

TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

Board of Selectmen Agenda Village Fire Station- 32 North Street July 12, 2018 – 5:30 PM

1. Call to Order.
2. Executive session pursuant to MRSA 1, §405-6E to consult with the Town Attorney regarding legal rights and duties.
3. Approve the June 12, and 28, 2018, selectmen meeting minutes.
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.).
5. Consider a renewal liquor license application submitted by Captain Jefferds Inn, LLC., d.b.a. Captain Jefferds Inn, 5 Pearl St.
6. Consider new special amusement permit application submitted by Sandy Pines Campground, Sandy Pines, LLC, 277 Mills Road.
7. Proposed ordinance changes for the November Town Meeting ballot.
 - a. Victualer's Ordinance
 - b. Telecommunications Ordinance
8. Discussion of medical marijuana storefront moratorium.
9. Request to waive tent permit fee for Circus Smirkus.
10. Consider request from the Rotary Club to rename Dock Square to Duck Square for one day on August 11 for the Duck Race and River Fest event.
11. Consider request from the fire department to purchase 8 sets of protective clothing.
12. Appoint Boards/Committees.
13. Appoint Selectmen Representatives to Boards/Committees.
14. Accept the \$2,500 donation from Sandy Pines, LLC for clean water testing.

15. Other business.
 - a. MMA Legislative Policy Committee ballot.
16. Approve the July 12, 2018, Treasurer's Warrant.
17. Executive session pursuant to MRSA 1, §405-6D to discuss union negotiations.
18. Adjournment.



Agenda Item Divider



**Board of Selectmen Meeting
Site Walk – 86 Ocean Avenue
June 12, 2018 – 4 PM**

Minutes of the Selectmen's Meeting of June 12, 2018

Selectmen Attending: Patrick A. Briggs, Allen Daggett, and Sheila Matthews-Bull

Others: Werner Gilliam, Laurie Smith, and Lisa Vickers

1. Call to Order.

Chair Briggs called the meeting to order at 4 PM.

- 2. Site Walk at 86 Ocean Avenue regarding application submitted by Mary Banks Strohm Revocable Trust, for construction of a seasonal, residential dock that will connect to an existing deck and will consist of a 3-foot wide by 20-foot long, seasonal ramp and an 8-foot wide by 10-foot long, seasonal float.**

Lisa Vickers, representative for Atlantic Environmental, reviewed the project.

3. Adjournment.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to adjourn. **Vote:** 3-0.

The meeting adjourned at 4:07 PM.

Submitted by Laurie A. Smith
Town Manager



Agenda Item Divider



**Board of Selectmen Meeting
Village Fire Station – 32 North Street
June 28, 2018 – 6:00 PM**

Minutes of the Selectmen's Meeting of June 28, 2018

Selectmen Attending: Stuart Barwise, Patrick A. Briggs, Allen Daggett, Edward Hutchins, and Sheila Matthews-Bull

Others: David Conway, Frank Gruber, Arlene McMurray, Craig Sanford, Laurie Smith, and Audrey Williamson

1. Call to Order.

Chair Hutchins called the meeting to order at 9:04 AM.

2. Approve the May 22, June 14, and 16, 2018, selectmen meeting minutes.

Motion by Selectman Briggs, seconded by Selectman Daggett, to approve the May 22, 2018, selectmen meeting minutes. **Vote:** 3-0-2/Selectmen Barwise and Hutchins abstained because they did not attend that meeting.

Motion by Selectman Daggett, seconded by Selectman Briggs, to approve the June 14, 2018, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Matthews-Bull abstained because she did not attend that meeting.

Motion by Selectman Daggett, seconded by Selectman Briggs, to approve the June 16, 2018, selectmen meeting minutes. **Vote:** 5-0.

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.).

Town Manager Laurie Smith recognized David Conway who is retiring. He served the Town for many years as shellfish warden and animal control officer. Police Chief Craig Sanford presented him with a certificate of appreciation. Also, a cake was made in his honor.

David Conway thanked everyone and mentioned that unlike what he's heard about other towns, everyone was cooperative in the Port which made his job easier.

Frank Gruber, a new resident in town from Illinois, introduced himself and said he just wanted to get to know everyone and perhaps volunteer on a committee.

The Board welcomed Mr. Gruber to town and told him where to find town information on the website and directed him to the appropriate staff.

4. Sign the Certificates of Commitment for sewer supplemental bills for 164 Kings Highway Realty Trust for a total amount of \$1,331.00.

- a. January 1, 2016 to December 31, 2016 - \$431.00
- b. January 1, 2017 to December 31, 2017 - \$444.00
- c. January 1, 2018 to December 31, 2018 - \$456.00

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the Certificates of Commitment for sewer supplemental bills for 164 Kings Highway Realty Trust for a total amount of \$1,331.00. **Vote:** 5-0.

5. Other business.

Selectman Daggett asked for an update on Government Wharf, and Town Manager Laurie Smith responded that they have electrical inspection issues. They are waiting for a cost estimate. She said the doors are in, and the cooling system is getting finished. The hoist was taken down during demolition. They are having a punch list meeting with the state in July.

Selectman Briggs, tree warden, announced they are in the process of injecting the elm trees for disease prevention. He said they will have to remove Strickland's tree and kill the beetles, and they are performing a new survey of trees.

Chief Sanford said he scheduled internal interviews for the School Resource Officer's position the second week in July. He added he may bring back an officer he had before.

Ms. Smith announced that the Town hired Paul Jessel for the treatment plant operator position and Chris Simeoni for the deputy director of public works. Paul will start work July 2 and Chris starts on July 23.

Chair Hutchins thanked the Selectmen for instilling their trust in him by appointing him chair, and he hopes he will live up to their expectations.

6. Approve the June 28, 2018, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the June 28, 2018, Treasurer's Warrant. **Vote:** 5-0.

7. Adjournment.

Motion by Selectman Barwise, seconded by Selectman Briggs, to adjourn. **Vote:** 5-0.

The meeting adjourned at 9:25 AM.

Submitted by Arlene McMurray, Administrative Assistant



Agenda Item Divider





This application has been reviewed and approved by the following Municipal Officials,
whose signatures are on file with the Town Clerk:

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Tracy O'Rourke Town Clerk

7/12
Captain Jeffers
Inn

3

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

| DIVISION USE ONLY | |
|-------------------|-----|
| License No: | |
| Class: | By: |
| Deposit Date: | |
| Amt. Deposited: | |
| Cash Ck Mo: | |

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 08/02/17

INDICATE TYPE OF PRIVILEGE: ☐ MALT ☐ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|---|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> 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 checked="" type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

| | | | | | |
|---|--|--|---|--|--|
| Corporation Name: <u>Captain Jeffords Inn LLC</u> | | | Business Name (D/B/A) <u>Captain Jeffords Inn</u> | | |
| APPLICANT(S) - (Sole Proprietor) <u>Sarah M Lindblom</u> | | | DOB: <u>4/7/48</u> | | |
| Address <u>7 Fisher's Lane</u> | | | Physical Location <u>5 Pearl St.</u> | | |
| City/Town <u>Kennebunkport, ME</u> | | | State <u>ME</u> | | |
| Zip Code <u>04046</u> | | | City/Town <u>Kennebunkport, ME</u> | | |
| Telephone Number <u>207 204-0118</u> | | | Fax Number <u>207 967-2311</u> | | |
| Federal I.D. # <u>20-2464815</u> | | | Seller Certificate #: or Sales Tax #: <u>1082845</u> | | |
| Email Address: Please Print <u>Sarah@captainjeffordsin.com</u> | | | Website: <u>www.captainjeffordsin.com</u> | | |

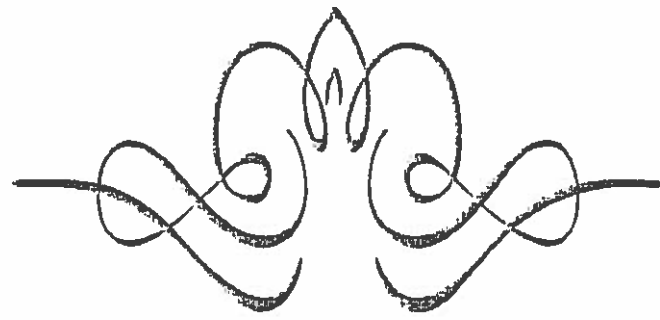
If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: 16
- State amount of gross income from period of last license: ROOMS \$ 900.00 FOOD \$ 1,500 LIQUOR \$ 5,500
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

(Use an additional sheet(s) if necessary.)

| License # | Name of Business | Physical Location | City / Town |
|-----------|------------------|-------------------|-------------|
| | | | |



Agenda Item Divider



6

This application has been reviewed and approved by the following Municipal Officials,
whose signatures are on file with the Town Clerk:

✓

Police Chief

✓

Fire Inspector

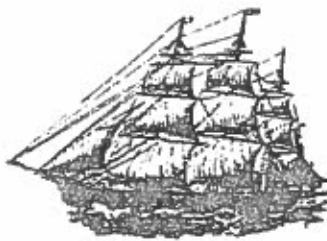
✓

Code Enforcement Officer

Tracy O'Roak

Town Clerk

Sandy Pines Campground
7/12/18



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Sandy Pines LLC

Name of Applicant

Sandy Pines Campground

Residence Address

227 Mills Rd.

Home Telephone Number

207-967-2483 campground

Name of Business

Sandy Pines Campground

Business Address

2 Livewell Dr. Suite 201

Type of Business

Campground

Business Telephone Number

207-251-6098 Deb Lennan

Nature of Special Amusement

Light music by pool

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)

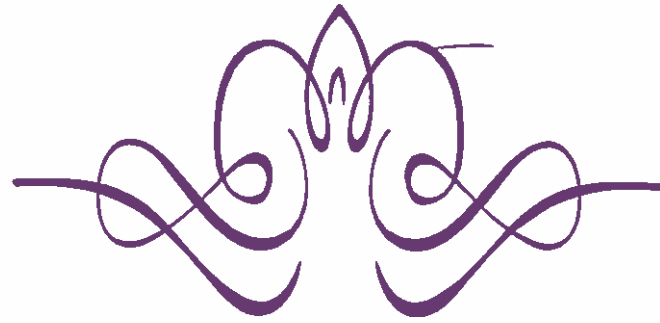
1. Permit Fee: \$ 50.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Signature of Applicant

Printed name:

Deb Lennan

Debra Lennan



Agenda Item Divider



9.

TOWN OF KENNEBUNKPORT VICTUALER'S LICENSING ORDINANCE

Section 1 Word Usage and Definitions

A. Unless otherwise defined herein or in the text, all words used in this Ordinance shall have their common meanings.

B. As used in this Ordinance, the following terms shall have the meanings indicated:

PERSON – Any individual, person, firm, corporation, association, partnership or organization.

VICTUALER – Any person who serves food or drink prepared for consumption on the premises by the public.

TOWN – The term Town shall mean the Town of Kennebunkport.

Section 2 Licensing Board and Meetings

A. **Licensing Board** – The Licensing Board shall be the Town of Kennebunkport Board of Selectmen.

B. **Meetings** – The Licensing Board shall meet as provided in this subsection:

- (1) It shall meet annually during the month of May on a date, time and place determined by in the Town ~~that it determines~~.
- (2) At least seven (7) days before the meeting, it must post notices stating the purpose of the meeting in at least two (2) public places in the Town.
- (3) The Licensing Board may meet at any other time at a meeting specially called and with public notice as provided in paragraph B. ~~(1)~~ (2) above.

Section 3 License Issuance, Suspension and Revocation

A. **Issuance, Suspension and Revocation of Licenses** - At any meeting held under subsection B above, the Licensing Board may do the following:

- (1) **License** - The Licensing Board may license as many persons of good moral character to be innkeepers, victualers and tavern keepers in the Town as it considers necessary.

- a) The License must specify the building in which the business will be conducted.
- b) The Licensing Board may issue the license under any restrictions and regulations that it deems necessary.
- c) The premises must be inspected by the Code Enforcement Officer and Fire Inspector for compliance with local ordinances and state statutes, prior to the issuance of the license. Such inspections shall be noticed to the Licensing Board.

(2) **Renewal** – Renewal applications along with applicable fees will be due to the Town Clerk on or before April 30th of each year.

(2)(3) **Suspension** – A victualer's license may be suspended by the Licensing Board after notice and hearing. The Licensing Board shall serve written notice of the hearing on suspension on the licensee or leave it at the licensed premises at least three (3) days before the time set for hearing. At the hearing, the licensee must be given an opportunity to hear the evidence in support of the charge against the licensee, to be heard in the licensee's own defense and to cross-examine, alone or through counsel, the witnesses. If the Licensing Board is satisfied that the licensee has violated any codes, ordinances or restrictions imposed by the Licensing Board, the Licensing Board may suspend a license for any period of time that it considers proper.

(3)(4) **Revocation** - The Licensing Board, after serving written notice of the hearing on revocation on the licensee or leaving it at the licensed premises at least three (3) days before the time set for hearing. At the hearing, the licensee must be given an opportunity to hear the evidence in support of the charge against the licensee, to be heard in the licensee's own defense and to cross-examine, alone or through counsel, the witness The Licensing Board may revoke a license upon conducting a hearing at any regularly scheduled meeting of the Licensing Board as conducted in accordance with Section 2 B. (3) referenced above.

(5) **Any violation, including but not limited to failure to submit the annual renewal application by the deadline provided shall be punishable by a fine of not less than \$100 for the first offense and not less than \$200 for the second and subsequent violation, which shall be recovered for the use of the Town of Kennebunkport. Each day that such unlawful act or violation continues shall be considered a separate offense. In addition, the Town may seek recovery of costs and any other legal and equitable remedies as may be available to the Town.**

Section 4 Term of License

The term of a victualer's license shall run from May ~~June 1~~ to May ~~31~~ of the following year.

Section 5 Fees

The Licensing Board shall set fees by order for the following categories of victualer's licenses:

- A. Victualer without on-site consumption of liquor.
- B. Victualer with on-site consumption of liquor
- C. Nonprofit Organization
- D. Failure to obtain a license, either renewal or a new license may subject the licensee to additional late filing fees referenced in Section 3 A. (5) above and publication of notice expense as may be determined by the Licensing Board.

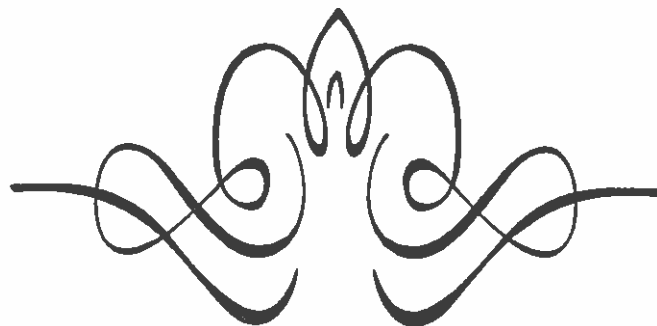
Section 6 Appeals

An appeal from any final decision of the Licensing Board shall be taken by any aggrieved party to the Superior Court within thirty (30) days from the date of the decision in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

Adopted March 24, 1998. Amended March 21, 2000.



Agenda Item Divider





Wireless Telecommunications Ordinance PROPOSED AMENDMENT

Contents

- Section 1: Title
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- Section 3: Purpose
- Section 4: Applicability
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- Section 5: Review and Approval Authority
 - 5.1: Approval Required
 - 5.2: Approval Authority
- Section 6: Approval Process
 - 6.1: Pre-Application Conference
 - 6.2: Application
 - 6.3: Submission Waiver
 - 6.4: Fees
 - 6.5: Notice of Complete Application
 - 6.6: Public Hearing
 - 6.7: Approval
 - 6.8: Building Permit Required
- Section 7: Standards of Review
 - 7.1: CEO Approval Standards
 - 7.2: Planning Board Approval Standards
 - 7.3: Standard Conditions of Approval
- Section 8: Amendment to an Approved Application
- Section 9: Abandonment
- Section 10: Appeals
- Section 11: Administration and Enforcement
- Section 12: Penalties
- Section 13: Conflict and Severability
 - 13.1: Conflicts with other Ordinances
 - 13.2: Severability
- Section 14: Definitions
- Section 15: Effective Date

Section 1. Title

This Ordinance shall be known and cited as the "Wireless Telecommunications Facilities Siting Ordinance" of Kennebunkport, Maine (hereinafter referred to as the "ordinance").

Section 2. Authority

This ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution; the provisions of Title 30-A M.R.S.A., Section 3001 (Home Rule), and the provisions of the Planning and Land Use Regulation Act, Title 30-A M.R.S.A., Section 4312 et seq.

Section 3. Purpose

The purpose of this ordinance is to provide a process and a set of standards for the construction of wireless telecommunications facilities in order to:

- Implement a municipal policy concerning the provision of wireless telecommunications services, and the siting of their facilities;
- Establish clear guidelines, standards and time frames for the exercise of municipal authority to regulate wireless telecommunications facilities;
- Allow competition in telecommunications service;
- Encourage the provision of advanced telecommunications services to the largest number of businesses, institutions and residents of Kennebunkport;
- Permit and manage reasonable access to the public rights of way of Kennebunkport for telecommunications purposes on a competitively neutral basis;
- Ensure that all telecommunications carriers providing facilities or services within Kennebunkport comply with the ordinances of Kennebunkport;
- Ensure that Kennebunkport can continue to fairly and responsibly protect the public health, safety and welfare;
- Encourage the colocation of wireless telecommunications facilities and alternative technologies, thus helping to minimize adverse visual impacts on the community;
- Enable Kennebunkport to discharge its public trust consistent with rapidly evolving federal and state regulatory policies, industry competition and technological development;
- Further the goals and policies of the comprehensive plan, while promoting orderly development of the town with minimal impacts on existing uses; and
- Protect the scenic and visual character of the community.

Section 4. Applicability

This local land use ordinance applies to all construction and expansion of wireless telecommunications facilities, except as provided in section 4.1.

4.1 Exemptions: The following are exempt from the provisions of this ordinance:

- A. ***Emergency Wireless Telecommunications Facility.*** Wireless communication facilities for emergency communications by public officials or any municipal or quasi-municipal organization currently served by the Town of Kennebunkports Communications Department including, without limitation, the KK&W Water District and colocation by any person or firm, public or private, on

any tower owned or operated by the KK&W Water District provided colocation by any private person or firm shall be subject to site plan approval by the Planning Board in addition to other applicable provisions of this ordinance.

- B. **Amateur (ham) radio stations.** Amateur (ham) radio stations licensed by the Federal Communications Commission (FCC).
- C. **Parabolic antenna.** Parabolic Antennas less than seven (7) feet in diameter, that are an accessory use of the property.
- D. **Maintenance or repair.** Maintenance, repair or reconstruction of a wireless telecommunications facility and related equipment, provided that there is no change in the height or any other dimension of the facility.
- E. **Temporary wireless telecommunications facility.** Temporary wireless telecommunications facility, in operation for a maximum period of one hundred eighty (180) days.
- F. **Antennas as Accessory Uses.** An antenna that is an accessory use to a residential dwelling unit.

Section 5. Review and Approval Authority

5.1 Approval Required: No person shall construct or expand a wireless telecommunication facility without approval of the Code Enforcement Officer (CEO) or the Planning Board as follows:

- A. **Expansion of an Existing Facility and Colocation.** Approval by the CEO and issuance of a building permit is required for (1) any expansion of an existing wireless telecommunications facility that increases the height of the facility by no more than 20 feet; (2) accessory use of an existing wireless telecommunications facility; (3) collocation on an existing wireless telecommunications facility or alternative tower structure; or (4) installation of small cell facilities on utility poles.
- B. **New Construction.** Approval of the Planning Board and issuance of a building permit is required for construction of a new wireless telecommunications facility; and any expansion of an existing wireless telecommunications facility that increases the height of the facility by more than 20 feet.

Deleted: or

5.2 Approval Authority

In accordance with Section 5.1 above, the CEO or Planning Board shall review applications for wireless telecommunications facilities, and make written findings on whether the proposed facility complies with this Ordinance.

Section 6. Approval Process

6.1 Pre-Application Conference: All persons seeking approval of the CEO or the Planning Board under this ordinance shall meet with the CEO no less than thirty (30) days before filing an application. At this meeting, the CEO shall explain to the applicant

the ordinance provisions, as well as application forms and submissions that will be required under this ordinance.

6.2 Application: All persons seeking approval of the CEO or the Planning Board under this ordinance shall submit an application as provided below. The CEO shall be responsible for ensuring that notice of the application has been published in a newspaper of general circulation in the community.

A. Application for CEO Approval. Applications for permit approval by the CEO must include the following materials and information:

1. Documentation of the applicants right, title, or interest in the property where the facility is to be sited, including name and address of the property owner and the applicant.
2. A copy of the FCC license for the facility or a signed statement from the owner or operator of the facility attesting that the facility complies with current FCC regulations.
3. Identification of districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).
4. Location map and elevation drawings of the proposed facility and any other proposed structures, showing color, and identifying structural materials.
5. For a proposed small cell facility: (a) name and address of the owner(s) of the utility pole; (b) utility pole number; (c) address of nearest property; and (d) structural analysis, signed by a professional engineer, attesting to the integrity of the utility pole to support the small cell facility.
6. For proposed expansion of a facility, a signed statement that commits the owner of the facility, and his or her successors in interest, to:
 1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 2. negotiate in good faith for shared use by third parties;
 3. allow shared use if an applicant agrees in writing to pay reasonable charges for colocation;
 4. require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction and maintenance, financing, return on equity, depreciation, and all of the costs of adopting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

B. *Application for Planning Board Approval.* An application for approval by the Planning Board must be submitted to the Code Enforcement Officer. The application must include the following information:

1. Documentation of the applicants right, title, or interest in the property on which the facility is to be sited, including name and address of the property owner and the applicant.
2. A copy of the FCC license for the facility, or a signed statement from the owner or operator of the facility attesting that the facility complies with current FCC regulations.
3. A USGS 7.5 minute topographic map showing the location of all structures and wireless telecommunications facilities above 150 feet in height above ground level, except antennas located on roof tops, within a five (5) mile radius of the proposed facility, unless this information has been previously made available to the Town. This requirement may be met by submitting current information (within thirty days of the date the application is filed) from the FCC Tower Registration Database.
4. A site plan:
 1. prepared and certified by a professional engineer registered in Maine indicating the location, type, and height of the proposed facility, antenna capacity, on-site and abutting off-site land uses, means of access, setbacks from property lines, and all applicable American National Standards Institute (ANSI) technical and structural codes;
 2. certification by the applicant that the proposed facility complies with all FCC standards for radio frequency emissions is required; and
 3. a boundary survey for the project performed by a land surveyor licensed by the State of Maine.
5. A scenic assessment, consisting of the following:
 1. Elevation drawings of the proposed facility, and any other proposed structures, showing height above ground level;
 2. A landscaping plan indicating the proposed placement of the facility on the site; location of existing structures, trees, and other significant site features; the type and location of plants proposed to screen the facility; the method of fencing, the color of the structure, and the proposed lighting method.
 3. Photo simulations of the proposed facility taken from perspectives determined by the Planning Board, or their designee, during the pre-application conference. Each photo must be labeled with the line of sight, elevation, and with the date taken imprinted on the photograph. The photos must show the color of the facility and method of screening.
4. A narrative discussing:
 - i. the extent to which the proposed facility would be visible from or within a designated scenic resource,

- ii. the tree line elevation of vegetation within 100 feet of the facility, and
 - iii. the distance to the proposed facility from the designated scenic resources noted viewpoints.
- 6. A written description of how the proposed facility fits into the applicants telecommunications network. This submission requirement does not require disclosure of confidential business information.
- 7. Evidence demonstrating that no existing building, site, or structure can accommodate the applicants proposed facility, the evidence for which may consist of any one or more of the following:
 - 1. Evidence that no existing facilities are located within the targeted market coverage area as required to meet the applicants engineering requirements,
 - 2. Evidence that existing facilities do not have sufficient height or cannot be increased in height at a reasonable cost to meet the applicants engineering requirements,
 - 3. Evidence that existing facilities do not have sufficient structural strength to support applicants proposed antenna and related equipment. Specifically:
 - i. Planned, necessary equipment would exceed the structural capacity of the existing facility, considering the existing and planned use of those facilities, and these existing facilities cannot be reinforced to accommodate the new equipment.
 - ii. The applicants proposed antenna or equipment would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna or equipment on the existing facility would cause interference with the applicants proposed antenna.
 - iii. Existing or approved facilities do not have space on which planned equipment can be placed so it can function effectively.
 - 4. For facilities existing prior to the effective date of this ordinance, the fees, costs, or contractual provisions required by the owner in order to share or adapt an existing facility are unreasonable. Costs exceeding the pro rata share of a new facility development are presumed to be unreasonable. This evidence shall also be satisfactory for a tower built after the passage of this ordinance;
 - 5. Evidence that the applicant has made diligent good faith efforts to negotiate colocation on an existing facility, building, or structure, and has been denied access.
- 8. Identification of districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).

9. A signed statement stating that the owner of the wireless telecommunications facility and his or her successors and assigns agree to :
 1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 2. negotiate in good faith for shared use of the wireless telecommunications facility by third parties;
 3. allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for colocation;
 4. require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include but is not limited to a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the useful life span of the facility.
10. A form of surety approved by the Planning Board to pay for the costs of removing the facility if it is abandoned.
11. Evidence that a notice of the application has been published in a local newspaper of general circulation in the community.

6.3 Submission Waiver: The CEO or Planning Board, as appropriate, may waive any of the submission requirements based upon a written request of the applicant submitted at the time of application. A waiver of any submission requirement may be granted only if the CEO or Planning Board finds in writing that due to special circumstances of the application, the information is not required to determine compliance with the standards of this Ordinance.

6.4 Fees:

- A. **CEO Application Fee.** An application for CEO approval shall include payment of an application fee of \$250. The application shall not be considered complete until this fee is paid. The applicant is entitled to a refund of the application fee if the application is withdrawn within fifteen (15) days of date of filing, less all expenses incurred by the Town to review the application.
- B. **Planning Board Application Fee.** An application for Planning Board approval shall include payment of an application fee of \$500. The application shall not be considered complete until this fee is paid. An applicant is entitled to a refund of the application portion of fee if the application is withdrawn within

fifteen (15) days of date of filing, less all expenses incurred by the Town to review the application.

- C. **Planning Board Review Fee.** An applicant for approval by the Planning Board shall pay all reasonable and customary fees incurred by the Town that are necessary to review the application, including, without limitation, independent engineering, planning, legal or similar professional consulting services. Such review fee shall be assessed for the privilege of review and shall be payable without regard to consultation results or the outcome of the application. The review fee shall be paid in full prior to the start of construction. No building permit may be issued until all review fees have been paid in full.

That portion of the review fee not used shall be returned to the applicant within fourteen (14) days of the Planning Boards decision.

6.5 Notice of Complete Application: Upon receipt of an application, the CEO shall provide the applicant with a dated receipt. Within five (5) working days of receipt of an application the CEO shall review the application and determine if the application meets the submission requirements. The CEO or Planning Board, as appropriate, shall review any requests for a waiver from the submission requirements and shall act on these requests prior to determining the completeness of the application.

If the application is complete, the CEO shall notify the applicant in writing of this determination and require the applicant to provide a sufficient number of copies of the application to the Planning Board, Code Enforcement Office, Police Department and Fire Department.

If the application is incomplete, the CEO shall notify the applicant in writing, specifying the additional materials or information required to complete the application.

If the application is deemed to be complete, and requires Planning Board review, the CEO shall notify all abutters to the site as shown on the Assessors records, by first-class mail, that an application has been accepted. This notice shall contain a brief description of the proposed activity and the name of the applicant, give the location of a copy of the application available for inspection, and provide the date, time, and place of the Planning Board meeting at which the application will be considered. Failure on the part of any abutter to receive such notice shall not be grounds for delay of any consideration of the application nor denial of the project.

6.6 Public Hearing: For applications for Planning Board approval under Section 5.1(B), a public hearing shall be held within 30 days of the notice of the complete application.

6.7 Approval:

- A. **CEO Approval.** Within thirty (30) days of receiving a complete application for approval under section 5.1(A), the CEO shall approve, approve with conditions, or deny the application in writing, together with the findings on

which that decision is based. With the exception of applications for installation of a small cell facility, the CEO shall approve the application if the CEO finds that the application complies with the provisions in Section 7.1 of this ordinance.

Deleted: T

For a small cell facility, the CEO shall approve the application if the CEO finds the following:

- (a) the small cell facility does not interfere with the safety and convenience of ordinary travel over the public right of way;
- (b) The small cell facility does not exceed 60 feet in height above the ground;
- (c) The appearance of the small cell facility is reasonably similar to existing equipment on the utility pole or nearby utility poles, including in color and scale;
- (d) The dimensions of the antenna do not exceed four (4) feet in height or three (3) feet in width;
- (e) No part of the small cell facility projects from the utility pole further than four (4) feet.

The CEO shall notify all abutters of the decision to issue a permit under this section. The time period may be extended upon agreement between the applicant and the CEO.

- B. **Planning Board Approval.** Within ninety (90) days of receiving a complete application for approval under section 5.1(B), the Planning Board shall approve, approve with conditions, or deny the application in writing, together with the findings on which that decision is based. However, if the Planning Board has a waiting list of applications that would prevent the Planning Board from making a decision within the required ninety (90) day time period, then a decision on the application shall be issued within sixty (60) days of the public hearing, if necessary, or within 60 days of the completed Planning Board review. This time period may be extended upon agreement between the applicant and the Planning Board.

6.8 Building Permit Required: No wireless telecommunications facility shall be constructed or expanded without a building permit therefore issued by the CEO.

6.9 Zoning: Notwithstanding any provision in any municipal ordinance to the contrary, small cell facilities and wireless telecommunications facilities or antennas installed on alternative tower structures shall be a permitted use in all zoning districts.

Section 7. Standards of Review

To obtain approval from the CEO or the Planning Board, an application must comply with the standards in this section.

7.1 CEO Approval Standards: An application for approval by the CEO under Section 5.1(A) must meet the following standards.

- A. The proposed facility is an expansion, accessory use, or colocation to a structure existing at the time the application is submitted.
- B. The applicant has sufficient right, title, or interest to locate the proposed facility on the existing structure.
- C. The proposed facility increases the height of the existing structure by no more than twenty (20) feet.
- D. The proposed facility will be constructed with materials and colors that match or blend with the surrounding natural or built environment, to the maximum extent practicable.
- E. The proposed facility, to the greatest degree practicable, shall have no unreasonable adverse impact upon districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed, or eligible for listing, in the National Register of Historic Places (see 16 U.S.C. 470w(5); 36 CFR 60 and 800).

7.2 Planning Board Approval Standards: An application for approval by the Planning Board under Section 5.1(B) must meet the following standards.

- A. **Location.** New wireless telecommunications facilities installed on new towers may be permitted only in the following district as designated in the Kennebunkport Zoning Ordinance: Free Enterprise Zone.
- B. **Siting on Municipal Property.** If an applicant proposes to locate a new wireless telecommunications facility, or expand an existing facility on Town property, the applicant must show the following:
 - 1. The proposed location complies with applicable municipal policies and ordinances.
 - 2. The proposed facility will not interfere with the intended purpose of the property.
 - 3. The applicant has adequate liability insurance and a lease agreement with the Town that includes reasonable compensation for the use of the property and other provisions to safeguard the public rights and interests in the property.
- C. **Design for Colocation.** A new wireless telecommunications facility and related equipment must be designated and constructed to accommodate expansion for future colocation of at least three additional wireless telecommunications facilities or providers. However, the Planning Board may waive or modify this standard where the district height limitation effectively prevents future colocation.
- D. **Height.** A new wireless telecommunications facility must be no more than 200 feet in height.
- E. **Setbacks.** A new or expanded wireless telecommunications facility must comply with the set back requirements for the zoning district in which it is located, or be set back one hundred five percent (105%) of its height from all

property lines, whichever is greater. The setback may be satisfied by including the areas outside the property boundaries if secured by an easement. The following exemptions apply:

1. The setback may be reduced by the Planning Board upon a showing by the applicant that the facility is designed to collapse in a manner that will not harm other property.
 2. An antenna is exempt from the setback requirement if it extends no more than five (5) feet horizontally from the edge of the structure to which it is attached, and it does not encroach upon an abutting property.
 3. This setback does not apply to wireless telecommunication facilities or antennas installed on alternative lower structures.
- F. **Landscaping.** A new wireless telecommunications facility and related equipment must be screened with plants from view by abutting properties, to the maximum extent practicable. Existing plants and natural land forms on the site shall also be preserved to the maximum extent practicable.
- G. **Fencing.** A new wireless telecommunications facility must be fenced to discourage trespass on the facility and to discourage climbing on any structure by trespassers.
- H. **Lighting.** A new wireless telecommunications facility must be illuminated only as necessary to comply with FAA or other applicable state and federal requirements. However, security lighting may be used as long as it is shielded to be down-directional to retain light within the boundaries of the site, to the maximum extent practicable.
- I. **Color and Materials.** A new wireless telecommunications facility must be constructed with materials and colors that match or blend with the surrounding natural or built environment, to the maximum extent practicable. Unless otherwise required, muted colors, earth tones, and subdued hues shall be used.
- J. **Structural Standards.** A new wireless telecommunications facility must comply with the current Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
- K. **Visual Impact.** The proposed wireless telecommunications facility will have no unreasonable adverse impact upon designated scenic resources within the Town, as identified either in the Towns Comprehensive Plan, or by a State or federal agency.
1. In determining the potential unreasonable adverse impact of the proposed facility upon the designated scenic resources, the Planning Board shall consider the following factors:
 1. The extent to which the proposed wireless telecommunications facility is visible above tree line, from the viewpoint(s) of the impacted designated scenic resource;

Deleted: d

2. The type, number, height, and proximity of existing structures and features, and background features within the same line of sight as the proposed facility;
3. The extent to which the proposed wireless telecommunications facility would be visible from the viewpoint(s);
4. The amount of vegetative screening;
5. The distance of the proposed facility from the viewpoint and the facility's location within the designated scenic resource; and
6. The presence of reasonable alternatives that allow the facility to function consistently with its purpose.

Deleted: facility's

L. **Noise.** During construction, repair, or replacement, operation of a back-up power generator at any time during a power failure, and testing of a back-up generator between 8 a.m. and 9 p.m. is exempt from existing municipal noise standards.

M. **Historic & Archaeological Properties.** The proposed facility, to the greatest degree practicable, will have no unreasonable adverse impact upon a historic district, site or structure which is currently listed on or eligible for listing on the National Register of Historic Places.

7.3 Standard Conditions of Approval: The following standard conditions of approval shall be a part of any approval or conditional approval issued by the CEO or Planning Board. Where necessary to ensure that an approved project meets the criteria of this ordinance, the Planning Board can impose additional conditions of approval. Reference to the conditions of approval shall be clearly noted on the final approved site plan, and shall include:

1. The owner of the wireless telecommunications facility and his or her successors and assigns agree to:
 1. respond in a timely, comprehensive manner to a request for information from a potential colocation applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 2. negotiate in good faith for shared use of the wireless telecommunications facility by third parties;
 3. allow shared use of the wireless telecommunications facility if an applicant agrees in writing to pay reasonable charges for colocation;
 4. require no more than a reasonable charge for shared use of the wireless telecommunications facility, based on community rates and generally accepted accounting principles. This charge may include, but is not limited to, a pro rata share of the cost of site selection, planning project administration, land costs, site design, construction and maintenance, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the life span of the useful life of the wireless telecommunications facility.

2. Upon request by the Town, the applicant shall certify compliance with all applicable FCC radio frequency emissions regulations.

Section 8. Amendment to an Approved Application

Any changes to an approved application must be approved by the CEO or the Planning Board, in accordance with Section 5.

Section 9. Abandonment

A wireless telecommunications facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned. The CEO shall notify the owner of an abandoned facility in writing and order the removal of the facility within ninety (90) days of receipt of the written notice. The owner of the facility shall have thirty (30) days from the receipt of the notice to demonstrate to the CEO that the facility has not been abandoned.

ADDITIONAL AMENDMENTS TO LAND USE ORDINANCE

Amend Article 2, Section 2.2 as follows:

Alternative Tower Structure: Clock towers, bell steeples, light poles, water towers, electrical transmission line towers, smokestacks, existing buildings, and similar mounting structures that camouflage, conceal or support the presence of an Antenna(s).

Antenna/Antenna Array: A system of one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals. These include, but are not limited to, omnidirectional antennas (whips or rods), directional antennas (panels) and parabolic antennas (dish or disc).

Small Cell Facility: An antenna, radio, power source and meter, disconnect switch, fiber optic cable, and supporting equipment, if any, installed on a utility pole owned by a regulated public utility and installed within the public right of way.

Wireless Telecommunications Facility: A facility that transmits, receives, distributes, provides or offers telecommunications services, radio or television signals, or any other spectrum-based transmissions/receptions, together, with the facility's associated antennas, microwave dishes, horns, cables, wires, conduits, ducts, lightning rods, electronics and other types of equipment for the transmission, receipt, distribution or offering of such signals; wireless communication towers, antenna support structures, and other structures supporting said equipment and any attachments to those

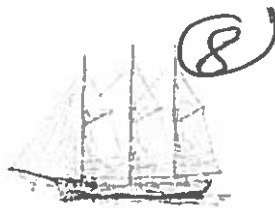
structures including guy wires and anchors, equipment buildings, generators, parking areas, utility services, driveways and roads and other accessory features.

Wireless Telecommunications Facility—Colocated: A Wireless Telecommunications Facility that is installed on an Alternative Tower Structure instead of a new tower structure.



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

Memo

RE: Medical Marijuana Storefront Moratorium
From: Werner Gilliam CFM Director of Planning and Development
To: Laurie Smith, Town Manager
Dt: June 12, 2018

The rules surrounding medical and recreational adult use marijuana appear to be in a constant state of flux and are continually modified as the cannabis industry continues to evolve in Maine. Kennebunkport last year voted to prohibit the commercial aspects of adult use recreational marijuana. Recent rules that have gone into effect statewide this past May appear to have given a boost to the medical side of the cannabis industry, allowing for the practice of “patient cycling” which dramatically increases the number of patients a caregiver can serve from five to potentially unlimited. This practice allows for cannabis patients to obtain a “short term designation” for just long enough to complete a purchase. This designation disappears once the transaction is complete, only to become reactivated for the next patient in line. Many communities are experiencing a rush of retail store applications since prohibition ordinances that were put into place deal only with adult use recreational and not medical retail locations.

If Kennebunkport does not put into place a moratorium on “medical” storefronts or ordinances in place governing the licensing, zoning, and operation of such storefronts, we will have far less de facto authority to control their existence in zones where retail uses are permitted.

The proposed moratorium would close the door temporarily, enough for the community to discuss the implications of having retail medical marijuana storefronts in Kennebunkport and establish language to either support or restrict this type of retail use.



Agenda Item Divider



9

KCPTA
Kennebunkport Consolidated School
25 School Street
Kennebunkport, ME 04046

July 6, 2018

Board of Selectmen
Town of Kennebunkport
P.O. Box 566, 6 Elm Street
Kennebunkport, ME 04046

Dear Board of Selectmen,

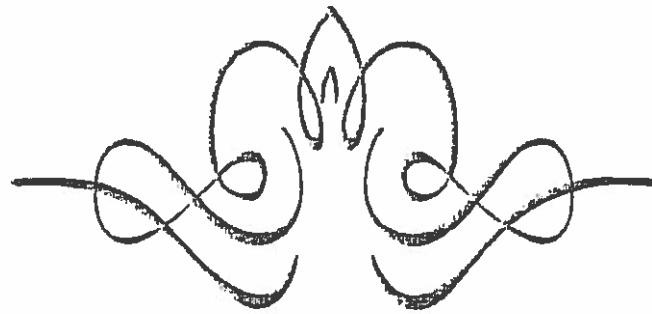
The Kennebunkport Consolidated PTA (KCPTA) is hosting the children's circus "Circus Smirkus" again this year at Rockin' Horse Stables on August 9th and 10th. This is the KCPTA's ONE fundraiser for the entire year. All of the money we make by hosting the circus is used to enrich the curriculum for KCS students - to pay for field trips throughout the school year and to provide activities, equipment, and materials to the students that are not covered in the annual school budget.

As the KCPTA is a non-profit, and the proceeds that come from hosting the circus directly benefit the children who attend KCS, we would like to request that the Selectmen waive the usual Tent Permit Fee, as you have generously done in previous years.

Respectfully,



Dave Powell
Vice President of Technology & Communications
KCPTA



Agenda Item Divider



11

Kennebunkport Fire Department
Proposed Purchase of Fire Turnout Gear
From Act #3904-5067 PPE Reserve

Note: We have purchased Globe turnout gear since 2001 from Bergeron Protective Clothing, Epsom, NH. Bergeron is the exclusive vendor of Globe products in Maine. Please see attached letter.

| Bergeron Protective | Price | Qty | Total |
|----------------------------|-----------------|-----|------------------|
| G-Xtreme Coat | 1208.62 | | |
| FF Name Patch | 15.53 | | |
| Name Patch Lettering (avg) | 18.20 | | |
| Sub-Total | <u>1,242.35</u> | 8 | 9,938.80 |
| G-Xcel Pants | 1,002.04 | | |
| Lifeline Rope Pocket | 25.05 | | |
| Sub-Total | <u>1,027.09</u> | 8 | <u>8,216.72</u> |
| Total | | | <u>18,155.52</u> |

We are requesting the purchase of 8 sets of gear at \$18,155.52

The present balance in the FY2018 Equipment Reserve account is \$17,000.00
In addition, \$9,242.00 remains in this account from FY2015 & FY2017

Notes:

There is a \$436 price increase for each set of coat and pants. This is a result of our specifying newly available materials in both the outer shell and thermal liner of each garment. This material offers improved protection for our firefighters while providing them with lighter weight, safer gear.

The price increase will be largely offset by utilizing an escape belt included with the pants rather than a cumbersome and more difficult to use class 2 harness worn externally. The cost for the class 2 harness has been \$365.00. The net increase in the cost this year will therefore be \$71.00



1024 Suncook Valley Hwy., Unit 5-D
 Epsom NH, 03234
 TEL: 603.736.8500
 www.BergeronProtectiveClothing.com

QUOTATION

No. : 203685

Doc. Date : 06/05/2018
 Payment Terms : NET30
 Valid Until: 12/31/2018
 Customer PO:
 Salesperson : Dale Doughty
 Page : Page 1 of 2

Bill To

Kennebunkport Fire Dept.
 Dick Stedman
 6 Elm Street
 Kennebunkport ME 04046-0404

Ship To :

Dick Stedman
 32 North St
 Kennebunkport ME 04046-0404

Globe GX3/GXL Regional Spec

| Quantity | Style | Description | List Price | Your Cost |
|-----------|---------|--|------------|------------|
| 1 | 117RQ | Globe G-Xtreme 3.0 Jacket, Pioneer | 2,031.30 | 1,208.62 |
| | | GXT 3.0 Jacket, Gold Pioneer Outer Shell | | |
| | | Glide Ice 2L Thermal Liner | | |
| | | Stedair Gold Moisture Barrier | | |
| | | R/O 3" Triple Trim, NYC | | |
| | | R/O 3" Scotchlite Letters, K P F D, Row A | | |
| | | Velcro Snaps for Hanging Patch | | |
| | | Std Vislon Zipper in/Velcro out closure | | |
| | | Std Expansion pockets 2x8x8 w/ fleece hand warmer | | |
| | | Std Kevlar backed exp. Pockets | | |
| | | Mic Strap, Top Left Collar | | |
| | | Helmet Snap/Mic Strap/Combo, Right Chest | | |
| | | Mic Strap, Above Radio Pocket | | |
| | | Nomex Hand and Wrist Guards | | |
| | | Black Suede Cuffs | | |
| | | Std Collar loop | | |
| | | Std Square pocket on Thermal Liner | | |
| | | Neck Snaps on Collar and Liner | | |
| | | Std Drag rescue Device | | |
| | | Radio Pocket 2x3x6, Left Chest | | |
| | | Std 3" trim over radio pocket | | |
| | | PJ Filler Collar Tab | | |
| | | Std stored energy band upper | | |
| 1 | POFHIPO | Hanging Letter Patch | 26.10 | 15.53 |
| | | For last names | | |
| 1 | 19721 | Letter, 3" Scotchlite | 2.60 | |
| | | Add \$2.60/letter for last names on hanging letter patch | | |
| Subtotal: | | | 2,060.00 | \$1,224.15 |
| 1 | E17RQ | Globe G-XCEL Pant, Pioneer | 1,684.10 | 1,002.04 |

Financing options available on some turnout gear purchases. Prices quoted do not include shipping and handling. Shipping is FOB factory. This quote is based on current prices which are subject to change by the Manufacturer without notice. TERMS are NET 30 DAYS.

From: BERGERON PROTECTIVE CLOTHING LLC
 To: Kennebunkport Fire Dept.

Document No. : 203685
 Doc. Date : 06/05/2018

| Quantity | Style | Description | List Price | Your Cost |
|-----------|--------|--|------------|------------|
| | | GXL Pant, Gold Pioneer Outer Shell | | |
| | | Glide Ice 2L Thermal Liner | | |
| | | Stedair Gold Moisture Barrier | | |
| | | R/O 3" Triple Trim Around Cuff | | |
| | | Std Hook and Loop (Velcro) Fly Closure | | |
| | | Wide Belt Loops | | |
| | | Escape Belt | | |
| | | Black Suede Cuffs | | |
| | | Black Suede Knees | | |
| | | Silicone Knees on Shell | | |
| | | Black Padded Suspenders | | |
| | | Lifeline Rope Pocket, Left Pocket | | |
| | | Std Expansion pocket 2x10x10, Right Pocket | | |
| | | Std Kevlar backed expansion pockets | | |
| 1 | LIFBAP | Lifeline Rope Pocket | 42.10 | 25.05 |
| | | Left pocket | | |
| Subtotal: | | | 1,726.20 | \$1,027.09 |

Subtotal 3,786.20 2,251.24
 Total 3,786.20 2,251.24

Financing options available on some turnout gear purchases. Prices quoted do not include shipping and handling. Shipping is FOB factory. This quote is based on current prices which are subject to change by the Manufacturer without notice. TERMS are NET 30 DAYS.



GLOBE *Globe Manufacturing Company, LLC*

July 3, 2018

Kennebunkport Fire
Dick Stedman
PO Box 505
32 North Street
Kennebunkport, ME 04046

Dear Mr. Stedman:

This letter is to serve as a statement from Globe Manufacturing Company, LLC located at 37 Loudon Road, Pittsfield, New Hampshire 03263; stating that Bergeron Protective Clothing, 1024 Suncook Valley Highway, Unit D5, Epsom, NH 03234 is our sole authorized distributor to the state of Maine for the sale of Globe, Cairns Protective Clothing, & Globe Footwear firefighter protective clothing.

If this should leave any question, please contact us at 800-232-8323.

Sincerely,
GLOBE MANUFACTURING COMPANY, LLC

A handwritten signature in black ink, reading "JoAnn Shattuck", is written over a horizontal line.

JoAnn Shattuck
Customer Service Manager

37 Loudon Road, Pittsfield NH 03263
TEL: 800-232-8323 603-435-8323
FAX: 800-442-6388 603-435-6388
www.globefiresuits.com

Globe Firefighter Suits • Globe Cairns • Globe LifeLine • Globe FootGear • Globe CARES



Agenda Item Divider



12

Arlene McMurray

From: vtsgmailer@vt-s.net on behalf of Town of Kennebunkport, ME <vtsgmailer@vt-s.net>
Sent: Wednesday, May 23, 2018 7:36 PM
To: Arlene McMurray
Subject: Form submission from: Online Application for Boards/Committees

Submitted on Wednesday, May 23, 2018 - 7:35pm Submitted by anonymous user: 107.77.200.40 Submitted values are:

Choose from the following: **Conservation Commission**

==Please provide the following information:==

Full Name: **Aimee Vlachos**

Email:

Residential Address: neunkport

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

September 2016-August 2017

Co-Chair of Circus Smirkus

This is the only fundraiser for the KPT PTA and we were in charge of organizing the entire event including logistics, marketing, and planning.

February 2018-Present

Team Representative for Kennebunk-Kennebunkport Little League.

Organizing volunteers, acting as the intermediary between the team and the league.

Do you have any skills, experience, or training you would like to mention? I have my doctorate in Sports Marketing, but my background is in outdoor recreation. I am a professor at the University of New England and teach classes on public policy, outdoor recreation, and conservation.

What is your reason for wanting to serve on this board or committee? I want to give back to my community while also utilizing my background in outdoor recreation and conservation.

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

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/4833>

12

Arlene McMurray

From: vtsgmailer@vt-s.net on behalf of Town of Kennebunkport, ME <vtsgmailer@vt-s.net>
Sent: Thursday, July 05, 2018 12:06 PM
To: Arlene McMurray
Subject: Form submission from: Online Application for Boards/Committees

Submitted on Thursday, July 5, 2018 - 12:05pm Submitted by anonymous user: 98.11.10.206 Submitted values are:

Choose from the following: Growth Planning Committee

==Please provide the following information:==

Full Name: Janet Powell

Email:

Residential Address:

Residential Phone:

Business Address:

Business Phone:

Mailing Address (if different): Kennebunkport Me
04046

Are you registered to vote in Kennebunkport? Yes Please list Membership in community organizations, dates involved, and activities performed:

I have served at the Louis T. Graves Library as a weekly volunteer since 2013. I joined the Fund Raising Committee in 2015 performing a variety of tasks to support the annual Historical Lecture at the River Club. I organized and directed the 2017 Spring Fling Dance at Atlantic Hall, a targeted fund-raiser for the 2016-2017 Capital Campaign for the Mother's Wing at the Graves Library. I currently serve as a co-chair of the Steering Committee for the 2019 Garden Tour of the Kennebunks and will assume the role of Corresponding Secretary to the Board of Trustees in September, 2018.

I have been an active volunteer with Community Outreach Services (COS) of the Kennebunks since 2015, working to raise awareness of the organizations function and services to the community. I have helped organize and worked for three years on their two largest fund-raising efforts, the Upscale Boutique and the Farm to Fork Dinner at Ward Brook Farm .

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

I retired from a teaching career of forty years three years ago. I taught French, Spanish, ESL and Latin, served as Department Head of the World Language Department at a large Independent School in New Jersey as well as a peer review candidate on the Accreditation Team to member schools of the Middle States Association of Independent Schools.

What is your reason for wanting to serve on this board or committee? I respect the town's evolving history and appreciate the privilege of living in Kennebunkport. Helping to support its character and integrity as a small but vital seaside community are extremely important to me. I am interested in doing what I can to support the efforts of this town committee.

List the top 3 choices that you would like to serve on(1. 2. 3. in desired order)? I am interested in the Growth and Planning Committee but would also consider participation on additional committees as needs dictate.

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/5093>

12

Arlene McMurray

From: vtsdmailer@vt-s.net on behalf of Town of Kennebunkport, ME <vtsdmailer@vt-s.net>
Sent: Thursday, July 05, 2018 5:30 PM
To: Arlene McMurray
Subject: Form submission from: Online Application for Boards/Committees

Submitted on Thursday, July 5, 2018 - 5:30pm Submitted by anonymous user: 98.11.3.162 Submitted values are:

Choose from the following: Growth Planning Committee *1st choice*

==Please provide the following information:==

Full Name: Andrew E Welch

Email: [REDACTED]

Residential Address: [REDACTED]

Residential Phone: [REDACTED]

Business Address:

Business Phone:

Mailing Address (if different):

Are you registered to vote in Kennebunkport? *He will register to vote before meeting*

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

Kennebunkport Fire Department 2008 to present - serve as Captain for district

2 Cape Porpoise.

Port Village Company 2008 to present - volunteer during many community events throughout the year.

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

Northwest energy efficiency council - Certified Building Operator United Naval Construction Academy - Accredited

Carpentry Masonry Specialist Portland Water District - Chief Operator of Facilities/Fleet Manager Maine Indoor Air

Quality Council - Active Member Plan, balance and manage a 2+ million dollar capital improvement budget for PWD

What is your reason for wanting to serve on this board or committee? I am a young family man that has volunteered for this community for over 10 years and only lived here since recently, I know the struggles involved in trying to buy/build here. I can bring a different perspective to the group.

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

Growth and Planning

Shellfish Conservation

Kennebunk River Committee

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/5103>

Arlene McMurray

From: vtsdmailer@vt-s.net on behalf of Town of Kennebunkport, ME <vtsdmailer@vt-s.net>
Sent: Tuesday, April 03, 2018 8:49 AM
To: Arlene McMurray
Subject: Form submission from: Online Application for Boards/Committees

Submitted on Tuesday, April 3, 2018 - 8:49am Submitted by anonymous user: 66.63.80.6 Submitted values are:

Choose from the following:

- Government Wharf Committee
- Rental Housing Committee (Short-Term)
- Shellfish Conservation Committee

==Please provide the following information:==

Full Name: Andrew Welch

Email: a

Residential Address: Kennebunkport, ME 04046

Residential Phone:

Business Address:

Business Phone: 207-774-5961 EXT. 3061

Mailing Address (if different): 3 Short Dr. Unit #2 Kennebunk, ME
04043

Are you registered to vote in Kennebunkport? No Please list Membership in community organizations, dates involved, and activities performed:

Kennebunkport Fire Dept. 2008 to present o Lieutenant District 3 2010-2016 o Captain District 2 2016 to present

* I want to note that my residence for which I pay taxes (58 Clement Huff) is currently in the building stages, hence the K-Bunk mailing address.

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

Chief Operator at Portland Water District (committees listed) o Chief officer of Facilitates and Fleet annual budget responsible for management of an annual budget of 2.8 million. 2015-present o Safety Committee. 2013-present o Security Committee (facilities adviser) 2015-present United States Army o Family readiness adviser (enlisted representative) 2009-2015

What is your reason for wanting to serve on this board or committee? I have been volunteering, and participating in community events for 10 years. It is something I feel very strongly about I feel it's important for everyone to experience volunteerism. I have served Kennebunkport even when I was not a resident, and I plan to get even more involved once my family is permanently settled this summer.

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

1. rental housing committee
2. government wharf committee
3. shellfish conservation committee

The results of this submission may be viewed at:

<https://www.kennebunkportme.gov/node/2661/submission/4413>

Administrative Code

Terms: One year

Members: Five or more. For two positions, preference given to former members of Board of Selectmen. For one position, preference shall be given to persons who are former members of ZBA, Planning Board, or persons trained in the law.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-------------------|--------------|-------------------------------|------------------|-----------------------|
| Wayne Adams | 2018 | Would like to be reappointed. | 2019 | |
| H. Stedman Seavey | 2018 | Would like to be reappointed. | 2019 | |
| Richard Smith | 2018 | Would like to be reappointed. | 2019 | |
| D. Michael Weston | 2018 | Would like to be reappointed | 2019 | |
| April Dufoe | 2018 | Would like to be reappointed. | 2019 | |

Board of Assessment Review

Terms: Three years on a staggered basis initially with all future appointments being for three years. Alternates are a three-year term. Members are limited to serving three, full, consecutive terms. Reappointment may occur after a one-year period of nonservice. The Board of Selectmen may, despite the term limitations in this section and for good cause shown, appoint a member for an additional one year of service beyond the three consecutive terms.

Members: Five members and two alternates

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|----------------------------------|--------------|----------|------------------|-----------------------|
| Vacancy | 2018 | | 2021 | No volunteers |
| Gordon Ayer | 2019 | | | |
| April Dufoe | 2019 | | | |
| Mark Messer | 2020 | | | |
| Karen Schlegel | 2019 | | | |
| Alternates 2 Vacancies | | | | |

Cape Porpoise Pier Advisory Committee

Terms: One year

Members: Five or more, one of whom shall be a member of the Board of Selectmen. Nonresidents may be appointed to this committee provided they are commercial fishermen from the Cape Porpoise Pier and at least 75% of the membership are registered voters of Kennebunkport.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|---------------------|--------------|--------------------------------|------------------|-----------------------|
| Peter Eaton | 2018 | Would like to be reappointed | 2019 | |
| Peter Garsoe | 2018 | Would like to be reappointed. | 2019 | |
| Arnold Nickerson IV | 2018 | Would like to be reappointed | 2019 | |
| Benjamin Nunan | 2018 | Would like to be reappointed | 2019 | |
| Jonathan Nunan | 2018 | Would like to be reappointed | 2019 | |
| Robert O'Reilly | 2018 | No response to calls or letter | 2019 | |
| Zandy Talmadge | 2018 | Would like to be reappointed. | 2019 | |
| Eric Wildes | 2018 | Would like to be reappointed. | 2019 | |

Cemetery Committee

Terms: One year

Members: Three or more

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|----------------|--------------|-------------------------------|------------------|-----------------------|
| Lynda Bryan | 2018 | Would like to be reappointed. | 2019 | |
| Ruth Fernandez | 2018 | Would like to be reappointed. | 2019 | |
| Greg Pargellis | 2018 | Would like to be reappointed. | 2019 | |
| Ann Sanders | 2018 | Would like to be reappointed. | 2019 | |
| Rita Schlegel | 2018 | Would like to be reappointed. | 2019 | |

Conservation Commission

Terms: One, two, and three, such that 1/3 of the members' terms shall expire each year.

Members: Five or more

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-----------------------------|--------------|-------------------------------|------------------|-----------------------------------|
| Joe Frank | 2018 | Would like to be reappointed. | 2021 | Aimee Vlachos, (chair recommends) |
| Sarah Lachance | 2018 | Would like to be reappointed. | 2020 | |
| Gillet "Gill" Page | 2018 | Would like to be reappointed. | 2021 | |
| Jenne James | 2019 | | | |
| Carol Laboissonniere, chair | 2019 | | | |
| Benjamin Senning | 2020 | | | |

Government Wharf Committee

Terms: One year

Members: Five or more members, one of whom should be a member of the Board of Selectmen. Nonresidents may be appointed provided they are commercial fishermen from the Government Wharf and at least 75% of the membership are registered voters of Kennebunkport.) One-year term.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|------------------|--------------|-------------------------------|------------------|---|
| Jeff Davis | 2018 | Would like to be reappointed | 2019 | Andrew Welch (his 2 nd choice) |
| Ron Francoeur | 2018 | Would like to be reappointed | 2019 | |
| Thomas Mansfield | 2018 | Would like to be reappointed | 2019 | |
| Chris Welch | 2018 | Would like to be reappointed. | 2019 | |
| Allen Daggett | 2018 | Would like to be reappointed. | 2019 | |

Growth Planning Committee

Terms: Three years on a staggered basis.

Members: Five and two alternates

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-----------------|--------------|--|------------------|---|
| Dan Saunders | 2018 | Would like to be reappointed. | 2021 | Andrew Welch(his 1 st choice) |
| Paul Hogan | 2018 | Would like to be reappointed. | 2021 | Janet Powell |
| Barbara Barwise | 2019 | | | |
| Jim Fitzgerald | 2020 | | | |
| James McMann | 2019 | He was alternate. Move him to full member. | | |
| Alternate | | | | |
| 2 Vacancies | | | | |

Kennebunk River Committee

Terms: Three years

Members: Seven, three from each municipality, one nonresident (not residing in either Kennebunk or Kennebunkport appointed jointly by both Boards) and can have alternate members for one or more of its members from each municipality if the regular member is unable to attend a meeting. An alternate may be appointed for the nonresident member if agreed by both Boards. (Per Inter-Local Agreement)

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-----------------|--------------|------------------------------|------------------|-----------------------|
| Richard Woodman | 2018 | Would like to be reappointed | 2021 | |
| Susan Inoue | 2019 | | | |
| Mark Sutton | 2020 | | | |

Parsons Way Committee

Terms: Three years, staggered

Members: Three or more

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-----------------|--------------|-------------------------------|------------------|-----------------------|
| Gordon Ayer | 2018 | Would like to be reappointed. | 2021 | |
| Louise Spang | 2019 | | | |
| Barbara Barwise | 2020 | | | |

Planning Board

Terms: Three years on a staggered basis. Limited to serving three, full, consecutive terms. Reappointment may occur after one-year period of nonservice. The Board of Selectmen may for good cause appoint a member for an additional one year of service beyond the three consecutive terms.

Members: Five members and two alternates

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-------------------|--------------|-------------------------------|------------------|-----------------------|
| Thomas Boak | 2018 | Would like to be reappointed. | 2021 | |
| D. Scott Mahoney | 2019 | | | |
| Nina Pearlmutter | 2020 | | | |
| Neil Higgins | 2021 | | | |
| Edward Francis | 2021 | | | |
| Alternates | | | | |
| George Lichte | 2019 | | | |
| Larry Simmons | 2020 | | | |

Public Safety Committee

Term: One-year term

7 Members: The Fire Chief, Chief of Police, Public Works Superintendent, the Wastewater Department Superintendent, the Emergency Management Director, the Chief of Operations for the Kennebunkport Emergency Medical Services, and one Selectman.

| Members | Title | Term Expires | New Term Expires |
|----------------|--|--------------|------------------|
| Jay Everett | Fire Chief | 2018 | 2019 |
| Michael Claus | Public Works Superintendent/Acting Wastewater Superintendent | 2018 | 2019 |
| Craig Sanford | Police Chief/EMA Director | 2018 | 2019 |
| Joseph Carroll | KEMS Chief of Operations | 2018 | 2019 |

Sewer Advisory Committee

Term: One year.

Members: Three or more.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|--------------------|--------------|------------------------------|------------------|-----------------------|
| Bob Convery | July 2018 | Would like to be reappointed | July 2019 | |
| Stephen Couture | July 2018 | Would like to be reappointed | July 2019 | |
| Richard Johnson | July 2018 | Would like to be reappointed | July 2019 | |
| Joseph Martin Mead | July 2018 | Would like to be reappointed | July 2019 | |

Shade Tree Committee

Term: One year.

Members: Three or more.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|------------------|--------------|------------------------------|------------------|-----------------------|
| Sarah Adams | July 2018 | Would like to be reappointed | July 2019 | |
| Stephen Doe | July 2018 | Would like to be reappointed | July 2019 | |
| Kim Gurski | July 2018 | Would like to be reappointed | July 2019 | |
| Nina Pearlmutter | July 2018 | Would like to be reappointed | July 2019 | |
| John Ripton | July 2018 | Would like to be reappointed | July 2019 | |
| Robert Mills | July 2019 | | | |

Sidewalk Committee

Term: One year.

Members: Three or more.

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|----------------|--------------|------------------------------|------------------|-----------------------|
| Kristen Garvin | July 2018 | Would like to be reappointed | July 2019 | |
| Michael Claus | July 2018 | Reappoint | July 2019 | |
| Craig Sanford | July 2018 | Reappoint | July 2019 | |

Zoning Board of Appeals

Terms: Three years on a staggered basis initially with all future appointments being for three years. Members are limited to serving three, full, consecutive terms. Reappointment may occur after a one-year period of nonservice. The Board of Selectmen may, despite the term limitations in this section and for good cause shown, appoint a member for an additional one year of service beyond the three consecutive terms.

Members: Seven

| Members | Term Expires | Comments | New Term Expires | Volunteers/Applicants |
|-----------------------|--------------|-------------------------------|------------------|-----------------------|
| Paul Cadigan | July 2018 | Would like to be reappointed. | July 2021 | |
| Gordon Ayer | July 2019 | | | |
| Wayne Fessenden | July 2019 | | | |
| Karen Schlegel | July 2020 | | | |
| James Fitzgerald, Jr. | July 2020 | | | |
| April Dufoe | July 2019 | | | |
| 1 Vacancy | | | | |



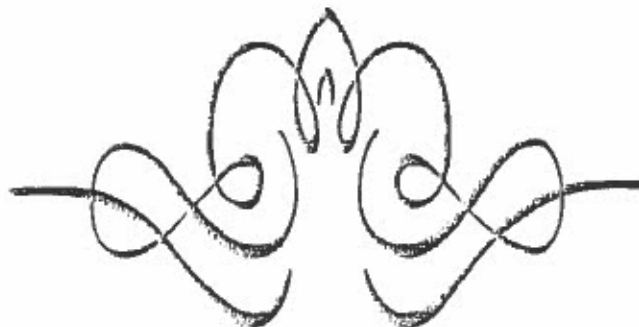
Agenda Item Divider



| SELECTMEN REPRESENTATIVES | | |
|--------------------------------------|----------------------------------|------------------|
| Committees | July 2017 - 2018 | July 2018 - 2019 |
| Cape Porpoise Pier Committee | Edward W. Hutchins | |
| Goose Rocks Beach Advisory Committee | Sheila Matthews-Bull | |
| Government Wharf | Allen A. Daggett | |
| Graves Library Board | Edward W. Hutchins | |
| Growth Planning Committee | Allen Daggett | |
| Investment Committee | Allen A. Daggett, Patrick Briggs | |
| K.E.M.S. | Patrick A. Briggs | |
| Planning Board | Patrick A. Briggs | |
| Public Safety Committee | Patrick A. Briggs | |
| S.M.R.P.C. | Stuart E. Barwise | |
| Shade Tree Committee | Sheila Matthews-Bull | |
| Zoning Board of Appeals | Sheila Matthews-Bull | |



Agenda Item Divider



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Kennebunkport Public Health

July 9, 2018

Atn: Kennebunkport Board of Selectmen
Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$2500.00 from Sandy Pines Campground. This gift is to be dedicated to the Kennebunkport water quality Program with Maine Healthy Beaches. This donation supports our increased water testing at and around the watershed of Goose Rocks Beach this summer season.

Alison Kenneway RN
Kennebunkport Public Health

Sandy Pines LLC
2 Livewell Drive, Suite 201
Kennebunk, ME 04043

MUTUALOne
BANK
53-7181/2113

6/26/2018

PAY TO THE
ORDER OF Town of Kennebunkport

\$ **2,500.00

Two Thousand Five Hundred and 00/100***** DOLLARS

Town of Kennebunkport
PO Box 566
Kennebunkport, ME 04046

Dusan Boston
AUTHORIZED SIGNATURE

MEMO
Donation to Clean Water Testing

⑈002302⑈ ⑆211371816⑆ 1047907308⑈

Sandy Pines LLC

2302

Town of Kennebunkport

Donation to Clean Water testing

6/26/2018

2,500.00

NEW Mutual One - 73 Donation to Clean Water Testing

2,500.00



Agenda Item Divider





Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

15

Memorandum

To: Key Municipal Officials of MMA's Member Municipalities
From: Linda C. Cohen, President, Maine Municipal Association
Date: June 14, 2018
Re: Ballots for Election to MMA'S Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2018-2020 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the Committee. The election ballot is enclosed. The ballot must be completed by the Board of Selectmen or Town or City Council of your municipality.

Number of votes

Most municipalities are asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. *You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.*

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name is not on the ballot by writing that person's name in. The write-in candidate need not be from your municipality, but must be an elected or appointed official from a municipality in your Senate/LPC District. *Check to be sure the write-in candidate is willing to serve if elected!* Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

Deadline for returning ballot

Return ballot by 5:00 p.m. on **August 2, 2018** to:

State and Federal Relations Dept.
Maine Municipal Association
60 Community Drive, Augusta, ME 04330
FAX: 624-0129

Your participation is important - Thank You!

OFFICIAL BALLOT – District 32

Maine Municipal Association's Legislative Policy Committee

July 1, 2018 – June 30, 2020

VOTE FOR ONE (*Biddeford appoints one member*):

☐

George Donovan, Selectman, Town of Alfred

☐

Laurie Smith, Manager, Town of Kennebunkport

☐

_____ (name) (position) (municipality) ( write in)

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____



BY SELECTMEN/COUNCILORS:

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

Return by 5:00 p.m., August 2, 2018 to:

Laura Ellis, Maine Municipal Association
60 Community Drive, Augusta, ME 04330

Fax: 624-0129

(over)

LPC Senate District 32 *(Biddeford appoints one member)*

Alfred
Arundel

Biddeford
Dayton

Kennebunkport
Lyman

Candidate Profile:

George Donovan has served the Town of Alfred as Selectman for the past 15 years and prior to that he served 3 years as an Emergency Medical Assistant. Mr. Donovan would like to serve on the LPC because he would like to take part in decision making and to coordinate with committees and the Legislature.

Laurie Smith has served as Manager in the Town of Kennebunk for the past 4 years. Prior to that she served as Manager in Wiscasset, Assistant Manager in the City of Auburn, Boothbay, Boothbay Harbor, and Oxford. Ms. Smith has served on MMA's Executive Committee for several terms, currently serving as Immediate Past President, and as Chair of the LPC when she served as the Executive Committee's Vice President. She has also served on the LPC in the past, both as Alternate and Member and would like to continue her service to develop platforms for ensuring the return of revenue sharing, equity in education funding, and the importance in local government as part of the State service delivery model.