

TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda  
November 21, 2023, @ 9:00 AM  
TOWN HALL  
6 Elm Street**

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**This is an in-person meeting.**

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1. Call to Order.
2. Approve the November 9, 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. Consider the extension liquor license submitted by Kennebunkport Inn LLC, located at 1 Dock Sq.
5. Approve the November 21, 2023, Treasurer's Warrant.
6. Adjournment.

Town of Kennebunkport  
Board of Selectmen Meeting  
November 9, 2023 @ 6:00 PM  
Village Fire Station (32 North Street)

**MINUTES**

**Selectmen attending in person:** Allen Daggett, Sheila Matthews-Bull, Jon Dykstra

**Selectmen attending via Zoom:** Mike Weston.

**1. Call To Order.**

Allan Daggett, Vice Chairman, called the meeting to order at 6:00 PM. He conducted the meeting as he was in person, and Chairman Weston was attending via Zoom. Selectman Gilbert was not present.

**2. NOT ON THE AGENDA ANYMORE: Executive Session per (MRSA 1, §405-6E) for consultation with the Town attorney to discuss the legal rights and duties for pending or contemplated litigation.**

**3. 6:00 PM - Approve the October 26, 2023, selectmen meeting minutes.**

**Motion** by Selectman Dykstra, seconded by Selectman Matthews-Bull, to approve the October 26, 2023, meeting minutes. **Voted:** 3-0-1. (Selectman Matthews-Bull abstained as she was not present for the previous meeting). **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.)**

Tracey O'Roak, Town Clerk, read the results of Tuesday's election.

For the special town meeting:

Question 1 (Comp Plan Updates):	Yes – 1,226	No – 331
Question 2 (Street Opening Ordinance):	Yes – 1,361	No – 229
Question 3 (New Town Hall):	Yes – 758	No – 886
Question 4 (Sale of School Street Property):	Yes – 825	No – 800
Question 5 (Cape Porpoise Pier Funding):	Yes – 1,478	No – 153
Question 6 (Easement-Green Marine):	Yes – 1,385	No – 207
Question 7 (Accept Cape Porpoise Fire Station):	Yes – 1,549	No – 82

For the State election, the results of the town voters were:

Question 1 (Citizen Initiative):	Passed
Question 2 (Citizen Initiative):	Passed
Question 3 (Citizen Initiative):	Did not pass
Question 4 (Citizen Initiative):	Passed
Question 5 (Constitutional Amendment):	Passed
Question 6 (Constitutional Amendment):	Passed
Question 7 (Constitutional Amendment):	Did not pass
Question 8 (Constitutional Amendment):	Did not pass

Tracey also shared some news about the Boston Post Cane, which is given each year to the oldest resident of our Town who is at least ninety years old and has lived in Kennebunkport full-time for at least twenty years. Lillian Bartlett, who is 98 years old and lives on Towne Street, will receive the cane this year. There will be a presentation ceremony during Thanksgiving week.

Tracey also expressed the Town employees' appreciation to Yanina Nickless for all her efforts as Interim Town Manager while Laurie Smith was away.

Allan Daggett told everyone that the Selectmen heard the voice of the voters in not approving the new town hall plan, stating that the board would take community feedback and recommendations to come up with an alternate plan that he hopes will be acceptable to all to put on the June 2024 ballot.

**No motion was necessary. No motion was taken.**

**5. Shellfish License Allocation for 2024.**

Selectman Daggett explained that there will be 2 resident commercial, 25 recreational senior (no cost), 55 recreational resident, 10 non-resident, 3 non-resident senior (no cost), and 1 recreational (no charge) licenses distributed in 2024. This is the same license distribution as in 2023.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Dykstra, to accept the Shellfish Committee's proposal for 2024 shellfish license allocation. **Voted: 4-0. Motion passed.**

**6. Consider an ordinance from the Shade Tree Committee.**

John Ripton informed the group that the Shade Tree Committee, concerned that there is no shade tree ordinance in Kennebunkport, had created a draft for one. He feels that the draft is not yet ready for consideration by the Board, however, and first wants to get input from the Board, the residents of Kennebunkport, and surrounding communities. He asked the Board if they had any questions at this time.

Mike Weston agreed that a tree ordinance is likely necessary and expressed concern about the process of determining a legacy tree on private property. He also would like legal review and refinement of tree easements as he is not sure what they entail and is concerned about infringement on private property rights. Mr. Ripton concurred and said that he wants to get input from communities across the country as to how they set up and apply these easements so that the committee can present a fully-fledged ordinance proposal.

**No motion was necessary. No motion was taken.**

**7. Parks and Recreation Master Plan presentation.**

Stephanie Simpson, Parks and Recreation Department Director, introduced Jessica Kimball, Landscape Architect with Viewshed, who has been working on a Master Plan since October 2022.

Ms. Kimball informed the Board that public engagement was accomplished by posting a public interactive website detailing current facilities, a community survey answered by 430 people, meetings with stakeholders, and a public meeting at the Parks & Recreation building in April 2023. The Plan is intended to provide a 10-year guideline for the improvement and maintenance of four parks owned by the Town. Those parks and their suggested improvements are:

Firefighter's Park – Move the T-ball field to Parson's field, have a central lawn, a marsh-side lawn with plantings, a nature trail, and an expanded playground featuring the current beloved fire truck play structure. Recommendations were made for dealing with the mosquitoes.

Parson's Field – Resolve the current drainage problem, replace the existing chain link fence with a new fence, add an ADA walking path around the perimeter, add shade sails at the playground, and add formalized parking on the far side of the field near the existing softball and proposed T-ball fields.

Rotary Park at Beachwood – Re-stripe existing tennis courts to allow six pickleball courts instead of the current four, or possibly make the court surface larger to allow eight pickleball courts. Add shade structures, expand the playground with more age-inclusive features for younger children, and add a fence as a protective barrier between the play space and Beachwood Avenue.

Silas Perkins Park – The property is deed-restricted to remain a green space without building any structures. There is access to the Kennebunk River via granite steps, so a recommendation is to add parking at the side of the street for vehicles dropping off or picking up kayaks. Also, move the crosswalk to the end at the entrance of the park instead of its current location in front of the pump station.

Implementation of the plan would consist of accepting the plan, staff support, prioritization of improvements, and funding. Jessica provided a grid of the four parks, high, medium, and low implementation priorities for each, and a cost estimate for each.

Chairman Weston commented that parking at Parson's Field would need to be considered if moving the T-ball field there, as there are lots of field sports happening there already.

**No motion was necessary. No motion was taken.**

**8. Pier Causeway project update.**

Eric Labelle, Project Engineer, informed the Board that Sargeant Corporation was awarded the project and is working on block design. The blocks should be delivered in early 2024, and permitting requires that they be in place in the wet areas (below sea level) by April 2024. Preliminary paving will be done in May of 2024, with the final surface layer put down a year later in May 2025. Eric expects that traffic will be allowed throughout the project, but there may be flaggers or signals at times.

**No motion was necessary. No motion was taken.**

**9. Adoption of the budget development schedule from July 2024 through June 2025.**

Yanina Nickless, Interim Town Manager, informed the board that she developed the schedule with Nicole Evangelista, Finance Director, and that the schedule will look the same as in previous years. She noted one change – the meeting that was scheduled for February 29<sup>th</sup> (2024 is a leap year) will be moved to March 7<sup>th</sup>.

**Motion** by Selectman Mathews-Bull, seconded by Selectman Dykstra, to approve the budget development schedule from July 2024 through June 2025. **Voted: 4-0. Motion passed.**

**10. Discussion of the November and December Board of Selectmen meeting dates.**

The Selectmen agreed to hold their next meeting on Tuesday, November 21<sup>st</sup> at 9 am in the Town Manager's office. They will hold the 2<sup>nd</sup> December meeting as scheduled on December 28<sup>th</sup> at 6 pm at the Village Fire Station.

**No motion was necessary. No motion was taken.**

**11. Accept a \$1,600.00 donation from Church on the Cape dedicated towards the emergency fuel fund.**

**Motion** by Selectman Mathews-Bull, seconded by Selectman Dykstra, to accept a \$1,600.00 donation from Church on the Cape dedicated towards the emergency fuel fund. **Voted: 4-0. Motion passed.**

**12. Accept a \$5,000.00 donation from Alisson's Restaurant dedicated towards the general needs account.**

**Motion** by Selectman Mathews-Bull, seconded by Selectman Dykstra, to accept a \$5,000.00 donation from Alisson's Restaurant dedicated towards the general needs account. **Voted: 4-0. Motion passed.**

**13. Other Business.**

Selectman Matthews-Bull informed everyone that the Prelude committee will be putting up decorations in town this upcoming Sunday & Monday.

Selectman Weston said he likes the Microsoft Surface tablet he was given recently and that he used it for this meeting. It's easier to travel with than a big ring binder.

Yanina thanked the board for being so helpful in working with her over the past month when she was Interim Town Manager. She also thanked the voters for taking the time to make their choices known. In addition, she announced that we are holding the first Town Volunteer appreciation event to thank the more than 130 community members who volunteer their time serving on Town boards and committees.

**No motion was necessary. No motion was taken.**

**14. Approve the November 9, 2023, Treasurer's Warrant.**

**Motion** by Selectman Mathews-Bull, seconded by Selectman Dykstra, to approve the November 9, 2023, Treasurer's Warrant. **Voted: 4-0. Motion passed.**

**15. Adjournment.**

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

The meeting adjourned at 7:01 PM.

Submitted by,  
Dave Powell,  
Technology Specialist



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

## Request for Extension of License Privileges for an On-Premises Establishment

### Section I: Licensee Information:

Legal Business Entity Licensee Name (corporation, LLC):	Business Name (D/B/A):
Kennebunkport Inn, LLC	Kennebunkport Inn
Individual or Sole Proprietor Licensee Name(s):	Physical Location:
	One Dock Sq, Kennebunkport ME, 04046
License Number:	Mailing address, if different:
HOF-2020-12394	2 Livewell Dr Ste 203, Kennebunk ME, 04043
Mailing address, if different from DBA address:	Email Address:
2 Livewell Dr Ste 203, Kennebunk ME, 04043	licenses@krcmaine.com
Telephone #                      Fax #:	Business Telephone #                      Fax #:
(207) 967-1519	(207) 967-1519

### Section II: Extension of Privileges Information:

1. Name, Address, and Contact Information of Property Owner (if property is rented or leased, please provide a copy of rental/lease agreement):

Name: Kennebunkport Resort Collection

Complete mailing address: 2 Livewell Dr Ste 203

Kennebunk ME, 04043

Telephone/Mobile Number: (207) 967-1519

Email Address: licenses@krcmaine.com

2. Type of Extension of Privileges: (check only one)

a. Temporary ☒ Inside ☐ Outside ☒  
b. Permanent ☐ Inside ☐ Outside ☐

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3. Start Date: November 30th End Date (if applicable): December 10th
4. Will dancing be permitted in this area? Yes ☒ No ☐  
a. If yes, does the establishment have a dance license? Yes ☒ No ☐  
b. If yes, please provide a copy of the license from the State's Fire Marshall's Office
5. Will there be live entertainment in this area? Yes ☒ No ☐
6. Reason for this request: Christmas Prelude

### Section III: Signature of Licensee

By signing this application, the licensee 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: \_

11/6/2023

  
\_\_\_\_\_  
Signature of Licensee or Duly Authorized Person

Justin Grimes  
\_\_\_\_\_  
Printed Name of Licensee or Duly Authorized Person

Submit completed forms to: Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing and Enforcement

Mailing address: 8 SHS, Augusta, ME 04333-0008  
Courier delivery: 19 Union Street, 3rd floor, Suite 301-B,  
Augusta, ME 04330

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#### **Section IV: Approval by Municipal/County Officers**

**Please note:** The municipal/county officers where your establishment is located must approve all requests for extension of license privileges prior to filing with the Bureau. If your license is issued in an unorganized township, the county commissioners must approve this request, otherwise, it would be your municipal (town or city) officials.

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this extension of privileges for this on-premises licensee on this date: \_\_\_\_\_.

Check only one:    ☐ City            ☐ Town            ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers  
☐ County Commissioners of \_\_\_\_\_ County

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

Signature of Officials	Printed Name and Title

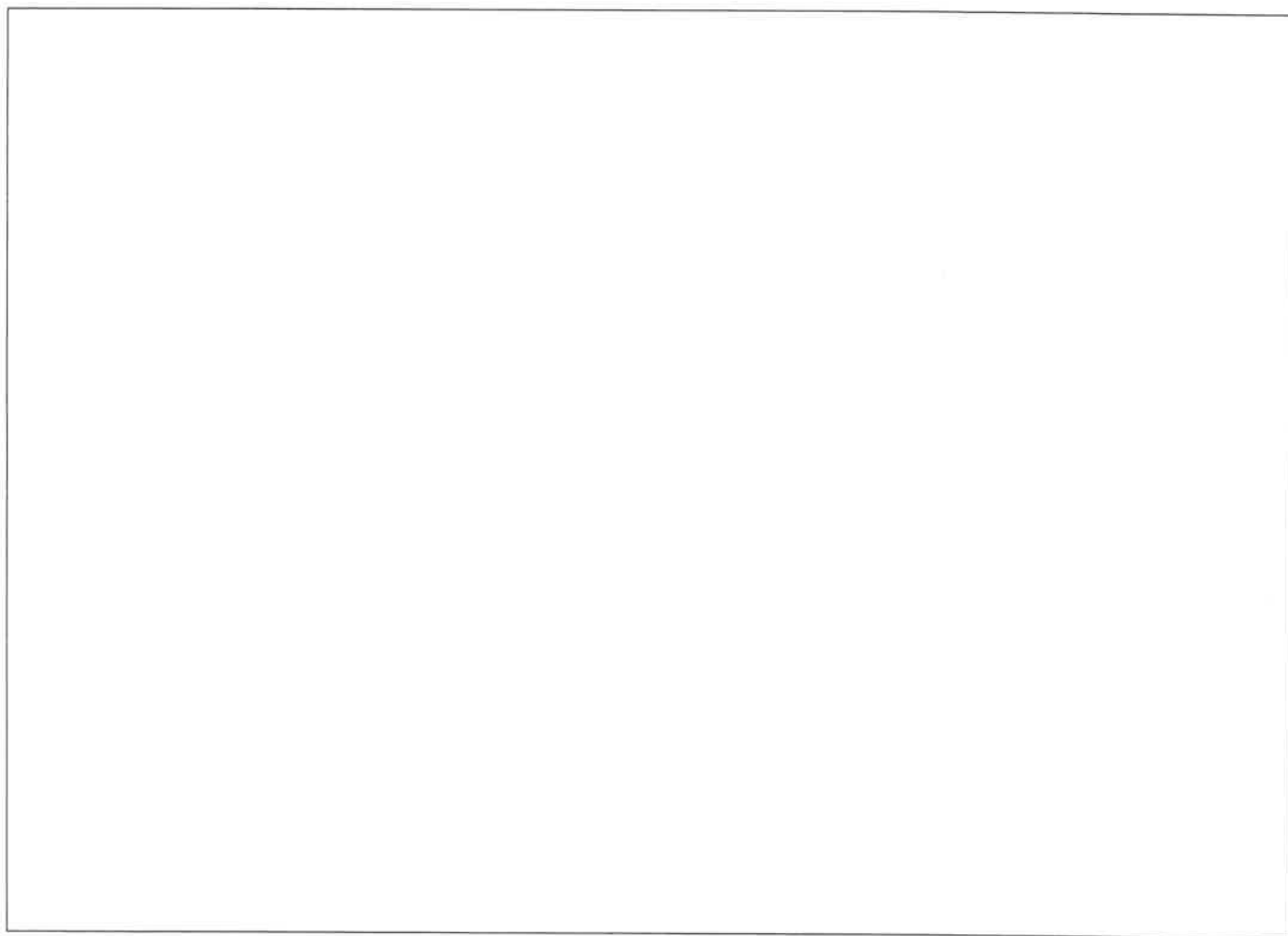
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## Diagram for Extension of Privileges Area

**The following restrictions apply to outdoor extension of privileges:**

- There must be a stanchion or a fence completely enclosing the area.
- Signs must be posted stating "No alcohol beyond this point".
- There must be sufficient employees at the extension area of premises who would be able to control and monitor the area.

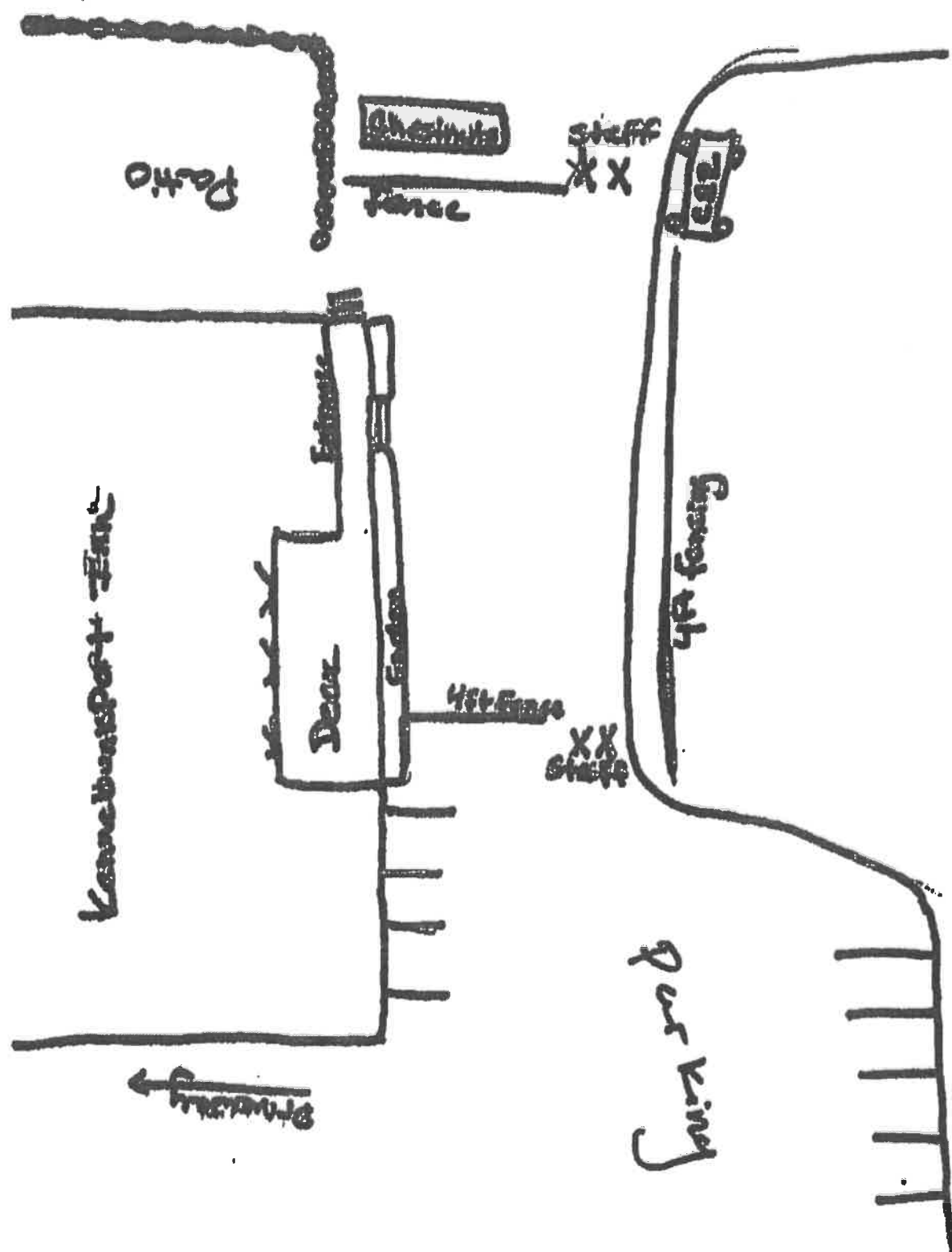
In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary / permanent license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your where consumption will occur including methods of monitoring and containment of the area(s).



**For Office Use Only:**

Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_ Issued By: \_\_\_\_\_

☐ Approved ☐ Not Approved





STATE OF MAINE - DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF STATE FIRE MARSHAL  
52 STATE HOUSE STATION  
AUGUSTA, ME 04333-0052

No. 10912

*In accordance with the provisions of M.R.S.A. Title 8, Sec. 161 license is hereby granted to the person named herein to use the premises named herein for dancing purposes. Any changes to the structure or layout of the building that affects exiting, seating layout, occupant capacities or safety of the occupants shall be submitted to this Office for approval at least 10 days prior to any scheduled change. The owner and/or operator of the facility must submit a request for renewal of this License at least 30 days prior to the expiration of this License.*

**Licensee:** COASTAL BREEZEZ INC  
**Mailing Address:** 2 LIVEWELL DR STE 203  
KENNEBUNK, ME 04043-6763  
**Hall:** KENNEBUNKPORT INN  
**Hall Address:** 1 DOCK SQ, KENNEBUNKPORT, ME 04046-6012  
**Permit Date:** 10/09/2023

**Expiration Date:** 10/08/2024

8,229,789.00

0.00

  
COMMISSIONER OF PUBLIC SAFETY



STATE OF MAINE - DEPARTMENT OF PUBLIC SAFETY  
OFFICE OF STATE FIRE MARSHAL  
52 STATE HOUSE STATION  
AUGUSTA, ME 04333-0052



No. 10912

KENNEBUNKPORT INN

The following limitations have been set for this facility and/or room as specified here:

- Maximum Occupancy: 75
- Maximum capacity with tables and chairs: 75
- Maximum capacity without tables and chairs

Any change of these limitations shall be applied for in writing and a new inspection may be required. This information shall be posted in a prominent location at the main entrance of the facility and/or room that has these limitations. These limitations are calculated by the use of specific formulas and do not reflect limitations set forth by other agencies or authorities having jurisdiction. Other entities may be more restrictive than the limitations set herein. Any violations of these limits may constitute a class E crime under MRSA 25 Subsection 2452.

**Expiration Date:** 10/08/2024



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT  
8 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0008



License for the Sale of Liquor

License Number	Issue Date	Expiration Date
HOF-2020-12394	05/13/2023	05/12/2024

This License is valid only between the Issue Date and the Expiration Date appearing on this document. This License may be used only for the Named Holder at the Location for which the License was issued. The person or business named in this License is authorized to sell or serve liquor with liquor content as permitted by Maine law for the license type designated in this License.

-- All licensees shall make available for inspection their licenses at the premises to which those licenses apply. This License or each type of License issued as part of this License is subject to fine, suspension or revocation pursuant to Title 28-A of Maine law. License fee is non-refundable and the License is non-transferable unless approved by the Bureau.

Legal Name of Licensee: THE KENNEBUNKPORT INN, LLC  
Business Name of Licensee: KENNEBUNKPORT INN, THE  
Address of Licensee: 1 DOCK SQUARE  
KENNEBUNKPORT, ME, 04046

CODE	License Type and Description	FEE
HOF	CLASS I-A - HOTEL - FOOD REQUIREMENT OPTIONAL - MALT LIQUOR, WINE AND SPIRIT	1,100.00
FF	FILING FEE	10.00

Total Fees:

\$ 1,110.00

*Tracy A. Willett*

KENNEBUNKPORT INN, THE  
2 LIVEWELL DRIVE  
SUITE 203  
KENNEBUNK, ME 04043

Tracy A. Willett, Acting Deputy Director  
Bureau of Alcoholic Beverages and Lottery Operations