2005
UPDATE OF THE KENNEBUNKPORT COMPREHENSIVE PLAN

Prepared By:
The Growth Planning Committee

FOR PUBLIC REVIEW AND VOTE
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TABLE OF CONTENTS

Chapter I.	Introduction	1
Chapter II.	A Brief History	4
	I. The Native American Period	4
	II. The Early Years	5
	III. The Shipbuilding Years	7
	IV. The Years of the Summer Visitor	9
	V. Into the 21st Century	11
Chapter III.	Community Character	15
	I. Background	15
	II. Analysis and Conclusions	15
	III. Implementation	16
Chapter IV.	Historic and Archaeological Resources	21
	I. Inventory	21
	II. Analysis and Conclusions	25
	III. Implementation	25
Chapter V.	Marine Resources	31
	I. Inventory	31
	II. Analysis and Conclusions	41
	III. Implementation	45
Chapter VI.	Water Resources	50
	I. Inventory	50
	II. Analysis and Conclusions	58
	III. Implementation	59
Chapter VII.	Natural Land Resources	63
	I. Inventory	63
	II. Analysis and Conclusions	70
	III. Implementation	73
Chapter VIII.	Economy	78
	I. Inventory	78
	II. Analysis and Conclusions	90
	III. Implementation	92

Chapter IX.	Land Use	97
	I. Inventory	97
	II. Analysis and Conclusions	100
	III. Future Land Use Plan	105
	IV. Implementation	114
Chapter X.	Housing and Demographics	123
	I. Inventory	123
	II. Analysis and Conclusions	133
	III. Implementation	133
Chapter XI.	Recreational and Cultural Resources	137
	I. Inventory	137
	II. Analysis and Conclusions	146
	III. Implementation	147
Chapter XII.	Public Facilities and Services	149
	I. Inventory	149
	II. Analysis and Conclusions	167
	III. Implementation	167
Chapter XIII.	Transportation	175
	I. Inventory	175
	II. Analysis and Conclusions	183
	III. Implementation	184
Chapter XIV.	Fiscal Capacity	190
	I. Inventory	190
	II. Analysis and Conclusions	195
	III. Implementation	195
Chapter XV.	Hazard Mitigation	197
	I. Inventory	197
	II. Analysis and Conclusions	197
	III. Implementation	198
Chapter XVI.	Capital Investment Strategy	200
	I. Growth in the Community	200
	II. Ability to Accommodate the Projected Growth	200
	III. Projects Necessary to Accommodate Anticipated Growth and Enhance the Quality of Life	201
	IV. Capital Planning and Budgeting Process	203
	V. Implementation	204

Chapter XVII. Regional Coordination 205
I. Issues of Regional Concern 205
II. Conformance with Regional Goals and Policies 207
III. Policies/Strategies Supporting Regional Coordination 208

Appendix A. Summary of the Community Survey

Appendix B. Inventory and Future Land Use Maps

Appendix C. A Vision for Kennebunkport

Appendix D. Implementation Matrix

Appendix E. Matrix of Proposed Land Uses

CHAPTER I. INTRODUCTION

Kennebunkport offers a truly outstanding natural and cultural environment to both residents and visitors. The combination of a rocky coastline, beaches, harbors, restaurants, historic villages, cultural and social activities, and a vibrant, natural hinterland creates an extremely desirable place to live and to visit. Maintaining the character of Kennebunkport in the face of continuing change requires vigilance and continuing re-evaluation of the Town's goals and policies. This Update of the Town's Comprehensive Plan is one part of that process.

The Town adopted its current Comprehensive Plan in 1996. That plan contained the following statement of purpose:

> "The Comprehensive Plan is intended to meet several needs:
>
> 1. To compile an "Inventory" of the Town's resources in many different fields of interest to serve as a reference work for people involved in Town affairs.
> 2. In so doing, to seek out, describe, and analyze existing conditions which affect the Town's development and welfare, and to project such conditions into the future.
> 3. To identify problems and issues which are of concern to the Town, to draw conclusions about them, and to propose goals and policies through which they may be dealt with in the future.
> 4. To set forth strategies through which the recommended policies can be implemented."

This statement of purpose continues to apply to this update of the plan.

Since the current plan was prepared in the early 1990's, the Town has experienced significant growth. The year-round population continues to grow. The development of new housing has increased over the past few years. The number of tourists and the length of the tourist season continue to increase. This growth raises new and continuing issues for the community and the town government.

This Update of the Comprehensive Plan represents a complete review and revision of the 1996 plan. The Growth Planning Committee reviewed the current plan topic-by-topic, updated the basic information as necessary, reviewed and revised the goals and policies, and identified appropriate actions to implement those policies.

This Update is organized in the same format as the 1996 plan. The update covers the eleven fields of interest addressed in the current plan and adds additional new

topics, including Community Character and Hazard Mitigation. The order of Chapters and of topics within chapters bears no relationship to the Committee's view of their importance.

For each of these topics, the update includes three sections:

1. **INVENTORY**. This section summarizes the Committee's findings on the subject, and draws attention to areas in which there may be problems or controversial issues. In order to make this factual material easier to understand, extensive use has been made of maps, tables, and charts. Where these exhibits are too large to be inserted into the text, they can be found at the end of the document.

2. **ANALYSIS AND CONCLUSIONS**. This section summarizes the Committee's opinion concerning the implications for the Town of the factual findings in the previous section. Attention is drawn to topics where problems are foreseen, improvement is needed, or recommendations are called for.

3. **IMPLEMENTATION**. This section sets forth the State's minimum goals for the subjects covered by the chapter, as defined in the Growth Management Act, and suggests further goals which are appropriate for the Town. For each of the concerns identified in the previous section, a policy is proposed for dealing with it. The section then recommends specific strategies through which these policies can be implemented. Where action is required, the appropriate agencies of the Town are identified, and a time frame proposed.

For the purpose of the Update, the following terms are defined as:

Goal	-	An objective
Policy	-	A course of action
Strategy	-	A plan of action; a tactic
Conservation	-	Preservation from loss, harm or depletion
Preservation	-	Kept unchanged

The following timeframes are used in the implementation sections.

Ongoing
Bi-annually
Annually
1 Year
2 Years
Yearly increments up to 5 years

The update was prepared by the Growth Planning Committee, consisting of the following members:

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The committee was assisted in its work by the Southern Maine Regional Planning Commission (SMRPC) and Planning Decisions, Inc.

Gary Lamb and Nathan Poore and the staff of the Town Office gave great support and assistance. The SMRPC was essential to us and particularly David Versel of SMRPC in the later months of our work. Russ Davenport served as liaison with the Board of Selectmen.

Finally, we appreciate all of the time and information that was so generously provided by all of the departments of the Town.

CHAPTER II. A BRIEF HISTORY OF KENNEBUNKPORT

I. THE NATIVE AMERICAN PERIOD

Eleven thousand years ago, Maine was a mixture of open spruce forest and tundra with a few remaining isolated glaciers. Mammoth, mastodon, and caribou inhabited the land. The Paleo-Indians, arriving from the south or west, hunted all of these animals with tools of bone, wood, and stone. The people were expert hunters and equally expert in the manufacture of their hunting equipment[1]. They manufactured spear points from chert to penetrate deeply into an animal. They lived in small bands, perhaps a few families most of the time, and moved on foot over what still seems like vast distances to us today. It is not uncommon, for example, for rock materials to have been brought from Burlington, Vermont, or the lower Hudson River valley into Maine.[2] Artifacts from a site discovered a few miles southwest of Kennebunkport include tools manufactured from stone excavated near Katahdin, Burlington, VT, Saugus, MA, and Hudson Valley, NY.[3]

Around 10,000 years ago the environment changed. Trees (pine, birch, poplar, and oak, with other hardwoods later) colonized the Maine landscape, forcing everyone who resided here since to live and travel along lakes and waterways and otherwise accommodate a dense forest[4].

There were three or four cultural shifts from 8,000 years ago to contact with the Europeans. Each era signified the movement of a new culture into the area. These people were semi-nomadic and probably spent part of the year at inland encampments and the rest along the shore. Their trademark huge mounds of oyster and clam shells, accumulated over thousands of years, can still be found today in Kennebunkport. Surveyed by archaeologists from Maine's Historic Preservation Commission, Kennebunkport's shell middens were established 3,000 years ago and were active until contact with Europeans.[5] These same people decorated pottery, built canoes, hunted seals and small whales, and were undoubtedly skillful coastal navigators.

It was the Wabanaki (also Abenaki) who greeted the first Europeans 400 years ago. A loose confederation of tribes, the Wabanaki included people from Newfoundland and Prince Edward Island to New Hampshire.[6] In coastal Maine south of the Saco River, early explorers noted the reliance of native peoples on agriculture. Crops included beans, corn, squash, pumpkins, and tobacco.[7]

The interface with Europeans began with summer visits from fishermen, who were willing to cross the Atlantic each summer to harvest the incredible bounty of the Gulf of Maine. By 1616, the visitors had introduced a deadly epidemic. In the period

between 1616 and 1620, the population of more than 20,000 native people was reduced to 5,500.[8] Whole villages were decimated. The remaining people often consolidated, choosing one village to live in and abandoning several others.[9] As European settlers began arriving a few years later, they found cleared, but abandoned, fields and seized these sites for homes and trading posts.

Several countries laid competing claims to the area which now makes up Maine. None consulted with the native inhabitants before dividing up the land. The French were often trading partners with the Wabanaki. The English traded, but also wanted agricultural land and lumber. In the space of 200 years, the ancient forests were destroyed and native peoples pushed to the brink of extinction.[10] Wabanaki preferred treaties to wars, but treaties were broken repeatedly. Massachusetts's courts refused to allow Indians to appear in court to petition for redress. A series of wars followed: 1675 King Phillips War, 1721 Lovewell's War. On June 20, 1756, the Massachusetts's Chamber Council set a bounty of 40 pounds for the scalp of an Indian male and 20 pounds for the scalp of a woman or child.[11] At the time, 200 acres of land could be purchased from the Plymouth Colony for 35 pounds.

In 1763, the Treaty of Paris was signed and France gave up claim to Maine. The Wabanaki of Maine were now without an ally in Maine. The meager remnants of the Wabanaki of southern Maine had fled to Canada or the upper reaches of the more eastern river valleys. Like the forest they inhabited, the native people who had lived in southern Maine for over 10,000 years, had been wiped out in less than 200 years. In their place were a people hardened to the diseases that had consumed three-fourths of the native population. Though the early European inhabitants of Cape Porpoise were notable primarily for their lack of noteableness[12], they came with the belief that the New World could offer them more than England had. For most of them, going back was not an option.

II. THE EARLY YEARS

It is hard to imagine any part of our country that has been claimed by as many "owners" as Kennebunkport, with the "owners" never having set eyes on it. In 1493, the Pope granted the territory, which included Kennebunkport and Cape Porpoise, to the Kings of Spain and Portugal. In England, Henry VII, also an absentee "owner", granted it to Cabot in 1495. Francis, King of France, decided to claim it as part of his "New France" in the northern part of America. Because these early grants did not bring any colonists, they had no practical effect.

It was fishing that attracted the earliest settlers. Before the Pilgrims landed at Plymouth, there were already men spending the summer months on the islands of Cape Porpoise. They had come in search of cod, and in the Gulf of Maine had found one of the world's most productive fishing grounds. The islands of Maine, those of Cape Porpoise among them, provided an excellent base from which the fishermen

could work. The inner harbors created by the islands made safe anchorage for the ships and the distance from shore allowed for a certain amount of protection. Although the islands were small, there were small tillable areas, which could produce very welcome vegetables.

Here, on our islands, the fishermen could salt and dry their catches and then pack them away in preparation for the return voyages to England. Stage Island, the easternmost island in the Cape Porpoise chain, very likely received its name from the wooden "stages" on which fish were cured during those early years. It is also likely that the first year-round settlement of Cape Porpoise occurred on the islands when some of these same fishermen decided to brave the dangers of winter in order to deliver earlier, and hence more profitable, shiploads of fish to the mother country.

Little was recorded about these earliest explorers and settlers of the Maine coast. Fishermen then, as today, were reluctant to divulge the locations of their most successful fishing grounds. But fishermen then, as today, had ways of finding out and as the 17th century progressed, more and more people made their way to this part of the Maine coast.

The increase in population brought with it a higher degree of safety and soon most of the population moved away from the islands and onto the mainland. In fact, enough people had come to warrant an application for township status from the government at Massachusetts. On July 5, 1653, "Cape Porpus" (original spelling) became the fifth incorporated town in the Province of Maine.

It is nearly impossible to determine just how many people made their homes around the shores of "Cape Porpus" and the banks of the Kennebunk River in those early years. Probably there were never more than 200 at any one time, and those who did live here fished, raised cattle, lumbered and farmed on a subsistence level. None became rich, and the town's economic base was limited to a few small mills. Although the Province of Massachusetts gained in both population and wealth, "Cape Porpus" remained economically depressed.

On December 7, 1689, war was declared between England and France. Armed and inspired by the combatants, hostile Indians began to appear in great numbers. The residents of Cape Porpoise were forced to withdraw to a fort they had built on Stage Island, and those living between Turbat's Creek and the Kennebunk River made their way to Wells, barely getting away with their lives. The town of "Cape Porpus" was left deserted.

After the warring parties signed a truce in 1695, a few people began drifting back to their homes at Cape Porpoise. The peace didn't last, however, and on May 4, 1702, war again erupted between France and England. In the summer of 1703, five hundred Indians, led by French commanders, divided themselves into parties and

attacked all of the major settlements in Maine. The Kennebunk's were assaulted on August 10 of that year. Many settlers lost their lives, and the area was once again depopulated.

For a decade the war dragged on, and it was not until 1713 that a peace treaty was signed with the eastern tribes. Slowly, by two's and three's, the hardier settlers began to return to their properties. By 1716, a petition had been submitted to the Massachusetts legislature to restore town privileges to "Cape Porpus". The privileges were restored in 1717. Within two more years, the legislature was again petitioned, this time to change the town's name to Arundel. The wish was to honor the Earl of Arundel, an original proprietor of New England.

Although land titles were often vague or in conflict, houses were built and fields cleared in Arundel. Induced by grants of land, talented men began to arrive. Although Indian hostility was to flare up at intervals, the community was more populous and better organized. By 1735, the population had risen to 300. The 1743 census recorded 50 more.

With increased population came greater security, but life was never easy during those early days. The year 1728 was marked by the fourth of a series of "great earthquakes". (The first had been in 1638, the second in 1658, and the third in 1663.) The fourth, on October 29, 1728, was more violent than the others, "shaking down chimneys and stone walls, and making it difficult to stand unsupported." According to an early historian, "many joined the church".

In 1721, all pine trees measuring two feet in diameter two feet from the butt were reserved as the property of the King, to be used as masts for the King's ships. The penalty for cutting one down was 100 pounds sterling. Bears were a continuing nuisance to the early residents; William Buland had to attack one with a hoe to save his hog. As late as 1784, the town was paying a bounty for killing wolves.

It was decided that the State Bird would be the Chickadee, though many residents since have considered that the mosquito should bear that title. The rule for survival was "pray for a good harvest, but continue to hoe".

III. THE SHIPBUILDING YEARS

Fewer than 600 people lived in the town of Arundel when, in 1775, John Mitchell's eight-ton vessel slid down the ways and into the river. A new era had begun, one that would lift the community from poverty to riches. By the turn of the 19th century, the population had tripled. Six ships, a bark, 20 brigs, a scow, 16 schooners, and 12 sloops all hailed from the Kennebunk River, and all were in active commerce.

On May 22, 1776, more than a month before the Declaration of Independence, the town voted that "If the Honorable Congress should, for the safety of the colonies, declare themselves independent of the Kingdom of Great Britain we, the inhabitants of Arundel, do solemnly engage, with our lives and fortunes, to support them". When the Declaration was received, it was recorded in the town book. Benjamin Durrell, John Whitten, Gideon Walker, John Hovey, and Charles Huff were chosen a Committee of Correspondence, Inspection, and Safety. The population of Arundel at that time was 1,143.

After the surrender of the British army under Lord Cornwallis, it became evident that the government in London had given up all expectations of conquering their former colonies. On September 3, 1783, a treaty of peace, recognizing the independence of the United States, was signed in Paris. With peace at hand, the more adventurous citizens could build careers as sailors and captains. Some grew wealthy, and most were able to make significant gains over the lifestyles known by their forefathers. With a sound economic base, an ever-increasing population could be supported.

Real estate values soared, with some land selling for more than $1,000 an acre. Newer and larger homes were built. In the area surrounding Durrell's Bridge, seven shipyards rose on the banks of the river. "Here," Kenneth Roberts tells, "between 1800 and 1820, were built 30 ships, 97 brigs, 27 schooners, 11 sloops and a large number of smaller craft. All the roads to that busy spot were cluttered with material needed by shipwrights." In fact, the area became so successful as a shipbuilding and trading center that, in 1800, Arundel was established as a separate customs district with its own customs house (the building which now houses the Graves Memorial Library).

In one way or another, the entire population linked its fortunes to the sea. It took many skills to build a ship, and experienced craftsmen did virtually all of the labor. Carpenters, sail makers, blacksmiths, caulkers, painters, and adzemen were only a few of the skills required by the yards. These were not easy jobs, but they were jobs of which a man could be proud. To be considered the best trunnel-borer, plank-liner, or rigger was a mark of distinction. In addition, as this local industry grew, so did the demand for supporting goods and services. Merchants were able to create healthy businesses, traders found a ready market for their goods, and farmers could easily dispose of their crops.

High quality granite was being quarried by several local companies in the early 1800's and hauled by ox team to Goose Rocks Beach for shipment to many destinations. During this period, Kennebunkport became one of the busiest ports in Maine: between 1800 and 1825 more than $1,000,000 in duties was collected on cargoes being imported.

As commercial activity increased, the citizens followed the retreating forests inland and built towns on the rivers down which logs were floated to the coastal shipyards. Ships built in Kennebunkport carried lumber, ice, lime, and fish all over the world. They were helped by the fact that Maine is ideal for seafaring. The distance between Kittery and Eastport is 250 miles as the crow flies. The shoreline accessible to the sailor, however, is roughly 2,500 miles because of the broken coastline. There are more than 3,000 streams and rivers bringing water to the shore and serving as avenues for commerce inland. The average tide is 8.7 feet.

The years passed, and the size of vessels being built on the Kennebunk River gradually increased. In 1805, the first vessel of more than 300 tons burden was built and floated downriver by means of an ingenious system of locks. A decade later, vessels of 400 tons were being launched and it became necessary to move many shipbuilding operations from the Landing to the lower end of the river.

Kennebunk was well known in the business world by the year 1820. However, the towns of Wells and Arundel, which comprised the commercial district, were largely unknown. As a result, in 1821, Arundel took the more awkward name of Kennebunkport.

In 1874, the "Ocean King", the largest sailing vessel built up to that time in the United States, was launched in the Kennebunk River. But, despite the glory of the moment, the local shipbuilding industry was in trouble. The building of wooden ships had slowed since the Civil War, and vessels made of iron and steel were displacing traditional wooden ships.

Maine, with its remote location and dwindling lumber supply, could not compete. Though a demand for coastal schooners kept the local shipyards open for a while, it became clear that times were changing, and the economy of Kennebunkport would have to adjust. Census figures reflected some of that change. The census of 1830 had listed 2,763 people as living Kennebunkport: by 1870, the population had declined to 2,372.

The prosperity and growth brought by the shipbuilding industry was fading. Even more alarming was the fact that no replacement was in sight, and transition was inevitable.

IV. THE YEARS OF THE SUMMER VISITOR

The railroad brought the summer visitor, whose journey to Kennebunkport was made possible by inexpensive rail fares. It must have seemed ironic to the local seamen that the end of their careers was a part of the town's economic rebirth. Although visitors had been coming for years, it was not until the arrival of the Sea Shore Company that Kennebunkport acquired its reputation as a summer resort.

In 1870, four men from Arlington, Massachusetts conceived the idea of developing a vacation community. They chose for their investment the beautiful rocky shores of Kennebunkport. The land they wished to develop was considered to be nearly worthless by its local owners. It offered no safe havens for fishing boats, and it had no value for pastureland or farming. Only a small dirt road connected this shore property with the Town Square. The modest sums offered by the developers must have seemed magnificent to the native owners. That is, of course, until they later learned about the selling prices for the subdivided parcels.

By 1873, the Sea Shore Company had purchased nearly 700 acres of prime land along five miles of coastline, extending from Turbat's Creek to Lord's Point. A map was drawn up showing the locations of several house lots, parks, roads, and four hotels. Traditional names were changed to appeal to a new clientele. "Bouncing Rock", for instance, became "Blowing Cave"; "Great Pond" became "Lake-of-the-Woods". Street names reflected the origin of the town's new residents: Arlington, Boston, Haverhill, and so on.

Where today's "Colony" stands, the Sea Shore Company built "Ocean Bluff Hotel", a wooden four-story structure which could accommodate up to 200 patrons. For a room and board rate of $3.00 per day, the patrons could enjoy "unsurpassed cuisine" and also "first-class accommodations". They also received the "healthful and varied pleasures" that the Maine coastline had to offer. Most important to the townspeople, they provided jobs.

Many citizens needed extra income, and the town needed a broader tax base. Although many regretted the changes which were taking place, the town invested in its own future by granting the Sea Shore Company a five-year tax exemption to help them enhance the value of their properties. The course for Kennebunkport had been set.

By 1900, a true summer colony had been established in Kennebunkport. A major addition to the town came with the construction of the Atlantic Shore Line trolley system. It not only carried visitors to their destinations, but also freight to local businesses and coal from the harbor at Cape Porpoise to the mills at Sanford. Thanks to easy access, the summer visitors could enjoy the pleasure of a casino, which had been built overlooking the harbor at Cape Porpoise.

But for all of the summer activity, the "age of the summer visitor" was only seasonal. The town was crowded from June to September, but by autumn it would be returned to the natives. Even the summer disruption was somewhat passive in nature. The horse and buggy did not encourage frequent, far-ranging expeditions. Although the river saw great activity, canoeing was the order of the day. This must

have seemed terribly mild to those who remembered the times when shipyards had crowded the banks.

An interesting feature of the "years of the summer visitor" was that the population included such well-known writers as Booth Tarkington and Kenneth Roberts, and a number of art galleries exhibiting the works of talented artists. Booth Tarkington's enormous summer home, now divided into four large condominiums, was known as "the house that Penrod built" because of the very popular fictional character that Tarkington created.

Unfortunately, the seasonal nature of summer visitor revenue did not provide year-round income, and the population continued to fall. In 1880, it was 2,405. By 1900, it had fallen to 2,130 and 30 years later it had dropped to 1,284, about half what it had been 100 years earlier.

A new economy was developing in the United States, with the automobile exerting an increasing impact on the way people lived, worked, and vacationed. Kennebunkport again faced change. The population began to rise steadily, and a new chapter was beginning: suburbanization.

The transition period for Kennebunkport was punctuated by a major national event when George Bush, a third-generation summer resident of the town, was elected Vice President and later President of the United States. The languid atmosphere of former summers was changed dramatically by the presence of the Secret Service, the news media, and even heads of state from abroad.

V. INTO THE 21ST CENTURY

It was August 1961, and in Kennebunkport more than just the weather was hot. Lines were being drawn, both on maps and between citizens. The issue was zoning, and for the first time, townspeople were being faced with the prospect of having restrictions placed on the use of their land.

In more than 300 years of local history, in time of wealth and in times of deep poverty, one fact had never changed: A man had a right to do with his land just as he pleased. People whose families had struggled for generations to make a living from the sea were an independent lot. They guarded their liberties jealously and didn't take kindly to this kind of rule-making. And yet, a new issue was facing the community. Those "from away" were moving into Kennebunkport in ever-increasing numbers. The town was changing, and many argued that some individual rights would have to be sacrificed for the good of all. The "years of the summer visitor" were giving way to an age of suburbanization.

Each chapter of local history has left its distinct mark on the town. The early troubled years of settlement bred a self-dependent citizenry, tied to the land and supported by the sea. The shipbuilding years strengthened the town's commitment to a nautical way of life. As the area grew from poverty to riches, those who lived here remained a homogeneous people, dedicated to the maritime economy, which had evolved naturally from the coastal location.

When shipbuilding declined, Kennebunkport became home to a thriving summer colony. Hotels welcomed thousands of guests each season, and new businesses opened to cater to this new clientele. The influx of summer visitors could be viewed as a seasonal inconvenience to most natives. However, by the 1960's, larger personal incomes and the improved transportation system made it obvious that the tide of people "from away" was a permanent trend.

Many of the people who came would not be leaving on Labor Day. They came with their families in search of a "better life". The population of Kennebunkport (between 1960 and 1986) rose from 1,851 to 3,356 year-round residents. The 2000 census figure lists the total population as 3,720. Growth has necessitated the building of new schools and increased the need for public services. New buildings to house the Police Department, the Village Fire Department and the Public Health Nurses have been constructed and renovations to the Town Hall have been completed within the last five years.

With the increasing number of businesses oriented towards the tourist trade, it is hard to deny that Kennebunkport businesses have become dependent on summer visitors. The economic downturn in the early 90's revealed how dependent on tourists the town businesses have become. Even though year-round residents, summer people, and long-term visitors continued to support the economy, the mini-recession was painful for many local enterprises. Beginning in 1994, however, the tourist trade grew once again How to manage tourism is an ongoing challenge that will require the input and the support of the town government, merchants, and residents to obtain a satisfactory solution.

It seems that the primary characteristics of our community will be changing more in the next 20 years than they have in the past 350. This will happen not only as a result of tourism, but also as an effect of urbanization and the spin-off effects of rising property values and taxes, especially on waterfront property.

In 2002, train service between Wells and Boston became operative: no one knows what impact this will have on Kennebunkport. Growth is an issue, which is beset with complications and contradictions. Those who move to Kennebunkport do so to take part in a lifestyle they have come to love. Many become active in the community and work hard to make this an even better place to live. However, the problem is not with individuals but with total numbers. A Growth Management

Ordinance was enacted in November of 2002 in order to give the Town time to study what impact future growth will have on essential services and how to manage it effectively.

In a Cumulative Impact Project Report produced by the State Planning Office, Kennebunkport and eight other nearby towns were studied in order to record the cumulative impact on growth. Between 1970 and 1980, there was a 64% population increase in the nine-town study area, compared with a 20% increase in York County as a whole and 13% in the entire state. Between 1990 and 2000 there was 10.8% increase in the total population of Kennebunkport, slightly below the 13.5% increase for York County as a whole. The rate of growth for the state was 3.8%.

The projections suggest that growth in our area will continue. It can generate an undesirable sequence of events. More people in town throughout the year means that water and sewer systems must be enlarged, and the costs of doing so passed on through the real estate tax and user fees. Road networks, though they are improved, will become congested. Schools have to be expanded at the expense of the taxpayer.

With growth, beaches become crowded and so do traditional sites for camping, fishing, and picnicking. As development increases, property owners are closing many woodland areas to hunting and recreation and access ways to the shoreline and other paths over private land that the public had used. Wildlife habitats are disrupted, and rivers and harbors become cramped as fishermen and pleasure boat owners compete for space. The Kennebunkport Conservation Trust, along with the residents of the Town, has acquired open land and facilities for public use to counteract these trends.

To carry the scenario full circle, as real estate values soar and the taxes rise, the working poor and the middle class find themselves seeking homes in either the inland towns or in the more northern communities. There is a fear that natives will not be able to earn a high enough wage to afford the cost of living in Kennebunkport. The cultural heritage that started with the first English fisherman is in jeopardy.

Growth in Kennebunkport is occurring and it can be managed well for the benefits of the citizens. The implementation of zoning 35 years ago has matured and has contributed to a level of protection for the citizens of Kennebunkport. Successful implementation of the Comprehensive Plan will be difficult but is extremely necessary for future protection of Kennebunkport's resources and its citizens.

In the year 2003, the Town celebrated the 350th anniversary of the existence of Kennebunkport as a corporate body under legislative control. We have a lot to

celebrate. The past stewards of Kennebunkport have kept a watchful eye over this town we love.

We, who are stewards of the town today, have the same responsibility to succeeding generations. We need to preserve our rich historic background, guard our fragile environment, and manage future growth so as to enhance the quality of living for all the people of Kennebunkport.

Footnotes

1 Maine Indian Program of NE Friends Service Committee. The Wabanakis of Maine and the Maritimes. ME Indian Program. Bath, ME. 1989.
2 JP Mosher and AE Speiss. 1992 Field Season at the Hedden Site. Report for the Town of Kennebunk. July 1993. p. 4
3 Ibid. Mosher and Speiss. P. 10 &11.
4 Speiss, AE. Maine Historic and Archaeological Sites: Introduction and Management. Maine Historic Preservation Commission . p.1
5 Speiss, AE. Personal communication. March 17, 2003.
6 Maine Indian Program… p.A-4.
7 Ibid. p. A-7
8 Ibid p. A-8-9.
9 Speiss, AE> Personal Communication. March 17, 2003.
10 Ibid p. A-10
11 Eastman, Tom. Professor of History, University of Southern Maine in a lecture. Feb. 1990.
12 Bradbury, Charles, History of Kennebunkport. 1837.p.4

CHAPTER III. COMMUNITY CHARACTER

I. BACKGROUND

As a means of gathering essential information about the attitudes and opinions of the population of Kennebunkport, the Growth Planning Committee (GPC) issued a lengthy survey questionnaire regarding many issues of importance to the taxpayers of the town. Responses from approximately 900 households were received (***see Appendix A***). In addition, state sponsored "Visioning" sessions were undertaken with about 100 in attendance; these meetings were designed primarily to determine which features of the town were considered most important and should be protected vigorously. For all practical purposes, the results of both the survey and the visioning process served to corroborate one another.

Analysis of the results clearly showed that of all the subjects discussed, those involved with the character of the town were rated highest in importance to our taxpayers. These character issues related to the attractiveness and ambiance of Kennebunkport and included, for example, preservation of the appearance of Cape Porpoise as a working fishing village, saving the historic homes in the town, water access, preservation of open lands, desirability of small, winding, tree-lined streets, traffic control issues, support of the lobstering business, low crime rate, local schools, etc. The overwhelming voter support for these issues clearly shows that we must identify, protect, and preserve the essence of the town's character to a maximum degree.

II. ANALYSIS AND CONCLUSIONS

Growth and change are inevitable, and they must be managed to maintain the character of Kennebunkport. In one respect, preservation may restrict the rights of some residents to develop their property without burdensome regulations; on the other hand, uncontrolled growth impacts on the welfare of all the citizens. Striking a reasonable balance between these attitudes is challenging.

While every aspect of the town contributes to its overall physical character and ambiance, it is important to recognize that there are unique and highly visible features which separate Kennebunkport from other small Maine seacoast towns and make it a special place to live as well as an important tourist destination. Certainly, we should attempt to protect all areas of the town, but, in addition, preservation of these unique segments, which represent the *essence* of the town, must be maximized since deterioration of any of these elements would severely impact our lifestyle and go a long way toward destroying our tourist based economy and real estate values. The GPC therefore has concluded that while most of the town can be protected by traditional means, e.g. zoning, critical edge rules, cluster housing, etc.,

the special sectors should be subjected to even more definitive and protective regulations.

The GPC has identified these critical places roughly as follows:

- Cape Porpoise harbor and streets and land areas immediately adjacent thereto
- Cape Arundel from the Colony Hotel through Walker's Point
- The Village areas with their classic, historic Federal homes
- Dock Square and the Riverfront
- Goose Rocks Beach as a family-oriented, limited use public beach

All these areas deserve special, high levels of protection, not only from a physical point of view, but also from the viewpoint of maintaining an environment which is compatible with peaceful enjoyment of the active but relatively serene surroundings.

III. IMPLEMENTATION

This section of the Comprehensive Plan itemizes certain goals, policies, and strategies that directly relate to the issue of character. However, it is clear that all other sections of the Plan must flow from, be influenced by, and subject to the essential requirements of character preservation.

The goals and policies of this chapter are meant to demonstrate the Town of Kennebunkport's commitment to ensuring that the actions recommended by the Comprehensive Plan protect and enhance the character of the community. This chapter does not contain any of its own implementation strategies, however. Instead, it references strategies in other parts of the plan.

TOWN GOAL 1: TO MANAGE AND SUPPORT THE TOURIST INDUSTRY.

Policy 1: Establish policies for parking to ensure a healthy and peaceful environment for residents and visitors.

Strategy 1: See Ch XIII, Town Goal 1, Policy 4, Strategy 2 (p.186)

Strategy 2: See Ch XIII, Town Goal 1, Policy 4, Strategy 3 (p.186)

Strategy 3: See Ch XIII, Town Goal 1, Policy 4, Strategy 6 (p.186)

Policy 2: Establish traffic flow control ordinances, which will reduce congestion and provide a healthful, safe, and peaceful environment for residents and visitors.

Strategy 1: See Ch XIII, Town Goal 1, Policy 4, Strategy 7 (p. 186)

Policy 3: The Towns of Kennebunk, Kennebunkport and the respective business communities of Kennebunkport and Kennebunk Lower Village must share the responsibility of managing tourism in Kennebunkport and the Lower Village area to ensure the safety and enjoyment of residents and visitors.

Strategy 1: See Ch VIII, Town Goal 1, Policy 1, Strategy 2 (p. 94)

Strategy 2: See Ch VIII, Town Goal 1, Policy 4, Strategy 7 (p. 186)

TOWN GOAL 2: TO PRESERVE KENNEBUNKPORT AS A RESIDENTIAL TOWN, WITH AN ACTIVE FISHING INDUSTRY AND A STRONG TOURISM ECONOMY,

Policy 1: Establish controls and standards for new commercial growth that favor enterprises that provide necessary and/or desirable services.

Strategy 1: See Chapter VIII, Town Goal 2, Policy 1, Strategy 6 (p. 95)

TOWN GOAL 3: TO ENSURE PUBLIC PARTICIPATION IN TOWN GOVERNMENT. (SAME AS CH XII, TOWN GOAL 8)

Policy 1: Retain and encourage active public involvement in the town government.

Strategy 1: See Chapter XII, Town Goal 8, Policy 1, Strategy 1 (p. 173)

Strategy 2: See Chapter XII, Town Goal 8, Policy 1, Strategy 2 (p.173)

Policy 2: Communicate better with the public by offering easier access to services.

Strategy 1: See Chapter XII, Town Goal 8, Policy 2, Strategy 1 (p. 173)

Strategy 2: See Chapter XII, Town Goal 8, Policy 2, Strategy 2 (p. 173)

TOWN GOAL 4: TO PRESERVE THE DISTINCT CHARACTER OF KENNEBUNKPORT AND ITS COASTAL COMMUNITIES OF CAPE ARUNDEL, TURBAT'S CREEK/WILDES DISTRICT, CAPE PORPOISE, GOOSE ROCKS BEACH (GRB), AND THE VILLAGE/DOCK SQUARE/RIVERFRONT AREAS.

Policy 1: Maintain the visual and architectural character of these neighborhoods or communities.

Strategy 1: See Chapter IV, Town Goal 1, Policy 1, Strategy 1 (p. 26)

Strategy 2: See Chapter IV, Town Goal 1, Policy 1, Strategy 2 (p. 26)

Strategy 3: See Chapter IV, Town Goal 1, Policy 1, Strategy 3 (p. 26)

Policy 2: Maintain water dependent activities.

Strategy 1: See Ch V, Town Goal 1, Policy 2, Strategy 2 (p. 46)

Strategy 2: See Ch V, Town Goal 1, Policy 2, Strategy 3 (p. 46)

Policy 3: Preserve Goose Rocks Beach as a safe, limited use, and family oriented beach. (Same as Ch XIII, Town Goal 1, Policy 5)

Strategy 1: See Ch XIII, Town Goal 1, Policy 5, Strategy 1 (p. 187)

Strategy 2: See Ch XIII, Town Goal 1, Policy 5, Strategy 2 (p. 187)

Policy 4: Provide seasonal toilet facilities for public use in the Dock Square, Goose Rocks and Colony Beach areas.

Strategy 1: See Ch V, Town Goal 3, Policy 1, Strategy 4 (p. 48)

Strategy 2: See Ch VIII, Town Goal 1, Policy 1, Strategy 3 (p. 93)

Policy 5: Preserve ocean views from public ways. (Same as Ch IX, Town Goal 4, Policy 6)

Strategy 1: See Ch IX, Town Goal 4, Policy 6, Strategy 1 (p. 121)

Policy: 6: Protect and maintain the character and ecological integrity of Goat Island Lighthouse, the Islands, and all other lands in town that are held in conservation. (Same as Ch XII, Town Goal 5, Policy 2)

Strategy 1: See Ch XII, Town Goal 5, Policy 2, Strategy 1 (p. 172)

Policy 7: Minimize non-destination large vehicle traffic.

Strategy 1: See Ch XIII, Town Goal 2, Policy 2, Strategy 7 (p. 188)

Policy 8: Maintain the spirit and atmosphere of community throughout Town.

Strategy 1: See Ch IX, Town Goal 1, Policy 1, Strategy 4 (p. 115)

TOWN GOAL 5: TO SUPPORT THE FISHING INDUSTRY.

Policy 1: Continue to support Government Wharf and Cape Porpoise Pier.

Strategy 1: See Ch V, Town Goal 2, Policy 2, Strategy 1 (p. 47)

Strategy 2: See Ch V, Town Goal 1, Policy 4, Strategy 2 (p. 46)

Strategy 3: See Ch V, Town Goal 1, Policy 4, Strategy 3 (p. 47)

TOWN GOAL 6: TO PRESERVE AND MAINTAIN OUR WINDING TREE-LINED STREETS AND ROADS WHILE PROVIDING FOR PEDESTRIANS AND BICYCLES.

Policy 1: Establish standards for easement and pavement widths to ensure safety while preserving the visual attractiveness and historic nature of our roads.

Strategy 1: See Ch XIII, Town Goal 1, Policy 2, Strategy 3 (p. 185)

Strategy 2: See Ch XII, Town Goal 5, Policy 1, Strategy 3 (p. 171)

Strategy 3: See Ch XIII, Town Goal 2, Policy 3, Strategy 3 (p. 189)

Strategy 4: See Ch XIII, Town Goal 2, Policy 3, Strategy 4 (p. 189)

TOWN GOAL 7: TO MAINTAIN AN ELEMENTARY SCHOOL IN THE TOWN OF KENNEBUNKPORT.

Policy 1: Coordinate efforts with Town officials and the Directors of S.A.D. #71 to ensure the continuance of an elementary school in Kennebunkport.

Strategy 1: See Ch XII, Town Goal 1, Policy 1, Strategy 3 (p. 168)

Strategy 2: See Ch XII, Town Goal 1, Policy 1, Strategy 4 (p. 168)

TOWN GOAL 8: TO PROVIDE SUPPORT TO THE VARIOUS TOWN BOARDS, COMMITTEES, AND THE COMPREHENSIVE PLAN.

Policy 1: Determine the necessary professional services needed to comply with the Comprehensive Plan.

Strategy 1: See Ch IX, Town Goal 5, Policy 2, Strategy 1 (p. 122)

Policy 2: The Growth Planning Committee (GPC) shall be responsible for monitoring compliance with the Comprehensive Plan. The GPC membership will be determined by the Town Ordinance already in existence. (Growth Planning Ordinance, Administrative Code)

Strategy 1: See Ch IX, Town Goal 5, Policy 2, Strategy 2 (p. 122)

Strategy 2: See Ch IX, Town Goal 5, Policy 2, Strategy 3 (p. 122)

CHAPTER IV. HISTORIC AND ARCHAEOLOGICAL RESOURCES

I. INVENTORY

Four types of historic and archaeological data are included in this section:

A. Prehistoric Archaeological Sites – Native American, before European arrival
B. Historic Archaeological Sites – Mostly European-American, after written historical records
C. Historic Structures – Buildings and other above-ground structures
D. Cemeteries

A. Prehistoric Archaeological Sites

There remains little to remind us of the Native Americans who lived in this area prior to the arrival of the first European visitors. Along the Batson River, there are oyster and clamshell middens which are believed to mark the location of popular Indian eating places. Four prehistoric sites are known to the Maine Historic Preservation Commission (MHPC). To protect archaeological sites and landowner privacy, the exact locations are exempt from "right-to-know" legislation. However, their locations can be obtained with permission from the MHPC. These areas may be found in a general manner on maps in Town Hall. All four consist of shell middens in the coastal zone. The coastal zone and the four known sites need further survey, as do the edges of Smith, Batson, and Little Rivers.

Source: Arthur Spiess, Archaeologist, Maine Historic Preservation Commission, March 2001

Little in the way of mandated state and/or municipal protection is provided for prehistoric or historic archeological sites.

B. Historic Archaeological Sites

The first English fishermen who visited these shores in the early 1600's established their North American bases on Stage and Fort Islands, located on Stage Harbor, which lies just east of Cape Porpoise Harbor. When some of them decided to spend the winter here, a substantial shelter became necessary, and traces of cellar holes can still be found on these islands. It is believed that a fort for defense against the Indians gave Fort Island its name, but no trace of the fort can be seen today. Stage Island received its name from the stages that were built for curing fish. There was one archaeological dig on the islands recorded in the 1800's. Several of the islands may have been inhabited, but no archaeological studies exist to confirm this.

In the early 1700's, as the colony grew, more forts were constructed. The site of one garrison, believed to have been built in the 1720's, is located near the Nonantum Cemetery at the intersection of East Avenue and South Maine Street. A few years later, the town was ordered by the government of the Massachusetts Colony to build a garrison to serve Cape Porpoise. Subsequent deeds show that it was constructed as ordered on Stone Haven Hill, which is on Pier Road just northwest of the causeway leading to Bickford's Island.

In order to foster communication along the shoreline of the colony, the English crown subsidized a pathway which came to be known as the "King's Highway". A track passable for a man on horseback was cleared through the woods and means were provided to cross the many streams that ran perpendicular to the shoreline. Where the "Highway" crossed the Kennebunk River, ferry service was provided. This service was still available well into the 1950's and was used mainly by people wanting to enjoy Gooch's Beach across the river in Kennebunk. To cross smaller streams, large flat "stepping stones" sufficed. Such stones can still be seen crossing Tyler Brook, just off Route 9, in two locations.

Another activity for which there is visible evidence was granite quarrying. By the year 1800, local granite was being used for building foundations, and the breakwaters at the entrance to the Kennebunk River were built of this same material. The quarries themselves, and the foundations of the associated horse barns, can still be seen off Beachwood Avenue. Two small islands in front of the lighthouse were also quarried.

Table IV-1: Historic Archeological Sites

Name	Description	Date
Stage Island Fort	English Fort	17th Century
Cape Porpoise Settlement	English Settlement	17th – 18th Century
Kennebunk Point Fort	American Fort	19th Century
"Wandby"	English Wreck	20th Century
Dow Inscriptions	American Experimental Artifacts	20th Century
"Charles H. Trickery"	American Wreck, Schooner	
"J.H.G. Perkins"	American Wreck, Schooner	20th Century
"Jonathan Sawyer"	American Wreck, Schooner	20th Century
"Mary E. Plys"	American Wreck, Schooner	20th Century
"Mildred V. Nunan"	American Wreck, Schooner	20th Century
"St. Therese"	American Wreck, Screw	20th Century
"A.F. Kindberg"	American Wreck Schooner	20th Century
"Idlewild"	American Wreck, Gas Screw	20th Century
"Houri"	American Wreck, Gas Screw	19th-20th Century
"R.P. Tibbits"	American Wreck, Gas Screw	20th Century

"Frank L."	British Wreck, Schooner	19th Century
Unnamed Vessel	Unidentified Wreck	Unknown
"D.C. Smith"	American Wreck, Schooner	19th Century
"L.D. Wentworth"	American Wreck, Schooner	19th Century
"Alabama"	American Wreck, Schooner	19th Century
"Daisey Queen"	American(?) Wreck, Schooner	19th Century
"Kittie Clark"	American Wreck, Schooner	19th Century

Source: Robert Bradley, Archaeologist, Maine Historic Preservation Commission, March 19, 2001

C. Historic Structures

Kennebunkport is fortunate to have a remarkable number of old, well-preserved homes, schools, and commercial buildings. Although the Town does not currently have a local historic district, two areas in town are listed in the National Register of Historic Places, the shingle cottages in the Cape Arundel area and the historic buildings in the Maine Street/Dock Square area. Because of this designation, these areas are protected from state and federal action such as road widening or construction.

There are also seven specific properties in Kennebunkport that are listed in the National Register of Historic Places:

Date Listed	Description	Comment
9/7/73	Perkins Tide Mill	Since destroyed by fire
9/20/73	Captain Nathaniel Lord Mansion	
1/18/74	U.S. Customs House	Now Graves Library
9/9/75	Kennebunk River Club	
4/23/80	Abbott Graves House	
11/14/80	Maine Trolley Cars	Cars are at Trolley Museum
3/23/88	Goat Island Light Station	

A National Register listing cannot be made without the consent of the property owner or (in the case of a district) property owners. The designation as a National Register Site has some modest benefits:

- It honors the property by recognizing its importance to its community, state or the country;
- Consideration in the planning of federal or federally assisted projects;
- Possibility of federal investment tax credits for rehabilitation;
- Qualification for federal assistance when such funds are available.

A National Register listing does not prohibit owners from doing anything to their house (unless federal dollars are used) nor does it obligate owners to open their properties, maintain them in a certain condition, or even restore them.

During the winter of 1975, in honor of the nation's bicentennial, the Kennebunkport Historical Society offered to place plaques on buildings 100 years old or older, the plaques to show the date of construction and the name of the first owner. A committee from the Society conducted considerable research to make these dates as accurate as the available records would allow. Some 78 plaques were affixed to buildings within the Town of Kennebunkport. The great majority of these buildings are houses, and a few are former schools now being used as homes. Note that 61 of these buildings are now over 150 years old and that 26 date back to the 1700's.

Most of these buildings have received excellent care from their recent owners and is a pleasure to look at. While we do not have a map showing where these buildings are located, they are easy to spot because of the white salt-box-shaped plaque that is usually affixed on the exterior near the front door. The next step in this process may be to map and inventory these structures/sites. Towns that go through a process of mapping and inventorying their historical sites can be eligible to become a Certified Local Government through the National Park Service. Such a designation opens up grant opportunities for historical preservation as well as specialized technical assistance. Grants are sometimes available to seek the designation.

In May 2001, the Board of Selectman appointed an Historical Committee to look into the need for an historical ordinance. Such efforts have not been successful in the past but with the recent building pressures and the issue of sprawl clearly on people's minds, there may be an increased awareness of the value of the towns' historical character. A survey conducted as part of this comprehensive planning effort found that 74% of the respondents "strongly agreed", and 15% "agreed", that it was important to support Town efforts to preserve the Town's historical character.

D. Cemeteries

Those with an interest in history will be fascinated by the cemeteries in Kennebunkport and by the often-poignant inscriptions on the headstones found there.

The Town of Kennebunkport does not own any cemeteries and, within the boundaries of the town, there is only one active cemetery: the Arundel Cemetery, located at Town House where North Street and Log Cabin Road meet. Nevertheless, there are believed to be at least 70 private cemeteries within the town, most of them small plots serving just one family. A listing of these cemeteries, and a map showing their locations, is available in the Town Office. In about 20 of these, no headstones remain, although traces of corner posts and rails can sometimes be

seen. Others can be identified only by tradition or by mention in land deeds. Sometimes the headstones have been preserved, but the cemetery itself has disappeared. For example, the stones from the Stone Haven Hill Cemetery were removed to Arundel Cemetery because they were endangered by the ocean, and the Stage Island Cemetery was washed away completely.

Some headstones bear witness to the perils of the maritime livelihood which so many Kennebunkport residents pursued. In the Nonantum Cemetery lies James Murphy, who was lost in the wreck of the barque "Isadore" in 1842. In the Bass Cove Cemetery (at one time known as the Kennebunkport Cemetery or Village Cemetery, and often referred to as the Tomb Cemetery) are stones of Captain Leander Foss, 15-year-old seaman George Lewis, and cabin boy George Davis, all of whom died in that same wreck. In the Merrill Family Cemetery, the stone of Benjamin Merrill tells us that "after a long life spent on the ocean he perished by the filling of a boat off Kennebunk". Another lost sailor, Daniel Perkins, is also buried in the Merrill Cemetery.

All Kennebunkport cemeteries are listed and described, with inscriptions and some snapshots, in a notebook which is available at the Kennebunkport Historical Society.

II. ANALYSIS AND CONCLUSIONS

Kennebunkport has a rich and varied history. Many sites still exist that provide visual proof of the Town's history. There are some, however, who feel that our current Land Use Ordinance seeks only to maintain local character and does not adequately address historic sites. The islands are in Resource Protection, as are parts of Tyler Brook and the Batson River. Expansions or remodeling of some of the Town's older homes have not favored existing styles and this remains as an open area that site plan review does not specifically cover.

Historic districts have been attempted on two occasions. One was soundly defeated and one never made it to a vote. A more recent effort began in May 2001 when the Board of Selectmen appointed and charged a Historical Committee to look into the need for an ordinance. The committee completed their work in 2002 with an excellent and extensive report and a recommendation for approval of funding to hire a Preservation Planning Consultant. However, this project was not completed.

III. IMPLEMENTATION

STATE GOAL: TO PRESERVE THE STATE'S HISTORIC AND ARCHAEOLOGICAL SITES.

TOWN GOAL 1: TO PROMOTE AND PRESERVE THE KNOWLEDGE AND INTEGRITY OF LOCAL HISTORY AND HERITAGE.

Policy 1: Establish and appoint volunteers to a standing Historic Preservation Commission.

Strategy 1: The Board of Selectmen will appoint a Historic Preservation Commission of five members with knowledge of architectural building, or historic preservation.

Responsibility: Board of Selectmen and Administrative Committee
Timeframe: 2 years

Strategy 2: The Historic Preservation Commission shall consider the establishment of Historic Overlay Districts to promote, encourage, and assist the preservation and protection of the architectural character of structures, sites, and districts.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

Note: The Historic Preservation Commission shall provide guidance and suggestions for maintaining the historical character of structures, sites, and districts.

Strategy 3: Update the geographic boundaries of each area and identify the key characteristics that need to be addressed to retain the distinctive character of each area.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

Policy 2: Preserve historical documents.

Strategy 1: Continue to organize, index, preserve, and safely house the Town's historic documents.

Responsibility: Historic Preservation Commission, Town Clerk
Timeframe: Ongoing

Strategy 2: Provide controlled public access to historic records at the Town Hall and if public funding becomes available provide web site access.

Responsibility: Historic Preservation Commission, Town Clerk
Timeframe: Ongoing

Strategy 3: Seek local and alternative funding for organization, indexing, and public access.

Responsibility: Historic Preservation Commission, Selectmen, Town Clerk
Timeframe: Ongoing

Policy 3: Promote awareness of the Town's history.

Strategy 1: Consider implementing a local history program at the Consolidated School. Coordinate efforts between, local historians, residents, and parents, friends, and teachers of Consolidated School for the possible implementation of such a program.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

TOWN GOAL 2: TO PRESERVE PREHISTORIC AND HISTORIC ARCHAEOLOGICAL SITES.

Note: An index of Prehistoric and Historic sites and structures can be found in the 2002 report of the Kennebunkport Historical Committee. This report is an excellent source for information pertaining to town historic structures, sites, and special characteristics. It is available for public review at Graves Library. Maps are located in the Town Office.

Policy 1: Protect and preserve prehistoric and historic sites

Strategy 1: Contact the Maine Historic Preservation Commission for guidance and information related to sites that contain important information about the prehistoric history of Native Americans and their culture.

Responsibility: Conservation Commission, Historic Preservation Commission
Timeframe: 2 years

Note: The general location of archaeologically sensitive areas is available in the Town Office.

Strategy 2: Develop and propose an ordinance to protect from disturbance the general areas containing artifacts of prehistoric and historic importance.

Responsibility: Conservation Commission, Planning Board, Historic Preservation Commission
Timeframe: 2 years

Strategy 3: Educate owners and developers of identified properties to enhance their knowledge of the importance of archaeological remains, and seek their cooperation to ensure that prehistoric and historic sites are held in an undisturbed state for possible future studies.

Responsibility: Conservation Commission, Historic Preservation Commission
Timeframe: 2 years

Strategy 4: Coordinate efforts with the Kennebunkport Conservation Trust to preserve historic English fishing settlements and historic and prehistoric Native American use of the Cape Porpoise Islands.

Responsibility:
Timeframe: 2 years

Strategy 5: Encourage professional archaeologists to study all prehistoric and historic sites.

Responsibility: Conservation Commission, Planning Board, Historic Preservation Commission
Timeframe: Ongoing

TOWN GOAL 3: TO PROTECT AND PRESERVE HISTORIC STRUCTURES AND DISTRICTS.

Policy 1: Preserve historic and architecturally significant structures

Strategy 1: Support the Historic Preservation Commission appointed by the Board of Selectmen in their efforts to research and draft language that would protect the two areas currently listed on the National Register of Historic Places. (Village Residential/Dock Square and Cape Arundel)

Responsibility: Board of Selectmen
Timeframe: 1 year

Note: The National Register considers designating historic buildings, sites, or districts that have significant local, state, or national value. A listing on the Register does not protect them from destruction or architectural changes unless federal funds are used for a project that may affect the historic integrity.

Strategy 2: With knowledge gained from the study, recommend historic preservation measures.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

Note: The Historic Preservation Commission shall provide guidance and suggestions for maintaining the historical character of structures, sites, and districts.

Strategy 3: Establish the procedures by which the Planning Board and the Zoning Board of Appeals shall request and receive the recommendation of the Historic Preservation Commission.

Responsibility: Planning Board, Zoning Board of Appeals, Historic Preservation Commission
Timeframe: 2 years

Strategy 4: Educate property owners regarding the historical importance of their property and the possibility of receiving historic preservation tax incentives to encourage restoration and preservation.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

Note: On November 3, 1999 Maine voters approved authorization of legislation for local option property tax reimbursements for historic and scenic preservation. For more information on historic preservation see: www.state.me.us/mhpc/ Also, federal income tax laws include tax incentives for historic preservation.

Strategy 5: Investigate the possibility of the Town becoming a Certified Local Government.

Responsibility: Historic Preservation Commission
Timeframe: 2 years

Note: See the Inventory section of this chapter and www.state.me.us/mhpc/ for more information. Statement of purposes from the above web site:

The purposes of the Certified Local Government Program are: (1) to ensure the broadest possible participation of local governments in the national historic preservation program while maintaining standards consistent with the National Historic Preservation Act, and the Secretary of the interior's Standards and Guidelines for Archeology and Historic Preservation; (2) to enrich, develop, and help maintain the preservation of prehistoric and historic sites, structures, objects, buildings, and districts by establishing and maintaining local historic preservation programs in partnership with the SHPO (State Historic Preservation Offices) and MHPC (Maine Historic Preservation Commission); and, (3) to provide financial and technical assistance to further these purposes.

Policy 2: Preserve areas of historical importance

Strategy 1: Delineate boundaries and attempt to preserve as part of town history, the heritage and sense of continuity and identity that is associated with the various neighborhoods, villages, districts, and rural areas that historically denote the character of Kennebunkport.

Responsibility: Historic Preservation Commission, Planning Board
Timeframe: 2 years

Note: Special consideration should be given to Cape Porpoise Village in an attempt to protect that which remains visible of the Town's earliest and continuous history as a fishing village with historically significant housing clustered around its waterfront and community center.

TOWN GOAL 4: TO PRESERVE CEMETERIES.

Policy 1: Restore, maintain, and protect cemeteries and burial plots.

Note: Arundel Cemetery Corporation is responsible for Arundel Cemetery

Strategy 1: Continue to research and document all cemeteries and burial plots.

Responsibility: Cemetery Committee
Timeframe: Ongoing

Strategy 2: Continue to seek permission from private property owners to allow access for restoration, monitoring and necessary maintenance on an ongoing basis.

Responsibility: Cemetery Committee
Timeframe: Ongoing

Strategy 3: Continue to enlist volunteers to work with the Cemetery Committee to restore all sites.

Responsibility: Cemetery Committee
Timeframe: Ongoing

CHAPTER V. MARINE RESOURCES

The Town of Kennebunkport is rich in marine resources compared to many of the other towns in coastal York County. The diversity of Kennebunkport's coastline provides a variety of marine environments, from the sandy beach of Goose Rocks Beach to the extensive flats surrounding the islands of Cape Porpoise to the tidal Kennebunk River. There are potentially productive clam flats and excellent harbors. Nevertheless, many of these marine resources are either not available for economic use or are threatened by man's activities.

I. INVENTORY

A. Water Dependent Uses

A significant portion of the Kennebunkport economy depends upon the advantages provided by the shoreline and its harbors.

A century ago, fishing was a major factor in the year-round economy of Kennebunkport. Research in 1994 indicated that as few as 150 households in the Town derive their support directly from fishing or shell fishing. It was also noted that tightening restrictions on the taking of both groundfish and shellfish make it likely that this number will decline in the future. Similarly affected will be a small number of additional households engaged in the handling, processing, transportation, wholesaling and retailing of seafood.

Investigation conducted during 2001 indicated that the fishing fleet based in Kennebunkport was approximately as follows:

Cape Porpoise: 53 boats fishing for lobsters. Five seasonal shrimping and/or fin fishing boats. The number of boats may vary somewhat on a seasonal basis. In the winter, for example, some crews may double up, so that the number of boats decreases, although the number of fishermen involved remains the same.

Kennebunk River: Statistics from the state's Department of Marine Resources identify 42 commercial licenses issued for lobstering, and six commercial shrimping licenses. There are currently 10 non-commercial lobster licenses. The DMR issued 15 commercial fin fishing licenses in 2001. Some doubling up noted in the winter.

On the other hand, recreational boating has grown to become an important factor in the economy. It is estimated that between 300 and 400 boats of all types are based in the harbors of Kennebunkport, and the attractiveness of those harbors has lured many residents, either on a seasonal or a permanent basis. In addition, some

visitors bring their own boats on trailers, and launch them at the ramps of local marinas. Many households also benefit from income derived from recreational boating, such as the provision of moorings and dock space, the sales of vessels themselves, and the supply of fuel, ice, maintenance, and other amenities. This is potentially a growth industry, but at present it is constrained by the inability to furnish dock or mooring space for additional vessels.

Boating is also a lure for tourists, and Kennebunkport offers a variety of ways to get "out on the water." Those interested in fishing can charter a motorboat or a fishing boat. Those favoring sailing can choose from several sailing vessels available for charter, as well as several small fishing boats. There are also kayak and canoe rentals. Two vessels offer "whale watching" trips to Jeffery's Ledge. Three vessels specialize in scenic cruises along the shoreline as well as deep sea fishing boats.

There are also means to enjoy much of the Kennebunkport seashore on foot. Sidewalks and Parsons Way border most of the shoreline along Cape Arundel. Although there are no walkways for the purpose, much of the shore of Cape Porpoise Harbor can also be explored by foot, and a pedestrian can easily walk the length of Goose Rocks Beach.

Proximity to the sea is also important to lodging and restaurant businesses. Spectacular views of the ocean and the shoreline serve as a strong magnet drawing visitors, and the town's many roads with water views are frequently lined with the parked cars of sightseers. Furthermore, some of the best hotels, inns, and restaurants owe much of their popularity to locations overlooking the ocean, the shoreland, or the river.

B. Ports And Harbors

The two primary harbors in the town are the Kennebunk River and Cape Porpoise Harbor. In addition, there are several other coastal areas where moorings are located.

1. Kennebunk River

Guidance into the Kennebunk River harbor is provided by a lighted bell buoy and two can buoys marking the approach to the river. Two stone jetties at the mouth of the river act as breakwaters.

The river has a dredged channel from the sea to 60 yards below the Route 9 bridge at Dock Square. A 100 foot wide marked channel is marked by buoys and a day beacon, and is maintained at a nominal depth of eight feet from the ocean to Government Wharf (1,700 feet). For the next 2,300 feet, the nominal depth is six

feet. The final 2,000 feet, to the bridge, has a 75-foot wide channel and a nominal six-foot depth at mean low water.

Dredging of the river to depths specified here is mandated by an act of Congress, and is the responsibility of the U.S. Army Corps of Engineers. Dredging is being done in the winter of 2004-2005 and is restoring the channel and the mooring basin to nominal depths. In return the Towns are are obligated to maintain two public moorings for use by visitors to the River (transient moorings). These are in the process of being assembled and set.

After several years of complete inaction, which included difficulty in obtaining dredging permits from the Maine Department of Environmental Protection, the Corps of Engineers, as of 2001, finally seems prepared to initiate the procedures necessary to conduct maintenance dredging on the Kennebunk River. The Corps has held conferences with the Harbormaster, the River Committee, and others interested in the use of the river.
Once inside the breakwaters, the Kennebunk River provides excellent protection under nearly all weather conditions. Only in mid-winter do storms and ice sometimes cause damage to moorings, floats, and breakwaters.

Two dredged anchorages, one two acres and the other four acres, each 6 feet deep, exist and are supposed to be maintained, based on an agreement between the towns and the Army Corps of Engineers.

According to the Harbormaster, there are approximately 60 moorings in the Kennebunk River. All are privately owned, either by marinas or individuals with roughly half used by fishermen and the remainder used for recreational purposes. The Harbormaster determines the location of the moorings, and considers the harbor to be full at this time. Three moorings are reserved for transients.

The Harbormaster has a waiting list for mooring space, with about 46 names on it at present. When a mooring space is vacated, priority to fill it is given to commercial fishermen, with the result that there is virtually no turnover in moorings for recreational boaters. The average wait for a mooring in the river is between five and seven years.

2. Cape Porpoise

Guidance into Cape Porpoise harbor is provided by Goat Island Light, a lighted whistle buoy, a bell buoy, and two day markers. The channel from Goat Island to just south of the pier is 200 feet wide and 16 feet deep. At the head of the harbor, it is 100 feet wide and 6 feet deep. There is a question as to uniformity of depth; depth varies with the tidal conditions at the time.

Within the harbor, all moorings are private. There are approximately 150 moorings, with about 55% commercial and 45% recreational. The Harbormaster has reported "the harbor is at maximum capacity" and maintains a waiting list for moorings, with 49 names on it currently.

3. Other Harbors

Just to the east of Cape Porpoise Harbor is Stage Harbor, which lies between Cape, Trott, and Little Stage Islands. The harbor has sufficient depth to accommodate a number of large vessels, and provides good protection under most weather conditions. On the other hand, the harbor has no shore facilities whatsoever, and is at least half a mile from the nearest shoreline served by a road. In practice the harbor is a popular "lunch stop" for recreational boaters. There has been a significant increase in the use of the facility as both a lunch stop and also for overnight stays.

There are also a small number of seasonal moorings established at Goose Rocks Beach, in Paddy's Cove, and at Turbat's Creek. There are no maintained channels in these areas and no management of the "harbors".

C. Major Harbor Facilities

1. Kennebunk River

In the Kennebunk River there are 172 commercial berths, and 88 private berths.

Government Wharf is Town-owned and maintained by the fisherman. It has about 200 feet of berthing space. Improvements have been made using Federal money, resulting in a requirement that access remain open to residents of both Kennebunkport and Kennebunk, as both communities participated in the project. Fishermen use the wharf for accessing moorings. The pier consists of stone riprap, an earth filled crib bulkhead, and a wooden panel deck apron, plus a bait shed with a concrete floor on wood piles. There are wooden fender piles around the apron and float landings for small boats. There is no fuel for sale at Government Wharf, although fuel can be purchased at two marinas further up the river.

Other facilities on the Kennebunk River include:

- Kennebunk River Club
  A private club used only seasonally. It has a pier with float landings providing 800 feet of berthing space.

- Kennebunkport Marina

A commercial marina with piers and floats providing about 1000 feet of berthing space (approximately 50 boats). It has a launching ramp, but cannot park cars with boat trailers.

- Kennebunkport Maritime Museum
  Seasonal dock available, pier 5 feet wide, 260 feet long with a zigzag.

- Nonantum Motor Inn
  Marina associated with a hotel/motel complex; stone bulkhead with float landings.

- Chicks Marina, Inc.
  A full service commercial marina with 1100 feet of berthing space (approximately 55 boats); hydraulic lift and hoist launching. It has a launching ramp, but can not park cars with boat trailers.

- Yachtsman Motel
  Seasonal dock associated with motel; pier with ramp to float landings; fuel available.

- Arundel Yacht Club
  Seasonal private club; dock 60 feet with 24 side floats, approximately 55 berths; launching slide for small craft.

2. Cape Porpoise

This harbor has no public berths, eight private high-water berths, and one private low-water berth.

The pier and associated facilities are owned by the Town. According to former Harbormaster David Billings, the Cape Porpoise facility consists of an earlier pier of dressed granite that had been squared off with a perimeter of steel beams resting on the granite and on steel piles. Improvements made in the eighties consist of a dock structure about 20 feet wide that forms an ell and provides a berthing face 180 feet long in deeper water (about 12') where fish (and shellfish) may be unloaded, and equipment, fuel, and ice loaded aboard vessels. The dock consists of a timber deck on heavy wooden timbers with timber fender piles along the berthing face. There are two small cranes and one large crane to facilitate bait and fish landings. Floats attached to the pier are available for members of the pier; recreational boaters are allowed to use the pier during evening hours if it does not conflict with fishing uses. Fuel and water are available at the pier. If fishermen wish to ice their catch, they must arrange separately for it. A paved area behind the shed on the pier provides parking for fishermen's trucks. Parking for the general public is

available along the road approaching the pier. Yearly fees paid into an enterprise account for use of the pier and related facilities include (For 2004):

1. Big Boats (Includes punt tie-up and 8 spaces for bait barrels. If additional spaces are available, fishermen may pay an extra fee for storage of additional barrels.) --$505
2. Punt tie-up only---$230.
3. Dealers---$555.
4. Recreational water craft---$230.
5. Water users (For example an inland dealer collecting sea water for a holding tank)---$205
6. Fuel prices include an additional $.15 per gallon. $.05 goes towards the salary of the pier manager and $.10 towards miscellaneous repairs, etc. at the pier.

In the spring of 1993, the Town conducted a pier renovation. The wood deck was removed to allow replacement of the severely corroded supporting steel beneath, and new decking was installed. The new dock structure is in excellent condition. In the Winter of 2004, the Town replaced the small pier and restaurant at a cost of approximately $280,000 funded by the town and state grants. Town funding included piers, rivers, and harbors fund and borrowing from the undesignated fund balance to be paid back through lease income associated with the restaurant.

In 1986, the Town amended its Land-use ordinance to prohibit recreational marinas from Cape Porpoise to prevent further competition for space and thus to protect fishermen.

3. Harbor Access and Parking

Both Government Wharf and Cape Porpoise experience overcrowding and have limited parking. The issue is more acute at Cape Porpoise.

The question of parking around the Cape Porpoise pier can become complicated. The parking plan submitted to the Town by the Pier 77 (Formerly Seascapes) Restaurant,, which is just north of the pier, shows a total of 48 spaces on land adjoining the restaurant and the road leading down to the pier. Recreational boaters moored in Cape Porpoise Harbor also used this same lot. During the summer, parking in the pier area can be rather congested but, so far, the congestion has not interfered with fishermen's use of the facility.

Lee Mccurdy, recently appointed as Harbormaster, stated that most of the parking problems are associated with the use of the restaurants at the pier and constant sightseeing during the peak summer season. He did state that, for the most part, the fisherman manage to find the room to conduct their trade. There seems to be

few options for dealing with the situation as the land area is limited. There have been discussions with the restaurants about different traffic flow arrangements.

D. Other Areas Suitable For Water-Dependent Use

A 1988 study by the State Planning Office looked for areas along the coast that were suitable for use as additional harbor or port facilities. The study looked at features on land, such as suitability for parking and access, and in the water, such as depth and shelter from rough seas. One such site was identified at the head of Cape Porpoise Harbor.

The study also identified several locations along the Kennebunk River, which it termed "available unused sites". Upstream of the Route 9 bridge (no longer a swing bridge), the River estuary is indeed relatively undeveloped, and there are many areas where the coastal wetlands remain. Most of the river downstream from the Route 9 bridge, however, is already developed with wharfs and bulkheads.

E. Beaches

Although the shoreline of Kennebunkport is dotted with a number of small beaches, the most popular by far are Goose Rocks Beach and "Colony" Beach. What is known as the "Colony Beach" is actually three beaches. To the south of Colony Beach is a strip known as Breakwater Beach which adjoins the jetty and to the west of the road is a section known as Town Beach.

Slightly over two miles long, Goose Rocks Beach is a beautiful stretch of white sand extending from the Batson River to the Little River. There are no bathhouses but toilet facilities are available, and food is available from a nearby store. Although more than a hundred seasonal homes adjoin the beach, the beach is so large that it seldom seems crowded. Thanks to the many ledges that lie just offshore, the beach experiences very little wave action, making it especially attractive to the parents of small children.

Most of Goose Rocks Beach is privately owned; the public portion of the beach is very popular. Most of the undeveloped lots are owned by the Kennebunkport Conservation Trust. Access to the beach is provided by several rights-of-way extending between the beach and Kings Highway, which runs parallel to the shore. Rights-of-way to the beach are marked with signs.

Because visitors to the beach must park on the street, the Town has found it necessary to restrict parking to vehicles carrying Goose Rocks Beach parking stickers. Over a thousand town residents make use of such stickers, which cost them $3.00 per year. Several thousand visitors also purchase stickers, which cost them considerably more, for periods between a day ($5), week ($20), and a full

season ($50). Town records show a total of roughly 7,500 parking stickers issued in 2000 to both residents and non-residents. Nevertheless, a sticker does not guarantee a place to park; on a pleasant summer weekend, all the "legal" parking spaces may be full. An "Information Guide" is distributed to all those who purchase parking stickers for that area. The "Guide" has done much to promote orderly and considerate use of the beach. The Town also distributes information regarding endangered birds and seal rookeries. Stickers can be purchased at Town Hall.

The "Colony" Beach, located just east of the breakwater at the entrance to the Kennebunk River, is partially owned by the nearby Colony Hotel. The Federal Government owns the remainder. The beach has no bathhouse or toilet facilities. The beach is small, little more than two hundred yards long, and is broken up by outcroppings of ledge. Nevertheless, its proximity to the center of town makes it popular.

The Colony Beach is entirely open to the public. There is room for approximately forty cars immediately adjacent to the beach, and additional spaces can often be found along the nearby streets. Access to the parking area has been prohibited after 10:00 p.m. since the 1980s. No stickers are required, but on a hot summer weekend, it may be impossible to find a parking space within a reasonable distance.

In 2004, the Town of Kennebunkport partnered with Maine's Healthy Coastal Beaches Program to monitor the water quality of recreational beaches located within Kennebunkport. The goal of the program is for protecting public heath at coastal beaches through testing for disease-causing contaminants, assessing, and informing and educating the public.

Many townspeople would feel that a listing of beaches is incomplete without a mention of Cleaves Cove. Cleaves Cove is only a small, primarily rocky beach, but it is in an unusually attractive setting. It is accessible only through a pedestrian right-of-way off Ocean Avenue, and is a good spot to view seals in the winter.

F. Shell Fishing and Worming

Since 1967, the Maine Department of Marine Resources (DMR) has historically classified the entire shoreline of Kennebunkport as unsafe for the taking of shellfish. The only exceptions occurred in 1983, when 152 bushels of clams were taken, and in 1986, when another 42 bushels were taken. Recently, however, many sources of pollution have been reduced or eliminated. Towns along the Kennebunk River have installed sewerage systems, and Kennebunkport's system has been extended all the way to Goose Rocks Beach. Hence restrictions on shell fishing are gradually being eased. The flats in the Little River/Beaver Pond Brook estuary are presently open for harvesting from October 1st through May 31st. The Batson River/Smith Brook area is not open. In Cape Porpoise, the flats in the back cove area (Skipper Joe's),

Stage Harbor, and the area between these and Cape Porpoise Harbor are open year-round.

The DMR classifies some shoreline areas as "non-redeemable", meaning that shell fishing is unlikely to be permitted there in the foreseeable future. One area so classified would be the shoreline near the outfall of a sewage treatment plant, even though such a plant is operating within its licensing standards. One reason for this policy is that toxins may linger near the outfall for a long time; another is that the plant might unexpectedly operate outside of its licensing standards. Other non-redeemable areas are those around marinas. In view of these restrictions, there is little likelihood that shell fishing will be re-instituted along the Kennebunk River.

East of Cape Arundel, however, prospects are considerably better. Recognizing the benefits of the Town's extended sewage system, the DMR initiated a "Shoreline Survey" of the area, which is the necessary prelude to reclassifying its suitability for shell fishing. Such a survey is a time-consuming procedure, and the DMR has only one Area Biologist to cover the shoreline from Kittery to Wiscasset. Hence, of necessity, volunteers must do much of the work, and it has gone slowly. Nevertheless, in March 1994, the Cape Porpoise clam flats were reopened. There are currently 31 state-designated shellfish monitoring stations in Kennebunkport, including some open water locations.

Other flats may be deemed suitable for taking certain types of shellfish, such as clams, provided they are processed in a "depuration plant" before going to market. Spinney Creek Shellfish of Eliot has been active in the depuration process including work in the Kennebunkport. Depuration involves removing clams from permanently closed areas, under tightly controlled conditions, for which they pay towns 50 cents per bushel and then clean them for resale to restaurants. Spinney Creek conducted six operations in the town in 1998, three in 1999 and one in 2000. It appears the clams are now too large (over 3") for any commercial value so no additional operations are planned.

A remaining obstacle to resumption of shell fishing may be residential and/or commercial "overboard discharges," of which there are 5 remaining within the town, according to DEP statistics from 2004. Shell fishing is prohibited in the immediate vicinity of such a discharge, and unacceptable levels of coliform bacteria may be detected at a surprising distance. The Town has done what it can to encourage homeowners to give up overboard discharge. Nevertheless, there is no law or regulation that requires them to do so, and at the present time, new connections to the sewer line are severely limited. However, legislation passed by the Maine State Legislature in 1987 disallows any new overboard discharges and requires regular inspections of existing discharges to ensure proper functioning. The Maine Overboard Discharge Program, funded by a state bond issue in 1990, provides

partial reimbursement for the cost of replacing overboard discharges with alternative waste disposal. There are no pump out stations along the Kennebunk River.

Now that shell fishing has resumed on a limited basis in Kennebunkport, it has been deemed desirable to protect this resource by enacting an ordinance licensing fishermen and limiting the harvest. In the absence of such an ordinance, the shellfish beds would be open without restriction to any resident of the state, and the supply might soon become exhausted, as happened many years ago with clams at Goose Rocks Beach. In 2000, 90 annual residential licenses, 10 annual non-residential licenses, and 32 daily licenses were issued for clam harvesting. The Selectman have the authority to recommend limits to these licenses.

Though the state has not identified any worming areas in town, there is limited marine worm harvesting in the sand and mud flats between Cape Porpoise harbor and the islands surrounding the harbor.

In addition, the estuaries within the Rachel Carson Refuge act as breeding grounds for a vast array of finfish and shellfish. The Town adopted a "Critical Edge" overlay buffer zone around the border of the Refuge in 1988 to help protect water quality. In 1997, this overlay zone was extended to all tidal waters.

G. Other Fishing Activities

In southern Maine, the Kennebunk River is the only watershed that has no dams on a significant portion of the main stem of the river. Hence this river attracts anadromous fish, which is the technical term describing fish that spawn in the headwaters of rivers leading into the ocean. The river supports spawning populations of alewives, blueback herring, American shad, sea lampreys, and rainbow smelt. In addition, the American eel utilizes the freshwater and tidal portions of the river as a feeding area, along with striped bass that are seasonally present in the estuary. The Town of Kennebunk in cooperation with the Department of Marine Resources manages the river herring fishery. If the Days Mill dam at Days Mill near Route 35 were breached, providing access to Kennebunk Pond in Lyman, DMR estimates the fishery could be increased from 4,000 to 70,000 pounds annually. The American eel and sea lamprey are commercially valuable as food fish and are harvested by commercial fishermen licensed by DMR. Striped bass, American shad, and rainbow smelt are also species of major importance to recreational fishermen. Rainbow smelt dip net fisheries typically occur in early spring during the spawning runs (April and May). Rod and reel fisheries for American shad occur in May and June, while striped bass sport fisheries occur from May through October. Aside from other sources of pollution, a possible threat to this fishing resource is stimulation of plant growth in the River by nutrients from the sewer outfall, resulting in reduced oxygen content in the River.

II. ANALYSIS AND CONCLUSIONS

It is clear that the town maintains a vibrant fishing industry – particularly for lobster. It is also obvious that through the actions of the Town and their support for the industry, they want to see this way of life maintained and sustained it as part of the town's economy. The conflicts with the recreational boating public and the need for mooring space is still an issue. There seems to be a need for additional water access.

Water quality, directly impacting shell fishing and recreation remains a concern. There are currently no pump-out facilities on the Kennebunk River. The proposed maintenance dredging of the Kennebunk River should also be monitored. The River Committee might address many of these issues.

Education for recreational boaters and property owners who impact the town's marine resources would be helpful in mitigating negative impacts on water quality. Overboard discharges into the waterways of the town are slowly being eliminated.

A. Trends In The Use Of The Waterfront

Land use patterns along the Kennebunk River remain in a great state of flux. Waterfront property owners, seeking the greatest monetary return from their property, have been turning more and more to recreational boating marinas and to development directed toward vacationers. Responding to these changes, the Town adopted a Land Use Ordinance and Subdivision Regulations in 1972. Shoreland zoning was implemented in 1975.

After several years of discussion, a Kennebunk River Committee was formed. Its stated purpose is to supervise moorings and other harbor facilities within the Kennebunk River. It is composed of representatives from those towns bordering the river: Arundel, Kennebunk, and Kennebunkport. Both fishermen and recreational boaters are members. Although the formation of the committee was greeted with some skepticism as an intrusion into the commercial fishing industry, the members are working together for the protection of the river and their livelihood. In 1993, the Town approved an Interlocal Agreement to strengthen the River Committee. The Committee is now an official body representing the Town's interest in the river. The Agreement formalizes the authority of the Committee to manage the tidal portion of the river.

In the 1980s the Town purchased the Cape Porpoise Pier from a private corporation for $400,000. $328,000 was provided by Federal funds. The Town furnished the remaining $72,000, which was subsequently reimbursed in full by the fishermen. In 1982, the Cape Porpoise Pier Committee was established to advise the Town on the

operation of that pier, a pier manager was hired, and a pier ordinance was adopted. Presently, the daily operation of the pier is proceeding as originally envisioned by the Town. Use by commercial boats increased after the purchase of the pier by the Town but leveled off by 1996. According to former Harbormaster David Billings, there are currently 74 fee-paying members of the Cape Porpoise Pier. In 2000, 99,000 gallons of fuel were sold to fishermen and recreational boaters (a 4% increase from 1999), resulting in a $14,850 profit to the pier. The facility also has 24-hour fueling capability that provides 40 members with round-the-clock service.

The pier is also a very popular tourist stop during the summer. The scenic harbor, day-to-day operations of the fishermen at the pier, and a shore lunch at the chowder house (which is also owned by the Town and operated under contract) attract a steady stream of visitors.

In 1986, the Town adopted revisions to the Land Use Ordinance that strictly limited development of non-commercial marine uses in the Cape Porpoise area. These events in the Town's history provide ready evidence of the Town's concern and support of issues dealing with the coastline.

B. Adequacy Of Harbors And Mooring Facilities

A 1990 draft Report on Recreational Boating by SMRPC projected a countywide demand that would exceed supply by between 1,500-3,900 moorings or berths by the year 2000. Kennebunkport is certainly not immune to this problem. As noted above, there are waiting lists of boaters seeking moorings in both of its harbors. Furthermore, on the Kennebunk River, the limited amount of dock space available has forced rental fees up to the point where many boaters cannot afford them.

From the standpoint of boating use, it is questionable whether the town's harbors are being used as effectively as they could be. It is also possible that a commercial developer might be tempted to construct additional dock facilities in Cape Porpoise, but this would involve a modification of the Town's present policy regarding the use of that harbor. Finally, a municipal launching ramp with adequate parking would be appreciated by many less-affluent boaters.

Other citizens perceive a need for better regulation of the waterways adjoining the town. They cite instances where boats travel too fast or generate damaging wakes, and of moorings which are badly located or negligently maintained. The issue of personal watercraft has also been cited as an area that needs further examination due to their noise, speed and wake. In the Kennebunk River and Cape Porpoise Harbor, such problems are the responsibility of the Harbormasters. In the other anchorages around the town, they appear to be no one’s responsibility. Hence, a need is perceived for closer supervision.

C. Adequacy Of Beach Facilities

The Town finds itself in a peculiar position regarding the use of beaches. While the Town would like to encourage both residents and summer visitors to make use of both of the popular beaches within the town, the Town owns only a tiny portion of the shorefront property along those beaches. Thus, there is always a potential conflict of interest between the Town's recreational welfare and private beach owners and others in the vicinity of the beaches. In practice, however, these problems have been handled amicably by instructing bathers to gain access to the beach through posted public rights-of-way and advising them to avoid objectionable behavior such as loud music, campfires, dropping trash, etc. The "Information Guide" of Goose Rocks Beach Concerned Citizens was an excellent guide to good beach manners. Vandalism to signage has become a problem in the beach area, particularly to those signs posted for rights-of-way to the water.

Toilet facilities are now provided at Goose Rocks Beach but not, as yet, at the Colony Beach.

Beach parking is also a problem, but a simple inexpensive solution is not apparent.

D. Financial Aspects Of Marine Activities

There is a special revenue fund (Piers, Rivers, and Harbors fund) used for capital projects associated with the Cape Porpoise Pier and Government wharf. These funds are derived from boat excise taxes.

A fee structure was established when the Town began operation of the Cape Porpoise pier. This fee system provides for regular operational expenses and minor improvements. The Town is assuming responsibility for major capital improvements. [See page 42 for details of financial arrangements.]

Profits from the sale of gasoline and diesel fuel, which are the Town's principal sources of revenue in Cape Porpoise Harbor, are not available in the Kennebunk River. As of this writing, the Kennebunk River Committee recently implemented a $100 annual fee for moorings in the river and a $10 annual fee for placement on the waiting list. In 1995, it was suggested that this difficulty might be overcome through the collection of an excise tax on vessels docked or moored in the River. Excise taxes are now paid when registering boats; excise taxes are also due on documented vessels.

Although the Town government's involvement with marine activities is confined almost entirely to fishing vessels, recreational boating makes the principal contribution to the local economy. The several hundred recreational boats which are based in Kennebunkport's harbors, along with sizeable numbers of transient

vessels, support four local marinas, as well as many other businesses providing supplies, repair services, food and the like. Boating is one of the fastest-growing components of the local economy and would grow even faster if more waterfront space were available.

E. Need For Increased Cooperation Between Towns

Because the Towns of Kennebunk and Arundel along with Kennebunkport border on the Kennebunk River, all three towns will necessarily be involved in any organizations that may review water-oriented uses of that river. The River Committee and the recently adopted Inter-local Agreement will provide the towns with an excellent working group to manage the river. All indications are that this arrangement is working well. Similar cooperation with Biddeford is needed for management of activity along the Little River.

F. Effects Of Pollution And Water Quality

The anadromous fishery depends upon high quality water and free access from the sea to freshwater for reproduction and/or growth. Land use measures to prevent erosion and sedimentation, control of other non-point and point source discharges, and protective buffer strips along the river and tributary streams are important activities to maintain water quality and habitat for these resources.

Improper sewage disposal, poor storm water management, and non-point pollution can lead to continued closure of shellfish harvesting areas. Sources of non-point pollution include excess nutrients, insecticides, and herbicides that run off from private lawns, gardens and farms. Restrictions on shellfish harvesting opportunities can be removed if there are improvements in water quality. More conscientious monitoring of subsurface wastewater disposal systems and wastewater discharges can provide the needed reductions in bacterial contamination. Education of property owners can be of tremendous benefit in this regard. Additionally, the River Committee should fully examine the merits of a pump-out station along the waterway.

Marine toilets are a potential source of pollution that is frequently mentioned. By Federal law, all vessels with a built-in toilet are required to have facilities either to treat wastes before discharging them, or to hold them until they can be disposed of properly. There are some harbor areas in which toilet discharge of any kind is prohibited by law, but neither harbor in Kennebunkport is so designated. Proper disposal of toilet wastes involves either pumping out by the vessel itself when more than three miles to sea, or pumping out by a suitably equipped facility on the shore. Though State law requires any marina with slip or mooring space for eighteen or more vessels that exceed 24 feet in length to provide such facilities, there are no pump-out facilities in the town at this time. All marinas and yacht clubs require that

the crews of vessels at their docks use toilet facilities ashore, but there is presently no means to enforce such a requirement. So far, no evidence has been provided to suggest that this problem is severe enough to require corrective action.

Recent legislation requires that anti-fouling bottom paint for boats, which is usually toxic to marine organisms, be removed in such a way as to prevent it from flowing into rivers or the ocean. Enforcement of this requirement appears to be irregular, and whether the benefit to water quality justifies the considerable increase in maintenance expense is debatable. There is also no place to dispose of the residue.

Another factor degrading water quality is fuel spills, which are often visible along the Kennebunk River. Such spills violate both Federal and State law, but preventing them entirely is very difficult. It is questionable whether the Town wishes to become involved in such a program.

III. IMPLEMENTATION

STATE GOAL: TO PROTECT THE MARINE RESOURCES, INDUSTRY, PORTS AND HARBORS FROM INCOMPATIBLE DEVELOPMENT AND TO PROMOTE ACCESS TO THE SHORE FOR COMMERCIAL FISHERMEN AND THE PUBLIC.

TOWN GOAL 1: TO ENSURE THE PRESERVATION OF ACCESS TO COASTAL WATERS NECESSARY FOR COMMERCIAL FISHING, COMMERCIAL MOORING, DOCKINGS, AND RELATED FACILITIES.

Policy 1: Continue to cooperate with the Towns of Kennebunk and Arundel in the management of the tidal portions of the Kennebunk River.

Strategy 1: Continue active participation in the River Committee as provided in the Inter-local Agreement.

Responsibility: Board of Selectmen, River Committee
Timeframe: Ongoing

Policy 2: Assure safe, well-marked and unimpeded entrance and use to both of the Town's major harbors.

Strategy 1: Continue to work with the harbormaster(s) and the Coast Guard to provide clear markings of the channels.

Responsibility: Harbormaster(s)
Timeframe: Ongoing

Strategy 2: Maintain, keep open, and ensure that designating signs are in place for all public rights-of-way to tidal waters. Identify and publish a list of all rights-of-way.

Responsibility: Highway Department
Timeframe: Ongoing

Strategy 3: Identify areas suitable for public water access for small craft and search for locations to either construct a municipal ramp or utilize and existing ramp for non-motorized access.

Responsibility: River Committee, Board of Selectmen
Timeframe: 2 years

Policy 3: Provide sufficient regulation of all waterways adjoining the Town to be sure that all watercraft therein will be safely and courteously operated and all moorings properly located and maintained.

Strategy 1: Continue to work with the harbormaster(s) to provide safe operation of watercraft in affected areas.

Responsibility: River Committee, Board of Selectmen
Timeframe: Ongoing

Policy 4: Maintain commercial and pleasure boating mix at current levels.

Strategy 1: Create separate mooring lists for commercial and pleasure craft as a method of maintaining the current mix in the harbors.

Responsibility: Harbormasters
Timeframe: Ongoing

Strategy 2: Assign priority status to commercial fishermen for mooring spaces.

Responsibility: Board of Selectmen, Harbormasters, Kennebunk River Committee
Timeframe: Ongoing

Strategy 3: Ensure that there is adequate parking for commercial fishermen at Cape Porpoise Pier and Government Wharf. *(See Chapter XIII for additional parking goals and strategies).*

Responsibility: Board of Selectmen
Timeframe: 1 year

TOWN GOAL 2: TO ENCOURAGE PROTECTION OF THE MARINE RESOURCES INDUSTRY

Policy 1: Use the Land Use Ordinance to define and protect marine resources industry.

Strategy 1: Develop a definition of marine resources and marine resources industry and include it in the Land Use Ordinance.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Amend those sections of the Land Use Ordinance that require revisions to allow a marine resource use in appropriate areas.

Responsibility: Planning Board
Timeframe: 2 years

Policy 2: Continue to support Government Wharf and Cape Porpoise Pier.

Strategy 1: Maintain the Cape Porpoise Pier and Government Wharf.

Responsibility: Board of Selectmen, Pier Committees
Timeframe: Ongoing

TOWN GOAL 3: ALLOW THE USE OF THE PUBLIC BEACHES LOCATED WITHIN THE TOWN BY RESIDENTS AND SUMMER VISITORS, WHILE PROTECTING THE PRIVACY OF PRIVATE BEACH OWNERS AND OTHER PROPERTY OWNERS IN THE VICINITY OF THE BEACHES.

Policy 1: Allow residents and visitors to enjoy the use of the Town's beaches.

Strategy 1: Maintain signage marking public access to beaches.

Responsibility: Highway Department
Timeframe: Ongoing

Strategy 2: Continue to supply information regarding use of the beaches with all parking stickers issued.

Responsibility: Police Department, Town Office
Timeframe: Ongoing

Strategy 3: Continue the use of police patrols on the beaches and ocean areas.

Responsibility: Police Department
Timeframe: Ongoing

Strategy 4: The Board of Selectmen shall establish a study group that will identify and recommend site locations and ways of maintaining the facilities established.

Responsibility: Board of Selectmen
Timeframe: 1 year

TOWN GOAL 4: TO PROTECT THE WATER QUALITY OF ALL RIVERS, STREAMS AND COASTAL BEACHES

Policy 1: Protect the health of recreational users of rivers and Town beaches.

Strategy 1: Support the Kennebunkport Public Health and Nursing Service's water testing and public information program.

Responsibility: Town Manager, Board of Selectmen
Timeframe: Ongoing

Policy 2: Reduce existing contamination levels to allow shellfish harvesting and to meet other water quality standards.

Strategy 1: Continue inspection and enforcement programs of subsurface wastewater disposal systems. Monitor and enforce overboard discharge systems regulations by the Department of Environmental Protection.

Responsibility: Code Enforcement

Timeframe: Ongoing

Note: DEP regulations include semi-annual (year-round use) and annual (seasonal use) DEP inspections of overboard discharges.

Strategy 2: Continue with Department of Environmental Protection programs to monitor and eliminate fecal coliform levels found in coastal waters.

Responsibility: Code Enforcement
Timeframe: 2 years

Strategy 3: Pump outs should be provided in Cape Porpoise Harbor and the Kennebunk River.

Responsibility: Board of Selectmen
Timeframe: 5 years

Strategy 4 Monitor dissolved oxygen and b.o.d. in the Kennebunk River.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Policy 3: Continue to develop public understanding and acceptance of the importance of the Rachel Carson Refuge and the need for protection of the tributaries.

Strategy 1: Continue cooperative agreements with the Refuge staff to develop a program for management and education.

Responsibility: Conservation Commission
Timeframe: 1 year

CHAPTER VI. WATER RESOURCES

The term "Water Resources", as used in this chapter, refers to fresh water resources, such as lakes and ponds, rivers and streams, wetlands, aquifers and groundwater. Discussion of salt water resources, such as beaches, harbors, and tidal streams, appears in the chapter headed "Marine Resources".

The fresh water resources of the Town of Kennebunkport might best be described as limited but adequate. Ponds and freshwater streams within the town are not large or deep enough for recreational use other than fishing. Most of the residences and commercial establishments within the town are supplied with water from the Kennebunk, Kennebunkport and Wells Water District (KK&WWD), which, in turn, derives its water from sources entirely outside the town. The remaining residences which depend upon well water appear to have adequate supplies of satisfactory quality. While this chapter will consider several potential threats to the quality of that water, serious problems do not appear to be imminent.

Because of the need to identify and locate the many ponds, streams, marshes and aquifers discussed in this chapter, considerable use will be made of maps, which may be found in Appendix B.

I. INVENTORY

A. Water Courses

The interior water resources of the town consist of the various river systems shown on the Water Resources Map, which also shows the drainage divides for various water bodies throughout the town. This map also shows the boundaries of the watershed for the Batson River.

Maine's Mandatory Shoreland Zoning Act requires that any stream shown on a U.S. Geologic Survey topographic map as the convergence of two perennial streams be protected by special zoning provisions. In March 1994, Kennebunkport amended its Shoreland Zoning to include all areas required. The 120th Legislature approved amendments to the Natural Resources Protection Act, rule amendments to Permit by Rule Standards, and Wetlands Protection that became effective on September 1, 2002. These amendments increase setbacks from 25 feet to 75 feet and set standards for cutting and vegetation removal on the small headwater streams above the point where the Shoreland Zoning takes effect. The major watercourses in Kennebunkport are the Kennebunk River and the Batson River. The Kennebunk River makes up Kennebunkport's southwesterly boundary. The river and its

watershed were the subject of a study conducted jointly by the Towns of Arundel, Kennebunk and Kennebunkport in 1986. The report and maps produced for the 1986 study are available for reference at the Town Office. The highlights of that report are included here:

The watershed of the river drains portions of the Towns of Lyman, Arundel, Kennebunk, and Kennebunkport. The total area of the watershed is approximately 53 square miles. Of this area, approximately 15 square miles are in Lyman, 16 are in Arundel, 17 are in Kennebunk, and 5 are in Kennebunkport. The length of the main stem of the river is 13 miles, from its mouth to the point it splits into Carlisle Brook and Lords Brook in Lyman.

Kennebunk Pond is the origin of the river. The pond is unique in that it has two outlets, which form Carlisle and Lords Brooks respectively. There are no significant tributaries to the river within Kennebunkport.

The river is tidal to a point approximately 5.2 miles from its mouth in the Atlantic Ocean and 0.2 miles upstream from the B & M Railroad Bridge. It is tidal for the entire distance that it is in Kennebunkport.

A 1982 study by the Maine Department of Conservation and the National Park Service indicated the Kennebunk River has a composite of natural and recreational resource values with statewide significance.

The Batson River is classified as a minor coastal river, but its watershed comprises a majority of the area of the Town. Drainage divides are shown on the Water Resources Map. We can trace the tributaries leading into the Batson by the size of the culverts that carry the drainage into the main body of the river. The river enters Goosefare Bay between Marshall Point and the western end of Goose Rocks Beach. The river is tidal for approximately three-quarters of a mile from its mouth to the dam just downstream of Route 9. Within the Batson River watershed, there are perennial streams that total over 80,000 feet in length. Streams over five feet in width total 16,000 feet. In 1994, the Town Meeting enacted a 250-foot setback that protects the river as far as the Arundel Road by the Chick farm. This area is now in Shoreland Zoning. The main threat to the water quality of the river is from farms and homes on the upper reaches of the river. The only data on the water quality of the Batson River is derived from a graduate student's project at the Yale School of Forestry and Conservation. Her findings on the health of the River stated that the mouth of the estuary is flushed every fourteen and one half hours. The nitrogen load from the watershed could withstand as much as a 60% increase before exceeding the "Sensitive Water" quality standard.

The Little River and Beaver Pond Brook lie outside the Batson River watershed. The Little River rises from the wetlands by Proctor Road and swings into Biddeford for

7/8 of its route, coming into Kennebunkport under Route 9 near the Biddeford line. It forms the Town boundary from the LaBrie property to the ocean. Beaver Pond Brook also empties into the ocean near here. Water quality testing on these two streams would be the first step in the process of re-opening the Little River area's shellfish flats for year-round use. The flats in the Little River/Beaver Pond Brook estuary are presently open for harvesting from October 1st through May 31st. The Batson River/Smith Brook area is not open for harvesting. In Cape Porpoise, the flats in back cove (Skipper Joe's), Stage Harbor, and the area between these and Cape Porpoise Harbor are open year-round.

B. Great Ponds

There are no great ponds in Kennebunkport. Beaver Although Lake of the Woods does not meet the state's definition of a Great Pond, it receives Resource Protection in our Land Use Ordinance.

C. Wetlands

There are a number of wetland areas in the Kennebunkport. They may be classified as either coastal or freshwater and are described in more detail in Chapter IV. A portion of Kennebunkport's shoreline is rocky, but there are a number of salt marshes scattered along the coast. The largest portions of these are located at the mouths of the Batson River and Turbat's Creek. Of the coastal marshes, the Federal Government owns a significant part and is under the jurisdiction of the Rachel Carson National Wildlife Refuge.

D. Water Quality In Rivers And Streams

The Maine Legislature has classified the rivers of the State for purposes of regulating water quality. The classification is an indication of the lowest water quality the Department of Environmental Protection (DEP) may allow. It is not an indication of current water quality. The classification designated for the Kennebunk River has changed several times in the last decade from C to B2 to B.

Water quality testing of the Kennebunk River was done by the DEP until 1983. In 1985 and 1986 a private group, Friends of the Kennebunk River, performed some additional testing. There were five stations for the water quality testing: Route 9 bridge, Durrell's Bridge, Route One, Downing Road, and Days Mills.

In general the water quality testing done between 1980 and 1986 indicated the river attained the standards for a Class B water body. Tests for dissolved oxygen above the standards of 75% of saturation in freshwater and 85% of saturation in saltwater were achieved in 102 of 105 tests during the six year period. Tests for bacteria met the standard in 55 of 74 tests. The acidity of the water was within the desired pH

range of 6.0 to 8.0 in all tests. Some tests revealed a high level of nitrogen, possibly reflecting contamination from dairy farm operations situated north of Kennebunkport or nutrients from the Kennebunkport sewer outfall.

The DEP tested the river again only at the Route One location in the early fall of 1991. Bacterial contamination climbs after rainfalls, and Hurricane Bob had occurred in August, 1991. When the river was still at flood stage following the hurricane, E.Coli bacteria levels rose to over 6,000 colonies per 100 ml. of water. The DEP's report indicates the river did not meet Class B status, but attained Class C standards. The DEP surmised that storm water runoff was the reason for the river not meeting its usual classification.

The most recent DEP testing on the Kennebunk River was done in 1994. The Department spent one morning testing eight sites (two freshwater, six tidal). The results of the two freshwater sites showed that the river met Class B standards *(75% saturation or 7 parts per million concentration)*. Of the six tidal test sites, three did not meet SB standards *(85% saturation)*. Two of the three tested at 75% saturation and one tested at 77%. The remaining three sites met the SB classification standard.

The Kennebunk Conservation Commission has been conducting a summer long water-testing program along the Kennebunk River for nearly a decade.

Though there is no empirical data from testing, water quality for the smaller interior waterways appears satisfactory. The primary indicator of this is the water quality within the Rachel Carson Wildlife Refuge. An August 1988 draft environmental assessment by the Refuge estimated that half of the average annual precipitation falling within the drainage basins leading to the Refuge turns into runoff settling in the upper reaches of the marsh. The tendency is to decrease water quality through increased turbidity and transport of pollutants. Nevertheless, managers at the refuge, when asked, stated that water quality appears good. In 1988, the Town adopted a Critical Edge buffer around the Refuge, and in March 1997, adopted provisions that extended this overlay zone to include a buffer around all coastal wetlands. This may be helping to avoid degradation. (See the definition of "Wetlands, Coastal" in the Kennebunkport Land Use Ordinance.)

Information from the Department of Marine Resources reflects that Kennebunkport suffers from a common problem in southern Maine coastal areas: high fecal coliform levels, probably due to failing septic systems, livestock manure and/or poorly maintained overboard discharge systems (OBD's).

The sewer line extension to the Goose Rocks Beach area (where most OD's were located) has helped to correct the coastal water pollution problem in the Batson River estuary. With the completion of the sewer line, many dwellings previously

served by overboard discharges or subsurface systems have been connected to the sewer. (In simple terms, overboard discharge is the release of sewage into a septic tank, chlorination process, a sand filter and then directly into surrounding soil.

E. Ground Water Resources

Dug and drilled wells are the source of water for a significant number of housing units in Kennebunkport. The maintenance of the quality and availability of ground water is therefore an important issue for a large number of residents.

Areas which are able to provide a usable amount of ground water are known as "aquifers". Because of the predominant bedrock and soil conditions in Maine, virtually the entire state can be called an aquifer.

There are two different types of aquifers. When usable amounts of ground water can be removed from the loose unconsolidated material that sits on top of the bedrock, the aquifer is known as a surficial aquifer. When there are sufficient cracks and fissures in the underlying bedrock material to collect usable amounts of ground water, the aquifer is called a bedrock aquifer.

Each type of aquifer has the potential to yield differing amounts of ground water. The amount of ground water available from a surficial aquifer depends on the grain size of the surficial material. Surficial deposits made up of marine clays or tightly packed glacial tills have small grain sizes and, therefore, there is relatively little pore space to store water. In addition, ground water moves slowly through these tight grained deposits, so a well has a limited yield. On the other hand, sandy or gravelly deposits such as are found in glacial outwash material have relatively large pore spaces between grains and water can move relatively quickly. Wells in sand and gravel deposit can therefore result in high yields of ground water.

The yield from a bedrock well will depend on the size and number of cracks or fissures the well intercepts as it is drilled. Where there are a large number of fissures, such as near a fault line, bedrock wells are able to produce high yields as well.

Much of Kennebunkport is underlain by fractured granitic and basaltic bedrock. The bedrock in the western part of the town is metamorphic in origin. Due to the expense involved, no broad based mapping of high yield bedrock aquifers is available.

On the other hand, the Maine Geologic Survey has mapped the high yield sand and gravel aquifers throughout the state. These maps show those areas where ground water yields in excess of 10 gallons per minute can be expected.

The importance of mapping high yield aquifers is that they are potentially desirable locations for public drinking water supplies. Survey maps show two such areas in Kennebunkport, both in the northern part of town. Both of these areas are indicated as likely to yield between 10 and 50 gallons per minute. The first is near the intersection of Guinea Road and Whitten Hill Road (Beacon Corner). (This was formerly the site of the municipal landfill for the Town of Arundel, and hence the quality of the water should be tested.) The second is to the west of this location, crossing over the Town line on the Oak Ridge Road into Biddeford (Fox Farm Road). Biddeford's Official Zoning Map puts their portion of this aquifer into an Aquifer Protection Overlay, and their Comprehensive Plan lists restrictions comparable to Shoreland Zoning. (Art V section 10)

The fact that the town's public drinking water supply comes from outside the town's boundaries presents some important regional issues for Kennebunkport. Issues related to residential and commercial development in the watersheds of both the Saco River and Branch Brook require the town, through the Water District, to be aware of land use activities in other towns that may impact Kennebunkport's water supply. A watershed protection survey and management plan for Branch Brook is currently underway (being led by the Wells Reserve). The survey portion has been completed and the management plan should be available in May 2003. A CD of the survey results is currently available from the Wells National Estuarine Research Reserve (646-1555 Ext. 112). Upon completion, the management plan will also be available on CD.

Areas that are not high yield aquifers will still yield enough ground water to meet the demands of individual households or small developments. Tests of ground water from Kennebunkport so far indicate no widespread threats of pollution. When impurities have been found, they usually have been:

1. Bacteria from surface sources, such as animal or vegetable matter, which leach through the soil in the spring when the water table is unusually high;
2. Arsenic, which occasionally poisons a well originating in bedrock. Such instances are rare, and the only cure is to drill another well in a new location.
3. Road salt may result in contamination of wells but has never been known to do so in Kennebunkport.

In a few neighborhoods along the shore, such as Windemere Place, well water may be unsatisfactory for drinking because of the intrusion of salt water. The basic problem here is that the water table on which the wells draw has fallen below the level of the tide, and there is no known method by which the Town can correct the situation. The only remedy is to treat the water after it is pumped, such as by reverse osmosis filtration.

The Town must also recognize the additional public water supplies located at the Inn at Goose Rocks and the Seashore Trolley Museum (seen on the Aquifer Map). While perhaps not regarded as public water supply, these wells serve the public and are regulated by the Department of Human Services. DHS, in fact, makes comments on their susceptibility to contamination. For the Inn at Goose Rocks a moderate risk of acute contamination has been found, principally due to a septic system within 300 feet of thw ell. There is also a moderate risk of future contamination due to the fact that the owner of the well does not own all land within 300 feet of the water supply source.

The Seashore Trolley Museum actually contains two wells, with one being recently drilled. This well has a low risk of both existing and future contamination as there are no animal or feed lots within the vicinity, the owner owns land within 300 feet, and there are no septic systems within 300 feet. The older well does have a septic system within 300 feet, which makes it a moderate risk. Based on these data, it does not appear as if there are major issues associated with these sites.

F. Sources Of Pollution

1. Point Discharge Sources

Kennebunkport's sewage treatment plant was built in 1972. Since then it has gone through three modernization upgrades, the most recent in 1999. Currently there are 2469 units hooked up to the sewer system (1320 of those are residential). There are 1085 lots that have septic systems. The Town's wastewater treatment plant outfall pipe is located in the tidal area of the Kennebunk River. The effluent is chlorinated during the summer months. At the annual Town Meeting in June 2003 voters authorized a $1,000,000 bond or note request for the purpose of upgrading the wastewater treatment plant for the purpose of year-round chlorination and dechlorination.

Storm sewers can also be considered as point sources of pollution where they run into the rivers or the ocean. At this time, there are no legal limitations on sewers of this kind.

There are three licensed overboard discharge systems in Kennebunkport, all of which discharge into the ocean. Overboard discharges are discussed in the chapter headed "Marine Resources."

2. Non-Point Discharge Sources

Non-point source pollution differs from point source pollution because it may occur anywhere in a watershed rather than from a single discharge point. Non-point

source pollution is usually associated with storm water runoff from fields, construction sites, timber and farming activities, buildings, or roadways. Runoff from rain or melting snow can cause pollutants to be washed from the land and carried through the watershed into lakes, streams, rivers, and coastal waters. Pollutants such as soil, nutrients, bacteria, oils, and heavy metals can cause algae blooms, reduced aquatic plant growth, disease, and sedimentation. Additionally, fertilizers and chemicals applied to lawns, particularly abutting sensitive water bodies, can degrade water quality.

In Kennebunkport, the major non-point sources appear to be runoff from roads, parking lots, and other impermeable surfaces and runoff caused by development. For example, erosion and sedimentation have apparently affected small tidal waters behind North and South Maine Streets, causing those areas to fill in. Mill Pond, (near North Street) that appears to be filling in with sediment, may be a typical case in point. Properly administered erosion and sedimentation control standards can prevent most of the concern from construction and development activities.

Any dump is a potential source of pollution, because toxic materials may leach down into subsurface aquifers. This possibility remains a threat even after the dump has been closed, as the dump in Kennebunkport has. Test wells were installed around the dumpsite in Kennebunkport when it was closed, and water from these wells is analyzed at least once annually by the Maine DEP. So far, no pollution has been detected.

A. Existing Water Quality Protection

Kennebunkport's Land Use Ordinance provides standards to prevent water quality degradation. In March, 1993, the Town revised its Shoreland Zoning requirements to comply with the 1990 State Minimum Guidelines. As part of those revisions, specific erosion and sedimentation control standards were adopted with the requirement for a written control plan to be filed with the Code Enforcement Officer whenever earth is disturbed in the Shoreland Zone. In addition to the erosion and sedimentation control standards, setback and buffering provisions along the shoreline and edge of wetlands are prescribed by the Shoreland Zoning, Resource Protection, and Critical Edge standards.

Other parts of the ordinance place restriction on the direct or indirect discharge of materials into surface or ground waters. The Site Plan Review process for most commercial uses and other situations contains standards regarding erosion control and storm water management.

B. Possible Threats To Water Quality

The most common threat to water quality in Kennebunkport is the large number of subsurface wastewater disposal systems. Improperly sited or failing septic systems can lead to both ground water and surface water contamination.

Another potential threat to the quality of ground water is leakage from petroleum storage tanks. As of January 26, 2003, Kennebunkport Fire Department records indicate there are 15 registered underground fuel storage tanks, all of which were installed after 1985. The possibility remains that some of these may have been removed and the report filed somewhere other than with the Fire Department.

II. ANALYSIS AND CONCLUSIONS

A. Quality Of Streams And Rivers

Fresh water streams and rivers within the town appear, under normal circumstances, to meet satisfactory water quality standards.

B. Availability Of Ground Water

While the majority of the residents of the town use water derived from out-of-town sources, many residents rely on water derived from their own wells. To the best of this Committee's knowledge, the quantity of water available from these wells has been adequate for these people's needs.

C. Quality Of Ground Water

With some rare and/or temporary exceptions, the quality of ground water derived from wells within the town has been good. Therefore, ground water quality does not pose a problem for the town, at least at the present time, but it needs to be protected for the future.

D. Potential Threats To Water Quality

The principal potential sources of ground water pollution in Kennebunkport, as in any other town, are growth and related activities, leakage from rusted petroleum storage tanks, seepage from septic fields, or leaching from the now-closed dump or other refuse areas and land use issues related to both the Branch Brook and Saco River watersheds. While there is no indication that danger from these sources is imminent, the town should remain sensitive to any evidence that such a threat has arisen.

As the Southern Maine region continues to experience growth in year-round and seasonal residents and tourism, the demand on the water supply from Branch Brook and the Saco River will increase accordingly. Kennebunkport should remain sensitive to this growth and consider action to protect the quality of water in its two major aquifers for the possibility of supplementing its future public water supply.

III. IMPLEMENTATION

STATE GOAL: TO PROTECT THE QUALITY AND MANAGE THE QUANTITY OF THE STATE'S WATER RESOURCES, INCLUDING LAKES, AQUIFERS, GREAT PONDS, ESTUARIES, RIVERS, AND COASTAL AREAS.

TOWN GOAL 1: TO PROTECT THE QUALITY OF SURFACE WATERS AND COASTAL AREAS.

Policy 1: Monitor the quality of surface waters.

Strategy 1: Periodically test the water quality of Little River, Beaver Brook, Smith Brook, Batson River and Kennebunk River to determine the source of pollution and take corrective action if any pollution is found.

Responsibility: Conservation Commission
Timeframe: Every 2 years

Policy 2: Protect all surface waters to ensure healthy biological and ecological diversity and clean and pleasant recreational areas.

Strategy 1: Develop a long-range plan to extend sewer services. Monitor impact of sewer outfall in the Kennebunk River regularly and before each major sewer expansion.

Responsibility: Sewer Department
Timeframe: 3 years

Strategy 2: Continue charging an assessment fee to property owners when the sewer is extended into private developments.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 3: Develop a program to educate property owners and school children to the potential danger of using chemical pesticides, herbicides, and fertilizers and encourage the use of environmentally friendly products and practices.

Responsibility: Conservation Commission
Timeframe: 1 year

Strategy 4: Continue to work with property owners to find alternatives to overboard discharge.

Responsibility: Code Enforcement Officer
Timeframe: Ongoing

Strategy 5: Educate property owners and coordinate efforts with surrounding towns to encourage practices that prevent non-point sources of pollution to surface waters.

Responsibility: Conservation Commission
Timeframe: Ongoing

TOWN GOAL 2: TO PROTECT THE QUALITY AND QUANTITY OF GROUND WATER.

Policy 1: Protect the two primary aquifers located in the northern part of town.

Strategy 1: Require property owners with newly dug wells in the vicinity of the aquifers located near Beacon Corner (Whitten Hill and Guinea Roads) and Oak Ridge Road (K'port) / Fox Farm Road (Biddeford) to report the results of water quality and flow testing from the original drilling to the Code Enforcement Office.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Establish regulations for development and related activities in the vicinity of the two primary aquifers to protect water quality for possible future use as public water resources. Coordinate efforts with Biddeford.

Responsibility: Planning Board
Timeframe: 2 years

Policy 2: Manage disposal of storm water.

Strategy 1: Adopt "Storm Water Management Design Standards" of the Kennebunkport Planning Board Subdivision Regulations for design, construction, and maintenance of drainage systems for all roadways.

Responsibility: Planning Board
Timeframe: 2 years

Policy 3: Monitor and protect the quality and the quantity of current drinking water resources to ensure an adequate supply of good quality drinking water.

Strategy 1: With KKWWD, monitor development and related activities located in the watershed and service areas of Branch Brook and the Saco River.

Responsibility: Town Planner
Timeframe: Ongoing

Strategy 2: Monitor DEP inspection of underground storage tanks to ensure annual compliance with State regulations.

Responsibility: Code Enforcement Office
Timeframe: Ongoing

Strategy 3: Recognize the importance of protecting freshwater wetlands for the recharging of groundwater aquifers. Develop new and support established ordinances that protect this resource.

Responsibility: Conservation Commission, Planning Board
Timeframe: Ongoing

Strategy 4: Monitor water quality of the wells at the Inn at Goose Rocks and at the Seashore Trolley Museum and take appropriate action if contamination occurs.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 5. Continue the policy of minimizing to the extent practicable the use of harmful road salts.

Responsibility: Highway Department
Timeframe: Ongoing

CHAPTER VII. NATURAL LAND RESOURCES

This chapter focuses on the characteristics and composition of the land which lies within the town. It discusses the uses of the soil for residential development, forestry and agriculture, and considers the protection of natural areas and scenic vistas which are judged important by the townspeople. Because planning should follow what the land can support, this inventory can serve to provide a framework for responsible planning.

Because of the repeated need to identify specific small areas within the town, much use is made of maps which have been marked in detail for this report (see Appendix B). Larger scale versions of the maps may also be found at the Town Office. Although the maps convey a great deal of interesting information, the Committee emphasizes that there is no substitute for walking the land.

I. INVENTORY

A. Soils

The characteristics of the soil in Kennebunkport, and the implications of those characteristics for development, are set forth on the Hydric Soils Map. This map is based on data gathered by the Soil Conservation Service of the U.S. Department of Agriculture. The map groups all hydric soils together into a single coverage. When combined with wetlands mapping it provides a greater overview of soil limitations based on wetland or hydric soil types. Additionally, when combined with other development limitations (discussed later) this map forms the basis to assess where and how the town may develop in the future. Hydric soils have been defined by the York County Soil and Water Conservation District as containing the following soil types: Biddeford mucky peat; Brayton and Westbury fine sandy loams; Chocura peat; Raynham silt loam; Rumney loam; Saco mucky silt loam; Sebago peat; Sulfihemists; Urban land-Scantic; Vassalboro peat and Waskish peat.

Generally, Kennebunkport soils are generally poor for residential development, farming and forestry. Each use competes for the best that is available. The town is in a region of shallow, gently sloping to very steep, somewhat excessively drained soils formed in glacial till. There are also areas of bedrock exposure and deep, nearly level poorly drained soils formed in marine and lacustrine (lake) sediments. In the center of town are small areas of soil with much the same characteristics left from glacial melt water. Along the coast are less stable sand and marsh soils eroded by wind and water. Not an encouraging picture for a pretty town where so many people want to live.

The York County Soil Survey explains our situation quite simply: "Very few towns in Maine have large tracts of soils that are ideal for residential development. Often the soil is wet, bedrock is near the surface or land has steep slopes. Some areas may be subject to periodic flooding from nearby streams and rivers. It is often necessary to modify these areas by filling, excavation, blasting or draining. These additional costs for site development are passed on to future landowners. Maintenance costs such as erosion control, road and culvert repairs will often be borne by the new landowner or municipality. The installation of subsurface waste disposal systems, roads and buildings can have a negative impact on towns' soil and water resources."

B. Uses Of Wetlands

Coastal towns like Kennebunkport have significant coastal wetlands as well as freshwater wetlands.

An abundance of water is essential to all forms of life, but often makes residential development risky. Kennebunkport's coast is oriented to the southeast, and coastal storms have demonstrated over and over again the need for good floodplain management. The ocean is rising a little every year. Recent storms have often reduced or exceeded the limits of the current "100-year floodplain", to the dismay and cost of coastal residents living too close to the ocean. Coastal damage is the worst when the sun and moon are in line, exerting double force on the tides. Wave action is even more devastating than high water. Sea walls rarely keep out the sea; the water goes over, around, or underneath, resulting in increased erosion. The Goose Rocks colony, however, is a seeming exception to this rule. It has been spared much potential destruction because of the rocky reefs off-shore, which are visible at low tide. They break up the wave action and provide a valuable first line of defense.

As of March 2001, Kennebunkport had 264 homeowners registered in the Federal Flood Insurance Program for a total coverage amount of $47,600,900. The total number of claims since 1989 has been 98 although there have not been any claims since November of 1997.

Coastal marshes should not be built on. When they are altered, the development will be taken back by the sea sooner or later. There is also the safety factor to consider. Evacuating residents and housing them in shelters is not a rewarding experience for anyone. Currently both state and municipal land use regulations prohibit construction within coastal wetlands.

The National Wetlands Inventory is the best source of data currently available for wetland locations in the town and is available in the Town Office.

Freshwater wetlands have many uses. A study by the Maine State Planning Office and others, entitled, "Casco Bay Watershed Wetlands Characterization", helps to better define the value for particular wetlands both within and outside of a watershed. This characterization can be accomplished through a relatively straightforward GIS mapping process. The study identified the following key values and functions for wetlands which need to be considered as the town examines its wetland and resource protection rules:

- Hydrologic Functions
- Biogeochemical functions
- Biological Functions
- Cultural values

Hydrologic functions are primarily concerned with flood flows and the process by which peak flows are stored and delayed in their journey downstream. In this regard wetlands perform a critical function in the storing and release of waters during storm events. The biogeochemical function is the process by which wetlands may trap sediment in runoff from uplands and help prevent water quality degradation downstream. The biological function is related to the potential for the wetland to provide habitat for certain species that rely on wetlands for some part of their life cycle including finfish, shellfish, and other flora/fauna. Finally, the cultural values of wetlands are those represented by the educational and recreational value (bird watching, nature study) of the wetland.

The prioritization of these wetlands and their value can be seen as an appendix to the book entitled "Beginning with Habitat on file in the Town Office.

C. Wildlife

The Maine Department of Inland Fisheries and Wildlife (IFW) , the Maine Natural Areas Program (MNAP), the State Planning Office and Maine Audubon have recently finished a GIS compilation of existing data regarding wildlife habitat and rare and endangered species locations in Kennebunkport. A description of this data and it's use can be found in the guide entitled "Beginning with Habitat". In sum, the data illustrates the following:

1. The importance of riparian habitat along streams, brooks, rivers, and associated wetlands. These areas function as tremendous travel corridors for wildlife and most importantly contain 75% of all the species diversity in Maine. To some degree, these areas are protected by Shoreland Zoning. The extent of that protection is much debated.

   The Maine Department of Inland Fisheries and Wildlife considers these riparian areas the backbone of any wildlife preservation effort.

2. The wide range of high value plant and animal habitat within the community. The consortium of agencies denoted above have highlighted the ecological diversity of the town with mapping of: deer wintering areas; assemblages of rare plants, animals and natural communities found within the town; "essential" wildlife habitats which requires IFW review for endangered animals and their habitat; and "significant wildlife habitat" (such as high and moderate value waterfowl or wading bird habitat).

3. Finally, and perhaps most importantly, the identification of large relatively unbroken blocks of habitat which can support animals with large home ranges (such as moose and fishers) as opposed to suburban species (such as raccoons and skunks). These unfragmented blocks offer valuable opportunities to preserve a wide range of species in a rapidly developing landscape. The implications for wildlife diversity in the face of "sprawl" in these locations may be an important planning concern. Many of these unfragmented blocks also cross town boundaries.

4. The most important piece of unfragmented habitat is a nearly 3,000 acre piece that extends into Biddeford and Arundel. This habitat – extremely large for southern Maine – is located in the northern part of town and is comprised mainly of forests and wetlands. It also contains much of the Town Forest and parcels now in the Tree Growth and Farm/Open Space Taxation program.

Additionally the US Fish and Wildlife Service (USFW) has also developed wildlife habitat data which is also on file with the Town. This data essentially predicts the habitat for the USFW trust species for the region. The data includes both upland habitat and coastal habitat. The maps for this modeled data are also included with the maps in the "Beginning with Habitat" guidebook.

D. Plant Life

The Maine Natural Areas Program has recently begun work on further identifying rare plant locations and communities in southern Maine. The following rare plants and rare plant communities have been identified in Kennebunkport:

Number	Feature Name	State Rarity*	Date Observed
1	Spartina Saltmarsh	S3	1992
2	Pale Green Orchis	S2	1991
3	Pale Green Orchis	S2	1984
4	Saltmarsh False-Foxglove	S3	1985
5	Eastern Joe-Pye Weed	S2	1992
6	Saltmarsh False-	S3	1982

	Foxglove		
7	Small Reed Grass	S2	2000

* Rarity rankings are based on a scale of 1 (most rare) to 5 (most common). The S signifies it is a Maine ranking only. A G would signify a Global ranking. These do not necessarily represent the only such rare plant sites in Kennebunkport. They are merely the sites that have been inventoried by the MNAP.

E. Forestry

The Soil Conservation Service (SCS) ranks various soils according to their ability to produce timber. Soils are rated only for productivity, not for management problems such as erosion, hazards for equipment or seedling mortality. Eastern white pine was used as the tree species to develop the rankings. The SCS has defined prime woodland as land capable of growing wood at the economic productive growth rate for a given tree species. The only soils found in Kennebunkport which are ranked as very high or high productivity are Adams and Croghan soils. These are found in such isolated, small areas that no part of town is ideal for forestry. For most of the forested land in Kennebunkport, the soil is not rich and tree stands are still recovering from the 1947 fire.

The Maine Department of Conservation's 2000 Tree Growth tax list identifies 19 parcels devoted to "Tree Growth," a category which entitles the owner to favorable tax rates. This is less than was noted in the previous plan by about 15 parcels and 447 acres. To qualify for the program, the lot must be ten acres or more, and the owner must employ a registered forester to make an inventory of the lot and a harvesting schedule. The owner then shows these documents to the Tax Assessor, who notifies the State. Conversion to development brings a heavy financial penalty. Production on these parcels, which are scattered through the central and north portions of the town, is limited by slow tree growth.

According to the records of the DOC, only 291 acres of forest were harvested in Kennebunkport in the last 9 years.

The Town has designated certain town lots as the Town Forest. Sixty acres were lost several years ago in a title dispute. The budget for the Town Forester is only $500, inadequate to cover proper forest management for the acres remaining in the forest.

F. Agriculture

The Soil Conservation Service also ranks various soils according to their importance and quality as farmland. The SCS has defined prime farmland as land that is best suited to produce food, feed, forage, fiber, and oilseed crops. There is no "prime" soil in Kennebunkport. Lyman fine sandy loam on relatively flat land could be prime when irrigation is provided, but there is no irrigated cropland in the town.

There is no accurate estimate of the amount of land actually used for agricultural purposes in Kennebunkport. There are currently 9 parcels registered in the Farm and Open Space program totaling 707 acres. Of this amount 157 acres are in active crop or open pasture land. Most of this active crop is in hay production. The remaining acreage is in farm woodland.

Although residents have gardens for their own use, farming in marginal soil is not commercially viable in this town today. There are horses kept for riding and several beef-cattle and sheep farms. Some fields, if not overgrazed down to the clay substrata, are useful for bedding hay and grazing, but large tracts would be necessary to support one animal on forage alone. Part-time farmers haven't the time to invest in fertilizing and mowing programs to produce top quality hay. Although a century ago, many citizens of Kennebunkport were farmers, it is doubtful whether any full-time farmers remain today.

With house lots selling for over $150,000, the constraints on farming are fairly obvious. The land has much greater economic value for residential use than for farm use. A few small farms sell their own produce in farm-side stands. There is also a Farmers' market in Kennebunk which provides for locally grown produce sales one day a week. This may be the economic extent for the farming industry in Kennebunkport. However, it is also clear that these small farms and the the lands currently in the Farm and Open Space Program are important parts of the "character" of the community and help maintain habitat in an important forested area of southern Maine. Retaining them as open spaces may be the most valuable strategy the Town may devise.

G. Unique Natural Areas & Vistas

The northern part of Kennebunkport contains in what is now the Farm and Forest zone a large portion of the largest contiguous natural forest along the southern Maine coast between Kittery and Brunswick. This is a unique regional area of habitats.

The estuaries in Kennebunkport have been discussed in Chapter V.

Kennebunkport has been diligent in protecting its most beautiful shade trees. The sight of an old elm soaring above a Colonial house is not a common sight in New England anymore, but Kennebunkport still has many of these majestic trees. It is not accidental. In a nationally recognized program, Kennebunkport voters since 1980 have appropriated up to $12,000 annually for treatment of the Dutch Elm Disease and the removal of hopelessly diseased trees. The bare spots have been filled with less vulnerable species by the Shade Tree Committee.

Many of the natural characteristics that make development so difficult in this town are the very things that are treasured by residents and tourists alike. They define the character of the town. These scenic view sheds deserve legal protection.

In many meetings with citizens of Kennebunkport, the Growth Planning Committee (for the 1995 Plan) has determined which natural areas and vistas the citizens considered most valuable. Those which received most mentions, in descending order, are as follows:

1. Ocean Avenue, from Parson's Way around to Walker's Point.
2. Cape Porpoise, including the Pier, the Harbor and the islands.
3. Goose Rocks Beach
4. The view across the mouth of the Batson River from Goosefare Farm on Route 9.
5. The Kennebunk Riverfront, including the Monastery grounds across the river.
6. The Colony Beach
7. Turbat's Creek

Kennebunkport residents and summer people together have generously supported fund raising campaigns to buy and conserve many areas of unusual natural beauty. The following Table VIII-1 shows how many of our valued areas have been donated or purchased, and hence are safe forever.

These parcels are highlighted on the Lands Not Readily Available for Development Map (which includes Conservation Parcels). The acreage amounts are also highlighted in the Land Use Section.

Table VII-1: Land Dedicated to Public Interest

Ownership	Location
Kennebunkport Conservation Trust	River Green
	Lake of the Woods
	Vaughn Island & President Bush Island
	Cape Island
	Redin Island
	Stage Island
	Goat Island
	Trott's Island
	Pinkham Island
	Bumpkin Island
	Milk Island
	Savin Bush Island
	Goose Rocks Beach lots

Ownership	Location
	Tyler Brook area (57 acres)
	Emmons-Chick lots (150 acre)
	Former Town Forest Lots (741 acres)
	Talmage Lot (85 acres)
	Forrest Lot (~20 acres)
Town of Kennebunkport	Town Forest lots (approximately 300 acres)
	Kennebunk River lots
	Miller lots (Log Cabin Road)
	Lots & Park (Beachwood Road near former dump)
	Cape Porpoise Pier
	Government Wharf
	Goose Rocks Beach lot
	Cape Porpoise Firemen's Park
U.S. Fish & Wildlife Service	Batson River Estuary
	Smith Brook Estuary
	Little River Estuary

The Kennebunkport Conservation Trust has been an important educational influence. Their program of acquisitions has been low key and broadly supported. Voluntary actions enhance the feeling of community responsibility. In planning for the future of the town, this public attitude is crucial to the success of any plan.

II. ANALYSIS AND CONCLUSIONS

A. The Impact Of Soil Characteristics

As the Inventory has made clear, the poor quality of the soils which predominate in Kennebunkport has made agriculture and forestry non-viable as occupations, and has thrown an economic damper on the development of housing. Because poor soil adds to the costs of extracting well water and of disposing of septic waste, it places a premium on the availability of land served by municipal fresh water and the municipal sewer system. Most of the undeveloped areas of the Town, however, are not now served either by the KK&W Water District or by the sewer system, and it is doubtful that water will ever be available from the KK&W at prices which would make large-scale agricultural use practical.

As development activity heats up again the suitability of soils for septic disposal, plays a key role. Large amounts of hydric soils as shown on the Hydric Soils Map present a limiting factor for growth. However Maine's fairly liberal standards for septic suitability (12 inches as a limiting factor) may make septic systems suitable

where they may not have been only five years ago. A few options exist. One is to subsidize the extension of the municipal water and sewer systems, at considerable cost. The alternative will be to limit residential construction in areas where a growing number of septic systems may pose a threat to the quality of the well water of the prospective homeowner.

B. Wetland And Wildlife

The greatest threat to wildlife is our deep-rooted tendency to ignore it. When people build houses or organize trips to the seashore, it is doubtful that they ever do so with the intention of disturbing wildlife. But, because the fish, the birds and the animals are inconspicuous, they seldom come to mind in the face of the overwhelming joys of a new home or the pleasure of a day at the beach. So we do what comes naturally, with no thought for the birds or animals which we may have displaced, injured or frightened away. Often, it is not until a species of wildlife has totally disappeared that we begin to miss it.

In the face of this universal tendency, the Federal Government, the State and the Town have done a great deal to protect all forms of wildlife. As noted in the Inventories, bathers have been alerted to the preservation of beach grass, levels of toxicity in streams and coastal waters have been greatly improved, large areas of land have been set aside as preserves for birds and other wildlife, and protective zoning has been imposed all along the shoreline. Nevertheless, it is clear that a great deal more can be done to control the disposal of wastes, to reduce erosion, and to allot even larger areas as wildlife reserves. Hence the people of Kennebunkport will have a continuing need to examine their consciences and decide how much additional tax money they will appropriate, and how much additional restriction they will tolerate, in the interests of wildlife preservation.

Recent data made available from the Department of Inland Fisheries and Wildlife and presented to the town in November 2001, helps to define further the most sensitive and critical areas in town. These maps are available as part of this project. The guide, "Beginning with Habitat", provides direction in the importance of protecting riparian habitat and rare and threatened plant/animal species. IFW has identified the following rare animal species in Kennebunkport.

Number	Feature Name	State Rarity*	Date Observed
1	Black-crowned Night-Heron	S2B	1977
2	Spotted Turtle Wood Turtle	S3 S4	1991 1980
3	Woodland Vole	S1	1986
4	Spotted Turtle	S3	1984
5	Spotted Turtle	S3	1990
6	Spotted Turtle	S3	1992
7	Common Tern	S4B	1995

Note: The rankings are based on a scale of 1 to 5 with 1 representing the most rare or endangered and 5 the most common. These are state rankings (S).

The coast of Kennebunkport is also rich with habitat. Healthy estuaries are of central importance to sustaining fisheries and have many other biological and physical functions in the maintenance of coastal integrity. Both of these functions are of economic and aesthetic importance to the Town. The IFW maps show Piping Plover Essential Habitat, Roseate Tern Essential Habitat, Shorebird Habitat (migratory shorebird coastal staging areas), and Tidal waterfowl/wading bird habitat. The maps demonstrate the mosaic of animal life found along the coast.

C. Town Forest

In an effort to expand and permanently protect the large undeveloped wildlife habitat in the northern corner of town, voters have transferred 741 acres of the Town Forest to the Kennebunkport Conservation Trust. Additional abutting parcels are being purchased by the Trust to enlarge these holdings. Management plans are being developed and public trails are in the design phase. It is the goal of the Trust to one day create a trail system that stretches from Cape Porpoise village to the northern corner of town.

The acreage of the Town Forest after the transfer of 741 acres to the Kennebunkport Land Trust is approximately 300 acres.

D. Areas And Vistas Of Natural Beauty

It is encouraging to see that several of the locations which the citizens of Kennebunkport consider most attractive have been preserved to some degree through purchases by the Town or by the Kennebunkport Conservation Trust.

Nevertheless, continuing economic development inevitably leads to changes in appearance, and it is a rare day when those changes are judged to be for the better. Furthermore, increased taxation and regulation reduce landowners' income from the land. If, as a result, large landowners are forced to sell to developers, the town will lose much of the vacant land we all cherish. Land which is presently vacant along North Street, Goose Rocks Road, and Wildes District Road, which has always been part of our scenery, is typical of that which is already being partitioned for subdivisions.

Another example is Oak Ridge Road, formerly a dirt road used by horses, mountain bikers and target shooters. This road is now paved and the area is currently experiencing rapid residential development. It runs through a major town aquifer. Where sand has been dug away near the road, large ponds have appeared. The land has "healed" and these ponds are now hawk and wildlife habitats. Were the

land developed, this pretty refuge would disappear. [See Ch IX, Zone 10, p. 112 regarding the aquifer in this region.]

We now look with new appreciation across the Kennebunk River at the Franciscan Monastery in Kennebunk. At the present time it is not for sale but the estate might be sold if the Brothers decide to return to their homeland. It is a beautiful, unspoiled stretch of riverfront with an uncertain future.

There are many other threats to the natural resources we have taken for granted for so long. We will need a lot of public support to solve these town-wide problems.

With recent mapping compiled for the "Beginning with Habitat" project, a growing GIS data base (with wetlands, soils and other environmental features), and better mapping of Town-owned lands, the Town now has an opportunity to see how all these natural resource values fit with the Town's land use plan. As demonstrated by the overlays of conservation and tax incentive programs with the natural resource mapping, land conservation and programs such as the Tree Growth program can help protect (at least temporarily) important natural resource features. A more detailed review of resources and protection options might benefit the town as they seek to prioritize their open space needs.

III. IMPLEMENTATION

STATE GOAL: TO PROTECT WETLANDS, WILDLIFE HABITAT, SCENIC VISTAS, SHORELANDS, AND NATURAL AREAS BY:

A. DEVELOPING POLICIES AND ORDINANCES CONSISTENT WITH STATE LAW PROTECTING CRITICAL NATURAL RESOURCES;

B. CREATING GREENBELTS, PUBLIC PARKS, AND CONSERVATION EASEMENTS

C. PROTECTING UNDEVELOPED SHORELINES.

TOWN GOAL 1: TO PROTECT RARE AND ENDANGERED SPECIES

Policy 1: Protect and preserve habitat necessary for the continued existence of all endangered species and specifically piping plovers and the possible return of least terns in Kennebunkport.

Strategy 1: Continue to enforce all sand dune and critical edge regulations.

Responsibility: Code Enforcement Officer
Timeframe: Ongoing

Strategy 2: Continue to partner with interested groups and the Conservation Commission in educating the public about steps they can take to protect piping plovers and their nest sites.

Responsibility: Conservation Commission
Timeframe: Ongoing

Strategy 3: Continue to enforce dog leash laws.

Responsibility: Police Department, Animal Control Officer
Timeframe: Ongoing

Policy 2: Protect and preserve saltmarsh habitat and saltmarsh dependent endangered species.

Strategy 1: Continue to support the acquisition of salt marsh habitat and upland habitat adjacent to saltmarsh by conservation organizations such as Rachel Carson Wildlife Refuge, Kennebunkport Conservation Trust, and the Trust for Maine's Future or by the Town.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Work with conservation groups to educate the public about the importance of the salt marsh and its fragile nature.

Responsibility: Conservation Commission
Timeframe: Ongoing

Strategy 3: Protect saltmarsh habitat from the adverse effects of introduced invasive species as indicated in the Land Use Ordinance.

Responsibility: Conservation Commission
Timeframe: Ongoing

Strategy 4: Work with Rachel Carson and law enforcement to enforce no trespassing signs banning water craft and other motorized vehicles from the marsh.

Responsibility: Police Department
Timeframe: Ongoing

Strategy 5: Educate the public on the use of herbicides, pesticides, and fertilizer in areas adjacent to all wetlands and waterways.

Responsibility: Conservation Commission
Timeframe: 2 years

Strategy 6: Develop a document to inform and educate property owners in the critical edge of their rights and responsibilities in protecting the natural resource. The document is to be distributed by the code enforcement officer to homeowners requesting building permits, posted in the Town newsletter, and posted on the Town website.

Responsibility: Conservation Commission
Timeframe: 2 years

Policy 3: Recognize and preserve Kennebunkport's status as one of three high density vernal pool complexes in all of New England.

Strategy 1: Work with state and local researchers to identify, map, rate, and preserve Kennebunkport's vernal pools.

Responsibility: Conservation Commission
Timeframe: 2 years

Strategy 2: Add the following definition of vernal pool to the Land Use Ordinance:

"Vernal pools are naturally-occurring, temporary to permanent bodies of water occurring in shallow depressions that typically fill during the spring and fall and may dry during the summer. Vernal pools have no permanent or viable populations of predatory fish. Vernal pools provide the primary breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders and fairy shrimp, and often provide habitat for other wildlife including several endangered and threatened species. Vernal pools intentionally created for the purposes of compensatory mitigation are included in this definition."

Responsibility: Planning Board
Timeframe: 2 years

Strategy 3: Work with local schools, libraries, and media to educate the public about the importance of vernal pools.

Responsibility: Conservation Commission
Timeframe: 2 years

Strategy 4: Continue to minimize harmful road salt application as practicable

Responsibility: Highway Department
Timeframe: Ongoing

Strategy 5: Adopt management practices that would preserve habitat and hydrology necessary for the rare and endangered species including, but not limited to Blanding's turtle, spotted turtle, pale green orchis, and small reed grass, which are dependent on this habitat.

Responsibility: Conservation Commission, Planning Board
Timeframe: 2 years

Strategy 6: Work with the DOT and Town highway department to accommodate known migratory crossings of endangered reptiles and amphibians as part of major road construction or repair projects. Place caution signs at appropriate sites.

Responsibility: Conservation Commission
Timeframe: 2 years

Policy 4: Identify and protect significant and essential wildlife habitats.

Strategy 1: Identify and record such areas in the Town

Responsibility: Conservation Commission
Timeframe: Ongoing

Strategy 2: Adapt Land Use Ordinance as needed to encourage habitat-friendly development where appropriate.

Responsibility: Planning Board
Timeframe: Ongoing

TOWN GOAL 2: TO MAINTAIN THE INTEGRITY OF THOSE AREAS SELECTED BY PUBLIC POLLING AND THE STATE'S SCENIC ASSSESSMENT IN 1986.

Policy 1: Promote actions to preserve scenic resources and views of these resources.

Strategy 1: Adopt land use regulations recommended by Maine DEP for minimizing impact of construction in designated view-sheds.

Responsibility: Planning Board
Timeframe: 2 years

TOWN GOAL 3: TO MANAGE AND PRESERVE KENNEBUNKPORT'S NATURAL RESOURCES FOR LOW IMPACT PUBLIC USE.

Policy 1: Manage remaining town forest lands for public use.

Strategy 1: Work with the Kennebunkport Conservation Trust to connect public and private conservation lands into a continuous trail system with mutual guidelines for use and protection of the lands.

Responsibility: Recreation Department and Conservation Commission
Timeframe: 5 years

Strategy 2: Restrict use of Town-owned conservation lands to activities which do not damage or deplete its natural resources.

Responsibility: Board of Selectmen
Timeframe: 1 year

Policy 2: Ensure that the Town of Kennebunkport retains its rural heritage.

Strategy 1: Establish a municipal fund from impact fees for land conservation and recreation to be appropriated on an annual ongoing basis.

Responsibility: Board of Selectmen
Timeframe: 1 year, ongoing as funds are available

Note:	*Examples of properties to be acquired include, but are not limited to: wetlands, open space or view sheds, water access, aquifer protection, high value wildlife habitat, land connecting current conservation lands, and wildlife corridors.*

CHAPTER VIII. ECONOMY

I. INVENTORY

The data presented in this chapter show that, in population, Kennebunkport has grown faster than the State of Maine but slower than York County, and slower than the entire United States. Census data for the year 2000 shows that approximately two-thirds of the town's workers are in professional, managerial, or highly skilled occupations, and consequently, per capita income is higher than in the surrounding towns, the county, the state, or the nation. Continued impressive trends are found in the town's total real estate valuation. Much of this economic success can be attributed to tourism, summer visitors, retirees, and the popularity of the area.

A. Evolution Of The Economy

The economy which we see in Kennebunkport today is a far cry from that which prevailed here over much of the town's history. The settlers who lived here in Colonial times depended primarily on fishing, trading, agriculture, and marine transportation for their livelihood. During most of the 19th century, however, these activities were eclipsed by wooden shipbuilding, through which the manual skills of the townspeople could be matched with the abundant materials available in the nearby forests, and a ready market that extended all along the New England coast. By the turn of the 20th Century, on the other hand, coastal shipping had been victimized by improved rail transportation, and the wooden sailing ship was being driven from the seas by the iron steamship. This left the town with little to depend on beside fishing and agriculture, and, as has been shown in previous chapters, the land available in Kennebunkport could support only the most basic types of farming.

Nevertheless, the same technical advances that destroyed the wooden shipping industry brought a new source of support to Kennebunkport. The spreading availability and low cost of rail transportation made it feasible for people in the great commercial and industrial centers of the Northeast to spend all or part of their summers at the seashore. Dozens of hotels were built in Kennebunkport to accommodate visitors of this type. The more affluent built their own summer homes, and most of the great houses that still line Ocean Avenue date from the 1890's through World War I. This type of vacation business, however, was highly dependent on prosperity, and during the Great Depression of the '30s, Kennebunkport was unusually hard-hit.

It was not until every family finally had a motor car, that the average citizen could easily think in terms of spending a weekend, or just a day, along the coast of Maine, and the economy of Kennebunkport as we now see it, is essentially a product of this

modern era. Almost all of the motels, B&Bs, restaurants, and shops which lure the visitor today were created during this period. In addition, a great deal has been done to improve the appearance of the town, while preserving its historic, small town character. Hence, much of the town's economic success can be credited to the perseverance, hard work, and adaptability of the townspeople. These efforts have put Kennebunkport in a good position to benefit from the continued popularity of tourist travel.

One of the most unique and dynamic changes to the economy is the relative ease of access and low cost barriers to national and international markets. With a computer, fax, and delivery service, a business can buy and sell on a national and global level. In addition, the emergence of internet and online options, with the ability to develop and host a website, allows sole proprietors and small businesses to compete, and be successful, with businesses that are much larger. The current and future economy will be affected by personal choice – where people want to live and work and how and where they work.

B. Demographics

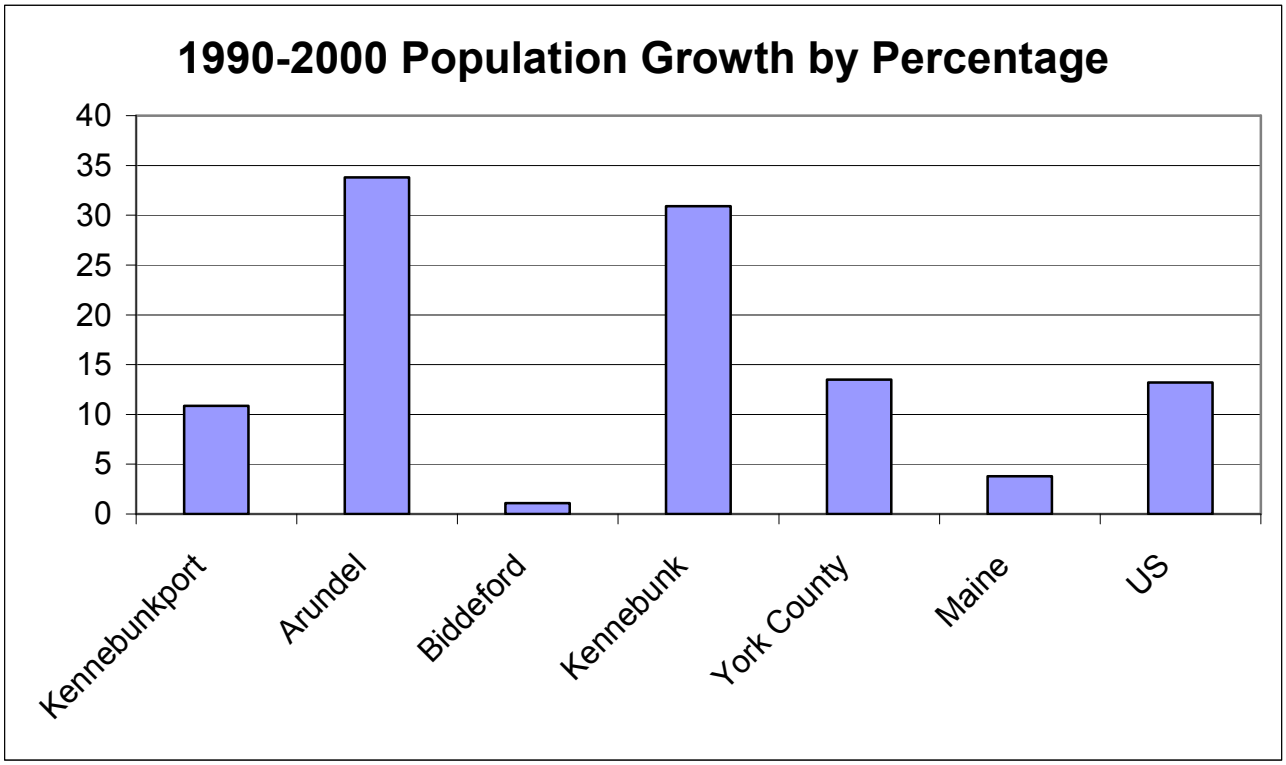
The statistics in this chapter, most of which are derived from the U.S. Census, are intended to give an economic overview of the town and its makeup. Not all of the information is available from the 2000 Census, most notably the employment and income figures. This chapter has attempted to use the most recent available demographics from federal and state sources**.**

The population of Kennebunkport on April 1, 2000, according to the U.S. Census, was 3,720. While Kennebunkport's population has been growing steadily since the 1930s, its growth rate has been slower than that of the neighboring towns of the Kennebunk and Arundel, as shown in Table VIII-1.

Table VIII-1: Historic Population, Kennebunkport and Neighboring Municipalities

	Kennebunkport	Arundel	Biddeford	Kennebunk
1920	1,431	564	18,008	3,138
1930	1,284	546	17,633	3,302
1940	1,448	866	19,790	3,698
1950	1,522	939	20,836	4,273
1960	1,851	907	19,255	4,551
1970	2,160	1,322	19,983	5,646
1980	2,952	2,150	19,638	6,621
1990	3,356	2,669	20,710	8,004
2000	3,720	3,571	20,942	10,476

Chart VIII-1: Comparative Population Growth 1990-2000



As of 2004, the Southern Maine Regional Planning Commission estimates that Kennebunkport's population has grown to 4,110. This represents another 10 percent increase over the 2000 population total.

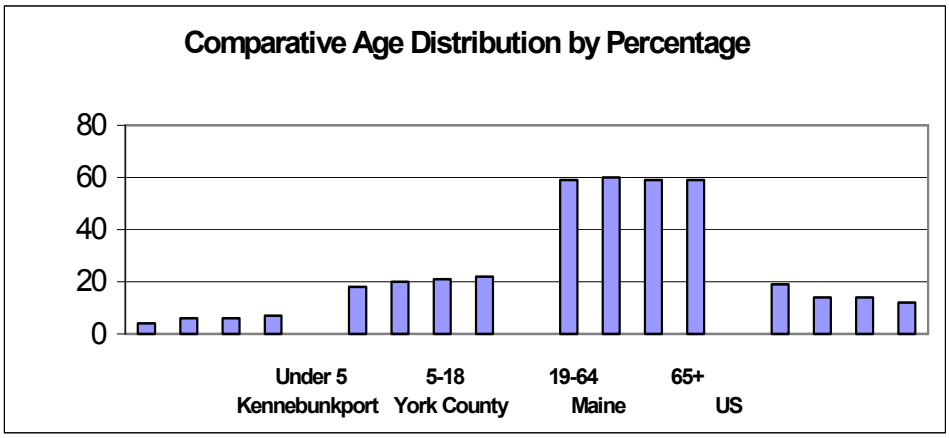
Table VIII-2 presents the distribution of the population from the 2000 Census by various age categories.

Table VIII-2: Age Distribution, 2000

	Kennebunkport		Arundel		Biddeford		Kennebunk		York County	
Total Population	3,720		3,571		20,942		10,476		186,742	
Under 5 Years Old	166	4%	234	7%	1,280	6%	553	5%	11,016	6%
5-9	226	6%	271	8%	1,370	6%	780	7%	13,111	7%
10-14	253	7%	268	8%	1,267	6%	892	8%	14,030	8%
18 Years and Older	2,958	80%	2,638	74%	16,319	78%	7,793	74%	140,469	75%
15-19	169	5%	236	7%	1,388	7%	638	6%	12,185	7%
20-24	111	3%	143	4%	1,641	8%	255	2%	8,738	5%
25-34	290	8%	478	13%	3,094	15%	1,046	10%	23,154	12%
35-44	592	16%	683	19%	3,089	15%	1,812	17%	32,859	18%
45-54	671	18%	625	17%	2,712	13%	1,662	16%	28,470	15%
55-59	297	8%	186	5%	1,000	5%	564	5%	9,843	5%
60-64	233	6%	155	4%	847	4%	475	4%	7,907	4%
65-74	417	11%	173	5%	1,645	8%	873	8%	13,623	7%
75-84	219	6%	103	3%	1,138	5%	661	6%	8,748	5%
85 Years and Older	76	2%	15	.5%	471	2%	265	2%	3,058	2%
Median Age	46.0		37.3		36.4		37.5		38.5	

There are indications that Kennebunkport continues to attract a growing number of retirees. The elderly, of course, are the fastest-growing segment of the population throughout the U.S., but Chart VIII-2 shows that people 65 years and older make up a significantly larger portion of the population in Kennebunkport than in York County, the state of Maine, or the entire U.S. In 2000, as indicated on the Chart, they comprised 19.1% of Kennebunkport's population vs. 12.4% for the U.S. (The chart also shows that the Town's population of children 18 years or younger was smaller by a corresponding percentage.) This aging component of the population has economic implications in terms of opportunities provided and services required. On one hand, this group has virtually no impact on the need for schools and often has a relatively high level of disposable income thus providing potential support for local businesses year-round. At the same time, they create special service needs. For example, some effects the Town may see are increased demand for protective and ambulance services and increased use of home nursing services, as well as possible establishment of many home occupations as older residents begin second careers working out of their residences.

Chart VIII-2: Comparative Age Distribution
(Kennebunkport represented by first line, York County second, etc)



C. Income

Per capita personal income figures indicate that from 1990-1998 York County figures were higher than those for the State of Maine but less than those for the U.S. Since 1998, the state's per capita income level has surpassed that of York County. From 1990-2001, York County figures lagged behind Maine averages during this time period as PCPI grew by 43.7% in York County versus 53.6% in Maine.

Per capita income for the Town of Kennebunkport is only reported every ten years as part of the decennial Census. In 2000, the town's per capita income level was $36,707, more than 40 percent above the York County per capita income level of $25,850.

Table VIII-3: Per Capita Income 1990-2002

Year	York County	Maine	US
1990	18,278	17,479	19,584
1991	18,299	17,662	20,089
1992	19,098	18,350	21,082
1993	19,276	18,810	21,718
1994	19,881	19,531	22,581
1995	20,661	20,240	23,562
1996	21,544	21,293	24,651
1997	22,660	22,305	25,874
1998	23,708	23,529	27,322
1999	24,303	24,603	28,542
2000	25,850	24,623	29,676
2001	26,267	26,853	30,413
2002	Unavailable	27,744	30,941

In 1999, the median household income in Kennebunkport was $54,219, compared to the York County median of $43,630 (Kennebunk's median household income at that time was $50,914).

D. Employment

It should be noted that Census figures represent self-reported information about residents of the community. There are a number of employment statistics compiled and maintained by the Maine Department of Labor. These statistics, for the most part, represent information collected on businesses in a community or area.

Table VIII-4: Non-farm Wage and Salary Employment 2003 – York Co.

	#	%
Manufacturing	9,275	15.4
Construction	3,114	5.2
Transportation and Public Utilities	1,189	2.0
Wholesale Trade	1,144	1.9
Retail Trade	9,708	16.1
Finance, Insurance, Real Estate	2,214	3.7
Services and Mining	25,331	42.0
Government	8,284	13.7
Total	60,259	

The civilian labor force in Kennebunkport has grown by approximately 14%. This is slower than the growth in population experienced by Kennebunkport. Of particular concern is that the Town's overall population has grown by 10 percent since 2000 but that the labor force actually shrank by 1.7 percent. This trend is likely due to the fact that many new residents of Kennebunkport are retirees.

Table VIII-5: Seasonally Unadjusted Labor Force and Unemployment Data for Kennebunkport 1993-2004

Year	Civilian Labor Force	Total Employment	Total Unemployment	Unemployment Rate (%)
2004	2,073	1,995	78	3.8
2003		Data not available		
2002		Data not available		
2001	1,923	1,853	70	3.6
2000	2,109	2,049	60	2.8
1999	2,062	1,984	78	3.8
1998	1,877	1,806	71	3.8
1997	1,900	1,810	90	4.7
1996	1,962	1,865	97	4.9
1995	1,841	1,748	93	5.1
1994	1,735	1,593	142	8.2
1993	1,817	1,639	178	9.8

Table VIII-6: Annual Average Number of Business Establishments, Employment and Wages in Kennebunkport - 2001-2003

Year	Establishments	Total Employment	Avg. Weekly Wage
2003	222	1,490	$407
2002	222	1,377	$453
2001	229	1,349	$448

Source: Maine Department of Labor
*Finance, Insurance, Real Estate

Of all employment in Kennebunkport, tourist-oriented categories dominate the local economy. Table VIII-7 shows 2003 employment for three key tourism sectors.

Table VIII-7: Number of Business Establishments, Employment and Wages for Key Tourism Industries in Kennebunkport – 2003

Category	Establishments	Total Employment	Avg. Weekly Wage
Accommodation	30	404	$316
Food Services & Drinking Places	23	361	$285
Trade, Transportation & Utilities*	70	305	$326

* Trade, Transportation and Utilities includes Retail Trade

As these figures show, 1,070 of the Town's 1,490 jobs were at either lodging or dining businesses—this accounts for 72% of all jobs in town. However, wages in these two industries are very low, though many of these workers do receive gratuities. At the annual weekly wage of Food Services & Drinking Places employees, yearly income would only total $14,820.

It should be noted that these figures do not reflect self-employed people or home occupations.

Table VIII-8: Average Annual Unemployment Rates

Year	Kennebunkport	Biddeford Area	York County
1990	6.1%	5.6%	4.7%
1991	9.4%	8.5%	6.9%
1992	9.1%	7.7%	6.5%
1993	9.8%	7.5%	7.0%
1994	8.2%	6.4%	6.1%
1995	5.1%	4.3%	4.2%
1996	4.9%	3.6%	3.8%
1997	4.7%	3.8%	3.8%
1998	3.8%	3.1%	3.1%
1999	3.8%	2.7%	2.9%
2000	2.8%	2.2%	2.5%
2001	3.6%	3.1%	3.6%
2002	Not available	3.3%	4.6%
2003	Not available	3.7%	4.9%
2004	3.8%	3.5%	3.9%

The unemployment rates in Kennebunkport mirror the overall trends experienced regionally and nationally. Overall, unemployment rates climbed in the early to mid 1990's and fell to very low levels by 2000. Since 2000, unemployment rates locally and regionally have risen somewhat. It is interesting to note that Kennebunkport's

unemployment rate was slightly higher than the rates experienced in the Biddeford Labor Market and York County for most of the past 15 years.

E. Trends in Assessed Values

The Town of Kennebunkport has experienced steady growth in the community's assessed value of real estate and personal property since the 1996 Comprehensive Plan. In 1997, the total local assessed value of all taxable property was $560.6 million (see Table XIV-2). By 2005, total local assessed value had grown to $661.6 million, an increase of approximately 18%.

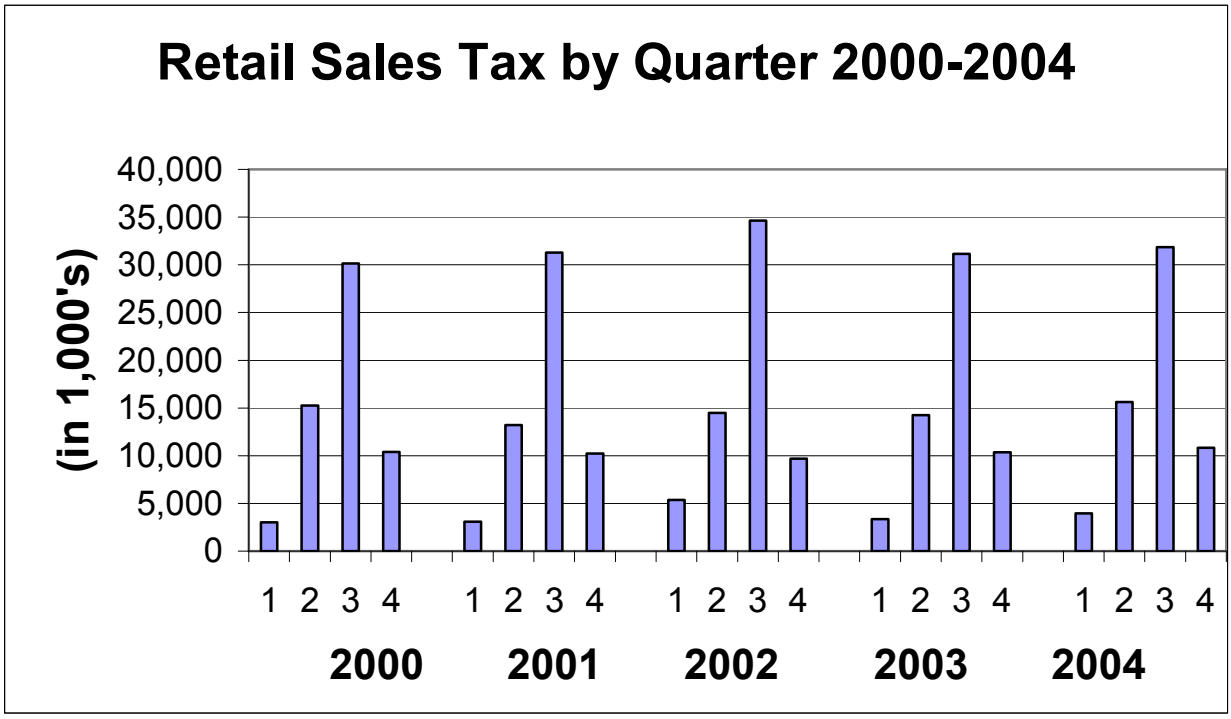
This increase in the local assessed value understates the true increase in the value of taxable property in the community. During this period the "assessment ratio" or the ratio of local assessed values to market values dropped significantly. Based on a comparison of 2005 local and state valuations, the current assessment ratio (June, 2005) is just 48%. This means that property is currently assessed at less than half of its market value. The Town has twice rejected local efforts to conduct townwide reassessments. The state is entitled to impose a revaluation if it deems it necessary.

A better indication of the growth in the value of property in Kennebunkport is the state valuation which attempts to estimate the "full value" of property. The 1997 state valuation for Kennebunkport was $543.9 million (see Table XIV-1). The state valuation grew to $1.37 billion in 2005, an increase of approximately 150%. Even with an adjustment for inflation, the total value of taxable property in Kennebunkport more than doubled over this period.

F. Sales Tax Data And Trends

There are several clear trends that can be seen when analyzing the Retail Sales Tax figures for Kennebunkport. The first is that the retail sales tax figures show significant seasonal differences. The second trend is that for certain economic sectors, the Town of Kennebunkport, in essence, is an exporter of its goods and services. The third trend is differential growth among the various categories of businesses reflecting the changing economic makeup of the community.

Chart VIII-3: Retail Sales Tax Overview 2000-2004



From 2000 to 2004 the third quarter has consistently generated the highest level of sales tax revenues. Not surprisingly, this quarter reflects the summer months of July, August and September. Kennebunkport is part of a large and significant coastal economy that generates a great deal of tourist, visitor, and summer resident activity. Further evidence is the swell in labor force of approximately 10,000 persons seen yearly in the Biddeford Labor Market.

Table VIII-9 displays taxable sales by retail category for the Town of Kennebunkport from 2000 through 2004. Data for the Auto Transportation category only go through 2000 because of a Maine Revenue Services policy that blocks the release of any data that may compromise the privacy of individual businesses. For this reason, the state has blocked the release of data for this retail category in Kennebunkport from 2001 on.

Table VIII-9: Town of Kennebunkport Taxable Sales 2000-2004 (in 1,000's)

YEAR	Quarter	Business Operating	General Merchandise	Other Retail	Auto Transportation	Restaurant/ Lodging	Total
2004	1	172.2	147.9	712.9	Not disclosed	2254.2	3970.8
	2	324.5	951.2	2326.6	Not disclosed	10519.9	15635.5
	3	426.6	1972.3	5411.0	Not disclosed	22455.7	31839.9
	4	245.7	745.1	2174.8	Not disclosed	6705.0	10836.3
2004		1159.0	3816.5	10625.3	Not disclosed	41934.8	62282.5
2003	1	68.0	161.8	487.4	Not disclosed	1985.8	3339.1
	2	444.4	1029.1	1870.8	Not disclosed	9656.3	14251.7
	3	346.6	2162.3	4697.3	Not disclosed	2226.6	31140.8
	4	264.6	707.4	2093.2	Not disclosed	6156.3	10356.3
2003		1123.6	4080.6	9148.7	Not disclosed	40025.0	59087.9
2002	1	159.2	583.6	1232.8	Not disclosed	2543.6	5380.5
	2	227.4	1100.8	2050.5	Not disclosed	9833.8	14482.4
	3	421.5	4477.5	5174.4	Not disclosed	22570.1	34626.7
	4	225.5	871.1	1960.7	Not disclosed	5617.8	9698.9
2002		1033.6	7033.0	10418.4	Not disclosed	40565.3	64188.5
2001	1	87.0	183.4	594.7	Not disclosed	1703.0	3097.9
	2	106.6	1117.9	2121.3	Not disclosed	8848.8	13224.9
	3	198.3	2369.8	4547.5	Not disclosed	22509.3	31274.6
	4	266.7	836.6	2463.5	Not disclosed	5806.9	10230.9
2001		658.6	4527.7	9727.0	Not disclosed	38868.0	57828.3
2000	1	68.6	247.9	463.2	130.6	1628.6	3019.9
	2	115.1	1303.6	2287.8	432.6	10055	15244
	3	229.2	2537.5	4952.8	327.5	20618.4	30139
	4	198.6	1044	2331.8	157.8	5920.3	10389
2000		611.5	5133	10035.6	1048.5	38222.3	58791

- Business Operating. This includes sales and rentals to businesses where the tax is paid directly by the buyer.

- General Merchandise. In this group are department stores and stores carrying product lines typically found in department stores; including clothing stores, furniture stores, shoe stores, and home appliance stores.

- Other retail. This group includes a wide variety of store types not covered elsewhere including drug stores, jewelry stores, sporting goods, stores, antique dealers, book stores, photo supply stores, gift shops, etc.

- Auto transportation. This includes all transportation related stores including auto dealers, auto parts stores, motorcycle shops, aircraft dealers, boat dealers, auto rentals, etc.

- Restaurants. Includes all stores selling food for immediate consumption.

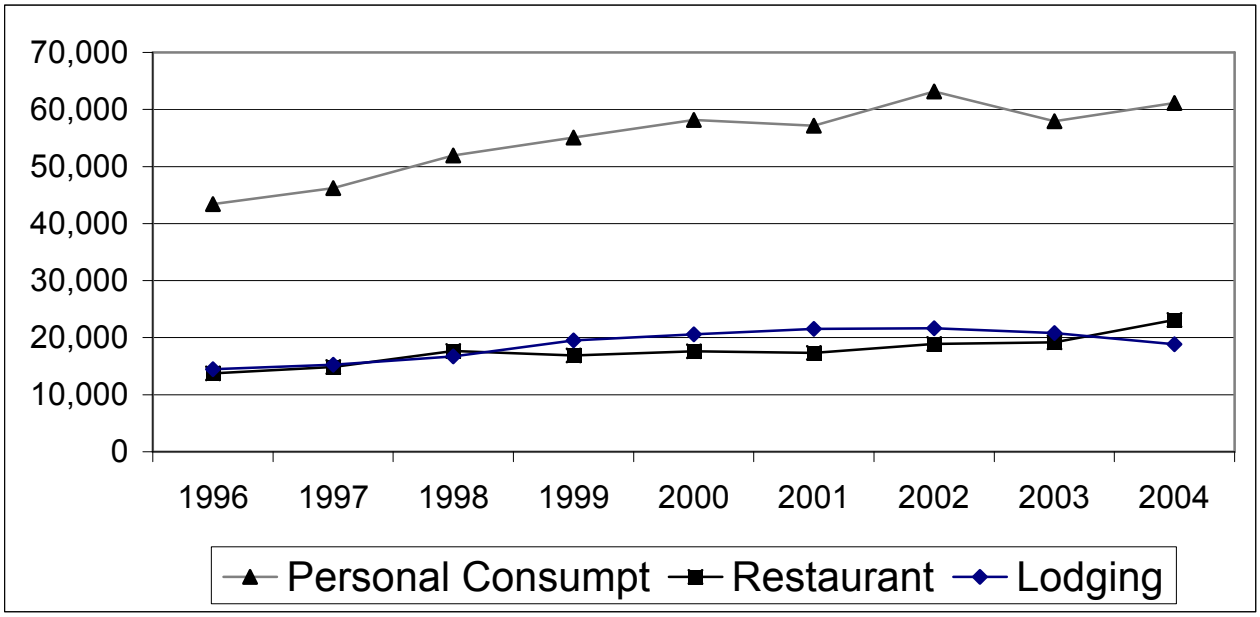
- Lodging. Includes hotels, motels, campgrounds, bed & breakfasts, etc.
- Personal Consumption. This is the total taxable retail sales to consumers. It is total taxable sales less the business operating category.

Table VIII-10 focuses on the tourist-related retail sectors in Kennebunkport, namely restaurants and lodging places. In 2004, these two sectors accounted for 67% of all retail sales in the town. This share grew even larger in the tourist season. In the third quarter of 2004 (July-September), restaurant and lodging sales represented 71% of all retail sales in town.

Table VIII-10: Personal Consumption, Restaurant and Lodging Taxable Sales 2000-2004 (in 1,000's)

YEAR	Quarter	Personal Consumption	Restaurant	Lodging
2004	1	3798.6	1273.4	980.8
	2	15311.0	5584.6	4935.3
	3	31413.3	12892.3	9563.4
	4	10590.6	3343.2	3361.8
2004		61113.5	23093.5	18841.3
2003	1	3271.1	1151.2	834.6
	2	13807.3	4867.4	4788.9
	3	30794.2	10057.7	12168.9
	4	10091.7	3133.6	3022.7
2003		57964.3	19209.9	20815.1
2002	1	5221.3	1307.3	1236.3
	2	14255.0	4923.4	4910.4
	3	34205.2	10046.4	12523.7
	4	9473.4	2615.9	3001.9
2002		63154.9	18893.0	21672.3
2001	1	3010.9	762.8	940.2
	2	13118.3	4018.7	4830.1
	3	31076.3	9735.2	12774.1
	4	9964.2	2838.2	2968.7
2001		57169.7	17354.9	21513.1
2000	1	2951.3	790.5	838.1
	2	15128.4	4613.8	5441.2
	3	29910	9408.8	11209.6
	4	10190	2800.9	3119.4
2000		58179.7	17614.0	20608.3

Chart VIII-4: Sales Tax Trends
Kennebunkport Taxable Sales Trends 1996-2004 (in 1,000's)



An analysis of the retail sales tax generated in Kennebunkport indicates several trends. By comparing local to State per capita sales tax revenues generated by economic sector you are able to make assumptions as to whether the area is an exporter (residents go beyond the community's borders to shop) or an importer (individuals make their purchases in the community) of economic activity. In Kennebunkport, as with most communities, it depends on the economic sector.

The simplest way to measure how retail sales compare to population. Table VIII-11 below shows 2004 per capita retail sales data by category for the Town of Kennebunkport and the State of Maine. The town's 2004 population estimate was 4,110 (SMRPC estimate) and the state's was 1,317,253 (U.S. Census estimate). For Kennebunkport, two economic sectors stand out as exporters – General Merchandise and Auto Transportation. This is not surprising due to the lack of automobile dealers and larger general merchandise type stores. Three economic sectors indicate strong import tendencies – Other Retail, Restaurant and Lodging. Again, this is not surprising due to Kennebunkport's thriving seasonal economy.

Table VIII-11: Sales Tax Analysis

	2004 Kennebunkport	Per capita exp	2004 Maine	per capita exp	Kennebunkport Per Capita as share of State
Gen Merch	3,816,500	$928.59	3,010,493,000	$2,285.43	0.41
Other Retail	10,625,000	$2,585.15	1,604,352,000	$1,217.95	2.12
Auto Trans*	1,048,500	$281.85	3,751,847,000	$2,848.23	0.10
Restaurant	23,083,000	$5,616.30	1,716,220,000	$1,302.88	4.31
Lodging	16,841,000	$4,097.57	537,771,000	$408.25	10.04
Total	62,282,500	$15,153.89	16,096,203,000	$12,219.52	1.24

* Auto Transportation data are from 2000

Overall, there was 1.24 as much retail spending in Kennebunkport per year round resident as there was statewide. This reflects the town's status as a tourist destination, as a large share of its retail sales comes from non-residents.

In 1990, Kennebunkport businesses had approximately $37 million in taxable consumer sales. By 2004, this had grown to approximately $62 million or an increase of about 68%. During this same ten year period, taxable restaurant sales grew by over $11 million to more than $23 million in 2004 (a 92% increase) while lodging sales grew from about $7 million in 1990 to nearly $19 million in 2004 (a 170% increase). During this period, taxable sales in the other retail category grew from around $7 million in 1990 to about $10.6 million in 2004, an increase of 52%. This suggests that the restaurant and lodging industry is becoming an increasingly important part of the local economy.

The retail sales analysis is incomplete because out-of-state mail-order and internet-based sales data are unavailable.

II. ANALYSIS AND CONCLUSIONS

The economy of Kennebunkport is based primarily on a strong tourism industry which has seasonal fluctuations, and a number of trade and service related jobs. While overall taxable sales continue to increase, it is interesting to note that lodging receipts for the shoulder season (October – December) consistently grew from 1996-2000. Sales tax receipts for Kennebunkport represent about one half of one percent of sales tax receipts for the entire state during the year 2000, and, in that same year, lodging receipts represented 4.3% of the total lodging receipts for the state.

A. Types of Summer Visitors

Kennebunkport is unique in that it attracts many different types of visitors who want to spend time here in a variety of ways, and it is important to distinguish between these various types. Conceptually, the visitors might be arranged in a spectrum

labeled "Permanent" at one end and "Transient" at the other. Starting at the "Permanent" end, we would find those who own property in Kennebunkport and spend every summer here, and those who come and spend the entire summer, but in rented quarters. Next, would be visitors who spend decreasing periods of time in a variety of accommodations. At the "Transient" end of the spectrum are those who come to Kennebunkport in their personal vehicles or tour buses and spend a few hours in town but do not spend the night. The many seasonal visitors add to the traffic congestion experienced during the warmer months of the year. As a result, some year-round and seasonal residents, especially those whose daily lives are most affected by this congestion, feel that traffic must be regulated and traffic patterns and parking must be addressed.

B. Impact of Tourism

It should be a major goal of this plan to find the appropriate balance between accommodating the tourism economy and maintaining the town's character and quality of life for its residents. A community can accommodate the impacts of tourism by improving its infrastructure (police, fire, public works, roads, and parking), but the costs and benefits to the Town of providing such services for tourists must be recognized.

C. Possibilities For The Future

Because vacationers and tourists are the principal foundations of Kennebunkport's economy, municipal policy could be expected to support and stimulate activities associated with them. While recognizing the importance of tourism to the Town's economy, it may be advantageous to broaden the Town's economic base to include other business segments in addition to tourism. The paragraphs which follow suggest ways to accomplish this.

It is by no means obvious where we should look for economic inputs which would supplement tourism. Manufacturing, on which much of the nation's economy depends, is the solution toward which most communities turn. Over the last 50 years, however, manufacturing has become a very small factor in most parts of York County. This region's isolation from both raw materials and markets makes it improbable that manufacturers can be lured here. Furthermore, the absence of educational centers in York County makes it unlikely that technology-based companies could be incubated here, as they have been so successfully around Boston and Palo Alto.

Nevertheless, there may be two desirable economic groups which the town can attract successfully:

1. Retirees. Kennebunkport is already an attractive haven for retirees. As data in this chapter shows, people 65 years of age or older made up 19% of the town's population in 2000, a figure higher than any of the surrounding towns, the county, the state, or the U.S. In addition, the actual number of retirees here may be higher for much of the year, since many retirees spend nearly half the year in Kennebunkport, but still claim legal residence in Florida or some other southern state. In either case, these people, when here, are stable consumers of goods and services. From the standpoint of the Town, they are ideal citizens, since they pay a full share of taxes, but make no demands on the school system at all. Part of the mechanism to lure new retirees to Kennebunkport is already in place; almost all of the present retirees were formerly summer visitors, which is how they became "hooked" on this town. There are a number of health facilities, social activities, and recreational centers in the area that specialize in services that appeal to this age group.

2. "Connected Businesses". This term is meant to describe any business which is connected to its customers and its suppliers mainly by telephone, fax, computer, or other electronic means. To the extent that the business depends only upon electronic interconnection, it can be located anywhere. That being the case, the business can be where the owner would like to live, a situation which becomes favorable for Kennebunkport.

These businesses can be software developers, consultants, product designers, sales representatives, or any business that can be conducted electronically. Such a business becomes a stable employer and could be easily accommodated within the confines of the Town.

This home-based business trend is growing nationwide. A trend of this type could help stabilize the up and down economy of tourist areas by providing primary or secondary income unaffected by seasonal fluctuations.

III. IMPLEMENTATION

STATE GOAL: TO PROMOTE AN ECONOMIC CLIMATE THAT INCREASES JOB OPPORTUNITIES AND OVERALL ECONOMIC WELL BEING.

TOWN GOAL 1: TO RECOGNIZE THE POSITIVE ECONOMIC IMPACT ON THE TOWN FROM SEASONAL VISITORS.

Policy 1: Recognize the importance of seasonal visitors to the local area while at the same time maintaining Kennebunkport's scenic beauty and architectural heritage for the enjoyment of both residents and visitors.

Strategy 1: Place proper signage to designate specific points of interest. Include welcoming signs at Kennebunkport town lines.

Responsibility: Board of Selectmen
Timeframe: 2 years

Note: All signs shall complement the Town's architectural heritage and be in accordance with the Land Use Ordinance.

Strategy 2: Coordinate efforts to manage traffic, parking, and visitor toilet facilities. *(See Chapter XIII for additional parking goals and strategies).*

Responsibility: Board of Selectmen, Fire Services, Police Department
Timeframe: Ongoing

Strategy 3: Provide seasonal toilet facilities for public use in Dock Square.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Policy 2: Recognize the important contributions toward stabilization of our taxes by non-resident taxpayers.

Strategy 1: Encourage involvement by non-permanent residents in community forums and other venues.

Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 2: TO RECOGNIZE THE EXISTENCE AND DESIRABILITY OF A DIVERSE WORK FORCE AND PROMOTE THE ABILITY OF RESIDENTS TO DEVELOP AND MAINTAIN BUSINESSES WITHIN THE AREA.

Policy 1: Recognize the economic importance of developing and maintaining local jobs for residents of all ages and backgrounds.

Strategy 1: Review and refine the permitted uses as listed in 7.6.A of the Land Use Ordinance (LUO) to ensure that it is comprehensive enough to include newer categories of home occupations such as computer related businesses, professional uses, etc.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Review and clarify what is meant by "customary" in the LUO. (7.6.A.1 "provided that it is customarily carried on in a dwelling")

Responsibility: Planning Board
Timeframe: 2 years

Strategy 3: Review LUO 7.6.B (All home occupations shall conform to the following conditions") to determine if conditions to which they must conform need any modifications.

Responsibility: Planning Board
Timeframe: 2 years

Note: Currently imposed conditions are:

- *Wholly within the dwelling or accessory structure*
- *Carried on primiarily by member(s) of the family, with no more than two non-family members employed on-site*
- *No exterior signs, displays, storage or other indications of the business*
- *No objectionable noises, vibration, smoke, dust, odors, heat, etc.*
- *Does not create traffic hazard or disturb residential character*
- *Adequate off-street parking*
- *May only use 20% of dwelling area (not including unfinished space or accessory structures)*
- *Except in Free Enterprise and Farm & Forest zones, home occupations are not allowed if single-family homes already have accessory apartments.*
- *Only one home occupation per dwelling unit.*

Strategy 4: Retain conditions in LUO 7.6.B that ensure protection for abutters and residential neighborhoods from the adverse effects of noise, traffic, and parking, etc.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 5: Define and establish performance standards for small scale professional offices.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 6: Define necessary and desirable services.

Responsibility: Planning Board
Timeframe: 2 years

TOWN GOAL 3: TO PROTECT THE TOWN FROM ADVERSE TRAFFIC IMPACTS.

Policy 1: Minimize the impacts that traffic has on the village area and residential neighborhoods.

Strategy 1: With the intention of improving traffic flow, cooperate with private transportation companies servicing the area, including connections with inter-community rail and bus terminals along Route 1 so as to connect with adjacent towns. *(See Chapter XIII for additional parking goals and strategies).*

Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 4: TO RECOGNIZE THE IMPORTANCE OF CULTURAL AND RECREATIONAL VENUES IN SERVING THE COMMUNITY AND ATTRACTING VISITORS.

Policy 1: Review the possibility of attracting more cultural and recreational venues.

Strategy 1: Work with established businesses, cultural and recreational organizations to maintain and support local events and encourage additional events.

Responsibility: Board of Selectmen
Timeframe: 1 year

TOWN GOAL 5: TO FIND WAYS TO INCREASE JOB OPPORTUNITIES LOCALLY

Policy 1: Encourage new and sustain existing year-round, small-scale, low traffic businesses.

Strategy 1: Develop standards for businesses so that they reflect the scale and character of the community.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Amend the LUO, as needed, to allow for the establishment of a business in areas of the town where appropriate, keeping in mind the policy and strategies outlined above.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 3: Monitor and analyze available data regarding trends in occupations to provide information for updating the Land Use Ordinance for permitted uses.

Responsibility: Growth Planning Committee
Timeframe: Ongoing

TOWN GOAL 6: TO ALLOW FOR MULTIPLE USES IN THE DOCK SQUARE AND RIVERFRONT ZONES.

Policy 1: Allow residential uses and businesses within the same buildings.

Strategy 1: Modify the LUO to allow for multiple use buildings where appropriate.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Allow use of currently existing off-street parking as commercial auto parking in off-hours and for special events, so long as abutters are not adversely affected.

Responsibility: Board of Selectmen
Timeframe: 2 years

CHAPTER IX. LAND USE

I. INVENTORY

A. Existing Land Use

The Town's zoning ordinance, related to dimensional requirements is relatively unchanged since the last plan was adopted in 1996. These regulations are:

District	Minimum Lot Size	Setback Front	Setback Side	Setback Rear
Village Residential Zone	40,000 Sq ft	20 ft	15 ft	15 ft
Village Residential East	40,000 Sq ft	20 ft	15 ft	15 ft
Dock Square	20,000 Sq ft	20 ft	15 ft	15 ft
Riverfront Zone	20,000 Sq ft	20 ft	15 ft	15 ft
Cape Arundel Zone	40,000 Sq ft	20 ft	15 ft	15 ft
Goose Rocks Zone	40,000 Sq ft	20 ft	15 ft	15 ft
Cape Porpoise East and West	20,000 Sq ft	20 ft	15 ft	15 ft
Cape Porpoise Square	20,000 Sq ft	20 ft	15 ft	15 ft
Free Enterprise	40,000 Sq ft	20 ft	15 ft	15 ft
Farm and Forest	3 acres	20 ft	15 ft	15 ft

As one may notice, minimum lot sizes do not vary greatly between zones and setbacks do not vary at all.

The permitted and conditional uses are also very similar to those which were in place during the development of the 1995 Plan. Generally, the Commercial Zones include Cape Porpoise Square, Dock Square, and the Riverfront Zone. The remainder of the districts are primarily residential in nature although they may allow a few commercial uses as well (in fact, the Free Enterprise and Farm and Forest Zones can be considered rural mixed use districts).

From 1995 to 2004, the breakdown of residential permits distributed was as follows:

Table IX-1: Residential Building Permits Issued 1995-2004

Year	Farm & Forest/ Free Enterprise	All Other Districts	Total
1995	14	11	25
1996	17	22	39
1997	9	23	32
1998	30	33	63
1999	26	29	55
2000	15	23	38
2001	23	17	40
2002	53	26	79
2003	27	17	44
2004	27	21	48
Total	**241**	**222**	**463**

Over the ten-year period from 1995 through 2004, 52 percent of new housing units were built in the two "rural" zones and 48 percent were built in the other "growth" zones.

Recent residential development can also be analyzed by zoning district. Table IX-2 shows the number of new homes for which building permits were issued for 1998 through 2004.

Table IX-2: New Home Permits by Zoning District 1998 - 2004

Zoning District	New Homes Permitted						
	1998	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**
Cape Arundel	2	9	4	3	1	2	1
Village Residential	8	3	7	4	8	4	6
Village Residential East	2	1	1	1	2	1	8
Goose Rocks	9	11	10	6	8	4	2
Cape Porpoise East	4	2	0	1	4	0	3
Cape Porpoise West	1	3	1	2	3	5	5
Cape Porpoise Square	0	0	0	0	0	0	0
Free Enterprise	18	16	8	7	41	14	17
Farm & Forest	12	10	7	16	12	13	10
Riverfront	0	0	0	0	0	1	0
Totals	**63**	**55**	**38**	**40**	**79**	**44**	**48**

It should be noted that tear-downs and replacement of homes count as building permits. According to the Code Enforcement Office, this accounts for three or four homes a year on average.

From a planning perspective, this 50/50 split between growth and rural area development is fairly consistent with the way other communities in Southern Maine have grown. The question for the town is whether this is the vision for the future that they hold. For instance, would the town like to see a greater split between the growth of rural vs. in town or "suburban" locations?

B. Analysis By Zoning District

The following is an analysis by zoning district of the uses and patterns of use within each land use zone in Kennebunkport.

For the most part, the land use statistics reported in 1996 still reflect the general distribution, density and number of land uses that exist today. The Village Residential, Cape Porpoise, and Goose Rocks areas still contain the largest concentration of single-family dwellings, while the highest valued commercial nodes are still located in the Dock Square, Village Residential, and Riverfront zones.

A break out of all single-family lots that are greater than five acres is new data that was not provided in the 1996 Comprehensive Plan. This data is an indicator of where less dense development patterns have occurred. These larger lots may also have potential for further subdividing, so the location of these lots should be looked at when determining future growth areas. With this in mind, this land use category consists of 167 parcels, totaling up to 2,784 acres. Development constraints, such as wetlands, soil types, etc., must be considered to determine the growth potential of these lands.

Parcels that are committed to conservation are also a significant data set that was not reported in 1995. Landowners that have set aside their land for conservation have given up entirely, or have significantly restricted, all future development rights. At present, approximately 681 acres are part of the federally owned Rachel Carson National Wildlife Refuge, 790 acres are owned by and 70 acres are protected with conservation easements held by the Kennebunkport Conservation Trust. In addition, the Town of Kennebunkport has transferred 741 acres of the over 1,000 acres of forestland in its possession to the Trust.

Another new land use category that has been added to the land use inventory is a breakdown of those parcels that are in a current use tax program, that includes tree growth, open space, and agriculture. Unlike conservation areas, these land uses can be discontinued for development purposes. Over 447 acres throughout the Town of Kennebunkport are in the tree growth program, about 200 acres in open space, and just over 400 acres in agriculture.

II. ANALYSIS AND CONCLUSIONS

A. Future Land Use Considerations

The commercial zones have very little available land and available land increases as you move out to the Free Enterprise and Farm and Forest Zones.

However, this does not necessarily provide the detail on what is actually available for development and growth. As the town looks to its future, an awareness of existing land development opportunities and constraints is needed. A common technique for this tool is a Developable Land Analysis.

In general, this analysis is produced in the following manner:

1. All available environmental constraints are plotted onto the Town's parcel map. These constraints include: wetlands, stream buffers, hydric soils, steep slopes, water bodies and floodplains.
2. Existing conservation lands and municipal properties are also plotted onto the parcel map.
3. For these purposes, existing developed lands – lands with a dwelling and less than five acres of land - were deemed to be not available for future development and were also plotted onto the constraints map.
4. These files were merged into a single map which provides the town with an overview of areas which are still potentially available for development.

This map can be seen in Appendix B.

The chart below represents the amount of developable and vacant land scenarios in the Farm and Forest, Free Enterprise, Goose Rocks, Village Residential/Village Residential East, Cape Porpoise Square/East/West and Cape Arundel Zones.

Developable Land Without Constraints:

District Vacant + Lots > 5 acres with 1 = Total Developable

Potential	Land*	Single Family Home	Acreage	Units**
Farm and Forest	2344 acres	1082 acres – 201 acres (67 existing homes on lots greater than five acres with a 3-acre minimum lot size) = 881	3225 acres	914
Free Enterprise	947 acres	723 – 42 existing homes on lots greater than five acres with a one-acre minimum lot size = 681 acres	1628 acres	1384
Goose Rocks	366 acres	325 acres – 18 existing homes on	673 acres	572

Potential	Land*	Single Family Home	Acreage	Units**
		lots greater than five acres with a one-acre minimum lot size= 307 acres		
Village Residential and VR East	283 acres	138 acres – 7 existing homes on lots greater than five acres with a one-acre minimum lot size = 131 acres	414 acres	352
Cape Porpoise Square, East and West	53 acres	12 acres – 2.5 acres (5 existing homes on lots greater than five acres with a half-acre minimum lot size) = 9.5 acres	62.5 acres	106
Cape Arundel	148 acres	15 acres – 2 existing homes on lots greater than five acres with a one-acre minimum lot size = 13 acres	163 acres	138

*Vacant land includes undeveloped parcels, and parcels currently used for agriculture or tree growth.
**These final figures on acreage may give the town an idea on what the build out potential is in a given area. For instance, deducting 15% for roads and utilities and dividing the remaining acreage by 3 acre minimum lot size illustrates the potential for possibly another 914 homes in the Farm and Forest Zone. The Free Enterprise Zone would seem to have an even greater potential for development. Based on the current one acre minimum lot size in the Free Enterprise Zone, it is possible somewhere in the range of 1,384 new homes might be built (again, these are build out potentials).

As a general observation, it is clear that both the Farm and Forest and Free Enterprise Zones hold a great deal of development potential. Currently, large amounts of tree growth and other current use taxation programs may temporarily hold back development. This is not a long-term preservation strategy however.

It should be stressed quite clearly that these figures are for planning purposes only and have been established using a number of assumptions (such as hydric soils will not be developed and homes on a greater than 5 acre lot size will be developed). Additionally, it is very unlikely these areas would be built out to these potentials. However, they do provide some general guidelines for planning in specific zones. In addition, when used with the Developable Land Map, they provide more land use information than was available in the previous plan.

The build outs also might provide estimates of future traffic, school children, and emergency service needs in particular areas of town and provide the basis for capital investment planning.

Another important issue in looking at land use trends is whether they are predominantly taking place as part of large (or small scale) subdivision activity with

Planning Board review or whether they are happening on a lot by lot basis, outside of the subdivision review process. While one tends to think most development activity is comprised of subdivisions, both large and small, this is not necessarily the case.

It appears that subdivision activity is heating up after a long period of inactivity.

Since 1994 this subdivision activity is summarized as follows:

Free Enterprise Zone - 28 duplex condo units and 23 single family homes
Village Residential East Zone – 20 single family homes
Cape Porpoise East Zone – 6 single family homes
Goose Rocks Zone – 4 single family homes
Cape Arundel Zone – 4 single family homes

Total = 85 units

About three quarters of these units have been approved within the past five years. Of course this must be viewed in relation to the total number of units built since 1994 (463 total residential units). Approximately 18% of the town's growth has taken place within subdivisions.

There are presently 7 subdivisions with a total of 79 housing units approved and under construction. The location of two of these might be called "edge developments" (on the "edge" of the Town's growth areas). Ledgewood Heights (8 units) is located in the Cape Porpoise West/Free Enterprise Zones. High Point Farms (20 units) is in Village Residential/Village Residential East/Free Enterprise Zones. Foxberry Woods (28 units) and Shawmut Woods (10 units) are located in the Free Enterprise Zone but within the area proposed as a growth area in this plan. It is important to note that no large-scale development is proposed (or has recently been approved) in the Farm and Forest Zone. Three recent approvals, Ocean Sound (4 lots in Cape Arundel Zone), Jennison Oaks (5 lots in Goose Rocks Zone) and Goose Rocks Woods (4 lots in Free Enterprise Zone) are located in areas designated as Transitional Areas.

There appears to be a developing trend of the conversion of existing residential and lodging properties into condominium units. The Planning Board should develop a position on regulating the impact of condominium conversions.

B. Land Use Ordinance Issues

In recent years, the Planning Board has requested assistance from Southern Maine Regional Planning Commission to help it review a variety of applications. In the course of those reviews, SMRPC staff, Board members, and Town staff have

discussed a variety of issues with the Kennebunkport LUO, that should be addressed in the years ahead. These can be grouped into nine categories, which are described below. These have been listed in order of importance, from highest to lowest:

1. Overlay Zones are difficult to administer, particularly plantings in the Critical Edge. In most areas of town where land fronts on tidal waters, four parts of the land use ordinance control simultaneously: 1) the underlying district (such as "Village Residential East"); 2) Resource Protection Overlay; 3) Critical Edge Overlay; and 4) Shoreland Zoning Overlay. It has proven difficult for applicants and the Planning Board to sort through the requirements of the district plus all three overlays. DEP Shoreland Zoning Guidelines recommend the creation of "solid" separate zones in Shoreland areas for easier administration. Also, within the Critical Edge Overlay there are a number of problematic issues involving expansions of existing homes, construction of new homes, construction of accessory piers and docks, and a ban on "non-native" plant species. Recently, these issues have been discussed by the Ad Hoc Committee on the Critical Edge. It is presumed that many of these issues can be handled during the proposed ordinance rewrite subsequent to the adoption of a new comprehensive plan.

2. Overlay zoning is not adjusted within developed village areas. In the highly developed portions of the Kennebunkport, such as Dock Square, Riverfront and Cape Porpoise, the Town has not created a Shoreland "General Development"-type district, as suggested by DEP Guidelines. Instead, the same standards of the Kennebunkport Shoreland Overlay Zone are applied uniformly along the entire coast, regardless of what type of coastline is present. For instance, in Dock Square, where the most intense use of land occurs, the same Critical Edge and Resource Protection standards apply as in sparsely developed estuarine areas.

3. The generous and lengthy lists of permitted uses in the Farm & Forest and Free Enterprise Districts do not appear to be consistent with the purpose and location of those districts. For instance, the Farm and Forest Zone allows health institutions, hotels, inns, manufacturing, motels, nursing homes, professional and business offices, restaurants, retail, theaters, warehouses, and wholesaling. None of these permitted uses are consistent with farming or forestry and are typical of permitted uses in a highway commercial or downtown business district.

4. There are few meaningful distinctions in dimensional standards between the different zones. Outside of the farm and forest zone which requires a 3 acre minimum lot size, the other zones require either a minimum lot size of 20 or 40 thousand square feet. The residential zones all have similar dimensional requirements with only slight variations in permitted uses. There may be opportunities for consolidating zones and simplifying the zoning map.

5. There are no design controls and few historic preservation provisions in the ordinance. Kennebunkport has a wealth of historic structures, but unlike other similar communities, has not adopted any building design standards, or design review procedures. In recent years, concern has heightened over the possibility of demolitions or the constructions of overly large homes which may alter the historic character of the town.

6. Village zones should be reviewed to allow "Smart Growth" extensions of the existing, historic patterns of development. Discussions during the reviews of recent subdivisions along Rt 9 near the Consolidated School, it has been noted that extensions of the village pattern, with small lots, and low setbacks, would not be permitted under existing zoning. During policy development, SPO smart growth principles should be applied to allow some expansions of the traditional neighborhood design found in Kennebunkport's village.

7. Standards controlling additions to nonconforming structures are difficult to administer and understand, particularly relating to porches in shoreland areas. Section 8 of the Ordinance is difficult to understand and interpret and administer, especially section 8.2.B which allows expansions to nonconforming structures "other than porches and decks." This particular section is unique to Kennebunkport.

8. The Planning Board's workload includes review of single family residences in the Shoreland Zone. DEP Guidelines allow the Code Enforcement Officer to issue permits for single family residences (as well as alterations or expansions) in the Shoreland Zone. Kennebunkport has chosen to review all such applications at the Planning Board level. The Town may wish to lessen the Planning Board's workload by following the state guidelines on this issue.

9. Subdivision street standards may be too "suburban" for the community, particularly in rural areas. In recent subdivision applications, developers have asked for waivers on requirements that require particularly flat and straight roads, and the Planning Board has granted some such requests on occasion. The permitted length for cul-de-sacs has also been problematic. It has been discussed that such changes may be handled in an ordinance rewrite subsequent to the adoption of a comprehensive plan.

C. Analysis of Growth Cap

In 2002, the Town enacted a Growth Cap limiting the number of permits for new dwelling units to 48 per year, with a maximum of 24 units per year allowed for lots in subdivisions. The intent of the limit on subdivision units is to limit the scale of new development in specific areas of town. Any subdivision growth permits that are

unused as of October 1 of a given year are then released to non-subdivision applicants on the waiting list. In the two years since the cap was enacted, the rate of growth has slowed. From 1998-2002 (the five years preceding its enactment), an average of 55 new units were added per year. In 2003 and 2004, the average was 46 units. This slowdown was due in part to the approval of the Foxberry Woods and High Point Farms subdivisions in late 2002 just before the growth cap took effect. These two projects alone accounted for 48 new units.

In 2004, just 12 growth permits were issued for new units on subdivision lots, so the remaining 36 were granted to single-lot applicants. In other words, three quarters of new development in Kennebunkport in 2004 occurred on single lots that have not been subjected to subdivision review by the Planning Board. The subdivision review process exists to ensure that new development does not negatively impact the public's health, safety and welfare.

Another issue is that the existing growth cap does not differentiate between new development in growth and rural areas. Undeveloped lots in the town's growth areas are scarce and often quite expensive. This has led to pressure for development in rural areas—as stated above, more than 50 percent of new units built since 1995 have been in either the Free Enterprise or Farm & Forest Zones.

In summary, Kennebunkport's present growth cap has slowed the overall pace of growth somewhat, but it has failed to support the Town's planning goals of ensuring orderly growth and encouraging growth adjacent to current village centers. Proposed alterations to the growth cap in the Implementation section of this chapter are aimed at using the growth cap as a more effective growth management tool.

III. FUTURE LAND USE PLAN

A. Town-Wide Strategies

Kennebunkport has a remarkable complex of attributes that call for preservation in the face of the challenges resulting from the very attractiveness of these attributes. There is heavy pressure for both growth and tourism. There are also: the largest part of one of the largest (over 2000 acres) contiguous undeveloped field and forest tracts in Southern Maine, which also contains some endangered species; multiple fresh-water wetlands and vernal pools; three important estuaries with excellent marshes and miles of coastline; two centers of commercial fishing activity and an evolving old fishing village center; a National Register Historic District with structures dating from colonial times through a period of great maritime activity to the present; a classical summer colony also recognized as a National Register Historic District; a bustling riverfront with mixed commercial and recreational uses;

and a busy commercial center attractive year-round to tourists and residents alike. Developed residential areas are open and neighborly.

The challenge to planning for growth is to channel it in such a way as to maximize the preservation of those attributes that make Kennebunkport such a target for growth, while allowing for orderly growth. Data show that recent growth, as measured by building permits, has been almost randomly distributed through Town. The Growth Planning Committee presents a revised overall plan that strongly encourages growth in areas that are already developed, where infrastructure exists, and that restricts growth in areas where preservation of open space is desirable or where there is reason to minimize the environmental impact of development, such as areas around estuaries.

We have emphasized the concept of clustering to preserve maximally open space even in developed areas and recognize that multiplex uses of structures can be thought of as "superclustering" as well as a help to affordability. With this concept and a liberalization of requirements for accessory apartments, "affordable housing" can be woven into all sections of Town. We believe that regulated growth of population and of tourism can occur without destroying the quality of life and the ambiance in the Town that makes it so attractive both to tourists and prospective new residents. We make note, for example, of the recent negative reaction in Town to a proposal for a gated community. Gated communities are not in keeping with the character of Kennebunkport.

The guiding precepts by which this Land Use Chapter was developed are:

- Growth planning is essential. Recent growth has been randomly distributed without adequate regard to infrastructure, aesthetics, environmental protection, sustainable future growth (efficient use of developable land), or maintenance of valuable and wanted Town attributes.
- The advice of the Visioning Session of townspeople, October 19-20, 2003 and the responses by over 900 voters to a town-wide survey must be regarded. (See Appendix A)
- The recommendations of the State Planning Office must be responded to.
- We should maximize open space protection by mandating clustering and consolidating living units.
- We should aim to improve affordability in all areas as possible without impairing the character of the Town, not only by affordable housing plans but also by liberalizing accessory apartment rules, and those for roomers, home occupations, and multiplex dwellings.
- We must protect environmentally sensitive areas by directing growth away from them towards already developed areas, while minimizing adverse impacts on property owners in such areas.
- We should direct growth to maximize the use of existing infrastructure.

Note: Zones are broadly described in this section but are precisely defined by the zone map (Appendix B). Zone profiles in grid form showing current uses and the uses as we envision them are included in the Appendix. The "Proposed" grid is not to be taken as a literal Land Use Ordinance proposal but as a clarification of the thinking of the Growth Planning Committee as we wrote the proposed Comprehensive Plan Update.

B. Future Land Use District Classifications

The Future Land Use Plan for the Town of Kennebunkport includes twelve separate districts. The locations of these districts are displayed on the Future Land Use Map in Appendix B. This section contains geographic descriptions of each district and a general summary of recommendations for dimensional, use and other growth standards. The districts have each been assigned a zone number (Z1 through Z12).

The future land use districts are divided into five different types of areas for growth purposes: Limited Growth, Growth, Transitional, Rural and Critical Rural. The twelve districts are as follows:

Limited Growth Areas:
- Zone 2 (Goose Rocks Beach)
- Zone 3 (Cape Porpoise Village)
- Zone 4 (Cape Porpoise Square)
- Zone 7 (Riverfront)
- Zone 8 (Dock Square)
- Zone 12 (Historic Village Residential)

Growth Areas:
- Zone 5
- Zone 6
- Zone 11

Transitional Area:
- Zone 10

Rural Area:
- Zone 1

Critical Rural Area:
- Zone 9

C. Future Land Use District Narratives

Zone 1 (Rural)

Zone 1 encompasses the entire Marshall's Point area to Route 9 and the area between Route 9 and the shoreline not included in Zone 2. The zone is dominated by coastal and freshwater wetlands, hydric soils, and the Rachel Carson National Wildlife Refuge. Most of the zone is upland from the Batson's and Little River estuaries. Little land is available for development that would not threaten the quality of these estuaries and the coastal wetlands. Shoreland Zone and Critical Edge restrictions also apply. Development will be discouraged with growth caps in this zone and most commercial uses not permitted. Growth should be guided by proactive open space planning that makes use of GIS mapping. The lot size will be increased to 3 acres with mandatory clustering for subdivisions to preserve open space and minimize environmental impact by reducing the density of development.

Note:	*The minimum net lot sizes in this zone will remain the same as they are in the corresponding zones in the existing Land Use Ordinance (see p. 97). The changes will only be related to subdivisions and not other divisions of property. Division of lots will be defined as the dividing of an existing tract or parcel of land into two (2) pieces within a five (5) year period. This will vary from the State of Maine definition for subdivisions and will include any and all divisions.*

Zone 2 (Goose Rocks Beach Limited Growth)

Zone 2 comprises the densely populated portion of the Goose Rocks Beach area. It will retain its flavor as a family-oriented area with cottage-style houses. Little developable land is available that is not constrained by wetlands or hydric soils. Existing Shoreland zoning and Critical Edge restrictions already limit development in this area. Despite the existence of public water and sewer service, environmental constraints make more density of development in this zone undesirable, so lot sizes will remain at 40,000 square feet. Public sewer and water will be mandatory for all new dwelling units. New buildings will be in scale with those already there. Wildlife areas and the piping plover and least tern nesting sites will be actively protected. More land will be in conservation easements. The Town will manage bathroom facilities, limited parking, and recreational beach use to minimize disturbance for local residents.

Zones 3 and 4 (Cape Porpoise Limited Growth)

The boundaries of the Cape Porpoise Zones will remain as currently delineated, with Cape Porpoise East and West Zones being merged into one, as Zone 3.

Special consideration shall be given to Cape Porpoise Village in an attempt to retain that which remains visible of the Town's earliest and continuous identity as a viable fishing village with its characteristically, and historically

significant, modest housing clustered around its waterfront and community center. There shall be scale and design standards to help preserve this character. Sidewalks will be extended and maintained to help alleviate vehicle traffic.

Cape Porpoise Harbor will be primarily home to fishing and lobster boats, and storage and repair of fishing equipment will be a permitted use. Limited Fish Processing, Boatyards, and Commercial Marinas will be conditional uses in both commercial and residential Cape Porpoise zones.

To augment affordable housing, accessory apartments and roomers will be permitted uses and multiplexes a conditional uses in both residential and commercial zones.

Specific standards for Zones 3 and 4 are as follows:

- **Zone 3: Cape Porpoise Residential** – With the exception of most retail and automobile service businesses, many uses in the Cape Porpoise residential zone will not be unlike the Cape Porpoise Square commercial zone. Residential uses will be mixed with conditional uses such as Home Occupations, B & B's, Professional and Business Offices, and local Fish Processing.
- **Zone 4: Cape Porpoise Square** – Most of this zone is within the Shoreland overlay. It will be designated a Limited Commercial District. Cape porpoise Square will continue to have a mixture of residential uses, library, church, and low-volume retail businesses, which will be oriented towards basic goods serving the residential population such as groceries and hardware, and automobile service and repair shops, and will remain a center for community life. Commercial Centers, Professional and Business Offices, and Home Occupations will be allowed as conditional uses in this zone. Restaurants, B & B's, and Inns, which serve meals to the general public, will also be allowed as conditional uses.

Zone 5 (Growth)

This zone comprises the areas between School St and Wildes District Rd from Zone 12 to Cape Porpoise Zone and includes properties on the southeasterly side of Wildes District Rd. It contains parts of the Village Residential East Zone and the Free Enterprise Zone. It is a logical area for the extension of the village-type development density of the historic village and contains several high-density developments. Residential growth should be encouraged on smaller lots, which may be reduced to 10,000 sq ft on sewer and water in clustered developments. Limited commercial development should be allowed, but carefully screened as compatible with and not impinging on residential uses. Subdivisions will have sidewalks to promote walking to services provided in the commercial zones. A sidewalk/bicycle path should be

developed along the length of School St. Diverse types of housing should be promoted in this zone.

Zone 6 (Growth)
The zone contains portions of the current Village Residential Zone and the Free Enterprise Zone. The zone has substantial open space and would be the best prospect for location of future expansion of municipal service needs, such as a sewer treatment plant, school, and parking. Much of the zone has access to public water and sewer (or is accessible to potential sewer expansion) and to collector roads. The zone is near current commercial uses and pedestrian access to any development should be required. Mixed residential and commercial uses should be encouraged to promote an extended village atmosphere, with careful review of standards to assure protection of residential uses. Land uses in the portions of this zone bordering Arundel need to be carefully monitored to ensure that they are in keeping with the more rural character on the other side of the town line.

Zone 7 (Riverfront Limited Growth)
This zone consists of Ocean Avenue from Dock Square to the Colony Beach. The Riverfront Zone will continue to have a town dock – Government Wharf – with parking adequate for its primarily commercial fishing use. Incidental use by resident boaters will not interfere with commercial uses. An improved sidewalk/bicycle-path system will make walking and bicycling in the area more attractive and safer. The mixed use of marinas, private boating clubs, hotels, motels, and private residences, along with a maritime museum, will be maintained, with new buildings remaining small in scale to retain the views of the River. The museum will continue to provide an educational link with the Town's long maritime history. Changes in uses will be constrained by the deep incursion into this zone by the Shore Land Protection Zone and The Critical Edge. As property becomes available, the Town may purchase it to provide public access to the River and/or visitor docking. Shoreland Zoning and Critical Edge restrictions apply.

Zone 8 (Dock Square Limited Growth)
This zone comprises the Dock Square area, the commercial center of the Town composed of numerous attractive high-quality shops and galleries. The zone is surrounded by the Kennebunk River, the historic residential area, and by the Riverfront zone. Parts of the National Register Historic District lie within this zone. Dock Square will remain the commercial center of the Town with emphasis on retail services for the residential community, when commercially feasible, and locally owned, high-quality galleries and shops. The historic architecture will be maintained, and buildings will stay in scale. The bounds of the zone will remain as they are. Residential uses, accessory apartments, roomers, and home occupations will be allowed to help improve

affordability. The area lies mostly within Shoreland zone and should be designated a Limited Commercial Zone to liberalize restrictions on changes of uses imposed by the Shoreland Zone. Parking requirements will be met by the adjacent parking lot and by off-site parking facilities with attractive, imaginative shuttle service, possibly on a regional basis. Existing off-street parking may be used for commercial auto parking for special events and off-hours. Should true remote parking and shuttling come to pass, local parking lots and street parking could be reserved for shop owners, employees and residents, easing the current traffic congestion. Continued improvement of aesthetic and environmental aspects could occur by screening dumpsters, and bringing lighting into conformity with the Lighting Ordinance, allowing for seasonal and special event lights.

Zone 9 (Critical Rural)

The proposed Zone 9 consists of approximately 75% of the present Kennebunkport Farm and Forest Zone. It is designated as a Critical Rural Area. The zone boundary starts at the Biddeford line and follows Oak Ridge Road, Goose Rocks Road, Stone Road, and then generally northwest from the intersection of Stone Road and Beachwood Avenue to the Arundel line just northwest of the Trolley Museum. This is the most rural zone in Town and contains most of the Town Forest and lands currently in farmland, tree growth, and open space tax categories.

Within this zone is most of a 2990-acre undeveloped block of habitat in Biddeford, Arundel, and Kennebunkport (see attached map). This is one of very few 2000+-acre contiguous blocks of habitat left in coastal southwestern Maine. It does contain some residences, but there are no paved roads in Kennebunkport northwest of Guinea, Goose Rocks, and Willey Roads. Numerous state, federal, and non-governmental agencies are strongly recommending that towns maximize the conservation of these large undeveloped blocks so large home-range species like black bear, moose, and goshawk will continue to live in southern Coastal Maine. Promoting agriculture, forest products, and passive recreation through ordinance controls is the best way Kennebunkport can perpetuate these habitats for wildlife and human use.

Land use restrictions in this zone will be developed with communication with Biddeford and Arundel to help perpetuate the existing rural and agricultural character and promote habitat conservation. Commercial uses will be very limited, and the GPC suggests the elimination of numerous conditional uses that presently are allowed in the LUO. Passive outdoor recreation will be a conditional use with Site Plan Review and encouraged after a new definition is adopted (for commercial X-C skiing, hiking, horseback riding, and other possible non-motorized recreational options).

Large scale subdivision activity is discouraged. Density and rate of development should be controlled by combinations of strategies:

- use of GIS mapping to plan open spaces
- lot size increases (from the current three-acres) and/or lot coverage restrictions
- inducements to environmentally sound development, such as a priority point system
- use of development rights
- differential growth cap.

When residential subdivisions do occur, cluster development will be mandatory with preservation of open space planned to maximize the conservation of active farmland, wetlands, riparian corridors, and other wildlife habitat. Where possible, mandatory open space in new subdivisions should be made contiguous with pre-existing, abutting conservation lands.

Town staff and boards should continue to maximize cooperation with the Kennebunkport Conservation Trust (KCT), and Land for Maine's Future to conserve more land in this zone, especially the KCT Greenbelt Corridor along the Batson's River and Tyler Brook watersheds.

Note: The minimum net lot sizes in this zone will remain the same as they are in the corresponding zones in the existing Land Use Ordinance (see p. 97). The changes will only be related to subdivisions and not other divisions of property. Division of lots will be defined as the dividing of an existing tract or parcel of land into two (2) pieces within a five (5) year period. This will vary from the State of Maine definition for subdivisions and will include any and all divisions.

Zone 10 (Transitional)

This zone includes most of the Free Enterprise Zone and the southern tip of the Farm and Forest Zone and constitutes the Transitional Area. The northern part of this zone contains a large complex of vernal pools and forested wetlands. An aquifer extends into Biddeford, where it is in Resource Protection equivalent to Shoreland Zone status. Vernal pools are valuable habitat for a wide variety of vertebrate and invertebrate species. The Town owns property in this area, and the southeasterly border is 500 feet from Route 9. This area will undoubtedly receive considerable development pressure in the near future. Another important aquifer exists near the junction of Whitten Hill Rd and Guinea Rd. Careful coordination with the state and Biddeford should occur with respect to possible state-mandated Best Management Practices for development in these large vernal pool complexes and aquifers.

The southwesterly bound of this zone is a 1 ½ - mile stretch along Log Cabin Rd. Across the Road in Arundel, the area is designated Rural Residential, although spotty commercial uses occur there, particularly near the Town House.

Minimum lot sizes should be increased to three acres with reduced coverage limitations to help perpetuated the rural character of this zone, and clustering of subdivisions should be mandatory. Where possible the open spaces resulting from clustering should be made contiguous with other open spaces and with abutting conservation lands. Public sewer and water will not service this area for several years so private wells and septic systems will continue to be used. A mix of residential, commercial, and municipal uses will be allowed in this zone, but will be less than currently allowed in the Free Enterprise Zone.

Note:	*The minimum net lot sizes in this zone will remain the same as they are in the corresponding zones in the existing Land Use Ordinance (see p. 97). The changes will only be related to subdivisions and not other divisions of property. Division of lots will be defined as the dividing of an existing tract or parcel of land into two (2) pieces within a five (5) year period. This will vary from the State of Maine definition for subdivisions and will include any and all divisions.*

Zone 11 (Growth)

This zone comprises most of the current Cape Arundel zone and includes a portion of the Village Residential East zone. It contains many significant old colonial-style and shingle-style "cottages," and includes the Cape Arundel National Register Summer Colony Historic District, approved in 1984. Most of the zone has access to public water and sewer, and growth should be encouraged that uses those facilities. Lot sizes on sewer will be reduced to 20,000 sq ft, but remain at 40,000 sq ft on septic systems. Limited commercial uses, similar to existing uses, will be conditional. Two-family and multi-family housing will be permitted to promote setting aside open space. Sidewalks should be required in all subdivisions. Waterfront properties will be protected by Shoreland Zoning/Critical Edge regulations, and scenic vistas will also be protected.

Zone 12 (Historic Village Residential Limited Growth)

This zone represents a portion of the current Village Residential Zone District and includes most of the National Register Village Historic District and the Riverfront from the Dock Square Zone to the Golf Club property

This area provides Kennebunkport with an important part of its ambience, containing homes dating from Colonial times through the peak of the maritime and shipbuilding periods right up to the present. This atmosphere

and the historic structures will be preserved. The area will continue to serve as a cultural and municipal center of Town, with Town Offices, fire station, Town-owned automobile parking lot, library, and privately owned galleries. The tree canopy will be supported and maintained. Several uses will be permitted to help with affordability in this area and to encourage continued use and maintenance of existing buildings. Bed and Breakfast establishments within land-use standards will be permitted. Roomers will be permitted. Accessory apartments will be permitted with the restrictions described by the current LUO, except that outbuildings, new or existing, that comply with land-use requirements for lot coverage and setbacks and are architecturally compatible with the primary residence of the lot, may be used for accessory apartments. Multiplex uses will be allowed as conditional uses. The current 1-acre lot size requirement is larger than all but a very few lots in this zone, rendering most houses nonconforming; it will be reduced to 20,000 square feet on sewer.

Shoreland Zone and Critical Edge restrictions apply in this zone.

IV. IMPLEMENTATION

STATE GOAL: ORDERLY GROWTH AND DEVELOPMENT WHILE PROTECTING RURAL CHARACTER AND PREVENTING SPRAWL.

STATE GUIDELINES: DESIGNATE "GROWTH" AND "RURAL" AREAS, CREATE GREENBELTS, PUBLIC PARKS, CONSERVATION EASEMENTS.

TOWN GOAL 1: ENSURE ORDERLY GROWTH AND PREVENT SPRAWL

Policy 1: Encourage growth adjacent to current village centers. Growth should be compatible with and integrated into existing areas and existing infrastructure.

Strategy 1: Differentiate the number of growth permits by zone. Enact a growth cap ordinance that limits growth in areas of the town designated as non-growth areas in the Future Land Use Plan and does not differentiate between subdivision and non-subdivision lots. Limit the annual number of permits allowed in non-growth areas to no more than 25 percent of the total number of permits issued townwide in the preceding calendar year, with the following allocation proposed for each of the three non-growth areas:

- Z1 – 5 percent of previous year's total;
- Z9 – 5 percent pf previous year's total; and
- Z10 – 15 percent of previous year's total;

The Implementation Committee shall establish a minimum number of permits to be issued each year in each of the above zones.

Note: See Zone Map in Appendix B of this document.

Responsibility: Growth Planning Committee
Timeframe: 1 year

Strategy 2: Repeal the existing townwide growth cap.

Responsibility: Growth Planning Committee
Timeframe: 1 year

Strategy 3. Revise LUO in accordance with guidelines discussed in Section III, Future Land Use Plan designating Critical Rural, Rural, Transitional, and Growth areas and zones 1 through 12.

Responsibility: Planning Board
Timeframe: 2 years

Note: As defined in 30-A MRSA §4301, "Transitional area" means an area that is designated in a municipality's or multi-municipal region's comprehensive plan as suitable for a share of projected residential, commercial or industrial development but that is never intended to accept the amount of density of development appropriate for a growth area nor intended to provide the level of protection for rural resources afforded in a rural area or critical rural area. Growth areas are the only areas for which future state and federal funds may be available to support the development of infrastructure, especially sewer. For delineation of the growth, transitional, and rural areas see Section III above and the map in Appendix _ of this document.

Strategy 4: Amend Land Use Ordinance to prohibit gated communities throughout Town.

Responsibility: Planning Board
Timeframe: 1 year

Strategy 5: Amend Article VI of the Sewer Use Ordinance to make the extension of sewer lines in the Growth Areas more timely and less costly and difficult.

Responsibility: Planning Board
Timeframe: 1 year

Policy 2: Preserve and protect open space and agriculture.

Strategy 1: Revise lot sizes and coverage limitations. (See Section III, Future Land Use Plan)

Responsibility: Planning Board
Timeframe: 2 years

Note: Land Use grids are included in the Appendix as a framework for thinking but are not intended to direct the specifics in the Land Use Ordinance, especially with respect to lot sizes.

Strategy 2: Limit, as appropriate, allowed uses to those compatible with wildlife, endangered species, and environmentally sensitive areas.

Responsibility: Board of Selectmen and Kennebunkport Conservation Trust.
Timeframe: Ongoing

A survey of the Town of Kennebunkport was completed in 2001 regarding the Town's natural resources. The outcome of that survey is a three-ring binder with associated maps. A copy is in the possession of Southern Maine Regional Planning Commission (SMRPC), the Kennebunkport Town Manager, the Growth Planning Committee, and the Conservation Committee. The report is titled "Beginning with Habitat an Approach to Conserving Open Space".

High value wildlife habitat has been mapped, including, the location of deer yards, endangered species, wetland complexes, and large undeveloped blocks of land. According to Donald Cameron, Botanist-Natural Areas Program, ME Dept of Cons, Kennebunkport harbors one of the largest remaining contiguous blocks of forest left in the coastal region between Kittery and Brunswick. In addition, the habitat of Kennebunkport has strong regional significance. Most of the entire town is contained in the Biddeford/Kennebunkport Vernal Pool Complex Focus Area as identified by the Maine Natural Areas program (MNAP). This is an unusually dense concentration of vernal pools that provides habitat for several rare plant and animal species such as pale green orchis, small reed grass, Blanding's turtle, and spotted turtle. This vernal pool complex is one of only three similar high-density complexes known to exist in all of New England (according to Philip deMaynadier, Endangered Species Biologist with Maine Department of Inland Fisheries and Wildlife (IFW). Large unfragmented blocks of the size found in the northern and eastern portions of Kennebunkport are increasingly rare in southern Maine and need to be conserved if existing species diversity is to be maintained (Maine Department Inland Fisheries and Wildlife Beginning With Habitat manual). This large block area of Kennebunkport also contains a Deer Wintering Area (DWA) as defined by IFW and approximately 2 miles of riparian habitat rated as high value by the USFWS Gulf of Maine Project.

Strategy 3: Actively promote conservation easements and study Transfer of Development Rights (TDR).

Responsibility: Planning Board and Kennebunkport Conservation Trust
Timeframe: Ongoing

A conservation easement is a voluntary agreement between a property owner and a land trust or local government that limits or prohibits future development of the property and mandates stewardship of natural resources. Land under conservation easement is taxed at a rate reflecting its reduced value. Conservation easements must be recorded in the York County Registry of Deeds.

In a TDR program, the Town designates forested or agricultural areas it would like to preserve. Developer's can then purchase development rights from landowners in these zones .The farm and/or forest lot is protected from development, the landowner receives an influx of cash, and the developer earns the right to decrease lot size and increase density in designated growth areas close to established Town and utility services.

Strategy 4: Require sub-divisions in Zones 1, 9, and 10 to be clustered so that where possible open spaces are contiguous with existing open spaces. Open space easement title should be held by an appropriate independent third party.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 5: Encourage farming by encouraging participation in existing regional Farmers' Markets, and by educating the public regarding tax advantages of keeping land in farming.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 6: Delineate the boundaries and consider, where possible, creating greenbelts and/or public parks to surround and preserve open space between established areas of development to preserve their geographical and historical identity.

Responsibility: Planning Board
Timeframe: 2 years

TOWN GOAL 2: PROTECT OUR COASTLINE

Policy 1: Modify Shoreland overlay zones

Strategy 1: Designate shoreland portions of Dock Square (Z8) and Cape Porpoise Square (Z4) Zones as Limited Commercial Districts.

Responsibility: Planning Board
Timeframe: 2 years

Policy 2: Consolidate and strengthen Shoreland Overlay Zones

Strategy 1: Consider consolidating State Shoreland and Critical Edge Zones into one solid zone.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Consider sea level rise and state guidelines for sand dunes when establishing regulations.

Responsibility: Board of Selectmen, Planning Board
Timeframe: Ongoing

Policy 3: Create new and maintain existing public access to the coastline

Strategy 1: Inventory Town-owned coastal properties that may be appropriate for future public access

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 2: Promote land acquisition and establishment of water access for non-motorized water craft.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 3: Mark and maintain public access points.

Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 3: PRESERVE LANDS IDENTIFIED AS IMPORTANT FOR CONSERVATION AND PRESERVATION AND ENCOURAGE ADDITIONAL LAND FOR CONSERVATION

Policy 1: Identify current land in conservation.

Strategy 1: Identify current lands belonging to Rachel Carson Wildlife Refuge, Kennebunkport Conservation Trust, Town Forest, and State of Maine.

Responsibility: Conservation Commission
Timeframe: 1 year

Note: A current inventory of conservation lands in Kennebunkport is found in Chapter VII, Natural Land Resources.

Policy 2: The Town shall establish a plan for evaluating and transferring lands for recreation, conservation, and preservation.

Strategy 1: Establish a municipal fund from impact fees for land conservation and recreation to be appropriated on an annual ongoing basis. (See Ch VII, TG3, P2, S1)

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Identify all lands with unknown owners and pursue for appropriate use by the Town.

Responsibility: Board of Selectmen
Timeframe: 2 years

TOWN GOAL 4: MAINTAIN SMALL TOWN CHARACTER

Policy 1: Encourage neighborhood style development.

Strategy 1: Encourage connecting streets, essential services, and space for the growth of neighborhood small-scale commercial services. "Neighborhood Small-Scale" shall be defined in the Land Use Ordinance.

Responsibility: Planning Board
Timeframe: Ongoing

Policy 2: Encourage pedestrian friendly neighborhoods.

Strategy 1: Where possible require pedestrian and vehicular connectivity in all growth areas and encourage it in other areas of town.

Responsibility: Planning Board
Timeframe: Ongoing

Policy 3: Preserve and maintain current pattern of winding roads.

Note: Winding roads discourage excessive speed, emphasize the rural character of the town, and discourage the use of residential streets as short cuts.

Strategy 1: Establish standards for easement and pavement widths to ensure safety while preserving the visual attractiveness and historic nature of our roads.

Responsibility: Planning Board
Timeframe: 2 years

Policy 4: Promote the placement of utilities underground.

Strategy 1: Study the long-term economic benefits of placement of utilities underground.

Responsibility: Planning Board
Timeframe 2 years

Policy 5: Minimize the impact of development.

Strategy 1: Require buffers of trees and some open space vistas along roadways.

Responsibility: Planning Board
Timeframe: Ongoing

Strategy 2: Manage access on major transportation routes by limiting curb cuts and promoting shared driveways.

Responsibility: Planning Board, Highway Department
Timeframe: 2 years, ongoing

Note: As documented in the Transportation chapter (Chapter XIII), MaineDOT classifies Route 9 and North Street as major transportation routes along which access management provisions must be instituted to improve mobility and safety. This strategy is also repeated in Chapter XIII.

Policy 6: Preserve ocean views from public ways.

Strategy 1: The Town shall enforce shoreland zoning regulations to keep vegetation on town-owned properties trimmed.

Responsibility: Highway Department
Timeframe: Ongoing

Policy 7: Monitor effects of condominium ownership on the Town's character.

Strategy 1: Monitor and/or regulate where and when necessary the impact of condominium form of ownership, including conversion of existing properties.

Responsibility: Planning Board
Timeframe: Ongoing

TOWN GOAL 5: ORGANIZE AND CLARIFY LAND USE ORDINANCES

Policy 1: Codify and annually update all Land Use Ordinances, including annotated maps, so that they are logically sequenced, well indexed and precisely cross-referenced.

Strategy 1: Use professional planning services, community resources, and available software for the updates.

Responsibility: Planning Board
Timeframe: Ongoing

Strategy 2: Updated copies of the LUO's and maps will be held in the Code Enforcement Office for Town use and Public purchase, and posted on the Town's website.

Responsibility: Code Enforcement, Town Planner
Timeframe: Ongoing

Strategy 3: Annual line items in budgets will include money for updates.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 4: A professional Town Planner shall continue to be available to the Town and its Boards.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Policy 2: The Growth Planning Committee (GPC) shall be responsible for monitoring compliance with the Comprehensive Plan. The GPC membership will be determined by the Town Ordinance already in existence. (Growth Planning Ordinance, Administrative Code)

Strategy 1: Define the necessary funding requirements and submit the proposal to the Board of Selectmen for consideration of voter's approval at the Annual Town Meeting.

Responsibility: Growth Planning Committee, Town Planner, Town Manager
Timeframe: 2 years

Strategy 2: The Growth Planning Committee shall review the progress in implementing the goals of the Comprehensive Plan every six months as required by Town Ordinance and make recommendations whenever necessary to the responsible party for implementation and compliance and report to the Board of Selectmen annually.

Responsibility: Growth Planning Committee
Timeframe: Six months

Strategy 3: Progress in implementing compliance with the Comprehensive Plan will be included in the Town's Annual Reports.

Responsibility: Board of Selectmen
Time frame: Ongoing

CHAPTER X. HOUSING AND DEMOGRAPHICS

This section supplements the previous Comprehensive Plan section on housing. The following tables and summary provide insight into the current housing situation in Kennebunkport.

I. INVENTORY

A. Housing Units/Stock

Kennebunkport added 275 housing units during the period 1990-2000 according to the Census. This represented an increase of 12.1%. The town now has a total of 2,555 units of housing.

Of the 1615 households in town, 83.7% (1,351 households) are owners and 16.3% (164 households) are renters. Of the 2,555 housing units, 1615 are "occupied" units, 66 are vacant year-round units and 874 are for seasonal use (seasonal use is 34% of the total). It should be noted that this data is from the Census which means these were the existing conditions on April 1, 2000.

The following table summarizes Census data on housing in Kennebunkport.

Table X-1: Housing Units in Kennebunkport 1980 - 2000

				1990 - 2000		1980 - 2000	
	1980	**1990**	**2000**	**#**	**% increase**	**#**	**% increase**
Total Housing Units	2,011	2,280	2,555	275	12.1%	544	27.1%
Seasonal	709	738	874	136	18.4%	165	23.3%
Year Round	1,302	1,542	1,681	139	9.0%	379	29.1%
Vacant	50	101	66	-35	-34.7%	16	32.0%
Occupied	1,252	1,441	1,615	174	12.1%	363	29.0%
Owner Occupied	979	1,177	1,351	174	14.8%	372	38.0%
Renter Occupied	273	264	264	0	0.0%	-9	-3.3%
Vacancy Rate*							
Homeowner	1%	2.6	1.1				
Rental	4.10%	10.2	7				

*Seasonal homes or units are not figured into the vacancy rate.
A homeowner vacancy is a unit that is vacant and for sale. A rental vacancy is a unit that is vacant and available for rent. Both are determined by responses to the Census forms and reflect data as of April 2000.

As of April 2000, the Census reported that Kennebunkport had 238 housing units in structures containing two or more units. This was an increase of 65 "multi-family" units from the 173 reported in the 1990 Census. As of 2003, the Town estimates that there are 298 units including 28 units currently being constructed off the Old Cape Road.

The Town had 2,555 housing units as of April 1, 2000 according to the 2000 Census. This was an increase of 275 units (12.1%) over the decade of the 90s or an average of 27.5 units per year.

From 2000-2004, the Town issued building permits for 249 new housing units or an average of 49.8 units per year (see Table IX-1). This is almost double the average rate of housing growth experienced during the 90s.

Kennebunkport exists within both a regional economy and a regional housing market. The following tables and the charts compare Kennebunkport to the rest of York County as far as housing growth and other factors are concerned.

Table X-2

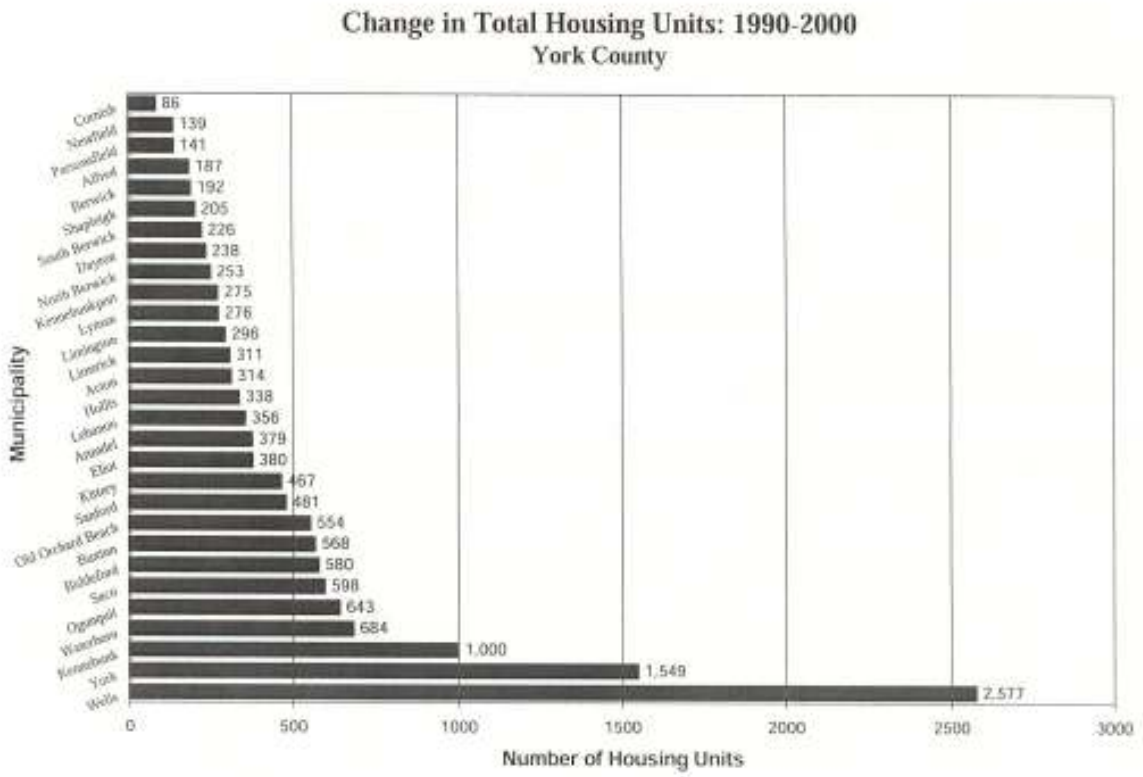
Housing Unit Growth Trends in York County

Municipality	Total Housing Units** 1990	2000	1990-2000 Change	% Change	Households 1990	2000	Change	% Change	Housing Tenure in 2000 Owners	Renters	% Owners	% Renters	2000 Median Age
Acton	1,596	1,910	314	19.7%	640	855	215	33.6%	763	92	89.2%	10.8%	41.1
Alfred	916	1,103	187	20.4%	816	996	180	22.1%	823	173	82.6%	17.4%	42.2
Arundel	1,036	1,415	379	36.6%	973	1,363	390	40.1%	1,157	206	84.9%	15.1%	37.3
Berwick	2,222	2,414	192	8.6%	2,058	2,319	261	12.7%	1,766	553	76.2%	23.8%	35.6
Biddeford	9,051	9,631	580	6.4%	7,956	8,636	680	8.5%	4,193	4,443	48.6%	51.4%	36.4
Buxton	2,362	2,930	568	24.0%	2,219	2,804	585	26.4%	2,379	425	84.8%	15.2%	37.4
Cornish	502	588	86	17.1%	430	521	91	21.2%	414	107	79.5%	20.5%	40.5
Dayton	425	663	238	56.0%	409	638	229	56.0%	560	78	87.8%	12.2%	34.6
Eliot	2,038	2,418	380	18.6%	1,933	2,307	374	19.3%	1,890	417	81.9%	18.1%	39.7
Hollis	1,254	1,592	338	27.0%	1,193	1,507	314	26.3%	1,276	231	84.7%	15.3%	36.8
Kennebunk	3,985	4,985	1,000	25.1%	3,118	4,229	1,111	35.6%	3,362	867	79.5%	20.5%	41.3
Kennebunkport	2,280	2,555	275	12.1%	1,441	1,615	174	12.1%	1,351	264	83.7%	16.3%	46
Kittery	3,908	4,375	467	11.9%	3,607	4,078	471	13.1%	2,613	1,465	64.1%	35.9%	39
Lebanon	1,734	2,090	356	20.5%	1,441	1,823	382	26.5%	1,599	224	87.7%	12.3%	36.7
Limerick	968	1,279	311	32.1%	598	850	252	42.1%	702	148	82.6%	17.4%	35.7
Limington	1,058	1,354	296	28.0%	886	1,141	255	28.8%	973	168	85.3%	14.7%	36.6
Lyman	1,473	1,749	276	18.7%	1,108	1,366	258	23.3%	1,241	125	90.8%	9.2%	37.9
Newfield	800	939	139	17.4%	381	496	115	30.2%	431	65	86.9%	13.1%	39
North Berwick	1,452	1,705	253	17.4%	1,281	1,587	306	23.9%	1,300	287	81.9%	18.1%	37.8
Ogunquit	1,471	2,114	643	43.7%	511	668	157	30.7%	517	151	77.4%	22.6%	55.2
Old Orchard Beach	5,668	6,222	554	9.8%	3,472	4,294	822	23.7%	2,391	1,903	55.7%	44.3%	40.1
Parsonsfield	855	996	141	16.5%	538	634	96	17.8%	513	121	80.9%	19.1%	38.7
Saco	6,826	7,424	598	8.8%	5,978	6,801	823	13.8%	4,500	2,301	66.2%	33.8%	37.2
Sanford	8,326	8,807	481	5.8%	7,655	8,270	615	8.0%	5,253	3,017	63.5%	36.5%	36.6
Shapleigh	1,608	1,813	205	12.7%	703	912	209	29.7%	810	102	88.8%	11.2%	39.7
South Berwick	2,262	2,488	226	10.0%	2,104	2,403	299	14.2%	1,883	520	78.4%	21.6%	36.2
Waterboro	2,144	2,828	684	31.9%	1,555	2,211	656	42.2%	1,912	299	86.5%	13.5%	33.3
Wells	5,217	7,794	2,577	49.4%	3,056	4,004	948	31.0%	3,282	722	82.0%	18.0%	43.3
York	6,504	8,053	1,549	23.8%	3,788	5,235	1,447	38.2%	4,303	932	82.2%	17.8%	43.4
York County	**79,941**	**94,234**	**14,293**	**17.9%**	**61,848**	**74,563**	**12,715**	**20.6%**	**54,157**	**20,406**	**72.6%**	**27.4%**	**38.5**

** Total housing units include seasonal units

Source: US Census 90 and 2000/Adjustments to 1990 made by SMEDD

Table X-3



To some extent Kennebunkport has been spared some of the rapid housing growth of e.g. York, Kennebunk, and Wells. However, some of the recent subdivision activity in town points toward more housing pressure in the immediate future. In 2002, the Town enacted a Growth Cap limiting the number of permits for new dwelling units to 48 per year. A discussion of the Growth Cap can be found in the Land Use chapter.

B. Household Size

Reflecting national trends, the average household size in Kennebunkport decreased from 1990 to 2000. Average household size was 2.33 in 1990 and 2.30 in 2000. By comparison, the average household size in York County was 2.47. These changes point towards smaller households and a growing number of homes to serve those households.

C. Housing Costs and Affordable Housing Gap Analysis

Homeownership and housing affordability seem to be an important issue in southern Maine in general, and in Kennebunkport in particular. The State of Maine's Growth Management Law reads in part, that a "municipality shall seek to achieve a level of

10% of new residential development, based on a 5 year historical average of residential development in the municipality meeting the definition of affordable housing." The Maine State Planning Office has, for the purposes of municipal comprehensive plans, established a definition of affordability and set criteria for income levels for whom towns should be concerned about the supply of affordable housing. The rules adopted by the Office indicate that an owner-occupied housing unit is considered affordable if the unit's selling price is one that can result in the monthly costs (mortgage, insurance, taxes, and utilities) of no more than 33% of the household's gross monthly income. A rental unit is considered affordable if the unit's monthly costs (rent and utilities) are no more than 33% of the household's gross monthly income.

The State Planning Office defines "affordable housing" as housing units that are affordable to low income and moderate income households. The terms low and moderate income households refer to various percentages of the median household income in the metropolitan area or non-metropolitan portion of the county in which the municipality is located. Low income households are those with an income which does not exceed 80% of the area median. Moderate income households are those with an income which is between 80% and 150% of the area median. Portions of York County are in the Portsmouth-Dover-Rochester Metropolitan Area or the Portland Metropolitan Area, however Kennebunkport is located in the non-metropolitan portion of the county. For this reason, figures for York County are used as the benchmark for affordability.

Looking at the actual "gap" between Kennebunkport's supply of affordable housing units and its fair share of the region's affordable housing needs provides another means of looking at the Town's future housing goals. This section analyzes both current and future needs for affordable housing in Kennebunkport.

For this analysis, three different levels of affordability are used:
- Very Low income is defined as below 50% of the regional median;
- Low income is defined as 50-80% of the regional median; and
- Moderate income is defined as 80-120% of the regional median

As of 2003, York County's median household income level was $48,522, so the 50%, 80% and 120% thresholds are applied to that figure (see below)

The next step is to define the relationship between household income and housing affordability. MSHA calculates this information for each municipality in Maine each year by using a formula that includes all of the costs of housing—mortgage amount, interest rates, property taxes, utilities, etc. For 2003, the income to price ratio for York County was 33.75%, with a household earning the county median able to afford a home priced at $143,754.

Very low, low and moderate income and affordable home price levels for households in Kennebunkport are assumed to be:

- Very Low: Income below $25,000, home price below $74,000
- Low: Income from $25,000 to $40,000, home price from $74,000 to $118,000
- Moderate: Income from $40,000 to $60,000, home price from $118,000 to $178,000

The current affordable housing gap is measured by comparing Ogunquit's present population's income profile with that of York County. The central assumption in this analysis is that each community in the county should have an equal share of low to moderate income residents and thus bear its fair share of the region's affordable housing need.

Table X-4 compares 2000 Census data on very low, low and moderate-income households for Kennebunkport and York County to illustrate where the gaps exist.

TABLE X-4
Very Low, Low And Moderate Income Households, 2000

	Kennebunkport		**York County**	
	Number	**Percent**	**Number**	**Percent**
Very Low (<$25K)	289	17.8%	19,503	26.2%
Low ($25-40K)	257	15.9%	14,150	19.0%
Moderate ($40-60K)	290	17.9%	15,965	21.4%
Market (>$60K)	784	48.4%	24,910	33.4%
Total	**1,620**	**100%**	**74,527**	**100%**

Source: US Census; SMRPC

It is evident from these data that Kennebunkport's shares of very low, low and moderate income households are far smaller than York County as a whole. The disparity was largest among very low income households. Just 17.8% of Kennebunkport households in 2000 were very low income compared with 26.2% of all households in the county.

The "gap analysis" conducted to determine Kennebunkport's present affordable housing shortage was a matter of determining how many more very low, low and moderate-income households would need to be housed in the Town in order for its income profile to match that of York County. Table X-5 illustrates the gap analysis.

TABLE X-5
Affordable Housing Gap Analysis

	Current Affordable Units	Units Needed to Match County Ratios	Affordable Housing Gap (Units)
Very Low (<$74K)	289	424	135
Low ($74-118K)	257	308	51
Moderate ($118-178K)	290	347	57
Total	**836**	**1,079**	**243**

Source: US Census; SMRPC

As Table X-5 shows, Kennebunkport's present affordable housing shortage is estimated to be 243 units, with 135 being in the very low-income range (units priced below $74,000), 51 in the low-income range (priced between $74,000 and $118,000) and 57 in the moderate-income range (priced between $118,000 and $178,000)

Looking at future affordable housing needs, the Maine State Planning Office (SPO) projects that Kennebunkport's year-round population will increase by 488 persons for the period spanning 2000 to 2015. Using the Town's 2000 average household size of 2.30 persons, this translates to a net change of 212 year-round housing units.

Maine's Comprehensive Planning statutes mandate that local Comprehensive Plans ensure that at least 10% of new housing units in each municipality are targeted for affordable housing. Applying that standard to the expected change of 212 units, this would translate to 21 affordable units over a 15-year period, or an average of 1.4 per year.

Adding together the current gap of affordable units and the expected future need, Kennebunkport would need to add an estimated 264 affordable units by 2015 in order to fully close the gap with York County as a whole—this would translate to an average of about 18 units per year.

However, considering Kennebunkport's coastal location and largely rural nature, expecting to fully close the gap is an unreasonable goal. A more reasonable planning goal would be to close one third of the gap, which would be 88 units from 2000 to 2015, or about six per year.

D. Population Growth

Kennebunkport is part of the Southern Maine economy in terms of business, economic, and housing growth. The following chart and graphs provide supplemental information on growth rates for the County.

Kennebunkport's year round population growth rate of 10.8% (or 364 people) for the period 1990- 2000 was not among the higher growth rates in York County.

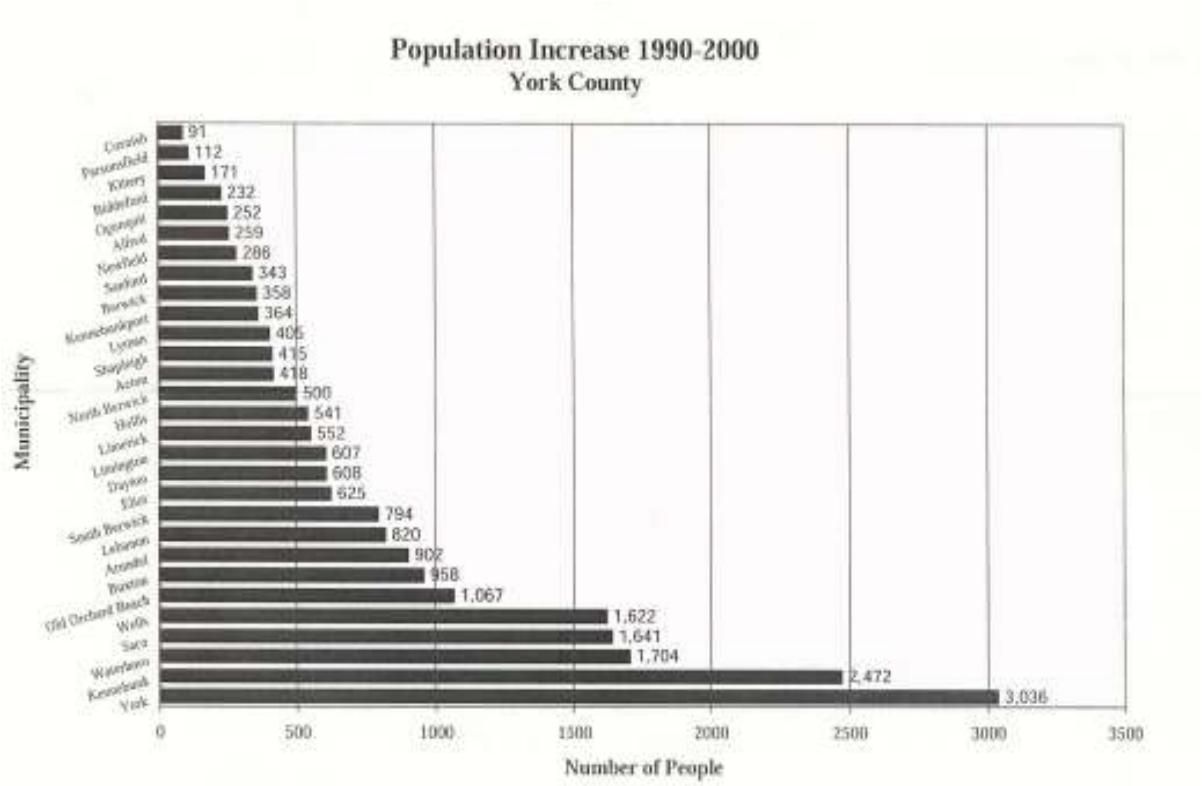
Table X-6

Year Round Population Growth Trends in York County

Municipality	Census 2000	Census 1990	Numeric Change 1990-2000	Percent Change 1990-2000	% of County Growth
Acton	2,145	1,727	418	24.2%	1.89%
Alfred	2,497	2,238	259	11.6%	1.17%
Arundel	3,571	2,669	902	33.8%	4.07%
Berwick	6,353	5,995	358	6.0%	1.62%
Biddeford	20,942	20,710	232	1.1%	1.05%
Buxton	7,452	6,494	958	14.8%	4.32%
Cornish	1,269	1,178	91	7.7%	0.41%
Dayton	1,805	1,197	608	50.8%	2.74%
Eliot	5,954	5,329	625	11.7%	2.82%
Hollis	4,114	3,573	541	15.1%	2.44%
Kennebunk	10,476	8,004	2,472	30.9%	11.16%
Kennebunkport	3,720	3,356	364	10.8%	1.64%
Kittery	9,543	9,372	171	1.8%	0.77%
Lebanon	5,083	4,263	820	19.2%	3.70%
Limerick	2,240	1,688	552	32.7%	2.49%
Limington	3,403	2,796	607	21.7%	2.74%
Lyman	3,795	3,390	405	11.9%	1.83%
Newfield	1,328	1,042	286	27.4%	1.29%
North Berwick	4,293	3,793	500	13.2%	2.26%
Ogunquit	1,226	974	252	25.9%	1.14%
Old Orchard Beach	8,856	7,789	1,067	13.7%	4.82%
Parsonsfield	1,584	1,472	112	7.6%	0.51%
Saco	16,822	15,181	1641	10.8%	7.41%
Sanford	20,806	20,463	343	1.7%	1.55%
Shapleigh	2,326	1,911	415	21.7%	1.87%
South Berwick	6,671	5,877	794	13.5%	3.58%
Waterboro	6,214	4,510	1,704	37.8%	7.69%
Wells	9,400	7,778	1,622	20.9%	7.32%
York	12,854	9,818	3,036	30.9%	13.70%
York County	186,742	164,587	22,155	13.5%	100.00%
County as % of State	14.6%	13.4%	47.1%		
State of Maine	1,274,923	1,227,928	46,995	3.8%	

Prepared by the Southern Maine Economic Development District

Table X-7



A brief look at the growth rates of some of the surrounding communities – and particularly the so called service centers – highlights some of the regional issues of growth and point towards the related concept of sprawl.

While residential growth in towns such as Kennebunk (31%), Arundel (34%), Wells (21%) and even Kennebunkport (11%) grew at a fast pace, the service centers of Sanford (2%) and Biddeford (1%) barely grew at all. While these larger cities/towns contain many of the services and jobs important to the region, people are not choosing to live in those communities.

E. Future Population Projections

Planning for future land use changes will require an understanding of the expected pace of population growth in the Town of Kennebunkport over the next decade. This section contains three different projections of future growth, in order to give a range of growth scenarios for use in the plan.

The three projections are as follows:

1. **Extend Growth Cap** – This scenario assumes the extension of the Town's growth cap of 48 units per year through 2015. A key assumption in this

scenario is that the year-round/seasonal breakdown of new units will be the same as the Town's existing housing stock. Thus, 66% of new units, or 32 per year, are assumed to be year-round units. Another assumption is that average household size for new units continues to decrease at the same rate that it decreased from 1990 to 2000. During that period, the Town's average household size fell from 2.33 to 2.30, a decrease of 0.3% annually. At this same rate of decrease, the Town's average household size by 2015 would be 2.26.

2. **Extend 1990-2000 Growth Rate** – From 1990 to 2000, the annual population growth rate in Kennebunkport was 1.04%. This scenario simply extends that rate through 2015.

3. **Increase 1990-2000 Growth Rate by 50%** - This scenario raises the growth rate by 50%, applying an annual growth rate of 1.55%.

Based on these assumptions, the three growth scenarios are as follows:

TABLE X-8
Future Population Growth Scenarios

	SCENARIO 1: Extend Growth Cap	**SCENARIO 2: Extend Growth Rate**	**SCENARIO 3: Increase Growth Rate**
2000 Population	3,720	3,720	3,720
Net Population Change, 2000-2015	1,010	622	966
Total Population, 2015	4,730	4,342	4,686
Percent Change. 2000-2015	**27.2%**	**16.7%**	**26.0%**
Annual % Change, 2000-2015	**1.61%**	**1.04%**	**1.55%**

Source: US Census; SMRPC

From these three scenarios, Kennebunkport can expect to add between about 600 and 1,000 new residents between 2000 and 2015. This represents a compound annual growth rate of between 1.5% and 2.5% and an overall growth rate of between 17% and 27%.

Assuming that each new housing unit built in Kennebunkport has 2.30 residents (the 2000 average household size), there would need to be between 270 and 439 new units built in Kennebunkport through 2015.

II. ANALYSIS AND CONCLUSIONS

Kennebunkport has a lack of affordable housing both in terms of homeownership and rental affordability. The town contains few subsidized units and affordability for people who work in the town is an issue.

Property values continue to rise in Kennebunkport. Construction of new homes is often in excess of $500,000.00. The absence of affordable and alternative housing units has become critical. It is difficult to find housing for young families, senior citizens, retirees, service and municipal personnel. In many cases, the next generation and retirees are forced to move out of town to urban or distant rural areas to find suitable and affordable housing and even those options are becoming more difficult to find. There is no simple answer to affordable housing. A well rounded community should be the responsibility of a proper Comprehensive Plan. Providing proper housing alternatives for Kennebunkport citizens is important to consistent and long range property values as well as to assure that the town retains a broad economic and social base. If Kennebunkport is to enjoy the benefits of a heterogeneous community, it is important to consider and include the following goals, policies and strategies as part of the Comprehensive Plan.

III. IMPLEMENTATION

STATE GOALS: ENCOURAGE AND PROMOTE AFFORDABLE HOUSING: SEEK A MINIMUM OF 10% OF NEW HOUSING AS AFFORDABLE.

TOWN GOAL 1: MEET THE STATE REQUIREMENTS FOR ADDRESSING THE AFFORDABLE HOUSING NEED IN KENNEBUNKPORT BY PROVIDING FOR A MIX OF HOUSING TYPES AVAILABLE IN A BROAD RANGE OF PRICES.

Policy 1: Create, monitor and sustain availability of new low and moderate income affordable housing units and create standards of eligibility with preference for Kennebunkport residents and persons employed in the Town.

Strategy 1: Recommend adding to Article 2 of the LUO specific definitions of affordable, very low, low, and moderate income housing.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Appoint or engage a Kennebunkport Housing Authority or partner with an existing such agency to develop the standards for and the development of affordable housing units as well as to be responsible for the sustaining and monitoring of affordable housing units and report on the balance and continuing need for affordable housing in the community. The Housing Authority is also to work with adjacent communities on a regional basis to accomplish common goals.

Responsibility: Board of Selectmen, Housing Authority, Planning Board
Timeframe: 1 year, ongoing

Strategy 3: Consider the appropriate use of Town-owned land for the construction and/or the approval of affordable and moderate income housing units.

Responsibility: Board of Selectmen, Housing Authority
Timeframe: 2 years

Strategy 4: Create incentives for developers to construct affordable housing in approved developments (reduce lot size/increase allowable density, encourage clustering of housing units, special dimensional requirements, development credits, etc.)

Responsibility: Planning Board
Timeframe: 2 years

Strategy 5: Amend the Subdivision and Land Use Ordinances to require developers of subdivisions consisting of 10 housing units or more to include, as a condition of subdivision approval, not less than 10% of on-site affordable housing units as determined by the Planning Board. Subdivisions consisting of 5 to 9 housing units shall provide not less than one affordable housing unit on site. In the event that the percentage required in a given subdivision does not provide for a full housing unit, developers shall provide a proportionate cash contribution to the Town and/or the designated Housing Authority to be used for the purchase of land and/or the purchase or construction of affordable housing units.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 6: Develop standards for the approval and construction of accessory units to provide living units on existing housing sites. Such units would be deed restricted for use by the elderly and affordable housing units for year round use only. Consider exempting such units from the building permit cap.

Responsibility: Planning Board, Board of Selectmen
Timeframe: 2 years

Strategy 7: The Town shall develop a fund for the acquisition of land and/or housing units or structures for affordable housing. Encourage an appropriate annual warrant and/or a surcharge on building permits and/or subdivision approvals to finance same.

Responsibility: Board of Selectmen
Timeframe: 1 year, ongoing

Strategy 8: Continue to allow for and encourage the development of mobile home parks consistent with the current Land Use Ordinance and State of Maine law. Limitations should be established to assure that units must be occupied for year-round use as primary residences.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 9: Place increased emphasis on the clustering of housing units. Develop a plan to give developers a 10% density bonus on clustering when not mandated under the Land Use Ordinance or Subdivision Regulations. Encourage the development of multi-plex (multi family) housing in growth areas consistent with the future land use plan.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 10: Encourage the development of Senior Citizen/independent living units and long-term care and nursing facilities.

Responsibility: Planning Board
Timeframe: 1 year

Strategy 11: Allow development of overlay zones and/or provision for contract zoning in growth or appropriate areas for diverse

housing types, including affordable low and moderate income housing and senior citizen housing.

Responsibility: Planning Board
Timeframe: 1 year

CHAPTER XI. RECREATIONAL AND CULTURAL RESOURCES

I. INVENTORY

A. Land Devoted To Recreational Use

1. Publicly-Owned Facilities

The town owns several outdoor recreation facilities. (Two of those listed below were developed with the help of federal grants.) A full inventory of conservation land can be found in Chapter VII.

Beachwood Park is a one acre parcel off Beachwood Avenue, adjoining the Highway Department facility, which was first put into use during the summer of 1994. It includes two tennis courts, a basketball court, a playground, and a picnic area. It is receiving heavy use.

Cape Porpoise Firemen's Park is a 4.8-acre parcel by the water. The field has a softball diamond, a field study area, and picnic tables. Playground equipment was added recently.

Cape Porpoise Pier and Government Wharf, although they are intended primarily as commercial facilities, receive substantial recreational use as points of attraction and for sightseeing. Unfortunately, both piers have inadequate parking.

A New Town Park (not named yet) on Route 9 near Crow Hill is currently under construction. This property will feature an ice skating area and will provide access to walking paths and a picnic area.

Parsons Field is a 5-acre parcel adjacent to the Consolidated School. The field has a new drainage system and established sod. The field is used for baseball, softball, lacrosse, soccer, and summer recreation programs.

Parsons Way is a walkway along Ocean Avenue providing scenic views. While there is no parking permitted on Parsons Way itself, there are some spots where parking is possible. Parsons Way receives heavy use.

Silas Perkins Park is a riverfront lot on Ocean Avenue with picnic tables and benches overlooking the Kennebunk River.

The Town Forest consists of about 300 acres of undeveloped land.

The Goat Island Lighthouse has recently been automated. The Kennebunkport Conservation Trust was given the lighthouse by the U.S. Government. The government retained ownership of the light. Currently, there is no permanent caretaker.

Kennebunkport Town Beach (Breakwater Beach): Federal and municipal ownership; limited parking; approximately 500 feet of water access with breakwater jetty; swimming; scenic views; fishing; launching of light craft over the beach; receives heavy use.

The Rachel Carson National Wildlife Refuge owns about 500 acres mostly marshes and estuaries. Though not operated as a recreational facility, the refuge is open to public use and is lightly used for bird watching, hiking, and cross country skiing. Hunting is allowed by permit. There are limited boating opportunities in the open water portions of the refuge.

2. Privately-Owned Facilities Open To The Public

In addition to the municipally-owned facilities, the town has within it privately-owned outdoor recreation areas which are used by the public without a fee.

Cleave's Cove: Pedestrian right-of-way only; approximately 500 feet of water access; rocky shorefront; limited swimming; scenic views; bird and seal watching; receives light use.

Colony Beach: Privately owned by the Boughton Hotel Corp. (Colony Hotel). 1.8 acres located across the street from the Colony Hotel.

Goose Rocks Beach: Private, Kennebunkport Conservation Trust, and municipal ownership; sticker parking; marked right of ways via one town owned lot and Conservation Trust land; seven marked town-owned rights-of-way to privately owned areas of the beach; an approximately two mile long beach; swimming, scenic views, sail boarding, jogging, bird watching, and cross-country skiing in winter. Although the privately owned areas of the beach are not open to recreational use other than walking, the public beach receives heavy use.

The Kennebunkport Conservation Trust, a private organization chartered to protect land from development, owns 51 parcels of land, totaling approximately 1,500+/- acres, including all the offshore islands except Folly. A partial list of Trust parcels is listed below:

> *Tyler Brook Preserve,* located off Route 9 between Cape Porpoise and Goose Rocks, is a 138-acre watershed area. It has a parking area and walking trails.

The River Green on Ocean Avenue is suited for band concerts, fairs, demonstrations. The Green receives very heavy use.

Vaughn's Island is used seasonally for camping programs and is accessible by foot at low tide.

Cape, Redin and Green Islands, off Cape Porpoise, are undeveloped and are used for picnicking and some overnight camping.

Craig Woods is a 6.08-acre parcel in Cape Porpoise Village with a nature trail.

The Emmons Ecology Center on Gravelly Brook Road.

Eight lots of land at Goose Rocks Beach, which add substantially to the land there that is accessible to the public.

There are many other private open areas within the Town, which comprise approximately 1,286 acres. These are mostly tree growth and farm lots where owners may permit hunting, horseback riding, cross-country skiing, and hiking. ATV and skimobiles are usually prohibited.

Title 14 of Maine State Statutes addresses the issue of limited liability for activities on privately owned land. Maine has a custom of permissive access, which says that "Landowners are not responsible for personal injury to those who come on their land." This enables us to rely on a mixture of public and private lands for our recreation. In return, the public is to remember they are on private land and have no right to leave litter or park wherever they choose.

3. Other Privately-Owned Facilities

Cape Arundel Golf Club. This is a semi-private club with an attractive 18-hole golf course situated along the banks of the Kennebunk River. The public can use the course at designated hours after payment of a greens fee.

Kennebunk River Club. This is a private tennis and yacht club of approximately 225 members, established in 1889 as the "Lobster Boat and Canoe Club". Its facilities include eight tennis courts, docks, and a complex of buildings on both sides of Ocean Avenue. The Boathouse, dating to 1889, is on the National Register of Historic Places. The Club annually sponsors art and theatrical events that are open to the public.

Arundel Yacht Club. This is a private club of approximately 200 members whose clubhouse is a former ropewalk. It provides dock space for about 40 boats of various sizes, and engages in an extensive program of social functions. The club sponsors sailing races and instructional sailing programs for children in which non-members can participate whenever space permits.

Goose Rocks Beach Association. This is a private club that maintains three tennis courts and a small boat launching ramp. The Association sponsors a summer youth program and social activities for all ages.

4. Commercial Campgrounds

The former Kennebunkport Camping Park is now a 28-unit subdivision.

Salty Acres. This is a seasonal campground located on Route 9. It has 225 tenting and camping sites with electric and water hookups and picnic tables, showers, a seasonal grocery store, adjacent restaurant, pool, and motel.

B. Recreational Programs Of The Town

Kennebunkport benefits from a year-round recreational program led by two full-time staff members and several part-time leaders and volunteers. According to the Director, Carol Cook, the popularity of specific activities rises and falls, but the Town endeavors each year to offer a variety of appealing choices. Program activities that were available in 2002, and the approximate number who participated, are as follows:

Program	Participants
Archery	30
Basketball, 2nd grade	122
Basketball, K-1	20
Basketball, over 30	20
Basketball, travel	26
Basketball, youth	132
Bike Club	15
Craft Classes	178
Father-Daughter Dance	168
KASA (average daily)	20
Mini-golf Tour	18
Mother-Son Activity	58
Move over Miss Frizzle	26
New Horizons	178
Outdoor Adventure	46
Roller Hockey	22

Senior Citizens Trips	84
Senior Citizen Fit For Life	6
Ski Program	152
Soccer, kindergarten	92
Soccer, spring	175
Soccer, youth	325
Summer Playground	215
Swim Lessons	49
Tae Kwon Do	26
Tennis	38
Vacation Programs	262
Youth Golf Camp	471

There are several other activities and programs that either use the Department's facilities or are sponsored by the Parks and Recreation Department. These activities are listed below:

Program
Halloween Festival
Lacrosse
Little League
Youth Sports Spectators
Park Users
S.A.D. #71 High School "Club Teams"
Baseball

The Recreation Department also coordinates with the Police and Youth Services Departments in sponsoring dances and other activities for students. In addition, athletic activities for S.A.D. #71 High School "Club Teams", including soccer, lacrosse and area baseball, all take place in the recreational facilities of the Town of Kennebunkport.

C. Other Recreational Opportunities

One of the attractions, which lures summer visitors and tourists to Kennebunkport, is the variety of recreational opportunities that are available. Probably the premier attraction is the town's several beaches, which have been described elsewhere in this report.

For those who wish to get out upon the water, there are several ways to do so:

- Three sightseeing vessels take visitors for tours covering most of the shoreline of the town.
- Three sailing vessels will take groups of visitors on short off-shore excursions.

- Two motor vessels offer regular all-day "whale watching" trips, which usually go out to the vicinity of Jeffrey's Ledge.
- For persons who wish to "do it themselves," it is usually possible to charter a motor boat, a sailboat or a kayak from one of the local marinas.

For those who enjoy fishing, there are several ways to proceed:

- The breakwater at the harbor entrance attracts many who are short on cash but long on patience.
- A variety of fishing boats can be chartered by the day.

For those devoted to walking, itineraries are easily planned following the riverfront or along the oceanfront, using Parsons Way. The Historical Society organizes Walking Tours covering the older sections of the town. Bicycles can be rented from a shop located within the town. For those who are more athletically inclined, there are periodic road races, marathons, and bicycle races.

Outside of Kennebunkport, but within easy driving distance, are some other options:

- Several additional golf courses, driving ranges, and miniature golf courses.
- Amusement parks and water slides.
- Cross-county skiing
- Tours of working farms

D. Cultural Resources

1. Societies and Associations

River Tree Arts. Although River Tree's headquarters are in Lower Village Kennebunk, citizens of Kennebunkport contribute greatly to its support and operation. The association sponsors a diverse set of performances, exhibits, workshops and classes dealing with music, theatre, dance, literary, and artistic programs.

Kennebunkport Historical Society. The Kennebunkport Historical Society exists to preserve local history so that succeeding generations may benefit from the knowledge of the past. To that end it maintains and conducts tours of the historic 1853 Nott House set in it's recently restored Victorian gardens at 8 Main Street. Guided and self-guided walking tours of the historic village are provided. The society also maintains the history center of Kennebunkport, 125-135 North Street, a campus including the 100 year old one-room Townhouse School, the old jail cells, Clark Shipyard office and the Pasco Center which houses the Society's headquarters and displays permanent and changing exhibits relating to Kennebunkport's history. Opportunities for historic and genealogical research are also available.

2. Museums

Seashore Trolley Museum. This museum is claimed to possess the largest collection of trolley cars, subway cars and related equipment in the world. A few of the cars are more than 100 years old. Many of these cars are displayed for visitors to inspect, and the Museum has shops in which it is gradually restoring many of the others. Visitors can take trolley rides on the museum's private two-mile stretch of track.

Kennebunkport Maritime Museum. This museum is housed in "The Floats", a former wharf which was fitted out as a private club during the 1930's by the author Booth Tarkington. It now displays ship models, paintings, and a variety of other nautical memorabilia.

3. Libraries

Neither of Kennebunkport's two libraries is a municipal library; they are private non-profit organizations, which serve the community.

Louis T. Graves Memorial Library. This library is housed in a brick building on Maine Street, dating from 1813, which was formerly the U.S. Customs House. It is listed in the National Register of Historic Places. It receives less than half of its funding from the town, and the rest from private donations and library fundraisers. The Library is open 41 hours each week including five afternoons, four evenings and Saturday mornings. It offers over 31,000 books, audiotapes, videotapes, and CD's. The library catalog is accessible on the Internet, and there are multiple terminals available at the library for Internet use for research and e-mail.

Cape Porpoise Town Library. This small library offers a variety of books, audiotapes, and videotapes of general interest, and is open two afternoons and two mornings each week. It receives limited funding from the Town, but is mainly supported by the Cape Porpoise community. It is housed in Atlantic Hall, and has a part-time paid librarian with volunteer assistance.

4. Churches

The following churches are located within the Town of Kennebunkport:

- Church on the Cape (United Methodist), Langsford Road
- First Congregational Church, Arundel Road
- Saint Ann's Episcopal Church, Ocean Avenue (summer season only)
- South Congregational Church, Temple Street
- Village Baptist Church, Maine Street

- Wildwood Baptist Chapel, Turbat's Creek Road

Several of these churches offer organ and choir concerts that are open to the public.

The Franciscan Monastery occupies attractive grounds open to the public immediately opposite the town on the west bank of the Kennebunk River. Churches representing several other denominations are within a short driving distance of Kennebunkport.

5. Art Galleries

There are more than a dozen commercial art galleries within the town, offering a wide variety of art, sculpture, and other art objects. Several artists' guilds sponsor shows throughout the year. Openings and jazz concerts occur regularly in the summer.

6. Halls and Meeting Rooms

American Legion Hall is located off Route 9, midway between the Dock Square area and Cape Porpoise. It can be used for social affairs and will seat about 100.

Atlantic Hall is the community center of Cape Porpoise and is supported by the residents of the Cape. The first floor contains the Library, dining tables, and kitchen facilities. The Hall on the second floor is used for parties, dances, and meetings and can accommodate up to 125 people.

Consolidated School Gymnasium. This facility is large enough to seat over 400 people and is the site of all Town Meetings. Arrangements can be made with the School for private use. The room has a stage but no theatrical lighting.

The *Goose Rocks Fire Station*, located on Route 9 north of Goose Rocks Beach, includes a meeting room which seats about 100 people.

Perkins House, Graves Library. In 1998 the Library purchased the adjoining building, the Perkins House. This building contains the Library's meeting room, which can accommodate up to 30 people. It is available to non-profit groups at no charge, but is not available to for-profit organizations. The library's ongoing book sale is also housed in this building.

Police Station Meeting Room. Meeting space for up to twenty people.

South Congregational Community House. Located across Temple Street from the Post Office, this building was formerly home to the Olympian Club. It seats about

100 people and has a stage. It has kitchen facilities and is used extensively for social gatherings.

South Congregational Church. Arrangements can be made to use the sanctuary of this church, which seats about 300 people, for non-religious gatherings.

Village Fire Station Meeting Room. Meeting space for up to 70 people.

7. Private Schools

With the exception of nursery schools, there are no private schools within the town. Nearby in Arundel and Kennebunk there are several: The Heartwood School of Art, The School Around Us, The New School, and The Landing School of Boatbuilding and Design. The University of New England, which offers a number of degree programs, is located in Biddeford.

8. Restaurants

To the extent that dining may be considered a cultural activity, Kennebunkport residents are very fortunate. Because of its status as a resort area, the town boasts a wealth of restaurants.

9. Other Resources in the Area

At various times from 20 to 40 years ago, Kennebunkport boasted a cinema, a summer theatre, and a light opera company. All of these are gone now. Nevertheless, within a radius of 25 miles, including the cities of Biddeford, Portland, Dover, and Portsmouth, Kennebunkport residents can still draw upon a wide range of cultural attractions, including:

- WQEZ (easy listening)
- WBACH (classical music station)
- Movie theaters
- Y.M.C.A.'s and Y.W.C.A's
- Arundel Barn Playhouse (summer only)
- Art museums
- Bowling alleys
- An indoor ice arena
- Children's museums
- Several stage companies
- Portland's Symphony Orchestra
- A variety of concerts and other stage presentations
- A very active Senior Center
- Professional baseball and hockey teams

II. ANALYSIS AND CONCLUSIONS

Viewed in their entirety, the recreational and cultural resources of Kennebunkport are excellent for a town of our size, and those related to marine activity are outstanding. This, of course, does much to account for the town's popularity as a vacation resort.

Fortunate as we may be, it is always possible to identify ways in which our situation might be improved.

A. Recreational Facilities

In 1990, the Town's Recreation Department conducted a survey to determine the types of new recreational facilities which were most desired. While some of the items mentioned in the response have since been provided, two remain at the top of the "wish list":

1. *Access to the water for owners of small boats.* We interpret this to mean an affordable launching ramp where cars with boat trailers can be parked. The biggest obstacle to overcome in such a project would be the cost of acquiring a suitable location, and of grading and paving the parking and launching surfaces.
2. *Bicycle paths.* Surveys have repeatedly mentioned corridors on road shoulders for bikers, runners, and roller blade skaters. Every year the Arundel Road and Goose Rocks Road to the beach become more dangerous, but the roads are not wide enough to establish a bike path. The greatest challenge is finding a safe location for the paths.

The barriers facing both of these projects do not appear insurmountable, and both deserve consideration.

B. Cultural Facilities

Some participants at the visioning sessions expressed a desire for an auditorium in which to have concerts, theater etc.; however, the availability of cultural facilities in Portland and surrounding towns makes it doubtful that the construction of a cultural center in Kennebunkport would be economically viable.

III: IMPLEMENTATION

STATE GOAL: TO PROMOTE AND PROTECT THE AVAILABILITY OF OUTDOOR RECREATION OPPORTUNITIES FOR ALL MAINE CITIZENS; INCLUDING ACCESS TO SURFACE WATERS.

TOWN GOAL 1: TO MAINTAIN AND EXPAND ACCESS TO THE SHORE AND RIVERS FOR BOTH COMMERCIAL AND RECREATIONAL USES; ENCOURAGE OUTDOOR ACTIVITIES AND CULTURAL EVENTS.

Policy 1: Establish public access to the water for launching boats and for recreational use where permitted.

Strategy 1: Search for a location to either construct a municipal boat launching ramp or to utilize an existing ramp.

Responsibility: Board of Selectmen
Timeframe: 3 years

Strategy 2: Mark and maintain signs and public rights-of-way to the water.

Responsibility: Highway Department
Timeframe: Ongoing

Strategy 3: Establish and enforce boat and jet skis safety rules on the Town waters and prohibit jet skis and water skiing in rivers and swimming areas.

Responsibility: Harbormasters, Police Department, River Committee
Timeframe: Ongoing

Policy 2: Encourage Outdoor Activities.

Strategy 1: Publicize and identify on the town map all areas in the town that are available for recreational use and the activities permitted at each location.

Responsibility: Recreation Department
Timeframe: 3 years

Strategy 2: Establish bike routes where feasible and safe.

Responsibility: Recreation Department, Highway Department, Police Department
Timeframe: When necessary

Strategy 3: Promote existing Historical Society walking tours.

Responsibility: Historic Preservation Committee
Timeframe: Ongoing

Strategy 4: Design and publish maps of the town showing historical and scenic points of interest.

Responsibility: Historic Preservation Committee
Timeframe: 3 years

Strategy 5: Provide bike racks at Dock Square, Colony Beach, and Goose Rocks.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 6: Support and promote the Recreation Department's outdoor programs.

Responsibility: Board of Selectmen/Recreation Department
Timeframe: Ongoing

Strategy 7: Investigate available funding grants for recreational use.

Responsibility: Recreation Department
Timeframe: Ongoing

Policy 3: Support Cultural Programs

Strategy 1: Allow links to local nonprofit organizations on the Town website.

Responsibility: Board of Selectmen
Timeframe: Ongoing

CHAPTER XII. PUBLIC FACILITIES & SERVICES

I. INVENTORY

A. Public Services

The principal services available in the town are summarized in the paragraphs below. Note that some are furnished by the Town, some are semi-public, and some are provided independently.

1. Education

In 1968, the two towns of Kennebunk and Kennebunkport took advantage of State legislation passed in 1957 and entitled the "Sinclair Act" which provided for the formation of school administrative districts of two or more municipalities.

Negotiations as to the formation and funding of the district were held between the two towns and a referendum vote held. As a result of the work of the negotiation committee and the referendum vote, the State Board of Education authorized the creation of School Administrative District #71 (S.A.D. #71), which became operational on November 13, 1968.

Kennebunkport school children, along with those of Kennebunk, are educated by S.A.D. #71. Although three residents of the Town serve as Directors of the District, and meetings are open to the public, the Town has little or no formal control over the actions of the District. There are currently six directors representing Kennebunk and three representing Kennebunkport. This is in accordance with the constitutional requirement of "one man-one vote" and is determined by the census. The Town has little or no formal control over the actions of the district.

During the 1995-96 school year, 509 students from Kennebunkport were being educated by S.A.D. #71. In 2001, the figure was 544, but enrollment has slipped to 502 in 2005. By grade level, enrollments were distributed as follows:

	2001	2005
Special Education	6	3
Early Kindergarten	3	0
Kindergarten	39	33
Kindergarten-Grade 1 Transition	3	0
Grades 1-5	250	191
Grades 6,7 & 8	83	122
Grades 9-12	160	152

Almost all children in Kindergarten through Grade 5 attend the Consolidated School; Grades 6, 7 and 8 attend the Middle School; Grades 9 through 12 attend Kennebunk High School. Of the schools mentioned, only the Consolidated School is located in Kennebunkport. Additionally, over the five years before 2002 there were an average of 37 children approved by the District for home-schooling. Two thirds of these children were in K-8, with the remainder in grades 9-12. In 2001-2002 there were 35 home-schooled children, 20 in K-8 and 15 in 9-12.

The education provided by S.A.D. #71 is recognized to be of good quality. In the past, S.A.D. #71 has been recognized by the Federal Department of Education for maintaining Schools of Excellence. The Stanford Achievement Test results indicate that S.A.D. #71 students score well above the national averages. The Maine Educational Assessment tests, given in grades 4, 8, and 11, placed district students at a level well above the state average.

The District's high school completion rate is above the statewide average for public schools, as shown in the table below. Close to two-thirds of graduating seniors go on to attend post-secondary schooling.

High School Completion Rates			
	Kennebunk High School	York County	Statewide-Public
2002-2003 school year	94.1%	86.2%	87.2%
2003-2004 school year	96.0%	89.4%	87.4%

The District also offers adult education programs, with both a general equivalency program and other classes offered. There are usually 15 to 20 graduates of the class receiving their high school diplomas through the adult education program each year.

The District is currently improving its libraries, computer resources, and curricula to assist students to be better prepared to face the increasing technology of the 21st Century.

A new middle school was completed in January 2002 at a cost of $15.6 million. The new middle school, located on Thompson Rd. in Kennebunk, serves grades 6-8, up to a maximum of 750 students. This new school incorporates the 6th grade that was formerly taught at the Consolidated School. A new K-3 elementary school in West Kennebunk has also been completed.

The aspect of this educational program which most concerns the townspeople of Kennebunkport is not its quality, but its cost. The overwhelming source of complaint has been the formula agreed to when S.A.D. #71 was organized in 1979 that governed the distribution of costs between the communities supporting the District. In recent years that formula has led to assessments per Kennebunkport student that were almost double (94%-99% higher) the assessments per Kennebunk student. The property tax reform act, LD 1, passed by the 2005 state legislature has changed how the formula is calculated. The new formula will rely

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entirely on cost per student rather than the reliance on state property valuations of the towns. This formula will be phased in over four years to ease the financial disruption for Kennebunk. The effects for 2005-2006 are significant: under the phase-in plan Kennebunport's school assessment for 2005/2006 will be $7,593,771; under the old formula it would have been $8,405,591. It is anticipated that this change will ease considerably the controversy over school costs.

2. Public Safety

a. Police Services. All members of the Kennebunkport Police Force are employees of the Town. There are 12 full-time, year-round police officers and 9 additional seasonal full-time officers. The summer influx of people and the need for traffic control in Dock Square, along Ocean Avenue, and at Goose Rocks Beach create the need for the seasonal officers. Since 1994, the Department has had a bicycle patrol in selected sections of the town. Since the 1970's, there has been a foot patrol in Dock Square on days and nights in the summer season. In 2002, an additional officer was assigned to patrol on bicycle and foot at Goose Rocks Beach at night.

Police Department vehicles as of 2004 are listed in Table XII-1.

Table XII-1: Kennebunkport Police Vehicles

Number of Vehicles	Model Year	Description	Condition
1	2004	Ford Crown Victoria	Excellent
1	2001	Chevrolet Impala	Good*
2	2003	Ford Crown Victoria	Good*
1	2000	Ford Crown Victoria	Good *
1	1998	Ford Crown Victoria	Fair
1	1983	Ford F350 Truck	Fair

*One 2000 Ford Crown Victoria and one 2001 Chevrolet Impala are scheduled for replacement.

Table XII-2 contains a summary of the Police Department's activities for the past several years. The average number of motor vehicle accidents over the past five years has been 127.6. The number of arrests, for motor vehicle violations and criminal activity has reached a high of 645 in 1998. The Department traveled an average of 147,928 patrol miles from 1999 through 2003.

Table XII-2: Kennebunkport Police Department Activities, 1998-2003

	1998	1999	2000	2001	2002	2003
Motor Vehicle Accidents						

	1998	1999	2000	2001	2002	2003
Fatalities	0	0	1	0	0	0
Personal Injury	9	11	11	11	11	4
Property Damage (over $1000)	116	127	101	118	126	111
All Other	2	1	0	0	3	2
Total Accidents	127	139	113	129	140	117
Estimated Dollar Loss	$147,775	$188,960	$194,910	$205,405	$215,850	$186,590
Homicide	0	0	0	0	0	0
Motor Vehicle/ Criminal Arrests	645	502	567	457	391	442
Warning Cards Issued	3,244	2,632	3,350	2,784	2,298	3,637
Motor Vehicle Defect Cards	568	435	652	542	299	523
Parking Tickets	1,853	1,512	2,131	2,453	1,309	1,763
Assaults	15	16	11	06	07	7
Burglaries	16	20	19	10	21	25
Larceny	62	70	63	91	87	54
Assistance to other Agencies	735	795	708	803	708	920
Building Checks	18,400	14,791	13,225	11,854	11,806	12,054
Alarms	310	349	379	375	332	372
Total Complaints	2,986	3,250	2,955	3,152	2,892	2,985
Total Patrol Miles	170,508	153,930	137,663	153,192	154,999	139,856
Gallons of Gas Used	12,186	11,352	10,034	9,340	9,440	8,369

The department's criminal investigations have averaged 218 per year during the past six years. Table XII-3 gives the total number of criminal complaints and the number and percent cleared. The term "cleared" means that a suspect was arrested, restitution was made to the victim or the investigation determined the complaint was unfounded. During the past five years, the department has been able to clear an average of 80.82% of the complaints. There has been an increase in criminal threats and fraud via computer and internet over the past two years.

Table XII-3: Police Department Criminal Investigations

	1998	1999	2000	2001	2002	2003
Total Number of Cases	169	198	234	234	219	204
Number of Cases Cleared	138	170	183	192	164	169
Percent Cleared	81.6%	85.8%	78.2%	82.1%	75%	83%

In 1995, the Kennebunkport Police Department shifted its emphasis from traditional policing that focuses on solving crime to a preventative approach involving communities. This is a national trend growing out of the successful pilot project called "Crime Watch", which was started in the 1980's by a utility company. The organization, training, and familiar signs were provided by private funds to towns serviced by that utility.

Another community program is JUMP START, a new pilot project offered to non-violent juvenile offenders as an alternative to a court appearance. Volunteer mentors are screened and assigned to one juvenile for an eight-week course on decision making. Various instructors trained to work with young people conduct these classes at the Kennebunk Police Station. The final class involves other members of the community to supply a larger support system to the graduates. Mentors are encouraged to stay in touch with their young friends after the course. Response has been good from parents, students, and mentors. There is currently a need for more men as mentors.

Following the results of a school-conducted survey in spring 1994, the drug abuse program known as DART has been very active. There have been several evenings of discussion between teachers, parents, and young people on social problems facing students in our fast-moving society.

b. Fire Protection. Until 2005, the Town was served by four independent volunteer fire companies and coordinated by a full-time Fire Protection Administrator employed by the Town. At the 2005 Town Meeting, it was decided to combine the four companies into a single municipal department headed by a Fire Chief and to merge the previous four fire protection zones into a single, town-wide zone. This change was begun in 2002 by the Town's volunteer firefighters, and it was heavily supported by them with the goal of creating a more unified organization and an enhanced level of protection for the Town. The four private fire companies are expected to continue as service organizations in support of the Kennebunkport Fire Department. The Village and Wildwood (Wildes District) Fire companies occupy two firehouses belonging to the Town; the Cape Porpoise and Goose Rocks companies own their own buildings which the Town leases.

There are about 80 active firefighters in the newly combined Kennebunkport Fire Department. The department operates as a "call force", and firefighters are presently paid only for response to calls and some training time.

The Wildwood (Wildes District) Volunteer Fire Company completed a major expansion of the fire station in 1989. Goose Rocks Beach Fire Company completed a new facility on Route 9 in 1991. Cape Porpoise Fire Company recently expanded its facilities on the second floor. The new North Street Fire station was completed in 2002.

The fire companies normally endeavor to raise funds privately to augment their operating expenses. Since 1984, fire apparatus has been purchased privately by the individual fire companies and financed by the Kittredge Family Fire Equipment Fund or and the Clifford Seavey Trust. The Kittredge Family Fire Equipment Fund is a

trust left to the people of Kennebunkport for the purpose of buying fully equipped fire trucks.

"We believe that the most effective control of fire in small towns is accomplished by volunteer fire companies and we desire to encourage their continuance and the interest of their membership in our community by contributing to their support, therefore, it is our intention as a family to establish a Trust Fund for the Town of Kennebunkport for the Purchase of new fire-fighting and rescue vehicles, equipped and ready for service…"

- From the will of Russell Kittredge

The fund income is distributed annually to each fire company in accordance with the provisions of the trust. As a result of the present cost of fire trucks, the two most recent truck purchases have required that the four companies pool their Kittredge fund proceeds. The Clifford Seavey Trust is a similar fund intended to benefit the Village Fire Company. Because of these Trusts, the Town has not had to purchase a new truck since 1981. Thanks to these Trusts the town's fire companies are very well equipped.

Table XII-4 lists the major equipment housed in each station. It can be noted that almost every truck carries a pump of considerable size. The fire department considers that essential to provide protection to buildings situated far from hydrants.

Table XII-4: Fire Equipment and Condition 2005

Location/Vehicle	Year Manufactured	Equipment	Condition	To Be Replaced
Cape Porpoise				
Ladder #4	1989	1,250gpm pump 500 gallon tank 1200 feet of 4" hose 75' ladder	Fair	2014
Brush #5	1974	150 gallons water Portable pump 4 WD brush truck	Good	Not Scheduled
Port Village				
Engine #12	1997	1,500 gpm pump 1000 gallon tank 2000' 4" hose	Good	2027
Engine #13	1989	1,500 gpm pump	Good	Not

Location/Vehicle	Year Manufactured	Equipment	Condition	To Be Replaced
		500 gallon tank 3,350' 4" hose		Scheduled
Ladder #14	1975	1,250 gpm pump 300 gallon tank 2000' 4" hose 50' ladder	Good	Not Scheduled
Brush #15	1984	250 gallon tank Winch, floating pump 4 WD brush truck	Good	Not Scheduled
Wildwood				
Engine #22	1980	250 gpm pump 300 gallon tank Winch 4 WD Mini-pumper	Good	Not Scheduled
Engine #23	1989	1,500 gpm pump 750 gallon tank 2000' 4" hose	Good	2019
Marine 3	1999	11' Inflatable Rescue Boat & Trailer	Good	Not Scheduled
Goose Rocks				
Tank 1	2004	500 gpm pump 3,500 gallon tank	New	Not Scheduled
Engine #33	1991	1,250 gpm pump 750 gallon tank 2000' 4" hose Jaws of Life	Good	2021
Ladder #34	1998	1,500 gpm pump 300 gallon tank 1600' 4" hose 75' ladder	Good	2028
Brush #35	1980	175 gallon tank Floating pump 4 WD brush truck	Good	Not Scheduled
Marine 1	2003	13' Inflatable Rescue Boat & Trailer	Good	Not Scheduled
Marine 2	1996	Jet-ski & Trailer	Good	Not Scheduled

In recent years, a major goal of the fire department has been to improve the quality of protection in lightly settled areas not served by the water piping of the K.K.&W. water system. This is being done by installing 80 dry hydrants. A dry hydrant carries no water under pressure, but is connected by permanent piping to a well, a pond, or to salt water. In an emergency, a fire truck connects a suction hose to the hydrant and then uses the pressure from its own pump to force water to the scene of the fire. This program has resulted in better insurance ratings for the entire town.

In 1968, an extensive Fire Lane project was undertaken. These lanes are mostly on private property and are to be used for fire fighting only, but many of them have since become private rights-of-way to homes built since that date. In 1994, yellow numbered posts were erected to identify them for fire fighters.

c. Emergency Medical Services. The Town EMS facilities are currently maintained by the private volunteer Kennebunkport Emergency Medical Services (KEMS). The service was established in 1979. Currently KEMS consists of an all-volunteer group of approximately 30 members. In addition, a paid, per-diem ALS (advanced life support) person is hired from 6am to 6pm Monday through Saturday to supplement the volunteer coverage. KEMS is governed by a 12 member Board of Directors. The size of the organization does not fluctuate during the year, allowing a two or three person crew to be available on each shift.

KEMS is funded through its annual membership drive, fees for service, private donations and financial support from the Town. In 2005, the Town voted $60,445 in support of KEMS.

KEMS maintains one new ambulance, which is located at the Cape Porpoise Fire Company. During the past three years, the service has responded to an average of 290 calls per year, with little change between the three years. Due to the daytime availability of volunteers, it is likely that the program of hiring per diem ALS personnel will continue.

d. Communication Service. The Town's Communications Service is presently operated as an adjunct to the Police Department in their facility on Route 9 (intersection of Route 9 and Old Cape Road), but it supports all three services described above. The service accepts emergency telephone calls 24 hours a day, seven days a week, and maintains radio contact with all public safety facilities and vehicles. It is understood that during the summer months, message traffic is approaching a level where two communications operators may be needed. The town is now fully equipped for enhanced 911.

3. Highways

The Highway Department maintains nearly 52 miles of roads within the town, as well as related drainage systems and sidewalks. The Department is also committed to upgrading the stone seawalls that border Ocean Avenue along Cape Arundel. The Landon Road Book numbers and gives the history of every public and private way in town. This is invaluable for settling disputes and locating easements. The Fire Administrator is continually updating the book as new rights of way are added. A listing of Highway Department equipment can be found in Table XII-5.

Table XII-5: Kennebunkport Highway Department – Equipment

Truck #1	1997 GMC 2500 4x4 Pick-up w/Fisher V-plow	60,000 mi.
Truck #2	1987 GMC Brigadier Dump Truck w/11ft QS plow, 10ft wing and s/s Hopper sander	49,000 mi
Truck #3	2000 Navistar 4900 Dump Truck w/11ft plow,10ft wing, s/s Hopper sander	8,000 mi
Truck #4	1972 International 1700 Dump Truck (spare truck, old fire truck), 11 ft plow w/rubber cutting edge for gravel roads	21,000 mi
Truck #5	2000 Navistar 4900 Dump Truck w/10ft QS plow,10ft wing, s/s Hopper sander	8,000 mi
Truck #6	1998 GMC 3500 Dump Truck 2x4 used for light duty	25,400 mi
Truck #7	2004 International 7400 Wheeler Dump Truck w/11ft QS plow, 10ft wing, integrated body	2,000 mi
Truck #8	2002 International 4300 Dump Truck w/10 ft QS Plow, 9 ft wing & tailgate sander	3,000 mi
Truck # 9	1994 Chevrolet 1500 Pick up	120,000 mi
	Other Equipment	
	1994 John Deere Loader	3700 hrs
	1978 501-s Austin Road Grader	520 hrs
	1996 Case Backhoe	1400 hrs
	2001 Tennant 800 Sweeper	100 hrs
	G5200 Kubota Lawn Tractor	1400 hrs
	Trackless Tractor model MT5T - used year round with 5ft snow blower, 5ft sidewalk plow, 5ft street broom, 5ft flail mower (boom mounted for ditches and dump mowing)	
	sidewalk roller	low hrs on new engine
	1987 Smith air compressor	580 hrs

Table XII-6: Significant Culverts and Bridge Openings In Kennebunkport

Identification	Dimensions
Goose Fare Bridge	20' wide; 26' span
Hutchins School Bridge	32' wide; 29' span
Goff Brook Bridge	16' wide; 16' deep
Mill Bridge	2 culverts 52' long; 5' high
Smith Brook (Rt. 9 at Clock Farm)	8' cement culvert
Eastern Branch (at Dyke Road)	14' metal culvert
King's Highway Bridge (Goose Rocks Beach)	13' wide; 6' deep
Beaver Pond Brook (New Biddeford Rd.)	10' wide; 8' high (metal culvert)
Beaver Pond Brook (North End)	two 5' culverts side by side
Winter Harbor Road	4' metal culvert
Oak Ridge Road (at Goose Rocks Rd)	5' metal culvert
Sonny Hutchins Bridge	13' wide; 11' high
Arundel Road (at Chick Farm)	8' metal culvert (plus 4')
Shute on Goose Rocks Road	7' metal culvert
Guinea Road (at Roscoe Wilde Corner)	two 6' x 3' high metal culverts
Goose Rocks Road (by J. Steele)	5' metal culvert
Goose Rocks Road (by E. Campbell)	8' metal culvert
Batson River Bridge (rte. 9)	65' wide; 15' deep
Tyler Brook (rte. 9)	7' metal culvert
Turbat's Creek	3' metal culvert
Lake of the Woods (by Bush compound)	30" metal culvert
Glen Haven Bridge (Ocean Ave)	14' wide; 8' deep
Booth Tarkington Float (off Ocean ave)	4' aluminum culvert
Fairfield Bridge (Ocean Ave)	54' wide; 10' deep
South Brook (Ocean Ave)	2' cement culvert
Kennebunk River Bridge (in Village)	50' wide; 15' deep

4. Health & Sanitation

Several loosely related items fall under this heading.

a. Health Care. The Kennebunkport Public Health Department is located at the Police Station, on the corner of School Street and Main Street (Intersection of Route 9 and Old Cape Road). The Department provides traditional skilled nursing care in the home and office. Additional therapies and home health aides are provided by Interim Care. The nursing staff provides the coordination and nursing aspects. Residents have a complete range of services.

Residents use the Department to obtain cardio-pulmonary evaluations, wound assessments, T.B. Testing, information on environmental issues (e.g. West Nile Virus, Lyme Disease, beach and well pollution), and treatment for various health related concerns. The Public Health nursing staff works closely with the State of

Maine's Bureau of Public Health to assist residents and guests with their health and safety concerns. Numerous clinics and informational programs are offered to the public.

The Public Health Department also provides several non-nursing services to elderly residents and their families. Among these services are the Lifeline Program (an emergency response program), FISH (transportation to doctors offices, grocery store, etc by volunteers), Meals on Wheels, Senior Meal Site (twice monthly senior meal sponsored by the Department and the Area Agency on Aging), and the loan closet (durable home medical equipment free to residents).

Additionally, the Department administers the State of Maine's General Assistance Program. Residents can utilize the Public Health Department to obtain information on state and federal programs dealing with health care, food, heat, housing and medications. The Department also coordinates several community social service activities. These include holiday baskets, Secret Santa, Church Community food pantry, fuel programs, Senior Elves, Garden Club projects, and other church, civic, and individual projects.

b. Solid Waste Disposal and Recycling. Acting under pressure from State regulatory authorities, the Town has closed its former dump. A ground water monitoring program is being conducted at the closed dumpsite per State Department of Environmental Protection regulations. All demolition debris, grass, leaves, brush and household appliances must be taken to Kennebunk's Sea Road facility. Disposal fees vary for the different types of materials. Containers for corrugated cardboard recycling are located at Bradbury's Market and the Municipal Parking lot.

To provide for the disposal of solid waste, the Town has a 17-year contract with Maine Energy Recovery Corporation (MERC) in Biddeford, which incinerates it. The Town's volume of waste is currently estimated at 3,000 tons per year. The Town pays for a curbside pick-up system for solid waste collection.

Kennebunkport also participates in a recycling program. Curbside pick-up is used to recycle cans, clear glass, plastic, and paper, all of which will be sorted by the Town's contracted trash removal service. Recyclable items may also be taken to the Center for Recycling in Kennebunk. In 2000, the recycling rate, as calculated by the State Planning Office, was 35.4%.

Table XII-7: State Planning Office 2000 Recycling Report

Year	Residential Waste Tons	Bulky Waste Tons	Commercial Waste Tons	Total MSW Tons	Residential Recycled Tons	Bulky Recycled Tons	Comm. Recycled Tons	Total Recycled Tons	Base Rate	Adjusted Recycling Rate*

2000	2154	463	1644	4261	310	217	513	1041	24.4	35.4

* Base recycling rate is per cent of material recycled (total amount of material divided by total amount of waste.). Each town then receives a credit of 5% for Maine's mandatory recycling law. Compost credits are then given for types of compost recycled and any education programs the town may run. This calculation then provides an adjusted recycling rate,

The Town's current tipping fee at Maine Energy is $64 per ton. The tipping fee is a complex calculation whereby Maine Energy submits projections for tipping based on plant operations. As of June 2004, the Town and 12 other communities have negotiated a new long term Waste Handling Agreement with Maine Energy for waste disposal. At the June 12, 2004 Town meeting, voters approved the execution of a long term contract. The tipping fee will decrease initially and slowly increase with cost of living adjustments for the next 20 years.

c. Storm Water Management. Storm water is collected via numerous small systems, located primarily in densely developed areas such as Dock Square, along Ocean Avenue, North Street, Cape Porpoise Square, and areas along Goose Rocks Beach. Run-off is collected and discharged directly into the Kennebunk River, tidal marshes, or the Atlantic Ocean.

5. Sewer System

The Town's wastewater collection system has been extended into the most densely populated areas of the town such as Dock Square, Cape Arundel, Cape Porpoise, and Goose Rocks Beach. The system now serves slightly over half of all the inhabited buildings in the town. Due to the nature of the town, the system does experience a higher volume of wastewater flow in the summer when the tourists and summer residents are in town. In 2004, the yearly average flow into the treatment plant was 312,000 gallons per day. In the summer of 2004 (June 1 through Aug. 30), the average daily flow was 433,000 gallons per day, and in the other months of 2004, there was an average daily flow of 256,000 gallons per day. The treatment plant has the daily capacity to handle spikes caused by heavy rainfall of up to 1,800,000 gallons per day. The treatment plant is licensed to treat and discharge up to 700,000 gallons per day of effluent at a total of 45# of solids—the capacity of the treatment plant has not been reached.

Each housing unit using the sewer system pumps about 180 gallons of sewerage into it per day. The difference between the total capacity 700,000 gallons per day and the summertime average daily flow of 433,000 gallons per day is 267,000 gallons per day. A total of 1,483 new housing units would need to be added in the town before the system's capacity was reached. As the housing projections in Chapter X show, only a fraction of that number of homes are expected to be built through 2015. However, the Sewer Department has already started to evaluate future needs, including land acquisition and treatment capacity.

The Sewer Department has, in the past, had an engineering firm complete a study and write a report on the capacity and condition of the treatment plant. The study identified the problems for the near future. The Town has reviewed their recommendations and has already implemented a number of them and continues to work on the others. The Master Plan included a recommendation for sludge storage and has hired another engineering firm to complete a cost benefit analysis for a sludge storage and digestion facility. The Maine Department of Environmental Protection requires the department to do year round disinfection of the effluent from the treatment plan which requires the construction of a storage building for the chemicals that will be needed.These two projects were approved in the budget and were completed in June 2005.

It is important to note that, in the areas proposed as Growth Areas in this plan, any expansion of the sewer system will require additional new pumping stations, as gravity feed is not a viable option because of the types of soil and ledge in the area. Side streets in Goose Rocks are services by eight-inch lines and feed into a larger line on Kings Highway. If there is substantial growth in this area, a complete engineering flow study will have to be completed to assure that the size of the pumping stations between Goose Rocks and the treatment facility are capable of handling the additional volumes.

6. Parks & Recreation

The goal of the Parks & Recreation Department is to provide programs and facilities that enhance the quality of life for all our citizens. The Recreation Committee is responsible for the assessment of existing facilities and the development of new facilities as needed.

Parks	Amenities
Beachwood Park Parson's Field C P Fireman's Park Silas Perkins Park	2 tennis courts, basketball court, playground, picnic area multi purpose field configured for many different sports softball/Little League baseball field, picnic area, playground a restful spot on the Kennebunk River with benches and picnic tables.

The Committee is presently developing a new park consisting of an ice skating area and a trail head for a series of pedestrian/bicycle trails. Safe, alternative transportation is a priority.

7. Water Supply

About one-third of the residents of Kennebunkport derive their water supplies from private individual wells. As noted in Chapter VI, supplies of ground water seem satisfactory, at present, in both quality and quantity.

The remainder of the town obtains its water from the Kennebunk, Kennebunkport & Wells Water District (K.K. & W.W.D), which was established in 1921 by an Act of the Maine State Legislature.

The KK&WWD receives its water primarily from Branch Brook, which flows through parts of Kennebunk, Wells, and Sanford. KK&WWD, on its own initiative, pursues protection of Branch Brook from development and from pollution. Filtration and pumping facilities are located in Kennebunk. KK&WWD is also tied into the Saco River to provide additional water during peak summer demand periods. The district's primary storage tank is located on Crow Hill in Cape Porpoise, providing an abundant, centrally located water source for Kennebunkport.

(Water quality is discussed in Chapter VI: Water Resources.)

8. Electric Utility

All of Kennebunkport is supplied by the Central Maine Power Company (CMP). Frequency of power outages and response to emergencies are probably normal for utilities serving small communities in this latitude. Power rates are high compared to most of the rest of the United States.

The CMP 100-foot wide power line that runs along the northwest Town line into the center of town is kept free of foliage by periodic spraying. The last spraying was conducted in 2000 and is done every four years. There is no aerial spraying. The work is done from backpacks containing organic compounds (Garlon #4 and Escort) diluted in water to 3% and 5%, respectively. They break down in the soil and are non-toxic to humans. The operation is licensed by the State and any landowners preferring to treat their own foliage may request a non-spray agreement with CMP.

9. General Government

This budget category covers a number of routine but absolutely essential functions, which are carried on within the Town Hall. Among them are Code Enforcement, Tax Assessment and Collection, Bookkeeping, Maintenance of Records, and General Management of the Town.

B. Public Facilities

Many of the town's public facilities have already been mentioned in connection with the organizations which use them. In some cases, however, the facilities themselves deserve further comment.

1. Municipal Offices

At the March, 2000 Annual Town Meeting, voters passed two warrant articles which funded three buildings projects intended to address infrastructure and space needs: construction of an addition on the police station to house the public health nurses; construction of a new fire station for the Village Fire Company and a public meeting room at 30 North Street; and renovation of the existing Town Office on Elm Street.

The nurses moved into their new facility in late December 2001. Their move from Elm Street made about one-quarter of the total floor space in that facility available for other Town departments to expand. The Village Fire Station was completed in May 2002. Once the fire trucks were moved, the Town embarked on the renovation of the Elm Street facility. That renovation is seen as a temporary solution for the Town, lasting five to ten years. There is talk of the Town taking back the Consolidated School for a possible future site of the Town Offices, after a new elementary school is built although no final determination has been made about when or where a new town office would be built.

The Town has developed an interactive website which may eventually enable residents with computer access to pay taxes and conduct, car registration and other licensing services online. Development of this website, which would make many materials available online and diminish the need for some members of the public or committees to travel to the town office, might alleviate some of the pressures for parking and space needs at Elm Street.

2. Police/Communications Facility

Since April 1, 1996, the Police Department/Communications has been located in a building on Town-owned property near the intersection of Old Cape Road and Route 9. This centrally located facility provides the Department with much needed space for adequate and safe working conditions.

3. Highway Department

The facilities of the Highway Department are located off Beachwood Avenue, adjoining the former Town Dump. They include a Town Garage, fuel storage tanks, and a shed for salt and sand. The facilities appear satisfactory for the operations conducted there, with the exception of additional equipment and materials storage, which may be needed in the near future.

4. Piers

The Town operates two piers for the use of fishermen, which have been described in Chapter VI.

5. Shopping Area

Although there is a seasonal general store in Goose Rocks Beach and well-stocked grocery and wine stores in Cape Porpoise Square, most shopping activity in Kennebunkport is concentrated in the area of Dock Square and the Kennebunk Riverfront. Hence, the appearance of the Dock Square neighborhood is of concern to all. For many visitors, it is their first look at the town. Most of the merchants make every effort to keep their buildings in good repair. The holiday decorations for Christmas Prelude are outstanding. In the summer, the Seacoast Garden Club maintains the lovely flowers at the Civil War Memorial. On Memorial Day, we can all be proud of our town as we meet there.

The Dock Square area has recently undergone a number of public improvements. Brick sidewalks with granite curbing have been installed. New lighting has also been installed.

Traffic in the Dock Square area, both pedestrian and vehicular, is a recurring source of concern and irritation. As the law requires, pedestrians are given the right of way, with the result that they meander oblivious in all directions, with little or no regard for the painted crosswalks. Meanwhile auto traffic, obliged to cross the Kennebunk River here on the only bridge within a mile, suffers long delays. Drivers, with little to do but sit and ponder, wonder if there may be a more efficient way to move people and cars through this bottleneck. Actually, the Town Police Department has considered several alternative routing schemes for Dock Square, but these require State approval because the principal road through Dock Square is State Route 9.

6. Parking Facilities

Parking facilities in Kennebunkport are inventoried in Chapter XIII (see p. 184).

7. Shade Trees

The town's exceptional shade trees, as mentioned previously in Chapter III, receive the attention of a Shade Tree Committee. Their activities center around the Town's still numerous elm trees. An aggressive program of immunization, replacement plantings, and pruning are the main components of the Shade Tree Committee's work. The Committee receives its funding from the Town.

8. Cemeteries

The Town of Kennebunkport does not own any cemeteries, but within the town there are at least 70 burial grounds of various sizes, which belong to churches or individual families. Town activity is confined to contributing to the maintenance of gravesites of veterans buried in the Arundel Cemetery on North Street. Many of the cemeteries are of considerable historical interest. See Chapter IV for a complete inventory of cemeteries.

9. Rest Rooms

Despite the obvious need for rest rooms in a town, which hosts a very high number of tourists, the voters of Kennebunkport have found it challenging to agree upon a means to provide them. For many years, there were no public rest rooms of any kind in the town. Recently, limited facilities have been made available in leased property near Dock Square. These facilities are funded jointly by the Chamber of Commerce, the Town, and private contributions. A discussion of rest room facilities in beach areas is discussed in Chapter V.

10. Signs/Maps

The Town is working to make it easier for a first-time visitor to find his/her way around. Signs indicating street names were installed. A street map on a grid is now available from the Kennebunk-Kennebunkport Chamber of Commerce on Route 35, however, it does not show the northern section of town.

C. Relationship With The Town Of Kennebunk

It would be negligent to review the services and facilities of the Town without mentioning the benefits which the Town receives from the close relationship which has been developed with the Town of Kennebunk. Through this relationship, Kennebunkport shares the use of several services which it would find difficult to maintain entirely on its own. Examples of shared services include:

Recycling Facility
Recreational Programs and Facilities
Youth Services Officer
Kennebunk River Committee/Harbormaster
Public Safety
Fireworks

Both towns and Arundel are currently analyzing how they can improve and enhance interlocal cooperation.

II. ANALYSIS AND CONCLUSIONS

The costs of education have recently become a source of concern amongst Kennebunkport residents. A discussion of this issue continues within the Board of S.A.D. #71. While there is little question about the quality of education within S.A.D. #71, the rising costs are beginning to seriously impact the Town budget. These costs will likely increase as new schools come on line and may also be impacted by state budget shortfalls.

With the change in the formula for cost sharing in S.A.D. #71, the costs of education are being reduced for Kennebunkport residents. These costs will likely increase again in the future with new educational pressures, but they will be more equitably shared. They may also be impacted by state budget shortfalls. The quality of education in S. A. D. #71 continues to be good.

The town has made a number of infrastructure related and other improvements within recent years. These include: investments in the sewer system; improvements to Dock Square; and renovations of the Town Hall. An examination of how to tie additional improvements into growth related capital investments over the next few years will be a challenge for the upcoming Capital Improvements Program.

It is almost impossible to accurately plan for public facilities without first projecting the ultimate population growth and time spans anticipated for such growth. Anticipated changes in demographics and public policy must be identified and included in any long term plan for public facilities. A review of the 1996 Comprehensive Plan finds that many of the goals and objectives noted have not changed significantly and may bear repetition. The inventory of public facilities as developed by the Kennebunkport Town Manager, Town Department Heads, and Planning Associates is considered to be accurate and should be included in the Comprehensive Plan.

A list of proposed public facility and capital improvements, including costs, is provided in Chapter XVI (Capital Investment Strategy). Other services will be needed to accommodate future growth such as the need for additional employees, which will be studied and considered at a later date. At the present time, the FY 2005 budget includes an additional police officer, a part time deputy town clerk, and funding for additional paramedic services. The Board of Selectmen will be conducting a 5 to 10 year personnel needs analysis during the summer of 2004.

III: IMPLEMENTATION

STATE GOAL: TO PLAN FOR, FINANCE AND DEVELOP AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO

ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

TOWN GOAL 1: MAINTAIN A LOCALLY BASED PUBLIC SCHOOL FACILITY.

Policy 1: A K-5 local public school facility will continue to be located and maintained in Kennebunkport.

Strategy 1: Monitor annual budgets as projected by S.A.D. #71 to assure proper monies are included each year for capital improvement and maintenance for the Consolidated School to maintain at the expected levels that provide an excellent environment for learning.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Assure that Kennebunkport pays only the costs specified by State Law by current formula and subsequent revisions to S.A.D. #71.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 3: Establish and appoint a three-member committee consisting of one Kennebunkport S.A.D. #71 director, one Kennebunkport resident, and one Kennebunkport selectman to coordinate these efforts.

Responsibility: Board of Selectmen
Timeframe: 1 year

Strategy 4: Support the purchase of land or the renovation of the Consolidated School by S.A.D. #71 to ensure the continuance of a community elementary (minimum K-5) school in Kennebunkport.

Responsibility: Board of Selectmen, S.A.D. #71 Board of Directors
Timeframe: 4 years

Note: Assume cost sharing from the beginning: Use the new formula specified by state law to estimate the fraction of its cost to the Town for land acquisition or renovation. The resulting figure will represent the Town's share of the estimated costs for a new school as listed in the Capital Investment Strategy in Chapter XVI.

TOWN GOAL 2: MAINTAIN MUNICIPAL OFFICES FOR TOWN GOVERNMENT AND RELATED SERVICES.

Policy 1: Provide adequate and professional facilities for government and related agencies, housed in a visually prominent central facility in or near proposed "growth" areas. Avoid the use of fragmented sites when possible and assist the public to provide "one spot" shopping for municipal services.

Strategy 1: Project the growth of Town government and its employees based upon anticipated population growth and policies which impact on the anticipated need for increased responsibilities and services. Evaluate future management and administrative personnel needs and provide facilities for those identified as potential additional future town employees.

Responsibility: Board of Selectmen, Town Manager
Timeframe: 1 year

Strategy 2: Provide limited evening and/or Saturday operating hours for availability of municipal services to the public outside of the normal work week of the public.

Responsibility: Board of Selectmen, Town Manager
Timeframe: 1 year

Strategy 3: Pursue acquisition of land for municipal facilities as deemed necessary by the Board of Selectmen.

Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 3: PROVIDE PUBLIC SEWER SERVICE IN AREAS DESIGNATED AS GROWTH AREAS.

Policy 1: Monitor the need for sewage facilities based upon development within the projected growth areas and where sewer expansion will benefit environmentally sensitive areas.

Strategy 1: Determine the best method, and project the estimated costs, to make substantial improvements to the wastewater treatment

plant as the need arises. Costs will continue to be the responsibility of developers when associated with development.

Responsibility: Board of Selectmen, Sewer Superintendent, Sewer Committee
Timeframe: Ongoing

Strategy 2: Determine the need for special assessments and/or impact fees to finance improvements and maintenance of the wastewater treatment system.

Responsibility: Board of Selectmen, Sewer Superintendent
Timeframe: 2 years

TOWN GOAL 4: PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES TO MEET THE NEEDS OF THE COMMUNICATIONS.

Policy 1: Maintain an adequate police department to meet year-round and seasonal needs to protect the citizens and properties of Kennebunkport.

Strategy 1: Coordinate police activities with the State, County, abutting communities, and other public safety departments and agencies.

Responsibility: Police Department
Timeframe: Ongoing

Strategy 2: Maintain existing local 911 emergency service until a regional service can be demonstrated to work as efficiently.

Responsibility: Police Department, Fire Chief, KEMS
Timeframe: Ongoing

Policy 2: Maintain an adequate fire department and continue efforts to rely on the cost effective style of a call or volunteer system.

Strategy 1: Consolidate fire service, where appropriate, to assure the availability of volunteer service for the foreseeable future.

Responsibility: Fire Chief, Board of Selectmen
Timeframe: 1 year

Strategy 2: Support mutual aid programs.

Responsibility: Fire Chief, Police Department
Timeframe: Ongoing

Policy 3: Provide adequate facilities and equipment for the maintenance, improvement, and repair of our local roads.

Strategy 1: Maintain and develop a coordinated drainage system including all necessary ditches, streams, culverts, and drainage structures.

Responsibility: Highway Department
Timeframe: Ongoing

TOWN GOAL 5: MAINTAIN KENNEBUNKPORT AS A "GREEN" COMMUNITY.

Policy 1: Maintain an aggressive and progressive shade tree program.

Strategy 1: Require all developers, and builders on lots to be developed, to continue to protect current trees on the lots and, where appropriate, plant shade trees in a manner consistent with a town wide plan and specification to be developed by the Shade Tree Committee. Shade Tree easements along existing public roadways or roadways that are planned to be the town's responsibility in the future, when setback areas permit, will be granted for the maintenance of the shade trees.

Responsibility: Shade Tree Committee, Planning Board
Timeframe: 2 years

Strategy 2: Provide annual funds in the Town budget to develop and implement a long range comprehensive shade tree program.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 3: The Shade Tree Committee shall continue to monitor, maintain the health and preservation of, and continue the planting of roadside trees and to educate property owners regarding the benefits of tree conservation.

Responsibility: Shade Tree Committee
Timeframe: Ongoing

Policy 2: Protect and maintain the character and ecological integrity of Goat Island Lighthouse, the Islands, and all other lands in town that are held in conservation.

Strategy 1: Encourage cooperation between the town and the Kennebunkport Conservation Trust to aid in the enforcement of Trust land use policies.

Responsibility: Board of Selectmen, Kennebunkport Conservation Trust
Timeframe: Ongoing

TOWN GOAL 6: EFFECTIVELY REDUCE AND MANAGE THE TOWN'S SOLID WASTES.

Policy 1: Continue to encourage the reduction of solid waste; support and sustain a strong, aggressive and creative, recycling program.

Strategy 1: Maintain a consistent and continuing educational program to keep citizens informed of their responsibility for recycling and their opportunity to avail themselves of programs available for them to use.

Responsibility: Solid Waste Committee, Conservation Commission
Timeframe: Ongoing

Strategy 2: Develop a program to assist commercial properties to actively participate in recycling programs.

Responsibility: Solid Waste Committee, Conservation Commission
Timeframe: Ongoing

Strategy 3: Continue hazardous waste disposal program with Kennebunk.

Responsibility: Board of Selectmen, Solid Waste Committee
Timeframe: Ongoing

TOWN GOAL 7: PROVIDE PUBLIC TOILETS FOR VISITORS.

Policy 1: To provide public toilets on a seasonal or year-round basis in the Dock Square area and at public beaches and docks.

Strategy 1: Continue to cooperate with the business community and/or Chamber of Commerce to maintain public toilets in the Dock Square area and/or public parking area.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Provide and maintain seasonal toilets at the public beaches.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 3: Cooperate with Kennebunk to fund public toilets in the Dock Square/Lower Village areas.

Responsibility: Board of Selectmen
Timeframe: 2 years

TOWN GOAL 8: TO ENSURE PUBLIC PARTICIPATION IN TOWN GOVERNMENT.

Policy 1: Retain and encourage active public involvement in the town government.

Strategy 1: The voter-elected Board of Selectmen will continue to appoint resident volunteers to serve on the various boards and committees.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Continue with the current "Town Meeting" form of government but review its appropriateness on a periodic basis as it becomes necessary.

Responsibility: Board of Selectmen, Administration Code Committee
Timeframe: Ongoing

Policy 2: Communicate better with the public by offering easier access to services.

Strategy 1: Promote and improve the information and services available on the Town's web site such as, but not limited to on-line building

permits, tax payments, auto registration, assessors data base, etc.

Responsibility: Town Manager
Timeframe: Ongoing

Strategy 2: Adjust Town Office business hours to allow for one evening or Saturday morning hours.

Responsibility: Board of Selectmen, Town Manager
Timeframe: 1 year

CHAPTER XIII. TRANSPORTATION

I. INVENTORY

A. Overview

"Increased traffic is one of the most important issues facing the town today." Approximately 70% of the respondents to the Community Survey conducted as part of the development of this Comprehensive Plan agreed or strongly agreed. This Transportation Inventory collects available information regarding travel in, around, to, and from Kennebunkport and identifies transportation issues that will need to be addressed in the future.

B. Roads and Bridges

In a bygone day, electric trolley cars brought visitors to the seaside town of Kennebunkport. The town also served as harbor for imported materials for some York County mills. Now, the vacationers come by car, and the freight by truck, making the roadway network the most important transportation asset in the community.

The aesthetics of these roadways are an important factor in defining community character. In Kennebunkport's villages, the roadways generally have sidewalks and on-street parking, coupled with a mix of high-density commercial and residential land use. In the rural areas, the narrow, often curvy roadways complement the pastoral scenery.

There are more than 50 miles of publicly owned roadways in Kennebunkport. Approximately 8 miles are maintained by the state, with the remaining in Town jurisdiction. ***Figure XIII-1*** shows the jurisdiction of Kennebunkport's roads.

There are ten publicly owned bridges in Kennebunkport. Maintenance responsibility is determined by the Maine Department of Transportation's (MDOT's) Local Bridge Program, which became law in July of 2001. Bridges of at least 20 feet in length on town or state-aid roadways are the responsibility of MDOT. Minor spans, which are bridges that are at least 10 feet but less than 20 feet in length, that are on town roadways are the responsibility of the municipality. If a minor span is located on a state or state-aid roadway, maintenance responsibility falls with MDOT. As such, the Town of Kennebunkport is responsible for the maintenance of seven bridges.

MDOT inspects all bridges and minor spans on public ways every two years in accordance with the Federal Highway Administration (FHWA) and MDOT's Bridge

Management Coding Guides. The inspections result in a Federal Sufficiency Rating (FSR) for each bridge. Kennebunkport's bridges were last inspected in 2002. The three town maintained bridges resulted in FSRs between 64.4 and 91.5, indicating satisfactory to excellent condition. See ***Figure XIII-1***.

Also notable, North Street and Route 9 are subject to MDOT's Access Management Rules. Primarily to enhance safety and ensure proper drainage, the rules outline design and location standards for new or changed driveways and entrances onto Route 9 and North Street in Kennebunkport.

MDOT adopted these access management rules in 2002 in response to the enactment of An Act to Ensure Cost Effective and Safe Highways in the State by the Legislature in 2000, which addressed arterial capacity, poor drainage, and the high number of driveway-related crashes. The rules regulate sight distance, corner clearance, spacing, width, setbacks, parking, drainage, and mitigation requirements. Under these rules, in order to obtain a permit from MaineDOT, any new or changed driveway or entrance on state and state-aid highways located outside urban compact areas must meet specifications described in the rules. The rules can be viewed at http://www.state.me.us/mdot/planning/bureauweb/accesslinks.htm.

The rules are organized into a four-tier system with regulation of driveways and entrances increasing for roads with higher mobility importance and poorer safety records. The following are the designations for Kennebunkport's highway network:

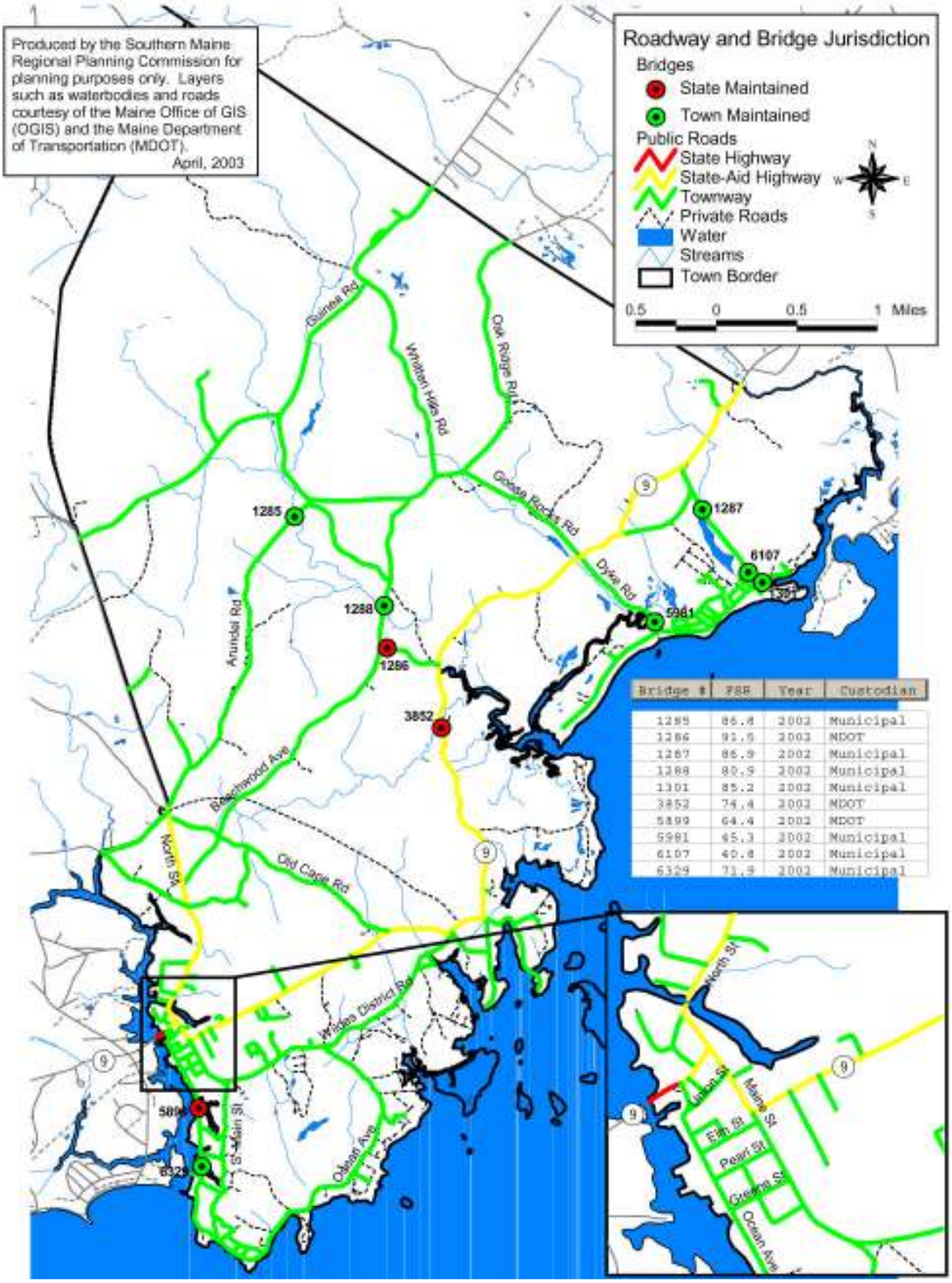
1. Basic Safety Standards apply to all state and state-aid roads. (Route 9 and North Street)
2. Major Collector and Arterial Standards provide more detailed design standards for entrances onto major collector and arterial roads. Entrances are accesses that serve 50 or trips per day. (Route 9 and North Street)
3. Mobility corridors connect service centers and/or urban compact areas and carry at least 5000 vehicles per day along at least 50% of the corridor's length. (none in Kennebunkport)
4. Retrograde arterials are mobility corridors where the number of crashes related to a driveway or entrance exceeds the statewide average for arterials with the same posted speed. (none in Kennebunkport)

C. Traffic Volumes

The most common measure of a roadway's use is the Average Annualized Daily Traffic (AADT) volume. MDOT monitors traffic volumes throughout the state and publishes the data annually. Traffic counts are annualized to derive comparable data from different locations and account for seasonal fluctuations. Table XIII-1 lists 1995 and 2000 AADTs for Kennebunkport. The table is intended to highlight trends in growth and identify high traffic roads. Some of the data, particularly

around the Dock Square area, where people believe traffic has grown, is available for one year only so a valid comparison could not be made. When conducting traffic counts, tubes are typically placed approximately 20 yards from the nearest intersection. So, although it appears that the two Dyke Road counts are the same location, "Northwest of Kings Highway" and "Southeast of Route 9" are very different locations, over ½-mile apart with a number of driveways and businesses between, accounting for the difference in vehicles of 210 cars.

Figure XIII-1. Road Network



Bridge #	FSR	Year	Custodian
1285	86.8	2002	Municipal
1286	91.5	2003	MDOT
1287	86.9	2002	Municipal
1288	80.9	2002	Municipal
1301	85.2	2002	Municipal
3852	74.4	2002	MDOT
5899	64.4	2002	MDOT
5981	65.3	2002	Municipal
6107	40.8	2002	Municipal
6329	71.9	2002	Municipal

Table XIII-1: Average Annualized Daily Traffic (AADT) Volumes Raw and MDOT Data

Location of Counter	1995 AADT	2000 AADT	95-00 change	95-00 % growth
Arundel Rd NE of North St	810			
Beachwood Ave E of Stone Rd	650			
Dyke Rd NW of Kings Highway, GRB		1510		
Dyke Rd SE of Route 9	1510	1720	210	13.91%
Goose Rocks Rd NE of Log Cabin Rd		1060		
Goose Rocks Rd E of Whitten Hill Rd	570	820	250	43.86%
Goose Rocks Rd SW of Whitten Hill Rd	600	860	260	43.33%
Goose Rocks Rd NW of Route 9	560	770	210	37.50%
Guinea Rd NW of Whitten Hill Rd	580	600	20	3.45%
Guinea Rd SW of Whitten Hill Rd	480	500	20	4.17%
Maine St NW of Route 9 (Spring St)	5380			
Maine St SE of Elm St	2780			
Maine St NW of Greene St		3120		
Maine St W of Wildes District Rd		2480		
New Biddeford Rd Kings Highway, GRB		390		
North St NE of Maine St	4750	5530	780	16.42%
North St S of River Rd	4190	5020	830	19.81%
Ocean Ave SE of Greene St	3870			
Ocean Ave SW of Summit Ave	1880	1810	-70	-3.72%
Old Cape Rd SE of North St	1520	1630	110	7.24%
Route 9 (Spring St) SW of Route 9 (Maine St)		8610		
Route 9 (Maine St) SE of Route 9 (Spring St)	5870			
Route 9 (School Street) NE of Maine St	2940			
Route 9 N of Pier Rd	2790	2820	30	1.08%
Route 9 W of Wildes District Rd	3160	3250	90	2.85%
Route 9 S of Beachwood Ave	2360			
Route 9 SW of Goose Rocks Rd	2650	3090	440	16.60%
Route 9 NE of Goose Rocks Rd	2070	2450	380	18.36%
South Main St S of Wildes District Rd	670	540	-130	-19.40%
Stone Rd N of Beachwood Ave	280			
Whitten Hill Rd SE of Guinea Rd	180			
Wildes District Rd E of Maine St	1850	1970	120	6.49%

D. Bicycle and Pedestrian Facilities

The majority of the respondents in the Community Survey indicated support for a system of "bikeways, trails and pedestrian paths" and for the improvement and construction of new sidewalks.

The Federal Highway Administration (FHWA) published design guidance for accommodating bicycle and pedestrian travel. The policy statement recommends establishing bicycle and pedestrian ways in all new construction and reconstruction projects in urbanized areas unless prohibited by law or the cost is disproportionate to probable use. In rural areas, FHWA recommends that paved shoulders be included in all new construction and reconstruction projects on roadways serving

more than 1000 vehicles per day. The Maine Department of Transportation's (MDOT's) policy allows for paved shoulders as part of any highway improvement, reconstruction, or pavement preservation project on all roadways part of the National Highway System or roadways where the summer Average Daily Traffic exceeds 4000 vehicles. In Kennebunkport, Route 9 and North Street would qualify as indicated in ***Figure XIII-2***. The construction and maintenance of shoulders on other roadways in town would be the responsibility of the Town.

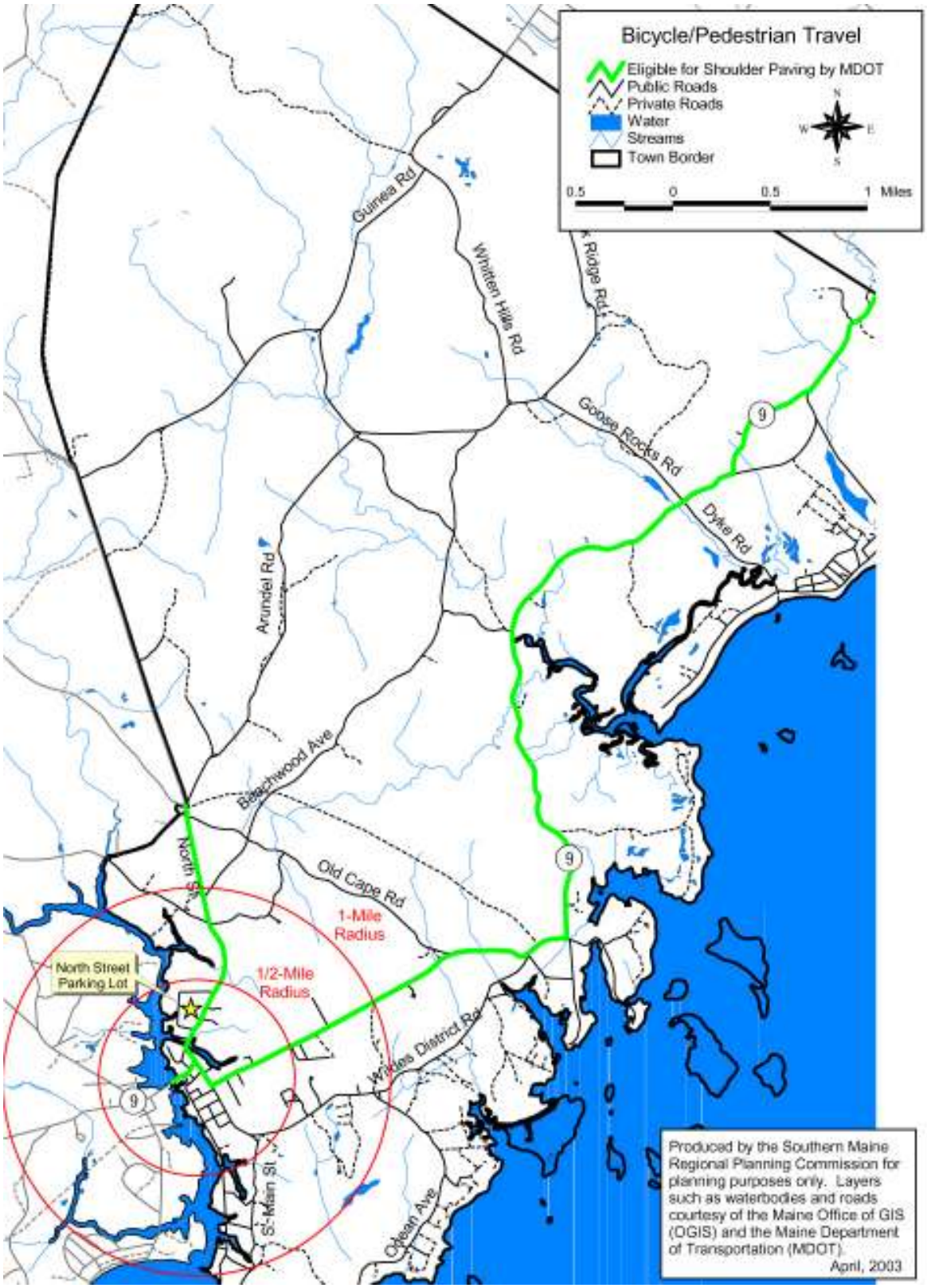
FHWA and the AASHTO Guide for the development of Bicycle Facilities recommend a minimum width of four feet when paving shoulders. Larger widths are needed for roadways with higher bicycle usage, motor vehicle speeds greater than 50 MPH, and/or a higher percentage of truck and bus traffic. None of Kennebunkport's roads have paved shoulders that meet or exceed a width of 4 feet.

When MDOT paves shoulders, the width is determined by traffic volume and speed. On major collectors (North Street and Route 9), MDOT will typically provide 3 foot or 4 foot paved shoulders, while on arterials widths between 4 and 8 feet are more likely. MDOT considers any paved shoulder capable of being used by bicyclists and normally does not see the need to do any special designation of them. If there is going to be potentially a lot of younger bicyclists, perhaps near a school or recreational field, MDOT will consider putting in a slightly wider shoulder, but only when requested locally.

A half-mile walk is typically considered walking distance, although many people feel comfortable walking up to one mile. ***Figure XIII-2*** illustrates half-mile and one-mile radii around Dock Square. Information on the locations and capacities of existing pedestrian facilities was not available for the compilation of this inventory.

There is a sense in the community, however, that pedestrian capacity in parts of the Dock Square area is an issue. It is especially acute during the tourist season when large numbers of visitors arrive by tour/charter bus and travel through Dock Square on foot for approximately 1 to 1 ½ hours.

Figure XIII-2. Bicycle/Pedestrian Travel



E. Passenger Transportation

Kennebunkport has very limited passenger transportation. Currently, during the tourist season, a couple of trolley-style vehicles take visitors on a sightseeing tour, stopping at the principal hotels and motels as they do so. However, neither the routing nor the rates are appropriate for trips by those who do not have automobiles. In Wells and Ogunquit, seasonal systems are in place and make connections. The Community Survey indicated support for "transportation alternatives during the high traffic months (such as coordinated trolley systems similar to Ogunquit and Wells)."

The potential for a fixed-route bus service along the southern Maine coast is currently being discussed by a group of transit providers and planners in southern Maine. This effort has produced an action plan for developing the "Atlantic Shore Line," an interconnected network of bus, trolley and train service connecting coastal communities from York to Kennebunkport. Connecting Kennebunkport to the Downeaster interstate train service stops in Wells may result from this work.

The Public Health Department coordinates the FISH program in which volunteers from the Senior Center of Lower Village will take seniors who cannot drive themselves to doctors' offices, grocery stores, and other places. On Wednesdays, the York County Community Action Corporation (YCCAC) provides transportation to the Biddeford/Saco area for medical, shopping, and miscellaneous trips. YCCAC or a taxi are the only transportation options for non-senior residents.

F. Parking

Like most towns that were laid out in the horse-and-buggy era, Kennebunkport has a severe shortage of parking space. Even with approximately 350 on-street parking spaces and 90 spaces in the municipal parking lot near the Kennebunk River, parking remains very difficult during the tourist season. Additionally, there is no parking available downtown for the tour/charter buses that frequent the community. So, heavy vehicle movement is added to the downtown traffic congestion as buses leave after dropping passengers off and return to pick them up.

The parking lot formerly owned by St. Martha's Church on North Street has been acquired by the Town and authorized by the voters to take up to 150 vehicles. It is currently built to hold about 100 vehicles. The parking lot at the Consolidated School is also available during the summer vacation period. When these lots first came into public use, the Town used fees collected at the Municipal Parking Lot to fund a shuttle bus, which ran between St. Martha's, the school, and Dock Square. In 1992, the shuttle bus was discontinued because the Town Meeting ceased to provide funding for it. The outlying parking lots remain in use, but for some, the walk to Dock Square is a long one. Additional parking off hours could be made

available in private parking areas when they are not otherwise in use (see Ch IX, TG 6 Pol 1, Strategy 1, p 108).

Both Government Wharf and Cape Porpoise experience overcrowding and have limited parking. The issue is more acute at Cape Porpoise. A paved area behind the shed on the Cape Porpoise pier provides parking for fishermen's trucks. Parking for the general public is available along the road approaching the pier. See Chapter V, pp. 40-41, for a discussion of this issue.

At Goose Rocks Beach, visitors must park on the street. Space is limited, so the Town has found it necessary to restrict parking to vehicles carrying Goose Rocks Beach parking stickers. Over a thousand town residents make use of such stickers, which cost them $3.00 per year. Several thousand visitors also purchase stickers, which cost them considerably more, for periods between a day and a full season. Nevertheless, a sticker does not guarantee a place to park; on a pleasant summer weekend, all the "legal" parking spaces may be full.

The Colony Beach has room for approximately forty cars immediately adjacent to the beach, and additional spaces can often be found along the nearby streets. No stickers are required, but on a hot summer weekend, it may be impossible to find a parking space within a reasonable distance.

While there is no parking permitted on Parsons Way itself, there are some spots where parking is possible on the adjoining public right-of-way.

II. ANALYSIS AND CONCLUSIONS

- In order to maintain Kennebunkport's community character, the rural or village character of a neighborhood needs to be considered in the design of new roadway construction and existing roadway and bridge reconstruction projects.
- Route 9 and North Street are eligible for funding through the Maine Department of Transportation (MDOT) necessitating ongoing coordination between the Town of Kennebunkport and MDOT.
- The Town of Kennebunkport is responsible for the maintenance of over 50 miles of roadway and three (3) bridges.
- The location and design of new or changed driveways and entrances accessing Route 9 and North Street will be regulated by MDOT. The Town should review MDOT's Access Management Rules (see p. 176) when considering zoning changes or other town policies that may encourage future development on these roadways.
- Between 1995 and 2000, the traffic volumes measured on a number of Kennebunkport's roads increased. The summertime peak in vehicular and bus traffic creates congestion and air quality issues, especially in Dock Square.

- None of Kennebunkport's roads currently have paved shoulders that meet or exceed a width of 4 feet, which is the recommended standard for bicycle travel.
- Overcrowded sidewalks can certainly pose public safety concerns. Pedestrian facility capacity and current levels of use in Dock Square need to be monitored. In conjunction, a review of the effectiveness of the bus-notification system should be conducted and revisions considered where appropriate to ensure safety and enjoyment in Dock Square.
- Traffic flow in Dock Square needs to be monitored during periods of high traffic volume.
- Since almost 95% of the respondents in the Community Survey agreed (81% strongly agreed) with the statement, "The town should continue to support and preserve the fishing and lobstering industries within the town", it is essential to determine whether or not parking or lack thereof is a limitation for those who need access to the waterfront in order to work in these industries.

III: IMPLEMENTATION

STATE GOAL: TO PLAN FOR, FINANCE AND DEVELOP AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

TOWN GOAL 1: TO ASSURE THAT THE TRANSPORTATION INFRASTRUCTURE COMPLEMENTS THE COMMUNITY'S UNIQUE VILLAGE, RURAL, AND COASTAL CHARACTER AND CULTURE.

Policy 1: Ensure that lack of parking is not a hindrance to the support and preservation of the fishing and lobstering industries.

Strategy 1: Resolve the parking issues at Cape Porpoise Pier and Government Wharf with first priority given to commercial fishermen.

Responsibility: Board of Selectmen
Timeframe: 2 years

Policy 2: The character of the neighborhood should be considered in the design of new roadway construction and existing roadway and bridge reconstruction projects.

Strategy 1: Review existing standards and develop and adopt separate construction and roadway design standards for designated rural and growth areas in Kennebunkport as required.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Maintain ongoing coordination with the Maine Department of Transportation (MDOT) to ensure that transportation improvement projects completed on Route 9 and North Street are consistent with the character of the neighborhood.

Responsibility: Board of Selectmen, Highway Department
Timeframe: Ongoing

Strategy 3: Residents shall be given public notice and allowed input prior to any planned alterations to Town and state-owned or state-supported roads.

Responsibility: Highway Department
Timeframe: Ongoing

Policy 3: Investigate the potential for regional fixed-route transportation services.

Strategy 1: Continue to coordinate with the Atlantic Shore Line and other planning efforts for regional fixed-route bus service along the southern Maine coast.

Responsibility: Town Planner
Timeframe: Ongoing

Policy 4: Establish policies for parking to ensure a healthful and peaceful environment for residents and visitors, and establish long-term relief from traffic congestion related to tourism.

Strategy 1: Manage commercial tour buses, such management issues to include parking, unloading/loading, and travel, and provide effective communication to operators and enforcement personnel.

Responsibility: Board of Selectmen
Timeframe: 1 year

Strategy 2: Unloading and loading of tour buses must be done where the adverse impacts upon nearby residences are minimal. Parking areas for buses must be shielded from any nearby residences, idling prohibited, and a drive-through design for parking spaces utilized to avoid the noise of backing.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 3: Develop remote parking facilities for all buses at one or more of the following sites: the Trolley Museum, and the Beachwood old and/or new town garage lots or others that may become evident.

Responsibility: Board of Selectmen
Timeframe: 1 year

Strategy 4: Identify potential locations of remote parking areas for cars and RVs.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 5: When remote sites for cars and RVs are developed, establish shuttle service from remote parking areas to Dock Square.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 6: Encourage visitors to use remote parking options by appropriate pricing and by reserving in-Town parking for residents, shopkeepers and employees.

Responsibility: Board of Selectmen
Timeframe: 3 years (after remote parking options are expanded)

Strategy 7: Reduce congestion by encouraging non-destination vehicles to bypass Lower Village, Dock Square, and the Bridge. This shall include but not be limited to the following:

a. Use of Durrell's Bridge as a bypass route.
b. Use of signage on Route 95, which indicates that Exit 32 is the preferable route to those wishing to visit Kennebunkport beaches, and those beaches further east.

c. Use of trolleys

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 8: Investigate the use of pedestrian traffic lights in the Dock Square and Ocean Avenue area.

Responsibility: Board of Selectmen
Timeframe: 1 year

Policy 5: Preserve Goose Rocks Beach as a safe, limited use, and family oriented beach.

Strategy 1: Maintain limited parking at present levels.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 2: Continue to prohibit drop off and pick-up of passengers via mass transportation.

Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 2: TO IMPROVE SAFETY AND TRAFFIC FLOW FOR PEDESTRIAN, BICYCLE, AND VEHICULAR TRAFFIC THROUGHOUT TOWN.

Policy 1: Evaluate pedestrian and vehicular traffic conditions in Dock Square.

Strategy 1: Review past proposals for viable options for facilitating traffic flow.

Responsibility: Board of Selectmen, Police Department
Timeframe: 2 years

Policy 2: Plan for the effect of potential increased traffic along roads associated with the Growth Areas identified in Chapter IX, Land Use, of this plan.

Strategy 1: Estimate future traffic volume increases resulting from proposed residential and commercial growth in the Growth Areas.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Evaluate the need for increased roadway capacity and new traffic patterns in the Growth Areas.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 3: Investigate the assignment of cost for associated engineering studies.

Responsibility: Planning Board
Timeframe: 2 years

Strategy 4: Manage access on major transportation routes by limiting curb cuts and promoting shared driveways.

Responsibility: Planning Board
Timeframe: 2 years

Note: MaineDOT classifies Route 9 and North Street as major transportation routes along which access management provisions must be instituted to improve mobility and safety. This strategy is also found in the Land Use chapter (Chapter IX).

Strategy 5: Work with MaineDOT to improve pedestrian and bicycle connections between Cape Porpoise Square and Dock Square.

Responsibility: Board of Selectmen
Timeframe: 2 years

Strategy 6: Ensure the accessibility of emergency vehicles on all roadways by restricting street parking in applicable areas.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 7: Designate non-destination large vehicle traffic routes on town owned streets and roads where appropriate.

Responsibility: Board of Selectmen
Timeframe: 1 year

Policy 3: Provide for safe and efficient bicycle travel throughout town.

Strategy 1: Appoint a Bicycle Committee to:

- Review the Transportation Inventory of this Comprehensive Plan;
- Identify bicycle trails in neighboring communities;
- Review any regional and state plans regarding safety and facility development for the benefit of bicyclists;
- Develop a long-term vision for a network of bicycle trails to serve the community and link to facilities in neighboring communities;
- Develop a phased plan, including costs, for the construction and ongoing maintenance of these trails;
- Coordinate with neighboring communities regarding potential trail connections;
- Work with MDOT to determine what state and/or federal funding may be available;
- Work to raise any local funds necessary; and
- Oversee the implementation of the phased construction plan.

Responsibility: Board of Selectmen, Bicycle Committee
Timeframe: 5 years

Strategy 2: Coordinate with MDOT regarding their Shoulder Paving Policy, under which North Street and Route 9 are eligible, and request wider shoulders near the school and along high-speed sections.

Responsibility: Highway Department
Timeframe: Ongoing

Strategy 3: Work with the Maine Department of Transportation (MDOT), local contractors, and developers to allow for addition of bicycle paths and sidewalks on existing streets and roads where appropriate especially from Cape Porpoise to Dock Square.

Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 4: Continue to require new streets and roads in growth areas to have sidewalks. Create bicycle paths in addition to sidewalksor as an alternative when deemed appropriate

Responsibility: Planning Board
Timeframe: Ongoing

CHAPTER XIV. FISCAL CAPACITY

I. INVENTORY

A fiscal capacity analysis can help a community in the comprehensive planning process. By looking at historical trends of revenues and expenditures, a community may see where most of its revenue is derived and try to determine whether those funds can be considered stable as it looks to the future. The community may also examine where tax dollars are being spent and whether certain municipal expenditures are increasing or decreasing. Based on the inventory work before this, new priorities may arise or the community may determine that the existing priorities are sufficient. Finally based on the overall fiscal health of the community, a town may decide that new and potentially more costly expenditures are needed to keep pace with growth or respond to community demands.

A. Assessed Value

Assessed value or property valuation is a critical component of the town's fiscal health. As with most other Maine towns, Kennebunkport relies heavily on the property tax to fund municipal services. In FY 2004, approximately 85% of the Town's revenues came from the property tax. Both the Town and state track the community's property valuation.

Table XIV-1: State Valuation 1997-2004 (1,000)

Year	State Valuation	Adjusted For Inflation (2004 Dollars)	Percent Change From Prior Year (Based On Adjusted Dollars)
1997	543,900	624,119	na
1998	533,100	601,500	-1.99
1999	602,850	669,488	13.08
2000	605,900	655,185	0.05
2001	742,950	784,554	22.61
2002	876,100	910,590	17.92
2003	1,043,700	1,067,705	19.13
2004	1,237,500	1,237,500	18.56

Source: Maine Revenue Service

From 1997 – 2004 the Town's state valuation jumped 98.3% (in 2004 dollars). If a community's local assessed valuation drops below 70% of the state valuation, the community is required (by state law) to conduct a revaluation.

B. Local Valuation

The Town's total valuation only reflects true market values when the Town has conducted revaluations and upgrades to 100% of market value. According to the Assessor, the Town's local valuation is now less than 70% of the market value. The Town's local valuation has increased by approximately 18% since 1997. While this may be due to a number of factors, the primary reason would appear to be the escalation of real estate and home values across the region. See Chapter VIII for further discussion of this issue.

Table XIV-2: Local Valuation (1997-2005)

Year	Local Valuation	Tax Rate
1997	560,603,500	13.00
1998	588,868,643	12.90
1999	591,820,524	13.00
2000	606,055,713	13.41
2001	618,992,290	14.90
2002	636,079,204	16.55
2003	630,300,004	16.55
2004	645,215,610	17.40
2005	661,645,950	17.84

Source: Town Reports

C. Tax Rate

The tables above and below highlight the tax rates for Kennebunkport and surrounding communities. Tax rates and assessed valuation are directly related. A town with a higher assessed valuation may have a lower tax rate to raise a given sum of money than a community with a lower total valuation. However, in the end, the tax rate only reflects the community's budgetary priorities.

A comparison of the Kennebunkport tax rate with surrounding communities shows that Kennebunkport compares rather favorably. The full value tax rate, a method to adjust for assessing distortions between towns, also demonstrates that the Kennebunkport tax rate has historically been at a moderate level.

Table XIV-3: Tax Rate Comparison 2002–2004

Municipality	Local Tax Rate			Full Value Tax Rate	
	2001	2002	2003	2002	2003
Kennebunk	21.00	21.95	19.00	11.65	10.80
Wells	11.87	10.78	10.75	9.95	8.86

Arundel	13.95	14.95	15.40	10.48	10.01
Biddeford	18.56	18.76	17.45	15.17	13.22
Kennebunkport	14.90	16.55	17.40	8.51	8.22

Source: MMA

D. Commitment

Commitment is the amount of money raised through property taxation each year. From 1997-2004 the commitment for Kennebunkport increased 61.9% without an adjustment for inflation. With that adjustment, the increase was 41.1%.

Table XIV-4: Commitment 1997-2004

Year	Commitment	Commitment Adjusted For Inflation (2004 Dollars)	Percent Change From Previous Year (No Adjustment)
1997	$7,287,845	$8,362,714	
1998	$7,500,416	$8,462,769	2.91
1999	$7,693,667	$8,544,111	2.57
2000	$8,127,207	$8,788,289	5.63
2001	$9,222,975	$9,739,442	13.4
2002	$10,431,465	$10,842,131	13.1
2003	$11,226,751	$11,484,966	7.62
2004	$11,803,764	$11,803,764	5.13

Source: Town Reports

E. Revenues and Expenditures

The revenue and expenditure picture more accurately reflects the priorities of the community and its ability to pay for services.

Table XIV-5: Total Revenue 1997-2004

Revenue Change	1997	1998	1999	2000	2001	2002	2003	2004	(%) Change 97-04
Property Taxes	7,344,381	7,714,190	7,790,762	8,290,525	9,295,831	4,683,126	10,605,982	11,187,498	52.33%
Excise Taxes	550,506	612,208	670,741	717,930	773,027	366,725	821,294	866,730	57.44%
Intergovt.	214,214	242,317	216,715	274,455	470,893	210,794	475,422	306,986	43.31%
Misc.	486,839	641,927	667,423	697,469	597,934	237,299	662,810	585,120	20.19%
Total Revenue	8,595,940	9,210,642	9,345,641	9,980,379	11,137,685	5,497,944	12,565,508	12,946,334	50.61%

The largest jump in revenue was seen in "Intergovernmental" which mainly reflected DOT money for bridge repairs from 2000-2001. Other Intergovernmental revenue

includes revenue sharing dollars. "Miscellaneous" dollars includes parking lot fees, parking tickets, etc. Property taxes as a percentage of total revenue have increased from 85% to 86% from 1997-2004.

Table XIV-6: Total Expenditures 1997-2001

Revenue Change	1997	1998	1999	2000	2001	2002	2003	2004	(%) Change 97-04
General Govt.	587,141	670,623	699,227	775,400	688.095	387,236	806,825	836,501	17.19
Public Safety	1,286,442	1,256,237	1,279,495	1,364,764	1,398,867	690,983	1,525,810	1,530,303	8.74
Highways	480,598	507,453	493,757	557,185	586,233	333,151	592,504	483,405	21.98
Health & Sanitation	358,214	365,764	432,192	433,047	459,830	207,805	464,150	467,752	28.37
Education	4,770,949	4,940,033	5,146,132	5,597,941	6,416,391	3,427,039	7,403,973	7,826,291	34.49
Rec. and Culture	243,366	244,506	240,268	235,247	185,338	77,114	205,934	211,973	-23.84
County	236,443	251,324	277,480	263,807	502,482	0	689,527	675,379	112.52
Sidewalks	0	0	119,195	11,712	51,027	0	0	0	
Outside Agencies	0	0	0	112,988	139,424	67,930	148,292	158,872	
Unclassfd.	293,033	64,690	44,223	5716	15,690	14,600	37,708	81,900	-94.65
Capital Outlay	0	245,000	0	0	102,623	38,975	141,418	474,809	
Debt Service	279,202	271,974	248,807	242,939	181,620	36,208	140,566	247,881	-34.95
Total Expends.	8,535,388	8,817,604	9,052,776	9,600,746	10,727,620	5,281,041	12,156,710	12,995,066	25.68

The largest increases in expenditures have been in the areas of education and County Government.

F. Debt Service

The town's current debt is found entirely with the municipal Sewer Department. This debt results largely from upgrades and expansions associated with operating the sewer treatment plant and expanding lines throughout the community (to Goose Rocks for instance).

Table XIV-7: Debt Service FY 2004

Type	Principal	Interest	Total
2003 Sewer Bond*	1,000,000	193,929	1,193,929
1992 Sewer Bond**	1,125,000	323,000	1.448.000
1997 Sewer Bond***	259,599	18,362	277.961

For Town budgetary purposes, all sewer bonds reflect 60% of the total debt service to be funded through taxes and 40% to be paid by sewer users.

* $2,235,000 bond over 20 years, matures in 2003
** $2,500,000 bond over 20 years at 6.52%, matures in 2012
*** $649,000 with $427,709 at 0% interest and $221,290 at 4.64% interest through 2007

The annual principal and interest requirements to amortize the bonds payable are as follows:

Year	Principal	Interest	Total Debt Service
2002	314,900	121,461	436,361
2003	314,900	101,222	416,122
2004	189,900	77,583	267,753
2005	189,900	72,603	262,503
2006	189,900	61,378	251,278
Thereafter	814,900	159,021	973,921
	2,014,400	593,538	2,607,938

Source: Town Reports

As noted, this debt is entirely associated with upgrades for the sewer system (upgrades and expansions) through the municipal Sewer Department. As also noted 60% of the costs of this debt are funded through taxes with the remaining 40% funded by the users.

The Town has no other debt associated with municipal functions and has instead funded many capital improvement items through a pay as you go financing process (using a combination of the fund balance, non-property tax revenues, and property taxes).

The Town's fund balance on December 31, 2001 was $4,384,295 with an undesignated fund balance of $3,224,605.

Table XIV-8: Capital Improvements 2001-2003 by Department

Department	2001	2002/2003
Administration	12,000	8,500
Building Fund		
Police	45,148	39,525
Communications	45,400	7,000
Fire		
Highway	6,500	93,500
Road Improvement	206,497	116,400
Bridges	16,500	2,500

Sidewalks	50,000	50,000
Piers/Rivers/Harbors	14,000	13,500
Recreation		7,500
Total	396,145	338,425

Among the major Capital Improvements items in the 2002/2003 budget were the following (not including items less than $5,000):

II. ANALYSIS AND CONCLUSIONS

1. The Town has a relatively stable tax rate and a rapidly increasing local and state valuation. The looming state budget crisis may mean cutbacks in state aid and more reliance on the property tax.
2. The Town has considerable borrowing capacity if it chooses to use its bonding capacity for large capital items. The Town's fund balance is strong enough so that the Town may not need to incur debt for certain projects.

A list of proposed public facility and capital improvements, including costs, is provided in Chapter XVI (Capital Investment Strategy). Other services will be needed to accommodate future growth such as the need for additional employees, which will be studied and considered at a later date.

III: IMPLEMENTATION

STATE GOAL: TO FINANCE AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

TOWN GOAL 1: TO FINANCE AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

Policy 1: Maintain a capital investment plan for financing the replacement and expansion of public facilities and services required to meet projected growth and development.

Strategy 1: Annually update a five-year plan for capital investment in the community.

Responsibility: Budget Board, Board of Selectmen, Town Manager
Timeframe: Ongoing

Policy 2: Develop an investment strategy that ensures preservation of an adequate level of reserve funding for unanticipated emergencies and cash flow.

Strategy 1: Develop an investment plan that preserves principal while earning optimal investment interest.

Responsibility: Budget Board, Board of Selectmen, Town Manager
Timeframe: 1 year

CHAPTER XV. HAZARD MITIGATION

I. INVENTORY

Hazard Mitigation is a process that seeks to lessen or eliminate hazards prior to their impact on a community. The hazards that are examined are those natural and technological events that can be expected over time to impact the community. While any community may historically consider only natural hazards, there is an increasing body of evidence that technological and terrorist hazards may also impact the lives and property of the town. Hazard mitigation activities are designed to lessen the impact of a possible event that would significantly affect the safety and/ or economy of the community. This would enhance the community's confidence in the role of public safety.

Very specifically, the requirement that this new section be included in the Comprehensive Plan of Kennebunkport is hastened by requirements that state, if this is not part of the Emergency Operations Plan as required by the state, the Town will not receive federal disaster relief funds after October of 2004.

Hazards that are naturally occurring in Kennebunkport can include but are not limited to: forest fires, flooding, coastal storms, erosion, earthquakes, winter storms, hurricanes, droughts, and ice storms. This is not an all inclusive list but those of the most possible events. Also to be considered is the release of toxic materials in the event of a chemical leak and the ever present face of a terrorist event. A hazard analysis has been completed for Kennebunkport identifying the hazards most likely to impact the Town.

Mitigation is only one part of emergency planning and should be considered as a section of emergency management that also includes: preparedness, planning, and resources. Thus looking at the hazards that are in the community, all aspects of emergency management can more easily be addressed. Kennebunkport has a Civil Preparedness Director, who is responsible for emergency planning in the community.

II. ANALYSIS AND CONCLUSIONS

A county-wide hazard mitigation plan was completed by the Southern Maine Regional Planning Commission for the York County Emergency Management Agency in 2004. This plan was subsequently adopted by the Kennebunkport Board of Selectmen with an endorsement from the Town's former Emergency Management Director. This plan contains many recommendations for individual municipalities and contains a great deal of direction regarding both local and regional hazard mitigation

activities. The goals, policies and strategies presented in this chapter reflect a commitment to the county plan.

III. IMPLEMENTATION

STATE GOAL: TO FINANCE AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

TOWN GOAL 1: TO DEVELOP INCLUSIVE STRATEGIES FOR MITIGATING ALL HAZARDS.

Policy 1: Perform a hazard analysis of the community that would include items that relate to the natural, man-made, and technological hazards that face Kennebunkport as well as those that are shared by communities with common borders.

Strategy 1: Review the identification of all of the hazards that potentially threaten the community and analyze them individually to determine the degree of threat that is posed by each.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 2: Using information gathered from mitigation plans and existing emergency operation plans, develop actions that will mitigate hazards.

Responsibility: Emergency Management Director
Timeframe: Ongoing

TOWN GOAL 2: TO DEFINE THE ROLES AND RESPONSIBILITIES FOR THE MITIGATION OF HAZARDS.

Policy 1: Develop an all hazards approach to hazard mitigation that includes prevention, property protection, natural resources protection, emergency services, structural protection, and public information

Strategy 1: Prevent further hazards by measures that includes reference to hazard mitigation analysis with planning and zoning, open space preservation, land development regulations, storm water management, coastal maintenance, and building codes.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 2: Protect property by allowing the modification of buildings and their adjacent property from the hazards that are possible.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 3: Promote erosion and sediment control and wetlands protection.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 4: Provide adequate funding and support for warning of hazards, response of emergency services, provide for critical infra-structure protection, and maintain health and safety services.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 5: Encourage such structural projects that will protect people and property from hazards that will not disrupt natural functions such as water flow or wildlife habitats.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 6: Inform and remind people about hazardous areas and the measures necessary to avoid potential damage and injury.

Responsibility: Emergency Management Director
Timeframe: Ongoing

Strategy 7: Provide mechanisms for the monitoring and administration of hazards likely to affect the community, including keeping current the Town's Emergency Operations Plan.

Responsibility: Emergency Management Director
Timeframe: Ongoing

CHAPTER XVI. CAPITAL INVESTMENT STRATEGY

This capital investment strategy is designed to assist the Town in planning for the capital facilities needed to service the future growth and development in the community, as well as a continued growth in tourism. The strategy is designed to:

1. Assess the ability of the Town's facilities to accommodate the anticipated growth,
2. Identify the needs for capital expenditures to service that growth, and
3. Evaluate the relative priority of the various needs.

In addition to the projects identified in the capital investment strategy, the plan also proposes that the Town support other capital investments that are aimed at improving the quality of life of residents and maintaining the Town's facilities. These activities will also need to be addressed in the Town's ongoing capital improvements planning program.

I. GROWTH IN THE COMMUNITY

During the decade of the 1990s, the Town's year-round population grew by 11% or 364 persons. As outlined in the population projections in Chapter X, year-round population is expected to grow at least this rapidly through 2015. In addition to the growth in its year-round population, Kennebunkport appears to have experienced continuing growth in the number of visitors coming to the community.

II. ABILITY TO ACCOMMODATE THE PROJECTED GROWTH

Despite its relatively small year-round population, the Town of Kennebunkport operates as a full service municipality with full-time administrative staff, its own police department, a recreation department, public health department, and other programs and staff typically not found in communities of its size. Because of the large influx of seasonal residents and visitors, the facilities of the Town are typically sized to accommodate expanded use and, in some cases, expanded staffing, during the summer season.

The Town's facilities appear to be generally adequate to provide services for the growth in both year-round population and seasonal visitors. The Police Department operates out of a relatively new facility and the Town recently constructed a new North Street Fire Station. This improvement has allowed the Town to renovate the current municipal offices to meet the current administrative space needs. The Town's CIP has identified the potential need for a new facility for Town office operations in about ten years. The only significant deficiency involves parking to

support the Dock Square area especially for buses and recreational vehicles.

III. PROJECTS NECESSARY TO ACCOMMODATE ANTICIPATED GROWTH AND ENHANCE THE QUALITY OF LIFE

To accommodate the anticipated growth in the year-round population of Kennebunkport as well as the likely continued growth in the number of visitors while maintaining or enhancing the quality of life, the Town will need to undertake a variety of capital projects. The following descriptions identify each needed project, provide a brief description of the project, estimate the cost of the project (where possible), and identify possible sources of funding for the project.

1. Parking Improvements

The Update identifies the need for improved parking facilities to serve the Dock Square commercial area. The plan suggests that the Town continue to explore the possibility of developing a remote parking lot to accommodate tour buses and recreational vehicles. At this time, there is no definite proposal for this project. Depending on location, construction and management costs, this item could cost from $10,000 to several hundred thousand dollars. Funding for this project could come from a variety of sources including the general fund, parking fees, and revenues generated by the facility.

The plan also suggests that the Town explore the creation of a remote parking facility for passenger vehicles. This facility could serve both the Dock Square area and Lower Village in Kennebunk and could be a joint project of the two communities. There is no definite proposal for this type of facility. Costs could be the same as those identified above, and funding could come from a variety of sources.

2. Pedestrian and Bicycle Improvements

The Update contains a number of recommendations for improved and expanded pedestrian and bicycle facilities including implementation of the Sidewalk Committee's ten year plan for sidewalk improvements (community character), providing for sidewalks along roads when MDOT funded improvements occur (community character), establishing a capital expenditure fund for sidewalks and bicycle paths (community character), and creating a Town wide trail system. While the Town currently includes funding for sidewalks in the CIP, that funding will be inadequate to implement the proposals of the Update. While specific projects and costs have not been identified, regular annual funding for pedestrian and bicycle improvements will be needed. The range of this funding could be $100,000 to $150,000 annually. Funding for these improvements will need to come from the general fund in addition to outside transportation funding.

3. Public Toilet Facilities

The Update proposes that public toilet facilities be installed at Goose Rocks Beach and in Dock Square. The potential cost for these projects will depend on whether there are new facilities constructed, use of temporary facilities ("Port-a-potties"), or use of existing locations. Costs will run $20,000 to $100,000 for new facilities and $5,000 to $10,000 for rental of existing locations and rental of temporary facilities. It is most likely that the Town will need to find solutions that include long term agreements with existing facilities in Dock Square and temporary or modular design at Goose Rocks Beach. The annual cost of maintenance will run between $5,000 and $10,000 for the combination of both locations.

4. Land Conservation Funding

The Update proposes that the Town undertake a variety of activities to conserve the community's significant natural resources and preserve its scenic and rural character. These include the creation of a program to acquire conservation land or easements, the acquisition of easements to protect scenic resources, the purchase of development rights to preserve agricultural land, and similar land conservation activities. The implementation of these proposals requires that the Town make a significant commitment to funding land conservation/preservation. This could occur through annual funding of a land conservation fund or bonding for the capitalization of such a fund. In addition, the Town should seek outside grants for this effort from programs such as the Land for Maine's Future as well as working with land trusts and conservation organizations.

5. New Elementary School Site

The Update proposes that the Town cooperate with S.A.D. #71 to determine the need for and/or acquire a site for an elementary school in proximity to the existing school. The total cost of land, including the Town, S.A.D. and state shares, could run as high as $1,000,000.

6. Sewer Extensions

The present capacity of the treatment plant is adequate and could accommodate significant growth over the next 10 years. Peak flows are under 450,000 gallons/day and the plant is licensed to handle 700,000 gallons/day. Licensing parameters only require future planning once the plant is receiving more than 525,000 gallons/day for 90 consecutive days. If the average household contributes 300 gallons/day, the plant could accommodate 400 new homes.

The overall projected level of housing growth through 2015 in Kennebunkport is between 270 and 439 new units. If the planning target from Chapter IX of having

75% of new housing in the designated growth area, this would result in no more than 329 new units located on the public sewer system. Thus, the existing system can more than likely accommodate the next ten years of residential development.

Even if additional sewer capacity were needed, the next step would be planning for longer term solutions. The most significant impact in the next 10 years will be the need to contemplate long term planning beyond 10 years. The most significant cost to accommodate growth will be line extensions and such costs will be the responsibility of developers. The cost to complete a long term plan beyond the next 10 years will be approximately $25,000 and this type of analysis will not be necessary for approximately 10 years.

7. Transportation

The Town needs to continue efforts to monitor traffic flow in the busier areas of Town. In 2003, the voters rejected a proposal to study traffic flow and other issues concerning Dock Square. This project should be revisited for future voter reconsideration. The cost of such a project is approximately $50,000.

8. Recreation

The Recreation Department and Committee have determined a need for an ice skating park. Construction of the new ice skating park should be complete for the 2005-06 winter season. This is the first new park or recreation facility that the Town has developed in several years. The addition of a new ice skating park should provide enough additional recreation opportunities to accommodate growth in the next 5 to 10 year. The cost to construct this facility was approximately $70,000 and with an extraordinary amount of assistance from force accounts and donations.

9. Highway Department Facilities

The Highway Department has determined a need to build additional storage capacity as mentioned in Chapter XII. Funding was approved for the project at the June 2005 annual town meeting. The approximate cost of an additional storage building will be $600,000. The project will include conversion of the existing salt/sand building to a storage building and constructing a new salt/sand building. Project completion is expected in September of 2005. This Department will also be responsible for developing a comprehensive Road Surface Management Plan and Sidewalk Plan.

IV. CAPITAL PLANNING AND BUDGETING PROCESS

The Town has an established program for identifying and funding routine capital projects through a Capital Improvement Plan prepared by the Town Manager. This plan looks at the needs for capital investments including equipment replacement and

includes a ten year program of possible expenditures. The CIP also includes a number of the Town's enterprise accounts.

Some of the items listed above are not included in the existing capital budget.

V. IMPLEMENTATION

TOWN GOAL 1: TO PLAN FOR, FINANCE AND DEVELOP AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH.

Policy 1: Provide for the necessary capital funding to accommodate growth and future needs.

Strategy 1: Incorporate the following Capital Investment Plan into the Town's Capital Improvement Plan.

Responsibility: Board of Selectmen and Budget Board
Timeframe: Ongoing

Capital Item	2006	2007	2008	2009	2010	2011 and Beyond
Parking Improvements						
Engineering and Study			$10,000			
Construction				$50,000		
Pedestrian and Bicycle						
Improvements	?	?	?	?	?	?
Restrooms						
Engineering and Study			$10,000			
Agreements and Maint.	$5,000	$5,000	$10,000	$10,000	$10,000	$10,000
Land Conservation						
Land Acquisition or reserve	?	?	?	?	?	?
New Elementary School						
Land Acquisition or renovation of Consolidated School						$1,000,000*
Sewer Extension						
Engineering and Study						$25,000
Construction						TBD
Transportation						
Dock Square Master Plan					$50,000	
Recreation						
Ice Skating Park	Finished in 2005					
Highway						
Storage and Salt Buldings	Finished in 2005					
RSMS integrated with GIS	$15,000	$15,000	$10,000	$5,000	$5,000	$5,000

* This figure represents the total cost for land acquisition for a new Elementary School or renovation of the Consolidated School, inclusive of the Town, S.A.D. and state shares. The actual Town cost will be based on the state funding formula at the time of the project's development.

CHAPTER XVII. REGIONAL COORDINATION

Some of the issues facing Kennebunkport extend beyond the boundaries of the Town and, therefore, require cooperation and coordination among municipalities to be successfully addressed. This chapter identifies the issues of regional concern. It also looks at how the policies of the Town compare with the adopted policies of the Southern Maine Regional Planning Commission for the region.

I. ISSUES OF REGIONAL CONCERN

During the comprehensive planning process, the Kennebunkport community has recognized that some of the issues facing the Town transcend the municipal boundaries. While this plan contains policies and actions to address many of these issues, the Town recognizes that cooperation and coordination with other communities and regional organizations will be needed to fully address these issues.

1. Bicycle and Sidewalk Facilities

The update proposes that the Town actively work to expand the network of bicycle trails and sidewalks in the community. To maximize the benefit of these improvements, the Town's network will need to be coordinated with the networks in adjacent communities.

2. Truck Routes

The update proposes that the Town designate routes for the movement of large trucks and similar vehicles through the community and restrict these vehicles to these roadways. Appropriate signs will be placed in strategic locations in Kennebunkport and adjacent communities.

3. Management of the Kennebunk and Little Rivers

The Town has already recognized that the management of the Kennebunk River is a regional issue and has actively participated in the creation of the Kennebunk River Committee made up of representatives of Kennebunkport, Kennebunk, and Arundel to manage the tidal portion of the river. Continued efforts to reopen flats in the river and to enhance the river's fishery will require additional cooperation among the towns along the river.

For the Little River, the Town needs to coordinate with the City of Biddeford to protect the river and its estuary.

4. Public Water Supply

Public water supply in Kennebunkport is provided by the Kennebunk, Kennebunkport, and Wells Water District. The District's primary supply is Branch Brook and its secondary supply is the Saco River, both of which are located outside of Kennebunkport. It is therefore important that the Town and its residents support efforts of the District to safeguard the quality and quantity of their supplies even though these efforts will occur outside of Kennebunkport.

5. Wildlife Habitat

One of the largest un-fragmented wildlife habitats in southern Maine consists of over 3,000 acres located in western Kennebunkport and extending into Arundel and Biddeford. The part of this habitat in Arundel west of the railroad tracks is not accessible through Arundel for development because of use restrictions. It could become accessible through Kennebunkport if roads were developed. While this update proposes that the Town take steps to preserve this area, the maximum benefit will come through a cooperative effort among the three communities to maintain as much of this area in an un-fragmented state as possible.

6. Affordable Housing

The lack of affordable housing is a growing issue not just in Kennebunkport but in all of the towns of coastal York County. The Update proposes a variety of actions that the Town should take to facilitate the expansion of the supply of affordable housing. However, Kennebunkport is part of a larger regional housing market and it is therefore important that affordable housing be addressed on a local and a regional basis. The Town should support and play a leadership role in regional efforts to provide affordable housing.

7. S.A.D. #71

School Administrative District #71 provides public education for Kennebunk and Kennebunkport. The Town should continue to support the concept of the SAD but work to assure that the cost sharing arrangements for the operation of the district are equitable and treat the taxpayers in the two communities fairly.

8. Interlocal Cooperation

Kennebunkport and Kennebunk already cooperate on the provision of certain services and facilities and have begun to explore expanded cooperation including cooperation with the Town of Arundel. The Town should continue to explore the potential for shared services or facilities with these communities.

9. Transportation and Parking

Kennebunkport Village and Lower Village in Kennebunk function almost as a single commercial area and share many of the same problems relative to traffic, parking, pedestrian circulation, and similar issues. The two communities should continue to explore ways to work together to find ways to better address the complex issues facing this area. The Atlantic Shore Line planning effort for regional public transit is already well established. The Town of Kennebunkport must continue to be involved in this effort.

II. CONFORMANCE WITH REGIONAL GOALS AND POLICIES

In 1992, the Southern Maine Regional Planning Commission (SMRPC) adopted Regional Policies for Southern Maine to serve as a guide for growth and development in the region and to provide for the regional coordination of local planning efforts. The Update of the Kennebunkport Comprehensive Plan is generally consistent with the overall regional policy directions established by SMRPC but there are some specific areas where the local plan is not consistent with those regional policies:

1. The regional policies emphasize the use of joint purchasing and regional service delivery and propose that local plans include lists of materials for joint purchasing. While the update addresses regional coordination and the possibility of expanded regional approaches for service delivery, it does not specifically identify potential joint purchasing activities.

2. The regional policies address a number of issues relating to human needs including human service programs, homelessness, and chemical dependency. These topics are not addressed in the Update.

3. The regional policies propose groundwater protection actions that limit increases in the concentration of groundwater nitrates. This is not specifically addressed in the Update.

4. The regional policies propose local activities to encourage and support small-scale farming. These are not addressed in the Update.

5. The regional policies propose that municipalities identify specific areas or parcels that should be preserved as open space. While the Update identifies the Town's open space priorities in a general sense, it does not identify specific areas and their values.

III. POLICIES/STRATEGIES SUPPORTING REGIONAL COORDINATION

Throughout this Comprehensive Plan Update, there are a variety of policies and strategies that support coordination with the neighboring municipalities of Kennebunk, Arundel and Biddeford. There are also policies and strategies that discuss issues of regional importance beyond our immediate environs. This section highlights policies and strategies from the preceding chapters that address regional coordination.

Chapter V. Marine Resources

- Continuing to participate in joint River Committee with Kennebunk and Arundel

Chapter VI. Water Resources

- Testing surface water quality in Little River (on Biddeford border) and Kennebunk River (on Kennebunk/Arundel border).
- Coordinating efforts with surrounding towns to educate public about preventing non-point source pollution of water bodies.
- Coordinating with Biddeford to protect quality of aquifers that cross the town line.
- Monitoring development in two sources of public drinking water (Saco River and Branch Brook).

Chapter VIII. Economy

- Coordinating with Kennebunk to manage traffic, parking and toilet facilities in Dock Square and Lower Village.

Chapter IX. Land Use

- Standards for Zones 6, 9 and 10 incorporate discussions of needing to ensure consistency across town lines if conflicting land uses may be present.
- Farmers are encouraged to sell produce at farmers' markets in nearby communities.
- Recommending access management on Route 9 and North Street to improve regional traffic flow and safety.

Chapter X. Housing and Demographics

- Working with a housing authority to monitor the need for affordable housing in Kennebunkport.

Chapter XII. Public Facilities and Services

- Coordinating policing activities with the state, county and other towns' police forces.
- Working with Kennebunk to ensure adequate public toilet facilities in the Dock Square/Lower Village area.
- Continuing to share recycling facilities and service with Kennebunk.

Chapter XIII. Transportation

- Recommending access management on Route 9 and North Street to improve regional traffic flow and safety.
- Continuing to work with SMRPC and the towns of Kennebunk, Wells, Ogunquit and York on the Atlantic Shore Line regional trolley system.
- Working with businesses and bus operators to encourage parking closer to Route 1 and to limit automotive traffic to Dock Square.
- Linking bicycle trails with other trails in surrounding communities. Promotes remote parking and shuttle services connecting Kennebunkport, Kennebunk and Arundel.
- Working regionally to direct vehicles going to beach areas away from Dock Square and Lower Village.