



TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda
June 22, 2023, @ 5:00 PM
VILLAGE FIRE STATION
32 North Street**

This is an in-person meeting, but the public may join in Zoom webinar format

Join by **computer or mobile device** and click on:

<https://us06web.zoom.us/j/82201821585>

or go to **ZOOM** and enter the **webinar ID: 822 0182 1585**

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

1. Call to Order.
2. **5:00 PM** – Executive Session per MRSA 1, §405-6E to consult with the Town Attorney concerning pending or contemplated litigation.
3. **ESTIMATED 6:00 PM** - Approve the June 8, 2023, 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. Update on Goose Rocks Beach access issue.
6. Request for Picavet funds from the Police Department for duty weapon replacement.
7. Consider proposal by Camoin Associates to study development of Village Parcel.
8. Authorization to grant an easement to St. Ann's Episcopal Church for the sea wall project.
9. Annual board/committee appointments.
10. Accept a \$200 donation from Ed Briggs, where \$100.00 is dedicated towards the Fire Department, and \$100.00 is dedicated towards the Police Department and should be used for safety purposes.

11. Accept a \$500.00 donation from Alison's Restaurant to the general needs account.
12. Other Business.
13. Approve the June 22, 2023, Treasurer's Warrant.
14. Adjournment.

AGENDA ITEM DIVIDER

Town of Kennebunkport
Board of Selectmen Meeting
June 8, 2023
5:00 PM

MINUTES

Selectmen attending: Ed Hutchins, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra, Mike Weston.

1. Call to Order:

Selectman Hutchins called the meeting to order at 5:06 PM.

2. 5:00 PM – Executive Session per MRSA 1, §405-6E to consult with the Town Attorney concerning pending or contemplated litigation:

Motion by Selectman Dykstra, seconded by Selectman Daggett, to enter Executive Session. **Voted:** 5-0. **Motion passed.**

The Selectmen moved to the lounge for the Executive Session, which lasted for 50 minutes. Selectman Hutchins stated that no action was taken during the session.

(The Board accidentally skipped item 3 but returned to it later).

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.)

Heidi Maynard expressed her concern about the regulation of short-term rentals. She asked if there was pending litigation against the Town at this time. Town Manager Laurie Smith answered that there is one case involving 15 Langsford LLC regarding the zone they are in and what is permitted in that zone for commercial use. Heidi asked if there was any pending litigation from property owners being told by the Town that they cannot rent their homes. Laurie responded that there was none. She also clarified that only short-term rentals (less than 30 days) are regulated by the Town.

Marybeth Gilbert thanked the Board for hosting the Meet the Candidates Night that she and George Bentley took part in.

Maureen Summers, via Zoom, informed the group that the microphone for Zoom was on during the Executive Session. While she heard dialog in the Community Room, Selectman Hutchins explained that the Selectmen were in a different room at the time.

No motion was necessary. No action was taken.

3. Approve the May 25, 2023, Selectmen meeting minutes:

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the May 25, 2023, selectmen meeting minutes. **Voted:** 5-0. **Motion passed.**

5. Discussion regarding access to the beach:

Town Attorney Amy Tchao explained that this concerns access to Goose Rocks Beach with adjacent oceanfront property owners in Jeffrey's Way / Sand Point Road area - Tiger 11 LLC and the Poole family. The Poole family signed the original Beach Use Agreement. Tiger 11 came to the Board in December 2022 requesting that they be able to sign a Confirmatory Supplemental Beach Use Agreement. The storm in December 2022 completely washed away a stairway spanning the seawall going down to the beach. There is a private right-of-way allowing several back lot owners on Sand Point Road to access the beach via the stairway.

Adam Chubb, Attorney for Christopher Poole, stated that the Pooles and their predecessors had maintained and replaced the stairs on several occasions over the past several decades, always with the interest of access to the beach for themselves and for the back lot owners with private deeded access. He said that there was a time in 2013 that the stairs had shifted, and the Tiger 11 property owners offered to reposition them. Subsequent to that, he states that Tiger 11 attempted to claim ownership of the stairs and the land and submitted paperwork to the Town for a permit to rebuild the stairs. He requests that the Codes office approve the Pooles' permit and deny the Tiger 11 permit.

Tom Danlick, Attorney for Tiger 11, read a statement for Jerry Rizzieri, who attended via Zoom. The statement claimed that the right-of-way for the backlot owners' meanders onto their property and that the stairs were on their property. However, they want to stress that they have every intention of continuing to allow the backlot owners access to the beach via the path and the stairs, provided the Town allows them to rebuild the stairs. He claimed that the plans and surveys distributed by Mr. Chubb were inaccurate, and that Tiger LLC had attempted to rebuild the stairs in 2013 & 2018.

Selectman Weston asked if the Rizzieris (Tiger LLC) were willing to work with the Pooles to memorialize the back owners' deeded right to the beach. He and Selectman Hutchins expressed irritation and concern that the BUA (Beach Use Agreement) was being used as a sword against the back lot owners when it was intended to be used as a shield.

The Selectmen expressed their strong desire for the Pooles and the Rizzieris to come to an agreement that memorializes the backlot owners' access to the beach as well as the Pooles' right to maintain and repair the seawall in front of their property.

Mr. Rizzieri added that he was a back lot owner in 2013 and signed the BUA at that time. He only discovered in 2020 that his name was not listed on the BUA and sought to have it added at that time.

Sheryl Poole stated that the beach wall is not in a safe condition at this time. She further stated that the past ten years have been full of challenges from Tiger LLC with the details of permits and repairs of the stairs. Since the stairs were washed away in December 2022, the backlot owners have had no access to the beach and her priority is restoring the stairs for them, as well as the responsibility to protect the dunes with the rip rap wall.

Chairman Dykstra stated that it was very unpalatable for the Board to have to step in and make a decision if the two parties cannot come to an agreement and stressed that both parties should make every effort to come to an agreement by the next BOS meeting in two weeks.

Attorney Sean Turley, representing Bob Delhomme (an affected backlot owner) reiterated that there has not been beach access for his client for the past five months and shares concerns with the Pooles that rebuilding the stairs might not be a priority for Tiger 11.

6. Approve hotel mini-bar applications for:

a. Cape Arundel Inn, LLC, located at 203 Ocean Ave:

Motion by Selectman Dykstra, seconded by Selectman Daggett, to approve hotel mini-bar application for Cape Arundel Inn, LLC, located at 203 Ocean Ave. **Voted:** 5-0. **Motion passed.**

b. Tides Beach Club, LLC, located at 930 Kings Hwy

Motion by Selectman Daggett, seconded by Selectman Dykstra, to approve hotel mini-bar application for Tides Beach Club, LLC, located at 930 Kings Hwy. **Voted:** 5-0. **Motion passed.**

7. Discussion of the following ordinance questions on the June 13 municipal ballot:

a. Administrative Code revision regarding Cape Porpoise Pier Committee members.

Town Clerk Tracey O'Roak explained that this is a proposal brought forward by the Pier Committee to change the composition of the Pier Committee from 75% registered voters to 75% commercial fishermen.

Vicki Benenti asked if other Committees have occupational requirements for membership, expressing concern that occupation might become a requirement for other Committees. Selectmen Hutchins responded, and Laurie Smith clarified that with fewer Town residents in the occupation of commercial fishermen, the Pier Committee felt it was necessary to change the composition of the Committee to be mostly those that use the Pier.

b. Administrative Code revision regarding days of annual town meeting.

Tracey stated that this was a proposal by a resident to change the Town meeting from the Saturday morning following an election to the Wednesday evening following the election.

c. Land Use Ordinance revision regarding accessory dwelling units.

Town Planner Michelle Radley explained that this revision is to make the language regarding Accessory Dwelling Units (ADU's) conform to state law in LD2003.

Vicki Benenti asked if the six-month minimum rental period still stands and if that could be changed. Michelle replied that this revision doesn't address the rental period but rather states that ADUs were a permitted (not conditional) use now, not requiring additional parking, etc.

Heidi Maynard asked about the minimum rental period. Selectman Dykstra responded that the minimum was already in the code, and this revision did not address that aspect of the ordinance.

Robin Phillips asked via Zoom about the required acreage in the Shoreland Zone to add an ADU. Michelle responded that there was no change to the current ordinance in that respect. Director of Planning and Development, Werner Gilliam, confirmed via Zoom that the double lot size is a requirement for the addition of an ADU in the Shoreland Zone.

d. Land Use Ordinance revision regarding private road construction.

Michelle explained that this change to the LUO regarded the specifications for new private roads to allow for the larger size of the new fire truck.

Ben Midgely asked if a private road were repaved would it require a widening of the end of that road. Werner Gilliam replied that it would not. Only in the instance of the addition of dwelling units to an existing private road or the creation of a new private road for two or more dwelling units would the new specifications come into play.

e. Authorize easement deed for St. Ann's Episcopal church.

Selectmen Hutchins briefly explained that part of the seawall is on Town land, and this easement would allow for St. Ann's to repair and maintain the entire seawall.

f. Authorize purchase and sale agreement to purchase land on Langsford Road for boat access.

Selectman Hutchins stated that the funds to purchase the land would come from a contingency fund, and while this is taxpayer funds, it would not affect the mil rate.

Robin Phillips asked if a survey had been taken of Langsford Road residents inquiring if they supported this proposal. Selectmen Hutchins replied that, for the most part, while they did have some concerns, they supported the proposal. Robin followed up with a statement that while the Town promoted the ramp as being available to all Kennebunkport residents, day use was not permitted. Selectman Hutchins and Dykstra responded that while day use would be constrained by the tides and depth of water at the ramp, there was no prohibition of day use.

Selectman Hutchins added that a resident had a concern about whether or not kayaks would be permitted to be launched from the boat ramp. He stated that there is a designated kayak launch area at the causeway in Cape Porpoise. Vicki Benenti questioned if kayak launching would be prohibited from the boat ramp. Selectman Dykstra said that kayaks would not be prohibited but rather that it was not the best place from which to launch them. He continued that the committee is looking for other sites that would be more suitable for launching kayaks.

John Green expressed concerns about launching kayaks and available parking on Langsford Road. But he did add that he supported the proposal.

Theresa of Coastal Maine Kayak asked how the construction at the causeway would affect her business. Chairman Hutchins replied that this was beyond the scope of tonight's meeting but that this would be addressed at future meetings dealing with the construction schedule and process.

Selectman Matthews-Bull stated that she's concerned about traffic congestion on Langsford Road and doesn't want the situation to become so bad that "no parking" signs are posted. Selectman Dykstra responded that while traffic is likely to increase, it's unlikely to be dramatic as hours of use of the ramp are restricted by the tide.

Marybeth Gilbert expressed concern asking if there would be many "day trippers" appearing at the ramp or if the tides would truly limit that traffic. Selectman Dykstra reiterated the process for signing up to use the boat ramp.

Robin Phillips reiterated her concerns about day trip access. Selectman Dykstra explained that the hours of access are constrained by the tides and adequate depth of water at the boat ramp.

John had questions about who would have access to the ramp. Selectman Dykstra responded that any Kennebunkport taxpayer or anyone with a dock or mooring in town would be permitted to use the boat ramp for their boat launched from a trailer. Kayak users would not need to use the reservation system as they don't need to use a trailer. Selectman Hutchins and Dykstra noted that the process would be refined over time but emphasized that free water access for town residents is one of the most desired things, as shown by surveys, and that this is a prime opportunity to deliver that. If we pass it by, it's gone forever.

Karen Schlegel, via Zoom, expressed concerns about parking on Langsford Road and stated that finding public parking in Cape Porpoise is paramount. The Board agreed.

Ed Francis, via Zoom, supported this proposal as an opportunity that should be seized but does not think this fully satisfies the needs for free water access that have been expressed over the past ten years. He asked if this was the end of the search. The Board agreed, and Selectman Dykstra added that the search, particularly for kayak launches, continues.

8. Consider abatement for sewer service charge for 5 Wharf Lane, MBL 010-001-013A:

Public Works Director, Chris Simeoni, explained to the Board that this property had previously been a two-unit condo but underwent renovations in December of 2022 to become a single-unit dwelling. He is therefore recommending that the Board approve an abatement for the sewer charge in the amount of \$569.87.

Motion by Selectman Dykstra, seconded by Selectman Daggett, to approve the sewer charge abatement for \$569.87. **Voted: 5-0. Motion passed.**

9. Update and Authorization of repairs at Colony Beach:

Chris and Laurie described their meeting with Megan McDevitt & Barry Sheff of Woodward and Curran regarding the Colony Beach parking area. The lot is currently at 16 feet elevation. It would need to be at 20 feet elevation to withstand a storm surge at high tide by flood map projections, but this would put the parking lot higher than the seawall, the parking area for neighboring condos, and Ocean Avenue itself. It was therefore concluded that repairs should be made but only to the existing 16-foot elevation.

Motion by Selectman Weston, seconded by Selectman Dykstra, to approve the use of contingency funds to repair the Colony Beach parking area to the existing 16-foot elevation. **Voted: 5-0. Motion passed.**

10. Authorize the annual Animal Welfare Society shelter agreement:

Motion by Selectman Matthews-Bull, seconded by Selectman Weston, to approve the annual Animal Welfare Society shelter agreement in the amount of \$5295.42. **Voted:** 5-0. **Motion passed.**

11. Consider renewing the agreement for public safety answering point service:

Police Chief Sanford explained that this is a contract with the York Public Safety Answering Point (PSAP). They answer the 911 calls and transfer the appropriate calls for police, medical & fire to our dispatch center, which is required of us.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve renewing the PSAP agreement in the amount of \$69,762.47. **Voted:** 5-0. **Motion passed.**

12. Appoint Frederick Stafford to the Climate Action Plan Task Force:

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to appoint Frederick Stafford to the Climate Action Plan Task Force. **Voted:** 5-0. **Motion passed.**

13. Discussion of Summer Schedule:

The choice is whether or not to have two full BOS meetings each month in the summer months or a full meeting on the second Thursday and a warrant-signing meeting only on the fourth Thursday of the month.

Motion by Selectman Weston, seconded by Selectman Matthews-Bull, to hold full meetings only on the 13th of July and the 10th of August, with warrant-signing meetings on the 4th Thursdays of these months. **Voted:** 4-0-1. Selectman Hutchins abstained as he will no longer be a selectman on these dates. **Motion passed.**

14. Accept the \$50.00 donation from an anonymous donor dedicated to the general nurses' fund:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to accept the \$50.00 donation to the general nurses' fund. **Voted:** 5-0. **Motion passed.**

15. Other Business:

Selectman Weston, on behalf of the entire Board, thanked Ed for his ten years of service to the Board of Selectmen, stepping into the vacancy left by the tragic and sudden death of Mat Lanigan. He provided a history of major issues, events, and accomplishments of the Board during Ed's tenure. He presented an enlarged picture of Ed with President George H.W. Bush and of Ed on his lobster boat.

Ed expressed his appreciation for the other Board members and the Town staff for their hard work.

Neither the other Selectmen nor Laurie had any other business.

16. Approve the June 8, 2023, Treasurer's Warrant:

Motion by Selectman Weston, seconded by Selectman Dykstra, to approve the June 8, 2023, Treasurer's Warrant. **Voted:** 5-0. **Motion passed.**

17. Adjournment:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to adjourn. **Voted:** 5-0. **Motion passed.**

The meeting adjourned at 7:57 PM.

Submitted by,
Dave Powell,
Technology Specialist

AGENDA ITEM DIVIDER

MEMORANDUM

To: Laurie Smith, Town Manager
Fr: Chief Craig A. Sanford
Re: Duty Weapon Replacement
Dt: June 14, 2023

It is time to replace the current duty weapons that police officers carry on a daily basis. These weapons have been in service for over the industry standard for replacement of ten years. These weapons see hundreds of rounds fired from them every year, as well as numerous climate exposures with our coastal waters.

I am requesting that this purchase be completed using the Picavet Fund. The Picavet Fund is a donation left to three public safety agencies in town, Kennebunkport EMS, the town nurse, and the police department. The intent of this fund is for the involved agencies to purchase needed equipment. Currently, the police department has approximately \$ 49,971.11 available for use.

We have obtained three quotes from vendors requiring us to trade in our current weapons. We will get new Glock Model 45 pistols with night sights, new holsters, Red Dot sights, weapon lights, duty ammo, and training ammo. I have included the three proposals. I am recommending that we be authorized to purchase our new weapons from Parro's Gun Shop out of Vermont. With their proposal, the entire purchase will be the cheapest. We have an approximate pick up date of 120 days from the time of purchase, and timing may require the purchase to be completed near the end of the year in 2023.

There will be a need to conduct training with the new weapons, and we may need to delay FINAL pick up to the spring of 2024 to avoid firearms training in the snow. To avoid issues and ensure we have sufficient funds, I am asking for authorization to use up to \$ 25,000.00 should the final purchase not be completed before the end of 2023 to allow for price increases.

Picavet Funds

		Police	Public Health	
Fund Balance	\$748,703.65			
Fund earnings since inception	\$ 194,753.28	\$ 97,376.64	\$ 97,376.64	
FY 19 expense	(19,811.05)	(9,905.53)	(9,905.53)	Replacement of furnace at PD & PH
FY 24 expense	\$ (34,000)	\$ (20,500)	\$ (13,500)	Replacement of gutters, hard drive, & grinder pump
Estimated Balance	\$ 140,942.23	\$ 66,971.11	\$ 73,971.11	

Parro's Gun Shop and police Supplies
95 US RT 2 Waterbury Vermont, 05676

<u>Item Description</u>	<u>Manufacturer</u>	<u>Quantity</u>	<u>Price each</u>	<u>Total</u>
Model 45 pistol	Glock	20	\$500.50	\$10,010.00
Red Dot sites	Holosun	20	\$294.00	\$5,880.00
Pistol lights	Surefire	20	\$279.00	\$5,580.00
Holsters	Safariland	20	\$139.00	\$2,780.00

Trade-in for current weapons	- \$4,275.00
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TOTAL

\$ 19,975.00

10,000 rounds of Training ammunition	\$ 2,778.00
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1,500 rounds of New Duty ammunition	\$891.00
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TOTAL COST

\$ 23,419.00

Kittery Trading Post
301 USA RT 1 Kittery, ME 03904

<u>Item Description</u>	<u>Manufacturer</u>	<u>Quantity</u>	<u>Price each</u>	<u>Total</u>
Model 45 pistol	Glock	20	\$619.99	\$12,399.80
Red Dot sites	Holosun	20	\$309.99	\$6,199.80
Pistol lights	Surefire	20	\$329.99	\$6,599.99
Trade-in for current weapons (no trade-in)				0
				<u>TOTAL</u>
				\$ 25,199.79

We would need to find somewhere else to purchase used weapons

10,000 rounds of Training ammunition				\$ 2,778.00
1,500 rounds of New Duty ammunition				\$891.00
Holsters	Safariland	20	\$139.00	\$2,780.00
				<u>TOTAL COST</u>
				\$ 31,648.79

AMCHAR Wholesale INC.

100 Airpark Drive Rochester, NY 14624

<u>Item Description</u>	<u>Manufacturer</u>	<u>Quantity</u>	<u>Price each</u>	<u>Total</u>
Model 45 pistol	Glock	20	\$757.56	\$15,151.20
Pistol lights	Surefire	20	\$254.36	\$5,087.20
Holsters	Safariland	20	\$139.00	\$2,780.00

Trade-in for current weapons - \$5,225.00

TOTAL

\$ 17,179.34

10,000 rounds of Training ammunition \$ 2,778.00

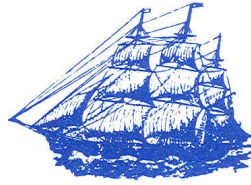
1,500 rounds of New Duty ammunition \$891.00

Red Dot sites Holosun 20 \$294.00 \$5,880.00

TOTAL COST

\$ 27,342.40

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

*– INCORPORATED 1653 –***MEMORANDUM**

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Werner Gilliam, Director of Planning & Development
Re: Village Parcel Development
Dt: June 19, 2023

In the fall of 2018, the Town purchased an 87-acre parcel of land between North Street and School Street which came to be known as the Village Parcel. In the spring of 2019, the Selectboard appointed the Village Parcel Committee to undertake a visioning process with the community. Over the next year, the committee held stakeholder meetings, multiple public sessions, and a three day long visioning process. At the end of the process, the committee presented the Selectboard with the report “A Vision for the Village Parcel.” Unfortunately, the process ended at the same time the COVID-19 pandemic began, and much of the momentum and planning were put on hold to deal with more pressing issues.

Even though the project was put on the back burner, it did not come to a complete stop. The Town has undertaken a variety of measures to move forward with the Village Parcel vision.

1. The main path was cleared of construction debris, and a small parking area and trail system were built at either entrance of the parcel.
2. The Town hired Acorn Engineering to develop an updated construction estimate for the infrastructure in 2021.
3. The Town entered negotiations with The Climate Initiative (TCI) to purchase a parcel of land for their headquarters. Ultimately, TCI decided to purchase a lot elsewhere in Town; however, the process was helpful for understanding how development could occur on the lot.
4. The Town has authorized the design and engineering for a new Town Hall building to be located at the North Street entrance to the parcel.
5. The Town authorized a study of a zoning layer initiating a form-based code for the parcel.

One of the most effective land-use tools for shaping pedestrian-scaled, mixed-use, and active urban environments is a form-based code. It is an alternative zoning tool that uses pictures, diagrams, and simple language to describe the look of a community that residents find desirable. During the many public listening sessions,

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Tel: (207) 967-4243 Fax: (207) 967-8470

TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

we found people describing the areas they love and enjoy being in, most notably places like the Village area and Cape Porpoise. Currently, Kennebunkport's zoning does not allow for the creation of a vibrant, walkable village area. Our goal is to put in place the tools for the village parcel that will help to create the look and feel of the historic village and cape porpoise areas. Over 700 Communities in the United States use some type of form-based code to allow for these traditional development patterns that notably exist throughout New England.

As Town staff undertook the form-based code proposal, they began to question whether more updated information needed to be gathered first to create a firm foundation of understanding on which to base the code. The original Town survey and visioning process occurred in 2019, and the market analysis is now four years old. This is especially concerning when we examine the vast changes that have arisen in the real estate market since the pandemic. Questions have surfaced regarding the accuracy of this data in this new real estate world, as well as the citizens' desire to implement an updated zoning model that would create the village feel that so many were attracted to during the visioning process.

In order to develop the foundation for future actions, staff recommends the Town contract with Camoin Associates and Principal Group to survey the community, analyze the financial feasibility for the development of various uses, and present the citizens with three development concepts that will lead to a preferred concept. This chosen development plan will be the basis for our zoning on the parcel. The estimated timeline is six months, and the total cost is \$41,790. There is approximately \$100,000 remaining in the Village Parcel account, which could fund this work. Staff also recommend that the Town contract with Acorn Engineering to update the infrastructure cost estimates for the main road, which should not be a large expense. The deliverables for the project will be a market analysis report, visual development concept, and "pitch deck" designed to showcase the concept to interested parties. The consultants will also provide recommended financing options, including tax increment financing (TIF) districts.

The staff has approached Camoin Associates as the lead on this project, as they have a well-earned reputation for data analysis and economic development in the State. Camoin conducted the original housing analysis for the Town and was an integral partner in the original Village Parcel plan. Camoin will partner with Principal Group, who are well respected in the field of urban planning and have created a number of downtown development models, including zoning plans that were successfully adopted by municipalities.



June 7, 2023

Laurie Smith, Town Manager
Town of Kennebunkport
6 Elm St
Kennebunkport, ME 04046

Dear Laurie,

Thank you for contacting us about renewed efforts to develop the town-owned Village Parcel in Kennebunkport. We have put together the following scope of work based on our discussion. We feel that this scope provides a clear path forward for advancing development on the site without the need for repeating past public engagement efforts.

Following this proposed process, the Town will have the baseline information needed to pursue rezoning on the site, develop a TIF district, issue a developer RFP, extend infrastructure, plan for the construction of municipal facilities, and otherwise advance development on the site.

We propose a team led by Camoin Associates and supported by Principle Group. Camoin Associates would be the Town's primary point of contact, shepherding the process through each task. Camoin will lead financial feasibility analysis and public outreach efforts, including two surveys and an engagement session, and final deliverable creation. The key personnel from Camoin would include:

- Jim Damicis, Sr. Vice President – Senior Advisor
- Tom Dworetzky, Director of Research – Principal/Analytics Lead
- Robert O'Brien, Sr. Housing Specialist – Project Manager/Engagement Lead
- Jilayne Jordan, Graphics Specialist – Graphic Design

Principle Group will lead visualization of design concepts. They will support Camoin on refining concepts into a cohesive development program, providing graphics and survey language on project design elements. The key personnel from Principle will include:

- Russ Preston, Founder – Lead Design
- Vanessa L. Farr, Director of Planning, Principle – Planning and Design

Proposed Scope of Work

Task 1. Development Parameters & Preferences Survey

The team will review the report deliverables and summarize the opportunities and constraints identified to establish development parameters for the site. These parameters will include:

- Desired uses to be integrated – municipal uses, open space, market-rate vs affordable housing, owner vs renter housing, small-scale neighborhood commercial uses;
- Re-zoning feasibility – appropriate density and New England village building styles;

- Town fiscal considerations – alignment with Town vision; importance of recouping initial land cost; no further investment from the Town;
- Market feasibility – revenue-generating uses with sufficient market demand;
- Physical feasibility – feasible physical layout of the site given developability constraints;
- Phasing considerations – the order that development should occur on each portion of the site;
- Developer return requirements – minimum financial return required by a potential developer;

A public survey (the first of two) will be created to gauge public preferences for development of the site. The team will review a draft survey with staff to get approval on a final survey before going live with it. Survey questions might include the following:

- Rank/rate the types of uses you'd like to see on the site
- What objectives should the Town prioritize in developing the site? (rank/rate)
 - Create affordable workforce housing units
 - Create affordable senior housing units
 - Create market-rate housing units
 - Create retail/commercial space
 - Recoup initial investment in land
 - Accommodate needed public facilities
 - Create public gathering spaces
 - Preserve open space
- What is an appropriate level of density for the site (show illustrative pictures of different densities and building types)?
- Which design elements do you like/not like (alleyways, dead-end streets, civic spaces and amenities, multi-unit/multi-story buildings, etc.)?
- How would you use the land?

Camoin will create the survey and host it on a survey platform, with design-specific questions and visuals provided by Principle. Camoin will analyze the survey results and share with the Town. The Town will be responsible for publicizing the survey and ensuring an acceptable number of responses.

Deliverable: Memo detailing survey results and the various parameters to be considered in developing concepts. The Town will have an opportunity to comment on this memo before the team proceeds to the next task.

Task 2. Financial Feasibility Modeling

We will analyze the financial feasibility of development for various use types on the Village Parcel. The purpose of this task is to understand what types of development are possible and likely given market conditions and financial parameters. For example, while there may be a community preference and/or market demand for a certain type of development, it may not financially “pencil out” given development costs and achievable sale prices and lease rates. Funding gaps may preclude such development from occurring absent some form of subsidy.

We will perform a return-on-cost analysis on various housing types (e.g., for-sale single-family homes, for-sale townhomes, for-sale duplexes or condominiums, multifamily rental apartments, etc.) to evaluate the extent to which market value generated by these uses compares to development costs. This will involve estimating potential net operating income for each use type relative to development costs and comparing this to the return threshold that would be required by a typical investor/developer. Such estimates will be generated using sale price points, lease rates, and operating expenses (including property taxes), specific to Kennebunkport and the greater submarket. The analysis will also consider how the feasibility equation changes if housing units are developed as below-market affordable units.

The analysis will consider the cost of extending infrastructure onto the site. We will rely on the Town to provide up-to-date infrastructure cost estimates.

As part of this task, Camoin will conduct outreach to housing developers to verify assumptions including construction costs and ground-truth the feasibility of various market-rate and/or affordable residential development concepts.

Working with the team, we will create 3 development concepts that respond to the various parameters identified that reflect different combinations of housing types and varying levels of development density. We will perform an overall financial feasibility analysis on each of the 3 concepts that determines the financial return to a developer, proceeds which the Town might expect from the land sale, and/or additional costs the Town may need to incur. Concepts will be adjusted as appropriate to ensure that all are financially feasible before proceeding with subsequent tasks.

Deliverable: Memo summarizing results of the financial feasibility analysis and detailing the development concepts.

Task 3. Visualization of Development Concepts

Principle will create a set of renderings that assist in visualizing of three development concepts for the site. The graphics will show how the various pieces of the development program would be accommodated physically on the site and incorporate design elements that respond to public preferences. The renderings will be annotated describing the key design principles and features of each concept.

Deliverable: Original, hand-drawn, colored renderings of three (3) development concepts.

Task 4. Public Outreach

The team will conduct a public session during which the three concepts are presented to the public, offering an opportunity for public comment. Considerations leading to the development of the concepts will be explained. In addition, a brief guide will be prepared that informs the public about each development concept. A second survey will be created that asks for the public to respond to the specific development concepts. The survey will include visuals and annotations for each concept and ask the public for feedback specific to those concepts.

Example questions might include:

- Which of the 3 development concepts best aligns with what you would like to see on the site?
- Rate/rank individual components (uses, design, etc.) of each concept

Camoin will analyze the survey and share results with the Town. The Town will be responsible for publicizing the survey and ensuring an acceptable number of responses.

Deliverable: Brief guide that summarizes the development concepts produced by Principle Group; Memo summarizing survey results led by Camoin

Task 5. Preferred Concept

The team will review the feedback gathered through the public session and both surveys and develop a "preferred concept" for the site. This might involve modifying or combining aspects of the initial development concepts. The financial feasibility analysis and the visuals will be adjusted accordingly. Recommendations will be provided to the Town on funding sources for achieving the development vision. The team will return to Kennebunkport for a final public presentation of the preferred concept.

Deliverable: The final deliverable will consist of a “pitch deck” designed to showcase the preferred concept to interested parties, including prospective developers and the public. The pitch deck will lay out key findings from the analysis and engagement process in approximately 20 slides, including a recommended development strategy (programming, phasing, funding sources, etc.), visual concept plan(s), key financial return metrics, public and private investment costs, and any additional information the Town would like to include. The team will produce materials for a final in-person public presentation.

Timeline and Budget

Our estimation of a timeline consists of approximately six months of work. The Town may opt to amend the timeline around holidays or other scheduling concerns.

- **Month One:** Project preparations with client and team
- **Month Two:** First survey released, collected, and analyzed
- **Month Three:** Financial modeling conducted, concept renderings completed
- **Month Four:** Public presentation of concepts and analysis; second survey released
- **Month Five:** Second survey collected and analyzed; preferred concept developed
- **Month Six:** Preferred concept presented to public

We propose the following budget with a total fee of \$41,790, inclusive of two site visits by the team.

VILLAGE PARCEL FEASIBILITY STUDY PRE-ZONING

PROJECT BUDGET Tasks		CAMOIN Fee	PRINCIPLE Fee	Total
Development Parameters &				
1	Preferences Survey	\$3,880	\$2,960	\$6,840
2	Financial Feasibility Modeling	\$6,970	\$0	\$6,970
Visualization of Development				
3	Concepts	\$2,730	\$10,000	\$12,730
4	Public Outreach	\$3,510	\$2,140	\$5,650
5	Preferred Concept	\$6,220	\$3,380	\$9,600
Total Project Fee		\$23,310	\$18,480	\$41,790

Thank you for this opportunity to work with the Town once again.

Sincerely,



Tom Dworetsky
Director of Research



Jim Damicis | *Senior Vice President*

PROJECT ROLE: Senior Advisor

Jim has led analyses and strategies for economic, workforce, and community development across the country for more than 30 years. This includes work for state, regional, local, and private clients. For each project, Jim combines a deep understanding of state-of-the-art analytics with the engagement of employers and stakeholders to uncover emerging trends and unique opportunities.

Before merging with Camoin Associates in 2009, Jim built PolicyOne Research into a leading research and analysis firm serving private and public clients throughout the northeast. He also worked for the Maine Science and Technology Foundation (MSTF) for three years as the Director of Research and Policy.

Jim is a national leader in preparing professionals, communities, and regions for an emerging economic future through his work with Communities of the Future and as an instructor for the International Economic Development Council's certification course on strategic planning.

FEATURED PROJECTS

Scarborough Downs Development Advisory Services | Scarborough, ME
| Jim worked closely with the project team to develop a market-viable mixed-use redevelopment program for The Downs. He was instrumental in negotiating a tax increment financing agreement with the Town of Scarborough to assist the developer with infrastructure costs that would enable the development to proceed and bring jobs and a new downtown village to the town.

Housing Needs Analysis and Assessment | Town of Kennebunkport, ME
| Jim served as project principal and led the team in developing an assessment that quantified the town's existing and future housing needs through data analysis, interviews, an employer survey, and public meetings. The work was used by the Town to increase awareness of Kennebunkport's unmet housing needs and identify priority sites for new housing development.

Cook's Corner Revitalization Plan | Town of Brunswick, ME
| Jim served as project principal on a multi-disciplinary team to develop a market-based revitalization plan for an outdated strip mall in Brunswick. Focusing on the growth and opportunities within the region, Camoin Associates engaged stakeholders in the development community and the larger community to communicate findings and build support for the plan.

Jim's goal is to make your community resilient in the uncertain conditions. He will enable you with emerging trends and opportunities in economic development.

JOINED CAMOIN: 2009

YEARS OF EXPERIENCE: 30+

EXPERTISE

- Regional economic strategies
- Target industry and industry cluster analysis
- Workforce development strategies
- Innovation economy
- Evaluation and benchmarking

AFFILIATIONS

- Northeastern Economic Development Association (NEDA), past President
- International Economic Development Council's (IEDC) Economic Development Research Partners (course instructor)

EDUCATION

- Master of Public Policy and Administration, Edmund S. Muskie School of Public Service, University of Maine
- B.A. Economics and Political Science, University of Connecticut, Storrs



JOINED CAMOIN: 2014

YEARS OF EXPERIENCE: 10+

EXPERTISE

- Real estate market analysis
- Financial feasibility analysis and modeling
- Economic and fiscal impact analysis
- Supply chain analysis
- Targeted industry research

AFFILIATIONS

- American Institute of Certified Planners (AICP)
- American Planning Association, Mass. Chapter (MA-APA)
- Urban Land Institute (ULI), Boston/New England Chapter
- Massachusetts Economic Development Council (MEDC)

EDUCATION

- Master of City and Regional Planning, The University of North Carolina at Chapel Hill
- B.S. Business Administration, Questrom School of Business, Boston University

Tom Dworetsky, AICP | *Director of Research*

PROJECT ROLE: Principal and Analytics Lead

Tom's role at Camoin Associates focuses on harnessing the power of data to uncover economic development opportunities and measure the results of strategic implementation. As the leader of Camoin's Data Team, he is well-versed in a broad array of economic data sources and methodologies that get to the core of critical research questions and produce insights that lead to action.

Having analyzed dozens of distinct industries across the economy, Tom is adept at leveraging industry research to inform economic development strategic planning initiatives. He has led and completed a variety of supply chain studies, economic and fiscal impact analyses, and real estate analyses. His work has included quantifying the impacts of complex policies and plans, building pro forma financial models for large development projects, and conducting regional and site-specific market analyses for a range of communities and use types.

As an AICP-certified planner with national experience in both real estate and land use planning, Tom brings expertise for tackling economic development challenges in communities with unique market conditions and land use challenges. He has a special interest in strategies for downtown revitalization and the positive economic impacts that reinvigorating historic town centers can have on communities.

FEATURED PROJECTS

Multifamily Market Analysis | Greater Portland, ME | Tom's analysis of real estate market trends in the area helped focus the strategy toward attracting the types of unit-sizes, phasing schedule, amenities, and price points that are needed to ensure successful absorption of additional units in the market.

Housing Needs Analysis and Assessment | Town of Kennebunkport, ME | For this project, Tom quantified existing and future housing needs for the town through data analysis, interviews, an employer survey, and public meetings. As lead analyst, he led research and analysis to determine housing demand segments and informed the public about the imperative for affordable housing in town.

Market Analysis and Redevelopment Strategy | City of Biddeford, ME | The Camoin team created a framework for guiding the private sector in adapting emerging market opportunities to the city's desired development outcomes. As lead analyst on the project, Tom prepared a market analysis and quantified the level of public sector investment necessary to achieve the strategic vision.

Tom's focus on the power of data ensures that our recommendations are grounded in market realities.



YEARS OF EXPERIENCE: 10+

EXPERTISE

- Data analysis
- Urban planning
- Public policy
- Strategic planning
- Housing strategies

CAREER EXPERIENCE

- Senior Economic Development Manager, Greater Portland Council of Governments, Maine
- Program Director, Maine Development Foundation
- Planning Assistant, Town of Freeport, ME
- Assistant Director, Maine Preservation
- Elected Member, Board of Public Education, Portland, ME
- Elected Member, Charter Commission, Portland, ME (twice)
- Appointed Member, Historic Preservation Board, Portland, ME

EDUCATION

- Master's, Public Policy and Management, Muskie School of Public Service, University of Maine System
- BA, Liberal Arts, Bates College

Robert J. O'Brien | Senior Housing Specialist

PROJECT ROLE: Project Manager and Engagement Lead

Robert's professional background spans public policy, urban planning, and economic development. He has worked in a municipal planning office, consulted on a municipal comprehensive plan, staffed a statewide chapter of the National Main Street Center, and directed community development efforts on broadband, housing, and economic redevelopment in towns that lost an industrial anchor. Robert was most recently a senior economic development manager at a regional economic development district, where he convened federal, state, local, and corporate representatives around the prospective redevelopment of a defunct paper mill.

Robert has held elected office three times, once for the school board and twice for separate charter commissions. He currently serves on his city's historic preservation board, overseeing applications for both commercial and residential construction in sensitive districts. Robert is lobbying to expand the state historic tax credits in Maine to small commercial properties and residences.

FEATURED PROJECTS

Robert recently joined the Camoin Associates team. Some of his featured projects were performed in previous roles.

Housing Needs Assessment | Broome County, NY | Robert compiled the lion's share of data and provided analysis for the county-wide assessment.

Housing Needs Assessment | Lake George, NY | Robert produced ten case studies of seasonal worker housing and provided seasonal worker housing strategies for the town based on their unique circumstances.

Housing Studies | Maine's Forest Opportunity Roadmap (FOR/Maine) | Robert oversaw a team of contractors producing housing studies in seven mill towns around the state of Maine.

Comprehensive Plan | Newcastle, ME | Robert interpreted demographic and economic data to write copy for the town's comprehensive plan.

Broadband Utility | Katahdin Broadband | Maine | Robert identified and scheduled presenters for collaborative meetings between three towns seeking to establish a locally owned broadband utility in a remote region.

Main Street Charette | Citizens' Institute on Rural Design | Millinocket, ME | Robert helped the Town of Millinocket win a national competition for design services from a team of consultants for improvements and rehabilitation of an economically depressed main street. He also participated in public events and design development.

Robert enjoys pursuing creative solutions in real estate, planning, and public policy to build a desirable society.



JOINED CAMOIN: 2022

YEARS OF EXPERIENCE: 25+

EXPERTISE

- Writing
- Copyediting
- Graphics and publication design
- Marketing/PR
- Brand management

CAREER EXPERIENCE

- Communications Specialist, City of Vancouver, WA
- Parks Communications Specialist, Clark County, WA
- Community Affairs Coordinator, Oregon Department of Transportation
- Public Information Officer, Washington State Department of Transportation
- Media Relations and Constituency Services Coordinator, Georgia Department of Transportation

EDUCATION

- BA in Journalism with a public relations emphasis, Cal Poly Humboldt

Jilayne Jordan | *Graphics and Communications Specialist*

PROJECT ROLE: Graphic Design

Jilayne brings more than two decades of graphic design, communications, and marketing experience to Camoin Associates. She spent most of her prior career in the public sector, working on a variety of projects for local and state government agencies across three states, including transportation, parks, economic development, affordable housing, homelessness, and small business support. Jilayne is especially passionate about using clear, simple language and attractive graphics to explain complex issues to diverse audiences.

FEATURED PROJECTS

Coordinated Action Plan for Economic Vision 2030 | State of Utah | Jilayne designed multiple documents for the project using the client's unique brand identity and style, including a fact sheet, presentations, and the 196-page final report.

Wendt Beach Park Request for Expressions of Interest | Erie County (NY) | Jilayne developed a marketing and distribution plan, researched and compiled a list of local and regional marketing contacts, wrote a news release, and developed social media graphics and copy to help promote a Request for Expressions of Interest (RFEI) for the development of the county's Wendt Beach property on the shore of Lake Erie.

Housing Diversity Study | Town of Cape Elizabeth, ME | Jilayne designed two infographics about enhancing housing diversity in the town, one on the current situation and one explaining the path forward.

Comprehensive Housing Study and Strategy | Lake Champlain-Lake George Regional Planning Board (NY) | Jilayne designed and developed a variety of print and digital materials promoting the project and its community involvement opportunities, including a project website, flyers, fact sheets, news releases, digital graphics, and short videos.

General Marketing Support (in progress) | Chelmsford Cross Roads at Route 129 (MA) | Jilayne refreshed all the content on the business district's outdated website and continues to maintain the website, as needed. She also provides graphics and content for LinkedIn posts as needed and designed a workforce profile and flyers for marketing purposes.

ProspectEngage™ Marketing | Camoin Associates | Jilayne helped plan and design multiple LinkedIn advertising campaigns promoting ProspectEngage™, a subscription-based digital lead generation tool owned and operated by Camoin Associates. This work included redesigning the product's webpage, designing marketing emails, producing a short marketing video, and designing multiple social media graphics.

Jilayne is a visual storyteller with a passion for using plain language and beautiful imagery to explain complex issues.

PRINCIPLE GROUP team biographies



Russell Preston

PROJECT ROLE: Lead Design

Russell Preston is the founder of Principle, a planning, design, and development firm focused on creating authentic places. His work as a designer and urbanist during the last two decades has included a variety of public and private projects of all scales throughout the U.S., as well as contributions to industry publications such as the Tactical Urbanism Guides, Smart Cities, Living Urbanism, and ArchDaily. Russell understands complexities of building great places first hand when it comes to placemaking, from his work developing several mixed-use infill buildings in Greater Boston to the creation of PlaceCode, an open-sourced zoning code designed to allow more communities to benefit from improving their regulations. Prior to founding Principle, Russell worked with Cornish Associates on the redevelopment of Downcity Providence, and Mashpee Commons, a mixed-use neighborhood on Cape Cod. In 2010, he received the Faculty Award for Outstanding Contribution to the Profession from the University of Miami. Russell lives in Boston with his wife and son.



Vanessa L. Farr, CNU-A

PROJECT ROLE: Planning and Design

Vanessa L. Farr is the Director of Planning of Principle, and has 25 years of professional planning and development experience. Trained as a generalist, Vanessa has specialized in both urban design, sprawl retrofit, place-based economic development and outcome-driven zoning policy. Prior to joining Principle, Vanessa founded Maine Design Workshop in 2015, a collaborative of professionals based here in Maine delivering comprehensive planning, zoning and development services to both developers and municipalities. Before moving to private sector, Vanessa served as Planning Director for a number of small coastal communities in both Massachusetts and Maine.

Vanessa works across every size and scale of lot, block, street, neighborhood and community. On any given day, Vanessa can be found wearing an orange vest field-testing street design improvements with a public works crew, managing a team of professionals on charrette, and analyzing zoning code to advise on barriers to housing and economic development.

Vanessa is the Co-Founder of Build Maine, and previously served on the New England Board of the Congress for the New Urbanism, and was the recipient of the 2014 Maine Association of Planners Professional Planner of the Year award. Vanessa obtained her degree in Urban and Regional Planning from the Faculty of Environment, University of Waterloo, Canada.

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A Vision for the Village Parcel

Kennebunkport, Maine July 2020

Mitchell
Associates
LANDSCAPE ARCHITECT

GORRILL
PALMER

camoin
associates 310
ÉCONOMIQUE DÉVELOPPEMENT

PRINCIPLE

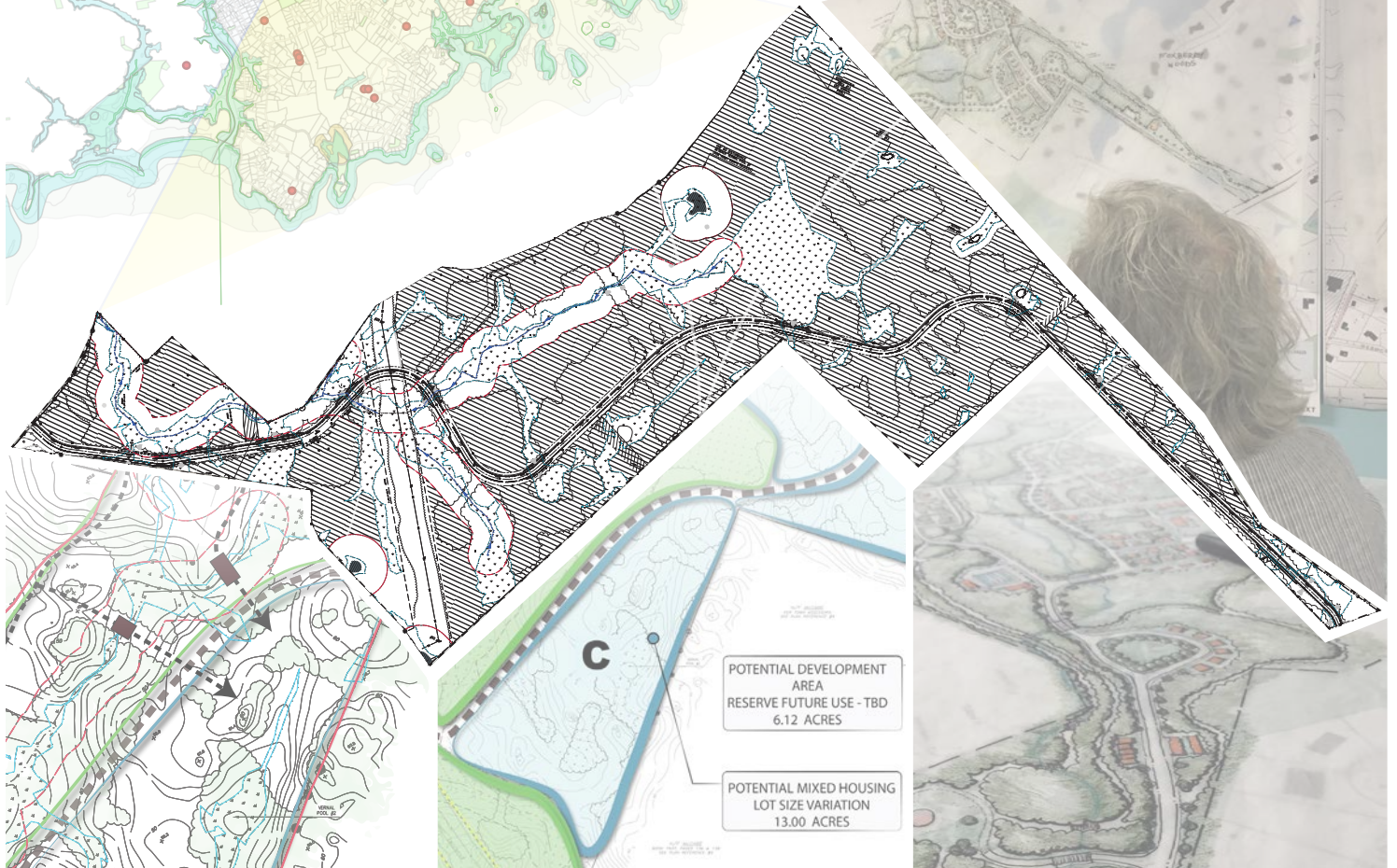


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1. INTRODUCTION

Background

In 2018 the Town of Kennebunkport acquired the 87±acre “Village Parcel” located along North Street and with access to School Street. The parcel, the previously- approved Olde Port Village residential subdivision, was purchased for \$10,000,000. The property’s size, location just outside the Village (in the Town’s designated “Growth Area”), and its access to public sewer and water provide a rare opportunity for a town to help address short-term and long-term needs.

Identified on the Town’s Tax Map 12 as Lot 5-21, the property abuts a combination of large areas of undeveloped land as well as established residential subdivisions. The Parcel has access to public utilities and includes varied wetland habitats on site. Refer to Section 2, Site Assessment, for more details on existing conditions.



Steering Committee

The Town Board of Selectmen appointed a nine-member steering committee consisting of a cross section of residents, in order to guide the planning process, interact with the community, identify Town needs and desires, and develop a plan with assistance from the consulting team. The twelve-month process included over 20 committee meetings involving stakeholder group interviews, public comment, public visioning sessions, review of prepared documentation and plans by the consultant team, review of public visioning sessions, and guidance in understanding the opportunities and constraints and potential future land uses that will shape the ultimate plan for the Parcel.

<u>Town Staff:</u> Laurie Smith (Town Manager)	Werner Gilliam (Director of Planning & Development)
<u>Committee Members</u> Allen A. Daggett (Chair) (Selectman) Sheila Matthews-Bull (Selectmen) Connie Dykstra E. Russell Grady	John Harcourt Jamie Houtz Tim Pattison D. Mike Weston Rebecca Young

1. INTRODUCTION

This report documents the extensive public input process that led to identifying the priorities below. It is structured to provide a condensed summary of that process along with recommendations based upon site assessment, public input, municipal needs assessments, market analysis and land use analysis. It includes an illustrative concept plan that identifies development patterns that could support the extension of the village area.

The report is organized in the following sections:

1. Introduction
2. Site Assessment
3. Public Process
4. Municipal Needs Assessment
5. A Vision for the Village Parcel
6. Next Steps

The appendices contain the documentation collected during the process that support the findings contained in the report.

Village Parcel Priorities

The Village Parcel provides an opportunity for the community to plan for current and future needs of Kennebunkport as may be identified. Located on the edge of the existing Main and North Street village residential area and within close proximity to Cape Porpoise, the property could provide for the expansion of the village area pattern of growth and allow for improved connectivity for municipal public safety services between sections of town.

The following objectives were emphasized in the Town's Request for Consultant Proposals and were echoed throughout the public planning process.

- Provide for future town essential services, including municipal facilities to enhance the Kennebunkport experience.
- Include design principles of traditional neighborhoods found in Kennebunkport's village area.
- Parcel should flow as an extension of Kennebunkport's adjacent villages.
- Maintain Kennebunkport's small town character.
- Encourage safe vehicular traffic and pedestrian connectivity.

1. INTRODUCTION

- Provide for future multigenerational needs.
- Establish mixed uses that complement the needs of the community and each other.
- Encourage passive recreational opportunities.

The public planning effort, guided by the Village Parcel Steering Committee, resulted in a series of priorities for the use of the Parcel that are discussed in Section 5, “A Vision for the Village Parcel.”

2. SITE ASSESSMENT

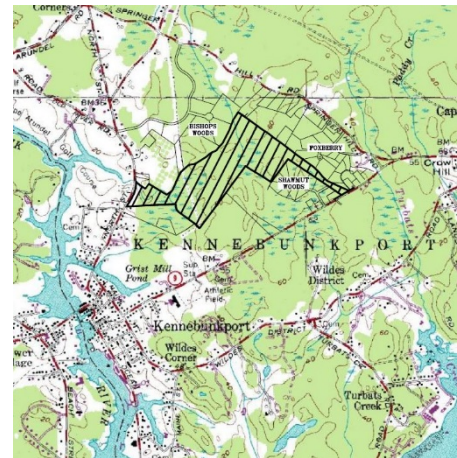
Overview

This portion of the report describes the assets and the constraints of the property as it relates to development. This section first describes the Parcel's existing conditions, known as the *site inventory*, discusses the implications of those conditions with the *site analysis* and concludes with an overview of *current zoning*.

Parcel Description

The 87± acre Village Parcel is located only a half-mile from Dock Square (from its North Street access) and just over a half-mile from the village of Cape Porpoise (from its School Street access) — well placed within the context of the more populated parts of Kennebunkport, making it an important development parcel.

The parcel was previously permitted (at local, state and federal levels) for an 80-unit residential subdivision, aka Olde Port Village. The Town purchased the property in 2018 after the land had been partially cleared for lots and roadway, with a roughed-in gravel drive stretching from North Street (200 feet north of Reid Lane) to School Street (200 feet northeast of Bailey Court) -- a total of 1-1/4 miles in length.

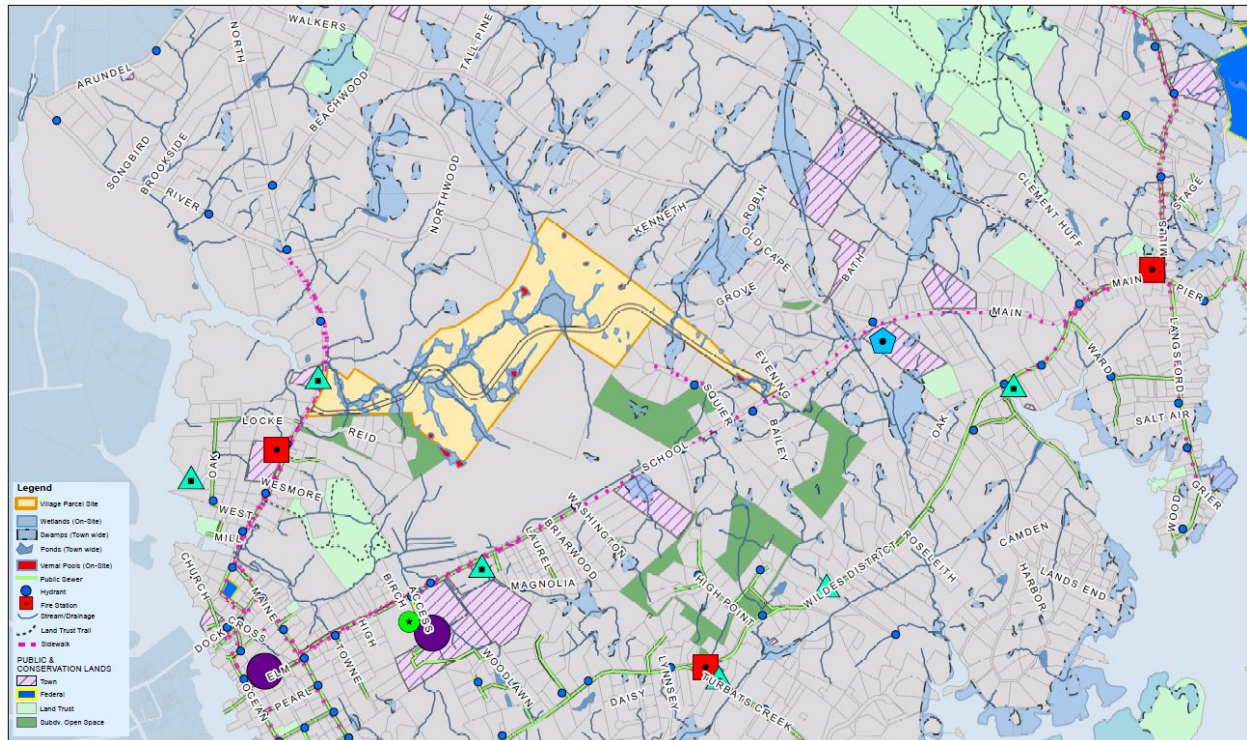


The Parcel abuts a mix of residential subdivisions and large undeveloped or sparsely developed tracts. Residential developments include Wallace Woods to the west, Bishop Woods to the north, Foxberry Woods to the east and Shawmut Woods to the southeast. The large, sparsely-developed tracts of land include the 30.9 acre Weintraub Property to the north and the 72.3 acre McCabe property to the south, each with a single-family dwelling.

Site Inventory

2. SITE ASSESSMENT

The property's cleared areas correspond to the lot and roadway layout of the previously-approved Olde Port Village subdivision. The gravel drive incorporates required drainage culverts and stretches for approximately 1-1/4 miles between North Street and School Street. There is access to public water and sewer at North Street, public water at School Street and power/cable at either end. The Kennebunkport Village Fire Station is within 500 feet of the North Street entrance and approximately 1.5 miles from the School Street entrance. The Police Station is approximately 1,500 LF from the School Street entrance.



The property includes riparian habitats that consist of 16± acres of forested wetland and associated stream segments. The larger of the two streams starts in the wetland located in the northeasterly end of the site. The largest of the three significant vernal pools is situated just north of that wetland. The second stream segment begins in a wetland located on the adjacent McCabe property near the Central Maine Power (CMP) easement in the southwesterly end of the site. The streams converge within the CMP easement and flow westward under North Street, ultimately joining the Kennebunk River.

Regulatory requirements established by the State and incorporated in the Town Shoreland Zoning include a 75-foot setback from the streams. The road alignment approved for Olde Port Village was granted a waiver to reduce the setback to 50 feet. The vernal pools are regulated by Maine Department of Environmental Protection (MDEP)

2. SITE ASSESSMENT

and the U.S. Army Corp of Engineers (USACE). The three significant vernal pools have a 100 foot no-disturbance buffer requirement and a clearing limit standard that extends 150 feet out from the buffer. The previously-approved project received a permit to impact wetlands totaling 1.07 acres, primarily for roads with limited lot impacts. The prior developer acquired a 25-acre parcel in Biddeford to address required wetland mitigation that is now part of the Blandings Park Wildlife Sanctuary (See Existing Conditions Plan and Appendices C and E for more information).

Site Analysis

The existing forested wetlands, associated streams and vernal pools constrain potential site development. The current rough road alignment accommodates these environmental conditions and its location has been approved by MDEP and USACE. Any redesign of the roadway and/or other proposed site elements that would impact protected natural resources will require amending state and federal permits.

Stakeholders and committee members consider the site's ecological resources to be an educational opportunity for the town and an asset to the future development plan as it relates to open space. There are several park/recreation/open space models that use natural resources, in this case the riparian habitat that includes vernal pools, to support environmental public education through trails and signage. Connections to nearby open space controlled by the Kennebunkport Conservation Trust are potential assets for both the property and the Town as a whole.

The site provides a significant opportunity to connect North Street and School Street that would likely result in improved response time for public safety services to other parts of the town. This connection may also improve local traffic flow during the high tourist season when the roads in the village area are congested.

The clearing completed thus far on the parcel is located primarily within locations that have been identified as potential development areas in the Village Parcel analysis. These areas total approximately 43 acres, with 6 acres associated with roadway and 37 acres for conservation and recreation open space (see Potential Development Areas, Appendix G). The actual areas of development and open space remain to be determined and total acres will depend on the final development plan the Town eventually executes.

2. SITE ASSESSMENT

Utilities onto the Village Parcel will need to be extended from North Street. The scale of the first phase of development on the Parcel will determine the utility infrastructure cost. Engineering estimates point to an overall \$800 - \$1,000 per linear foot cost to complete the main roadway to Town standards. This estimate includes pavement profile and utilities such as water, sewer (and associated pump stations) and stormwater. Applying this cost to the majority of what is likely going to be the main road, the estimated road and utility costs may be as much as \$6,000,000 for 6,000 feet of road. In 2019 the Town's consulting engineer Wright Pierce completed a Wastewater Treatment Facility Loading Capacity Analysis for the Town's wastewater treatment plant. Based on that study, the treatment plant can accommodate 600 additional residential units in town (See full report, Appendix H).

Current Zoning

The parcel is located within two different land use zones: the southwestern third of the parcel (due west of the Central Maine Power transmission lines) is located in the *Village Residential Zone*, while the remaining land is located in the *Free Enterprise Zone*. Current regulations in each zone constrain development opportunities by requiring dimensional standards, such as lot size, which would result in lower "suburban" density for residential dwellings instead of a more compact/traditional development configuration. The tables below show regulations for each of these zones in the Town's Land Use Ordinance.

4.3 Village Residential Zone									
	Min Lot Area *1 (sq ft)	Min Lot Width (feet)	Max Lot Coverage	Min. Net Residential Area per Dwelling Unit (sq ft)	Min Setbacks Front (feet)	Min Setbacks Side (feet)	Min Setbacks Rear (feet)	Min Open Space	Max Building Ht. (feet)
Single Family Dwelling (one per lot) or Other Use Art. 4.16	40,000	100	20%	40,000	20	15	15	20%	35
Two-Family Dwelling	40,000	100	20%	20,000	40	20	20	20%	35
Multiplex	60,000	150	20%	20,000	25	50	50	20%	35
Public Libraries	40,000	100	75%		20	15	15	5%	35

*1 Note: Land use activities within the Shoreland Zone shall conform to the minimum lot size and shore frontage requirements set forth in Article 4.1

2. SITE ASSESSMENT

4.11 Free Enterprise Zone									
	Min Lot Area *9 (sq ft)	Min Lot Width (feet)	Max Lot Coverage	Min. Net Residential Area per Dwelling Unit (sq ft)	Min Setbacks Front (feet)	Min Setbacks Side (feet)	Min Setbacks Rear (feet)	Min Open Space	Max Building Ht. (feet)
Single Family Dwelling (one per lot) or Other Use Art. 4.16	40,000	100	20%	40,000	20	15	15	20%	35
Two-Family Dwelling	40,000	100	20%	20,000	40	20	20	20%	35

*9 Note: Land use activities within the Shoreland Zone shall conform to the minimum lot size and shore frontage requirement set forth in Article 4.16

The parcel's two zones are quite similar in most aspects with regard to dimensional requirements, with the exception that multiplex dwellings are not permitted in the Free Enterprise Zone. The Village Residential Zone allows multiplex dwellings (MPD) that provide more flexibility in achieving slightly higher density, although technically the net residential acre per dwelling unit is the same as it is for two-families (TFD) – 20,000 square feet.

When considering the other residential zones in the town, the Dock Square Zone allows for the highest density with 10,000 square feet per dwelling unit for TFD and MPD and 20,000 square feet for single-family dwellings (SFD). The Riverfront Zone and the Cape Porpoise Square Zone (10,000 sf for TFD and 20,000 ft. for SFD) also allow higher densities.

When comparing zoning regulations across the river in Kennebunk, the Village Residential Zone and the Lower Village Business Zone (located directly opposite the Village Parcel locale) allow for 10,000 square feet per dwelling unit across the board, where connected to sewer. This results in two-to-four times more potential units than current zoning for the Village Parcel would permit.

3. PUBLIC PROCESS

Public participation was key to the development of this report, engaging residents and stakeholders to recognize the property's potential and to clarify the community's priorities. The process involved extensive dialogue with community members to obtain their desires, concerns, perceptions of Town needs, and ideas for use of the property. This was an open process that included open steering committee meetings, public visioning sessions and review of information generated during the process. The following provides a summary of the public process's various stages. An exhaustive amount of research, public input and documentation was generated during the process and is included in the report Appendices.

Stakeholder Input

Seventeen stakeholder groups were identified and interviewed as part of the public process. The consultants conducted interviews during scheduled Steering Committee meetings. Stakeholder groups included: Planning Board, Growth Planning Committee, Kennebunkport Conservation Trust, Conservation Commission, Housing Heritage Trust, Kennebunkport Business Association, Cemetery Committee, Shade Tree Committee, Budget Board, Street Lighting Committee, Ad-hoc Senior Advisory Committee, Kennebunkport Library, Historical Society, Portside Rotary, Consolidated PTA, and abutters. The following questions were posed to each group:

1. What are the important issues that should be considered? Specifically, what land use needs and other important objectives should be considered in the development of a master plan?
2. What concerns does your committee or group have regarding growing demands and needs for the town -- i.e. public services, housing needs, commercial use, and open space? How should the property be used?
3. What design characteristics should we consider in our implementation strategy?
4. Does the parcel location provide an opportunity for connectivity to the Village area and to Cape Porpoise? If so, what should those connections include?
5. What expectations does the committee have for the Village Parcel?
6. Should the Town identify a portion of the site to be retained for future yet-to-be-determined needs of the Town?

3. PUBLIC PROCESS

A summary of all the stakeholder group comments can be found in Appendix B. These were the key takeaway points from the interviews:

- Traffic concerns must be considered
- Provide affordable housing/workforce opportunities for singles, young families and empty nesters/downsizing seniors
- Single-family, multi-family and apartment buildings
- Neighborhoods should be mixed-income, multigenerational
- Plan should address the provisions of the Comprehensive Plan
- Protect sensitive environmental assets; opportunity for environmental education
- Connectivity with other Conservation Trust Trails
- Need to consider reserving a portion of the property for future needs
- Municipal facilities
- Limited commercial
- No seasonal or short-term rental, Airbnb or seasonal homes
- Zoning standards need amending
- Open space -- active and passive
- Design Standards

Public Visioning

In addition to educating the community on site conditions, opportunities and constraints, a key part of the process involved soliciting community ideas for how the Parcel would best serve the town. In order to facilitate public input, the consultants held two public visioning sessions. The first session was a kick-off meeting in May 2019.

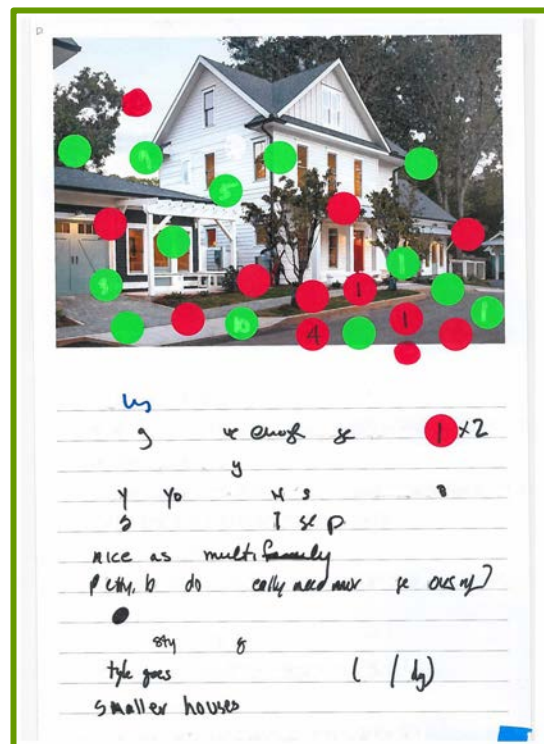
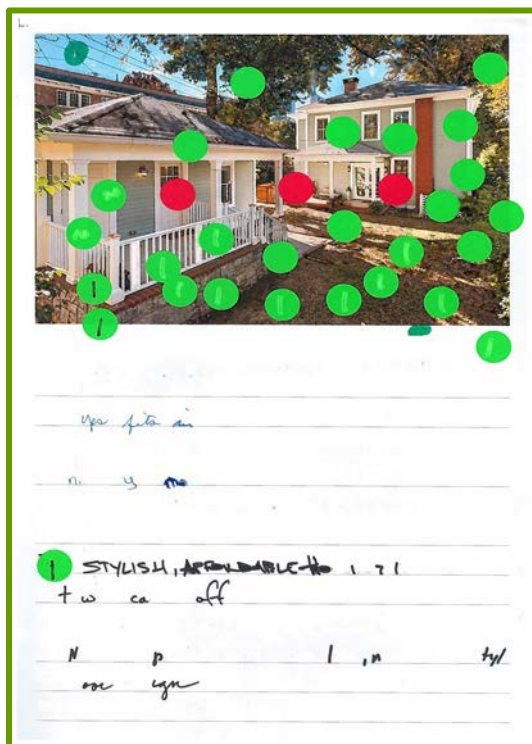


With 50+/- residents in attendance, the consultants presented an overview of the process for completing the study and also presented the history of the property, environmental

3. PUBLIC PROCESS

assessment, regulatory requirements, potential development areas, and the potential relationship of the Parcel to the existing village area.

The consultant team led two participatory exercises to gain insight into residents' perceived needs for the town, their vision for the use of the parcel, and concerns they might have. The first exercise was an 80-image visual preference survey designed to identify citizens' perspectives on the appropriate character of development. Images included various residential, commercial, and municipal architectural styles, neighborhood development patterns, both natural and constructed open space, and active and passive recreation example. Participants wrote comments and placed green dots for "likes" and red dots for "dislikes".



The kick-off meeting's second exercise asked the following two questions:

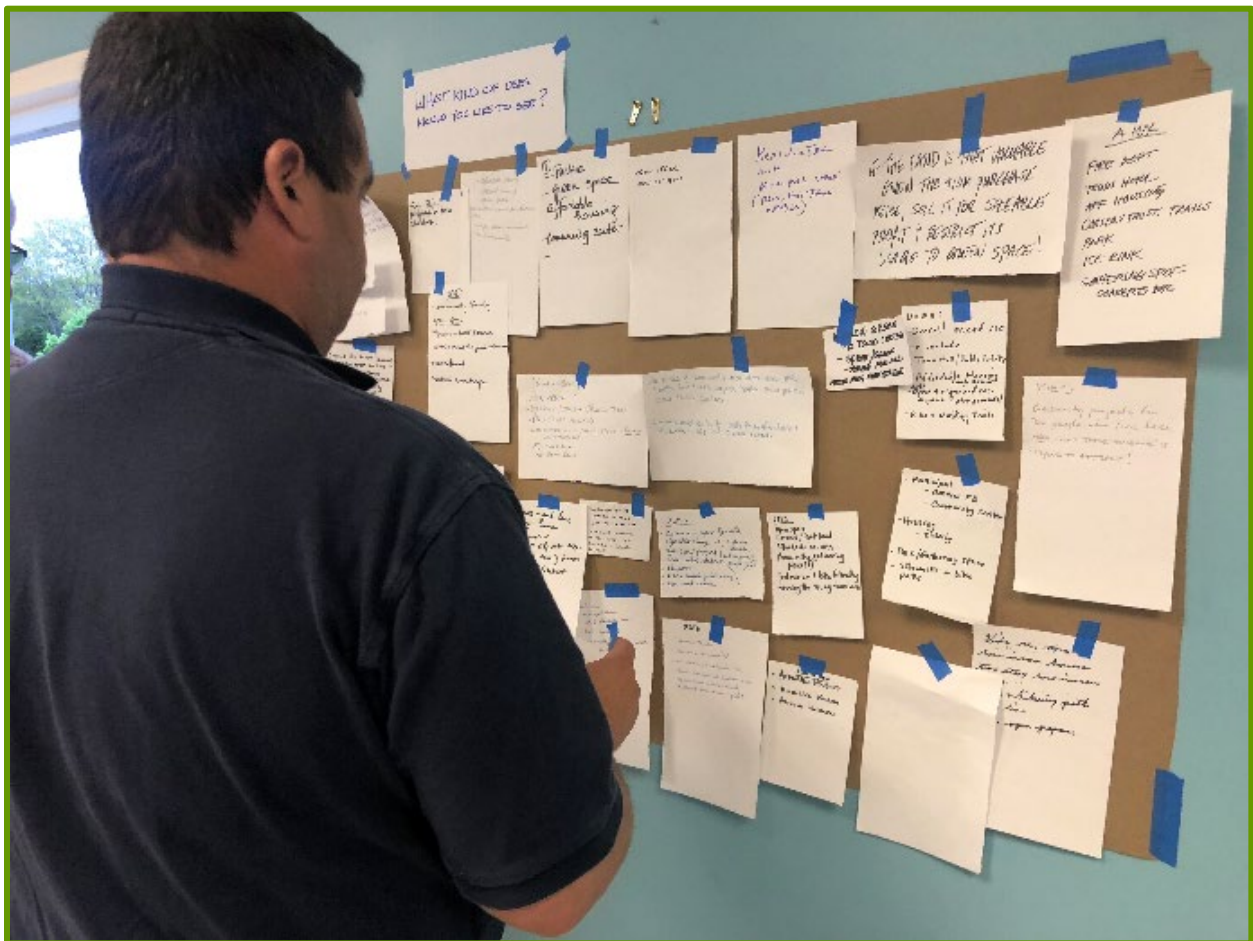
1. What kind of uses would you like to see?
2. What would make this project successful?

3. PUBLIC PROCESS

Participants posted their responses to these questions on the wall. After the session, a follow-up report analyzed the responses to these questions. The list below summarizes the participants' most common responses:

1. What kind of uses would you like to see?

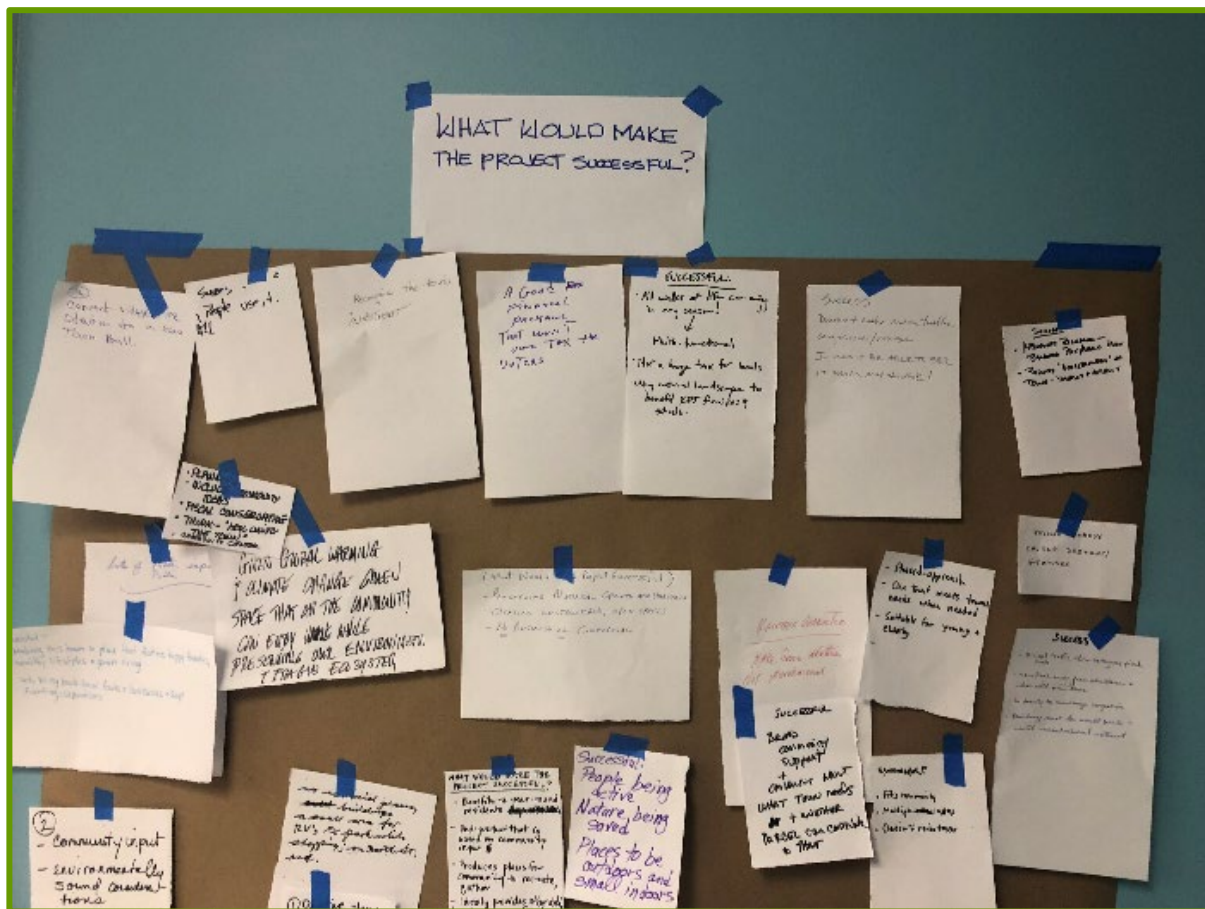
- Affordable housing for families and aging population, single-family and apartments
- Moderate-sized homes
- Open space and recreation areas and trails
- Community gardens and public gathering spaces
- Pedestrian-friendly, bicycle-friendly
- Limited commercial, local food
- Municipal facilities -- town office and fire station
- Town green



3. PUBLIC PROCESS

2. What would make this project successful?

- Variety and style of buildings
- Something for everyone
- Accessible to all and in all seasons
- Affordable housing; single-family, multi-family (\$250K)
- Maintain conservation land/preserve natural growth and habitat
- Community gardens
- Limited or no commercial
- Limit traffic impacts
- Phased approach
- Sustainability, energy-efficient design
- Recoup Town investment



Refer to Appendix C, Visioning Process and Results, for additional information.

3. PUBLIC PROCESS

The following images from the visual preference survey are some of the selections made that received a majority of favorable responses regarding housing/neighborhood character, neighborhood connectivity, and open space uses.

Neighborhood Character



- Like the community feel
- Need sidewalks
- Nice mix of architecture
- Looks like Kennebunkport
- Needs connectivity
- Potential alleys would be nice
- Need a garage



- Potential affordable housing
- Like the park-like atmosphere
- Potential mix of housing
- Looks like Kennebunkport
- Senior housing options
- Need garages - sidewalks

3. PUBLIC PROCESS



- Potential multi-family extended New England style of architecture
- Too large for single family home
- Like the architecture



- Good cluster housing
- Need parking
- Like the feel – enhance architecture
- New England feel
- Rear entry garage needed
- Potential affordable housing



- Nice neighborhood connection
- Like smaller homes closer together
- Walkable community feeling
- Landscape feeling
- Like the green space

3. PUBLIC PROCESS



- Fits town character
- Nice connectivity - walkable
- Potential affordable or senior housing
- Homes a little too close
- Landscape important

NEIGHBORHOOD CHARACTER



**KENNEBUNKPORT
VILLAGE
TOMORROW**

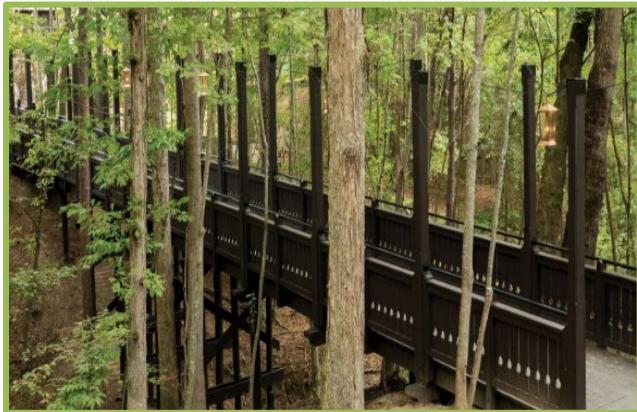
A NEIGHBORHOOD DEVELOPMENT PLAN FOR THE VILLAGE PARCELS

3. PUBLIC PROCESS

Open Space Character



- Great outdoor space
- Retain this feel
- Integrate within neighborhood – affordable housing
- Good for walking trail
- Community-friendly off-road biking



- Preserve open space
- Protect wetlands – good for crossing
- Important to use sustainable materials
- Include within neighborhood (housing)



- Open space
- Environmental education opportunities
- Protection of wetland

3. PUBLIC PROCESS



- Preserve open space
- Walking trails
- Preserve nature
- Cross country skiing/snowshoeing



- Community garden
- Connectivity within neighborhood
- Like this idea
- Need a community garden



- Thumbs up – green space
- Keep open – green space
- Town park would be great for events
- Great public open space

3. PUBLIC PROCESS



- Nice gathering space
- Community use
- Flexible space
- Community recreation would be great

ENVIRONMENT



**KENNEBUNKPORT
VILLAGE
TOMORROW**

A MIDDLEBOROUGH DEVELOPMENT PLAN FOR THE VILLAGE PARKS

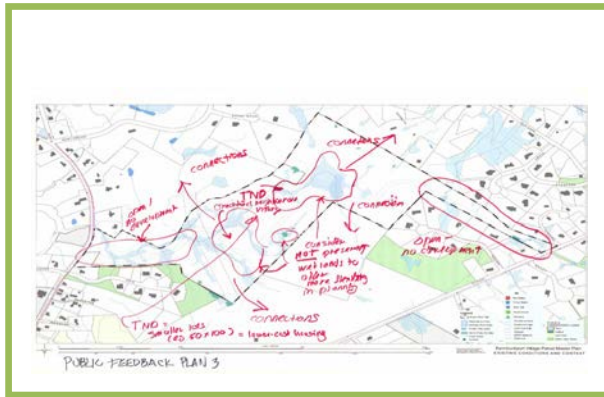
3. PUBLIC PROCESS

The second visioning session was held on the weekend of July 13th – 15th, 2019, and attended by more than 100 residents. The three-day event began with a three-hour public participation session that included the visual preference survey, overview of the property, existing conditions and local context. The consultant team presented a slideshow that explained traditional New England village character and pattern of development to show how the Village Parcel fits within the context of the existing village area. Afterwards, the audience participated in a breakout session with twelve facilitated work groups to discuss how the parcel should be used and what needs should be accommodated. Participants sketched and wrote over base map and existing conditions plans to explain and develop their ideas. This session concluded with a presentation by each table of its ideas and recommendations.



3. PUBLIC PROCESS

BREAKOUT SESSION TABLE MAPS



Following the morning session, the design team reconvened at the Kennebunkport Village Fire Station on North Street for an open-studio design charrette conducted over a period of 30+ hours. The public was invited in to observe progress and provide further comments. The team reviewed, analyzed and refined input obtained in the morning session and previous public and stakeholder input to develop initial conceptual development plans. A significant number of residents stopped by during the three-day event to see the progress, to learn more about the property and potential development scenarios, and to provide feedback. The design team also offered a questionnaire to residents to gain further insight into appropriate land uses and development types (Refer to Appendix C).



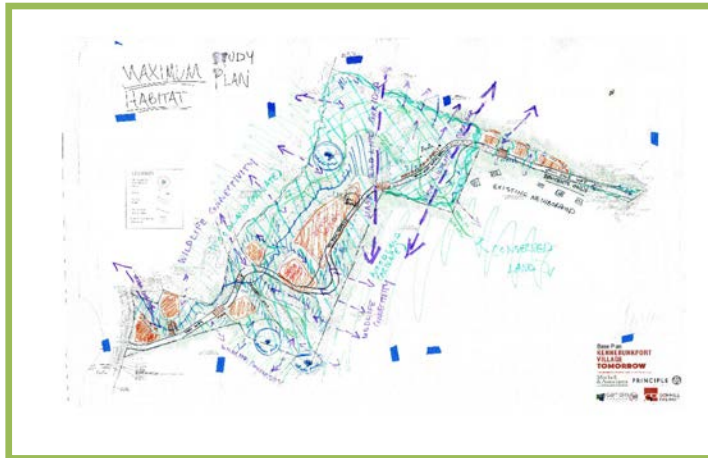
The team sketched concept analysis maps that integrated public comments in generating land use possibilities. Composite map layers included environmental resources, trail connections and open space opportunities. These land use possibility maps formed the basis for concept plans that address village character, a mix of housing types and lot sizes,

3. PUBLIC PROCESS

and connectivity with sidewalks, alleys and trails. The team focused on protecting or restoring sensitive ecological areas of wetlands, streams, and remnant woodland, and emphasized neighborhood trail connections as part of an integrated environment.

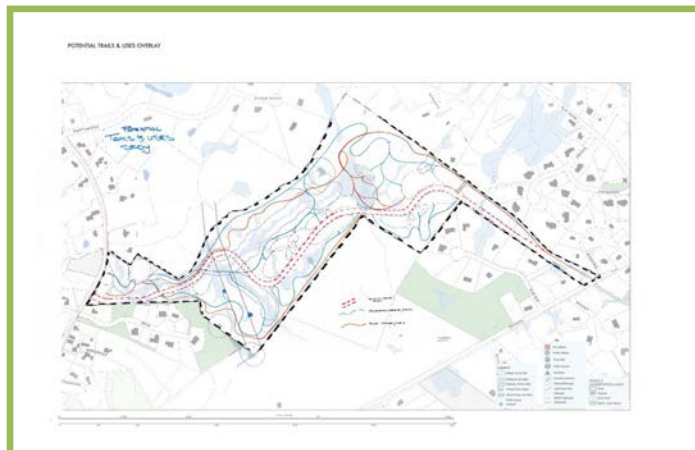
ANALYSIS MAPS

The following Analysis Maps are examples of composite mapping developed to understand the property and how to integrate into a Concept Land Use Plan.



- The Habitat Corridor Analysis was developed to identify environmental conditions and potential wildlife corridors.
- The map was used to help balance development opportunities and open space preservation.

Potential Habitat Corridors



- The Potential Trails Analysis was developed to understand the relationship between recreation and connectivity to incorporate into a potential Land Use Plan.

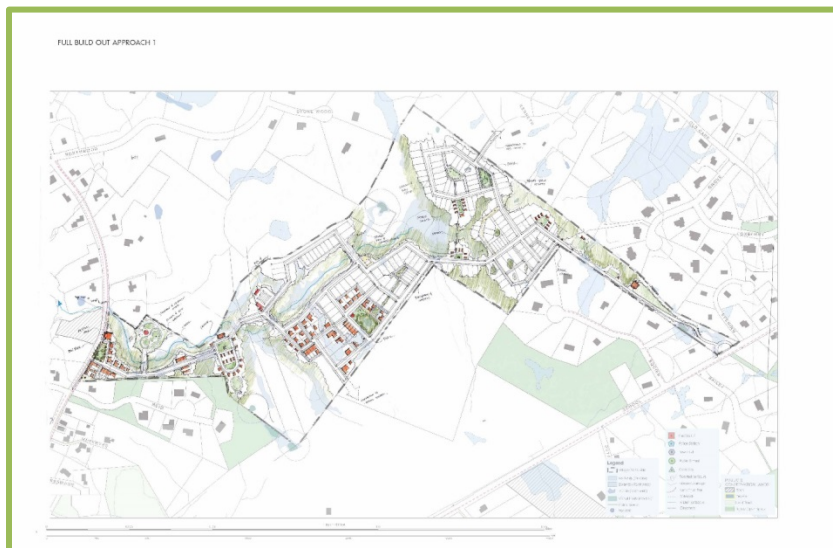
Potential Recreation Trails

3. PUBLIC PROCESS

CONCEPT DEVELOPMENT PLANS

The design team generated three detailed concept plans that synthesize potential development opportunities that could be achieved through a multigenerational neighborhood. Such a neighborhood would contain a wide range of units to address the differing housing needs of young families, Town employees, downsizing seniors and market-rate buyers. The concepts incorporated as many of the ideas from the public input as possible.

At the end of the session, the design team presented its process, analysis and concepts to the public for discussion. This session was attended by approximately 50 community members. This final session provided residents and the steering committee with a detailed understanding of the property's potential, and provided the consultants with direction to refine the Preliminary Concept Plan.



- Demonstrates the opportunity to create a village character.
- Connects the neighborhood with the open space network.
- Identifies sensitive areas to protect.

Preliminary Concept Plan

3. PUBLIC PROCESS



Rendered Concept Plan – Limited Development

- The adjacent plan reflects a limited area of development with areas retained for future use.
- The plan shows potential network of trails that could be created in the short term until future land use demands arise.
- Some trails would be permanent open space areas that include sensitive habitat.



Rendered Concept Plan – Full Development

- Refined preliminary plan enhances the potential village character.
- Neighborhood pattern of mixed housing types.
- Hierarchy of street patterns alleys and greenways.
- Integrated open space and trail network.

3. PUBLIC PROCESS



Public Comments

The consultant team received additional comments and questions from the public during Steering Committee meetings and via email. The following is a summary of consistent comments and questions. A complete documentation of comments can be found in the Appendices, which include committee meeting minutes and emails.

- Support affordable housing for young families, workers in town, downsizing senior residents
- Mixed-income, multigenerational neighborhood
- Support retention of land for open space and conservation
- Support passive and recreational uses, walking trails, bicycle paths, sidewalk, educational opportunities, gathering space
- Support retention of a portion of the parcel for future yet-to-be-determined uses
- Maintain scenic character (*This is what makes Kennebunkport*)
- Development of the property should conform with the Comprehensive Plan
- Design standards must sustain architectural character of the town
- Cost factors -- recoup investment, no additional cost incurred by the town tax payer
- Support potential new town hall and meeting space
- How can the Town assure housing will be retained as *affordable* for residents and not become second homes and short-term rentals?
- Who will be responsible for monitoring development and timeline to assure goals and objectives are sustained?

3. PUBLIC PROCESS

- Connectivity is important (through-road), but need to manage traffic and vehicular speed
- What is the realistic housing demand for Kennebunkport?
- Can the existing municipal services accommodate development on this parcel?

Ultimately, the public input process revealed that the initial objective of developing a Master Plan for the property was premature. Many factors needed more in depth investigation and assessment before a Master Plan could be developed.

Issues Identified

- How much of the parcel acreage should be preserved as open space?
- What is a realistic projection of new houses that the town and the parcel can support?
- In the interim, areas disturbed for prior approved development should be mitigated by loaming and seeding areas with reclamation grasses
- Must identify potential parking areas for open space
- Must identify potential developers to evaluate housing options and cost implications
- Must complete municipal facility needs assessment to determine if village parcel is the best location
- Open space trails and recreation opportunities should be considered as a first phase of development to allow public access
- Need to control cost – minimize further expenditure by the Town. Development costs should be borne by developers as much as possible.

4. MUNICIPAL NEEDS ASSESSMENT SUMMARY

This section summarizes the current effort by the Town to determine municipal facilities needs and information gathered from meeting with the department heads.

As part of the consulting team's stakeholder interviews, a meeting was held to solicit input from the Town's Department Heads regarding development implications for the Village Parcel. The following questions were discussed:



1. What are the important issues to consider? Specifically, land use needs, and other important objectives that should be considered in the development of a master plan.
2. What concerns does your group have regarding growing demands and needs for the Town -- i.e. public services, housing needs, commercial use, open space? How should the property be used?
3. What design characteristics should we consider in our implementation strategy?
4. Does the parcel location provide an opportunity for connectivity to the Village area and to Cape Porpoise? If so, what should those connections include?
5. What expectations does the group have for the Village Parcel?
6. Should the Town identify a portion of the site to be retained for future needs of the town?

Highlights of some of the comments include:

- There is a lot of infrastructure in Town and consolidating public facilities should be considered.
- Important to consider the Town's sewer capacity and what the implications are for development on the Parcel and the Town at large.
- Increased development will increase volume of ambulance and police calls, and implications should be considered.
- Dead-end streets are not ideal for public safety.

4. MUNICIPAL NEEDS ASSESSMENT SUMMARY

- Combining fire department resources in town and the Parcel might be an opportunity. Fire stations are not all perfectly located. A previous study indicated that transitioning to two stations would not affect response time and a new street in this vicinity would help a great deal.
- Not enough affordable housing in town, which is needed to fill the jobs we need here in town.
- May consider 55-and-over rather than a nursing home.
- Need to consider what facilities have been invested in and what facilities are in need of investment: Parks and Rec and Public Works facilities are ok; perhaps Fire Department, but Town Hall definitely has needs.
- Town Hall is small, in-village, very tight with not enough parking.
- A Facility Needs study for Fire Department and Town Hall should be considered.
- A possibility may be the Village Station be renovated for a Town Office and new Fire Station located on the Parcel.
- KEMS needs to expand if Fire Department expands.
- Town Hall needs to expand, not sufficient space. Town Hall relocated out of the Village would be ideal.
- Street design should consider plowing and accommodating the 13-foot blade on the plow trucks. A 26-foot wide travel way is ideal. The Mills Road, 34 feet wide, and North Street and Route 9 are good examples.

In 2019 the Town initiated a Facility Needs Assessment of the Town Office and Fire Department, including Kennebunkport Emergency Medical Services (KEMS). The Fire Department plans to consolidate stations from four to two, which would require additional space in the village station for trucks and equipment. The consultants found that the most cost-effective approach would be to renovate the current station by adding a bay and renovating the current meeting space to bunk rooms and offices. A study of Town Hall requirements both now and in the future indicate an 8,200 square foot



building to house administrative departments and provide public meeting space, replacing the one at the fire station, would provide a long-term benefit to the Town. Sites were evaluated for a new town hall location and the Village Parcel lot at the corner of North Street and was identified as a suitable location to accommodate the building and parking.

5. A VISION FOR THE VILLAGE PARCEL

Overview

The public planning effort guided by the Village Parcel Steering Committee outlined a number of key ideas and priorities for the development of the Parcel, which can be categorized as non-residential and residential in nature.

Three priorities emerged in the “Non-Residential” group:

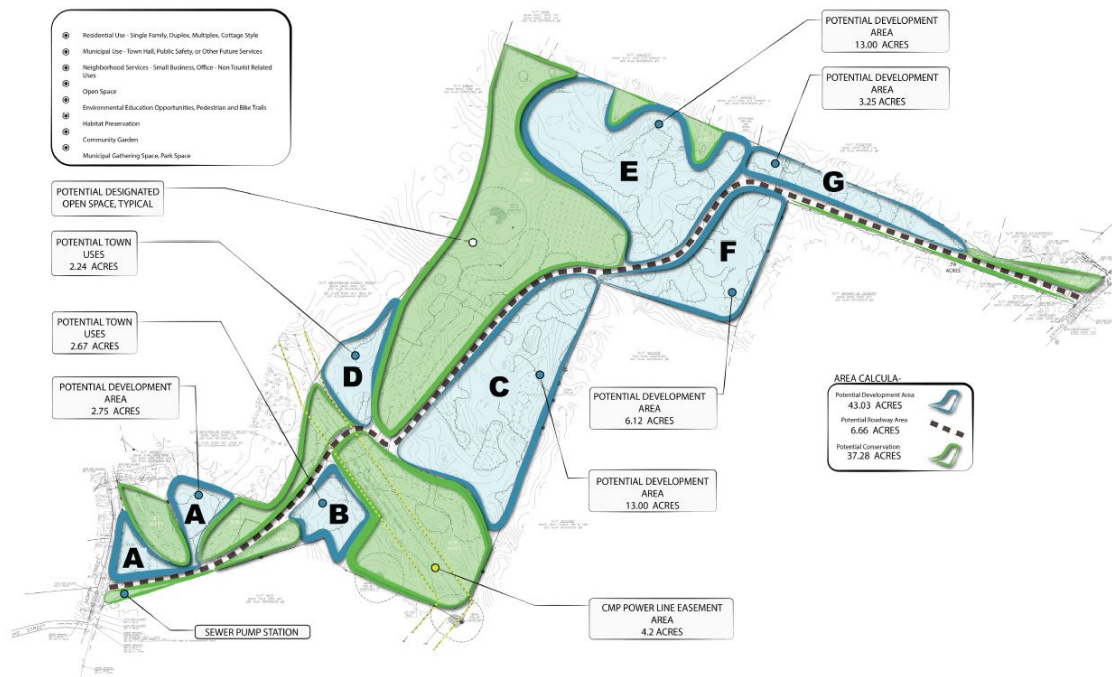
1. Preservation of Open Space for Conservation and Recreation
2. Reserving Land for Future Use
3. Limited, Near-Term Municipal Uses

The second group were residential in nature and highlight how the Village Parcel presents the Town with the opportunity to address the housing needs of young families, town workers and seniors that cannot readily be accommodated in the current Kennebunkport market. For reasons explained later in this section, these housing needs might be best accommodated within the context of a mixed-income, multigenerational neighborhood on the property, ideas for which were presented by the consulting team during the public visioning process.

In order to explore the feasibility of incorporating all these ideas into a road map for the future use of the Village Parcel, a preliminary plan which illustrates Potential Development Areas (Exhibit 5.1 and Appendix E) was produced by the consulting team. Because utilities to the Village parcel would connect from the North Street side, development would logically commence on Area A, then B, and so on. Reference to this plan will be made throughout this discussion of both Non-Residential and the Housing Priorities.

5. A VISION FOR THE VILLAGE PARCEL

Exhibit 5.1 Potential Development Areas



Non-Residential Priorities

1. Open Space for Conservation and Recreation

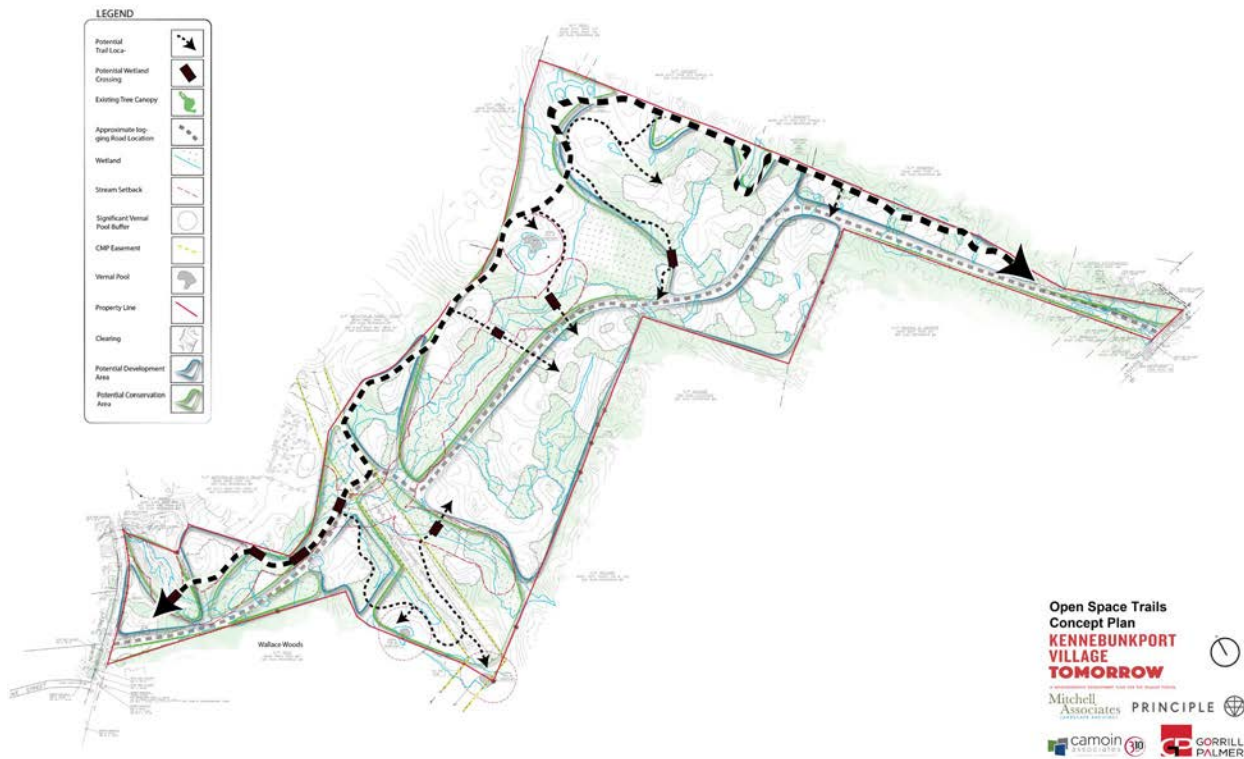
There is broad, enthusiastic community support for conservation of land and for recreational use of the parcel. Overall, people are most interested in conserving habitat associated with the vernal pools and streams, and in walking, hiking, and bicycling paths. Town stakeholders and residents emphasized outdoor education among the reasons for preserving open space including, for example, a nature classroom or educational trail signage. This feature could appeal to both children and adults and could be the basis for future grant applications.

The public survey results also indicate interest in outdoor community event spaces and more active, programmed recreational activities on the parcel. However, these activity ideas lacked specifics or consensus and need to be investigated further.

5. A VISION FOR THE VILLAGE PARCEL

In response to the Village Parcel's extensive conservation and recreation opportunities, the planning team developed Exhibit 5.2, Open Space Trail Plan (see also Appendix E), for the parcel. This plan accommodates the optimal development areas and provides a variety of connections between potential development and recreation areas that might be achieved over time.

Exhibit 5.2 Open Space Trail Plan



In the short term, it would make sense to develop first the trail that hugs the northern perimeter of the Village Parcel, represented by the bold black dashed line. This would create a pedestrian connection between North and School Streets, take people past some of the better natural features of the Parcel and minimize conflict with any short or long-term development. This particular route would align with some existing trails and therefore require less clearing.

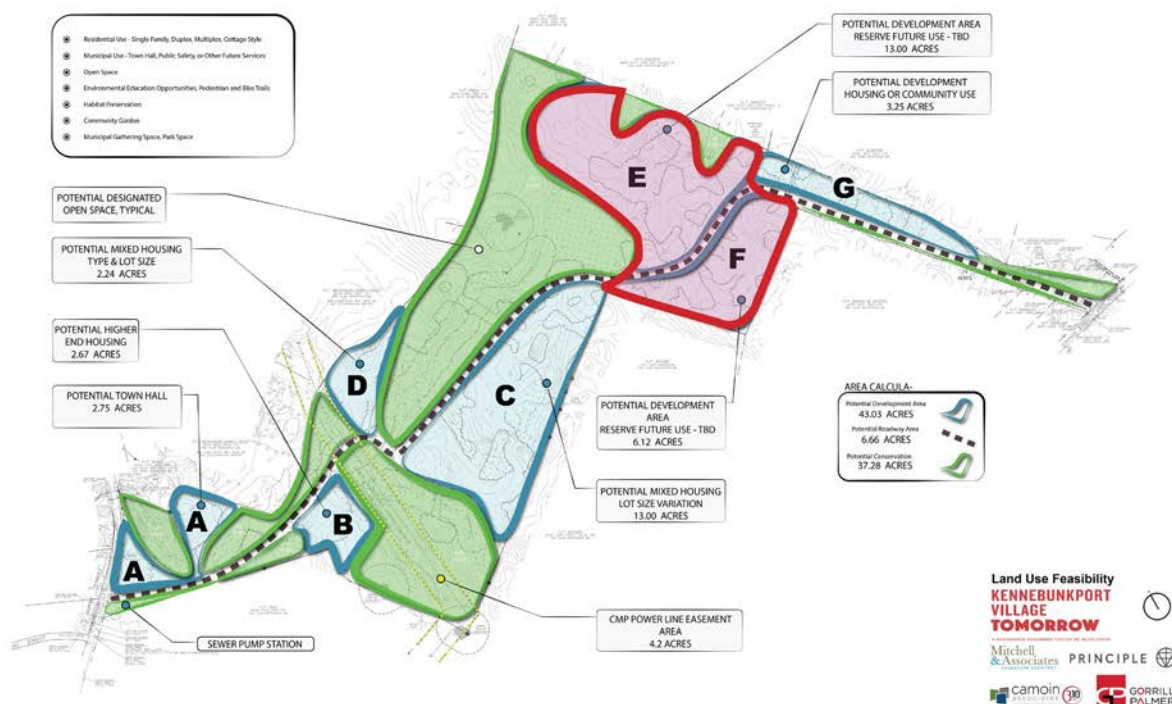
Town residents also requested that piles of debris associated with the prior developer's installation of the roadway be eliminated so that, in the short term, this roadway alignment could function as another trail until such time as new development takes place.

5. A VISION FOR THE VILLAGE PARCEL

2. Reserving Land for Future Use

The town's purchase of the Village Parcel is viewed as an opportunity to provide for future, as-yet-undetermined needs of the Town. The Steering Committee, stakeholders, and residents voiced an array of opinions on what those needs might be, from land to address sea level rise in the downtown to relocating the town hall or fire station to what may become a more centralized location. Whatever the needs may be, the objective should be to reserve land so that future generations have publicly-owned land available to develop if needed in the decades ahead. Areas E and F on Exhibit 5.1 Potential Development Areas are proposed as placeholders for future development. They would not impede any short-term development plans.

Exhibit 5.1 Potential Development Areas (E & F highlighted)

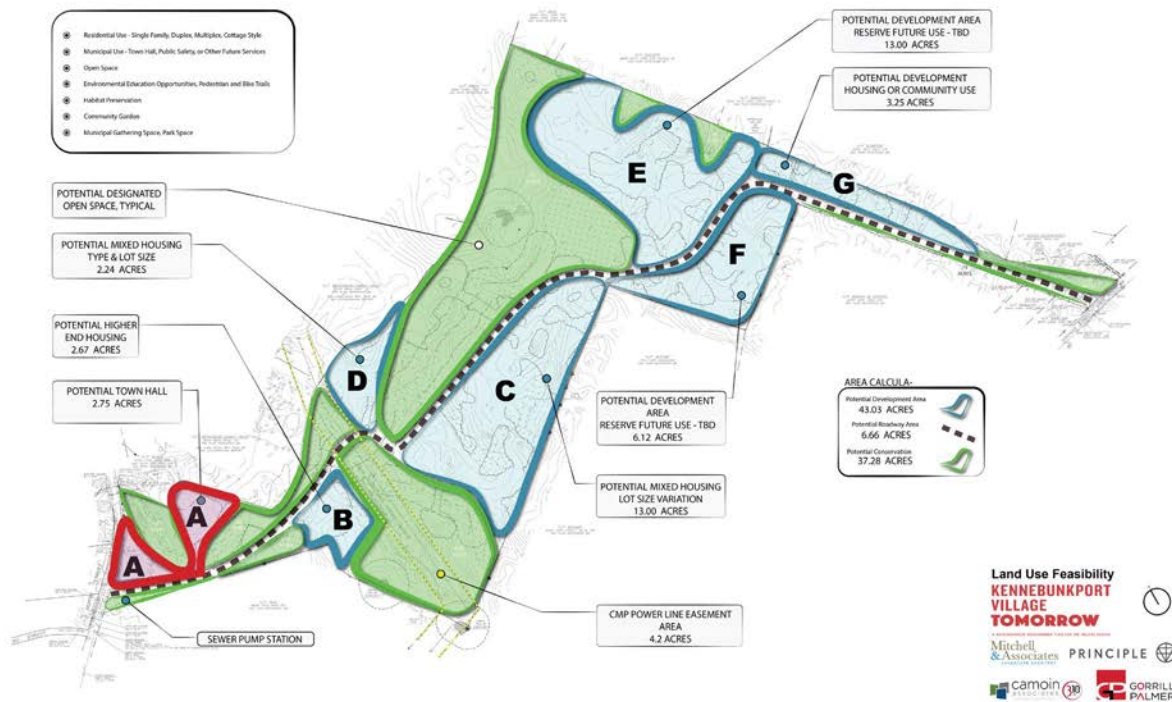


3. Limited Municipal Uses

As the Town determines specific municipal office and fire and public safety needs and the brick-and-mortar implications for those needs, the consultants explored whether the Village Parcel could or should support such facilities. Exhibit 5.1 Potential Development Areas identifies areas that may be suitable for a new municipal office complex/Town Hall.

5. A VISION FOR THE VILLAGE PARCEL

Exhibit 5.1 Potential Development Areas (A highlighted)



The locations, labeled “A” in the diagram, are near North Street and thus near the Kennebunkport Village Fire Station and adjacent public parking.

The Town recently undertook a municipal facility needs study to determine programming space requirements for the Fire Department and Town Hall. The consultants proposed a renovation and addition to the Village Fire Station to accommodate future equipment and staffing demands. A design for an 8,200 square foot facility was proposed for a new town hall to accommodate current and future needs to include a public meeting space to replace the one at the Village Fire Station. The consultants viewed two potential sites for the new town hall and indicated that the Village Parcel corner lot on North Street would house the building and parking.

Housing for Young Families, Town Workers and Seniors

A constant theme throughout the Village Parcel planning process has been that Kennebunkport needs housing that is different in type, size and affordability from what the market would ordinarily produce. Indeed, the 2018 Camoin Housing Assessment for the Town of Kennebunkport highlighted the housing affordability challenge in the town:

5. A VISION FOR THE VILLAGE PARCEL

- The median home value in the town is \$474,000 - almost twice that of York County.
- Annual mortgage and property taxes for a home at that price would require an income of \$95,000 - substantially higher than Kennebunkport's median household income of \$72,000.
- The town's popularity as a vacation destination drives up the cost of land and housing.
- High land costs combined with large-lot zoning result in the construction of larger, high-priced homes.
- With housing prices in Kennebunkport rising at a much faster rate than incomes, the affordability problem will continue to worsen.

During the Village Parcel planning process, a clear concern was expressed about the changing nature of the community -- where seasonal homes will soon outnumber those occupied by year-round residents and where the only homes being built would be on larger lots for the upper end of the market. Participants were concerned that Kennebunkport would lose one of its defining characteristics – its income diversity.

Another concern expressed in the visioning and other sessions was housing for seniors. As the Camoin 2018 Housing Assessment noted, “Kennebunkport's population is heavily skewed toward seniors, and will continue to age. The median age for Kennebunkport is nearly 55, well above the median of 45 for both York County and Maine.” Residents articulated that while many seniors will wish to remain their homes as long as possible, others will look for alternatives but they would prefer to remain in Kennebunkport. Some expressed a preference for an assisted living community here in town but there was also strong interest in simply having the option of smaller housing units that would allow seniors to downsize.

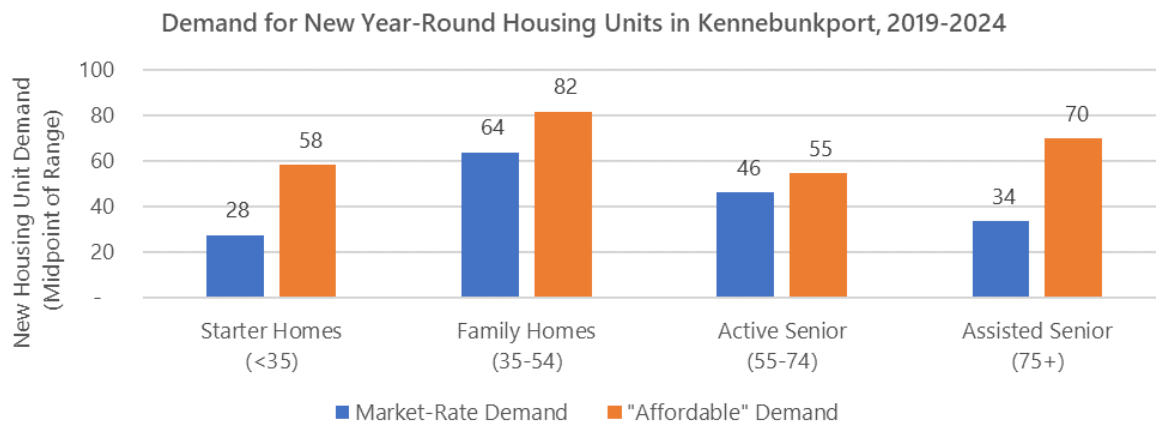
The Camoin 2019 Village Parcel Market Analysis report (Appendix D) projected that the total demand for housing in Kennebunkport over the next five years, through 2024, is estimated between 330 and 542 new dwellings. **It is clear from the Committee deliberations and public comment that the forecasted housing demand should not be Town policy nor in any way construed as a housing goal for the community.**

Of the forecasted demand, about 40% will come from those seeking housing priced above \$400,000 (i.e. market-rate housing) and 60% for “affordable” housing (i.e. housing priced below \$400,000 and accessible to households earning between \$50,000 and \$100,000 annually). About half of overall “affordable” demand will come from senior (age

5. A VISION FOR THE VILLAGE PARCEL

55+) households. Another sizable demand segment will be both market-rate and affordable family homes for the 35-54 age cohort (33% of total demand). See Exhibit 5.3.

Exhibit 5.3 Demand for Year-Round Housing Units



Source: Camoin 310

The Village Parcel offers an opportunity for Kennebunkport to add some affordable housing for young families, the town workforce and for seniors. But, developed on a standalone basis, affordable starter homes, family homes and housing for seniors may require public investment and/or significantly greater density than permitted under current zoning. This is further complicated if the Town seeks to recover some of the Village Parcel purchase price and also minimize future expenditure on site infrastructure. In order to illustrate the challenge of balancing these various objectives, Camoin prepared a financial feasibility analysis assuming an initial development phase of 45 housing units.

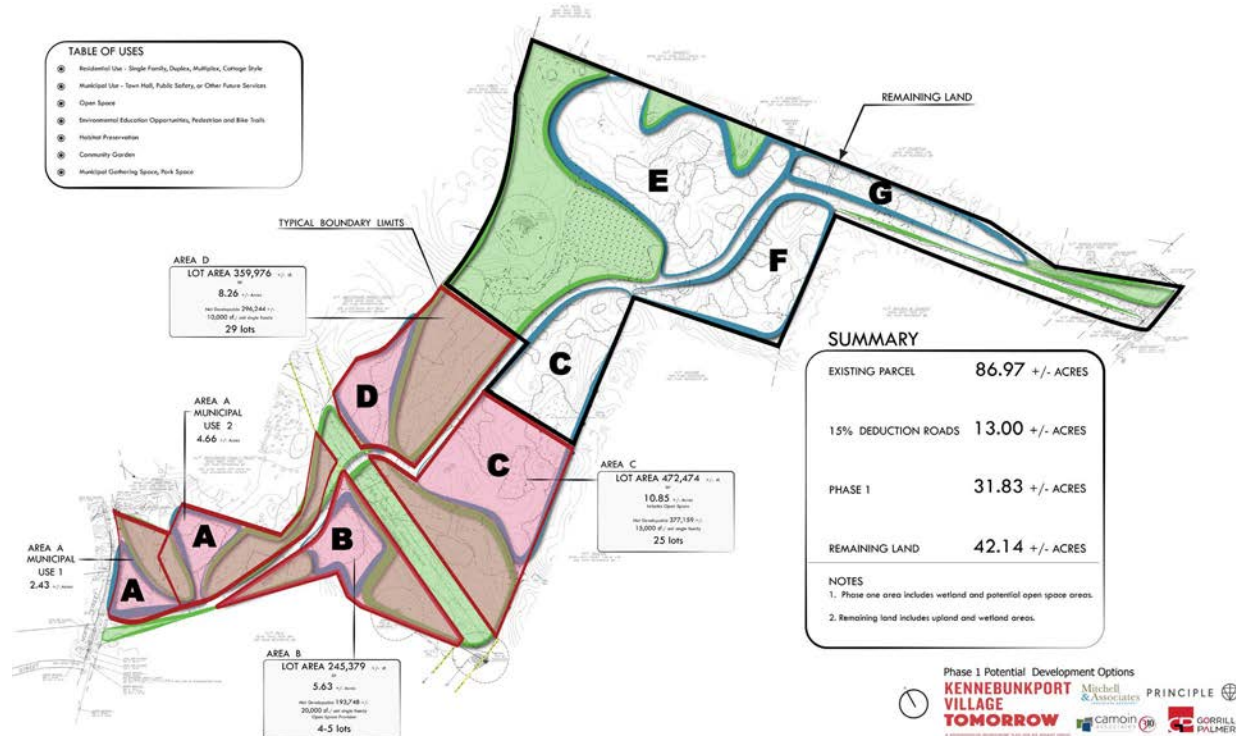
Site Development Economics

Given the physical constraints of the site, the first phase of development would likely need to extend about one third of the way into the site from the North Street end in order to access development areas (pads) of adequate sizes. Exhibit 5.4, Phase I Potential Development Options, on the following page, shows Phase 1 in red. Costs for extending road and all necessary utilities infrastructure to this point, approximately 2,300 linear feet from North Street, are estimated at \$2.2 million. The cost of providing secondary roads to access home lots is another \$1.6 million, for a total of \$3.8 million in infrastructure costs. This would provide access to about 22 acres of land in the interior of the site for residential development. Of this acreage, about 13 acres are developable and could accommodate approximately 40 to 50 homes on lots between 10,000 and 20,000

5. A VISION FOR THE VILLAGE PARCEL

SF (quarter-acre to half-acre lots). These size lots are similar in size to current density in Kennebunkport's village area. Homes would be relatively small in size, averaging about 1,800 SF, and sell for about \$540,000 (market-rate).

Exhibit 5.4 Phase 1 Potential Development Options



To determine the maximum amount a private developer would be willing to spend on land and infrastructure, Camoin estimated the investment return that could be achieved given current market conditions. The average gross margin for a housing developer is about 20% of revenues, which accounts for the developer's overhead costs and profit and is assumed to be the minimum return a developer would expect in order to undertake the project. Camoin estimates that finished market-rate homes will sell for about \$300 per SF of home area, based on recent comparable sales in the vicinity of the Village Parcel, meaning that the developer would expect a margin of \$60 per SF. After subtracting the developer margin and construction costs (estimated at \$175 per SF), this leaves a maximum of \$65 per SF to be spent on site costs. See Exhibit 5.5.

5. A VISION FOR THE VILLAGE PARCEL

Exhibit 5.5

Maximum Site Costs per Square Foot of Development	
Home Sale Price per SF	\$ 300
Typical Developer Margin	20%
Developer Margin per SF	\$ 60
Construction Cost per SF	\$ 175
Max Site Costs per SF	\$ 65

Source: Camoin 310

Potential Proceeds to the Town

An initial phase scenario, perhaps accommodating about 40 to 50 homes averaging 1,800 SF on quarter-acre to half-acre lots, would likely yield market-rate homes averaging \$540,000 each. After allowing for necessary infrastructure costs of \$3.8 million, this phase undertaken by a private developer would generate about \$1.5 million in land proceeds for the Town -- if current zoning is modified to permit greater density on the site; if not, the yield to the Town under this illustrative scenario would be \$700,000.

Exhibit 5.6

Town Proceeds from Phase 1		
	Higher Density	Current Zoning
Lots	45	20
Average Home Size (SF)	1,800	3,000
Total Building SF	81,000	60,000
Max Site Costs per SF	\$ 65	\$ 65
Max Site Costs	\$ 5,265,000	\$ 3,900,000
Infrastructure Cost, Main Road	\$ (2,200,000)	\$ (2,200,000)
Infrastructure Cost, Secondary Roads	\$ (1,600,000)	\$ (1,000,000)
Town Proceeds	\$ 1,465,000	\$ 700,000

Source: Camoin 310

A Developer's Perspective on Affordable Housing

Per Camoin's Village Parcel Market Analysis, to be affordable to households earning 80%-120% of the Town's median household income, housing should be priced at about \$200

5. A VISION FOR THE VILLAGE PARCEL

per SF. A 1,800 SF home would therefore be priced at \$360,000. Camoin conservatively estimates affordable home construction costs at \$150 per SF, to ensure that “affordable” homes are relatively comparable in appearance and quality to market-rate homes nearby. In Exhibit 5.7 below, Camoin illustrates how the development community would compare the prospects for undertaking market-rate versus affordable housing; the numbers do not “pencil out” -- there is insufficient margin to motivate a private developer.

Exhibit 5.7

Developer Margin - Market-Rate vs Affordable		
	Market-Rate	Affordable
Sale Price per SF	\$ 300	\$ 200
Construction Cost per SF	\$ 175	\$ 150
Site Costs per SF	\$ 65	\$ 65
Margin per SF	\$ 60	\$ (15)
Margin %	20%	-8%

Source: Camoin 310

A Mix of Market-Rate and Affordable Dwellings

Considering what would likely be a first phase of developing the property, it is evident that private market-rate residential development is needed to offset past land acquisition costs and future public expenditures on infrastructure. Some number of units targeted to households earning 80%-120% of the Town’s median household income could be included but, in Camoin 310’s financial analysis, for each unit of affordable housing the Town would forego \$100,000 of potential proceeds. This estimate may be further refined with more detailed design of proposed home sizes, both affordable and market-rate, but it serves to temper expectations of how much affordable housing is feasible on the Village Parcel.

A Mixed-Income, Multigenerational Neighborhood

One way to contemplate development on the Village Parcel is that of new neighborhood with a mix of dwelling unit types, sizes and prices that are different from Kennebunkport’s current inventory. This neighborhood would create demographic diversity by incorporating a variety of single-family, two-family and multi-family buildings at a variety of price points. This mix is accomplished through the use of a varying lot sizes, home sizes, and unit types that may include long-term rentals. This dynamic could attract a

5. A VISION FOR THE VILLAGE PARCEL

broad and diverse group of people, including downsizing empty-nesters, young families, singles, and local workers. To be successful, this kind of development would seek to exclude second homes and vacation rentals. All involved in the planning process anticipate developing safeguards to discourage short-term occupancy.

Multiplex dwellings offer good opportunities for small units that can function as either modest family homes or singles/couples apartments, critical to creating affordable housing. To assuage aesthetic concerns voiced by the community during the visioning process, the multiplex could be designed to resemble a traditional New England farmhouse with barn or Federal-style home with carriage house, similar to the many historic houses that give the Town its charm. These large “homes” would be subdivided into three or four dwellings. This design strategy allows for higher density and demographic diversity by catering to people who cannot afford or do not wish to live in larger detached or semi-detached homes.

If this kind of development were to proceed on the Village Parcel some have suggested that it should incorporate a modest coffee shop with to-go and simple made-to-order food that doubles as a community gathering space, or an appropriately sized market with a limited variety of produce and staple foods proceed. In any event, any such retail element should be strictly subordinate to residential, community and municipal uses.

Zoning Changes are Essential (refer to Land Use Analysis, Appendix E for more detail)

To realize the vision of a mixed-income, multigenerational neighborhood, and to facilitate a configuration more on par with a village character, the current zoning for the Parcel would require modification. To establish a proper framework to support the desired development types, zoning amendments will need to include reduced setbacks, smaller lots sizes, greater building coverages, greater density, and perhaps the establishment of design standards.

New zoning can be achieved in several ways:

- 1. Contract Zoning.** The Town can establish (and has previously established) specific zoning regulations and conditions for a particular parcel alone. A legal review is necessary to vet the concept of contract zoning and determine logistics involved in ownership. However, the actual contract zone agreement would likely be between the Town and a future developer. This form of land use regulation is most flexible since it can be tailored to project-specific and site-specific objectives.

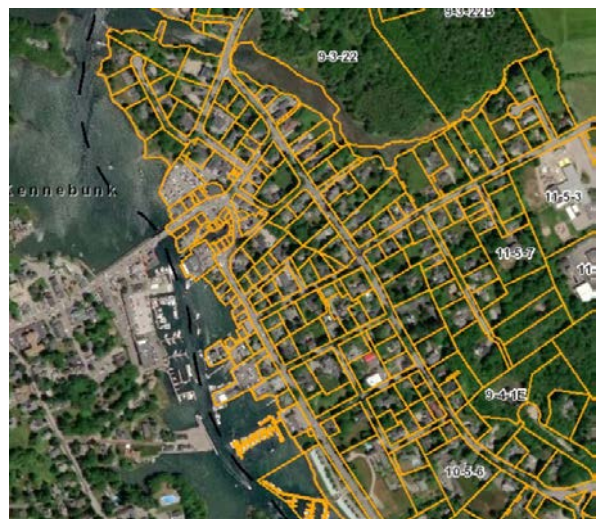
5. A VISION FOR THE VILLAGE PARCEL

- 2. *Overlay Zone.*** Another way for the Town to change the zoning to facilitate the envisioned Village Parcel development is to draft and adopt a series of provisions that add to the base zoning regulations and which may supersede them if specific conditions are met. Generally, these conditions would likely target affordable housing dwellings and open space conservation or recreational amenities. With these conditions met, specific density increases above the base zoning would be permitted. An advantage to this over other zoning regulation applications is that it could include more than the Village Parcel, such as the land adjacent to the Village Parcel on the north and south.
- 3. *New Base Zone.*** This option would require drafting and adoption of a new land use zone. Typically, such a zoning district would include more than one property. The Town's attorney should review specific logistics and determine if this is an issue, or whether the Parcel should be divided into lots. The advantage to a new standalone base zone is that it could provide more clarity by essentially mandating the type of development based on specific regulatory requirements, unlike the development choices that might be available in an overlay zone, as described above. This may not be a factor if the Town decides to focus only on the Village Parcel.

In order to create the framework to support a compact mixed-income, multigenerational neighborhood surrounded by open space, the dimensional requirements, or the rules of development for the Parcel will need modification. Compact neighborhoods require shallow setbacks, small lot sizes with greater building coverages, and more dwelling units per land area. In addition, to encourage a range of housing types (single-family, two-family and multiplex), these dimensional requirements can be calibrated to provide the most optimal development setting needed.

1. *Lot Sizes and Land Area for Development.*

Public input and committee members supported a traditional neighborhood character, such as Dock Square and Cape Porpoise, as the most preferred type of development for the Village Parcel. Many of the lots in these neighborhoods are characteristic of what people love about the town and range from less than 5,000 square feet to around 12,000 square feet. "Traditional" neighborhoods designed today are based on the understanding that



compact development provides for a more pedestrian-scale and, given a smaller footprint, provides more open space. The objective is better served by quarter-acre lots than one-acre lots for single family; however, a mix of different lot sizes together with a mix of densities (land area per dwelling unit) would be ideal. The option of smaller lots, perhaps 10 to 20,000 square feet, could support single-family, two-family or multiplex buildings. This flexibility in lot size and density would allow development of a patchwork of different types of dwellings crucial to the vision of mixed-income, multigenerational neighborhood – in contrast to the more homogenous development that one-acre zoning effectively creates.

2. *Building Coverages and Setbacks.* In the same way that smaller lot sizes and greater density provide the flexibility to achieve the compact village-style neighborhood, reduction in setbacks and increase in building coverages provide a similar flexibility. Dimensional regulations are primarily aimed at locating buildings and limiting building/pavement area to ensure a reasonable space between structures for public safety and to allow for sufficient vegetated versus non-vegetated areas on the lot. The latter has a direct effect on stormwater management and both dimensional requirements have an effect on density and the overall character of the neighborhood. Allowing for buildings to be closer to each other (still providing for conformance with fire safety standards) and to develop more of the lot results in more efficient use of the overall land. Open space can be planned and designed to be more central and contiguous rather dispersed across individual lots.

3. *Design Standards and Guidelines.* Design standards and guidelines are important tools to communicate the type of development envisioned for the Village Parcel. Identifying a range of appropriate design attributes and details such as architectural massing, form, style and building materials would help to ensure expectations are met regarding the overall character of the neighborhood. Multiplex building design is a specific element that can benefit from standards and guidelines. A concept that emerged from the planning process involves incorporating several dwelling units within the building envelope of a large New England farm house or captain's house, perhaps



with an attached barn or carriage house. This architectural vernacular is common in many scenic areas in Maine and is an element of the overall village character that has been identified as important to preserve and promote.

Realizing the Vision

The Village Parcel presents the Town with a significant opportunity to:

- provide residents with a natural amenity close to the center of town
- locate a new Town Hall and reserve portions of the site for long-term future needs that may arise
- address some currently unmet housing needs and create a residential neighborhood that has some of the look and feel of areas of town such as Cape Porpoise and Dock Square – a character and quality cherished by residents of Kennebunkport.

Ideally, the Town could accomplish these with a neutral or positive fiscal impact on Town finances. In order to minimize the fiscal impact to the Town, private market-rate residential development is needed to offset the public costs of these objectives.

6. NEXT STEPS

With the development of this report, many issues and concerns requiring further study and discussion have been identified along with a number of decisions the Town must make and actions it should take:

1. Refine the Village Parcel Vision. The Town should:

- determine the right balance between conservation/open space and development on the Parcel, including the extent of land to reserve for future use once a more-immediate use program is developed;
- establish the appropriate phasing for the development, mindful that development must start at the North Street end of the Parcel;
- set realistic expectations regarding proceeds to recoup the land purchase and/or infrastructure costs and their relationship to how much public investment might be required to realize some number of affordable housing units on the Parcel. In addition, the Town might consider a more holistic interpretation of “return on investment,” balancing the financial calculus with other values important to the community.

2. Encourage the Community to Enjoy the Property. Since the Village Parcel is a remarkable asset that should be accessible to residents as soon as possible, the Town should:

- provide limited funds for some interim clean up and mitigation of the disturbance associated with the prior approved development. The initial effort should include signage regarding the Village Parcel Vision;
- with volunteer help and any available grant monies, establish as soon as possible one trail along the Northern perimeter utilizing where feasible existing paths and cleared areas;
- evaluate the input received on open space and nature conservation to develop an Open Space Plan of trails and recreation areas, nature education areas, and additional associated elements and programs.

3. Identify Advisors and Partners. The Village Parcel Vision can more easily be realized through informal alliances and strategic partnerships with other entities, e.g.:

- the Heritage Housing Trust’s current efforts will be instructive to the Town in understanding the local demand for affordable housing as well as the types of covenants that ensure continued occupancy by eligible households;

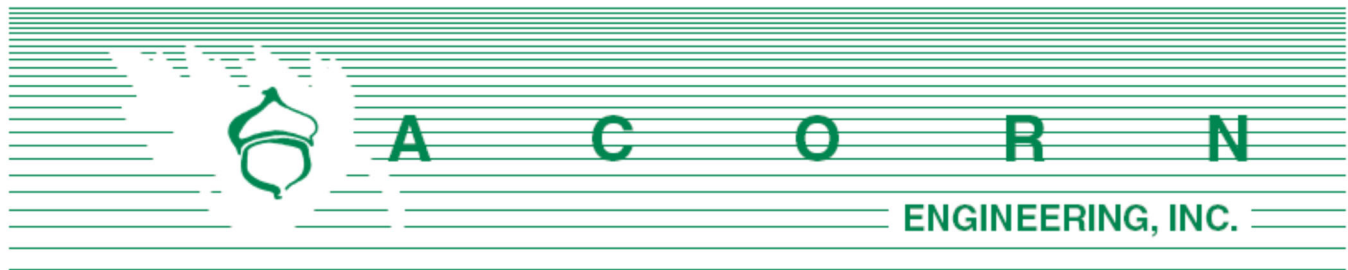
6. NEXT STEPS

- the Kennebunkport Conservation Trust could be an invaluable partner and advisor regarding the stewardship of the Village Parcel's natural resources;
- private developers will ultimately be critical to the execution of a master plan for the Parcel but, in the short-term, the Town should seek informal input from developers and builders familiar with the specific target market and building types identified in this report to further understand potential infrastructure costs, housing costs, and potential zoning changes that may be necessary for project success.

4. Formalize the Process for Moving the Village Parcel Forward.

Now that the Village Parcel Committee has completed its task of producing a report regarding community priorities for the site, the Town should:

- determine the role of the Village Parcel Committee going forward;
- engage the Comprehensive Plan Committee to evaluate further the community priorities that have emerged thus far during the Village Parcel process. The parcel is in the defined Growth Area and will be evaluated as part of the Comprehensive Plan process, providing residents with more opportunities to weigh in regarding particular uses or development on the site;
- evaluate which of the various zoning options available should be adopted to best realize the vision for the Village Parcel;
- establish a plan to create a monitoring program or 'pulse-checks' to evaluate the progress and status of the use of the property, once a program has been identified, and determine the nature and frequency of these checks.



Town of Kennebunkport
Attn: Eric Labelle
P.O. Box 566
6 Elm Street
Kennebunkport, ME 04046

August 25, 2021
Revised January 5, 2022

Subject: Town's Village Parcel
Updated Opinion of Probable Cost

Eric,

Acorn Engineering, Inc. (Acorn) is pleased to submit the attached Opinion of Probable Cost (OPC) for the Town of Kennebunkport's Village Parcel to construct the road and all associated utilities from North Street to Parcel D as described in the provided Vision Study. In coordination with Grondin Corporation, the OPC is based upon the previously approved plans that were provided and factors in work to date that has already been completed associated with future road construction project. The updated OPC includes removal of the previously proposed pump station and forcemain connection and includes additional infrastructure that will be required to make the gravity sewer connection into the existing sanitary manhole located within North Street, as well as a 3% adjustment for inflation. As discussed, we have also included a cost for future construction administration services and the OPC includes a contingency for unforeseen changes to the plans or price increases from 2021 to when the project goes out to bid after final design. Along with the previously provided cost proposal to develop construction plans, specification documents and bid administration, we understand these total costs will be utilized for a Town referendum vote.

Acorn Engineering, Inc. appreciates the opportunity to work with the Town of Kennebunkport in preparation of this Opinion of Cost and look forward to the potential next phase of developing the construction plans and seeing this project through final construction. Please let us know if you have any questions or comments.

Sincerely,

Peter F. Heil, P.E.
Project Manager
Acorn Engineering, Inc.

William H. Savage, P.E.
Principal
Acorn Engineering, Inc.



VILLAGE PARCEL

Sta. 99+50 - 122+00

1/5/2022

Item #	Item Description	Bid Value
01000	GENERAL CONDITIONS	\$284,000.00
02100	SITE PREPARATION	\$2,000.00
02205	EARTHWORK	\$418,000.00
02210	ELECTRICAL	\$115,000.00
02270	EROSION CONTROL	\$211,000.00
02514	PAVEMENT	\$486,000.00
02525	CURB	\$203,000.00
02600	WATERLINE	\$167,000.00
02700	SANITARY SEWER	\$259,000.00
02720	STORM DRAINAGE	\$36,000.00
02800	SITE IMPROVEMENTS	\$291,000.00
02900	LANDSCAPING	\$16,000.00
	CONSTRUCTION ADMINISTRATION	\$30,000.00
SUBTOTAL		\$2,518,000.00
	CONTINGENCY (15%)	\$377,700.00
TOTAL		\$2,895,700.00

AGENDA ITEM DIVIDER

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this ____ day of _____, 2023, by and between the **INHABITANTS OF THE TOWN OF KENNEBUNKPORT**, a municipal corporation existing under the laws of the State of Maine, located in York County, Maine (“Grantor”) and **ST. ANN’S EPISCOPAL CHURCH**, a Maine church corporation, with a mailing address of P. O. Box 44, Kennebunkport, Maine, 04046 (“Grantee”).

WHEREAS, Grantor owns a certain lot or parcel of land situated southerly of Ocean Avenue and in the Town of Kennebunkport, York County, Maine generally in the area known as “Old Fort Beach” being of portion of the land more particularly described in the deed from Henry Parsons to the Town of Kennebunkport dated August 1, 1944 and recorded in the York County Registry of Deeds in Book 1018, Page 179 (the “Grantor’s Property”);

WHEREAS, Grantee owns a certain lot or parcel of land in said Town of Kennebunkport located at 167 Ocean Avenue, Kennebunkport, Maine known as the Rectory parcel described in the deed recorded in the York County Registry of Deeds in Book 9347, Page 225 and an abutting lot or parcel land known as the Church parcel described in the deed recorded in the York County Registry of Deeds in Book 1888, Page 688 (collectively, the “Grantee’s Property”).

WHEREAS, the parties have agreed to the terms and conditions of the following easement rights, to burden the Grantor’s Property and for the benefit of the Grantee’s Property.

NOW THEREFORE, for consideration paid, Grantor hereby GRANTS to Grantee, with Quitclaim Covenant, a non-exclusive permanent easement (the “Easement”) over the portion of Grantor’s Property described on the attached EXHIBIT A and shown on the sketch attached as EXHIBIT B (the “Easement Area”) for (i) the use, maintenance, repair and replacement of a sea wall as presently located on the Grantor’s Property (the “Sea Wall”), at Grantee’s sole cost and expense; and (ii) access to and from Ocean Avenue to the Sea Wall, including access by vehicles, heavy equipment and on foot for said purposes only.

Access over the Easement Area shall be at reasonable times and the Grantee shall have the obligation to obtain approval in advance, except in the event of an emergency, which approval shall not be unreasonably withheld, from the Town of Kennebunkport Select Board or Town Manager without the necessity of a town meeting vote, of (i) the person or persons entering the

Easement Area, (ii) the nature of the work to be done and anticipated time line with the intent of minimizing the impact on the Easement Area. Notwithstanding anything to the contrary in this Easement Agreement nor the maintenance, repair and replacement rights herein, Grantee acknowledges that the location, width, length and general appearance of the Sea Wall shall remain the same or substantially the same as presently constituted and the height of the Sea Wall shall be approximately eighteen (18) feet.

Grantee shall be responsible for obtaining any necessary permits and approvals required for such use or improvements made within the Easement Area, and such use or improvements shall comply with all laws, ordinances, and regulations pertaining thereto.

Grantee's, its agents' or contractors' use of the Easement Area shall be at Grantee's sole risk and Grantee hereby releases Grantor for any liability with respect to, or arising out of such use. Grantee shall indemnify and hold harmless Grantor from and against any and all claims, damages, costs and expenses arising from the use of the Easement by Grantee, its agents or contractors, including without limitation any injury to persons or damage to property. Without limiting the foregoing, Grantee shall repair any damage to the Grantor's Property caused by Grantee's, its agents' or contractors' use of the Easement Area to substantially the same condition as existed prior to such disturbance. The foregoing indemnity shall include an indemnity against any and all reasonable costs of litigation, including without limitation reasonable attorney's fees. Nothing in this paragraph shall constitute a waiver by Grantor of any provision of the Maine Tort Claims Act, 14 M.R.S. §8101 et seq.

Grantee shall not suffer or permit any mechanic's or materialmen's lien to attach to the Grantor's Property. In the event any such lien shall be filed and recorded, Grantee shall promptly take steps to remove such lien in any lawful manner.

Grantor reserves the right to use and enjoy the Grantor Property in any manner that shall not be inconsistent with or interfere with the Easement granted herein.

The Easement is further conveyed SUBJECT TO all rights, privileges, easements, obligations, conditions, covenants, reservations and restrictions set forth in deeds in record title to these areas of land insofar as such rights may be in force and effect.

The Easement herein granted shall run with the land and be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS THEREOF, the parties have set their hands, under seal, as of the date first written above.

**INHABITANTS OF THE TOWN OF
KENNEBUNKPORT**

By: _____
Laurie Smith, Its Town Manager
Duly authorized by Town Meeting vote

STATE OF MAINE
COUNTY OF YORK

_____, 2023

Then personally appeared the above-named Laurie Smith, Town Manager of the Town of Kennebunkport, and acknowledge the foregoing instrument to be her free act and deed in said capacity,

Before me,

Notary Public

Printed Name: _____
My commission expires:

ST. ANN'S EPISCOPAL CHURCH

By: _____
Shephard Hill, Its Senior Warden,
Duly Authorized by Church Vestry vote

STATE OF MAINE
COUNTY OF YORK

_____, 2023

Then personally appeared Shephard Hill, Senior Warden of St Ann's Episcopal Church.
and acknowledged the foregoing instrument to be his free act and deed in said capacity.

Before me,

Notary Public
Printed Name: _____
My Commission Expires:

EXHIBIT A

Inhabitants of the Town of Kennebunkport
To
St. Ann's Episcopal Church
Ocean Avenue
Kennebunkport

BEGINNING at a masonry nail set in a stone paver walkway, said masonry nail being located in the northeasterly boundary of land of the Grantee known as the Rectory parcel described in deed recorded in York County Registry of Deeds in Book 9347, Page 225, and at a corner of land of the Grantee known as the Church parcel described in deed recorded in said Registry in Book 1888, Page 688;

THENCE, running South 65° 52' 08" East, by said Rectory parcel of the Grantee, a distance of 43.00 feet to a masonry nail set in the sea wall;

THENCE, continuing South 65° 52' 08" East, by said Rectory parcel of the Grantee, a distance of 7.00 feet to a point near the high water line of the Atlantic Ocean;

THENCE, turning and running across land of the Grantor the following three (3) courses and distances:

1. North 14° 37' 24" East a distance of 67.39 feet;
2. North 63° 11' 06" East a distance of 64.58 feet;
3. North 33° 27' 32" East a distance of 81.70 feet to a point in the apparent southwesterly sideline of Ocean Avenue;

THENCE, turning and running North 57° 52' 00" West, along said Ocean Avenue, a distance of 19.28 feet to a point;

THENCE, turning and running across land of the Grantor the following three (3) courses and distances:

1. South 41° 31' 39" West a distance of 63.39 feet;
2. South 63° 31' 41" West a distance of 55.15 feet;
3. North 66° 50' 57" West a distance of 21.41 feet to a point in the southeasterly boundary of Church parcel of Grantee;

THENCE, turning and running South 23° 08' 53" West, by said Church parcel of the Grantee, a distance of 96.46 feet to the point of beginning.

ENCOMPASSING a permanent easement area of 7,697 square feet.

ALL bearings are oriented to Grid North per Maine State Plane Coordinate System West Zone.

The above description was derived from “Sketch Plan Showing Easement from the Inhabitants of the Town of Kennebunkport to St. Ann’s Episcopal Church, 167 Ocean Avenue, Kennebunkport, Maine” dated March 30, 2023, by Lower Village Survey Co., LLC, attached hereto as Exhibit B. Reference is also made to “Standard Boundary Survey, 167 Ocean Avenue, Kennebunkport, Maine, Owned by St. Ann’s Episcopal Church” dated April 1, 2022, by Lower Village Survey Co., LLC.

The above-described easement is located over land conveyed by Henry Parsons to the Inhabitants of the Town of Kennebunkport by deed dated July 29, 1944, recorded in said Registry in Book 1018, Page 179.

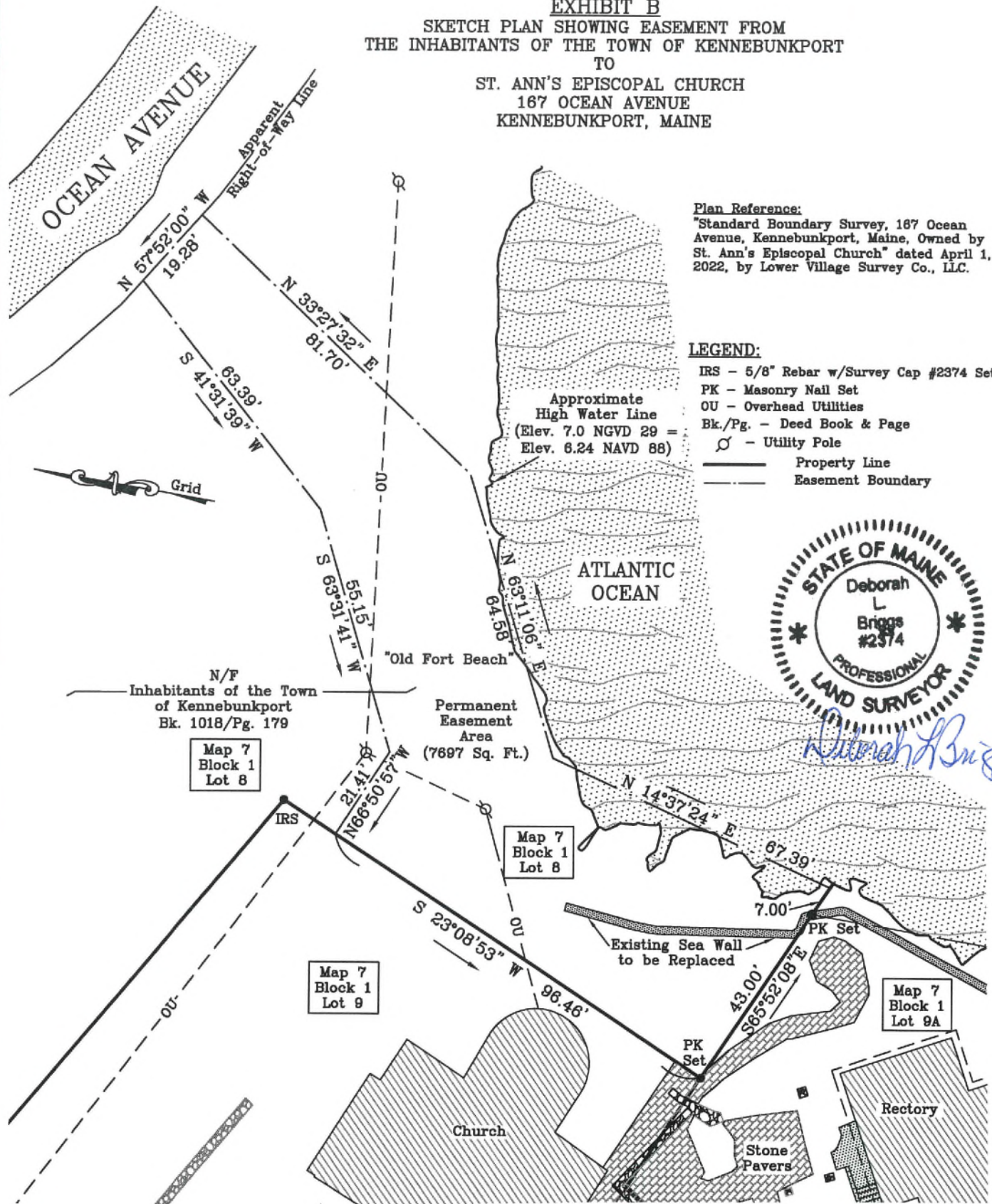
EXHIBIT B
SKETCH PLAN SHOWING EASEMENT FROM
THE INHABITANTS OF THE TOWN OF KENNEBUNKPORT
TO
ST. ANN'S EPISCOPAL CHURCH
167 OCEAN AVENUE
KENNEBUNKPORT, MAINE

Plan Reference:

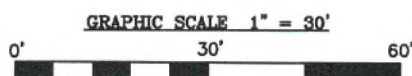
"Standard Boundary Survey, 167 Ocean Avenue, Kennebunkport, Maine, Owned by St. Ann's Episcopal Church" dated April 1, 2022, by Lower Village Survey Co., LLC.

LEGEND:

IRS - 5/8" Rebar w/Survey Cap #2374 Set
 PK - Masonry Nail Set
 OU - Overhead Utilities
 Bk./Pg. - Deed Book & Page
 ⓪ - Utility Pole
 ——— Property Line
 - - - Easement Boundary



Date: March 30, 2023
 File No. 121-111
 167 Ocean Ave SAEC
 Esmt Deed Exh B



Prepared By
 LOWER VILLAGE SURVEY CO., LLC
 13 Western Avenue
 Kennebunk, Maine

AGENDA ITEM DIVIDER

2023 Committee/Board Re-Appointments				
Last Name	First Name	Committee	New Term Exp	Comments
Dufoe	April	Administrative Code	6/30/2024	Reappointment
Smith	Richard	Administrative Code	6/30/2024	Reappointment
Eaton	Peter	CP Pier Advisory Committee	6/30/2024	Reappointment
Dow	George	CP Pier Advisory Committee	6/30/2024	Reappointment
Emmons	Kyle	CP Pier Advisory Committee	6/30/2024	Reappointment
McLaughlin	Charles	CP Pier Advisory Committee	6/30/2024	Reappointment
Beard	Daniel	CP Pier Advisory Committee	6/30/2024	Reappointment
Zuke	Julian	CP Pier Advisory Committee	6/30/2024	Reappointment
Noyes	Ryder	CP Pier Advisory Committee	6/30/2024	Reappointment
Fernandez	Ruth	Cemetery Committee	6/30/2024	Reappointment
Sanders	Ann	Cemetery Committee	6/30/2024	Reappointment
Schlegel	Rita	Cemetery Committee	6/30/2024	Reappointment
Bryan	Lynda	Cemetery Committee	6/30/2024	Reappointment
Pargellis	Greg	Cemetery Committee	6/30/2024	Reappointment
Star	Judson	Cemetery Committee	6/30/2024	Reappointment
Morris	Carol	Conservation Committee	6/30/2025	Reappointment
Kaagan	Susan	Conservation Committee	6/30/2026	Reappointment
Ouellette	Lorrie	Conservation Committee	6/30/2026	Reappointment
Francoeur	Ron	Government Wharf	6/30/2024	Reappointment
Welch	Chris	Government Wharf	6/30/2024	Reappointment
Welch	Andrew	Government Wharf	6/30/2024	Reappointment
Audley	Christopher	Government Wharf	6/30/2024	Reappointment
Everett	John	Public Safety Committee	6/30/2024	Reappointment
Sanford	Craig	Public Safety Committee	6/30/2024	Reappointment
Simeoni	Christopher	Public Safety Committee	6/30/2024	Reappointment
Mathews	Kyle	Public Safety Committee	6/30/2024	Reappointment
Carroll	Joseph	Public Safety Committee	6/30/2024	Reappointment
Donath	Bruce	Recreation Committee	6/30/2024	Reappointment
Streiff	Susan	Recreation Committee	6/30/2024	Reappointment
Mathews	Kyle	Recreation Committee	6/30/2024	Reappointment
Mitchell	Jamie	Recreation Committee	6/30/2024	Reappointment
Wildes	Eric	Shellfish Conservation Committee	6/30/2026	Reappointment
Zeiner	Charles	Shellfish Conservation Committee	6/30/2026	Reappointment
Pearlmutter	Nina	Shade Tree Committee	6/30/2024	Reappointment
Hanna	Steven	Shade Tree Committee	6/30/2024	Reappointment
Concannon	Tricia	Shade Tree Committee	6/30/2024	Reappointment
Wilson	Kinder	Solid Waste Committee	6/30/2026	Reappointment
Flashen	Harvey	Solid Waste Committee	6/30/2026	Reappointment
Hogan	Paul	Solid Waste Committee	6/30/2026	Reappointment
McClain	Thomas	Solid Waste Committee	6/30/2026	Reappointment
Mead	Joseph	Wastewater Committee	6/30/2024	Reappointment
Myatt	Margaret	Wastewater Committee	6/30/2024	Reappointment
Convery	Bob	Wastewater Committee	6/30/2024	Reappointment

Stockman	James	Lighting Committee	6/30/2026	Reappointment
Fairbanks	Robert	Lighting Committee	6/30/2026	Reappointment
Merolla	Todd	Lighting Committee	6/30/2026	Reappointment
Pearlmutter	Nina	Planning Board	6/30/2026	Reappointment
Mahoney	Scott	Planning Board	6/30/2026	Reappointment
George	Lichte	Planning Board	6/30/2026	Reappointment
Johnson	Elizabeth	Growth Planning	6/30/2026	Move from alternate
Everett	John	Public Safety Committee	6/30/2024	Reappointment
Sanford	Craig	Public Safety Committee	6/30/2024	Reappointment
Simeoni	Christopher	Public Safety Committee	6/30/2024	Reappointment
Carroll	Joseph	Public Safety Committee	6/30/2024	Reappointment

2023 Committee/Board New Appointments

Last Name	First Name	Committee	New Term	Comments
Grady	E. Russell	Board of Assessment Review	Jun-26	Appointment
Leffler	Kathryn	Zoning Board of Appeals	Jun-26	Appointment
Flashen	Harvey	Climate Action Task Force	Nov-23	Appointment

AGENDA ITEM DIVIDER

Item 10

June 2, 2023

Jamie Smith / Town of K'Port -

Enclosed find a check for
\$200.00 to be divided between
the Police Dept. and the
Fire Dept.

Hopefully, it will be used
for safety purposes.

It's only a modest
amount, but I want to
show my appreciation to
both departments.

Sincerely,
Ed Briggs

EDWIN W BRIGGS
PO BOX 1017
KENNEBUNKPORT, ME 04046-1017

52-7450/2112

2028

DATE June 3, 2023

PAY TO
THE ORDER OF

Town of Kennebunkport - \$ 200 ⁰⁰/₁₀₀
Two Hundred ⁰⁰/₁₀₀
DOLLARS

SPECIALTY BLUE INK SECURITY



Kennebunk
Savings

MEMO

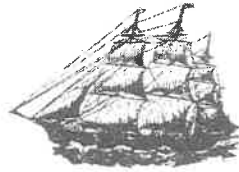
SAFETY

Edwin W. Briggs

21 2745021 43 038555 2028

LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.

AGENDA ITEM DIVIDER



Kennebunkport Public Health

INCORPORATED 1653

Kennebunkport Public Health

June 12, 2023

ATN: Kennebunkport Board of Selectmen, Laurie Smith-Kennebunkport Town Manager

Please accept this generous gift of \$500.00 from Alisson's Restaurant to the general needs account # 08-01-50.

Thank you!

Alison Kenneway RN, BSN
Kennebunkport Public Health

HOLD TO LIGHT TO VIEW TRUE WATERMARK (A HINCH LIFT & EXAMINE THE LOGO WILL APPEAR WHEN HEATED)

13292

ALISSON'S RESTAURANT

11 DOCK SQUARE
P.O. BOX 344
KENNEBUNKPORT, ME 04046
(207) 967-4841



52-7450/2112



5/31/23

PAY TO THE
ORDER OF

Town of Kennebunkport

\$**500.00

DOLLARS

Five Hundred and 00/100*****

Town of Kennebunkport
P.O. Box 566
Kennebunkport, ME 04046



Amela E. Dwyer

AUTHORIZED SIGNATURE

MEMO

Fundraiser: General Assistance Fund

⑈013292⑈ ⑆211274502⑆ 44 010365⑈

ALISSON'S RESTAURANT

13292

Date	Type	Reference	Original Amt.	Balance Due	5/31/23 Discount	Payment
4/7/23	Bill		500.00	500.00		500.00
				Check Amount		500.00

Kennebunk Savings Ba Fundraiser: General Assistance Fund

500.00

FD Security features. Details on back.