



TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda
March 23, 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/86251024966>

or go to **ZOOM** and enter the **webinar ID: 862 5102 4966**

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

1. Call to Order.
2. Approve the March 9, 2023, selectmen meeting minutes and March 16, 2023, joint meeting with the Budget Board 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 the final fiscal year 2023 budgets and make recommendations.
5. Consider the renewal of liquor licenses submitted by Roma Pizza, 5 Union St.
6. Annual appointment of Town Officers.
7. Request from St. Anne's Church for an easement to maintain their seawall.
8. Other Business.
9. Approve the March 23, 2023, Treasurer's Warrant.
10. Executive Session per MRSA 1, §405-6C to consider the acquisition of real estate.
11. Executive Session per MRSA 1, §405-6E to consult with an attorney concerning pending or contemplated litigation.
12. Adjournment.

AGENDA ITEM DIVIDER

Town of Kennebunkport
Board of Selectmen and Budget Board Joint Meeting
March 9, 2023
6:00 PM

MINUTES

Selectmen attending in person: Edward Hutchins, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra.

Selectmen attending via Zoom: Michael Weston.

Budget Board Members attending in person: Michelle Powell, Robert Wester, Rick Wakeland, Dan Beard, Marybeth Gilbert, April Dufoe, Ki Leffler, Carol Cook, and Dimitri Michaud.

Budget Board Members attending via Zoom: David James.

1. Call to Order:

Selectman Hutchins called the meeting to order at 6:00 PM.

Budget Board Chairperson, April Dufoe, stated that the Budget Board had a quorum with eight members present in person and one on Zoom, and called the meeting to order at 6:00 PM.

2. Joint meeting with Budget Board for the fiscal year 2024 municipal budget presentations:

Motion by Michelle Powell, seconded by Robert Wester, to approve the minutes from last week's meeting on March 2, 2023. **Voted:** 9-0. **Motion passed.**

Town Manager Laurie Smith informed the budget board about items in a packet that was sent to them yesterday including information about mil rates in neighboring towns, how the budget works in relation to the fund balance, residential building permit fees, and fuel costs and contingency amounts.

Finance Director Nicole Evangelista passed out sheets with the important points of the RSU 21 draft budget. Laurie Smith explained that the net result is a 7.02% increase in that budget. Based on the cost sharing formula it is estimated Kennebunk and Arundel will see a 9% increase in their tax rate while Kennebunkport will see a 1.67% increase.

Laurie Smith reports she also met with the York County Administrator and learned that the amount that Kennebunkport contributes is increasing more than anticipated. We were expecting a 5% increase of \$65,000 but were informed that this year it will be a 7.72% increase, closer to \$100,000.

Budget presentations were made by these departments: Public Works, Public Health, and Parks & Recreation.

March 9, 2022, BOS Meeting Minutes

Laurie Smith described the Goose Rocks Beach Advisory Reserve Account, which by the agreement is to be maintained at a funding level of \$2k per property in the agreement x 66 properties. Salaries for summer beach patrol staff, water testing, brochures and signs are paid from this account.

Laurie also explained the purpose and use of the Accrued Liabilities, Fuel Contingency, and Miscellaneous Contingency Accounts.

Nicole Evangelista described debt service and various bonds the town holds.

Laurie displayed a slide showing the budget impacts of different tax rates.

Motion by Michelle Powell, seconded by Dimitri Michaud, to adjourn the Budget Board meeting at 7:26 PM. **Voted:** 9-0. **Motion passed.**

3. Approve the February 23, 2023, selectmen meeting minutes and March 2, 2023, joint meeting with the Budget Board minutes:

Motion by Selectman Daggett, seconded by Selectman Dykstra, to approve the February 23, 2023, selectmen meeting minutes and March 2, 2023, joint meeting with the Budget Board minutes. **Voted:** 5-0. **Motion passed.**

4. 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 in-person attendees remaining, and no Zoom attendees came forward.

No motion was necessary. No motion was taken.

5. Consider the liquor license renewal for Chez Rosa LLC d/b/a Chez Rosa Bistro, Building “D” on Cross Street and Union Street:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the liquor license renewal for Chez Rosa LLC d/b/a Chez Rosa Bistro, Building “D” on Cross Street and Union Street. **Voted:** 5-0. **Motion passed.**

6. Consider Goose Rocks Beach Advisory Committee’s recommendation regarding the contract with Woodard & Curran and Black Fly Media for Water Quality Project:

Selectman Dykstra informed the Board that we’ve been collecting data at Goose Rocks Beach since 2004 but have not done a good job of communicating to residents what the data mean. The Natural Resources Subcommittee has recommended to the Goose Rocks Beach Advisory Committee, and in turn they are recommending to the Board of Selectmen that we hold a contract with Woodward & Curran for \$13,600 from the Goose Rocks Beach Maintenance Fund to do this work.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, that we hold and fund the contract with Woodward & Curran for \$13,600 from the Goose Rocks Beach Maintenance Fund. **Voted: 5-0. Motion passed.**

7. Presentation of proposed June 2023 ordinance changes with the legal review:

- a. Administrative Code revision regarding Cape Porpoise Pier Committee members.
- b. Administrative Code revision regarding days of annual town meeting.
- c. Land Use Ordinance revision regarding accessory dwelling units.
- d. Land Use Ordinance revision regarding private road construction.
- e. Land Use Ordinance revision regarding the description of the resource protection zone.
- f. Update to Floodplain Management Ordinance.

Town Clerk Tracey O'Roak and Director of Planning and Development Werner Gilliam gave brief overviews of the specific changes proposed by legal review.

Motion by Selectman Dykstra, seconded by Selectman Matthews-Bull, to approve the ordinance changes proposed by legal review. **Voted: 5-0. Motion passed.**

8. Accept donations towards the fuel fund:

- a. \$100.00 from an anonymous donor.
- b. \$1,000.00 from The Goose Rocks Beach Fire Company.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept the donations towards the fuel fund. **Voted: 5-0. Motion passed.**

9. Accept \$50.00 from an anonymous donor towards the general nurses' account:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept the donation towards the general nurses' account. **Voted: 5-0. Motion passed.**

10. Accept \$850.00 from Patricia and Larry Keller towards the general needs account.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept the donation towards the general needs account. **Voted: 5-0. Motion passed.**

11. Accept \$1,500.00 from the Arundel Lodge #76: \$750.00 towards the nurses' account; \$750 towards the general needs account.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept the donations towards the nurses and general needs accounts. **Voted: 5-0. Motion passed.**

12. Other Business.

None of the Selectmen had other business. Town Manager Laurie Smith had two items:

- a. She handed out information received today regarding the York County Budget Committee Caucuses. They are for Selectmen to attend to elect Budget Committee members at a meeting in Alfred, ME on Wednesday, April 12th at 6:30 pm.
- b. Our Federal Delegation is seeking to secure funding for dredging of the Kennebunk River. Laurie Smith and the Kennebunk Town Manager are seeking support letters to send to the Federal Delegation.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to send a support letter for dredging the Kennebunk River to the Federal Delegation. **Voted:** 5-0. **Motion passed.**

13. Approve the March 9, 2023, Treasurer's Warrant.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept the donations towards the nurses and general needs accounts. **Voted:** 5-0. **Motion passed.**

14. Executive Session per MRSA 1, §405-6C to consider the acquisition of real estate.

Motion by Selectman Daggett, seconded by Selectman Dykstra, to enter Executive Session per MRSA 1, §405-6C to consider the acquisition of real estate. **Voted:** 5-0. **Motion passed.**

Selectmen were in Executive Session for 37 minutes. Remotely attending Selectman Weston did not return from Executive Session.

No motion was necessary. No motion was taken.

15. Adjournment.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to adjourn. **Voted:** 4-0. **Motion passed.**

March 9, 2022, BOS Meeting Minutes

Submitted by,
Dave Powell,
Technology Specialist

AGENDA ITEM DIVIDER

**Town of Kennebunkport
FY24 Budget**

Item 4

<u>Article</u>	<u>FY24 Manager</u>	<u>FY24 BOS</u>	<u>FY24 BB</u>
General Government Program Expenses			
Administration	1,234,097		
Conservation Commission	5,200		
Legal Fees	80,000		
Insurance	243,004		
Community Development	28,512		
Planning & Development	722,713		
Total General Government Program Expenses	2,313,526	0	0
Public Safety Program Expenses			
Police Dept	1,991,897		
Communications	596,241		
Fire Dept	482,722		
KEMS	250,000		
Emergency Management	1,500		
Animal Control Officer	12,259		
Harbormaster	55,177		
Total Public Safety Program Expenses	3,389,796	0	0
Health & Welfare Program Expenses			
Solid Waste	582,988		
Public Health	178,967		
Welfare	2,335		
Social Services	23,772		
Shellfish Conservation	3,257		
Public Restrooms	36,000		
Total Health & Welfare Program Expenses	827,319	0	0
Public Works Program Expenses			
Highway Dept	1,334,560		
Hydrants	144,324		
Shade Tree	41,782		
Street Lights	25,253		
Cemetery	15,141		
Total Public Works Program Expenses	1,561,060	0	0
Recreation, Culture, Contingency & Misc. Program Expenses			
Recreation	341,888		
Graves Library	185,000		
Cape Porpoise Library	14,550		
Parsons Way	6,000		
GRB Advisory Reserve	51,926		
Contingency	90,000		
Miscellaneous Agencies	10,850		
Total Recreation, Culture, Contingency & Misc. Program Expenses	700,214	0	0
Capital Expenses & Reserve Account and Debt Service Payments			
Capital-Admin	22,000		
Capital-Police	60,000		
Capital-Communications	15,000		
Capital-Fire	248,000		
Capital-Highway	352,500		
Capital-Road Improvement	716,000		
Capital-Sidewalk	125,000		
Capital-Emergency Management	10,000		
Capital-Recreation	20,000		
Capital-Special Projects	565,000		
Capital-Piers	107,500		
Debt Service	1,346,280		
Total Capital Expenses & Reserve Account and Debt Service Payments	3,587,280	0	0
Total Municipal Expenditures	12,379,195	0	0

Memorandum

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Re: Possible Budget Adjustments
Dt: March 20, 2023

Based on the budget discussions over the last few meetings between the Budget Board and the Board of Selectmen, I have created a list of possible budget amendments below.

Budget Reductions			
Operational Changes	Amount \$	Category Subtotal	Notes:
Recreation - Health Insurance	\$ (20,000)		New Employee - reduced cost in benefits
		\$ (20,000)	
Capital Changes	Amount \$		Notes:
Street light fixtures over 5 years	\$ (30,000)		expand from 3 to 5 year schedule
Waste & Recycling Bins	\$ (240,000)		3 year lease payments
		\$ (270,000)	
Revenues:			Notes:
Building Permit Fees	\$ (90,000)		Increase from \$10/\$1,000 to \$12/\$1,000
Parking Violations	\$ (12,000)		Increase parking violations by \$7 - GRB \$60, other \$40
GRB Sticker	\$ (50,000)		Increase Resident & Daily stickers by \$5
Increase Picavet Transfer	\$ (15,000)		Use Picavet funding for gutter replacement
Increase DSPL Transfer	\$ (30,000)		Use DSPL funding for Pearl & Elm Paving
		\$ (197,000)	
GrandTotal:	\$ (487,000)		

The adjustments are separated into three categories: operational, capital, and revenue.

The operational changes include a \$20,000 reduction in budgeted health insurance costs due to the actual participation of our new recreation employees. This is not a reduction in the benefit offered but rather a reflection of their actual participation.

The capital changes reflect the expansion of the streetlight replacement project from a 3-year program to a 5-year program. Staff believes this is an acceptable approach and would reduce the costs by \$30,000 in FY24.

The second capital change is the lease/purchase of the waste and recycling bins over a 3-year period. I am awaiting estimates from two banks, but have projected that our costs could decrease by \$240,000 in FY24. I estimate the total interest cost over the 3-year period to be \$48,000; however, I will have more accurate numbers by Thursday evening's meeting.

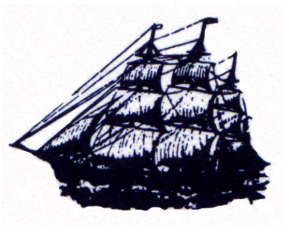
The last category is the potential revenue increases that were discussed at the last budget meeting.

- We are estimating that building permit revenues could increase by \$90,000 based upon a \$2.00/thousand construction value increase.
- Currently, parking violations are \$53.00 for GRB and \$33.00 for other locations; by increasing them both by \$7.00, we should accrue an additional \$12,000 in revenue and be in alignment with neighboring communities.
- The Town could collect an additional \$50,000 in revenue by increasing both resident and daily beach stickers by \$5.00. Resident sticker increases would equate to \$17,000, while non-resident stickers moving from \$25/day to \$30/day would increase revenue by \$34,000.
- We could transfer \$15,000 from the Picavet fund for the gutter replacement without touching the principal. Staff is also suggesting that we could increase the transfer from the DSPL fund by \$30,000 to cover the paving of Pearl & Elm Streets, which are both downtowns.

If all of these changes were to occur, we estimate that it would change the tax rate increase to \$0.15, as shown on the following sheet.

FY24 Tax Commitment					
02.23.23					
	FY22	FY23	FY24	\$ Diff	% Diff
Municipal					
Operations	7,902,317	8,344,563	8,771,915	427,352	5.12%
Capital	1,498,800	2,180,300	1,971,000	(209,300)	-9.60%
Debt	973,058	1,246,931	1,346,280	99,349	7.97%
Education Assessment	11,264,353	11,349,467	11,621,868	272,401	2.40%
County Assessment	1,199,997	1,302,970	1,403,542	100,572	7.72%
Overlay	168,972	860,774	860,774	0	0.00%
Total Expenditures	23,007,497	25,285,005	25,975,379	690,374	2.73%
Non Property Tax Revenue	2,537,120	2,859,679	3,340,979	481,300	16.83%
TI - Dock Square	295,000	301,000	286,000	(15,000)	-4.98%
General Use of Fund Balance	225,000	200,000	200,000	0	0.00%
TI - ARPA Funds		385,000	0	(385,000)	-100.00%
Capital Projects Use of Fund Balance	325,000	700,000	600,000	(100,000)	-14.29%
TI- Special Revenue-Recreation	60,000	60,000	60,000	0	0.00%
TI - Trust Picavet	0	0	19,000	19,000	100.00%
Total Non-Property Tax Rev	3,442,120	4,505,679	4,505,979	300	0.01%
Net Municipal Commitment	7,101,027	8,126,889	8,443,990	317,101	3.90%
Net Total Commitment	19,565,377	20,779,326	21,469,400	690,074	3.32%
Valuation	2,038,685,040	3,463,221,040	3,488,221,040	25,000,000	0.72%
Mil Rate	9.60	6.00	6.15	0.15	2.58%
Municipal portion of mil rate	3.48	2.35	2.42	0.07	3.16%
Education portion of mil rate	5.53	3.28	3.33	0.05	1.67%
County portion of mil rate	0.59	0.38	0.40	0.03	6.95%
* Education and County numbers have been updated with the draft budget proposal figures					

AGENDA ITEM DIVIDER



KENNEBUNKPORT TOWN CLERK

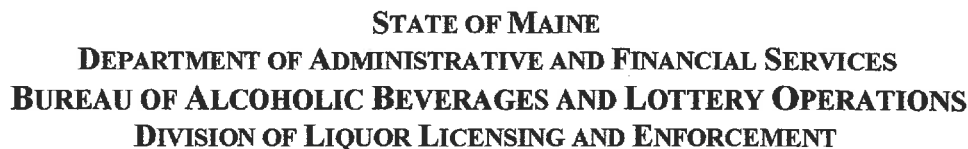
To: Laurie Smith, Town Manager
Board of Selectmen
Fr: Tracey O'Roak, Town Clerk
Dt: March 13, 2023
Re: Renewal Liquor License

We have received the following renewal application for a liquor license:

- **JPRE LLC d/b/a Roma Pizza**, 5 Union Street

Staff have reviewed the application and provided approval for this license with the following comment:

- Werner Gilliam would like the outside seating to be limited to 12 customers due to the small area. The application lists 20 seats.



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): JP RE LLC	Business Name (D/B/A): ROMA PIZZA
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 5 UNION ST KENNEBUNKPORT ME
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 04046 P.O. Box 23 KENNEBUNKPORT, ME. 04046
Mailing address, if different from DBA address:	Email Address: ROMAPIZZAKPT@GMAIL.COM
Telephone # Fax #: 207-264-2014	Business Telephone # Fax #: 207-264-2014
Federal Tax Identification Number: 84-3952369	Maine Seller Certificate # or Sales Tax #: 1208531
Retail Beverage Alcohol Dealers Permit: RES-21-13284	Website address: www.ROMAPIZZAKPT.COM

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☒ Renewal Expiration Date: 5/20/23
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: \$340,000.00 Beer, Wine or Spirits: \$7,500.00 Guest Rooms: _____
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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

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

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

5. Business records are located at the following address:

5 UNION ST KENNEBUNKPORT ME. 04046

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

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

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

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

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

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

☐ Yes ☒ No

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

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

☐ Yes ☐ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
RICHARD ALONARDO	3/23/1978	MELROSE MA.
JAMES ALONARDO	4/18/1979	MELROSE MA.
PAUL CONNOLLY	11/25/1984	MALDEN MA.
ERIN DOHERTY	7/27/1990	WINCHESTER. MA.

Residence address on all the above for previous 5 years

Name	Address:
RICHARD ALONARDO	123 RIDGE RD PORTLAND ME 04103
Name	Address:
JAMES ALONARDO	457 E 5 th ST BOSTON MA 02127
Name	Address:
PAUL CONNOLLY	42 PUFFER LN SUDBURY MA 01776
Name	Address:
ERIN DOHERTY	154 W. 2 ND ST. UNIT 217 BOSTON MA 02127

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

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

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

SMALL 3 SEAT BAR, 20 SEAT OUTDOOR PATIO SECTION, 16 SEAT
AREA IN DINING ROOM.

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

Name: CONSOLIDATED SCHOOL

Distance: 0.3 MILES

Section II: Signature of Applicant(s)

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

Please sign and date in blue ink.

Dated: 2.16.23



Signature of Duly Authorized Person

RICHARD ALONARDO

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

JAMES ALONARDO

Printed Name of Duly Authorized Person

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

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

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: JPRE LLC
2. Doing Business As, if any: ROMA PIZZA
3. Date of filing with Secretary of State: 2.20.23 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

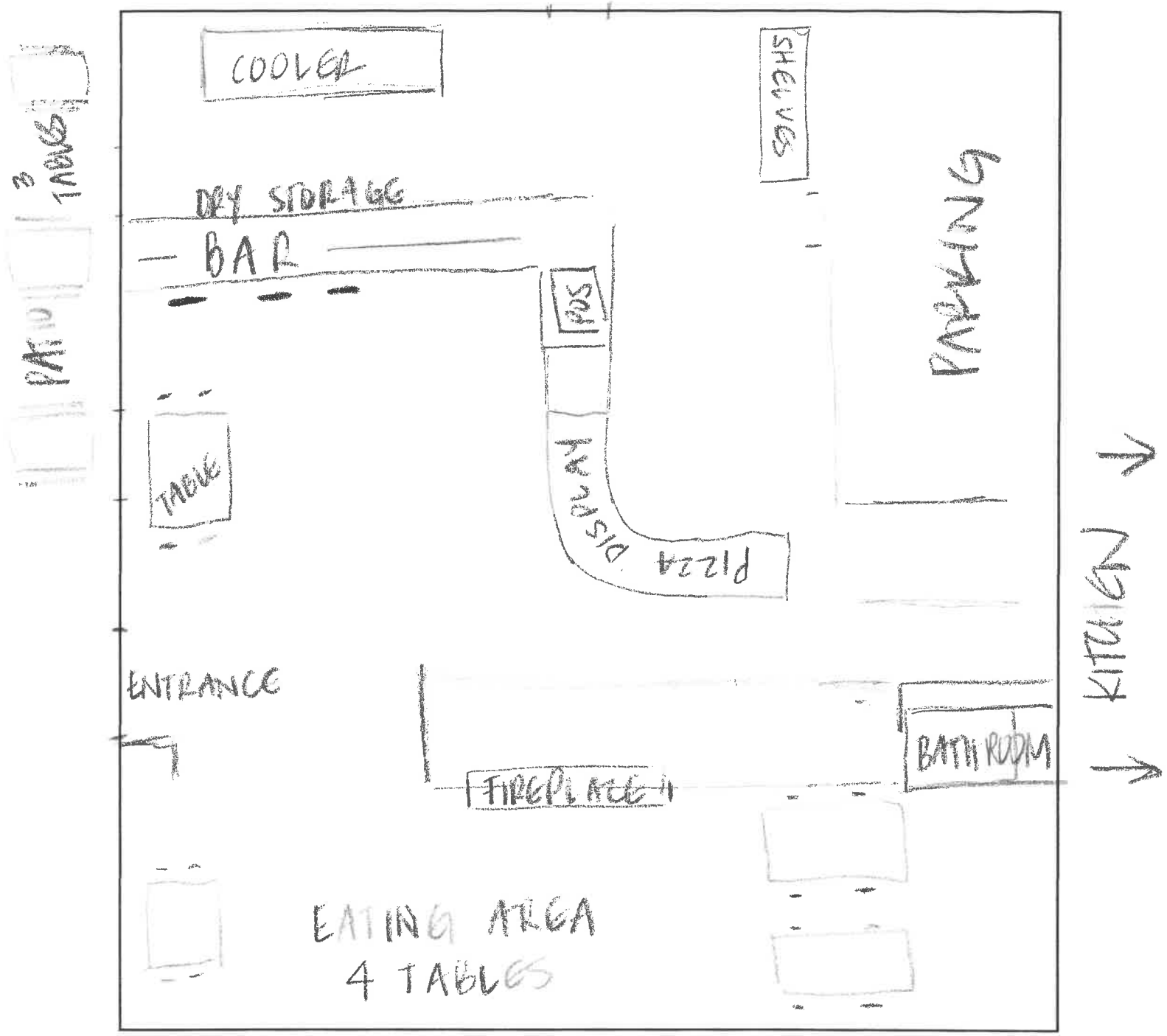
Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
RICHARD ALONARDO	123 RIDGE RD PORTLAND ME 04103	3.23.78	OWNER	50%
JAMES ALONARDO	210 MISHAWUK RD WOBORN MA 01801	4.18.79	OWNER	16.3%
PAUL CONNOLLY	42 PUFFER LN SUDBURY MA 01776	11.25.84	OWNER	16.3%
ERIN DOWERTY	154 W 2ND ST UNIT 217 BOSTON MA 02107	7.27.90	OWNER	16.3%

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

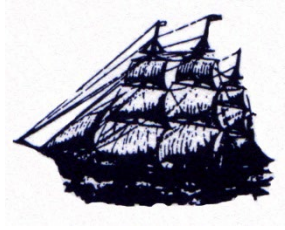
Section VI Premises Floor Plan

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

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



AGENDA ITEM DIVIDER



KENNEBUNKPORT TOWN CLERK

To: Laurie Smith, Town Manager
Board of Selectmen
Fr: Tracey O'Roak, Town Clerk
Dt: March 8, 2023
Re: Town Officers

The following is a list of Town Officers to be appointed for the upcoming year. Please consider the appointments for the March 23rd Selectmen's agenda. Thank you!

Animal Control Officer	Deborah Higgins
Assessor	Rebecca Nolette
Code Enforcement Officer	Werner Gilliam
Asst. Code Enforcement Officer	Gregory Reid
Asst. Code Enforcement Officer	David Gilchrest
Plumbing Inspector	Werner Gilliam
Asst. Plumbing Inspector	Gregory Reid
Asst. Plumbing Inspector	David Gilchrest
Constable	Rebecca Nolette
Emergency Management Director	Craig Sanford
Fire Chief	John Everett
Fire Inspector	John Everett
Harbor Master-Cape Porpoise	Frank Orr
Harbor Master-Kennebunk River	Jamie Houtz
Health Officer	Alison Kenneway
Public Access Officer	Tracey O'Roak
Registrar of Voters	Tracey O'Roak
Road Commissioner	Christopher Simeoni
Shellfish Warden	Everett Leach
Street Naming & Numbering Delegate	John Everett
Tax Collector	Laurie Smith
Town Clerk	Tracey O'Roak
Town Forester	Patrick A. Briggs
Treasurer	Nicole Evangelista
Tree Warden	John Ripton

AGENDA ITEM DIVIDER



March 17, 2023

Town of Kennebunkport
Board of Selectmen
c/o Laurie Smith, Town Manager
6 Elm Street
Kennebunkport, ME 04046

RE : St. Ann's Episcopal Church - Sea Wall Reconstruction Easements

Dear Board of Selectmen,

On Behalf of St. Ann's Episcopal Church, we are writing to request easements for the replacement of the existing sea wall on the easterly side of St Ann's Episcopal Church and a Construction access easement over Old Fort Beach on land that is over land owned by the Inhabitants of the Town of Kennebunkport.

Walsh Engineering has been retained by St Ann's Episcopal Church to design a replacement of the seawall with one that is more resilient to the increased storm events and sea level rise. The existing seawall is a masonry wall that we believe was constructed in the early 1900's, soon after the church was constructed on the property. The wall has functioned well; however, it has required significant maintenance and repairs as storms have battered it. It is our opinion that portions of the wall, particularly on the easterly side of the church and around the rectory are reaching the end its useful life and that it does not have the structural strength to withstand the increased intensity of storms which are jeopardizing St. Ann's historic chapel as well as associated columbarium and rectory. Therefore, St. Ann's Episcopal Church is planning to replace the existing wall with one that is structurally designed to withstand the oceans wave action and better protect the church, columbarium, and rectory structures on its easterly side.

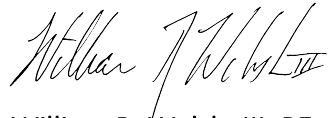
A boundary survey was completed as part of the design process and is attached as exhibit A. The boundary plan shows that easterly of the church structure, the existing sea wall extends off the church property onto land that is owned by the inhabitants of the Town of Kennebunkport. St Ann's Church has historically maintained the entire wall, including the portion that protects the east side of the church and traverses off the property. Moving forward, to replace the wall and maintain it in perpetuity, it is important to the St Ann's that easements be obtained from the Town to complete the work. Additionally, St. Ann's Episcopal Church is respectfully requesting a construction access easement from Ocean Avenue over Old Fort Beach to allow for access of equipment and materials for the wall's reconstruction. The proposed easements would include:

- An easement for replacement, maintenance, and repair of the existing seawall. A sketch of the proposed easement is depicted on attached exhibit B and exhibit C.
- A construction easement from Ocean Avenue over Old Fort Beach to gain access to the wall for reconstruction of the wall during construction of the wall. A sketch of the proposed easement is depicted on Exhibit C.

Therefore, on behalf of St Ann's Episcopal Church, we are respectfully requesting that the Selectman consider placing the request for the easements on the warrant for the June 2023 Town meeting referendum.

We appreciate your attention and are looking forward to discussing this with the Board at your March 23, 2023, meeting.

Respectfully,



William R. Walsh, III, PE

Walsh Engineering Associates, Inc.

cc. Werner Gilliam, Director of Planning and development, Town of Kennebunkport
Shephard Hill, St. Ann's Episcopal Church
David Winstanley, St Ann's Episcopal Church

Attachments:

- Exhibit A – Boundary survey with sketch of Permanent Easement
- Exhibit B – Sketch of proposed Easements
- Exhibit C – Seawall – Aerial view

NOTES:

- The locus parcels are identified on the Town of Kennebunkport Tax Assessors Map 7 in Block 1 as Lots 9 and 9A and are located in the Cape Arundel Zone and Shoreland Overlay Zone.
- The surveyed premises contain the following areas calculated to the high water line shown: Map 7, Block 1, Lot 9 = 110,056 square feet (2.52 acres); Map 7, Block 1, Lot 9A = 28,021 square feet (0.64 acre).
- Bearings are oriented to Grid North per Maine State Plane Coordinate System West Zone.
- High water line shown was derived from topographic contours provided by Walsh Engineering Associates, Inc., generated from data captured by UAV in January 2022.
- The boundary of the locus parcel along Ocean Avenue is the apparent right-of-way line based on monumentation found and Plan References 2, 3, and 5.
- The locus parcels were conveyed together with a right-of-way over the 40-foot wide strip of land shown on Plans Ref. 2 and 3. The fee title to said strip of land appears to have remained in the ownership of Kennebunkport Sea Shore Company until all of its remaining land was conveyed to Sea Shore Associates by deed recorded in Book 3300, Page 207. Sea Shore Associates conveyed all its remaining land acquired in said deed to E. Philip Newell and others by deed recorded in Book 5998, Page 82.
- The locus parcel identified as Map 7, Block 1, Lot 9, was conveyed subject to an easement reserved by the Kennebunkport Sea Shore Company for the sewer running across the lot as shown on Plans Ref. 2 and 3.
- The deed from Kennebunkport Sea Shore Company to the Trustees of Diocesan Funds in the Diocese of Maine dated January 22, 1887, recorded in Book 415, Page 238, conveyed the original church parcel together with the privilege to go from said lot to Old Fort Beach to be used in common with others.
- The locus parcel identified as Map 7, Block 1, Lot 9, was conveyed subject to rights of others in the cemetery and burial sites shown on Plan Ref. 2. No visible evidence of said cemetery and burial sites were found while performing field work for this survey.
- The locus parcel identified as Map 7, Block 1, Lot 9, is subject to conditions and restrictions imposed by various deeds from the Kennebunkport Sea Shore Company including but not limited to 'the stipulation and condition that the bastion of the 'Old Fort' so-called . . . on the bank over-looking the sea shall be preserved . . . as an object of historical interest' as described in deed from Kennebunkport Sea Shore Company to A. Atwater Kent recorded in Book 672, Page 287, and as shown on Plan Ref. 2.

- The locus parcels are subject to a 10-foot wide sewer easement granted by St. Ann's Episcopal Church to the Inhabitants of the Town of Kennebunkport dated August 14, 1983, recorded in Book 3176, Page 167, the location of said easement being centered on the sewer line as constructed.
- The locus parcels were conveyed together with all right, title, and interest of the Kennebunkport Sea Shore Company in the land lying between the top of bank and/or sea wall and the high water mark. The boundary extending from the southwesterly sideline of Ocean Avenue to the high water line bordering land now or formerly of the Inhabitants of the Town of Kennebunkport identified as Map 7, Block 1, Lot 10, was not defined in the deed. The boundary shown hereon was determined by extending a line from the corner at Ocean Avenue in a manner that bisects the angle formed between the line described in the deed and the sideline of Ocean Avenue.
- The locus parcel identified as Map 7, Block 1, Lot 9 is subject to an apparent prescriptive utility easement for the utility pole, overhead wires, and any underground wires. No utility easement was found of record.
- 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
 - Monuments not set along 40' right-of-way

LOCUS DEED REFERENCES:

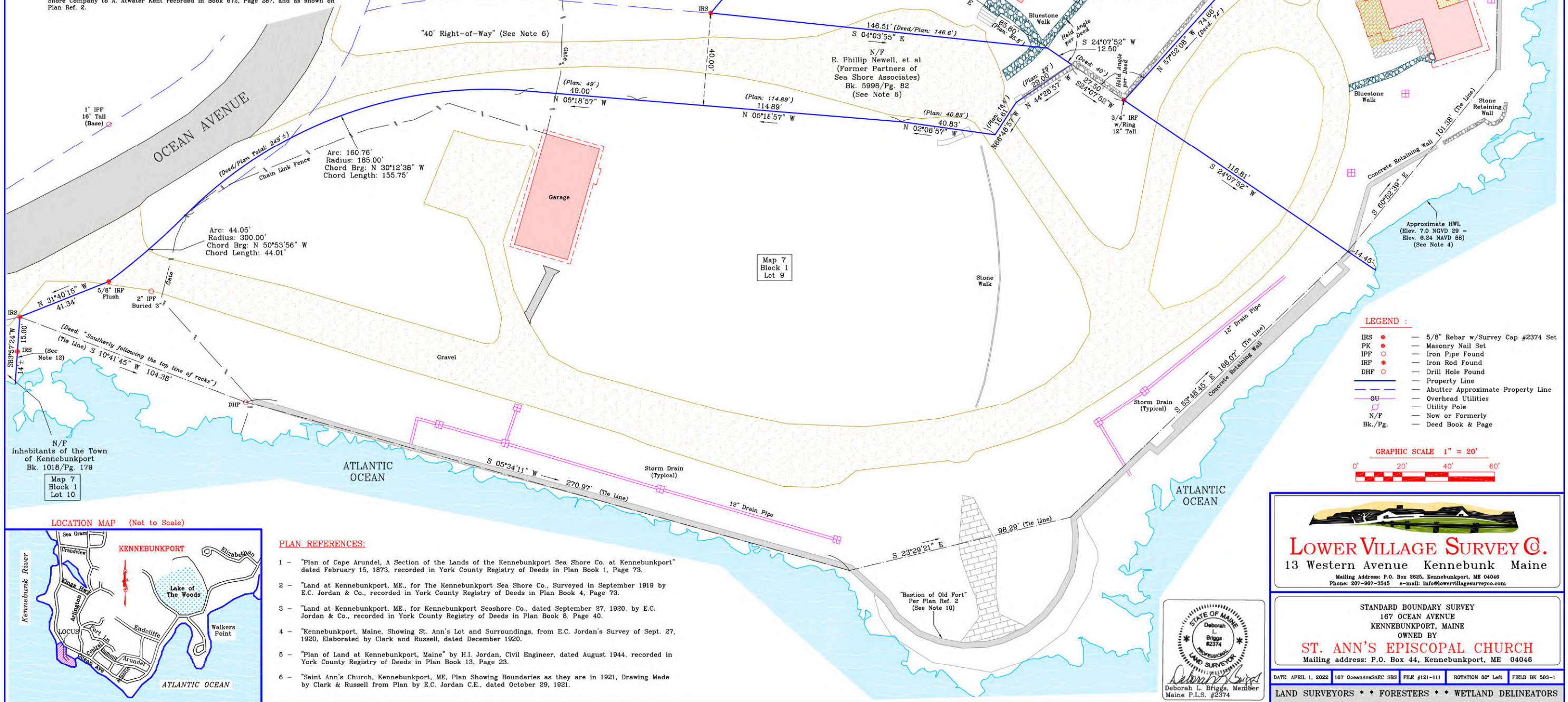
Owner of Record: St. Ann's Episcopal Church
Deed Recorded in Book 1888, Page 688 (Map 7, Block 1, Lot 9)
Deed Recorded in Book 9347, Page 225 (Map 7, Block 1, Lot 9A)

PROPOSED
ACCESS
EASEMENT

EXISTING
PROPERTY
LINE

PROPOSED
CONSTRUCTION
EASEMENT

EXISTING
SEAWALL



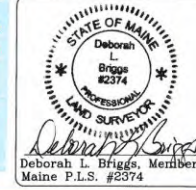
- LEGEND :
- IRS • 5/8" Rebar w/Survey Cap #2374 Set
 - PK • Masonry Nail Set
 - IRF • Iron Pipe Found
 - IRF • Iron Rod Found
 - DHF • Drill Hole Found
 - Property Line
 - Abutter Approximate Property Line
 - Overhead Utilities
 - Utility Pole
 - N/F Now or Formerly
 - Bk./Pg. Deed Book & Page

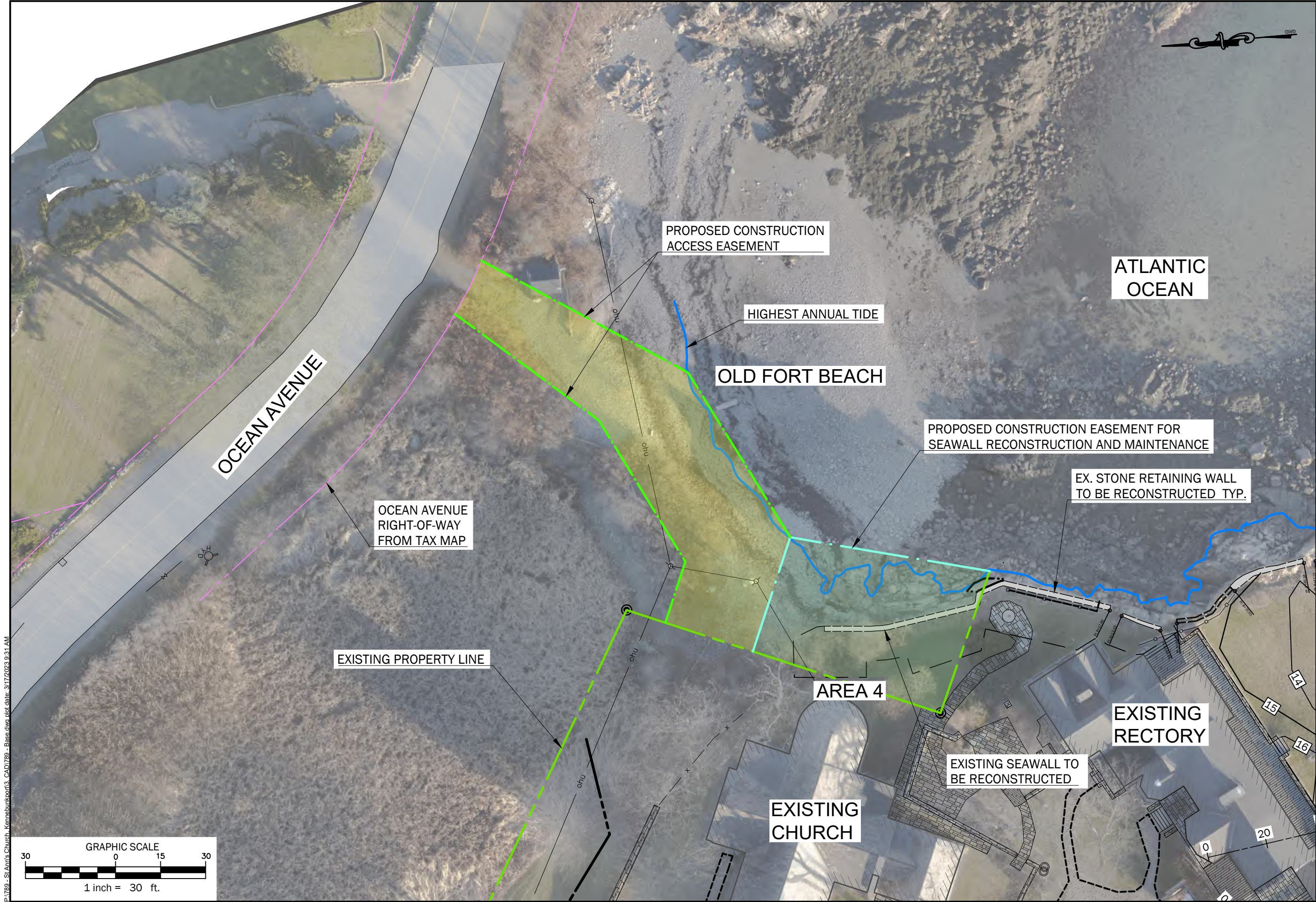


LOWER VILLAGE SURVEY CO., INC.
13 Western Avenue Kennebunk Maine
Mailing Address: P.O. Box 2625, Kennebunkport, ME 04046
Phone: 207-967-3545 e-mail: info@lowervillagesurveyco.com

STANDARD BOUNDARY SURVEY
167 OCEAN AVENUE
KENNEBUNKPORT, MAINE
OWNED BY
ST. ANN'S EPISCOPAL CHURCH
Mailing address: P.O. Box 44, Kennebunkport, ME 04046

DATE: APRIL 1, 2022 167 OceanAveSAC SBS FILE #121-111 ROTATION 80° Left FIELD BK 503-1
LAND SURVEYORS ** FORESTERS ** WETLAND DELINEATORS





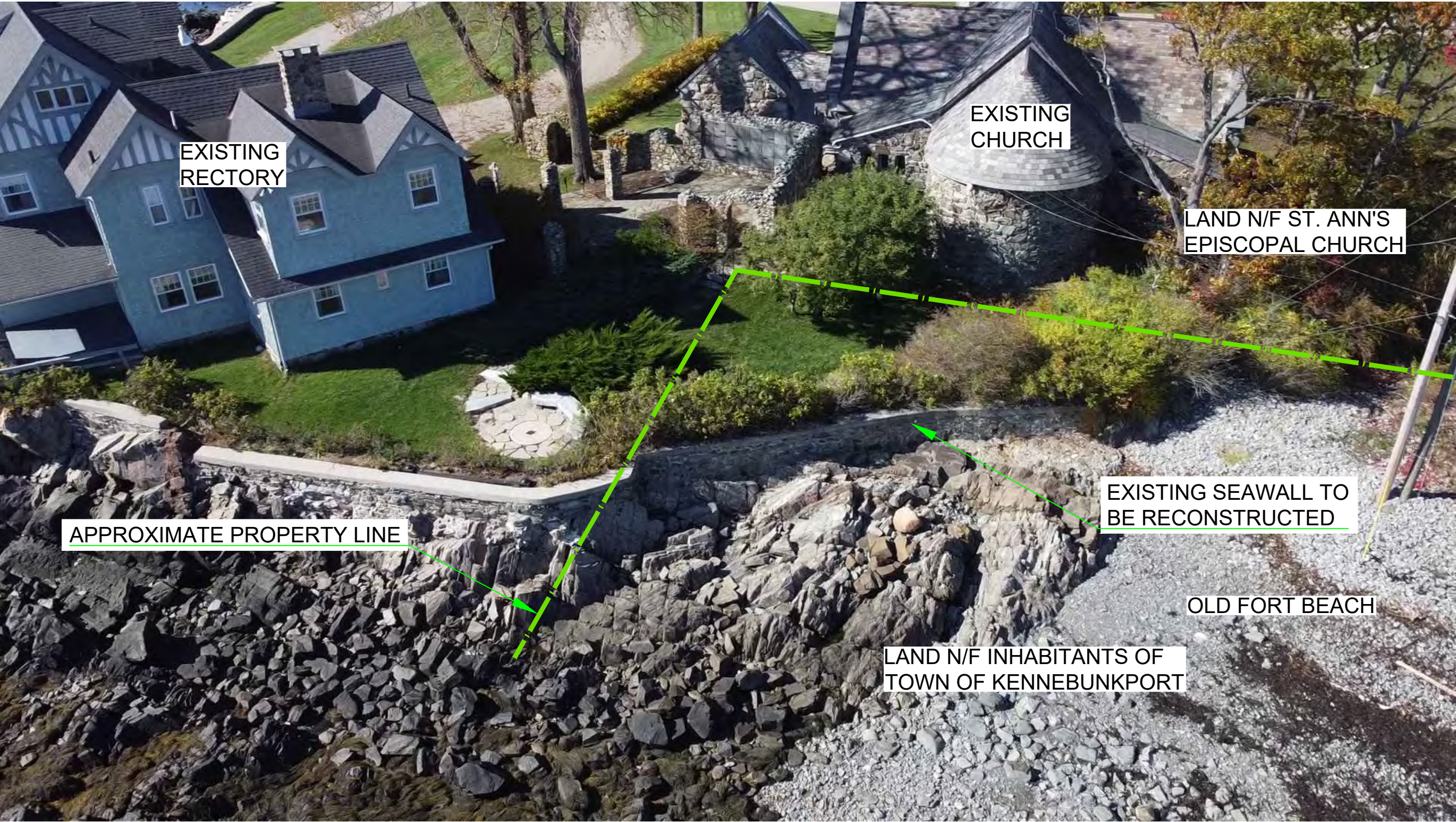
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Sheet Number:		Exhibit B	
Sheet Title:		Sketch of Proposed Easements	
Job No.:	789	Date:	Mar. 17, 2023
Scale:	As Shown	Drawn:	JWG
Checked:			

St. Ann's Seawall	
St. Ann's Episcopal Church 167 Ocean Avenue Kennebunkport, Maine	

WALSH	
ENGINEERING ASSOCIATES, INC.	
One Karen Dr., Suite 2A Westbrook, Maine 04092 ph: 207.553.9898 www.walsh-eng.com	
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P:\789 - St. Ann's Church, Kennebunkport\3_CAD\789 - Base.dwg plot date: 3/17/2023 8:41 AM



Sheet Number:

Exhibit C

Sheet Title:

Seawall
Aerial View

Job No.: 789

Date: Mar. 17, 2023

Scale: As Shown

Drawn: JWG

Checked:

St. Ann's Seawall

St. Ann's Episcopal Church
167 Ocean Avenue
Kennebunkport, Maine

WALSH
ENGINEERING ASSOCIATES, INC.

One Karen Dr., Suite 2A | Westbrook, Maine 04092
ph: 207.553.9898 | www.walsh-eng.com

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