

1. EXECUTIVE SUMMARY

In 2018 the Town of Kennebunkport acquired the 86.97 acre “Village Parcel” with frontage on North Street and School Street in 2018. Emphasis for purchasing the land to secure the property to provide the Town with the opportunity to address short term and long term needs of the Town. These included potential municipal facilities, diverse and affordable mix of housing, neighborhood commercial use, and open space for active and passive recreation. In addition, connectivity (vehicular, pedestrian and bicycles) were identified as important elements to extending the village character in this portion of Town. Preserving a portion of the property for future needs, not yet identified was also identified as an important opportunity for the Town’s future needs over a course of ten to twenty years or more.

Located on the edge of the existing village area the parcel provides an opportunity to extend that character. The parcel aligns with the “Village Growth Areas” defined in the Town’s Comprehensive Plan. The property provides a unique opportunity for the Town to address short term needs, long term needs, and needs yet to be determined.

The Town of Kennebunkport retained professional planning services provided by the consultant team of Mitchell & Associates, Landscape Architects and Land Planning; Gorrill Palmer Consulting Engineers, Planners; Camoin Associates, Marketing and Principal Group, Urban Planners and Architects to develop a Master Plan for the parcel.

Steering Committee: The Town Board of Selectman appointed a nine member steering committee to guide the planning process, interact with the community, to identify the town needs and desires, and to develop the master plan with assistance from the consulting team. The eight month process included over _____ committee meetings which included: stake-holder group interviews, review of documentation and plans generated by the consultant team, review of public visioning sessions, and guidance provided in developing the master plan/future land use opportunity plan(s).

Site Analysis: The consultants completed a site analysis of the property which included reviewing constraints from environmental conditions, environmental regulatory requirements, and impacts associated with prior approved development plans, including permitted wetland fill. An Existing Conditions and Context Plan was developed to show the existing village development patterns and connectivity opportunities. Public infrastructure location and connections were identified along with optimal areas for open space development.

Stakeholder Input

There were 17 stakeholder groups identified and interviewed as part of the public process. A summary of their comments are contained in Appendices X.

Summary Points

- Traffic Concerns Need to be Considered
- Provide Affordable Housing Opportunities for Singles, Young Families and seniors to Downsize.
- Single Family House, Multi Family and Apartments
- Neighborhoods Should be mixed Intergenerational
- Plan Should Address the Provisions of the Comprehensive Plan
- Protect Sensitive Environmental Assets, Opportunity for Environmental Education
- Connectivity with other Conservation Trust Trails
- Need to consider Reserving a portion of the Property for Future Needs
- Municipal Facilities
- Limited Commercial
- No Seasonal or Short Term Rental, Air bnb or Seasonal Homes
- Zoning Standards Need Amending
- Open Space, Active and Passive

Public Visioning: Two public visioning sessions were held, the first being a kick-off meeting, attend by 50+/- residents, to present the project and process to the community and conducting a visual preference survey to identify village character for potential residential, commercial and municipal structures, open space and recreation uses. There were 80 images of architectural styles for building types, including neighborhood patterns and open space (natural and constructed) and active recreation uses. Participants provided comments and placed green dots for likes and red dots for dislikes.

NEIGHBORHOOD CHARACTER



**KENNEBUNKPORT
VILLAGE
TOMORROW**

A NEIGHBORHOOD DEVELOPMENT PLAN FOR THE VILLAGE PARCELS



ENVIRONMENT



**KENNEBUNKPORT
VILLAGE
TOMORROW**

A NEIGHBORHOOD DEVELOPMENT PLAN FOR THE VILLAGE PARCELS

The session included public input on the following questions:

1. What kind of uses would you like to see?
 - a. Affordable Housing for Families and Aging Population, Single Family and Apartments. Moderate Sized Homes
 - b. Open Space and Recreation Areas and Trails
 - c. Community Gardens and Public Gathering Spaces
 - d. Pedestrian Friendly, Bicycle Friendly
 - e. Limited Commercial, Local Food
 - f. Municipal Facilities-Town Office and Fire Station
 - g. Town Green
2. What would make this project successful?
 - a. Variety and Style of buildings
 - b. Something for Everyone
 - c. Accessible to All and All Seasons
 - d. Affordable Housing; Single Family, Multi Family (\$250K)
 - e. Maintain Conservation Land/Preserve Natural Growth and Habitat
 - f. Community Access Gardens
 - g. Limited or no Commercial
 - h. Limit Traffic Impacts
 - i. Phased Approach
 - j. Sustainability, Energy Efficient Design
 - k. Recoup Town Investment

Refer to Appendices a. Visioning Process and Results

The second visioning session was held on the weekend of July 13th – 15th, attended by 100+ residents. The three day event kicked off with a 3 hour public participation session that included the visual preference survey, overview of the property, existing conditions and local context. A presentation was made identifying New England Village character and pattern of development to show how the Village Parcel fits within the context of the existing village area followed by a breakout session with twelve (12) work groups to discuss how the parcel should be used and identify what needs and uses they felt should occur. Each table was provided with a base sheet and existing conditions plan to develop their concepts and ideas. Each table reported out on the table's outcome.



Following the morning session the design team reconvened at the North Street Fire Station for a design charrette conducted over a period of 30 + hours. The information obtained from the morning session and all previous public and stakeholder input was reviewed and refined to develop the initial concept development plan to show the potential development opportunities to achieve a mixed generational neighborhood that could support a wide range of housing to respond to need for affordable housing for young families, downsizing seniors and higher end market. The concepts incorporated many of the ideas of the public input as could be integrated.



During the 3 day process the public was invited to stop in to see the process and to provide feedback. This was very well attended by the public over the 3 day process. The concepts and graphics were presented to the public at the end of the session and

discussed. This was well attended by approximately 50 + residents. The outcome of this session provided the opportunity for the steering committee and residents to understand what potential the property could provide. Refer to Appendices X



Municipal Needs Assessment:

The town is currently doing a municipal facilities assessment for a new town hall and for an upgrade or replacement of the North Street Central Fire Station. During the master plan process the options for locating either or both of these facilities on the site were evaluated. The potential location for a new town hall has been identified and is being explored as part of the study being done by the town and in conjunction with the master plan process. Development of plans for the town hall will be conducted by the consultant team retained by the town. The siting of the fire station was determined at this time as not compatible with residential development opportunities.

Market Analysis

The Town of Kennebunkport has undertaken an effort to develop a Master Plan for an 87-acre Town-owned parcel near the village area, known as the “Village Parcel.” The purpose of the Master Plan is to provide a roadmap for future development and/or conservation on the Village Parcel that aligns with the values of the community and

contributes to the exceptional quality of life in town. To ensure that the proposed development scheme aligns with market realities, Camoin 310 has been engaged to conduct a residential market analysis and financial feasibility analysis for the site.

Total demand for new year-round housing units in Kennebunkport is estimated at between 330 and 542 new units over the next five years (through 2024). This is the total amount of new housing that could be supported in town, whether on the Village Parcel or elsewhere. Of this demand, about 40% will come from those seeking housing priced above \$400,000 (i.e. market-rate housing) and 60% for “affordable” housing (i.e. housing priced below \$400,000 and accessible to households earning between \$50,000 and \$100,000 annually). About half of overall demand will come from senior (55+) households, who will seek both active and assisted living options. Another sizable demand segment will be both market-rate and affordable family homes for the 35-54 age cohort (33% of total demand).

“Affordable” starter and family homes are in limited supply in Kennebunkport, which has resulted in significant pent-up demand among residents of the region who would prefer to live in the town if affordable options were available. Such housing has been identified by the Town as a need to attract young families and provide housing for the town’s workforce. We project demand from non-senior households (those aged under 55) at about 125-150 homes at below-market (“affordable”) price points in the next five years. This figure takes into account future regional growth in households as well as existing households in the region who would relocate to affordable housing in Kennebunkport if it were available. Refer to Appendices a. Visioning Process and Results

In planning for the future of the Village Parcel, the Town aims to satisfy multiple community goals, including but not limited to, (1) siting future Town facilities such as a new Town Hall, (2) preserving open space for active and passive recreation, (3) providing affordable housing options, and (4) reserving portions of the site for long-term future needs that may arise. An ideal outcome would be to achieve these goals while also having a neutral or positive fiscal impact on Town finances. In order to minimize the fiscal impact to the Town, private market-rate residential development is needed to offset the public costs of these objectives. The purpose of the financial feasibility analysis is to determine the extent to which private residential development would be able to offset past and future public expenditures on land acquisition and infrastructure.

A phased approach to developing the site would allow the Town to reserve a portion of the site for long-term needs. The initial phase, extending about one third of the way into the property from North Street, could accommodate about 40 to 50 homes averaging 1,800 SF on quarter-acre to half-acre lots. Market-rate homes would sell for approximately \$540,000 on average. After allowing for necessary infrastructure costs of \$3.8 million, this phase undertaken by a private developer would generate about \$1.5 million in proceeds for the Town that could go towards paying back the Town’s initial

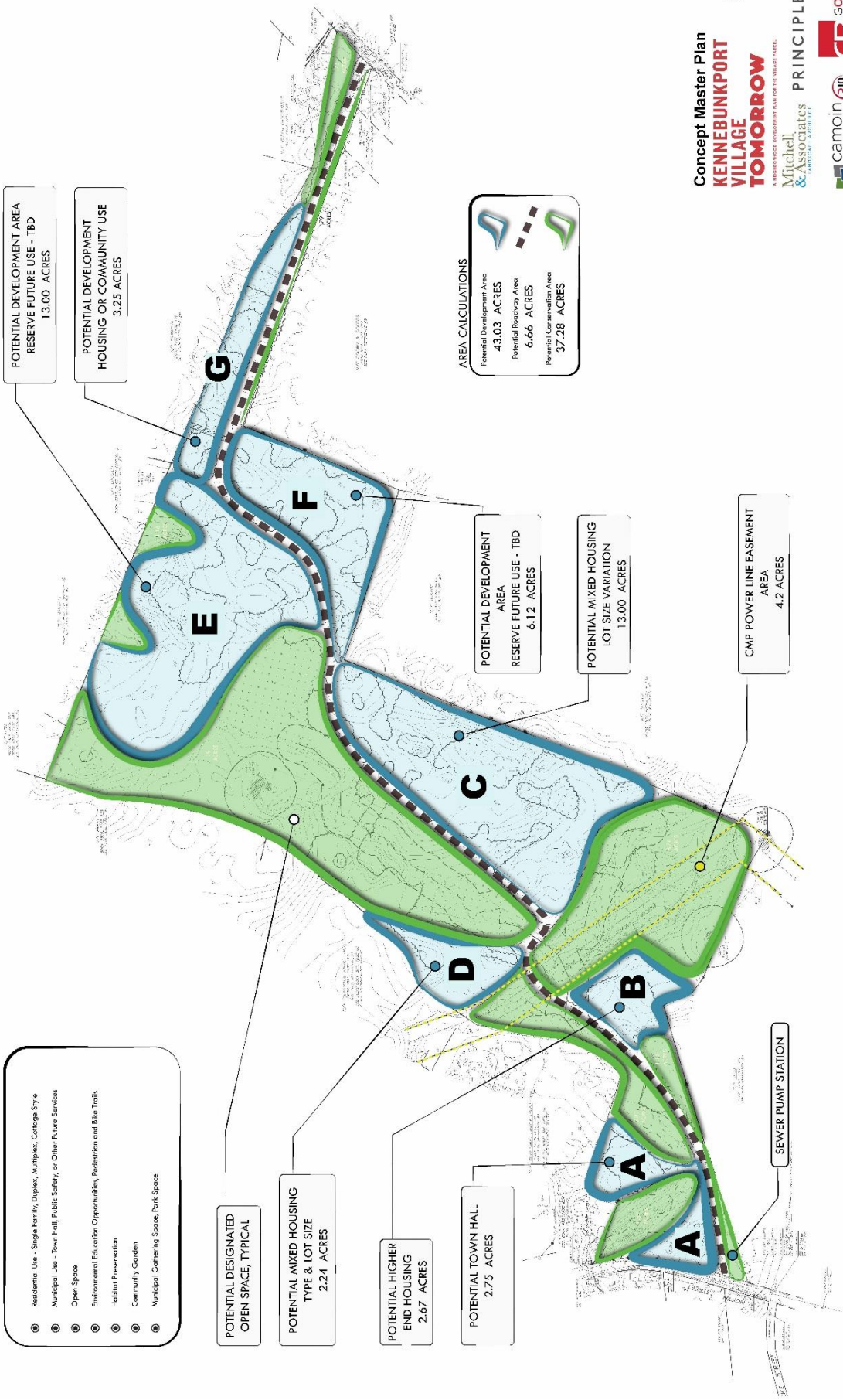
\$10 million in land acquisition costs, subsidizing affordable housing, or funding other public expenses. Note that additional proceeds could be generated from development of future phases on the remaining two thirds of the parcel. If desired by the community, a portion of housing units could be designated as affordable and would sell at a below-market prices. This would reduce Town proceeds on the initial phase by about \$100,000 per unit.

Master Plan (Land Use Opportunities)

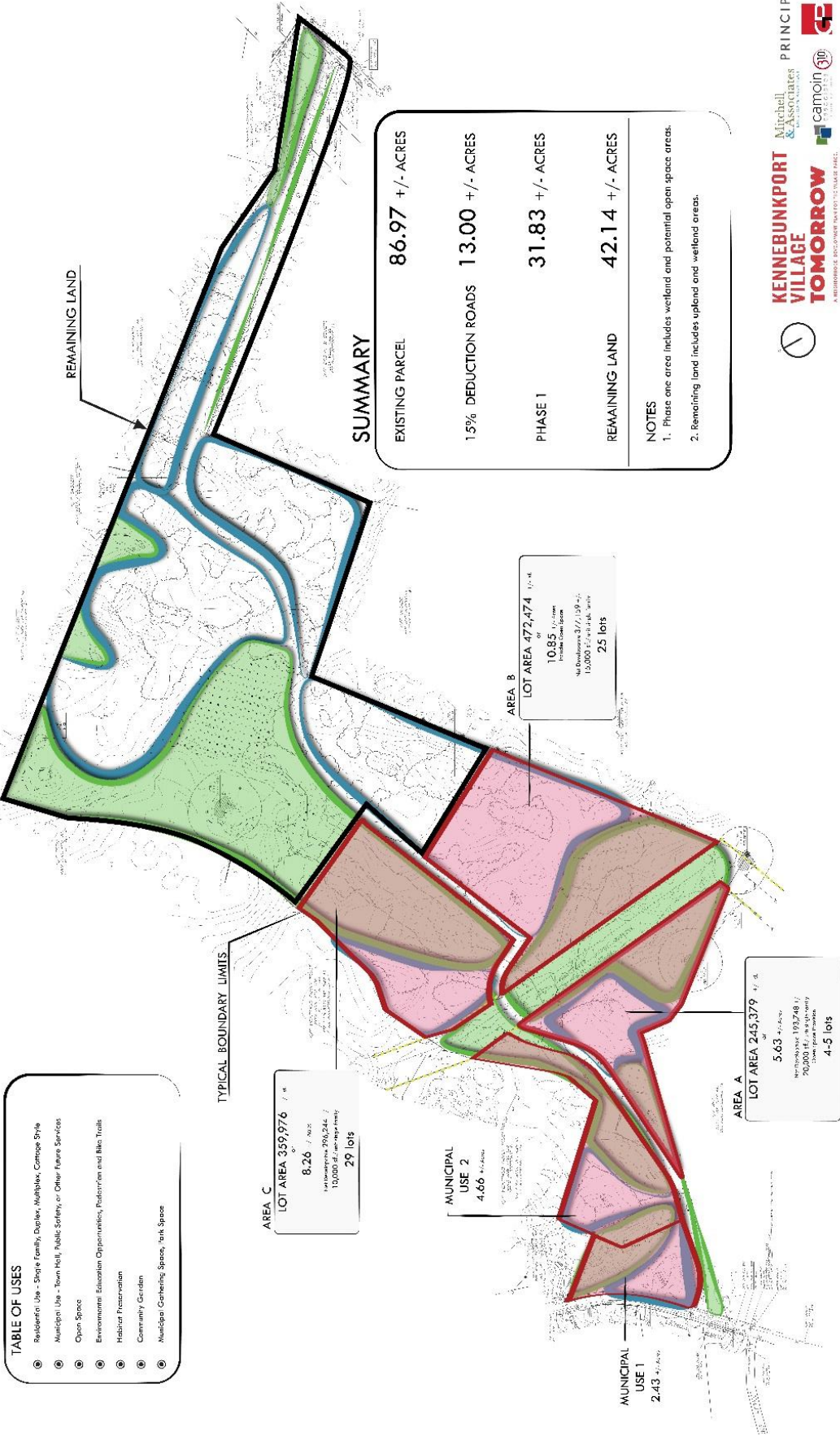
The master plan process was very thorough and well documented. The input obtained provided a broad range of desires and uses for the property and identified next steps to be considered before taking action. The following were uses or concerns were identified as important to the majority of the participants:

- A mixed intergenerational neighborhood was important
- Affordable housing was important to accommodate for young families, singles and a downsizing aging population
- To address development cost and limit exposure to the town, a range of market value homes on larger lots and more affordable housing on smaller lots
- Housing needs to be for year round or be primary residence, not seasonal, rental or short term rental
- Potential for return on Town investment
- Preservation of existing sensitive environmental areas is important, potential educational opportunities
- Development of open space trails for connectivity to existing Kennebunkport Conservation Trust trails, or other town parcels
- Potential development of passive and or active recreational uses on areas currently disturbed
- Community Gardens
- Sustainable Development
- Municipal use/Town Hall
- Traffic Congestion and Safety
- Buffering of abutting residential uses
- Retain Land for Future Needs as may be defined

The following Master Plan and Phasing Plan identify potential development opportunities, areas to be reserved and retained open space.



Phase 1 Potential Development Options



Zoning Recommendations

To be completed after review of zoning recommendation section

Public – Private Partnership and Private Development Recommendations

To further the plan along, the Town should identify developers that have experience in developing mixed market housing and engage in discussions on how best to develop areas identified in the Master Plan.

Potential Funding Opportunities

Open space funding sources:

- Land & Water Conservation Fund, State of Maine

Next Steps

To be completed

2. INTRODUCTION

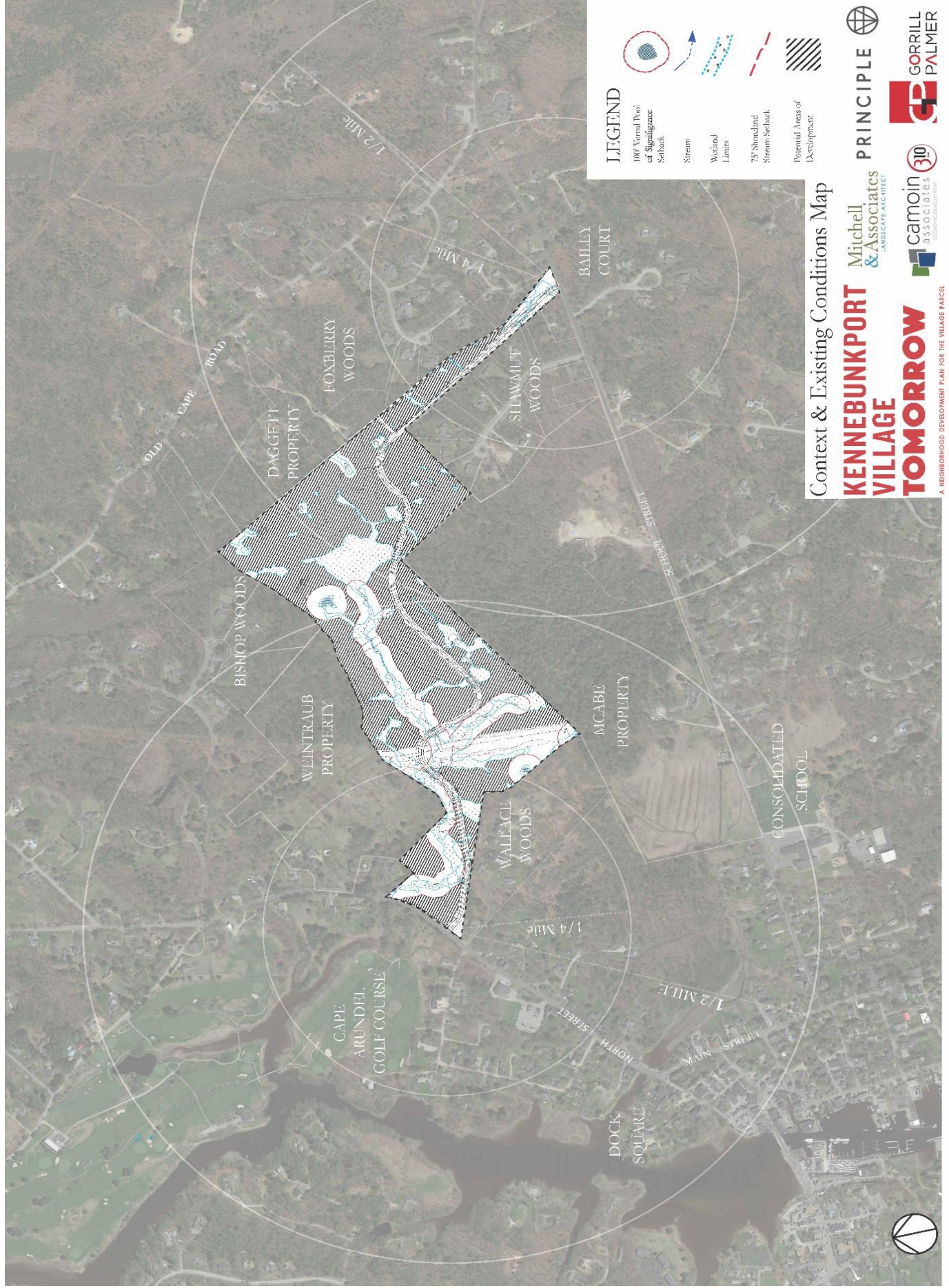
The Kennebunkport Village property is an 86.67 acre parcel with frontage on North Street and School Street. CMP has a 135 foot wide easement for a transmission line that divides the property. The easement crosses the property approximately 1,300 feet in from the North Street end. There are two stream segments that converge flowing from on-site wetlands that flow under North Street to the Kennebunk River. These are defined as forested wetlands, totaling 16+/- acres. There are three (3) significant vernal pools, two located with the CMP transmission line easement to the southerly edge of the easement. A third significant vernal pool is located in the northeast quadrant of the parcel. Significant vernal pools have a 250 foot zone designation with a 100 foot, no disturbance setback. There are several non-significant vernal pools that have no setback requirements.

The parcel, formerly Olde Port Village, an approved 80 unit residential subdivision consisting of three multi-family buildings (12 units) and 34 duplex units. Proposed site improvements included a community building with an outdoor pool and tennis court. Open space consisted of 29 +/- predominantly wooded acres (22 upland acres and 7

acres of forested wetland). Walking trails consisted of existing woods road and new created trails within the retained woodland were proposed.

Current site conditions include 6,100 +/- LF of roughed in road connecting North Street to School Street. Clearing on site for road and lot areas was completed for development previously approved 80 unit residential project. Public sewer and water have been extended to the North Street frontage. (Refer to the existing conditions plan).

DRAFT



Request for Proposal – Village Parcel Master Plan

Purpose:

Although Kennebunkport has long been a seasonal destination, recent indications are that the seasonal nature of the Town will overtake the ability to function as a year-round community. The purchase of this parcel should allow the Town to plan for needs community wide in a manner that will have a long-term positive impact on the character of, culture, and quality of Kennebunkport. The outcome may include a mix of public and private uses as guided by public process.

The parcel is ideal in terms of its connection to the center of Cape Porpoise. The ideal development of this parcel could provide for the future of Kennebunkport in alignment with the comprehensive plan.

- Provide for future town essential services, including municipal facilities to enhance the Kennebunkport experience.
- Include design principals of traditional neighborhoods found in Kennebunkport's village area.
- It flows as an extension of Kennebunkport's adjacent villages.
- Maintain our small-town character.
- Encourage vehicular traffic and pedestrian connectivity.
- Provide for future multigenerational needs.
- Establish mixed uses that complement the needs of the community and each other.
- Encourage passive recreational opportunities.

The Town's Comprehensive plan outlines a vision of villages. The community has continued to support the unique characters of the villages and this parcel directly impacts three of these areas.

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.

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.

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.

Steering Committee

The Board of Selectman conducted an interview process with individuals interested in serving on the committee. A nine person committee was appointed, made up of the following individuals:

Allen Daggett (Chair)
Sheila Matthews-Bull
Rebecca Young
Jamie Houtz
Russ Grady
John Hardcourt
Connie Dykstra
Tim Pattison
Mike Weston

Town staff include:

Laurie Smith (Town Manager)

Werner Gilliam (Director of Planning & Code)

Goals and Objectives

The parcel provides an opportunity for the community to plan for current and future needs as may be identified. Located on the edge of the existing Main and North Street village residential area and within close proximity to Cape Porpoise provides the opportunity for the expansion of the village area pattern of growth and connectivity that allows for improved access for municipal public safety services between sections of town.

- While the property has been disturbed for the prior approved development, there are significant areas of woodland and environmental habitat for flora and fauna that should be preserved.
- Development of affordable market rate housing for town employees, public safety providers, young families and older residents that desire to downsize and stay in the community. Opportunity to create a mixed intergenerational community.
- Potential location (s) for municipal services, i.e. town hall, central fire station or other services as may be identified.
- Develop network of pedestrian, vehicular and bicycle circulation that includes connectivity between the village areas and adjacent neighborhoods.
- Preserve environmentally sensitive areas and undisturbed wooded open space, create opportunities for passive recreation, environmental/nature education, active recreation.
- Undertake a market assessment of the concept master plan to identify potential cost and feasibility of development/proposed use options.
- Establish the framework of a plan that could be implemented over a timeframe that would include immediate needs and reservation of land for future needs yet to be determined.

Report Organization

An extensive effort was made to identify various uses for the property. The process included community input through stake-holder meetings, visioning sessions, public participation and development of a concept plan to identify potential patterns for development which could support the extension of the village outlined in the Village Parcel RFP.

The report is structured to provide a condensed summary of the public input process and stages of the planning process to arrive at the final Master Plan/Land Use, including

market analysis, preliminary opinion of infrastructure cost, zoning recommendations, public private partnership opportunities and funding sources.

- Stakeholder Groups – Summary of Input
- Public Comment – Summary of Public Comment During Meetings and Written Submission
- Public Visioning Sessions Outcome
- Market Analysis
- Steering Committee Assessment
- Master Plan – Land Use Opportunities
- Zoning Recommendations
- Public – Private Partnership Opportunities
- Potential Funding Sources

Purpose for the Kennebunkport Village Parcel Master plan

A master plan is a plan that shows an overall development concept or pattern of development that includes urban design, landscaping, infrastructure, service provision, circulation, present and future land use and built form. It consists of three dimensional images, texts, diagrams, statistics, reports, maps and aerial photos that describe how a specific location could be developed. It provides a structured approach and creates a framework for developing an area.

For the Village Parcel, the objective was to develop a concept plan that emulated the village character and to identify potential opportunities for a mix of housing development types, municipal services, potential neighborhood commercial services, open space, passive recreational opportunities, including pedestrian and vehicular connectivity. The intent of the plan is to identify potential opportunities for integrating development as an extension of the existing village character creating a multigenerational neighborhood fabric that complements the town and addresses immediate identified needs and looks at potential preservation of suitable land for future needs.

An effective master plan describes and illustrates the proposed urban form in three dimensions, explains the method of developing a site and illustrates what delivery strategy to use to implement the project. The master plan criteria for the Village Parcel addresses connectivity, potential community facilities, potential neighborhoods and housing, potential for parks and open space, other land use and economic development opportunities. Understanding of the market feasibility of the master plan is very important to understand cost benefit relationship and what will the market support.

What the master plan is not is a final design for development, it is a tool or a road map that identifies opportunities and constraints and suitable developable land area,

including connectivity both pedestrian and vehicular including on road and off road opportunities.

Implementation strategies include recommendations for zoning modifications including edits to the existing zoning, potential Contract Zoning or creation of a new zone for the parcel. The plan should include recommendations for potential public-private and private development partners to execute identified objectives and priority needs. The Village Parcel Master Plan will provide the town with guidance and framework for implementation of short, medium and long term actions. Recommendations include development partnership options, potential funding sources and opportunities.

3. PUBLIC PROCESS

Public participation in the developing the Village Parcel Master Plan has been the central focus of creating the master plan document. The Board of Selectmen interviewed and appointed a nine member steering committee to oversee the public process and develop the final plan. The Town engaged with a consultant team to facilitate the process, provide data and guidance in development of the plan, documenting the process, providing guidance and information from which the committee and the public arrived at a consensus.

Steering Committee; The Steering Committee conducted over XX meetings throughout the planning process, including stakeholder sessions, public visioning sessions and subsequent meetings to review the refinement of the master plan, the marketing assessment and guidance of the plan based upon their understanding of what the community input was and the goals and strategies that were refined during the process.

Stakeholder Groups; 17 stakeholder groups were identified by the Town for participation in the process. A series of questions were developed directed toward the varying interest of each group. The Steering Committee held xx public meetings at which time there was an open discussion among the participants to identify their expressed needs, concerns and ideas for the property as it related to their interest. These sessions were very productive. At each of these meetings and all meeting of the Steering Committee, there was a public comment period to answer questions and solicit input.

Public Kick Off meeting; The committee held an initial kick off meeting at which time the consultants provided an overview of the property, detailing existing conditions,

constraints and opportunities. The public was engaged through a series of exercises that included a visual preference survey of potential building styles; residential, mixed use, commercial uses, municipal uses, and open space options ranging from natural passive uses to active public spaces and recreational uses. The public was asked to comment in writing and by placing either a green dot for favorable or a red dot for unfavorable for the various images. The next two exercises required written responses to two questions:

What Kind of Uses Would You Like to See? and *What Would Make The Project Successful?* There were approximately 33 residents present and most either responded individually or as a couple. See summary of responses is in XXXXXXXXXX.

Public Visioning Session: In July of 2019, a three day public visioning session was conducted that included presentation of the existing conditions of the parcel including opportunities and constraints, current zoning and local context. The consulting team presented an overview of traditional New England Village patterns of growth as it relates to extension of the existing village pattern of growth for the Village Parcel. Attendees numbered around XXX that represented a fair cross section of the town. Exercises included second round of the visual preference survey held at the kick off meeting, breakout sessions with residents discussing opportunities for development and identifying what they would like to see and documenting comments on a copy of the site plan. Each table had a representative of the steering committee, a town official and or consultant to assist in the discussion and documentation. Each table reported out what their group felt should be done with the property, comments ranged from do nothing, preserve the land for town resident use as open space to affordable housing and development of municipal service facilities. The consulting team spent the afternoon and next two days in a design charrette taking the information from the XX tables to develop a consensus overlay to develop development concepts for the master plan. During the three day charrette process the public walk in participation was substantial... The consultants reviewed the documentation, concept plans and images as they were being developed with the public and solicited input.

At the end of day three, the consultant team presented the efforts of the 3 day charrette to the public and took comments and documented likes, dislikes and other relevant commentary. This effort was further refined over the course of the planning process.

4. ASSESSMENT SUMMARY

Site Analysis

The parcel is zoned Village Residential and Free Enterprise. Village Residential extends from North Street to the CMP Transmission Line Easement and Free Enterprise extends

from the CMP Easement to School Street. As identified above, there are 16 +/- acres of forested wetland and two stream segments that start in the wetlands. The larger of the two streams starts in the wetland located in the north easterly end of the site. The largest of the three significant vernal pools is situated just north of the wetland. The second stream segment begins in the wetland that is on the adjacent McCabe property in the south westerly end of the site near the CMP easement. The streams converge within the CMP easement and flow westerly under North Street then connects to the Kennebunk River.

Regulatory requirements established by the State and incorporated in the Town zoning include a 75 FT Stream setback. The road alignment approved for Olde Port Village was granted a waiver to reduce the setback to 50 FT as permitted under the shoreland regulations. The vernal pools are regulated by MDEP and Army Corp of Engineers. The three significant vernal pools have a 100 FT no disturb buffer requirement and a clearing limit standard that extends 150 FT out from the buffer. The prior approved project received a permit to impact wetlands totaling 1.07 acres primarily for roads with limited lot impacts. The prior developer acquired a 25 acre parcel in Biddeford, to address required wetland mitigation that is now part of the Blandings Park Wildlife Sanctuary.

Site Opportunities and Constraints

Environmental constraints consist of the factors associated with the existing streams and forested wetland and vernal pool conditions. The previous approved plan received approval for wetland impacts associated with the original road layout, which has been roughed in. Any redesign of the road network or development proposal that impacts wetland will require an amended wetland permit.

Current zoning regulations constrain the development opportunities by requiring larger lot sizes than identified in the master plan. To facilitate the plan would require modifications to the current zoning.

The clearing completed thus far for the prior development has occurred primarily within the limits that have been defined in the master plan as potential development areas. . Sewer extension in North Street was completed for the prior development to serve the property and water service was extended to the site. That said, work to date does reflect a potential savings in development cost.

A significant opportunity is the future connectivity between North Street and School Street that will provide a significant connection for improved response time for public safety services to other parts of the town. This connection will be significant during the high tourist season when the roads in the village area are congested.

Existing environmental conditions provide an opportunity for educational programs, significant open space connectivity that may include property currently controlled by the Kennebunkport Conservation Trust.

This parcel provides a great opportunity to address some of the identified needs of the community that includes residential housing that can respond to the needs of a diverse population that include a mixed generation and economic cross-section of the population. Providing a greater opportunity to live, work and play in the community.

Municipal Needs

In 2019 the Town initiated a facilities needs assessment of the Town Office and Fire Department, including KMS. Initial findings are that there is a need to replace Town Hall to accommodate for their current requirements that include public meeting space. Two areas have been identified on the master plan as potential sites for a new town hall and associated parking.

The Fire Department assessment has identified a need for additional space for equipment as well as staff quarters. Options being considered include expanding on to the existing North Street central fire station or to relocate the fire station to the Village Parcel. Option one would be to expand the staffing needs into the existing meeting room and to add new equipment bays. Option two would be to build a new station and to possibly consolidate one or two other stations in North Street or Goose Rocks Beach station. The location of a new station on the Village Parcel was dismissed during the master plan process.

Market Analysis

To be completed

5. RECOMENDATIONS

LAND USE

This section is organized under three primary headings; Overview, Objectives and Opportunities. Overview describes the current context of the Village Parcel locale and the implications of the existing zoning. Objectives identifies the intended outcomes of the proposed development as it relates to the types of uses, character of development and targeted densities. Lastly, Opportunities provide for listing and discussing the various methods in achieving the development objectives for the Village Parcel.

Overview

The Village parcel is 86.67 acres in size with its North Street access located only a half-mile from Dock Square and its School Street access slightly more than a half-mile from the village of Cape Porpoise— well placed within the context of the more populated parts of Kennebunkport, making it an important development parcel. The parcel was previously permitted (local and state) for an 80-unit residential subdivision, aka Old Port Village. The Town purchased the land in 2018 after the land had been partially cleared for lots and roadway, with a roughed-in gravel drive stretching from North Street (200 feet north of Reid Lane) to School Street (200 feet northeast of Bailey Court); a total of 1-1/4 miles in length.

Current Zoning Dimensional Requirements:

The parcel is located within two different land use zones; the southwestern third of the parcel (due west of the Central Maine Power transmission lines) is located in the *Village Residential Zone*, while the remaining land is located within the *Free Enterprise Zone*. Below are the tables for each zone from the Town's land use ordinance.

4.3 Village Residential Zone									
	Min Lot Area *1 (sq ft)	Min Lot Width (feet)	Max Lot Coverage	Min. Net Residential Area per Dwelling Unit (sq ft)	Min Setbacks Front (feet)	Min Setbacks Side (feet)	Min Setbacks Rear (feet)	Min Open Space	Max Building Ht. (feet)
Single Family Dwelling (one per lot) or Other Use Art. 4.16	40,000	100	20%	40,000	20	15	15	20%	35
Two-Family Dwelling	40,000	100	20%	20,000	40	20	20	20%	35
Multiplex	60,000	150	20%	20,000	25	50	50	20%	35
Public Libraries	40,000	100	75%		20	15	15	5%	35

*1 Note: Land use activities within the Shoreland Zone shall conform to the minimum lot size and shore frontage requirements set forth in Article 4.16

4.11 Free Enterprise Zone									
	Min Lot Area *9 (sq ft)	Min Lot Width (feet)	Max Lot Coverage	Min. Net Residential Area per Dwelling Unit (sq ft)	Min Setbacks Front (feet)	Min Setbacks Side (feet)	Min Setbacks Rear (feet)	Min Open Space	Max Building Ht. (feet)
Single Family Dwelling (one per lot) or Other Use Art. 4.16	40,000	100	20%	40,000	20	15	15	20%	35

Two-Family Dwelling	40,000	100	20%	20,000	40	20	20	20%	35
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*9 Note: Land use activities within the Shoreland Zone shall conform to the minimum lot size and shore frontage requirement set forth in Article 4.16

The two zones are quite similar in most aspects with regard to dimensional requirements, with the exception of multiplex dwellings that are not permitted in the Free Enterprise Zone. The Village Residential allows for multiplex dwellings (MPD) that provides for logistically more flexibility in achieving slightly higher density, though technically the net residential acre per dwelling unit is the same as it is for two-families (TFD), 20k sf. When considering the other residential zoning in the Town, the Dock Square Zone allows for the highest density, 10k sf. per dwelling unit for TFD and MPD and 20k sf. for single family dwellings (SFD). The Riverfront Zone and the Cape Porpoise Square Zone (10k for TFD and 20k for SFD) also allow higher densities.

When comparing the zoning across the river in Kennebunk, the Village Residential Zone and the Lower Village Business Zone, which are located directly opposite the Village Parcel locale, allow for 10k sf. per dwelling unit across the board, where connected to sewer. This results in four to two times as many units that the current zoning for the Village Parcel accommodates.

Current Zoning Allowed Uses:

Permitted versus conditional uses tend to be organized uniformly throughout the zones in that there is a modest list of mostly residential uses as permitted and typically a longer list of uses that are conditional. The latter is divided among those uses approved by Planning Board, under Site Plan Review, versus the Board of Appeals.

The Village Residential and the Free Enterprise zones differ mostly with the length of conditional uses, with the Free Enterprise Zone having a many more possibilities than the Village Residential. Both zones allow for the same residential uses with the exception of multiplex use allowed only in the Village Residential Zone. With regard to the other principal uses intended for the Parcel, it appears they can generally be accommodated for.

Objectives

The planning effort guided by the Village Parcel Master Plan Committee resulted in a series of objectives for the Parcel. They include:

- Affordable / Workforce Housing

- Mixed-Income / Multi-Generational Neighborhood
- Preserve Open Space
- Limited Municipal Uses
- Reserve Land for Future Use.

Affordable /Workforce Housing

Affordable housing, also known as *workforce housing* or *starter homes* are representative of the type of housing that was identified during the planning process as paramount among the objectives in developing the Village Parcel. This type of housing is defined per the State of Maine’s definition for *moderate income* households. This is defined as households with an income which is between 80% and 120% of the area median. The *area* used is the Housing Market Area (HMA) identified in the Kennebunkport Village Parcel Market Analysis prepared by Camoin Associates in 2019.

The Camoin report finds that in the next five years there will likely be a demand between 125 to 150 homes for people aged under 55 years old seeking affordable or below market-rate housing. This is a portion of the total demand for housing in Kennebunkport over the same period that is estimated between 330 to 542 new dwellings, through the year 2024.

When considering targets for how much affordable housing should be sought for the Village Parcel, there are several factors can be considered.

Affordable Housing Goal.

Identified in the Housing Needs Analysis and Assessment prepared for Kennebunkport in 2018 by Camoin Associates, the following goal was established by the Town:

At a minimum, the Town seeks to add 23 new units of “affordable” housing by 2028, equivalent to 10% of the projected increase in total new housing units in the town over this period. Affordable units are defined as units that are affordable to households earning between 80% and 120% of the town’s median household income as provided by the Maine State Housing Authority Housing Affordability Index. Affordable for-sale units would be available at a price between approximately \$254,000 and \$382,000, based on 2016 income data

In general, the goal is based on the Comprehensive Plans objective to meet the State of Maine’s Growth Management Law that requires municipalities to “seek to achieve a level of 10% of new residential development, meeting the definition of affordable housing.” (MRSA 30A 4326 3-A G)

Appropriate mix of market-rate and affordable dwellings

This objective is based on the expectation that the new development is over time a mixed-generational neighborhood that would include a broad demographic representation in the people living there. Along with the character of the neighborhood, the correct mix is critical in achieving a financially viable development project.

When considering the above factors, the affordable housing target best suited to achieve the intended outcome for the Village Parcel needs to strike the right balance between:

- 1) the Town's expectations for a return from the purchase price of the property, as well as potential additional costs for infrastructure, and
- 2) the Town's expectations to provide for housing that accommodates affordable home prices that would attract enough people to support the diversity needed to realize the type of mixed neighborhood the Town envisions.

The first expectation has not been articulated in any specific detail. The financial analysis prepared by Camoin Associates estimated that each additional affordable housing unit would result in a \$100,000.00 of lost town proceeds. There may be more fine tuning of these estimates with more design of the actual size of the homes proposed, both affordable and market-rate.

With regard to the second expectation, it is reasonable to estimate that, considering only the overall make-up of the future neighborhood being developed, a target of affordable housing that is between 25 and 30 percent of the total new housing being developed at any given phase, would likely achieve the right proportion. This will ensure the proper mix for the varied incomes and age groups that is sought while maintaining sufficient market-rate homes to offset the affordable dwellings.

[It is not clear however, if this would provide sufficient proceeds for the Town. It is likely that 30% affordable units would be the maximum and may provide zero proceeds to recoup the land purchase and/or put towards infrastructure. We can provide a table with several scenarios with assumptions on home size for a subsequent meeting?]

Preserve Open Space

The goal for the Village Parcel is to preserve open space that offers an opportunity to conserve plant and wildlife habitat along with offering the public amenities for passive

recreation. Another objective identified by stakeholders is the opportunity to develop an educational component that uses the Parcel's open space as an outdoor classroom to benefit the public. *{More to come}*

Mixed-Income / Multi-Generational Neighborhood

This is a development that emphasizes a mix of housing that is a different type, size and affordability from current market. This is accomplished by designing a development that incorporates a mix of single-family, two-family and multiplex dwellings that are also offered at a mix of affordability. This mix is created through the use of a varying lot sizes as well as different sized homes, together which attracts a broad and diverse group of people—the objective in creating this type of neighborhood.

Along with creating a neighborhood that would be home to down-sizing empty-nesters, young families and single workforce folks alike, summer and seasonal homes and rentals are not welcomed. It is anticipated that there is some safe-guards in place to keep this factor at bay.

The multiplex dwellings are designed as part of a New England Farm style building that resembles the character of many of the homes that gives the Town its charm. The large homes are divided up internally to accommodate three or four dwellings. This would provide for greater flexibility in achieving higher densities as well as the mix in demographics, attracting people who are not in the market for larger detached or semi-detached homes.

Lastly, strictly as a subordinate use to the residential and municipal uses intended for the Village Parcel, limited commercial/retail use is envisioned to support the overall neighborhood. This would be limited to modest sized coffee shop that could offer packaged and limited made-on-the-premises food such as sandwiches. This limited use may also include an appropriate sized market that would include produce and staple food items such as bread, milk, juice, etc.

Limited Municipal Uses

This involves providing for future town uses including a new town municipal building to replace the undersized current building. *{More to come}*

Reserve Land for Future Use.

The intent is to use the Village Parcel as an opportunity to satisfy undetermined needs the Town may have in the future. Some thoughts on this ranged from having a reserved land to address the effects of rising sea levels along the town's coastal properties in the down town area to relocating a Fire House to what may be a more centralized location. Whatever the need might be, the objective is to reserve land that will not impede the short-term development needs but will provide a sufficient placeholder that can be possible be used in the future if needed.

{More to come}

Opportunities

Zoning

It is evident from reviewing the current zoning for the Village Parcel and considering the objectives for the type of development that the Town seeks, changes to the zoning will be necessary. In general, amendments to zoning that will optimize establishing the type of development the Town seeks will include decreased setbacks, smaller lots sizes, greater building coverages and perhaps the establishment of design standards. Logistically, new zoning can be achieved in the several ways that are discussed below.

Contract Zoning. The Town can, and has done in the past, establish specific zoning regulations and conditions for the Village Parcel alone. A legal review would be necessary to vet the concept first to determine the logistics involved in ownership, but it is likely the actual contract zone agreement would be between the Town and a future developer. This form of land use regulation is most flexible since it can be narrowly fashioned to achieve objectives that are project and site specific.

The Town's Contract Zoning regulations are outlined in Article 13 of the Land Use Ordinance, and is pursuant to state law, Title 30-A M.R.S.A. § 4352. There are three primary state statutory standards that must be met: 1) Be consistent with the Comprehensive Plan; 2) rezoned areas are consistent with the existing and permitted uses of the original zones (i.e. can't establish a gas station where there were only residential uses permitted); and 3) any conditions or restrictions required must relate only to the physical development or operation of the property.

The Town's zoning outlines these requirements in the land use ordinance and summarizes the overall intent:

Contract zoning shall promote the general welfare of the residents of the Town of Kennebunkport. The Board of Selectmen shall approve a contract zoning request for placement on the Town Warrant only if it determines that the proposed contract zoning is in the public interest and will have beneficial effects on the Town as a whole, which would not result if the property were developed under the existing zoning district classification. (Section 13.1)

Specific criteria for the Board of Selectmen in making such determinations include the following:

- (1) is consistent with the Town of Kennebunkport Comprehensive Plan;*
- (2) is compatible with the existing and permitted uses within the existing zoning district classification of the property;*
- (3) is in the public interest; and*
- (4) will have beneficial effects on the Town as a whole which would not result if the property were developed under the existing zoning district classification.*

The Board of Selectmen must state its reasons for why the proposed contract zoning amendment meets each of the above criteria in findings and conclusions on all four of the determinations.

A summary of the review and approval process for a typical contract zoning amendment can be summarized:

- 1) An application, that includes the proposed development for the property and identifying how the new use and development and meets the criteria stated above, is submitted to the Town Manager.
- 2) After review by the Town Manager, finding the application complete, schedules a joint meeting with the Planning Board and the Board of Selectmen and notice the public hearing per the requirements of Section 13.2.C
- 3) The joint public hearing is held in accordance with Section 13.2.D, that includes, among other things, presentation by the applicant, comments from Town Staff, discussing among planning board and selectmen members and testimony from the public. The preliminary discussion may be continued to another meeting.
- 4) Once the Board of Selectmen have concluded the discussion they can do one of three actions; Authorize that the proposed contract zone (with amendments or

conditions) be placed on a future warrant for vote by the Town; Advise the applicant to withdraw the contract zoning amendment; or Advise the applicant to revise and resubmit the proposed contract zoning amendment.

- 5) Before placing the proposed contract zoning amendment on the Town Warrant, the Board of Selectmen must vote and make findings and conclusions on the four criteria outlined above and are identified in Section 13.2.E.3.
- 6) After Town Meeting vote and the contract zoning amendment is approved, the land use ordinance and official zoning map will be revised and the contract zoning agreement is recorded at the York County Registry of Deeds.
- 7) Subsequent to the adoption of the contract zoning amendment, and prior to any permits issued, the proposed development is required to be reviewed by the Planning Board persistent to the Town's Site Plan and Subdivision regulations.

Overlay Zone. Another option for the Town to change the zoning to facilitate the envisioned development for the Village Parcel is to draft and adopt a series of provisions that are in addition to the base zoning regulations and may supersede them if specific conditions are met. At first glance, these conditions would likely be targets for affordable housing dwellings and open space conservation, or recreational amenities. With these conditions met specific density increase above the base zoning is permitted.

If the Town is so inclined, an advantage to this over other applications of zoning regulations is that it can include more than the Village Parcel. This could encourage other properties, within appropriate locations of the town, to establish a similar character of development. In the locale of the Village Parcel, there are parcels adjacent to the north and south that may be appropriate to be developed in similar ways as is being considered for the Village Parcel. The large parcels to the south that have frontage along School Street have similar positive attributes that the Village Parcel has when considering development opportunities in this portion of town, in close proximity to Dock Square. The underlying zoning is not changed, allowing the property owners to choose how they want to develop their land.

New Base Zone. This option would require the drafting and adoption of a new land use zone. Typically, such a zoning district would include more than one property. The Town's attorney should review the logistics of this and determine if this is an issue or not or perhaps the Parcel is divided into lots. The advantage to a new standalone base zone is that it can provide more clarity and is essentially mandating the type of development based on specific regulatory requirements, don't have the choice as might

be the case under an overlay zone, as described above. This may not be a factor if the Town only wants to focus on the Village Parcel.

Both a new Overlay Zone and a new Base Zone will require adherence to Section 12 of the Town's land use ordinance and applicable state statutes including Title 30-A M.R.S.A. § 4352.

Design Standards and Guidelines.

Such standard and guidelines are important to have in place to aid in communicating the type of development that is envisioned for the Village Parcel. Identifying a range of appropriate design attributes and details such as architectural massing, form, style and building materials can help to ensure overall expectations for the character of the neighborhood is met.

Multiplex building design is a specific element that can benefit from standards and guidelines. The concept, that came from the planning process, entails accommodating several dwelling units in the form of a large New England Farm house, perhaps with an attached barn. This architectural vernacular is common place among many Maine scenes and is an element of the overall character that has been identified to be preserved.

{More to come}

6. IMPLEMENTAION STRATEGIES

To be completed