

2012 COMPREHENSIVE PLAN

Amended June 12, 2012

*Prepared By The
Growth Planning
Committee*

INTRODUCTION TO THE COMPREHENSIVE PLAN FOR KENNEBUNKPORT, ME

This Chapter is the Introduction to the Comprehensive Plan of the Town of Kennebunkport, Maine. Its purpose is to explain what comprehensive planning is all about, and to provide the framework within which other components of this Plan will fit.

The text of this Chapter is organized into 4 sections: comprehensive plans in Maine communities; overview of this Comprehensive Plan; legal requirements; and history of comprehensive plans in Kennebunkport.

Comprehensive Plans in Maine Communities

The State of Maine regulates the manner in which communities plan for and regulate growth and development through a law entitled the Growth Management Program (Title 30-A §4312 et seq.). This law establishes the State's policies, and establishes the rules by which communities may engage in land use planning and regulation. Through this law, the State overrides each community's home-rule authority and mandates compliance with an overall set of goals, procedures and standards for community comprehensive plans.

Aside from the requirement to have a plan, it just makes sense for towns to plan for the future. The process of preparing a comprehensive plan provides an opportunity for residents, community officials and other stakeholders to share ideas about what is important in the community, to identify issues and desirable responses, and to coordinate a town-wide approach to dealing with change. Ideally the comprehensive plan will reflect consensus views about town policy. As circumstances change and the community considers changes in its local policies, it is important to frame these considerations in terms of the comprehensive plan. New policies must strive to fit within current and future State requirements plus mesh with other local policies.

A comprehensive plan is not a law that is directly enforceable, but it is still a very powerful public document. A plan, which must be adopted by the voters, establishes the policy directives of the town. State law requires zoning, growth control and impact fee ordinances to be consistent with a comprehensive plan (MRSA Title 30-A §4314.3). As comprehensive plans are revised and updated, there is always a lag in consistency. The town is legally obligated to work towards consistency, and by statute such consistency must be achieved within 2 years (Title 30-A §4314.3.E). Other regulations, most notably the Site Plan and Subdivision Regulations, limit approval of development applications to those that are consistent with the comprehensive plan. Although the plan is not a law in and of itself, it is very close and can have that same effect in certain circumstances.

A comprehensive plan is required to include recommendations about major capital purchases with a goal of gaining cost efficiency for capital spending in the long-term. At the budget referendum the voters may subsequently decide not to follow the plan, but it is the obligation of the Town officials to pursue capital expenditures that are consistent with the Town's comprehensive plan.

Overview of this Plan

This plan is organized in a fashion that will make it useful to the community and satisfy statutory requirements. The document is divided into more than a dozen separate chapters, each of which will be a stand-alone report, but which together will comprise the comprehensive plan. This new format should encourage the Town to keep the Plan up to date and relevant to current issues. It should also encourage more people to use the Plan and access the information it contains.

The organization of this Plan does not follow the organization of the statutes because the sequence of requirements in the statutes is somewhat haphazard. The contents must comply with the State's requirements, but the design of the plan and the arrangement of its components is a local choice. Further, this Plan is organized in a manner similar to the 1996 Comprehensive Plan. This Plan is an attempt to improve upon the organizational structure of the statutes and former plans.

During the transition to a plan comprised of multiple, inter-dependent, technical reports, some degree of overlap of content and information is expected. As each new chapter is adopted, superseded text shall be removed from the existing comprehensive plan documents. In the event there remains conflict between old and new documents, the most current document shall supersede any earlier version or chapter. When the entire set of chapters is adopted, the 1996 Comprehensive Plan, as amended, will be completely superseded.

Because this Plan is a legal document, a policy of separation is hereby established. If any portion of this Plan is found to be invalid by the courts, it shall not affect the validity of any other portion of this Plan.

HISTORY OF COMPREHENSIVE PLANS IN KENNEBUNKPORT

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.

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.

Each of these chapters 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.

The following commonly used 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

Many Thanks

Credit must be given to the dedication of Kennebunkport's volunteers who have spent countless hours and sacrificed much in order to present this living document that guides and describes what makes Kennebunkport what it truly is.

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

John Senese, Chair

Jan Collins
Janet Belisle
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Paul Knight
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Charles Reid, Senior

In addition, Tim Spang served on the committee prior to being elected to the Board of Selectmen. Susan Graham served as the Selectmen's liaison to the Growth Planning Committee. The committee was assisted in its work by the Southern Maine Regional Planning Commission and Planning Decisions, Inc.

Another update was substantially edited to produce the 2005 Comprehensive Plan. This version received approval from the State Planning Office, however failed to gain the approval of the residents. Many hours were spent into reviewing documentation and presenting this update. Gary Lamb, Nathan Poore and the Town Office staff gave great support and assistance. SMRPC was essential, particularly David Versal in the later months of work. Russ Davenport served as liason representing the Board of Selectman. The Sewer and Highway Dept along with KKWD were generous with their time and information.

Lyman A. Page, Chair

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Jack Hunt
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In 2006 a mostly new group of volunteers stepped up to the plate to tackle the task of updating the Plan. The Board of Selectman charged this group with the specific task of gaining the approval of the residents prior to approvals by the State Planning Office. With this task in mind, the GPC has decided to pursue updating sections of the 1996 Plan with information gathered by the previous GPC. The process will consist of presenting chapters of the Comprehensive Plan to the voters for individual approval, in the hopes that this document will not seem so overwhelming to the residents and that they may come to a better understanding of what the Comprehensive Plan really is.

Jamie Houtz, Chair

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CHAPTER I. 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 equipment¹. 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 forest⁴.

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

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.

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 noteableness¹², 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

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.

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 pound 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 in 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 become 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.

I. CHARACTER OF THE TOWN

The resilience and fortitude of Kennebunkport and its residents has long been demonstrated over the years by our current and ancestral farmers, fishermen, builders, artisans and tourists. More recently this same determination has helped the town adapt, manage and flourish with tourism and growth.

Few of today's residents are descended from old Kennebunkport families. Most have been brought up somewhere in New England, and have moved here "from away". Some grew fond of Kennebunkport as summer visitors, many found ways to work in town; others moved here as retirees. Most townsfolk want to preserve those aspects of the town which attracted them.

The respect for history, objects and traditions from our past help nurture Kennebunkport's "village atmosphere" where and whenever possible. Our tree-shaded streets, scenic vistas, unspoiled coast line, along with classic architecture and landscaping continue to have a strong attraction for new visitors and new residents.

Residents take pride in their areas. When public issues are discussed, they take pains to point out that they are from Goose Rocks Beach or Cape Porpoise or Cape Arundel and that those districts have their own special characteristics and concerns which must somehow be accommodated.

The Growth Planning Committee (GPC) issued a lengthy questionnaire regarding issues of importance to the town. Responses from approximately 900 households were received. State sponsored "Visioning" sessions were undertaken with about 100 in attendance. These meetings were designed to determine which features the town considered most important. The results of both the survey and the visioning process served to corroborate that the character of the town was rated high in importance to our residents.

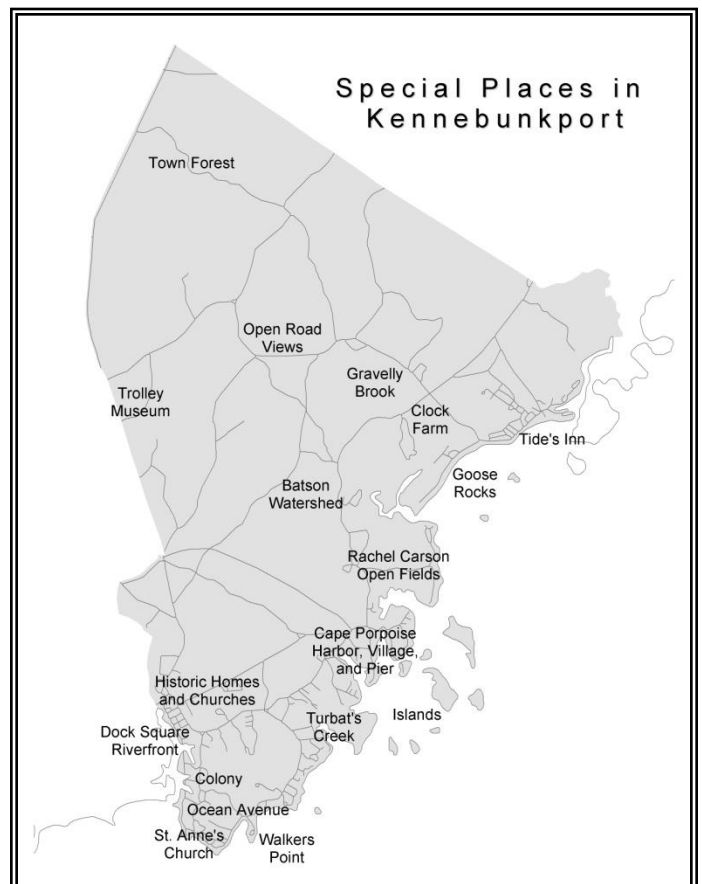


Figure II-1: Special Places in Kennebunkport
Figure 1(II) Special Places in Kennebunkport

II. A VISION OF VILLAGES AND DISTRICTS

The following areas emerged from the participants in the visioning process for how Kennebunkport's distinctive villages and areas might look several years in the future.

Dock Square will remain primarily a retail center. Its stores will include day-to-day convenience items as well as high quality, locally-owned galleries and shops. The historic architecture will be strictly maintained, and buildings will stay in scale with the area. The commercial area will cover the same area it does now. The appearance of Dock Square will be improved by burying utility lines and screening dumpsters. Parking will be provided off-site, with connecting shuttles. There will be public restrooms.

The Maine Street/Village Residential area will remain the center for municipal services in town – with the Town Hall, fire station, and library. Improved sidewalks and bike paths will make it easier to get around. The tree canopy overhead will be encouraged and maintained. Historic homes and structures will be preserved and maintained. Traffic will flow smoothly and all-day parking restricted. Bed and breakfast establishments will be encouraged in historic buildings.

The Riverfront area will have a town dock and public access to the water. There will be visitor slips for those who want to come to Kennebunkport by boat. An improved sidewalk system will make walking in the area safer. Government Wharf and fishing activities, as well as other marinas and yacht clubs, will be maintained. Buildings will be mixed in their use and small to preserve a view corridor. The river will be kept clean from pollution and protected from degradation. A maritime museum will be a place for teaching about the town's long maritime history.

Cape Arundel will retain its nineteenth century resort character, with the Colony Hotel, the Cape Arundel Inn, Walker's Point, St. Anne's, and the shingle-style residences. Parson's Way will remain open, the Colony Beach Road will remain unpaved, and Wandby Beach will remain public. Better ways of moving tourists and visitors through the area will be found. Sidewalks will be improved. New homes, as well as the reconstruction and modification of existing homes, will be similar in scale and style.

Goose Rocks will retain its flavor as a family-oriented area with cottage-style houses. The beach will remain uncrowded and walkable, with public bathrooms and public access. The beach patrol will manage boat and jet-ski use, and dogs will be controlled. Wildlife areas and the piping plover will be actively protected; more land will be in conservation easements. New buildings will be in scale with those already there. The Route 9 area is one where new village-scale residential development may be considered for the future. If more parking is needed, it will be away from the beach.

Cape Porpoise will remain a livable, fishing community. The harbor will be home for fishing and lobster boats as well as pleasure craft. The village stores will be oriented towards basic goods, such as groceries and hardware. The village itself will be walkable, with maintained and extended sidewalks. For those seeking a longer walk, there will be bike paths and walking paths. Streets will remain narrow, and automobile traffic will be minimized. The area's 19th Century feel will be preserved.

Free Enterprise extends from the border of the Village Residential area all the way to the Biddeford line. Free Enterprise encompasses a broad range of uses, from residential to commercial businesses,

farms and forests. Where suitable the expansion of sewer and water will be encouraged, along with the possibility of mixed uses and the clustering of dwellings.

The Farm/Forest area will have an expanded Town forest, continuing farmland uses, free-range and domestic animals, hiking trails and picnic/recreation areas, wildlife refuges, watershed protection areas, and wilderness and open space. The character of the area will remain rural, with few public improvements.

III. IMPLEMENTATION

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.

TOWN GOAL 1: TO PRESERVE KENNEBUNKPORT AS A RESIDENTIAL TOWN, WITH AN ACTIVE FISHING INDUSTRY, AGRICULTURE AND A STRONG TOURISM ECONOMY.

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

Policy 2: Improve communication with the public by offering easier access to town services and public information.

TOWN GOAL 2: TO PRESERVE THE DISTINCT CHARACTER OF KENNEBUNKPORT AND ITS DISTRICTS.

Policy 1: Maintain the visual, historical and architectural character of these neighborhoods.

Policy 2: Maintain water dependent activities.

Policy 3: Preserve Goose Rocks Beach as a safe, limited use, and family-oriented beach.

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

Policy 5: Preserve ocean and river views from public ways.

Policy: 6: Protect and maintain the character and ecological integrity of Goat Island Lighthouse (Lighthouse tower is federally owned), the Islands, and all other lands in town that are held in conservation.

Policy 7: Manage non-destination large vehicle traffic.

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

TOWN GOAL 3: TO MANAGE AND SUPPORT THE TOURIST INDUSTRY.

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

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

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

TOWN GOAL 4: TO SUPPORT THE FISHING INDUSTRY.

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

Policy 2: Maintain tax incentives for property owners that use their shoreline property as a working waterfront.

TOWN GOAL 5: TO PRESERVE AND MAINTAIN OUR WINDING TREELINED STREETS AND ROADS WHILE PROVIDING FOR PEDESTRIANS AND BICYCLES.

Policy 1: Develop standards for easement and pavement widths to ensure safety of pedestrians, cyclists and motorists while preserving the visual attractiveness and historic nature of our roads.

Policy 2: Develop a plan to address the need for safe sidewalks within the town's densely populated areas.

TOWN GOAL 6: TO MAINTAIN AN ELEMENTARY SCHOOL IN THE TOWN OF KENNEBUNKPORT.

Policy 1: Coordinate efforts with Town officials and the Directors of RSU 21 to ensure the continuance of an elementary school in Kennebunkport and if growth requires it, a middle or high school.

TOWN GOAL 7: 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.

Policy 2: The Growth Planning Committee (GPC) shall remain a full time board which will author or suggest changes to the Comprehensive Plan, Land Use Ordinance, and Subdivision Regulations with the help of the Planning and Zoning boards.

Policy 3: Retain and encourage active public involvement in the town government.

Policy 4: This policy describes the Growth Plan "Living Document" model and its need to be supported.

CHAPTER III. 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 1(III): Historic Archeological Sites

<u>Name</u>	<i>Description</i>	<u>Date</u>
Stage Island Fort	English Fort	17 th Century
Cape Porpoise Settlement	English Settlement	17 th – 18 th Century
Kennebunk Point Fort	American Fort	19 th Century
"Wandby"	English Wreck	20 th Century
Dow Inscriptions	American Experimental Artifacts	20 th Century
"Charles H. Trickery"	American Wreck, Schooner	
"J.H.G. Perkins"	American Wreck, Schooner	20 th Century
"Jonathan Sawyer"	American Wreck, Schooner	20 th Century
"Mary E. Plys"	American Wreck, Schooner	20 th Century
"Mildred V. Nunan"	American Wreck, Schooner	20 th Century
"St. Therese"	American Wreck, Screw	20 th Century
"A.F. Kindberg"	American Wreck Schooner	20 th Century
"Idlewild"	American Wreck, Gas Screw	20 th Century
"Houri"	American Wreck, Gas Screw	19 th -20 th Century
"R.P. Tibbits"	American Wreck, Gas Screw	20 th Century
"Frank L."	British Wreck, Schooner	19 th Century
Unnamed Vessel	Unidentified Wreck	Unknown
"D.C. Smith"	American Wreck, Schooner	19 th Century
"L.D. Wentworth"	American Wreck, Schooner	19 th Century
"Alabama"	American Wreck, Schooner	19 th Century
"Daisey Queen"	American(?) Wreck, Schooner	19 th Century
"Kittie Clark"	American Wreck, Schooner	19 th 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:

Table 2(III): National Register of Historic Places in Town

<u>Date Listed</u>	<u>Description</u>	<u>Comment</u>
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 are 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. One such tragedy was the wreck of the barque "Isadore" in 1842. "On the morning of its maiden voyage, the Isadore was caught in a severe snowstorm and driven against the rocky shores of Bald Head Cliff just beyond the village of Ogunquit. The ship was totally wrecked and all fifteen local men on board were lost." Only seven bodies were ever recovered for burial. In the Bass Cove Cemetery (at one time known as the Kennebunkport Cemetery or Village Cemetery, and often referred to as the Tomb Cemetery) is a monument for Captain Leander Foss, whose body was never recovered. Stones for 15 year old seaman George Lewis, and cabin boy George Davis are buried at Bass Cove. The rest of the Isadore's recovered crew are buried locally: Daniel Perkins at the Merrill Family Cemetery, Charles Lord in Cape Porpoise, Joseph Murphy at the Nonantum Cemetery, Clement Stone at the Perkins Cemetery in Goose Rocks and Benjamin Thompson at the Thompson Cemetery in Arundel. A stone at the Merrill Family Cemetery recounts another tragedy. The marker at Benjamin Merrill's grave tells us that "after a long life spent on the ocean he perished by the filling of a boat off Kennebunk".

Source: Butler, Joyce. A Kennebunkport Album Volume I. 1984. p. 11.

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

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

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.

Strate

gy 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 IV. 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, many 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 was done in the winter of 2004-2005 and has restored the channel and the mooring basin to nominal depths. In return the Towns 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. 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. There are two dredged anchorages, one two acres and the other four acres, each 6 feet deep exist The anchorages 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 fishermen. 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 \$4.00 per year. Several thousand visitors also purchase stickers, which cost them considerably more, for periods between a day (\$6), week (\$25), 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 the Town Hall and Police Station.

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 health 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 area. 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 public pump out facilities available 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 Selectmen 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. Periodic 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.

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 an 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.
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

<i>Note: DEP regulations include semi-annual (year-round use) and annual (seasonal use) DEP inspections of overboard discharges.</i>
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- 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 o.b.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 V. 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.

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. 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 V. 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 OBD'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 many 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. (Biddeford L.U.O. Article 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 was due to be completed. A CD of the survey results is currently available from the Wells National Estuarine Research Reserve (646-1555). 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 the well. 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. 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.

G. 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.

H. 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, Public Health Dept,
Board of Selectmen
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 (Kennebunkport) / 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 VI. 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 Maps). 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 its 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:

Table 3(VI): Rare Plants

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- Foxglove	S3	1982
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 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 a previous chapter.

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 1996 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 4(VI) 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 4(VI): Land Dedicated to Public Interest

Ownership	Location
Kennebunkport Conservation Trust	Historic Grist Mill Property
	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
	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

Ownership	Location
U.S. Fish & Wildlife Service	Government Wharf
	Goose Rocks Beach lot
	Cape Porpoise Firemen's Park
	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 difficult 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.

Table 5(VI): Rare Animal Species in Kennebunkport

Number	Feature Name	State Rarity*	Date Observed
1	Black-crowned Night-Heron	S2B	1977
2	Spotted Turtle	S3	1991
	Wood Turtle	S4	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. Portions of this area which are located within the City of Biddeford are protected under their Stream Protection program.

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 orchid, 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 ASSESSMENT 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.

Additional strategies may need to be included at a future time.

CHAPTER VII. ECONOMY

I. INVENTORY

The data presented in this chapter show that, in population, Kennebunkport has grown faster than the State of Maine, the same as York County, and slower than the entire United States. Census data for the year 2010 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, despite the recent economic downturn and declining real estate values. Much of this economic success can be attributed to tourism, summer visitors, and retirees.

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 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 proprietor 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. This chapter has attempted to use the most recent available demographics from federal and state sources. The population of Kennebunkport on July 1 2009, according to the U.S. Census, was 3,981. While Kennebunkport's population has been growing steadily since the 1930s, its growth rate has been slower than that of neighboring towns as shown in Chart 1(VII).

Table 6(VII): Historic Populations
Kennebunkport and Neighboring Municipalities

	Kennebunkport	Arundel	Biddeford	Kennebunk
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
2010	3,474	4,022	21,277	10,798

Chart 1(VII): Comparative Population Growth 2000-2010

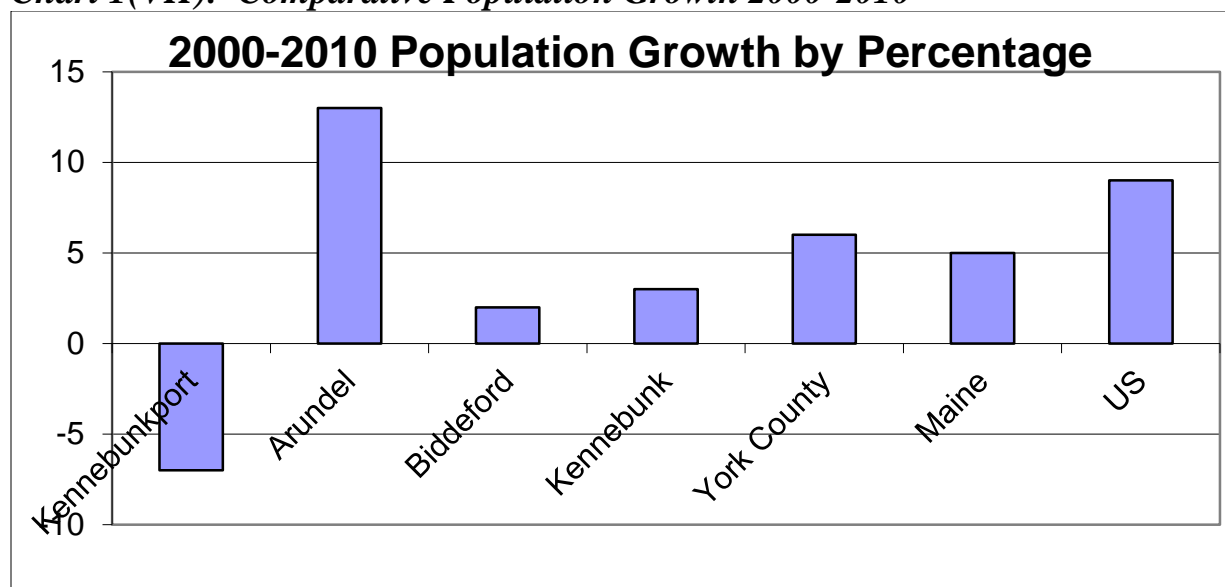


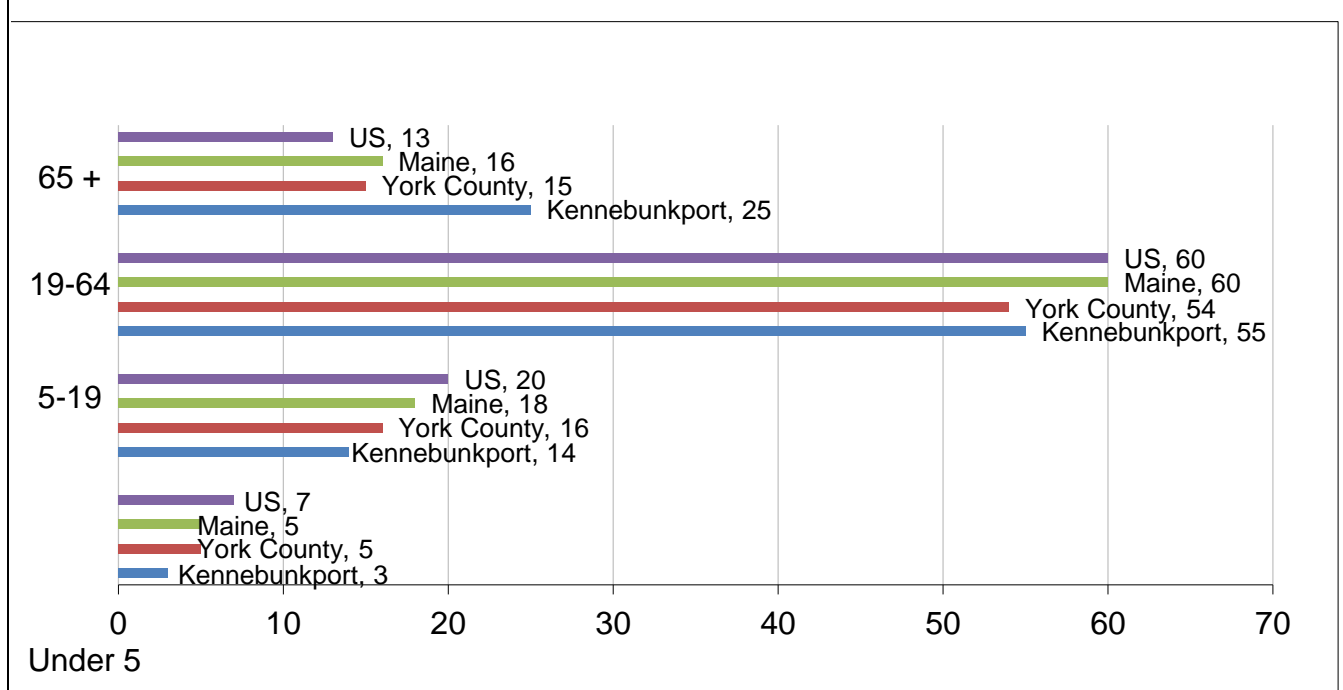
Table 7(VII) presents the distribution of the population from the 2010 Census by various age categories.

Table 7(VII): Age Distribution, 2000/2010

2000					2010				
Kennebunkport		York County			Kennebunkport		York County		
Total Population	3,720		186,742		Total Population	3,474		197,131	
Under 5 Years Old	166	4%	11,016	6%	Under 5 Years Old	110	3%	10,311	5%
5-9	226	6%	13,111	7%	5-9	180	5%	11,333	6%
10-14	253	7%	14,030	8%	10-14	203	6%	12,293	6%
18 Years and Older	2,958	80%	140,469	75%	18 Years and Older	2,853	83%	155,040	79%
15-19	169	5%	12,185	7%	15-19	181	5%	12,885	7%
20-24	111	3%	8,738	5%	20-24	143	4%	10,512	5%
25-34	290	8%	23,154	12%	25-34	188	5%	20,846	11%
35-44	592	16%	32,859	18%	35-44	343	10%	26,157	13%
45-54	671	18%	28,470	15%	45-54	606	17%	33,837	17%
55-59	297	8%	9,843	5%	55-59	337	10%	15,417	8%
60-64	233	6%	7,907	4%	60-64	326	9%	13,187	7%
65-74	417	11%	13,623	7%	65-74	511	15%	16,306	8%
75-84	219	6%	8,748	5%	75-84	264	8%	9,947	5%
85 Years and Older	76	2%	3,058	2%	85 Years and Older	82	2%	4,100	2%
<u>Median Age</u>	<u>46</u>		<u>38.5</u>		<u>Median Age</u>	<u>52</u>		<u>43</u>	

There are indications that Kennebunkport continues to attract a growing number of retirees. The elderly are the fastest-growing segment of the population throughout the U.S. Chart VII-4 shows that people 65 years and older make up a larger portion of the population in Kennebunkport than in York County. In 2000, as indicated on the Chart, they comprised 19% of Kennebunkport's population and continued to climb to 25% in 2010. (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 support for local businesses year-round. At the same time, they create special service needs. Some effects the Town experience may include an 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 homes.

Chart 2(VII): Comparative Age Distribution



C. Income

In 2010, the median household income in Kennebunkport was \$60,244 compared to the York County median of \$55,008 (Kennebunk's median household income at that time was \$69,353).

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. These figures do not reflect self-employed people or home occupations.

Table 8(VII): Average Annual Unemployment Rates

Year	Kennebunkport	Biddeford Area	York County
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%
2005	4.4%	3.7%	4.2%
2006	3.5%	3.5%	4.0%
2007	3.6%	3.5%	4.0%
2008	4.3%	4.2%	4.7%
2009	6.8%	6.7%	7.6%

The unemployment rates in Kennebunkport mirror the overall trends experienced regionally and nationally. Since 2000, unemployment rates locally and regionally have risen somewhat. It is interesting to note that Kennebunkport's unemployment rate was slightly higher overall than the rates experienced in the Biddeford Labor Market and York County for most of the past 20 years.

Chart 3(VII): Selected Economic Characteristics 2010

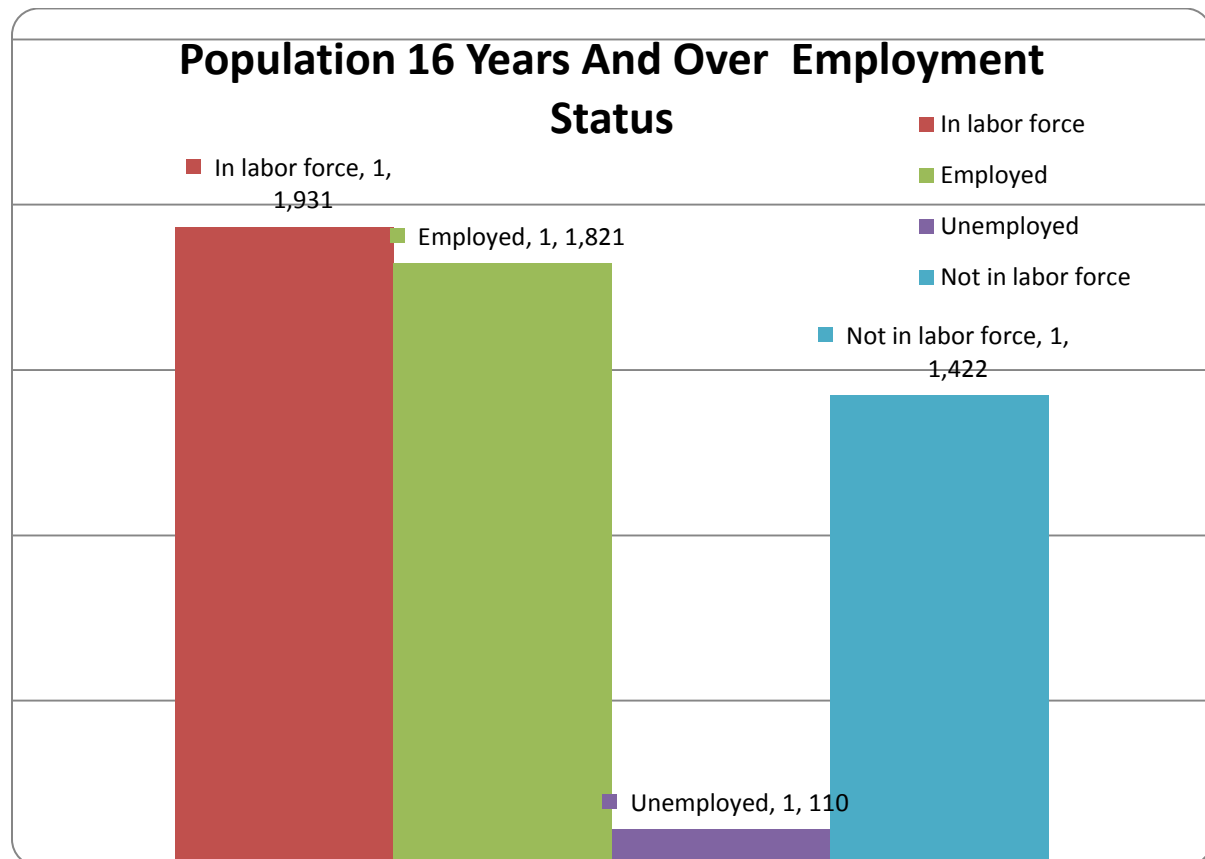
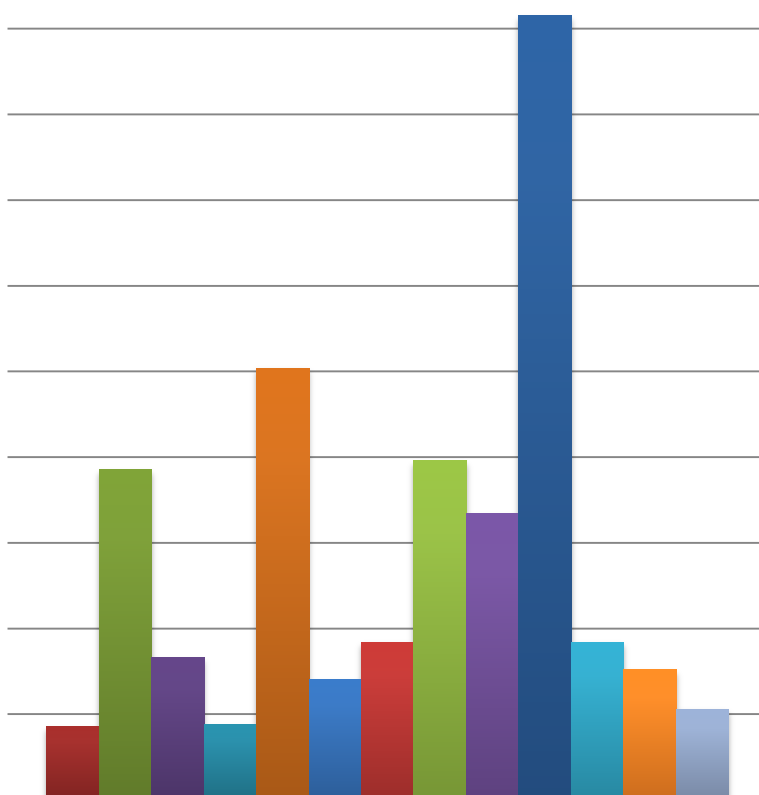


Chart 4(VII): Employment by Industry

Employment by Industry



Employed population 16 years and over 1,821

■ Agriculture, forestry, fishing and hunting, and mining	43
■ Construction	193
■ Manufacturing	83
■ Wholesale trade	44
■ Retail trade	252
■ Transportation and warehousing, and utilities	70
■ Information	92
■ Finance and insurance, and real estate and rental and leasing	198
■ Professional, scientific, and management, and administrative and waste management services	167
■ Educational services, and health care and social assistance	458
■ Arts, entertainment, and recreation, and accommodation and food services	92
■ Other services, except public administration	76
■ Public administration	53

Chart 5(VII): Class of Worker

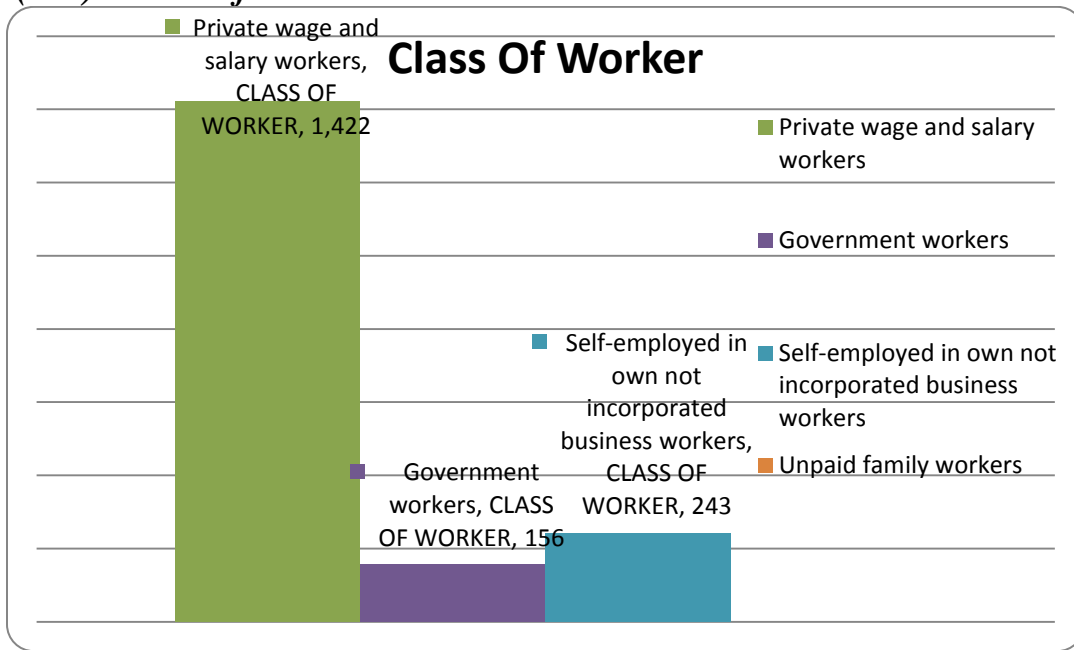
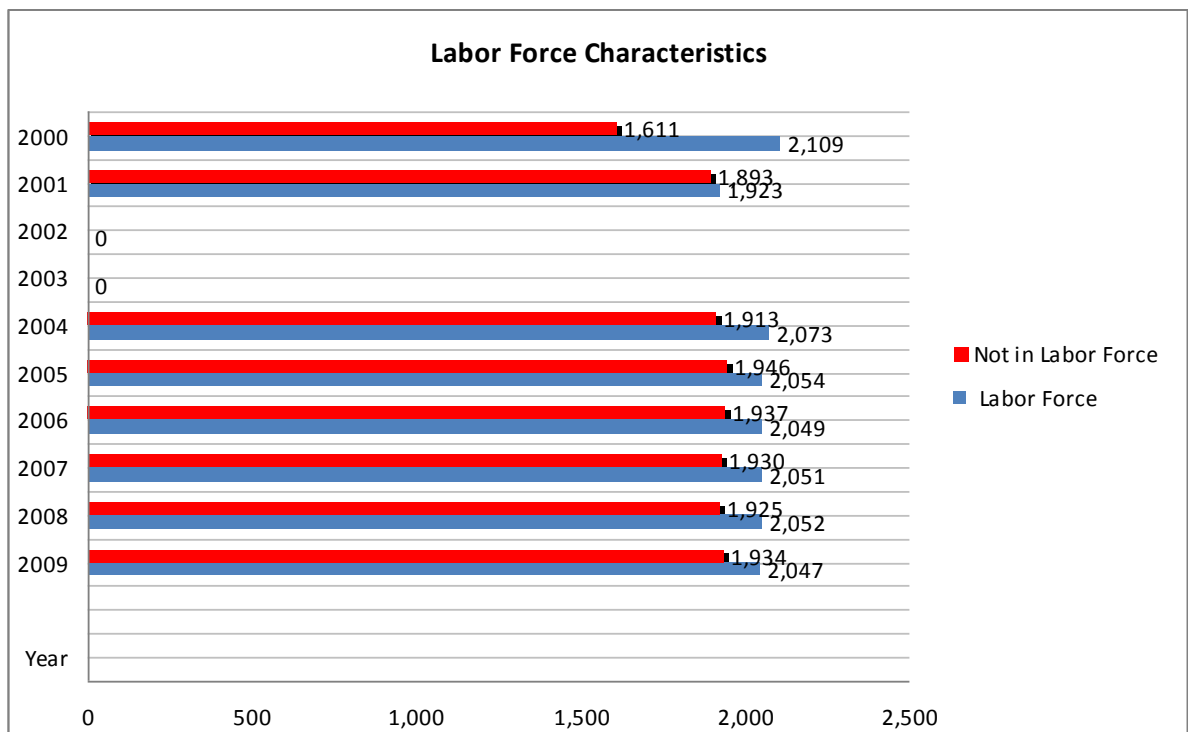


Chart 6(VII): Labor Force Characteristics



The labor force in Kennebunkport has decreased by approximately 3%. Of particular concern is that the Town's overall population has decreased by 7 percent since 2000 but the labor force only shrank by 3 percent. This trend is likely due to the fact that an increasing number of property owners in Kennebunkport are non-residents. This is confirmed by the rise in number of total Housing units, yet a decrease in population.

**Table 9(VII): Annual Average Business Establishments, Employment & Wages
Kennebunkport - 2001-2009**

Year	Establishments	Total Employment	Avg. Weekly Wage
2009	226	1,299	\$547
2008	220	1,341	\$541
2007	220	1,339	\$508
2006	216	1,256	\$514
2005	216	1,249	\$491
2004	220	1,399	\$425
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 VII-8 shows 2003-2009 employment for three key tourism sectors combined (Accommodation, Food Services & Drinking Places, and Trade Transportation & Utilities.)

Table 10(VII): Number Business Establishments, Employment & Wages - Tourism Industries in Kennebunkport 2003-2009

Year	Establishments	Total Employment	Avg. Weekly Wage
2003	123	1070	\$309
2004	119	972	\$317
2005	114	805	\$379
2006	113	792	\$402
2007	113	878	\$414
2008	116	907	\$434
2009	120	882	\$430

* Trade, Transportation and Utilities includes Retail Trade

As these figures show, in 2009 882 of the Town's 1,299 jobs were at either lodging or dining businesses—this accounts for 68% of all jobs in town. However, wages in these two industries are very low. At the annual weekly wage of Food Services & Drinking Places employees, yearly income would only total \$22,360. It is important to note that these figures may or may not include gratuities.

E. Trends in Real Estate Values

The Town of Kennebunkport has experienced steady growth in the community's assessed value of real estate and personal property. For the purposes of observing market trends it is best to rely on the state valuation which projects 100% of market value. In 2001 the total projected real estate value was \$742.9 million (See Table 11(VII)) By 2011, the projected market value of real estate has grown to \$1.9 billion, an increase of approximately 256%.

The best indicator of the growth in the value of property in Kennebunkport is the state valuation which attempts to estimate the "full" value of the town from year to year. Attempts should be made to keep assessments reflective of state valuations in order to avoid sudden and very sharp increases in property taxes.

This most recent increase in the local assessed value represents the effects of a re-valuation of local property values. During this last period, the “assessment ratio” or the ratio of local assessed values to market values is significantly more accurate than in years past. Currently, the town-wide assessment of current market values of real estate and taxable personal property matches very closely to the state’s appraisal of the town’s real estate and taxable personal property.

Policies that encourage keeping local values as close to 100% of the state valuation are more likely to result in gradual increases in property taxes (Minus any major budgetary increases) rather than sudden and large increases over a short period of time. Gradual changes in property taxes amounts as opposed to dramatic fluctuations help reduce the economic shock on both residents and businesses that occur when values have not been adjusted for a significant period of time.

Table 11(VII): State vs. Local Valuation

	KENNEBUNKPORT REAL ESTATE VALUATION (STATE)	KENNEBUNKPORT REAL ESTATE VALUATION (LOCAL)
2001	\$742,950,000.00	\$616,630,400.00
2002	\$876,100,000.00	\$615,791,600.00
2003	\$1,043,700,000.00	\$628,280,300.00
2004	\$1,237,500,000.00	\$643,556,800.00
2005	\$1,371,800,000.00	\$660,269,190.00
2006	\$1,510,450,000.00	\$670,610,810.00
2007	\$1,677,500,000.00	\$685,980,669.00
2008	\$1,828,650,000.00	\$701,999,500.00
2009	\$1,784,950,000.00	\$716,064,520.00
2010	\$1,923,750,000.00	\$1,822,012,200.00
2011	\$1,938,250,000.00	\$1,813,330,200.00

Chart 7(VII): Assessment in Relation to Market Value(%)

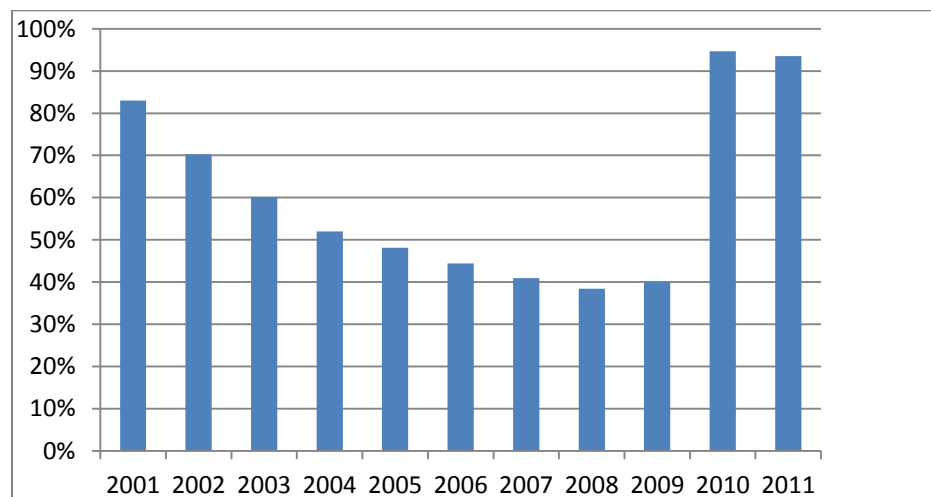
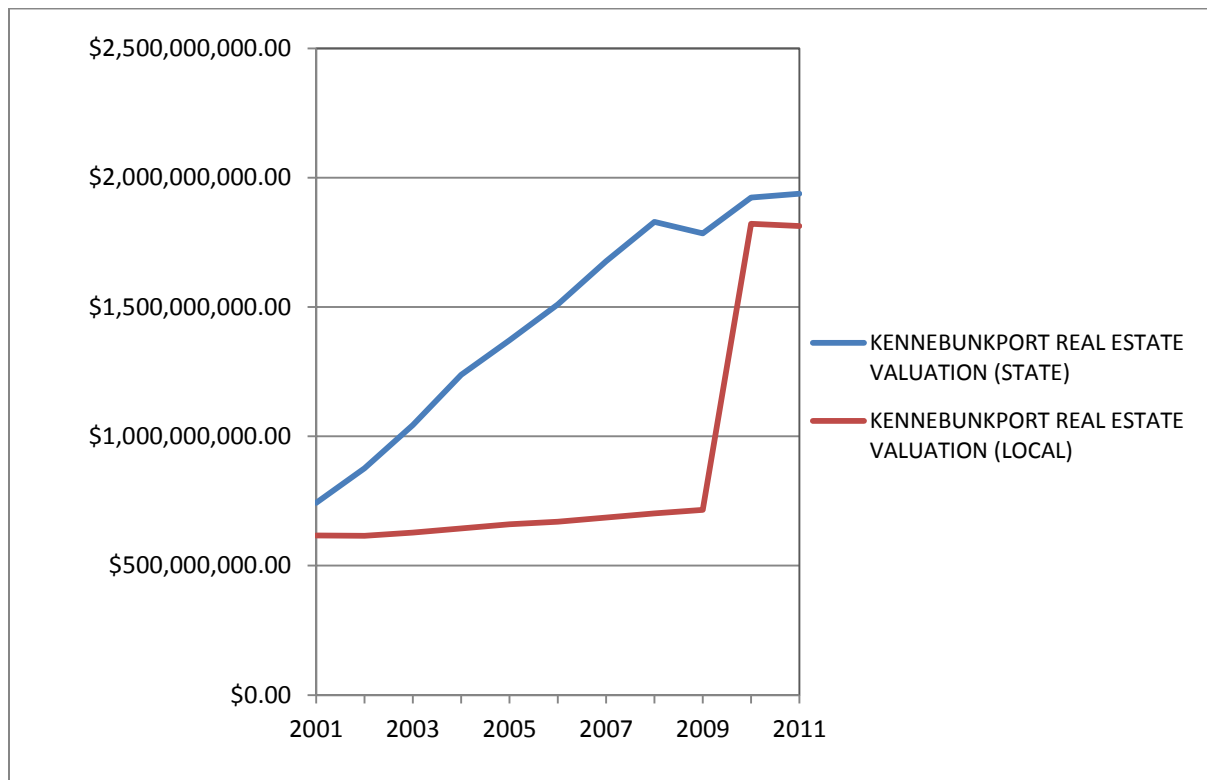
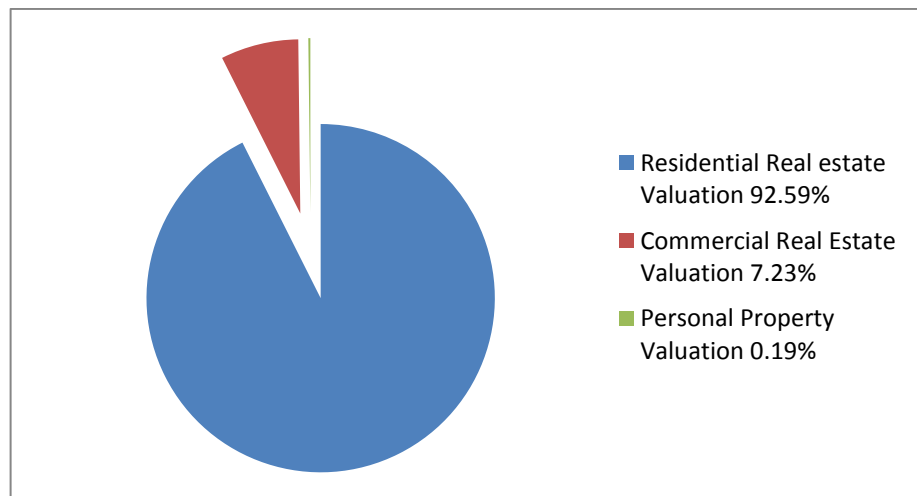
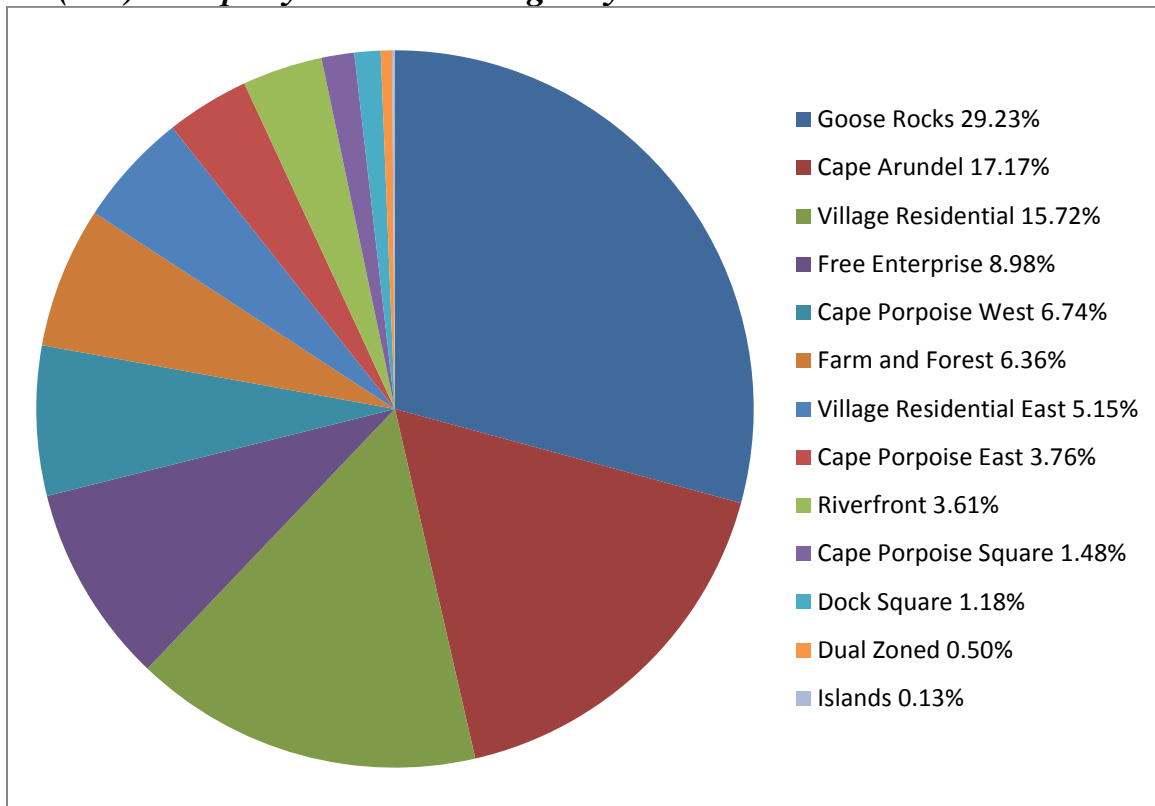


Chart 8(VII): Assessment in Relation to Market Value(\$)



The Town of Kennebunkport's operating budget is funded primarily through the collection of real estate taxes. Graph VII-10 identifies the percentage of value based on Zoning Districts and by use (Residential vs. Commercial). The residential tax base funds approximately 85% of the municipal budget which is comprised of property taxes and various other municipal revenues.

Chart 9(VII): Property Value Percentages by Zone/Use 2011

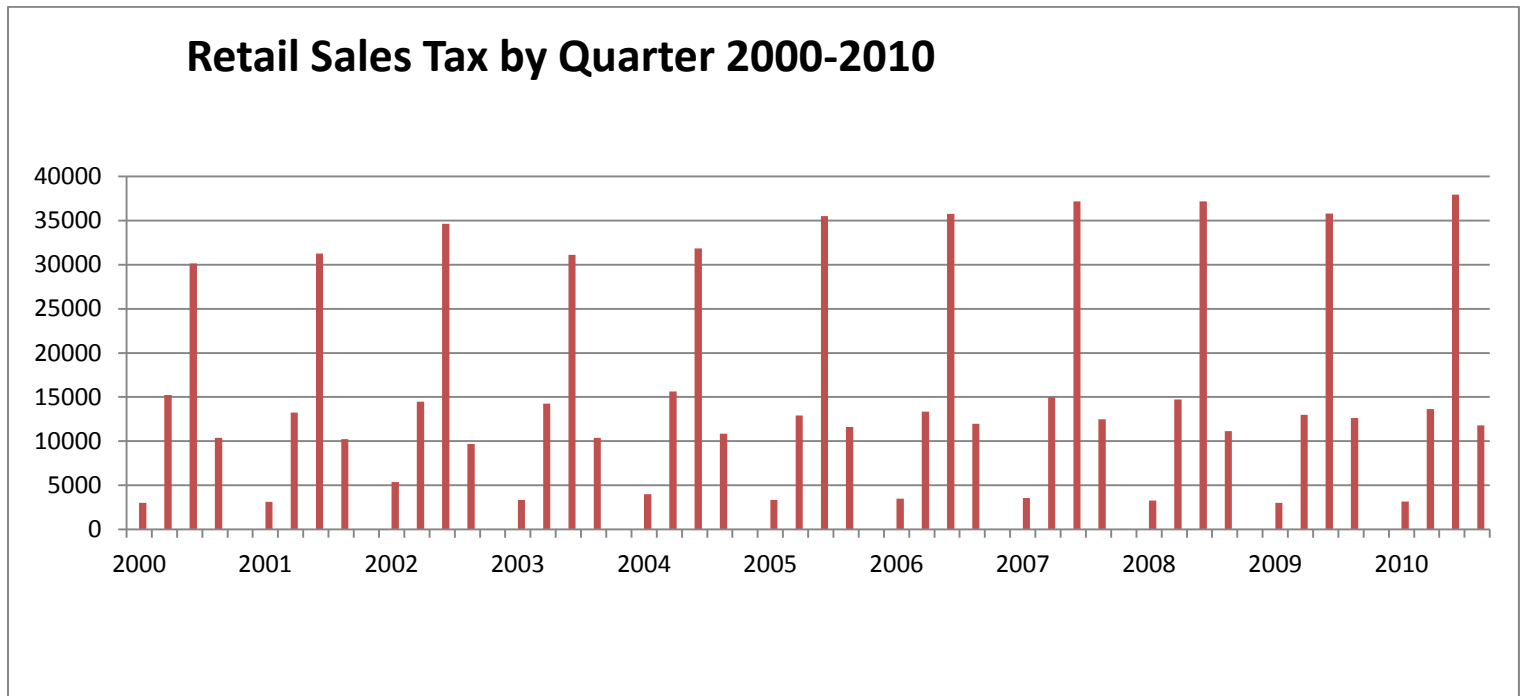


F. Sales Tax Data and Trends

While it should be noted that all sales tax revenue generated within the town goes to the State of Maine, 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.

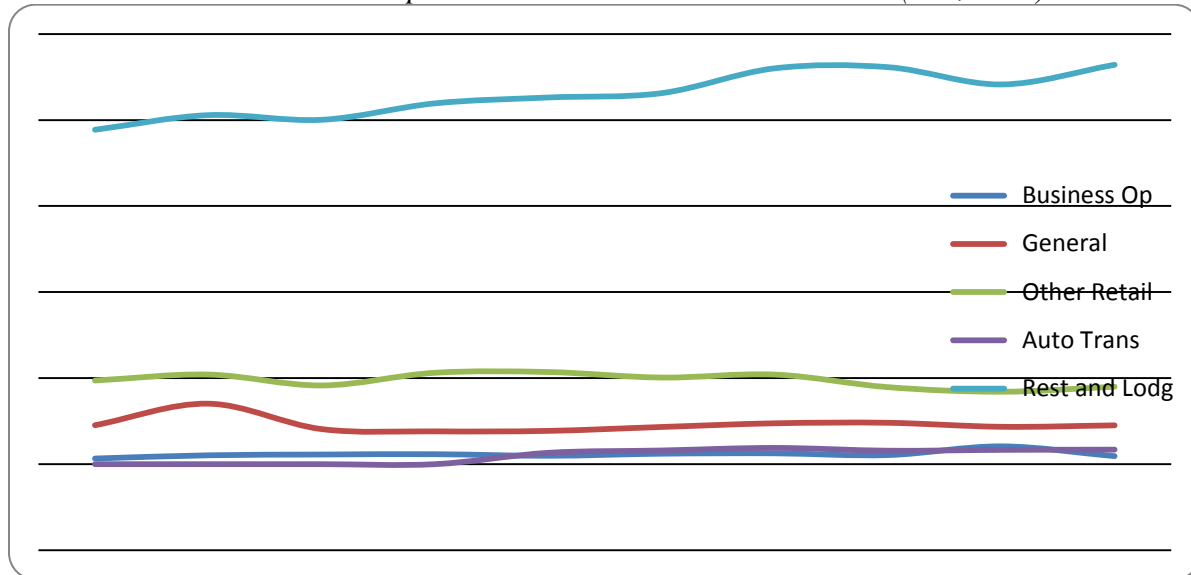
Chart 10(VII): Sales Tax Overview 2000-2010



A review of the quarterly, sales tax revenue collected by Kennebunkport businesses for the State of Maine shows that the third quarter has consistently generated the highest level of revenue during the year. This is clearly shown in the above chart. The third quarter consists of the summer months of July, August, and September, a very important period for the local business community. Kennebunkport participates in a significant coastal economy that is based on tourism and services catering to the large summer resident population.

Chart 11(VII) indicates the level of sales tax generated by the tourist-related retail sectors of restaurants and lodging vis-à-vis other taxable sales categories. Data for the Auto Transportation category was not available during the period 2001 -2004 due to a Maine Revenue Services policy that blocked the release of any data that may compromise the privacy of individual businesses.

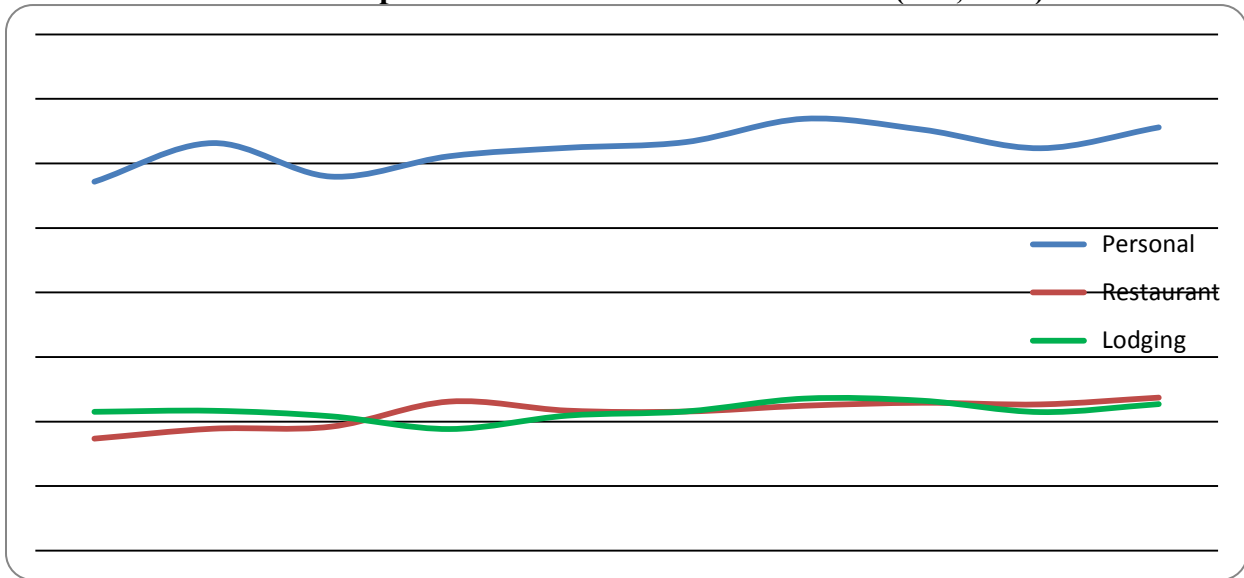
Chart 11(VII): Sales Tax Trends
Kennebunkport Taxable Sales Trends 2001-2010 (in 1,000's)



- **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.

Chart 12(VII) further focuses on the tourist-related retail sectors, namely restaurants and lodging. In 2010, these two sectors accounted for 71% of all retail sales in the town. This share grew even larger in the tourist season. In the third quarter of 2010 (July-September), restaurant and lodging sales represented 76% of all retail sales in town. With a community that is primarily residential and increasingly older in age, it is clear that there is a thriving service industry whose effects are not shown due to a lack of any available data.

Chart 12(VII): Taxable Sales Trends
Kennebunkport Taxable Sales Trends 2001-2010 (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 is to measure how retail sales compare to population. Table 12(VIII) shows 2009 per capita retail sales data by category for the Town of Kennebunkport and the State of Maine. The town's 2009 population estimate was 3988 (U.S. Census estimate) and the state's was 1,318,301 (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. Two economic sectors indicate strong import tendencies – Restaurant and Lodging. Again, this is not surprising due to Kennebunkport's thriving seasonal economy.

Table 12(VII): Sales Tax Analysis

	2009 Kennebunkport	Per capita exp	2009 Maine	per capita exp	Kennebunkport Per Capita as share of State
Gen Merch.	4,346,000	\$1,089.80	2,961,900,700	\$2,246.74	0.49
Other Retail	12,213,800	\$3,062.60	5,416,272,800	\$4,108.50	0.75
Auto Trans	1,662,700	\$416.90	3,238,517,400	\$2,456.57	0.17
Restaurant	22,663,200	\$5,682.80	1,942,208,400	\$1,473.26	3.86
Lodging	21,512,800	\$5,394.40	605,144,600	\$459.03	11.75
Total	62,398,500	\$15,646.60	14,164,043,900	\$10,744.09	1.46

Overall, there was 1.46 times 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 2004, Kennebunkport businesses had approximately \$62 million in taxable consumer sales. By 2009, this had stayed steady, showing flat growth overall. During this same period, taxable restaurant sales fell slightly (by \$420,000), while lodging sales grew from about \$17 million in 2004 to over \$21.5 million in 2009 (a 28% increase). During this period, taxable sales in the other retail category grew from around \$10.6 million in 2004 to about \$12.2 million in 2009, an increase of 15%. This suggests that tourism continues to be an 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.

G. Fishing Industry

Reported data reflecting economic values of the fishing industry in Kennebunkport and Cape Porpoise is available to varying degrees. Due to various federal regulations and the method in which this information is compiled and reported certain information is not readily available.

These statements represent the general conditions of both the Kennebunkport and Cape Porpoise data sets. Landing information is the report of the total number or weight of all marine species captured and sold to another person or party. These numbers come from seafood dealers who are buying on a first purchase basis, however in some cases a harvester may also be a dealer and would also have to report those landings. **It is critical to understand that not all seafood captured and brought into Cape Porpoise and Kennebunkport is sold to a local dealer.** It is not uncommon to have a harvester who is based locally sell their catch to other dealers outside of town. Those numbers are then reported as catch for those ports even though they did not "land" in those ports.

These numbers also do not reflect: Bait sales, individual harvester “cash” sales and other economic values associated with the fishing industry.

In an attempt to capture some of the missing data multiple requests were made to the Department of Marine Resources, NOAA, and the Atlantic Coastal Cooperative Statistics Program. DMR was the most helpful as they reported the Cape Porpoise and Kennebunkport data seen below. Obtaining the same data for Kennebunk and Arundel was not permitted due to federal and state confidentiality rules. The rule states that if there are less than three dealers reporting from any particular port or town that data is considered confidential because it could potentially identify individual dealers. As a result these numbers only reflect the economic activity of local dealers as opposed to the overall industry as a whole. While the information that we do have access to is helpful in observing overall trends, it should not be used to come to specific conclusions regarding the economic status of the local fishing industry. Generally we can conclude that over the past ten years the fishing industry has experienced a steady catch in terms of live pounds landed. Market value fluctuations from 2004 thru 2007 can be attributed to aggressive economic demand, in addition to competition amongst Canadian distributors.

Economic studies done by the Department of Marine Resources and the University of Maine have attempted to estimate the overall economic impact that the fishing industry has on a region. Best estimates are derived using reported landing value times a multiplier of between 3 and 5. The multiplier helps show the secondary economic effects produced by the initial landing. This would include items such as fuel sales, boat sales, jobs created by processing, etc. These estimations indicate that the total economic benefit of the reported fishing industry coming from Kennebunkport contributed between 11 to 19 million dollars to the regional economy in 2010.

Chart 13(VII): Kennebunkport Landing Data

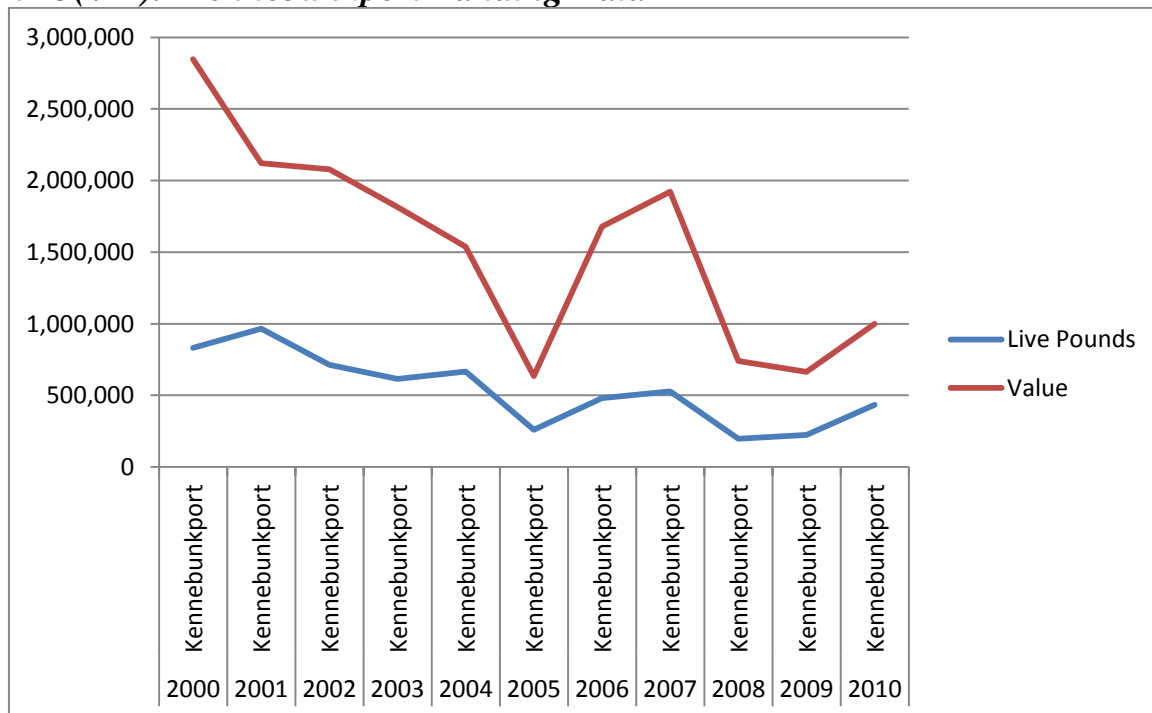
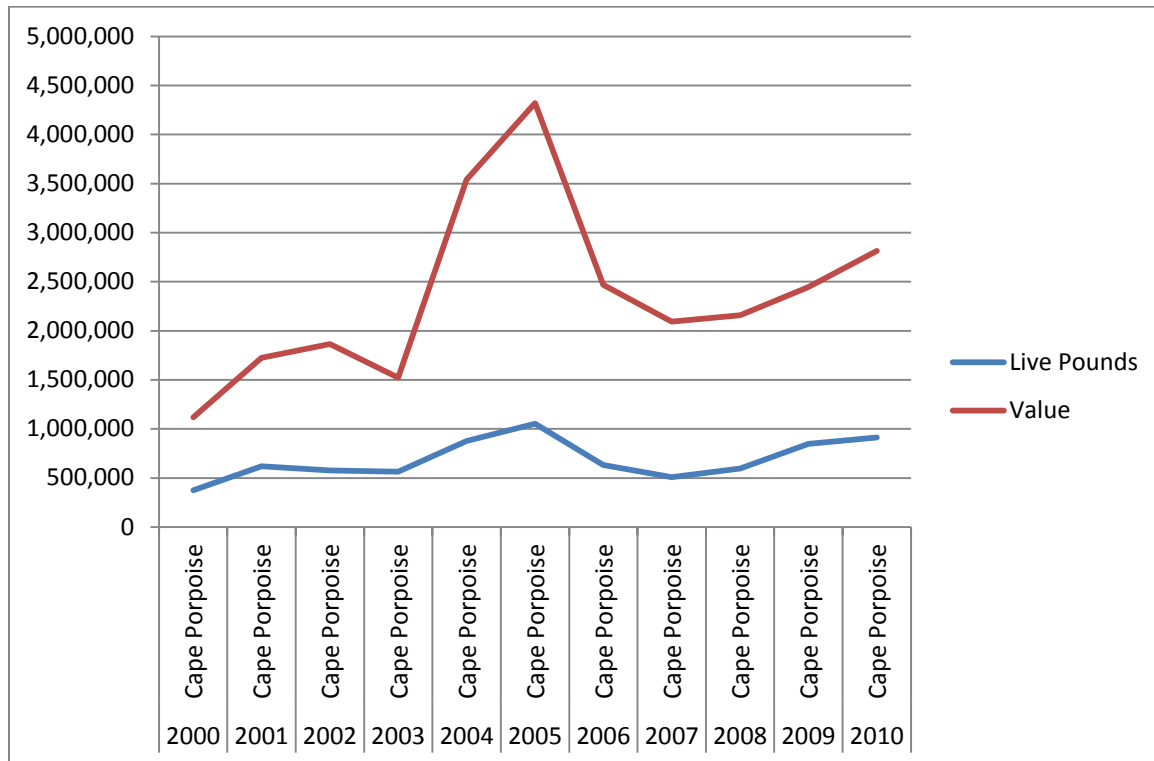


Table 13(VII): Landing Data

2000-2010 Cape Porpoise and Kennebunkport Landings				
Year	Port	Live Pounds	Value	Number of Active Harvesters
2000	Cape Porpoise	373,938	\$1,119,102	-
2000	Kennebunkport	830,609	\$2,846,675	-
2001	Cape Porpoise	620,124	\$1,725,738	-
2001	Kennebunkport	964,761	\$2,121,483	-
2002	Cape Porpoise	578,220	\$1,865,329	-
2002	Kennebunkport	714,038	\$2,077,278	-
2003	Cape Porpoise	562,575	\$1,522,431	-
2003	Kennebunkport	615,769	\$1,814,800	-
2004	Cape Porpoise	877,162	\$3,540,844	-
2004	Kennebunkport	666,769	\$1,536,532	-
2005	Cape Porpoise	1,052,784	\$4,320,279	-
2005	Kennebunkport	259,933	\$635,135	-
2006	Cape Porpoise	630,605	\$2,466,689	-
2006	Kennebunkport	481,779	\$1,677,928	-
2007	Cape Porpoise	507,077	\$2,091,535	-
2007	Kennebunkport	527,698	\$1,921,970	-
2008	Cape Porpoise	595,092	\$2,157,305	61
2008	Kennebunkport	197,644	\$740,798	40
2009	Cape Porpoise	845,849	\$2,445,463	60
2009	Kennebunkport	222,808	\$663,565	38
2010	Cape Porpoise	912,690	\$2,814,178	59
2010	Kennebunkport	433,831	\$999,218	34

**Chart 14(VII): Cape Porpoise Landing Data
2000-2010**



**Chart 15(VII): Landing Data Combined
2000-2010**

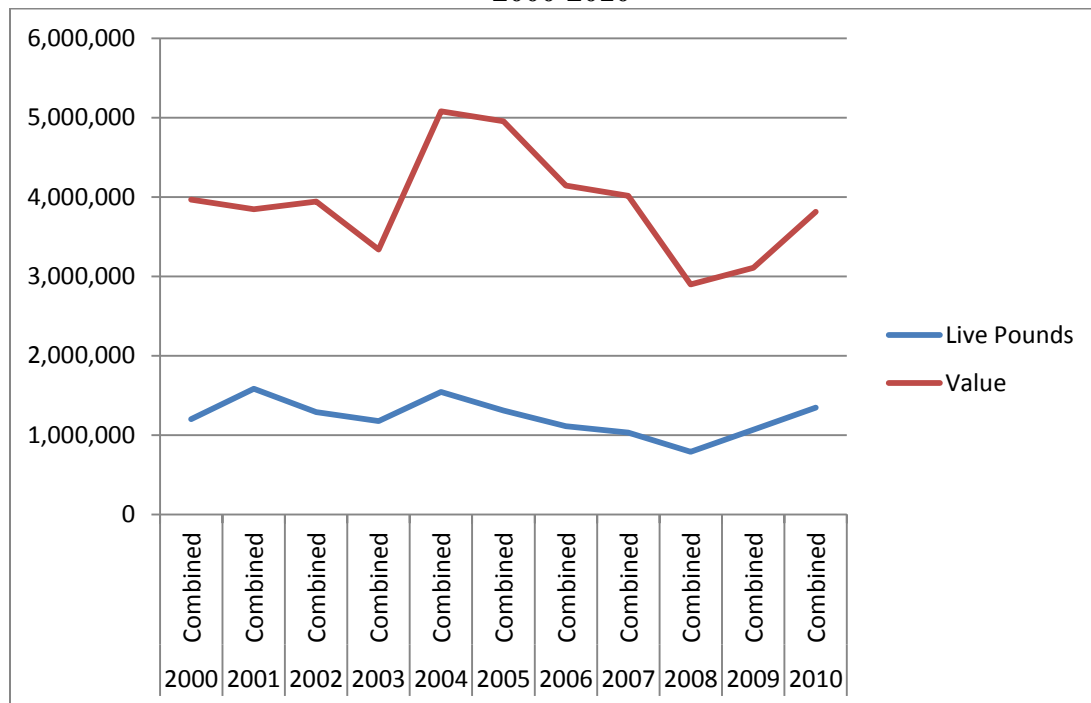


Table 14(VII): Landing Data Combined

Year	Port	Live Pounds	Value	Number of Active Harvesters
2000	Combined	1,204,547	\$3,965,777	
2001	Combined	1,584,885	\$3,847,221	
2002	Combined	1,292,258	\$3,942,607	
2003	Combined	1,178,344	\$3,337,231	
2004	Combined	1,543,931	\$5,077,376	
2005	Combined	1,312,717	\$4,955,414	
2006	Combined	1,112,384	\$4,144,617	
2007	Combined	1,034,775	\$4,013,505	
2008	Combined	792,736	\$2,898,103	101
2009	Combined	1,068,657	\$3,109,028	98
2010	Combined	1,346,521	\$3,813,396	93

II. ANALYSIS AND CONCLUSIONS

The economy of Kennebunkport is strong, growing and diverse, and is dependent upon the property tax income from single family residences. Many of the challenges facing our community are somewhat mitigated by this strong revenue source and yet the balance and character of this community depend upon a much more diverse and less linear source of income. Preserving and maintaining the value of our residential community will only help to bolster the health of our tourist industry, service providers, and trades and fishing community. Conversely, a strong tourism industry will serve to enhance the value of residential property in town.

Our need to maintain this community as one of full services is a challenge that can be met with fiscal posturing or visioning for the future. Social services, an elementary school, zoning and building codes that promote integration of local business into residences, infrastructure expansion, open space, low income housing and low impact linking of all our neighborhoods are topics that require pro-active planning in order to maintain a character to the community that will attract growth and allow diversity to flourish. The current value of Kennebunkport approaches the two billion dollar mark in the year 2011! The cost and responsibility of maintaining what we have and what we want have never been easy nor has the community resisted spending reserves to guarantee a future town character and balance between commercial and residential interests.

A. Role of Tourism

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 the “day-trippers” 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.

A community that accommodates the impacts of tourism by improving its infrastructure (police, fire, public works, roads, and parking) cannot help but provide in many ways for the overall well-being of the town.

B. Current and Future Trends

Kennebunkport is already an attractive haven for retirees. As data in this chapter shows, people 65 years of age or older made up 28% of the town’s population in 2010, 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. The lure of Kennebunkport as a place of retirement of former summer visitors is quite understandable and a market for the growth of this population requires no additional promotion. There are a number of health facilities, social activities, and recreational centers in neighboring communities that specialize in services that appeal to this age group.

Home-based businesses tend to be growing statewide. While little data exists to substantiate this claim it is understood that home based industries help to diversify and balance a local economy and community. Between 2001 and 2010 nine home occupations have been granted by the Zoning Board of Appeals.

III. IMPLEMENTATION

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

TOWN GOAL 1: TO RECOGNIZE THE APPROPRIATE BALANCE BETWEEN TOURISM AND MAINTAINING THE TOWN’S CHARACTER AND QUALITY OF LIFE FOR ITS RESIDENTS.

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 everyone.

Strategy 1: Support the Land Use Ordinance provisions and appointed Town committees which encourage the preservation of scenic areas and architectural integrity of Kennebunkport.

Responsibility: Planning Board

Timeframe: Ongoing

Strategy 2: Place signage to designate specific points of interest.

Responsibility: Board of Selectmen

Timeframe: 2 years

Strategy 3: Support the needs of the business community to attract tourists while at the same time assuring good quality of life for residents.
Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 4: Develop sites for additional municipal or privately owned satellite parking lots: consider locations in either Kennebunkport or nearby towns.
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 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 clarify ordinance provisions governing home occupations such as: defining what is meant by “customary” (“provided that it is customarily carried on in a dwelling”) in addition to reviewing conditions (All home occupations shall conform to the following conditions”) to determine if modifications are necessary.
Responsibility: Planning Board
Timeframe: 2 years

Strategy 2: Review conditions in LUO that ensure protection for abutters and residential neighborhoods from the adverse effects of noise, traffic, and parking, etc.
Responsibility: Planning Board
Timeframe: Ongoing

Strategy 3: Define and establish performance standards for small scale professional offices.
Responsibility: Planning Board
Timeframe: 2 years

TOWN GOAL 3: 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 while developing additional events.
Responsibility: Board of Selectmen
Timeframe: Ongoing

TOWN GOAL 4: TO FIND WAYS TO INCREASE JOB OPPORTUNITIES LOCALLY

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

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: 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 5: 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 for necessary uses such as parking.
Responsibility: Planning Board
Timeframe: 2 years

Chapter VIII: 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 along with the size of each zoning district in acreage are:

Table 15(VIII): Zoning Districts and Minimum Lot Size

District	Minimum Lot Size Per Use	District Size Percentage of Acreage	Total Land Area
1. Village Residential	40,000 Sq ft	936	7%
2. Village Residential East	40,000 Sq ft	304	2%
3. Dock Square	20,000 Sq ft	7	1%
4. Riverfront	20,000 Sq ft	26	1%
5. Cape Arundel	40,000 Sq ft	419	3%
6. Goose Rocks	40,000 Sq ft	1708	13%
7. Cape Porpoise East and West	20,000 Sq ft	380	2%
8. Cape Porpoise Square	20,000 Sq ft	37	1%
9. Free Enterprise	40,000 Sq ft	3339	26%
10. Farm and Forest	3 acres	5638	44%
			*percentages rounded
			12794 Total Acreage
			19 Square miles

B. Analysis of existing growth and development

For the most part, the land use statistics reported in 2007 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. Many large vacant tracts of land that are located within Free Enterprise and Farm and Forest have potential for further subdividing. Development constraints, such as wetlands, soil types, etc., must be considered to determine the growth potential of these lands. A break out of all vacant land is shown on the Developable Land Map. This map indicates fully developed land and land that holds development potential under current zoning. This map also indicates where less dense development patterns have occurred.

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 563 acres are part of the federally owned Rachel Carson National Wildlife Refuge and 1892 acres are owned by the Kennebunkport Conservation Trust. This includes approximately 876 acres of Town owned land that

was transferred to the Trust. In addition, 80 acres of privately owned land are protected with conservation easements.

Current use tax programs represent a large number of acreage in town as well. These programs include tree growth, open space, and farmland. Unlike conservation areas, these properties can discontinue the tax use program and be used for development purposes. Over 928 acres throughout the Town of Kennebunkport are in the tree growth program, about 66 acres in open space, and just over 350 acres in agriculture.

C. Recent Commercial Growth

While residential development is subject to a growth cap, commercial development is not similarly constrained. In theory, this could allow for large amounts of commercial growth that would not be subject to any type of growth control. The recent approvals of Fishing Pole Ln (AKA Hidden Pond) is a good example of one of the current trends in commercial development seen in coastal communities. Fishing Pole Ln started out as a residential mobile home park, but has since been converted to a commercial hotel/motel complex. As a residential subdivision it was subject to the Growth Control Ordinance, and therefore limited to 7 permits per calendar year. It is important to note that of the subdivision growth permits issued in 2007 and 2008, 14 of those dwellings are in Fishing Pole Lane. With the conversion of this project to a commercial hotel/motel complex it is now no longer subject to the Growth Control Ordinance. This leads one to question the emphasis around residential growth and its perceived impacts, vs. the less restrictive commercial development standards governing uses such as hotel and motel applications.

After a close review of existing land uses it is clear Kennebunkport is largely a residential town, with many commercial uses that could be constructed within primarily residential areas. It is important to note, however that besides the construction of Hidden Pond, and the re-development of the Beachwood Resort there has been very little active commercial growth, besides redevelopment within existing commercial areas.

A healthy balance of commercial growth is certainly necessary to supplement the town's tax base and provide jobs for local residents; however this committee questions the logic of providing limited guidance in assigning appropriate standards and locations in town for this type of development. This type of development is more appropriately directed towards areas of town that have sewer and water and are closer in proximity to existing commercially developed areas, vs. predominantly rural residential areas that are serviced by wells and septic, and are being actively conserved to retain their rural character.

D. Analysis of Growth Cap

In 2003, 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 ordinance governing the growth cap was to set a pace of residential growth that was considered reasonable that would allow for some control as not to overwhelm town infrastructure or essential services. The total was evenly split between subdivision development and non-subdivision lots with subdivisions being restricted to a total of seven permits per subdivision per year. 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.

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. Additional information that is provided starting in 2003 relates specifically to the effects of the growth cap.

Table 16(VIII): Residential Building Permit Activity

<i>Summary of Residential Building Permit Activity from 2000 to Present</i>						
YEAR	NEW DWELLINGS	SUBDIVISION	(Subdivision) CONVERTED TO BUILDING PERMITS	NON- SUBDIVISION	(Non-Subdivision) CONVERTED TO BUILDING PERMITS	DATE LAST PERMIT ISSUED FOR YEAR
2000	38					
2001	40					
2002	*79					
2003	41	20	20	23	21	12/30/2003
2004	42	14	13	36	29	12/14/2004
2005	45	16	14	31	31	12/22/2005
2006	22	4	4	25	18	12/11/2006
2007	22	10	**10	15	12	12/26/2007
2008	14	10	**10	11	11	12/31/2008
*30 of these dwellings were assigned to two-family dwellings resulting in 15 structures.						
**7 of these dwellings were assigned to Hidden Pond						

Since the growth control ordinance was enacted approximately 65% of residential growth in town has been on property that either is grandfathered or was split without undergoing any type of subdivision review. These properties must meet all of the minimum lot standards that the town requires, however they are not required to meet any open space, drainage or subdivision road standards. Since the subdivision review process exists to ensure that new development does not negatively impact the public's health, safety and welfare, the Growth Planning Committee questions the merits of a growth control policy that effectively results in disproportionately more residential growth that is not subject to subdivision standards and review. Subdivision review provides for effective storm water management, subsurface waste water review, and effective protection of sensitive water supplies and wildlife habitat.

Another issue is that the existing growth cap does not differentiate between new development in growth and rural areas. Undeveloped lots in close proximity to town sewer and water are scarce and often quite expensive. This has led to pressure for development in rural areas—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. Specifying which zones are more appropriate than others

to receive growth will be a more effective growth management tool, as designated growth zones will be identified based on the presence of existing infrastructure.

E. 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 Land Use Ordinance that should be addressed in the years ahead. These have been listed in order of importance, from highest to lowest:

1. Water Quality and Supply

Commercial developments and large scale residential developments which have densities greater than allowed for single family dwellings and that are not connected to public water and sewer may have an adverse impact on existing aquifers and their quality.

2. Mobile Homes

The state laws regulating mobile home parks could lead to residential densities greater than allowed for under current zoning.

3. Permitted Uses

The generous and lengthy lists of conditional uses in the Farm & Forest and Free Enterprise Districts do not appear to be consistent with the purpose and location of those districts.

4. “NET vs. Gross”

Considerable discussion surrounds the use of net square footage vs. gross square footage in determining buildable lots. Using net square footage often results in lots that are considerably larger than the zoning district requires. Using gross square footage at the local level would not necessarily negate state minimum requirements regarding septic systems, wetland considerations, or state subdivision requirements.

5. Commercial Development

Existing standards for Commercial Development are not adequate to minimize unwanted impacts on neighboring parcels.

6. Square Footage & Volume Matters

Private roads that over time have experienced extensive individual lot division take on characteristics of a sub-division, however don’t meet the sub-division requirements add to the appearance of town wide “sprawl” in “Farm & Forest” and “Free Enterprise zones.

7. Overlay Zoning

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 and not adjusted 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 Resource Protection standards apply as in sparsely developed estuarine areas.

8. Distinctions in Different Zones

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. Dimensional requirements should be tailored to meet zones that are appropriate to each use.

9. Arterial & Feeder Roads

Setbacks along State arterial and feeder roads are not adjusted to allow for future highway & infrastructure expansions.

10. Village Zones & Patterns

During the reviews of recent subdivisions along Route 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.

11. Historic Preservation

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.

II. ANALYSIS AND CONCLUSIONS

A. Future Land Use Considerations

Undeveloped land with access to public water/sewer and is very limited. The zones with the most commercial development have very little undeveloped land, however available land increases as you move into the Free Enterprise and Farm and Forest Zones.

As the town looks to its future, an awareness of existing land development opportunities and constraints is needed. A common technique for this is a Developable Land Analysis.

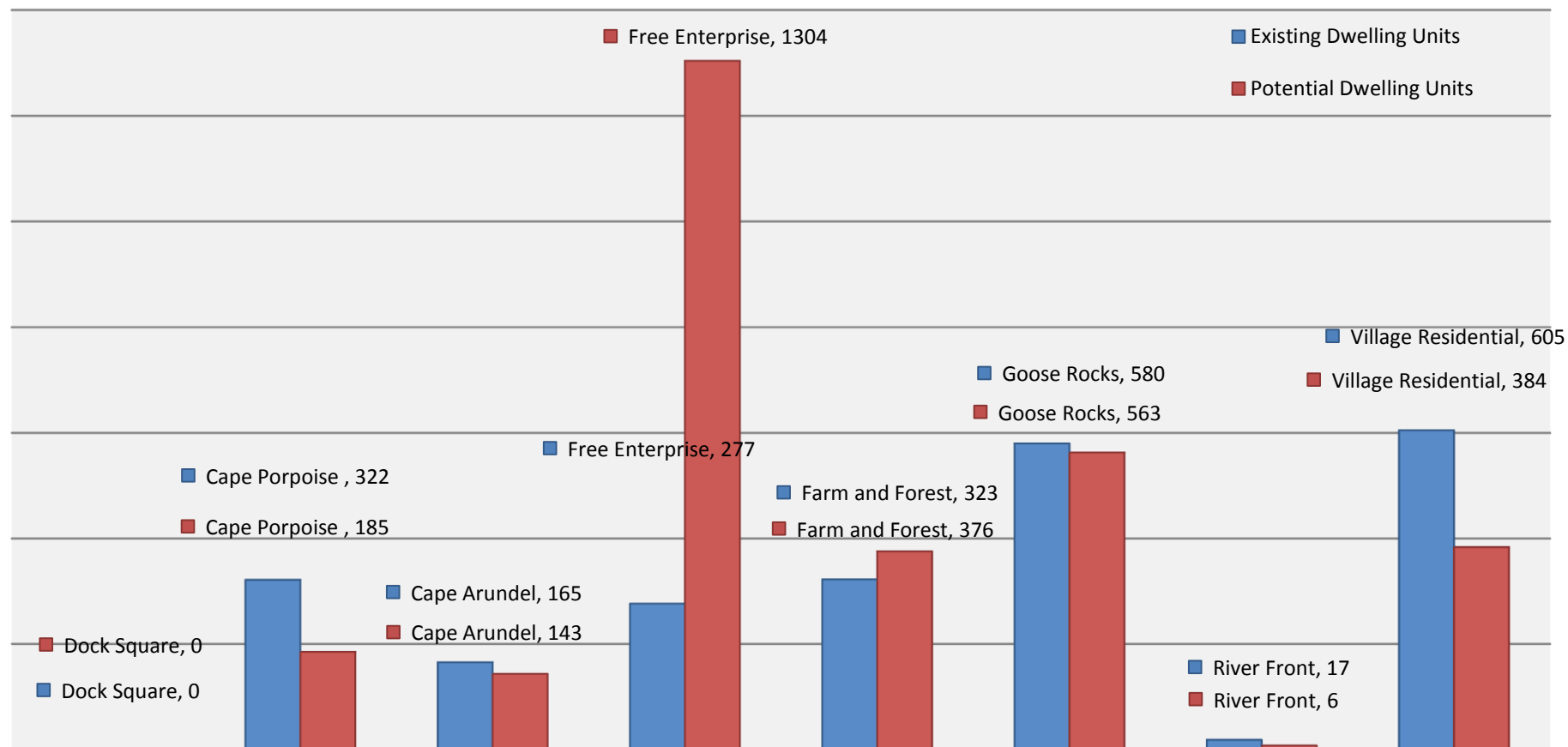
In general, this analysis is produced in the following manner:

1. Determine the developable land area of the developable parcel
 - a. By subtracting land which is either in wetlands, steep slopes, or flood plains.
 - b. If there is a house on the lot, subtract the min lot size
 - c. Multiply the total by the efficiency factor (which represents land used for roads, odd lot sizes, additional site constraints.) This factor is 70% for all zones but Farm/Forest where it is 50%.
2. Determine the status of each parcel
 - a. Conserved – therefore no further development
 - b. Government Owned – not likely to have residential development
 - c. Commercial/Industrial – remove parcels utilized for commercial and industrial uses
 - d. Cemetery/Recreation/Civic/Utility – remove parcels from development

- e. Fully Built Out – parcels whose developable acreage is less than the min. lot size for the zone
 - f. Developable – remaining parcels with further development potential
3. Determine potential new units for Developable Parcels
- a. Divide developable area/min lot size and multiply by the efficiency coefficient. The minimum lot size is determined by the underlying zoning for each parcel.
4. Imperviousness for each sub watershed is calculated in the following manner:
- a. Determine existing imperviousness from 2001 Impervious data layer from State of Maine
 - b. Calculate potential future imperviousness from % impervious surfaces allowed under zoning (20% in all zones but Farm/Forest where it is 10%)
 - c. Add the two values together and divide by the total area for the sub watershed to determine possible percent impervious under current conditions.

By doing this analysis on a parcel by parcel basis one is able to gain a greater level of accuracy rather than looking at the towns land mass as a whole. Based on this format for analysis the current zoning districts in Kennebunkport have the potential for approximately 2,960 new dwelling units based on current zoning. Currently Kennebunkport has approximately 2,289 dwelling units. These are split up amongst the following areas:

Chart 16(VIII): Existing vs. Potential Dwelling Units



Relative to other zones in the town Farm and Forest, Free Enterprise and Goose Rocks Zones hold a great deal of development potential.

III. FUTURE LAND USE PLAN

A. Town-Wide Strategies

Kennebunkport has a number of remarkable attributes that call for preservation. The natural resources in town that attract growth and make Kennebunkport an attractive place to live, are also responsible for endangering those very resources. There is both growth and 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, without regard to sensitive areas or supporting infrastructure. The Growth Planning Committee encourages growth in areas that are already developed, where infrastructure exists, and suggests restricting 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.

The Growth Planning Committee has reviewed the concept of clustering to preserve open space even in developed areas and recognizes that multiplex uses of structures can be thought of 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.

B. Growth Areas

The purpose of the growth area map is to identify areas in town that would benefit from variable growth rates based upon their current land use and infrastructure. Each area is subject to a different number of growth permits in any given year based upon a percentage of the total; 50% into the Growth Area, 30% into the Transition Area, and the remaining 20% into the Rural Area. This scale of issuance will help to promote and protect the existing character of these areas along with establishing growth pattern data to assist in future infrastructure planning.

- **Growth:** Identifies those areas in 2009 that were either serviced by sewer and water or were within 1,000 feet of those services. This area characteristically has development that consists of village patterns including residential and commercial development.

- **Transitional:** Identifies an area between rural and growth. This area characteristically has development that consists of residential, some commercial, and a number of large wetland systems including Goose Rocks Beach.
- **Rural:** Identifies those areas which are not typically serviced by sewer and water. This area characteristically has development that includes residential, conservation, some commercial, agricultural, and large tracts of fields and forests.

Rate of Growth Limitations Achieve:

- Directs growth towards infrastructure (sewer & water)
- Protects character of Village and Rural areas
- Sets a rate of growth that allows the town time to develop a town infrastructure plan.

Table 17(VIII): Rates of Growth

Definition	Growth	Transition	Rural
% of annual GP issued	50%	30%	20%
Approx. developable Acreage	1100	1170	3490
% Land w/access to sewer	71%	21%	3%
% Land w/access to water	83%	57%	0%

Data within table current as of January 2010

To date, (year of 2009) a total of 48 Growth Permits were available for residential dwellings. Based upon demand there were a total 38 available at the end of December 2009.

In order to promote cluster housing within the Growth, Transition and Rural areas an additional 10% of the total number of growth permits allowed may be granted for those individual or developers who wish to pursue cluster developing at the planning board level. Individuals or developers would be limited to a set number of growth permits at the start of the calendar year and only a percentage of the available growth permits per/ growth area would be available to any individual or developer within the same calendar year, until the first week in December. Within the month of December the limitation on individuals or developers may be lifted. In addition, any growth permits remaining from the combined three areas would be available for the Growth Area only, with appeals for exceptions permitted by a prepared and planned presentation to the Board of Selectmen. The total number of Growth Permits allocated for the next year will be no less than the average annual number of permits issued by the municipality for the past 10 years plus 10 percent or no lower than 40. Permanent residents should be given preference regarding Growth Permit applications.

Additional exemptions of the following restrictions will be considered by the planning board for residential housing units built solely as moderate, affordable or low income, with the requirement that these units, as built, will be sold or rented for a price that is affordable in the region, and that the affordability will be maintained in subsequent resale or future rental of the units.

Note: Currently there are no definitions for: moderate, affordable or low income housing in the LUO. These terms would need to be defined and adopted by the voters as well as being accepted by the Planning Board.

Table 18(VIII): Growth Acreage in Town

Definition	Growth	Transition	Rural
Total acreage	2540.00	3260.00	6900.00
Approx. developed acreage	890	750	760
Approx. un-developed acreage	1620	2500	6140
Approx. developable acreage	1100	1170	3490
% of developable land w/access to sewer *	71%	21%	3%
% of developable land w/access to water *	83%	57%	0%
Targeted % of total # of annual GP's issued	50%	30%	20%
% parcels hooked to sewer			
% parcels hooked to water			
Approx. developed acreage in residential	861	739	734
Approx. developed acreage in commercial	29	11	26
Potential New Dwelling Units	955	665	1400
Note * within 1000' of existing sewer/water Data within table current as of January 2010			

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.
- The recommendations of the State Planning Office will be responded to in future Comprehensive Plans.
- Maximum protection of open space by the use of clustering and consolidating of dwelling units is important.
- Improve affordability in as many areas as possible without impairing the character of the Town is a priority. Examples of affordable housing options include liberalizing accessory apartment rules, and those for roomers, home occupations, and multiplex dwellings.
- Protect environmentally sensitive areas by directing growth away from them, while minimizing adverse impacts on property owners in such areas by directing growth to maximize the use of existing infrastructure.

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, AND 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: Revise the Land Use Ordinance by allowing uses which are supportive of the zone narratives in Chapter #2 (Town Character)
Responsibility: Planning Board
Timeframe: 1 year & ongoing as needed.
- Strategy 2: Perform an analysis of the Growth Control Ordinance to determine its effectiveness in directing growth.
Responsibility: Code Enforcement/Planning Office
Timeframe: 1 year & ongoing as needed.
- Strategy 3: Encourage growth in areas where town infrastructure exists by altering the growth cap accordingly.
Responsibility: Board of Selectmen/Code Enforcement/Planning Office
Timeframe: 1 year & ongoing as needed.
- Strategy 4: Future mobile home parks, motels and hotels are to be directed to areas of town that have sewer and water as an existing infrastructure or to areas that are planned for such expansion.
Responsibility: Board of Selectmen
Timeframe: 1 year & ongoing as needed.
- Strategy 5: Growth principles allowing the expansion of the traditional neighborhood design should be used to allow for the expansion of typical land use characteristics found in Kennebunkport’s village.
Responsibility: Board of Selectmen
Timeframe: 1 year & ongoing as needed.
- Strategy 6: Develop long term plan for sewer and water expansion to accommodate for existing and future growth, including upgrades to existing lines and treatment plant.
Responsibility: Board of Selectmen, Sewer Advisory Committee
Timeframe: Ongoing

Strategy 7: Define Moderate, Affordable and Low Income Housing.
Develop Performance Standards for these related Activities and Land Uses.
Responsibility: Planning Board
Timeframe: 1 year

Policy 2: *Encourage and protect open space and agriculture.*

Strategy 1: Identify appropriate areas to be preserved.
Responsibility: Board of Selectmen and Kennebunkport Conservation Trust.
Timeframe: Ongoing

Strategy 2: 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 and Board of Selectmen
Timeframe: 2 years & ongoing as needed.

Strategy 3: 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 4: 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.

TOWN GOAL 2: PROTECT OUR COASTLINE

Policy 1: Create new and maintain existing public access to the coastline

- Strategy 1: Establish, maintain, map and enforce public access to the coast.
Responsibility: Board of Selectmen
Timeframe: Ongoing
- Strategy 2: Inventory and identify coastal properties and uses that may be appropriate for future public access
Responsibility: Board of Selectmen
Timeframe: 1 year & ongoing as needed.
- Strategy 3: Promote land acquisition and establishment of water access for non-motorized water craft.
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 VI, 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.
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/Board of Selectmen
Timeframe: Ongoing

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

Note: Winding roads discourage excessive speed and emphasize the rural character of the town.

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, Implementation Committee,
Code Enforcement/Planning Office
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 budgets will include money for the updates of all new buildings/ parcels development/ roads and related material for the purposes of build-out analysis.
Responsibility: Board of Selectmen
Timeframe: Ongoing

Strategy 4: A professional Town Planner shall continue to be available to the Town and its Boards.
Responsibility: Town Manager/Board of Selectmen
Timeframe: Ongoing

CHAPTER IX. HOUSING AND DEMOGRAPHICS

I. INVENTORY

A. Housing Units/Stock

Kennebunkport added 342 housing units during the period 2000-2010 according to the 2010 US Census. This represented an increase of 13.4%. The town now has a total of 2,897 units of housing.

Of the 2,897 housing units, 1578 are "occupied" units, 200 are vacant, year-round units and 1,119 are for seasonal use (seasonal use is 38.6% of the total). Of the 1578 households in town, 82.8% (1,307 households) are owners and 17.2% (271 households) are renters. It should be noted that this data is from the Census which means these were the existing conditions on April 1, 2010.

The following table summarizes Census data on housing in Kennebunkport.

**Table 19(IX): Housing Units in Kennebunkport
1980 – 2010**

	1980	1990	2000	2010	2000-2010 # % change		1990 - 2000 # % change		1980 - 2010 # % change	
Total Housing Units	2,011	2,280	2,555	2,897	342	13.4%	275	12.1%	886	44.1%
Seasonal	709	738	874	1119	245	28.0%	136	18.4%	410	57.8%
Year Round	1,302	1,542	1,681	1,778	97	5.8%	139	9.0%	476	36.6%
Vacant	50	101	66	200	134		-35		150	
Occupied	1,252	1,441	1,615	1,578	-37	-2.3%	174	12.1%	326	26.0%
Owner Occupied	979	1,177	1,351	1,307	-44	-3.3%	174	14.8%	328	33.5%
Renter Occupied	273	264	264	271	7	2.7%	0	0.0%	-2	-0.7%

Vacancy Rate*

Homeowner ¹	1%	2.6	1.1	2.8
Rental ²	4.1%	10.2	7	27.7

*Seasonal housing units are not figured into the vacancy rate.

[1] The homeowner vacancy rate is the proportion of the homeowner inventory that is vacant "for sale." It is computed by dividing the total number of vacant units "for sale only" by the sum of owner-occupied units, vacant units that are "for sale only," and vacant units that have been sold but not yet occupied; and then multiplying by 100.

[2] The rental vacancy rate is the proportion of the rental inventory that is vacant "for rent." It is computed by dividing the total number of vacant units "for rent" by the sum of the renter-occupied units, vacant units that are "for rent," and vacant units that have been rented but not yet occupied; and then multiplying by 100.

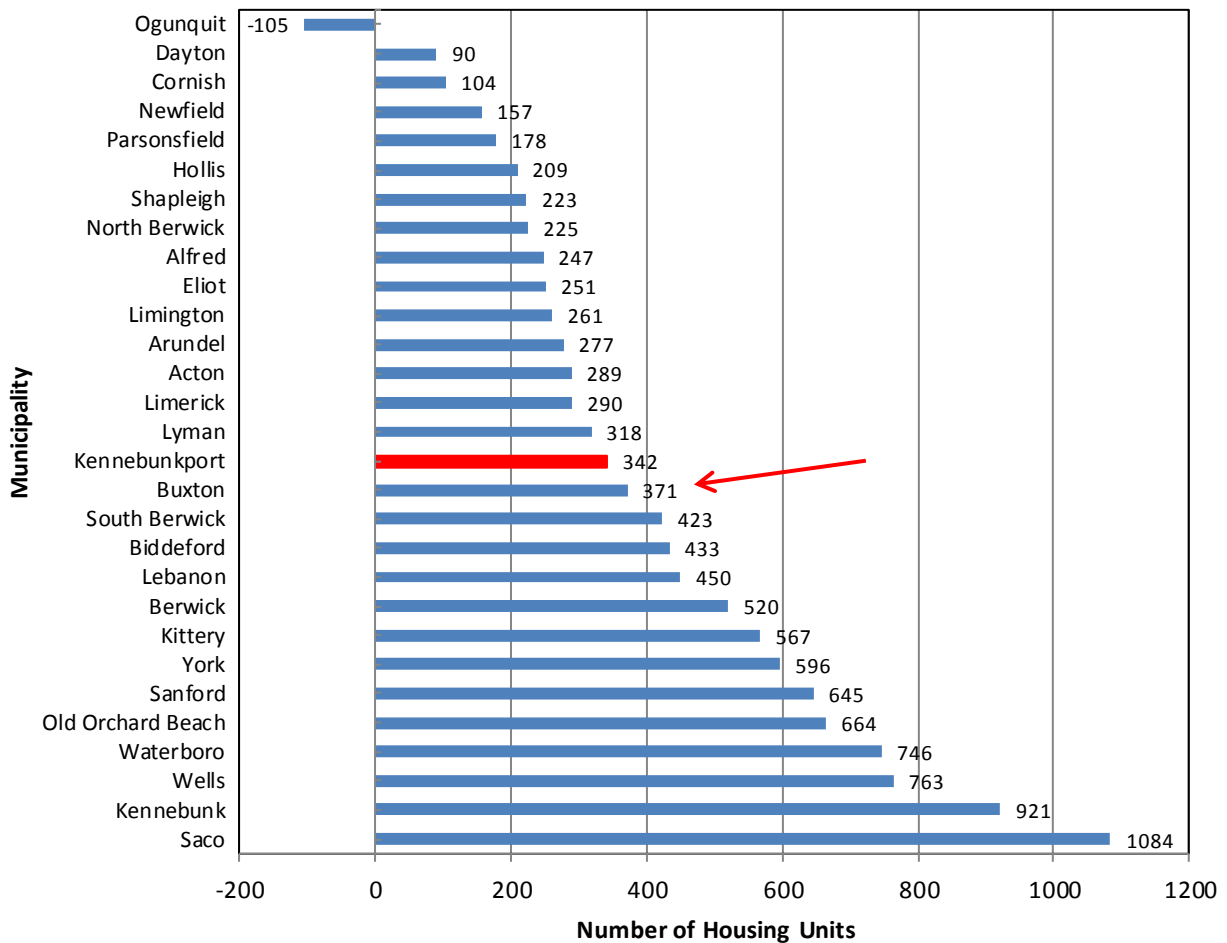
Over the last ten years, there was a 28% increase in the number of seasonal housing units and only 5.8% increase in year-round units. Almost 40% of the total housing stock in Kennebunkport is now classified as seasonal, more than at any point in the last 30 years. There has been an average of 34.2 housing units built per year during the decade, of these an average of 24.5 seasonal units and 9.7 year-round units were built per year. This has been a very dramatic shift compared to the previous decade (13.6 seasonal / 13.9 year-round) as well as the trends over the last 30 years (13.7 / 15.9).

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 20(IX): Change in Housing Units by Town
1990-2010**

	1990 Housing Units	2000 Housing Units	2010 Housing Units	H.U. Change 2000-2010	H.U. Change 1990-2000	H.U. Change 1990-2010	H.U. % Change 2000-2010	H.U. % Change 1990-2000	H.U. % Change 1990-2010
Acton	1,596	1,910	2,199	289	314	603	15%	20%	38%
Alfred	916	1,103	1,350	247	187	434	22%	20%	47%
Arundel	1,036	1,415	1,692	277	379	656	20%	37%	63%
Berwick	2,222	2,414	2,934	520	192	712	22%	9%	32%
Biddeford	9,051	9,631	10,064	433	580	1,013	4%	6%	11%
Buxton	2,362	2,930	3,301	371	568	939	13%	24%	40%
Cornish	502	588	692	104	86	190	18%	17%	38%
Dayton	425	663	753	90	238	328	14%	56%	77%
Eliot	2,019	2,418	2,669	251	399	650	10%	20%	32%
Hollis	1,254	1,592	1,801	209	338	547	13%	27%	44%
Kennebunk	4,021	4,985	5,906	921	964	1,885	18%	24%	47%
Kennebunkport	2,244	2,555	2,897	342	311	653	13%	14%	29%
Kittery	3,927	4,375	4,942	567	448	1,015	13%	11%	26%
Lebanon	1,750	2,090	2,540	450	340	790	22%	19%	45%
Limerick	968	1,279	1,569	290	311	601	23%	32%	62%
Limington	1,058	1,354	1,615	261	296	557	19%	28%	53%
Lyman	1,473	1,749	2,067	318	276	594	18%	19%	40%
Newfield	800	939	1,096	157	139	296	17%	17%	37%
North Berwick	1,449	1,705	1,930	225	256	481	13%	18%	33%
Ogunquit	1,469	2,114	2,009	-105	645	540	-5%	44%	37%
Old Orchard Beach	5,668	6,222	6,886	664	554	1,218	11%	10%	21%
Parsonsfield	855	996	1,174	178	141	319	18%	16%	37%
Saco	6,826	7,424	8,508	1,084	598	1,682	15%	9%	25%
Sanford	8,315	8,807	9,452	645	492	1,137	7%	6%	14%
Shapleigh	1,608	1,813	2,036	223	205	428	12%	13%	27%
South Berwick	2,262	2,488	2,911	423	226	649	17%	10%	29%
Waterboro	2,144	2,828	3,574	746	684	1,430	26%	32%	67%
Wells	5,217	7,794	8,557	763	2,577	3,340	10%	49%	64%
York	6,504	8,053	8,649	596	1,549	2,145	7%	24%	33%
Total York County	79,941	94,234	105,773	11,539	14,293	25,832	12%	18%	32%

Chart 17(IX): Change in Total Housing Units: 2000-2010



To some extent Kennebunkport has been spared some of the rapid housing growth of e.g. Saco, Kennebunk, and Wells. 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 over the last 30 years. Average household size was 2.33 people in 1990, 2.30 in 2000, and is now down to 2.20 in 2010. By comparison, the average household size in York County was 2.4. This trend can be expected to continue for the foreseeable future. According to the US Census, the number of households is always equal to the number of occupied housing units. So, by definition, this is a measure of the year round population.

C. Affordable Housing Analysis

Homeownership and housing affordability seem to be an important issue in southern Maine in general. 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, meeting the definition of affordable

housing.”¹³ 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 which 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 28% 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 28% 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 120% of the area median. Maine State Housing Authority has calculated the following information on affordability. Due to State budget constraints and changes in priorities within the Agency, current numbers were not available at this time (Spring 2012).

Table 21(IX): Median Home Prices, 2008

Housing - Median Home Price, 2008	Kennebunkport	York County	Maine
Affordability Index	0.51	0.76	0.79
Median Income	70,096	53,366	46,321
Affordable at Median Income	209,281	166,801	139,864
Income Needed for Median Price	137,324	69,906	58,951
Median Sale Price	410,000	218,500	178,000

Source: Maine State Housing Authority

The affordability index is the ratio of Home Price Affordable at Median Income to Median Home Price. An index of less than 1 means the area is generally unaffordable – i.e., a household earning area median income could not cover the payment on a median priced home (30 year mortgage, taxes and insurance) using no more than 28% of gross income. This indicator can be a little misleading as the median income of a municipality is often directly related to the cost of housing. For example, Cape Elizabeth has an Affordability Index of 1.11, which would indicate that it is generally affordable. However, the median income there is \$96,918 with a median home price of \$267,000, not exactly what one would call affordable. That being said, it still can be a useful indicator when looking at towns, like Kennebunkport, that have a mix of housing types and income levels.

Table 22(IX): Percentage Unable to Afford Median Home Price

Housing - Unable to Afford Median Home Price, 2008	Kennebunkport	York County	Maine
Percentage of Households Unable to Afford Median Home Price	67.3%	70.2%	59.4%
Number of Households Unable to Afford Median Home Price	1,214	58,938	332,003

Source: Maine State Housing Authority

¹³ MRSA 30A 4326 3-A G

According to the affordability index two thirds of year-round households are unable to afford the median home price in Kennebunkport. People unable to find afford homes to buy, often consider renting in order to stay within the community.

It is important to note that the majority of higher end homes are purchased by retirees or those who do not report incomes in the State of Maine. This is not taken into consideration when analyzing median income yet these home sales are factored into the affordability index. A better analysis would review housing sales to individuals who work and /or permanently reside in Kennebunkport.

Table 23(IX): Median Town Rental

Housing - Average 2 Bedroom Rent with Utilities, 2008	Kennebunkport	York County	Maine
Average 2Bdr Rent with Utilities	1088.13	930.78	846.95

Source: Maine State Housing Authority

However, looking at rental costs versus both county and state averages, we see that these costs are also very high.

Looking at future affordable housing needs, projections show that Kennebunkport's year-round population, will at most increase by 521 persons by 2020 (see next section for detail on population projections). Using the Town's 2010 average household size of 2.20 persons, this translates to a net change of 236 year-round housing units.

Maine's Comprehensive Planning statutes suggest that local Comprehensive Plans seek to 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 236 units, this would translate to 23 affordable units over a 10-year period, or an average of 2.3 per year.

D. Population Growth

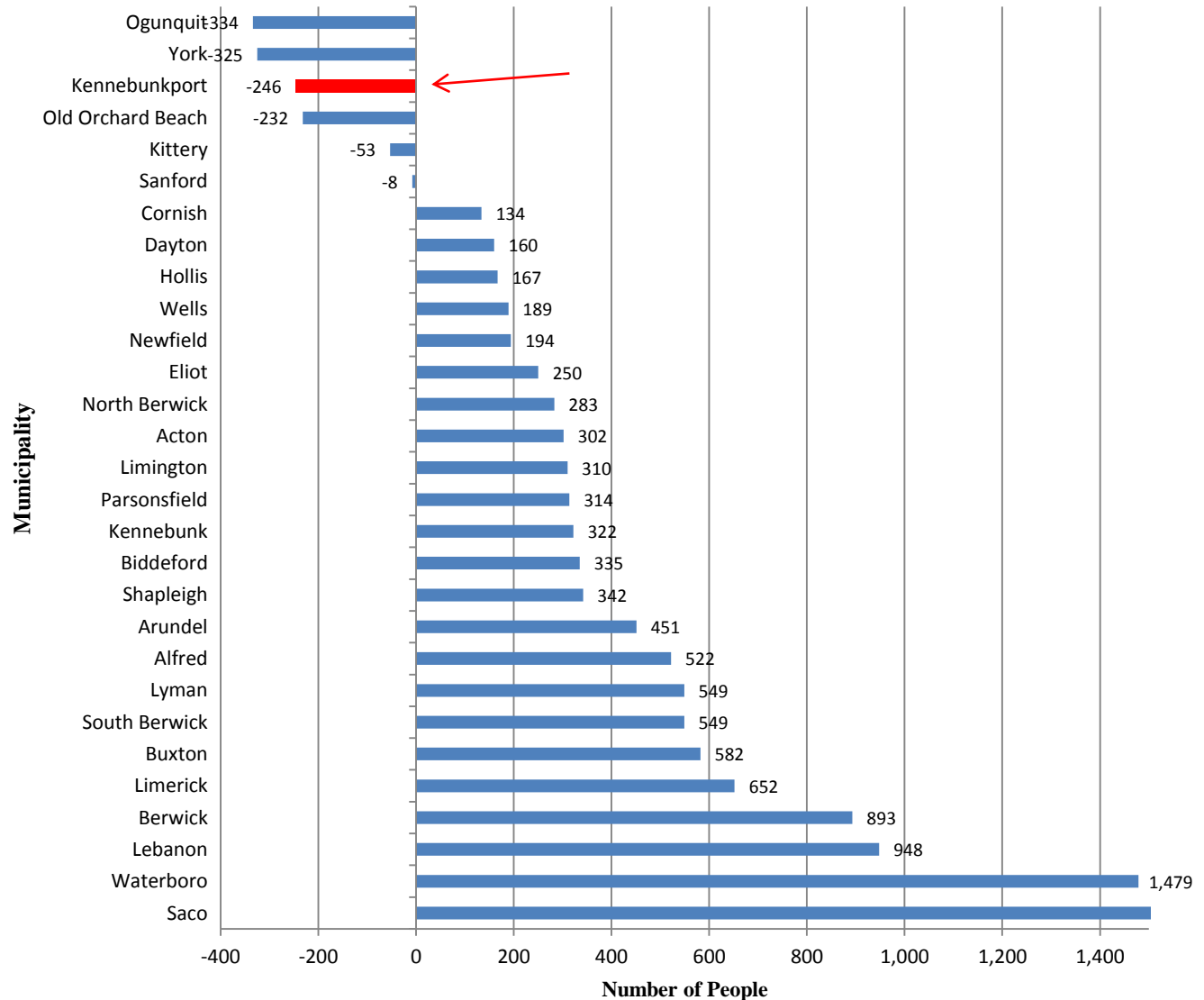
Kennebunkport is part of the Southern Maine economy in terms of business, economic, and housing growth. The following chart and graphs provide supplemental information on growth rates for the County.

Kennebunkport's year round 2010 population was 246 less than in 2000, a decline of 6.6%. It was one of the few towns in York County that lost population.

Table 24(IX): Change in Population

Municipality	1990 Pop.	2000 Pop.	2010 Pop.	Pop. Change 2000- 2010	Pop. Change 1990- 2000	Pop. Change 1990- 2010	Pop. % Change 2000- 2010	Pop % Change 1990- 2000	Pop. % Change 1990- 2010	% County Pop. Growth 2010
Acton	1,727	2,145	2,447	302	418	720	14.1%	24.2%	41.7%	2.9%
Alfred	2,238	2,497	3,019	522	259	781	20.9%	11.6%	34.9%	5.0%
Arundel	2,669	3,571	4,022	451	902	1,353	12.6%	33.8%	50.7%	4.3%
Berwick	5,995	6,353	7,246	893	358	1,251	14.1%	6.0%	20.9%	8.6%
Biddeford	20,710	20,942	21,277	335	232	567	1.6%	1.1%	2.7%	3.2%
Buxton	6,494	7,452	8,034	582	958	1,540	7.8%	14.8%	23.7%	5.6%
Cornish	1,178	1,269	1,403	134	91	225	10.6%	7.7%	19.1%	1.3%
Dayton	1,197	1,805	1,965	160	608	768	8.9%	50.8%	64.2%	1.5%
Eliot	5,329	5,954	6,204	250	625	875	4.2%	11.7%	16.4%	2.4%
Hollis	3,573	4,114	4,281	167	541	708	4.1%	15.1%	19.8%	1.6%
Kennebunk	8,004	10,476	10,798	322	2,472	2,794	3.1%	30.9%	34.9%	3.1%
Kennebunkport	3,356	3,720	3,474	-246	364	118	-6.6%	10.8%	3.5%	-2.4%
Kittery	9,372	9,543	9,490	-53	171	118	-0.6%	1.8%	1.3%	-0.5%
Lebanon	4,263	5,083	6,031	948	820	1,768	18.7%	19.2%	41.5%	9.1%
Limerick	1,688	2,240	2,892	652	552	1,204	29.1%	32.7%	71.3%	6.3%
Limington	2,796	3,403	3,713	310	607	917	9.1%	21.7%	32.8%	3.0%
Lyman	3,390	3,795	4,344	549	405	954	14.5%	11.9%	28.1%	5.3%
Newfield	1,042	1,328	1,522	194	286	480	14.6%	27.4%	46.1%	1.9%
North Berwick	3,793	4,293	4,576	283	500	783	6.6%	13.2%	20.6%	2.7%
Ogunquit	974	1,226	892	-334	252	-82	-27.2%	25.9%	-8.4%	-3.2%
Old Orchard Beach	7,789	8,856	8,624	-232	1,067	835	-2.6%	13.7%	10.7%	-2.2%
Parsonsfield	1,472	1,584	1,898	314	112	426	19.8%	7.6%	28.9%	3.0%
Saco	15,181	16,822	18,482	1,660	1,641	3,301	9.9%	10.8%	21.7%	16.0%
Sanford	20,463	20,806	20,798	-8	343	335	0.0%	1.7%	1.6%	-0.1%
Shapleigh	1,911	2,326	2,668	342	415	757	14.7%	21.7%	39.6%	3.3%
South Berwick	5,877	6,671	7,220	549	794	1,343	8.2%	13.5%	22.9%	5.3%
Waterboro	4,510	6,214	7,693	1,479	1,704	3,183	23.8%	37.8%	70.6%	14.2%
Wells	7,778	9,400	9,589	189	1,622	1,811	2.0%	20.9%	23.3%	1.8%
York	9,818	12,854	12,529	-325	3,036	2,711	-2.5%	30.9%	27.6%	-3.1%
Total York County	164,587	186,742	197,131	10,389	22,155	32,544	5.6%	13.5%	19.8%	100.0%

Chart 18(IX): Change in Population 2000-2010



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.

In the 90's, the residential growth rate was highest in coastal towns such as Kennebunk (31%), Arundel (34%), Wells (21%) and even Kennebunkport (11%), while the service centers of Sanford (2%) and Biddeford (1%) barely grew at all. In the period from 2000-2010, the fastest growth was away from the coast, in suburban and rural towns such as Limerick (29%), Waterboro (23%), Alfred (21%), and Lebanon (19%). In service center towns growth remained flat Biddeford (1.6%) and Sanford (0%). 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. And in many coastal communities, including Kennebunkport, populations have actually declined with the conversion of year-round homes into vacation properties.

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 lowest possible growth cap of 40 units per year through 2020. 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, 61% of new units, or 24 per year, are assumed to be year-round units. Another assumption is that average household size for new units continues to decrease. From 1990 to 2010, the Town’s average household size fell from 2.33 to 2.20, a decrease of 0.29% annually. However, due to the unusually large drop between 2000 (where average household size was 2.3) and 2010, we will be conservative and use the rate of decrease from 1990 to 2000 of 0.13% annually. At this slower rate of decrease, the Town’s average household size would be 2.17 by 2020.
2. **Extend 1990-2010 Growth Rate** – From 1990 to 2010, the annual population growth rate in Kennebunkport was 0.17%. This scenario simply extends that rate through 2020.
3. **Extend 2000-2010 Growth Rate** - From 2000 to 2010, the annual population growth rate in Kennebunkport was -0.68%. This scenario simply extends that rate through 2020.

Based on these assumptions, the three growth scenarios are as follows:

Table 25(IX): Future Population Growth Scenarios

	SCENARIO 1: Extend Growth Cap	SCENARIO 2: Extend 20-yr Growth Rate	SCENARIO 3: Extend 10-yr Growth Rate
2010 Population	3,474	3,474	3,474
Net Population Change, 2010-2020	521	59	-236
Total Population, 2020	3,995	3,533	3,238

Source: US Census; SMRPC

From these three scenarios, Kennebunkport can reasonably expect the 2020 population to be somewhere in the range of 3,238 and 3,995. This represents an overall growth rate of between - 0.70% and 15%.

Assuming that each new housing unit built in Kennebunkport has 2.20 residents (the 2010 average household size), there would need to be a maximum of 236 new units built in Kennebunkport through 2020.

As a form of peer review, these projections were compared to those produced by a national firm that works closely with the US Census Bureau to come up with a consistent methodology for making projections. These are used widely by business and industry.

Summary	2010	2011*	2016*
Population	3,474	3,460	3,451
Households	1,578	1,571	1,583
Average Household Size	2.20	2.20	2.18
Renter Occupied Housing Units	271	275	278
Median Age	51.8	51.9	53.7

Source: U.S. Census Bureau, Census 2010 Data. * Esri forecasts for 2011 and 2016

Trends: 2011 - 2016 Annual Rate	Kennebunkport	State	National
Population	-0.05%	0.31%	0.67%
Households	0.15%	0.47%	0.71%
Median Household Income	4.18%	3.36%	2.75%

Source: U.S. Census Bureau, Census 2010 Data. * Esri forecasts for 2011 and 2016.

This review shows that their projections call for limited growth, which is most closely comparable to Growth Scenario #2 above.

II. ANALYSIS AND CONCLUSIONS

Kennebunkport has a lack of affordable housing both in terms of homeownership and rental affordability. 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, service, and municipal personnel. In many cases, the next generation is 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. 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.

Trends also show that the population of the community is becoming more and more seasonal. This will have a number of impacts on the community, such as less children going into the school system, increase demands for Fire and Police services in the summer, also a potential loss of community cohesion as people become less likely to know their neighbors if they are only around a few months a year.

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: Consider acquisition of Town-owned land for the construction and/or the approval of affordable and moderate income housing units.
Responsibility: Board of Selectmen
Timeframe: 2 years
- Strategy 3: Recommend incentives such as; (reduce lot size/increase allowable density, encourage clustering of housing units, special dimensional requirements, development credits, etc.)for builders/developers to construct affordable housing within Growth areas.
Responsibility: Planning Board
Timeframe: 2 years
- Strategy 4: 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 5: Continue to allow for the approval and construction of accessory units to provide living units on existing housing sites. Consider exempting such units from the building permit cap.
Responsibility: Planning Board, Board of Selectmen
Timeframe: Ongoing
- Strategy 6: Continue to allow 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 a minimum of 9 months

per year to limit the possibility of “seasonal” rentals. Some units could be restricted to “Senior” Housing.

Responsibility: Planning Board

Timeframe: 2 years

Strategy 7: Continue to allow the development of multi-plex (multi family) housing in designated growth areas.

Responsibility: Planning Board

Timeframe: 2 years

Strategy 8: Continue to allow the development of Senior Citizen/independent living housing alternatives in response to the aging population and the increasing desire for retirees to stay in or move to Maine.

Responsibility: Planning Board

Timeframe: 1 year

Strategy 9: Create a Task Force to study the Long Term implications of the conversion of year-round households to seasonal residences

Responsibility: Board of Selectman

Timeframe: 1 year

CHAPTER X. RECREATIONAL AND CULTURAL RESOURCES

I. INVENTORY

A. Land Devoted To Recreational Use

1. Publicly-Owned Facilities

The town owns several outdoor recreation facilities, all of which are town funded and maintained. Initial funding for a number of these facilities was provided by grant money from the Land and Water Conservation Fund established by Congress in 1965. The Act designates portions of funds received from offshore oil and gas leases be used for state and local conservation projects.

- *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, and playground equipment. This park was created with the use of a Federal Land & Water Conservation Fund Grant. Limited parking is available.
- *Cape Porpoise Firemen's Park* is a 4.8-acre parcel by the water off of Mills Road. The field has a baseball/softball diamond and minimal playground equipment. Development of this park was also done with a Federal Land & Water Conservation Grant. It is used primarily for youth baseball activities. Limited parking is available.
- *Cape Porpoise Pier and Government Wharf*, although they are intended primarily as commercial facilities, both receive substantial recreational use as points of attraction and for sightseeing. Unfortunately, both piers have inadequate parking.
- *Parsons Field* is a 4.3-acre parcel adjacent to Consolidated School. The multi-purpose field has a drainage system and well-maintained turf. The field is used for baseball, softball, lacrosse, soccer, and summer recreation programs. Playground equipment is available adjacent to the playing field and behind the school. The hill in the rear of the school is used for sledding during the winter. The development of Parsons Field was supported by funds from a Federal Land & Water Conservation Grant. Parking is available at the Consolidated School.
- *Parsons Way* is a walkway along Ocean Avenue providing scenic views. While there is no parking permitted on Parsons Way itself, there are several locations along Ocean Avenue where parking is permitted. Parsons Way receives very heavy use from residents and visitors alike. Benches are placed throughout the length of Parsons Way. In 2009 a monument was placed near Walker's Point as a tribute to former President George H. W. Bush. It is now a popular gathering spot for visitors.
- *Silas Perkins Park* is a riverfront parcel on Ocean Avenue just across the street from the Village Green. It has picnic tables and benches overlooking the Kennebunk River. The Town has initiated efforts to stabilize the riverbank in order to prevent further erosion.

- *The Park at Crow Hill* is a 4.6 acre park, with parking for 27 cars which is used primarily for ice skating in the winter. Approximately half of the acreage is presently undeveloped and may eventually be used as a trailhead.
- *The Town Forest* consists of about 1,000 acres of undeveloped land. At the June 2002 Town Meeting, the residents voted to transfer 741 acres of land owned by the Town of Kennebunkport to the Kennebunkport Conservation Trust. A major portion of the town forest was included in this transfer.
- *Kennebunkport Town Beach (Breakwater Beach)*: Federal and municipal ownership. Breakwater Beach is adjacent to Colony Beach. There is limited parking; approximately 500 feet of water access with breakwater jetty. Recreational activities include swimming, scenic views, fishing, and launching of light craft over the beach. The area receives heavy use.
- *The Rachel Carson National Wildlife Refuge* (www.fws.gov/northeast/rachelcarson) consists of 500 acres of open space that is mostly marshes and estuaries. The refuge is open to public use 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. The Kennebunkport refuge is one component of over 10,000 acres of protected wetlands managed by the US Fish and Wildlife Service for the purpose of protecting valuable salt marshes and estuaries for migrating birds.

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 Ocean Avenue from the Colony Hotel. Colony Beach is adjacent to Kennebunkport Town Beach (Breakwater Beach). The access road to Colony Beach is owned by the Town.
- *Goose Rocks Beach*: A mix of private, Kennebunkport Conservation Trust, and municipal ownership. Parking is controlled through a resident and non-resident sticker program. Beach is approximately 2 miles long and is used for; swimming, scenic views, sail boarding, jogging, bird watching, fishing, and cross-country skiing in the winter.

The Kennebunkport Conservation Trust: www.kporttrust.org "The Kennebunkport Conservation Trust is dedicated to preserving land in conservation for use by all people of current and future generations and to provide preservation and maintenance of properties that reflect on the heritage of Kennebunkport." A partial list of Trust parcels is listed below:

- *The Goat Island Lighthouse* has recently been automated. The Kennebunkport Conservation Trust was given the lighthouse by the U.S. Government, which retained operation of the light. In 2009 the Town voted to approve its first Contract Zone which allows the Trust to reconstruct a number of historically relevant structures

related to the lighthouse on the island. Visitors are welcome, however no formal transportation to the island is provided.

- *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 a gently sloping park space that is used for band concerts, fairs, and public gatherings. The Green receives very heavy use. Limited on street parking is available.
- *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-Chick Properties* on Gravelly Brook Road, where the KCT has its headquarters, and also has several miles of trails. Limited parking is available.
- *The Edwin L. Smith Preserve* off of Guinea Road has several miles of trails which are also suitable for mountain bikes.
- *The Grist Mill* on Mill Lane in the Village Center includes a former boat house along the Kennebunk River. A small pier has been added and is available as a launching point for kayaks and other hand-carry vessels. The KCT is planning on restoring the former grist mill structure on the property.
- *Eight lots of land at Goose Rocks Beach*, which is a substantial portion of the beach area that is most readily 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 snowmobiles 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.* www.capearundelgolfclub.com 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 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.* www.arundelyachtclub.org This is a private club 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.* Gooserocksbeachassociation.org 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.

B. **Recreational Programs of the Town**

Kennebunkport Parks & Recreation Department provides pro-active year-round programming through the efforts of three full-time employees, several part-time or seasonal program assistants, and many volunteers. The department’s goal is to provide programs, activities, and facilities that enhance the quality of life for all our citizens. Offerings range from pre-school to senior citizen, from sport to the arts, and from active recreation to more sedentary recreation. The department works with several other municipal departments and outside agencies or groups in the provision of services.

Table 26(X): Recreational Programs of the Town

Programs				
Archery	KASA	Ski Program	Craft Classes	Bike Club
Basketball, 2 nd grade	Mini-golf Tour	Soccer, kindergarten	Father-Daughter Dance	Roller Hockey
Basketball, K-1	Mother-Son Activity	Soccer, spring	Senior Citizens Trips	Tae Kwon Do
Basketball, over 30	Move over Miss Frizzle	Soccer, youth	Senior Citizen Fit For Life	Youth Golf Camp
Basketball, travel	New Horizons	Summer Playground	Tennis	
Basketball, youth	Outdoor Adventure	Swim Lessons	Vacation Programs	

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:

Programs
Halloween Festival
Lacrosse
Little League
Youth Sports Spectators
Park Users
R.S.U. 21 High School "Club Teams"
Baseball

C. Other Recreational Opportunities

One of the attractions which lure summer visitors and tourists to Kennebunkport is the variety of recreational opportunities that are available. Probably the premier attractions are the town's several beaches, which have been described elsewhere in this report.

For those who wish to get out on the water, there are several ways to do so:

- Sightseeing vessels take visitors for tours covering most of the shoreline of the town.
- Sailing vessels will take groups of visitors on short off-shore excursions.
- Motor vessels offer regular all-day "whale watching" trips, which usually go out to the vicinity of Jeffrey's Ledge.
- For persons who are more adventurous, it is usually possible to provide your own or to rent a motor boat, kayak, or a sailboat from one of the local marinas.

For those who enjoy hunting and fishing, there are several ways to proceed:

- For the saltwater angler the breakwater at the river mouth attracts many who enjoy shore casting, along with many opportunities to do the same along our extensive coastline.
- There are numerous guides providing charter services on both sides of the Kennebunk River for the in and off shore angler.
- Deer, waterfowl, small game and upland bird hunting are possible in a vast portion of our community; however state licenses, permits and responsible hunting practices are required.

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 and mopeds can be rented nearby. For those who are more athletically inclined, there are periodic road races and bicycle races. As previously noted the Kennebunkport Conservation Trust manages a growing network of trails that vary in length, width, topography and use.

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.

D. Cultural Resources

1. Societies and Associations

River Tree Arts. (www.rivertree.org) 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. (www.kporthistory.org) 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. (www.trolleymuseum.org) This museum is the oldest and largest electric railway museum 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.

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. (www.graveslibrary.org) The Graves Library is housed in a Federal-style brick building located at 18 Maine Street, originally built in 1813 for the Kennebunk Bank; it then became the U.S. Customs House in 1831. In 1921 the property was purchased and later deeded to the Library Association by Abbott Graves and family who named it in memory of their son, Louis. The Library receives approximately 40 percent of its funding from the town, and the rest from private donations and special fundraisers. The Library and an ongoing book sale (located in the Perkins House) are open year-round 42 hours each week (Monday-Thursday 11-7; Friday 10-5; Saturday 9-12). It offers over 31,000 circulating books, audio books, videos and DVDs, magazines, local newspapers, special Maine publications, reference, local history collections, six public access computers and wireless services. It also offers a variety of free programs for all ages, a fax machine, two photocopiers, and notary public services. For more information about the Graves Library and its programs and services please visit their above mentioned website.

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 (summer season only)

The Franciscan Monastery located in the town of Kennebunk occupies attractive grounds 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.

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 Town Meetings. Arrangements can be made with the School for private use. The room has a stage, with theatrical lighting and a sound system provided by the KCPTA.
- 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. The Board of Selectmen, Planning Board, and several other town boards and committees meet here.

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 is located in Biddeford and offers a number of degree programs.

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

Historically, Kennebunkport boasted a cinema, a summer theatre, and a light opera company. All of these are gone now. Nevertheless, within a short driving distance, Kennebunkport residents can still draw upon a wide range of cultural attractions, including:

- Movie theaters
- Y.M.C.A.'s and Y.W.C.A's
- Arundel Barn Playhouse (summer only)
- Art museums
- Bowling alleys
- Indoor ice arenas
- Children's museums
- Several stage companies
- Portland's Symphony Orchestra
- A variety of concerts and other stage presentations
- A Senior Center in Lower Village Kennebunk and other active senior opportunities
- Professional baseball, basketball, 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.

Recreational Facilities

Two priorities for potential recreational facility development determined in a 1990 survey remain.

1. *Access to the water for owners of small boats.* The biggest obstacle to overcome in such a project would be identifying and acquiring a suitable location that could provide adequate parking for cars and trailers.
2. *Bicycle paths.* Surveys have repeatedly mentioned corridors on road shoulders for bikers, runners, and walkers. Efforts to pave the shoulders have been completed on Dyke Road and School Street to Main Street, Cape Porpoise. The Town has established a work plan to improve bicycle and pedestrian connections between the Village Center, Cape Porpoise and Goose Rocks.

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: Identify areas that would be suitable, and consider obtaining either by purchasing or by other means property to construct a municipal boat launching ramp.

Responsibility: Board of Selectmen, Parks and Recreation Department

Timeframe: 3 years

Strategy 2: Mark and maintain signs indicating points of interest, parking and public rights-of-way to the water.

Responsibility: Highway Department

Timeframe: Ongoing

Strategy 3: Maintain the Cape Porpoise Pier and Government Wharf.

Responsibility: Board of Selectmen, Pier Committees, Harbor Master

Timeframe: Ongoing

Policy 2: Encourage Outdoor Activities.

Strategy 1: Publicize, identify, and maintain on a town map all areas that are available for recreational use, the activities permitted, and available parking at each location.

Responsibility: Parks and Recreation Department

Timeframe: 3 years

Strategy 2: Establish and maintain bike routes where feasible and safe.

Responsibility: Recreation Department, Highway Department,
Police Department

Timeframe: When necessary

- Strategy 3: Establish and/or promote existing Historical Society walking tours.
Responsibility: Kennebunkport Historical Society
Timeframe: Ongoing
- Strategy 4: Design and publish maps of the town showing historical and scenic points of interest.
Responsibility: Kennebunkport Historical Committee
Timeframe: 3 years
- Strategy 5: Provide bike racks at Dock Square, Colony Beach, and Goose Rocks.
Responsibility: Board of Selectmen, Parks and Recreation Department
Timeframe: 2 years
- Strategy 6: Support and promote the Recreation Department's outdoor programs.
Responsibility: Board of Selectmen, Parks and Recreation Department
Timeframe: Ongoing
- Strategy 7: Investigate available grant opportunities for recreational use.
Responsibility: Parks and Recreation Department
Timeframe: Ongoing
- Strategy 8: Develop and manage a trail network that allows for a variety of outdoor recreational experiences while sustaining wildlife habitats and corridors.
Responsibility: Kennebunkport Conservation Trust, Parks and Recreation Department
Timeframe: Ongoing
- Strategy 9: Encourage an ordinance for publicly owned properties to provide restroom facilities and parking at appropriate locations.
Responsibility: Planning Board, Board of Selectmen
Timeframe: 2 years

Policy 3: Support Cultural Programs.

- Strategy 1: Allow Town organizations to promote cultural programs on the Town website.
Responsibility: Board of Selectmen
Timeframe: Ongoing
- Strategy 2: Provide Town assistance e.g.: traffic control etc. if needed to non-profit programs.
Responsibility: Police Department
Timeframe: Ongoing

CHAPTER XI. 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

Prior to 2009 the school children of Kennebunkport and Kennebunk were educated by School Administrative District (S.A.D.) #71, which was an agency set up by the State. In July of 2009, under the Maine School Consolidation Law, Regional School Unit 21 (RSU 21) was formed, which is comprised of the towns of Kennebunkport, Kennebunk and Arundel. Currently, three Kennebunkport residents serve on the 14-member RSU 21 Board of School Directors.

During the 2010-11 school year 428 students from Kennebunkport were being educated by RSU 21. In October 2011, that figure was 430, remaining essentially flat. 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.

RSU 21's Special Services Department provides services to students in special education, gifted and talented and English as a second language. 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 education provided by RSU 21 is recognized to be of good quality. Traditionally, our schools perform among the highest ten percent of schools in Maine on a variety of measures, from standardized test scores and graduation rates, to academic competitions and college placements. The Stanford Achievement Test results indicate that RSU 21 students score well above the Maine averages. For standards set within the New England Common Assessment Program (NECAP), results for Grade 5 compare favorably with Maine state results.

The District's high school completion rate is above the statewide and national averages for public schools, as shown in the table below.

Table 27(XI): High School Completion Rates

High School Completion Rates			
	Kennebunk High School	Maine Statewide	Nationwide
2010	92%	77.6%	81.2%

Currently, however, only 62% of graduating seniors go on to pursue post-secondary education, which is below the national average of 70%.

In 2010 the Board of School Directors published a Five Year Strategic Plan, which lays out the challenges facing the RSU. Those challenges include declining enrollments; economic issues at the local, state and federal level which decrease funding levels; and the explosion of technology, which is not only changing the world we are preparing students to enter, but also changing the very nature of the education process. The plan identifies aggressive goals for the next five years, together with methods for measuring progress against those goals.

In 2011 the Board of School Directors approved the Master Facilities Plan, with the goal of upgrading older buildings and field/athletic facilities throughout the RSU in a cost effective and fiscally responsible manner. The goals of this plan are to retain an Elementary school in each community, renovate older buildings and provide facilities to support continuing adult education, the arts and public recreation usage. To date portions of this plan have been approved by the voters and are underway; future warrant articles will address the remainder of the plan.

The aspect of our educational program which most concerns the townspeople of Kennebunkport is not its quality, but its cost. The overwhelming source of complaint is the basis on which operating costs are divided among the communities that support the District.

Maine's "Essential Programs and Services Model" (EPS) identifies the amount of money a district is required to spend in order to meet minimum standards. For those expenditures identified as "within EPS" the three towns of the district share the costs using a formula determined by Maine's Department of Education, and is based on the lesser of two values:

- (A) The "Town Allocation", which is a function of pupil count, OR
- (B) The "Town Contribution", which is a function of state valuation and the minimum mil rate set by the state.

In addition, expenditures that are not covered by the EPS formula (such as adult education, athletics, and some debt service) and expenditures that are higher than the state required minimum are referred to as "over EPS" costs. These costs are shared among the three towns using a formula defined in the RSU Charter. That formula is based 60% on property values and 40% on pupil count. For FY13, Kennebunkport's share of EPS costs is 19.36%, while its share of "over EPS" costs is 32%.

Historically, funding under the prior S.A.D. #71 consumed approximately 70% of the Town's total tax revenues. Under the RSU structure, for tax year 2013, education consumes 52.5%. While many residents feel that the present apportionment of cost is fair, others feel it is not. There has been discussion in Kennebunkport, as well as Arundel, regarding the feasibility and advisability of withdrawing from RSU 21. A preliminary assessment done in Kennebunkport indicated that the cost of education as an independent district would be essentially the same as what is currently allocated under RSU 21. Continued assessments by both towns are ongoing.

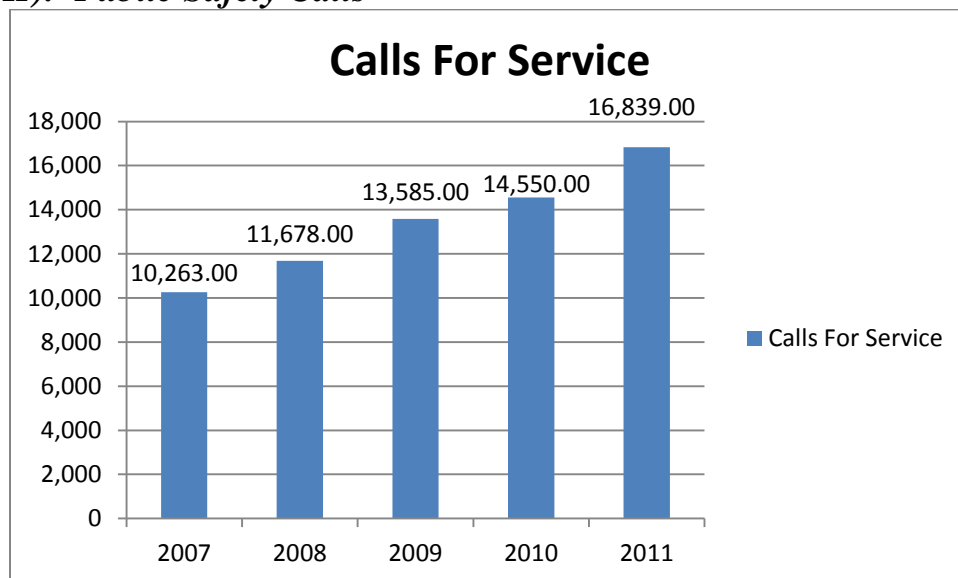
2. Public Safety

a. **Police Services.** The need for reasonable safety is vital to the continued enrichment of life in Kennebunkport. Effective police service can affect life, business, and a general sense of well-being for a community. The Kennebunkport Police Department services the full time residents, seasonal residents, and the many tourists visiting the shops, restaurants, and inns.

The police department continues to see yearly increases in calls for service (see chart). The police department has seen a 60% increase in calls for service in 2011 from 2007. Should we see this trend continue, it will almost inevitably require an increase in personnel to cover the workload. While the

increase in calls cannot be attributed to any one particular request, calls reported consist of traffic detail requests, supervisor orders, business and property checks and general police services.

Chart 19(XI): Public Safety Calls



In 1997 the town built the current police station to handle the needs of the police department. Over the next 15 years, the station has seen additions and changes made to accommodate additional needs.

We now see areas that may need to be addressed with expansion and upgrades to the current footprint of the building.

- Security is an important area of concern for police employees and the public it serves. Some building modifications should be considered to provide for a more secure work environment and meet requirements set by the Federal Bureau of Investigations.
- The need to have an Emergency Operations Center to facilitate the coordinated response to a local emergency or disaster has come to light. The current trend is to have the EOC near the dispatch area to help with the transferring of vital information and resources to areas in need. To meet this need, a possible solution would to add on to the current police station creating a multipurpose room that would accommodate the EOC needs as well as a training/meeting room for the police station and local agencies.
- Locker and shower facilities for both male and female employees should be upgraded providing reasonable changing areas.
- The police station currently has inadequate evidence storage, which could be visited during any upgrades.
- The need to update the facilities to meet ADA requirements should be an important topic as well.

b. 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. The communications location inside the police building may need future expansion, equipment upgrades, and safety updates should changes be made to how the police operation is currently designed. The duties of the communications personnel vary from answering the radio and telephones to handling the issuing of fire and beach permits. Part time personnel and other available personnel in the building augment the current workload. Should the work requirements be increased, it may be necessary to consider looking at the addition of a civilian clerk or shifting work assignments to other town departments.

c. 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 one department headed by a Fire Chief and to reclassify the four zones into one. The town now has one fire department that is composed of three fire districts. District one consists of the Village Fire Company, District two is the Wildwood Fire Company (Wildes District) and the Atlantic Engine Company (Cape Porpoise), and District three is the Goose Rocks Beach Fire Company. There are approximately 80 active firefighters in the department. The Village and Wildes District Fire companies occupy two firehouses belonging to the Town; the Cape Porpoise and Goose Rocks companies own their own buildings and lease them to the Town.

The Wildes District Fire Company completed a major expansion of the fire station in 1989 that added two more bays to the station. Goose Rocks Beach Fire Company built a new fire station on Route 9 at the intersection of Winter Harbor Road in 1991. Cape Porpoise Fire Company expanded its facilities on the second floor and the fire station at 32 North Street Fire station was completed in 2002.

The fire companies endeavor to raise funds privately to augment their companies operating expenses.

From the 1981 to the present most of the fire trucks have been purchased privately by the individual fire companies; the funds to purchase them coming from the Kittredge Family Fire Equipment Fund and the Clifford Seavey Fund. The Kittredge Fund is a trust left to the four Kennebunkport fire companies for the purpose of buying fully equipped fire trucks. The trust income earned is divided between the four companies in accordance with the provisions of the trust. Trust income accumulates until it is needed for a new truck.

Thanks to these trust funds, the Kennebunkport Fire Department is very well equipped. Table 28(XI) lists the major equipment housed in each station. It can be noted that almost every engine carries at least 750 gallons of water and a 1,250 GPM pump. The department considers this equipment essential to provide protection to buildings situated far from hydrants.

It is a major goal of the fire department is to improve the quality of protection in the areas not served by the K K & W water system. This is being done by installing dry hydrants in at the more remote areas of town. 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 its own pump to force water to the fire scene. This program has resulted in better insurance ratings for the entire town.

Table 28(XI): Fire Equipment and Condition 2001

Location/Vehicle	Year Manufactured	Equipment	Condition	To Be Replaced
Manufactured				
Ladder #4 Replacing with an engine.	1989	1,250gpm pump 500 gallon tank 1200 feet of 4" hose 75' ladder	Good	2019 (with an engine)
Utility #5	1974	150 gallons water Portable pump 4 WD brush truck	Good	Not Scheduled
Marine 3	2008	4 WD brush truck	Good	Not Scheduled
Port Village				
Engine #12	1997	1,500 gpm pump 1000 gallon tank 2000' 4" hose	Good	2023
Engine #13	1989	1,500 gpm pump 500 gallon tank 3,350' 4" hose	Good	Not Scheduled
Ladder #14	1975	1,250 gpm pump 300 gallon tank 2000' 4" hose 50' ladder	Good	To be out of service 2012 (Not Replacing) 2012
Utility #15	1984	250 gallon tank Winch, floating pump 4 WD brush truck	Good	Not Scheduled
Wildes District				
Unit #22	1980	250 gpm pump 300 gallon tank Hurst tool	Good	Not Scheduled
Engine #23	1989	1,500 gpm pump 750 gallon tank 2000' 4" hose	Good	2012
Goose Rocks				
Tank 1	2008	500 gpm pump 2000' 3" hose	Good	2033
Engine #33	1991	1,250 gpm pump 750 gallon tank 2000' 4" hose Jaws of Life & rescue tools	Good	2017
Ladder #34	1998	1,500 gpm pump 300 gallon tank 1600' 4" hose 75' ladder	Good	2026
Utility #35	1980	175 gallon tank	Good	Not Scheduled

Location/Vehicle	Year Manufactured	Equipment	Condition	To Be Replaced
		Floating pump 4 WD brush truck		
Marine 1	2004	14' Zodiac Rescue Boat	Good	Not Scheduled

d. Emergency Medical Services: The Town rescue facilities are currently maintained by Kennebunkport Emergency Medical Services (KEMS), a private ambulance service. The service was established in 1979. Currently, KEMS consists of 15 paid per-diem Paramedics who supply the town 24/7 365 coverage at the Advanced Life Support level supplemented by a volunteer group of 45 members. KEMS is governed by a 9 member Board of Directors.

KEMS is funded through its annual membership drive, fees for service, private donations and an annual appropriation of \$125,000.00 from the Town of Kennebunkport.

KEMS maintains one new ambulance, which is located at the Cape Porpoise Fire Company. During the past Five years, the service has responded to an average of 370 calls per year, with little change between the three years.

3. Highways

The Highway Department maintains nearly 52 miles of roads within the town, as well as related structures, drainage systems and sidewalks. Responsibilities include mowing, road repair, road shoulder maintenance, painting of crosswalks, culvert maintenance, tree maintenance, winter maintenance, sidewalk repair and installation, curb repair and installation.

The Department relies on the Landon Road Book which identifies and gives the history of every public and private way in town, including date of acceptance and width of right-of-way. This resource is invaluable for settling disputes and locating easements. The Fire Administrator updates the book as new rights of way are added.

A listing of significant Highway Department equipment can be found in Table XI-3.

Table 29(XI): Kennebunkport Highway Department Equipment Inventory

Kennebunkport Highway Department – Equipment			To Be Replaced
Tag-a-Long Trailer	1969		Not Scheduled
Sidewalk Roller	1974		Not Scheduled
Smith Compressor 100CFM	1987		Not Scheduled
Homemade Trailer	1989		Not Scheduled
John Deere G544 Loader	1994		2014

Kennebunkport Highway Department – Equipment		To Be Replaced
International w/ Plow #3	2000	2012
International w/ Plow #5	2000	2013
Tenant Power Sweeper 800G	2001	Not Scheduled
Big Tex 12' Utility Trailer	2002	Not Scheduled
International 4300 #8	2003	2016
International 4300 #7	2004	2017
International MDL 7400 Wheeler	2004	2015
06 Ford Ranger	2006	Not Scheduled
06 Ford 350	2006	Not Scheduled
2005 John Deere mowing tractor	2006	Not Scheduled
Boom Flail Trackless	2007	Not Scheduled
Vermeer brush chipper	2007	Not Scheduled
05 International 7400	2008	2017
Tractor Trackless	2008	2018
JD 310J Backhoe	2009	Not Scheduled
09 Ford 350	2009	Not Scheduled
09 Ford 350	2009	Not Scheduled
09 Ford 350	2009	Not Scheduled
JD 310J Backhoe Loader	2009	Not Scheduled

Table 30(XI): Significant Culverts and Bridge Openings

Identification

Goose Fare Bridge
Hutchins School Bridge
Goff Brook Bridge
Mill Bridge
Smith Brook (Rt. 9 at Clock Farm)
Eastern Branch (at Dyke Road)
King's Highway Bridge (Goose Rocks Beach)
Beaver Pond Brook (New Biddeford Rd.)
Beaver Pond Brook (North End)
Winter Harbor Road

Dimensions

20' wide; 26' span
32' wide; 29' span
16' wide; 16' deep
2 culverts 52' long; 5' high
8' cement culvert
14' metal culvert
13' wide; 6' deep
10' wide; 8' high (metal culvert)
two 5' culverts side by side
4' metal culvert

Identification

Oak Ridge Road (at Goose Rocks Rd)
 Fairfield Creek Bridge
 Arundel Road (at Chick Farm)
 Shute on Goose Rocks and Willey Road
 Guinea Road (at Roscoe Wilde Corner)
 Goose Rocks Road (by J. Steele)
 Goose Rocks Road (by E. Campbell)
 Batson River Bridge (rte. 9)
 Tyler Brook (rte. 9)
 Turbat's Creek
 Lake of the Woods (by Bush compound)
 Glen Haven Bridge (Ocean Ave)
 Booth Tarkington Float (off Ocean Ave)
 Fairfield Bridge (Ocean Ave)
 South Brook (Ocean Ave)
 Kennebunk River Bridge (in Village)

Dimensions

5' metal culvert
 13' wide; 11' high
 8' metal culvert (plus 4')
 7' metal culvert
 two 6' x 3' high metal culverts
 5' metal culvert
 8' metal culvert
 65' wide; 15' deep
 7' metal culvert
 3' metal culvert
 30" metal culvert
 14' wide; 8' deep
 4' aluminum culvert
 54' wide; 10' deep
 2' cement culvert
 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/Communication/ Public Health Complex 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 & diabetic evaluations, wound assessments, medication pours, 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 manages the Healthy Maine Beach Program. This federally funded program monitors and posts the enterococci bacteria levels at both Colony Beach and Goose Rocks Beach from Memorial Day to Labor Day.

The department also provides several non-nursing services to residents and their families. Among these services are the Lifeline Program (an emergency response program), FISH (transportation to medical appointments), Meals on Wheels, and the loan closet (durable home medical equipment free to residents).

Additionally, the department administers the State of Maine's General Assistance Program, Kennebunkport Emergency Fuel Program and the Salvation Army 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.

The Town no longer operates a solid waste disposal facility. All demolition debris, grass, leaves, brush and household appliances may 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 at Dock Square.

To provide for the disposal of solid waste, the Town has a long-term contract with Maine Energy in Biddeford, which incinerates it. 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 2011, the recycling rate, as calculated by the State Planning Office, was 19.93%.

Table 31(XI): State Planning Office 2011 Recycling Report

Year	Residential Waste Tons	Commercial Waste Tons	Total MSW Tons	Residential Recycled Tons (Single Stream)	Bulky Recycled Tons	Comm. Recycled Tons	Total Recycled Tons	Base Rate	Adjusted Recycling Rate*
2011	1464	956.05	2420	379.72	45	0	424.72	14.93	19.93

* 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 \$85.74 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, 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. For the last three years (2009, 2010, 2011) we have been averaging 337,000 gallons per day. In the summer time (June, July, & August) we were averaging

438,000 gallons per day. The treatment plant is licensed to treat up to 700,000 gallons per day. We have treated spikes in the flow 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 with up to 50 mg/L of total suspended solids (TSS) and biochemical oxygen demand (BOD) —the capacity of the treatment plant has not been reached.

Using the summer time flows each sewer unit pumps approximately 175 gallons of sewerage into the system per day. The difference between the licensed discharge capacity of 700,000 gallons per day and the summertime average daily flow of 438, 000 gallons per day is 262,000 gallons per day. Using wastewater flow only a total of 1,497 new sewer units could to be added in the town before the system's capacity was reached. WE cannot use just wastewater flow for determining the number of units that can tie into the collection system, but the flow is good to use for planning purposes. As the housing projections in Chapter X show, only a fraction of that number of homes is 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.

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. Any additions to the collection system will require a complete engineering flow study to assure that the size of the pipes and the pumping stations between the proposed addition 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 Department provides after school programming at Consolidated School, a variety of youth recreation and sports activities, youth summer camps, and programs for adults. The Department maintains the Town's playing fields, parks and playgrounds.

Table 32(XI): Town Parks & Amenities

Parks	Amenities
Beachwood Park	2 tennis courts, basketball court, playground, picnic area
Parson's Field	multi-purpose field configured for many different sports
C P Fireman's Park	Softball/Little League baseball field, picnic area.
Silas Perkins Park	Small park on the Kennebunk River; benches, picnic tables.
Crow Hill Ice Rink	Seasonal outdoor skating

7. Water Supply

About one-third of the residents of Kennebunkport derive their water supplies from private individual wells. As noted in Chapter V, 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 V: 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 done every 4 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 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 while initially seen as a temporary solution appears to have met the needs for the departments run out of Town Hall.

The Town has developed an interactive website which has enabled residents with computer access to pay taxes and conduct car registration and other licensing services online. In addition, to the above listed services assessing data, interactive parcel maps, ordinances, and live broadcasts of various board and committee meetings are also available. Development of this website has provided significant amounts of information available online which has diminished the need for members of the public to travel to the town office, alleviating 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. It has however, already become too small to support the full range of Emergency Services run out of this facility.

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 sand and salt shed was constructed in 2005. In 2011 voters approved funding to completely replace the roof structure of the garage, in addition to modernizing the lighting, ventilation and heating.

4. Piers

The Town operates two piers for the use of fishermen, which have been described in Chapter V.

5. Shopping Area

Although there is a general store in Goose Rocks Beach and a small commercial area in Cape Porpoise, most shopping activity in Kennebunkport is concentrated in the area of Dock Square and Lower Village. 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.

Summer traffic in the Dock Square area, both pedestrian and vehicular, is a recurring source of concern and irritation. Auto traffic, obliged to cross the Kennebunk River here on the bridge between Lower Village and Dock Square moves slowly and at times is at a standstill. In 2011 the intersection at Spring Street and Maine Street was made a three way stop. This change has visibly reduced the delays and congestion.

6. Parking Facilities

Like most towns, which were laid out in the horse-and-buggy era, Kennebunkport has a severe shortage of parking space. While the Town's Land Use Ordinance is structured to prevent new commercial enterprises outside Dock Square from making this problem worse, parking remains very difficult during the tourist season. The Dock Square Zone is exempt from this parking requirement as there is no space to add parking. The Town's municipal parking lot located in Dock Square has the capacity for 90 cars. The municipal lot located on North Street has the capacity for another 100 cars.

7. Shade Trees

The town's exceptional shade trees 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. The Cemetery Committee keeps close watch on the condition of almost all cemeteries in the town. The Town contributes funds for the maintenance of gravesites of veterans buried in the Arundel Cemetery on North Street, and for the mowing and upkeep of the inactive cemeteries. Many of the cemeteries are of considerable historical interest.

9. Rest Rooms

Finally after debating the issue for many years, the voters in Kennebunkport came to a resolution regarding public rest rooms in Dock Square, which resulted in their construction in 2008. These facilities have received heavy use and have been a welcome addition. Despite the obvious need for rest rooms at Goose Rocks Beach, which hosts a very high number of tourists, the voters of Kennebunkport have continued to find it challenging to agree upon a means to provide them.

10. Signs/Maps

The Town continues to work to make it easier for a first-time visitor to find his/her way around. In addition to various signs about town, maps are also available from the Kennebunk-Kennebunkport Chamber of Commerce.

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

Both towns and Arundel continue to analyze how they can improve and enhance inter-local 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 RSU 21. While there is little question about the quality of education within RSU 21, the rising costs are seriously impact the Towns budget. These costs will likely increase as capital improvements are made and may also be impacted by state budget shortfalls.

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; road reconstruction, and renovations of the Town Office.

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 and Town Department Heads is considered to be accurate and should be included in the Comprehensive Plan.

A list of proposed public facility and capital improvements, including some costs, is provided in the 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 PLAN FOR, FINANCE AND DEVELOP AN EFFICIENT SYSTEM OF PUBLIC FACILITIES AND SERVICES TO ACCOMMODATE ANTICIPATED GROWTH AND ECONOMIC DEVELOPMENT.

TOWN GOAL 1: TO MAINTAIN A LOCALLY BASED PUBLIC SCHOOL FACILITY.

Policy 1: A K-5 local public school facility must continue to be located and maintained in Kennebunkport.

Strategy 1: Monitor annual budgets as projected by RSU. #21 to assure proper monies are included each year for capital improvement and maintenance for the Consolidated School to guarantee that physical obsolescence is not fostered or created by fiscal neglect and/or poor planning.

Responsibility: Board of Selectmen

Timeframe: Ongoing

- Strategy 2: Consider the possibility of sending our students to Kennebunk or another school district as “tuition students”. This would reduce costs but such a contract would reduce our voice in administrative policies unless the method of such a voice could be programmed and financially supported as a part of a new agreement. This strategy would require changes in State laws and/or regulations.

Responsibility: Board of Selectmen

Timeframe: 2 years

TOWN GOAL 2: TO MAINTAIN MUNICIPAL OFFICES FOR TOWN GOVERNMENT AND RELATED SERVICES.

Policy 1: Provide adequate and available facilities for government and related agencies.

- 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. Continue to provide online support for as many municipal services as possible in order to serve the public better while maintaining an efficient workforce.

Responsibility: Board of Selectmen, Town Manager

Timeframe: Ongoing

- Strategy 2: Maintain Facility and Equipment Condition/Replacement Plan. Project a minimum of 10 years condition/replacement/renovation plan for town owned properties and equipment.

Responsibility: Town Manager, Department Heads

Timeframe: Ongoing

TOWN GOAL 3: TO 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 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: TO PROVIDE ADEQUATE FACILITIES AND SERVICES TO MEET THE PUBLIC’S SAFETY NEEDS.

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

Policy 2: Maintain an adequate fire department and continue efforts to support and sustain a call-force system.

Strategy 1: Support the continued needs of the communities’ volunteer fire service for the foreseeable future.
Responsibility: Fire Chief, Board of Selectmen
Timeframe: Ongoing

Strategy 2: Support mutual aid programs.
Responsibility: Fire Chief, Police Department
Timeframe: Ongoing

Policy 3: Continue the support, maintenance, and improvement of the public piers.

Strategy 1: Invest in the maintenance and improvement to Government Wharf and Cape Porpoise Pier; study the possibility of acquiring additional access to water resources for recreational and commercial use.
Responsibility: Board of Selectmen
Timeframe: 2 years

Policy 4: Provide adequate facilities and equipment for the maintenance, improvement, and repair of our local roads.

Strategy 1: Maintain and invest in the Town’s roads, including all necessary ditches, streams, culverts, and drainage structures, as well as capacity to accommodate pedestrian and bicycle use.
Responsibility: Highway Department
Timeframe: Ongoing

TOWN GOAL 5: TO 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, 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 the

public roadways when, setback areas permit, will be granted for the maintenance of the shade trees.

Responsibility: Shade Tree Committee, Planning Board

Timeframe: Ongoing

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

TOWN GOAL 6: TO 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, 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

Timeframe: Ongoing

Strategy 2: Develop a program to assist commercial properties to actively participate in recycling programs.

Responsibility: Solid Waste Committee

Timeframe: Ongoing

Strategy 3: Review past years Recycling Rates and tipping fees to ensure the efficiency of current policies and procedures. Explore effectiveness of Pay by the Bag Disposal Rates

Responsibility: Solid Waste Committee

Timeframe: 2 years

Strategy 4: Increase the frequency of Recycling Pick-up to once a week from every-other week. Add Recycling receptacle's next to all public trash cans.

Responsibility: Board of Selectman

Timeframe: 1 year

Strategy 5: Require Commercial Businesses undergoing Site Plan Review to implement a dedicated Recycling Policy

Responsibility: Planning Board

Timeframe: 2 years

TOWN GOAL 7: TO PROVIDE PUBLIC TOILETS FOR VISITORS.

Policy 1: To provide public toilets on a seasonal or year-round basis at public beaches, docks and other recreation areas.

Strategy 1: Provide and maintain seasonal toilets at the public beaches, dock and recreation areas.

Responsibility: Board of Selectmen

Timeframe: 2 years

CHAPTER XII. 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 2000s, the Town's year-round population decreased by 6.6% or 246 persons. Despite the decrease in its year-round population, Kennebunkport continues to add housing units, (See Housing and Demographics) most of which are considered "seasonal". This follows a shift in the population trend from permanent residents to an older more seasonally occupied 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, with a number of exceptions.

III. PROJECTS NECESSARY TO ACCOMMODATE ANTICIPATED GROWTH AND ENHANCE THE QUALITY OF LIFE

To accommodate for the future growth of both the residential & tourist populations in Kennebunkport the following needed capital projects have been identified.

1. Essential Services: Police Department

During the Patriots Day Storm of 2006 it became clear that coordinating Emergency Services out of the Village Fire Station was less than ideal. The ideal location for Incident Command during such an event should be at the Police Station located in Cape Porpoise. However the current building lacks the proper security and size to coordinate a proper response. Funds have been allocated to

properly plan for expansion to more adequately serve these needs.

2. Essential Services: Fire Services

The Town is served by one Fire Department comprised of 4 Companies. Each Company operates out of its own facility and endeavors to raise funds privately to augment their operating expenses. Significant funding for major equipment has been provided to the Fire Companies via the Kitterage and Clifford Seavey Funds. These funds have been a tremendous asset over the years providing Kennebunkport with vital fire protection equipment. Fiscal appropriations suggested in this chapter support the Departments apparatus and equipment replacement schedule and are intended to supplement funding provided by the Kitterage and Clifford Seavey Funds.

3. Establish a strategic parking plan:

This plan would identify for the Town its current inventory of parking places, spots and establish a long range plan of parking needs. A vital part of this plan would be a town wide policy about the spaces used and needed for the sole purpose of parking cars, buses and other vehicles. There is no definite proposal for this project; we suggest the selectmen use the general fund to establish fiscally sound warrant article that would fund the study.

4. Establish a strategic walking, bicycle & alternative means transportation plan:

This plan would identify for the Town its current inventory of walking, bicycle & alternative transportation trails, sidewalks, cross walks, boardwalks, hiking trails etc. A vital part of this plan would be a town wide policy about the use of “human powered transport”, or both non-vehicular and (HPV) human powered vehicles and what is needed to support the annual maintenance. There is no definite proposal for this project; we suggest the selectmen establish a fiscally sound warrant article that would fund the study.

5. Establish Public Facilities/Services:

Establish necessary public restrooms needed at various locations around the town, including but not limited to the following locations: North Street Parking Lot, Goose Rocks Beach, Cape Porpoise Pier, and Government Wharf. Seasonal facilities should be established at all recreational sites such as Cape Porpoise Skating Rink, established trail locations, and playing fields. This would include adopting a town wide operating policy for “Public Facilities/Services” along with the fiscal planning needed for maintenance. There is no definite proposal for this project; we suggest the selectmen establish a fiscally sound warrant article that would fund these facilities.

6. Land Conservation:

This update proposes that the Town in cooperation with the Conservation Trust undertake a variety of activities to conserve the community’s significant natural resources, and preserve its scenic and rural character. These could include the acquisition of conservation land or easements in order to protect scenic resources, purchase development rights to preserve agricultural land, and similar land conservation activities. It should be a goal of this plan to ensure public access and clearly identify those properties. 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.

7. New Elementary School Site:

It is highly unlikely that a new elementary school will need to be built in Kennebunkport during the next twenty years. RSU21, the Regional School Unit for the towns of Arundel, Kennebunk, and

Kennebunkport has developed a Master Facilities Plan, dated September 2011, which summarizes the plans for the District's facilities. The guiding principles of the Plan are to maintain an elementary school in each community, construct no new buildings, extend the useful life of existing buildings, and to maintain the existing K-5 configuration of the Arundel and Kennebunkport schools. To meet these goals, the Consolidated School Building Committee established by RSU21 was formed in 2012 to formulate recommendations for improvements and renovations to the school. The RSU 21 Board is expected to submit to voters a proposal for building improvements at Consolidated School and Kennebunk High School in 2013. The investment would prepare the school to educate Kennebunkport elementary students for the next twenty years. This investment will need to be approved by the voters of RSU 21.

8. Sewer Extensions:

The present capacity of the treatment plant is adequate and could accommodate significant growth over the next 10 years. Flows during the peak season in the summer average just over 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 (either extensions to existing homes or new development).

In planning for the use of the existing sewer capacity a balance should be struck between new development and extensions to existing homes currently not serviced. The need for extensions to existing homes have been categorized into Priority, Growth and Transitional areas (Chart below). The Priority extension of service would address those areas that are in close proximity to existing infrastructure, and would include Acacia Road, Magnolia Drive, and identified portions of Ocean Avenue and South Main Street. Extensions to these areas over the next ten years would add approx. 36 homes to the system. In addition, the overall projected level of housing growth through 2020 in Kennebunkport is between 360 and 400 new units. If the planning target identified in the Land Use Chapter of having 50% of new housing in the designated growth area is achieved, this would result in no more than 200 new units located on the public sewer system. Thus, the existing system can more than likely accommodate the next ten years of residential development.

Table 33(XII): Sewer Extension Priority Areas July 2012

Priority Area	
Acacia Road	
Magnolia Drive	
Ocean Avenue	
South Main Street	

Table 34(XII): Sewer Extension Growth & Transitional Areas - July 2012

Growth Area	
Arundel Road	Near Golf Course
Beachwood Avenue	North Street to Walkers Lane
Maine Street	Cape Porpoise
North Street	Lock St to Town House area
Northwood Drive	
Ocean Avenue	Wandby Beach
Ocean Avenue	Elizabethan Drive to Oakwood
Ocean Avenue	Near Turbats Creek Road
Old Cape Road	Beachwood Ave to School St
River Road	Near Golf course
School Street	Button Wood to PD
Stonewood	
Walkers Lane	
Windemere Dr.	
Transitional Area	
Arundel Road	Near Cape Able
Arundel Road	Beyond Mt. Kineo Rd
Beachwood Avenue	Near Old Highway Barn
Beachwood Avenue	Near Highway Barn
Beachwood Avenue	Near Cape Porpoise Lobster
Beachwood Avenue Ext.	Near Bridge
Beachwood Avenue Ext.	Near Mills Rd.
Dyke Road	Up Dyke Rd to Motel
Dyke Road	Near Mills Road
Goose Rocks Road	Near Log Cabin Rd
Goose Rocks Road	Near Mills Road
Log Cabin Road	Near Brown Construction
Log Cabin Road	Near Goose Rocks Road
Mills Road	Redmond Dr to Batsons River
Mills Road	Near Beachwood Avenue
Mills Road	Near Goose Fair
Mills Road	Near Dyke Road
Mills Road	Fire Station
Mills Road	Near New Biddeford Road
Mount Kineo Road	
New Biddeford Road	Near Mills Road
New Biddeford Road	Near Beach
Winter Harbor Road	Near New Biddeford Road
Winter Harbor Road	Near Fire Station

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 or the town. 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.

9. Transportation:

The Town needs to continue efforts to monitor traffic flow in the busier areas of Town and to facilitate ongoing improvements for seasonal traffic and visitors. 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. Also the state roads in the Town are problematic owing to neglect and the Town should seek to share the investment in repairs with the state. In particular, the roads in question are, Route 9 particularly Mills Road Cape Porpoise to Goose Rocks, and repairs from North Street to Log Cabin Road. On the Town owned roads, appropriations should be made to continue with regular paving to prevent deterioration with particular emphasis on the Wildes District Road and Ocean Avenue. The Town should continue to appropriate funds to expand shoulders wherever possible for bike trails, and it should also continue to upgrade sidewalks especially on Main Street to South Main Street. The Town should also plan for pedestrian and bicycle connections between neighborhoods.

10. Recreation:

The Town has a number of public parks for use by residents and visitors alike. These valuable facilities will require periodic investment to maintain the functionality as recreational facilities. The Town should work with the Kennebunkport Conservation Trust to develop trails for both walking and bicycling that will interconnect neighborhoods, parks, and village centers. This will strengthen the sense of community within the town.

As a coastal town the one glaring omission is an adequate municipal boat launch and associated parking for launching small boats into our local waters. The town should continue to search for opportunities to establish such a facility to provide water access to all its residents.

11. Government Wharf and Sea Walls:

Government Wharf is located on the Kennebunk River and accessed via Josiah Curtis Lane. The wharf services commercial and recreational boaters and experiences heavy use. The wharf consists of jib cranes, floats, and a bait shed used by the commercial fishermen who maintain and operate from this site. Due to its heavy use, it is in need of substantial renovation. Voters have established a reserve fund for pier repairs and investment. The Town will seek state funding to share in the costs of renovations to Government Wharf through the Small Harbor Improvement Program, which is a competitive grant program administered by the Maine Department of Transportation.

A number of heavily travelled roads in Kennebunkport rely on bridges and seawall type supports for their structural integrity. All of these locations to some degree or another due to their location and age are in need of repair due to their location and age;

- a. RT 9 Bridge crossing Kennebunk River connecting Dock Square and Lower Village
- b. North Street bridge/culvert crossing Mill Pond
- c. Ocean Avenue adjacent to Kennebunk River
- d. Pier Road Causeway

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. Copies of the current CIP funding schedule are available via the Town Manager. 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

Table 35(XII): Capital Plan 2011-2018

Capital Plan 2011 - 2018	FY11	FY 12	FY 13	FY 14	FY 15	FY 16	FY17	FY18
General Gov	43,000	5,000	11,500	15,000	15,000	15,000	15,000	15,000
Police								
Vehicles	24,500	50,000	41,000	28,000	56,000	28,000	56,000	28,000
Other	40,500	22,500	6,750	20,000	20,000	20,000	20,000	20,000
Building			50,000	50,000	50,000			
Facility Expansion Plan								
Fire								
Apparatus	40,000	130,000	130,000	130,000	130,000	130,000	130,000	230,000
Equipment	54,100	58,750	45,320	50,000	40,000	50,000	40,000	40,000
Buildings			33,000					
Highway								
Roads		170,000	250,000	250,000	250,000	250,000	250,000	250,000
Sidewalks	45,915	15,000	25,000	50,000	25,000	50,000	25,000	50,000
Vehicles	100,000	100,000	120,000	120,000	110,000	110,000	110,000	110,000
Equipment	28,200							
Buildings	7,329	55,000			25,000		25,000	
Other		100,000	125,000					
Strategic Planning				15,000				
Parking Plan					10-15,000			
Walking/Bicycle Plan								
Sewer Extension Plan								
Public Facilities Plan						15,000		
Recreation	25,000	10,000	25,000	25,000	25,000	25,000	25,000	25,000
Piers	50,000	40,000	50,000		50,000		50,000	
Other								
Capital reserve				50,000	50,000	50,000	50,000	50,000
Sub-Total Capital	458,544	756,250	912,570	788,000	846,000	728,000	796,000	818,000
Debt Service	431,346	415,839	407,401	322,945	316,018	309,413	207,272	200,479
TOTAL	889,890	1,172,089	1,319,971	1,110,945	1,162,018	1,037,413	1,003,272	1,018,479

CHAPTER XIII: HAZARD MITIGATION

I. INVENTORY

Hazard Mitigation is a process that seeks to lessen or eliminate hazards that pose a threat to a community. Hazards that are examined include both natural and manmade events. While historically natural hazards may have been the most common type of occurrence, hazards caused by human activity are increasingly a threat, including industrial events, bio-hazards and acts of terror. Hazard mitigation activities are designed to lessen the effects of such events on the community.

The Hazard Mitigation Inventory is a part of the Emergency Operations Plan required by the state of Maine. This emergency plan is required in order for the Town to receive federal disaster relief funds. 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 rather identifies the most possible events. Also to be considered is the release of toxic materials in the event of a chemical leak and the potential of a terrorist action. The Town's Emergency Operations Committee has completed a hazard analysis for Kennebunkport identifying the hazards most likely to impact the Town.

Mitigation is only one part of emergency planning, resource identification and readiness. Emergency management also includes planning. Kennebunkport has an Emergency Management 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. 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 DISCOURAGE DEVELOPMENT IN NATURAL HAZARD AREAS.

TOWN GOAL 1: TO DEVELOP INCLUSIVE STRATEGIES FOR MITIGATING ACUTE HAZARDS.

Policy 1: Perform a hazard analysis of the community that identifies natural, man-made, and technological hazards that face Kennebunkport.

Strategy 1: Review the hazards that potentially threaten the community and analyze them 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
- Strategy 3: Inform and remind people about hazards and the measures necessary to avoid potential damage and injury.
Responsibility: Emergency Management Director
Timeframe: Ongoing
- Strategy 4: Provide mechanisms for the monitoring and management of hazards likely to affect the community, including keeping current the Town's Emergency Operations Plan.
Responsibility: Emergency Management Director
Timeframe: Ongoing

TOWN GOAL 2: TO DEFINE THE ROLES AND RESPONSIBILITIES FOR THE MITIGATION OF CRONIC HAZARDS.

Policy 1: Develop a comprehensive approach to hazard mitigation that includes prevention, property protection, natural resources protection, emergency services, structural protection, and public information

- Strategy 1: Incorporate hazard mitigation analysis in planning and zoning, open space preservation, land development regulations, storm water management, coastal maintenance, and building codes.
Responsibility: Planning Board, Code Enforcement Officer
Timeframe: Ongoing
- Strategy 2: Protect property from possible hazards by allowing the modification of buildings and property.
Responsibility: Planning Board, Code Enforcement Officer
Timeframe: Ongoing
- Strategy 3: Promote erosion and sediment control and wetlands protection.
Responsibility: Planning Board
Timeframe: Ongoing
- Strategy 4: Ensure adequate funding and support for hazard identification and mitigation. Advocate for emergency services, critical infrastructure protection, and on-going health and safety services.
Responsibility: Town Manager
Timeframe: Ongoing
- Strategy 5: Encourage projects that will protect people and property from hazards that will not disrupt natural functions such as water flow or wildlife habitats.
Responsibility: Town Manager, Planning Board
Timeframe: Ongoing

CHAPTER XIV. 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 day-trippers to the seaside town of Kennebunkport. 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 limited 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. The Town also has an extensive network of approximately 30 miles of privately owned roads (See Map Inventory).

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.

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 current inspections have received a Federal Sufficiency Rating high enough for the town to continue maintenance.

North Street, Log Cabin Road, Route 9 and a portion of Maine Street are subject to MDOT’s Access Management Rules. These rules regulate sight distance, corner clearance, spacing, width, setbacks, parking, drainage, and mitigation requirements. Under these standards in order to obtain a permit from Maine DOT, any new or changed driveway or entrance on state and state-aid highways located outside urban compact areas must meet specific specifications.

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.
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 more trips per day. (Route 9 and North Street)
3. Mobility corridors that 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 as of 2010).
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 as of 2010).

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 36(XIV) lists the most recent AADTs for Kennebunkport.

**Table 36(XIV): Average Annualized Daily Traffic (AADT) Volumes,
Raw and MDOT Data**

Location of Counter	1995 AADT	2000 AADT	2002 AADT	2005 AADT	2007 AADT	95-Most Recent % growth
Arundel Rd NE of North St	810	670	720	980	920	12.00%
Dyke Rd SE of Route 9	1510	1720	1790	1960	NA	23.00%
Goose Rocks Rd E of Whitten Hill Rd	570	820	NA	NA	NA	30.50%
Goose Rocks Rd SW of Whitten Hill Rd	600	860	930	1290	1060	43.40%
Goose Rocks Rd NW of Route 9	560	770	800	1210	NA	53.80%
Guinea Rd NW of Whitten Hill Rd	580	600	560	810	NA	28.40%
Guinea Rd SW of Whitten Hill Rd	480	500	NA	NA	NA	4.00%
Maine St NW of Route 9 (Spring St)	5380	6320	NA	6300	NA	14.70%
Maine St W of Wildes District Rd	NA	2480	2800	2740	2770	NA
New Biddeford Rd Kings Highway, GRB	NA	390	NA	NA	NA	NA
North St NE of Maine St	4750	5530	9020	5300	6070	21.80%
North St S of River Rd	4190	5020	NA	NA	NA	16.60%
Ocean Ave SW of Summit Ave	1880	1810	2160	2000	2000	6.00%
Old Cape Rd SE of North St	1520	1630				6.80%
Route 9 (Spring St) SW of Route 9 (Maine St)	NA	8610	8270	8090	NA	NA
Route 9 (School Street) NE of Maine St	2940	NA	3330	3020	3120	5.80%
Route 9 N of Pier Rd	2790	2820				1.10%
Route 9 W of Wildes District Rd	3160	3250				2.85%
Route 9 SW of Goose Rocks Rd	2650	3090	3220	3350	NA	20.90%
Route 9 NE of Goose Rocks Rd	2070	2450	2570	NA	NA	20.00%
South Main St S of Wildes District Rd	670	540	720	NA	NA	7.00%
Stone Rd N of Beachwood Ave	280	NA	310	370	NA	24.40%
Wildes District Rd E of Maine St	1850	1970	2160	2190	NA	15.60%

D. Bicycle and Pedestrian Facilities

The analysis of the town wide survey indicated that one of the top three characteristics that were important to the town is access to the coast and recreational and cultural opportunities. Planning Decisions Inc. who analyzed the survey data found that respondents “strongly supported creating a system of bikeways, trails, and pedestrian paths.” They additionally noted that 88% of the respondents supported the town in creating a partnership with the Kennebunkport Conservation Trust. The development of bicycle and pedestrian paths is a special opportunity for the town to work closely with the Kennebunkport Conservation Trust to meet these goals.

The Kennebunkport Conservation Trust is developing appropriate paths throughout the properties that have been placed in their care or that they have purchased directly. A goal of the Trust is to provide a main pathway for bicycle and pedestrian use from Cape Porpoise Village to the Kennebunkport town lines with Arundel and Biddeford. It should be noted that some of these paths also permit equestrian use. Along this main pathway they are creating loops near neighboring communities to provide access for bicycle and/or pedestrian recreation. This will provide the opportunity for residents and visitors to take a short walk around a nearby loop or explore the entire path system. Additionally they are working with the Trolley Museum to create a rail to trail system for pedestrians to enjoy the trolley museum and the woods of Kennebunkport.

To support the Kennebunkport Conservation Trust the town should develop a master plan that will provide appropriate pathways interconnecting the town’s villages and the pathways of the Trust. Land use ordinances should encourage the creation of open spaces contiguous to the parcels of the Trust for expansion of these pathways. The development of a sidewalk system that will provide the interconnectivity of the town villages with access points to the Trust pathways should be explored. The creation of bikeways along town and state roads that provide a safe connection to the village centers and to the designated bike paths on Trust lands should be encouraged. The goal to provide a safe bicycle and/or pedestrian route from the coast to the Town Forests and neighboring communities along through Kennebunkport can be realized.

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 closest seasonal system is the Seashore Trolley which enters Lower Village Kennebunk. 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 is 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 shortage of parking spaces even with approximately 350 on-street spaces, 90 spaces in the municipal parking lot near the Kennebunk River, and 100 spaces in the municipal parking lot next to the Village Fire Station. Parking still remains very difficult during the tourist season. However there is parking available downtown for the tour/charter buses that frequent the community at "Performance Marine" in Lower Village Kennebunk.

Both Government Wharf and the Cape Porpoise Pier have limited parking for fishermen's trucks, the general public, and other commercial activities. It has been necessary to have a parking lot attendant present at the Cape Porpoise Pier to ensure that parking occurs in an orderly fashion.

At Goose Rocks Beach space is limited so the Town has found it necessary to restrict parking to vehicles carrying Goose Rocks Beach parking stickers. Town residents make use of such stickers at a cost of \$4.00 per year.

The Colony Beach has room for approximately 40 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 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 when considering zoning changes or other town policies that may encourage future development on these roadways.
- Traffic flow in Dock Square needs to be monitored during periods of high traffic volume.
- It is essential to monitor the accessibility of parking for those who need access to the waterfront in order to work in these industries.
- Bicycle and Pedestrian Facilities are an important part of the Recreational Transportation network and should be planned for accordingly in co-operation with the Kennebunkport Conservation Trust.

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: 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

Policy 2: Ensure that the lack of parking is not a hindrance to the support and preservation of the fishing and lobstering industries.

Strategy 1: Study marine business parking options that gives commercial fishermen priority when parking on town owned properties at certain times of day (especially at the Cape Porpoise pier).

Responsibility: Board of Selectmen

Timeframe: 1 year

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 the Land Use Chapter 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: MDOT classifies Route 9 and North Street as major transportation routes along which access management provisions must be instituted to improve mobility and safety.

- Strategy 5: Work with MDOT to improve pedestrian and bicycle connections between Cape Porpoise Square and Dock Square.
Responsibility: Board of Selectmen
Timeframe: 2 years

Policy 3: Investigate the potential for regional fixed-route transportation services.

- Strategy 1: Continue to coordinate with the Atlantic Shore Line planning effort for regional fixed-route bus service along the southern Maine coast.
Responsibility: Town Planner
Timeframe: Ongoing

Policy 4: Provide for safe and efficient bicycle and pedestrian travel throughout town.

- Strategy 1: Appoint a Neighborhood Connection 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 and the Kennebunkport Conservation Trust regarding potential trail connections.

- Work with MDOT and the Board of Selectmen to determine what state and/or federal funding may be available;
- Work with the Board of Selectmen and appropriate state and federal agencies to apply for any state and federal funding;
- Work with the Board of Selectmen to raise any local funds necessary; and
- Oversee the implementation of the phased construction plan.

Responsibility: Board of Selectmen, Town Manager, Neighborhood Connection 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

Policy 5: Establish long-term relief from traffic congestion related to anticipated population growth tourism.

Strategy 1: Identify possible locations of remote parking areas

Responsibility: Board of Selectmen

Timeframe: 2 years

Strategy 2: Work towards establishing summer shuttle service from remote parking areas to Dock Square.

Responsibility: Board of Selectmen

Timeframe: 2 years

Strategy 3: Encourage visitors to use in-town and remote parking options with time restrictions and appropriate pricing. Encourage residents, shopkeepers and employees to utilize remote parking options.

Responsibility: Board of Selectmen, Police Department

Timeframe: 3 years

CHAPTER XV. 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, Kennebunkport 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

This 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 should 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 should continue 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. R.S.U. #21

R.S.U. #21 provides public education for Kennebunk, Kennebunkport and Arundel. The Town should continue to support the concept of the RSU but work to assure that the cost sharing arrangements for the operation of the district are equitable and treat the taxpayers in the three 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. For example, with the adoption of the Maine Uniform Building Code, building inspection duties could be shared.

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.

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 IV. Marine Resources

- Continuing to participate in joint River Committee with Kennebunk and Arundel

Chapter V. 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 VII. Economy

- Coordinating with Kennebunk to manage traffic, parking in Dock Square and Lower Village.

Chapter XI. Public Facilities and Services

- Coordinating police and fire activities with the state, county and other towns' public safety departments.
- Work with Kennebunk to maintain adequate public toilet facilities in the Dock Square/Lower Village area.
- Continuing to share recycling facilities and service with Kennebunk.

Chapter XIV. Transportation

- Continuing to work with SMRPC and the towns of Kennebunk, Wells, Ogunquit and York on the Atlantic Shore Line regional trolley system.
- Linking bicycle trails with other trails in surrounding communities.
- Support Programs such as FISH (Friends in Service Helping), a volunteer transportation service operated out of the Senior Center at Lower Village specific for seniors in need when no other transportation is available for medical and social appointments.

(Note of Explanation)

The maps, charts & tables included in this document are illustrative and for planning purposes only. These are not to be used as a substitute for actual field observation and determination done by licensed professionals. Maps may be added to this document as they are deemed useful and applicable to the understanding and implementation of the Comprehensive Plan.