

**Town of Kennebunkport
Board of Selectmen Meeting
Village Fire Station-32 North Street
February 25, 2016 – 6:00 PM**

Minutes of the Selectmen Meeting of February 25, 2016

Selectmen present: Stuart E. Barwise, Allen A. Daggett, and Edward W. Hutchins, Sheila Matthews-Bull

Selectmen absent: Patrick A. Briggs,

Others present: Michael Claus, Robert Danzilo, Michael Davis, Susan Graham, David James, Arlene McMurray, Nina Pearlmutter, Rick Roberts, Laurie Smith, and others

1. Call to Order.

Chair Matthews-Bull called the meeting to order at 6:01 PM.

2. Approve the February 11, 2016, selectmen meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Barwise, to approve the February 11, 2016, selectmen meeting minutes. **Vote:** 3-0-1/Selectman Hutchins abstained because he was not present at that meeting.

3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).

There were no comments.

4. Consider a renewal liquor license application submitted by Robert and Stephanie Fischer, d.b.a. Mabels Lobster Claw Restaurant, 124 Ocean Avenue.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by Robert and Stephanie Fischer, d.b.a. Mabels Lobster Claw Restaurant, 124 Ocean Avenue. **Vote:** 4-0

5. Consider Land Purchase Installment Agreement with Frederick King, Jr.

Town Manager Laurie Smith explained that Mr. King owns property at 222 Kings Highway and is behind on his taxes but is willing to pay all the taxes owed and keep current.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the Land Purchase Installment Agreement with Frederick King, Jr. **Vote:** 4-0.

6. Update on parking and right of way issues on West Street and Oak Street.

Highway Superintendent Michael Claus reviewed the parking and right of way issues and provided options. (See Exhibit A).

Discussion followed that:

- The road is scheduled to be paved in 2019. Follow the schedule.
 - Remove the sidewalk on Oak Street.
 - Safety is still an issue. Eliminate parking at the intersection of North St. and West St.
 - Reduce congestion at corners.
 - Doing nothing is best. If the road is widened, cars will increase speed.
-
- Eliminate parking for one year and see how it goes.

The Board will continue this discussion after it does a site walk in those areas.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve removal of the sidewalk on Oak Street and restoring it with grass. **Vote:** 4-0.

7. Approve restrictions on vehicle weight limits on certain roads in accordance with 29-A M.R.S.A. Section 2395 and the Kennebunkport Traffic and Parking Control Ordinance.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve restrictions on vehicle weight limits on certain roads in accordance with 29-A M.R.S.A. Section 2395 and the Kennebunkport Traffic and Parking Control Ordinance. **Vote:** 4-0.

8. Consider an exception to the vehicle weight limit restrictions for Ocean Avenue from Dock Square to the Colony Hotel for one day in March 2016.

The Colony Hotel would like to lay concrete in March to finish up their construction project.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve the exception to the vehicle weight limit restrictions for Ocean Avenue from Dock Square to the Colony Hotel for one day in March 2016. **Vote:** 4-0.

9. Other business.**a. Planning Board vacancies.**

Ms. Smith said the Board will need to appoint a total of four Planning Board members this year. There is one vacancy now as an alternate, and two vacancies coming up in July. Another member's term does not expire until July 2017, but she wishes to resign and will wait a few months after the July appointments to assist the new board members before she resigns. Ms. Smith asked the Board to think about possible members and to ask people.

Susan Graham suggested that these vacancies are due to term limits. She asked the Board to think about doing away with these term limits.

Ms. Smith responded that any term changes would have to go through the Administrative Code Committee.

b. Consider appointment of Robert Danzilo to the Kennebunk River Committee.

Robert Danzilo applied for the vacancy on the Kennebunk River Committee. He said he is a professional mariner and works on the river so he has a vested interest in the safety of the river.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to appoint Robert Danzilo to a three-year term on the Kennebunk River Committee expiring in 2019. **Vote:** 4-0.

Ms. Smith announced that Board will be meeting again next week with the Budget Board. Also, that the Goose Rocks Beach litigation has been assigned to Justice Douglas.

11. Approve the February 25, 2016, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the February 25, 2016, Treasurer's Warrant. **Vote:** 4-0.

At 6:50 PM, the Board took a short recess.

The meeting resumed at 7:00 PM.

10. 7:00 PM. Public Hearing to consider a new malt, spirituous and vinous liquor license and special amusement permit for Pier 77 Bar and Grill, 77 Pier Road.

Chair Matthews-Bull opened the public hearing at 7 PM.

Yalcin Kaya, new owner of Pier 77, introduced himself and presented his background in the hospitality industry. He said he will keep the restaurant menu they have.

Chair Matthews-Bull closed the public hearing at 7:04 PM.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the new malt, spirituous and vinous liquor license and special amusement permit for Pier 77 Bar and Grill, 77 Pier Road.

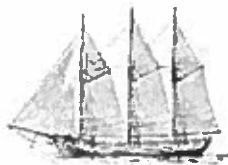
12. Adjournment.

Motion by Selectman Daggett, seconded by Selectman Hutchins to adjourn.

The meeting adjourned at 7:05 PM.

Submitted by

Arlene McMurray
Administrative Assistant



TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

Memorandum

February 11, 2016

To: Laurie Smith, Town Manager
From: Michael Claus, Public Works Director
RE: Parking and Right of Way Issues on West Street and Oak Street

I have reviewed parking and right of way issues on West Street and Oak Street. Currently parking is allowed only on the southerly side of West Street. Areas of No Parking on the southerly side of West Street are currently marked with yellow paint on the roadway at one driveway and at the North Street / West Street intersection. There are a maximum of 16 parking spaces with the current allowable parking markings.

Option: All driveways on the southerly side of West Street be marked for No Parking for 10 feet each side of the driveway and that No Parking be allowed within 20 ft. of the stop sign at the West Street / North Street intersection. These no parking distances are consistent with national standards for residential streets. Parking spaces can be marked with white lines on the edge of the spaces similar to markings across from the Louis T. Graves Memorial Public Library on Maine Street. No parking areas can be marked with yellow paint. This option would reduce the number of parking spaces from 16 to 12. Other options include only marking the driveways which results in 13 spaces, or only marking the stop sign and first driveway, which results in 15 spaces.

I have reviewed the surveyed right of way on West Street. On the southerly side of the street the right of way extends between 16 ft. and 19 ft. from the edge of pavement. There is an abandoned sidewalk in the right of way which is located behind the utility poles in the right of way. I recommend that an additional 5 ft. shoulder be added to the southerly side of West Street to keep parked cars on a solid surface. With the additional shoulder the width of West Street would be 22 ft. The cost for a 5 ft. wide gravel shoulder installed by the Public Works Department is \$3,500. The addition cost to pave the shoulder is \$3,000.

On the easterly side of Oak Street there is an old sidewalk in the right of way that extends approximately 1/2 of the way from West Street towards Locke Street. It would be difficult to extend this sidewalk due to installation of a fire hydrant, trees that have grown in the right of way and a fence and shrubs installed by a resident on Oak Street. You have the option to remove the existing sidewalk in the Oak Street right of way and loam and seed the disturbed area. The cost of sidewalk removal, loam and seed work with labor and equipment by Public Works is \$500. The cost to repave the existing sidewalk is \$3,200.

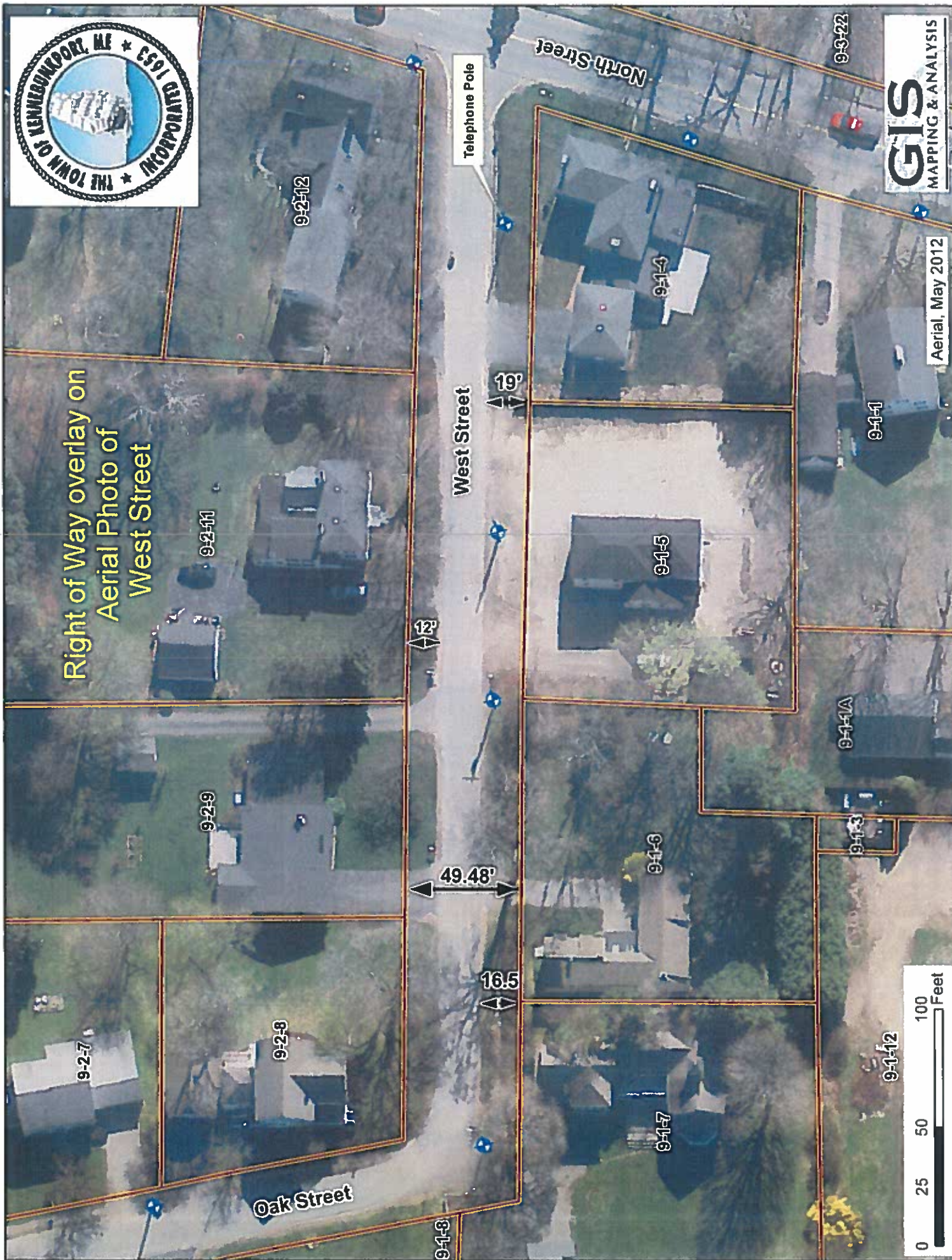
I have attached photos of West Street and Oak Street along with survey plans showing aerial photos and right of way overlay. In my long term capital plan West Street and Oak Street are scheduled for overlay paving in FY 2019. If you need additional information please let me know.

By: Michael Claus,

Town of Kennebunkport Public Works Director

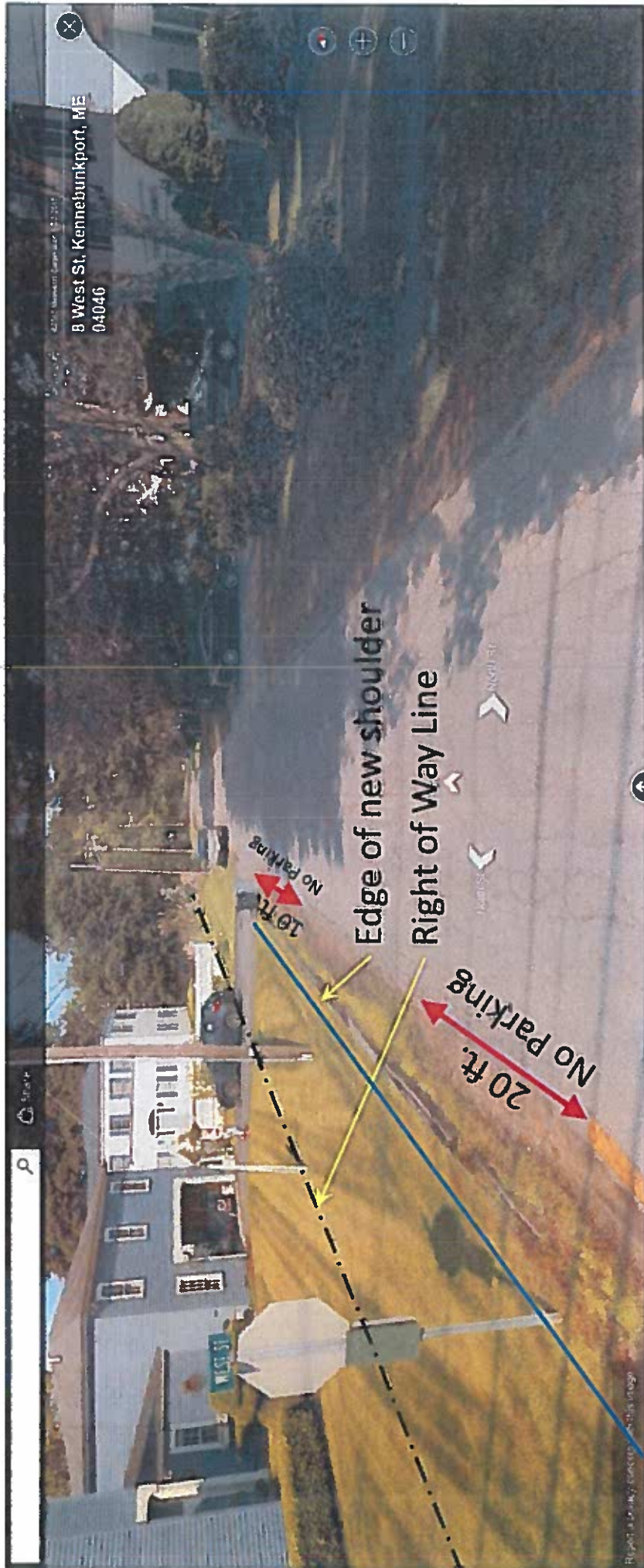


Right of Way overlay on
Aerial Photo of
West Street



GIS
MAPPING & ANALYSIS

Aerial, May 2012



42500 Main Street, Kennebunkport, ME 04046

Edge of new shoulder
Right of Way Line

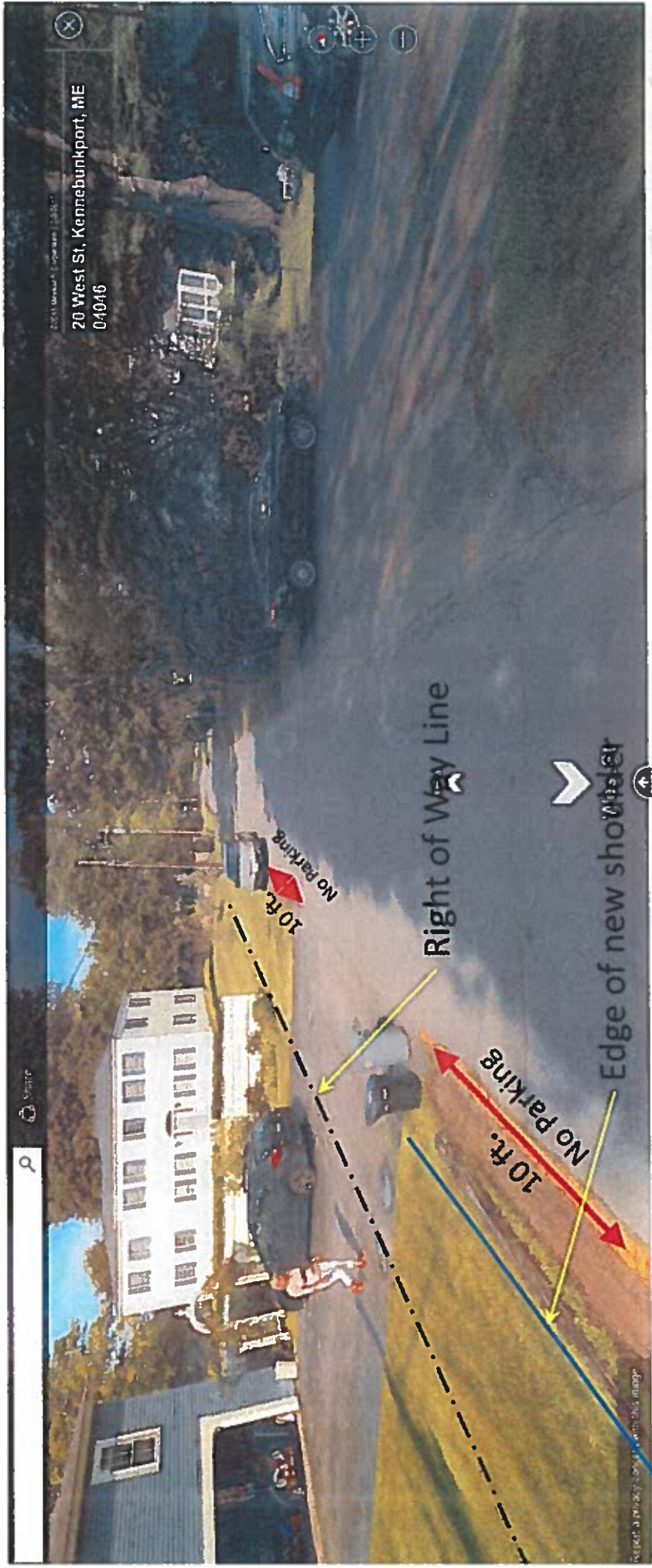
10 ft.
No Parking

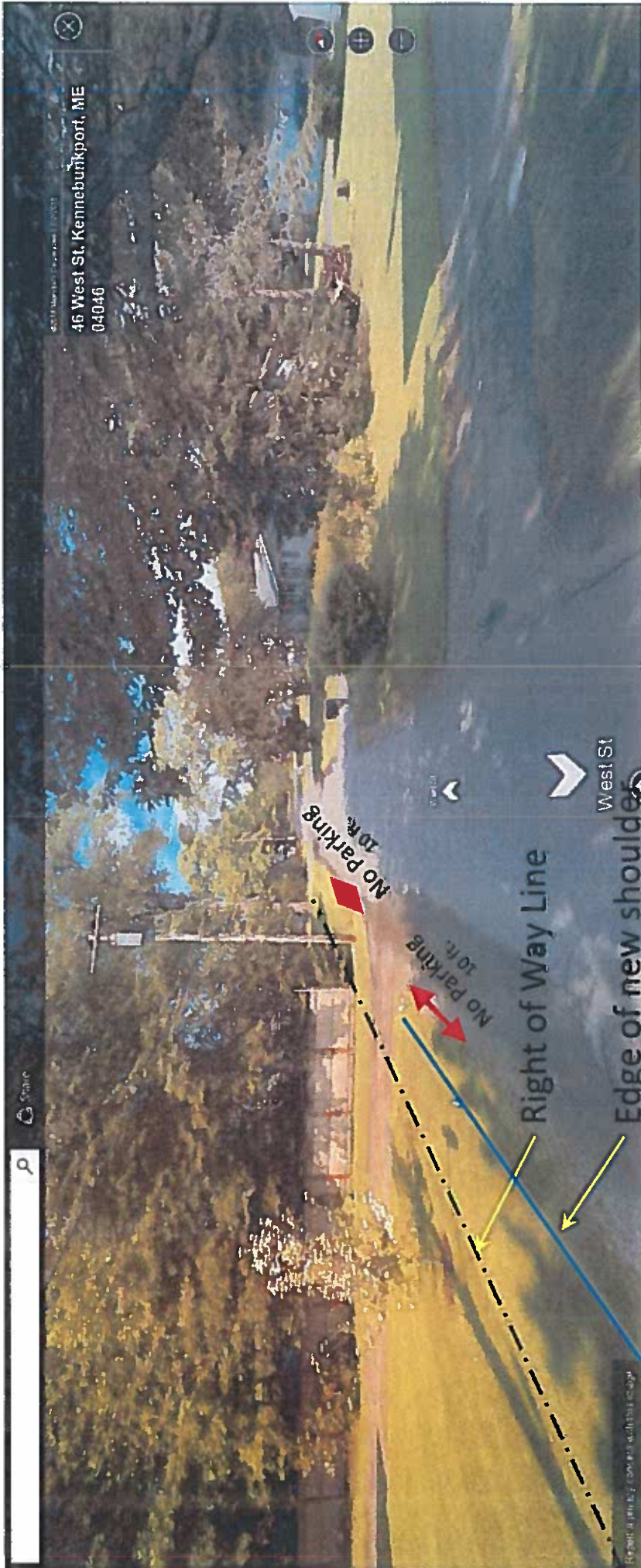
20 ft.
No Parking



Report a problem: Kennebunkport, ME

100 ft
100 ft
100 ft





West Street

WEST STREET

4 West St

Right of Way overlay on Survey and Aerial Photo of West Street

Assembly # 09-217
Foundation & Footings
Aug 26-09
Approved by 09-270
inland house, add 2'

Justin pls 2174 capped

1000000

rebuild house, add 2nd

9-1-4

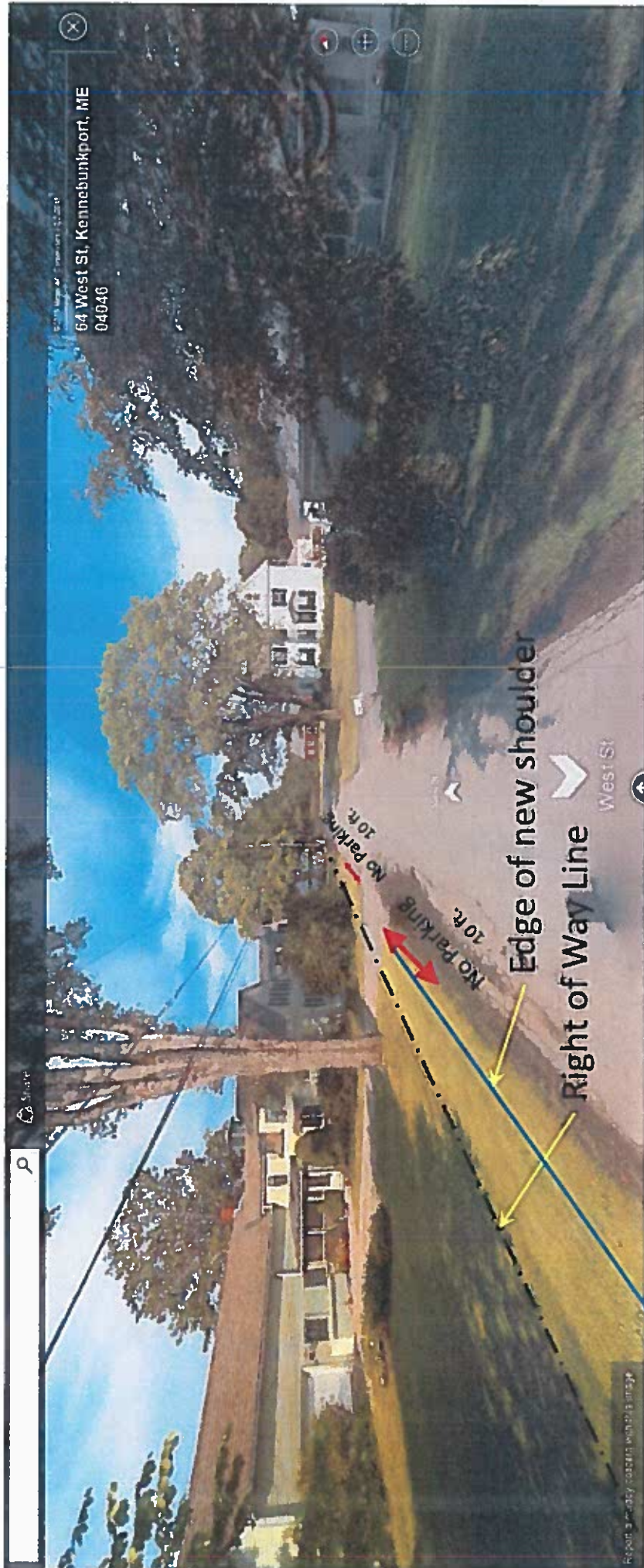
11ip 121 abvgnd

Aerial, May 2012

9-1-1

10 20 40 Feet





64 West St, Kennebunkport, ME 04040

Edge of new shoulder
Right of Way Line

West St

Report a map error



80 West St. Kennebunkport, ME
04046

Right of Way Line

Edge of new shoulder

10 ft
No Parking

Map data © OpenStreetMap contributors, Imagery © Mapbox

Kennebunkport, ME





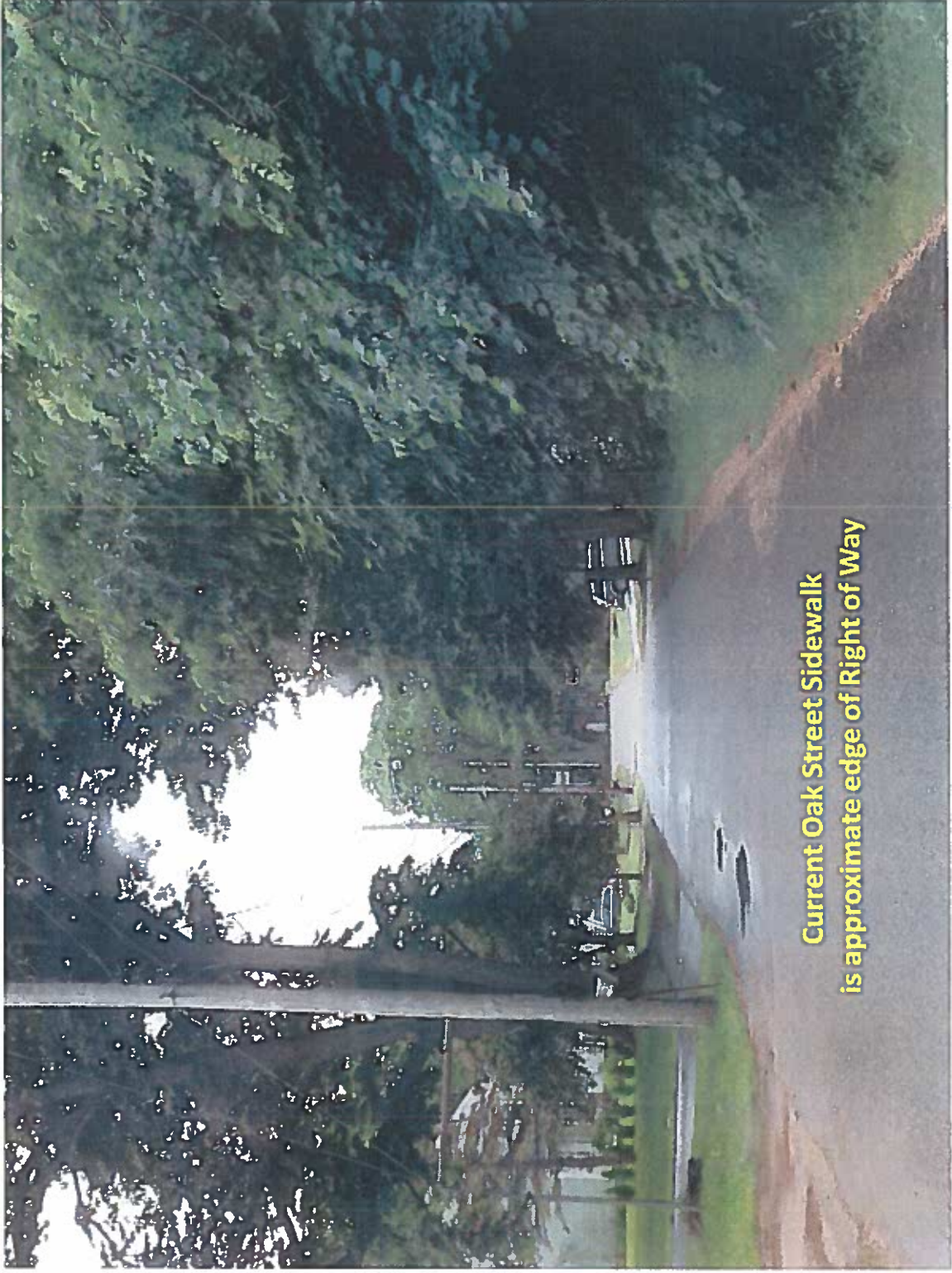
Right of Way overlay on
Survey and Aerial Photo of
West Street / Oak Street

Granite monument marking centerline of West Street missing or disturbed

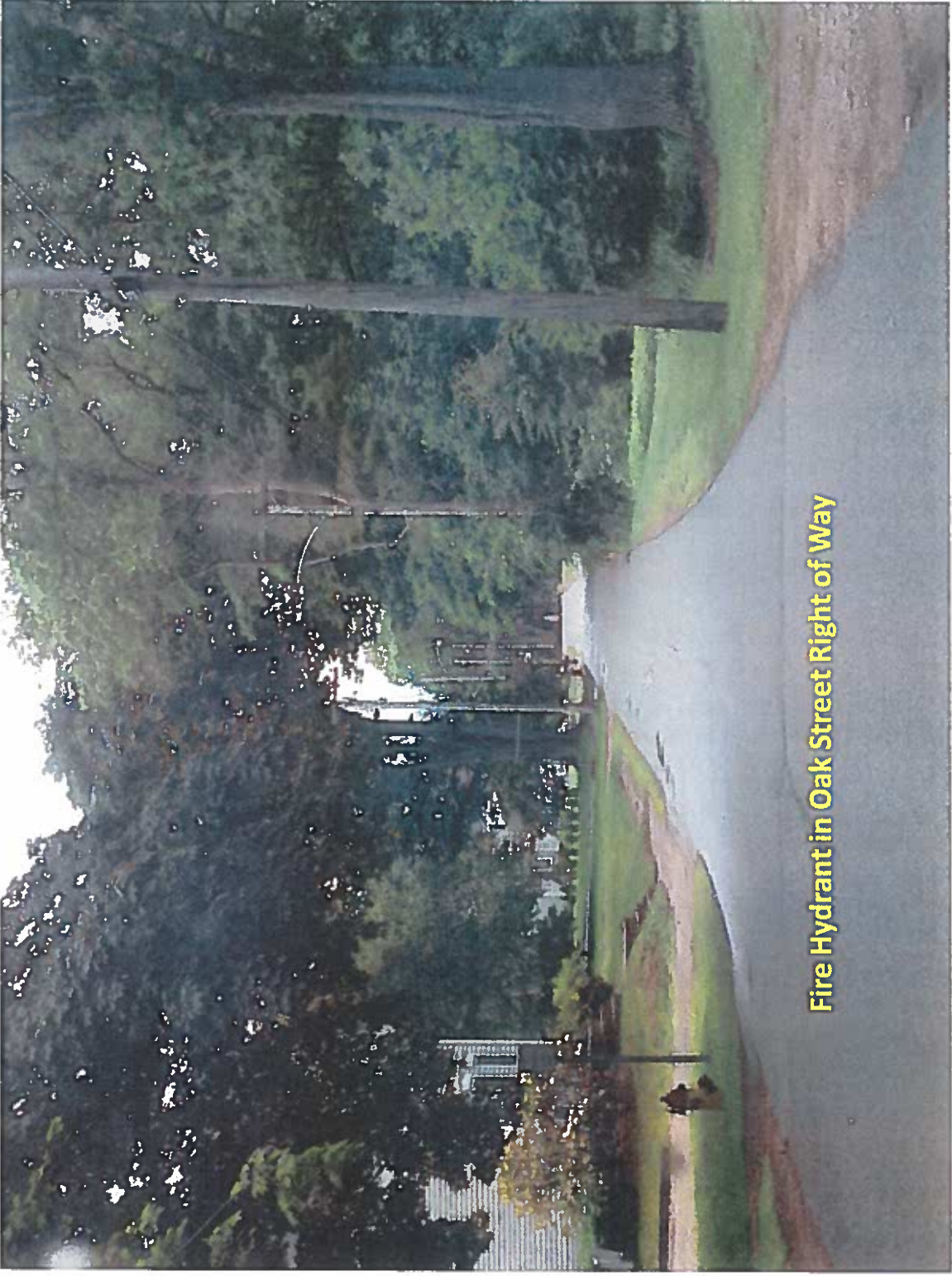
West Street
W E S T S T R E E T

3.0003 - 49.9 WIDE PER 1885 ROAD RECORD
1.55 WIDE AS RECOVERED IN BK 17, PG 102





**Current Oak Street Sidewalk
is approximate edge of Right of Way**



Fire Hydrant in Oak Street Right of Way

