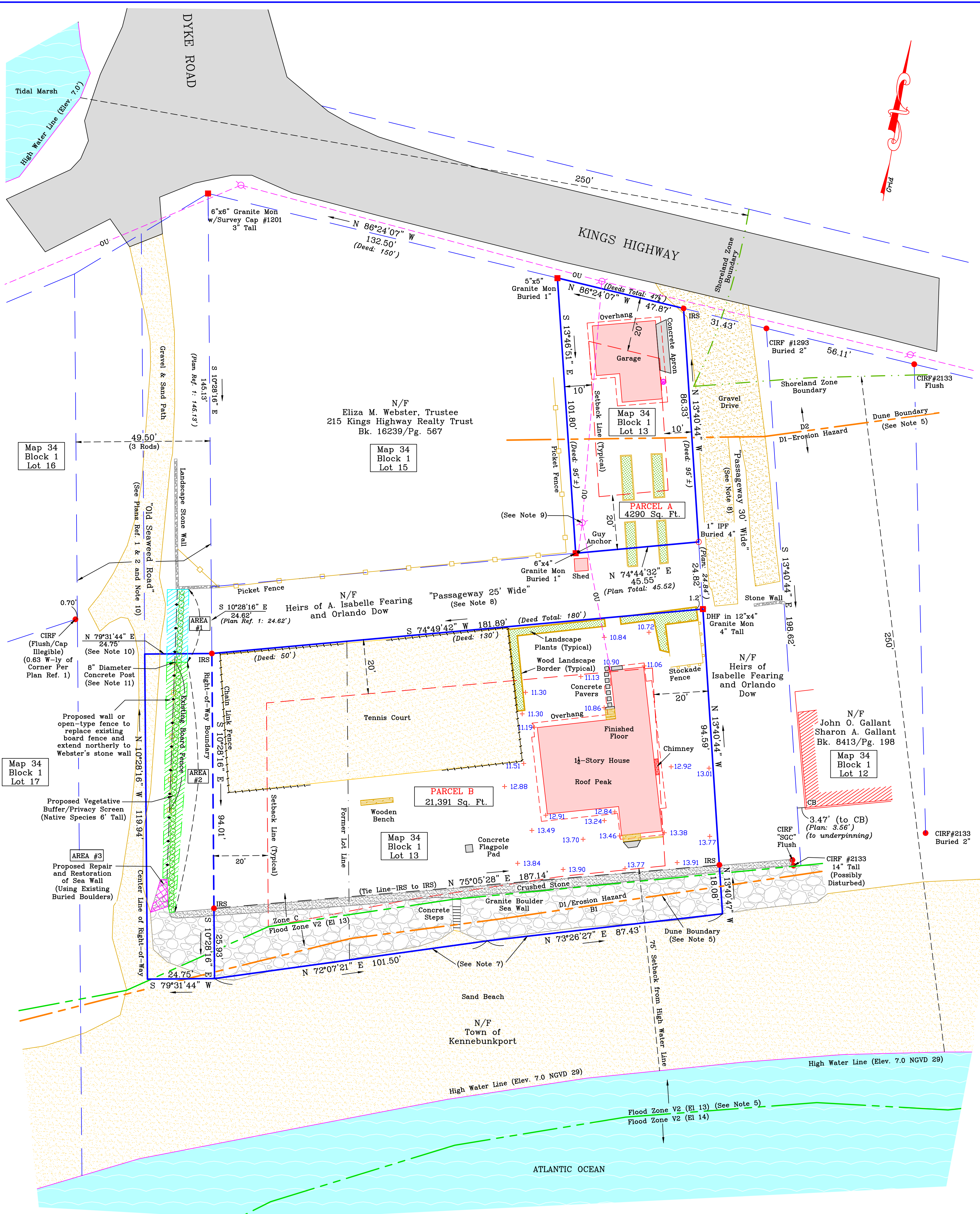
Percent of Lot Coverage in GRB Zone:

7515 ÷ 21391 = **35.13%**

LEGEND :

IRS ●	5/8" Rebar w/Survey Cap #2374 To Be Set
CIRF ●	Capped Iron Rod Found
IPF ○	Iron Pipe Found
MON ■	Granite Monument Found
DHF ■	Drill Hole Found in Granite Monument
---	Property Line
---	Abutter Approximate Property Line
OU ---	Overhead Utilities
○	Utility Pole
N/F	Now or Formerly
Bk./Pg.	Deed Book & Page
CB	Building Corner Board or Siding
11.52 +	Spot Grade
W	Water Shutoff

GRAPHIC SCALE 1" = 20'



LOCUS DEED REFERENCE:

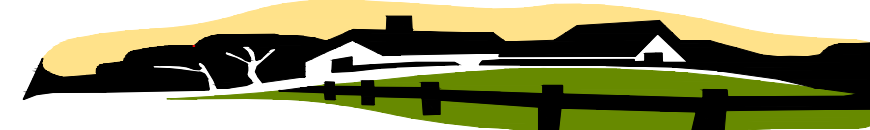
Deed Book 18021, Page 90
Owners of Record: Margaret P. Mix, Sarah C. Dorfmeister, Clifton P. Mix, & Douglas P. Mix

PLAN REFERENCES:

- "Plan Showing a Boundary Survey of Old Seaweed Road (Formerly Known as Dyke Road and New Adams Road) Made for The Town of Kennebunkport, Maine" dated July 2, 2013, by Dow & Coulombe, Inc.
- "Plan Showing the Roadway Between the Fearing & Dow and the Joanne Larrabee Properties, Goose Rocks Beach, Kennebunkport, Maine" dated May 10, 1963, Revised October 24, 1974, by Libby & Dow, Engineers.
- "Plan Showing a Standard Boundary Survey Made for Linda Mitchell, Kennebunkport, Maine" dated January 28, 1988, by Dow & Coulombe, Inc., recorded in York County Registry of Deeds in Plan Book 165, Page 47.
- "Standard Boundary Survey, Lots on Kings Highway, Goose Rocks Beach, Kennebunkport, Maine, for Thomas and Beverly L. Solir Irrevocable Trust" dated October 1994, by Ross Boundary Surveys.
- "Plan Showing Land at Goose Rocks Beach, Kennebunkport, ME." dated March 20, 1958, by Libby & Dow, Engineers., recorded in York County Registry of Deeds in Plan Book 21, Page 48.
- "Plan of Land of Leo J. Dunn, Goose Rocks, Kennebunkport, ME." dated June 20, 1954, Revised August 16, 1954, by Libby & Dow, Engineers, recorded in York County Registry of Deeds in Plan Book 20, Page 53.
- "Flood Insurance Rate Map - Town of Kennebunkport, Maine, York County - Community Panel Number 230170-0008B" Effective April 18, 1983.
- "Flood Insurance Rate Map - Town of Kennebunkport, Maine, York County - Community Panel Number 230170-0007B" Effective April 18, 1983.
- "Coastal Sand Dune Geology, Goose Rocks Beach, Kennebunkport, Maine" by Peter A. Slovinsky and Stephen M. Dickson, Open-File #11-97, 2011.

NOTES:

- The locus parcels are identified on the Town of Kennebunkport Tax Assessors Map 34, Block 1, as Lot 13. Both parcels are located in the Goose Rocks Zone and also entirely within the Shoreland Overlay Zone. Space and bulk standards in the Goose Rocks Zone are as follows:
Minimum Building Setbacks*
Front Yard = 20 feet
Side & Rear Yard = 15 feet
Maximum Lot Coverage = 20%
Minimum Lot Width = 100 feet
Maximum Height = 30 feet
Minimum Lot Area = 40,000 Sq. Ft.
*Per Town of Kennebunkport Land Use Ordinance Section 8.7.B. for nonconforming lots containing less than 10,000 square feet with any outside dimension of less than fifty (50) feet, the minimum setback requirements from the lot lines intersecting with such outside dimension of less than fifty (50) feet shall be reduced to ten (10) feet."
- Locus Parcel A contains 4,290 square feet (0.09 acre). Locus Parcel B contains 21,391 square feet (0.49 acre) calculated to the boundary at the base of the seawall shown and to the right-of-way line of "Old Seaweed Road."
- All bearings shown are oriented to Grid North per Maine State Plane Coordinate System West Zone.
- Elevations shown are based on RM-19 (Elev. 21.10' NGVD 1929) per Plan Ref. 7.
- Flood zone boundaries shown are based on scaled distances from Plan Ref. 8. Dune boundaries shown are based on scaled distances from Plan Ref. 9.
- The boundary of the locus parcel along Kings Highway is the apparent right-of-way line based on a record width of 2-1/2 rods (41.25 feet) per layout and acceptance recorded in Kennebunkport Town Reports of 1934, Page 79, monumentation found, and Plans referenced above.
- According to recent decision of the Maine Supreme Judicial Court on October 3, 2019, legal title to land seaward of the seawall in this area of Goose Rocks Beach is held by the Town of Kennebunkport for the benefit of the public. (See Almeder v. Town of Kennebunkport, 2019 ME 151.) The southerly boundaries of Locus Parcel B are shown hereon in a location that follows the base of the existing seawall.
- The locus parcels are benefitted by appurtenant easements over the 30-foot wide Passageway and the 25-foot wide Passageway as granted and for the purposes described in deeds from A. Isabelle Fearing and Orlando Dow to Joseph N. Palmer recorded in Book 520, Page 26; Book 569, Page 97; and Book 696, Page 318. Fee title to both of said Passageways is assumed to be owned by the heirs of A. Isabelle Fearing and Orlando Dow, subject to said easement rights.
- Locus Parcel A is subject to utility easement granted to Central Maine Power Company and New England Telephone & Telegraph Company dated September 22, 1981, recorded in Book 2877, Page 179.
- The "Old Seaweed Road" (formerly called Dyke Road and New Adams Road) was laid out as a public highway easement 3 rods (49.5 feet) wide as described in order and layout dated December 11, 1827, recorded in County Commissioners Records Volume 16, Page 154. The right-of-way boundaries of said road, which cannot be accurately affixed to the ground based on said description, are shown hereon in its apparent location based on Plan Ref. 1, monuments found, and the 3-rod width described in said layout. Fee title to Locus Parcel B is presumed to extend to the center line of said road right-of-way, subject to existing public easement rights.
- According to the current owner and descendant of Joseph N. Palmer (who purchased the property in several parcels in the early 1900s), Albert Palmer erected the board fence located within the "Old Seaweed Road" right-of-way, with the northerlymost fence post placed on an 8" concrete post poured over an existing granite monument.
- The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.
- Prior to any construction activities the location of setback lines shown should be verified by the local code enforcement officer to determine compliance with all applicable building requirements.
- This plan has been prepared according to the Standards of Practice adopted by the State of Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
 - No written report prepared
 - No new deed description prepared
 - No monuments set in center line of Old Seaweed Road

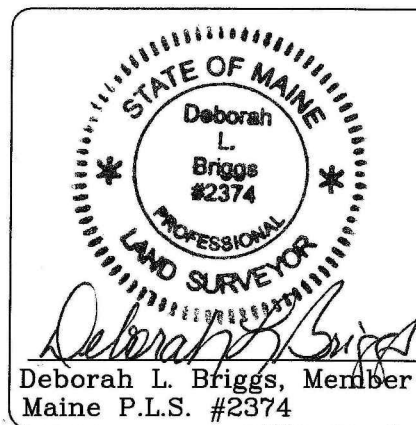


LOWER VILLAGE SURVEY CO.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2625, Kennebunkport, ME 04046
Phone: 207-967-3545 e-mail: info@lowervillagesurveyco.com

STANDARD BOUNDARY SURVEY & SITE PLAN
WITH PROPOSED PRIVACY BORDER ALONG PUBLIC RIGHT-OF-WAY
797 KINGS HIGHWAY, KENNEBUNKPORT, MAINE
OWNED BY

**Margaret P. Mix, Sarah C. Dorfmeister,
Clifton P. Mix & Douglas P. Mix**

Mailing address: c/o Clifton P. Mix, 26 High Street, Farmington, CT 06032



REV. July 11, 2023 Added Labels and Outlines for Areas 1, 2, and 3
DATE: NOV. 30, 2022 217 KINGS HIGHWAY FILE #119-55 ROTATION 10° Right FIELD BK. 487-8

LAND SURVEYORS ** FORESTERS ** WETLAND DELINEATORS

AGENDA ITEM DIVIDER

Item 10

Kennebunkport Heritage Housing Trust
PO Box 333
Kennebunkport, ME, 04046

July 25, 2023

Members of the Select Board
Town of Kennebunkport
6 Elm St
Kennebunkport, ME, 04046

Dear Members of the Select Board,

The Kennebunkport Heritage Housing Trust is excited to begin the Planning Board process for our next neighborhood on Beachwood Ave. Thank you for your generosity in providing this parcel of land and for your continued commitment to attainable housing for working families and retired seniors in our community.

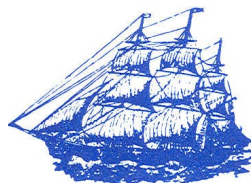
This letter is to request that all Town of Kennebunkport fees, in relation to the Planning Board process, be waived for the Beachwood project. This request does not include abutter notifications, newspaper publications, peer review escrow, or any other third party costs that may be associated with our application.

Sincerely,

A handwritten signature in black ink, reading "Larissa Crockett". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Larissa Crockett
Executive Director
Kennebunkport Heritage Housing Trust

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

MEMORANDUM

To: Laurie Smith

Fr: Chris Simeoni, Director of Public Works

Re: Request for Street Opening Permits by George Burr & Sons Inc. for Langsford Road and Ocean Avenue

Dt: August 1, 2023

On July 30th, the Public Works Department received a request from George Burr & Sons Inc. for two street opening permits. One was for 27 Langsford Road (MBL 22-5-3) to run an existing sump pump discharge line from the residence to a catch basin at the edge of the road. The extent of the work is to excavate a 4' x 5' wide trench across the sidewalk to access the catch basin and install a sump pump discharge line. Currently, the line discharges onto the property. However, it flows onto the abutting property, causing erosion and ponding issues.

The second permit request was for 271 Ocean Avenue (MBL 20-1-62) to run a new water service line to the residence. The extent of the work is to excavate a 5' x 20' wide trench across Ocean Avenue to access the existing water main and install new water laterally.

Should the board wish to authorize the street openings, the following conditions should be met. For the Langsford Road permit request, an inspection of the residence basement/crawl space should be permitted by town personnel to simply check for concerns regarding any conditions that would result in an adverse discharge.

Regarding the Ocean Avenue permit request, after properly backfilling and compacting the trench cut, George Burr & Sons Inc. will be required to base pave in the cut with 4" of base pavement installed in 2" lifts. The cut will be allowed to sit for one year, at which point George Burr & Sons Inc. will be required to return to mill the existing pavement 20' in either direction of the cut (curb to curb) to a depth of 1.5" and overlay the entire area with 1.5" of finish pavement. Any maintenance required on the cut prior to overlay will be the responsibility of George Burr & Sons Inc. It is my recommendation to approve the applications and issue the permits with the above conditions.

TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: Kerry Herman Date: 7-28-23
 Address: 27 Langsford Rd
 Telephone: 617-513-9197 Map, Block, Lot: 22-5-3
 Street to be excavated: Langsford Rd edge and sidewalk
 Size of excavation (length and width): 4' x 5'
 Reason for excavation: install Sump Pump discharge Pipe
 Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: TBD
 Name of Contractor: George Burr + Son Inc
 Address: 69 Old Falls Rd, Kennebunk ME, 04043
 Telephone: 207-468-1646 Fax: _____

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☐ Surety Bond ☒ Other

Bond Amount: \$2,000.00

Company that issued the bond (if applicable): _____

Person or entity providing the bond to the Town (contractor, property owner, other): GEORGE BURR + SON INC.

Insurance Company: Lyons Ins Co.

Signature of person completing the application: all Date: 7-28-23

APPROVED

Highway Superintendent: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Date Approved: _____

Application Fee: \$25.00

Date Paid: 8-1-23

Amount Paid: 25.00

☐ Cash ☒ Check ☐ Money Order

#13583

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof

22-5-5

30-1

22-5-6

22-5-4

Langsford Road

Excavate for a new
Discharge pipe
into existing SD

27 Langsford Rd

Existing
Offstream
Drain

22-5-3

House

22-5-1

22-5-2



Property Card: 27 LANGSFORD ROAD

Town of Kennebunkport, ME

Parcel Information

Parcel ID: 22-5-3 Vision ID: 1634 Owner: JUDGE, JANET & HERMAN, KERRY Co-Owner: Mailing Address: 42 UNION PARK BOSTON, MA 01803	Map: 22-5 Lot: 3 Use Description: Single Family Zone: CPW Land Area in Acres: 0.36
Sale History	Assessed Value
Book/Page: 17871/0784 Sale Date: 12/31/2018 Sale Price: \$879000.00	Land: \$625,600 Buildings: \$418,900 Extra Bldg Features: \$0 Outbuildings: \$1,500 Total: \$1,044,500

Building Details: Building # 1



Model: Residential Living Area: 2564 Appr. Year Built: 1820 Style: Conventional Stories: 2 Occupancy: 1 No. Total Rooms: 8 No. Bedrooms: 3 No. Baths: 2 No. Half Baths: 1	Int Wall Desc 1: Drywall/Sheet Int Wall Desc 2: Ext Wall Desc 1: Clapboard Ext Wall Desc 2: Roof Cover: Asph/F Gls/Cmp Roof Structure: Gable/Hip Heat Type: Hot Water Heat Fuel: Oil A/C Type: None
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Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

CURRENT OWNER				CURRENT ASSESSMENT				
EDGE, JANET & HERMAN, KERRY	TOPO	SEWER/WATER	STRT/ROAD	ZONE(S)	Description	Code	Appraised	Assessed
	1 Level	To Town/Public		CP Cape Porpoi	RESIDENTL	1010	418,900	418,900
	6 Low	K KKW	1		RES LAND	1010	625,600	625,600
	8 Ledger			202 Urban-Resid				
	SUPPLEMENTAL DATA							
Title Desc 4345								
UNION PARK								KENNEDBUNKPORT, ME

BOND DEPARTMENT

AGENCY: 18-0138 Lyons Agency For Insurance

CONTINUATION CERTIFICATE	BOND S-882416
---------------------------------	----------------------

Principal:

George Burr & Son Inc
69 Old Falls Road

Kennebunk, ME 04043

Obligee:

Town of Kennebunkport
6 Elm St

Kennebunkport ME 04046

Bond Term in Months: 12

Effective Date: 10/1/2022

Expiration Date: 10/1/2023

Penalty Amount: \$2,000.00

Type of Bond: License/Permit

Classification: Right of Way - Highway, Street, Driveway, Sidewalk

Remarks:

Street Opening


It is hereby agreed that the captioned numbered Bond is continued in force in the above amount for the period of the continued term stated above and is subject to all the covenants and conditions of said Bond.

This continuation shall be deemed a part of the original Bond, and not a new obligation, no matter how long the Bond has been in force or how many premiums are paid for the Bond, unless otherwise provided for by statute or ordinance applicable.

In witness whereof, the company has caused this instrument to be duly signed, sealed and dated as of the above "continuation effective date".

NGM INSURANCE COMPANY

By:


Attorney-in-fact



This Continuation Certificate needs to be filed with the obligee. No other proof of renewal has been sent to any other party.

Main Street America Insurance
55 West St.
Keene, N.H. 03431

******NOTE this notice is for the principal addressed below and should not be filed with the obligee******

Fidelity or Surety Bond

George Burr & Son Inc
69 Old Falls Road
Kennebunk, ME 04043

PRIVACY NOTICE

Dear Principal:

This letter describes our practices and procedures designed to protect your non-public personal information. The privacy area is the subject of much public debate as well as federal and state legislation. We thought you should know of the protections your surety company has put in place to ensure the confidentiality of your non-public information. As your surety company, our objective is to professionally serve your surety and fidelity needs. We recognize that in providing these services there is an obligation to safeguard the personal information you have entrusted to us as well as other non-public personal information that is provided to us as part of the surety or fidelity transaction. All of our surety companies listed above adhere to these practices and procedures.

OUR POLICY

We do not disclose any non-public personal information about our policyholders or claimants to any third parties except as is permitted by law. Any such disclosures are made for the purpose of underwriting and transacting the business of your surety or fidelity coverage or your claim. We do not sell or provide your non-public personal information to others for their marketing purposes.

THE INFORMATION WE COLLECT

Most of your non-public personal information is provided by you on your application for surety or fidelity bond(s). Depending on the type of surety or fidelity bond policy you request, we may seek additional information about you or other individuals who are being proposed for coverage. In certain circumstances we may collect information about you from third parties. For example, for surety or fidelity bonds we may seek financial reports and information from banks or CPA's as well as other background information. We may receive information about you from a consumer reporting agency. This information allows us to properly underwrite and rate your surety or fidelity bond coverage and to complete the other transactions incidental to your surety or fidelity bond coverage.

INFORMATION DISCLOSURES THAT WE MAKE

We do not disclose any non-public personal information about our policyholders except as it is permitted by law. In some cases this may mean information can be disclosed to third parties without your authorization. These disclosures may include those made to your agent or broker, appraisers and independent adjusters who investigate, defend or settle your claims, surety regulators, and/or your financial institution. These are some of the disclosures that are permitted by law.

LIMITATIONS ON ACCESS TO YOUR PERSONAL INFORMATION AT THE COMPANY

We restrict access to your personal information to our employees who need to know the information in order to provide you with the surety or fidelity products and services you have requested. Electronic and procedural safeguards are maintained by the Company to ensure the confidentiality of your information. These safeguards are in compliance with state and federal laws designed to guard your non-public personal information. Our employees are educated on the importance of maintaining the procedures we have put in place to safeguard your personal information.

ADDITIONAL INFORMATION

If you would like to receive a copy of our privacy policy and/or access to your information, please contact us as follows:

Main Street America Insurance
Attn: Privacy Compliance Coordinator
55 West Street
Keene, NH 03431

IMPORTANT NOTICE

IN COMPLIANCE WITH THE REQUIREMENTS OF THE FAIR CREDIT REPORTING ACT (PUBLIC LAW 91-508), MAIN STREET AMERICA INSURANCE ADVISES THAT AS PART OF OUR ROUTINE PROCEDURE IN REVIEWING APPLICATIONS FOR SURETY OR FIDELITY BONDS OR RENEWALS OF SURETY OR FIDELITY BONDS COVERAGE, WE MAY PROCURE A CONSUMER REPORT INCLUDING INFORMATION AS TO THE CONSUMER'S CHARACTER, GENERAL REPUTATION, PERSONAL CHARACTERISTICS OR MODE OF LIVING. IF SUCH SURETY OR FIDELITY BOND IS FOR AN INDIVIDUAL AND IS PRIMARILY FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES, SUCH INFORMATION MAY BE OBTAINED THROUGH PERSONAL INTERVIEWS WITH NEIGHBORS, FRIENDS OR OTHERS WITH WHOM THE CONSUMER IS ACQUAINTED.

UPON REQUEST TO THIS SURETY COMPANY, IN ANY MANNER AS NOTED ABOVE, WE WILL PROVIDE, IN WRITING, A COMPLETE AND ACCURATE DISCLOSURE OF THE NATURE AND SCOPE OF THE CONSUMER REPORT REQUESTED OR ADVISE THAT NO INVESTIGATION WAS CONDUCTED.

We sincerely hope that you as a valued customer are satisfied with the practices and procedures in place to protect your personal information.

Very truly yours,



Kimberly K. Law,
Vice President, General Counsel & Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/28/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lyons Agency for Insurance PO Box 950 Kennebunk ME 04043		CONTACT NAME: Lisa Ricker PHONE (A/C, No, Ext): (207) 985-2901 FAX (A/C, No): (207) 985-2932 E-MAIL ADDRESS: lricker@LyonsAgencyInsurance.com	
INSURED GEORGE BURR & SON, INC. 69 OLD FALLS ROAD KENNEBUNK ME 04043		INSURER(S) AFFORDING COVERAGE INSURER A: Union Insurance Co. NAIC # 25844 INSURER B: Acadia Insurance Co. 31325 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 2023-24

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CPA0348866-23	06/30/2023	06/30/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CAA0348868-23	06/30/2023	06/30/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE			CUA0348869-23	06/30/2023	06/30/2024	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> Y	N/A	WCA0348870-24	06/30/2023	06/30/2024	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Town of Kennebunkport 6 Elm Street Kennebunkport ME 04046	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: 271 Ocean Ave Real Estate Trust Date: 7-28-23
 Address: 271 Ocean Ave.
 Telephone: Don Colman - 207-604-2001 Map, Block, Lot: 20-1 Lot 62
 Street to be excavated: Ocean Ave
 Size of excavation (length and width): 5' x 20'
 Reason for excavation: Water Service

Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: TBD
 Name of Contractor: George Burr + Son Inc
 Address: 69 Old Falls Rd Kennebunk ME 04043
 Telephone: 207-468-1646 Fax: _____

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☐ Surety Bond ☒ Other
 Bond Amount: \$6,000.00
 Company that issued the bond (if applicable): _____
 Person or entity providing the bond to the Town (contractor, property owner, other): George Burr + Son Inc
 Insurance Company: Lynch Ins. Co.
 Signature of person completing the application: [Signature] Date: 7-28-23

APPROVED

Highway Superintendent: _____ Selectmen: _____
 Selectmen: _____ Selectmen: _____
 Selectmen: _____ Selectmen: _____
 Date Approved: _____

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof

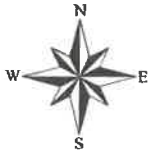
Application Fee: \$25.00

Date Paid: 8-1-23

Amount Paid: 25.00

☐ Cash ☒ Check ☐ Money Order

#13583



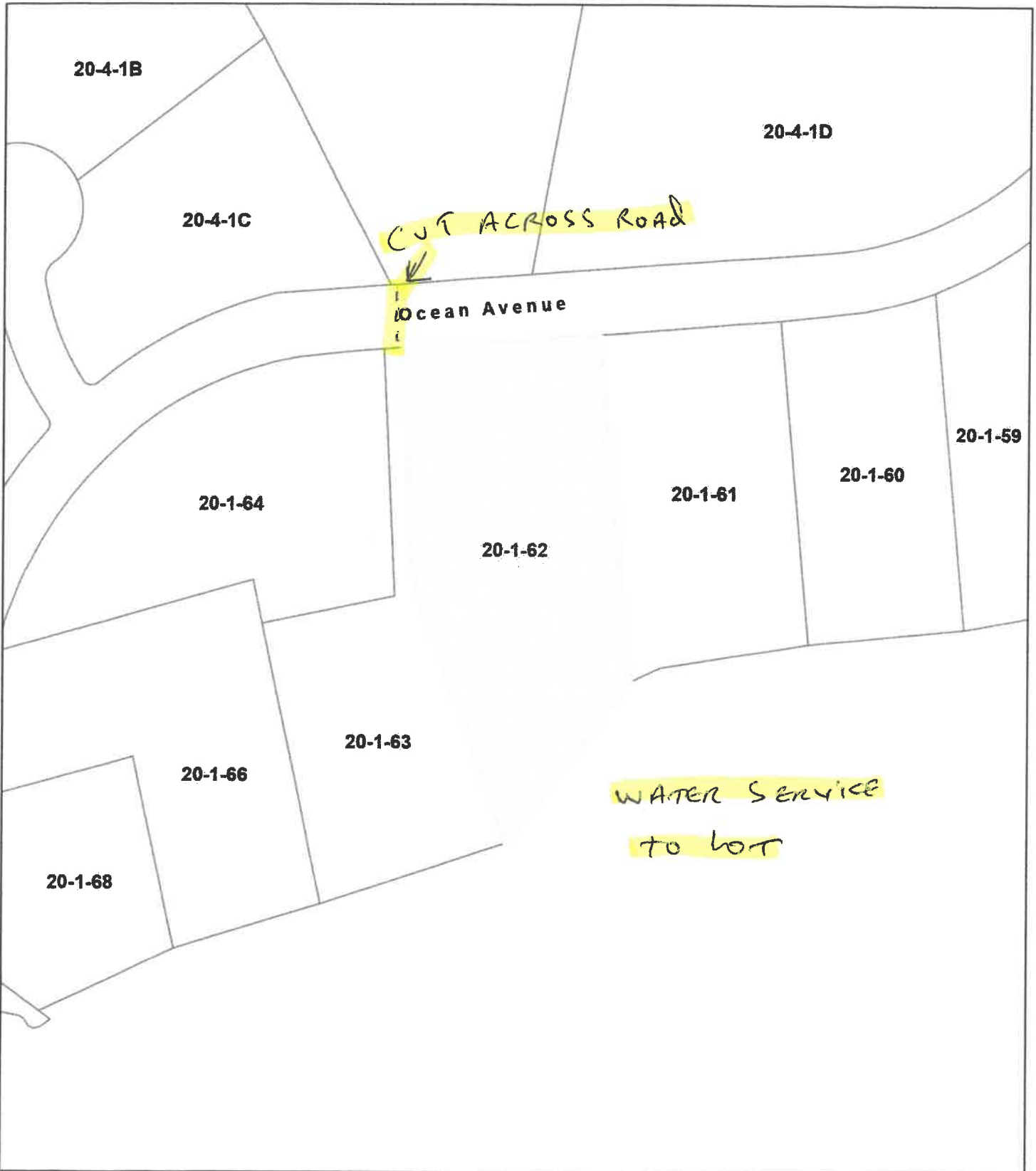
Kennebunkport, ME

1 inch = 137 Feet



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July 10, 2023





Property Card: 271 OCEAN AVENUE

Town of Kennebunkport, ME

Parcel Information

Parcel ID: 20-1-62 Vision ID: 1236 Owner: 271 OCEAN AVENUE REAL ESTATE TRUST Co-Owner: TIGHE, DANIEL Mailing Address: 260 FRANKLIN STREET, SUITE 1600 BOSTON, MA 02110	Map: 20-1 Lot: 62 Use Description: Single Fam Ocean Zone: CA Land Area in Acres: 1.6
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Sale History

Book/Page: 18973/822
Sale Date: 3/10/2022
Sale Price: \$6900000.00

Assessed Value

Land: \$4,668,300
Buildings: \$1,069,000
Extra Bldg Features: \$6,400
Outbuildings: \$40,400
Total: \$5,737,300

Building Details: Building # 1

Model: Residential Living Area: 0 Appr. Year Built: 2022 Style: Shingle Style Stories: 1.5 Occupancy: 1 No. Total Rooms: 10 No. Bedrooms: 5 No. Baths: 4 No. Half Baths: 1	Int Wall Desc 1: Minim/Masonry Int Wall Desc 2: Ext Wall Desc 1: Minimum Ext Wall Desc 2: Roof Cover: Asph/F Gls/Cmp Roof Structure: Gable/Hip Heat Type: Forced Air-Duc Heat Fuel: Gas A/C Type: Central
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[illegible]

CONSTRUCTION DETAIL

Element	Cd	Description	Element	Cd	Description
04		Cape Cod			
01		Residential			
10		Very Good +10			
1.5		1 1/2 Stories			
14		Wood Shingle			
03		Gable/Hip			
03		Asph/F Gls/Cmp			
05		Drywall/Sheet			
12		Hardwood			
11		Ceram Clay Ttl			
02		Oil			
05		Hot Water			
01		None			
05		5 Bedrooms			
4		Type:			
1		al Bedroom			
		al Bthrms:			
		al Half Bath			
		al Xtra Fixr			
10		al Rooms:			
02		th Style:			
02		chen Style:			
		ar Panels			
		.A License			

CONDO DATA

Parcel Id	C	Owne	S
Adjust Type	Code	Description	Factor%
Condo Fir			
Condo Unit			

COST / MARKET VALUATION

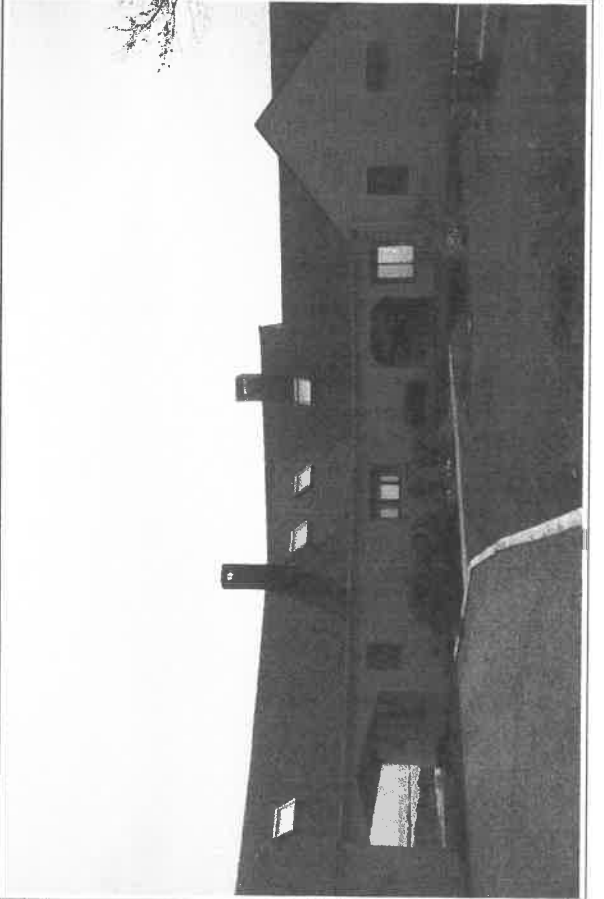
Building Value New	1,231,615
Year Built	1979
Effective Year Built	2005
Depreciation Code	G
Remodel Rating	
Year Remodeled	17
Depreciation %	0
Functional Obso	0
External Obso	1
Trend Factor	
Condition	
Condition %	83
Percent Good	
Cns Sect Rmld	1,022,200
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	COMMENT	L/B	Units	Unit Price	Yr Bld	% Gd	Appr. Value
N	TENNIS COURT		L	7,200	6.00	1988	39	16,800
L3	GUNITE		L	576	53.00	1998	75	22,900
D1	SHED FRAME		L	96	14.00	1998	50	700
L1	BRICK		B	1	2704.78	1974	83	2,200
1L	WHIRLPOOL		B	1	5000.00	1988	83	4,200

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Underrec Value
S	First Floor	1,963	1,963	1,963	315.56	619,436
F	Attic, Expansion, Finished	562	1,405	562	126.22	177,342
R	Garage	0	624	250	126.42	78,889
S	Half Story, Finished	699	1,398	699	157.78	220,574
P	Porch, Open, Finished	0	428	64	47.19	20,196
M	Basement, Unfinished	0	977	195	62.98	61,533
JK	Deck, Wood	0	1,132	170	47.39	53,645
	Ttl Gross Liv / Lease Area	3,224	7,927	3,903		1,231,615



LICENSE OR PERMIT BOND

BOND NO. S-931766

KNOW ALL MEN BY THESE PRESENTS THAT WE,

George Burr & Son Inc

of

69 Old Falls Road

Kennebunk

ME 04043

as Principal, and

NGM Insurance Company

, a Florida

corporation with its principal

office at 55 West Street

Keene NH 03431-7000

, as Surety,

are held and firmly bound unto

Town of Kennebunkport

in the sum of Six Thousand and 00/100 Dollars

(\$ 6,000), for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the Principal has obtained, or shall obtain, a license or permit from the Obligee for Street Opening

at 271 Ocean Avenue, Kennebunkport, Maine 04046

for the term commencing on the 28th day of

July

, 2023

and ending on the 28th day of

July

, 2024.

NOW, THEREFORE, if Principal shall faithfully observe and comply with all terms of the underlying license or permit, and all Ordinances, Rules and Regulations, and any Amendments thereto, applicable to the obligation of this bond, then this obligation shall become void and of no effect, otherwise to be and remain in full force and virtue.

The Surety may, if it shall so elect, cancel this bond by giving thirty (30) days written notice to the Obligee and the bond shall be deemed canceled at the expiration of said period; the Surety remaining liable, however subject to all the terms, conditions and provisions of this bond, for any act or acts covered which may have been committed by the Principal up to the date of such cancellation.

PROVIDED, HOWEVER, that this bond may be continued from year to year by certificate executed by the Surety hereon. Regardless of the number of years or terms this bond remains in effect, and regardless of the number and amount of claims that may be made, the maximum aggregate liability of the Surety is limited to the penal sum of the bond.

SIGNED, SEALED AND DATED on this 28th day of July, 2023.

George Burr & Son Inc

By

Kenneth G Burr

NGM Insurance Company

By

Nancy Giordano-Ramos

Attorney-in-Fact





POWER OF ATTORNEY

S-931766

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Nancy Giordano-Ramos its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-931766 dated July 28, 2023 , on behalf of **** George Burr & Son Inc **** in favor of Town of Kennebunkport

for Six Thousand and 00/100 Dollars (\$ 6,000) and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By: *Kimberly K. Law*



Kimberly K. Law
Vice President, General Counsel and Secretary

State of Florida,
County of Duval

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 7th day of January, 2020.

Lee K. Penton



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 28th day of July , 2023 .

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-354-5281.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Department or call our Bond Claim Department at 1-603-358-1437.

Main Street America Insurance
55 West St.
Keene, N.H. 03431

******NOTE this notice is for the principal addressed below and should not be filed with the obligee******

Fidelity or Surety Bond

George Burr & Son Inc
69 Old Falls Road
Kennebunk, ME 04043

PRIVACY NOTICE

Dear Principal:

This letter describes our practices and procedures designed to protect your non-public personal information. The privacy area is the subject of much public debate as well as federal and state legislation. We thought you should know of the protections your surety company has put in place to ensure the confidentiality of your non-public information. As your surety company, our objective is to professionally serve your surety and fidelity needs. We recognize that in providing these services there is an obligation to safeguard the personal information you have entrusted to us as well as other non-public personal information that is provided to us as part of the surety or fidelity transaction. All of our surety companies listed above adhere to these practices and procedures.

OUR POLICY

We do not disclose any non-public personal information about our policyholders or claimants to any third parties except as is permitted by law. Any such disclosures are made for the purpose of underwriting and transacting the business of your surety or fidelity coverage or your claim. We do not sell or provide your non-public personal information to others for their marketing purposes.

THE INFORMATION WE COLLECT

Most of your non-public personal information is provided by you on your application for surety or fidelity bond(s). Depending on the type of surety or fidelity bond policy you request, we may seek additional information about you or other individuals who are being proposed for coverage. In certain circumstances we may collect information about you from third parties. For example, for surety or fidelity bonds we may seek financial reports and information from banks or CPA's as well as other background information. We may receive information about you from a consumer reporting agency. This information allows us to properly underwrite and rate your surety or fidelity bond coverage and to complete the other transactions incidental to your surety or fidelity bond coverage.

INFORMATION DISCLOSURES THAT WE MAKE

We do not disclose any non-public personal information about our policyholders except as it is permitted by law. In some cases this may mean information can be disclosed to third parties without your authorization. These disclosures may include those made to your agent or broker, appraisers and independent adjusters who investigate, defend or settle your claims, surety regulators, and/or your financial institution. These are some of the disclosures that are permitted by law.

LIMITATIONS ON ACCESS TO YOUR PERSONAL INFORMATION AT THE COMPANY

We restrict access to your personal information to our employees who need to know the information in order to provide you with the surety or fidelity products and services you have requested. Electronic and procedural safeguards are maintained by the Company to ensure the confidentiality of your information. These safeguards are in compliance with state and federal laws designed to guard your non-public personal information. Our employees are educated on the importance of maintaining the procedures we have put in place to safeguard your personal information.

ADDITIONAL INFORMATION

If you would like to receive a copy of our privacy policy and/or access to your information, please contact us as follows:

Main Street America Insurance
Attn: Privacy Compliance Coordinator
55 West Street
Keene, NH 03431

IMPORTANT NOTICE

IN COMPLIANCE WITH THE REQUIREMENTS OF THE FAIR CREDIT REPORTING ACT (PUBLIC LAW 91-508), MAIN STREET AMERICA INSURANCE ADVISES THAT AS PART OF OUR ROUTINE PROCEDURE IN REVIEWING APPLICATIONS FOR SURETY OR FIDELITY BONDS OR RENEWALS OF SURETY OR FIDELITY BONDS COVERAGE, WE MAY PROCURE A CONSUMER REPORT INCLUDING INFORMATION AS TO THE CONSUMER'S CHARACTER, GENERAL REPUTATION, PERSONAL CHARACTERISTICS OR MODE OF LIVING. IF SUCH SURETY OR FIDELITY BOND IS FOR AN INDIVIDUAL AND IS PRIMARILY FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES, SUCH INFORMATION MAY BE OBTAINED THROUGH PERSONAL INTERVIEWS WITH NEIGHBORS, FRIENDS OR OTHERS WITH WHOM THE CONSUMER IS ACQUAINTED.

UPON REQUEST TO THIS SURETY COMPANY, IN ANY MANNER AS NOTED ABOVE, WE WILL PROVIDE, IN WRITING, A COMPLETE AND ACCURATE DISCLOSURE OF THE NATURE AND SCOPE OF THE CONSUMER REPORT REQUESTED OR ADVISE THAT NO INVESTIGATION WAS CONDUCTED.

We sincerely hope that you as a valued customer are satisfied with the practices and procedures in place to protect your personal information.

Very truly yours,



Kimberly K. Law,
Vice President, General Counsel & Secretary



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/28/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lyons Agency for Insurance PO Box 950 Kennebunk ME 04043	CONTACT NAME: Lisa Ricker PHONE (A/C, No, Ext): (207) 985-2901 FAX (A/C, No): (207) 985-2932 E-MAIL ADDRESS: lricker@lyonsagencyinsurance.com INSURER(S) AFFORDING COVERAGE INSURER A: Union Insurance Co. NAIC # 25844 INSURER B: Acadia Insurance Co. 31325 INSURER C: INSURER D: INSURER E: INSURER F:
INSURED GEORGE BURR & SON, INC. 69 OLD FALLS ROAD KENNEBUNK ME 04043	

COVERAGES

CERTIFICATE NUMBER: 2023-24

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CPA0348866-23	06/30/2023	06/30/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CAA0348868-23	06/30/2023	06/30/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CUA0348869-23	06/30/2023	06/30/2024	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	WCA0348870-24	06/30/2023	06/30/2024	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Town of Kennebunkport 6 Elm Street Kennebunkport ME 04046	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Lisa Ricker</i>
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AGENDA ITEM DIVIDER



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Catherine Conlow, MMA Executive Director

DATE: July 7, 2023

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 18, 2023, by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2024 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 7, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “Write-in Candidates” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers **or** a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 18, 2023. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Elaine Aloes, Chair of the Selectboard, Town of Solon.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org the following Monday. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held on Wednesday, October 4. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2024.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 18, 2023

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Melissa Doane, Town Manager, Town of Bradley

☐

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Shiloh LaFreniere, Town Manager, Town of Jay

☐

Nathaniel Rudy, Town Manager, Town of Gray

☐

Dina Walker, Selectperson, Town of Weld

☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:
MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: tchavarie@memun.org

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2024 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – 2020)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (2020)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate degree, Business Management, Beal College
- Associate degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

MMA EXECUTIVE COMMITTEE MEMBERS
(3-Year Terms)

SHILOH LaFRENIERE (TOWN MANAGER, TOWN OF JAY)

Professional & Municipal Experience:

- Town Manager, Town of Jay (2014 - present)
- Treasurer, North Jay and Jay Village Water District (2005 - 2022)
- Code Enforcement Officer, Town of Jay (1997 - 2014)
- Environmental Cod Administrator, Town of Jay (1997 - 2010)
- Wellness Coordinator, Town of Jay (2005 - 2014)
- E911 Addressing Officer, Town of Jay (2010 - 2014)
- Deputy Finance Director, Town of Jay (2012 - 2014)

Other Experience, Committees and Affiliations:

- Institute for Civic Leadership, Maine Development Foundation (2022)
- Member, Maine Town, City & County Management Association (2014 - present)
- Maine Town, City and County Management Association, Ethics Committee (2020 - present) and Membership Services Committee (2021 - present)
- Androscoggin Valley Council of Governments, Vice President (2022 - present); Executive Committee (2019 - present)
- Past Member of the State of Maine Technical Building Codes and Standards Boards (2008 - 2014)
- NorthStar Ambulance Advisory Board (2014 - present)
- Member, Jay-Livermore-Livermore Falls Chamber of Commerce (2014 - present)

Education:

- BS in Business Management, Liberty university, Lynchburg, VA (December 1996)

Awards and Certifications:

- Rising Star Award, Maine Town, City & County Management Association (2017)
- State of Maine Notary

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY)

Professional & Municipal Experience:

- Town Manager, Town of Gray (2021 - present)
- City Manager, City of Hallowell (2016 - 2021)
- Executive Director, Waterville Creates (2014 - 2016)
- Director of Planning and Development, City of Gardiner (2011 - 2014)
- Business Development Specialist (2010 - 2011)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Legislative Policy Committee (2018 - 2021; 2022 - present)
- Member, Governor's Commission on Volunteerism aka Volunteer Maine (2020 - 2023)
- Board of Directors, Maine Council on Aging (2019 - 2023)
- Program Advisory Committee, University of Maine School of Architecture (2016 - present)
- Board of Directors, EcoMaine (2021 - 2022)
- Board of Directors and Treasurer, Kennebec Valley Humane Society (2019 - 2021)
- Board of Directors, Delta Ambulance (2017 - 2021); Vice President (2020 - 2021); Finance Committee (2019 - 2021)
- General Assembly, Kennebec Valley Council of Governments (2016 - 2017 and 2020 - 2021); Secretary of Executive Committee (2016 - 2017)
- Board of Directors, Independent Retailers Shared Services Collaborative (2012 - 2021); Treasurer (2012 - 2021)
- Board of Directors, Maine Craft Association (2012 - 2018; Vice President, 2014 - 2018)

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY) *(continued)*

- Executive Director and Board Secretary, Gardiner Board of Trade (2011 - 2014)
- International City / County Managers Association
- Maine Town / City / County Managers Association
- Maine Association of Realtors (2013 to 2020)

Education:

- Master of Business Administration, 4.0 GPA, Thomas College, Waterville, Maine
- B.S., Environmental Science and Engineering, Cum Laude, 3.5 GPA
- Virginia Polytechnic Institute and State University (Virginia Tech), Blacksburg, Virginia
- Harvard Kennedy School Executive Education Program, Negotiation Strategies (2023)
- Harvard Kennedy School Executive Education Program, State and Local Government (2019)
- New England Economic Development Course, Thomas College (2010)
- Graduate studies in Civil and Environmental Engineering, Virginia Tech

Awards and Certifications:

- Certified Manager, International City / County Managers Association (2023)
- Certified Manager, Maine Town / City / County Manager Association (2019 - 2025)
- Community Development Block Grant Administrator (2018)
- Build Maine Conference Team, Lewiston, Maine (2017 - 2021)
- CityWorks(X)po Conference Fellow, Roanoke, Virginia (2017)
- Maine Licensed Real Estate Broker (2013 - 2020)
- Lead on several Grant Awards (*e.g., US Environmental Protection Agency Brownfields Assessment grant; Maine Bureau of Parks and Lands Submerged Lands Program, Harbor Management and Access Grant Program; Maine Centers for Disease Control and Prevention, Keep ME Healthy grant; Hallowell Fire Station construction grant, private and donation; American Association of Retired People Age-Friendly Community Assessment grant; Harold Alfond Foundation grant; Orton Family Foundation Heart & Soul Community Planning grant; National Park Service Preserve America grant, etc.*)

DINA WALKER (SELECTPERSON, TOWN OF WELD)

Professional & Municipal Experience:

- Selectperson, Assessor and Overseer of the Poor, Town of Weld (2021 – current)
- Election Day Volunteer, Town of Weld (2019 – current)
- Partner, Jones Day (Law Firm), Beijing, China (2016 – 2018)
- International Partner, King & Wood Mallesons (Law Firm), Beijing, China (2012 – 2016)
- Managing Associate, Linklaters LLP (Law Firm), Beijing, China (2011 – 2012)
- Senior Associate, Dewy & LeBoeuf LLP (Law Firm), Beijing, China and Houston, Texas (2009 – 2011)
- Associate, Baker & Daniels, LLP (Law Firm), Indianapolis, Indiana (2005 – 2009)
- Judicial Law Clerk, the Honorable Richard K. Eaton, US Court of International Trade (2004 – 2005)

Other Experience, Committees and Affiliations:

- *Rutgers Law Review*, Editor-in-Chief (2003 – 2004)
- Founder and Organizer, Women's International Forum on Energy (2013 -2016)

Education:

- Rutgers University School of Law, Newark, New Jersey, J.D. (2004)
- University of Pennsylvania, Philadelphia, Pennsylvania, B.A., International Relations (2000)

Awards and Certifications:

- *The Legal 500 (2016)*: “Highly Recommended” Lawyer In the Areas of Projects and Energy (China)
- State of New York, Bar Admission (retired)
- State of Indiana, Bar Admission (inactive)

AGENDA ITEM DIVIDER



Kennebunkport

M A I N E

Published on *Town of Kennebunkport, ME* (<https://www.kennebunkportme.gov>)

[Home](#) > [Boards & Committees](#) > [Boards and Committees Information](#) > [Online Application for Boards/Committees](#) > [Webform results](#) > Online Application for Boards/Committees

Submission information

Form: [Online Application for Boards/Committees](#) [1]

Submitted by Anonymous (not verified)

July 6, 2023 - 3:41pm

2600:387:5:80d::8f

Choose from the following:

- Boat Launch Committee
- Lighting Committee
- Shade Tree Committee

Please provide the following information:

Full Name

Carolyn Muse

Email

carolynmmuse@gmail.com

Residential Address

21 Ward Rd

Residential Phone

207-967-8378

Business Address**Business Phone****Mailing Address (if different)**

Are you registered to vote in Kennebunkport?

Yes

Please list Membership in community organizations, dates involved, and activities performed:

Do you have any skills, experience, or training you would like to mention?

I am currently the Chief Administrative Officer of a small employee owned business. I'm also a spin instructor at a small gym. Wife and mother of two sons. I have lived in Cape Porpoise for the past 25 years.

What is your reason for wanting to serve on this board or committee?

I would like to provide a holistic approach and perspective with a goal to preserve the most natural state as possible.

List the top 3 choices that you would like to serve on(1. 2. 3. in desired order)?

Lighting committee

Boat launch

Shade

Source URL: <https://www.kennebunkportme.gov/node/2661/submission/19586>

Links

[1] <https://www.kennebunkportme.gov/board-selectmen/webforms/online-application-boardscommittees>

AGENDA ITEM DIVIDER



Kennebunkport

M A I N E

Published on *Town of Kennebunkport, ME* (<https://www.kennebunkportme.gov>)

[Home](#) > [Boards & Committees](#) > [Boards and Committees Information](#) > [Online Application for Boards/Committees](#) > [Webform results](#) > Online Application for Boards/Committees

Submission information

Form: [Online Application for Boards/Committees](#) ^[1]

Submitted by Anonymous (not verified)

July 24, 2023 - 12:17pm

98.11.2.222

Choose from the following:

Board of Assessment Review

Please provide the following information:

Full Name

Michael E West

Email

kptplanning@gmail.com

Residential Address

33 Log Cabin Road

Residential Phone

7138164313

Business Address

Business Phone

Mailing Address (if different)

Are you registered to vote in Kennebunkport?

Yes

Please list Membership in community organizations, dates involved, and activities performed:

Kennebunkport Planning Board - 1 year

Kennebunkport Elections Clerk - 2 years

Saco Learning Center Tutor - 1 year

Masonic Lodge 76 -3 years

Do you have any skills, experience, or training you would like to mention?

Civil Engineer and MBA
7+ year teaching GED/HiSET
20+ years Project Management experience
20+ years Regulatory Affairs experience

What is your reason for wanting to serve on this board or committee?

Community involvement

List the top 3 choices that you would like to serve on(1. 2. 3. in desired order)?

Board of Assessment Review

Source URL: <https://www.kennebunkportme.gov/node/2661/submission/19726>

Links

[1] <https://www.kennebunkportme.gov/board-selectmen/webforms/online-application-boardscommittees>

AGENDA ITEM DIVIDER



Kennebunkport

MAINE

Published on *Town of Kennebunkport, ME* (<https://www.kennebunkportme.gov>)

[Home](#) > [Boards & Committees](#) > [Boards and Committees Information](#) > [Online Application for Boards/Committees](#) > [Webform results](#) > Online Application for Boards/Committees

Submission information

Form: [Online Application for Boards/Committees](#) ^[1]

Submitted by Anonymous (not verified)

July 23, 2023 - 5:52pm

98.11.21.39

Choose from the following:

Please provide the following information:

Full Name

Ella Boxall

Email

ella.boxall@maine.edu

Residential Address

31 North Street, Kennebunkport Maine 04046

Residential Phone

2072866811

Business Address

Business Phone

Mailing Address (if different)

Are you registered to vote in Kennebunkport?

Yes

Please list Membership in community organizations, dates involved, and activities performed:

The Climate Initiative: 2021-present holding community conversations on climate change
Environmental Action Team at Kennebunk high school: 2021-2022 doing beach clean-ups, working to formulate a plan for the high school courtyard, meeting with school board

Do you have any skills, experience, or training you would like to mention?

I am doing a degree in civil and environmental engineering and learned a lot about climate change in our community in a Gulf of Maine field studies class. I also have held community conversations

on climate change for the Climate Initiative and was a project manager for my high school's environmental action team.

What is your reason for wanting to serve on this board or committee?

I grew up in this community and care deeply about protecting it from climate change. I have always felt strongly about protecting the environment, and in my Gulf of Maine field studies class I was taught to think globally and act locally. I would love to see more community members feel inspired to take action and recognize that we can all make a difference.

List the top 3 choices that you would like to serve on(1. 2. 3. in desired order)?

I would like to serve on the Kennebunkport Climate Action Plan Task Force.

Source URL: <https://www.kennebunkportme.gov/node/2661/submission/19716>

Links

[1] <https://www.kennebunkportme.gov/board-selectmen/webforms/online-application-boardscommittees>