

**Town of Kennebunkport  
Board of Selectmen Meeting  
Village Fire Station – 32 North Street  
February 28, 2019 – 6:00 PM**

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

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

**Others:** Kathy Baker, Nate Chapman, Michael Claus, Mike Davis, Greg Dombrowski, Richard Driver, Karl Ekstedt, Jay Everett, Linda Flynt, Werner Gilliam, Justin Grimes, Bill Junker, Jen Lord, Sharon McCabe, Meaghan McDevitt, Arlene McMurray, David Powell, Bob Sherman, Laurie Smith, and others

**1. Call to Order.**

Chair Hutchins called the meeting to order at 6:05 PM.

**2. Approve the January 24, 2019, and February 14, 2019, selectmen meeting minutes.**

**Motion** by Selectman Briggs, seconded by Selectman Matthews-Bull, to approve the January 24, 2019, selectmen meeting minutes. **Vote:** 3-0-2/Selectmen Barwise and Daggett abstained because they did not attend that meeting.

**Motion** by Selectman Daggett, seconded by Selectman Briggs, to approve the February 14, 2019, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Matthews-Bull abstained because she did not attend that meeting.

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

Chair Hutchins announced that residents can get two free buckets of sand at the Town garage.

**4. Consider a renewal liquor license application submitted by W & A, Inc., DBA Cape Pier Chowder House, 79 Pier Road.**

Selectman Daggett recused himself.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by W & A, Inc., DBA Cape Pier Chowder House, 79 Pier Road. 4-0. **Vote:** 4-0.

**5. Consider a renewal liquor license application submitted by Kennebunkport Inn, LLC, DBA The Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Matthews-Bull, seconded by Selectmen Barwise, to approve the renewal liquor license application submitted by Kennebunkport Inn, LLC, DBA The Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0.

**6. Consider a special amusement permit submitted by The Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Barwise, to approve the special amusement permit submitted by The Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0.

**7. Consider a renewal liquor license application submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0.

**8. Consider a special amusement permit submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the special amusement permit submitted by Boughton Hotel Corps DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0.

**9. Consider a renewal liquor license application submitted by The Ramp Grill, LLC, DBA Pier 77 Restaurant, 77 Pier Road.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by The Ramp Grill, LLC, DBA Pier 77 Restaurant, 77 Pier Road. **Vote:** 5-0.

**10. Consider special amusement permit application submitted by Yalcin Kaya, The Ramp Grill LLC, DBA Pier 77 Restaurant, 77 Pier Road.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the special amusement permit application submitted by Yalcin Kaya, The Ramp Grill LLC, DBA Pier 77 Restaurant, 77 Pier Road. **Vote:** 5-0.

**11. Consider ordinance amendments:**

**a. Street numbering**

Fire Chief Jay Everett said the ordinance fixed some issues, but created others, so he had to make some revisions. See Exhibit A.

**b. Waterfront Ordinance.**

Chair Hutchins explained that there are a limited number of moorings so the Town will ask people to renew annually so that they have an updated list with accurate information. See Exhibit B.

**12. Consider request from Goose Rocks Beach Advisory Committee regarding restricting Jeffrey's Way to local traffic only and restricting motorized vehicles on the beach.**

Richard Driver said the Beach Advisory Committee unanimously voted to adopt regulations to make Jeffrey's Way for local traffic only. He said residents are tired of people pulling in their driveways, and there are pedestrian safety concerns.

The following are some items discussed:

- There was concern that changing Jeffrey's Way to local traffic only may force people out of that area and create a problem somewhere else.
- Perhaps residents on Jeffery's Way might consider offering their property to make a turn around as some residents did in another neighborhood.
- Are they going to create a drop off space there?

Selectman Daggett suggested that the Board do a site visit.

Bob Sherman mentioned the issue of motorized vehicles on the beach and safety concerns, and also that lobsterman sometimes have to drive on the beach to pick up lobster traps that break loose.

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

Public Works Director Michael Claus said vehicles over 23,000 pounds are restricted on certain roadways from March 1 to April 15. He said they have an Application for a Permit to Operate on a Posted Way on the Town website. He received 31 applications last year.

**14. Discussion of extension of current solid waste contract.**

Town Manager Laurie Smith said the current contract with Oceanside/Casella Waste expires in August 2019. The Town currently pays \$137 a ton to dispose of recycling and \$158 a ton for solid waste disposal. There was discussion at the previous meeting to eliminate curbside recycling because much of it is contaminated.

Karl Ekstadt, former owner of Oceanside Rubbish, gave his views and answered

questions about recycling and trash. He said the reality is that 75-100% of recycling can be contaminated and ends up in the waste stream, and China no longer accepts recycling. There is no market for it.

Nate Chapman of Oceanside/Casella Waste said they are trying to keep the services the same and have the same employees.

Chair Hutchins suggested having a Solid Waste Committee look at this. He mentioned that we have a cardboard drop off at Bradbury's and Dock Square.

Ms. Smith asked the Board if it wanted to solicit bids or continue with Casella. The Board agreed to continue with Casella.

#### **15. Presentation of Short-Term Rental Committee results.**

Werner Gilliam gave a PowerPoint presentation (See Exhibit C). To summarize, he said the committee recommends that staff monitor the rentals and determine the actual impacts to the community.

David James mentioned his observations that people who rent tend to be families and have repeat visits.

Sharon McCabe thanked the committee for researching this topic. She said she flew in from Florida just to be at this meeting. She stated she found as a group that short-term rental owners had received very few complaints and that short-term rentals benefit the area because the community gets the business. She also stated that the renters are families, and she hopes things will continue to be positive.

Chair Hutchins said this is an informational meeting and the Board will not take any action tonight. He stated that 8% of the homes in town being rented are not a problem today, but that if that percentage increases, rentals should be monitored. He does not want to see the community change.

Greg Dombrowski said he lived in Kennebunkport his entire life but moved and would like to move back someday. He has purchased a house so he could rent it out to families. He said the average home in Kennebunkport costs \$500,000. He said rentals are a great tool to help pay for houses because otherwise, families cannot afford to live here.

Chair Hutchins said there will be more discussion on this in the future.

Selectman Briggs said for the record that he has lived here for 20 years.

#### **16. Discussion of donation of tax acquired parcel, ice skating rink lot, to Kennebunkport Heritage House Trust**

Ms. Smith said the ice skating rink located on Crow Hill needs work so they can use it on a seasonal basis. She said it makes sense to move it closer to the new parks and rec. building and have it at Parsons Field. The Housing Trust suggested asking the Board of Selectmen to donate the ice skating rink property to the Housing Trust.

Selectman Briggs added that the parcel is attractive, has visibility, is a good location, and brings the most reward. It will bring young families.

There was no opposition.

**17. Consideration of bond size, amortization, and payment schedule for Village Parcel.**

This item was discussed at the last meeting. Ms. Smith gave the pros and cons and three options: 1. Bond both public and private financing on a fixed principle schedule; 2. Bond the public portion with a fixed principal schedule and the private portion on a fixed payment schedule; and 3. Bond the public portion with a fixed principal schedule and the private portion on a 5-year schedule with a balloon payment which can be paid in full or refinanced for another 10 – 15- years.

**Motion** by Selectman Barwise, seconded by Selectman Daggett to select option 3 to bond the public portion with a fixed principal schedule, and the private portion on a 5-year schedule with a balloon payment which can be paid in full or refinanced for another 10 – 15- years. **Vote:** 4-0-1/Selectman Matthews-Bull abstained.

**18. Authorize contract with Mitchell Associates for Village Parcel Master Plan.**

Ms. Smith stated that she received four proposals and her team liked two of them. They decided that it was advantageous to have two of the consultants work together, Mitchell Associates and Principal.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to authorize the contract with Mitchell Associates for the Village Parcel Master Plan at a cost of \$100,514.00. **Vote:** 5-0.

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to commit \$30,000 from contingency funds for the Village Parcel Master Plan.

Ms. Smith also asked whether they would have a steering committee. She recommended two to three Selectmen representatives and some members from the public. The Board supports her recommendation.

**19. Authorize a one-year extension for auditing services with RKO.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett, to authorize a one-year extension for auditing services with RKO. **Vote:** 5-0.

**20. Authorize waiver of tree growth penalty on Village Parcel – Map 12, block 5, lot 21.**

**Motion** by Selectman Briggs, seconded by Selectman Barwise, to authorize a waiver of the tree growth penalty on Village Parcel– Map 12, block 5, lot 21. **Vote:** 5-0.

**21. Authorize Quit Claim Deed for property owned by Lisa C. Gunther located at 133 Main Street, map 22, block 3, lot 9.**

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to authorize a Quit Claim Deed for property owned by Lisa C. Gunther located at 133 Main Street, map 22, block 3, lot 9. **Vote:** 5-0.

**22. Other business.**

There was no other business.

**23. Approve the February 28, 2019, Treasurer's Warrant.**

**Motion** by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the February 28, 2019, Treasurer's Warrant. **Vote:** 5-0.

**24. Executive session pursuant to MRSA 1, §405-6A to discuss personnel.**

There was no executive session.

**25. Adjournment.**

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

The meeting adjourned at 8:07 PM.

Submitted by Arlene McMurray  
Administrative Assistant

## Memorandum

**To:** Board of Selectmen  
Laurie Smith, Town Manager  
**From:** John Everett, Fire Chief  
**RE:** Street Ordinance  
**Date:** 2/7/2019

State law requires the town to conform to a set of standards regarding how streets are named and numbered. This is to assist all First Responders to find all addresses in a safe and efficient manner.

Late last year we applied the Street Ordinance, as written, to King's Highway, Wildwood Ave. and Sand Point Rd. It was discovered that while the Ordinance fixed most of the addressing issues, it created others. It was decided that the Ordinance as written needed some more adjustments. These adjustments will:

- Allow for more right of ways to be named. Naming a right of way helps plan for added growth to that road and the added numbers needed to address it.
- Adds language to who is responsible for what, regarding naming, numbering and enforcing.
- Addresses where the number comes from corner lots.
- Gives guidance to numbering duplexes and mixed-use occupancies.

Making the changes suggested in the revised Ordinance should allow for the implementation with less areas of concern than as written currently. The Public Safety Committee is in favor of these changes.

11a

EXHIBIT A - Feb 28, 2019



## TOWN OF KENNEBUNKPORT, MAINE

### STREET ORDINANCE

**PURPOSE:** The purpose of this ordinance is to provide each street, road and way (hereinafter referred to as street) both public and private, with one official and approved name and all residences and businesses thereon assigned numbers that will enable quick, easy identification and location of same by police, fire, emergency medical personnel and mercantile delivery services, as well as the U. S. Postal Service address. Use of a Post Office Box for mail delivery does not defeat the purpose of this Ordinance.

#### ARTICLE I - AUTHORITY

This Ordinance is adopted pursuant to, and consistent with, the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A, M.R.S.A. Section 3001. Date of Adoption: January 9, 1997. Amended: 6/12/2018

#### ARTICLE II - NAMING SYSTEM

**Roads that serve 2 structures may be named regardless of whether the ownership is public or private.** All roads that serve three or more structures shall be named regardless of whether the ownership is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel, or dirt thoroughfare. A road name assigned by the municipality shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

1. No two roads shall be given the same name (ex. Pine Road and Pine Lane)
2. No two roads shall have similar-sounding names (ex. Beech Lane and Peach Lane).
3. Each road shall have the same name throughout its entire length.
4. Roads named prior to the adoption of the Street Ordinance shall, unless requested, remain the same.
5. Should two roads/streets that are currently dead ends ever be connected to improve public safety conditions may keep their individual names up to the point of connection, unless the combined residences of the two roads wish to rename the newly configured road as outlined in Article VII of this ordinance.

#### PRIVATELY OWNED STREETS

All privately owned streets serving **two (2) properties may be named.** All privately owned streets serving three (3) or more properties ~~shall~~ **will** be named, either by the developer, ~~sub-dividing property owner, or~~ **abutting property owners, or the Town.** **The Town will name privately-owned streets, that meet the**



established criteria, if the developer, sub-dividing property owner or abutting property owners do not come to an agreement on an acceptable name that meets Town criteria. A developer, sub-dividing property owner or abutting property owners shall submit proposed street names with the development or sub-dividing plan. If all property owners use this right of way to access their occupancy, all occupancies on this street will be addressed using the new street name and the number assigned. Occupancies on a corner lot will follow Article III of this ordinance.

#### ARTICLE III- STREET NUMBERING

The following criteria shall govern the numbering system:

1. Numbers shall be assigned every 50 (fifty) feet along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend. A 25-foot or less interval may be applied in more densely structured areas. Existing street numbers assigned on the 100' interval will remain, so long as there are no addresses containing the use of alpha or rear designate and reasonable conditions allow for new street numbers to be assigned.
2. Streets will be defined as "running from" one street "to" another street, dead end or Town line. The "from" end will be known as the "origin" of the street, the "to" end will be the "terminus". The numbering shall start at the origin of a street, with odd numbers on the right and even numbers on the left, in ascending order to the terminus of the street. Four (4) streets, River Road, Woodlawn Avenue, Arbor Ledge Drive and Poets Lane, have odd numbers on the left and even on the right are grandfathered.
3. The number assigned to each structure shall be that of the numbered interval falling closest to the driveway front door of said structure. If the front door cannot be seen from the main road the number assigned to that structure shall be that of the numbered interval falling closest to the driveway.  
~~For structures situated on a corner of 2 streets, the structure will be numbered based on the driveway location.~~ For structures situated on a corner of 2 streets, the structure will be addressed (street and number) based on the front door location. If the front door is not visible from the street, the address (street and number) shall be on the street adjacent to the driveway.
4. Every structure with more than one principle occupancy shall ~~may~~ have a separate number for each occupancy, i.e. duplexes will ~~may~~ have two separate numbers. The decision of which structures are given one or two numbers is made by the Addressing Officer and not the property owner. If the decision is one number, each occupancy in the building would be given a unit designation that goes along with the single address number. If the decision is two numbers, each occupancy will have a single address number with no apartment designation. For example, with a single number, a duplex could have an address of 235 Maple Rd. Apt. 1 or 2. With two numbers assigned to one structure, a duplex could have 235-237 Maple Rd, where each apartment is given a street number. In buildings with 3 occupancies or more, the building will have one street number and each occupancy will have its own unit number, ~~apartments will have one road number with an apartment number, such as~~ For example, an apartment building would be, 235 Maple Road, Apt 2-1, 2 or 3.
5. (Existing) Condominium complexes will be numbered from the access point, and assigned unit #'s., such as 272 Mills Road, Unit 1F, regardless of the size of the complex

6. Any new subdivision, approved by the planning board, will have all interior roads named as part of the application/plan process. In the case of the subdivision with condominium units, they will be numbered/addressed on the road as either a single structure or duplex.
7. An "in-home" business will have the same street number as the residence.

#### ARTICLE IV – COMPLIANCE

All owners of structures shall display and maintain in a conspicuous place on said structure, assigned numbers in the following manner:

1. Number on the Structure or Residence. Where the residence or structure is within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry.
2. Number at the Road Line. Where the residence or structure is over 50 (fifty) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box, or on some structure at the property line adjacent to the walk or access drive to the residence or structure.
3. Size, Color, and Location of Number. Numbers shall be of a color that contrasts with their background color and shall be a minimum of four (4) inches in height. Numbers shall be located to be visible from the road at all times of the year.
4. Proper number. Every person whose duty is to display an assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this ordinance.
5. Owners of properties failing to exhibit their assigned number(s) in accordance with this Article shall be notified by ~~certified~~ regular mail, using the current address to which the real estate tax assessment is mailed. **The first notice is a letter and is sent as a reminder about the ordinance and that the property is not in compliance. The first notice will have a 30-day period for the property to be brought into compliance without any fine. The 30-day window starts the day the letter from the Town is mailed. If after the 30 days and the property is not in compliance, a second notice will be sent by certified mail, using the current address to which the real estate tax assessment is mailed. The second** Such notice shall include a copy of this Ordinance, without Appendices, and advise that the owner is in default of this Ordinance and that a fine of ~~twenty-five (\$25.00)~~ **fifty (\$50.00)** dollars will be assessed to the property if compliance is not accomplished within forty-five (45) days of the date of the mailing of the certified letter. Additionally, a fine of one (1) dollar will be assessed for each day after the forty-fifth (45th) day that the owner remains in non-compliance. It shall be the owner's responsibility to have compliance verified by the appropriate official(s) after notification of default.
6. All monies, if any, collected in accordance with Section 5 above will be used to administer this Ordinance. At the Annual Town Meeting, the balance, if any, at the end of the fiscal year shall either be re-appropriated to this account or designated as un-appropriated surplus.

#### ARTICLE V – RESPONSIBILITY

1. The Board of Selectmen, hereinafter referred to as "The Board", shall be responsible for approving the naming and numbering of streets. The Board may assign or delegate the approval process to the

Addressing Office, who will utilize the Public Safety Committee to review new requests for naming streets prior to notification of requesting individuals.

2. If the Board delegates the responsibility to another official or committee, the Town Manager will rule on the first appeal and, if not resolved, the Board shall hear a final appeal. All appeals shall be filed within thirty (30) days of the denial and ruled upon within thirty (30) days of filing the appeal.

#### **ARTICLE VI - ADDITIONAL REQUIREMENTS**

1. All named streets shall have a signpost erected at each end thereof, except that a dead-end street will not require one on the dead end. A cul-de-sac or other turn around will be considered a dead end. All signs shall be of a uniform size, lettering and color as designated by the Town Manager.
2. Costs for erecting signs for all streets within a private development will be borne by the developer.
3. Appendix I of this Ordinance shall be a complete list of all streets in the Town of Kennebunkport as of the date of enactment of this Ordinance. Said list will contain a brief description, locating the street by reference to the origin and terminus of the street, list all intersecting streets and the point of intersection. Appendix I will also be maintained current with a record of changes/additions thereto and the date of the change/addition.
4. Any circumstance, situation or question determined to not be covered in this Ordinance, shall be resolved by the Board and that resolution made part of this Ordinance.

#### **ARTICLE VII - NAME CHANGES**

1. Except for the purpose of removing existing duplications and similarities, it is the intent of this Ordinance that a street not have its name changed. However, if a two-thirds majority of the residents and property owners on that street provide a compelling reason and petition the Board for a name change, the Board shall deliberate the request and render their decision no later than two (2) months after the first meeting held after receipt of the request. The Board's decision may be to grant or deny the request, or, if the change has Town-wide significance, to present the request to the voters of the Town of Kennebunkport at a Town Meeting, either annual or special.
2. Existing duplications and similarities will be reviewed by the Board, if the Board decided that a name should be changed, the procedure for naming streets outlined in Article III shall be used as a guide.
3. If a name change is approved, the local postmaster or office will be advised and requested to provide a change-over period which will recognize both the old and the new address.

#### **DEFINITIONS**

**CUL-DE-SAC:** A loop on the dead end of a street to provide a convenient turn around without encroaching upon private driveways.

**DRIVEWAY:** A vehicular access from a street to a residence or business.

**SQUARE:** A center of activity, usually business and usually the intersection of several streets. It also can be a memorial or historical plot. Residences and businesses located in a Square may be numbered as on the Square or on a street forming the Square.

**STREET:** Any way that provides vehicular access to two (2) or more residences, businesses or properties (existing or planned) or has the potential for same, whether public or private. It may be called an Alley, Avenue, Boulevard, Circle, Court, Drive, Lane, Parkway, Place, Road, Way, or other such descriptive title.

**TURN-AROUND:** A bulbous end of a dead-end street to facilitate a reversal of direction with a minimum of backing and filling usually made to accommodate automobiles not larger trucks.

## **APPENDICES**

**APPENDIX I:** A list of all Kennebunkport streets, public and private ([click to view](#)).

**APPENDIX II:** Maps of Kennebunkport streets and index thereof.

**APPENDIX III:** Record of changes.



#### 4.3.2 Waiting List :

The Harbor Master shall maintain a Mooring Permit Waiting List and a Mooring Relocation Waiting List each of which shall be available for inspection at the Harbor Master's office. The operation of all waiting lists shall conform to Title 38 M.R.S.A., § 7-A as amended. All persons desiring mooring space in Kennebunkport Waters shall place their name and the type of mooring desired on the Mooring Permit Waiting List. All Mooring Permittees desiring a different Mooring Site shall place their names and their desired mooring location on the Mooring Relocation Waiting List. A fee may be charged to be placed on the Mooring Permit Waiting List which shall be applied against the mooring permit fee as a credit the year the mooring is placed. The Mooring Permit Waiting List will be operated on a first come first serve basis, priority being given as stated below:

1. Commercial fishing vessel owners.
2. Shorefront property owners.
3. Recreational vessel owners.
4. Transient moorings to be operated by the Town of Kennebunkport.
5. Transient moorings to be operated by any other person.

**Waiting list member must renew their waiting list application annually to retain placement on the waiting list. All information such as vessel type, and length, as well as contact information must be updated by the person on the list.**

The Mooring Relocation Waiting List will be operated on a first come first serve basis. The Harbor Master shall attempt to accommodate any request for a relocated Mooring Site when, in the Harbor Master's discretion, conditions do not render the relocation undesirable, and the relocation is consistent with Section 4.2.



## TOWN OF KENNEBUNKPORT, MAINE

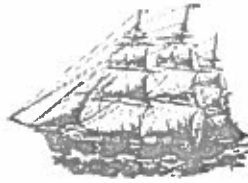
— INCORPORATED 1653 —

## MEMO

**To:** Board of Selectmen  
**cc:** Laurie Smith, Town Manager  
**From:** Werner Gilliam, Director of Planning and Development  
**Date:** February 22, 2019  
**Re:** Short Term Rental Committee Activity 2018/19

The topic of short-term home rentals has become a rather explosive topic with the continued expansion of online rental platforms such as Airbnb, HomeAway, VRBO, etc. Short term rentals or STR's are generally understood to be the rental of a home or rooms within a private home to a single group for a period of less than 30 days. The opinions surrounding short term rentals are as varied and extreme as one can imagine. Opinions range from entitled economic use of one's own property to the cause of the loss of character and affordability in traditional neighborhoods. Regardless of the position one takes it is by far one of the most well-known components of the ever-evolving shared economy, and unlikely to diminish in use. Shared economies allow individuals and groups to make money from underused assets. Simply put homes and other assets are shared as services. Take for instance car sharing services like Lyft and Uber. According to the Brookings Institute, private vehicles go unused for 95% of their lifetime. The same report detailed Airbnb's cost advantage over the hotel space as homeowners make use of their homes. Airbnb rates were reported to be between 30-60% cheaper than hotel rates around the world.

So, what does this mean for Kennebunkport? As a popular coastal community, the Port has historically had several areas that have had many short-term rentals. Goose Rocks beach as an example has historically been a popular short-term rental destination. Before the advent of the internet local real estate agents handled many of the rental requests. How many were in town before the internet was not generally known, but we know that in 2018 we have approx. 248 short term rentals in the community impacting about 8.42% of the existing housing stock. In early 2018 amidst concerns surrounding the impact of short-term rentals (STR's) the Board of Selectmen appointed an Ad-Hoc Committee of residents to investigate STR's and



## TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

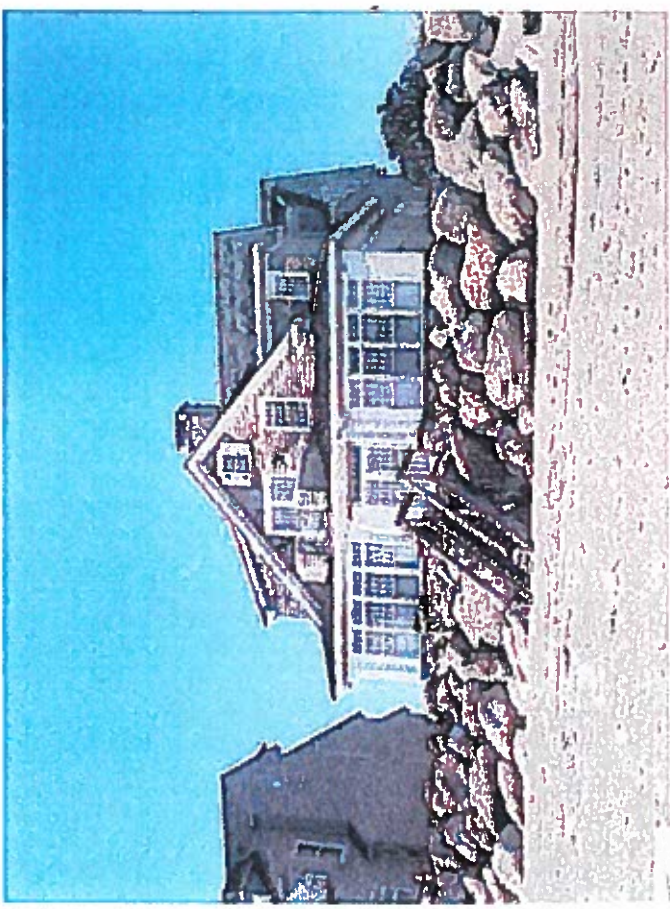
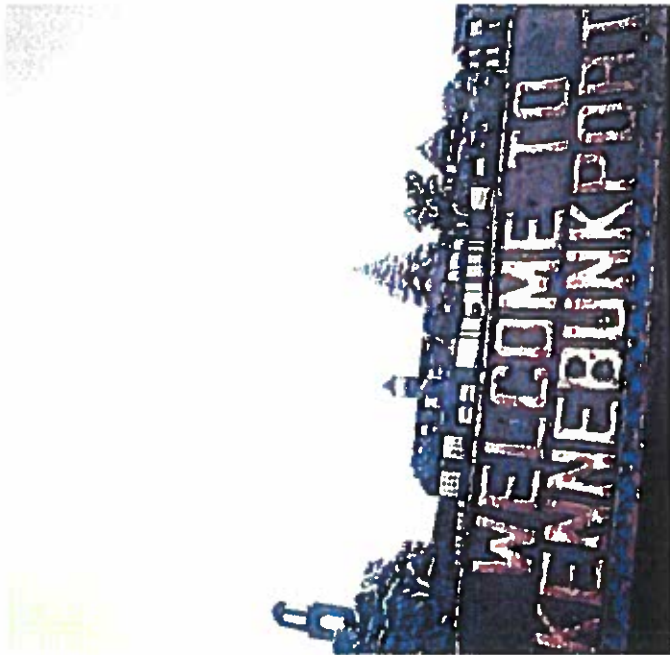
report back to the Selectmen regarding what should be done with STR's if anything. This group consisted of Sheila Matthews-Bull, Jane Evelyn, Ann Hand, Marlene Raum, Susan Hill, Bill Junker, Linda Flint, and David Nesher. Staff support was provided by Werner Gilliam. The makeup of the committee was intended to provide a broad base of opinions and experiences in order to be as objective as possible. Questions identified early on that the committee discussed included;

- Do short term rentals change the community character?
- Do they increase nuisances' issues such as noise, trash and parking?
- Are they safe?
- Are we losing long term rentals to the short-term market?

Meetings began in March 2018 and continued thru January 2019. The committee engaged in reviews of other Maine communities' regulations and permitting structures, research into local and national trends, numerous public meetings, and ultimately the development and execution of a community survey intended to gather greater community opinions regarding the matter. Meetings were primarily attended by property owners from the Goose Rocks area who were not interested in supporting regulatory oversight or restrictions over STR's. A survey was necessary in order to reach a more diverse representation of the community. The survey consisted of 9 questions and included demographic as well as opinion questions. We received almost a 30% response rate with most respondents identifying themselves from the Goose Rocks area. Most did not believe they had been negatively affected by STR's with a narrow majority believing that the town should not regulate STR's. Not surprisingly opinions did differ depending upon which area of town participants identified with.

Over all the public opinion regarding potential regulation of Short-Term Rentals was split with a slight majority favoring not regulating. The committee also found that there was not enough data to support conclusions that STR's present a significant negative effect on the issues that were presented. Over all recommendations did include trend monitoring of STR's to determine rates of increase or decrease in the community, as well as departmental review of nuisance issues with attention given to a review of current ordinances, tracking and enforcement practices.





# Short Term Rental Committee Findings

# What Has the STR Committee been doing?



Numerous Public Meetings  
since May 2018



Reviewed local and national  
trends concerning STR's

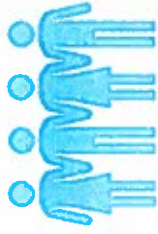


Engaged in public discussion  
on issues surrounding the  
potential of regulating STR's



Developed a survey to gather  
broader public insight on the  
presence/effects of STR's on  
the community as a whole.

# A (Sort of) New Economy



## What do we mean when we say “short term”?

Shorter periods than your average residential  
rental (30 days or less)

Catering to transient / tourist population

Marketed either owner-to-consumer, or through  
agencies



## Stats for Maine - Just on Airbnb (2017)

\$43 million revenue

Average annual income \$6,900 per owner

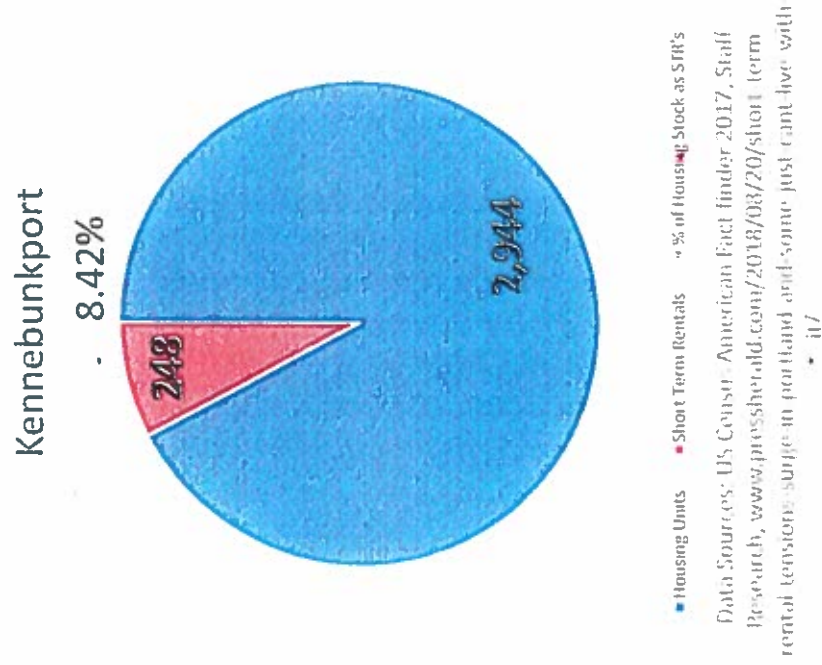
282,000 visitors (up 62% from 2016)

Average listing occupied 30 nights during year

Average stay: 2.7 nights

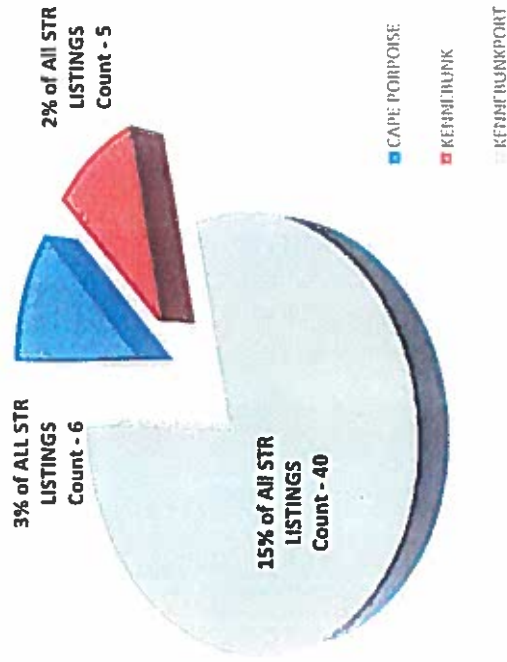
100% increase in listings 2015-2016

How much housing stock is used in some way for short term rentals?

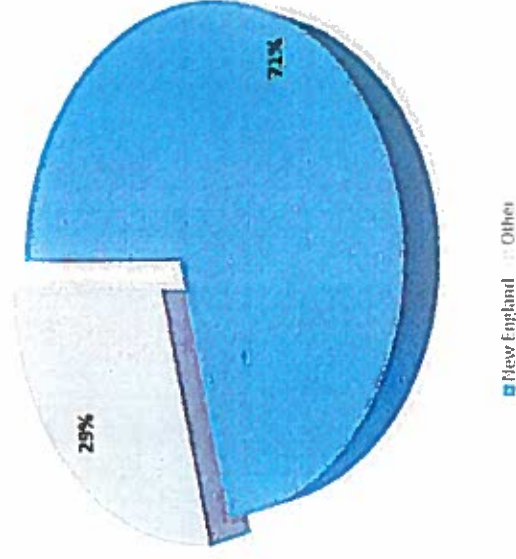


# Where do the owners of STR's Live?

STR LISTING  
BREAKDOWN BY TOWNS



STR LISTING  
BREAKDOWN BY REGION





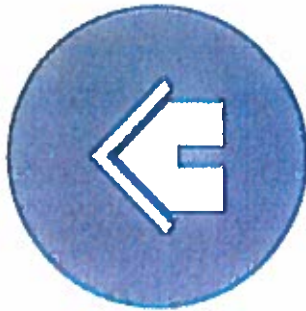
# Survey Results:



9 QUESTIONS



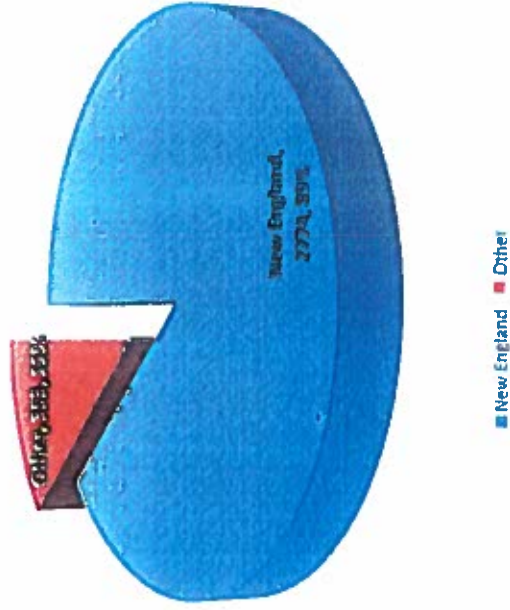
TOTAL SURVEYS SENT OUT: 2,825



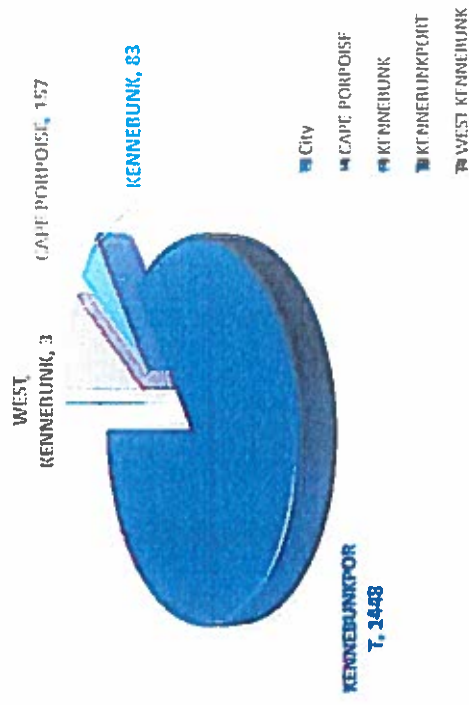
TOTAL RESPONSES: 811  
29% RESPONSE RATE  
71% CHOSE NOT TO RESPOND

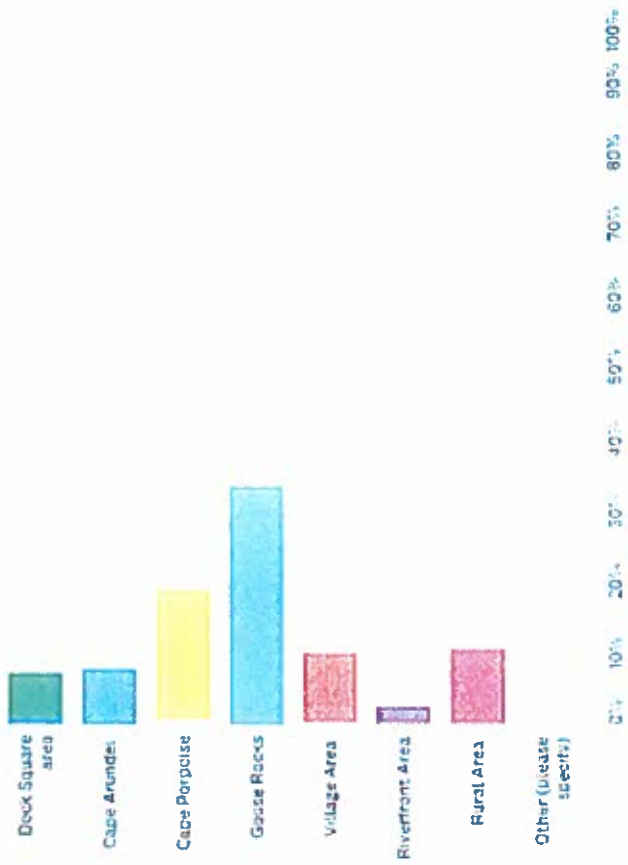
# Where were the Surveys mailed to?

STR SURVEY MAILING  
BY REGION



STR SURVEY MAILING ADDRESS

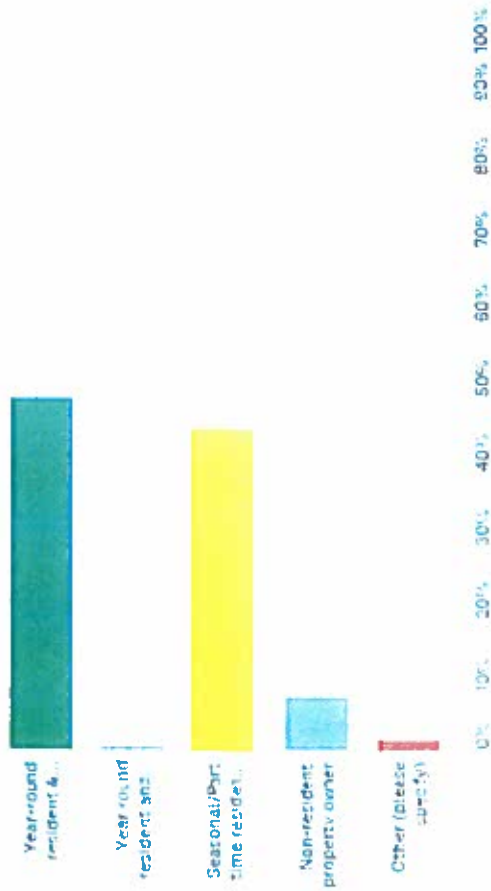




Q1: Describe where you live or own property in Kennebunkport.

Answered: 805 Skipped: 6





#### ANSWER CHOICES

#### RESPONSES

Year-round resident & property owner

391

Year-round resident and owner

4

Seasonal/Part-time resident and property owner

351

Non-resident property owner

57

Other (please specify)

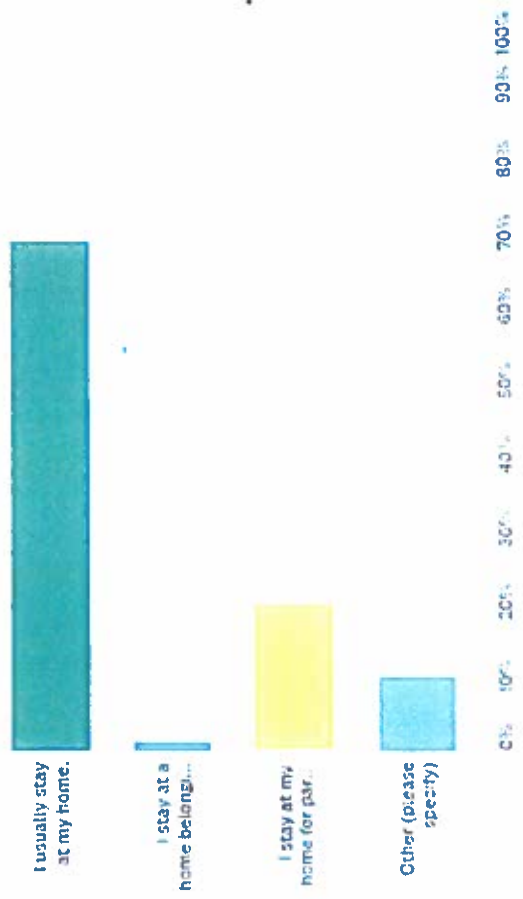
13

TOTAL

806

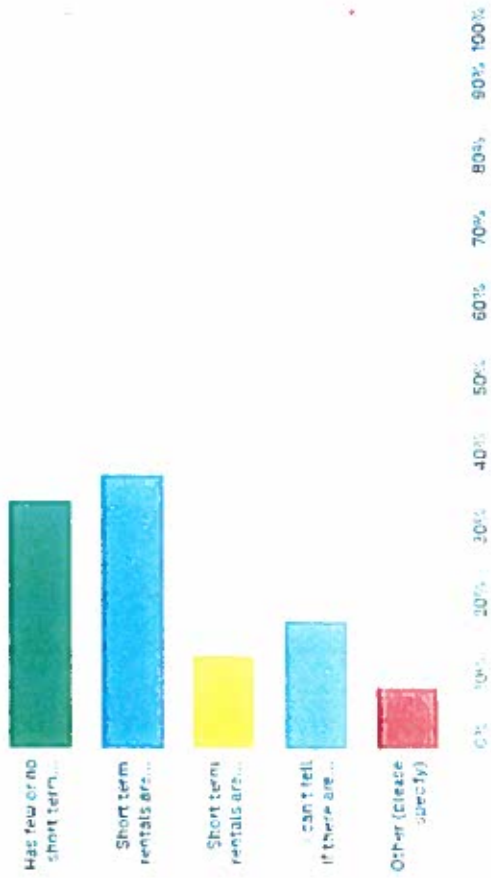
Q2: Describe your relationship to the Town of Kennebunkport

Answered: 205 Skipped: 5



Q3: If you are a part time resident, please describe your lodging in  
Kennebunkport

Answered: 415 Skipped: 396



**ANSWER CHOICES**

Has few or no short term rentals

Short term rentals are common now and in the past

Short term rentals are common but were not common in the past

I can't tell if there are short term rentals in my neighborhood

Other (please specify)

Total Responses: 794

**RESPONSES**

33.25% 264

36.78% 292

12.47% 99

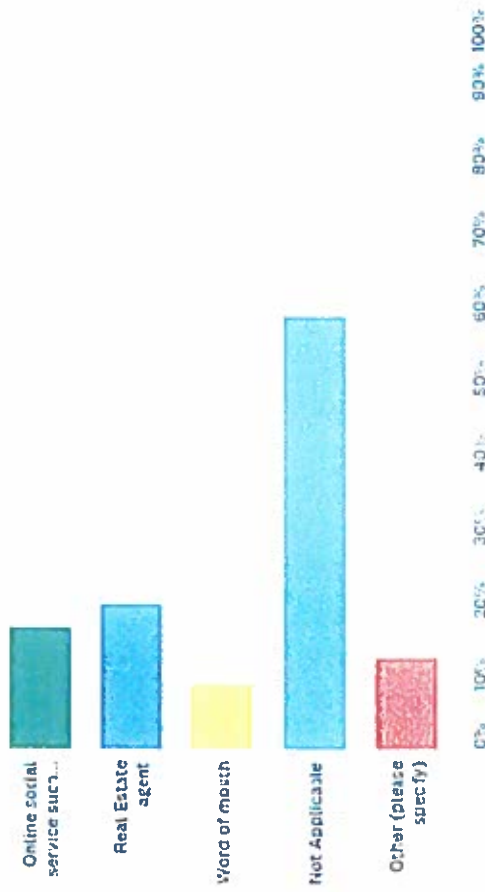
17.25% 137

9.44% 67

Q4: Please describe your neighborhood as it relates to short term rentals.(Check all that apply)

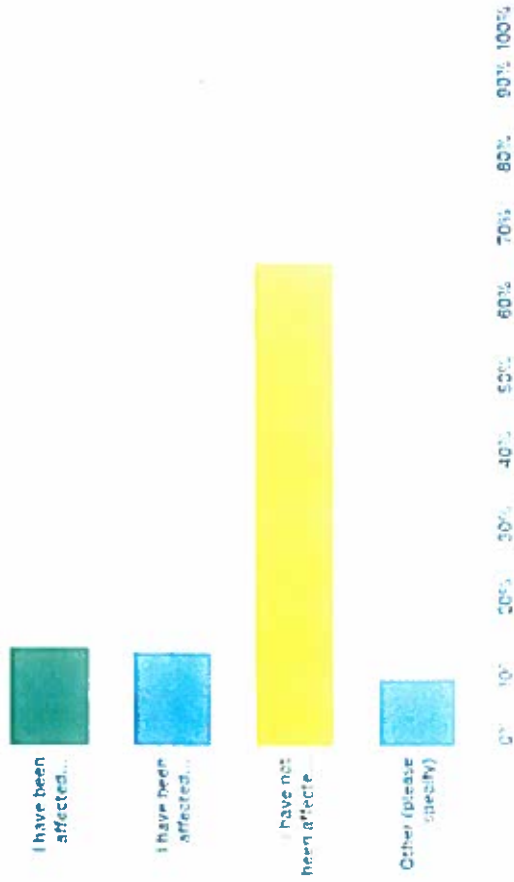
Answered: 794 Skipped: 17





Q5: If you rented your property out short term what type of marketing/advertising service do you use? (Check all that Apply)

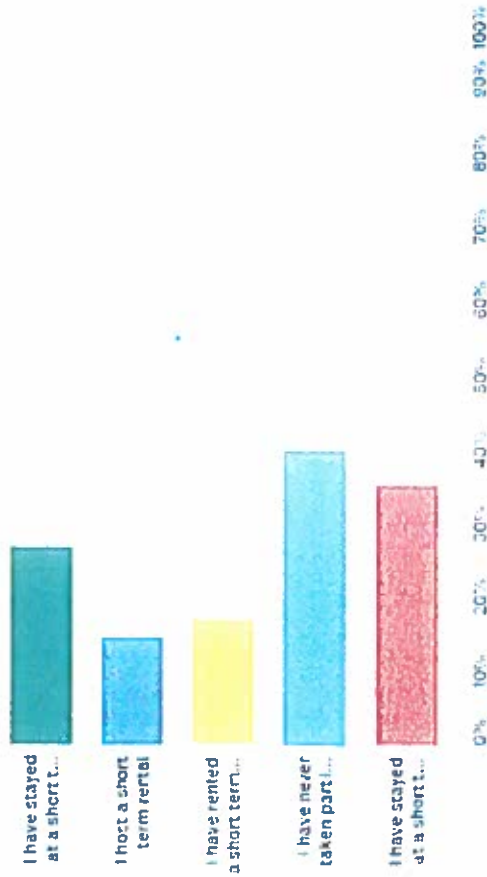
Answered: 715 Skipped: 96



ANSWER CHOICES	RESPONSES
I have been affected positively	13.27% 104
I have been affected negatively	12.57% 99
I have not been affected positively or negatively	55.31% 512
Other (please specify)	9.95% 70
TOTAL	784

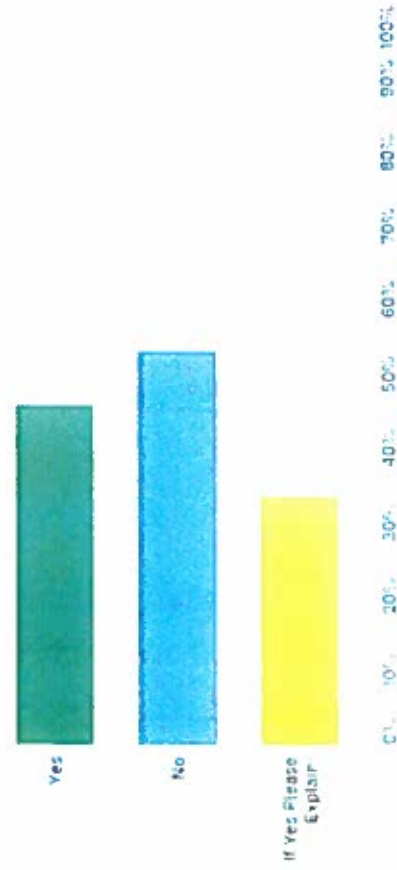
Q6: Have you been affected by Short Term rentals in your immediate area?

Answered: 784 Skipped: 27



Q7: What is your history with Short Term Rentals? (Check all that apply)

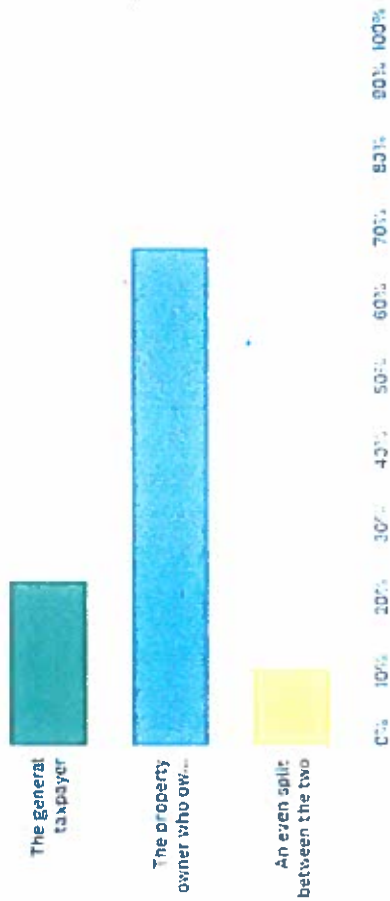
Answered: 697 Skipped: 114



Q8: Should the Town regulate short term rentals? If yes what specifically?

Answered: 752 Skipped: 59





Q9: If the town votes to regulate short term rentals, I believe the costs of administration should be paid by:

Answered: 715 Skipped: 96





## Survey Says....Looking a little deeper

- 2,000 survey recipients did not participate
- Of the 268 respondents from the Goose Rocks area 80 support regulating Short Term Rentals
- Of the 79 respondents from the Village area 53 support regulating Short Term Rentals
- Of the 146 respondents from Cape Porpoise, 68 support regulating Short Term Rentals



## Public Participation.... Things we heard

- Complicated issue!
- Kennebunkport is a vacation community.
- Short Term Rentals have been a historical part of Goose Rocks Beach.
- Property owners who rent their property short term are heavily invested in their properties and have significant concerns regarding any regulatory actions that the town may pursue.
- Many consider the income made from short term rentals as being vital to their financial stability
- Most are highly invested in ensuring that their properties are well maintained, properly insured and that problem guests are not invited back.
- Local businesses experience a positive effect.

## Short Term Rental Committee.... Some of their individual comments

- Consider review of local nuisance ordinances related to noise, traffic and parking.
- Consider limiting number of Short Term Rentals in certain areas, such as private roads and primary residential areas.
- Simplify ways to determine noise issues.
- Leave it alone.
- Monitor level of short term rentals over next few years.
- Consider basic registration for the purpose of having owner contact info/way to track complaints.
- Gentrification of many properties for rental purposes affects character of quaintness of Kennebunkport, and pushes out those seeking affordable cottages.



## Staff Observations....

- Of the specific complaints noted, many centered around behavior issues, such as noise, drunkenness, etc.
- Data regarding complaints/issues surrounding Short Term Rentals is not being tracked in such a manner that can be easily analyzed or attributed to short term renters.
- Should an ordinance be put into place, costs of enforcement will vary based on the level of complexity.

# Additional Questions

## Perceived Issue

- Full time residences are being converted to short term rentals
- Properties are being sold to specifically be used as short term rentals, and as such artificially increase sales prices.

## What we found

- Without a registry of short term rentals to compare on an annual basis conversion of residences is difficult to verify
- Without a registry of short term rental properties to analyze against real estate sales, intent of buyers is difficult to predict. Real estate sales prices likely increase due to the desirability of Kennebunkport in general.

# Additional Questions

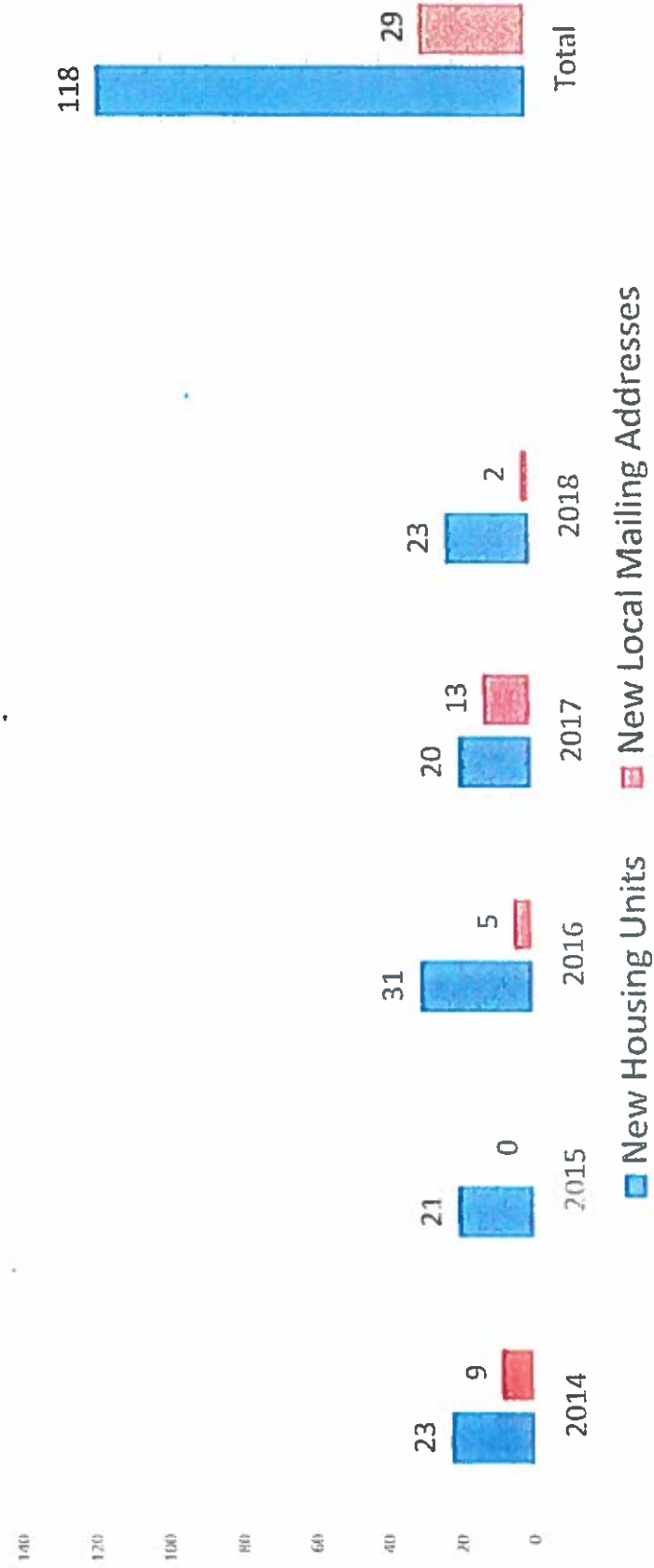
## Perceived Issue

- Noise and trash issues have increased due to visitors who stay at short term rentals
- Kennebunkport has less residents and more empty second homes that are short term rentals.

## What we Found

- Current data collection tools and resources are unable to specifically pinpoint noise and trash complaints to short term vacation users vs. full time residents.
- We do know that non-resident ownership of residential property is increasing dramatically over resident ownership.

## New Housing Units vs New Local Mailing Addresses



# Questions to ask

- Are STR's increasing in town? How many is too many?
- Complaints, How many of them are because of STR's?
- Current nuisance ordinances, are they effective?





Things to  
Consider...

Trend Monitoring of  
Short Term Rentals

Departmental review  
of current "nuisance"  
ordinances