



Mark W. Lawrence
Senator, District 35

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Senator Mark W. Lawrence introducing

**LD 1196, Resolve, to Require the Towns of Kittery and York to Develop a Boundary Description
Before the Joint Standing Committee on State and Local Government**

April 2, 2025

Chair Baldacci, Chair Salisbury and esteemed members of the Joint Standing Committee on State and Local Government, my name is Mark Lawrence. I am the State Senator from District 35 in southern York County, proudly representing Eliot, Kittery, Ogunquit, South Berwick, and York. I am here to introduce LD 1196, Resolve, to Require the Towns of Kittery and York to Develop a Boundary Description.

Working with Kittery Town Manager Kendra Amaral and York Town Manager Peter Joseph respectively, I present this bill after a town line boundary discrepancy between Kittery and York was revealed in a development approval in Kittery a few years back. Action was taken to settle this dispute in York County Superior Court. However, it was dismissed after Judge Douglas stated that an official boundary inspection was required first.

In an effort to settle this neighborly dispute, the towns agreed to jointly petition this body, the Maine Legislature, to reach a compromise and determine the current town borders. This resolve requires the Town of Kittery and the Town of York to jointly develop a description, in metes and bounds, of the boundary between the two towns based on the assessing maps in each of the towns.

From there, the towns are required to jointly provide the description to the Joint Standing Committee on State and Local Government, which may report out a bill to the Second Regular Session of the 132nd Legislature establishing the boundary between the two towns.

In my district, we work together to solve local issues with local solutions. In this case, these towns are seeking the authorization from the Legislature to do just that. This committee has the opportunity to enable these two historic towns to settle this dispute and provide clarity for their residents, business owners and property tax payers. For those reasons, I respectfully encourage you to support this bill.

Thank you for the opportunity to bring this legislation forward. I am happy to answer any questions you may have or bring additional information to the Committee for the work session.

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resolve border dispute with Kittery: Here's why

Staff report news@seacoastonline.com

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YORK, Maine — The town of York is aiming to be a "good neighbor" and resolve its border dispute with Kittery.

The Selectboard recently agreed to Kittery's request to jointly petition the state Legislature to officially cement the current borders.

"We should be collaborating with our neighbors to the south and not try to be adversarial," said Selectboard Chair Todd Frederick.

York officials previously claimed that a section of land south of the town's border in Kittery belongs to York, a discrepancy revealed after a development approval in Kittery. In 2022, York filed a lawsuit in York County Superior Court to appoint three commissioners to inspect the border and establish a new official boundary. The case was dismissed, with Judge Wayne Douglas stating that a perambulation — an official boundary inspection — was required first.

Earlier this year, the Selectboard and Kittery town officials conducted the necessary perambulation, confirming York's suspicions that roughly 94 acres in Kittery are part of York.

Kittery officials have been opposed to any change to the town border.

In a July 15 letter to the York Selectboard, Kittery's attorney, Stephen Langsdorf, argued the fact the towns have maintained the current border without perambulating until recently suggests there has been "no dispute regarding the boundary's location." Langsdorf warned that realigning the border would

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The York Selectboard decided 4-1 in August that it was not going to pursue legal action to determine a new town line. Instead, they wanted to negotiate a resolution, either setting the border in its existing location or another mutually agreeable configuration.

Frederick, along with Select Board member Robert Palmer and Town Manager Peter Francis, met with the Kittery Town Council leadership on Nov. 7.

Kittery, Frederick said, asked them to jointly petition the Legislature to formalize the assumed/existing town borders prior to the recent perambulation.

"Kittery would like it to be codified, in some way," said Frederick. "They would like the line (based on current tax maps) the way it is today."

Selectboard member Mike Estes said he has "no problem doing that."

"But I'm not sure the board can do that," he said.

Town Manager Peter Joseph said the board does not have the authority, but the Legislature does. He said he plans to consult with the town attorney before coming back to the board with a roadmap on how to proceed.

He added the two towns will need to agree on the exact boundary lines before jointly petitioning the Legislature.

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potential for future collaborations between the towns.

"It led to positive conversations and an understanding that we should really get together more often as the two boards to talk about things that we could maybe do together," Palmer said.

Frederick added that both boards plan to meet at least once a year to discuss common areas of interest like coastal resilience.

"We spent about an hour and a half talking about collaborating projects between the two towns," he said.