

TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

Board of Selectmen Agenda

Village Fire Station – 32 North Street

September 8, 2016 – 7:00 PM

1. Call to Order.
2. Approve the August 25, 2016, 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. Consider a renewal liquor license application submitted by US Hotels New England LLC, US Hotels New England Management Corp, d.b.a. The Yachtsman Lodge and Marina, 59 Ocean Ave.
5. Public Hearing to adopt the MMA Model Ordinance GA Appendices A to D for the period October 1, 2016–September 30, 2017.
6. Sign the November 2016 Special Town Meeting Warrant.
7. Approve the Certification of the Ordinance.
8. Set the public hearing on proposed amendment to the Land Use Ordinance regarding roomers for October 13.
9. Approve the Government Wharf budget.
10. Approve street opening permit application from Sand Piper Capital Management, LLC and Woodchuck Development, LLC to connect existing sewer force main at Turbats Creek Road.
11. Discuss use of funds received from Ebs Cove subdivision.
12. Other business.
 - a. Citizen correspondence.
13. Approve the September 8, 2016, Treasurer's Warrant.
14. Adjournment.

**Town of Kennebunkport
Board of Selectmen Meeting
Village Fire Station, 32 North Street
August 25, 2016 – 7 PM**

Minutes of the Selectmen Meeting of August 25, 2016

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

Others present: Barbara Barwise, Deborah Bauman, Helen Conaty, Jean Conaty, Michael Davis, Jim Fitzgerald, Werner Gilliam, Arlene McMurray, Allan Moir, Bob Pappas, Dan Saunders, Laurie Smith and others

1. Call to Order.

Chair Barwise called the meeting to order at 7:02 PM.

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

Motion by Selectmen Daggett, seconded by Selectman Briggs, to approve the August 11, 2016, selectmen meeting minutes. **Vote:** 4-1/Selectman Hutchins abstained because he was not at that meeting.

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

There were no comments.

4. Consider amendment to the Land Use Ordinance regarding roomers for November 2016 Special Town Meeting.

Werner Gilliam, director of planning and development, explained the revisions made by the town attorney. (See Exhibit A).

Motion by Selectmen Hutchins, seconded by Selectman Briggs, to approve the Land Use Ordinance regarding roomers for the November 2016 Special Town Meeting. **Vote:** 4-1/Selectman Matthews-Bull opposed.

5. Charrette workforce housing update scheduled for September 27 and 29, 2016.

Mr. Gilliam gave an update on the charrette. (See Exhibit B) He explained that this charrette is being held to address the need for middle income housing. He encouraged people to attend the community listening session on September 27 from 6 – 8 PM. He pointed out it is important for residents to attend because they use their input to come up with conceptual plans. On September 29, from 6:00 PM to 7:30 PM is the community reveal session where they go over the results of the planning sessions.

Ms. Smith added that information on the charrette can be found on the Town's website.

6. Consider the \$400,000 bond for the police department addition.

Ms. Smith explained that bids were solicited from seven banks, and four were returned:

Norway Savings Bank	2.25%
Camden National Bank	2.35%
Peoples United Bank	2.50%
Biddeford Savings	2.75%

Ms. Smith recommends a bond with Norway Savings Bank on an annual basis. She said the Board needs to adopt the resolution to authorize bonds as prepared by bond counsel.

Motion by Selectmen Daggett, seconded by Selectman Hutchins, to award the \$400,000 bond for the police department addition to Norway Savings Bank with an annual interest rate of 2.25%. **Vote:** 5-0.

Motion by Selectmen Daggett, seconded by Selectman Matthews-Bull, that the resolution entitled, "Resolution to Authorize Town of Kennebunkport to issue up to \$400,000 in bonds for an addition and renovations to the Police Department and communications building," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of the meeting. **Vote:** 5-0. (See Exhibit C).

7. Consider a sewer extension for the EBS Cove Subdivision.

Wastewater Superintendent Allan Moir received the application to connect nine house lots from the EBS Cove subdivision into the wastewater collection system. He said tying into the wastewater collection system should have little or no impact. He recommends allowing the applicant to tie into the wastewater collection system and also that the Town not take possession of this new system because it is a pressure system.

Motion by Selectmen Hutchins, seconded by Selectman Matthews-Bull, to approve the application from EBS Cove subdivision to tie into the Town's wastewater collection system and to not take possession of this system. **Vote:** 5-0.

8. Discussion of engineering proposals for wastewater projects.

Mr. Moir stated that as part of the new guidelines, when you borrow more than \$1 million from the Clean Water State Revolving Fund (CWSRF), is that you have to use the Qualifications Based process (QBS) for selecting an engineering

firm. He explained that the steps of the QBS process select an engineering firm based on their qualifications first. Negotiating costs is one of the last things you do.

Mr. Moir said another option is to break up the loan into two loans, each under \$1 million; one loan for engineering services. and the other for rebuilding the pump stations and other equipment at the treatment plant.

Mr. Moir would like to hire Wright Pierce for the engineering services because they were used to study the pump stations and are most familiar with the project.

Ms. Smith said their goal is to plan on construction next fall, leaving time to finish the bid documents so they can bid early and get competitive pricing.

Motion by Selectmen Matthews-Bull, seconded by Selectman Hutchins, to follow Wastewater Superintendent Allan Moir's recommendation to authorize the Town to negotiate with Wright Pierce for engineering services for the pump stations project. **Vote:** 5-0.

9. Consider awarding the bid for the purchase of two one-ton trucks.

Mr. Moir said both the Public Works Department and the Wastewater Department needed a one-ton truck replacement in their fleet. They received three bids:

Yankee Ford	\$43,923 per truck
Arundel Ford	\$50,953 per truck
Autofair Ford	\$44,649 per truck

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to award the bid for Yankee Ford for two one-ton trucks at a cost of \$43,923 each. **Vote:** 5-0.

Mr. Moir announced that a fundraiser called Paddle Battle is coming up at the Nontantum. He said the fire department received a donation of a stand up paddleboard that came from the Kittery Trading Post and is worth around \$1,000. Also, they have a gift card from Cabela's. They are selling raffle tickets for \$5 a ticket or 3 for \$10. The money raised will be given to the Public Health Department for whatever they need.

10. Accept the donation of \$540 from the Portside Rotarians to the Kennebunkport Public Health Department for the fuel assistance program.

Motion by Selectmen Matthews-Bull, seconded by Selectman Hutchins, to accept the donation of \$540 from the Portside Rotarians to the Kennebunkport Public Health Department for the fuel assistance program. **Vote:** 5-0.

11. Other business.**a. GRB Shorebird Intern season report.**

Ms. Smith said the Beach Advisory Committee had requested funds for the intern for the piping plover season which was successful. The Board received a report from the intern's 10 weeks working there. The report itemizes time, miles, number of dogs, number of people talked to, hours, tide.

b. Request from Bill Leffler to establish a Senior Citizens' committee.

The Board received information submitted by Bill Leffler. Ms. Smith mentioned that Bill Leffler is concerned about the Town's aging population and how they might continue to live independently in the community. She would like to discuss his request with the Public Health nurses.

The Board will put this item on a future agenda.

Selectman Daggett asked if all of the asbestos has been removed at Consolidated School. He was wondering when the last time it was tested for asbestos. Ms. Smith said she would check on that.

Selectman Matthews-Bull thanked the police and highway departments for their cooperation with the tourists this summer.

Selectman Hutchins said he was looking forward to going to the Veteran's Build Dedication for the Holbrook Family, this Saturday, at 2:00 PM, at 160 Beachwood Avenue. The Town donated the parcel to the Habitat for Humanity.

Ms. Smith added that the public is invited, but there are parking issues, so there will be shuttles from the Bentley Classic's Car Museum, 345 Old Post Road, Arundel. Shuttles to the site are at 1:15 PM and 1:40 PM. Return shuttles are 3:00 PM and 3:30 PM. She thanked the Board for having the foresight to partner with the Habitat for Humanity for this project.

Ms. Smith announced that that M. Welch and Sons, Inc. repaired a broken sewer pipe at 4 Josiah Curtis Lane. Since it was an emergency, she was asking the Board to approve the street opening permit after the fact.

Motion by Selectmen Hutchins, seconded by Selectman Daggett, to approve the street opening permit for 4 Josiah Curtis Lane to repair a broken sewer pipe. **Vote:** 5-0

12. Approve the August 25, 2016, Treasurer's Warrant

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to ap-

prove the August 25, 2016, Treasurer's Warrant. **Vote:** 5-0

13. Adjournment.

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

The meeting adjourned at 7:46PM.

Submitted by

Arlene McMurray
Administrative Assistant

ROOMER Revisions

- Article 2 Residential Rental Accommodation: The permitted accessory use of no more than two (2) bedrooms in a legally existing dwelling or dwelling unit. This dwelling unit shall be an owner occupied dwelling. Rooms rented may be for either short term or long term rental to a roomer who may be unrelated to the owner or occupant of the unit. Individual rooms shall be rented no more than once per week. For purposes of this section a week shall be defined as Monday through Sunday.
Roomer – A person residing in and paying rent for a room in a single-family dwelling Residential Rental Accommodation whether or not the person eats meals on the premises. See Residential Rental Accommodation
- Article 4 Add to VR (4.3), VRE (4.4) & CA (4.7) as conditional use
- Article 6.10 6. Parking for a Residential Rental Accommodation shall include one (1) additional off-street parking space per room rented, in addition to the minimum parking spaces required for the dwelling unit.
- Article 7.13 A. Purpose. The purpose of allowing Residential Rental Accommodations is to authorize the use of legally-existing single-, two-, and multi-family structures for the accommodation of roomers, for compensation, while ensuring the safety of the occupants and minimizing the impact of such use on the surrounding neighborhood. Such rentals and the revenue they make to homeowner's help make Kennebunkport affordable for persons on fixed or limited incomes; enhance and diversify accommodations available to visitors and tourists; and provide travelers with affordable accommodations from which to explore Kennebunkport and the Seacoast region. If not made the subject of appropriate, limited regulations, however, the use of residential properties for Residential Rental Accommodations may create adverse impacts on surrounding residential uses including, without limitation, increased levels of traffic, parking demand, light and glare, and noise. Such impacts are deleterious to the public health, safety, and welfare of the neighborhood and the Town because they impair the livability and desirability of Kennebunkport neighborhoods for residential uses.
- B. Performance Standards
- No more than two (2) rooms in a single family dwelling, which was in existence on March 6, 1972, may be let out to roomers as an accessory use to a single family dwelling provided that: a Residential Rental Accommodation may be let out to Roomers provided that:
1. No separate kitchen or cooking facilities are provided for or use by the roomers;
 2. No sign is located on the premises advertising the availability of rooms for lease or rent to roomers;

3. ~~No alteration or change of the single family dwelling the dwelling unit in its exterior appearance is made to accommodate the presence of roomers;~~
4. ~~No accessory apartment or home occupation is located in the single family dwelling; The bedroom(s) being rented shall be inspected by the Code Enforcement Officer and shall have code compliant smoke and carbon monoxide detectors in addition to complying with current building code requirements for primary and secondary means of escape;~~
5. The rooms occupied by the roomers do not have a separate entrance from the outside;
6. The rooms occupied by the roomers are within the principal structure;
7. The roomers use utilities which are not separately metered from those used by the remaining occupants of the dwelling unit;
8. One (1) off-street parking space per room rented ~~roomer~~ shall be required as per Article 6.10 6; and
9. The owner of the Residential Rental Accommodation shall remain in residence while rooms are being rented.

C. Approval; Permit; Appeal

1. Approval to operate a Residential Rental Accommodation shall be granted by the Zoning Board of Appeals contingent upon a successful property inspection by the Code Enforcement Officer subject to section B. above. Following such approval, the Code Enforcement Officer shall issue a permit. Such permit shall be issued to the property owner only, and is subject to sufficient evidence that the property is owner occupied.
2. A permit to operate a Residential Rental Accommodation shall expire upon a change in ownership or a change in owner residency status.
3. A single family dwelling approved to accommodate Roomers prior to November 8th 2016 may continue to operate under the conditions of approval as specified by the Zoning Board of Appeals including the Land Use Ordinance requirements and restrictions in effect at the time of such approval.
4. Permit shall be revoked upon confirmation of a second (2nd) confirmed Noise or Barking Dog Citation related to use of a dwelling unit by a Roomer. Permit shall also be revoked upon any confirmed violation of the requirements contained within the definition of Residential Rental Accommodation located in Article 2. Any such permit having been revoked shall not be reissued to the same property owner within one (1) year (365 days) from the date of revocation, which shall require Zoning Board of Appeals re-approval.

5. An appeal from any decision of the Code Enforcement Officer related to the issuance, non-issuance, suspension or revocation of a Residential Rental Accommodation Permit shall be taken by an aggrieved party to the Zoning Board of Appeals within thirty (30) days of the decision.

Come to the Charrette



Community
Listening Session
6 PM-8 PM

Community
Reveal Session
6:00 PM-7:30 PM

Where: Nonantum Resort

Host: Town of Kennebunkport

Facilitator: Workforce Housing Coalition of the Greater Seacoast

What are charrettes?

Charrettes are collaborative, intensive, planning sessions with members of the community (residents, workers, employers) and a team of volunteer housing professionals. These stakeholders present their vision and brainstorm, and ultimately accomplish their project goals. They generally last from one to three days. There is no charge, but they do solicit donations, sponsorships, and grants.

Who is the Workforce Housing Coalition of the Greater Seacoast?

It is a nonprofit organization of housing professionals who conduct these charrettes to:

- Advocate for workforce housing.
- Educate the community of the importance of having housing for a diverse workforce, e.g., teachers, students, merchants, retail employees, etc.
- Provide a range of housing options for the workforce of the greater seacoast region.

What happens at these charrettes?

Input is gathered from both the community and the Workforce Housing Coalition volunteers to develop a concept and perform a feasibility study. These professionals also review zoning and other regulations. They test their design options to make sure they work. At the end of the process, the information is provided to the community at a Reveal Session.

What prompted this charrette?

Workforce housing was identified as a goal in the Comprehensive Plan. Consequently, the Growth Planning Committee endorsed a charrette application for housing through the Workforce Housing Coalition of the Greater Seacoast. After a Coalition representative gave a charrette presentation at the December 10, 2015, Board of Selectmen's Meeting, the Board voted to proceed with an application.

Who are the sponsors?

Kennebunk Savings
TD Bank
The Nonantum Resort
York Hospital
Kennebunkport Resort Collection
York County Council of the Maine Association of REALTORS
The Chamber: Kennebunk, Kennebunkport, Arundel
Habitat for Humanity, York County
United Way of the Greater Seacoast
New Hampshire Housing
Regional Economic Development Center of Southern New Hampshire

August 25, 2016

Motion: I move that the resolution entitled, "Resolution to Authorize Town of Kennebunkport to Issue up to \$400,000 in Bonds for an Addition and Renovations to the Police Department and Communications Building," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting.

RESOLUTION TO AUTHORIZE TOWN OF KENNEBUNKPORT TO ISSUE UP TO \$400,000 IN BONDS FOR AN ADDITION AND RENOVATIONS TO THE POLICE DEPARTMENT AND COMMUNICATIONS BUILDING

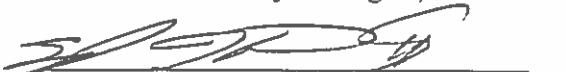
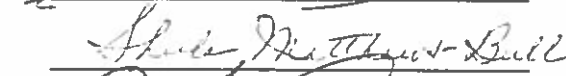

Whereas, at the Annual Town Meeting duly called and held on June 13, 2015, the voters of the Town of Kennebunkport (the "Town") authorized the Board of Selectmen to issue general obligation bonds of the Town in a principal amount not to exceed \$400,000 for a term not to exceed 10 years to pay costs of an addition and renovations to the Police Department and Communications Building (the "Project"),


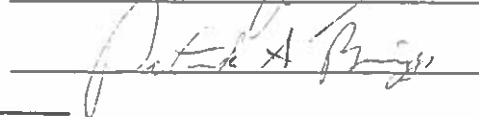
Now therefore, the Board of Selectmen hereby resolves as follows:

1. That the offer of Norway Savings Bank to purchase bonds of the Town in the original principal amount of \$400,000.00 with an interest rate per annum on the outstanding principal amount thereof equal to 2.25%, is accepted and approved;
2. That the Chairperson of the Board of Selectmen (the "Chair") and the Treasurer are authorized to borrow up to \$400,000.00 from Norway Savings Bank on behalf of the Town, with interest on the principal amount thereof at a rate of 2.25% per annum, which borrowing is for the purpose of financing costs of the Project;
3. That the Chair and the Treasurer are authorized to issue general obligation bonds in an aggregate principal amount not to exceed \$400,000.00, which bonds are for the purpose of financing costs of the Project, and to execute and deliver a bond or bonds under the seal of the Town attested by the Clerk, dated on or about August 26, 2016, and to determine the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption with or without premium, form(s), and other details of said bonds not inconsistent herewith, including execution and delivery of said bonds against payment therefor, as they may approve, their approval to be conclusively evidenced by their execution thereof (the "Bonds");
4. That the Bonds be issued in the name of the Town and in registered form transferable only on the registration books of the Town, which registration books may be kept by the Town or its transfer agent, upon surrender thereof with a written instrument of transfer, duly executed by the registered owner or his/her attorney duly authorized in writing;
5. That no part of the proceeds of the Bonds shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code");
6. That the Chair and the Treasurer are authorized to designate the Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code;

7. That the Chair and the Treasurer, acting singly, are authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, to take all other lawful actions necessary to ensure the interest on the bonds will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause interest on the Bonds to become includable in the gross income of the owners thereof;
8. That the appropriate officials of the Town are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with the issuance, execution, or delivery of the Bonds;
9. That the Town Manager or Treasurer in consultation with Bond Counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and (ii) monitoring the Town's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder;
10. That if the Clerk, Treasurer, or Chair for any reason be unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, or otherwise, be authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act;
11. That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official; and
12. That the Town Clerk file an attested copy of this Resolution with the minutes of this meeting.

Dated this 25th day of August, 2016:




A majority of the Board of Selectmen



Peter A. Briggs

A true copy, attest:


Clerk, Town of Kennebunkport



Agenda Item Divider



(4)

This application has been reviewed and approved by the following Municipal Officials,
whose signatures are on file with the Town Clerk:

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Tracy O'Roak

Town Clerk

The Yachtsman Lodge & marina - 9/8 meeting

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV)
- ☐ HOTEL-OPTINONAL FOOD (Class I-A)
- ☐ CLASS A LOUNGE (Class X)
- ☐ CLUB (Class V)
- ☐ TAVERN (Class IV)

- ☐ RESTAURANT/LOUNGE (Class XI)
- ☐ HOTEL (Class I,II,III,IV)
- ☐ CLUB-ON PREMISE CATERING (Class I)
- ☐ GOLF CLUB (Class I,II,III,IV)
- ☒ OTHER: CLASS I B+B

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
U.S. HOTELS N.E. MGMT CORP DOB:			THE YACHTSMAN LODGE + MARINA		
U.S. HOTELS N.E. LLC DOB:			55 OCEAN AVENUE		
DOB:			Location (Street Address)		
Address PO BOX M			KENNEBUNKPORT ME 04046		
City/Town State Zip Code			City/Town State Zip Code		
KENNEBUNKPORT ME 04046			KENNEBUNKPORT ME 04046		
City/Town State Zip Code			City/Town State Zip Code		
207 967 5333 207 967 0675			207 967 2511 207 967 0675		
Telephone Number Fax Number			Business Telephone Number Fax Number		
Federal I.D. #			Seller Certificate #		

EMAIL ADDRESS: NJENULEVICH@THEBREAKWATERINN.COM

- 3. If premises is a hotel, indicate number of rooms available for transient guests: 30
 - 4. State amount of gross income from period of last license: ROOMS \$ 1.3 MILLION FOOD \$ 0 LIQUOR \$ 0
 - 5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- If YES, complete Supplementary Questionnaire



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

Public Hearing

Town of Kennebunkport General Assistance Ordinance

The Town of Kennebunkport Board of Selectmen will conduct a public hearing to adopt the MMA Model Ordinance GA Appendices A to D for the period October 1, 2016–September 30, 2017.

The hearing will be held on September 8, 2016, at 7 p.m., at the Village Fire Station, 32 North Street, Kennebunkport, Maine.

5

KENNEBUNKPORT PUBLIC HEALTH

August 19, 2016

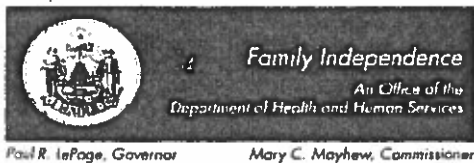
Hi,

Arlene , Here are the newest maximums for general Assistance.
There will need to be a public hearing and Selectmen approval.

These take effect Oct 1-2016-Sept 30,2017

Thanks

A handwritten signature in black ink, appearing to be 'J. J. J.', written in a cursive style.



Office for Family Independence
19 Union Street
11 State House Station
Augusta, Maine 04333-0011
Tel: (207) 624-4168
Toll Free: 1-800-442-6003
Fax (207) 287-3455

TO: Municipal Officials/Welfare Directors/General Assistance Administrators

FROM: Ian Miller, General Assistance Program Manager

RE: 2016 – 2017 General Assistance Ordinance Maximums

DATE:

Enclosed please find the following items:

- MMA's new (October 1, 2016–September 30, 2017) “**General Assistance Ordinance Appendix**” (A - D).
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

Appendix A - D

The enclosed Appendices A - D have been revised for your municipality's General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – D. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices after notice and hearing. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site www.memun.org).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

GENERAL ASSISTANCE ORDINANCE

APPENDICES A-D

2016-2017

The Municipality of _____ adopts the MMA Model Ordinance GA Appendices (A-D) for the period of Oct. 1, 2016—September 30, 2017. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ (day) of _____ (month) _____ (year)
by the municipal officers:

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Signature)

GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from October 1, 2016 to September 30, 2017.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u> <i>York</i>	<u>Persons in Household</u>					
	1	2	3	4	5	6
	734	860	1,065	1,439	1,460	

NOTE: For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	45.12	194.00
2	83.02	357.00
3	118.84	511.00
4	150.93	649.00
5	179.30	771.00
6	215.12	925.00
7	237.67	1022.00
8	271.86	1169.00

NOTE: For each additional person add \$146 per month.

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	133	570	156	671
1	155	666	184	790
2	193	828	228	982
3	269	1,156	313	1,344
4	269	1,156	314	1,349

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2015, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

Note: For each additional person add \$146 per month.

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY



Agenda Item Divider



6

**TOWN OF KENNEBUNKPORT
TOWN WARRANT
SPECIAL TOWN MEETING
November 8, 2016**

State of Maine

County of York, SS

To: Tracey O'Roak, 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 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, in said Town on Tuesday, the 8th day of November A.D. 2016, at 8:00 o'clock in the forenoon for the purpose of acting on Articles numbered one (1) and one a (1a) and Questions 1 and 2 as set out below. The polls for voting on Question 1 shall be opened immediately after election of the Moderator at 8:00 a.m. on November 8, 2016, 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 correction or change to any name or address on the voting list.

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

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

**QUESTION 1
AMENDMENT TO THE LAND USE ORDINANCE**

Shall an ordinance entitled "November, 2016 Amendment to the Land Use Ordinance regarding roomers" 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 amendment revises the Performance Standards for Roomers (individual room rentals in residential homes)]

QUESTION 2
FLOURIDE IN THE PUBLIC WATER SUPPLY

Shall fluoride be added to the public water supply for the intended purpose of reducing tooth decay?

[Note of Explanation: This proposal will be voted on in the Towns of Kennebunkport, Kennebunk, Wells, Biddeford, York, Ogunquit and Arundel. A majority of all votes cast from all of the Towns is needed for this measure to pass. If this proposal passes then the Kennebunk, Kennebunkport and Wells Water District will be required to put fluoride in the public water supply for the intended purpose of reducing tooth decay.]

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 8th day of September, 2016, Kennebunkport, Maine.

Stuart E. Barwise

Sheila A. Matthews-Bull

Edward W. Hutchins

Allen A. Daggett

Patrick A. Briggs

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

A true copy of the warrant attest: _____
Tracey O'Roak, Town Clerk

ORDER

VOTED: That it be and is hereby Ordered that the Questions set forth below be placed on the ballot of the Special Town Meeting of the Town of Kennebunkport to be held on November 8, 2016, and that an attested copy of this Order be placed on file with the Town Clerk of the Town of Kennebunkport.

QUESTION 1 AMENDMENT TO THE LAND USE ORDINANCE

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[Note of Explanation: This amendment revises the Performance Standards for Roomers (individual room rentals in residential homes)]

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GIVEN UNDER OUR HANDS this 8th day of September, 2016, Kennebunkport, Maine.

Stuart E. Barwise

Sheila W. Matthews-Bull

Patrick A. Briggs

Allen A. Daggett

Edward W. Hutchins, II

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



Agenda Item Divider



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CERTIFICATION OF PROPOSED ORDINANCE

TO: Tracey O'Roak, the Town Clerk of the Town of Kennebunkport. In the name of the State of Maine, we hereby certify that the Ordinance entitled:

"Proposed Revision to land Use Ordinance
regarding Roomers and Residential Rental Accommodations"

attached hereto as Exhibit A is a true copy of the Ordinance proposed for enactment at the Special Town Meeting of the Town of Kennebunkport to be held on November 8, 2016.

Dated this 8th day of September, 2016, at Kennebunkport, Maine.

Stuart E. Barwise

Sheila A. Matthews-Bull

Edward W. Hutchins

Allen A. Daggett

Patrick A. Briggs

A majority of the Board of Selectmen of the Town of Kennebunkport

Exhibit A

Proposed Revision to Land Use Ordinance regarding Roomers and Residential Rental Accommodations

Add to Definitions

- Article 2 Residential Rental Accommodation: The permitted accessory use of no more than two (2) bedrooms in a legally existing dwelling or dwelling unit. This dwelling unit shall be an owner occupied dwelling. Rooms rented may be for either short term or long term rental to a roomer who may be unrelated to the owner or occupant of the unit. Individual rooms shall be rented no more than once per week. For purposes of this section a week shall be defined as Monday through Sunday.
- Roomer – A person residing in and paying rent for a room in a ~~single-family dwelling~~ Residential Rental Accommodation whether or not the person eats meals on the premises. See Residential Rental Accommodation
- Article 4 Remove Roomer from Conditional Uses subject to Zoning Board of Appeals Review from: DS (4.5), RF (4.6), GR (4.8) CPE&CPW (4.9), CPS (4.10), FE (4.11), FF (4.12)
- Add Residential Rental Accommodation to Conditional Uses subject to Zoning Board of Appeals Review to: VR (4.3), VRE (4.4). DS (4.5), RF (4.6), CA (4.7), GR (4.8), CPE&CPW (4.9), CPS (4.10), FE (4.11), FF (4.12)
- Add to Residential Parking Standards
- Article 6.10 6. Parking for a Residential Rental Accommodation shall include one (1) additional off-street parking space per room rented, in addition to the minimum parking spaces required for the dwelling unit.
- Article 7.14 Remove Article 7.14 Roomers
- Add Article 7.14 Residential Rental Accommodations
- A. Purpose. The purpose of allowing Residential Rental Accommodations is to authorize the use of legally-existing single-, two-, and multi-family structures for the accommodation of roomers, for compensation, while ensuring the safety of the occupants and minimizing the impact of such use on the surrounding neighborhood. Such rentals and the revenue they make to homeowner's help make Kennebunkport affordable for persons on fixed or limited incomes; enhance and diversify accommodations available to visitors and tourists; and provide travelers with affordable accommodations from which to explore Kennebunkport and the Seacoast region. If not made the subject of appropriate, limited regulations, however, the use of residential properties for Residential Rental Accommodations may create adverse impacts on surrounding residential uses including, without limitation, increased levels of traffic, parking demand, light and glare, and noise. Such impacts are deleterious to the public health, safety, and welfare of the neighborhood and the Town because they impair the livability and desirability of Kennebunkport neighborhoods for residential uses.

B. Performance Standards

No more than two (2) rooms in a Residential Rental Accommodation may be let out to Roomers provided that:

1. No separate kitchen or cooking facilities are provided for or use by the roomers;
2. No sign is located on the premises advertising the availability of rooms for lease or rent to roomers;
3. No alteration or change of the dwelling unit in its exterior appearance is made to accommodate the presence of roomers;
4. The bedroom(s) being rented shall be inspected by the Code Enforcement Officer and shall have code compliant smoke and carbon monoxide detectors in addition to complying with current building code requirements for primary and secondary means of escape;
5. The rooms occupied by the roomers do not have a separate entrance from the outside;
6. The rooms occupied by the roomers are within the principal structure;
7. The roomers use utilities which are not separately metered from those used by the remaining occupants of the dwelling unit;
8. One (1) off-street parking space per room rented shall be required as per Article 6.10 6; and
9. The owner of the Residential Rental Accommodation shall remain in residence while rooms are being rented.

C. Approval; Permit; Appeal

1. Approval to operate a Residential Rental Accommodation shall be granted by the Zoning Board of Appeals contingent upon a successful property inspection by the Code Enforcement Officer subject to section B. above. Following such approval, the Code Enforcement Officer shall issue a permit. Such permit shall be issued to the property owner only, and is subject to sufficient evidence that the property is owner occupied.
2. A permit to operate a Residential Rental Accommodation shall expire upon a change in ownership or a change in owner residency status.

3. A single family dwelling approved to accommodate Roomers prior to November 8th 2016 may continue to operate under the conditions of approval as specified by the Zoning Board of Appeals including the Land Use Ordinance requirements and restrictions in effect at the time of such approval.
4. Permit shall be revoked upon confirmation of a second (2nd) confirmed Noise or Barking Dog Citation related to use of a dwelling unit by a Roomer. Permit shall also be revoked upon any confirmed violation of the requirements contained within the definition of Residential Rental Accommodation located in Article 2. Any such permit having been revoked shall not be reissued to the same property owner within one (1) year (365 days) from the date of revocation, which shall require Zoning Board of Appeals re-approval.
5. An appeal from any decision of the Code Enforcement Officer related to the issuance, non-issuance, suspension or revocation of a Residential Rental Accommodation Permit shall be taken by an aggrieved party to the Zoning Board of Appeals within thirty (30) days of the decision.



Agenda Item Divider



Government Wharf
FY 17 Budget

Deposit on 8/5/16
4-320-73 Fund balance 4,791.11

Revenues
14-73-07 Pier Dues 3,650.00
14-73-20 Miscellaneous 0.00
3,650.00

23 members @ \$150 and 2 members @ @100

Expenses
47-06 15-02 Electricity 500.00
47-06 35-08 Float Maintenance 500.00
47-06 35-09 Pier Maintenance 500.00
47-06 60-04 Capital Equipment 2,150.00
3,650.00

yearly costs
for minor repairs
for minor repairs
for major repairs, maintenance and replacements

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Agenda Item Divider



(10)

TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Woodchuck Development, LLC

Name of Homeowner: Sand Piper Capital Management, LLC

Date: 8/31/16

Address: P.O. Box 261 Kennebunk, ME 04061

Telephone: 207-985-3646

Map, Block, Lot: Map 21, Block 9, Lot 52

Street to be excavated: Turbott's Creek Road

Size of excavation (length and width): +/- 7' wide x +/- 22' long

Reason for excavation: To connect to existing sewer force main

Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: 9/19 - 9/23

Name of Contractor: Foglio Inc.

Address: P.O. Box 308 Waterboro, ME 04087

Telephone: (207) 247-4186

Fax: 247-6910

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☐ Check ☐ Money Order ☒ Surety Bond ☐ Other

Bond Amount: \$2000⁰⁰

Company that issued the bond (if applicable): NGM Insurance Company

Person or entity providing the bond to the Town (contractor, property owner, other): Contractor

Insurance Company: Acadia Insurance

Signature of person completing the application: Raoula Foglio

Date: 8/31/16

APPROVED

Highway Superintendent: [Signature]

Selectmen: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Selectmen: _____

Date Approved: _____

Application Fee: \$25.00

Date Paid: _____

Amount Paid: _____

☐ Cash ☐ Check ☐ Money Order

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof of insurance.

LICENSE OR PERMIT BOND

BOND NO. S-851443

KNOW ALL MEN BY THESE PRESENTS THAT WE,

Foglio Inc*

of

978 Main St

Waterboro

ME 04087

as Principal, and

NGM Insurance Company

, a Florida

corporation with its principal

office at 220 Salina Meadows, Suite 200

Syracuse, NY 13212

, as Surety,

are held and firmly bound unto

Town of Kennebunkport

in the sum of Two Thousand and 00/100 Dollars

(\$ 2,000.00), for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas the Principal has obtained, or shall obtain, a license or permit from the Oblige for
Street Opening Bond

at Turbotts Creek Road for the term commencing on the 1st day of

September

2016

and ending on the 1st day of

September

2018

NOW, THEREFORE, if Principal shall faithfully observe and comply with all terms of the underlying license or permit, and all Ordinances, Rules and Regulations, and any Amendments thereto, applicable to the obligation of this bond, then this obligation shall become void and of no effect, otherwise to be and remain in full force and virtue.

The Surety may, if it shall so elect, cancel this bond by giving thirty (30) days written notice to the Oblige and the bond shall be deemed canceled at the expiration of said period; the Surety remaining liable, however subject to all the terms, conditions and provisions of this bond, for any act or acts covered which may have been committed by the Principal up to the date of such cancellation.

PROVIDED, HOWEVER, that this bond may be continued from year to year by certificate executed by the Surety hereon. Regardless of the number of years or terms this bond remains in effect, and regardless of the number and amount of claims that may be made, the maximum aggregate liability of the Surety is limited to the penal sum of the bond.

SIGNED, SEALED AND DATED on this 31st day of August, 2016

Foglio Inc*

By

Douglas Foglio, Jr.

NGM Insurance Company

By

Todd Darby Erickson
Attorney-in-Fact



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

S-851443

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint Todd Darby Erickson its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed bond number S-851443 dated September 1, 2016 . on behalf of "Foglio Inc" .

in favor of Town of Kennebunkport
for Two Thousand and 00/100

Dollars (\$ 2,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of NGM Insurance Company; this act of said Attorney is hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such officer and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 11th day of January, 2016.

NGM INSURANCE COMPANY By:

Bruce R. Fox



Bruce R. Fox
Vice President, General Counsel and Secretary

State of Florida,
County of Duval

On this 11th day of January, 2016 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R. Fox of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal at Jacksonville, Florida this 11th day of January, 2016.

Tasha Ann Philip



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in force and effect. **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 31st day of August , 2016 .

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-603-358-1343.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.

Checking-Biddeford S	25.00
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Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

MEMO

August 19, 2016

To: Laurie Smith, Kennebunkport Town Manager
Kennebunkport Board of Selectmen
Cc: Werner Gilliam, Kennebunkport Director of Planning and Development

From: David Kling, Chair, Kennebunkport Planning Board

RE: Use of funds received from Ebs Cove Subdivision

As you may be aware, on August 17, 2016, the Planning Board approved an 8 lot subdivision - "Ebs Cove". The developers of this subdivision chose to take advantage of a provision in the Subdivision Regulations which allows for a payment of a fee to the Town in lieu of having all of the 15% open space normally required.

In this case, the fees will amount to \$119,204.78 and will be paid proportionately as each lot is sold. FYI, the Town is ensured of receiving the payments through a mortgage/promissory note arranged by Werner and Town Counsel.

The purpose of this memo is to let you know that:

- (a) the fees will be forthcoming and
- (b) importantly, that Article 11.8. B. 7 of the Kennebunkport Subdivision Regulations state that "The payment in lieu of dedication shall be deposited into a municipal land acquisition or improvement fund."

Payments in-lieu of open space have been used so infrequently (Planning Board members could not recall one), that we did not know if there already exists a clear destination and/or potential purpose for the Ebs Cove funds that would be consistent with the intent of the regulation. The Planning Board members agreed that these fees should be used for something like open space creation, preservation or enhancement and not be simply added to the Town's general funds.

The Planning Board would appreciate being informed as to what may already be on the books or may be developed as well as the eventual actual use of Ebs Cove fees.

We will be discussing the possible revision of Article 11.8.B 7 and would welcome your input.



Agenda Item Divider



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Message

Sat, Sep 03, 2016 12:26 PM

From:  calane47@gmail.com

To:  Laurie Smith

Subject: [Town of Kennebunkport, ME] leaf blower noise

Hello lsmith,

Carol Lane (calane47@gmail.com) has sent you a message via your contact form (<http://www.kennebunkportme.gov/user/171/contact>) at Town of Kennebunkport, ME.

If you don't want to receive such e-mails, you can change your settings at <http://www.kennebunkportme.gov/user/171/edit>.

Message:

Hi, I've lived in this town for a very, long time, and I try not to complain too much. I am proud of our town. I, however, am fed up with the noise of leaf blowers. I went on line to read articles about the health dangers, not only to our ears but to our lungs. I am well aware that my neighbors have the need to keep their yards neat and tidy. I only wish that they would all synchronize their times to do this and get it over with in one horrible day. I listened on Wednesday to the lovely noise of a leaf blower for two hours; on Thursday, I listened until I left for the beach to get away from the noise of a second neighbor; yesterday, it took a landscaper about two hours to leaf blow my neighbor's hill which is directly across the street; as I write this note, another leaf blower is being used and this one has an irritating high high pitch. I will drop off three articles for the board of selectman to read concerning the negative affects of leaf blowers. My hopes is that there will be some sort of ban placed upon their use. I wish there was at least one day per week in which there were no machines allowed. Anyways, thanks for your time, and I will drop these articles off before Thursday's Selectman meeting. Sincerely, Carol Lane

ALTERNET

Modern Pestilence: Leaf Blowers Generate Infuriating Noise, Toxic Gases and Hazardous Dust

Blasting out air at hurricane-force speeds, leaf blowers spread allergens, toxins, pollutants and pathogens into the air we breathe.

By [Cliff Weathers](#) / [AlterNet](#) August 31, 2014

4.9K

92

[93 COMMENTS](#)

The calm and quiet of suburban existence has always been interrupted by loud, dirty machines in the form of chainsaws, hedge trimmers, lawn mowers, and string trimmers. But none of the tools of modern landscaping inspires as much animus and contempt as the leaf blower, the four-season tool used by do-it-yourself groundskeepers and professional landscapers alike.



The mind-numbing roar of a typical gasoline-powered, two-stroke leaf blower, at 90 to 102 decibels (dB), is only a small part of the overall damage these machines do to a community. Blasting out air at hurricane-force speeds, leaf blowers disperse allergens, toxins, pollutants and pathogens into the air.

The two-stroke engine is used in leaf blowers because it's lightweight, inexpensive and relatively powerful. But this engine is an environmental nightmare. Because it doesn't have a separate lubrication system, like an automobile, the gasoline is combined with oil and the entire mixture is burned.

This makes the typical leaf blower engine notably inefficient; some 30% of the fuel and oil mixture does not thoroughly combust, which causes the engine to discharge an abundance of air toxins, such as carbon monoxide, nitrous oxides and hydrocarbons. Nitrous oxides make up more than 7% of the gases that cause global warming and factor in the creation of acid rain. Hydrocarbons

are volatile organic compounds that are often carcinogenic and contribute to smog formation. Carbon monoxide is toxic to humans and animals in high concentrations and is part of the chemical mix that forms [photochemical smog](#).

Environmental scientists maintain that the emissions from a single leaf blower over a year's time are [the equivalent of running 80 automobiles 12,500 miles](#). Still, the two-stroke engine's emissions may actually be less hazardous than the dust and other particulate matter a leaf blower stirs up.

Leaf blowers don't just blow away leaves and lawn clippings, their 180- to 200-mph air output blasts away topsoil, microbial life forms, animal waste, allergic fungi, spores, herbicides, pesticides, and even heavy metals such as arsenic, mercury and lead. This toxic cocktail of engine emissions and dust particulates can exacerbate allergies and asthma in children and adults, and aggravate acute pulmonary disorders such as COPD (chronic bronchitis and emphysema) and pulmonary fibrosis in adults and the elderly. Leaf blower pollutants are so bad the American Lung Association recommends that all individuals avoid them.

And then there's the noise pollution. A [moderate decibel level](#), like playing music or having a conversation, is about 60 dB; the noise from a car passing 50 feet away is about 70 dB. But leaf blowers can generate four to eight times the noise of a passing car. According to the Environmental Protection Agency, that's enough noise pollution to degrade the quality of life by interfering with communication, thinking and sleep. The EPA says such noise can reduce the accuracy of work and increase an individual's level of aggravation, even hours after exposure.

The high levels of exhaust, particulate and noise pollution have prompted dozens of municipalities across the U.S. to pass ordinances either restricting the use of leaf blowers or banning them altogether. Most restrictions are seasonal (mostly in the late spring and summer months), while other bans restrict the time of day or days of the week blowers can be used. Some cities, like Los Angeles and Aspen, ban the use of gas-powered leaf blowers altogether. Fines vary from as low as \$50 to as high as \$5,000, depending on the community.

There's one more big flaw in terms of leaf blower function: Especially when used in the summer months to move grass clippings, leaf blowers don't really clean the area, they just move the mess offsite and onto the sidewalk, street, adjacent properties, and into storm drains and the air. So, it's a zero-sum game, giving the home or business owner a pristine driveway or lawn, while

the dirt and debris has just been moved elsewhere in the neighborhood. That's not cleaning—it's one residence making its mess the community's problem.

Getting a Ban in Place

Still, getting a leaf-blower ban in place is not always easy. Case in point: the Village of Nyack, NY has been mulling over an ordinance for several years, spanning two mayoral administrations. In 2011, the village's board sent the matter to an environmental committee comprised of some of the village's residents, which has yet to return a final recommendation to the board.

There has been some push-back against an ordinance from some businesses in Nyack, particularly the area's landscapers, who claim that illicit companies using leaf blowers will steal their business if they are not permitted to use blowers. The landscapers also claim they would be unfairly punished for using their equipment, while loud tools such as jackhammers would not be banned or regulated. Some elderly and disabled residents, who have purchased electric leaf blowers to help them clear snow from their walkways during the winter, also worry what an all-out leaf-blower ban might mean to them.

"Nyack has to worry about unintended consequences when considering an ordinance," says Mayor Jennifer Laird White, noting that while the pace of imposing a leaf-blower ordinance might seem slow, the village wants to be thorough and thoughtful in its decision-making process.



But some residents of Nyack say a ban on leaf blowers can't come soon enough. Village resident Matthew Picardi likens the use of blowers on neighboring properties to torture. Picardi says landscapers use leaf blowers as early as 7am and as late as past sunset.

"I have been blown in the face at close range multiple times while walking and biking, leading to coughing and difficulty breathing, and on one occasion nearly knocking me off of my bike," he says.

Picardi notes that landscapers are rarely mindful in their use of leaf blowers and have mixed their use with the application of liquid compounds used in gardening and lawn care.

"Leaf blowers [are] being used alongside landscapers using chemical sprayers on lawns, potentially making herbicides and pesticides airborne," he says.

Mayor White says she is not a fan of leaf blowers, and thinks there's reason to believe they're potentially toxic, but says she's seen no definitive testing as to the hazards.

"Unfortunately, this is not like climate change, where there's a wealth of proof to make your case," she says. "I think, as a village, we've got to approach this from a quality of life aspect."

The Village of Nyack uses only electric leaf blowers, according to White, and "the department of public works is strongly discouraged from using them," she says.

Other residents of Nyack wonder whether it would be expensive to clean the village's tree-lined riverfront park with rakes rather than leaf blowers, possibly raising their taxes. But that probably wouldn't be the case. In a report to the California Air Resources Board, the Los Angeles Department of Power and Water once [pit a grandmother with a rake and a broom against a professional landscaper with electric and gas leaf blowers](#). In three test cycles, the grandmother cleaned the area faster than any of the battery-powered blowers and 80% as fast as the gas-powered leaf blowers. She also did a better job cleaning up the areas, says the report. When a landscaping company did its own tests, it found that it too [could do the job faster using rakes](#).

Health and Welfare Issue

Across the Hudson River from Nyack in Eastchester, NY, advocates for a leaf-blower ban got the medical establishment on their side. Every doctor affiliated with Mt. Sinai Children's Hospital's Environmental Health Center signed on to the proposed restrictions, stating:

function() {
 /*document.write("\n \n");

"Leaf blowers pose multiple hazards to human health. Children are the most susceptible members of our population to these hazards because they breathe more air per pound of body weight per day than adults and thus inhale more of any pollutants that are thrown into the air by this equipment. Children's vulnerability to the health effects of this

equipment is further magnified by the fact that they are passing through the stages of early development, and thus their lungs, ears, eyes, and other organ systems are inherently more sensitive to environmental hazards than the organs of adults."

In other towns that have considered ordinances or bans, opponents have argued that banning the blowers would make landscaping difficult and excessively expensive. Failure to maintain lawns and gardens with leaf blowers, landscapers claim, could result in untidy homes and perhaps even falling property values. However, it hasn't hurt Carmel and Beverly Hills, the first two California cities to ban the blowers back in the 1970s.

A ban on leaf blowers certainly hasn't hurt quality of life in Rye, NY, an affluent bedroom community on the New York/Connecticut border, and perhaps not its landscapers either. When the city was considering a trial summer ban on leaf blowers in 2008, landscapers swarmed city council meetings, saying it would hurt their businesses. But *Greenwich Time*, the newspaper of neighboring Greenwich, CT, reported that a year later, only one landscaper showed up to a council review of the seasonal ban. Rye now bans all gas-powered leaf blowers.

Despite the leaf blower bans that are in place, some landscapers still use them. Some wait until the late afternoon, when code enforcers are not on duty. Others consider the fines they get to be just the cost of doing business, while others simply don't pay the fines. [A video](#) by actor and environmental activist Ed Begley Jr., released a few years back, showed that landscapers still use leaf blowers in Los Angeles despite a ban.

Nyack's Mayor White also worries that a regulation in her village might not solve the problem. "I don't know how we can enforce it," she says, noting that violators might be finished by the time authorities show up for a non-emergency complaint.

Writing this article was difficult, as the writer suffers from ragweed allergies, which were aggravated by three...now four...leaf blowers used nearby. And then there's the noise....

Cliff Weathers is a former senior editor at AlterNet and served as a deputy editor at Consumer Reports. Twitter [@cliffweathers](#).

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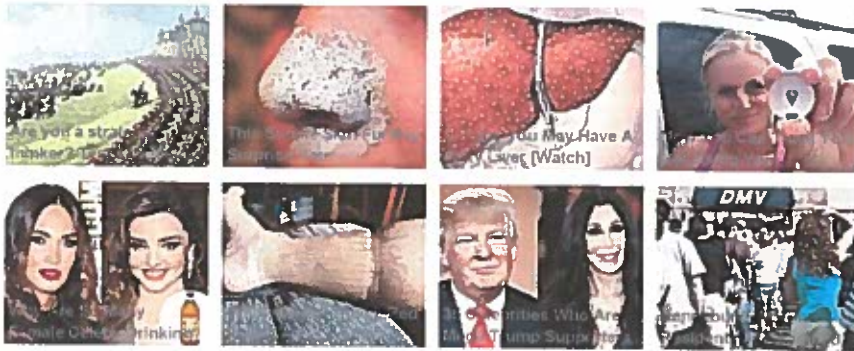
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LEAF BLOWER FACTS

Click Below For Information On:

[Leaf Blower Noise and Its Consequences](#)

[Air Pollution From Leaf Blowers](#)

[Leaf Blowers and Health: Letter to California Air Resources Board](#)

[A Brief History of the Leaf Blower](#)

[CQS Rebuttal to the CLCA Position on Leaf Blowers](#)

[Blowers Are Bad For Gardens: One Professional's Opinion](#)

[Grandmother Proves Rake and Broom as Fast as Leaf Blowers](#)

Leaf Blower Noise and Its Consequences

Noise interferes with communication, sleep, and work. The U.S. EPA says noise degrades quality of life by impairing communication and social interaction; reducing the accuracy of work, particularly complex tasks; and creating stressful levels of frustration and aggravation that last even when the noise has ceased [\(1\)](#).

Sacramento's city code states "Every person in the city is entitled to live in an environment free from excessive, unnecessary or offensive noise levels." Our General Plan states that the normally acceptable ambient noise level in residential areas is no more than 60 dB; 60-70 is conditionally acceptable; and higher levels are normally unacceptable. The decibel scale is logarithmic--each increase of 10, say 60 to 70, represents a noise 10 times louder.

The average blower measures 70-75 dB at 50 feet according to a manufacturer's lobbyist [\(2\)](#), thus louder at any closer distance. Leaf blowers are routinely used less than 50 feet from unconsenting pedestrians and neighboring homes that may be occupied by home workers, retirees, day sleepers, children, the ill or disabled, and pets.

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GREENWICH CITIZENS AGAINST LEAFBLOWER MANIA

HEALTH HAZARDS

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[Health hazards of leaf blowers](http://www.greenwichcalm.org/apps/blog/show/6583443-health-hazards-of-leaf-blowers) (<http://www.greenwichcalm.org/apps/blog/show/6583443-health-hazards-of-leaf-blowers>)

☐ Posted by GreenwichCalm on April 1, 2011 at 4:35 PM

Regarding the issue of the health impacts of leaf blowers, consider that:

- **The World Health Organization recommends noise levels of 55 decibels or less, 45 decibels to meet sleep criteria. A leaf blower generally measures at least 70-75 decibels at 50 feet away and far higher at close range.**
- **The United States Environmental Protection Agency (EPA) has found that noise levels over 75 decibels can cause hearing loss and are harmful to human health.**
- **According to the California Air Resources Board the types of air pollutants emitted when using a gasoline-powered leaf blower for half an hour are equivalent to those emitted from 440 miles of automobile travel at 30mph average speed. Compared to an average large car, one hour of operation of a leaf blower emits 498 times as much hydrocarbons, 49 times as much particulate matter and 26 times as much carbon monoxide.**
- **A Grand Jury convened on the subject of leaf blowers in San Luis Obispo County, CA concluded that:**

"Considering the evidence... the health hazards citizens are exposed to from two-cycle leaf blowers outweigh the possible benefit they provide." The Grand Jury went on to recommend that all cities within that county initiate a phase out of leaf blowers.
- **Dr Barry Boyd, an oncologist at our own Greenwich Hospital, testified to the Town of Greenwich Board of Health in 2005 that:**

Air pollution connected with leaf blowers worries him. He believes gasoline powered engines are the reason CT is the number one state in the country in incidences of breast cancer. He stated that one

leaf blower, in one hour, pollutes the same amount as 40 cars idling on a lawn. **"Connecticut has one of the highest rates of cancer," he said. "It is critical that we eliminate pollution from gasoline-powered engines where we can. Summertime is when Connecticut air is most polluted. A summertime ban on leaf blowers makes sense to me,"** he told the members.

- Every doctor affiliated with the Mt. Sinai Children's Environmental Health Center in New York City signed a letter submitted on April 22, 2010 by the Mt. Sinai Hospital supporting proposed restrictions on leaf blowers in Eastchester, NY. The Mt. Sinai team of doctors stated that:

"Leaf blowers pose multiple hazards to human health. Children are the most susceptible members of our population to these hazards because they breathe more air per pound of body weight per day than adults and thus inhale more of any pollutants that are thrown into the air by this equipment. Children's vulnerability to the health effects of this equipment is further magnified by the fact that they are passing through the stages of early development, and thus their lungs, ears, eyes, and other organ systems are inherently more sensitive to environmental hazards than the organs of adults."

The doctors went on to elaborate in great detail the specific hazards associated with leaf blowers, emphasizing the categories of: airborne pollutants, noise, and eye hazards.

- The American Lung Association of New York State submitted a letter in 2008 which "commends the towns and villages across the Lower Hudson Valley that **took a positive step to protect lung health by passing leaf blower ordinances.**"
- June Kaminski, MSN, PhD candidate, studied leaf blowers and published an article entitled "Leaf Blowers Threaten Health." Dr Kaminiski discovered that: **"the particulates spewn into the air by leaf blowers contribute to and aggravate respiratory and allergy problems, as well as add a significant amount of pollution.** They also dry and destroy the fragile top soil, hurting the environment." She found that "if landscape contractors [operating leaf blowers] are not protecting their ears with earplugs or earmuffs, they are routinely exosing their ears to sounds above 85 decibels--the level experts agree may threaten hearing over a period of time."
- Steve Zien, a professional landscaper and Executive Director of Biological Urban Gardening Services (BUGS), an international membership organization of primarily professional landscapers, states:

BUGS has opposed the use of leaf blowers for many years for a variety of reasons. There are many hidden costs when utilizing blowers regularly. The leaf blower is perhaps the most over-used and inappropriately used landscape tool. Autumn's tremendous amount of organic debris that requires collection might be considered appropriate use of this tool. However, the weekly routine of blowing abuses the soil and damages landscape plants while the noise creates ill will from neighbors and clients alike.

The landscape maintenance industry should join BUGS and take a positive approach to blower bans. Old fashioned leaf raking can be a renewed service that their business could provide. It could be used as a selling point: no noise and environmentally sound too! Approach it right and they could charge the client an appropriate fee for this service, especially if blowers are banned. This could even become a major selling point for some companies. It could lead to business growth and the hiring of more personnel to meet the demand. Environmentally sound landscapers should be able to turn this kind of legislation into a positive for their businesses, making it work to their benefit.

Noise and auditory damage

Gasoline powered leaf blowers create noise levels of 90-100 decibels at close range, and exceed the EPA's recommended maximum noise level of 80 decibels even at 50 feet. Many Greenwich residents in the high density neighborhoods regularly endure the noise of neighbors leaf blowers from less than 50 feet away! Repeated and/or sustained exposure to high noise levels damages the nerve endings in the ears and contributes to loss of hearing and deafness. Children are particularly vulnerable. Doctors at the Mt. Sinai Children's Environmental Health Center have documented the harmful health impact of leaf blowers on children, and have written letters in support of the leaf blower ban we are seeking.

The World Health Organization recommends ambient noise levels of 55 decibels or less (Environmental Health Criteria 12: WHO).

Noise and mental/emotional distress

The narrow frequency bandwidth of the noise emitted by leaf blowers, the whine, the pitch, is a particularly disturbing sound. The sounds these machines make regularly provoke people to rage. The constant use and over-use of leaf blowers reduces the productivity of our citizens (many people work at home), disturb sleeping infants and children, and they cause rise in blood pressure, adrenaline, heart rate and nervous stress. To put it mildly, they drive people crazy.

Noise also degrades our quality of life. It reduces communication. It interferes with our ability to enjoy being outdoors, or taking walks, or working or playing in our own backyards. It reduces property values, as Greenwich realtors have testified to the Health Board. It is an uncivil and selfish act to subject one's neighbors to a half hour or hour of deafening noise every week in order to have a pristine lawn area.

Worker safety and OSHA

The noise levels experienced by the operators of leaf blowers, are dangerous to their ears and can cause permanent hearing loss. The Occupational Health and Safety Act (OSHA) requires hearing protection for any workers using equipment that generates noise over 85 dB. According to the World Health Organization (WHO) "there is an increasing predictable risk" of hearing damage from noise above 75 dB. According to the American Academy of Otolaryngology, half the wearers of hearing protectors do not get the expected benefit, due to improper fit or failure to wear them continuously. And many workers do not even wear protection at all. Not surprisingly, there is evidence of unusually high levels of hearing loss in landscape workers. Using leaf blowers commercially may violate OSHA.

Breathing the particulate matter stirred up by and the emissions from the leaf blowers is also detrimental to worker health. Many landscape workers in Greenwich are operating leaf blowers a large part of every day, with undeniable adverse effect on their hearing and their lungs.

Air pollution and emissions: carcinogens

Leaf blowers contribute to smog and ozone pollution, a problem particularly in the warm months (which is the season we are seeking to ban their use). The inefficient two stroke engine on a leaf blower often releases as much as 25% of its raw, unburned gasoline in its exhaust, according to studies by the Air Resources Board of the CA EPA. The exhaust contains unacceptable levels of harmful hydrocarbons and oxides of nitrogen, both pollutants which contribute to smog and other health problems.

Reducing the use of leaf blowers helps reduce levels of ozone, carbon monoxide, and fine particulate matter as regulated by the Clean Air Act. When the City of Los Angeles reduced the number of leaf blowers operating in the LA area by 1,500 it was estimated to eliminate up to 14 tons of harmful emissions annually.

Among the substances blown into the air and respired are heavy metals, pesticides, and other carcinogenic substances. In addition, the exhaust from the two stroke engine also contains benzene and other carcinogens.

Dr. Barry Boyd, a Greenwich Hospital oncologist has informed the member of the Greenwich Board of Health that:

Air pollution connected with leaf blowers worries him. He believes gasoline powered engines are the reason CT is the number one state in the country in incidences of breast cancer. He stated that one leaf blower, in one hour, pollutes the same amount as 40 cars idling on a lawn. "Connecticut has one of the highest rates of cancer," he said. "It is critical that we eliminate pollution from gasoline-powered engines where we can. Summertime is when Connecticut air is most polluted. A summertime ban on leaf blowers makes sense to me," he told the members.

Particulate matter

Leaf blowers are a large contributor to particulate matter in our air, especially in summer, when particulate pollution is at its worst. The high velocity jets in leaf blowers blow into the air many unwanted and toxic elements. Various pollutants include dust, salt, lead, arsenic, mercury and other heavy metals, pesticides, fertilizers, fungicides, rodenticides, herbicides, fungi, dirt, ash, mold, spores and fecal matter. Approximately 5 pounds of particulate matter per leaf blower per hour are blown into the air and can take hours and even days to settle. These particulates aggravate allergies. They also contribute to cardiac conditions such as arrhythmia and can cause heart attacks. Moreover, they contribute to pulmonary diseases such as bronchitis. Please visit EPA's web site about the health impacts of particulate matter: www.epa.gov/air/particulatepollution.

A Grand Jury in the Superior Court of California issued findings about the toxicity of leaf blowers and the health hazards associated with them. Contact us for a link to this study.

Spread of pulmonary disease, asthma, and allergies

The dust, pollen, spores and other particulate matter spread by leaf blowers exacerbates asthma, emphysema, and allergies. Children and the elderly are the most vulnerable segments of the population and are particularly

impacted by the use, and abuse, of leaf blowers in our community. Nine doctors from the Mt. Sinai Children's Environmental Health Center wrote a letter supporting other town's restrictions on leaf blowers because of these and other health concerns. Contact us for a link to this study.

Among the particulates thrown into the air by leaf blowers are dried fertilizers, and fecal and urinary matter of animals, including mice and other rodents. These substances have been linked to the spread of various respiratory diseases.

Destruction of gardens and landscapes through compaction, dessication and loss of topsoil

Leaf blowers blow a concentrated stream of hot air onto plants at 200 mph—higher speed and force than a hurricane. As professional landscaper Steve Zien says: "wind speeds in excess of 180 mph are currently blasting landscapes throughout [the country]. Leaves are ripped from branches, new growth and developing flowers are damaged and precious topsoil is blown away. Nurseries and Extension Agents are receiving more plant samples from gardeners indicating a tornado or hurricane devastated their landscape plants."

Winds stress the fragile living material of plants, causing dehydration, burned leaves, and the suspension of photosynthesis and other natural plant functions. Overall growth is also slowed. Natural openings in the leaves that allow for the exchange of oxygen and carbon dioxide are sealed shut. Disease spores laying dormant on the soil or fallen debris are blown back onto plants where a little moisture can renew their cycle of infestation and damage.

Blowers effectively distribute disease spores, weed seeds and insect eggs through the landscape and onto neighboring landscapes.

Blowers create a disposal problem. Most landscapers do not compost their debris; they put it into sanitary landfill which are being rapidly filled to capacity. The organic material is a gardeners best friend and should remain on site to be recycled back into the landscape.

Another hidden cost of leaf blowers is that they deprive flowers, shrubs, and trees of live-giving mulch. Without this natural blanket, erosion, water evaporation and the spread of disease all become problems. Mulch, when not blown away, creates a favorable growing environment for plants and beneficial organisms both above and below ground while adding nutrients to the plants' root zone. When mulch is removed to the compost and renewed annually many soil borne diseases are kept to a minimum.

Disturbance of small mammals, birds, and insects, and their habitat

Noise, toxic fumes, and hot air blown at hurricane force are all taking a toll on animals and birds in our landscapes.

Even beneficial insects like earthworms and bees are being damaged by the assault of the leaf blowers most yards in Greenwich are subjected to. Nests and other habitat are disturbed, animals and birds are driven away by noise.

Pollen, sap, and other natural plant substances are dessicated or simply sent airborne. Every living creature in the range of a leaf blower is harmfully impacted.

Non-point source water pollution

Another problem is the common practice of many landscapers to blow debris into the street, or into a neighboring property. When it is pushed into the street it often clogs storm drains and gutters, contributing to inefficient functioning of these drains and to increased flooding and erosion. At other times, the debris enters the drains and moves toxins and other unwanted material into our creeks, rivers and ultimately Long Island Sound, creating a significant new source of non-point source water pollution.

The City of Santa Monica, CA forbids the use of leaf blowers because it recognizes the link between the toxic substances, including heavy metals and chemicals, which are pushed into gutters by leaf blowers and which end up in the already polluted Pacific Ocean and the rivers and bays that connect with it in the Santa Monica area.

Overall carbon footprint and energy usage

Leaf blowers accomplish collection of material inefficiently. They use fossil fuel in place of human effort and muscle, at the expense of our environment. Their two stroke engines use gasoline exceptionally inefficiently, spewing 25% of it unburned into the air through their emissions. Why use an engine to do what your arms can do more efficiently and with no harmful effects to humans, animals, or the environment? Americans are increasing in obesity and becoming more and more sedentary, in part because we no longer do even the simple, and rewarding tasks, or tending our own gardens, cutting our grass ourselves, or raking autumn leaves.

A University study showed that Americans spill 17 million gallons of gasoline per year refilling lawn mowers, leaf blowers, chain saws and other lawn and garden equipment. That's more than the 1989 Exxon Valdez oil spill in Alaska. Every time a leaf blower is refilled, toxic fumes called Volatile Organic Compounds (VOCs) can be released into the air. Spilling and overfilling equipment can also result in the release of VOCs. When VOCs react with the sun, ground-level ozone or smog is produced. Ozone can affect not only the lungs, but many other organs and systems of the body. Children, the elderly, and people with chronic illness are the most susceptible. Gasoline spilt on lawns can seep into the groundwater and waterways, affecting drinking water and polluting rivers, lakes, and oceans.

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18 Comments



(#comments)

earth goddess

11:06 AM on August 30, 2011

greenwich ct and bedford ny have a leaf blower epidemic-mania and must ban leaf blowers for everyone's sanity and health. manicured lawns are not sacred and leaf blowers are evil. human sanity is more important than a few narcissitic lawn fanatics. the only way to ban the leaf blowers is to contact your town government EVERY TIME LEAF BLOWERS ROAR. call and email every time a leaf blower breaks the silence. eventually the town phone and email lines will be overwhelmed to the same extent that leaf blowers overwhelm residential neighborhoods with noise and dust.



(#comments)

earth goddess

11:21 AM on August 30, 2011

Bedford and Greenwich need to work together to BAN leaf blowers. Every time leaf blowers break the silence in Greenwich call town of Bedford Supervisor and your complaint will be heard: 9146666530 Supervisor@BedfordNY.info That's democracy. every time leaf blowers break the silence in Bedford we will call town of greenwich to complain, citing the above health risks, to help greenwich residents ban leaf blowers. you can also report illegals with blowers to irs or boycott landscaping companies that use leaf blowers.



(#comments)

leaf girl

10:03 AM on August 31, 2011