

## TOWN OF KENNEBUNKPORT, MAINE

### **Board of Selectmen Agenda February 24, 2022 @ 6:00 PM VIRTUAL MEETING VIA ZOOM**

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#### **Ways to join this webinar:**

Join by **computer or mobile device** and click on: <https://us06web.zoom.us/j/89841039619>  
or go to [ZOOM](#) and enter the **webinar ID**: 898 4103 9619

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

International numbers available: <https://us06web.zoom.us/u/kDjso3NDi>

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1. Call to Order.
2. Approve the February 10, 2022, 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. Consider renewal liquor license application for The Ramp Grill, LLC d/b/a Pier 77 Restaurant located at 77 Pier Road.
5. Consider renewal liquor license and Special Amusement applications for The Colony Hotel located at 140 Ocean Avenue.
6. Award bond for radio communication tower project.
7. Review proposal to development regional task force for fire services.
8. Consider request to write off Pier dues and mooring fees.
9. Review proposed amendments to Land Use Ordinance regarding signs.
10. Approve restrictions on vehicle weight limits on certain roads in accordance with 29-A M.R.S.A. Section 2395 and the Kennebunkport Traffic and Parking Control Ordinance.
11. Authorize Quitclaim Deed for Map 014, Block 002, Lot 024.
12. Update on foreclosed property at 133 Main Street, previously owned by Lisa Gunther.
13. Discussion of public meeting protocols: in-person vs. remote.

14. Accept a \$700 donation from Alisson's Restaurant to the general needs account.
15. Other business.
16. Approve the February 24, 2022, Treasurer's Warrant.
17. Adjournment.

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# AGENDA ITEM DIVIDER

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Town of Kennebunkport  
Board of Selectmen Meeting VIA Zoom  
February 10, 2022  
6:00 PM

## MINUTES

**Selectmen attending via Zoom:** Allen Daggett, Patrick Briggs, D. Michael Weston, Edward Hutchins, and Sheila Matthews-Bull.

**Others attending via Zoom:** David Powell, Tracey O'Roak, John Everett, Denise Brown, Christopher Simeoni, Eric Labelle, Jamie Mitchell, Eli Rubin, Taylor Benenti of Hurricane Restaurant, Robin Phillips on behalf of the Conservation Commission and Kathie Orlando of the Seashore Trolley Museum.

### 1. Call to Order

Selectman Matthews-Bull called the meeting to order at 6:00 PM. She took roll call of Selectmen present: Allen Daggett, Patrick Briggs, Michael Weston, Edward Hutchins, and Sheila Matthews-Bull. Selectman Matthews-Bull noted that there were 9 attendees in the audience.

### 2. Approve the January 27, 2022, meeting minutes.

**Motion** by Selectman Hutchins seconded by Selectman Briggs to approve the January 27, 2022, selectmen meeting minutes. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, Hutchins, and Daggett. **Voted:** 5-0. **Motion passed.**

### 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.)

There were no public comments.

### 4. Consider request from Seashore Trolley Museum to waive building permit fees.

Laurie Smith, Town Manager, advised that the Trolley Museum has plans to add two new buildings on the Kennebunkport side of their property. They are asking for a waiver of the building permit fees which total approximately \$40,000.

Katie Orlando, Director of the Seashore Trolley Museum, detailed the projects that they are working on, including a model railroad building and the replacement of a pole barn. They are hoping to add two more buildings next year.

Selectman Weston asked if there could be a trade-off of waiving building permit fees in exchange for the Trolley Museum paying for the resurfacing of the parking lot. The Town usually pays for the parking lot because the Museum allows tour busses to park there during tourist season.

Selectman Daggett noted that the Museum also offered to sponsor some school programs at no fee and offer discounted programs to Kennebunkport residents.

Selectman Briggs suggested that it would be a great opportunity to partner with the Parks & Recreation Department to sponsor some summer programs.

**Motion** by Selectman Weston, seconded by Selectman Daggett to waive the requested building permit fees in exchange for the Trolley Museum paying for the resurfacing of the parking lot, the continued use for tour bus parking and consideration of a discount for Kennebunkport residents pending a legal agreement between the parties. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**5. Discussion of the use of American Rescue Plan Act (ARPA) funds.**

Laurie Smith, Town Manager, and Denise Brown, Finance Director, explained that the federal government has released funds for every municipality in the U.S., with the understanding that it can only be spent on certain uses. Kennebunkport is receiving about \$385,000. Staff is recommending using the funds on the following capital expenditures.

Department	Capital Project	ARPA Category/Justification	Cost
Police	Purchase 2 Police Cruisers		68,000
Public Works	Purchase 5-ton Dump Truck		236,000
Public Works	Purchase F-350 1-ton Dump Truck		70,000
Town Hall	Update Town Website		5,000
Town Hall	New Server		7,000
			\$386,000

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to use the ARPA funds to purchase two police cruisers, a 5-ton dump truck and F-350 1-ton dump truck for Public Works and website and server updates. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**6. Consider the request from the Beach Advisory Committee to authorize the sum of up to \$3,000 to retain a Shore Bird Volunteer Coordinator for the 2022 season.**

**Motion** by Selectman Hutchins, seconded by Selectman Weston to authorize up to \$3,000 to retain a Shore Bird Volunteer Coordinator for the 2022 season. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**7. Authorization of contract amendment for Acorn Engineering.**

Eric Labelle, Town Engineer, advised that Acorn Engineering did an analysis to see if the sewage pump station could be removed from the previously designed project at the Village Parcel. Acorn Engineering determined that the pump station could be eliminated. Estimated cost reduction on the project would be \$579,600. Acorn provided a proposal for the additional scope of work to incorporate the analysis of \$12,500.

**Motion** by Selectman Hutchins, seconded by Selectman Briggs to proceed with the additional scope of work in the amount of \$12,500. **Roll Call Vote:** Briggs, Weston, Daggett, Matthews-Bull, and Hutchins. **Voted:** 5-0. **Motion passed.**

**8. Discussion of Public Works Management Restructuring.**

Christopher Simeoni, Public Works Director, gave an overview of the proposed restructuring on the Public Works Department. He proposed unifying the Public Works and Wastewater Departments with he and Eric Labelle, Town Engineer, overseeing both divisions. He recommended hiring a Public Works Operations Manager to oversee the day-to-day operations at Public Works. He pointed out that this is not an increase the number of staff but simply rearrange responsibilities.

**Motion** by Selectman Weston, seconded by Selectman Hutchins to approve the restructuring of the Public Works Department and the hiring of a Public Works Operations Manager. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**9. Consider a street opening application for Colony Avenue.**

Christopher Simeoni, Public Works Director, gave an overview of the request for a street opening permit for Colony Avenue as well as a road closure during road construction from 7 am to 5 pm.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins to approve the street opening permit, with street closure, for Colony Avenue from February 14 to May 27, 2022. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**10. Approve Goose Rocks Beach sticker rules & regulations for 2022.**

Jamie Mitchell, Town Clerk, reviewed suggested changes to the rules and regulations for beach stickers which includes allowing only two GRB stickers per property at the \$5 fee. Any stickers above that number would be purchased at \$200 each.

**Motion** by Selectman Hutchins, seconded by Selectman Weston accept the Goose Rocks Beach sticker rules & regulations for 2022. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**11. Consider request of Hurricane Restaurant to rent spaces in the Dock Square parking lot for the summer 2022 season.**

Taylor Benenti of Hurricane Restaurant requested to rent space in the Dock Square parking lot behind the restaurant to have outdoor dining again this summer. He will not have a tent. He is asking for the two handicap parking spots directly behind the restaurant.

Selectman Matthews-Bull gave support for outdoor dining in the parking lot.

Selectman Weston stated that the outside dining allowed over the past two years was exclusively due to COVID and if the Board approves this, other restaurants will have the right to ask to rent spaces. There aren't enough spaces in the parking lot most of the time and taking away spaces will take customers away from the other businesses in Dock Square.

Selectman Daggett agreed with Selectman Weston's comments. He also pointed out that to replace the two handicapped spaces would take away four spots from somewhere else in the parking lot because handicapped spots take up two regular spaces.

Selectman Briggs supported the comments of Selectmen Daggett and Weston.

Selectman Hutchins agreed and stated that it's time to get back to normal.

**Motion** by Selectman Weston, seconded by Selectman Daggett to decline the request for renting space in the Dock Square parking lot. **Roll Call Vote:** Briggs, Weston, Daggett, and Hutchins voted yay. Matthews-Bull voted nay. **Voted:** 4-1. **Motion passed.**

**12. Adopt Resolution to join the Community Resilience Partnership.**

Eli Rubin, Community Planner, gave an overview of this proposed partnership with Biddeford, Kennebunk and Wells that commits to reducing greenhouse gas emissions and increasing resiliency to extreme weather and climate change impacts.

Robin Phillips spoke on behalf of the Conservation Commission in support of this partnership.

**Motion** by Selectman Hutchins, seconded by Selectman Weston to adopt the Resolution to join the Community Resilience Partnership. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**13. Authorize Quitclaim Deed for Map 026, Block 001, Lot 006B.**

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to authorize the quitclaim deed for Map 026, Block 001, Lot 006B. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**14. Accept a \$500 donation from Lois Badger to the Nurse's account to assist with supplies, equipment, and training.**

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to accept the \$500 donation from Lois Badger to the Nurse's account. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**15. Other business.**

Laurie Smith, Town Manager, asked the Board to consider future meetings and whether to go back to in-person meetings in the spring. She suggested that it be discussed at the next meeting.

**16. Approve the February 10, 2022, Treasurer's Warrant.**

**Motion** by Selectman Hutchins seconded by Selectman Daggett to approve the February 10, 2022, Treasurer's Warrant. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

**17. Adjournment.**

**Motion** by Selectman Hutchins seconded by Selectman Daggett to adjourn. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.** Meeting adjourned at 7:15 PM.

Submitted by,  
Tracey O'Roak  
Administrative Assistant



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# AGENDA ITEM DIVIDER

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**INTEROFFICE MEMORANDUM**

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**TO:** LAURIE SMITH AND SELECT BOARD  
**FROM:** JAMIE MITCHELL  
**SUBJECT:** APPROVAL OF LIQUOR LICENSES AND SPECIAL EVENT PERMITS  
**DATE:** FEBRUARY 22, 2022

The following annual liquor licenses have been submitted for approval by the Board:

- The Ramp Grill, LLC d/b/a Pier 77
- Boughton Hotel Corp d/b/a The Colony Hotel

The following Special Amusement Permit has been submitted for approval by the Board:

- Boughton Hotel Corp d/b/a The Colony Hotel

Staff has reviewed these applications and recommends approval.



**BUREAU OF ALCOHOLIC BEVERAGES  
DIVISION OF LIQUOR LICENSING & ENFORCEMENT  
8 STATE HOUSE STATION  
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.  
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 05-15-2022

INDICATE TYPE OF PRIVILEGE:  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

- |  |   |
|--|---|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV)              | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)       |
| <input checked="" type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV)          |
| <input type="checkbox"/> CLASS A LOUNGE (Class X)                    | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V)                              | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)      |
| <input type="checkbox"/> TAVERN (Class IV)                           | <input type="checkbox"/> OTHER: _____                       |

**REFER TO PAGE 3 FOR FEE SCHEDULE**

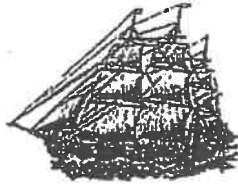
**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> – (Sole Proprietor, Corporation, Limited Liability Co., etc.)	<b>2. Business Name (D/B/A)</b> The Colony Hotel		
DOB:			
DOB:			
<b>Boughton Hotel Corp</b>	<b>Location (Street Address)</b> 140 Ocean Avenue		
DOB:			
<b>Address</b> 140 Ocean Avenue	<b>City/Town</b> Kennebunkport	<b>State</b> Maine	<b>Zip Code</b> 04046
<b>Mailing Address</b>			
<b>City/Town</b> Kennebunkport	<b>State</b> Maine	<b>Zip Code</b> 04046	<b>City/Town</b> State Zip Code
<b>Telephone Number</b> 207-967-3331	<b>Fax Number</b> 207-967-8738	<b>Business Telephone Number</b> 207-967-3331	<b>Fax Number</b> 207-967-8738
<b>Federal I.D. # 01-020192300</b>	<b>Seller Certificate # 0002699</b>		

3. If premises are a hotel, indicate number of rooms available for transient guests: 125
4. State amount of gross income from period of last license: ROOMS \$ 5,134,399 FOOD \$ 2,038,359 LIQUOR \$ 973,061
5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

Questionnaire complete Supplementary ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES  NO



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

APPLICATION

SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant Boughton Hotel Corporation

Residence Address 140 Ocean Avenue, Kennebunkport, ME 04046

Home Telephone Number 207-967-3331

Name of Business Colony Hotel

Business Address 140 Ocean Avenue, Kennebunkport, ME 04046

Type of Business Hotel & Restaurant

Business Telephone Number 207-967-3331

Nature of Special Amusement Live & Recorded Music for Events

Has your liquor and or amusement license ever been denied or revoked?

Yes \_\_\_\_\_ No X

If yes, describe circumstances specifically. (Attach additional page if necessary)

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

- <sup>100.00</sup>
1. Permit Fee: \$~~50.00~~ (payable to the Town of Kennebunkport)
  2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Phil Hadman  
applicant

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# AGENDA ITEM DIVIDER

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## Award Bid for \$1M GOB

# Memo

**To:** Kennebunkport Board of Selectmen

**From:** Laurie Smith, Town Manager  
Denise Brown, Finance Director

**Date:** 2/22/2022

**Re:** Award Bid for \$1M GOB for the Radio Communications Improvements

At the beginning of February an invitation to bid on the \$1M General Obligation Bond (GOB) was sent out. Two bids were received and opened on February 18th with the following results:

<b>Bid Results</b>		
<b>5 Year - \$1,000,000 General Obligation Bond - Radio Communications Improvements</b>		
	<b>Total all</b>	
<b>Institution</b>	<b>Rate</b>	<b>Interest</b>
Androscoggin Bank	2.57	\$87,588
Camden National Bank	2.59	\$89,571

Both bidders stated that prepayment is permitted with no fees.

We are seeking approval from the Board of Selectmen to award this bid to Androscoggin Bank as they are offering the lowest interest rate, saving the taxpayers \$1,983 over the five year life of this loan.

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# AGENDA ITEM DIVIDER

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## MEMORANDUM

**To:** Laurie Smith, Michael Pardue, Kennebunk and Kennebunkport Select Boards  
**From:** Jeff Rowe, Kennebunk Fire Chief and John Everett, Kennebunkport Fire Chief  
**Re:** Creating a taskforce between the two towns to explore Fire Dept. related sharing opportunities  
**Date:** February 15, 2022

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The Fire Departments from Kennebunk and Kennebunkport have always worked well together during emergency situations, as well as providing additional assistance when called upon for non-emergencies. This has been, for the most part, the only time the Towns' Fire Departments worked together.

The two highest priced resources of any Fire Department are personnel and equipment. As more and more towns transition from a volunteer/call department to a per diem and/or full-time department, we realized that we are all trying to hire from the same labor pool. We all need specific equipment that may or may not be needed at all calls, causing a great strain on the budget. These challenges are only going to become more frequent and the costs of them will continue to rise.

Our towns currently share a Harbormaster for the Kennebunk River. This is a similar type of cost sharing agreement that the taskforce would investigate for both fire departments. Sharing equipment could open the door to other possibilities, such as sharing staff as well. The savings to the towns would come from each not having to fund their own expensive ladder truck.

Pre-Covid19, both departments, along with Arundel Fire Department, started a training initiative in which we train together on a specific topic each month. Each town provides instruction on the given topic on their training night. This gives the members three opportunities to attend that monthly topic. This three-town training set up has had a positive impact on all departments. Each town has seen a boost in the numbers of members in attendance. We are also able to do more in depth training due to the higher numbers of attendees.

Chief Rowe and Chief Everett, over the last few months, have been looking into ways the Fire Departments can assist each other on a more meaningful basis. The conversation was started by the realization that both towns were planning for the replacement of their ladder truck. Currently, the average price tag of such an expense is \$1.1 to \$1.4 million.

Some towns in Cumberland County already have agreements in place where they are sharing a specialized vehicle, like a ladder truck or tank truck, a fire station or both. We feel that this type of sharing could be a large part of our towns' future. Other than the ladder truck agreement, we see other possibilities to share like resources such as personnel, facilities, and vehicles.

We are looking for both Boards to approve the development of a task force made up of Fire Department members from both departments. The task force's first goal would be working through the details of how a shared asset would work. We want to continue to grow this into other areas of joint interest as well. We are also hoping to come up with strategies within town management to keep this collaboration moving, regardless of who is in the key administrative role for each town, Town Managers, Fire Chiefs, etc.

The task force would be comprised of the Fire Chief, a Fire Officer and a Firefighter from each town. A seventh member of the task force would be a person that can assist us with attaining the goals. This person could possibly be another Fire Chief from a municipality that already does these types of sharing, or a member of the community that specializes in helping both towns realize the potential and getting the task force to the finish line.

Other opportunities the task force could examine would be the of sharing facilities and personnel. Sharing personnel with like jobs in both towns could be accomplished, for example with the sharing of a mechanic for fire vehicles.

The task force, through the Fire Chiefs from each town, will update both Selectboards of progress in May and at least bi-annually after that. Additional times may be needed for guidance and authorizations as we move forward.

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# AGENDA ITEM DIVIDER

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**Town of Kennebunkport  
Cape Porpoise Pier**

# Memo

**To:** Laurie Smith  
**From:** Chris Mayo  
**cc:** Kennebunkport Board of Selectmen  
**Date:** 1/5/22  
**Re:** Pier Fees

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Dear Laurie,

Please see the attached pier dues and mooring fee invoices for consideration of removal of charges. Each person has been contacted, and their issues discussed and found to be valid and warrant the absolution of listed fees due. This has been approved by the Finance Department. The invoices include the following:

- Peter Garsoe - Rec Pier membership fee of \$598.50. Lost mooring during dredge operations- thought he had found it; however, it was not his. Has not reinstalled since dredge because of this but has been in contact with my office.
- Archibald Talmage - Rec Pier Membership fee of \$598.50. Lost mooring during dredge operations. Has had issues with his boat and not replaced his mooring or used pier facilities.
- Charles Howarth - Mooring fee of \$90. Charles had two moorings and is a Pier member in good standing. He discussed relinquishing his "ditch" mooring with me in favor of his outer harbor mooring, but he was on the fence about the decision. He communicated his decision to give up this mooring with me before the season started but after billing went out. He didn't use the mooring and it was removed.
- Ray St. Laurent - Mooring Fee of \$45. Ray encountered issues that made it necessary to sell his boat and mooring prior to the boating season yet after billing went out. He removed the mooring and did not use it at all.

Total fees to be rescinded: \$1,332.

I appreciate your attention to this matter.

# Town of Kennebunkport INVOICE


PETER B GARSOE  
98 ELM ST  
PORTLAND, ME 04101

PLEASE REMIT TO:  
**Town of Kennebunkport**  
PO Box 566  
Kennebunkport, ME 04046

Invoice Number	210020036
Invoice Date	10/12/2021
Account Number	0009
Invoice Amount	598.50

Please detach and return this portion of the invoice with your remittance.

2021 Cape Porpoise Pier Dues

DATE	Description	Amount
10/12/2021	Recreation	598.50
	<i>I don't use the pier and have not for years Just my money</i> 	
	<b>Invoice Total</b>	598.50

Commercial boats include 3 drums.  
Extra drums are \$15.00 for a set of 3.

*PETER GARSOE*

Payment due by November 12, 2021.  
Interest will be charged at the rate of 5.0% per annum on outstanding balances as of  
November 13, 2021.



# Town of Kennebunkport INVOICE

ARCHIBALD A TALMAGE  
220 BEACHWOOD AVE  
KENNEBUNKPORT, ME 04046

PLEASE REMIT TO:  
**Town of Kennebunkport**  
PO Box 566  
Kennebunkport, ME 04046

Invoice Number	210020004
Invoice Date	10/12/2021
Account Number	0022
Invoice Amount	598.50

Please detach and return this portion of the invoice with your remittance.

## 2021 Cape Porpoise Pier Dues

DATE	Description	Amount
10/12/2021	Recreation  <i>no longer wish to subscribe to pier member ship Archibald A Talmage 10/13/21</i>	598.50
	<b>Invoice Total</b>	598.50

Commercial boats include 3 drums.  
Extra drums are \$15.00 for a set of 3.

Payment due by November 12, 2021.  
Interest will be charged at the rate of 5.0% per annum on outstanding balances as of  
November 13, 2021.

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# AGENDA ITEM DIVIDER

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# MEMO

To: Laurie Smith, Town Manager/ Board of Selectmen  
From: Werner Gilliam, CFM Director of Planning and Development  
Re: Potential Warrant Article June 2022 Re: Signs  
Date: February 18<sup>th</sup>, 2022

I would like to introduce the concept of two potential warrant articles related to modification of the Land Use regs related to signs.

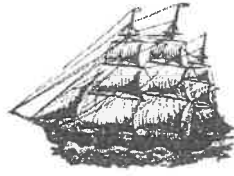
1. In 2015 the US Supreme Court heard the case "Reed vs Town of Gilbert 576 U.S. 155(2015) which clarified when towns could impose content-based restrictions within their sign ordinances. Without getting into the specifics of the decision, it is highly advised that towns which have content-based designations have their regulations reviewed and modified so that they do not run contrary to any first amendment concerns. Currently our ordinance focuses on commercial signage and places limits for timeframes for noncommercial signage. For example, in our current ordinance a yard sign that has an inspirational message or a political statement at best is only permitted to be in place for 30 days. It is likely that a strict enforcement of that would be seen as a 1st Amendment infringement. Drummond Woodsum is working on proposed language amendments that will ensure that non-commercial free speech is accurately represented within our sign regulations.
2. Staff is requesting the opportunity to be able to place electronic message boards outside of municipal properties to post community information. This is something that is currently not permitted under the ordinance. This would be a narrowly written exception that would apply to municipal properties only.



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# AGENDA ITEM DIVIDER

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## KENNEBUNKPORT WASTEWATER DEPARTMENT

### MEMORANDUM

**Date:** February 10<sup>th</sup>, 2022

**To:** Laurie Smith

**From:** Chris Simeoni, Director of Public Works

**Re:** Agenda item for February 24th Selectmen's meeting- Authorization to post roads

Annually, the Public Works Department posts roads in Kennebunkport to prevent heavy vehicles from causing damage to the roadways during the winter to spring transition. During this time, roads are subject to additional damage from heavy vehicles due to freeze and thaw cycles.

During the winter/spring, Maine roads weaken, and they need to be protected. As temperatures warm and the ground thaws, soil under the pavement becomes saturated with water, making pavement unstable. As a result, many roads cannot support heavy loads.

To protect roads from serious damage, The Public Works Department, seasonally, will post roads to protect its public infrastructure from damages and pre-mature repairs and or improvements. Our roads are posted in accordance with Title 29-A MRSA 2395.

The Town does sometimes allow for travel during certain periods of cold weather. This will require permission from the Director of Public Works. An application to operate on a posted way is available on the Town's website.

It is my recommendation to authorize the posting of the attached list of roads in accordance with Title 29-A MRSA 2395. The attached list of roads would be closed to such traffic commencing on February 25, 2022 and would remain closed until April 30th, 2022, unless postings are removed earlier at the discretion of the Public Works Director.

## Restricted Vehicle Weight on Posted Roadways

The Town of Kennebunkport has authorized the closing of certain town ways to any non-exempt vehicle or combination of vehicles registered for a gross weight of over 23,000 pounds. The following roads will be closed to such traffic commencing on February 25, 2022 and will remain closed until April 30th, 2022, unless postings are removed earlier at the discretion of the Director of Public Works. Any violation of the rules is a traffic infraction punishable by a fine of not less than \$250. Home Heating Fuel Delivery Trucks and Municipal Solid Waste Collection Trucks are exempt from Posted Road regulations. The posting shall remain in force except when the way is solidly frozen. The highway is considered solidly frozen only when the air temperature is 32 degrees F. or below and no water is showing in the cracks in the road. Both conditions must be met. The Town of Kennebunkport will be posting restricted vehicle weight signs on the following roads:

- Arundel Road from Goff Brook to Goose Rocks Road
- River Road from Goff Brook to North Street
- Beachwood Avenue from North Street to Route 9
- Walkers Lane from North Street to Beachwood Avenue
- Old Cape Road from Beachwood Avenue to Route 9
- Goose Rocks Road from Log Cabin Road to Route 9
- Stone Road from Beachwood Avenue to Goose Rocks Road
- Guinea Road from Goose Rocks Road to Biddeford Line
- Whitten Hill Road from Goose Rocks Road to Guinea Road
- Pier Road
- New Biddeford Road from Route 9 to Kings Highway
- Winter Harbor Road from Route 9 to New Biddeford Road
- Dyke Road
- Wildes District Road
- Ocean Avenue
- Arlington Avenue
- Langsford Road
- Ward Road
- Northwood Drive
- Oak Ridge Road
- West Street, Oak Street, Locke Street
- Others if needed

Please feel free to contact the Highway Department at 967-5728 if you have any questions or concerns. An application for a Posted Road Permit is available for download on our website.

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# AGENDA ITEM DIVIDER

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**MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS**

KNOW ALL BY THESE PRESENTS THAT the Inhabitants of the Town of Kennebunkport, a body corporate and politic located in York County, State of Maine, for consideration paid, release to Northern Ridge Realty Trust & Marella Michael P Trustee a certain parcel of land, if any, located in the Town of Kennebunkport, York County, State of Maine, identified as follows:

Map Lot 014-002-024, on the Town Assessors' maps for Kennebunkport, which are on file at the municipal office, being the same premises described in Town of Kennebunkport Tax Lien Certificates, recorded in the York County Registry of Deeds on July 13, 2020 in Book 18306 Page 582 and on July 9, 2021 in Book 18729 Page 546.

The Inhabitants of the Town of Kennebunkport have caused this instrument to be signed in its corporate name by Allen A. Daggett, Sheila W. Matthews-Bull, Patrick A. Briggs, Edward W. Hutchins II and D. Michael Weston its Municipal Officers duly authorized.

Witness our hands and seals this 24th day of February 2022.

Inhabitants of the Town of Kennebunkport

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

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Witness

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Witness

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Witness

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**ACKNOWLEDGEMENT**

State of Maine  
York, County, ss.

February 24, 2022

Then personally appeared before me the above-named Allen A. Daggett, Sheila W. Matthews-Bull, Patrick A. Briggs, Edward W. Hutchins II and D. Michael Weston, the Municipal Officers of the Town of Kennebunkport and acknowledged the foregoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of said Municipality.

Before me,

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**RE Account 798 Detail**  
**as of 02/16/2022**

Name: NORTHERN RIDGE REALTY TRUST & MARELLA  
MICHAEL P TRUSTEE  
Location: 0 PARSONAGE  
Acreage: 3.9 Map/Lot: 014-002-024  
Book Page: B15871P0837

Land: 9,500  
Building: 0  
Exempt 0  

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Total: 9,500

2022-1 Period Due:

Ref1: BP  
Mailing 140 LAWRENCE STREET APT 2  
Address: BROCKTON MA 02302

Year/Rec #	Date	Reference	P	C	Principal	Interest	Costs	Total
2022-1 R					0.00	0.00	0.00	0.00
2021-1 L	*				0.00	0.00	0.00	0.00
2020-1 L	*				0.00	0.00	0.00	0.00
2019-1 R					0.00	0.00	0.00	0.00
2018-1 L	*				0.00	0.00	0.00	0.00
2017-1 L	*				0.00	0.00	0.00	0.00
2016-1 R					0.00	0.00	0.00	0.00
2015-1 R					0.00	0.00	0.00	0.00
2014-1 R					0.00	0.00	0.00	0.00
2013-1 R					0.00	0.00	0.00	0.00
2012-1 R					0.00	0.00	0.00	0.00
2011-1 R					0.00	0.00	0.00	0.00
2010-1 R					0.00	0.00	0.00	0.00
2009-1 R					0.00	0.00	0.00	0.00
Account Totals as of 02/16/2022					0.00	0.00	0.00	0.00

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

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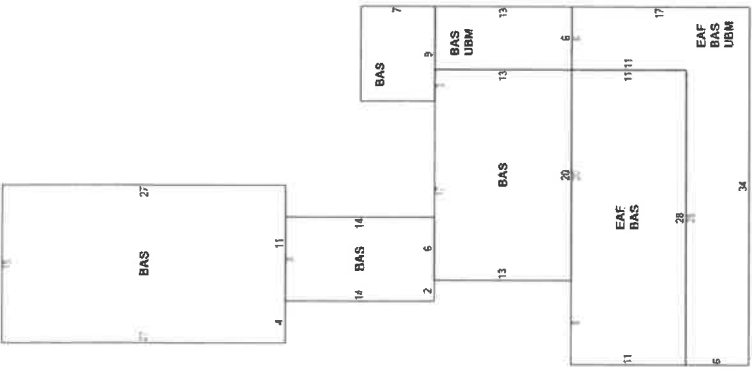
# AGENDA ITEM DIVIDER

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CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Cd	Element	Cd
Style: 63	Antique		
Model 01	Residential		
Grade: 04	Average +10		
Stories: 1	1 Story		
Occupancy 1	Wood Shingle		
Exterior Wall 1			
Exterior Wall 2			
Roof Structure 03	Gable/Hip		
Roof Cover 03	Asph/F Gls/Cmp		
Interior Wall 1	Plastered		
Interior Wall 2			
Interior Fir 1	Pine/Soft Wood		
Interior Fir 2			
Heat Fuel 02	Oil		
Heat Type: 05	Hot Water		
AC Type: 01	None		
Total Bedroom 02	2 Bedrooms		
Total Bthrms: 1			
Total Half Bath 0			
Total Xtra Fixtr 6			
Total Rooms: 02	6 Rooms		
Bath Style: 02	Average		
Kitchen Style:	Average		
Solar Panels			
		Building Value New	226,711
		Year Built	1790
		Effective Year Built	1979
		Depreciation Code	A
		Remodel Rating	30
		Year Remodeled	5
		Depreciation %	1
		Functional Obsol	65
		External Obsol	147,400
		Trend Factor	
		Condition %	
		Condition %	
		Percent Good	
		Cns Sect Rcnld	
		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)		BUILDING SUB-AREA SUMMARY SECTION	
Code	Description	L/B	Units
BRN1	BARN - 1 STORY	L	430
	COMMENT	Unit Price	18.88
		Yr Bilt	1998
		% Gd	25
		Appr. Value	2,000
		Eff Area	
		Floor Area	
		Unit Cost	122.22
		Undeprec Value	182,835
BAS	First Floor	1,496	1,496
EAF	Attic, Expansion, Finished	289	289
UBM	Basement, Unfinished	0	348
			70
			24.58
			8,555
			226,710
			1,855
			2,422
			1,785
			1,855
			226,710