



TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda  
October 12, 2023, @ 6:00 PM  
VILLAGE FIRE STATION  
32 North Street**

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**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/84213603383>

or go to **ZOOM** and enter the **webinar ID: 842 1360 3383**

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

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1. Call to Order.
2. Approve the September 28, 2023, selectmen meeting minutes.
3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)
4. Public hearing on ordinances for November ballot:
  - a. Acceptance of the 2030 Comprehensive Plan
  - b. Amendment to the Street Opening Ordinance
  - c. Construction of a new Town Hall
  - d. Sale of School Street property
  - e. Cape Porpoise Pier funding
  - f. Easement agreement with Green Marine Corporation
  - g. Acceptance of Cape Porpoise Fire Station
5. Boatswain Lane public street proposal.
6. Extension of Climate Action Plan Taskforce member terms to March 2024.
7. Appoint Claire Julian as the election warden for November 7, 2023.
8. Authorize the warrant.
9. Other Business.
10. Approve the October 12, 2023, Treasurer's Warrant.
11. Adjournment.

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# **AGENDA ITEM DIVIDER**

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Town of Kennebunkport  
Board of Selectmen Meeting  
September 28, 2023  
5:00 PM

**MINUTES**

**Selectmen attending:** Mike Weston, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra, Marybeth Gilbert.

**1. Call to Order.**

Chairman Weston called the meeting to order at 5:00 PM.

**2. Executive Session – per MRSA 1, §405-6C to consider the acquisition or disposition of real estate.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett, to enter Executive Session per MRSA 1, §405-6C to consider the acquisition or disposition of real estate. **Voted: 5-0. Motion passed.**

The Selectmen entered the Executive Session at 5:01 pm and returned at 6:02 pm. No decisions were made in the session.

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

**3. Approve the September 11 and 14, 2023, selectmen meeting minutes.**

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the September 11 and 14, 2023 meeting minutes. **Voted: 5-0. Motion passed.**

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

Robin Phillips told the board that there used to be a no-parking zone near the café on Temple St., but now parking is permitted. A food delivery truck was blocking traffic so that no one could get through. She stated she had a conversation with the Postmaster where he intimated that this is a frequent occurrence. She asked if the parking spaces could be reclaimed as a no-parking zone to provide delivery trucks with a place to park temporarily for loading/unloading and not block traffic. Selectman Weston said the Board would look into it.

Robin also asked if the Village Parcel meetings in 2018 were posted in the local newspaper. Chairman Weston replied that there was an extensive article about it in the Seacoast newspaper but that posting a notice about such meetings in the Postings section is not required by the State law. Selectman Matthews-Bull added that the Village Parcel had been discussed for months, and if citizens wanted to be informed, they should watch the meetings, read the newspaper, etc.

George Lapointe, the new general manager of the Breakwater Inn, introduced himself and asked about obtaining a liquor license. The Board informed him that his request was Item 6 on tonight's agenda.

Melinda Anderson, via Zoom, asked again about notification methods regarding the Village Parcel Special Town Meeting.

Wayne Burbank asked for clarification about the eight-acre "McCabe" property on School Street. Town Manager Laurie Smith responded that in previous meetings, it had been considered as a possible location for a new Town Hall, but ultimately, it was determined it would be more expensive to build there because of the topography of the lot and the need to extend utilities a longer distance. Laurie also answered Wayne's questions about financing of the Cape Porpoise Pier and Town Hall, parking at the proposed site for the Town Hall on the Village Parcel, and locating a new Town Hall on a five-acre parcel near the Police Station. Director of Planning and Development, Werner Gilliam, added that this parcel had been considered some twenty years ago for expansion of the Police Department to include a Town Hall. That consideration was ultimately rejected as there would be disruption to the Police Department during construction, topography issues building there, and the need to use septic for wastewater.

Charlie Tremblay thanked Laurie and the Board for conducting the Village Parcel survey and placing the results online for the public to see.

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

**5. Public hearing to adopt the MMA Model Ordinance GA Appendices A–G for the period October 1, 2023–September 30, 2024.**

Director of Public Health, Alison Kenneway, described the General Assistance programs distributed by local municipalities, the maximums permitted by the State, and general assistance programs delivered by the Town – including food pantry, fuel assistance, and backpacks & school supplies for children.

**Motion** by Selectman Dykstra, seconded by Selectman Matthews-Bull, to open a public hearing to discuss the adoption of the MMA Model Ordinance GA Appendices A–G for the period October 1, 2023–September 30, 2024. **Voted:** 5-0. **Motion passed.**

There was no comment from the public.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Dykstra, to close the public hearing to discuss the adoption of the MMA Model Ordinance GA Appendices A–G for the period October 1, 2023–September 30, 2024. **Voted:** 5-0. **Motion passed.**

**Motion** by Selectman Daggett, seconded by Selectman Dykstra, to adopt the MMA Model Ordinance GA Appendices A–G for the period October 1, 2023–September 30, 2024. **Voted:** 5-0. **Motion passed.**

**6. Consideration of liquor license for Breakwater-Kennebunkport LLC (Breakwater Inn & Spa), located at 127 Ocean Ave.**

Allan Evelyn asked if the liquor license covers both buildings or just one. George Lapointe answered that there are two addresses but just one legal entity.

**Motion** by Selectman Dykstra, seconded by Selectman Daggett, to approve a liquor license for Breakwater-Kennebunkport LLC (Breakwater Inn & Spa). **Voted:** 5-0. **Motion passed.**

**7. Appointment of RSU 21 School Board representative.**

Chairman Weston informed the group that we had five qualified volunteers for the position, two of whom later withdrew their application, leaving three candidates – Diane Franz, Donald Gasink & Rachel Kennedy-Smith. All spoke at the previous Selectmen’s meeting and indicated at that time that they intend to run for the position again in June 2024 at the end of this temporary appointment.

**Motion** by Selectman Dykstra, seconded by Selectman Weston, to appoint Rachel Kennedy Smith as RSU 21 School Board representative with a term ending in June 2024. **Voted:** 2-3. **Motion failed.**

**Motion** by Selectman Gilbert, seconded by Selectman Matthews-Bull, to appoint Diane Franz as RSU 21 School Board representative with a term ending in June 2024. **Voted:** 3-0-2. **Motion passed.**

**8. Presentation regarding the Town Hall construction project.**

Laurie Smith went through the same presentation that was made to the Select Board and Budget Board on September 11<sup>th</sup>.

Town Manager Laurie Smith reviewed the Town Hall background, including the history and current square footage of the 6 Elm Street building. She also described the Village Parcel visioning process and the Town Hall public process over the past four years.

Voters approved funds for a design and engineering firm in June of 2022. Sebago and Grant Hayes were retained to do this work.

A committee was formed, and many floor plans were considered to right-size the project, which was brought to the Selectmen in July 2020. Ultimately, the committee agreed upon a single-story design of approximately 12,600 sq. Laurie described the layout, appearance, and function of the final design in some detail, with the building located near the North Street entrance to the Village Parcel.

Sebago's estimate for the total cost of the project is approximately \$8.8 million, including a 15% construction contingency amount of \$1.1 million. The Selectmen formed a subcommittee to develop cost-reduction options. They recommended the sale of the 6 Elm Street property, the use of reserves, fundraising, and additional property sales. At the last Selectmen's meeting, they accepted an anonymous \$500,000 donation, bolstering the fundraising effort.

She recounted that in the Joint Selectmen & Budget Board meeting, the Budget Board brought up the concern that Town residents might not want to sell the eight-acre parcel adjacent to Parson's Field, known as the McCabe property. It was therefore decided to split the Warrant Article questions with Question 3 asking if the town should construct a new Town Hall with cost reduction options, including the sale of the existing Town Hall and the one-acre Beachwood Ave property with a bond amount of \$6.3 million. Question 4 will ask if the Town should also sell the McCabe property, which would reduce the bond amount further to \$5.8 million.

Laurie Smith went on to present the tax impact on the mil rate for bonds in various amounts for a new Town Hall. She also described debt retirements that are happening in FY26 – FY29. In addition, she summarized the Capital Improvement Plan (CIP) with cost estimates for larger projects anticipated in the next several years, as well as CIP funding sources.

She provided estimates of projected utility costs for the new construction as compared to what we're currently paying at the existing Elm St. location. She said in the last Selectmen's meeting, there was considerable discussion about the possibility of using solar panels for electricity generation, noting that roof-mounted solar would provide about 20% of the electricity projected to be consumed while ground placement with panels that move to follow the sun could provide all the electricity used by the new Town Hall. The latter would require cutting down some trees, however. Public outreach regarding Question 3 will include two Open Houses of the existing Elm Street facility on October 5<sup>th</sup> & 10<sup>th</sup>, and there will be a public presentation of all the ballot questions in the Selectmen's meeting on October 12<sup>th</sup>. Lastly, she presented the proposed construction timeline for the new Town Hall if the warrant article is approved by the voters in November.

Wayne Burbank asked if a developer purchased the Elm Street Town Hall property, would they be able to erect an apartment building with adequate parking. Werner Gilliam responded that this would be a possibility. Wayne also asked if the new Town Hall would

be brick. Laurie Smith responded that there would be some stone and some siding. He asked further about the anticipated price for the McCabe property, and Laurie Smith responded that the conservative estimate was \$500,000.

Nauto Inoue, who was involved with the solar installation at the Arundel Town Hall, provided a fact sheet to the Board and spoke at length about high-performance energy construction of a new Town Hall, including high R-value insulation and advocating a ground-mounted tracking solar panel installation.

Melinda Anderson, via Zoom, asked why a more moderate design for the Town Hall was not proposed. Chairman Weston responded that the committee considered many designs and agreed that this one was best. Melinda also asked about the four locations that were considered for the new Town Hall site. Chairman Weston explained that those locations were examined by the committee, and they determined that the Village Parcel site was both the most appropriate and would be the lowest cost location. Melinda went on to quote the Town's statement regarding climate resilience and asked why solar was not being considered in the new Town Hall plan. Laurie Smith explained that the design we have at this point is preliminary, and we are looking into the various options to include solar electricity generation. Considerable discussion followed between Laurie Smith, Selectman Gilbert, and Mr. Inoue regarding the design and inclusion of solar electric power generation in the new Town Hall.

Wayne Burbank voiced his support for solar and asked if the intention was for solar to be included in the \$8.8 million total cost. Laurie Smith responded that it was.

Charlie Arnold expressed a desire for a more finalized building design and sale of the other Town properties before bringing the new Town Hall to a vote. He asked how many residents are in town and was told the year-round population is about 3,600, and the summer population is around 12,000.

Melinda repeated her comment that she thinks a 12,000-square-foot facility is "overdone" as compared to the Arundel Town Hall, which is smaller but serves a larger year-round population. Selectman Dykstra commented that the summer population of the Town needs to be considered when sizing for adequate space for the municipal facility and workforce.

Paul Hogan, via Zoom, questioned a high ceiling in the new Town Hall meeting room as it relates to energy efficiency.

Stephanie Bryant asked if the presentation was available online and was told that it was. She asked if the current design was the cheapest considered and was informed it was. She asked further if certain functions could continue at the current location with other functions split out to the new location. Laurie Smith responded that adding onto other existing Town facilities was examined but yielded no cost savings. Chairman Weston responded that splitting the functions was not desirable as the various departments work closely together. Stephanie asked, and the Board answered other questions about the project.

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

**9. Consideration of short-term rental cap proposal for 2024.**

Werner Gilliam informed the Board that Goose Rocks Beach is exempt from the cap, with 187 licenses. Outside of that area, there are currently 230 licenses. The cap is derived from a percentage of the number of dwelling units. Werner noted that there were 20 additional dwelling units added this past year. His recommendation is that we add two licenses, bringing the cap to 232 licenses outside of Goose Rocks Beach. He is not proposing any changes to the fee schedule. He reminded all that the online application period begins on October 2<sup>nd</sup> at 8 am and closes on December 31<sup>st</sup> at midnight. Renewals are examined first, followed by those on the waiting list on a first come, first served basis.

Selectman Gilbert asked if there has been a trend in the number of licenses at Goose Rocks Beach. Werner responded that while it has fluctuated, it has remained relatively steady overall. Selectman Gilbert asked how many are on the waiting list, and Werner responded there are 20. Laurie Smith added that 11 of those are from a single owner. Werner stressed that a license does not transfer with a property sale. The license is tied to the owner and the property. When Selectman Gilbert asked for trend information for numbers on the waiting list, Werner replied that this year is the first year with a waiting list, so he does not have trend information.

**Motion** by Selectman Dykstra, seconded by Selectman Daggett, to accept the recommendation that the short-term rental cap be maintained at 9.5%, yielding two additional licenses for use after the registration period ends. **Voted: 5-0. Motion passed.**

**10. Updates from the Communications and Events Specialist.**

Hope Mowry-Wall informed the Board that she has met with department directors and was told that they wanted to put a more public face to the employees within their departments. She has been working on doing so in the Town and employee newsletters and on social media. She has also been working on centralizing and streamlining communications, making them more regularly scheduled and consistent. She has also worked to revitalize the Town Annual Report, printing it in color this year and adding pictures and graphics.

Hope has been examining reach (number of interactions) in social media metrics and has seen a dramatic increase. From January – September 2022, our reach was about 40,000. From January – September this year, our reach has been 399,000. She is also working on branding for Town communications, as it helps communicate who we are, recognize communications from the Town, and focus on the content.



Hope requested the Board's input regarding developing a Town logo. She said this would not replace the Town seal but would augment it and provide a visually simpler and more distinctive way to present and distinguish Town communications. The Board members expressed their support for Hope proceeding with the development of a logo.

Loretta McDonnell requested a more simplified way of contacting Board members via email, as the current website is limited to only five emails in a short period of time. Special Project Manager Yanina Nickless responded that this is one of the feature requests that we are making for the new upgraded website.

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

**11. Award the contract for the supervisory control and data acquisition (SCADA) system.**

Town Engineer Eric Labelle reminded the Board that in the last capital program, about \$450,000 had been budgeted for upgrades to the internal workings of the wastewater plant. The SCADA system is a computer that provides centralized data collection and management of plant equipment via connections to four controllers. One of the controllers is newer than the others (installed in 2010), and its replacement can be put off until next year. Eric recommends that instead of putting the project out to bid, significant cost savings can be gained by awarding the SCADA upgrade project to Woodard & Curran at a cost of \$393,400.

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to award the SCADA contract to Woodard & Curran in the amount of \$393,400. **Voted:** 5-0. **Motion passed.**

**12. Award the dewatering project contract amendment with Apex Construction.**

Eric Labelle informed the board that the new centrifuge installation was originally projected to cost \$1.2 million. His department has been working with Apex Construction to make project changes to get as close to this projected cost as possible.

**Motion** by Selectman Weston, seconded by Selectman Daggett, to award the dewatering project contract to Apex Construction in the amount of \$1,202,030. **Voted:** 5-0. **Motion passed.**

**13. Consider amendments to the Pier parking rules.**

Chairman Weston reminded the Board that the change in the parking rules was to permit one parking space to solo commercial fishermen and two spaces for captains with a crew. Selectman Daggett recused himself from the vote.

**Motion** by Selectman Dykstra, seconded by Selectman Matthews-Bull, to accept the modifications to the Cape Porpoise Pier rules and regulations as presented. **Voted:** 4-0-1. **Motion passed.**

**14. Authorize the purchase of street light fixtures.**

Public Works Director Chris Simeoni notified the Board that \$50,000 had been allocated for the replacement of streetlight fixtures this year. The project was put out to bid, with the low bid coming from Northeast Electrical for \$36,582.95. Chris recommended that the Board accept this bid. He noted that there is an additional installation cost of \$350 per fixture and some other minor incidental costs for wiring.

**Motion** by Selectman Dykstra, seconded by Selectman Gilbert, to award the street light fixture replacement project to Northeast Electrical in the amount of \$36,582.95. **Voted: 5-0. Motion passed.**

**15. Other Business.**

Selectman Matthews-Bull expressed a desire to have the school year start after the Labor Day weekend, as students work in local businesses during the summer, and it creates a problem for those businesses when the students return to school earlier. Laurie Smith encouraged businesses to talk to the local Chamber of Commerce and see if a meeting could be arranged between them, the Managers of the three towns and the RSU 21 Superintendent to discuss the issue.

Chairman Weston informed the Board that Laurie Smith would be taking a well-deserved multi-week break, starting next week and ending on November 6<sup>th</sup>, and requested a motion that Yanina Nickless be appointed as interim acting Town Manager for Kennebunkport.

**Motion** by Selectman Daggett, seconded by Selectman Dykstra, to appoint Yanina Nickless as interim acting Town Manager for Kennebunkport. **Voted: 5-0. Motion passed.**

Laurie Smith told the board that Chris Simeoni had just received information from the insurance company regarding a recent accident with one of the public works trucks. The insurer informed Chris that the truck, valued at \$39,000, was considered a total loss. Even if purchased outright today, a replacement truck wouldn't be delivered for at least nine months. We need a more immediate solution, as this truck is used for winter road clearing operations. We can buy the truck back from the insurance company for \$10,500, yielding approximately \$28,000 that could be used to repair it. Chris discussed the repair of the truck with the Town mechanic, who is confident he can make the repairs utilizing used parts. Selectman Gilbert asked if repairing the truck would affect the safety of the vehicle. Chris assured her that safety would not be affected and that the truck would pass state inspection once repairs were complete.

**Motion** by Selectman Weston, seconded by Selectman Matthews-Bull, to buy back the truck and have the Town mechanic make the repairs. **Voted: 5-0. Motion passed.**

**16. Approve the September 28, 2023, Treasurer's Warrant.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the September 28, 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 8:34 PM.

Submitted by,  
Dave Powell,  
Technology Specialist

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# **AGENDA ITEM DIVIDER**

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**TOWN OF KENNEBUNKPORT**

**WARRANT  
SPECIAL TOWN MEETING  
NOVEMBER 7, 2023**

State of Maine

County of York, SS

To: Rebecca Nolette, Constable of the Town of Kennebunkport, in the County of York, State of Maine.

**GREETINGS:**

You are hereby required in the name of the State of Maine to notify and warn the voters of the Town of Kennebunkport in said County of the Special Town Meeting described in this warrant.

To the voters of Kennebunkport: You are hereby notified that a Special Town Meeting of this municipality will be held at the Village Fire Station, 32 North Street on Tuesday, November 7, 2023, at 8:00 a.m. for the purpose of acting on Articles numbered 1 and 1a as set out below. The polls for voting on Article 1 shall be opened immediately after the election of the Moderator at 8:00 a.m. on November 7, 2023, and shall close at 8:00 p.m. While the polls are open, the Registrar of Voters will hold office hours to accept the registration of any person eligible to vote, to accept new enrollments, and to make any necessary corrections or changes to any names or addresses on the voting list.

**ARTICLE 1a.** To choose a Moderator to preside at said meeting.

**ARTICLE 1.** To vote on the following referendum questions:

**QUESTION 1**

**ACCEPTANCE OF THE KENNEBUNKPORT 2030 COMPREHENSIVE PLAN**

Shall the “2023 Amendments to the Comprehensive Plan for the Town of Kennebunkport, Maine regarding Chapter 7, Natural Resources and Appendix A, Goals, Policies & Strategies” as submitted by the Town of Kennebunkport’s Growth Planning Committee be adopted? (A true copy of which is on file in the Town Clerk’s Office and is incorporated by reference.)

[Note of Explanation: This amendment would amend Chapter 7 and Appendix A regarding the Natural Resources Chapter and the Goals, Policies, and Strategies Appendix of the Comprehensive Plan adopted by the Town in 1996 and amended in 2006, 2007, 2008, 2009, 2010, 2011 & 2022.]

**QUESTION 2**  
**AMENDMENT TO THE STREET OPENING ORDINANCE**

Shall an ordinance entitled “November 7, 2023, Amendment to the Street Opening Ordinance” be enacted? (A true copy of which is on file in the Town Clerk’s Office and is incorporated by reference.)

[Note of Explanation: This is an amendment to Chapter 147, article II – street openings. The amendments clarify the requirements for repairs to pavement after opening and increase the dollar value of the bond to more accurately reflect current costs. The approval for street openings is being transferred from the Board of Selectmen to the Public Works Director, unless the street is under a 5-year moratorium, and then the authority for an opening falls within the scope of the Board of Selectmen.]

**QUESTION 3**  
**CONSTRUCTION OF A NEW TOWN HALL**

To see if the Town will vote to authorize the Board of Selectmen to:

- (i) to construct and equip a new Town Hall at North Street (Map 012-005-021) (the “Project”) with a Project cost not to exceed \$8,800,000;
- (ii) to sell the following Town-owned properties at such prices and on such terms as the Board of Selectmen deem to be in the best interest of the Town and expend the net sale proceeds on the Project:
  - a) the current Town Hall property at 6 Elm Street (Map 011-008-001); and
  - b) 49 Beachwood Avenue (Map 013-003-013);
- (iii) to expend up to \$800,000 from the Town Capital Reserve Fund for the Project; and
- (iv) to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$8,000,000 (for a term not to exceed approximately 20 years), which bonds or notes may be made callable, to fund the balance of Project costs that are not covered by the sale of the above-listed properties, the Capital Reserve funds, and fundraising for the Project.

[Note of Explanation: The question authorizes the Board of Selectmen to issue bonds up to \$8,000,000 for construction of a new Town Hall. It also authorizes the use of \$800,000 in reserve funds and the authority to sell two properties to reduce the bond. The goal is to reduce the need to bond to \$6,300,000 by fundraising and the sale of property. For example:

Town Hall Construction Cost	\$ 8,800,000
Sale of 6 Elm Street	\$ (1,000,000)
Sale of 49 Beachwood	\$ ( 200,000)
Use of Reserves	\$ ( 800,000)
Fundraising	\$ ( 500,000)
Bonds needed for project	\$ 6,300,000

***Selectmen recommend adoption of this article– Voted 4-1.***  
***Budget Board recommends adoption of this article – Voted 8-2.***

**QUESTION 4**  
**SALE OF SCHOOL STREET PROPERTY**

To see if the Town will vote to authorize the Board of Selectmen to sell the Town-owned property on School Street (8 acre parcel adjacent to Parson Field) (Map 009-004-050) at such price and on such terms as the Board of Selectmen deem to be in the best interest of the Town and expend the net sale proceeds to further reduce the amount of bonds or notes issued for the Project described in Question 3. If Question 3 is not approved, the Town would not sell the property.

*Selectmen recommend adoption of this article– Voted 4-1.*  
*Budget Board recommends adoption of this article – Voted 8-2.*

**QUESTION 5**  
**CAPE PORPOISE PIER FUNDING**

To see if the Town will vote to authorize the Board of Selectmen, or its agent, to transfer an amount not to exceed \$710,000 from the Town's capital reserve fund balance account to the Pier Capital Reserve Account for the purpose of repair and reconstruction of the Cape Porpoise Pier.

[Note of Explanation: This transfer will cover a budget gap in the Cape Porpoise Pier project due to increased material and labor costs. This transfer will not increase property taxes.]

*Selectmen recommend adoption of this article– Voted 5-0.*  
*Budget Board recommends adoption of this article – Voted 10-0.*

**QUESTION 6**  
**EASEMENT AGREEMENT WITH GREEN MARINE CORPORATION**

Shall the Town vote to authorize the Select Board to enter into an Easement Agreement with Green Marine Corporation regarding the Corporation's use of a marine railway, and related anchor and attached towline used in connection therewith, owned by Green Marine Corporation and located on property owned by the Town situated on Langsford Road (Tax Map 29, Lot 1-3) and described in a Deed from Harold Otis Mooney and Louise Jane Mooney to the Town dated July 18, 2023, and recorded in the York County Registry of Deeds in Book 19278, Page 785, on such terms and conditions as shall be in the best interest of the Town? (A true copy of the Easement Agreement is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: A recent land survey of the new boat launch on Langsford Road has indicated Town ownership of the land where the marine railway is located. Green Marine Corporation has used the marine railway in the regular course of business. This easement will allow Green Marine Corporation to continue to use the marine railway.]

**QUESTION 7**  
**ACCEPTANCE OF CAPE PORPOISE FIRE STATION**

Shall the Town vote to authorize the Select Board to accept ownership of the Cape Porpoise Fire Station for \$1.00?

[Note of Explanation: The Cape Porpoise Fire station currently belongs to the Atlantic Engine Fire Company. The Town pays a lease amount to each fire company annually to store Town equipment in the stations. The Atlantic Fire Company has come forward and asked the Town if they would accept the Cape Porpoise station for \$1.00. The Town would then be responsible for utilities and maintenance but would no longer need a lease for the building.]

**HEREOF FAIL NOT TO MAKE DUE SERVICE** of this Warrant and a return of your doing thereon, at a time and place of said meeting.

**GIVEN UNDER OUR HANDS** this 12<sup>th</sup> day of October, 2023, Kennebunkport, Maine.

\_\_\_\_\_  
D. Michael Weston

\_\_\_\_\_  
Allen A. Daggett

\_\_\_\_\_  
Sheila W. Matthews-Bull

\_\_\_\_\_  
Jon Dykstra

\_\_\_\_\_  
Marybeth Gilbert

*A majority of the Selectmen of the Town of Kennebunkport, Maine*

A true attested copy of the warrant attest:

\_\_\_\_\_  
Tracey O’Roak, Town Clerk



**REVISIONS TO THE KENNEBUNKPORT 2030 COMPREHENSIVE PLAN**

Shall the “2023 Amendments to the Comprehensive Plan for the Town of Kennebunkport, Maine regarding Chapter 7, Natural Resources and Appendix A, Goals, Policies & Strategies” as submitted by the Town of Kennebunkport’s Growth Planning Committee be adopted? (A true copy of which is on file in the Town Clerk’s Office and is incorporated by reference.)

[Note of Explanation: This amendment would amend Chapter 7 and Appendix A regarding the Natural Resources Chapter and the Goals, Policies, and Strategies Appendix of the Comprehensive Plan adopted by the Town in 1996 and amended in 2006, 2007, 2008, 2009, 2010, 2011 & 2022.]

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# **AGENDA ITEM DIVIDER**

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## Chapter 7

# Natural Resources

KENNEBUNKPORT COMPREHENSIVE PLAN 2030  
Volume 2

~~May 2022~~ June 2023

Symbol	Soil Type	Total Acres	Poorly & Very Poorly Drained	Farmland Soils <sup>a</sup>	Forest Soils (Group IIB)
AdC	Adams loamy sand, 8 to 15 percent slopes	4.50			
Ba	Beaches, sand	53.19			
BH	Beaches, sand-Hooksan complex, 0 to 8 percent slopes	1.61			
HU	Hooksan-Urban land complex, 0 to 8 percent slopes	18.16			
LnD	Lyman loam, 15 to 25 percent slopes, rocky	6.26			
LyE	Lyman-Rock outcrop complex, 15 to 80 percent slopes	317.14			
Pg	Pits, gravel	26.57			
RoC	Rock outcrop-Lyman complex, 3 to 15 percent slopes	5.59			
RoE	Rock outcrop-Lyman complex, 15 to 80 percent slopes	8.55			
ShA	Succotash sand, 0 to 3 percent slopes	6.37			
UH	Urban land-Hooksan complex, 0 to 8 percent slopes	117.90			
W	Water bodies	319.68			
Ur	Urban land	32.30			
<b>Total Acres</b>		<b>12,960</b>	<b>4,762.7</b>	<b>1,122.3</b>	<b>143.4</b>

<sup>a</sup> Farmland soils in Kennebunkport consist primarily of soils of statewide importance. \* denotes prime agricultural soils.

## Agricultural Soils

Less than one acre in town is considered prime farmland. As defined by the US Department of Agriculture, prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crop and is available for these uses.<sup>16</sup>

Approximately 8.7% of soils are classified designated as *farmland of statewide importance*: areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.<sup>17</sup>

As noted in the 2012 Comprehensive Plan, sub-optimal growing

conditions and the high price of land are significant constraints on farming. However there are diverse business such as Blackrock Farm, Ewe and I, ~~Frinklepond Farm~~ **Five Acre Farm**, Adams Family Christmas Tree Farm, and Wolff Farm scattered throughout rural areas of town. The town is home to horses kept for riding and cattle and sheep farms. Several of these farms are located in the vicinity of the intersection of Gravelly Brook Road, Goose Rocks Road, and Arundel Road.

Local food production is an important component of reducing the ecological footprint of individuals and communities. The ecological footprint is the impact of a person or community on the environment, expressed as the amount of land required to sustain their use of natural resources.



# Goals, Policies & Strategies

## KENNEBUNKPORT COMPREHENSIVE PLAN 2030

### Volume 2 Appendix A

~~May-June 2023~~

## Introduction

The table of Goals, Policies, and Strategies that follows summarizes the action steps that are intended to guide implementation of the plan. This table will help the next generation of community leaders and officials understand the desire of the townspeople as they balance the events of the future, budgets, and tax rates. It is a road map for all to use and shall be referenced and utilized frequently as the routine tasks of local government are undertaken.

Although the table presented here has segmented parts corresponding to each Comprehensive Plan chapter, the strategies are as interconnected as the subjects of the chapters. Housing, natural resources, or the local economy may seem distinct and sometimes even counter to each other, however, these elements are inexorably linked and their reciprocal influence over each other blends true distinction. Similarly, the challenges brought by a changing climate cannot be separated out into a section of its own. Instead, adaptation and consideration of climate change has been addressed in each section because its effects will challenge the community in innumerable ways.

This plan aims to work collaboratively with residents, business owners, and regional partners on the challenges of sea-level rise, transportation, housing, and others that we share in southern Maine. Through adaptation we will strive to preserve Kennebunkport's historic integrity, protect natural resources, and strengthen the town's unique small-town character while improving economic vitality.

## Responsible Parties List

<u>Entity</u>	<u>Acronym</u>	<u>Entity</u>	<u>Acronym</u>
Assessing Department	AD	Kennebunkport Historical Society	KHS
Beach Advisory Committee	BAC	Library Trustees and Staff	L
Board of Selectmen	BoS	Parks and Recreation Department	PRD
Budget Board	BB	Planning Board	PB
Cemetery Committee	KCC	Planning Department	PD
Cape Porpoise Archaeological Alliance	CPAA	Police Department	PoD
Chamber of Commerce	CoC	Public Health Department	PH
Code Enforcement Officer	CEO	Public Safety Committee	PSC
Conservation Commission	CC	Public Works Department	PW
Emergency Management	EM	Recreation Committee	RC
Finance Department	FD	RSU 21	RSU
Growth Planning Committee	GPC	Shade Tree Committee	STC
Harbormasters	HM	Shellfish Conservation Committee	SCC
Kennebunkport Heritage Housing Trust	KHHT	Solid Waste Committee	SWC
Kennebunk River Committee	KRC	Town Clerk	TC
Kennebunkport Business Association	KBA	Town Manager	TM
Kennebunkport Emergency Medical Services	KEMS	US Coast Guard	CG
Kennebunkport Conservation Trust	KCT	US Fish & Wildlife Service	FWS
Kennebunkport Consolidated School	KCS		

**Timeframes:** Short term = 0-3 years; Medium term = 3-5 years; Long term = 5+ years

Chapter 3: Historic Resources			Responsible Party	Timeframe
1	GOAL	PROMOTE AND PRESERVE LOCAL HISTORY AND HERITAGE.		
2	Policy	Promote awareness of the Town's history.		
3	Strategy	Prioritize Planning Board applicants who have knowledge of architectural history, historic preservation, and archaeology.	BoS	Ongoing
4	Strategy	Continue to teach local history at the Kennebunkport Consolidated School. Coordinate efforts between local historians, residents, parents, friends, and teachers at the Consolidated School.	RSU 21 & KCS	Ongoing
5	Strategy	Undertake a detailed, town wide survey of Kennebunkport's historic structures. Identify historic sites and areas. Identify historic buildings that are threatened by sea level rise and extreme weather events.	KHS	Medium Term
6	Strategy	Promote awareness of historic structures and districts that are listed in the National Register of Historic Places and the Historic American Building Survey.	KHS	Ongoing
7	Strategy	Update the historic building plaque program to include structures and sites dating to the mid-20 <sup>th</sup> century.	KHS	Short Term
8	Strategy	Develop audio recordings of self-guided walking tours of Kennebunkport's historically and architecturally significant sites. Erect interpretive signs.	KHS	Medium Term
9	GOAL	RECOVER DATA FROM PREHISTORIC AND HISTORIC ARCHAEOLOGICAL SITES.		
10	Policy	Protect and preserve prehistoric and historic sites until such time as data can be recovered by professional archaeologists.		
11	Strategy	Develop an ordinance to protect archaeological sites.	PD & CPAA	Medium Term
12	Strategy	Educate property owners and developers on the importance of archaeological remains and seek their cooperation to ensure that prehistoric and historic sites are left in an undisturbed state.	PD & CPAA	Ongoing
13	Strategy	Support the Kennebunkport Conservation Trust in its efforts to preserve the sites of historic European fishing settlements and Native American use of the Cape Porpoise area.	PB & KCT	Ongoing



14	Policy	Efforts to recover data from archaeological sites in coastal areas should be accelerated due to the increasing intensity of extreme weather events.		
15	Strategy	Support the rapid response efforts of the Cape Porpoise Archaeological Alliance and accelerate efforts to recover data from offshore shipwrecks.	PB & CPAA	Ongoing
16	GOAL	<b>PROTECT AND PRESERVE HISTORIC STRUCTURES AND DISTRICTS.</b>		
17	Policy	<b>Preserve historic and architecturally significant structures and areas.</b>		
18	Strategy	Educate property owners on tax incentives for the restoration and preservation of income producing property.	PD	Ongoing
19	Strategy	Advise property owners on improving a building's energy efficiency while preserving its historic character.	CEO	Short Term
20	Policy	<b>Protect historic structures that are threatened by sea level rise and extreme weather events.</b>		
21	Strategy	Work with the Silver Jackets and other experts to devise a plan to protect Dock Square buildings.	PD	Short Term
22	Goal	<b>PRESERVE CEMETERIES AND GRAVEYARDS.</b>		
23	Policy	<b>Restore, maintain, and protect cemeteries and burial plots.</b>		
24	Strategy	Research and document all cemeteries and burial plots. Seek permission from private property owners to allow access for restoration, monitoring, and necessary maintenance. Enlist volunteers to work with the Cemetery Committee to restore all sites.	KCC	Medium Term

## Chapter 6: Housing

Responsible  
Party

Timeline

1	GOAL	MEET THE DEMAND FOR AFFORDABLE HOUSING BY PROVIDING FOR A MIX OF HOUSING TYPES IN A BROAD RANGE OF PRICES.		
2	Policy	Incentivize the construction of year-round affordable housing units and create standards of eligibility for such units with preference for school and government employees, Kennebunkport residents, and persons employed in the Town.		
3	Strategy	Amend the LUO to include a definition of affordable housing.	PD	Short Term
4	Strategy	Consider the acquisition or use of Town-owned land for the construction of affordable year-round housing units.	BoS	Ongoing
5	Strategy	Consider amending the LUO to reduce minimum lot size requirements and increase allowable density within Growth Areas.	PB & PD	Short Term
6	Strategy	Encourage clustering of all types of housing units, including duplex and multi-plex units.	PB & PD	Short Term
7	Strategy	In subdivisions of 10+ dwelling units, the developer should set aside 10% as affordable units. In subdivisions of 5 to 9 dwelling units, at least one should be set aside. Alternately, the developer may consider an in-lieu fee.	PB, HHT & PD	Short Term
8	Strategy	Encourage the construction of accessory dwelling units for year-round use.	PB & PD	Ongoing
9	Strategy	Amend the LUO to allow accessory dwelling units (ADU) and home occupations to co-exist and utilize performance standards to regulate the appearance and potential impact of these uses within neighborhoods.	PB & PD	Short Term
10	Strategy	Allow the development of multi-plex (multi-family) housing, including rental units, in designated Growth Areas.	PB & PD	Short Term
11	Strategy	Encourage the development of assisted living and independent living facilities.	PB & PD	Ongoing
12	Strategy	To ensure a timely response by volunteer first responders, the Town should take steps to ensure that in-town housing options are affordable for first responders.	PSC, PB & BoS	Ongoing
13	Strategy	Support the Kennebunkport Heritage Housing Trust.	BoS	Ongoing

14	Strategy	Consider the establishment of a development impact fee to fund affordable housing.	PD	Short Term
15	Strategy	<u>Maintain locations in growth areas where mobile home parks are allowed pursuant to 30-A M.R.S.A. §4358(3)(M) and where manufactured housing is allowed pursuant to 30-A M.R.S.A. §4358(2).</u>	<u>PD &amp; GPC</u>	<u>Ongoing</u>
<del>16</del> 5	<b>GOAL</b>	<b>MINIMIZE THE ADVERSE IMPACTS OF CLIMATE CHANGE.</b>		
<del>17</del> 6	<b>Policy</b>	<b>Reduce the vulnerability of housing to climate change.</b>		
<del>18</del> 7	Strategy	Educate homeowners about flood vulnerability.	CEO & PD	Short Term
<del>19</del> 8	Strategy	Seek grants from the Federal Emergency Management Agency and other state and federal agencies to assist property owners adapt to climate change.	PD	Ongoing
<del>20</del> 19	Strategy	Review current zoning codes, regulations, and policies to incorporate natural design elements and building practices such as Low Impact Design standards.	PD & PB	Short Term
<del>21</del> 0	Strategy	Consider climate impacts when identifying future growth areas.	PD, PB & GPC	Long Term
<del>22</del> 1	Strategy	Recommend where appropriate the reduction of width standards for roads that serve multiple buildings as a strategy to reduce impervious surfaces.	PD & PB	Medium Term
<del>23</del> 2	Strategy	Review and make recommendations for off-street parking requirements for residential use.	PD & PB	Medium
<del>24</del> 3	Strategy	Encourage builders and residents to install and maintain pervious material in appropriate locations.	PD & PB	Ongoing

## Chapter 7: Natural Resources, Forest Resources, and Agricultural Resources

			Responsible Party	Timeframe
1	<b>GOAL</b>	<b>PROTECT CRITICAL NATURAL RESOURCES, INCLUDING WETLANDS, TERRESTRIAL AND AQUATIC HABITAT, SAND DUNES, BEACHES, SCENIC VISTAS, AND UNIQUE NATURAL AREAS.</b>		
2	<b>Policy</b>	<b>Conserve and protect Kennebunkport's critical natural resources through conservation and education.</b>		

3	Strategy	Support and collaborate with the Kennebunkport Conservation Trust to protect critical and important natural resources through purchase of land or easements from willing sellers.	KCT & CC	Ongoing
4	Strategy	Conduct a natural resources inventory to prioritize conservation and allocation of resources toward conservation, maintenance, and monitoring activities in areas with greatest co-occurrence of water features, important natural communities, listed animal and plant species, and undeveloped land.	CC & PD	Medium Term
5	Strategy	Collaborate with conservation partners to identify and make public a regional database of educational resources and information about critical habitat (including salt marshes), vulnerable species, and the impacts of development and human activity on natural resources.	CC, FWS & PD	Short Term
6	Policy	<b>Minimize the impacts of development and human activity on natural resources.</b>		
7	Strategy	Require that subdivisions and commercial developments maintain open space to the greatest extent practicable.	PB & PD	Short Term
8	Strategy	Encourage the use of native plants on public and private property.	PB & PD	Short Term
9	Strategy	Encourage developers to install street trees to enhance wildlife habitat and provide shade.	PB & PD	Short Term
10	Strategy	Conduct monitoring to evaluate the impact of pesticides and herbicides on natural resources and water resources and identify strategies to minimize impacts such as through alternative weed and pest controls and regulations as needed.	PD, CC & BAC	Short Term
11	GOAL	<b>PROTECT RARE AND ENDANGERED SPECIES.</b>		
12	Policy	Educate the public about rare and endangered species.		
13	Strategy	Collaborate with conservation partners to develop an education and outreach program to inform the public about the presence of endangered, rare, and significant species and how to avoid impacting these species.	CC, FWS & PD	Medium Term
14	Strategy	Work with the Maine DOT and Kennebunkport's Public Works Department to accommodate known migratory crossings of endangered reptiles and amphibians as part of road construction and repair projects. Continue to place caution signs at appropriate sites.	PW & PD	Ongoing

15	Strategy	Continue to place signage on beaches during plover nesting season.	PW	Ongoing
16	<b>GOAL</b>	<b>PROTECT FOREST RESOURCES AND FARMLAND FROM THE NEGATIVE IMPACTS OF DEVELOPMENT.</b>		
17	<b>Policy</b>	<b>Support agricultural and forestry activities.</b>		
18	Strategy	Support forestry and agricultural uses and activities such as agritourism, backyard chickens, farms, farm stands, and firewood sales.	PD	Short Term
19	Strategy	Review Town ordinances and regulations for consistency with Maine's Right to Farm Law (Title 7 MSRA, Chapter 6) to determine if local ordinances and regulations require strengthening.	PD & PB	Short Term
20	Strategy	Review Town ordinances and regulations for consistency with Article 1 Section 25 Establishing A Right to Food of the Constitution of the State of Maine	PD & PB	Short Term
21	Strategy	Amend the LUO to permit farmers' markets.	PB	Short Term
22	Strategy	Review and amend, as necessary, the LUO and subdivision regulations to develop performance standards to protect forest and farmland resources. Land developers should identify critical natural resources and utilize Beginning with Habitat maps and other data resources.	PD & PB	Short Term
23	<b>GOAL</b>	<b>PROTECT NATURAL RESOURCES WHILE MANAGING FOR LOW IMPACT PUBLIC USE.</b>		
24	<b>Policy</b>	<b>Maintain and enhance open space recreational assets.</b>		
25	Strategy	Coordinate with the Kennebunkport Conservation Trust to interconnect public and private conservation lands and trail systems including links to routes and facilities in neighboring communities.	CC & KCT	Medium Term
26	Strategy	Review use of Town-owned conservation lands to ensure activities do not damage or deplete natural resources.	CC & PD	Medium Term
27	Strategy	Periodically review the use of town properties and seek input from residents on uses of properties	CC & BoS	Medium Term
28	<b>Policy</b>	<b>Provide access to conservation land.</b>		
29	Strategy	Coordinate with the Kennebunkport Conservation Trust to inventory, and improve, as needed, parking, access, and trails at conservation land that is open to the public. When appropriate, support the KCT as it works toward improving accessibility to a range of users, physical abilities, and activities.	CC & KCT	Ongoing

30	Strategy	Form a committee to investigate opportunities to balance protection and enjoyment of natural resources with tourism and recreation opportunities.	CC, KCT & CoC	Short Term
<b>31</b>	<b>Policy</b>	<b>Maintain and enhance scenic resources.</b>		
32	Strategy	Inventory scenic resources and create an online map of scenic vistas.	PB & PD	Medium Term
33	Strategy	Add protection of scenic views and scenic resources to Site Plan Review Performance Standards.	PB & PD	Medium Term
<b>34</b>	<b>Goal</b>	<b>ADAPT TO CLIMATE CHANGE.</b>		
<b>35</b>	<b>Policy</b>	<b>Enhance the resiliency of habitats and species.</b>		
36	Strategy	Identify opportunities to accommodate marsh migration inland to protect this critically important resource from sea level rise.	PB, CC & PD	Short Term
37	Strategy	Encourage conservation of low-lying undeveloped uplands where coastal marshes, beaches, and other intertidal natural communities can migrate inland with sea level rise.	PB, CC, KCT & PD	Short Term
38	Strategy	Identify locations to enhance wildlife corridors to help create places for species to migrate and shift north as temperature increases and protect these areas. The Nature Conservancy's Resilient Lands mapping tool is a good resource for identifying resilient and connected networks.	PB, CC & PD	Medium Term
39	Strategy	Create and implement an invasive species management policy, including public outreach and education, and prepare to manage invasive species on town property.	PW, CC & PD	Short Term
40	Strategy	Educate property owners about impacts of climate change, such as extreme heat, drought, and changes in precipitation on habitats and species. Provide information to new homeowners.	CC & PD	Short Term
<b>41</b>	<b>Policy</b>	<b>Increase community resilience.</b>		
42	Strategy	Provide education about the role of shade trees in reducing heat and mitigating climate change and impacts.	STC	Short Term
43	Strategy	Engage in efforts to protect and restore protective natural features, such as floodplains, wetlands, marshes, dunes, and dune grass.	CC	Ongoing

## Chapter 8: Water Resources

			Responsible Party	Timeframe
1	<b>GOAL</b>	<b>PROTECT THE QUALITY AND QUANTITY OF WATER RESOURCES.</b>		
2	<b>Policy</b>	<b>Protect drinking water sources.</b>		
3	Strategy	Collaborate with the City of Biddeford to ensure cross boundary protection of groundwater resources. Create an aquifer protection overlay district.	PB & PD	Medium Term
4	Strategy	Coordinate with the Kennebunk, Kennebunkport & Wells Water District (KKWWD) and area towns to protect regional drinking water resources.	PD	Ongoing
5	Strategy	Periodically review regulations to ensure that freshwater wetlands that provide important groundwater recharge are sufficiently protected.	PD	Medium Term
6	<b>Policy</b>	<b>Protect water resources from the impacts of development and reduce the potential of water quality degradation.</b>		
7	Strategy	Conduct a comprehensive review of the LUO and Subdivision Regulations to identify opportunities to strengthen provisions for water resource protection.	PB & PD	Medium Term
8	Strategy	Reduce the threshold percentage of impervious surface area that triggers the need for a stormwater management system under site plan review and increase the design standard for stormwater infrastructure to the 100-year storm event.	PB & PD	Medium Term
9	Strategy	Amend stormwater regulations to require that stormwater be managed onsite as opposed to allowing offsite mitigation.	PB & PD	Medium Term
10	Strategy	Amend the LUO and Subdivision Regulations to include green infrastructure and low impact development standards. Encourage complete streets and green streets.	PB & PD	Short Term
11	Strategy	Continue to follow best practices that achieves a balance of low salt application with roadway safety.	PW	Ongoing
12	<b>Policy</b>	<b>Improve aquatic habitat.</b>		
13	Strategy	When possible, follow Stream Smart road crossing policies to reduce the impact of road crossings on fish and other aquatic species and habitat.	PW & PD	Ongoing
14	<b>Policy</b>	<b>Identify, monitor, and reduce sources of pollution.</b>		
15	Strategy	Conduct regular water quality monitoring of Little River, Beaver Brook, Smith Brook, Batson River, and the Kennebunk River.	PH & PD	Ongoing

16	Strategy	Continue to monitor the impact of the sewer outfall in the Kennebunk River.	PW	Ongoing
17	<b>GOAL</b>	<b>INCREASE COMMUNITY AWARENESS ABOUT WATER RESOURCE PROTECTION.</b>		
18	<b>Policy</b>	<b>Educate the public about water resource protection.</b>		
19	Strategy	Include resources and links to information on water quality best management practices and pollutants (including invasive species, fertilizer, pesticide, herbicide use, septic failure, sedimentation, and hazardous substances) in town-wide mailings and post this information on the Town's website.	CC	Short Term
20	Strategy	Distribute educational material to property owners about the impacts of development, impervious surfaces, and disturbance of banks and riparian habitat on water bodies.	CC	Short Term
21	Strategy	Develop material on natural resource and water quality protection measures for owners of property including rental properties to make available to short term and seasonal renters.	CC	Short Term
22	Strategy	Conduct a public outreach campaign to increase awareness of the impact of septic systems on surface and groundwater.	CEO	Short Term
23	<b>Policy</b>	<b>Manage water resources at a regional and watershed scale.</b>		
24	Strategy	Collaborate with Kennebunk, Biddeford, Arundel, the York County Soil and Water Conservation District, and the Kennebunk River Committee, and land trusts in neighboring communities to protect water resources.	BoS, CC & KCT	Ongoing
25	<b>Policy</b>	<b>Maintain healthy biological and ecological diversity.</b>		
26	Strategy	Add a definition of vernal pool to the LUO that is consistent with ME DEP Chapter 335 rules.	PB & PD	Medium Term
27	Strategy	Coordinate with the City of Biddeford to adopt performance standards to protect vernal pools in the Biddeford/Kennebunkport Vernal Pool Complex.	PB & PD	Medium Term
28	<b>GOAL</b>	<b>ADAPT TO THE IMPACTS OF CLIMATE CHANGE.</b>		
29	<b>Policy</b>	<b>Minimize the impacts of climate change to water resources and water infrastructure.</b>		
30	Strategy	Adopt water conservation policies for properties on public water and educational measures to conserve water during droughts and encourage conservation and reuse of water resources.	BoS	Short Term



31	Strategy	Identify opportunities to lead, participate, and build from regional climate adaption efforts.	BoS, PB & PD	Ongoing
32	Strategy	Encourage homeowners to test private well water quality and to inform the Town of high salinity levels that may be due to saltwater intrusion.	CEO	Ongoing
33	Strategy	Investigate the vulnerability of public and private wells to sea level rise induced groundwater rise and to drought. Initiate planning for the potential future needs to expand the Town's drinking water and wastewater infrastructure if private wells and/or septic systems become unusable due to drought, salinity, or other contamination.	BoS & PD	Medium Term
34	Strategy	Identify and monitor buried hazards and registered storage tanks that may be impacted by rising groundwater and develop a plan to relocate them as necessary.	PD	Medium Term
35	Strategy	Provide education about climate change impacts such as increased and more frequent flooding of surface water, wetlands, and floodplains, and other low-lying areas.	PD	Short Term

Chapter 9: Marine Resources			Responsible Party	Timeframe
1	GOAL	<b>ENSURE ACCESS TO COASTAL WATERS NECESSARY FOR COMMERCIAL FISHING, COMMERCIAL MOORING, DOCKINGS, AND RELATED FACILITIES.</b>		
2	Policy	<b>Cooperate with the Towns of Kennebunk and Arundel in the management of the tidal portions of the Kennebunk River.</b>		
3	Strategy	Continue active participation in the Kennebunk River Committee as provided by the Inter-local Agreement.	KRC	Ongoing
4	Policy	<b>Ensure safe, well-marked, and unimpeded use to both of the Town's major harbors.</b>		
5	Strategy	Work with the harbormaster(s) and the Coast Guard to maintain clear markings of the channels.	HM & CG	Ongoing
6	Policy	<b>Provide sufficient regulation to require safe and courteous operation of watercraft and maintenance of moorings.</b>		

7	Strategy	Provide regulations to encourage the safe operation of watercraft in affected areas.	BoS & HM	Ongoing
8	Policy	<b>Reserve a sufficient number of moorings to meet the needs of the commercial fishing industry.</b>		
9	Strategy	Maintain separate mooring lists for commercial and pleasure craft to provide access for both uses in the harbors.	BoS & HM	Ongoing
10	Strategy	Continue to assign priority status to commercial fishermen for mooring spaces.	BoS & HM	Ongoing
11	Policy	<b>Protect and support the marine resources industry.</b>		
12	Strategy	The LUO should continue to allow marine resource uses in appropriate areas.	PD & PB	Ongoing
13	Strategy	Identify and assess appropriate sites for aquaculture.	HM, BoS, KCT & SCC	Medium Term
14	Strategy	Reduce the flow of nitrates into nearshore waters and eel grass habitat by expanding the Town's sewer service area.	PW, CC & PD	Long Term
15	Strategy	As the water temperature rises in the Gulf of Maine, assist local fishermen in transitioning to the harvesting of species that thrive in warmer waters.	PD	Long Term
16	Strategy	Support the provisions of the Land Use Ordinance that support the commercial fishing industry.	PB & PD	Ongoing
17	Policy	<b>Keep Government Wharf &amp; Cape Porpoise Pier well maintained, and Preserve the Working Waterfront</b>		
18	Strategy	Maintain the Cape Porpoise Pier and Government Wharf and ensure that there is adequate access and amenities for commercial fishermen.	BoS & HM	Ongoing
19	Strategy	Educate individuals engaged in working waterfront activities about the working waterfront current use program.	A	Ongoing
20	Goal	<b>ENSURE ACCESS TO PUBLIC BEACHES BY RESIDENTS AND SUMMER VISITORS, WHILE PROTECTING THE PRIVACY OF PROPERTY OWNERS IN THE VICINITY.</b>		
21	Policy	<b>Allow residents and visitors to enjoy the use of the Town's beaches.</b>		
22	Strategy	Maintain signage marking public access to beaches.	PW & BAC	Ongoing
23	Strategy	Provide information regarding use of the beaches with all parking stickers.	BAC & TC	Ongoing
24	Strategy	Continue the use of public safety patrols on the beaches.	PoD	Ongoing

25	GOAL	PROTECT THE WATER QUALITY OF TIDAL RIVERS, STREAMS, MARSHES, AND COASTAL BEACHES		
26	Policy	Protect the health of recreational users of tidal areas and beaches.		
27	Strategy	Continue the partnership with Maine's Healthy Beaches Program and implement the recommendations in its " <a href="#">Summary Report of Enhanced Monitoring and Pollution Source Tracking Efforts in the Goose Rocks Beach Watershed, Kennebunkport</a> ," published in February 2021.	BAC & PD	Short Term
28	Policy	Reduce contamination levels to allow shellfish harvesting and to meet all applicable water quality standards.		
29	Strategy	Work with the Maine Department of Environmental Protection to monitor and eliminate fecal coliform levels found in tidal waters.	BAC & PD	Ongoing
30	Strategy	Inspect subsurface wastewater disposal systems and enforce the applicable regulations. Enforce overboard discharge regulations.	CEO	Ongoing
31	Strategy	Pump outs should be provided in Cape Porpoise Harbor and the Kennebunk River and educate the public about the importance of the use of the pump outs.	BoS & HM	Short Term
32	Policy	Educate the public about the value of and need to protect salt marshes.		
33	Strategy	Create educational materials and assess need for regulation to promote regular maintenance on private septic systems, especially within areas adjacent to salt marshes.	CC & FWS	Short Term

## Chapter 10: Energy

			Responsible Party	Timeframe
1	GOAL	REDUCE THE VOLUME OF GREENHOUSE GASSES GENERATED IN KENNEBUNKPORT		
2	Policy	Develop and implement community-wide strategies to reduce greenhouse gas (GHG) emissions.		
3	Strategy	Review LOU to ensure minimum regulatory hurdles which would allow all properties to install EV chargers.	PD	Short Term

4	Strategy	Investigate the benefits of adopting the state energy stretch code.	PD & CEO	Medium Term
5	Strategy	Remove barriers and encourage commercial development of a certain scale to include EV charging stations and be designed to exceed minimum energy code standards.	PB & PD	Short Term
6	Strategy	Continue to look for opportunities to expand bike and pedestrian paths to lessen dependence on conventional vehicles.	PD & PW	Ongoing
7	<b>Policy</b>	<b>Strive to match or exceed the State of Maine's goals of a 45% reduction in GHG emissions by 2030, and 80% by 2050.</b>		
	Strategy		BoS	
8	Strategy	Utilize Southern Maine Planning & Development Commission's calculations on Kennebunkport's GHG emissions in the transportation sector as a baseline to measure progress in the future.	PD & Bos	Ongoing
9	Strategy	Measure & monitor GHG emissions from municipal operations, and community wide by establishing a GHG emissions inventory and a plan for reducing emissions.	PD & Bos	Ongoing
10	Strategy	Develop a town wide climate action plan.	BoS & PD	Short Term
11	Strategy	Educate community members about steps they can take to reduce emissions and become more resilient	PD	Ongoing
12	<b>Policy</b>	<b>Prepare the community for a changing climate.</b>		
13	Strategy	Educate the community about current clean energy incentives and options.	PD	Ongoing
14	Strategy	Educate community members about how to prepare their property for the effects of a changing climate.	PD	Short Term
15	<b>Policy</b>	<b>Reduce municipal fossil fuel consumption and implement municipal energy efficiency measures.</b>		
16	Strategy	Continue to budget and plan for long-term energy efficiency equipment upgrades.	TM, BB, BoS	Medium Term
17	Strategy	Review the potential to install and operate renewable energy systems at municipal facilities.	BoS	Medium Term

18	Strategy	Continue to support the procurement of renewable energy for public facilities using bundled or unbundled Renewable Energy Certificates (RECs).	BoS	Ongoing
19	Strategy	Continue to collaborate with other municipalities to install and operate renewable energy systems for municipal and community use.	BoS & PD	Ongoing
20	Strategy	Track and benchmark building energy consumption and seek ways to improve energy efficiency in all facilities.	TM, Fin Dept.	Medium Term
21	GOAL	<b>IMPROVE THE RELIABILITY OF KENNEBUNKPORT'S ELECTRICAL POWER SUPPLY</b>		
22	Policy	<b>Encourage local generation of renewable energy and decentralization of the electrical grid.</b>		
23	Strategy	Amend the LOU to allow solar arrays (up to 10 acres) in appropriate locations with appropriate performance standards.	PB & PD	Medium Term
24	Strategy	Review LUO for hinderances to renewable energy systems and recommend amendments.	CEO & PD	Short Term

Chapter 11: Transportation			Responsible Party	Timeframe
1	GOAL	<b>ENSURE THE TOWN'S TRANSPORTATION SYSTEM PROVIDES EFFICIENT, SAFE, AND CONNECTED ACCESS FOR THE COMMUNITY</b>		
2	Policy	<b>Maintain and improve transportation infrastructure and provide adequate facilities and equipment to do so.</b>		
3	Strategy	Continue to update, prioritize, and fund the Town's plan for transportation improvements, maintenance, and repairs.	TM	Ongoing
4	Strategy	Maintain the Town's Street Acceptance Policy that requires sufficient public benefit for a street to be considered for acceptance as a public way.	BoS	Ongoing
5	Strategy	Maintain and invest in Town roads, including all necessary ditches, streams, culverts, and drainage structures, as well as capacity to accommodate pedestrian and bicycle use.	PW	Ongoing
6	Policy	<b>Support a safe, efficient, and optimal use of the regional transportation system.</b>		

7	Strategy	Collaborate with regional partners to identify solutions to meet needs of community.	BoS	Ongoing
8	Strategy	Work with the Maine Department of Transportation (MDOT) to improve pedestrian and bicycle connections between Cape Porpoise Square and Dock Square.	PD	Ongoing
9	<b>Policy</b>	<b>Plan and prepare to accommodate electric vehicles (EV).</b>		
10	Strategy	Identify locations for EV charging stations, according to Maine Clean Community recommendations, that would benefit the community.	PD	Short Term
11	Strategy	Ensure there are no unnecessary regulatory hurdles to installing EV charging stations on public or private property and support their procurement.	PB & PD	Short Term
12	<b>Policy</b>	<b>Reduce traffic congestion.</b>		
13	Strategy	Consider a traffic study to identify opportunities to reduce congestion in Dock Square.	BoS & PD	Medium Term
14	Strategy	Evaluate the need for new traffic patterns when considering higher density development in the growth areas.	PD	Long Term
15	Strategy	Evaluate the need for additional parking to service Dock Square.	BoS	Medium Term
16	Strategy	Advertise alternative transportation means for sightseeing and recreation to visitors of Kennebunkport.	CoC	Short Term
17	<b>GOAL</b>	<b>INCREASE MULTI-MODAL TRANSPORTATION OPTIONS</b>		
18	<b>Policy</b>	<b>Meet the diverse transportation and public health needs of all residents and visitors by providing a safe, efficient, and adequate transportation network for all types of users.</b>		
19	Strategy	Review complete street practices for relevant tools and ideas for Kennebunkport.	PD, PW	Medium Term
20	Strategy	Develop a long-term vision for a network of bicycle routes to serve the community and link to routes and facilities in neighboring communities.	PD, KCT, PW, PRD	Medium Term
21	Strategy	Consider a standard minimum sidewalk width for public streets. Identify areas of high pedestrian traffic in need of sidewalks.	PW & PD	Medium Term
22	<b>Policy</b>	<b>Prioritize safety for pedestrians and bicyclists.</b>		

23	Strategy	Identify and resolve any safety issues or concerns within the vicinity of the consolidated school.	RSU, Police, PW	Short Term
24	Strategy	Identify locations where a reduction in speed will minimize the potential pedestrian and bicycle fatalities and serious injuries.	PD, Police, PW	Short Term
25	Strategy	Request Maine DOT install bike routes near the school and along state roads.	BoS	Short Term
26	Strategy	Seek opportunities to integrate traffic calming methods into roadway improvements.	PD, PW	Ongoing
27	<b>Policy</b>	<b>Provide amenities for bicyclists.</b>		
28	Strategy	Encourage commercial property owners to install bike racks.	PB & PD	Ongoing
29	Strategy	Inventory existing public bike racks and identify locations where additional public racks are needed.	PD, PRD	Short Term
30	<b>GOAL</b>	<b>INTEGRATE TRANSPORTATION AND LAND USE PLANNING</b>		
31	<b>Policy</b>	<b>Develop a connected network of streets and destinations.</b>		
32	Strategy	Work with the Kennebunkport Conservation Trust to enhance trail connectivity.	PRD, KCT & PD	Ongoing
33	Strategy	Add criteria in subdivision regs that promote shared driveways and require developers to show future connectivity to adjacent parcels including roads and trails.	PB & PD	Short Term
34	<b>Policy</b>	<b>Enhance access to waterfront, recreation, and other amenities.</b>		
35	Strategy	Continue to issue beach parking stickers to residents and visitors.	BoS, Clerk	Ongoing
36	<b>Policy</b>	<b>Maintain compatibility between transportation infrastructure and surroundings.</b>		
37	Strategy	Coordinate with MDOT to ensure that transportation improvement projects on Route 9 and North Street are consistent with the character of the neighborhood.	PW	Ongoing
38	Strategy	Investigate the merits of separate roadway design standards for designated rural and growth areas for subdivisions.	PB & PD	Medium Term
39	Strategy	Consider identifying scenic byways for future preservation.	PB & PD	Medium Term
40	<b>GOAL</b>	<b>REDUCE IMPACTS TO INFRASTRUCTURE FROM TO CLIMATE CHANGE</b>		

41	Policy	Integrate climate risk assessment and adaptation planning into prospective transportation projects.		
42	Strategy	Conduct a comprehensive transportation vulnerability assessment to identify vulnerable assets and loss of connectivity due to sea level rise.	PD	Short Term
43	Strategy	Investigate impacts of groundwater rise and extreme heat on transportation infrastructure.	PD	Short Term
44	Strategy	Continue to upgrade culverts to withstand extreme weather events and greater precipitation.	PW	Ongoing
45	Strategy	Continue to upgrade and repair publicly owned seawalls.	BoS, PW	Ongoing
46	Strategy	Plan for the possibility that some town roads or segments of town roads may require elevation to avoid inundation due to sea level rise.	PD, BoS, PW, TM	Short Term

## Chapter 12: Economy

			Responsible Party	Timeframe
1	GOAL	ACHIEVE A SUSTAINABLE BALANCE BETWEEN TOURISM AND MAINTAINING THE TOWN'S CHARACTER AND QUALITY OF LIFE FOR ALL ITS RESIDENTS		
2	Policy	Recognize the importance of seasonal visitors while maintaining Kennebunkport's scenic beauty and architectural heritage for the enjoyment of all.		
3	Strategy	Incorporate placemaking signage to designate specific points of interest.	PW & CoC	Medium Term
4	Strategy	Support the needs of the business community to attract tourists while at the same time assuring a high quality of life for residents.	PD & CoC	Ongoing
5	Policy	Recognize the important contributions by non-resident taxpayers.		
6	Strategy	Encourage involvement by non-resident taxpayers in community forums and other venues.	TM	Ongoing
7	GOAL	PROMOTE THE DEVELOPMENT AND VIABILITY OF LOCAL BUSINESSES.		
8	Policy	Develop and maintain local jobs for residents of all ages and backgrounds.		



9	Strategy	Update and simplify ordinance provisions governing home occupations.	CEO & PD	Short Term
10	Strategy	Investigate appropriate locations for food trucks and provide recommendations for ordinance amendments.	PD	Medium Term
11	Strategy	Explore innovative approaches to housing the tourist industry's seasonal workforce.	PD, CoC, KBA	Medium Term
12	Strategy	Create and promote a community brand featuring natural resources and cultural characteristics of the community.	PD & CoC	Medium Term
13	<b>GOAL</b>	<b>MITIGATE POTENTIAL IMPACTS OF COMMERCIAL USES ON SURROUNDING NEIGHBORHOODS</b>		
14	<b>Policy</b>	<b>Manage commercial development and associated tourism to ensure the safety and enjoyment of residents and visitors.</b>		
15	Strategy	Review past PB conditions of approval to identify commonly added standards that address specific adverse effects on residential neighborhoods to determine if the LUO adequately protects residential use and enjoyment.	PB & PD	Medium Term
16	Strategy	Encourage the PB to develop an ongoing reporting requirement for conditions of approval when appropriate	PB & PD	Medium Term
17	Strategy	Develop standards for businesses and small-scale professional offices so that they reflect the scale and character of the community.	PB & PD	Medium Term
18	Strategy	Review current policies for parking and traffic flow control provisions to ensure reduced congestion and provide a healthful, safe, and peaceful environment for residents and visitors.	PB & PD	Short Term
19	Strategy	Collaborate with the Town of Kennebunk and the business communities in Dock Square and Kennebunk Lower Village to manage tourism to ensure the safety and enjoyment of residents and visitors.	BoS, CoC & KBA	Ongoing
20	Strategy	Investigate and recommend standards for commercial enterprises that provide goods and services catered to a year-round community	PB & PD	Medium Term

Chapter 13: Public Facilities & Services			Responsible Party	Timeframe
1	GOAL	MAINTAIN A LOCALLY BASED PUBLIC-SCHOOL FACILITY.		
2	Policy	Continue to have a local public-school facility in Kennebunkport.		
3	Strategy	Ensure that Kennebunkport's municipal cost share for RSU 21 continues to support and maintain staff and facilities at consolidated school.	BoS	Ongoing
4	GOAL	ENSURE ADEQUATE MUNICIPAL OFFICE SPACE AND TECHNOLOGY FOR TOWN GOVERNMENT AND RELATED SERVICES.		
5	Policy	Provide adequate facilities for local government.		
6	Strategy	Continue to offer online municipal services to better serve the public, while maintaining an efficient workforce.	BoS	Ongoing
7	Strategy	Consider facility and staff needs assessment to be kept up to date with current and future internal and external needs.	TM, BoS, Dept. Heads	Medium Term
8	GOAL	PROVIDE PUBLIC SEWER SERVICE IN AREAS DESIGNATED AS GROWTH AREAS AND WHERE SEWER EXPANSION WILL BENEFIT ENVIRONMENTALLY SENSITIVE AREAS.		
9	Policy	Monitor and prepare for the need for sewage facilities in growth areas and where sewer expansion will benefit environmentally sensitive areas.		
10	Strategy	Assessment of existing wastewater infrastructure for both current and future design flows	PW	Medium Term
11	Strategy	Continually re-evaluate the rate of impact fees and user fees.	BoS & PW	Ongoing
12	Strategy	Ensure that the maintenance of aging sewer infrastructure is a priority.	BoS & PW	Ongoing
13	Strategy	Evaluate adding existing developed areas in environmentally sensitive locations onto public sewer	PW	Medium Term
14	Strategy	Adhere to the Maine Climate Council's recommendation to locate new critical infrastructures, such as pump stations and other wastewater infrastructure, away from areas that are at-risk from sea level rise and flooding.	BoS & PW	Ongoing
15	GOAL	PROVIDE ADEQUATE FACILITIES AND SERVICES TO MEET PUBLIC SAFETY NEEDS.		

16	Policy	Maintain an adequate police, fire, and ambulance service to protect the community and properties of Kennebunkport.		
17	Strategy	Support the continued needs of the Town's evolving fire service.	FC & BoS	Ongoing
18	Strategy	Ensure that adequate capital is appropriated for buildings, trucks, and equipment.	TM	Ongoing
19	Strategy	Continue to support mutual aid agreements for fire and ambulance service.	PSC, PC & BoS	Ongoing
20	GOAL	MAINTAIN KENNEBUNKPORT AS A TREE CITY USA COMMUNITY.		
21	Policy	Maintain an active Shade Tree Program.		
22	Strategy	When specified, require developers to plant shade trees in a manner consistent with a town-wide plan (specifications to be developed by the Shade Tree Committee) prioritizing the public roadways.	Shade Tree Committee, PB & PD	Medium Term
23	Strategy	Review and revise, if necessary, the town's current shade tree program to ensure adequate installation, maintenance, and replacement policies.	PB, STC & PD	Short Term
24	Strategy	Maintain large trees that provide shade	PW & STC	Ongoing
25	Strategy	Encourage the PB to maintain existing large trees that provide shade.	PB	Ongoing
26	GOAL	REDUCE SOLID WASTE.		
27	Policy	Encourage the reduction of solid waste and support and sustain a viable and creative recycling program.		
28	Strategy	Maintain a consistent and continuing educational program to keep citizens informed of recycling, hazardous waste disposal, composting, and other programs available for them to use.	PW, BoS	Ongoing
29	Strategy	Develop a program to assist commercial properties to actively participate in recycling programs.	PW, BoS	Short Term
30	Strategy	Reduce solid waste and increase composting and recycling by investigating things such as increasing the frequency of recycling pick-ups, supporting composting, pay-by-the bag solid waste, public recycling bins, etc.	PW, BoS Fin. Dept, PW	Short Term
31	Strategy	Encourage commercial businesses to implement a dedicated recycling policy.	PD, CoC	Short Term

32	GOAL	STRIVE FOR MUNICIPAL OPERATIONS THAT ARE SUSTAINABLE & RESILIENT.		
33	Policy	Lead by demonstrating sustainable values and practices.		
34	Strategy	Strive toward net zero by incorporating green building standards into RFPs and other consideration for public building projects.	BoS & PD	Ongoing
35	Strategy	Create an environmental impact policy when planning special town events to establish minimum standards.	BoS, TM, Dept. Heads	Short Term
36	Strategy	Integrate sustainability criteria into capital planning.	TM, BoS, Dept. Heads, BB	Ongoing
37	Strategy	<u>Locate new public facilities comprising at least 75% of new municipal growth-related capital investments in designated growth areas.</u>	<u>TM &amp; BoS</u>	<u>Ongoing</u>
387	Policy	Operate a safe, clean, and efficient fleet of vehicles.		
398	Strategy	Prioritize carbon emissions reduction when purchasing new vehicles	BoS, PSC & PW	Short Term
4039	Strategy	Develop anti-idling policies for public fleet vehicles, contractors, suppliers, and vendors, when appropriate to reduce carbon emissions.	BoS, Dept. Heads, TM, BoS	Short Term
419	Policy	Incorporate climate change risk assessment and adaptation into public facilities and services planning		
421	Strategy	Develop criteria to include climate change vulnerability and risk assessment of projects that are proposed for inclusion in the capital improvement program.	TM, BoS	Short Term
432	Strategy	Develop a policy to utilize the Maine Climate Council's guidance on planning and preparing for sea level rise when identifying appropriate sites for new construction or redevelopment of town-owned structures and critical infrastructure.	PW, TM, BoS	Short Term

## Chapter 14: Fiscal Capacity

			Responsible Party	Timeframe
1	GOAL	CONTINUE TO PLAN FOR AND FINANCE PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.		
2	Policy	Finance existing and future facilities and services in a cost-effective manner.		
3	Strategy	Identify cost effective opportunities when extending public sewer, water, and sidewalks when reviewing development proposals.	PB & PD	Ongoing
4	Strategy	Explore opportunities to work with neighboring communities to plan for and finance shared or adjacent capital investments to increase cost savings and efficiencies.	TM	Ongoing

## Chapter 15: Recreation & Cultural Resources

			Responsible Party	Timeframe
1	GOAL	PROVIDE HIGH QUALITY PARKS AND RECREATIONAL FACILITIES AND THE FINEST PROGRAMS, ATHLETICS, EVENTS, AND LEISURE ACTIVITIES.		
2	Policy	Continue to offer an array of recreational and cultural programs, classes, and opportunities for residents of all ages and identify opportunities to enhance recreational and cultural resources.		
3	Strategy	Support the creation of a Parks Master Plan.	RC & PRD	Short Term
4	Strategy	Maintain and expand virtual recreation and cultural opportunities.	RC & PRD	Ongoing
5	Strategy	Identify locations for programs such as splash pad, sports fields, roller hockey, pickle ball, and other uses identified by the Parks and Recreation Department and residents as part of a Parks Master Plan.	RC & PRD	Short Term
6	Strategy	Identify public locations that could be used year-round for community gatherings as a part of a Parks Master Plan	RC & PRD	Short Term

7	Strategy	Involve residents in long-term recreational and cultural resource planning efforts.	RC & PRD	Ongoing
8	Strategy	Continue to support the Recreation Department in programming and facilities needs.	RC & BoS	Ongoing
9	Strategy	Encourage businesses, non-profits, and the RSU 21 to better communicate with residents and others about cultural programs in an organized and central location such as a community calendar.	L	Short Term
10	Strategy	Continue to host seasonal events that provide social and cultural opportunities for residents and visitors.	RC, L, KHS, CoC, KBA	Ongoing
<del>11</del>	<del>Strategy</del>	<del>Work with public and private partners to extend and maintain a network of trails for motorized and nonmotorized uses. Connect with regional trail systems where possible.</del>	<del>PD &amp; CC</del>	<del>Ongoing</del>
<del>12</del>	<del>Strategy</del>	<del>Work with an existing local land trust or other conservation organizations to pursue opportunities to protect important open space or recreational land.</del>	<del>CC</del>	<del>Ongoing</del>
<del>13</del>	<del>Strategy</del>	<del>Provide educational materials regarding the benefits and protections for landowners allowing public recreational access on their property. At a minimum this will include information on Maine's landowner liability law regarding recreational or harvesting use, Title 14, M.R.S.A. §159-A.</del>	<del>PD</del>	<del>Ongoing</del>
<del>14</del>	<b>GOAL</b>	<b>MAINTAIN AND EXPAND ACCESS TO THE SHORE AND RIVERS FOR RECREATIONAL USES.</b>		
<del>15</del>	<b>Policy</b>	<b>Enhance public access to the water for recreational use.</b>		
<del>16</del>	Strategy	Create a public boat launch.	BoS, CC	Medium Term
<del>17</del>	Strategy	Where parking is appropriate, install signs that indicate points of interest, parking, and public rights-of-way to the water.	RC, PW	Medium Term
<del>18</del>	<b>GOAL</b>	<b>PREPARE FOR CLIMATE CHANGE.</b>		
<del>19</del>	<b>Policy</b>	<b>Integrate climate vulnerability and adaptation into recreational planning efforts.</b>		
<del>20</del>	Strategy	Identify undeveloped land that is vulnerable to sea-level rise and make recommendations on acquisition to act as flooding buffer.	CC & BoS	Short Term

<del>21</del> 8	Strategy	Identify recreational assets that are vulnerable to sea level rise.	RC, PRD & PD	Short Term
<del>22</del> 9	<b>Policy</b>	<b>Incorporate adaptation strategies into facility design.</b>		
<del>23</del> 0	Strategy	Review parks for adequate canopy cover and plant additional shade trees when necessary.	RC & STC	Ongoing
<del>24</del> 1	Strategy	Evaluate the use of pervious surfaces and other green infrastructure in parks to reduce stormwater runoff.	RC & PW	Ongoing

Chapter 16: Hazard Mitigation			Responsible Party	Timeframe
1	<b>GOAL</b>	<b>MITIGATE VULNERABILITY TO NATURAL HAZARDS, HUMAN-MADE HAZARDS, AND CLIMATE CHANGE.</b>		
2	<b>Policy</b>	<b>Plan and prepare for hazards.</b>		
3	Strategy	Continue to participate in multi-hazard mitigation plan updates and encourage public participation in this process.	PSC	Ongoing
4	Strategy	Continue to partner with regional entities and communities to enhance evacuation route planning and community education on evacuation routes.	PSC	Ongoing
5	Strategy	Continue to partner with regional entities and communities to identify additional options for shelters.	PSC	Ongoing
6	Strategy	Incorporate planning for pandemics into existing hazard mitigation and emergency operations plans to increase preparedness for future pandemics.	EM & PH	Ongoing
7	Strategy	Encourage participation in the National Flood Insurance Program.	CEO, PD	Ongoing
8	Strategy	Evaluate the applicability of the Community Rating System in Kennebunkport.	CEO & BoS	Medium Term
9	Strategy	Educate the public about hazards and strategies to avoid potential damage and injury.	EM & PD	Ongoing
10	Strategy	Keep the Town's emergency operations plan current.	EMA	Ongoing
11	Strategy	Review and update as needed a disaster recovery policy to maintain municipal operations.	BoS, EM, HD	Ongoing

12	Policy	<b>Increase community resilience to climate change impacts.</b>		
13	Strategy	Complete the Maine Flood Resilience Checklist to assess coastal vulnerabilities.	PD	Short Term
14	Strategy	As part of the Climate Action Plan, assess non-coastal vulnerabilities to establish a comprehensive understanding of current and future climate change impacts to people, infrastructure, and natural resources.	PD	Short Term
15	Strategy	Seek applicable grant opportunities that will fund projects that will increase understanding of vulnerability and mitigate vulnerability.	PD	Ongoing
16	Strategy	Continue to participate in regional efforts to assess and mitigate vulnerability.	BoS & PD	Ongoing
17	Strategy	Continue to incorporate climate adaptation into future updates to the Comprehensive Plan.	GPC	Ongoing
18	Strategy	Incorporate hazard mitigation analysis review into planning and zoning reviews.	PB & PD	Medium Term
19	Strategy	Ensure adequate funding for emergency services, critical infrastructure protection, public health services, and hazard identification and mitigation.	BoS, BB, TM	Ongoing

## Chapter 17: Regional Coordination

			Responsible Party	Timeframe
1	GOAL	<b>COORDINATE WITH OTHER COMMUNITIES IN THE REGION</b>		
2	Policy	<b>Maintain cooperative agreements with nearby communities that are mutually beneficial.</b>		
3	Strategy	Continue to participate in partnerships that support sustainability and resilience, multi-modal transportation, river management, aquifer protection, and other regional considerations.	BoS	Ongoing
4	Strategy	Continue to participate in regional partnerships that support public safety, education, communication, emergency management, and other basic services.	BoS	Ongoing



Chapter 18: Future Land Use			Responsible Party	Timeframe
1	GOAL	KEEP THE LAND USE ORDINANCE CURRENT AND ALIGNED WITH THE COMPREHENSIVE PLAN		
2	Policy	Regularly review and amend the LUO.		
3	Strategy	Identify necessary amendments to the LUO on an annual or regular basis.	PB & PD	Ongoing
4	Strategy	Perform a review of the LUO for consistency with the comprehensive plan and make recommendations for warrant articles.	PD	Medium Term
5	Strategy	Review uses in Free Enterprise and Farm and Forest Zones and make recommendations for warrant articles.	PD	Medium Term
6	Strategy	Create educational curriculum for boards and committees that are responsible for land use decisions and make available to the public.	PD	Short Term
7	GOAL	ENSURE ORDERLY GROWTH AND PREVENT SPRAWL.		
8	Policy	Encourage growth adjacent to current village centers. Growth should be compatible with and integrated with the existing infrastructure and built environment.		
9	Strategy	Conduct a build-out analysis on a periodic basis to understand opportunities and constraints to growth.	PD	Long Term
10	Strategy	Review the impact of Growth Management permits on a periodic basis to determine its effectiveness in directing growth in a manner that is consistent with this Comprehensive Plan.	GPC & PD	Short Term
11	Strategy	Develop a long-term plan for sewer and water expansion to accommodate future growth.	PW & PD	Long Term
12	Strategy	Incorporate Traditional Neighborhood Design (TND) principals in the subdivision regulations for growth areas.	PB & PD	Medium Term
13	Strategy	Review LUO to ensure consistency with LD 2003, An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.	PD	Short Term
14	Policy	<u>To coordinate the community's land use strategies with other local and regional land use planning efforts.</u>		

<del>15</del>	Strategy	Track new development in the community by type and location.	PD	Ongoing
<del>16</del>	Strategy	Provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified in accordance with 30-A M.R.S.A. §4451.	TM, BB, & BOS	Ongoing
<del>17</del>	Policy	To support the level of financial commitment necessary to provide needed infrastructure in growth areas.		
<del>18</del>	Strategy	Periodically (at least every five years) evaluate implementation of the plan in accordance with Section 2.7.	PD & GPC	Long Term
<del>19</del> <del>20</del> <del>21</del> <del>22</del> <del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	GOAL	ENSURE PUBLIC ACCESS TO THE COAST.		
<del>20</del> <del>21</del> <del>22</del> <del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Policy	Establish new public access points.		
<del>21</del> <del>22</del> <del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Identify coastal properties that may be appropriate for more public access.	RC & PD	Medium Term
<del>22</del> <del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Promote land acquisition for the establishment of access for small watercraft.	BoS	Medium Term
<del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	GOAL	PRESERVE KENNEBUNKPORT'S OPEN SPACE AND RURAL CHARACTER.		
<del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Policy	Identify land that warrants protection and set priorities.		
<del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	In collaboration with the Kennebunkport Conservation Trust, identify goals and a process for land conservation and planning for climate change and present recommendations to Selectboard.	KCT, PD & CC	Ongoing
<del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Support Kennebunkport Conservation Trust in its goals of connecting open space to allow habitat for wildlife and endangered species, and the enjoyment of the natural environment.	PB & PD	Ongoing
<del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Educate the public about the benefits of conservation easements.	CC	Ongoing
<del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Establish a development impact fee to fund land conservation and recreation.	PD, TM & BoS	Medium Term
<del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	GOAL	MAINTAIN KENNEBUNKPORT'S SMALL TOWN CHARACTER.		
<del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Policy	Maintain the aesthetic, historic, and architectural character of Kennebunkport's neighborhoods.		
<del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> <del>72</del> <del>73</del> <del>74</del> <del>75</del> <del>76</del> <del>77</del> <del>78</del> <del>79</del> <del>80</del> <del>81</del> <del>82</del> <del>83</del> <del>84</del> <del>85</del> <del>86</del> <del>87</del> <del>88</del> <del>89</del> <del>90</del> <del>91</del> <del>92</del> <del>93</del> <del>94</del> <del>95</del> <del>96</del> <del>97</del> <del>98</del> <del>99</del> <del>100</del>	Strategy	Encourage connecting streets, a pedestrian-friendly environment, and small-scale, neighborhood commercial services that are geared toward serving local residents.	PB & PD	Ongoing

<del>32</del> <sup>27</sup>	Strategy	Preserve Goose Rocks Beach as a safe, limited use, and family-oriented beach.	BoS & BAC	Ongoing
<del>33</del> <sup>28</sup>	Strategy	Develop the Village Parcel in a manner that is consistent with Kennebunkport's small-town character.	PB & PD	Medium Term
<del>34</del> <sup>29</sup>	<b>GOAL</b>	<b>PLAN FOR A CHANGING CLIMATE.</b>		
<del>35</del> <sup>0</sup>	<b>Policy</b>	<b>Steer growth away from areas that will be vulnerable to hazards caused by climate change.</b>		
<del>36</del> <sup>1</sup>	Strategy	Develop standards for new development in areas that are vulnerable to sea level rise (SLR) and ground water rise that is induced by SLR.	PB & PD	Medium Term
<del>37</del> <sup>2</sup>	Strategy	Complete and maintain the inventory of Town-owned parcels and research allowed uses. Climate change impacts should be considered for future uses.	BoS & PD	Short Term

## AMENDMENT TO CHAPTER 147, ARTICLE II

### § 147-14 **Permit required.**

No person, firm or corporation, including utility companies, may make any excavation for the construction, repair or replacement of any underground facility in any street, sidewalk or public parking lot without having first obtained a permit as herein required. Every permit granted shall specify the time during which the excavation may remain open, the place where the excavation may be made, and the approximate number of square yards that may be disturbed. This section shall not apply to the State of Maine for work performed within the State right of way.

### § 147-15 **Emergency excavations.**

Notwithstanding the provisions of § 147-14, emergency excavation for the construction, repair or maintenance of an underground facility in any street, sidewalk or public parking lot may be undertaken, provided that a permit is applied for on the first working day after such excavation is commenced.

### § 147-16 **Permit applications.**

**A.** Permit applications may be obtained at the Town office.

**B.** The permit application shall be completed by the owner of the property to be benefited by the work which necessitates the permit or by the owner's authorized representative. Where the excavation is undertaken by a utility company on its own behalf, the application shall be completed by such company.

**C.** A completed application, together with an application fee as set by the Board of Selectmen, shall be submitted to the Director of Public Works. The party applying for a permit must also file a map or sketch with the Director of Public Works, showing the location and size of any cuts to be made. ~~After review, the Director of Public Works shall forward the application to the Selectmen along with his recommendations.~~ The ~~Selectmen~~Director of Public Works, applying the standards of this article, may approve, approve with conditions, or deny the application, for any streets that are not under a 5-year moratorium. Any applications for street openings within a moratorium period will be forwarded to the Selectboard for disposition. . ~~After approval or approval with conditions by the Selectmen, the Director of Public Works shall issue a permit conditioned as required by the Selectmen.~~

[Amended 11-3-2020]

### § 147-17 **Bond.**

**A.** No such permit shall be issued unless and until the permittee has filed with the Town Clerk a performance bond in accordance with the following schedule:

(1) Minimum of \$52,000 for cross-cut for all openings.;  
(2) \$2,000 for parallel openings not exceeding 100 feet in length; or  
(3) \$20 per foot for parallel openings in excess of 100 feet in length.

**B.** Such bond shall have as surety a corporation licensed to do business in the State of Maine as a surety company, and shall extend for a term of at least two years after completion of the project. An equivalent amount of cash or certified funds payable to the Town may be deposited for the same purpose in lieu of the surety bond required by this section.

**C.** The Selectmen may, in their discretion, require surety in an amount greater than those set forth in the preceding schedule ~~or, as recommended by the Public Works Director based on scope of work, for a term in excess of two years in projects~~ where they determine that the project, because of its nature, magnitude, or unusual circumstances, warrants such additional security.

**D.** Notwithstanding any of the above requirements, the Selectmen are hereby given the authority to allow utility companies to perform their own repairs, in lieu of posting any other surety or performance bond required by this section under the direction of the Public Works Director, ~~to instead post an annual bond of \$15,000 for the purposes set forth in this section.~~

**E.** Applicants other than utility companies may post an aggregate bond in January of each year to secure a designated number of cuts during that year. The terms of that bond and per-cut amount shall be as provided herein for single-cut bonds. Any portion of such an aggregate bond not used by December 31 of the year it was posted may not, without approval of the Board of Selectmen, be carried over to the following year.

#### § 147-18 **Insurance.**

A certificate of insurance shall be required with limits of public liability coverage deemed by the Selectmen to be sufficient to provide adequate protection to the Town, its citizens and the general public.

#### § 147-19 **Excavation; care required.**

**A.** Prior to excavation work, notice shall be given to the persons maintaining any underground facility, or to the municipal department or officer charged with the care thereof, which may be injured or affected by the making of any such excavation. Such

notice shall be made in accordance with state law, as described in 23 M.R.S.A. § 3360-A.

**B.** Every excavation must be done in a skillful manner. Each permittee shall obtain information as to the existence and location of all underground facilities and protect the same against damage.

**C.** No injury may be done to any underground facility in the making of excavations. In order to avoid such injury, an excavator may not use mechanical means of excavation when excavating within 18 inches of any unmarked underground facilities until such facilities have been exposed. Notwithstanding this limitation, mechanical means are permitted, as reasonably necessary, for initial penetration and removal of pavement, rock, or other materials requiring the use of mechanical means of excavation.

**D.** No damage may be done to any tree or shrub or the roots thereof in the making of any such excavation. The owner of such tree or shrub shall be compensated by the permittee for any damage done.

**E.** Except by permission of the Director of Public Works, an excavator may not leave open at any time a trench or excavation of a greater length than 200 feet.

**F.** [The above requirements are not intended to supersede State or Federal requirements.](#)

#### § 147-20 **Restoring surface; minimum standards.**

**A.** Any person, firm or corporation making any excavation in or under any street, sidewalk or public parking lot shall restore the surface to its original condition or better, in accordance with the minimum standards contained herein.

**B.** Excavation work, including procedures and materials, shall conform to said minimum standards and to such other standards of the Director of Public Works as may be adopted by the Selectmen as a condition of permit approval.

**C.** Minimum standards shall include the following:

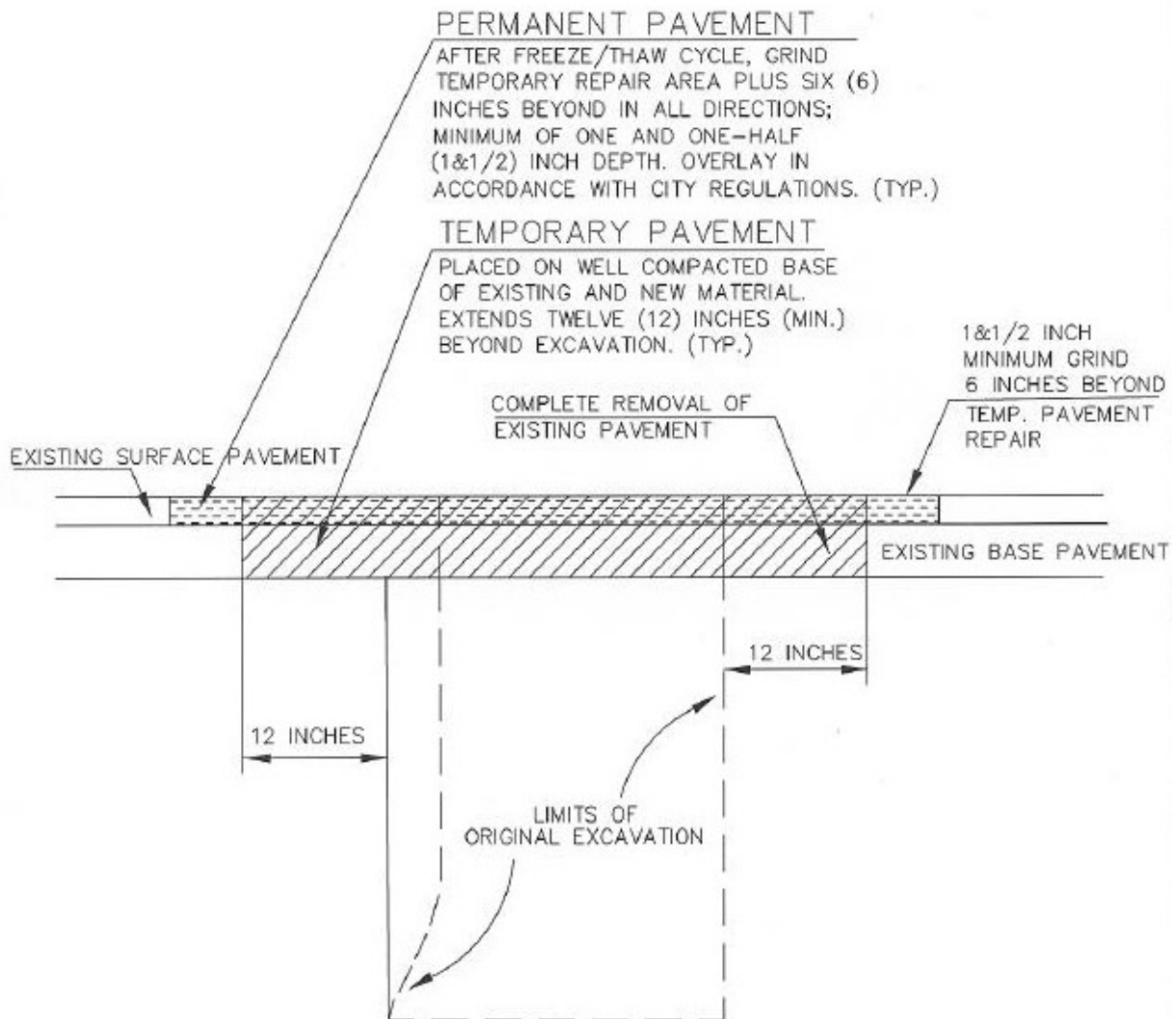
**(1)** In all cases, replaced bituminous asphalt shall include a grinded joint where it joins existing unimproved bituminous asphalt.

**(2)** ~~Parallel, diagonal, cross or right-angle street~~ [All street openings temporary repairs shall be conducted in the following manner up to five feet in width or 10 feet in length shall:](#)

- Pavement shall be saw cut with clean lines a minimum of 1 foot beyond the perimeter of the excavation.
  - Be backfilled with ¾" crushed packing gravel and compacted until 95% compaction is achieved.
  - After proper compaction is achieved, ~~include~~ new bituminous asphalt consisting of 42.5 inches of binder or base mix (19mm) applied in two, 2" lifts should be installed and properly compacted. Tack coat shall be applied to all edges, or thickness equivalent to the existing bituminous asphalt, whichever is greater, and one inch of surface mix confined within the limit of the opening.
- 

(3) All street opening permanent repairs shall be conducted in the following manner after one year/frost cycle (See detail/cross sections below.):

- Pavement shall be cold milled to a depth of 1-1.5 inches at a minimum distance of 6 inches beyond the perimeter of the temporary repair.
- Tack coat shall be applied to all milled surfaces at a rate of .06 - .08 gal./sq. yd
- The cold milled area will be overlayed with 9.5 mm surface mix asphalt as per MDOT requirements.



THE TWELVE (12) INCH PAVEMENT OVERCUT  
 MEASUREMENT STARTS AT FURTHEST EDGE  
 OF INTACT NATIVE SOILS. TRENCH WALL  
 DISTURBANCE WILL IMPACT AMOUNT OF  
 PAVEMENT REMOVAL REQUIRED.

## CROSS SECTION OF TYPICAL EXCAVATION

NOT TO SCALE

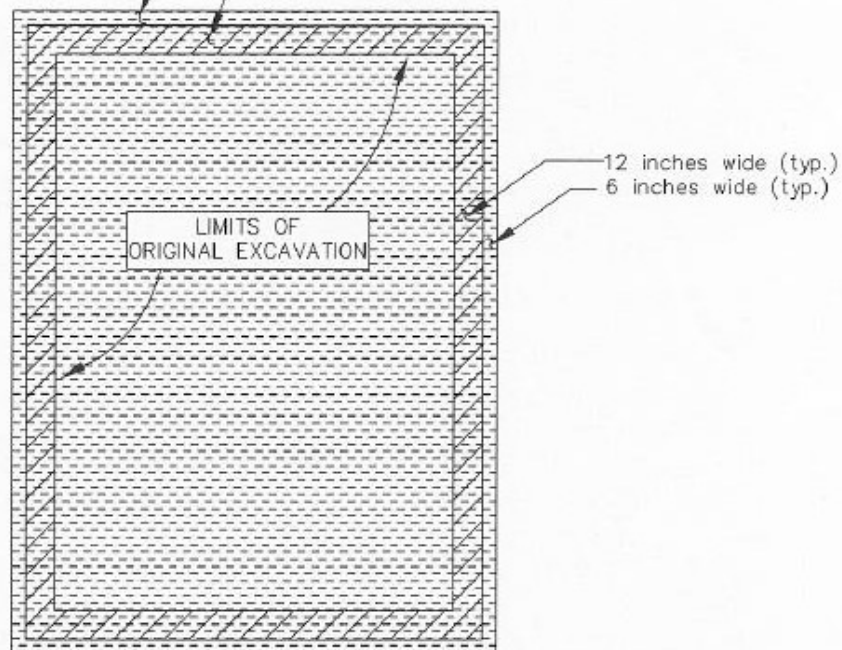


### PERMANENT PAVEMENT

AFTER FREEZE/THAW CYCLE, GRIND  
TEMPORARY REPAIR AREA PLUS SIX (6)  
INCHES BEYOND IN ALL DIRECTIONS;  
MINIMUM OF ONE AND ONE-HALF  
(1&1/2) INCH DEPTH. OVERLAY IN  
ACCORDANCE WITH CITY REGULATIONS. (TYP.)

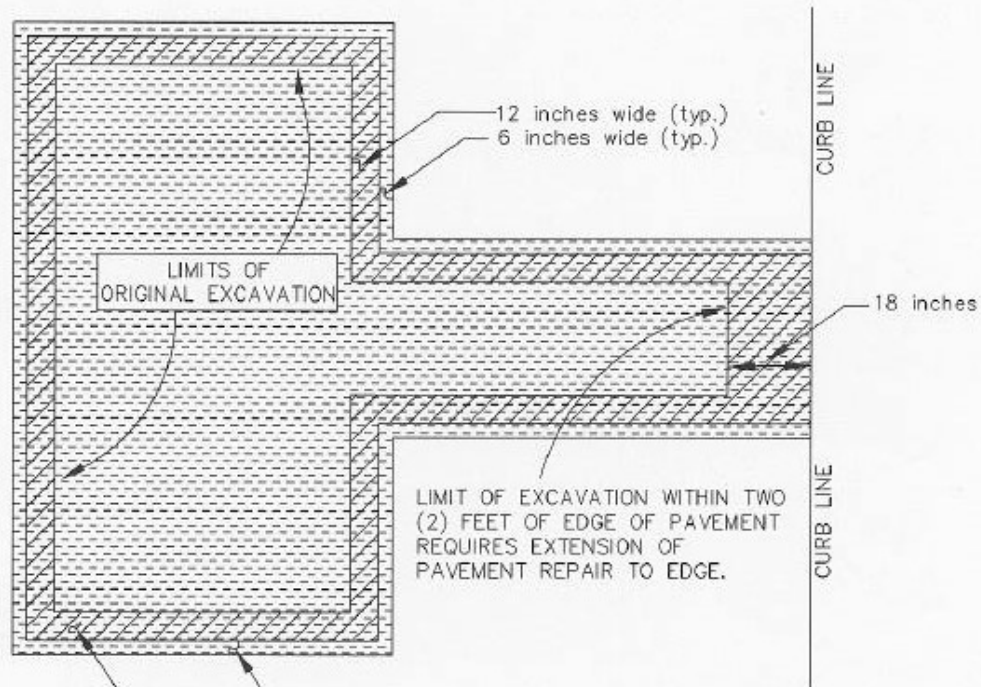
### TEMPORARY PAVEMENT

PLACED ON WELL COMPACTED BASE  
OF EXISTING AND NEW MATERIAL.  
EXTENDS TWELVE (12) INCHES BEYOND  
EXCAVATION. (TYP.)



## **PLAN VIEW OF MINOR EXCAVATION PAVEMENT REPAIR**

NOT TO SCALE



#### PERMANENT PAVEMENT

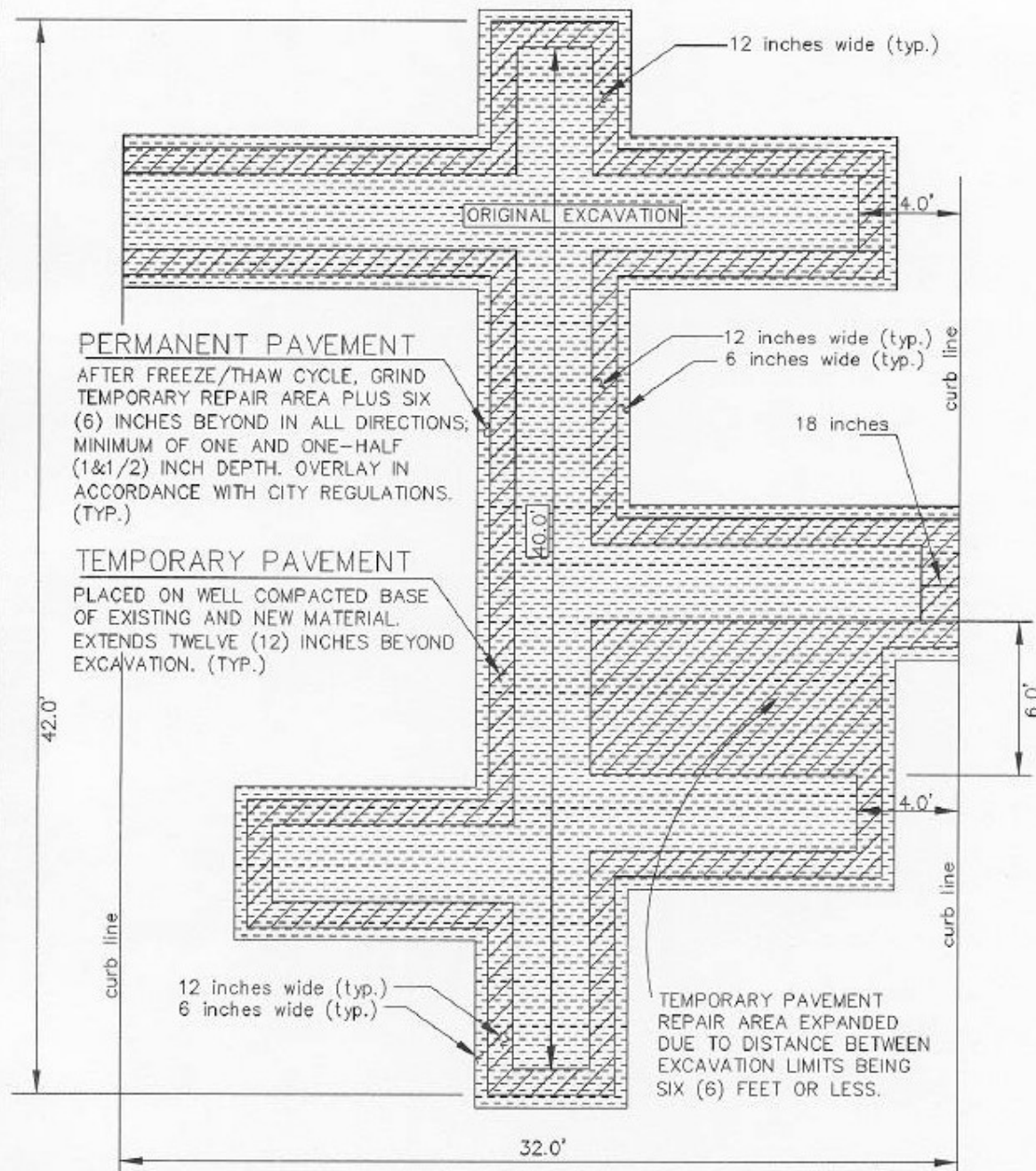
AFTER FREEZE/THAW CYCLE, GRIND TEMPORARY REPAIR AREA PLUS SIX (6) INCHES BEYOND IN ALL DIRECTIONS; MINIMUM OF ONE AND ONE-HALF (1&1/2) INCH DEPTH. OVERLAY IN ACCORDANCE WITH CITY REGULATIONS. (TYP.)

#### TEMPORARY PAVEMENT

PLACED ON WELL COMPACTED BASE OF EXISTING AND NEW MATERIAL. EXTENDS TWELVE (12) INCHES BEYOND EXCAVATION. (TYP.)

## **PLAN VIEW OF MINOR EXCAVATION PAVEMENT REPAIR**

NOT TO SCALE



## PLAN VIEW OF MAJOR EXCAVATION PAVEMENT REPAIR

NOT TO SCALE

(3) Parallel, diagonal, cross or right-angle street openings in excess of five feet in width, but less than 10 feet in width, or up to 10 feet in length, but less than 20 feet in length, shall include new bituminous asphalt consisting of 2.5 inches of binder or base mix, or thickness equivalent to the existing bituminous asphalt, whichever is greater, confined



~~within the limit of the opening. The full width of the paved street or sidewalk shall be paved five feet beyond the end of the opening and five feet prior to the beginning of the opening with not less than one inch of surface mix.~~

~~(4) Parallel, diagonal, cross or right-angle street openings in excess of 10 feet in width or 20 feet in length shall include new bituminous asphalt consisting of 2.5 inches of binder or base mix, or thickness equivalent to the existing bituminous asphalt, whichever is greater, confined within the limit of the opening. The full width of the paved street or sidewalk shall be paved 20 feet beyond the end of the opening and 20 feet prior to the beginning of the opening with not less than one inch of surface mix.~~

#### § 147-21 **Excavations in reconstructed streets.**

[Added 11-3-2020]

Whenever the Town has developed plans to reconstruct a street, the Town or its representative shall give written notice thereof to all abutting property owners, to the Town departments, and to all public utilities that have or may wish to lay pipes, wires or other facilities in or under the highway. Upon receipt of such written notice, such person or utility shall have 60 days in which to install or lay any such facility. If an extension of time is needed by a person or utility for the installation of such facilities, the person or facility shall make a written application to the Town during the sixty-day notice period explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed or extended and after such street has been reconstructed, no permit shall be granted to open such street for a period of five years from installation of hot-mixed asphalt surface course layer unless an emergency condition exists or unless the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. The above-mentioned five-year moratorium for street openings also pertains to all new public or private streets, i.e., new subdivisions or developments that have been accepted in accordance with Town specifications. The Town shall publish an annual street opening moratorium list with year of notice and year of expiration for each street. This section should not be construed to supersede Maine DOT street opening regulations for roads maintained by the State of Maine.

#### Restoring surface; minimum standards.

A. Any person, firm or corporation making any excavation in or under any street, sidewalk or public parking lot shall restore the surface to its original condition or better, in accordance with the minimum standards contained herein.

B. Excavation work, including procedures and materials, shall conform to said minimum standards and to such other standards of the Director of Public Works as may be adopted by the Selectmen as a condition of permit approval.

C. Minimum standards shall include the following:

(1) In all cases, replaced bituminous asphalt shall include a grinded joint where it joints existing unimproved bituminous asphalt.

(2) All street opening temporary repairs shall be conducted in the following manner as indicated in § 147-20 C.2 :

- Pavement shall be saw cut with clean lines a minimum of 1 foot beyond the perimeter of the excavation.
- Be backfilled with  $\frac{3}{4}$ " crushed packing gravel and compacted until 95% compaction is achieved.
- After proper compaction is achieved, new bituminous asphalt consisting of 4 inches of binder or base mix (19mm) applied in two, 2" lifts should be installed and properly compacted. Tack coat shall be applied to all edges.

(3) All street opening permanent repair shall be conducted in the following manner after one year/frost cycle as indicated in § 147-20 C.2 with the exception of the increased milling/overlay distance requirement indicated below :

- Pavement shall be cold milled to a depth of 1.5 inches at a **minimum distance of 20 feet** beyond the perimeter of the temporary repair.
- Tack coat shall be applied to all milled surfaces at a rate of .06 - .08 gal./sq. yd
- The cold milled area will be overlayed with 9.5 mm surface mix asphalt as per MDOT requirements.

# Town of Kennebunkport Town Office

Item 4.c



A PROPOSED WEST ELEVATION (NORTH STREET)  
SCALE: 1/8" = 1'-0"



B PROPOSED SOUTH ELEVATION (PARKING)  
SCALE: 1/8" = 1'-0"

**SEBAGO**  
TECHNICS

CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

Grant Hays Associates, Inc.  
ARCHITECTURE & INTERIOR DESIGN

**Allied Engineering**  
Structural Mechanical Electrical

**SEBAGO**  
TECHNICS

# Town Hall Background

- The Town Offices have been housed at 6 Elm Street since 1960, or 63 years ago.
- The Town considered rebuilding Town Hall at another location twice, once in the 1980's with a combined Police Department, and in 1999 with a combined Fire Department.
- In 1999 (24 years ago) the Town approved the Town Hall construction, but a lawsuit redirected the project as a renovation of 6 Elm Street in 2002.
- The current Town Hall is 3,723 s.f. (Office) 5,730 s.f w/ Garage Space.
- The programming space analysis determined our need is 12,661 s.f.
- New building provides public meeting & voting space to replace the Fire Station room (1,200 s.f.+/-, approx. 30-40 people) which will be renovated for staff offices and housing.

# Design Process

**Schematic Design: Programming, Design Concepts, Building Committee and Budgeting (Not to Exceed Amount).**

**This is the First Step and Establishes a Design Approach and Project Budget.**



**Design Development:** Development of Detailed Design Plans (Site Surveys, Geotech, Arch, Structural, MEP, HVAC and Permitting).



**Construction Documents and Bidding:** (Decide on Delivery Method); Design-Bid-Build, CM, Contractor Pre-Qualifications. The Delivery Method Should be Determined at Design Development.



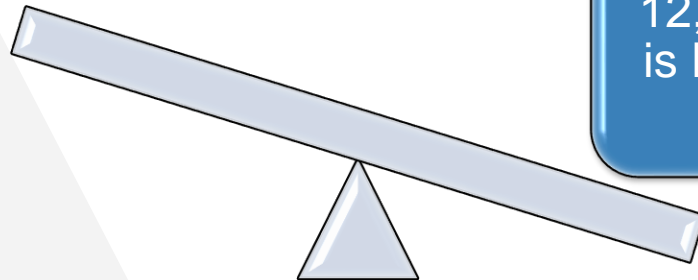
# Programming and Needs

## Current Town Office

3,723 s.f.  
(Office) 5,730  
s.f w/ Garage  
Space

## Needs from Programming Study

12,661 s.f.  
is Needed



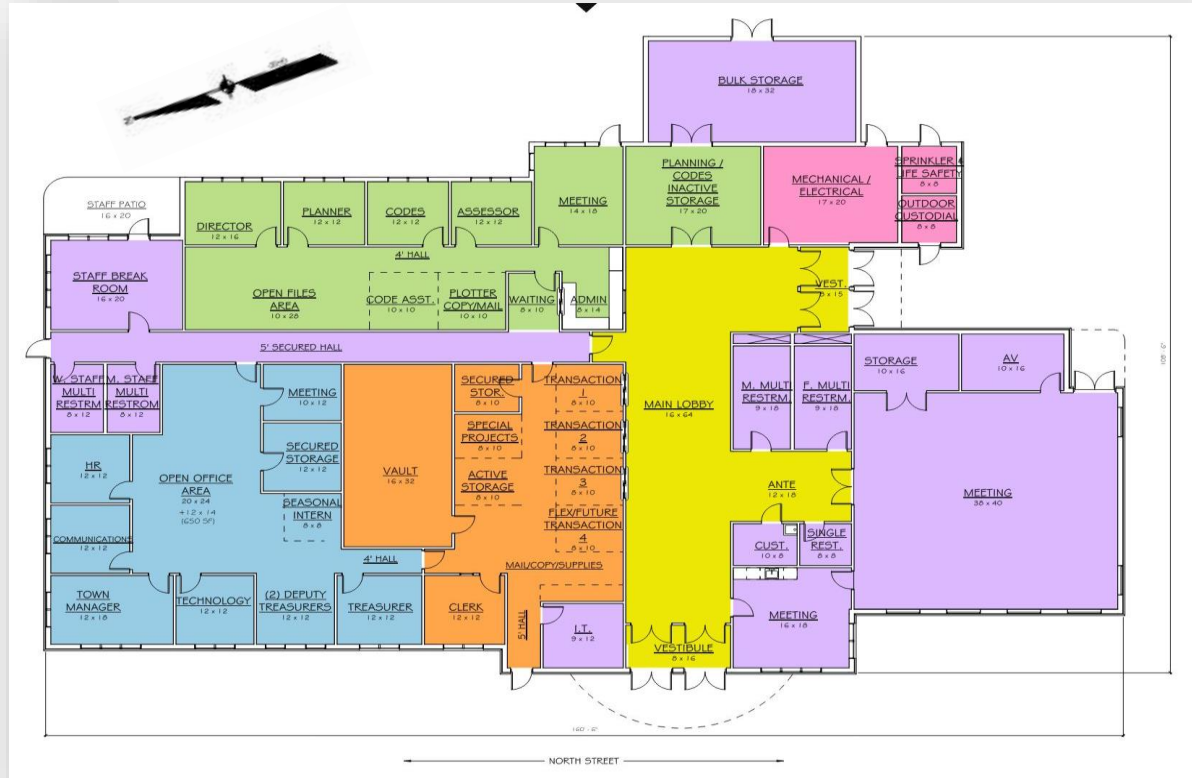
# Town Office Functions, Programming & Needs

- Town Clerks Office
- Vault – Vital Records
- Public Transactions Spaces
- Special Projects Area
- Secured Storage –Ballots/Licenses
- Town Manager
- Treasurer & Deputy Treasurer
- HR Specialist
- Communications & Technology
- Administration Assistant
- Conference Room
- Public & Staff Meeting Space
- Secured File Room – HR/Finance
- Copy Room
- Secured Access
- Planning & Codes (Director, Planner, Codes Officer, Asst. Codes Officer, Admin.)
- Assessor
- Public Meeting Space - Codes
- Copy/Plotter/Supplies
- Storage and Open Files - Codes
- Secured Archive Plans Room
- Assembly & Public Meetings – 100 Public and Board Seats
- Breakout Meeting Space
- Restroom Facilities
- Custodial
- Mechanical, Electrical, Sprinkler Room

# Town Office Planning and Floor Plans

Alternative A	Initial single floor concept - Space and Function modifications needed.
Alternative B	Reconfigured single floor concept - Space and adjacency modifications needed.
Alternative C	Two story option to reduce footprint – two story option not preferred due to separation of functions and circulation concerns.
Alternative D	Reconfigured two story option, public meeting space on second floor – similar concerns to Alternative C.
Alternative E	Two story option with public meeting space on 1 <sup>st</sup> floor, small basement for storage and second floor. Not preferred due to separation of functions and circulation.
Alternative F	Variation of E – Not desirable.
Alternative G	One story option with partial basement area for storage. Required elevator and increased foundation costs.
Alternative H	One story option with added bulk storage. No basement. Economized spaces and optimized layout with preferred functionality. Option is preferred by staff and committee.

# Architectural Floor Plan – Alternative H – Preferred by Staff and Building Committee



DEPARTMENT LEGEND		
<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	CIRCULATION	= 1,611 SF
<span style="background-color: purple; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	COMMON AREAS	= 4,680 SF
<span style="background-color: green; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	PLANNING & CODES	= 2,085 SF
<span style="background-color: orange; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	TOWN CLERK	= 1,730 SF
<span style="background-color: blue; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	TOWN MANAGEMENT	= 2,080 SF
<span style="background-color: pink; border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></span>	UTILITY	= 475 SF
		TOTAL = 12,661 SF

# Architectural Elevation – North Street and Public Access



**A** PROPOSED WEST ELEVATION (NORTH STREET)  
SCALE: 1/8" = 1'-0"



**B** PROPOSED SOUTH ELEVATION (PARKING)  
SCALE: 1/8" = 1'-0"

# Architectural Elevations – North and East Facades



[illegible]

- **12,600 S.F. Single Story Building.**
- **New Access Drive from North Street – Aligns with Future Development Potential.**
- **54 Parking Spaces**
- **Pedestrian Access from North Street and Parking Lot**



# Project Costs

PROJECT NAME: Kennebunkport Town Office  
 REVISED DATE: 7/3/2023  
 PRELIMINARY OPINION OF CONSTRUCTION COSTS



	Unit	Quantity	Unit Cost	Subtotal	Totals	Notes
Site Construction	ls	1	\$1,650,510	\$1,650,510		Schematic Level - See attached.
Building Construction	sf	12,661	\$450	\$5,697,450		Est. Per Square Foot - 2024 Construction
FFE (Furnishings Fixtures, Equip.)	ls	0	\$400,000	\$0		IT, Furnishing, Equip. - Operations Budget
Subtotal - Project Costs					\$7,347,960	
Construction Contingency	ls	1	\$1,102,194	\$1,102,194	\$1,102,194	15% Allowance
Design, Permitting and Engineering	ls	1	\$0	\$0	\$0	Current Contract - Already Funded
Permit Fees	ls	1	\$10,000	\$10,000	\$10,000	Allowance - Assumes Town Fees Waived - Maine Fire Marshal Permit Needed, Traffic Study
Builders Risk Insurance	ls	1	\$7,000	\$7,000	\$7,000	Laurie will need to check with Town Insurance Carrier
Electrical Service Fees	ls	1	\$75,000	\$75,000	\$75,000	Allowance for Transformer and Power Extension
Impact Fees - Sewer	ls	4	\$3,500	\$14,000	\$0	\$3,500 flat charge per unit. 3 units for 20 employees plus 1 unit for the public. Town doesn't have to pay it.
KKWD Impact Construction Management/Oversight	ls	1	\$5,000	\$5,000	\$5,000	KKWD - OAM spoke with Scott Minor on 5-9- 23. Carry \$5,000
	ls	1	\$250,000	\$250,000	\$250,000	Allowance - Town Oversight, Engineering, Materials Testing, Architectural Support
Total Project Cost					\$8,797,154	Total

- Energy Efficient Building.
- Solar will be integrated into the project.
- Building materials – modest cost balanced between durability, maintenance and life cycle.



# Schedule

**Referendum: November 7, 2023**



**Permitting and Building Design:  
November 2023 – May 2024.**

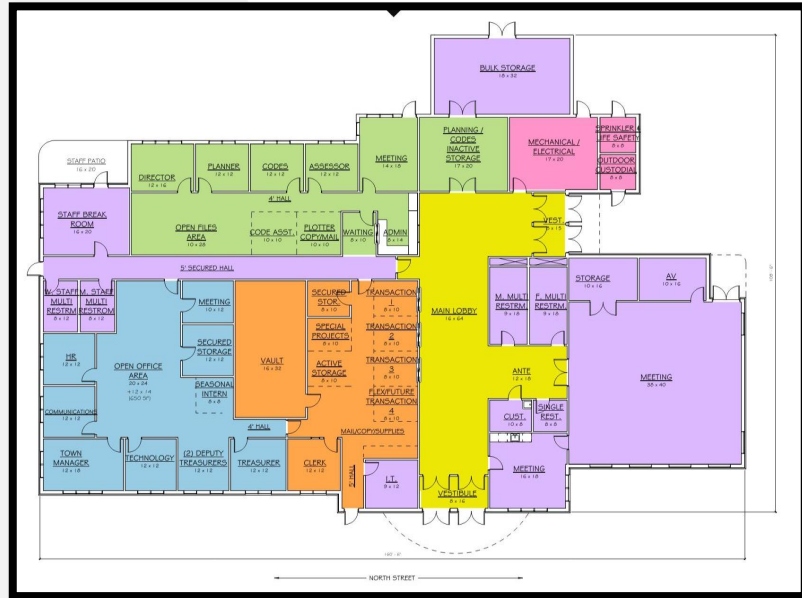


**Bidding Project: June – July 2024**



**Project Construction: August 2024 –  
December, 2025**

# Conversation – Kennebunkport Town Office





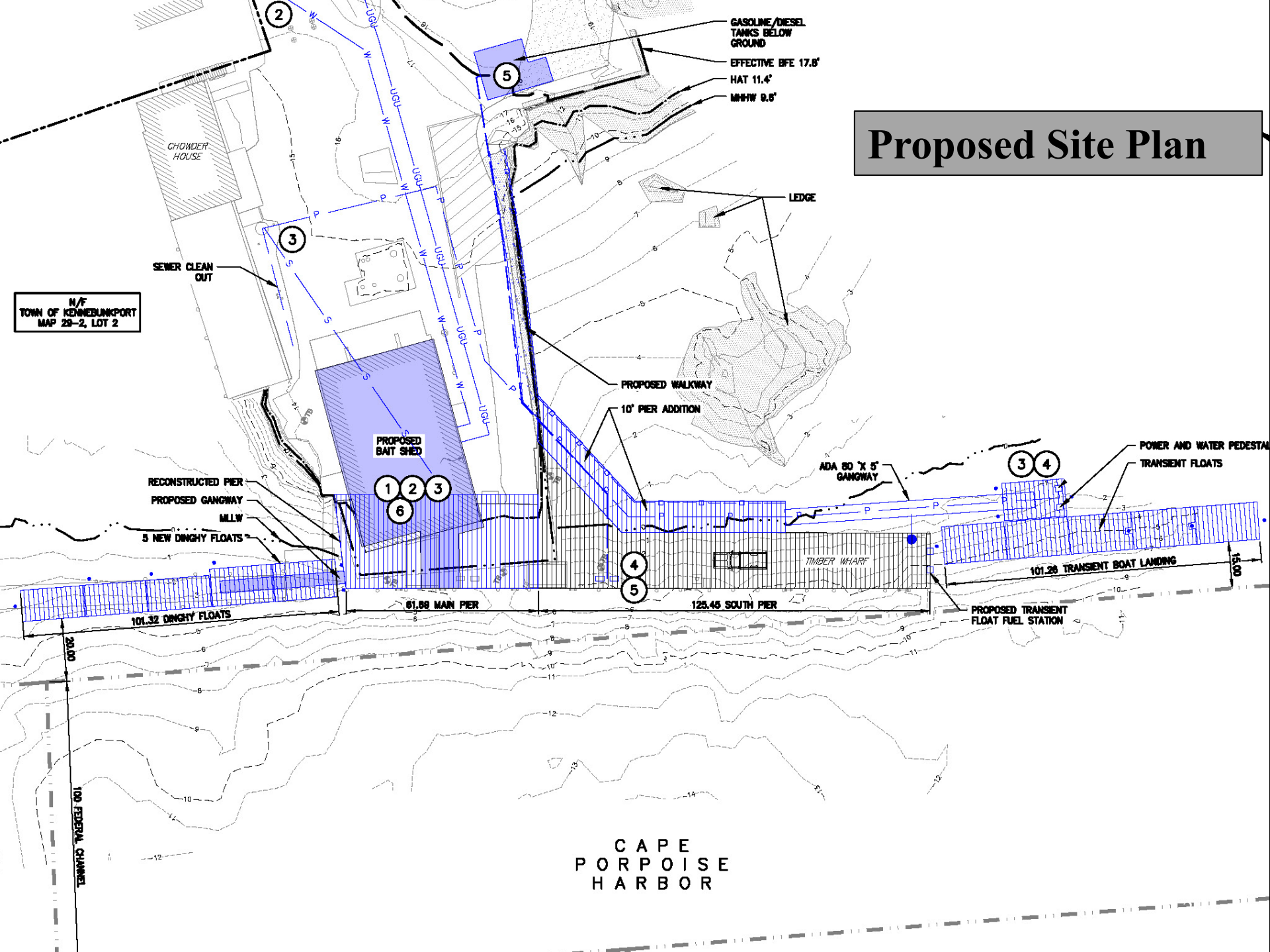






# Proposed Site Plan

N/F  
TOWN OF KENNEBUNKPORT  
MAP 28-2, LOT 2



CAPE  
PORPOISE  
HARBOR

# Facility Improvements

- Structural Integrity
  - Unstable granite bulkhead located beneath pier and building requires repair
  - Building is 60 years old and in need of significant repair or replacement
- Resiliency
  - Flood Hazard Area
  - ADA Compliance Requirements
- Operational Improvements
  - Harbormaster/Pier Manager Office
  - Improved Facilities to support 50+ commercial fishermen
  - Bait building Replacement
  - South Pier expansion
  - Float Improvements
  - Utilities (Underground Power, fuel supply, no water, no Sewer)

# Project Budget /Timeline

Project Timeline/Cost Development		Project Budget	Grant Funding		Town Funding		Alternate Bid Items	Construction Data Source/ Notes
			EDA	Ship	Town	Shortfall		
3/2020	Concept Design Estimate	\$2.3 M						2019/2020 Projects Government Wharf Project
6/2021	Preliminary Engineering Report EDA Grant Application 2022 Construction	\$2.4 M	\$1.9 M	\$250k	\$250k			2020/2021 Projects Design Refinement Grant Agency Input
5/2022	Planning Board Approval							
4/2022	EDA Grant Received							
2022	Budget Capacity	\$3.2M	\$2.16 M	\$500k	\$500k			Available Funding Plus Town Match Requirements
1/2023	State Fire Marshall Approval							
6/2023	ACOE Permit Approval							
7/2023	DEP Permit Approval							
	EDA-MDOT PSE Review							
7/2023	Final Design Estimate 2023 Construction	\$3.7M	\$2.16M	\$500k	\$1.06 M	\$326k	-	2021/2022 Projects Final Design w/ 10% Contingency Construction Expert
		\$3.4M			\$737k	-	\$326k	Solar Panels, South Float System
8/2023	Final Design Estimate 2024 Construction	\$4.5 M	\$2.16M	\$500k	\$737k	\$1.1 M	-	2023 Projects MDOT Input w/ 15% Contingency Construction Expert
					\$737k	\$707k	\$394k	Solar Panels, Jib Crane, South Float System

# Next Steps

- Nov 2023- Address Funding Shortfall
- Jan 2024- Construction Bid
- Feb 2024- Project Award
- Nov 2024- Dec 2025 Construction



**Memorandum**

To: Selectboard  
Fr: Laurie Smith, Town Manager  
Re: Proposed Easement Agreement between the Town of Kennebunkport and Green Marine Corporation  
Dt: August 18, 2023

In July, the Town took ownership of the former Mooney property on Langsford Road for the purpose of providing a Town boat launch. When the Town originally entered negotiations with the Mooneys, staff were told that the property did not include the marine railway located next to the Green Marine Corporation, as that was owned by John Green. As a part of the purchase and sale process, the Town ordered a survey of the Mooney property from Lower Village Survey. Lower Village has reported to the Town that the property purchased actually does include the majority of the land that the marine railway sits upon. Staff met with both the Mooneys and John Green to inquire as to whether there were additional deeds never registered at the deed office, or other information to consider. It was determined that the Town had all the paperwork relative to the property.

Because the marine railways have been located on the Mooney property for decades and Mr. Green has operated the railway during that time, Mr. Green has a legal argument for rights under adverse possession. We have discussed this matter at length with our Town Counsel and real estate attorney and believe that the best solution is to grant Mr. Green an easement so that he can maintain the railway and operations for the use of commercial fishermen and the Town can secure its rights in the property. Currently, the Town attorney is negotiating with Mr. Green's attorney an easement to bring before the voters. Staff recommends that the Selectboard consider a ballot question in November authorizing the Selectboard to enter into an easement agreement with Green Marine Corporation.

## EASEMENT AGREEMENT

This Easement Agreement (“Agreement”) is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between GREEN MARINE CORPORATION, a Maine corporation with a place of business in Kennebunkport, York County, Maine (“Green”) and the INHABITANTS OF THE TOWN OF KENNEBUNKPORT, a municipal corporation located in the Town of Kennebunkport, York County, Maine (the “Town”).

### RECITALS

WHEREAS, the Town owns certain property situated on Langsford Road in the Town of Kennebunkport, York County, Maine described in a Deed to the Town from Harold Otis Mooney and Louise Jane Mooney dated July 18, 2023 and recorded in the York County Registry of Deeds in Book 19278, Page 785 (the “Town Property”); and

WHEREAS, Green owns certain property adjacent to the Town Property described in a Deed to Green dated March 28, 1997 and recorded in the York County Registry of Deeds in Book 8216, Page 271 (the “Green Property”); and

WHEREAS, at the time of the acquisition of the Town Property, it was determined that a facility owned and used by Green consisting of steel marine rails and related boat rack thereon (collectively referred to herein as the “Marine Railway”) was located almost entirely on the Town Property; and

WHEREAS, the parties have agreed to certain reciprocal rights and easements, as described herein, for the benefit of the Town Property and the Green Property, subject to the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency which are hereby acknowledged, the parties hereby agree as follows:

1) Grant of Easement Over Town Property. The Town hereby grants to Green an exclusive easement (the “Town Property Easement”) over that portion of the Town Property as reasonably necessary for the purposes of continuing to use the Marine Railway, as well as an existing towline staked on the Town Property, which towline is attached to an anchor and used in connection with the Marine Railway (collectively, the “Improvements”), being generally shown on the sketch attached hereto as **Exhibit A**, subject to the terms and conditions set forth in this Agreement. Green acknowledges that use of the Improvements shall be at Green’s sole risk and without representations or warranties from the Town, express or implied. Green, for itself and its owners, employees, agents, successors and assigns, hereby releases and forever discharges the Town from any and all rights, claims and demands at law or in equity, whether past, present or future, and whether known or unknown at the time of this Agreement, arising out of or relating to the use of the Town Property and the Improvements or the exercise of any rights hereunder.

2) Terms and Conditions. Green’s rights under the Town Property Easement shall be subject to all matters of record and the following terms and conditions:

a. Green shall have the right to use, maintain and repair the Improvements for the hauling, launching, maintenance, repair and storage of boats, in the same manner as the Improvements are currently being used, and for no other purposes. The Improvements shall remain in their present location and condition, subject to normal wear and tear, and shall not be expanded or altered in any material way.

b. Green shall be responsible for all maintenance and repair of the Improvements, at its sole cost and expense, and all work shall be performed in a safe, workmanlike manner.

c. In no event shall Green exercise its rights hereunder in a manner that may disturb the use and quiet enjoyment of the Town Property by the Town or the public for its purposes, which may include, without limitation, use as a public boat launch. The Town reserves the right to enter, inspect, maintain, use, and enjoy the Town Property for all purposes as are not inconsistent with, and shall not materially interfere with, the use thereof by Green for the purposes set forth herein.

d. Green's use and maintenance of the Improvements shall at all times be in full compliance with all applicable laws, regulations, ordinances, rules, permits and approvals now or hereafter affecting the Town Property and the Green Property. Nothing contained in this Agreement shall be deemed to waive the applicability of any requirements under any applicable laws, ordinances or rules.

3) Release. Green hereby releases to the Town any and all rights or interests Green may have in and to the Town Property or the Improvements, derived from any source whatsoever including, without limitation, any rights or claims related to adverse possession, prescription, or reformation, it being the intent that Green's only rights in and to the Town Property and the Improvements shall be those expressly set forth in this Agreement.

4) Indemnification. Green hereby covenants and agrees, at its sole cost and expense, to indemnify, protect, defend and save harmless the Town, and its employees, agents, and contractors (hereafter "Indemnitees"), from and against any and all damages, losses, liabilities, obligations, penalties, claims, litigation, demands, defenses, judgments, suits, actions, proceedings, costs, disbursements and/or expenses (including, without limitation, reasonable attorneys', paralegals' and consultants' fees, expenses and disbursements) of any kind or nature whatsoever by whomever asserted which may at any time be imposed upon, incurred by, or asserted or awarded against any Indemnatee relating to or arising out of the use of the Town Property by Green or its employees, agents, and contractors or others claiming under or through Green.

5) No Waiver. Nothing contained in this Agreement shall in any way alter or lessen the Town's immunity from lawsuit as set forth in the Maine Tort Claims Act, 14 M.R.S.A. § 8101 et seq., as the same may be amended from time to time, and the Town is not waiving any defense, immunity or limitation of liability which may be available to it, its officers, agents or

employees, including but not limited to, those set forth in the Maine Tort Claims Act, other Maine statutory law, judicial precedent, or common law.

6) Termination. Notwithstanding any other provision of this Agreement, the Town Property Easement shall terminate automatically upon: (a) Green, its successors or assigns, ceasing to use the Improvements for one (1) consecutive year; (b) the Town recording written evidence of such nonuse and termination in the York County Registry of Deeds; and (c) the Town mailing a copy of such written evidence to the owner of the Green property as shown by the tax records of the Town, provided however, that Green, its successors or assigns, shall have three (3) months from the date of mailing of such written evidence to contest the termination of the Town Property Easement by filing a notice of such contest in said Registry, and provided further however, that any period of nonuse of the Improvements by Green due to the illness or injury of John D. Green shall not be counted towards said one (1) year period. Nothing herein shall be construed as preventing the Town and Green, its successors or assigns, from agreeing on the termination of the Town Property Easement by written agreement to be jointly signed and recorded in said Registry. Upon termination of this Easement Agreement, the Improvements shall be deemed abandoned and shall automatically become the property of the Town.

7) Beneficial & Burdening Appurtenance. The Town Property Easement is intended to be an appurtenance that benefits the Green Property and burdens the Town Property. Nothing herein shall be construed as establishing an easement in gross with respect to the Town Property Easement.

8) Grant of Easement Over Green Property. Green hereby grants to the Town an exclusive easement in gross (the "Green Property Easement") to enter upon the Green Property as reasonably necessary so as to use of that portion of the Marine Railway located on the Green Property, provided, however, that such easement shall not be exercised by the Town unless and until the Town Property Easement has been terminated and notice of the Town's intention to exercise such easement rights has been included with the written evidence of nonuse described in Paragraph 6 above. Failure to include such notice of the Town's intention to exercise its easements rights shall be deemed a waiver of such rights by the Town. The Green Property Easement shall be personal to the Town and shall terminate automatically at such time as the Town no longer owns the Town Property.

9) Authority. Each of the Parties represents and warrants that it has the legal power, right and authority to enter into this Agreement.

10) Miscellaneous. Except as otherwise expressly permitted hereunder, no provision of this Agreement may be modified, amended or added to except by an agreement in writing executed by the parties and recorded in the York County Registry of Deeds. This Agreement shall be governed by Maine law without regard to its principles of conflicts of law. This Agreement, including the exhibits referred to herein, constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all other agreements between the parties, whether written or oral. Any provision or part of this Agreement held to be void or unenforceable by a court shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties.

IN WITNESS WHEREOF, the parties have caused this Easement Agreement to be executed by their respective representatives, thereunto duly authorized, as of the date and year first above written.

[Signature Pages Follow]

INHABITANTS OF THE TOWN OF  
KENNEBUNKPORT

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
D. Michael Weston, Board Member  
and Chair

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Allen Daggett, Board Member and  
Vice Chair

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Sheila Matthews-Bull, Board Member

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Jon Dean Dykstra, Board Member

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Mary Beth Gilbert, Board Member

STATE OF MAINE  
COUNTY OF YORK, ss.

\_\_\_\_\_, 2023

Personally appeared the above named Michael Weston, Board Member and Chair of the Board of Selectmen of the Inhabitants of the Town of Kennebunkport, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Inhabitants of the Town of Kennebunkport.

Before me,

\_\_\_\_\_  
Notary Public/Maine Attorney at Law

\_\_\_\_\_  
Print Name

My commission expires: \_\_\_\_\_

GREEN MARINE CORPORATION

\_\_\_\_\_  
Witness

By:\_\_\_\_\_

Printed name:

Title:

STATE OF MAINE  
COUNTY OF YORK, ss.

\_\_\_\_\_, 2023

Personally appeared the above named \_\_\_\_\_,  
of Green Marine Corporation and acknowledged the foregoing instrument to be his/her free act  
and deed in his/her said capacity and the free act and deed of Green Marine Corporation.

Before me,

\_\_\_\_\_  
Notary Public/Maine Attorney at Law

\_\_\_\_\_  
Print Name

My commission expires: \_\_\_\_\_



## **EXHIBIT A**

[Sketch showing location of the Improvements]

**MEMORANDUM**

To: Board of Selectmen and Laurie Smith, Town Manager  
Fr: John Everett, Fire Chief  
Re: Discuss Proposed Sale of Cape Porpoise Station to the Town of  
Kennebunkport  
Dt: August 17, 2023

In July of this year, the Atlantic Volunteer Engine Company (AVEC) requested to meet with the Town Manager and Fire Chief to discuss the possibility of selling the building and land to the Town.

On July 13, 2023, the meeting was held in the TM's office. Laurie Smith, Joe Frank, AVEC President, Steve Slarsky, AVEC Vice President, and John Everett attended the meeting. The single agenda item was to see if the Town would be interested in buying the building and land. The answer was 'Yes.'

The information was brought back to an AVEC monthly meeting. The agenda item to sell the station and land to the Town was approved at their August 10, 2023, meeting. The sale price of the building and land is one dollar (\$1.00).

Since this is the last opportunity to get this item on the November ballot, I am seeking approval to move forward. Presently, AVEC and the Town are working through the financials of ownership annual costs.

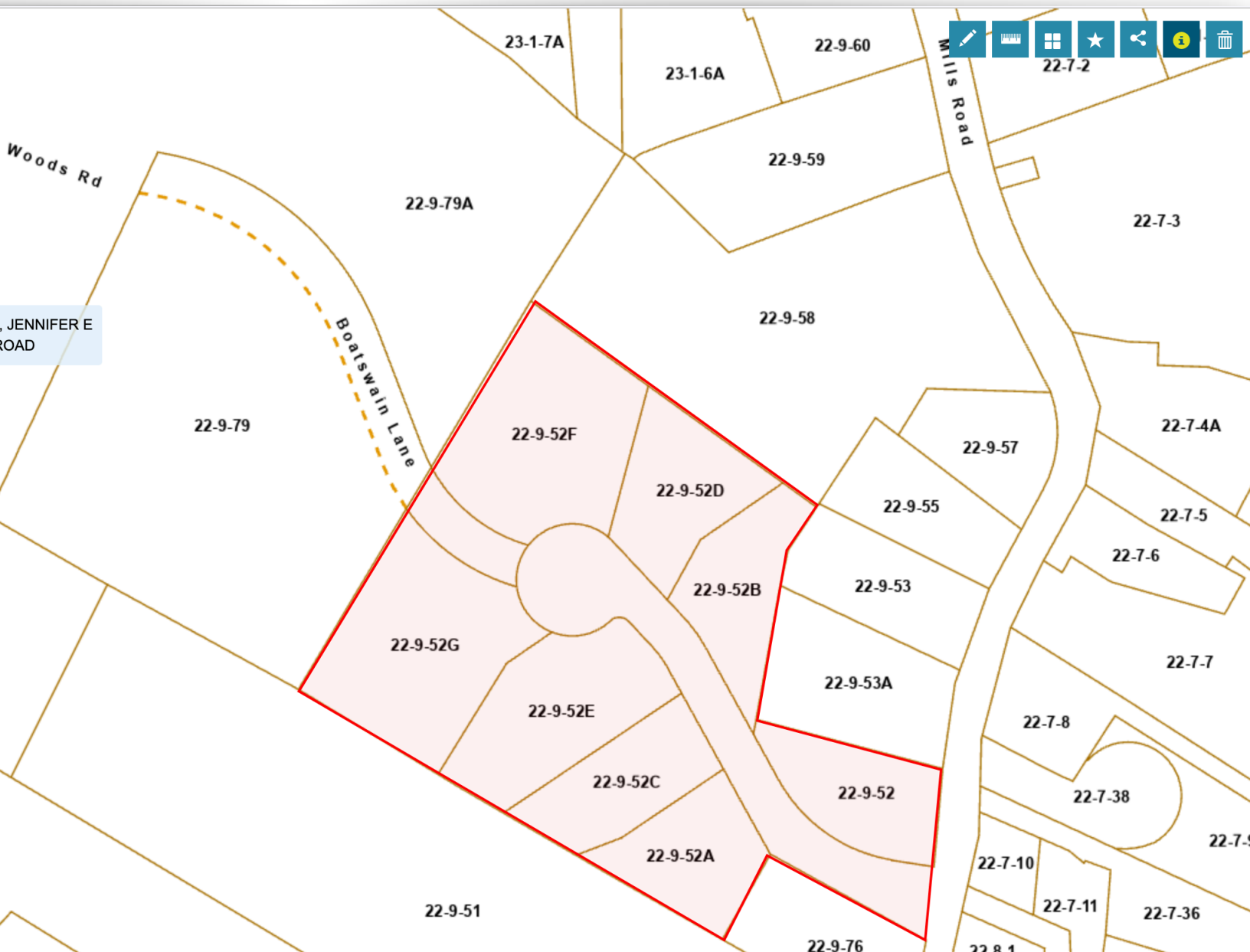
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# **AGENDA ITEM DIVIDER**

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# Boatswain Lane Road Acceptance

## KPT Select Board Meeting



# Boatswain Lane

## Summary Points

- **NOTE: Below points are drawn from town files on the development of Boatswain Lane**
- An 8 lot subdivision was approved by the Planning Board in March 2003
- Street was proposed to be dedicated as a public way based on the developer meeting Kennebunkport design standards.
- Developer implemented all of the town's requirements, including: installation of underground utilities, connection to town water and sewer, street width to accommodate emergency vehicles, paved surfaces with sloped granite curbing.
- All lots were sold by end of 2005, at an average price of \$190,000/lot.
- Three homes were built by end of 2007, leaving three lots undeveloped (NOTE: 2 homeowners each own 2 lots).
- The developer was asked to complete final paving in 2007, but did not due to concerns of damage to road with several more lots that had not yet had been built on.
- In 2008, developer requested, and the Town approved the return of \$6,789.04 in escrow.
- Remaining lots were developed between 2021 and 2023, completing the neighborhood.
- A Road Maintenance Agreement is attached to the deeds for the Boatswain Lane lot owners, which refers to their obligations until the town is made a public road.
- The street and common areas continue to be owned by the original developers of the neighborhood.

## Consideration to make Boatswain Lane a public street

Applying current Road Acceptance Policy requirements:

- Boatswain Lane does connect to other streets. It connects Cape Woods Rd. to Mills Rd.
- Boatswain Lane is also in close proximity to public areas of interest: Access to walking trails on KPT Conservation Trust property at the end of Cape Woods Rd., as well as Firemen's Park (0.2 miles).
- Boatswain Lane also is a highly used road by visitors and commercial vehicles that use the road either as a turnaround, or to stage vehicles due to lack of parking and narrow width of Mills Rd.

## Request for Consideration:

The residents of Boatswain Lane respectfully request the Board of Selectmen consider our proposal to make this street public.

## Questions?

Notice of Decision

To: Blood & Hughes Land Consultants, Inc.  
88 Guinea Road  
Kennebunkport, ME 04046

This letter is to inform you that the Kennebunkport Planning Board has acted on your final subdivision application for the Ledgewood Heights Subdivision and voted to approve your application with conditions noted within the detail of this letter. The actual motion made and approved is as follows: "The Board moved and voted to approve the final application for this project subject to the notations set forth on the Final Plan, subject to an approval of the financial considerations of the public improvements by the Municipal Officers, and subject to all material representations, conditions and restrictions set forth in the Final Plan Submission of March 19, 2003. This approval is contingent upon receipt of authorization from the Municipal Sewer Department."

The Findings of Fact are as follows:

1. The owner of the property is Blood & Huges Land Consultants, Inc. of 88 Guinea Road, Kennebunkport, ME 04046. Telephone 207-967-9761.
2. The property is located on Mills Road, Cape Porpoise, ME in the Free Enterprise, Cape Porpoise East Zone, and Shoreland Zoning districts, identified as Map 22, Block 9, Lot 52 and contains 6.48 +/- acres.
3. The applicant is the same as noted in #1 who has demonstrated a legal interest in the property by providing a copy of the deed and noted as registered at the registry of deeds in book 10299, Page 262.
4. The applicant proposes to establish an 8-lot subdivision on the subject property with lot sizes that conform to the minimum lot sizes of the various zones.
5. The application was determined to be complete on March 19, 2003.
6. A public hearing was concluded on March 19, 2003.
7. Water is to be supplied by the KK&WWD.
8. Sewage is to be disposed of by connection to the municipal sewer system.
9. A storm water drainage plan has been prepared by Land Use Consultants of Portland, ME.
- X 10. The applicant proposes to construct a cul-de-sac street of approximately 600 feet in length, to be known as Boatswain Lane, and that is proposed to be dedicated as a public way once accepted by the Municipal Officers by meeting all of the required Kennebunkport design standards.
11. The applicant has executed a letter of credit with the Municipal Officers that will be adequate to cover the costs of all required improvements.

12. In addition to public sewer and water, the subdivision will also provide underground electric service, cable television and telephone lines.
13. The subdivision includes a Vernal Pool that will be protected under existing Maine Department of Environmental Protection regulations.
14. The project was designated as a major subdivision as defined by the Kennebunkport Planning Board Subdivision Regulations adopted on July 22, 1987.

## Conclusions

1. The criteria of Title 30-A M.R.S.A., section 4404 have been met.
2. The standards of the Kennebunkport Subdivision Regulations have been met except for the following that have been waived by the Planning Board.
  - A. The request to waive section 11.3 C. 3. b. To allow the Board at the public hearing unanimously approved sloped curbing instead of vertical curbing to reduce damage from snowplows and other vehicles held on August 7, 2002.
3. Approval was granted based on the subdivision drawing dated March 19, 2003 and subject to the special notes included. Specifically, the Board recommended that notes 6 and 7 be specifically noted in the conclusions.
  - A. Note 6: All blasting activities undertaken on the Ledgewood Heights Subdivision require that a pre-blast survey be done to monitor wells located on Tax Map 22, Block 7, Lot 36, and Map 22, Block 7, lot 37. The blasting contractor shall supply Blood & Hughes Land Consultants, Inc. and the owners of lots 36 & 37 with a seismograph record of the blast, peak and resultant particle velocities and associated frequencies, and air blast overpressure. In addition, the blasting contractor shall test water quality for standard individual well water parameters in each well at the commencement of blasting and 30 days after blasting to determine the affect of the blasting event. Should the initial test not meet EPA drinking water standards for any specific parameters tested, the blasting contractor shall not be responsible to meet said standards at the post-blast test. Each deed to prospective lot owners shall include the above-stated note.
  - B. Note 7: A sign marking the entrance to Ledgewood Heights shall be removed by the developers immediately following the sale of the last lot. The Board voted unanimously to define immediately as "within 7 days after the sale of the last lot."
4. Pursuant to the requirements of Article 10.10.A of the Kennebunkport Land Use Ordinance ("Guidelines for Decisions") the Planning Board finds that all criteria noted in items a. through p. in the checklist are met.



## Decision

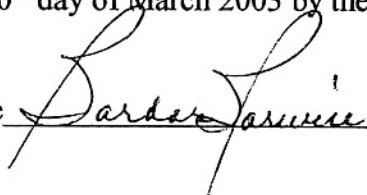
Based on the above facts and conclusions, on March 19, 2003, the Kennebunkport Planning Board voted to approve your final plan submission.

## Conditions for Approval

1. Obtaining final approval of the financial commitments for the public improvements from the Municipal Officers.
2. Obtaining approval in writing from the Municipal Sewer Department for the sewage plans.
3. Subject to conditions and restrictions set forth on the Final Plan Submission dated March 19, 2003.

Approved this 20<sup>th</sup> day of March 2003 by the Kennebunkport Planning Board.

Barbara Barwise

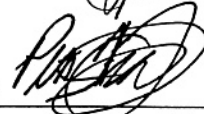


D. Michael Weston

 3/21/03

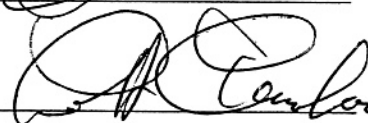
Fred Van Veen

Peter Frink

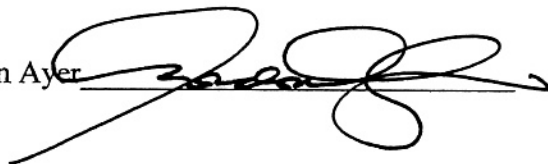
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Bill Case

Leo Famolare

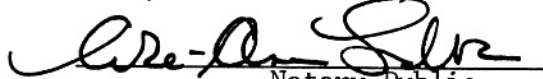
 3/22/03

Gordon Ayer



State of Maine  
York ss.

Subscribed and sworn before me, this 21st, 22nd & 24th days of  
March AD, 2003

 (to all)

Notary Public

CAROLE-ANN LABBE  
Notary Public, Maine

My Commission Expires August 27, 2005

# **ROAD ACCEPTANCE POLICY**

## **PURPOSE**

The Kennebunkport Board of Selectmen hereby finds and determines that an interconnected street system is necessary in order to protect the public health, safety, and welfare in order to ensure that streets will function in an interdependent manner, to provide adequate access for emergency and service vehicles, to connect neighborhoods, to promote walking and biking, to reduce miles of travel that result in lower air emissions and wear on the roadway, and to provide continuous and comprehensible traffic routes.

### **I. ROAD ACCEPTANCE REQUIREMENTS:**

A street may only be brought forward for a Town vote by the Board of Selectmen if it provides sufficient public benefit to justify perpetual public maintenance. A street shall be considered to provide sufficient public benefit if it meets or exceeds the public service need, pedestrian accommodation, and connectivity requirements. The following categories shall be used by the Board to classify ways proposed for acceptance:

- a. Lead to a public facility;
- b. Road connects to other streets or is a thoroughfare;
- c. Other public benefit

### **II. ROAD ACCEPTANCE PROCEDURE**

It shall be determined early in the Planning Board approval process, whether a road or street shall be a public or private way.

1. If a proposed street is determined to be a private street, for the use of only the residents on the street, then the developer shall ensure that the Town road specifications are met as required in the subdivision regulations.
2. If a proposed street is determined to be a public street, for the use of the general public and to be maintained by the Town, the developer shall require that the road meet Town road specifications as required in the subdivision regulations, and
  - a. The road must meet the public benefit criteria established in Section II.
  - b. the developer submits the road layout and construction criteria for Town review. The Town will submit the road documentation to the Town's engineering firm and Town staff for review and recommendations.
  - c. The recommendations and request for Town acceptance will be submitted to the Board of Selectmen for review of public benefit.
  - d. Recommendations from Town Staff, Town Engineer and Board of Selectmen will be submitted to the Developer and Planning Board as part of the subdivision review process.
  - e. Once a road is approved by the Planning Board it may be scheduled for a town acceptance vote, after it is fully constructed and 75% of the lots within the subdivision have been constructed.